

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 8
Council Chambers, City Hall

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

The meeting convened at 6:34 P.M.

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

Caviness moved, seconded by Meyers to move consent agenda item Touch Down's Bar and Grill, 533 Church Street, pending final inspections to Departmental Recommendations, item F.-3.

Caviness moved, seconded by Meyers to approve the following Consent Agenda items: minutes from Regular Meeting No. 7, Feb.15, 2011 as presented; acknowledge Jan. financial report and payment of bills as submitted by the Finance Dept.; acknowledge Civil Service Commission Police Supervisor (Sergeant) eligibility list certified Feb. 23, 2011; set Mar. 15, 2011 as the date for a public hearing on the plans, specifications, form of contract and estimated cost for the City Hall Entrance Reconstruction and Energy Efficiency Project; agreement for the maintenance and repair of primary roads in municipalities between the City of Ottumwa and the IDOT for a five year period from July 1, 2011 to June 30, 2016 and authorize the Mayor to sign; Res. 34-2011, setting Mar. 15, 2011 as a public hearing on the Council's intent to dispose of city owned property located at 143 N. Davis; Res. 35-2011, setting Mar. 15, 2011 as a public hearing on the Council's intent to dispose of city owned property located at 821 Jay to Carla Heckethorn; beer and/or liquor applications for Hy-Vee Drugstore, 1140 N. Jefferson and Chills N Thrills, 312 E. Main. All ayes.

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

City Admin. Helfenberger reported Gov. Branstad will be at The Vine Coffeehouse tomorrow at 11:00 A.M. to hold the "Jobs for Iowa" town hall meeting. He also noted there would be no special meeting next week.

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

Meyers moved, seconded by Caviness to amend City Policy No. 42-2004, a policy for the disposition of city owned property. Health & Insp. Supv. Gates explained that the policy change would include city owned derelict/placarded properties are sold to the highest bidder through a sealed bid process and the successful bidder is required to submit a six month repair plan for the property within 21 days of the property transfer. All ayes.

Caviness moved, seconded by Niner to approve the quote for emergency repair to the Richmond Pump Station elevator by Schumacher Elevator Company of Denver, Iowa in the amount of \$18,952.00. Public Works Dir. Seals reported two other elevator companies were contacted for quotes, but neither responded. All ayes.

Morgan moved, seconded by Niner to approve the beer and/or liquor application for Touch Down's Bar & Grill, 533 Church St., pending final inspections. Council Member Caviness stated he requested to have this item moved because he was not comfortable with approving the application. Council Member Meyers said he agreed with Council Member Caviness due to earlier recommendations by the City Attorney. Ayes: Morgan, Niner, Weller. Nays: Caviness, Meyers. Motion carried.

This was the time, place and date set for a public hearing on the proposed adoption of the 2012 City Budget. Dir. of Finance Jay reported the city tax levy is decreasing \$0.42 per \$1,000 taxable valuation and the state imposed residential rollback increased 1.6%. City Admin. Helfenberger reviewed pie charts and bar charts relating to City tax dollars, revenues and expenditures. No objections were received. Caviness moved, seconded by Meyers to close the public hearing. All ayes.

Caviness moved, seconded by Meyers that Res. No. 33-2011, adopting the annual budget for the fiscal year ending June 30, 2012, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on the proposal to lease facilities to Ottumwa Flying Service to provide Fixed Based Operator (FBO) services at the Ottumwa Regional Airport, Ottumwa, Iowa. Airport Supv. Francis stated the lease includes the north half of Building #23 (Big Hangar), Building #20 (T-Hangar), Building #62 (Maintenance Shop) and the office/counter space in Building #83 (Terminal Building) to provide fixed based operator services. No objections were received. Caviness moved, seconded by Weller to close the public hearing. All ayes.

Caviness moved, seconded by Meyers that Res. No. 40-2011, authorizing the Mayor to sign the lease with Ottumwa Flying Service to provide Fixed Based Operator (FBO) services at the Ottumwa Regional Airport, be passed and adopted. Ayes: Meyers, Morgan, Weller, Caviness. Nays: Niner. Motion carried.

This was the time, place and date set for a public hearing to approve the lease agreement with Jax Billboards for property located along Highway 34-East for the purpose of an advertising billboard. City Planner Shafer said the lease is for a 3 year term with annual payments of \$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. 38-2011, authorizing the Mayor to sign the lease agreement with Jax Billboards, be passed and adopted. Council Member Morgan abstained from voting to avoid any conflict of interest due to Jack Stansberry, owner of Jax Billboard, being his boss. Ayes: Meyers, Niner, Weller, Caviness. Motion carried.

Caviness moved, seconded by Niner that Res. No. 32-2011, approving the Wapello County/City of Ottumwa Law Enforcement Center Maintenance Budget for fiscal year ending June 30, 2012, be passed and adopted. All ayes.

Niner moved, seconded by Morgan that Res. 36-2011, establishing the approved noncombustible materials for garage floors and carports, be passed and adopted. Health & Insp. Supv. Gates explained that the city's building code states garage floors shall be of approved noncombustible material which the city has interpreted to mean concrete for carports and garages, and also asphalt in the cases of carports. After a recent appeal to the Inspection Board of Review, it was pointed out that there is no written list of approved noncombustible materials. Niner moved, seconded by Morgan to table Res. 36-2011, allowing staff time to compile a complete list of approved noncombustible materials. All ayes.

Meyers moved, seconded by Caviness that Res. 37-2011, accepting the bid from Bridge City Sanitation LLC for solid waste collection services and approving the contract, bond and certificate of insurance, be passed and adopted. Health & Insp. Supv. Gates reported three bids were received with Bridge City Sanitation LLC submitting the best bid for both manual and automated collection. She recommended accepting the bid for automated collection. Council Member Niner asked if walk up collection currently provided for individuals with medical needs would continue and Ms. Gates assured him that it would. She noted that a 64 gal. cart will be provided by the collection company at no cost

to the citizens. The carts are equipped with larger wheels and can be easily moved. Council Member Morgan said that automated collection would raise rates. Council Member Meyers added that all bids received, manual and automated, reflected an increase. Ayes: Meyers, Weller, Caviness. Nays: Morgan, Niner. Motion carried.

Caviness moved, seconded by Niner that Res. 39-2011, assessing additional 2010 weed mowing charges against certain lots in the City of Ottumwa, Iowa, be passed and adopted. All ayes.

Meyers moved, seconded by Caviness that Res. 41-2011, petitioning the Iowa Dept. of Economic Development for the extension of Ottumwa, Enterprise Zone C, be passed and adopted. City Planner Shafer reported the area includes the former St. Joseph Hospital Complex and the contiguous East Alta Vista right of way. The inclusion of the property in the Enterprise Zone Program may provide incentives and encourage redevelopment of the property. All ayes.

Weller moved, seconded by Morgan to pass the second 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 the amendment provides that a resident would only have to provide proof of a current rabies certificate when applying for a dog license. 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 7:40 P.M.

CITY OF OTTUMWA, IOWA

Dale M. Uehling, Mayor

ATTEST:

Amanda Valent, City Clerk

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 9
Council Chambers, City Hall

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

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

Meyers moved, seconded by Caviness to approve the following Consent Agenda items: minutes from Regular Meeting No. 8, Mar.1, 2011 as presented; license renewal and annual maintenance agreement for the Police Dept.'s computer software programs with Computer Information Systems, Inc., Skokie IL. for two years for a price of \$11,000 per year including any minor price increase; contract with Ecosystems of Ottumwa, Iowa for hauling biosolids from WPCF to IDNR approved farm land and authorize the Mayor so sign; set Mar. 21, 2011 as the date for a public hearing on the plans, specifications, form of contract and estimated cost of the City Hall Roof Replacement Project; extend bid opening date to Apr. 4, 2011 on the City Hall Entrance Reconstruction and Energy Efficiency Project; Canvasser & Solicitors application for Michael Cardin with OHS DECA to have 60 persons solicit funds as a donation for Austin Wilds and Cindy Roberts within city limits on Mar. 24, 2011; Salvage Dealer's License for Goldy's Auto Salvage, 430 N. Forrest Ave.; Salvage Dealer's License for Rosenman's Inc., 902 E. Main; Res. No. 44-2011, setting Apr. 5, 2011 as a public hearing on the intent to dispose of city owned property located at 1017 Plum to William Davidson; beer and/or liquor applications for Casey's General Store #1886, 504 W. Mary St., change of premise, Casey's General Store #1886, 504 W. Mary St., renewal and Cocanana's, 1317 E. Main St. with outdoor service area, pending dram. All ayes.

Caviness moved, seconded by Niner to remove item F-3, purchase of a Graco Line Striper, from the agenda and approve the agenda as amended. All ayes.

City Admin. Helfenberger reported there will be an informational meeting regarding the downtown Ottumwa area at 6:00 P.M. tomorrow evening in the Council Chambers. There will be a member of the Burlington Main Street Program and a Fairfield City Council Member attending the meeting. All interested people are encouraged to attend. He also noted there will be a special meeting next week to discuss civil infractions, hold a public hearing on the City Hall Roof Replacement Project and Nicole Pasqual and Scott Recob will be presenting from Centerplate/Bridge View Center.

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 submission of the Drug Task Force Grant via internet and authorize the Mayor to sign all related documents. All ayes.

Morgan moved, seconded by Meyers to approve payment to Christy Construction for the construction of stamped red brick sidewalks and crosswalks at the five-corners intersection of Chester, Richmond, Church, Vine and Willard in the amount of \$12,773.60. All ayes.

Caviness moved, seconded by Meyers to authorize the removal of asbestos at Building #23 (Big Hangar) at the Ottumwa Regional Airport by Advanced Environmental Testing and Abatement of Waterloo, Iowa, in the amount of \$23,350.00 and authorize the Mayor to sign the proposal. Airport Supv. Francis reported three quotes were received and Advanced Environmental Testing and Abatement was the low quote with a price of \$23,350.00. Council Member Morgan asked if the

building would be asbestos free after the work is completed. Mr. Francis explained there would still be asbestos in the wrap around the pipes in the ceiling. Council Member Meyers asked if there was enough money in the fund balance to cover the bid of \$38,860.00 to remove all of the asbestos except for the wrap around the pipes. Dir. of Finance Jay assured council there was. Morgan moved, seconded by Weller to approve the quote from Advanced Environmental Testing and Abatement for the removal of asbestos in Building #23 (Big Hangar) at the Ottumwa Regional Airport in the amount of \$38,860.00 and authorize the Mayor to sign the proposal. 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 143 N. Davis. Health & Insp. Supv. Gates reported on Mar. 8, 2011 four bids were received and Levi and Laci Morrissey were the successful bidders with a bid price of \$2,000.00 plus the cost of conveyance. No objections were received. Morgan moved, seconded by Weller to close the public hearing. All ayes.

Caviness moved, seconded by Niner that Res. No. 42-2011, accepting the bid and approving the sale of city owned property located at 143 N. Davis to Levi and Laci Morrissey, 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 821 Jay. Health & Insp. Supv. Gates reported Carla Heckethorn submitted an offer of \$250.00 to purchase the vacant lot at 821 Jay to use as a garden and possibly a dwelling at a later date. No objections were received. Weller moved, seconded by Morgan to close the public hearing. All ayes.

Meyers moved, seconded by Caviness that Res. No. 43-2011, accepting the offer regarding sale of property owned by the City of Ottumwa, Iowa located at 821 Jay and approving the sale of same to Carla Heckethorn, 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 City Hall Entrance Reconstruction and Energy Efficiency Project. City Planner Shafer reported an I-Jobs grant will assist with \$229,500 of the total project and bids will be received and opened on Apr. 5, 2011 at 10:00 A.M. He presented slides to illustrate what the project will consist of and what the area will look like after the reconstruction. He explained that the project will be divided into three bid packages: No. 1-Reconstruction of the Exterior Fourth Street Entrance, No. 2-Attic Insulation and No. 3-Procurement of Replacement Light Fixtures. Council Member Weller asked if the use of LED lights was considered. Matt Krieger, Project Manager, Neumann Monson Architects, stated he would get a price comparison on LED and fluorescent lights. No objections were received. Meyers moved, seconded by Niner to close the public hearing. All ayes.

Meyers moved, seconded by Caviness that Res. No. 47-2011, approving the plans, specifications, form of contract and estimated cost for the City Hall Entrance Reconstruction and Energy Efficiency Project, be passed and adopted. All ayes.

Caviness moved, seconded by Niner that Res. No. 45-2011, approving the modification to the agreement between the City of Ottumwa and Neumann Monson Architectural Contract B101-2007 for City Hall Entrance Reconstruction and Energy Efficiency Project, be passed and adopted. All ayes.

Meyers moved, seconded by Weller that Res. 46-2011, awarding the contract for the Oak Meadow Reconstruction Project (East Rochester to Fox Sauk Road), be passed and adopted. Public Works Dir.

Seals reported eight bids were received on Mar. 9, 2011 and the low bidder was DeLong Construction, Inc. of Washington, Iowa in the amount of \$430,919.60. All ayes.

Meyers moved, seconded by Weller to pass the third consideration and adopt 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 the amendment provides that a resident would only have to provide proof of a current rabies certificate when applying for a dog license. 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.

Meyers moved, seconded by Niner that the meeting be adjourned. All ayes. Adjournment was at 7:17 P.M.

CITY OF OTTUMWA, IOWA

Dale M. Uehling, Mayor

ATTEST:

Amanda Valent, City Clerk

OTTUMWA CITY COUNCIL MINUTES

SPECIAL MEETING NO. 10
Council Chambers, City Hall

March 21, 2011
5:00 O'clock P.M.

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

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

Meyers moved, seconded by Niner to authorize the Mayor to sign Scholarship Contract 2010-S-19 between the City of Ottumwa and the State Historic Society of Iowa and all related documents. City Planner Shafer explained this scholarship will provide for Nick Klimek to attend the 2011 National Main Street Conference in Des Moines from May 22-25, 2011. All ayes.

Caviness moved, seconded by Niner to approve ball field leases with American Legion, Ottumwa Babe Ruth Baseball Association, Ottumwa Girls Softball League, Ottumwa Mid-West Little League, Ottumwa High School, National League and the Adult Softball Association for a period of one year and a rental amount of \$10.00 and authorize the Mayor to sign. 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 City Hall Roof Replacement Project. Park Dir. Rathje reported the project consists of the installation of a new roof on City Hall. Bids will be received and opened by the City of Ottumwa on April 15, 2011 at 2:00 P.M. No objections were received. Caviness moved, seconded by Niner to close the public hearing. All ayes.

Meyers moved, seconded by Niner that Res. No. 48-2011, approving the plans, specifications, form of contract and estimated cost for the City Hall Roof Replacement Project, be passed and adopted. All ayes.

Caviness moved, seconded by Meyers that Res. No. 51-2011, approving the supplemental agreement between the City of Ottumwa and Calhoun-Burns and Associates, Inc. for professional services to conduct special inspections of the Jefferson St. Bridge and Market St. Bridge, be passed and adopted. Public Works Dir. Seals stated this is a required biennial inspection for compliance with the IDOT inspection program. Inspection services for Jefferson St. Bridge will be \$10,400, Market St. Bridge will be \$6,700 and the equipment rental will be \$15,700. Council Member Meyers asked if the equipment would be rented from IDOT as in previous years. Public Works Dir. Seals said the equipment will be rented from a private company. All ayes.

Morgan moved, seconded by Niner that Res. No. 53-2011, setting April 5, 2011 as the public hearing on the intent to dispose of City owned property located at 1017 Plum to William Davidson and rescinding Res. No. 44-2011, be passed and adopted. All ayes.

City Atty./HR Manager Joni Keith presented a proposal for the Ottumwa Police Department that would allow officers to issue civil infractions for individuals who violate the City traffic law rather than a traffic ticket. She explained that currently these violations are written as a criminal charge and are referred to magistrate court. The fines are accompanied by court costs and surcharges to which the state gets 10% of the fine. If the violations are to be changed to civil infractions it would not go on the individual's driving record. She further explained that not all violations would be subject to a civil infraction. Violations such as driving while suspended, driving while intoxicated, traffic accidents and drag racing will still be cited as a traffic ticket and not a civil infraction. Also, if a civil infraction is not paid then it will be revoked and

sent to magistrate court the same as a regular traffic ticket. Council Member Morgan asked if a habitual violator will be given a civil infraction or penalized with a traffic ticket. Police Chief Clark said a traffic ticket will be issued for habitual offenders and officers will be capable of determining when this is warranted. In addition, an individual will only be allowed two civil infractions within a one year time period. He said this will be beneficial for many reasons; eliminate the amount of back logged fines, increase payment rate on issued fines, cut court overtime for officers, relieve some of the court burden on the City Attorney, allow officers to feel more comfortable issuing tickets due to reduced penalty and the total amount per penalty will reduce. Council was in agreement to bring the issue back as an ordinance amendment.

Pat Bruhn, Regional VP of Centerplate, presented to Council the changes that have taken place at Bridge View that include a new General Manager, Nicole Pasqual, new culinary support, Chef Ye and the successes that Bridge View has realized. Nicole Pasqual continued with a financial report and explained that the bottom line operating income is at a deficit of \$130,000 which is an improvement from last years deficit of over \$300,000. She stated there are still fifty-three booked events that are estimated to generate as much as \$200,000. Costs have been cut in many areas and positions that have been left vacant are not looking to be filled. She expressed her thanks to John Deere and Cargill for their support but also noted that larger events and masses of people will help. Ms. Pasqual said the day to day sales are not where she wants them to be but she contributes that to marketing. Council Member Meyers asked what can be done to market better. She noted that social networking, such as Facebook, may be an option because print advertising is not as efficient as it once was. Mayor Uehling said he has received a tremendous amount of compliments. Council Member Caviness asked what the projected total operating costs will be by the end of the fiscal year. Ms. Pasqual said she does not like to make those predictions. Labor costs are streamlined as much as possible, but events are directly correlated to labor so, the more events booked, the more labor costs incurred. Council Member Caviness asked if the City has started to reduce the current amount in arrears. Ms. Pasqual stated she has been working with Dir. of Finance Jay and the accounting team at Centerplate to bring this amount current. Dir. of Finance Jay said previous administration at Bridge View had not been sending requests for payment which has created the current amount. Ms. Pasqual added that business has increased by 60%. Scott Recob, GM Alliant Energy Center, emphasized the importance of sponsorship for the facility and events.

The Mayor inquired if anyone 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 6:16 P.M.

CITY OF OTTUMWA, IOWA

Dale M. Uehling, Mayor

ATTEST:

Amanda Valent, City Clerk