

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 5
Council Chambers, City Hall

February 1, 2011
6:30 O'clock P.M.

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

Meyers moved, seconded by Morgan to approve the following Consent Agenda items: minutes from Regular Meeting No. 3, Jan.18, Special Meeting No. 4 on Jan. 24, 2011 as presented; acknowledgment of Dec. financial report and payment of bills as submitted by the Finance Dept.; Mayor's re-appointment of Ed Ball to the Human Rights Commission term to expire 1/01/2014; Mayor's re-appointment of Michael Hill to the Human Rights Commission term to expire 1/01/2014; Police Dept. promotion of Mickey Hucks to Lieutenant effective Feb. 6, 2011; set Feb. 15, 2011 as the public hearing on the plans, specifications, form of contract and estimated cost for the Oak Meadow Reconstruction Project (East Rochester to Fox Sauk Rd.); purchase of seasonal supply of cut-back asphalt materials for the Street Maintenance Dept. for the 2011 season; purchase of replacement diesel engine for the WPCF Orchard emergency storm water pump station from Altorfer Power Systems of Cedar Rapids, Iowa for a price of \$17,979.00; purchase a trailer mounted arrow sign for the Traffic Maintenance Dept. for a price of \$5,100.00; Res. 15-2011, providing for the financial support of the Area 15 Regional Planning Commission for FY 2012; Res. No. 18-2011, approving the support and financial commitment for the Main Street Program in the City of Ottumwa; beer and/or liquor applications for La Guadalupana, 301 Church St., Hy-Vee Wine & Spirits, 2453 N. Court, The Keg, 622 Church St. with outdoor service area, Jefferson St. BP, 533 N. Jefferson, North Court BP, 1301 N. Court, Richmond & Ferry BP, 720 Richmond Ave., Pennsylvania & Jefferson BP, 1147 N Jefferson, West Second & McPherson BP, 1049 W. Second and Albia Rd. BP, 1340 Albia Rd. Council Member Niner questioned the selection process for street projects in regards to the Oak Meadow Reconstruction Project and the Davis St. Bridge Project. Public Works Dir. Seals stated that a number of factors are considered including amount of usage, type of usage and amount of maintenance. Ayes: Weller, Caviness, Meyers, Morgan. Nays: Niner. Motion carried.

Weller moved, seconded by Caviness to amend the agenda by removing item H-1, Res. No. 16-2011, requesting an election for the extension of the Local Option Sales and Service Tax within the cities of Eldon, Eddyville, Chillicothe, Agency, Blakesburg, Kirksville and the unincorporated areas of Wapello County, IA. All ayes.

City Admin. Helfenberger reported there would be a special meeting Feb. 7 for a work session on the 2011-12 city budget. He also advised there would be a Solid Waste Comm. meeting February 9 at 5 P.M. to review the 2011-12 landfill budget.

Transit Admin. Ward told the Council that TMS trip referrals continue to grow. The department has also submitted draft budget figures that show revised estimates for State Transit Assistance and Federal Transit Assistance. These figures represent a minimum of \$150,000 in additional revenue. She also noted that the department will be seeking an additional grant in the amount of \$30,000. She further reported on the statistics of ridership for the first half of 2011. The total amount of rides provided by the Ottumwa Transit Authority equates to two rides per each individual within the service area and the total amount of revenue hours is equivalent to forty full time employees. Council Member Niner inquired about City buses being outside of City limits to provide the Airport Shuttle. Transit Admin. Ward advised the buses and Airport are owned by the City therefore this service is not restricted.

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

Morgan moved, seconded by Meyers that Res. No. 17-2011, directing the sale of \$3,600,000 of G.O. Bonds, Series 2011, be passed and adopted. Larry Berger, Vice President of Speer Financial Inc, reported 10 bids were received on Feb. 1. Hutchinson, Shockey, Erley & Co. of Chicago, Illinois was the winning bidder with a purchase price of \$3,669,033, true interest cost of \$66,567 and a true interest rate of 0.9680. He recommended accepting the bid. All ayes.

Meyers moved, seconded by Morgan that Res. No. 19-2011, approving change order #1 (contract increase of \$14,561.50) for the Ferry Street Reconstruction Project (Mary to Finley), be passed and adopted. All ayes.

Meyers moved, seconded by Morgan that Res. No. 20-2011, approving the contract, bond and certificate of insurance for the Phase III, Division 2 of the South Ottumwa Sewer Separation Project, 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 Niner that the meeting be adjourned. All ayes. Adjournment was at 7:15 P.M.

CITY OF OTTUMWA, IOWA

Dale M. Uehling, Mayor

ATTEST:

Amanda Valent, City Clerk

OTTUMWA CITY COUNCIL MINUTES

SPECIAL MEETING NO. 6
Council Chambers, City Hall

February 7, 2011
5:00 O'clock P.M.

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

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

City Admin. Helfenberger reported there would be a Solid Waste Comm. Meeting on Feb. 9 at 5:00 P.M. to review the FY 2011-12 landfill budget. He also advised that the public hearing for the 2011-12 City Budget will be held on March 1st at 6:30 P.M. in the City Council Chambers located at 105 E. Third Street. Residents are urged to attend.

City Admin. Helfenberger informed Council the current Dog Licensing Ordinance 7-43 requires a dog owner to submit evidence that the rabies vaccination certificate will not expire within six months from the date of issuance of the license. This has resulted in City staff not allowing the issuance of licenses until the rabies vaccination has been updated to comply with the Dog Licensing Ordinance. However, if the owner fails to license the dog by Jan. 31st each year they are subject to a \$75.00 citation. He recommended that the City Council consider amending the ordinance to just require the certificate of rabies vaccination be current at the time for which the dog license is applied. Council agreed that the recommendation is warranted. City Admin. Helfenberger advised staff will prepare an ordinance to present to Council.

City Admin. Helfenberger updated Council on the proposed 2011-12 City Budget with changes made from the last presentation. He said the total levy for FY 2011-12 would be reduced 42 cents and outlined the summary of additional cuts and deferrals; general fund decrease of \$23,016, Road Use increase of \$16,250 and Haz-Mat decrease of \$1,100. He then reviewed a variety of pie charts and graphs relative to tax dollars, revenue sources, city expenditures and business activities. Dir. of Finance Jay explained that the taxable valuation has increased from 46.91% to 48.53% which is a factor not controlled by the City. He presented graphs for fuel and electric costs, capital projects, Debt Service payments and Street Maintenance and Construction. Council Member Caviness added the current refinancing of bonds will save the City an estimated \$44,000 as well. City Admin. Helfenberger told Council there has been mention of the City to consider plowing snow from alleys. Council Member Meyers questioned overtime pay of staff during snow removal. Public Works Dir. Seals clarified that personnel gets paid 1.5 times regular pay, considered overtime pay, for any hours worked over 8 hours in a day. He further reported there is around 60 miles of alleys within the City. It is estimated that each mile of alley would take approximately 1 hour to clear which would be an estimated \$22,000 to complete the task. He also added that the current snow removal procedure and schedule would not be altered; therefore alleys would not be cleared as fast as snow routes or residential streets. Council Member Caviness questioned when the parks are plowed. Public Works Dir. Seals said that the Parks Dept. is responsible for the clearing of all public property and parks. Public Works Superintendent Edgington added there is a certain amount of damage to alleys and equipment when cleared with a 2 ½ ton plow truck.

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

Weller moved, seconded by Niner that the meeting be adjourned. All ayes. Adjournment was at 6:13 P.M.

CITY OF OTTUMWA, IOWA

Dale M. Uehling, Mayor

ATTEST:

Amanda Valent, City Clerk

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 7
Council Chambers, City Hall

February 15, 2011
6:30 O'clock P.M.

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

Morgan moved, seconded by Meyers to approve the following Consent Agenda items: minutes from Regular Meeting No. 5, Feb. 1, Special Meeting No. 6 on Feb. 7, 2011 as presented; set Mar. 1, 2011 at 6:30 P.M. for the public hearing on the 2011/2012 Proposed City Budget; renewal of contract for City liability and property insurance for Mar. 19, 2011 until Mar. 15, 2014 with ICAP; Res. 29-2011, setting Mar. 1, 2011 as a public hearing on the Council's intent to lease city-owned property to the Ottumwa Flying Service; After Hours Business Establishment for the Elbow Room, 303 E. Main St.; beer and/or liquor applications for Kuhly's Bar and Grill, 112 N. Market, Los Jimadores, 1111 Quincy Ave. #111, pending dram, Casey's General Store #1886, 504 W. Mary, Change of Premise and Cedar Creek Golf Course, with outdoor service area, pending dram. All ayes.

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

City Admin. Helfenberger reported there would be no special meeting next week and the items to be discussed at the Mar. 1, 2011 meeting will include the public hearing for the FY 2011/2012 City Budget, the fixed base operator contract at the airport and the refuse collection contract.

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

Caviness moved, seconded by Niner to approve the audit services of Anderson, Larkin and Co. P.C. to perform the annual audits for fiscal years June 30, 2011, 2012, 2013 at a fee not to exceed \$28,000 for FY 2011, \$29,000 for FY 2012 and \$30,000 for FY 2013. Council Member Caviness questioned the \$1,000 yearly increase to which Dir. of Finance Jay explained was a standard procedure. All ayes.

Meyers moved, seconded by Weller to approve that the Form of Continuing Disclosure Certificate be placed on file. All ayes.

Caviness moved, seconded by Niner to approve that the Form of Tax Exemption Certificate be placed on file. All ayes.

Morgan moved, seconded by Meyers to approve the Acknowledgement/Settlement Agreements between the City of Ottumwa and two local tobacco retailers and authorize the Mayor to sign the Order Accepting Acknowledgement/Settlement Agreements. Chief Clark reported on Dec. 15, 2010 Wal-Mart Stores Inc. and Casey's General Store #1678 on Richmond Ave. sold a tobacco product to a person under the age of eighteen. The Iowa Code requires that the business be assessed a \$300 civil penalty for the first violation. All ayes.

Meyers moved, seconded by Niner to approve the change order with Grooms & Co. for an additional \$1,300 for construction for fire-proofing the Bridgeview Theater. City Admin. Helfenberger stated that Grooms & Co. has acquired the proper materials needed to install and meet city and state codes. These materials include a fire-proof paint and a double wire mesh to properly insulate the Bridgeview Theater. 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 Oak Meadow Reconstruction Project (East Rochester to Fox Sauk Road). No objections were received. Caviness moved, seconded by Weller to close the public hearing. All ayes.

Meyers moved, seconded by Caviness that Res. No. 23-2011, approving the plans, specifications, form of contract and estimated cost for the Oak Meadow Reconstruction Project (East Rochester to Fox Sauk Road), 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 150th St. Relocation Project at the Ottumwa Regional Airport. No objections were received. Caviness moved, seconded by Niner to close the public hearing. All ayes.

Caviness moved, seconded by Morgan that Res. No. 25-2011, approving the plans, specifications, form of contract and estimated cost for the 150th St. Relocation Project at the Ottumwa Regional Airport, be passed and adopted. Airport Supv. Francis noted the project is 95% funded by a FAA grant. All ayes.

Meyers moved, seconded by Weller that Res. No. 22-2011, authorizing the destruction of certain records according to the Code of Iowa 2009, as amended, and the Iowa Municipal Retention Manual, be passed and adopted. Health & Insp. Supv. Gates reported the records are over five years old and are no longer deemed necessary to retain as permanent record. All ayes.

Weller moved, seconded by Niner that Res. No. 24-2011, approving the Engineering Services Agreement with Clapsaddle-Garber Associates Inc. for the 150th St. Relocation Construction Phase and authorize the Mayor to sign the agreement, be passed and adopted. Airport Supv. Francis stated the cost of these services is \$141,060 and it is 95% funded by a FAA grant. All ayes.

Meyers moved, seconded by Caviness that Res. 26-2011, appointing Banker's Trust Company of Des Moines, Iowa to serve as paying agent, bond registrar, and transfer agent, approving the paying agent and bond registrar and transfer agent agreement and authorizing the execution of the agreement, be passed and adopted. All ayes.

Caviness moved, seconded by Niner that Res. 27-2011, authorizing and providing for the issuance of \$3,600,000 General Obligation Bonds, Series 2011, and levying a tax to pay said bonds, be passed and adopted. All ayes.

Caviness moved, seconded by Niner that Res. 28-2011, approving applications for residential and commercial tax abatement under the Urban Revitalization Plan, subject to review by the local assessor, be passed and adopted. City Planner Shafer explained this will approve 31 residential and commercial property tax abatement applications subject to review by the local assessor. Of the 12 new homes built in 2010, four were assisted from the Neighborhood Stabilization Grant. The residential and commercial properties were determined to be within the designated areas to qualify and the local assessor will review each application and each property to determine eligibility as it relates to minimum percentage of actual value added. All ayes.

Weller moved, seconded by Niner that Res. 30-2011, approving the Professional Engineering Services Agreement between the City of Ottumwa and Garden & Associates, Ltd. for assistance in the development of final contract documents for infrastructure improvements for the Ottumwa Regional Airport Industrial Park to meet Economic Development Administration (EDA) Project No. 05-01-04959 requirements, be passed and adopted. Public Works Dir. Seals said in July 2010 the City of Ottumwa entered into an agreement with the EDA to receive funds in the amount of \$1,500,000 for

infrastructure improvements to include water, sewer and street infrastructure. This agreement will provide for professional civil engineering services at a fixed cost of \$125,000 and will include the following three projects: I & I Reduction Project, West End Trunk Line Improvement Project and 5th St. Improvement Project.

Caviness moved, seconded by Meyers that Res. 31-2011, setting March 1, 2011 as the public hearing date for the intent to enter into a lease of city owned property with Jax Billboards for property located along Highway 34-East for the purpose of an advertising billboard, be passed and adopted. City Planner Shafer reported the proposed lease is for a three-year term with annual payments of \$500.00 for the billboard located north of the Saddle Club. Council Member Morgan stated he would sustain from voting to avoid any conflict of interest due to Jack Stansberry, owner of Jax Billboard, being his boss. Ayes: Caviness, Meyers, Niner, Weller. Motion carried.

Caviness moved, seconded by Meyers to pass the first consideration of Ordinance 3014-2011, amending the Municipal Code of the City of Ottumwa, Iowa by repealing Section 7-43 in its entirety and enacting a new section 7-43 in lieu thereof. City Admin. Helfenberger explained that currently a resident obtaining a license must provide proof that the rabies certificate will not expire within six months of issuance of a license. The amendment instead provides that a resident would have to provide proof of a current rabies certificate. 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 Niner that the meeting be adjourned. All ayes. Adjournment was at 7:06 P.M.

CITY OF OTTUMWA, IOWA

Dale M. Uehling, Mayor

ATTEST:

Amanda Valent, City Clerk