

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 32
Council Chambers, City Hall

October 5, 2010
6:30 O'clock P.M.

The meeting convened at 6:36 P.M.

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

Meyers moved, seconded by Morgan to approve the following Consent Agenda items: minutes from Regular Meeting No. 31 on Sept. 21, 2010 as presented; acknowledgement of Mayor's proclamation of October as Domestic Violence Awareness Month; acknowledgement of Civil Service Comm. Fire Chief entrance eligibility list of 9/29/10; Canvasser/Solicitor Application for Marie Ogden on behalf of Workingman's Christmas Party for Needy Children to solicit donations downtown and outlying stores Nov. 1 thru Dec. 15; naming Robert Jay as primary contact, Mary Cook as alternate for City of Ottumwa proxy ICAP representatives; appointment of John A. Miller to the position of Fire Chief effective Oct. 4, 2010; adoption of Res. No. 161-2010, approving contract, bond and certificate of insurance of United Contractors, Inc. for the Bridge Pier Repair on the Jefferson St. Viaduct; beer and/or liquor applications for Ching Dow Restaurant, 704 Richmond, Kum & Go #27, 2508 N. court, Kum & Go #38, 534 Church St., Kum & Go #39, 1108 N. Quincy, Kum & Go #40, 502 W. Second. Mayor Uehling allowed James McDonald, 309 Lake Dr. to address the Council. Mr. McDonald asked City Admin. Helfenberger if he interviewed the other fire chief candidates and why the qualifications were reduced. Admin. Helfenberger said the other candidates were not interviewed and the qualifications were reduced to allow more fire department employees the opportunity to apply. The candidate up now does not have a degree right now but the requirements required he get it over a period time or he can't hold the position. The concern was the City would be able to eliminate a deputy fire chief position and save the citizens roughly \$75,000. Mr. McDonald felt the procedure and process has been biased. All ayes.

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

City Admin. Helfenberger reported there would be a special meeting Oct. 11th to discuss guidelines for preparing the next budget and council procedures for information requests. He announced the Fire Dept. had teamed up with the National Fire Protection Assn. for Fire Prevention Week, Oct. 3-9, for Smoke Alarms, a sound you can live with, urging citizens to check their smoke alarms. Transit Admin. Ward told the Council the Transit Dept. has 7 new drivers for the Wapello Co. area to bring the department to full staff. TMS is a brokerage company chosen by Iowa Medicaid Enterprises to manage non-emergency medical transportation requests throughout the state, and explained the process taken for this type of service. An Iowa DOT Regulatory Compliance Audit on Sept. 9th found, OTA & 10-15, overall, to be in compliance with applicable state and federal requirements; they are in the process of fine-tuning a couple areas. They have been awarded two Job Access Reverse Commute and two New Freedom grants. She showed pictures of the progress to the new maintenance building from the I-Job Infrastructure Grant and provided ridership data and revenue and expense information for FY 2010. She asked the Council if this was the type of format they wanted to see, and that Council Member Weller had suggested she provide a report every two months. The Council consensus concurred. There was additional comments and questions. Mayor Uehling showed a plaque from the Census Bureau to the City of Ottumwa and he acknowledged the City Clerk and local Census Committee for their work on the 2010 Census.

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

Morgan moved, seconded by Caviness to approve the purchase of a use-of-force training simulator from IES Interactive Training for the GSA contract price of \$47,500.00. All ayes.

Meyers moved, seconded by Caviness to approve payment to Electric Pump in the amount of \$20,412.57 for emergency repairs of the lagoon storm water pump. All ayes.

This was the time, place and date set on the intent to dispose of city owned real property located north of Mill St. to Burlington Shortline Railroad, Inc. d/b/a Burlington Junction Railway. No objections were received. Caviness moved, seconded by Niner to close the hearing. All ayes.

Caviness moved, seconded by Morgan that Res. No. 160-2010, approving the disposal of city owned real property located north of Mill St. to Burlington Shortline Railroad, Inc. d/b/a Burlington Junction Railway, be passed and adopted. All ayes.

Morgan moved, seconded by Meyers that Res. No. 159-2010, approving agreement between City of Ottumwa and Larkin Aquatics, Inc. for professional services for The Beach Ottumwa Improvement Project (Phase I), be passed and adopted. All ayes.

Caviness moved, seconded by Meyers that Ord. No. 3012-2010 amending various sections of Chapter 7 and Chapter 23 of the City Code relating to fees for dog licenses and for fees for copies of motor vehicle accident reports, be considered for the third reading and passed and adopted. All ayes.

The Mayor inquired if anyone wished to address the Council on an item not on the agenda. Byron Winston, 13329 Angle Rd., inquired about having an alley abutting his property at 1915 Hickory be vacated and deeded to him. He was informed to file a petition of his request at the City Clerk's Office.

Morgan moved, seconded by Niner that the meeting be adjourned. All ayes. Adjournment was at 7:27 P.M.

CITY OF OTTUMWA, IOWA

Dale M. Uehling, Mayor

ATTEST:

Ann Cullinan, City Clerk

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 33
Council Chambers, City Hall

October 19, 2010
6:30 O'clock P.M.

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

Meyers moved, seconded by Morgan to approve the following Consent Agenda items: minutes from Regular Meeting No. 32 on Oct. 5, 2010 as presented; acknowledgement of Sept. financial report and payment of bills as submitted by the Finance Dept.; Mayor's appointment of John Hendrix to the Zoning Board of Adjustment, term to expire 12/12/11; Mayor's appointment of Barbara Allison to the Waterworks Board of Trustees, term to expire 7/22/2016; Mayor's appointment of Pat Swanson to the Transit Trustees, term to expire 5/15/2015; appointment of Robert E. Coffman to the position of Environmental Health Specialist effective Oct. 18, 2010; purchase of a police car from Ed Stivers Ford, Inc., Waukee, IA through the State of Iowa Contract for a price of \$22,091.00; purchase of computer equipment from Baycom, Inc. for the best bid price of \$14,356.50 and the installation of the equipment by Raycom, Inc. funded by 2010 COPS Technology Grant; purchase of 10 Panasonic Toughbook computers from Baycom, Inc. for the State of Iowa contract price of \$33,214.30 by grant funds; Renewal and Administrative Services Agreement between Wellmark Blue Cross and Blue Shield of Iowa and the City of Ottumwa, Iowa effective July 1, 2010 through June 30, 2011 and authorize the Director of Finance to sign; final payment to Turblex, Inc. for the supply of aeration equipment for the WPCF Air System and Aerobic Digester Improvements 2008; beer and/or liquor applications for Uncle Buck's Bar & Grill, with Outdoor Service Area, 518 Church St., Alpine Inn, with Outdoor Service Area, 1804 Albia Rd., and Bridge City Bowl, pending dram, 1527 Albia Rd. Niner said he would be voting no on the consent agenda because of the Transit appointment because she is a friend of Pam and has ties with the 4-H organization. Meyers criticized his reasoning and throwing out accusations for a person willing to volunteer to serve on one of the city's boards. Ayes: Morgan, Weller, Caviness, Meyers. Nays: Niner. Motion carried.

Caviness moved, seconded by Morgan to approve the agenda with the removal of Item I-1. All ayes.

City Admin. Helfenberger reminded the Council of the Solid Waste Comm. meeting tomorrow at 5 P.M. There will not be a special meeting Monday unless additional items are received.

The Mayor inquired if anyone from the audience wished to address a specific agenda item. Jeannie Richardson, #6 Asbury Circle wanted to address G.-1.

Caviness moved, seconded by Weller to approve the City of Ottumwa Trash Collection Request for Proposals and authorize staff to solicit bids for the trash collection contract. All ayes.

Morgan moved, seconded by Meyers to approve the purchase of a Flygt NP455-4 submersible pump with stainless steel cooling jacket for the main airport pump station from Electric Pump of Des Moines, IA for the quoted price of \$17,026.32. All ayes.

Morgan moved, seconded by Weller to award the contract for the Forrest Ave. Repair to Portzen Construction, Inc. in the amount of \$12,857.50 and authorize the Mayor to sign the contract. Public Works Dir. Seals reported only one bid was received at the Oct. 13th letting. All ayes.

Meyers moved, seconded by Morgan to approve the proposal for professional services in the amount of \$6,300.00 from Comprehensive Emission Services to provide testing and services to meet IDNR Air Quality Permit requirements. All ayes.

This was the time, place and date set for a hearing on the intent of revoke the Pawnbroker license of Lynn Harriman due to the individual being convicted in federal court of conspiracy to commit wire fraud. City Atty. Kintigh explained the conviction included the purchase of stolen property, resale through his pawn shop and on the internet. If the Council revokes the license, the business intends to put a sign on the door that items could be redeemed from the Power of Attorney. Jeannie Richardson said she had just become aware of the proposed suspension and recently been appointed Power of Attorney for Mr. Harriman. She asked for a time period for people to pick up their products. Caviness moved, seconded by Niner to close the hearing. All ayes.

Morgan moved, seconded by Weller to revoke the Pawnbroker License of Lynn's Pawn Shop. Atty. Kintigh said the Council could make whatever provisions they wanted to in their motion if they want to allow people to pick up their item, but if they vote to revoke the license it would be effective immediately. There was discussion with Ms. Richardson for a time period to allow the redemption of personal items at the shop and she felt 30 days would be sufficient. Morgan moved to amend the motion to revoke the license on Dec. 4, 2010 with no new business transactions to be conducted, and for the shop to only be open from 10 A.M. to noon for redemption purposes. Niner seconded the motion. Ayes: Morgan, Niner, Caviness, Meyers. Nays: Weller. Motion carried. Vote on the main motion as amended: Ayes: Morgan, Niner, Caviness, Meyers. Nays: Weller. Motion carried.

Morgan moved, seconded by Meyers that Res. No. 162-2010, awarding the contract for the Kettle Creek Watershed Improvement Project to DeLong Const., Inc. in the amount of \$354,807.45 (includes base bid and Alternates #1 & #2), be passed and adopted. Public Works Dir. Seals reported 2 bids were received at the Sept. 29, 2010 letting, and recommended award of the contract. All ayes.

Caviness moved, seconded by Morgan that Res. No. 163-2010, awarding the contract to Bridge City Construction, Inc. of Ottumwa, for the Building #23 Side Roof Replacement Project at the Ottumwa Regional Airport, be passed and adopted. Airport Supv. Francis reported 4 bids were received at the Oct. 6th letting with Bridge City Const. having the low bid in the amount of \$44,245 and recommended award. All ayes.

Meyers moved, seconded by Morgan that Res. No. 164-2010, awarding the contract to Bridge City Construction, Inc. of Ottumwa, for the Building #23 Door Pocket #2 Stabilization and Siding Project at the Ottumwa Regional Airport, be passed and adopted. Airport Supv. Francis reported 2 bids were received at the Oct. 6th letting with Bridge City Const. having the low bid in the amount of \$28,501 and recommended award. All ayes.

Weller moved, seconded by Niner that Res. No. 165-2010, awarding the contract to Bridge City Construction, Inc. of Ottumwa, for the Building #23 Gable Wall Siding Project at the Ottumwa Regional Airport, be passed and adopted. Airport Supv. Francis reported 4 bids were received at the Oct. 6th letting with Bridge City Const. having the low bid in the amount of \$18,185 and recommended award. All ayes.

Morgan moved, seconded by Weller that Res. No. 166-2010, authorizing the Mayor to sign the Cooperative Agreement for the Brownfield Hazardous Material Assessment with the Environmental

Protection Agency for Grant ID BF 97721401-0 and supporting documents, be passed and adopted. All ayes.

Meyers moved, seconded by Weller that Res. No. 167-2010, authorizing the Mayor to sign the Cooperative Agreement for the Brownfield Petroleum Assessment with the Environmental Protection Agency for Grant ID BF 97721501-0 and supporting documents, be passed and adopted. All ayes.

Caviness moved, seconded by Meyers that Res. No. 168-2010, approving the professional services agreement between the City of Ottumwa and Veenstra & Kimm, Inc. for South Ottumwa Sewer Separation Project, Phase III, Division 2, be passed and adopted. All ayes.

Mayor Uehling noted Ord. No. 3013-2010, the weapons ordinance had been removed from the agenda.

The Mayor inquired if anyone wished to address the Council on an item not on the agenda. Rick McClure, 405 S. Ward, questioned in reference to the combined city attorney human resource position, who appoints the HR person and city attorney and the qualifications and who makes recommendations. Mayor Uehling said the city attorney is appointed by the Council. Admin. Helfenberger said with the retirement of the Human Resources Director they wanted to consider the possibility of combining the positions there could be some cost efficiency and time efficiency. He had mentioned it to the city attorney and said he could apply for the position. The city attorney reports to the Council and HR is supervised by the administrator.

Caviness moved, seconded by Niner that the meeting be adjourned. All ayes. Adjournment was at 7:26 P.M.

CITY OF OTTUMWA, IOWA

Dale M. Uehling, Mayor

ATTEST:

Ann Cullinan, City Clerk