

TENTATIVE AGENDA
OTTUMWA CITY COUNCIL

REGULAR MEETING NO. 27
Council Chambers, City Hall

September 1, 2020
5:30 O'Clock P.M.

In order to protect the health and safety of our citizens and staff and mitigate the spread of COVID-19, we are following the Proclamation of a State Public Health Disaster Emergency issued at 12:00 P.M. on Tuesday, March 17, 2020, which has been extended through September 20, 2020. Effective 8:00 a.m. on June 12, 2020, and continuing until 11:59 p.m. on September 20, 2020: mass gatherings or events of more than 10 people in attendance may be held but only if the gathering complies with all other relevant provisions in the Proclamation with the following requirements: social distancing: the gathering organizer must ensure at least six feet of physical distance between each group or individual attending alone and implement reasonable measures under the circumstances of each gathering to ensure social distancing of gathering participants, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the IDPH.

PLEDGE OF ALLEGIANCE

A. ROLL CALL: Council Member Roe, Stevens, Meyers, Berg, Dalbey and Mayor Lazio.

B. CONSENT AGENDA:

1. Minutes from Regular Meeting No. 26 on August 18, 2020 as presented.
2. Proclamation of Constitution Week to be observed September 17-23, 2020.
3. Canvasser/Solicitor application for Knights of Columbus for the Annual Tootsie Roll Drive at various businesses on August 28-29, 2020.
4. Approve the appointment of Luke Wimsatt to the full-time position of Engineering Aide in the Engineering Department effective August 31, 2020.
5. Resolution No. 195-2020, setting September 15, 2020 as the date of a public hearing on the proposal to vacate and dispose of a City alley lying between and adjoining lots 18, 19 and 20 in Highland Park, an addition to the City of Ottumwa, Wapello County, Iowa.
6. Beer and/or liquor applications for: Front Runners, 837 Church St., temporary extended outdoor service area for 9/12-9/13/2020 and 9/19-9/20/2020; all applications pending final inspections.

C. APPROVAL OF AGENDA

D. ADMINISTRATORS REPORT TO COUNCIL AND CITIZENS:

1. Mike McGrory – Superintendent of Ottumwa Schools
2. Statement and/or pledge of City Council to promote justice and equality for all citizens of Ottumwa.

All items on this agenda are subject to discussion and/or action.

E. IDENTIFICATION OF CITIZENS DESIRING TO COMMENT ON AGENDA ITEMS:

(When called upon by the Mayor, step to the microphone; state their name, address and agenda item to be addressed. The Mayor will invite you to address the Council when that topic is being discussed. Remarks will be limited to **three minutes or less**. The City Clerk shall keep the time and notify the Mayor when the allotted time limit has been reached. Comments are to be directly germane to the agenda item being discussed; if not directly germane as determined by the Mayor will be ruled out of order.)

F. DEPARTMENTAL RECOMMENDATIONS/REPORTS:

1. Approving Agreement and Consent to Lien for Water Service Costs for part of the 200 block of E. Main Street in connection with the Ottumwa Main Street Project (Downtown Streetscape).

RECOMMENDATION: Authorize the Mayor to sign the Agreement and Consent to Lien for

water costs for one property (211 E. Main) in the 200 block of East Main Street.

G. PUBLIC HEARING:

1. This is the time, place and date set for a public hearing approving the plans, specifications, form of contract and estimated cost for the Milner Street Multi Use Trail Project.
 - A. Open the public hearing.
 - B. Close the public hearing.
 - C. Resolution No. 190-2020, approving the plans, specifications, form of contract and estimated cost for the Milner Street Multi Use Trail Project.

RECOMMENDATION: Pass and adopt Resolution No. 190-2020.

H. RESOLUTIONS:

1. Resolution No. 189-2020, Amendment No. 1 to *Our Ottumwa* Comprehensive Plan.

RECOMMENDATION: Pass and adopt Resolution No. 189-2020.

2. Resolution No. 191-2020, awarding Milner Street Multi-Use (Wapello County) Trails Project to TK Concrete of Pella, IA in the amount of \$278,227.

RECOMMENDATION: Pass and adopt Resolution No. 191-2020.

3. Resolution No. 192-2020, approving Change Order No. 1 in the amount of \$51,625.13 for the CSO, Blake's Branch, Phase 8, Division I Project.

RECOMMENDATION: Pass and adopt Resolution No. 192-2020.

4. Resolution No. 194-2020, authorizing the Mayor to execute two Easement Agreements for Construction and Maintenance of Public Improvements for the CSO, Blake's Branch Phase 8, Division I Project.

RECOMMENDATION: Pass and adopt Resolution No. 194-2020.

5. Resolution No. 196-2020, approving the Historic Preservation Commission Historic District Signage Program.

RECOMMENDATION: Pass and adopt Resolution No. 196-2020.

6. Resolution No. 203-2020, authorizing to request reimbursement from the Iowa COVID-19 Government Relief Fund.

RECOMMENDATION: Pass and adopt Resolution No. 203-2020.

I. ORDINANCES:

J. PUBLIC FORUM:

The Mayor will request comments from the public on topics of city business or operations other than those listed on this agenda. Comments shall not be personalized and limited to three minutes or less. Comments not directly applicable to operations, inappropriate, or an improper utilization of meeting time, as determined by the Mayor, will be ruled out of order. When called upon by the Mayor, step to the microphone; give your name, address and topic on which to address the Council. The Council is not likely to take any action

on your comments due to requirements of the Open Meetings Law. Pertinent questions, comments or suggestions may be referred to the appropriate department, city administrator or legal counsel for response, if relevant.

K. PETITIONS AND COMMUNICATIONS

Recess – Council will reconvene in Room 108 for closed session proceedings.

REGULAR MEETING NO. 27
Room 108, City Hall

September 1, 2020
6:00 O’Clock P.M.

ROLL CALL: Council Member Roe, Stevens, Meyers, Berg, Dalbey and Mayor Lazio.

1. Motion to enter into closed session in accordance with Iowa Code Section 21.5(1)(i). (“To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual’s reputation and that individual requests a closed session.”) for the purpose of conducting the City Administrator’s performance evaluation.
2. Return to open session to adjourn.

ADJOURN

***** It is the goal of the City of Ottumwa that all City Council public meetings are accessible to people with disabilities. If you need assistance in participating in City Council meetings due to a disability as defined under the ADA, please call the City Clerk’s Office at (641) 683-0621 at least one (1) business day prior to the scheduled meeting to request an accommodation. *****



[CITY OF]

O T T U M W A

FAX COVER SHEET

City of Ottumwa

DATE: 8/28/2020 TIME: 10:30 AM NO. OF PAGES 4
(Including Cover Sheet)

TO: News Media CO: _____

FAX NO: _____

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Ottumwa City Council Meeting #27 to be held on
9/1/2020 at 5:30 P.M.

*** FAX MULTI TX REPORT ***

JOB NO. 2389
DEPT. ID 4717
PGS. 4
TX INCOMPLETE -----
TRANSACTION OK 96847834
916606271885
ERROR 916416828482

Ottumwa Courier
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CITY OF
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MEMO: Tentative Agenda for the Ottumwa City Council Meeting #27 to be held on
9/1/2020 at 5:30 P.M.

OTTUMWA CITY COUNCIL MINUTES Item No. B.-1.

REGULAR MEETING NO. 26
Council Chambers, City Hall

August 18, 2020
5:30 O'Clock P.M.

The meeting convened at 5:36 P.M.

In order to protect the health and safety of our citizens and staff and mitigate the spread of COVID-19, we are following the Proclamation of a State Public Health Disaster Emergency issued at 12:00 P.M. on Tues, Mar. 17, 2020, which has been extended through Aug. 23, 2020. Effective 8:00 a.m. on June 12, 2020, and continuing until 11:59 p.m. on Aug. 23, 2020: mass gatherings or events of more than 10 people in attendance may be held but only if the gathering complies with all other relevant provisions in the Proclamation with the following requirements: social distancing: the gathering organizer must ensure at least six feet of physical distance between each group or individual attending alone and implement reasonable measures under the circumstances of each gathering to ensure social distancing of gathering participants, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the IDPH.

Present were Council Member Dalbey, Roe, Stevens, Meyers, Berg and Mayor Lazio.

Meyers moved, seconded by Roe to approve the following consent agenda items: Mins. from Regular Mtg. No. 24 on Aug. 4, 2020 and Special Mtg. No. 25 on Aug. 12, 2020 as presented; Civil Service Commission Eligibility Lists for Aug. 12, 2020: Police – Comm. Specialist Entrance, Police Supv. – Sgt. Promotional, Police Lt. Promotional; Approve the appointment of Summer Street to the full-time position of Comm. Specialist for the OPD effective Aug. 19, 2020; Res. No. 184-2020, approving the contract, bond, and cert. of ins. for the Fox Sauk and N. Court Intersection Project; Beer and/or liquor applications for: Elks-Ottumwa Lodge #347, 413 S. Iowa Ave.; Ottumwa Golf and Social Club, with outdoor service area, 304 E. Golf Ave.; Wal-Mart Supercenter #1285, 1940 Venture Dr.; all applications pending final inspections. All ayes.

Dalbey moved, seconded by Stevens to approve the agenda as presented. All ayes.

City Admin. Rath did not see Supt. McGrory for his report, so Fred Zesiger was introduced.

Fred Zesiger provided a Quarterly rpt. on Main St. Ottumwa. Two new brd. members started July 2020 – Holly Berg & Mike Dunlap; 2020 Priorities: Supporting Downtown Businesses, Fostering a strong Organization and Support System, Creating a Vibrant and Active Downtown; events cont. to be cancelled or postponed due to COVID-19; Four new jobs created yr. to date for the downtown area; 8 bldg. projects completed and 8 bldgs. sold; volunteer hrs 2,066; \$728,000 invested in projects; New events scheduled: Queen of the Green golf outing 9/26/20, Field to Fork 9/18/20 (delivered to your door); Shop Small Love Local event 8/29/20 to promote Main St. Businesses; SSMID Committee met today and includes the following downtown business owners: Anthony & Dee Christner, Rod Curtis, Claudia Gates, Fred Jenkins, John Helgerson, Tim Schwartz, Tom Schafer, Tricia Smith.

Lorraine Uehling Techel was introduced to speak for Ottumwas for Racial Justice. Also present: Walter Minogle, Patricia Ramos Galvan and Rachelle Chase. Ms. Uehling stated we would like to see a Human Rights Commission reintroduced to Ottumwa; to advance justice, promote equality and ensure the protection of civil rights for Ottumwa citizens; educate the community and investigate civil rights complaints brought forth to the commission; recognize patterns within the local complaints before they are routed off to DSM; revitalizing this commission is included in the City's Comp Plan that is up for approval tonight; celebrating the City's diversity is one of the four main goals in the Comp Plan. Council members Dalbey and Roe stated they would like to see this commission return as everyone deserves to be treated fairly and equally. Mayor Lazio stated staff will continue working on the city level for this item and it will come before Council for the final say; timeline hope to have sometime in late Sept. or Oct.

Mayor Lazio shared City Admin. Rath has been here 6 months now and Council members have an evaluation form sourced from the International City Mgr. Handbook for his review slated for next month; take a look at the five goals developed by City Admin. Rath and Council upon hire that were to be completed within his first six months of employment; please get the evaluation forms back to Mayor by next wk; Council member Roe stated this evaluation is quite lengthy and it may be hard to answer all questions based on only 6 months; followed by Council member Meyers stating we have not had opportunities to interact with City Admin. Rath like we should due to constraints placed upon us due to COVID-19.

Mayor Lazio inquired if there was anyone from the audience that wished to address an item on the agenda. Lorraine Uehling Techel, Dennis Willhoit and Rachelle Chase all wish to speak on the Comp Plan when it is presented.

Roe moved, seconded by Berg to reject bids received on the Apron Improvements Project at the Ottumwa Reg. Airport. Airport Supv. Cobler reported two bids were received that were much higher than engineer's est. from Kirkham Michael. Staff and the Airport Adv. Brd. recommend rejecting bids and rebidding the project next spring. All ayes.

Meyers moved, seconded by Roe to award the contract for the 2020 RFP#3, Sewer Lateral Repairs to Drish Construction, Inc. of Fairfield, IA in the amount of \$14,850 and authorize the Mayor to sign the contract. PW Dir. Seals reported three bids were received. All ayes.

Roe moved, seconded by Berg to approve the grant application for the Wapello County Foundation. Parks & Rec. Dir. Rathje reported the Ottumwa Parks Adv. Brd. requested that a grant application be submitted to the Wapello County Foundation to partially fund a new shower house and office bldg. for the Ottumwa Park Campground. This grant application was approved by the Park Brd. on Aug. 11, 2020. Grant amount requested \$50,000. All ayes.

Meyers moved, seconded by Roe to auth. submission of the application to the IA Dept. of Public Safety for the UCR Tech Specification Subaward Solicitation funding, for the OPD, and auth. the Mayor and Police Chief to sign any related docs. as required. Police Chief Farrington reported the FBI requires all states to be NIBRS certified; this is achieved by submission of good quality data from the police dept. Computer Information Systems, Inc. (CIS) quoted \$14,100 to implement the software changes mandated by this certification. This application is for reimbursement of expense. All ayes.

This was the time, place and date set for a public hearing on approving a three-yr Lease Agt. between the City and the Ottumwa Community School District for the use of the Beach Ottumwa facilities. City Admin. Rath reported the Agt. contains a sliding annual fee structure for 400 hrs. of usage each year. Both the Parks Adv. Brd. and the Ottumwa Community School Brd. approved the proposed agt. Commencing July 1, 2020 and terminating June 30, 2023. No objections were received. Berg moved, seconded by Dalbey to close the public hearing. All ayes.

Roe moved, seconded by Meyers that Res. No. 180-2020, approving a three-yr Lease Agt. with the Ottumwa Community School District for the use of the Beach Ottumwa facilities, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing for the purpose of passing and adopting *Our Ottumwa* Comprehensive Plan and the future land use map. Planner Simonson introduced Chris Shires of Confluence to present *Our Ottumwa* Comp Plan. This plan is meant to guide growth, investment and

development in the community in a responsible and efficient way; the plan includes a clear set of goals with measurable action steps and policy considerations; it also includes a new future land use map to guide priorities for zoning, development and growth. Public input helped shape a variety of items within the plan; which guided planners toward a vision stmt. with four key elements: housing, growth, community character and celebrating diversity. The Planning & Zoning Commission unanimously recommended adopting the proposed plan. Lorraine Uehling Techel spoke on behalf of Ottumwans for Racial Justice. Planner Simonson met with our group and it's great to see some of our ideas included in this Plan; would also like to see an appointment of a Police oversight commission to progressively review police policies. Dennis Willhoit stated he and the local art community celebrated the addition of arts and culture to the plan; Ottumwa takes a first step in recognizing that arts and culture are essential for building community, supporting development, nurturing health and well-being, and contributing to economic opportunity. Rachele Chase mimicked what Ms. Uehling stated and appreciates that the plan includes actual actionable items to address diversity challenges in the community; would also like to see changes addressing emphasis on celebrating diversity and making it a bit broader. No objections were received. Council members would like to see the discussed changes included in the final plan. Dir. of Hlth. Insp. & Planning Flanagan suggested yearly work sessions to review where we are in the Plan. Berg moved, seconded by Meyers to close the public hearing. All ayes.

Roe moved, seconded by Meyers to pass Res. No. 183-2020, *Our Ottumwa* Comprehensive Plan for the City of Ottumwa, IA contingent upon changes to be presented at the next regular City Council mtg. to be held on Sept. 1, 2020. All ayes.

Roe moved, seconded by Berg that Res. No. 186-2020, approving matching funds for the Main Street IA Challenge Grant Application to rehabilitate 307 E. Main St., be passed and adopted. Planner Simonson reported Main St. Ottumwa is submitting a Main St. IA Challenge Grant application on behalf of RG Property, LLC in the amount of \$75,000 to help pay the cost to rehabilitate 307 E. Main St. The Challenge Grant is a one-to-one cash match grant and the committee gives a strong preference to applications that include matching funds from the City. All ayes.

Meyers moved, seconded by Dalbey that Res. No. 187-2020, award the contract for the 2020 RFP#4, K Ave. Repairs, and authorizing the Mayor to sign the Contract, be passed and adopted. PW Dir. Seals reported K-Ave was in part funded with a RISE grant which requires the City to maintain the Street for at least 20 yrs. from the roadway opening date (9/4/2008). As part of the RISE grant program, IADOT completes periodic monitoring inspection throughout the 20 yr. period and makes recommendations for repairs. To address the noted deficiency this RFP was let. Four bids were received and the low bidder is Christy Construction of Ottumwa, IA, in the amount of \$28,610.50. All ayes.

Roe moved, seconded by Dalbey that Res. No. 188-2020, providing for the financial support of the Area 15 Regional Planning Affiliation (RPA 15), be passed and adopted. City Admin. Rath reported RPA15 has been designated to provide transportation planning to its members; with est. financial support to the City of \$526,417; in return the City is requested to contribute a proportional share of the local match for the planning grant \$4,659 for FY21. Council Member Berg abstained from voting as she is employed by Area 15 RPC. Ayes: Dalbey, Roe, Stevens, Meyers. Abstain: Berg. Nays: None. Motion carried.


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

Closing comments by Mayor Lazio: stopped by Blackbird corp. office last week to discuss the project; lack of communication has affected their credibility; they do plan on being back on site this year; met with IT to discuss dark fiber and broadband options.

There being no further business, Roe moved, seconded by Stevens that the meeting adjourn. All ayes.

Adjournment was at 7:09 P.M.

CITY OF OTTUMWA, IOWA



Tom X. Lazio, Mayor

ATTEST:



Christina Reinhard, City Clerk





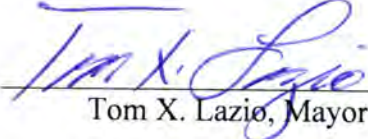
**PROCLAMATION
Constitution Week
September 17, 2020**

WHEREAS, September 17, 2020, marks the two hundred and thirty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public law 915 guarantees the issuing of a proclamation each by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW, THEREFORE, I, TOM X. LAZIO, Mayor, City of Ottumwa, proclaim September 17 – 23 as CONSTITUTION WEEK. I ask citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.


Tom X. Lazio, Mayor

ATTEST:

Christina Reinhard, City Clerk

2020 AUG 25 CANVASSER & SOLICITORS REGISTRATION & APPLICATION

Name of Individual completing this application: Jim Cutsforth Jr
And Residing address: 243 S. MOORE OTTUMWA IA 52501 Date of Birth 6-26-47
Street City State Zip
Organization represented, if applicable: Knights of Columbus
Organization's address: PO Box 512 OTTUMWA IA 52501
No. Street City State Zip
Applicant's/Organization's phone number: 641-680-5695

Names, addresses and position of the officers of the organization:
Ed Wilson GRAND KNIGHT
Name Address Officer Position
Steve Rohach TRUSTEE
Name Address Officer Position
Mike Heffard TREASURER
Name Address Officer Position

Estimated number of persons who will be directly soliciting: 50-75

Nature and purpose of your solicitation activities: MENTALLY & PHYSICALLY CHALLENGED

What method will you be using to solicit funds? (Example: direct monetary donations, sale of tags, decals, etc.) DONATIONS

Where do you plan to canvass or solicit in Ottumwa? 8-28 8-29

Date(s) when you wish to conduct your activities in Ottumwa: 8-28 8-29

NOTE TO APPLICANT: Canvassing and soliciting shall be no earlier than 8:00 A.M. and no later than 9:00 P.M. and shall be no more than 90 days as determined by the City Council.

I do hereby certify that the above statements are true and correct. Signed this 25 day of August, 2020
[Signature]
Applicant

Staff recommendation to Council: September 1, 2020
Approved Denied by City Council on September 1, 2020
Restrictions set by Council: _____
Number of days set by Council for applicant: 2 days - 8/28-8/29
License Number 2584 Receipt No. N/A

FILED

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of : Sep 1, 2020

Engineering
Department

Katy King
Prepared By
Larry Seals *Larry Seals*
Department Head

[Signature]
Acting City Administrator Approval

AGENDA TITLE: Approve the Appointment of Luke Wimsatt to the position of Engineering Aide in the Engineering Department effective August 31, 2020.

RECOMMENDATION: Approve the Appointment.

DISCUSSION: Luke Wimsatt would fill the position of Engineering Aide in the Engineering Department. This position would become effective August 31, 2020 and salary will be \$19.30 per hour. This is a Civil Service, Bargaining Unit position.

Source of Funds:

Budgeted Item:



Budget Amendment Needed: No

ENGINEERING AIDE

DEFINITION:

This is elementary and routine civil engineering work of a non-professional nature performed in the field or office.

Work involves the performance of standardized tasks such as acting as rodman on survey parties and doing drafting and clerical work in the office. An employee in this class copies survey plans and does other drafting related to maintenance of accurate plat books and maps of the city, indicating street, sewer and other improvements. Specific assignments are received from a superior accompanied by detailed oral or written instructions, and subject to close review when work is other than routine.

EXAMPLES OF WORK PERFORMED:

Works as a rodman in the field; runs the level rod, does chaining, drives stakes and helps in measuring on paving, sewer and sidewalk projects; occasionally uses surveying instruments on simple assignments; keeps field notes.

Draws paving and sewer plats; makes drawings on new additions and enters in house number book; assists in reducing and plotting field notes, computes sewer and street grades; keeps zoning map up to date; makes small maps of proposed improvements; prepares reproductions of plats and profiles on blueprint machine.

Files drawings and plans; does incidental lettering on drawings and plans; traces, inks and tints maps for zoning, street and sewer system.

Performs related work as required. Conducts construction inspection for street and sewer projects.

DESIRABLE KNOWLEDGE, SKILLS AND ABILITIES:

Knowledge of elementary mathematics.

Basic working knowledge of computers.

Skill in mechanical drawing.

Ability to make drawings and copy or trace from completed survey drawings.

Ability to follow oral and written instructions.

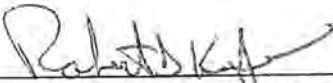
Ability to establish and maintain effective working relationships with superiors, associates, contractors and the general public.

REQUIREMENTS:

Graduation from a standard high school or its equivalent or trade school with courses in mechanical drawing.

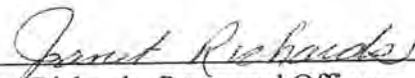
Employee must possess and maintain a valid Iowa Drivers license.

DATE: 6/20/97



Robert G. Keefe, City Administrator

DATE: 5-13-97



Janet Richards, Personnel Officer

PHYSICAL JOB REQUIREMENT ANALYSIS

Date of Analysis 3-20-96

Class Description: Engineering Asst/Aide Job Code: _____

1. Work hours: From 7:00 am To 3:30 pm Number of Days per Week 5
2. Overtime: How much 15 hrs How Often? weekly Seasonal? yes
3. What licenses/certifications are required in the job, /ie CDL, CPR, etc? Valid drivers license

Physical Requirements

4. What is the maximum duration an employee is required to do the following activity?

Standing 30 % Walking 40 % Sitting 30 % TOTAL 100%

5. The work environment is: Inside 40 % Outside 60 % TOTAL 100%
6. In a work day, the job requires (check the appropriate column for each activity): Include essential job duties performed on a sporadic basis.

	Continuously (66% to 100%) (6-8 hrs)	Frequently (34% to 65%) (4-6 hrs)	Occasionally (1% to 33%) (1-3 hrs)	Never
--	--	---	--	-------

a. Bend/Crouch	_____	_____	<u>X</u>	_____
b. Squat	_____	_____	<u>X</u>	_____
c. Crawl	_____	_____	<u>X</u>	_____
d. Climb Steps	_____	_____	<u>X</u>	_____
e. Climb Ladders	_____	_____	<u>X</u>	_____
f. Reach/Work above shoulder level	_____	_____	<u>X</u>	_____
g. Lift above shoulder level	_____	_____	<u>X</u>	_____
h. Kneel	_____	_____	<u>X</u>	_____
i. Balance	_____	_____	<u>X</u>	_____
j. Push/Pull	_____	_____	<u>X</u>	_____
k. Throwing	_____	_____	<u>X</u>	_____
l. Walking on uneven ground	_____	<u>X</u>	_____	_____
m. Working in trenches	_____	_____	<u>X</u>	_____
n. Working above ground	_____	_____	<u>X</u>	_____

Comments: _____

7. The heaviest weight lifted while either sitting or standing in one place is: 100 lbs
 Examples of lifting requirement of this weight are (list object and weight): manhole and catch basin castings

8. The heaviest weight carried while walking from place to place weighs: 20 lbs
 Examples of lifting requirement of this weight are (list object and weight): surveying instrument

9. The heaviest pushed/pulled weight is: 100 lbs. The object's name is: Desk/table; and it is pushed/pulled a distance of: 6 ft. at a frequency of: monthly

10. In a work day, the job requires lifting:

	Continuously (66% to 100%) (6-8 hrs)	Frequently (34% to 65%) (4-6 hrs)	Occasionally (1% to 33%) (1-3 hrs)	Never
a. Lifting up to 10 pounds	_____	<u>X</u>	_____	_____
b. 11 to 25 pounds	_____	_____	<u>X</u>	_____
c. 26 to 50 pounds	_____	_____	<u>X</u>	_____
d. 50 to 100 pounds	_____	_____	<u>X</u>	_____
f. Over 100 pounds	_____	_____	<u>X</u>	_____

11. In a work day, does the job require carrying an object distances greater than 10 feet:

	Continuously (66% to 100%) (6-8 hrs)	Frequently (34% to 65%) (4-6 hrs)	Occasionally (1% to 33%) (1-3 hrs)	Never
a. Carrying under 10 pounds	_____	<u>X</u>	_____	_____
b. 11 to 25 pounds	_____	_____	<u>X</u>	_____
c. 26 to 50 pounds	_____	_____	<u>X</u>	_____
d. 50 to 100 pounds	_____	_____	<u>X</u>	_____
e. Over 100 pounds	_____	_____	<u>X</u>	_____

12. Does the job require use of hands for repetitive actions?

	Continuously (66% to 100%) (6-8 hrs)	Frequently (34% to 65%) (4-6 hrs)	Occasionally (1% to 33%) (1-3 hrs)	Never
a. Light grasping - Right	_____	<u>X</u>	_____	_____
Left	_____	<u>X</u>	_____	_____
b. Firm grasping - Right	_____	<u>X</u>	_____	_____
Left	_____	<u>X</u>	_____	_____

Completed by: Kevin R. Rogers Title: City Engineer/Public Works

Signature: *Kevin R. Rogers* Date: _____
Director

DEPARTMENT OF SAFETY AND HEALTH SERVICE REVIEW

Overall physical job requirements: Light _____ Moderate _____ Heavy _____
Work environment rating: Controlled _____ Uncontrolled _____

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of : Sep 1, 2020

Kevin C. Flanagan

Prepared By

Kevin C. Flanagan

Department Head

Planning & Development

Department



Acting

City Administrator Approval

AGENDA TITLE: Resolution NO. 195-2020 a Resolution fixing date for a public hearing on the proposal to vacate and dispose of City Alley lying between and adjoining lots 18,19, and 20 in Highland Park Addition

Public hearing required if this box is checked.

RECOMMENDATION: Approve and Pass Resolution NO. 195-2020.

DISCUSSION:

This resolution will vacate the eastern portion of the City alley contiguous with and to the south of 1206 West Highland Avenue to Aaron Barnett (1206 owner). He *has acquired* the other contiguous parcel along this portion of alley from tax sale certificate, as well. Public Works and Engineering have approved of this vacation. The vacation public hearing is set for September 15, 2020.

Source of Funds:

Budgeted Item:

Budget Amendment Needed:

RESOLUTION NO. 195-2020

A RESOLUTION SETTING SEPTEMBER 15, 2020 AS THE PUBLIC HEARING DATE TO VACATE AND DISPOSE OF CITY-OWNED REAL PROPERTY KNOWN AS A CITY ALLEY LYING BETWEEN AND ADJOINING LOTS 18, 19, AND 20 IN HIGHLAND PARK ADDITION, IN OTTUMWA, IOWA

WHEREAS, the City of Ottumwa is the present title holder of record to property legally described as follows:

That portion of the alley lying between and adjoining Lots 18, 19 and 20 in Highland Park Addition to the City of Ottumwa, Wapello County, Iowa, more particularly described as follows:

Beginning at the Southeast corner of said Lot 19; thence West along the South line of said Lot 19 and Lot 20 to the Southwest corner of said Lot 20; thence South to the Northwest corner of said Lot 18; thence East along the North line of said Lot 18 to the Northeast corner thereof; thence North to the Point of Beginning.

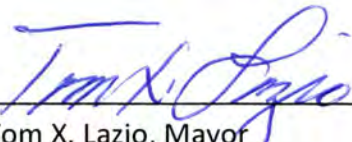
WHEREAS, said property is contiguous to private property known as 1206 West Highland Avenue; and

WHEREAS, the Ottumwa City Council has deemed it in the best interest of the City that said property be vacated and that ownership of said property should rightly be transferred to the owner of 1206 West Highland; and



NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The 15th day of September 2020, at 5:30 p.m. in the City Council Chambers on the second floor of City Hall in the City of Ottumwa, Iowa, be, and the same is hereby fixed as the time and place for a public hearing on the notice of intent to vacate said portion of City Alley legally described above; and the City Clerk is authorized and directed to publish notice of said public hearing as provided by law

APPROVED, PASSED, AND ADOPTED this 1ST day of September 2020.

CITY OF OTTUMWA, IOWA


Tom X. Lazio, Mayor

ATTEST:



Chris Reinhard, City Clerk



CITY OF
OTTUMWA

Petition No.: 5068-2020

Petitioner Information:

Name: Aaron Barnett

Address: 1206 W. Highland Ave, Ottumwa, IA 52501

Phone Number: _____ Petition contains the required number of signatures

Summary of Petition:

Email correspondence - Aaron has acquired a tax sale certificate for a lot behind his property at 1206 W. Highland Ave. There is an unused platted alley separating the lots that he is requesting to be vacated. He currently owns parcels 007413500017000 and 007413500018000. He will be acquiring parcel 007413500016000 from the tax sale certificate.

1. Engineering Department Approve Deny LBS
 Date 8-26-20 Dept. Initials Required

Comments: OK 2-26-20

2. Plan/Zoning/Dev. Department Approve Deny [Signature]
 Date _____ Dept. Initials Required

Comments: _____

3. Health Department Approve Deny [Signature]
 Date _____ Dept. Initials Required

Comments: _____

** If denied by your department automatically return to the City Clerk's Office.
 ** If approved by your department submit to the next department for review.
 *** Once the form is completed return to the City Clerk's Office

Chris Reinhard

From: Nancy Cox
Sent: Friday, June 12, 2020 9:13 AM
To: Chris Reinhard
Cc: Scott McCarty
Subject: RE: Petition 5068-2020 Vacate

Chris,
Nothing has changed on the engineering side, when Aaron gets the lot we need his QCD, after that I guess the petition goes to council. I don't know if P&D needs to sign off.
Thanks,
Nancy C

From: Chris Reinhard
Sent: Friday, June 12, 2020 8:23 AM
To: Scott McCarty <mccartys@ottumwa.us>; Nancy Cox <coxn@ottumwa.us>
Cc: Alicia Bankson <banksona@ottumwa.us>
Subject: FW: Petition 5068-2020 Vacate
Importance: High

Scott & Nancy –

Below is a message I received from Mr. Barnett this AM concerning his vacate request. Is there anything I need to relay to him at the current time? Help is much appreciated 😊

August 18th will be the end of the 90 day notice to the current owner of the lot I am trying to acquire that this alley way separates from my current property. I've talked to Nancy in the engineering dept. She'll be retired by that time. She said I'll need to talk with Scott McCarty. Is there anything from you I should be doing? I'd like to have this done as soon as I acquire that lot.

Thank you!

Let me know!

Thanks!
Chris

From: Nancy Cox <coxn@ci.ottumwa.ia.us>
Sent: Friday, May 1, 2020 10:22 AM
To: 'Chris Reinhard' <reinhardc@ci.ottumwa.ia.us>
Subject: Petition 5068-2020 Vacate

Chris,
The attached memo will catch you up on the status of this Vacate.
Thanks,
Nancy Cox
City of Ottumwa
Engineering Dept.
641-683-0680



Chris Reinhard

From: Valerie McElroy <vmcelroy@wapellocounty.org>
Sent: Thursday, August 20, 2020 4:21 PM
To: Chris Reinhard
Cc: A. Barnett
Subject: Tax Deed Issued to Aaron Barnett for TSC 1995-95844
Attachments: Wapello Co Treasurer_20200820_161508.pdf

Chris,

Per Aaron's request, attached is a copy of the tax deed issued to Aaron Barnett for a vacant lot on McPherson. He took assignment to our county held certificate no. 1995-95844 on March 2, 2020 and I completed the tax deed to the parcel today.

If you have any questions, please feel free to give me a call or email.

Thanks,

Valerie McElroy

Deputy Treasurer
Wapello County Treasurers' Office
101 W. Fourth St.
Ottumwa, IA 52501
Phone: 641-683-0044
vmcelroy@wapellocounty.org

Document 2020 3228

Book 2020 Page 3228 Type 03 013 Pages 2
Date 8/22/2020 Time 2:51:38PM
Rec Amt \$12.00 Aud Amt \$5.00

INDE
CHK
SCAN
IMAG
AUD

LISA KENT, RECORDER
WAPELLO COUNTY IOWA

Prepared by: Valerie McElroy-Deputy Treasurer 101 W. Fourth St., Ottumwa, IA 52501 641-683-0044

17

Taxpayer: Aaron Barnett 1206 W Highland Ave, Ottumwa, IA 52501

Return Address: Aaron Barnett 1206 W Highland Ave, Ottumwa, IA 52501

TAX SALE DEED

KNOW ALL MEN BY THESE PRESENTS: 1995-95844

That the following described parcel:

Lot Eighteen (18) in Highland Park, an Addition to the City of Ottumwa, Wapello County, Iowa

situated in the County of Wapello and State of Iowa, was subject to taxes for the year (or years) A.D. 1992/1993, 1993/1994, and the taxes on the parcel for the year (or years) stated remained due and unpaid at the date of the sale; and the Treasurer of the County, on the 19th day of June, A.D. 1995, by virtue of the authority vested by law in the Treasurer, at Public Bidder Tax Sale the sale begun and publicly held on the third Monday of June, A.D. 1995, exposed to public sale at the office of the County Treasurer in the County named, in substantial conformity with all the requirements of the statute, the parcel described, for the payment of the total amount then due and remaining unpaid on the parcel; and at that time and place Wapello County of the County of Wapello, and State of Iowa, offered to pay the sum of Ninety-one (\$91.00) DOLLARS and 00 Cents, being the total amount then due and remaining unpaid on the parcel, for 100 percent undivided interest of the above-described parcel, which was the least quantity bid for, and payment of that sum was made

*Grantor, Grantee on page 2

by that person to the Treasurer, the parcel was stricken off to that person at that price; and Wapello County did, on the 2nd day of March, A.D. 2020, assign the certificate of the sale of the parcel and all right, title, and interest to the parcel to Aaron Barnett of the County of Wapello and State of Iowa; and by the affidavit of completion of service, filed in the Treasurer's office on the 19th day of May, A.D. 2020, it appears that notice has been given more than ninety days before the execution of this deed to Richard A. Kerkove, Jolene K. Kerkove; and To Whom it may concern of the expiration of the time of redemption allowed by law; and one year(s) have elapsed since the date of the sale, and the parcel has not been redeemed.

Now I, (grantor) Laurie L. Fountain, Treasurer of Wapello County, for the consideration of the stated sum paid to the Treasurer and by virtue of law, have granted, bargained, and sold, and by these presents do grant, bargain, and sell to (grantee) Aaron Barnett and that person's heirs and assigns, the parcel described, to have and to hold unto that person (or _____), and that person's heirs and assigns, forever; subject, however, to all the rights of redemption provided by law.

IN WITNESS WHEREOF, I, Laurie L. Fountain, Treasurer of Wapello County, by virtue of the authority vested in me, have subscribed my name on this 20th day of August, A.D. 2020.

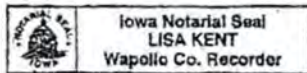


Laurie L. Fountain Treasurer
Laurie L. Fountain
Treasurer of _____ Wapello _____ County

STATE OF IOWA, Wapello County, ss

I HEREBY CERTIFY that before me, Lisa L. Kent in and for said County, personally appeared the above named Laurie L. Fountain, Treasurer of the County personally known to me to be the Treasurer of the County at the date of the execution of the above conveyance, and to be the identical person whose name is affixed to and who executed the above conveyance as Treasurer of the County, and acknowledged the execution of the conveyance to be the Treasurer's voluntary act and deed as Treasurer of the County, for the purposes expressed in the conveyance.

Given under my hand (and seal) this 20th day of August, AD. 2020.



Lisa Kent
Lisa L. Kent

Signatures: The names of all signators, including the names of all acknowledging officers shall be typed or legibly printed beneath the original signatures (§331.802 Iowa Code).

Statutory References: 448.1 Deed executed, immediately after the expiration of ninety days from the date of completed service of the notice provided in section 447.12 the County Treasurer shall make out a deed for each parcel sold and unredeemed, and deliver it to the purchaser upon the return of the certificate of purchase. The Treasurer shall receive twenty-five dollars for each deed made by the treasurer, and the treasurer may include any number of parcels purchased by one person in one deed, if authorized by the treasurer. (91 Acts, ch 191, § 100 HF 687, 1991 amendment effective April 1, 1992; 91 Acts, ch 191, § 124 HF 687, Section amended.)

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

FILED
2020 AUG 27 PM 12:29

Council Meeting of: September 1, 2020

Engineering
Department

Alicia Bankson
Prepared By
Larry Seals

Department Head

[Signature]

Acting City Administrator Approval

AGENDA TITLE: Approving Agreement and Consent to Lien for Water Service Costs for part of the 200 block of E. Main Street in connection with the Ottumwa Main Street Project (Downtown Streetscape).

**Public hearing required if this box is checked. **

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Authorize the Mayor to sign the attached Agreements and Consent to Lien for Water Service Costs for part of the 200 block of East Main Street.

DISCUSSION: The Downtown Street Scape project included new water main and water services to the stop box which is located in the sidewalk. From the water stop box to the building's water meter is the responsibility of the property owner for new services added as needed. Additional agreements for the remaining buildings will be brought before council as they are fully executed.

City staff has worked with each property owner directly to determine if new service or increased volume is needed based on current and future development plans they have for their property. Properties that have already replaced water services or installed fire service will be reconnected at the stop box as part of the project.

We are using a forced account method which tracks time and material or actual cost. The attached agreements are a formal way for payment between the property owner and the City.

211 E. Main

Source of Funds: LOST

Budgeted Item:

Budget Amendment Needed:

AGREEMENT AND CONSENT TO LIEN FOR WATER SERVICE COSTS

This Agreement, is made and entered into this 24 day of August, 2020, by and between Rippling Waters Property Development LLC, (hereinafter referred to as "Property Owner") and the City of Ottumwa, Iowa, (hereinafter referred to as the "City").

RECITALS

WHEREAS, the City is organized and established as a municipal corporation pursuant to the Code of Iowa; and

WHEREAS, Property Owner is the record titleholder of real estate within the city located at: 211 E. Main Street; ("the Property"); and

WHEREAS, the City is initiating the Ottumwa Main Street Improvement Project, known as the Streetscape Project ("Project") for the full width, full depth concrete reconstruction of the 100, 200 and 300 blocks of East Main Street, in Ottumwa, Iowa; and

WHEREAS, the Project includes new water mains, new sanitary sewer lines and sewer laterals, new storm sewers and new sidewalks in this 3-block area of East Main Street; and

WHEREAS, pursuant to applicable governing City ordinances and resolutions of the City's water utility board of trustees, property owners are responsible for the maintenance and improvement of water service lines and fire services lines; and

WHEREAS, the Project may require certain abutting property owners to install new water service lines from the stop box to that owner's water meter to comply with applicable state, federal, and local laws concerning water quality; and

WHEREAS, the Project will also require certain abutting property owners to install fire services lines as needed for the purpose of creating residential units in buildings; and

WHEREAS, the costs of new water service lines and the possible installation of necessary fire service lines are necessary public improvements which are the responsibility of Property Owner; and

WHEREAS, Property Owner desires the completion of the repair and replacement of the necessary public improvements and intends to waive the requirement of a prior finding by the Ottumwa City Council that the condition of the improvements constitutes a nuisance and the requirement of prior notice; and

WHEREAS, Property Owner hereby consents to the repair of the public improvements by the City and the assessment of the cost of the repair to the Property.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

Section 1. Obligations of Property Owner:

1. Property Owner shall, within 10 days of the execution of this Agreement, make payment arrangements for the necessary public improvements. The cost will be the sole responsibility of the Property Owner. The cost may be paid in full without interest directly to the City or the City's contractor prior to work on the necessary public improvements for which Property Owner is responsible.

2. Property Owner specifically consents to the installation of the water service line and/or fire service line as needed, at the property owner's cost.

3. If the cost of the necessary public improvements for which Property Owner is responsible remains unpaid for ninety (90) days following notice of completion of such improvements, Property Owner hereby requests and consents to the assessment of the cost of the repairs against the Property. Property Owner hereby waives the requirement of a prior finding by the city council that the condition of the public improvements constitutes a nuisance and the requirement of prior notice. Property Owner consents to the repair and assessment of the costs of the repairs to the Property.

4. Property Owner shall indemnify and hold the City harmless from and against any and all occurrences, claims, demands, causes of action, liability and loss of any kind and nature whatsoever and which is brought by any party and arises from whatever source of law, together with related costs and expenses, relating to or arising, either from the installation of water service or fire service lines. Property Owner specifically waives all claims against City for damages or injuries to persons or property as a result of the installation of any water service line or fire service line during this project. Property Owner acknowledges the City has no responsibility for the ongoing maintenance and repair of the water service line and/or fire service line located on the Property and the City assumes no responsibility therefore under the terms of this Agreement. The preceding sentences shall not apply to loss, injury, death or damage arising because of the direct negligence of City, or its employees.

Section 2. Obligations of the City.

1. City shall cause the repair or replacement of the water line or fire service line as requested by Property Owner. City shall permit Property Owner to utilize the city's contractor, or its designated sub-contractor for the installation of any water service or fire service line to its building.

2. City assumes no liability regarding the installation of the water line or fire service line as needed.

3. City shall notify Property Owner of the date of completion of the requested water line and/or fire service line.

4. In the event the cost of said repairs remains unpaid for a period of ninety (90) days following notice by the City of completion, the City will assess the cost of such repairs to Property as permitted by Iowa Code Sections 364.12 and 364.13-13B and in accordance with the procedures provided under Iowa Code Chapter 384, Division IV.

Section 3. Miscellaneous.

1. This agreement is not intended by the parties to be a partnership or joint venture of any kind. Neither does this Agreement create any form of an agency relationship between the parties. Neither party shall have the authority to represent or speak for the other, without the express written prior consent of the other, which shall be approved by the governing council. Neither party shall assume any of the debts or liabilities of the other and nothing in this Agreement or otherwise shall constitute any such agreement or be construed as an obligation on the part of either party to pay the debts or other obligations of the other.

2. This Agreement constitutes the entire Agreement between the parties and shall not be considered modified, altered, or amended in any respect unless in writing and signed by the parties.

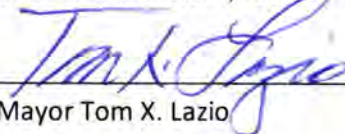
3. This Agreement shall be governed by the laws of the State of Iowa.

4. If for any reason any provision of this Agreement shall be deemed invalid, illegal or unenforceable, in whole or in part, the validity and effect of all other provisions shall not be changed.

5. The terms of this Agreement shall be binding upon Property Owner, and upon Property Owner's heirs, personal representatives, successors in title, and assigns.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the date and year first hereinabove written.

CITY OF OTTUMWA, IOWA



Mayor Tom X. Lazio

Property Owner



Rippling Waters Property Development LLC

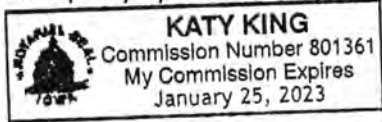
ATTEST:



Christina Reinhard, City Clerk

STATE OF IOWA)
) SS.
WAPELLO COUNTY)

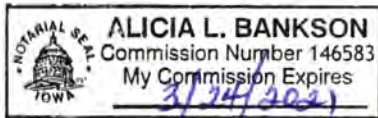
On this 1st day of September, 2020, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Tom X. Lazio and Christina Reinhard, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ottumwa, Iowa, a Municipality, created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipality, and that said instrument was signed and sealed on behalf of said Municipality by authority and resolution of its City Council and said Mayor and City Clerk acknowledged said instrument ~~to be~~ the free act and deed of said Municipality by it voluntarily executed.



Katy King
Notary Public in and for said State

STATE OF IOWA)
) SS.
WAPELLO COUNTY)

On this 24th day of August, 2020, before me, Sean Flattery personally appeared, to me personally known, who being by me duly (sworn or affirmed) did say that said instrument was signed as the voluntary act and deed of said Property Owner.



Alicia L. Bankson
Notary Public in and for said State

CITY OF OTTUMWA

Staff Summary

FILE
2020 AUG 27 PM 12:29

**** ACTION ITEM ****

Council Meeting: September 1, 2020

Engineering Department
Department

Alicia Bankson
Prepared By
Larry Seal

Department Head

[Signature]

Acting City Administrator Approval

AGENDA TITLE: Resolution #190-2020. Approving the Plans and Specifications for the Milner Multi-Use Trail Project.

 **Public hearing required if this box is checked. **
 The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #190-2020.

DISCUSSION: This project consists of a multi-use trail/safe route to school on Milner Street from Mary Street north to Richmond Avenue. This corridor has been identified as a connector route in the Ottumwa Bicycle and Pedestrian Plan to help connect the school systems and southern residential areas to the Greater Ottumwa Park system. The proposal includes the installation of an 8' wide x 4,115' long multi use PCC trail/sidewalk. The trail would be designed to current design standards meeting all ADA requirements.

The Notice to Bidders, plan distribution and letting will be handled by the Iowa Department of Transportation. A bid report and bid award recommendation will be presented at the September 1, 2020 regular council meeting. Engineer's current estimate is \$377,196.00.

Funding:	\$301,735	TAP
Match	\$ 75,434	Wapello County Trails
	\$377,196	

Source of Funds: Grants

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #190-2020

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, AND AN ESTIMATED COST FOR THE MILNER MULTI-USE TRAIL PROJECT

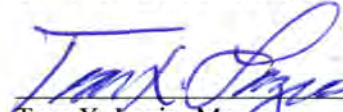
WHEREAS, The Iowa Department of Transportation has conducted a public hearing on the plans, specifications, form of contract and estimated cost for the above referenced project.

WHEREAS, No objections to the said plans, specifications, form of contract and estimated cost were received.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The plans, specifications, form of contract, and estimated cost for the Milner Multi-Use Trail Project are hereby approved.

APPROVED, PASSED, AND ADOPTED, this 1st day of September 2020.

CITY OF OTTUMWA, IOWA


Tom X. Lazio, Mayor

ATTEST:


Christina Reinhard, City Clerk



PROOF OF PUBLICATION

STATE OF IOWA
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Section 00010 Notice of Public Hearing
City of Ottumwa hereto attached was published in said newspaper for 1 consecutive weeks to-wit: 8/15/2020 Subscribed and sworn to before me, and in my presence, by the said 15th day of August, 2020



Notary Public

In and for Wapello County

Printer's fee \$ 25.50

C

TISMENT

SECTION 00010 NOTICE OF PUBLIC HEARING The City Council of Ottumwa, Iowa, will hold a public hearing on the proposed Plans and Specifications, form of contract and estimate of cost for the construction of said improvements described in general as "Milner Multi-Use Trail Project, Ottumwa, Iowa" at 5:30 o'clock p.m. on the 1st day of September, 2020, in the Council Chambers, City Hall, Ottumwa, Iowa. At said hearing any interested person may appear and file objections thereto or to the cost of the improvements. At the hearing, the City will receive and consider any objections made by any interested party, to the Plans and Specifications, proposed form of Contract, and the estimate of cost for the project. The work to be done is as follows: Furnish all labor, materials and equipment to construct the following: A multi-use trail/safe route to school on Milner Street from Mary Street north to Richmond Avenue. This corridor has been identified as a connector route in the Ottumwa Bicycle and Pedestrian Plan to help connect the school systems and southern residential areas to the Greater Ottumwa Park system. The proposal includes the installation of an 8' wide x 4,115' long multi use PCC trail/sidewalk. The trail would be designed to current design standards meeting all ADA requirements. All work and materials are to be in strict compliance with the Plans and Specifications prepared by the City of Ottumwa Engineering Department which together with the proposed form of contract and estimate of cost have heretofore been approved by the City and are now on file for public examination in the office of the Clerk, and are by this reference made a part hereof as though fully set out and incorporated herein. CITY OF OTTUMWA, IOWA By: Tom X. Lazio, Mayor ATTEST: Christina Reinhard, City Clerk

PH-Approve PLS
Milner St Multi-Use
Trail Project

8/15/20

SECTION 00010 NOTICE OF PUBLIC HEARING The City Council of Ottumwa, Iowa, will hold a public hearing on the proposed Plans and Specifications, form of contract and estimate of cost for the construction of said improvements described in general as "Milner Multi-Use Trail Project, Ottumwa, Iowa" at 5:30 o'clock p.m. on the 1st day of September, 2020, in the Council Chambers, City Hall, Ottumwa, Iowa. At said hearing any interested person may appear and file objections thereto or to the cost of the improvements. At the hearing, the City will receive and consider any objections made by any interested party, to the Plans and Specifications, proposed form of Contract, and the estimate of cost for the project. The work to be done is as follows: Furnish all labor, materials and equipment to construct the following: A multi-use trail/safe route to school on Milner Street from Mary Street north to Richmond Avenue. This corridor has been identified as a connector route in the Ottumwa Bicycle and Pedestrian Plan to help connect the school systems and southern residential areas to the Greater Ottumwa Park system. The proposal includes the installation of an 8' wide x 4,115' long multi use PCC trail/sidewalk. The trail would be designed to current design standards meeting all ADA requirements. All work and materials are to be in strict compliance with the Plans and Specifications prepared by the City of Ottumwa Engineering Department which together with the proposed form of contract and estimate of cost have heretofore been approved by the City and are now on file for public examination in the office of the Clerk, and are by this reference made a part hereof as though fully set out and incorporated herein.

CITY OF
OTTUMWA, IOWA By: Tom X.
Lazio, Mayor ATTEST: Christina
Reinhard, City Clerk

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Sep 1, 2020

Planning & Development
Department

Zach Simonson
Prepared By
Kevin C. Flanagan *(Signature)*
Department Head

(Signature) FOR PR
Acting City Administrator Approval

AGENDA TITLE: Resolution No. 189-2020 Amendment 1 to the Our Ottumwa Comprehensive Plan.

Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution No. 189-2020.

DISCUSSION: When the Council adopted the Our Ottumwa Comprehensive Plan at the August 18, 2020 meeting, the Council requested amendments that incorporated feedback from public comments made during the public hearing. Resolution No. 189-2020 makes amendments that incorporate that feedback, as well as an amendment to the floodplain portion of plan.

There are three amendments in total:

Source of Funds:

Budgeted Item: Budget Amendment Needed:

1. Amend Celebrating Diversity Goal Three Item A from:

Place an emphasis on understanding and promoting local Black history, women's history, Native American history, LGBTQ history and the immigrant experience in the development of the Historic Preservation Plan and celebrate that history not only during Black History Month, Women's History Month, Pride Month, Asian American and Pacific Islander Month, Historic Preservation Month and throughout the year.

To:

Place an emphasis on understanding and promoting local and national Black history, women's history, Native American history, LGBTQ history, the immigrant experience, and other minority groups in the development of the Historic Preservation Plan and celebrate that history not only during Black History Month, Women's History Month, Pride Month, Asian American and Pacific Islander Month, Historic Preservation Month but at all occasions throughout the year.

2. Amend Celebrating Diversity Goal Three by adding new Item F:

Promote the development of historic and cultural learning tools and resources, including the lessons and voices of minority groups, so that residents and visitors of all ages can learn and understand the diverse history of Ottumwa.

3. Amend Chapter 4 Natural Resources Floodplain Section Impact of the Levees from:

Impact of the Levees

Several areas within Ottumwa are protected via levees. At the time of this report, select areas from Wapello St. to Market St. along the levees near the downtown along the Des Moines River had recently been under scrutiny. The City was notified by FEMA that the timeline of the City's provisional accreditation status concerning these select portions of the levee, north of the river primarily, was nearing a critical date. The City's Provisionally Accredited Levee Agreement (PAL) had expired on October 5, 2011 and FEMA was preparing to perform updated mapping in all areas effected by PAL agreements beginning in 2023 and ending approximately in 2025. These areas, known as areas of seclusion, were to be mapped in conjunction with FEMA's mapping update process nationwide, already well underway.

Prior to 2023, the City is required to provide the data and documentation related to levee certification acceptable to FEMA allowing for these areas to attain Levee Accreditation in future mapping processes. The City has this Levee project in its Capital Improvement Plan and has engaged private engineering consultancy on the project. The City and its consulting engineer are working with FEMA officials directly and the project is scheduled for completion prior to mapping commencement in 2023.

This project is one of many the City will have undertaken over decades in order to maximize the land use of the areas along the river, while managing flooding and the ecosystem of the riverway. The Levee System is an integral key to the quality of life in Ottumwa through flood protection, recreation, and facilitating increased economic development. These three components

feature prominently in the City's future planning for the downtown river area, through grant efforts, such as the Build Grant Initiative, and public/private projects involving mixed-use developments, the City is coupling public infrastructure rehabilitation and new development opportunities in order to maximize land use of this formerly underutilized community asset, while improving the quality of river community life.

To:

Impact of the Levees

Several areas within Ottumwa are protected via levees. The City has many upcoming improvement projects along the Levee System. These projects are geared toward maximizing both public and private land use of the area along the river, while managing potential flood conditions and the ecosystem of the riverway. The Levee System is an integral key to the quality of life in Ottumwa through flood protection, recreation, and facilitating increased economic development. These three components feature prominently in the City's future planning for the downtown river area. Through grant efforts, such as the Build Grant Initiative, and public/private projects involving mixed-use developments, the City is coupling public infrastructure rehabilitation and new development opportunities in order to maximize land use of this formerly underutilized community asset, while improving the quality of river community life.

RESOLUTION NO. 189-2020

A RESOLUTION ADOPTING AMENDMENT 1 TO THE OUR OTTUMWA
COMPREHENSIVE PLAN

WHEREAS, the City of Ottumwa, Iowa, has commissioned a consultant to assist the City with the creation of the *Our Ottumwa* comprehensive plan; and,

WHEREAS, the Council adopted the *Our Ottumwa* Comprehensive Plan at the August 18, 2020 meeting and requested amendments to accommodate feedback from the public hearing; and

WHEREAS, the Planning Department worked with the consult to develop Amendment 1 to the *Our Ottumwa* Comprehensive Plan; and

WHEREAS, Amendment 1 clarifies Celebrating Diversity Goal Three, Item A by placing an emphasis on celebrating the history of all Ottumwa groups and communities at all occasions throughout the year; and

WHEREAS, Amendment 1 adds an item to Celebrating Diversity Goal Three, Item F that promotes developing cultural and historic learning tools that help all residents and visitors to understand the diverse history of Ottumwa; and

WHEREAS, Amendment 1 corrects language in Chapter 4 Natural Resources to provide a clear and accurate statement about the present condition of the levee system and upcoming improvements.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA:

That Amendment 1 to the *Our Ottumwa Comprehensive Plan* as presented be hereby adopted effective as of the date of this resolution.

Passed and approved this 1st day of September, 2020.

CITY OF OTTUMWA, IOWA

BY 
Tom Lazio, Mayor

ATTEST:


Chris Reinhard, City Clerk

Our Ottumwa 2040 Comprehensive Plan Amendment 1

The Our Ottumwa 2040 Comprehensive Plan is hereby amended as follows:

1. Chapter 13 Implementation, Celebrating Diversity Goals and Action Items No. 3a is removed and replaced with the following:

Place an emphasis on understanding and promoting local and national Black history, women's history, Native American history, LGBTQ history, the immigrant experience, and other minority groups in the development of the Historic Preservation Plan and celebrate that history not only during Black History Month, Women's History Month, Pride Month, Asian American and Pacific Islander Month, Historic Preservation Month but at all occasions throughout the year.

2. Chapter 13 Implementation, Celebrating Diversity Goals and Action Items add new No. 3f as follows:

Promote the development of historic and cultural learning tools and resources, including the lessons and voices of minority groups, so that residents and visitors of all ages can learn and understand the diverse history of Ottumwa.

3. Chapter 4 Natural Resources, Floodplain, Impact of the Levees section is removed and replaced with the following:

Several areas within Ottumwa are protected via levees. The City has many upcoming improvement projects along the Levee System. These projects are geared toward maximizing both public and private land use of the area along the river, while managing potential flood conditions and the ecosystem of the riverway. The Levee System is an integral key to the quality of life in Ottumwa through flood protection, recreation, and facilitating increased economic development. These three components feature prominently in the City's future planning for the downtown river area. Through grant efforts, such as the Build Grant Initiative, and public/private projects involving mixed-use developments, the City is coupling public infrastructure rehabilitation and new development opportunities in order to maximize land use of this formerly underutilized community asset, while improving the quality of river community life.

By the Ottumwa City Council
September 1, 2020



CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

FILED
2020 AUG 27 PM 12:29
OTTUMWA

Council Meeting of: September 1, 2020

Engineering Department _____
 Prepared By Alicia Bankson
Larry Deals
 Department Head

M. Muller
 Acting City Administrator Approval

AGENDA TITLE: Resolution #191-2020. Awarding Milner Multi-Use (Wapello Co.) Trails Project.

**Public hearing required if this box is checked. **

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #191-2020.

DISCUSSION: This project consists of a multi-use trail/safe route to school on Milner Street from Mary Street north to Richmond Avenue. This corridor has been identified as a connector route in the Ottumwa Bicycle and Pedestrian Plan to help connect the school systems and southern residential areas to the Greater Ottumwa Park system. The project includes the installation of an 8' wide x 4,115' long multi use PCC trail/sidewalk. The trail has been designed to current design standards meeting all ADA requirements.

Bids were received and opened by the Iowa Department of Transportation on July 21, 2020. Two (2) bids were received, One bid (1) was conforming. The low bidder is T K Concrete of Pella, Iowa, in the amount of \$278,227.00.

Funding:	\$301,735	TAP
Match	<u>\$ 75,434</u>	Wapello County Trails
	\$377,196	

Source of Funds: Grants

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #191-2020

A RESOLUTION AWARDING THE MILNER MULTI-USE (WAPELLO CO) TRAILS

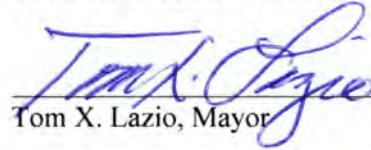
WHEREAS, The Iowa DOT did advertise and accept bids for the above referenced project; and,

WHEREAS, Bids were received, proper, and mathematically correct.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The award of the above referenced project is made to the lowest responsible bidder, TK Concrete of Pella, Iowa, in the amount of \$278,227.00

APPROVED, PASSED, AND ADOPTED, this 1st day of September, 2020.

CITY OF OTTUMWA, IOWA


Tom X. Lazio, Mayor

ATTEST:


Christina Reinhard, City Clerk



CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

FILED
2020 AUG 27 PM 12:25

Council Meeting of: September 1, 2020

Engineering Department
Department

Alicia Bankson
Prepared By
Darryl Seals

Department Head

M. Mulder

Acting City Administrator Approval

AGENDA TITLE: Resolution #192-2020. Approve Change Order #1 for the Blake's Branch Sewer Separation Phase 8, Division 1 Project.

**Public hearing required if this box is checked. **

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #192-2020.

DISCUSSION: Change Order #1 will provide compensation to the Contractor for deleting corrugated polyvinyl chloride pipe and installing solid wall polyvinyl chloride (pvc) pipe for 30" and 36" sanitary sewer. Solid wall pvc shall have a pipe stiffness per ASTM D2412, 46 psi, comply with ASTM F679 and integral bell and spigot rubber gasket joint. Solid wall pvc is a more durable product, better to withstand surcharging flows, more rigid to help minimize low spots and would allow a better pipe connection for future sanitary services.

Additionally, one 96" storm sewer manhole will be replaced by concrete pipe fabricated fitting and Elm Street Manhole #1 will be deleted as cost saving measures.

Change Order #1 increases the contract amount by \$51,625.13. The new contract sum is \$11,793,695.13.

Blake's Branch \$5,414,099 (in TIF district) Main Street
Blake's Branch \$1,568,433 (outside TIF) Birch Street
Blake's Branch \$2,502,669 (in TIF district) South of Main Street
OWW \$1,957,173

Source of Funds: TIF, LOST, RU and Sewer Funds

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #192-2020

A RESOLUTION APPROVING CHANGE ORDER #1
FOR THE BLAKE'S BRANCH SEWER SEPARATION PHASE 8, DIVISION 1 PROJECT

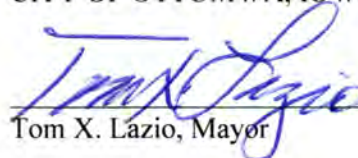
WHEREAS, The City Council of the City of Ottumwa, Iowa entered into a contract with Langman Construction, Inc. of Rock Island, Illinois on March 17, 2020 for the above referenced project; and

WHEREAS, Change Order #1 increases the contract amount by \$51,625.13 resulting in a new contract sum of \$11,793,695.13;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The above mentioned change order for this project is hereby approved.

APPROVED, PASSED, AND ADOPTED, this 1st day of September, 2020.

CITY OF OTTUMWA, IOWA


Tom X. Lazio, Mayor

ATTEST:


Christina Reinhard, City Clerk





August 7, 2020

CHANGE ORDER NO. 1

OTTUMWA, IOWA

BLAKE'S BRANCH SEWER SEPARATION PHASE 8, DIVISION 1

This change order is to provide compensation to the Contractor for deleting corrugated polyvinyl chloride pipe and installing solid wall polyvinyl chloride (pvc) pipe for 30" and 36" sanitary sewer. Solid wall pvc shall have a pipe stiffness per ASTM D2412, 46 psi, comply with ASTM F679 and integral bell and spigot rubber gasket joint. Solid wall pvc is a more durable product, better to withstand surcharging flows, more rigid to help minimize low spots and would allow a better pipe connection for future sanitary services.

Additionally, one 96" storm sewer manhole will be replaced by concrete pipe fabricated fitting as a cost savings measure. Finally, Elm Street Manhole #1 was deleted as a cost savings measure. The cost adjustment in the change order as requested by the City is based on existing and negotiated unit prices as follows:

Change Order No. 1 makes the following modifications to the contract:

- Delete Item 1.24.6 1,190 LF of "Sanitary Sewer in Place, 30" PVC"
- Delete Item 1.24.7 3,750 LF of "Sanitary Sewer in Place, 36" PVC"
- Delete Item 1.32.5 30 EA of "Sanitary Sewer Service, 36"x6" Wye"
- Delete Item 1.22.5 1 EA of "Storm Sewer Manholes, SW-401, 96" Dia."
- Delete Item 1.26.3 1 EA of "Sanitary Manholes, SW-301, 72" Dia."
- Add Item 1.63 1,190 LF of "Sanitary Sewer in Place, 30" PVC, Solid Wall"
- Add Item 1.64 3,750 LF of "Sanitary Sewer in Place, 36" PVC, Solid Wall"
- Add Item 1.65 30 EA of "Sanitary Sewer Service, 36" x (8" or 6") InsertaTee"
- Add Item 1.66 1 EA of "Storm Sewer in Place, 60" dia. RCP Bend"

New Item #1.63 and 1.64 Description: "Unit price includes all labor, materials, and equipment for furnishing pipe, handling, pipe bedding, laying pipe, fittings and appurtenances, jointing, pipe connectors, trench excavation, dewatering, connection to existing system and manholes, removal of existing pipe, plugging ends of existing pipe, plugging end of new pipe, sheeting, shoring and bracing, backfill, testing and miscellaneous associated work."

New Item #1.65 Description: "Unit price includes all labor, materials, and equipment necessary to furnish and install InsertaTee fitting on new 30" and 36" sanitary sewer pipe at existing sewer service locations, including fittings, penetration into pipe, and miscellaneous associated work."

New Item #1.66 Description: "Unit price includes all labor, materials, and equipment necessary to furnish and install 60" diameter Class 4 RCP pipe fitting, including compacting bedding and backfill material, joint wrapping, pipe connections, testing, and miscellaneous associated work."


The price breakdown for the changes to the scope of work listed above is as follows:

	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
Item #1.24.6	-1,190 LF	\$178.00	(\$211,820.00)
Item #1.24.7	-3,750 LF	\$200.00	(\$750,000.00)
Item #1.32.5	- 30 EA	\$1,900.00	(\$57,000.00)
Item #1.22.5	- 1 EA	\$16,600.00	(\$16,600.00)
Item 1.26.3	- 1 EA	\$11,000.00	(\$11,000.00)
Item #1.63	1,190 LF	\$197.40	\$234,906.00
Item #1.64	3,750 LF	\$225.81	\$846,787.50
Item #1.65	30 EA	\$433.55	\$13,006.50
Item #1.66	1 EA	\$3,345.13	\$3,345.13
	TOTAL		\$51,625.13

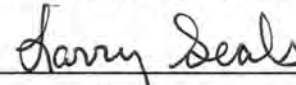
Change Order No. 1 increases the contract amount by \$51,625.13.

Change Order No. 1 adds zero (0) days to the Project Completion Date.
 Project Completion Date: November 26, 2022

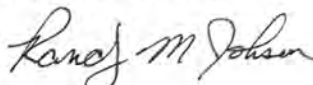
LANGMAN CONSTRUCTION, INC.

By 
 Title Project Manager
 Date 8/7/2020

CITY OF OTTUMWA, IOWA

By 
 Title Director of Public Works
 Date 8-27-2020

VEENSTRA & KIMM, INC.

By 
 Title Project Engineer
 Date August 10, 2020

ATTEST:

By _____
 Title _____
 Date _____

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: September 1, 2020

Engineering Department
Department

Alicia Bankson
Prepared By

Larry Seals *Larry Seals*
Department Head

AM
City Administrator Approval
Acting

AGENDA TITLE: Resolution #194-2020. Authorizing the Mayor to execute two Easement Agreements for Construction and Maintenance of Public Improvements for the CSO, Blake's Branch, Phase 8, Division 1 Project.

**Public hearing required if this box is checked. **

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #194-2020.

DISCUSSION: The easements are required to allow new construction across private property. They allow for temporary right of access for future maintenance as needed.

The permanent and temporary easements will be recorded and will be deemed to run with the land.

The temporary easements are in effect during construction and allow areas wide enough for construction activities, once completed the temporary easements sunset.

Staff will present easements for approval and recording as they are developed and finalized.

Source of Funds: TIF, LOST, RU and Sewer Funds

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #194-2020

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE TWO EASEMENT AGREEMENTS FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS FOR THE CSO, BLAKE'S BRANCH, PHASE 8, DIVISION 1 PROJECT.

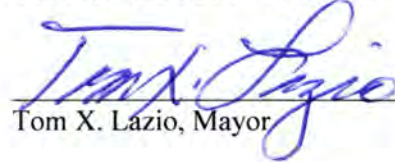
WHEREAS, The project will consist of installation of cross county sanitary sewer lines.

WHEREAS, This resolution will authorize the Mayor to sign the two easements with property owners for construction of the public improvements.

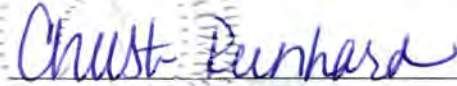
NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The Mayor is authorized to sign the two easement agreements for the CSO, Blake's Branch, Phase 8, Division 1 Project.

APPROVED, PASSED, AND ADOPTED, this 1st day of September, 2020.

CITY OF OTTUMWA, IOWA


Tom X. Lazio, Mayor

ATTEST:


Christina Reinhard, City Clerk



DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER

Prepared by: Larry Seals, The City of Ottumwa, Wapello County, Iowa 52501 (Phone: 641-683-0680)

Return to: City of Ottumwa, 105 E. Third St, Ottumwa, IA 52501

**CITY OF OTTUMWA
PERMANENT EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT
AGREEMENT FOR CONSTRUCTION AND MAINTENANCE OF PUBLIC IMPROVEMENTS**

THIS AGREEMENT, entered into by the **City of Ottumwa, Iowa**, a municipal corporation, Grantee, (hereinafter called "City"), and **WINBCO Tank Company**, Grantor, (hereinafter called "Property Owner"). Property Owner grants unto City, its successors and assigns, including any agents, contractors, and employees designated by the city, a temporary right of access, on, over, under, through and across the land as follows for the purpose of reconstructing a driveway, together with necessary appurtenances thereto:

A Permanent Twenty foot (20') wide Storm Sewer Easement, Ten feet (10') each side of the centerline and a Temporary Construction Easement Sixty feet (60') wide, Thirty feet (30') each side of the centerline, excepting those portions that would fall within the public right of way of either East Main Street or Burlington Street, over, under, through and across part of Lots One (1) and Two (2) of Block Twenty-one (21) of Blake's Addition to the City of Ottumwa, Wapello County, Iowa, and over, under, through and across a part of the former Chicago, Rock Island and Pacific Railroad (now owned by Winbco Tank Company) and more particularly described as follows: commencing at the North corner of Lot 9 of Block 21 Blake's Addition; thence South 46°45'15" East 294.45 feet along the Northeast line of Block 21 Blake's Addition; thence South 68°42'10" East 73.64 feet along the Northeast line of the former C.R.I. & P. Railroad to the Point of Beginning; thence South 88°55'20" West 68.03 feet along said centerline; thence North 68°18'15" West 24.00 feet along said centerline, there terminating, containing 1,685 square feet of Permanent Sewer Easement and 3,300 square feet of Temporary Construction Easement. NOW THEREFORE, in consideration of the mutual promises herein stated, the parties agree as follows:

I. Consideration

City shall bear the entire cost of restoring the area disturbed to a condition that is equal to or better than the condition before the work began. City shall waive one connection fee to the new sanitary sewer for the Grantor for the use of the above described property for the temporary and permanent easement to construct said improvements, together with necessary appurtenances thereto. The City will pave as shown on drawings and rock line the fore slope of Main Street with 3" stone for erosion control.

II. Possession

Possession of the premises is the essence of this agreement. Property Owner hereby grants to City the immediate right to enter the above described property.

III. Repairs

City agrees that any retaining wall, drain tile, fence, yard, or other improvements which may be damaged as a result of any entry made through an exercise of the rights granted to the City in this agreement shall be repaired at no expense to Property Owner.

IV. Damages, If Any

It is understood and agreed that the consideration for this agreement includes full compensation for all apparent damages caused by the exercise of this agreement.

V. City's Liability

City will assume all liability for all damages to the above described property caused by City's failure to use due care in its exercise of the rights granted.

VI. Termination

The temporary easement described herein will terminate upon completion of the construction project.

VII. Easement Runs With the Land

The temporary easement shall be deemed to run with the land and shall be binding on Property Owner and on the successors and assigns of Property Owner.

VIII. Obstructions

Property Owner shall not erect any structure, plant any tree nor otherwise obstruct, the Temporary Easement Area without obtaining the prior written consent of City.

IX. Five Year Right to Renegotiate

City hereby gives notice of the five-year right of Property Owner to renegotiate construction or maintenance damages not apparent at the time of the signing of this agreement, as required by Section 6B.52 of the Code of Iowa.

X. Words and Phrases

Words and phrases herein, including acknowledgement herein, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to context.

XI. Entire Agreement

This writing, consisting of three (3) pages and attachments, constitutes the entire agreement between City and Property Owner, and there is no agreement to do or not to do any act or deed except as specifically provided herein.

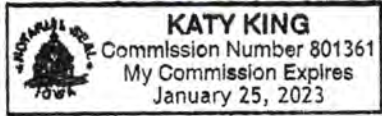
XII. Acceptance by City

This easement agreement shall not be binding until it has been approved and accepted by the City Council of Ottumwa, Iowa, by Resolution. Said approval and acceptance shall be noted on this agreement.

Signed the 1st day of September, 2020.

CITY OF OTTUMWA, IOWA

By: Tom Lazio
Tom Lazio, Mayor



Attest: Chris Reinhard
Chris Reinhard, City Clerk

STATE OF IOWA

)
) SS:
)

WAPELLO COUNTY

On this 1st day of September, 2020, before me, a Notary Public in and for the State of Iowa, personally appeared Tom Lazio and Chris Reinhard, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ottumwa, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution No. 194-2020 Adopted by the City Council on the 1st day of September, and that Tom Lazio and Chris Reinhard acknowledged the execution of the instrument to be their voluntary act and deed of the corporation, by it voluntarily executed.

Katy King
Notary Public in and for Wapello County, Iowa

Signed the 18 day of August, 2020.

PROPERTY OWNER:

By: WINBCO Bank Company

Donald Prox

ALL PURPOSE ACKNOWLEDGMENT

STATE OF Iowa)
) SS
COUNTY OF Wapello)

On this 18 day of August, 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Don Prox and _____, X to me personally known, or _____ proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the person(s) acted, executed the instrument.

CAPACITY CLAIMED BY SIGNER:

- INDIVIDUAL(S)
- CORPORATE
- Title(s) of Corporate Officer(s):
ATP
- _____ Corporate Seal is affixed
- _____ No Corporate Seal procured
- _____ PARTNER(s):
- _____ Limited Partnership
- _____ General Partnership
- _____ ATTORNEY-IN-FACT
- _____ EXECUTOR(s),
- _____ ADMINISTRATOR(s),
- _____ or TRUSTEE(s)
- _____ GUARDIAN(s)
- _____ or CONSERVATOR(s)
- _____ OTHER: _____

(NOTARY SEAL)

(Sign in ink) Mark Milder
(Print/type name)
Notary Public in and for the State of Iowa

DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER

Prepared by: Larry Seals, The City of Ottumwa, Wapello County, Iowa 52501 (Phone: 641-683-0680)

Return to: City of Ottumwa, 105 E. Third St, Ottumwa, IA 52501

CITY OF OTTUMWA
PERMANENT EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT
AGREEMENT FOR CONSTRUCTION AND MAINTENANCE OF PUBLIC IMPROVEMENTS

THIS AGREEMENT, entered into by the **City of Ottumwa, Iowa**, a municipal corporation, Grantee, (hereinafter called "City"), and **WINBCO Tank Company**, Grantor, (hereinafter called "Property Owner"). Property Owner grants unto City, its successors and assigns, including any agents, contractors, and employees designated by the city, a temporary right of access, on, over, under, through and across the land as follows for the purpose of reconstructing a driveway, together with necessary appurtenances thereto:

A Permanent Twenty foot (20') wide Sanitary Sewer Easement, Ten feet (10') each side of the centerline and a Temporary Construction Easement Fifty feet (50') wide, being Thirty feet (30') wide West of said centerline and Twenty feet (20') wide East of said centerline, over, under, through and across a portion of Auditor's Lot Two (2) of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) Section Thirty (30), Township Seventy-two (72) North, Range Thirteen (13) West of the 5th P.M. in the City of Ottumwa, Wapello County, Iowa and more particularly described as follows: Commencing at the Northeast corner of said NW ¼ of the SE ¼ Section 30; thence South 89°11'40" West 475.93 feet along the North line of said NW ¼ - SE ¼ Section 30; thence South 15°03'35" West 33.66 feet to the South line of Main Street to the Point of Beginning; thence South 15°03'35" West 194.85 feet along said centerline to the South line of said Auditor's Lot 2 there terminating, containing 3896 square feet of Permanent Sanitary Sewer Easement and 5883 square feet of Temporary Construction Easement.

NOW THEREFORE, in consideration of the mutual promises herein stated, the parties agree as follows:

I. Consideration

City shall bear the entire cost of restoring the area disturbed to a condition that is equal to or better than the condition before the work began. City shall waive one connection fee to the new sanitary sewer for the Grantor for the use of the above described property for the temporary and permanent easement to construct said improvements, together with necessary appurtenances thereto. The existing PCC drive will be regraded and reinstalled at 32 foot. The fence and gate will be reinstalled at the City expense. The

existing 3" rock will be replaced. The existing combined sewer line once separated will remain in place and can be used for private storm water only or vacated at owner's discretion.

II. Possession

Possession of the premises is the essence of this agreement. Property Owner hereby grants to City the immediate right to enter the above described property.

III. Repairs

City agrees that any retaining wall, drain tile, fence, yard, or other improvements which may be damaged as a result of any entry made through an exercise of the rights granted to the City in this agreement shall be repaired at no expense to Property Owner.

IV. Damages, If Any

It is understood and agreed that the consideration for this agreement includes full compensation for all apparent damages caused by the exercise of this agreement.

V. City's Liability

City will assume all liability for all damages to the above described property caused by City's failure to use due care in its exercise of the rights granted.

VI. Termination

The temporary easement described herein will terminate upon completion of the construction project.

VII. Easement Runs With the Land

The temporary easement shall be deemed to run with the land and shall be binding on Property Owner and on the successors and assigns of Property Owner.

VIII. Obstructions

Property Owner shall not erect any structure, plant any tree nor otherwise obstruct, the Temporary Easement Area without obtaining the prior written consent of City.

IX. Five Year Right to Renegotiate

City hereby gives notice of the five-year right of Property Owner to renegotiate construction or maintenance damages not apparent at the time of the signing of this agreement, as required by Section 6B.52 of the Code of Iowa.

X. Words and Phrases

Words and phrases herein, including acknowledgement herein, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to context.

XI. Entire Agreement

This writing, consisting of three (3) pages and attachments, constitutes the entire agreement between City and Property Owner, and there is no agreement to do or not to do any act or deed except as specifically provided herein.

XII. Acceptance by City

This easement agreement shall not be binding until it has been approved and accepted by the City Council of Ottumwa, Iowa, by Resolution. Said approval and acceptance shall be noted on this agreement.

Signed the 1st day of September, 2020.

CITY OF OTTUMWA, IOWA

By: Tom Lazio
Tom Lazio, Mayor



Attest: Chris Reinhard
Chris Reinhard, City Clerk



STATE OF IOWA)
WAPELLO COUNTY) SS:

On this 1st day of September, 2020, before me, a Notary Public in and for the State of Iowa, personally appeared Tom Lazio and Chris Reinhard, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ottumwa, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution No. 194-2020 Adopted by the City Council on the 1st day of September, 2020, and that Tom Lazio and Chris Reinhard acknowledged the execution of the instrument to be their voluntary act and deed of the corporation, by it voluntarily executed.

Katy King
Notary Public in and for Wapello County, Iowa

Signed the 13 day of August, 2020.

PROPERTY OWNER:

By: WINBCO Tank Company

Donald Prox

ALL PURPOSE ACKNOWLEDGMENT

STATE OF Iowa)
COUNTY OF Wapello) SS

On this 13 day of August, 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Don Prox and _____, X to me personally known, or _____ proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the person(s) acted, executed the instrument.

CAPACITY CLAIMED BY SIGNER:

- ____ INDIVIDUAL(S)
- CORPORATE
- Title(s) of Corporate Officer(s): ATP
- ____ Corporate Seal is affixed
- ____ No Corporate Seal procured
- ____ PARTNER(S):
- ____ Limited Partnership
- ____ General Partnership
- ____ ATTORNEY-IN-FACT
- ____ EXECUTOR(S),
- ____ ADMINISTRATOR(S),
- ____ or TRUSTEE(S)
- ____ GUARDIAN(S)
- ____ or CONSERVATOR(S)
- ____ OTHER:

(NOTARY SEAL)



(Sign in ink) Mark Milder
(Print/type name) Mark Milder
Notary Public in and for the State of Iowa

2020 AUG 27 11:11:50
CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Sep 1, 2020

Planning & Development
Department

Zach Simonson
Prepared By
Kevin C. Flanagan
Department Head


Acting City Administrator Approval

AGENDA TITLE: Resolution No. 196-2020 Resolution Approving the Historic Preservation Commission Historic District Signage Program.

Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution No. 196-2020.

DISCUSSION: The City of Ottumwa contains seven Historic Districts on the National Register of Historic Places: Greater Second Street, Railroad, Cemetery, Court Hill, Fifth St. Bluff, Vogel Place and North Fellows. Currently, there are no signs or other markers to designate these districts. Historic Preservation has worked with a graphic artist to create unique sign artwork for each district and identified Iowa Prison Industries as a reliable and

Source of Funds: Historic Preservation Commission

Budgeted Item: Budget Amendment Needed:

affordable contractor from whom they seek to purchase 25 signs. These signs will be installed with assistance from the Public Works Department. The locations for these signs were identified using the 2020 Wayfinding Study to maximize their visual effect while minimizing the number of new posts required. The artwork and locations are included.

These signs will cost \$41.30 apiece for a total cost of \$1,032.50. Funding will come from the Historic Preservation Commission which has raised funds from special events and other activities.

RESOLUTION NO. 196-2020

A RESOLUTION APPROVING THE HISTORIC PRESERVATION COMMISSION
HISTORIC DISTRICT SIGNAGE PROGRAM

WHEREAS, the City of Ottumwa includes seven Historic Districts recognized on the National Register of Historic Places; and,

WHEREAS, each of these districts tells a different, important story about the historic development of culture, commerce and architecture in Ottumwa; and

WHEREAS, the Ottumwa Historic Preservation Commission was established to safeguard the City's historic heritage, foster pride in legacy of beauty and achievements of the past and protect and enhance attractions to tourism; and

WHEREAS, there are currently no markers to indicate the boundaries of the seven historic districts; and

WHEREAS, the Historic Preservation Commission has drawn on the 2020 Wayfinding Study to identify locations for 25 signs through that City that will designate each of the districts; and

WHEREAS, the Historic Preservation Commission has worked with a graphic artist to design sign artwork that celebrates the unique character of each district; and

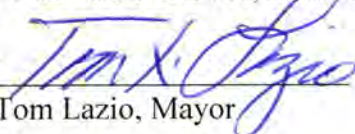
WHEREAS, the Historic Preservation Commission has raised funds through special events and other activities.


NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA:

The Historic Preservation Commission is authorized to purchase and install 25 signs in Historic Districts according to the Historic District Signage Program.

Passed and approved this 1st day of September, 2020.

CITY OF OTTUMWA, IOWA

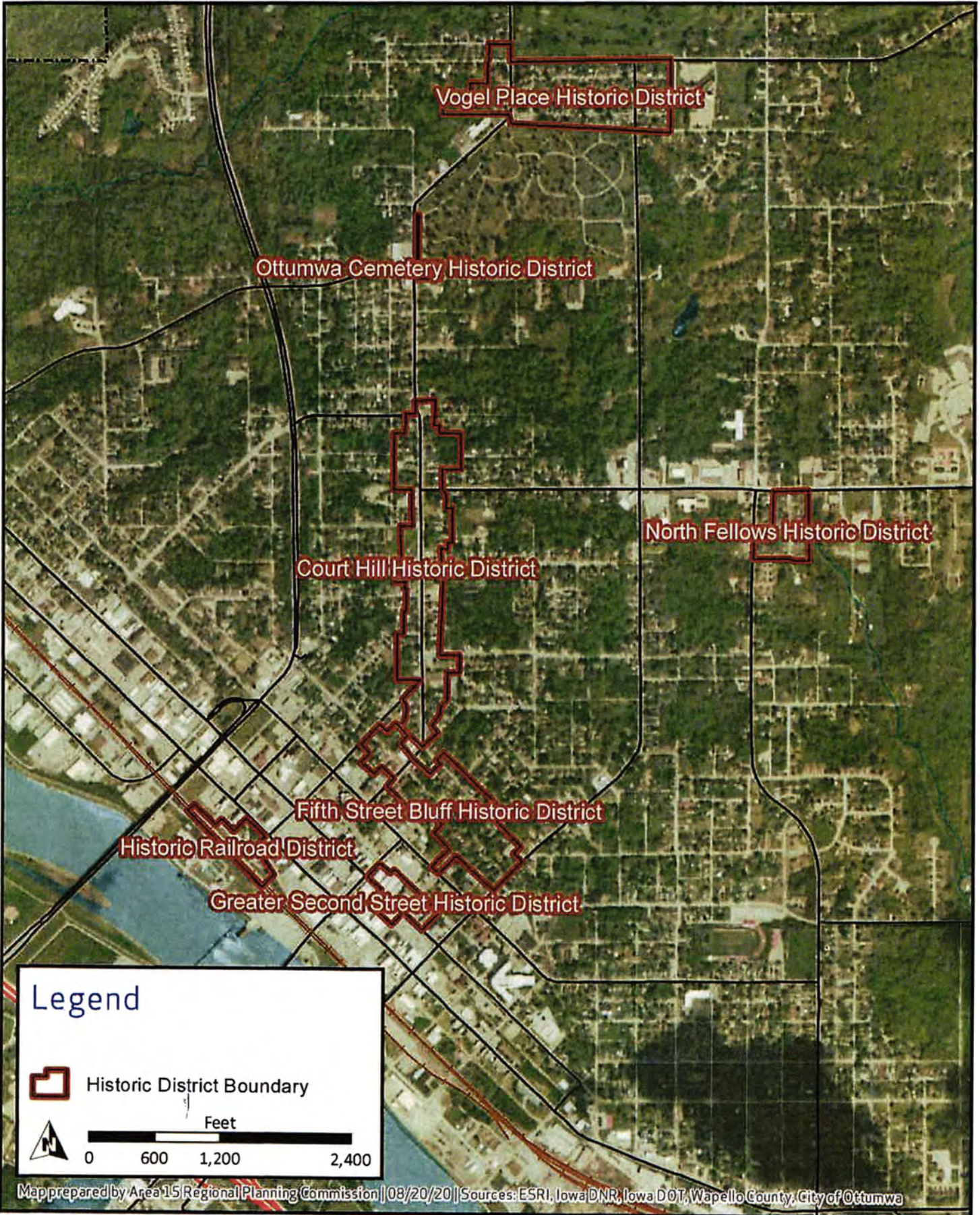
BY 
Tom Lazio, Mayor

ATTEST:

Chris Reinhard, City Clerk

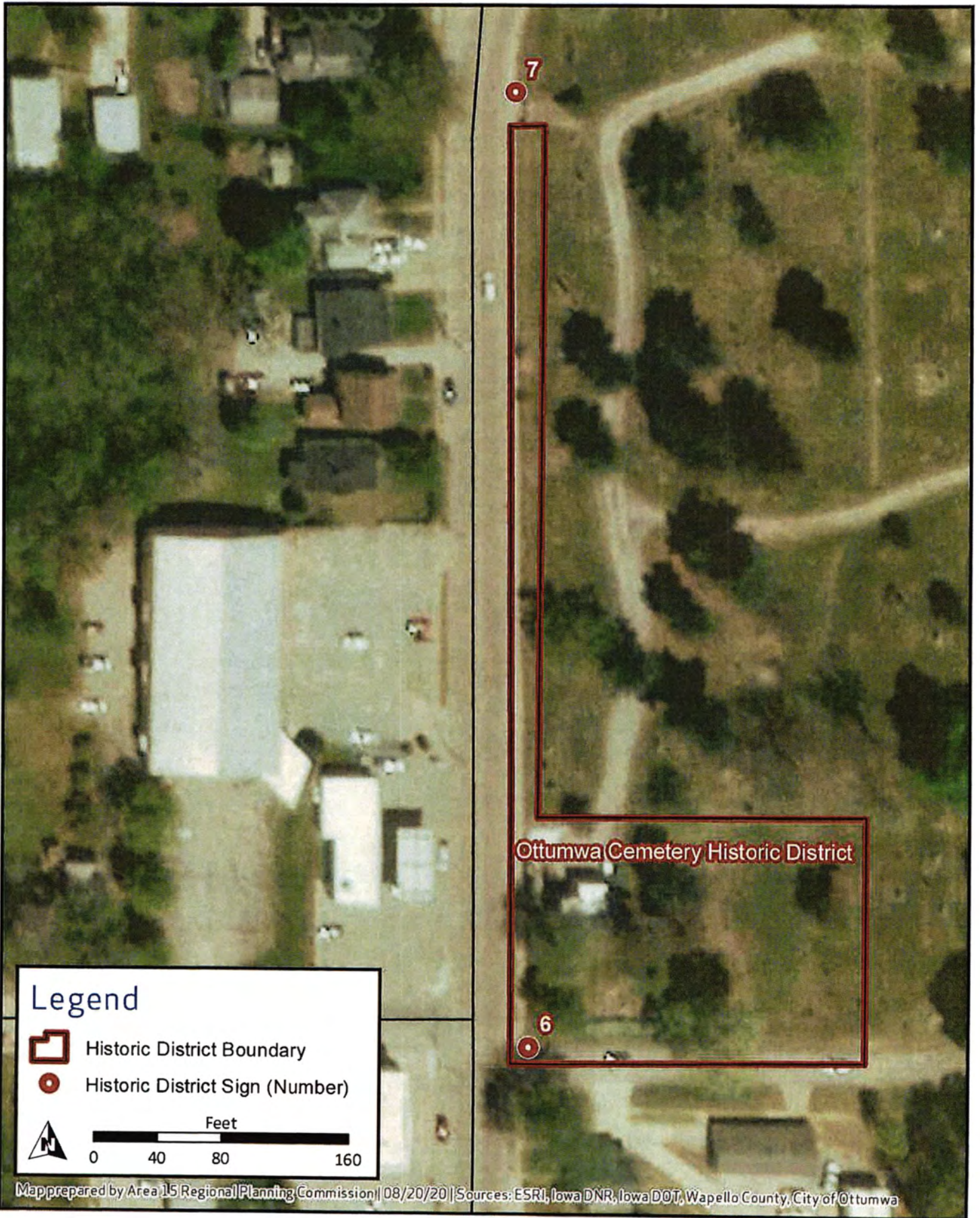
Sign ID	Historic District	# Signs	Direction	Street	PoleType	Notes
1	Vogel Place	1	E	Vanness Ave.	New	
2	Vogel Place	1	N	N. Court St.	New	
3	Vogel Place	1	S	N. Court St.	Street Name	Court & Hawthorne
4	Vogel Place	1	W	Vanness Ave.	Utility	
5	Vogel Place	1	W	E. Alta Vista Ave.	New	
6	Ottumwa Cemetery	1	N	N. Court St.	Utility	Angle toward intersection.
7	Ottumwa Cemetery	1	S	N. Court St.	New	Between retaining wall and chain link fence.
8	Court Hill	1	S	N. Court St.	Utility	
9	Court Hill	1	W	E. Pennsylvania Ave.	Utility	
10	Court Hill	1	NE	N. Washington St.	Utility	
11	Court Hill	1	N	N. Court St.	Utility	
12	Fifth Street Bluff	1	N	N. Jefferson St.	Utility	
13	Fifth Street Bluff	1	S	N. Jefferson St.	New	Lot line between street and sidewalk.
14	Fifth Street Bluff	1	S	N. Court St.	Utility	
15	Fifth Street Bluff	1	N	N. Court St.	Utility	
16	Fifth Street Bluff	2	NE/SW	N. Washington St.	Utility	
17	Greater Second Street	1	NE	N. Market St.	Street Light	Angle toward intersection.
18	Greater Second Street	1	N	N. Green St.	Utility	Place above existing 2HR Parking Sign
19	Railroad	2	SE/NW	W. Main St.	Informational Sign	Remove Historic Museum Sign
21	Railroad	1	NW	Amtrak Platform	New	New sign in western planter bed.
22	North Fellows	2	E/W	E. Pennsylvania Ave.	Street Name	Pennsylvania & Fellows
23	North Fellows	1	N	N. Elm St.	Utility	
		25				

Notes

- Sign ID matches up with the historic district sign number on the maps that follow.
- # Signs is the number of signs to be placed at that location.
- Direction is the direction of travel for which each sign is to be placed.
- Pole Type indicates the type of pole for the proposed placement.
 - Existing signs were preferred and recommended, if possible.
 - Seeing other signs (hospital, parking, etc.) on utility poles, we expect that these should be allowed as well.
- Notes indicate some adjustments or placement preferences.





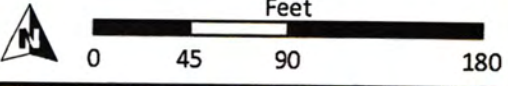






Legend

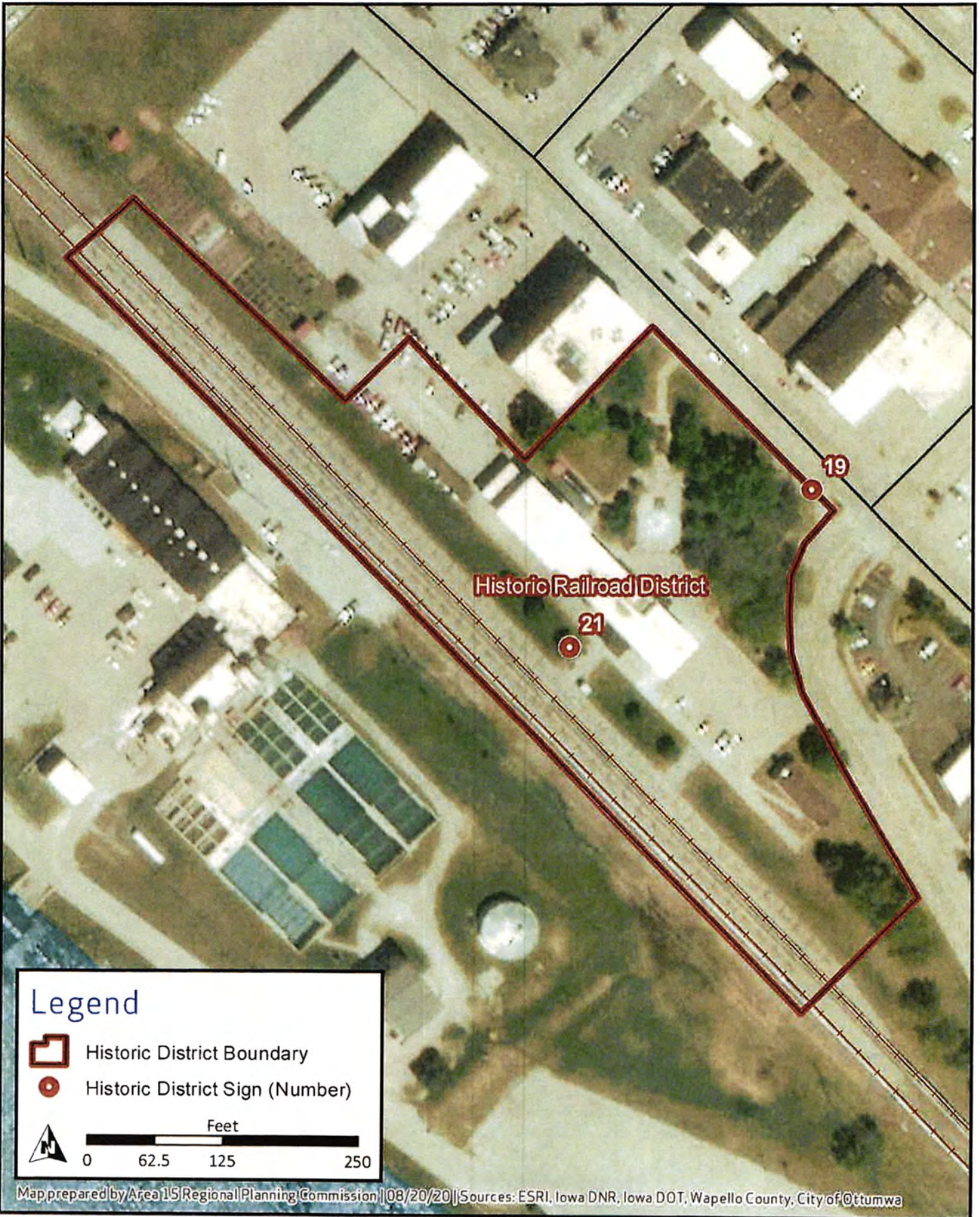
-  Historic District Boundary
-  Historic District Sign (Number)





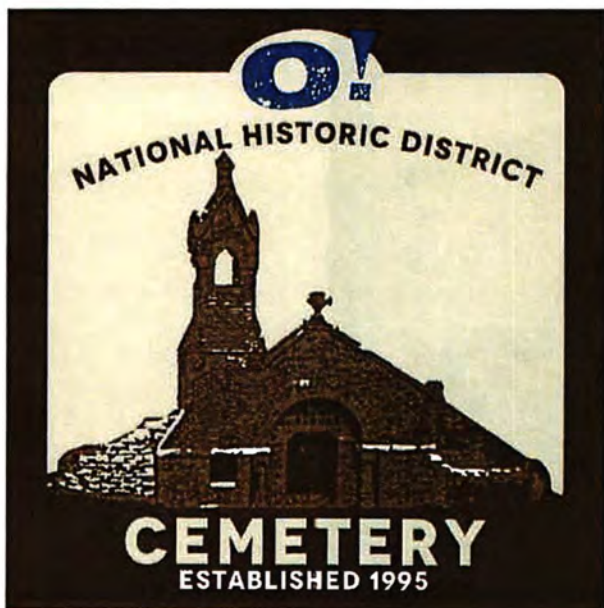
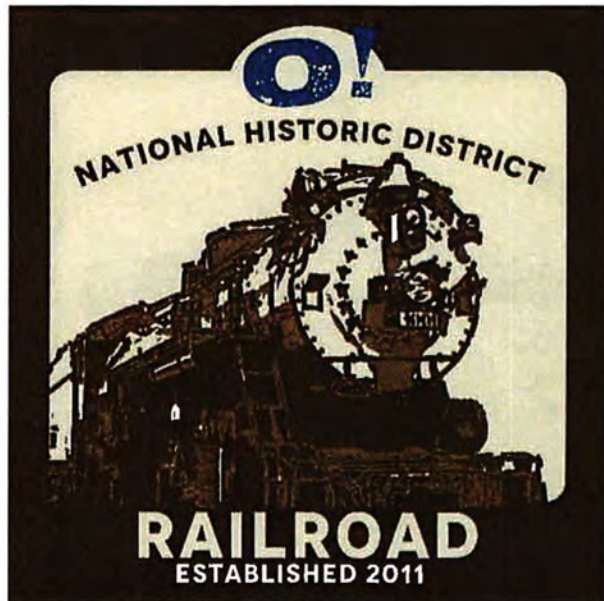






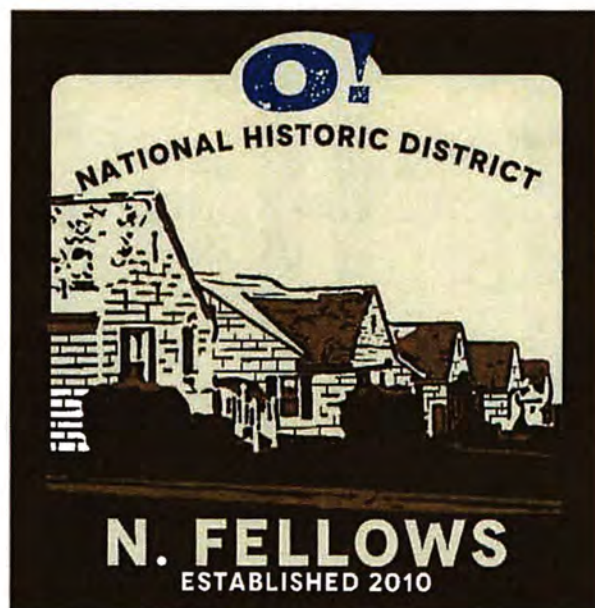
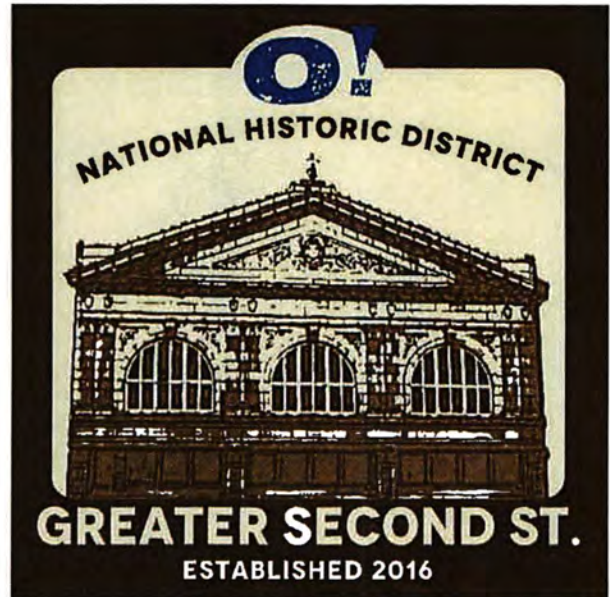
Historic District Signage Program

Sign Artwork



Historic District Signage Program

Sign Artwork



THE HPC NEWSLETTER



CHECK OUT WHAT'S IN THIS ISSUE:

- DAUM HOUSE - 2
- VIRTUAL TOUR- 2
- HISTORIC SIGNAGE - 3
- HPC LUMINARY- 3

WELCOME

Welcome to the first newsletter of Ottumwa's Historic Preservation Commission (HPC)! Our goal in developing a regularly published newsletter is to better inform the community about Ottumwa's rich historic resources and develop opportunities for collaborative efforts amongst all our citizenry in the preservation of these historic resources.

The HPC is comprised of five community volunteers appointed by the mayor with the consent of the city council. Current commissioners are Dennis Willhoit, chair; Cara Galloway, John Ohlinger, Mary Stewart and Rick Woten.

Our tasks as outlined in the city code are to 1) Promote the educational, cultural, economic and general welfare of the public through recognition, enhancement, and perpetuation of sites and districts of historical and cultural significance; 2) Safeguard the city's historic, aesthetic, and cultural heritage by preserving sites and districts of historic and cultural significance; 3) Stabilize and improve property values; 4) Foster pride in the legacy of beauty and achievements of the past; 5) Protect and enhance the city's attractions to tourists and visitors and support and stimulus to business thereby provided; 6) Strengthen the economy of the city; and, 7) Promote the use of sites and districts of historic and cultural significance as places for the education, pleasure, and welfare of the people of the city.

Indeed, these are challenging tasks, but we are confident that in collaboration with Ottumwa's many history enthusiasts, we will continue to celebrate and build they city's historical legacy.

Dennis Willhoit, chair



The Daum House

Left: 1966 Lemberger Collection

Below: Ottumwa Courier 2.7.2020

HISTORIC OTTUMWA HOUSE AMONG IOWA'S MOST ENDANGERED

BY ZACH SIMONSON

In February, Preservation Iowa designated nine properties across the state for the 2020 Most Endangered Properties List, including the historic Daum House at 513 N Court in Ottumwa. The house at 513 N. Court was built in the early 1880s for W.R. Daum, President of the Electric Street Railway Company. The house is a contributing structure to the Court Hill Historic District, which was listed on the National Register of Historic Places in 1998. The home is a unique example of brick Italianate style with segmented arches of cream-colored brick, cream-colored brick quoins and decorative cornice brackets.

As the result of fire damage and neglect, the property is currently placarded by the Health Department as unfit for human habitation. As this property remains vacant, its condition continues to deteriorate. In its present condition the property continues to have a negative catalytic effect on the rest of the historic district. The City is pursuing legal action under Iowa Code Sec. 657A to take title to the abandoned property. Supporters of the house and historic district are hopeful that the City could redirect the property to a party interested in restoring the house. If a buyer could be found, the City Planning Department would provide technical assistance and leverage outside funding opportunities to assist in a rehabilitation of the property.

Preservation Iowa started the Most Endangered Property program in 1995 to educate Iowans about the special buildings and historic sites that are slowly and gradually slipping away. In the past 25 years, Preservation Iowa has designated over 150 homes, churches, archaeological sites, landscapes, commercial buildings and a variety of other properties. The Daum House is the first Ottumwa property to make the list. For more information about the Most Endangered Program, check out Preservation Iowa's website at www.preservationiowa.org or contact Preservation Iowa at info@preservationiowa.org.



HPC VIRTUAL GUIDED TOUR

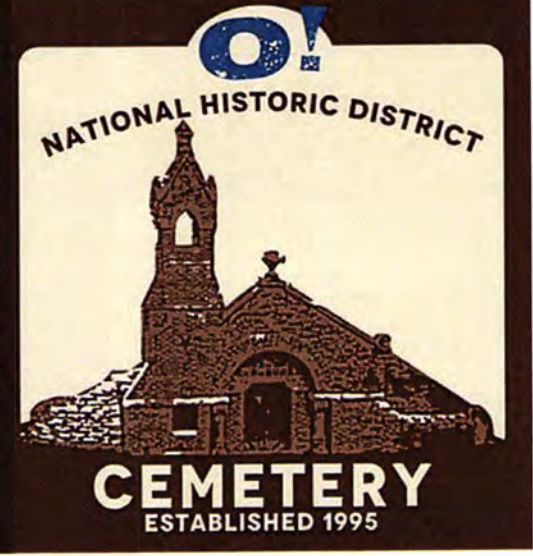
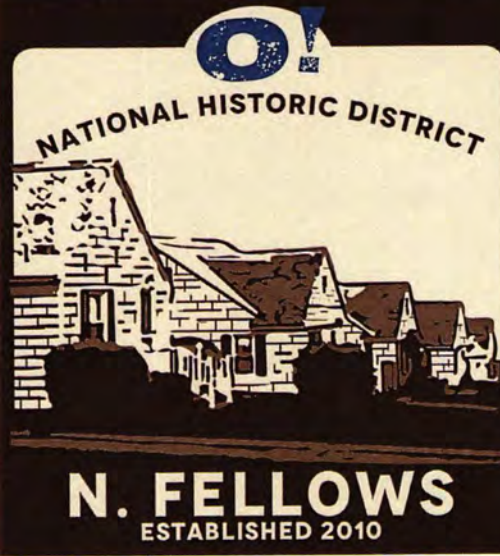
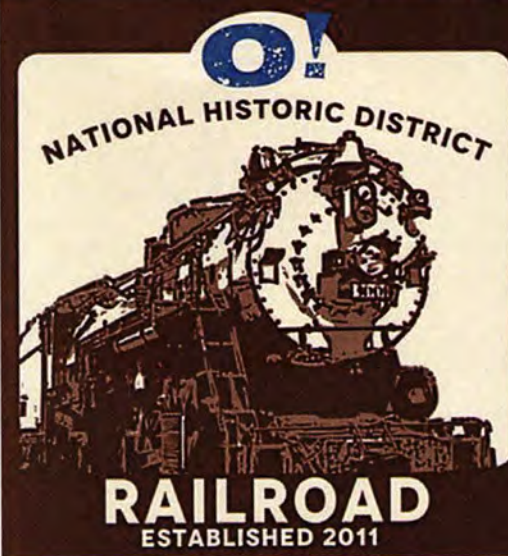
BY CARA GALLOWAY

The HPC commission has created an interactive tour to allow the community to learn more about the rich history of the Ottumwa Historic Neighborhoods and other National Registered items in Ottumwa.

The [virtual tour](#) uses Google Maps and allows citizens to enjoy a nice drive or get your steps in with a walk around town to each district.

When you go on your tour make sure you have the [Ottumwa Historic Treasures](#) also open on your phone to find more detailed information about the districts and items in the districts.

The tours and supplement document can be found clicking the links above or by visiting our website at <https://www.cityofottumwa.com/preservation/>.



COMING SOON TO HISTORIC DISTRICTS

BY DENNIS WILLHOIT

Signage designating each of Ottumwa's seven National Registry Districts will be placed along the historic district streets in the coming months. The HPC worked with graphic designer Sara Statema-Johnson to first identify architecture representative of each of the districts and then coordinate them for a common theme amongst all the districts.

"The signs will be a good way to remind residents that they live in a nationally-recognized historic district, and they will welcome our visitors, encouraging them to explore," said Dennis Willhoit, HPC chair. "We want to promote pride in our community's historic districts and tell the story of what makes Ottumwa unique."

The historic signage effort is being coordinated with other wayfinding signs in Ottumwa with the help of Bradley Grefe from the Area 15 Regional Planning Commission. Mr. Grefe and HPC members walked the neighborhoods in August and determined final placement of the signs with hopes that the signs will be installed by the city's engineering department this autumn.

HOLIDAY TRADITIONS

BY MARY STEWART

"Tradition! Tradition!" The familiar lyric from Fiddler On the Roof is fitting in the case of a beloved community tradition we hope to revive and expand. The Historic Preservation Commission hopes to revive this holiday tradition and to bring some light to our historic neighborhoods. Vogel Place historic district was first listed on the National Registry of Historic Places in 1995. With its brick-paved and shaded street, Vogel Place is a charming collection of various styles of architecture and friendly neighbors. It is also a place of tradition.

When you think of Vogel, people often think of over-the-top celebrations of Halloween with hundreds of out for a treat on beggars' night. Another Vogel tradition that was a treat for the community was the tradition of Christmas lights and luminaries. A turn onto Vogel in the week before Christmas always brought smiles to faces. The two blocks of Vogel were lined with luminaries that illuminated the neighborhood with a gentle glow. The tradition began approximately 25-30 years ago and was a group effort contributed to by many but spearheaded by some of Vogel's long term residents, Dick and Sandy Guiter, Jim and Ila Fox, Bob and Ann Wilkerson, John and Janet Richards and dozens of other families over the years. The children of Vogel Street families helped with the lighting each year and the luminaries remain fond memories for the Guiter and Fox families daughters. In addition, the neighborhood was a fantastic display of holiday light and color from all the Christmas decorations in every yard. Some homeowners in fact went "over the top" in a very positive way, as the famous star and lights at the top of Bob and Ann Wilkerson's large pine tree were testimony to.

Tradition! HPC is all about creating a brighter future while honoring the past and our traditions. Last year the lights on Vogel were lighted for one evening and the community response was very positive. HPC is interested in reviving the Vogel Place luminary project to include the full Historic district and to expand it to the other historic residential districts in the community. It is our hope to bring this tradition back in a way that will brighten all our holidays while being easy on our pocketbooks. Planning takes time so we are beginning now. This year is a perfect time to bring joy and light to the holidays as an expression of our perseverance and our hope. If you would be interested in participating in any way, please contact us at HPC by phone at 641-680-3260.

555-

ltd:



CITY OF
OTTUMWA

Citizen Input Request Form

1 Sept 2020

Council Meeting Date

Name:

Dennis Killhoit, HPC chair

Address:

334 E Fifth

Item No. to Address:

Resol 196-2020 H-5

(Agenda will be provided to complete this section)

If you are addressing the Council on an item not listed on the agenda, briefly explain the item you wish to speak on:

Resol 196-2020
HPC chair

The Mayor will invite you to address the City Council at the appropriate time. When called upon by the Mayor, step to the microphone and please state your name for the record. Comments are to be directly germane to City business, operations, or an item listed on this agenda. Remarks shall not be personalized and will be limited to three minutes or less. The City Clerk shall keep the time and notify the Mayor when the allotted time limit has been reached. Comments not directly germane to City business, operations, or an item listed on the agenda, as determined by the Mayor, will be ruled out of order. If you are addressing an item not listed on the agenda the Council will not take any action on the item due to requirements of the Open Meetings Law. Pertinent questions, comments or suggestions may be referred to the appropriate department for response, if relevant.

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City of Ottumwa
Staff Summary

Council Meeting of: September 1, 2020 Item No. 203-2020

Kala Mulder

Prepared By

Mulder

Finance Department

Department

Department Head

Mulder

Acting City Administrator

Agenda Title: Authorizing to request reimbursement from the Iowa COVID-19 Government Relief Fund.

.....
Purpose: For the City of Ottumwa to request reimbursement for eligible costs related to COVID-19 public health emergency from the Iowa COVID-19 Government Relief Fund.

Recommendation: Pass and Adopt Resolution No. 203-2020

Discussion: The City of Ottumwa is eligible for reimburse of up to \$579,143.65 for expenditures related to the response of the COVID-19 public health emergency from March 1, 2020 – December 30, 2020. Finance has received early guidance, however we asked for additional guidance on the description for eligible expenses for mitigating or responding to a COVID-19 situation.

RESOLUTION NO. 203-2020

**RESOLUTION REQUESTING REIMBURSEMENT FROM THE IOWA COVID-19 GOVERNMENT
RELIEF FUND**

A resolution by the City of Ottumwa to request reimbursement for eligible costs related to the COVID-19 public health emergency from the Iowa COVID-19 Government Relief Fund.

WHEREAS, the United States Congress approved the Coronavirus Aid, Relief, and Economic Security (CARES) Act to provide economic relief related to the COVID-19 pandemic.

WHEREAS, Governor Kim Reynolds allocated \$125 million of the Stat of Iowa's CARES Act funding to local government for direct expenses incurred in response to the COVID-19 emergency.


WHEREAS, local government-funding reimbursement may only be used for necessary expenditures incurred due to the COVID-19 pandemic, were not accounted for in the current fiscal year City budget, were incurred during the time period of March 1, 2020 thru December 30, 2020 and have not been reimbursed from other sources.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA requests reimbursement up to \$579,143.65 in eligible expenditures in response to the COVID-19 public health emergency.

BE IT FURTHER RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA affirms that the above requests for reimbursement follow all formal published Federal and State of Iowa guidance on how the fund should be spent, and understand if the reimbursement are misrepresented, the local government will be liable for any applicable penalty and interest.


HEREBY RESOLVED by the City Council on this 1st day of September 2020.

CITY OF OTTUMWA, IOWA



Tom X. Lazio, Mayor

ATTEST:



Christina Reinhard, City Clerk

The undersigned hereby requests a Closed Session of the Ottumwa City Council on September 1, 2020, pursuant to Code of Iowa §21.5(1)(i) "to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injuring to that individual's reputation and that individual requests a closed session."

With this request, I have also asked for the City Clerk to not be present during said closed session and will have the City Council appoint someone to perform this function.

Signature: Philip Rath

Name (printed): Philip Rath

Date: 9/1/2020

FILED
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