

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 16
Council Chambers, City Hall

May 4, 2010
6:30 O'clock P.M.

The meeting convened at 7:28 P.M. due to a majority of the Council, Mayor and City Administrator returning from the Iowa Racing & Gaming Commission casino public hearing.

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. 15 April 20, 2010 as presented; Mayor's reappointment of JoAnn Winston to the Plan and Zoning Commission, term to expire April 20, 2015; acknowledgement of Civil Service Comm. entrance & promotional eligibility lists for Engineering Design Tech., WPC Maintenance Tech. and Accounting Clerk II certified April 21, 2010; acknowledgement of Civil Service Comm. Asst. Fire Chief promotional eligibility list certified April 26, 2010; appointment of Nick Klimek to the position of Planner effective May 17, 2010; promotion of Michael Craff and William (Bill) Trout to the position of Asst. Fire Chief, effective May 8, 2010; promotion of Bryan Blumer and Vince Wilcoxson to the position of Fire Captain, effective May 8, 2010; promotion of Joshua Reynolds and Pat Short to the position of Master Firefighter, effective May 8, 2010; appointment of Mary Cook to the position of Accounting Clerk II, effective May 10, 2010; Salvage Dealer's License for Courtney's Car Crushing & Scrap, 825 Hayne St.; adoption of Res. No. 67-2010, setting May 18, 2010 at 6:30 p.m. for a public hearing on the intent to dispose of city owned property located at 301 Caldwell to Jon M. Sorak; adoption of Res. No. 68-2010 setting May 18, 2010 at 6:30 pm for a public hearing on the intent to dispose of city owned property located at 325 W. Division to Dwain Peterman; adoption of Res. No. 72-2010, approving the contract, bond, and certificate of insurance of Christy Const. Co. for the East Highland PCC Patching Project (Elm St. to the end); adoption of Res. No. 76-2010, setting May 18, 2010 at 6:30 pm for a public hearing on the intent to dispose of city owned real property located at 222-226 Fairview to Curtis J. Bruett; beer and/or liquor applications for Primavera Club, 2801 Roemer Avenue, The Legend, with Outdoor Service Area, 345 Richmond, Parkview Plaza, 1 day Outdoor Service Area, 107 E. Second, Walgreens #1301, 327 W. Fourth St., Hy-Vee Gas, 1027 N. Quincy Ave., and Kum-N-Go #612, 1317 E. Mary St. All ayes.

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

City Admin. Helfenberger reported there would be a work session Monday at 5:00 P.M. for the discussion of sewer items.

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 a one year lease agreement with Southeast Iowa Community Soccer League with a rental amount of \$10, and authorize the Mayor to sign the lease. All ayes.

Meyers moved, seconded by Weller to approve the Ottumwa Public Safety Advisory Bd. recommendations of April 26, 2010. All ayes.

Morgan moved, seconded by Weller to approve the low bid and award the contract for demolition of the structures on the lot located at 422 Ellis Ave. to Tim Skinner Trucking and Excavation in the amount of \$9,460.00. Caviness said he was against awarding a contact when there was only one bidder. Health & Insp. Supv. Gates said the structure has been condemned by the Board of Health, and noted the contractor will have to remove and several items from the house before taking to the landfill and a lot of contractors do not want to do that. Ayes: Meyers, Morgan, Niner, Weller. Nays: Caviness. Motion carried.

Caviness moved, seconded by Weller to approve payment to C & J Bulldozing in the amount of \$11,868.65 for repair of the levee behind the Public Works Garage PW-7319, REF#COTT014. All ayes.

Caviness moved, seconded by Weller to approve funding support of \$20,000 from the General Fund toward increasing of the Convention and Visitors Bureau Director position from part-time to full-time. Morgan said he was not in favor of funding this position from the General Fund or TIF, and would see some funds go toward the Video Hall of Fame event in August. There was additional discussion and comments. Ayes: Caviness, Meyers. Nays: Morgan, Niner, Weller. Motion failed.

Caviness moved, seconded by Morgan to approve the appointment of Nicole L. Pasqual as the General Manager for the Bridge View Center, effective May 6, 2010. All ayes.

Caviness moved, seconded by Morgan to authorize the Mayor to sign the Lease with FedEx Ground Package System, Inc. for Building #70 at the Ottumwa Regional Airport. Airport Supv. Francis said FedEx requested a 10% decrease in their rent due to the economy for the remaining two years of their lease. Every year since 1995, they have had a cost of living increase between 2 ½ to 3% except for a one year freeze. All ayes.

Morgan moved, seconded by Meyers to approve the contract with Cook Appraisal, LLC to provide appraisals for the purchase of right-of-way needed to complete improvements to Pennsylvania Ave. for a best bid price \$5,600.00, and authorize the Mayor to sign. All ayes.

Morgan moved, seconded by Niner to approve purchase of computer electronic equipment for the Building Inspectors from Professional Computer Solutions, Inc. in the amount of \$10,862.12. All ayes.

This was the time, place and date set for a public hearing on the proposed amendment to the 2010 City Budget. Dir. of Finance Jay stated the 2009 economic stimulus money created more grant money for capital projects and capital equipment in Transit. Expenses increased for snow removal, the Airport FAA project and the Kettle Creek & Levee Certification. The Library remodeling and Airport Waterline and Sewer projects were added. The increase in expenditures will come from increased non-property tax revenues and cash balances in order to balance the budget. No objections were received. Caviness moved, seconded by Weller to close the public hearing. All ayes.

Caviness moved, seconded by Morgan that Res. No. 66-2010, amending the annual budget for fiscal year ending June 30, 2010, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on a lease with the FAA for the Remote Communications Outlet (RCO) room at the Ottumwa Regional Airport. No objections were received. Morgan moved, seconded by Meyers to close the public hearing. All ayes.

Meyers moved, seconded by Niner that Res. No. 69-2010, authorizing the Mayor to sign the lease with the FAA for the Remote Communications Outlet (RCO) room at the Ottumwa Regional Airport until Sept. 30, 2020, 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 Ferry St. Reconstruction Project (Mary to Finley). No objections were received. Niner moved, seconded by Weller to close the public hearing. All ayes.

Caviness moved, seconded by Weller that Res. No. 70-2010, approving the plans, specifications, form of contract and estimated cost for the Ferry St. Reconstruction Project (Mary to Finley), 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 309 Tindell, Lots 34, 35, 36, 37 and 38 in Block 4 in Siberell's First Addition to the City of Ottumwa to Ottumwa Housing Authority. OHA Dir. Stroda explained the Housing Authority will construct two, two bedroom units for low-moderate income persons under the Neighborhood Stabilization Program. No objections were received. Caviness moved, seconded by Niner to close the hearing. All ayes.

Caviness moved, seconded by Weller that Res. No. 77-2010, approving the disposal of city owned real property known as 309 Tindell in the City of Ottumwa, Wapello County, Iowa to Ottumwa Housing Authority, be passed and adopted. All ayes.

Caviness moved, seconded by Weller that Res. No. 71-2010, approving Change Order #1 (contract increase of \$4,485) for the Phase III, Division 1 of the South Ottumwa Sewer Separation Project by Portzen Const., Inc., be passed and adopted. All ayes.

Caviness moved, seconded by Meyers that Res. No. 73-2010, awarding the contract for the Asphalt Street Repair Program 2010 to Norris Asphalt Paving Co., be passed and adopted. Public Works Dir. Seals reported only one bid was received at the April 28th letting. All ayes.

Morgan moved, seconded by Meyers that Res. No. 74-2010, awarding the contract for the HMA, PCC Street Crack Repair Program 2010 to Christy Constr. Co., be passed and adopted. Public Works Dir. Seals reported three bids were received at the April 28th letting with Christy Const. Co. having the low bid of \$47,739, and recommended award. 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 Section 22-91 (a), Section 22-93 and Section 22-98 in their entirety and enacting new sections in lieu thereof, be considered and passed for the second reading. All ayes.

Caviness moved, seconded by Morgan to waive the third reading of Ord. 3009-2010, and pass and adopt. All ayes.

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

The Mayor 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 8:44 P.M.

CITY OF OTTUMWA, IOWA

Dale M. Uehling, Mayor

ATTEST:

Ann Cullinan, City Clerk

OTTUMWA CITY COUNCIL MINUTES

SPECIAL MEETING NO. 17
Council Chambers, City Hall

May 10, 2010
5:00 O'clock P.M.

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

The Mayor inquired if anyone from the audience wished to address a specific agenda item. Terry McNitt, Ottumwa Area Chamber of Commerce, 127 E. Main St. and Cindy Woodbury, Main Street Ottumwa, 115 E. Main St. asked to speak on item 2.

Morgan moved, seconded by Caviness to appoint Sherrie Jones as Temporary City Clerk for this meeting in the absence of the City Clerk. All ayes.

Morgan moved, seconded by Meyers to adopt Resolution No. 83-2010, to amend the agreement between Bridge View Center, Inc. and the City of Ottumwa to only take out \$25,000 from the 2/7ths of the hotel/motel 2% tax that was effective April 1, 2000 and given to BVC, Inc. for the CVB budget. Terry McNitt, Ottumwa Area Chamber of Commerce and Cindy Woodbury, Main Street Ottumwa both spoke in favor of a full-time CVB Director and how it is a much needed position. Ayes: Meyers, Morgan, Niner, Caviness. Nays: Weller. Motion carried.

Meyers moved, seconded by Caviness to approve payment for the emergency repairs to Fox Sauk Road to Turner Concrete Construction in the amount of \$24,552.15. All ayes.

Caviness moved, seconded by Weller to approve payment for the repair of the Joe Griffin Levee (PW-4014 REF#COTT015) to C & J Bulldozing in the amount of \$615,830.65. All ayes.

Caviness moved, seconded by Niner to approve the purchase of a Sewer Televising Inspection System from Municipal Pipe Tool Co. of Hudson, Iowa for the quoted price of \$84,900.00. All ayes.

Morgan moved, seconded by Weller to pass and adopt Resolution No. 75-2010, approving Change Order #2 for Phase III, Division 1 of the South Ottumwa Sanitary Sewer Separation Project increasing contract by \$350,761.00 total contract amount \$6,299,205.10. All ayes.

Tom Francis, Airport Maint. Supervisor, reviewed 8 airport building leases and condition reports with staff recommendations in the Industrial Park at the Ottumwa Regional Airport. He showed pictures of each building and the condition they are in so the Council can give direction on how to proceed with maintenance repairs and or disposition of City owned buildings. Council asked questions as he went through each building condition report.

The Mayor 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 Niner that the meeting be adjourned. All ayes. Adjournment was at 6:14 P.M.

CITY OF OTTUMWA, IOWA

Dale M. Uehling, Mayor

ATTEST:

Sherrie Jones, Temporary City Clerk

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 18
Council Chambers, City Hall

May 18, 2010
6:30 O'clock 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 Regular Meeting No. 16 on May 4 and Special Meeting No. 17 on May 10, 2010 as presented; acknowledgement of Mayor's proclamation of May 2010 as National Historic Preservation Month; acknowledgement of Mayor's proclamation of May 24-29, 2010 as Poppy Week; purchase of clamshell grapples for the excavator in the Street Dept. from Iowa Farm Equipment, Tipton, IA for a best quoted price of \$9,495.00; set 6/1/10 at 6:30 p.m. for public hearing on plans, specifications, form of contract and estimated cost for the Fox-Sauk Road Reconstruction Project (Oak Meadow to Pawnee); set 6/1/10 at 6:30 p.m. for public hearing on plans, specifications, form of contract and estimated cost for the Chester Ave. Reconstruction Project (Skyline Dr. to end of right-of-way); adoption of Res. No. 80-2010, setting 6/1/10 at 6:30 p.m. for public hearing on the intent to dispose of city owned property located at 112 S. Cherry to John Edwin Bachman; adoption of Res. No. 87-2010, approving contract, bond, and certificate of insurance for Norris Asphalt Paving, Inc. for the Asphalt Street Repair Program 2010; promotion of Ricky S. Kleinman to the position of Asst. Fire Chief effective May 22, 2010; promotion of David Yeager and Patrick Short to the position of Captain in the Fire Dept. effective May 22, 2010; promotion of William Keith and Ronald Klein to the position of Master Fire Fighter in the Fire Dept. effective May 22, 2010; beer and/or liquor applications for Pizza Hut of Ottumwa #2, 2513 Northgate, VFW, Walter B. Schafer Port No. 775, 702 W. Main St., Appanoose Rapids Brewing Co., with an Outdoor Service Area, 332 E. Main St., pending Fire, Health and Building inspections; Outdoor Service Area for Elks-Ottumwa Lodge #347 BPOE, 413 S. Iowa Ave. for June 11 & 12, 2010, pending dram liability. All ayes.

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

Admin. Helfenberger reminded the Council of the Solid Waste Comm. meeting tomorrow at 5:00 P.M. There will not be a special Council work session next week. There will be a Memorial Day service at Ottumwa Cemetery May 31 at noon; the Budweiser Clydesdales will be at The Beach Ottumwa parking lot May 28 & 29 with a parade, and The Beach Ottumwa will open May 29th.

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 payment to Christy Construction in the amount of \$9,286.74 for the McLean and Fourth Sewer Repair.

Weller moved, seconded by Niner to review the bid report for the 6th Street Reconstruction Project (Terminal Avenue to Job Corps Campus) RM-5825(637)-9D-90, and award the contract at a future meeting. Public Works Dir. Seals reported five bids were received at the May 13 letting with DeLong Construction having the low bid at \$508,643.50. The project will be funded by a RISE grant and the local match from the Dept. of Labor, Indian Hills Comm. College and Wapello Co. All ayes.

Meyers moved, seconded by Niner to approve the purchase of equipment for emergency repairs to the Finley St. Pump Station from Van Meter Industrial, Inc. in the amount of \$6,244.54. All ayes.

Morgan moved seconded by Meyers to approve and authorize the Mayor to sign the contract between the City of Ottumwa and Ottumwa Housing Authority for the Police Officer assigned to the Housing Authority for FY 2010-11. All ayes.

Morgan moved, seconded by Weller to authorize the Mayor to sign a contract with Molly Meyers Naumann, consultant, for professional services to assist City of Ottumwa in the preparation of the nomination of the Historic Railroad District to the National Register of Historic Places. All ayes.

Caviness moved, seconded by Niner to approve payment to Christy Construction in the amount of \$17,261.90 for the West Main Sewer Repair. 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 325 W. Division to Dwain Peterman, abutting property owner, for \$250. No objections were received. Caviness moved, seconded by Niner to close the public hearing. All ayes.

Morgan moved, seconded by Weller that Res. No. 78-2010, accepting the offer regarding the sale of property owned by the City of Ottumwa located at 325 W. Division and approving sale of same, 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 301 Caldwell to Jon Sorak, abutting property owner, for \$250. No objections were received. Caviness moved, seconded by Niner to close the public hearing. All ayes.

Meyers moved, seconded by Morgan that Res. No. 79-2010 accepting the offer regarding the sale of property owned by the City of Ottumwa located at 301 Caldwell and approving sale of same, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on the adoption by reference of the National Electrical Code 2008 edition as part of Ord. No. 3011-2010, Electrical. No objections were received. Morgan moved, seconded by Niner to close the public hearing. All ayes.

Caviness moved, seconded by Niner that Ord. No. 3011-2010 and ordinance amending the Code of Ordinances by repealing Chapter 13, Electrical, in its entirety and enacting a substitute in lieu thereof and adopting by reference the National Electrical Code 2008 Edition, be considered for the first reading and passed. All ayes.

Caviness moved, seconded by Niner that Res. No. 57-2010, approving Supplemental Agreement No. 4 for the Jefferson St. Bridge Pier Repairs/Rehabilitation – Final Design between the City of Ottumwa and Calhoun-Burns & Associates, Inc., be passed and adopted. All ayes.

Meyers moved, seconded by Morgan that Res. No. 81-2010, assessing delinquent Refuse Collection Fees on property taxes, be passed and adopted. All ayes.

Caviness moved, seconded by Niner that Res. No. 82-2010, assessing delinquent Sewer Collection Fees on property taxes, be passed and adopted. All ayes.

Morgan moved, seconded by Weller that Res. No. 85-2010, to support the Formation of a Local Housing Trust Fund in the Area-wide Housing Enterprise & Development Inc. area to be staff by Area 15 Regional Planning Comm., be passed and adopted. All ayes.

Morgan moved, seconded by Weller that Res. No. 88-2010, approving Change Order #5 (contract increase of \$4,299) to Winger Contracting Co. for the WPCF Headwork's Building Improvements Project, be passed and adopted. All ayes.

Meyers moved, seconded by Weller that Res. No. 89-2010, approving Change Order #1 (contract increase of \$128,761.68) and accepting the work as final and complete and approving Final Pay Request for the South Ottumwa Sewer Separation Project Phase II, Div. 2 by DeLong Constr., Inc., be passed and adopted. All ayes.

Caviness moved, seconded by Niner 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 third reading and passed and adopted. All ayes.

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

Morgan 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:

Ann Cullinan, City Clerk