

## OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 13  
Council Chambers, City Hall

April 6, 2010  
6:30 O'clock P.M.

The meeting convened at 6:36 P.M.

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

Morgan moved, seconded by Meyers to approve the following Consent Agenda items: minutes from Special Meeting No. 10 on March 8, Regular Meeting No. 11 on March 16, and Special Meeting No. 12 on March 17, 2010 as presented; acknowledgement of Civil Service Commission Police Officer entrance and Master Fire Fighter promotional eligibility lists certified March 25, 2010; appointment of Noah Aljets to the position of probationary police officer effective April 12, 2010; promotion of David Yeager to the position of Master Fire Fighter effective April 12, 2010; appointment of Joseph Meola to the position of probationary police officer effective April 19, 2010; Mayor's appointment of Julie Zorn to the Civil Service Commission for term to expire April 5, 1012; Mayor's reappointment of James McDonald to the Civil Service Commission, term to expire April 1, 2014; Mayor's reappointment of Donald Krieger to the Plan & Zoning Commission, term to expire April 2015; purchase rock salt for the 2010-11 season through the Iowa Dept. of Transportation's contract for snow and ice removal; Salvage Dealer's License for Hill's Garage, 1002 Harvey St.; adoption of Res. No. 39-2010, approving contract, bonds and certificate of insurance for Dan's Overhead Doors & More, Inc. for Building #23 Hangar Door Installation Project at the Ottumwa Regional Airport; adoption of Res. No. 46-2010, setting April 20, 2010 at 6:30 p.m. for a public hearing for on the intent to dispose of city owned property located at 135 N. Fairview to Russ and Lisa Aslesen; adoption of Res. No. 48-2010, approving contract, bond and certificate of insurance of Shipley Contracting Corp. for the River Dr. Reconstruction Project (Market to Green); adoption of Res. No. 55-2010, approving contract, bond and certificate of insurance of Norris Asphalt Paving Co. for the Wapello St. Extension HMA Resurfacing Project (Richmond Ave. to Hwy. 34); beer and liquor application for Noe's, Bar & Grill, 101-105 S. Madison. All ayes.

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

City Admin. Helfenberger said there would be a Council work session on April 12<sup>th</sup> at 5:00 p.m. to discuss sewer projects, the vacant lot policy, an update of the electrical code, submission of a RECAT grant and transient merchant license.

The Mayor inquired if anyone in the audience wished to address a specific agenda item. There were none.

Niner moved, seconded by Morgan to approve the agreement with the Ottumwa Regional Health Center, Inc. effective May 1, 2010 for the Wellness Program – Healthy Choice services and authorize Mayor to sign. All ayes.

Caviness moved, seconded by Niner to approve the request to repair the park road and parking lot at Wildwood Park destroyed by frost heaving in March. Park Dir. Rathje said the funds will come from a bond issue for a new walk bridge which will not be necessary since a low water bridge was built in Feb. by the Park Dept. All ayes.

Caviness moved, seconded by Meyers to approve the 2010 seasonal pay scale for The Beach Ottumwa employees. Caviness moved, seconded by Meyers to amend the seasonal pay scale by raising the pay scale for life guards by 50 cents for each step. All ayes. Vote on main motion: All ayes.

Caviness moved, seconded by Niner to approve payment to Christy Construction in the amount of \$18,999.14 for Highway #63 sewer repair. All ayes.

Morgan moved, seconded by Meyers to approve the list of sponsors for the Community Recognition Pole Banner program. All ayes.

Meyers moved seconded by Weller to authorize the Mayor to sign the Agreement for architectural services with Brooks Borg Skiles Architecture Engineering LLP for the Affordable Housing Project at 309 Tindell. All ayes.

Caviness moved, seconded by Weller to approve the letter of support to sell Sycamore Park land and improvements for the purpose and use of a privately owned and funded entertainment center, and that it be sent to Fred Lynn of the Lynn Group. All ayes.

Caviness moved, seconded by Niner to accept the City of Ottumwa Goal Setting Report of March 17, 2010. All ayes.

This was the time, place and date set for a public hearing plans, specifications, form of contract and estimated cost for the Asphalt Street Repair Program 2010. No objections were received. Morgan moved, seconded by Weller to close the hearing. All ayes.

Caviness moved, seconded by Niner that Res. No. 49-2010 approving plans, specifications, form of contract and estimated cost for the Asphalt Street Repair Program 2010, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing plans, specifications, form of contract and estimated cost for the HMA, PCC Street Crack Repair Program 2010. No objections were received. Weller moved, seconded by Niner to close the hearing. All ayes.

Caviness moved, seconded by Niner that Res. No. 50-2010, approving plans, specifications, form of contract and estimated cost for the HMA, PCC Street Crack Repair Program 2010, be passed and adopted. All ayes.

Meyers moved, seconded by Weller that Res. No. 47 -2010, amending Personnel Policies and Procedures for the City of Ottumwa, effective April 6, 2010, be passed and adopted. All ayes.

Caviness moved, seconded by Niner that Res. No. 51-2010, accepting the work as final and complete and approving final pay request from Weidner Construction for the WPCF Electromagnetic Flow Meter Installation, be passed and adopted. All ayes.

Meyers moved, seconded by Niner that Res. No. 52-2010, approving Change Order #1 (contract increase of \$3,624.50) and accepting the work as final and complete and approving final pay request from Shipley Contracting Corp. for the Wapello St. Reconstruction Project (Fifth St. north 275 ft.), be passed and adopted. All ayes.

Morgan moved, seconded by Weller that Res. No. 53-2010, approving Change Order #2 (contract increase of \$10,428.58) and accepting the work as final and complete and approving final pay request from Shipley Contracting for the Washington St. Reconstruction Project 2009, be passed and adopted. All ayes.

Caviness moved, seconded by Niner that Res. No. 56-2010, approving agreement between City of Ottumwa and Calhoun-Burns & Associates, Inc. for professional engineering services to conduct the 2010 Bridge Inspection and Load Rating Program, be passed and adopted. All ayes.

Caviness moved, seconded by Weller that Res. No. 58-2010, approving Change Order #4 (contract increase of \$3,113.00) for the WPCF Headwork's Building Improvements Project by Winger Contracting, be passed and adopted. All ayes.

Meyers moved, seconded by Morgan that Res. No. 59-2010, establishing Regular Meetings of the Ottumwa City Council, Rules of Order and Meeting Procedures, be passed and adopted. Admin. Helfenberger outlined the main changes being that if there is an abstention, the reason for the abstention and the nature of any conflict will be disclosed, meetings will not be televised if they are held in a facility that does not have televising capabilities, and citizen comments will be limited to 3 minutes. All ayes.

The Mayor inquired if anyone in the audience wished to address the Council. Stan Kerr, 1611 Greenwood Dr. thanked the city crews for their work during the hard winter and Jody's crews with the purple cleanup bags. He questioned why the Iowa flag was not displayed at Bridge View, and the lack of "welcome" signs to the city. Tom Palen, 601 W. Second, spoke about property located at N. Marion and Timber St. and adjacent to his property. The owner Ted Latos, a contractor, is encroaching on city property in this area and he asked the Council take action and order him to remove the dirt fill that is encroaching into the street.

Caviness moved, seconded by Niner that the meeting be adjourned. All ayes. Adjournment was at 7:45 p.m.

CITY OF OTTUMWA, IOWA

---

Dale Uehling, Mayor

ATTEST:

---

Ann Cullinan, City Clerk

## OTTUMWA CITY COUNCIL MINUTES

SPECIAL MEETING NO. 14  
Council Chambers, City Hall

April 12, 2010  
5:00 O'clock P.M.

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

The Mayor inquired if anyone from the audience wished to address a specific agenda item. There were none.

Meyers moved, seconded by Niner that Res. No. 45-2010, approving the RECAT application for The Beach Ottumwa improvements, be passed and adopted. All ayes.

Health & Insp. Supv. Gates outlined the changes to the Vacant Lot Disposition Policy that was previously discussed on March 8<sup>th</sup>. After discussion and questions the Council concurred with the proposed changes and for it to be placed on the next meeting agenda.

Ms. Gates provided a draft ordinance updating Chapter 13 Electrical Code of the City Code that will require a public hearing and three readings. This ordinance will adopt by reference the 2008 edition of the National Electrical Code. The main changes adopt administrative language to allow for appeals to the Inspection Board of Review, states what installations do not require permits and deletes local electrical licensing provision and adopts those of the State of Iowa. Staff also recommended state Class B license holders be prohibited from obtaining electrical permits, as they have not passed an examination acceptable to the State of Iowa. She outlined the basic changes from the current 2005 National Electrical and the reviewed the proposed resolution setting fees for electrical service permits, noting the removal of license and testing fees. The Council requested feedback from the public before moving forward with the hearing and ordinance.

Public Works Dir. Seals recapped 8 sewer projects that need to be done to met the 85% load removal and the 4 to 6 CSO discharges requirement: Blakes Branch, estimated at \$10 million will run from the Airport to Blakes Branch, Trunk Sewer to Airport/ABC - \$6,000,000, Richmond oxbow - \$4,600,000, Lagoon Pump Station/Finley pumps - \$4,800,000, UV at treatment plant - \$500,000, Northside CSO Box Sewer Repair - \$10,000,000, Westside Sewer - \$15,000,000. Tim Oswald of Piper Jaffray reviewed three options for financing the project costs and proposed timelines. Option 1 is to use sewer revenues only which would require a 13% increase in sewer revenue for four years followed by 6% for an additional four years to fund all eight projects listed. Option two would combine the use of TIF and LOST revenues with sewer revenues and require four 12% sewer revenue increases followed by four 3% increase. Option 3 was to outline which projects could be funded if rates were increased until 1.5% MHI was reached. The final project list will be determined after the completion of the UAA study. The Council will have to provide direction as to which option they want to use to fund the projects. Mr. Seals said he would be bringing an ordinance to the Council for a sewer rate increase.

City Admin. Helfenberger said staff has looked at other Iowa cities that have a yearly license for Transient Merchants. There are concerns that an annual license would apply to various types of transient merchants and not just food vendors. In order to keep the revenue consistent, an annual fee of \$300 has been recommended. Upon receiving Council comments, the consensus was to add an annual fee of \$300 to the Transient Merchant ordinance.

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

Niner moved, seconded by Morgan that the meeting be adjourned. All ayes. Adjournment was at 6:42 P.M.

CITY OF OTTUMWA, IOWA

---

Dale M. Uehling, Mayor

ATTEST:

---

Ann Cullinan, City Clerk

## OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 15  
Council Chambers, City Hall

April 20, 2010  
6:30 O'clock P.M.

The meeting convened at 6:34 P.M.

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

Meyers moved, seconded by Morgan to approve the following Consent Agenda items: minutes from Regular Meeting No. 13 on April 6, and Special Meeting No. 14 on April 12, 2010 as presented; acknowledgement of March financial report and payment of bills as submitted by the Finance Dept.; setting May 4, 2010 at 6:30 pm for a public hearing on the 2009/2010 Amendment of the Current City Budget; request for a Waiver from the Requirements to Post a Bond for Waterworks Board of Trustees; purchase rock and sand products for the 2010-11 season from Winn Corp., dba Wapello County Sand and Rock and Doud's Stone; yearly purchase of asphalt for Street Maint. Dept. for 2010 season from Norris Asphalt Paving Co.; Canvasser & Solicitors Application from Penny Marburger with American Legion Ladies Auxiliary for 10 people to solicit donations on poppies for veterans and families throughout the city May 24-29, 2010; accepting the Drug Endangered Children (DEC) Grant in the amount of \$7,200.00 from the Iowa Office of Drug Control Policy and authorize the Chief of Police to sign any related documents as may be required; adoption of Res. No. 62-2010, setting May 4, 2010 at 6:30 pm for public hearing on a lease with the FAA for the Remote Communications Outlet room in the terminal building at the Ottumwa Regional Airport; adoption of Res. No. 64-2010, setting May 4 at 6:30 PM for a public hearing on the intent to dispose of City owned real property to Ottumwa Housing Authority; beer and/or liquor applications for The Salty Frog, with Outdoor Service Area, 314 E. Main St. pending dram, and El Porto, 2804 N. Court Street, pending dram. All ayes.

Caviness moved, seconded by Morgan to approve the agenda as presented.

City Admin. Helfenberger reported there would be a Solid Waste Comm. meeting April 21<sup>st</sup> at 5:00 P.M. There will not be a work session next Monday. On April 26, 5-6 P.M., there will be a meet and greet for finalists for the Bridge View general manager position. Interviews will begin at 6 P.M. and he requested two Council volunteers to participate. He, the Mayor, representatives from Bridge View Inc. and Centerplate will be conducting the interviews. Council Members Caviness and Meyers volunteered to participate.

The Mayor inquired if anyone from the audience wished to address a specific agenda item. There were none.

Caviness moved, seconded by Weller to approve amended City Policy No. 42, Vacant Lot Disposition Policy. All ayes.

Caviness moved, seconded by Weller to approve payment to Turner Concrete Construction in the amount of \$16,383.08 for the emergency repairs to Fox - Sauk Road. All ayes.

This was the time, place and date set for a public hearing on the intent to dispose of three vacant City owned lots at 135 Fairview to Russ and Lisa Aslesen. No objections were received. Morgan moved, seconded by Weller to close the hearing. All ayes.

Meyers moved, seconded by Morgan that Res. No. 60-2010, accepting the offer regarding the sale of property (135 Fairview) owned by the City of Ottumwa, Iowa and approving sale of same, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on plans, specifications, form of contract and estimated cost for the 6<sup>th</sup> Street Reconstruction Project (Terminal Ave. proceeding northeast 2028 ft. to the Job Corps Campus) RM-5825(637)-9D-90. Caviness moved, seconded by Morgan to close the public hearing. All ayes.

Weller moved, seconded by Morgan that Res. No. 61-2010 approving the plans, specifications, form of contract and estimated cost for the 6<sup>th</sup> Street Reconstruction Project (Terminal Ave. proceeding northeast 2028 ft. to the Job Corps Campus) RM-5825(637)-9D-90, be passed and adopted. All ayes.

Meyers moved, seconded by Weller that Res. No. 63-2010, authorizing the Mayor to sign and staff to submit the application for funding under the Iowa Dept. of Transportation's General Aviation Vertical Infrastructure Grant Program for fiscal year 2011, and authorizing the Mayor to sign the contract upon funding being awarded, be passed and adopted. All ayes.

Caviness moved, seconded by Weller that Res. No. 65-2010, awarding the contract for the Northside Combined Sewer Overflow Concrete Structure Repair and Sluice Gate Actuator Installation, be passed and adopted. Public Works Dir. Seals reported two bids were received April 7<sup>th</sup>, with Winger Contracting Co. having the low bid of \$77,830, and he recommended award of the contract. All ayes.

Caviness moved, seconded by Weller that Ord. No. 3009-2010, amending Article V. Peddlers/Transient Merchants of the Municipal Code of the City of Ottumwa, Iowa by repealing Sec. 22-91. (a), Sec. 22-93. and Sec. 22-98 in their entirety and enacting new sections in lieu thereof, be considered for the first time and passed. All ayes.

Meyers moved, seconded by Caviness that Ord. No. 3010-2010, establishing collection and disposal rates for residential garbage, recyclables and bulk items through July 1, 2011, be considered for the first time and passed. All ayes.

The Mayor inquired if anyone 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 7:00 P.M.

CITY OF OTTUMWA, IOWA

---

Dale M. Uehling, Mayor

ATTEST:

---

Ann Cullinan, City Clerk