

OTTUMWA CITY COUNCIL MINUTES

SPECIAL MEETING NO. 32
Council Chambers, City Hall

November 29, 2022
5:30 O'Clock P.M.

The meeting convened at 5:30 P.M.

Present were Council Member Roe, Galloway, McAntire, Hull and Mayor Johnson.
Council Member Pope was absent.

Roe moved, seconded by Galloway to approve the agenda as presented. Motion carried 4-1. Absent: Pope.

Mayor Johnson inquired if there was anyone from the audience who wished to address an item on the agenda. Garrett Ross (Item No. 5); Lisa McConnell and Steve Edgington (Item No. 6).

Roe moved, seconded by McAntire that Res. No. 274-2022, approving Surface and Overhead Avigation Easement for Lot 1 of Ottumwa Airport Subdivision 5, be passed and adopted. Comm. Dev. Dir. Simonson reported the City auth. purchase agt. for this lot through Res. No. 147-2022. This res. approves the avigation easement which protects the function of the airport as a condition of the sale. Completion of this Easement allows the sale of the property to close. Motion carried 4-1. Absent: Pope.

McAntire moved, seconded by Hull that Res. No. 275-2022, auth. Mayor to execute a Public Utility Easement for a portion of a vacated alley in the City of Ottumwa, be passed and adopted. Simonson reported Res. No. 213-2022 auth. disposal of a section of vacated alley to Elliott Oil for the rebuild of W. Second station. This res. approves any public utility easement which advances that sale toward closing. Motion carried 4-1. Absent: Pope.

Roe moved, seconded by Galloway that Res. No. 276-2022, approving CO No. 5 for N. Market Façade Improvements Project (CDBG 20-CVN-024), be passed and adopted. Simonson reported CO No. 5 addresses the loose parapet wall at 105-107 N. Market. The adjustment is \$13,365.51 which uses the remaining project contingency for this bldg. of \$2,201.70 and increases contract sum by \$11,163.81. The original contract sum was significantly less than architects opinion of cost. The City's share of the change order would be 25% and the City's contribution does not exceed the budgeted contribution under the Downtown Development Program. New contract sum \$288,940.81. Motion carried 4-1. Absent: Pope.

Simonson reported Dan Laursen was already mobilized to the N. Court area (awarded contract to demolish 437 N. Court), and anticipated a cost savings to provide a bid below the typical rate to also demolish the condemned property at 510 N. Court. Laursen offered to complete the job for \$9,400 (asbestos abatement \$4,900 and demo \$4,500). According to processes outlined in the City's purchasing policy, this was approved by legal to proceed.

City Admin. Rath started the Heartland Humane discussion. The current agt. expires in Dec.; Heartland Humane currently provides animal housing for any dogs/cats that are picked up by OPD. Looked at language revisions and cleaned up procedures/expectations within the contract; strengthened our public purpose statement as these services are beneficial to all citizens in Ottumwa. Base Fee has been added to the contract; \$10 per day/per animal times 365 days per yr. averages \$36,500 for the yr. that is paid in quarterly installments. Clarification as the contract should state seven calendar days for the hold period. Galloway asked if when an owner comes to OPD to claim his/her animal, do they pay a license fee at that time if not already held. Officer Williams confirmed the animal must be licensed and vaccinated before

being released to the owner. Galloway also asked if a license fee can be built into the adoption fee charged by Heartland.

Garrett Ross spoke for Heartland Humane. Most of the agt. looks good to staff; request to increase the per day fee to \$15 which is closer to the market ave. in this area (\$18-\$20); which would put the base contract amt. \$54,750.

Mayor Johnson inquired if other cities/entities in Wapello County provide any assistance to Heartland. Currently, Wapello County Bd. of Supervisors provide \$1,000 annually. Heartland is also presenting to three city councils to try and secure more funding. Roughly, about 70% of strays picked up come from within city limits; leaving 30% from county and other cities. Current capacity at the shelter - up to 52 dogs and 46 cats. Pitbulls are currently being taken to Heartland even though they are located within city limits; trying to communicate with other veterinary clinics to see if they can take them or they get transported out of the city. Galloway stated page four of the Agt. still references the City's website and should be changed to reflect Animal Control Facebook page.

Council consensus is make the changes discussed – facebook page reference, hold period seven calendar days; and see the \$15 per day/per animal cost break-down before adjusting the daily rate from 10 to 15. Would like to get this approved before the end of 2022. Rath will work with the Heartland Humane Bd. and legal to incorporate changes. Garrett will provide break-down of costs.

Rath reported after the state passed HF2130 in June, there was an impact on UTV/ATV usage across the state. Municipalities still have authorization/jurisdiction to regulate where these can/can't be driven in the City. Our current ordinance allows for ATVs, motorcycles and dirt bikes to be operated on designated frozen ponds within the Greater Ottumwa Park when specifically auth. by the parks director. §26-20. From researching what other communities have done, they make distinction between different types of vehicles (ATV, UTV, Golfcart, Snowmobile).

Steve Edgington thinks allowing UTVs to operate on city streets is a great idea. He was instrumental in creating the ordinance for Wapello County. UTVs are required to have the same safety devices that you would see in a car (lights, seatbelts, brakes, etc.) You could require that anyone wanting to operate inside city limits would need to complete a safety course first. Proof of insurance also required.

Lisa McConnell also shared her agreement in allowing UTVs on city streets. Other communities are finding ways to make this work and hope that Ottumwa can too.

Sherry Sylvester and Joshua Luke agree; would like to see UTVs allowed in Ottumwa.

Rath continued, sounds like council wants to see a draft version of an ordinance that allows UTVs on certain city streets and ATVs for some exceptions (weather, snow) with vehicle types being clearly defined. Will work together with legal to draft an ordinance for your review. Likely hold another work session to discuss before officially adopting sometime in 2023.

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

There being no further business, Roe moved, seconded by Galloway that the mtg. adjourn. Motion carried 4-1. Absent: Pope.

Adjournment was at 6:47 P.M.



ATTEST:

Christina Reinhard
Christina Reinhard, CMC, City Clerk

CITY OF OTTUMWA, IOWA

Richard W. Johnson
Richard W. Johnson, Mayor

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