

## OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 38  
Council Chambers, City Hall

December 7, 2010  
6:30 O'clock P.M.

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

Morgan moved, seconded by Myers to approve the following Consent Agenda items: minutes from Regular Meeting No. 36, Nov. 16, Special Meeting No. 37 on Nov. 22, 2010 as presented; October financial report and payment of bills as submitted by the Finance Dept; approve authorized individuals to release information held by the U.S.D.A Farm Service Agency; authorize the Dir. of Finance to enroll the City of Ottumwa in the Early Retiree Reinsurance Program; authorize Mayor to sign a one year extension for computer technology services with Preventative Maintenance Services, LLC; purchase paint for the Traffic Maintenance Dept. through participation in the Iowa DOT paint program; adoption of Res. No. 185-2010, fixing amounts for abating a nuisance/demolition against certain lots in the City of Ottumwa, IA and rescinding Res. No. 173-2010; adoption of Res. 186-2010, fixing Dec. 21, 2010 for a meeting on the proposal to reallocate certain unspent proceeds of prior indebtedness of the City of Ottumwa, IA and providing for publication of notice thereof; beer and/or liquor applications for Centerplate, 102 Church Street, Benchwarmers Eatery & Sports Lounge, 2209 Roemer, Stop & Go Drive-Thru & Deli LLC, 516 S Madison. All ayes.

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

City Admin. Helfenberger advised the Council there would be a special work session Dec. 13 at 5 P.M. relative to the downtown camera security system if approved in the capital improvements program this evening.

Transit Admin. Ward told the Council the Transit Dept. continues to hire and replace drivers. She reported the successes, changes and challenges the department has had with TMS, the brokerage company Iowa Medicaid Enterprises chose to manage non-emergency medical transportation requests throughout the state as of Oct. 2010. 10-15 Transit was awarded \$195,880 to replace 4 buses through the "State of Good Repair" program, and from a previous grant of \$81,653, they will be able to purchase 2 additional 10-15 buses before Jan. 2011. The department also is in the process of completing grant applications that will replace 24 buses over the next 4 yrs. She spoke of the results from the "Listening Sessions" held throughout the service area for public comments on bus services provided, unmet needs, and improvements that would help customers. That information will be used as part of their planning process. She further reported the findings of a meeting held Nov. 3 with the Federal Transit Admin. due to complaints of alleged violations by the Transit Dept. She noted the regulations are complex, not all complaints were founded, non-compliance was not intentional, no previous violations of school bus rules were cited in the review, and no fines or administrative sanctions were leveled against OTA or 10-15 beyond taking corrective actions. Staff will make corrections to be compliant. She exampled services that will no longer be available –they will no longer take students to Pioneer Ridge or to locations not on a city bus route, like Champion Bowl, or educational enhancement trips outside the city... She said she takes responsibility for missing the changes in regulation in 2008 and apologized.

The Mayor introduced Michelle Takes and Thomas Potter from the Iowa Response Team who will provide counseling to flood victims.

The Mayor inquired if anyone from the audience wished to address a specific agenda item. Jim Hornick, 15502 Airport Rd., wished to address Item H-4.

Caviness moved, seconded by Weller to approve Capital Improvement Projects identified for the February 2011 Bond Sale, as addressed in the Nov. 23 memorandum. All ayes.

Caviness moved, seconded by Meyers to approve the purchase of a fuel-efficient car for the Police Dept. from Charles Gabus Ford for a price of \$17,193.00 through the State of Iowa Contract. All ayes.

Meyers moved, seconded by Weller to approve the Ottumwa Public Safety Advisory Board Recommendations of Nov. 22, 2010. There was discussion relative to the request for a pedestrian crosswalk light in front of Camelot Towers on Albia Rd. Public Works Dir. Seals stated the pedestrian traffic does not warrant the need for a crossing light. All ayes.

Morgan moved, seconded by Weller to approve the payment to Pierce Manufacturing Co. in the amount of \$18,912 for repair of Fire Engine 101. All ayes.

Caviness moved, seconded by Weller to award the contract for Levee Repair at the Lagoon Pump Station to C & J Bulldozing in the amount of \$3,292.35, and authorize the Mayor to sign. Public Works Dir. Seals reported 4 proposals were received with C & J Bulldozing having the lowest bid. The City may receive partial reimbursed by FEMA. All ayes.

Caviness moved, seconded by Meyers to award the contract for the Gray Eagle Multiuse Trail Repair to Turner Concrete Constr. in the amount of \$18,490.00, and authorize the Mayor to sign. Public Works Dir. Seals reported 4 proposals were received with Turner Concrete Constr. having the lowest bid. The City may receive partial reimbursed by FEMA. Morgan inquired if the city was responsible for the upkeep on the trails after they had been completed, and Mr. Seals said yes. Niner inquired how this would be funded if FEMA did not pay and Dir. of Finance Jay said it would come from the general fund under the Park Dept. Ayes: Niner, Weller, Caviness, Meyers. Nays: Morgan. Motion carried.

Meyers moved, seconded by Morgan that Res. No. 184-2010, approving the annual budget of the Ottumwa Water Works Board of Trustees for calendar year 2011, be passed and adopted. General Manager Mike Heffernan reviewed highlights in revenue, which included a 4% increase in water rates in 2011, increases in employee wages and benefits, debt service costs and proposed capital improvements. The Council asked questions about the fees charged to the City for billing and collection of sewer and refuse fees, the hydro revenue collected for generating electricity, and employee contributions toward health insurance. Ayes: Meyers, Weller, Caviness. Nays: Morgan, Niner. Motion carried.

Caviness moved, seconded by Morgan that Res. No. 187-2010, setting Dec. 21, 2010 for a public hearing on the intent to dispose of City owned property located at 1128 S. Webster to Chris and Nancy Monohon, be passed and adopted. All ayes.

Meyers moved, seconded by Morgan that Res. No. 188-2010, declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects, be passed and adopted. All ayes.

Caviness moved, seconded by Niner that Res. No. 189-2010, authorizing the Mayor to sign the Airport Capital Improvement Program (ACIP) data sheets and related documents, and authorize staff to submit

the data sheets and related documents to the Federal Aviation Administration (FAA) for its fiscal years 2012-2016, be passed and adopted. Airport Supv. Francis stated the Airport Adv. Bd. recommended approval of the plans at their Nov. 17 meeting. Jim Hornick, 15502 Airport Rd., said his property abuts the airport property and his ground would have to be acquired if there was going to be a runway extension. He stated he was emotional about this because it is his family farm, but felt this was a good thing for Ottumwa. He requested he be notified ahead of time and be given a fair price for what property is taken, and he may need a new easement in order to maintain property on the other side of the runway. Mayor Uehling said this process will take several years and they will keep him informed. Caviness thanked Mr. Hornick for his positive attitude. All ayes.

Morgan moved, seconded by Niner that Res. No. 190-2010, awarding the contract for the Debris Removal Project 2010 to C & J Bulldozing in the amount of \$37,460.65, and authorizing the Mayor to sign the contract, be passed and adopted. Public Works Dir. Seals reported 3 proposals were received with C & J Bulldozing having the lowest bid. The project has the potential of being reimbursed by FEMA. All ayes.

Meyers moved, seconded by Weller that Res. No. 191-2010, awarding the contract for the Jefferson Drainage Ditch Repairs to DeLong Constr. in the amount of \$30,450, and authorizing the Mayor to sign the contract, be passed and adopted. Public Works Dir. Seals reported 3 proposals were received with DeLong Constr. having the lowest bid. The project has the potential of being reimbursed by FEMA. All ayes.

Weller moved, seconded by Niner that Res. No. 192-2010, approving Change Order #1 (contract decrease of \$4,039.56) and accepting the work as final and complete and approving final pay request for the 6<sup>th</sup> St. Reconstruction Project (Terminal Ave. to Job Corps Campus) RM-5825(637)-9D-90 by DeLong Constr., be passed and adopted. All ayes.

Morgan moved, seconded by Niner that Res. No. 193-2010, authorizing a \$3,000 contribution to the Ottumwa Economic Development Corporation for promoting economic development, be passed and adopted. All ayes.

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

Weller moved, seconded by Morgan that the meeting be adjourned. All ayes. Adjournment was at 7:58 P.M.

CITY OF OTTUMWA, IOWA

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Dale M. Uehling, Mayor

ATTEST:

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Ann Cullinan, City Clerk

OTTUMWA CITY COUNCIL MINUTES

SPECIAL MEETING NO. 39  
Council Chambers, City Hall

December 13, 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 an agenda item. There were none.

Weller moved, seconded by Niner to approve entering into a professional services agreement with Electronic Technology, Inc. (ETI) for the Downtown Camera Project and authorize the Mayor to sign any related documents as may be required. All ayes.

Meyers moved, seconded by Niner to authorize the Mayor to sign a three year lease agreement with Steve Buehneman for 520.24 acres of farmland, more or less, located at the Ottumwa Regional Airport in the amount of \$146,447.56 per year. Airport Supv. Francis reported 10 bids were received on Nov. 22, 2010 with Steve Buehneman being the highest bidder. Staff evaluated the bids, checked the financial information and recommended award to the highest bidder. All ayes.

Caviness moved, seconded Niner that Res. No. 195-2010, setting Dec. 21, 2010 at 6:30 P.M. for a public hearing on the Council's intent to lease city-owned property to Musco Lighting, be passed and adopted. All ayes.

Caviness moved, seconded by Niner that the meeting be adjourned. All ayes. Adjournment was at 5:25 P.M.

CITY OF OTTUMWA, IOWA

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Dale M. Uehling, Mayor

ATTEST:

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Ann Cullinan, City Clerk

## OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 40  
Council Chambers, City Hall

December 21, 2010  
6:30 O'clock P.M.

The meeting convened at 6:34 P.M.

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

Weller moved, seconded by Morgan to remove Item B-5, approving the appointment of Joni Keith to the position of City Attorney/Human Resource Manager, from the consent agenda pending financial clarity. All ayes.

Caviness moved, seconded by Niner to approve the following Consent Agenda items: minutes from Regular Meeting No. 38, Dec. 7, Special Meeting No. 39 on Dec. 13, 2010 as presented; Nov. financial report and payment of bills as submitted by the Finance Dept; Mayor's reappointment of Tim Brcka, to the Airport Advisory Board, term to expire 10/1/2013; Mayor's reappointment of Thurlow Ellis, to the Ottumwa Housing Authority, term to expire 11/11/2012; purchase of truck with a hopper type self unloading/spreader body/plow frame from O'Halloran's Intl. Inc. per IDOT's State contract price of \$117,758.00; beer and/or liquor application for Owl's Nest, 116 S. Court. All ayes.

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

City Admin. Helfenberger reported there would be no further meetings this year.

Dir. of the Convention and Visitors Bureau, Mark Eckman, reported the popularity of the winter community activity calendar. He stated grants have been received from Central Iowa Tourism at \$670 with a match from the Wapello Co. Supervisors at \$670, and the Wapello County Foundation in the amount of \$2,645. The Video Game Hall of Fame obtained \$500 to help rebuild their website. He added that the CVB Advisory Committee meets at 7 A.M. the second Friday of the month at the Chamber of Commerce office and are open to the public.

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

Morgan moved, seconded by Weller to approve payment to Turner Concrete Construction in the amount of \$22,970.26 for the Summit Street repair (500 block). All ayes.

Meyers moved, seconded by Caviness to authorize the Mayor to sign the Main/Jefferson Green Space Agreement with Fred and Carolyn Jenkins. Council Members commended the Jenkins for their improvements to the downtown area. 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 1128 S. Webster to Chris & Nancy Monohon for \$500.00. No objections were received.

Caviness moved, seconded by Niner to close the public hearing. All ayes.

Meyers moved, seconded by Caviness that Res. No. 194-2010, accepting the offer and approving the sale of City owned property at 1128 S. Webster, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on the proposed reallocation of unspent proceeds of \$4,800,000 General Obligation Capital Loan Notes Series 2009. Dir. of Finance Jay explained from the original bond proceeds, \$99,457 remains. It is proposed to reallocate \$26,457 to the Marilyn Rd. patching

and \$73,000 for fire station improvements. No objections were received. Caviness moved, seconded by Niner to close the public hearing. All ayes.

Morgan moved, seconded by Niner that Res. No. 196-2010, instituting proceedings to take additional action and approving the reallocation of certain unspent proceeds of the G. O. Capital Loan Notes, Series 2009, of the City of Ottumwa, Iowa, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on the proposal to lease to Musco Sports Lighting, LLC for the south half of building #23 at the Ottumwa Regional Airport, Ottumwa, Iowa for a period of 5 years. Airport Supv. Francis stated Musco will pay the city \$3,400 a month and of that \$3,100 will be paid to the FBO for services. Musco also committed to doing \$250,000 in improvements to the hanger – radiant heating, restrooms, office... Admin. Helfenberger added the term will be 5 years with a negotiable 5 yr. renewal option. No objections were received. Caviness moved, seconded by Meyers to close the public hearing. All ayes.

Caviness moved, seconded by Meyers that Res. No. 198-2010, authorizing the Mayor to sign the lease with Musco Lighting, LLC for the south half of building #23 at the Ottumwa Regional Airport, be passed and adopted. All ayes.

Caviness moved, seconded by Niner that Res. No. 201-2010, authorizing the City Administrator and the Director of Finance to purchase aviation fuel on a monthly basis and as needed for the Fixed Based Operator and Musco LLC, be passed and adopted. All ayes.

Caviness moved, seconded by Meyers that Res. No. 197-2010, approving the Mayor to sign an agreement between the City of Ottumwa and Howard R. Green Co. for environmental services for the Community – Wide Environmental Assessment Grants from the Environmental Protection Agency, be passed and adopted. Planner Klimek stated the services are not to exceed \$363,000. All ayes.

Caviness moved, seconded by Niner that Res. No. 199-2010, awarding the contract for the Blackhawk Bridge Demolition Project to Taylor Constr. in the amount of \$224,500 and authorizing the Mayor to sign the contract, be passed and adopted. Public Works Dir. Seals reported 6 proposals were received on Dec. 15, 2010 with Taylor Constr. being the low bidder. All ayes.

Meyers moved, seconded by Caviness that Res. No. 200-2010, approving Change Order #1 (providing cost accounting for the construction of check dams and bank stabilization along Kettle Creek) for DeLong Constr. for the Kettle Creek Watershed Improvements Project-Ottumwa, Iowa, be passed and adopted. All ayes.

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

Caviness moved, seconded by Weller that the meeting be adjourned. All ayes. Adjournment was at 7:18 P.M.

CITY OF OTTUMWA, IOWA

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Dale M. Uehling, Mayor

ATTEST:

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Ann Cullinan, City Clerk

OTTUMWA CITY COUNCIL MINUTES

SPECIAL MEETING NO. 41  
Council Chambers, City Hall

December 28, 2010  
5:00 O'clock P.M.

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

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

Caviness moved, seconded by Meyers that Res. No. 202-2010, authorizing the Mayor to sign the Landlord's Disclaimer and Consent for Buildings #25 and #33 at the Ottumwa Regional Airport, be passed and adopted. Airport Supv. Francis explained Al-jon Manufacturing, LLC leases buildings #25 and #33, has changed financial providers to Cole Taylor Bank and this document is required. All ayes.

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

Caviness moved, seconded by Weller that the meeting be adjourned. All ayes. Adjournment was at 5:03 P.M.

CITY OF OTTUMWA, IOWA

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Dale M. Uehling, Mayor

ATTEST:

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Ann Cullinan, City Clerk