



TENTATIVE AGENDA  
OTTUMWA CITY COUNCIL

SPECIAL WORK SESSION NO. 12  
Room 8B – Depot Conference Room

March 26, 2024  
5:30 O’Clock P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Council Member Hoffman, McAntire, Caviness, Bossou, Galloway and Mayor Johnson.

APPROVAL OF AGENDA

1. Open Discussion about City of Ottumwa Boards and Commissions with changes suggested by legal to align those that can be to reflect standardized requirements and term limits.
2. Local Option Sales Tax (LOST) Ballot Language and Other Fund Revenue Options discussion.

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: 3/22/2024 TIME: 1:00 PM NO. OF PAGES 2  
(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 Special City Council Work Session #12 to be held on 3/26/2024 at 5:30 P.M. in Room 8B – Depot Conference Room.

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 FAX MULTI TX REPORT  
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JOB NO. 4545  
 DEPT. ID 4717  
 PGS. 2

TX INCOMPLETE -----  
 TRANSACTION OK 916606271885  
 916416823269  
 ERROR 916416847834  
 916416828482

KTVO  
 Ottumwa Waterworks  
 Ottumwa Courier  
 Tom FM



CITY OF  
 OTTUMWA

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TX REPORT  
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JOB NO. 4545  
DEPT. ID 4717  
ST. TIME 03/22 12:57  
SHEETS 2  
FILE NAME

TX INCOMPLETE -----  
TRANSACTION OK 916606271885  
916416823269  
ERROR 916416847834  
916416828482

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\_\_\_\_\_  
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\_\_\_\_\_

**Chris Reinhard**

---

**From:** Kristine Stone <kstone@Ahlerslaw.com>  
**Sent:** Friday, February 9, 2024 11:47 AM  
**To:** Chris Reinhard; Philip Rath  
**Subject:** RE: Board and commissions  
**Attachments:** Ordinance amending Article VI Boards, Commissions and Committees (02308214x7F7E1).docx

Phil and Chris,

Attached is an ordinance addressing all of the board and commissions included in Art. VI of the city code. I will continue to work on other ordinances addressing the other boards and commissions.

As a preliminary matter, I am increasing/reducing all boards to five members, where allowed, and am including terms of four years. I have added a provision limiting terms to two years, unless there are no qualified applicants.

The only boards in this ordinance that are required to have city residents are the civil service commission and the historic preservation commission. Currently, the human rights commission ordinance requires city residency, but that could be deleted. Do you want me to delete that requirement?

Let me know if you have questions or comments on this particular ordinance.

Kristine

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**From:** Chris Reinhard <reinhardc@ottumwa.us>  
**Sent:** Tuesday, February 6, 2024 3:50 PM  
**To:** Kristine Stone <kstone@Ahlerslaw.com>; Philip Rath <rathp@ottumwa.us>  
**Subject:** RE: Board and commissions

[External Email] Only click on trusted links.

Thanks, Kristine 😊

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**From:** Kristine Stone <kstone@Ahlerslaw.com>  
**Sent:** Tuesday, February 6, 2024 2:51 PM  
**To:** Chris Reinhard <reinhardc@ottumwa.us>; Philip Rath <rathp@ottumwa.us>  
**Subject:** RE: Board and commissions

Hi Chris,

I am hoping to have drafts ready for the next council meeting. I have blocked off Friday for ordinance drafting. Thanks for checking back.

Kristine

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**From:** Chris Reinhard <reinhardc@ottumwa.us>  
**Sent:** Tuesday, February 6, 2024 2:42 PM  
**To:** Kristine Stone <kstone@Ahlerslaw.com>; Philip Rath <rathp@ottumwa.us>  
**Subject:** RE: Board and commissions  
**Importance:** High

[External Email] Only click on trusted links.

Kristine & Phil –

Just circling back on this. Has there been any progression in the request?

Chris

**From:** Chris Reinhard  
**Sent:** Friday, January 19, 2024 11:19 AM  
**To:** Kristine Stone <kstone@Ahlerslaw.com>; Philip Rath <rathp@ottumwa.us>  
**Subject:** RE: Board and commissions  
**Importance:** High

Kristine –

Much discussion was had by our current council regarding boards and commissions; a few items that they would like to see implemented (if possible) are identified below.

- Four year term with two term limit with third year consideration if no applicants to fill seat.
- Five members unless specifically addressed by Code (Civil Service, Historic Preservation, Zoning Board of Adjustment would be exempt).
- Remove residency requirement (unless dictated by Code) – can require a specified number of City residents to be on the board; for county residents – if they are already serving on a board/commission in another municipality – exempt them from serving on ours.

Does this give you enough to start drafts of Ordinance(s) changes that may need done?

Please advise.

Thank-you!  
Chris

---

**From:** Kristine Stone <kstone@Ahlerslaw.com>  
**Sent:** Wednesday, December 27, 2023 3:01 PM  
**To:** Chris Reinhard <reinhardc@ottumwa.us>; Philip Rath <rathp@ottumwa.us>  
**Subject:** Board and commissions

Chris & Phil,  
Attached is a quick outline of the Iowa Code provisions applicable to the city's boards and commissions. I would like to review any proposed changes to the boards and commissions before formal approval by the council, just to make sure I haven't overlooked anything.

**Kristine Stone**  
SHAREHOLDER



Ahlers & Cooney, P.C.  
100 Court Avenue, Suite 600  
Des Moines, Iowa 50309-2231  
Phone: (515) 246-0314 | Fax: (515) 243-2149

Ordinance No. \_\_\_\_\_

AN ORDINANCE AMENDING VARIOUS PROVISIONS OF ARTICLE VI,  
BOARDS, COMMISSIONS AND COMMITTEES, OF THE CODE OF  
ORDINANCES OF THE CITY OF OTTUMWA, IOWA FOR THE PURPOSE  
OF REVISING THE NUMBER AND TERMS FOR CITY BOARD AND  
COMMISSION MEMBERS

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

**SECTION ONE:** The Municipal Code of the City of Ottumwa, Iowa is hereby amended by repealing and replacing sec. 2-364 as follows:

Sec. 2-364. - Membership, terms.

- (a) The city planning and zoning commission shall consist of five members appointed by the mayor with the consent of the city council, for terms of four years. Terms shall be staggered so that no more than two members' terms expire in any one year.
- (b) A commission member shall not serve more than two consecutive terms, unless there are no qualified applicants to fill the seat. In this case, a commission member may serve three consecutive terms. A vacancy in said commission shall not be filled until the number of members of said commission drops below five.

(Code 1961, §§ 2-38, 2-39; Code 1970, §§ 2-143, 2-160; Ord. No. 2671, § 19, 7-21-1987; Ord. No. 2681, § 10, 1-19-1988)

**SECTION TWO:** The Municipal Code of the City of Ottumwa, Iowa is hereby amended by repealing and replacing sec. 2-390 as follows:

Sec. 2-390. - Membership.

- (a) The parks advisory board shall consist of five members appointed by the mayor with the approval of the city council, for terms of four years. Terms shall be staggered so that no more than two members' terms expire in any one year.
- (b) A board member shall not serve more than two consecutive terms, unless there are no qualified applicants to fill the seat. In this case, a board member may serve three consecutive terms.

(Code 1970, § 2-152; Ord. No. 2264, § 2, 6-24-1975; Ord. No. 2663, § 1, 4-7-1987; Ord. No. 2671, § 20, 7-21-1987; Ord. No. 2681, § 11, 1-19-1988; Ord. No. 2694, § 1(A), 8-2-1988)

**SECTION THREE:** The Municipal Code of the City of Ottumwa, Iowa is hereby amended by repealing and replacing sec. 2-445 as follows:

Sec. 2-445. - Membership.

- (a) The civil service commission shall consist of three residents of the city, appointed by the mayor with the consent of the city council, who shall serve for four years, the term of one member expiring every two years.
- (b) A commission member shall not serve more than two consecutive terms, unless there are no qualified applicants to fill the seat. In this case, a commission member may serve three consecutive terms.

(Code 1961, § 2-41; Code 1970, § 2-168; Ord. No. 3147, § 1, 10-2-2018)

**SECTION FOUR:** The Municipal Code of the City of Ottumwa, Iowa is hereby amended by repealing and replacing sec. 2-507 as follows:

Sec. 2-507. - Membership.

- (a) The city public safety advisory committee shall consist of five members appointed by the mayor, subject to approval of the city council, for terms of four years. Terms shall be staggered so that no more than two members' terms expire in any one year. A vacancy in said committee shall not be filled until such time as the number of members of said committee drops below five.
- (b) A committee member shall not serve more than two consecutive terms, unless there are no qualified applicants to fill the seat. In this case, a committee member may serve three consecutive terms.
- (c) The committee each year shall elect one of its members as chairperson. No member shall serve more than two consecutive one-year terms as chairperson.
- (d) The committee shall schedule regular quarterly meetings and shall meet at such other times upon the call of the chairperson.
- (e) The committee shall not incur any expenses unless authorized by the city council.

(Code 1970, § 2-195; Ord. No. 2748, § 1, 10-2-1990; Ord. No. 3208, § 1, 8-16-2022)

**SECTION FIVE:** The Municipal Code of the City of Ottumwa, Iowa is hereby amended by repealing and replacing sec. 2-542 as follows:

Sec. 2-542. - Composition; membership; compensation; quorum; meetings.

- (a) The commission shall consist of five members who shall be residents of the city.
- (b) Members of the commission shall be appointed by the mayor with the advice and consent of the city council, for terms of four years. Members should demonstrate a positive interest in historic preservation, possessing interest in historic preservation, possessing interest or expertise in architecture, architectural history, historic preservation, city planning, building rehabilitation, conservation in general or real estate.
- (c) Terms shall be staggered so that no more than two members' terms expire in any one year. Vacancies occurring in the commission, other than expiration of term of office, shall be only for the unexpired portion of the term of the member replaced.



- (d) A commission member shall not serve more than two consecutive terms, unless there are no qualified applicants to fill the seat. In this case, a commission member may serve three consecutive terms.
- (e) Vacancies shall be filled by the city according to the original selection as aforesaid.
- (f) Members shall serve without compensation.
- (g) A simple majority of the commission shall constitute a quorum for the transaction of business.
- (h) The commission shall elect a chairman who shall preside over all commission meetings and elect a secretary who shall be responsible for maintaining written records of the commission's proceedings.
- (i) The commission shall meet at least three times a year.

(Code 1970, § 2-199; Ord. No. 2720, § 2, 10-17-1989)

**SECTION SIX:** The Municipal Code of the City of Ottumwa, Iowa is hereby amended by repealing and replacing sec. 2-552 as follows:

Sec. 2-552. - Commission appointed.

- (a) The city human rights commission shall consist of five voting members appointed by the mayor with approval of the city council, for terms of four years. Appointments shall represent the diversity of people in Ottumwa with respect to race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability in so far as may be practicable. Terms shall be staggered so that no more than two members' terms expire in any one year.
- (b) A voting commission member shall not serve more than two consecutive terms, unless there are no qualified applicants to fill the seat. In this case, a commission member may serve three consecutive terms.
- (c) The city human rights commission shall also include three ex-officio (non-voting) members. The ex-officio members shall include the mayor, the city administrator, and a member of the city council.
- (d) In the event that a vacancy occurs in the membership of the commission by death, resignation or otherwise prior to the normal expiration of the appointee's term, the mayor, with the approval of the city council, shall appoint a person to serve out the remainder of the unexpired term. A vacancy in said commission shall not be filled until such time as the number of members of said commission drops below five.
- (e) Any member or all members of the commission may be removed from office at any time by the mayor with the approval of the city council. The commission shall annually elect one of its members to be chairperson.
- (f) The members of the commission shall serve without salary, wages or other compensation provided that they may receive reimbursement for actual and necessary expenses incurred as allowed by the city council pursuant to such procedures and policies for the reimbursement of expenses as shall be established by the city from time to time.
- (g) The members of the commission shall be residents of the city.

(h) The members of the commission shall meet as needed to carry out the purpose of the commission. The members shall establish such procedures and policies as needed for that purpose.

(Ord. No. 3199, § 1, 6-7-2022)

**SECTION SEVEN.** Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

**SECTION EIGHT.** Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION NINE.** Effective. This Ordinance shall be in full force and effect, from and after its passage, adoption, and approval and publication as required by law.

**SECTION TEN.** When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Code of Ordinance (Municipal Code) of the City of Ottumwa, Iowa.

Passed on its first consideration on the \_\_ day of \_\_\_\_\_, 2024.

Passed on its second consideration on the \_\_ day of \_\_\_\_\_, 2024.

Passed on its third consideration on the \_\_ day of \_\_\_\_\_, 2024.

Approved this \_\_ day of \_\_\_\_\_, 2024.

CITY OF OTTUMWA, IOWA

\_\_\_\_\_  
Richard W. Johnson, Mayor

\_\_\_ No action taken by Mayor  
\_\_\_ Vetoed this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Richard W. Johnson, Mayor

\_\_\_ Repassed and adopted over the veto this \_\_\_ day of \_\_\_\_\_, 2024.  
\_\_\_ Veto affirmed this \_\_\_ day of \_\_\_\_\_, 2024 by failure of vote taken to repass.

\_\_\_ Veto affirmed no timely vote taken to repass over veto.

ATTEST:

\_\_\_\_\_  
Christina Reinhard, CMC, City Clerk

**Chris Reinhard**

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**From:** Kristine Stone <kstone@Ahlerslaw.com>  
**Sent:** Wednesday, February 14, 2024 10:02 AM  
**To:** Chris Reinhard; Philip Rath  
**Subject:** RE: Board and commissions  
**Attachments:** Ordinance amending inspection board of review (02309019x7F7E1).docx; Ordinance amending cemetery trustees (02309004x7F7E1).docx; Ordinance amending airport commission (02308195x7F7E1).docx

Phil and Chris,  
Attached are the remaining ordinances changing board and commission terms. I have not included any revisions for the library board, board of adjustment, or water works board. Those are all restricted by Iowa law. The housing authority is also a separate entity, and their structure is governed by their own bylaws.

Let me know if you have questions or comments on any of this. Thanks.

Kristine

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**Importance:** High

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Thank-you!  
Chris

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**Sent:** Wednesday, December 27, 2023 3:01 PM  
**To:** Chris Reinhard <[reinhardc@ottumwa.us](mailto:reinhardc@ottumwa.us)>; Philip Rath <[rathp@ottumwa.us](mailto:rathp@ottumwa.us)>  
**Subject:** Board and commissions

Chris & Phil,

Ordinance No. \_\_\_\_\_

AN ORDINANCE AMENDING SEC. 8-2, AIRPORT ADVISORY BOARD;  
POWERS AND DUTIES, OF THE CODE OF ORDINANCES OF THE CITY  
OF OTTUMWA, IOWA FOR THE PURPOSE OF REVISING THE TERMS  
FOR AIRPORT ADVISORY BOARD MEMBERS

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

**SECTION ONE:** The Municipal Code of the City of Ottumwa, Iowa is hereby amended by  
repealing and replacing sec. 8-2 as follows:

Sec. 8-2. - Airport advisory board; powers and duties.

- (a) Pursuant to Iowa Code § 330.23, the airport advisory board is created as an administrative agency of the city, subject to Iowa Code ch. 392.
- (b) Members of the airport advisory board shall be appointed by the mayor, subject to the approval of the council, for terms of four years. A board member shall not serve more than two consecutive terms, unless there are no qualified applicants to fill the seat. In this case, a board member may serve three consecutive terms.
- (c) The airport advisory board shall consist of five members.
- (d) The members of the airport advisory board shall receive such compensation as provided by resolution of the city council and shall be paid for their reasonable expenses in serving in said capacity.
- (e) The airport advisory board shall meet monthly at such a regularly scheduled meeting and shall make such recommendations as they deem advisable to the city council and the city administrator or his designee concerning the management and operation of the Ottumwa Regional Airport. The airport advisory board shall adopt a schedule of rental rates for rental of property at the Ottumwa Regional Airport, and said schedule shall also be subject to the approval of the city council. The Ottumwa Airport Manager shall be authorized to enter into agreements concerning rental of property at the Ottumwa Regional Airport if said rental fee is within the schedule adopted by the airport advisory board and the city council.
- (f) There shall be created a position to be known as "airport manager," whose duties are to manage the day to day affairs of the Ottumwa Regional Airport. Said manager shall report to the city administrator. Said manager may recommend policies for the operation and control of the Ottumwa Regional Airport to the airport advisory board. Said policies shall be subject to the approval of the city council.
- (g) The mayor may designate one member of the city council as a liaison to the airport advisory board.

(Code 1970, § 8-2; Ord. No. 2447, § 1, 3-26-1980; Ord. No. 2543, §§ 1, 2, 1-25-1983; Ord. No. 2722, § 1, 8-15-1989)

**SECTION TWO.** Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

**SECTION THREE.** Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION FOUR.** Effective. This Ordinance shall be in full force and effect, from and after its passage, adoption, and approval and publication as required by law.

**SECTION FIVE.** When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Code of Ordinance (Municipal Code) of the City of Ottumwa, Iowa.

Passed on its first consideration on the \_\_ day of \_\_\_\_\_, 2024.

Passed on its second consideration on the \_\_ day of \_\_\_\_\_, 2024.

Passed on its third consideration on the \_\_ day of \_\_\_\_\_, 2024.

Approved this \_\_ day of \_\_\_\_\_, 2024.

CITY OF OTTUMWA, IOWA

\_\_\_\_\_  
Richard W. Johnson, Mayor

\_\_\_ No action taken by Mayor  
\_\_\_ Vetoed this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Richard W. Johnson, Mayor

\_\_\_ Repassed and adopted over the veto this \_\_\_ day of \_\_\_\_\_, 2024.  
\_\_\_ Veto affirmed this \_\_\_ day of \_\_\_\_\_, 2024 by failure of vote taken to repass.  
\_\_\_ Veto affirmed no timely vote taken to repass over veto.

ATTEST:

---

Christina Reinhard, CMC, City Clerk



Ordinance No. \_\_\_\_\_

AN ORDINANCE AMENDING SEC. 11-2, BOARD MEMBERSHIP, TERM,  
OF THE CODE OF ORDINANCES OF THE CITY OF OTTUMWA, IOWA  
FOR THE PURPOSE OF REVISING THE TERMS FOR THE BOARD OF  
CEMETERY TRUSTEES

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

**SECTION ONE:** The Municipal Code of the City of Ottumwa, Iowa is hereby amended by  
repealing and replacing sec. 11-2 as follows:

Sec. 11-2. – Board membership, term.

- (a) The board of cemetery trustees shall consist of five members appointed by the mayor  
with the approval of the city council, for terms of four years. Terms shall be staggered so  
that no more than two members' terms expire in any one year.
- (b) A trustee shall not serve more than two consecutive terms, unless there are no qualified  
applicants to fill the seat. In this case, a trustee may serve three consecutive terms. A  
vacancy in said board shall not be filled until the number of trustees drops below five.

(Code 1961, § 2-50; Code 1970, § 11-2; Ord. No. 2671, § 10, 7-21-1987; Ord. No. 2681, § 4, 1-  
19-1988)

**SECTION TWO.** Severability. If any section, subsection, sentence, clause, phrase or portion  
of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such  
portion shall be deemed a separate, distinct and independent provision, and such holding shall  
not affect the validity of the remaining portion hereof.

**SECTION THREE.** Repealer. All ordinances or parts of ordinances in conflict with the  
provisions of this Ordinance are hereby repealed.

**SECTION FOUR.** Effective. This Ordinance shall be in full force and effect, from and after its  
passage, adoption, and approval and publication as required by law.

**SECTION FIVE.** When this ordinance is in effect, it shall automatically supplement, amend,  
and become a part of the said Code of Ordinance (Municipal Code) of the City of Ottumwa,  
Iowa.

Passed on its first consideration on the \_\_\_ day of \_\_\_\_\_, 2024.

Passed on its second consideration on the \_\_\_ day of \_\_\_\_\_, 2024.

Passed on its third consideration on the \_\_ day of \_\_\_\_\_, 2024.

Approved this \_\_ day of \_\_\_\_\_, 2024.

CITY OF OTTUMWA, IOWA

\_\_\_\_\_  
Richard W. Johnson, Mayor

\_\_\_ No action taken by Mayor

\_\_\_ Vetoed this \_\_\_ day of \_\_\_\_\_, 2024.

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\_\_\_ Veto affirmed no timely vote taken to repass over veto.

ATTEST:

\_\_\_\_\_  
Christina Reinhard, CMC, City Clerk

Ordinance No. \_\_\_\_\_

AN ORDINANCE AMENDING SEC. 20-4(g), INSPECTION BOARD OF REVIEW, OF THE CODE OF ORDINANCES OF THE CITY OF OTTUMWA, IOWA FOR THE PURPOSE OF REVISING THE TERMS FOR THE INSPECTION BOARD OF REVIEW

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

**SECTION ONE:** The Municipal Code of the City of Ottumwa, Iowa is hereby amended by repealing and replacing sec. 20-4(g) as follows:

Sec. 20-4

...

(g) *Inspection board of review.* In order to provide for interpretation of the provisions of the housing code and to hear appeals provided for here under, there is hereby established an inspection board of review consisting of five members none of whom are employees of the city. The mayor shall designate a secretary to the board. The board shall be appointed by the mayor and approved by the city council. Upon the effective date of this subsection, each member will serve a four-year term. Terms shall be staggered so that no more than two members' terms expire in any one year. A board member shall not serve more than two consecutive terms, unless there are no qualified applicants to fill the seat. In this case, a board member may serve three consecutive terms. Appeals to the board shall be processed pursuant to this Code. The board shall also sit as the review board regarding chapters 10, Building; 13, Electricity; 14, Fire; 19, Heating; and 27, Plumbing, and shall have the jurisdiction of subsection (h) of this section and the powers of and follow the procedures of subsection (i) of this section in processing and adjudication matters before it arising out of said chapter.

**SECTION TWO.** Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

**SECTION THREE.** Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION FOUR.** Effective. This Ordinance shall be in full force and effect, from and after its passage, adoption, and approval and publication as required by law.

**SECTION FIVE.** When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Code of Ordinance (Municipal Code) of the City of Ottumwa, Iowa.

Passed on its first consideration on the \_\_ day of \_\_\_\_\_, 2024.

Passed on its second consideration on the \_\_ day of \_\_\_\_\_, 2024.

Passed on its third consideration on the \_\_ day of \_\_\_\_\_, 2024.

Approved this \_\_ day of \_\_\_\_\_, 2024.

CITY OF OTTUMWA, IOWA

\_\_\_\_\_  
Richard W. Johnson, Mayor

\_\_\_ No action taken by Mayor

\_\_\_ Vetoed this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Richard W. Johnson, Mayor

\_\_\_ Repassed and adopted over the veto this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_ Veto affirmed this \_\_\_ day of \_\_\_\_\_, 2024 by failure of vote taken to repass.

\_\_\_ Veto affirmed no timely vote taken to repass over veto.

ATTEST:

\_\_\_\_\_  
Christina Reinhard, CMC, City Clerk

<b>City of Ottumwa Boards and Commissions</b>					
* Denotes Chair					
<b>Airport Advisory Board</b>					
Fourth Tuesday of each Month; 1:30 PM at Airport Terminal Bldg					
Members: 5 (Term: 3 Years)					
	Exp	Terms			
Quinn, Dan	10/1/2024	2	2018-2024	<a href="mailto:ottumwamachine@gmail.com">ottumwamachine@gmail.com</a>	
Hammack, Brian	10/1/2025	2	2021-2025	<a href="mailto:Brian.Hammack@indianhills.edu">Brian.Hammack@indianhills.edu</a>	
Roberts, Dan	10/1/2025	1	2022-2025	<a href="mailto:danr@norrisasphalt.com">danr@norrisasphalt.com</a>	
Palen, Newell	10/1/2026	1	2023-2026	<a href="mailto:Npalen@aol.com">Npalen@aol.com</a>	
Hull, Tom	10/1/2024	2	2018-2024	<a href="mailto:tom@rosenmansinc.com">tom@rosenmansinc.com</a>	
Council Representation:	McAntire				
<b>Board of Library Trustees</b>					
Second Monday each Month; 5:00 PM at 102 W. Fourth					
Members: 5 (Term: 6 Years)					
	Exp	Terms			
*Kramer, Joyce	7/1/2029	3	2011-2029	<a href="mailto:joyce.kramer01@gmail.com">joyce.kramer01@gmail.com</a>	
Lemberger, LeAnn	7/1/2024	1	2021-2024	<a href="mailto:leighmichaels@hotmail.com">leighmichaels@hotmail.com</a>	
Hernandez, Himar	7/1/2025	1	2023-2025	<a href="mailto:himarh@iastate.edu">himarh@iastate.edu</a>	
Rohach, Jo	7/1/2027	2	2015-2027	<a href="mailto:jorohach@gmail.com">jorohach@gmail.com</a>	
Mitchell, Ryan	7/1/2027	1	2023-2027	<a href="mailto:ryan@southiowalaw.com">ryan@southiowalaw.com</a>	
Council Representation:	Hoffman				
<b>Cemetery Trustees</b>					
First Wednesday each Month; 9:00 AM at City Hall					
Members: 7 (Term: 7 Years)					
	Exp	Terms			
Frimml, Terri	7/1/2025	2	2011-2025	<a href="mailto:tfrimml.73@gmail.com">tfrimml.73@gmail.com</a>	
Hemmings, Roger	7/1/2026	1	2019-2026	<a href="mailto:rogerhem53@gmail.com">rogerhem53@gmail.com</a>	
Hansen, William	7/1/2027	2	2019-2027	<a href="mailto:wvhansen@iowatelecom.net">wvhansen@iowatelecom.net</a>	
Carlson, James	7/1/2028	1	2023-2028	<a href="mailto:jmerc195364@yahoo.com">jmerc195364@yahoo.com</a>	
Snell, Robert	7/1/2029	2	2015-2029	<a href="mailto:karbobiowa@msn.com">karbobiowa@msn.com</a>	
*Hunolt, John	7/1/2030	3	2011-2030	<a href="mailto:j.hunolt@mchsi.com">j.hunolt@mchsi.com</a>	
Millard, Connie	7/1/2024	1	2020-2024	<a href="mailto:conniejerrymillard@gmail.com">conniejerrymillard@gmail.com</a>	
Council Representation:	McAntire				
<b>Civil Service Commission</b>					
As called by Chair; 4th Wednesday each Month; 3:00 PM at City hall					
Members: 3(Term: 4 Years)					
	Exp	Terms			Residents of City
Youngman, Ann	4/5/2024	2	2016-2024	<a href="mailto:annyoungman@mediacombb.net">annyoungman@mediacombb.net</a>	
Gardner, Amy	4/5/2025	1	2021-2025	<a href="mailto:al.gardner511@gmail.com">al.gardner511@gmail.com</a>	
*Wilson, Xavier (Ed)	4/1/2026	3	2014-2026	<a href="mailto:ed@bufferoverrun.com">ed@bufferoverrun.com</a>	
Council Representation:	Hoffman				

<b>Historic Preservation Commission</b>				
Fourth Wednesday each Month; 7:00 PM at City Hall				
Members: 5(Term: 3 Years)		Residents of City		
	Exp	Terms		
Olson, Wes	1/1/2026	2	2022-2026	<a href="mailto:weston.olson57@gmail.com">weston.olson57@gmail.com</a>
Swanson, Robert	1/1/2025	2	2021-2025	<a href="mailto:bodhranplayer55@gmail.com">bodhranplayer55@gmail.com</a>
*Naumann, Molly Myers	1/1/2025	1	2022-2025	<a href="mailto:mollynaumann@outlook.com">mollynaumann@outlook.com</a>
Case, Brenda	1/1/2025	3	2024-2025; 2015-2019	<a href="mailto:case.brenda7@gmail.com">case.brenda7@gmail.com</a>
VACANT				
Council Representation:	Bossou			
<b>Human Rights Commission</b>				
Second Monday each Month; 5:30 PM at City Hall				
Members: 9(Term: 3 Years)		Residents of City		
	Exp	Terms		
Hernandez, Amy Norris	7/1/2026	2	2022-2026	<a href="mailto:amynorrishernandez@gmail.com">amynorrishernandez@gmail.com</a>
Davis, Gaylon	7/1/2026	2	2022-2026	<a href="mailto:gaylondavis.001@gmail.com">gaylondavis.001@gmail.com</a>
Wilson, Nathan	7/1/2026	2	2022-2026	<a href="mailto:nathanwilson@hotmail.com">nathanwilson@hotmail.com</a>
Pope, Jacquelyn	7/1/2024	1	2022-2024	<a href="mailto:jacquelynpope7@gmail.com">jacquelynpope7@gmail.com</a>
Reiter, Dr. Peter	7/1/2024	1	2022-2024	<a href="mailto:reiterpeter634@gmail.com">reiterpeter634@gmail.com</a>
*Fenner, John	7/1/2025	1	2022-2025	<a href="mailto:fenner09158@gmail.com">fenner09158@gmail.com</a>
Johnson, Connie	7/1/2025	1	2022-2025	<a href="mailto:connie.johnson5052@gmail.com">connie.johnson5052@gmail.com</a>
Wirfs, Sandra	7/1/2025	1	2022-2025	<a href="mailto:sandra.wirfs@iwd.iowa.gov">sandra.wirfs@iwd.iowa.gov</a>
VACANT				
Council Representation:	Bossou			
<b>Inspection Board of Review</b>				
Meetings as called by Chair				
Members: 5 (Term: 5 Years)				
	Exp	Terms		
*Reiter, Mary Ann	1/18/2026	3	2011-2026	<a href="mailto:pjmareiter@aol.com">pjmareiter@aol.com</a>
Person, Dale	1/18/2027	3	2011-2027	<a href="mailto:hphac@lisco.com">hphac@lisco.com</a>
Merringer, Mark	1/18/2028	3	2013-2028	<a href="mailto:merringerelectric@live.com">merringerelectric@live.com</a>
McDowell, Bob	1/18/2024	3	2012-2024	641.777.4064 email not listed
Maher, Tom	1/18/2025	1	2020-2025	<a href="mailto:maherplumbingandheating@yahoo.com">maherplumbingandheating@yahoo.com</a>
Council Representation:	Hoffman			
<b>Ottumwa Housing Authority</b>				
Meetings Last Monday of Each Month; 1:00 PM at OHA Office				
Members: 5(Term: 2 Years)				
	Exp	Terms		
Youngman, Ann	11/11/2024	2	2021-2024	<a href="mailto:annyoungman@mediacombb.net">annyoungman@mediacombb.net</a>
Hopkins, Cindy Kurtz	11/11/2024	1	2023-2024	<a href="mailto:Chopkins@firstresources.us">Chopkins@firstresources.us</a>
Sammons, Mike	11/22/2024	2	2020-2024	no email
*Walker, Leisa	11/22/2025	3	2020-2025	<a href="mailto:klsa2alker@aol.com">klsa2alker@aol.com</a>
Stewart, Tom	11/22/2025	1	2023-2025	<a href="mailto:stewart4@mchsi.com">stewart4@mchsi.com</a>
Council Representation:				

<b>Ottumwa Public Safety Advisory Committee</b>					
Meetings Quarterly; at City Hall					
Members: 6(Term: 3 Years)					
	Exp	Terms			
Gingrich-Slonaker, Shirley	10/1/2025	5	2011-2025	<a href="mailto:doggwood45@msn.com">doggwood45@msn.com</a>	
Miller, Allison	10/1/2024	1	2022-2024	<a href="mailto:MillerAllisonM@JohnDeere.com">MillerAllisonM@JohnDeere.com</a>	
Tiegs, Sandi	10/1/2026	5	2011-2026	no email	
Curran, Brenda	10/1/2024	1	2023-2024	<a href="mailto:brendacurran388@gmail.com">brendacurran388@gmail.com</a>	
VACANT					
VACANT					
Council Representation:	Galloway				
<b>Parks Advisory Board</b>					
Meetings Second Tuesday Each Month; 4:30 PM City Hall					
Members: 5(Term: 5 Years)					
	Exp	Terms			
*Konrad, Wesley	9/29/2027	3	2017-2027	<a href="mailto:wkonrad412@gmail.com">wkonrad412@gmail.com</a>	
Reynolds, Jennifer	9/29/2027	1	2022-2027	<a href="mailto:j-reynolds85@hotmail.com">j-reynolds85@hotmail.com</a>	
Hellige, Kim	4/19/2028	3	2013-2028	Kim Hellige < <a href="mailto:mkonbrook@gmail.com">mkonbrook@gmail.com</a> >	
Allen, Landon	8/16/2028	2	2022-2028	<a href="mailto:landon.allen@ottumwaschools.com">landon.allen@ottumwaschools.com</a>	
Cecil, David	11/1/2028	3	2016-2028	<a href="mailto:dcecil@hotmail.com">dcecil@hotmail.com</a>	
Council Representation:	Caviness				
<b>Planning &amp; Zoning Commission</b>					
Meetings First Monday Each Month; 7:00 PM City Hall					
Members: 9(Term: 5 Years)					
	Exp	Terms			
McFarland, Rick	4/1/2026	2	2020-2026	<a href="mailto:rmcfar@hotmail.com">rmcfar@hotmail.com</a>	
Manson, Chuck	4/1/2027	3	2012-2027	<a href="mailto:rockmanson73@gmail.com">rockmanson73@gmail.com</a>	
Hutton, Debra	4/1/2027	3	2015-2027	<a href="mailto:debrahutton@hotmail.com">debrahutton@hotmail.com</a>	
Bossou, David	4/1/2026	1	2021-2026	<a href="mailto:kdbossou99@gmail.com">kdbossou99@gmail.com</a>	
*Noreuil, Ashley	4/1/2024	1	2021-2024	<a href="mailto:noreuil8@hotmail.com">noreuil8@hotmail.com</a>	
Lazio, Peg	4/1/2024	1	2019-2024	<a href="mailto:peg@lazio.org">peg@lazio.org</a>	
McDonough, Michael	4/1/2024	1	2021-2024	<a href="mailto:843j95@gmail.com">843j95@gmail.com</a>	
VACANT					
VACANT					
Council Representation:	Caviness				
<b>Waterworks Board of Trustees</b>					
Meetings Third Tuesday Each Month; 4:00 PM					
Members: 5 (Term: 6 Years)					
	Exp	Terms			Residents of City
Kelley, Buddy	7/22/2028	1	2023-2028	<a href="mailto:bkelly32084@gmail.com">bkelly32084@gmail.com</a>	
*Wilson, Xavier (Ed)	7/22/2024	2	2014-2024	<a href="mailto:ed@bufferoverrun.com">ed@bufferoverrun.com</a>	
Fisher, Madonna	7/22/2025	2	2018-2025	<a href="mailto:madonnafisher33@gmail.com">madonnafisher33@gmail.com</a>	
Manson, Chuck	7/22/2026	2	2016-2026	<a href="mailto:rockmanson73@gmail.com">rockmanson73@gmail.com</a>	
Stewart, Mary	7/22/2027	1	2024-2027	<a href="mailto:mary.stewart.court@gmail.com">mary.stewart.court@gmail.com</a>	
Council Representation:	Hoffman				

<b>Zoning Board of Adjustment</b>							
Meetings Second Wednesday Each Month; 11:00 AM City Hall							
Members: 5(Term: 5 Years)							
	Exp	Terms					
*Mitchell, Ryan	12/12/2025	1	2020-2025	<a href="mailto:ryan@southiowalaw.com">ryan@southiowalaw.com</a>			
Perry, Stephanie	12/12/2026	1	2022-2026	<a href="mailto:sperry@schwartzins.com">sperry@schwartzins.com</a>			
Ohlinger, John	12/12/2024	2	2018-2024	<a href="mailto:ohlingerj@hotmail.com">ohlingerj@hotmail.com</a>			
VACANT							
VACANT							
Council Representation:	Galloway						



**Chris Reinhard**

---

**From:** Philip Rath  
**Sent:** Tuesday, March 19, 2024 8:30 AM  
**To:** Chris Reinhard  
**Subject:** FW: Number of members on Ottumwa Human Rights Commission.

For the March 26 work session...

Phil

(P): [641-683-0607](tel:641-683-0607)  
(M): [641-931-0952](tel:641-931-0952)  
[rathp@ottumwa.us](mailto:rathp@ottumwa.us)

###

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**From:** Connie Johnson <[connie.johnson5052@gmail.com](mailto:connie.johnson5052@gmail.com)>  
**Sent:** Sunday, March 17, 2024 11:46 PM  
**To:** Philip Rath <[rathp@ottumwa.us](mailto:rathp@ottumwa.us)>; Rick Johnson <[johnsonr@ottumwa.us](mailto:johnsonr@ottumwa.us)>; Cyan Bossou <[bossouc@ottumwa.us](mailto:bossouc@ottumwa.us)>; Keith Caviness <[cavinessk@ottumwa.us](mailto:cavinessk@ottumwa.us)>; Cara Galloway <[gallowayc@ottumwa.us](mailto:gallowayc@ottumwa.us)>; Hoffmannb@ottumwa.us; coachyouthfb@ottumwa.us  
**Subject:** Number of members on Ottumwa Human Rights Commission.

**Dear Ottumwa City Council Members, City Administrator Phil Rath, and Mayor Johnson:**

I am a commissioner on the Ottumwa Human Rights Commission. At the Monday, March 11th, Human Rights Commission meeting, Phil Rath informed us commissioners that the city council is considering reducing the number of commissioners in each city commission. The Ottumwa Human Rights Commission has nine commissioners. We nine members have diverse experience, careers, education, interests and involvement in organizations within the community. Our purpose is to help citizens of our community find resources for those who have concerns regarding their human rights, provide information in written form and on-line sources, and to advocate for those needing assistance. We meet as a commission once a month and also on our own time, serve on three different committees for the commission. Each committee has three members. My own experience is being retired middle teacher of 37 years, serving on the boards of the Ottumwa Pride as an ally, Iowa ACLU as a volunteer organizer for Wapello Co., Wapello County Democrats, Iowa Indivisible, and have been a member of the League of Women voters, Alpha Delta Kappa, and American Association of University Women (AAUW). Each commissioner represents an interest and desire to humanely assist community members with their concerns. I believe that our commission should continue to have nine members. Please consider this when deciding how many members should remain on the Ottumwa Human Rights Commission.

Sincerely,  
Connie Johnson  
Ottumwa Human Rights  
[connie.johnson5052@gmail.com](mailto:connie.johnson5052@gmail.com)  
19 Schwartz Dr.  
Ottumwa, IA 52501  
641-777-3754

received  
3-21-24 1pm

revision

# CITY OF OTTUMWA

## Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: Mar 26, 2024

O'Donnell

Prepared By

Finance

Department

Department Head



City Administrator Approval

AGENDA TITLE: Local Option Sales Tax Ballot Language and Other Fund Revenue Options

\*\*\*\*\*

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

RECOMMENDATION:

DISCUSSION: See attached.

Source of Funds:

Budgeted Item:

Budget Amendment Needed:

The Local Option Sales Tax (LOST) is set to expire on December 31, 2025. To extend the LOST a referendum will need to be held. Staff would like to provide ample time to insure passage of the measure and is recommending a special election in September 2024. Ballot language must be submitted to the County Auditor no less than ninety (90) days prior to the election date. Council will need to pass a resolution setting the ballot language in April to adequately meet the deadline.

The ballot language does not affect the amount of the sales tax as it is capped at the current 1%. The LOST is currently split 90/10 between street and sewer repairs and property tax relief.

#### LAST BALLOT LANGUAGE:

"Summary: To authorize imposition of a local sales and services tax in the City of Ottumwa, Iowa, at the rate of one per cent (1%) to be effective on January 1, 2016 until December 31, 2025.

A local sales and services tax shall be imposed in the City of Ottumwa, Iowa at the rate of one per cent (1%) to be effective on January 1, 2016, until December 31, 2025.

Revenues from the sales and services tax shall be allocated as follows:

#### PROPOSED USES OF THE TAX:

10% for property tax relief.

90% for street improvements and/or sewer improvements."

The effects of HF 718 has left the General Fund in a position where we are spending more to provide services than our projected revenues. This gap will increase as the CGFL hits its target. Interim Finance Director Kinser estimated that the annual loss, in today's dollars, is \$250,000. A change of the allocation to the General Fund can help to cover this loss. Staff estimates that on the current projected LOST revenue of \$4.5 million that allocating an additional 5% to the General Fund generates \$225,000 additional funds and 10% generates \$450,000 in funds.

We are asking the Council to also consider if the LOST should continue to have a sunset clause or be instituted permanently. Should the Council desire the latter, the allocation split would not be permanent, in that the City could call for another special election just to adjust the allocation.

Language for the uses could be expanded from, "for street improvements and/or sewer improvements," to a more defined use. For example:

xx% for the maintenance, repair, and improvement of streets, roads, bridges, wastewater collections, storm water collections, and wastewater treatment.

Staff would also like the Council to consider additional revenue streams for the General Fund and/or street/sewer improvements.

## Franchise Fee Increase:

The current gas and electric franchise fees are both set at 3%. Based on our current FY 25 projections, a 0.5% increase would generate an additional \$233,334 in revenue and a full 1% would be \$466,667. Use of franchise fees is limited by the Revenue Purpose Statement adopted by the City Council and is currently as follows:

- a. Inspecting, supervising, and otherwise regulating each franchise approved by the City.
- b. The repair, remediation, restoration, cleanup, replacement, and improvement of existing public improvements and other publicly owned property, buildings, and facilities.
- c. Projects designed to prevent or mitigate future disasters as defined in Iowa Code Section 29c.2.
- d. Energy conservation measures for low-income homeowners, low-income energy assistance programs, and weatherization programs.
- e. Public safety including the equipping of fire, police, emergency services, sanitation, street, and civil defense departments.
- f. The establishment, construction, reconstruction, repair, equipping, remodeling, and extension of public works, public utilities, and public transportation systems.
- g. The construction, reconstruction, or repair of streets, highways, bridges, sidewalks, pedestrian underpasses and overpasses, street lighting fixtures, public grounds, and the acquisition of real estate needed for such purposes.
- h. Property tax abatements, building permit fee abatements and abatement of other fees for property damaged by a disaster, as defined in Iowa Code Section No. 29C.2
- i. Economic development activities and projects.

An increase in the franchise fee would increase the amount a customer will pay for gas and electric. The franchise fee could be frozen for a certain number of years to insure no further increases in the immediate future. Additionally, the fees can also be adjusted down should the funds exceed what is necessary.

## BUDGET IMPACT:

As previously stated, the effect of HF 718 is currently \$250,000 in today's dollars. By FY 28, the Consolidated General Fund Levy (CGFL) must be reduced from its current rate of \$8.51942/1000 to \$8.10/1000. Over the last five years Ottumwa's Taxable valuations have seen steady growth of 2.5%, however, tax year 2021 and 2023 showed increases of over 8% with tax year 2022 having a reduction of 5.61%. Assuming a valuation growth of 1.75% and the GCFL remaining at \$8.51942, General Fund Property Tax Revenues for FY 27 are estimated to be \$6,132,156. With the CGFL reduced to \$8.10 the estimated property tax is estimated to be \$5,932,293. With all else remaining constant, revenue would not return to FY 27 levels until FY 30.

No estimates on expenditure growth were done at this time. However, if a growth rate of 2.9% is assumed, based on current CPI, expenditures growth will out pace revenue growth. An increase in the LOST percentage to the General Fund and an increase in the Utility Franchise Fee is an option that should be considered.