

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 26
Council Chambers, City Hall

August 3, 2010
6:30 O'clock P.M.

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

Morgan moved, seconded by Niner to approve the following Consent Agenda items: minutes from Regular Meeting No. 25, July 20, 2010 as presented; Mayor's appointment of Stacie Latham to the Historic Preservation Commission, term to expire 1/1/2013; Mayor's appointment of Dianna Collins to the Ottumwa Housing Authority, term to expire 11/22/2012; purchase of a multi-purpose wheel loader for Sewer Maintenance Dept. from Murphy Tractor & Equipment Co., Des Moines, IA for a price of \$128,289.00 with trade in through the State of Iowa Contract #2608; adoption of Res. No. 132-2010, setting Aug. 17, 2010 for a public hearing on intent to dispose of City owned property known as 309, 311, 315 N. Kenyon Ave. to Lisa Wright; appointment of Greg Elder to the position of probationary Engineering Aide in the Engineering Dept. effective August 2, 2010; beer and/or liquor applications for Kum & Go #37, 2508 N. Court, Recovery Room, 1805 W. Second St and Champion Bowl, pending dram, 2601 Roemer Ave. All ayes.

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

City Admin. Helfenberger reported there would not be a special meeting on Aug. 9th but there would be on Aug. 23th at 5 P.M. Pam Ward, Transit Admin., provided the Council an update of their recent activities: 5 new candidates for driving positions; Safe Transport of Passengers training on-line for new employees (80% paid by Iowa DOT); potential loss of revenue from Iowa Medicaid Enterprises due to their adjustment to the current billing rate; OTA will receive \$596,444 and 10-15 Transit \$760,063 from State & Federal Transit Operating Assistance; the Board discussed options as to whether the downtown bus shelter should be relocated due to complaints by a downtown business owner. The Council consensus was to not relocate the bus shelter.

The Mayor inquired if anyone from the audience wished to address the Council on an agenda item. There were none.

Caviness moved, seconded by Niner to approve the Ottumwa Public Safety Advisory Board Recommendations of July 26, 2010. All ayes.

Meyers moved, seconded by Weller to reject all bids for the Cleanout of the Bridge Culvert on West Second St. at Harrows Branch and relet project. Public Works Dir. Seals reported one bid was received on June 24 and was well over budget. He recommended rebidding the project. 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 803 and 805 Jay and the West Half of Lot 3 on Jay St. to Remigio P. Panlaqui. No objections were received. Caviness moved, seconded by Weller to close the hearing. All ayes.

Morgan moved, seconded by Weller that Res. No. 125-2010, accepting the offer regarding the sale of property owned by the City of Ottumwa, Iowa and approving sale of same to Remigio P. Panlaqui. All ayes.

Caviness moved, seconded by Weller that Res. No. 106-2010, approving Change Order #1(\$9,022.75 contract increase) for the full-depth, PCC Patching by Turner Concrete Constr. throughout the City of Ottumwa, be passed and adopted. All ayes.

Morgan moved, seconded by Weller that Res. No. 126-2010, fixing amounts for abating a nuisance/ demolition against certain lots in the City of Ottumwa, IA, and assessing to the property taxes, be passed and adopted. All ayes.

Weller moved, seconded by Caviness that Res. No. 127-2010, appointing Bankers Trust Company of Des Moines, Iowa, to serve as Paying Agent, Note Registrar, and Transfer Agent, approving the Paying Agent and Note Registrar and Transfer Agent Agreement and authoring the execution of the agreement, be passed and adopted. All ayes.

Morgan moved, seconded by Caviness to approve and place on file the form of Tax Exemption Certificate. All ayes.

Caviness moved, seconded by Niner to approve and place on file the form of Continuing Disclosure Certificate. All ayes.

Morgan moved, seconded by Meyers that Res. No. 128-2010, approving and authorizing the Form of Loan Agreement and authorizing and providing for the issuance of \$4,640,000 General Obligation Capital Loan Notes, Series 2010 and levying a tax to pay the notes, be passed and adopted. All ayes.

Morgan moved, seconded by Weller that Res. No. 129-2010, approving Change Order #2 (contract decrease of \$80,833.12) and accepting the work as final and complete and approving Final Pay Request for Phase II, Division 1 of the South Ottumwa Sewer Separation Project by Portzen Constr., be passed and adopted. All ayes.

Meyers moved, seconded by Niner that Res. No. 130-2010, approving Change Order #4 (contract increase of \$12,500) for Phase III, Division 1 of the South Ottumwa Sanitary Sewer Separation Project by Portzen Constr., be passed and adopted. All ayes.

Caviness moved, seconded by Niner that Res. No. 131-2010, approving Change Order #1 (contract decrease of \$6,833.24) and accepting the work as final and complete and approving Final Pay Request for the E. Manning Reconstruction Project (N. Court to Green St.), by Shipley Contracting Corp., be passed and adopted. All ayes.

Morgan moved, seconded by Caviness that Res. No. 133-2010, approving Change Order #1 (contract increase of \$21,256.65) and accepting the work as final and complete and approving Final Pay Request for the River Dr. Reconstruction Project (Market to Green) by Shipley Contracting Corp., be passed and adopted. All ayes.

The Mayor inquired if anyone wished to address the Council on items not on the agenda. There were none.

Morgan moved, seconded by Weller that the meeting be adjourned. All ayes. Adjournment was at 7:23 P.M.

CITY OF OTTUMWA, IOWA

ATTEST:

Dale M. Uehling, Mayor

Ann Cullinan, City Clerk

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 27
Council Chambers, City Hall

August 17, 2010
6:30 O'clock P.M.

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

Meyers moved, seconded by Niner to approve the following Consent Agenda items: minutes from Regular Meeting No. 26, August 3, 2010 as presented; acknowledgement of Civil Service Commission Entrance Eligibility list for Environmental Health Specialist of August 10, 2010; purchase of self contained breathing apparatus from Feld Fire Equipment Co. from Carroll, IA for \$18,744.00; purchase of one medium duty truck with a dump body/plow frame and one hopper type self unloading/spreader body/plow frame from O'Halloran International, Inc., Altoona, IA per the Iowa DOT's state contract price of \$212,707.00; purchase of replacement diesel engine for the WPCF emergency storm water portable 10 inch pump from Altorfer Power Systems of Cedar Rapids, IA for a best quoted price of \$18,416.00; purchase of 2 emergency Caterpillar diesel generator sets for quoted price of \$27,210 for the Moore St. pump station and \$34,880 for 2 automatic transfer switches for the Richmond pump station for a total of \$62,090 from Altorfer Power Systems of Cedar Rapids, IA; adoption Res. No. 134-2010, setting September 7, 2010 at 6:30 PM for a public hearing on intent to dispose of City owned property known as 802 E. Finley Ave. to John Handling; approve beer and/or liquor applications for Ottumwa Country Club, with Outdoor Service Area, 304 E. Golf Ave., The Golf Haus, pending dram, 2604 N. Court, Pizza Hut of Ottumwa-Fairfield, 1247 Theatre Dr., and Wal-Mart Supercenter #1285, 1940 Venture Dr. Meyers moved, seconded by Niner to remove Item B-8, Res. No. 138-2010, ratifying, confirming and approving publication of notice of public hearing for the authorization to enter into an agreement for private development by and between the City of Ottumwa and Joseph V. Hauptert from the agenda. All ayes. Vote on the main motion: All ayes.

Caviness moved, seconded by Weller to approve the agenda as presented with the removal of Item G-3 (public hearing on Development Agreement). All ayes.

City Admin. Helfenberger reminded the Council the Solid Waste Comm. meeting for tomorrow had been cancelled. There will be a Special Meeting Aug. 23 at 5 p.m. to discuss the Davis St. Bridge, dog license fees, mutual aide agreement, change in fingerprint fees, sewer rates and procedures of City boards and commissions.

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

Morgan moved, seconded by Caviness to accept renewal of Governor's Traffic Safety Bureau Grant and authorize the Mayor to sign the grant contract. All ayes.

Caviness moved, seconded by Weller to approve Ottumwa Public Safety Advisory Board Recommendations of August 11, 2010. All ayes.

Caviness moved, seconded by Niner to approve and authorize the Mayor to sign the second amendment for \$20,800.00 to the Professional Service Agreement between the City of Ottumwa and Howard R. Green Company for additional engineering assistance for the WPCF Headwork's Building Improvement Project. All ayes.

Morgan moved, seconded by Meyers to approve partial exemption of Chapter 2G-1 of the Storm Water Detention Specifications (on-site storm water detention) under the Statewide Urban Design and Specifications (SUDAS) for the property located in the "C-2" Commercial Districts located in the downtown north and south zoning districts. All ayes.

Caviness moved, seconded by Meyers to authorize the Mayor to sign a Letter of Intent to John and Martin Helgeson relative to voluntary annexation to provide tax incentives under Section 368.11 m, subject to the legal process required under Iowa Code Chapter 368. All ayes.

This was the time, place and date set for a public hearing on intent to dispose of City owned property legally described as Lots 1, 2, 3, 4, 5 and South 66' of the North 156' of Lot 6, all in Block 11 in Fairview Addition to the City of Ottumwa. No objections were received. Caviness moved, seconded by Niner to close the hearing. All ayes.

Caviness moved, seconded by Meyers that Res. No. 135-2010, approving disposal of city owned real property known as Lots 1, 2, 3, 4, 5 and South 66' of the North 156' of Lot 6, all in Block 11 in Fairview Addition to the City of Ottumwa (309, 311, 315 N. Kenyon Ave.) to Lisa Wright, 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 Bridge Pier Repair on the Jefferson Street Viaduct. No objections were received. Weller moved, seconded by Niner to close the hearing. All ayes.

Morgan moved, seconded by Caviness that Res. No. 136-2010, approving plans, specifications, form of contract and estimated cost for the Bridge Pier Repair on the Jefferson Street Viaduct. All ayes.

Caviness moved, seconded by Meyers that Res. No. 137-2010, authorizing the Mayor to sign the grant agreement with FAA for the 150th Street relocation design, be passed and adopted. All ayes.

The Mayor inquired if anyone wished to address the Council on items not on the agenda. There were none.

Caviness moved, seconded by Morgan that the meeting be adjourned. All ayes. Adjournment was at 7:05 P.M.

CITY OF OTTUMWA, IOWA

ATTEST:

Dale M. Uehling, Mayor

Ann Cullinan, City Clerk

OTTUMWA CITY COUNCIL MINUTES

SPECIAL MEETING NO. 28
Council Chambers, City Hall

August 23, 2010
5:00 O'clock P.M.

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

The Mayor inquired if anyone from the audience who wished to address a specific agenda item. Mary Watters, 826 S. Davis, Martena Ives, 806 S. Davis wished to address the Davis St. Bridge, and Nancy McGee of N. 5th St. wanted to address Items 4 & 6.

Caviness moved, seconded by Meyers that Res. No. 141-2010, to submit a Letter of Support requesting the Iowa DOT add U.S. 63 from Oskaloosa to Waterloo to the Commercial and Industrial Network and the National Highway System, be approved. All ayes.

Admin. Helfenberger said residents affected with the recent flooding have talked about refurbishing or replacing the existing bridge on South Davis St. so they would have more than one point to access the area. Public Works Dir. Seals said upon the bridge's last inspection it was determined unsafe and was closed. He estimated a box culvert replacement at \$80,000. Flooding and accessing the area were discussed by the Council. Niner suggested the replacement be placed on the CIP list. Mary Watters, 826 S. Davis and Martena Ives, 806 S. Davis spoke of the importance of replacing the bridge to provide direct access to the 800 block of S. Davis for emergency vehicles and convenience to the families living there. The Council consensus was to try to provide funding for replacement in the next budget. Jim Huddleston, 802 S. Davis, criticized the Council for spending money on the water park rather than replacing a bridge. Bonnie Huddleston, 802 S. Davis and Robert Watters, 808 S. Moore made comments supporting the need for a bridge.

Police Chief Clark suggested, due to a change in law that now requires all daycare centers to have their employees fingerprinted with a national criminal history check, to provide a bulk rate of \$162.50 (\$6.50 each) for 25 fingerprints or \$250.00 (\$5.00 each) for 50 fingerprints. He noted most daycare facilities were unaware of this requirement and did not budget for it. After discussion, the consensus of the Council was to approve the bulk rates as presented for a limited period of time, either 4 months or until June 30, 2011.

Chief Clark said a recommendation from the Public Safety report was to increase dog licensee fees. He thought the Council consensus was to increase the base fee to \$10 with a late fee of \$5 after June 30th. Meyers suggested a fee of \$5, and after discussion the Council consensus was to raise the dog license fee to \$5 beginning January, 2011, with a late fee of \$5. Nancy McGee, N. 5th St., said \$10 was out of line for a dog license and felt it should be \$4. Caviness noted recordkeeping is also involved and not just the time to issue a license and Meyers added they also have to consider the work of the Animal Control Officer.

Chief Clark presented a draft Mutual Aide Agreement/28E Intergovernmental Agreement between the City, Wapello Co. Sheriff and the 8th Judicial District Dept. of Correctional Services. This agreement sets out who is in charge, liability, power of authority, etc. when assistance is provided. The draft has been reviewed by the aforementioned agencies, City Attorney, County Attorney, the city's Risk Manager and insurance carrier. The Council consensus was to proceed with formal approval.

Finance Dir. Jay said he, Ted Payseur of Veenstra & Kim and Tim Oswalt of Piper Jaffray wanted to provide information relative to increasing sewer fees to cover the costs for sewer maintenance, continue sewer separation and the treatment plant, and they asked direction from the Council. Admin.

Helpfenberger said the Council is being asked to determine how large an increase and how much would be allocated between industry and residential customers, as they want fair and equitable rates. Mr. Payseur said the Council needs to plan on how to pay for sewer related projects, exemplifying if the northside box sewer would fail, it would flood the downtown area, the treatment plant must comply with regulations in order to continue their National Discharge Permit, development toward the airport, sewer separation projects, operating and maintenance costs of the treatment plant. They have looked at a lot of scenarios and the city can continue to have residential pay disproportionate costs or make sure industrial pays their fair share. He said for every additional \$250,000 makes a difference of \$1.00 per month for residential rates. If we collect that from another source, be it an industry, you can see a reduction to residential rates. If you build a \$10 million improvement, you would have to bond for it and pay debt service which would be about \$4 a month per residence. The Council can continue on the path they are at, or close the gap on what we are subsidizing industry. Mr. Oswalt presented two scenarios for a list of projects and funding sources from 2011 thru 2023 with a 4% inflation factor, which totals \$67 million. Scenario #1, the rate implementation uses Westgate TIF and local option sales tax, has an increase of 13% for 4 years, then 3% thereafter, and that would be sufficient to cover the operating costs and long term plan. The average household bill of \$44 would increase to \$49 a month. Scenario #2 includes \$250,000 additional revenue in commercial use this year and \$500,000 thereafter. This would allow a reduction in the residential rate. This option also assumes industry will to continue to pay \$500,000 a year, but he may be over estimating industrial revenue in the future because they may decide to pretreat then the city would not get that revenue. Nancy McGee, N. 5th St., spoke against increasing dog license fees and sewer fees. Morgan said he would like to see a status quo chart without a sewer rate increase and some surcharges with industry. Rick McClure, 405 S. Ward, asked how much it would cost the average citizen per month over what period of time. Weller answered, the average would be \$5 a month each year for 4-5 years, and then it drops to \$2.

Admin. Helpfenberger said Council Members had requested to consider the procedures for city boards and commissions. The Mayor nominates an appointee and the Council confirms the appointment. Some meet at night or at the convenience of the board members who serve. Niner thought boards should operate after 4:30 p.m. to allow citizens to come to those meetings, and meetings during the day limits people who are working from being on the boards. Meyers said in actual practice its best to let those who serve to set the time that works for them. Morgan said his question was if he could call the people who are recommended, and the Mayor said he had no problem with that. Mayor Uehling reminded the Council of the state law requirement of gender balance on city boards, and that creates a problem. He also encouraged anyone interested in serving on a board to submit an application.

The Mayor inquired if anyone wished to address the Council on an item not on the agenda. Jim Huddleston, 802 S. Davis, said people are tired of the city putting money in the swimming pool, golf course and civic center rather than using that money to fix the streets. Mary Watters, 826 S. Davis, asked how they received grant money. Mayor Uehling responded by working with the Congressional delegates.

Morgan moved, seconded by Weller that the meeting be adjourned. All ayes. Adjournment was at 7:00 P.M.

CITY OF OTTUMWA, IOWA

ATTEST:

Ann Cullinan, City Clerk

Dale M. Uehling, Mayor