

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 30
Council Chambers, City Hall

September 6, 2011
6:30 O'clock P.M.

Present were Council Member Weller, Caviness, Meyers, Morgan and Niner. Mayor Uehling was absent.

Meyers moved, seconded by Niner to approve the following Consent Agenda items: minutes from Regular Meeting No. 28, Aug. 16, and Special Meeting No. 29 on Aug. 22, 2011 as presented; acknowledge July financial report and payment of bills as submitted by the Finance Dept.; Mayor's appointment of Deborah Moore to the Ottumwa Housing Authority Board due to a vacancy, term to expire 11/11/2012; Mayor's appointment of Joyce Kramer to the Board of Library Trustees due to a vacancy, term to expire 7/1/2017; Mayor's appointment of Theresa Frimml to the Cemetery Trustees due to a vacancy, term to expire 7/1/2018; Mayor's proclamation of Sept. 11-17, 2011 as National Assisted Living Week in the City of Ottumwa; Mayor's proclamation of Sept. 17-23, 2011 as Constitution Week in the City of Ottumwa; acknowledge Civil Service Commission Fire Fighter entrance eligibility list certified Aug. 31, 2011; set Sept. 20, 2011 as a public hearing on the plans, specifications, form of contract and estimated cost for the 5th St. Improvement Project; set Sept. 20, 2011 as a public hearing on the plans, specifications, form of contract and estimated cost for the West End Truck Line Improvement Project; contract from Elliott Oil Co., Ottumwa, Iowa for a best bid margin of \$.05 cents for ethanol and No. 2 diesel to be added to the wholesale price, and authorize the Mayor to sign; Res. No. 153-2011, authorizing the destruction of certain records according to the Code of Iowa, 2011, as amended; beer and/or liquor applications for Oktoberfest Committee, Market St. Parking Lot, 9/28-10/3/2011, Big Kmart #7161, 1131 N. Quincy Ave., Big Kmart #7161, 1131 N. Quincy Ave., change of ownership; Aldi, 940 Quincy Ave., Bridge City Bowl, 1527 Albia Rd., temporary outdoor service area, 9/16-19, 9/20-22, and 9/27-29/2011, and Elks Ottumwa Lodge #347, 413 S. Iowa Ave., pending dram. All ayes.

Weller moved, seconded by Niner to move Item H.-1. to H.-7. and Item H.-7. to H.-1. and approve the agenda as amended. All ayes.

City Admin. Helfenberger reported there will be Solid Waste Commission meeting on Sept. 21, 2011 at 5:00 P.M. in Room 108 at City Hall. There will also be no special meeting next Monday.

Mayor Pro Tem Caviness inquired if anyone in the audience wished to speak on a specific agenda item. Robert LaPoint, 525 Ray St., Ottumwa, wished to speak on Item H.-8., Res. 159-2011. Peter McNally, 225 E. 42nd St., Des Moines, wished to speak on Item No. H.-10., Res. 161-2011.

Caviness moved, seconded by Morgan to approve installation of a peace pole in Central Park in remembrance of 9-11. Park Dir. Rathje reported United Way has proposed installing a peace pole in the northeast section of Central Park near Fourth St. There will be no cost to the City. It will be taken to the Park Board for further review. Council Member Meyers moved, seconded by Niner to withdraw the original motion and table Item No. F.-1. All ayes.

Weller moved, seconded by Morgan to approve the purchase of two Caterpillar diesel generator sets from Altorfer Power Systems of Cedar Rapids, IA for the quoted price of \$27,100.00 each for the Rochester Pump Station and the OADC pump station, for a total purchase price of \$54,200.00. All ayes.

Weller moved, seconded by Morgan to award the contract for the application of Asphalt Emulsion Systems to Gee Asphalt Systems in the amount of \$15,890.00 and authorize the Mayor to sign. Public Works Dir. Seals reported one bid was received from Gee Asphalt Systems of Cedar Rapids, IA in the amount of \$15,890.00. All ayes.

Meyers moved, seconded by Morgan to purchase the replacement parts for the repair of the Elm St. rake from E & I Corporation (through Bert Gurney and Associates, Inc.) for the quoted price of \$26,302.00. All ayes.

This was the time, place and date set for a public hearing on the plans, specifications, form of contract and estimated cost for solar powered lights for a section on the Ottumwa Trail System. Park Dir. Rathje reported the purchase will be funded by a \$50,000.00 donation from John Deere. No objections were received. Weller moved, seconded by Niner to close the public hearing. All ayes.

Meyers moved, seconded by Weller that Res. No. 150-2011, approving the plans, specifications, form of contract and estimated cost for solar powered lights for a section of the Ottumwa Trail System, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on the proposed changes in the city election precinct boundaries. No objections were received. Morgan moved, seconded by Meyers to close the public hearing. All ayes.

Caviness moved, seconded by Niner to pass the first consideration of Ordinance 3027-2011, amending Chapter 12, Article II, Precincts of the Municipal Code of the City of Ottumwa, Iowa by repealing Sections 12-30 and 12-32 and enacting a substitute in lieu thereof. All ayes.

Morgan moved, seconded by Meyers to waive the second and third considerations and pass and adopt Ordinance 3027-2011, amending Chapter 12, Article II, Precincts of the Municipal Code of the City of Ottumwa, Iowa by repealing Sections 12-30 and 12-32 and enacting a substitute in lieu thereof. All ayes.

Caviness moved, seconded by Weller that Res. No. 158-2011, rescinding Res. No. 183-2009 and approving the City of Ottumwa local match for the Hazard Mitigation Grant Program for the West End Sewer Separation Project, be passed and adopted. All ayes.

Meyers moved, seconded by Morgan that Res. No. 152-2011, approving the professional services agreement between the City of Ottumwa and Veenstra & Kimm, Inc. for the South Ottumwa Sewer Separation Project, Phase IV, Section 1 – Richmond Sewer Area, be passed and adopted. All ayes.

Caviness moved, seconded by Meyers that Res. No. 154-2011, approving the Street Financial Report for the fiscal year of July 2010 through June 2011 for the City of Ottumwa, Iowa, be passed and adopted. All ayes.

Caviness moved, seconded by Weller that Res. No. 155-2011, approving Change Order #2 (contract increase of \$7,976.70) for the CCTV Camera System Project, be passed and adopted. All ayes.

Meyers moved, seconded by Weller that Res. No. 156-2011, amending the City's Policies and Procedures, Article 19, Accident Review, be passed and adopted. All ayes.

Weller moved, seconded by Morgan that Res. No. 157-2011, approving a one year lease agreement with Norfolk Southern Railway Company to house a backup generator for the operation of a pump station on Garfield St., be passed and adopted. All ayes.

Caviness moved, seconded by Morgan that Res. No. 149-2011, authorizing the Mayor to sign the Hazard Mitigation Grant Program Application for the West End Sewer Separation Project, be passed and adopted. All ayes.

Caviness moved, seconded by Weller that Res. No. 159-2011, approving the IDNR Administrative Consent Order regarding the sewer separation plan and authorizing the Mayor to sign, be passed and adopted. Public Works Dir. Seals reported this is a long term control plan that has been worked on since 2003. The standard timeline offered by IDNR is fifteen years and an additional two years if a municipality could show financial hardship. The City of Ottumwa, with the assistance of Veenstra & Kimm and Hall & Associates, has negotiated twenty-five years to complete the projects. Once adopted the Administrative Consent Order is a contract between the City of Ottumwa and IDNR. He gave the example of buying a home on a 15 year mortgage opposed to a 30 year mortgage and the effect it has on the mortgage payment. The same principle applies to the agreement. Robert LaPoint, 525 Ray St., Ottumwa, asked how much the sewer rates will be raised if the agreement is passed. Public Works Dir. Seals said that the projects can be funded with TIF or Local Option Sales Tax or sewer rates. The Council will have to make that tough decision. Mr. LaPoint stated he is not against the timeline, but he doesn't think the people can afford a rate increase. Council Member Caviness noted approving this item is a commitment to do the job and get the extension. This will allow the Council to determine how it will be funded. A rate increase will be discussed at another meeting. Council Member Morgan said Phases 4-6 have a completion date of 2016 and Phases 7-9 are to be completed by December 2036 and asked if there was any way to spread the clusters out longer. Public Works Dir. Seals said there is not in order for the projects to be done cost effectively. The timeline was based on operation and design criteria. Council Member Niner said if the people can't afford it then they can't afford it. The figures are roped in with the agreement and he is going to stand up for the taxpayer and say they can't afford it. Public Works Dir. Seals said that if a rate increase is imposed it can be evaluated after the first three years and may possibly decrease the increase for outer years. Ayes: Weller, Caviness, Meyers, Morgan. Nays: Niner. Motion carried.

Meyers moved, seconded by Weller that Res. No. 160-2011, approving Change Order #1 (contract increase of \$440.00), accepting the work as final and complete and approving final pay request for the Northside Combined Sewer Overflow Concrete Structure Repair and Sluice Gate Actuator Installation, be passed and adopted. All ayes.

Meyers moved, seconded by Weller that Res. No. 161-2011, approving the final plat South Street Addition to the City of Ottumwa, Wapello County, Iowa, be passed and adopted. Peter McNally, 225 E. 42nd St., Des Moines spoke on behalf of U.S. Cellular and Farmers Cellular Telephone Company. The parcel will be used for a communications facility and tower. It is an automatic facility and generates tax dollars for the City. Other companies could locate on this same facility and tower without having to locate a completely separate tower which helps minimize the number of towers. All ayes.

Weller moved, seconded by Caviness that Res. No. 162-2011, approving Change Orders (contract increase of \$10,115) on the Reconstruction Contract of the City of Hall Entrance with Grooms and Co. Construction Inc., be passed and adopted. All ayes.

Mayor Pro Tem Caviness inquired if anyone from the audience wished to address the Council on an item not on the agenda. Max Hulen, 513 Camille, wanted to know who has the right-of-way on sidewalks. He was struck on the sidewalk and wants to know what can be done about it. Don Alderwood, 131 Willard St., said there has been mud on Willard St. for two years and when it was seeded the seeding got washed away. He asked the contractor to seed again and was told that they didn't have to because they had a family member or friend on the council. There is a lot of mud still out there. Public Works Dir. Seals noted that this area is part of the sewer separation and some areas did take and will be reseeded. Mr. Alderwood added he was almost run over by a bike and all of these small problems add up to a big problem. He stated that he loves people but the Council needs to get out and see the public. He has not seen them out on the south side.

Weller moved, seconded by Niner that the meeting be adjourned. All ayes. Adjournment was at 8:08 P.M.

CITY OF OTTUMWA, IOWA

Dale Uehling, Mayor

ATTEST:

Amanda Valent, City Clerk

OTTUMWA CITY COUNCIL MINUTES

SPECIAL MEETING NO. 31
Council Chambers, City Hall

September 13, 2011
5:00 O'clock P.M.

Present were Council Member Caviness, Meyers, Morgan, Niner, Weller, and Mayor Uehling.

Caviness moved, seconded by Meyers to appoint Sherrie Jones Temporary City Clerk for this meeting in absence of the City Clerk. All ayes.

Meyers moved, seconded by Caviness to approve the recommendation as presented by the Planning and Zoning Commission to approve site plan for the development of a proposed 5,250 sq. ft. Pizza Ranch restaurant to be located on Outlot 7 of the Horne Subdivision Lot 3. All ayes.

The Mayor inquired if anyone from the audience wished to address the Council on an item not on the agenda. There were none.

Morgan moved, seconded by Caviness that the meeting be adjourned. All ayes. Adjournment was at 5:09 P.M.

CITY OF OTTUMWA, IOWA

Dale Uehling, Mayor

ATTEST:

Sherrie Jones, Temporary City Clerk

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 32
Council Chambers, City Hall

September 20, 2011
6:30 O'clock P.M.

Present were Council Member Meyers, Morgan, Niner, Weller, Caviness and Mayor Uehling.

Morgan moved, seconded by Meyers to approve the following Consent Agenda items: minutes from Regular Meeting No. 30, Sept. 6, and Special Meeting No. 31 on Sept. 13, 2011 as presented; Res. No. 167-2011, accepting the work as final and complete and approving final pay request for the WPCF Headwork's Building Improvements Project; beer and/or liquor applications for Alpine Inn, 1804 Albia Road, pending dram and Quick Shop Foods, 405 S. Madison, pending final inspections. All ayes.

Meyers moved, seconded by Morgan approve the agenda as presented. All ayes.

Dir. of Finance Jay reported there will be Solid Waste Commission meeting on Sept. 21, 2011 at 5:00 P.M. in Room 108 at City Hall.

Mayor Uehling inquired if anyone in the audience wished to speak on a specific agenda item. There were none.

Morgan moved, seconded by Weller to approve the quote from Norris Asphalt Paving Company for patching Runway 13/31 at the Ottumwa Regional Airport in the amount of \$15,572.00 and authorize the Mayor to sign the proposal. All ayes.

Meyers moved, seconded by Niner to approve the proposal from Brown Engineering Company for the Hangar Fire Detection System at the Ottumwa Regional Airport in an amount not to exceed \$8,775.00 and authorize the Mayor to sign the proposal. All ayes.

Weller moved, seconded by Niner to approve payment to Davis County Plumbing and Construction in the amount of \$10,228.12 for the emergency repairs made to the Indian Trail Road Sewer. All ayes.

Caviness moved, seconded by Niner to approve reallocation of excess 2011 CIP Health Department Computer funds to the City Hall Entrance Reconstruction Project in the amount of \$4,873.30. Ayes: Meyers, Niner, Weller, Caviness. Nays: Morgan. Motion carried.

Morgan moved, seconded by Weller to approve a \$5,000.00 donation to the Adult Softball Association for improvements to infields at Wayside Park. Park Dir. Rathje reported the donation was approved at the Parks Advisory Board meeting on August 9, 2011. Ayes: Morgan, Niner, Weller, Caviness. Nays: Meyers. Motion carried.

This was the time, place and date set for a public hearing on the plans, specifications, form of contract and estimated cost for the 5th Street Improvement Project at the Ottumwa Regional Airport. No objections were received. Caviness moved, seconded by Weller to close the public hearing. All ayes.

Caviness moved, seconded by Niner that Res. No. 165-2011, approving the plans, specifications, form of contract and estimated cost for the 5th Street Improvement Project at the Ottumwa Regional Airport, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on the plans, specifications, form of contract and estimated cost for the Sanitary Sewer Improvement Project – Ottumwa, Iowa - 2011. No objections were received. Caviness moved, seconded by Niner to close the public hearing. All ayes.

Meyers moved, seconded by Weller that Res. No. 166-2011, approving the plans, specifications, form of contract and estimated cost for the Sanitary Sewer Improvement Project – Ottumwa, Iowa – 2011, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on the intent to dispose of City owned property located at 2445 E. Main Street. Health & Insp. Supv. Gates reported the City advertised the sale and received no bids for the property. Charles Vande Noord submitted an offer of \$250.00. The estimated costs to demolish the house are in excess of \$5,000.00. No objections were received. Weller moved, seconded by Niner to close the public hearing. All ayes.

Morgan moved, seconded by Meyers that Res. No. 163-2011, accepting the offer and approving the sale of City owned property located at 2445 E. Main St. to Charles Vande Noord, be passed and adopted. All ayes.

Caviness moved, seconded by Meyers that Res. No. 170-2011, approving a Management Agreement between the City of Ottumwa and VenuWorks of Ottumwa, LLC, be passed and adopted. City Attorney Joni Keith reported the agreement will provide for the operation and management of the Bridge View Center. The agreement begins on Nov. 1, 2011 and ends June 30, 2016. The annual base management fee is \$6,665.00 per month beginning Jan. 1, 2012 and will increase 3% each year. The agreement also provides for commission and incentive fees to be paid if VenuWorks of Ottumwa, LLC meets benchmarks as set forth in the agreement. All ayes.

Caviness moved, seconded by Meyers that Res. No. 164-2011, directing sale of \$2,050,000 General Obligation Bonds, Taxable Series 2011A, and approving official statement, be passed and adopted. Ayes: Meyers, Niner, Weller, Caviness. Nays: Morgan. Motion carried.

Meyers moved, seconded by Morgan that Res. No. 168-2011, approving Change Order #1 and accepting the work as final and complete and approving final pay request for the HMA, PCC Street Crack Repair Program 2011, be passed and adopted. Public Works Dir. Seals reported Change Order #1 increases the contract amount by \$408.63. All ayes.

Morgan moved, seconded by Niner that Res. No. 169-2011, approving the hiring of three entry level firefighters for the Ottumwa Fire Department, be passed and adopted. Fire Chief Miller reported these three positions are in the current budget but have been vacant since May of 2010. Council Member Caviness stated that he will be in opposition of this item because, whether budgeted for or not, you can't spend the money if you don't have it. Ayes: Meyers, Morgan, Niner, Weller. Nays: Caviness. Motion carried.

Mayor Uehling inquired if anyone from the audience wished to address the Council on an item not on the agenda. There were none.

Mayor Uehling announced that there will be a work session next Monday at 5:00 P.M.

Caviness moved, seconded by Niner that the meeting be adjourned. All ayes. Adjournment was at 7:42 P.M.

CITY OF OTTUMWA, IOWA

Dale Uehling, Mayor

ATTEST:

Amanda Valent, City Clerk