

Item No. B.-1.

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 9
Council Chambers, City Hall

March 16, 2021
5:30 O'Clock P.M.

The meeting convened at 5:30 P.M.

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

Meyers moved, seconded by Roe to approve the following consent agenda items: Mins. from Special Mtg. No. 7 on Feb. 26, 2021 and Reg. Mtg. No. 8 on March 2, 2021 as presented; Ack. Feb. financial rpt. and pymt. of bills as submitted by the Finance Dept.; Recommend appointment of Amy Gardner to the Civil Service Commission, term to exp. 4/5/25 due to a vacancy; Approve appointment of Duke Ball to full-time position Dir. of Airport Operations for Ottumwa Reg. Airport, effective on or before March 18, 2021; Appointment of David Cronin and Chris Kenly to probationary firefighter; Award Janitorial Contract for the Law Enforcement Center to Dixie's Cleaning Service for 15 months with option to extend an add'l 12 months; Approve purchase of auto starting system for the Caterpillar engine at Orchard Pump Station from Motion Industries for \$14,629.39; Approve purchase of Traffic Signal Microwave Detection System from MoboTrex for \$22,215; Approve purchase of equip. needed for sludge pressing at WPCF, totaling \$14,500; Approve emergency replacement of one Fairbanks pump from Zimmer & Francescon, Inc. of Moline, IL, for \$8,574 for the OADC lift station; Approve purchase of 5 gates from Hydro Gate for the Vertical Loop Reactor at the WPCF totaling \$29,468; Res. No. 54-2021, approving two yr lease Agt. between City and Ottumwa Saddle Club; Res. No. 56-2021, approving contract, bonds, and cert. of insurance for the Apron Improvements Project at Ottumwa Reg. Airport; Res. No. 57-2021, approving contract, bonds, and cert. of insurance for the Woodland Ave Reconstruction Project; Res. No. 61-2021, setting April 6, 2021 as the date of a public hearing on the option to consider a three yr. extension of Lease Agt. between the City and IA Dept. of Admin. Services; Res. No. 62-2021, adopt Engagement Agt. with Ahler's & Cooney, P.C. to incorporate legal matters related to Ottumwa Reg. Airport; Res. No. 65-2021, auth. pymt for renewal of City liability and property insurance for March 15, 2021-2022 term in the amt. of \$514,291; Beer and/or liquor applications: none. Motion carried 4-0 vote. Council Member Berg was absent.

Roe moved, seconded by Dalbey to approve the agenda as presented. Motion carried 4-0 vote. Council Member Berg was absent.

Diane Haas presented ck from BVC, Inc. for \$150,000. The 2020 BVC Annual Rpt. will be presented at a later date.

City Admin. Rath reported on Municipal Budget and Fund Accounting. Municipal operations are segregated into a variety of acts. or funds; with each fund considered a separate, self-balancing entity; dollars do not freely flow from one fund to another and the "Fund Balance" does not represent the cash position of the fund

He also reported on the vacant Dir. of Planning and Zoning Position. Looking at changing the title to reflect Dir. of Community Development with a focus on housing, arts and culture, diversity, equity inclusion.

City Admin. Rath stated consideration of pending IA State Legislation impacting Ottumwa; HF555 – natural gas/propane reg., could have negative consequences on future gas franchise agts; HSB194 – taxing

and refinance; limit all future TIF districts; HF797 – MFPRSI – 411 benefits presumption for COVID incidents could have potential long term cost to the City.

Blackbird Project Update - Provision in contractual agt. that the City can suspend their tax rebate due to zero progress on the project. Original deadline for development was 12/31/2023; with an executed amendment that extends this to 2024.

Mayor Lazio inquired if there was anyone from the audience who wished to address an item on the agenda. There were none.

Roe moved, seconded by Meyers to accept the bid for a John Deere 1575 Front Mount Mower with Comfort Cab from Sinclair John Deere for the Parks Dept. in the amount of \$38,049.49. Park & Rec Dir. Rathje reported this mower will replace mower #48. Motion carried 4-0 vote. Council Member Berg was absent.

Meyers moved, seconded by Roe to accept the bid for a John Deere 1600 Turbo Series 3 Wide Area Mower from Sinclair John Deere for the Parks Dept. in the amount of \$59,975.81. Park & Rec Dir. Rathje reported this mower will replace mower #151. Motion carried 4-0 vote. Council Member Berg was absent.

Meyers moved, seconded by Roe to approve the lease agt. for approx. 730 sq. ft. of office space at City Hall, Room 201A and 201B, 105 E. Third St., Ottumwa, IA 52501, with US Rep. Mariannette Miller-Meeks. City Admin. Rath reported this lease will run through Jan. 2, 2023. Motion carried 4-0 vote. Council Member Berg was absent.

PW. Dir. Seals reported on IDOT cost share for work on Hwy 149 300' North of Woodland Ave. IDOT est. cost for project \$89,000; with letting and construction to start in 2022.

This was the time, place and date set for a public hearing on the disposal of city owned property described as the South 75 ft. of Lots 10, 11, and 12 in Blk 2 in Manning's Second Add. to the City of Ottumwa, Wapello County, IA commonly known as 210 S. Van Buren. Interim Dir. /Planner Simonson reported Ms. Paulos offered the City \$500 for a vacant lot that she intends to construct a new dwelling. She will sign a development agt. stipulating that a new dwelling will be constructed within 3 yrs. or the City may request the return of the property. No objections were recd. Meyers moved, seconded by Roe to close the public hearing. Motion carried 4-0 vote. Council Member Berg was absent.

Dalbey moved, seconded by Stevens that Res. No. 48-2021, accepting the offer and approving the sale of City owned property described as the South 75 ft. of Lots 10, 11, and 12 in Blk 2 in Manning's Second Add. to the City of Ottumwa, Wapello County, IA commonly known as 210 S. Van Buren, to Paula Paulos for \$500, be passed and adopted. Motion carried 4-0 vote. Council Member Berg was absent.

This was the time, place and date set for a public hearing on the disposal of city owned property described as the Southwest 66 ft. off the Southeast 54.25 ft. of the Northeast 132 ft. of Lot 10 in Hinsey and Hedrick's Add. to the City of Ottumwa, Wapello County, IA commonly known as 111 N. Clay. Interim Dir. /Planner Simonson reported one bid was recd from Scott Ridgway for \$5,000 on March 9, 2021. No objections were recd. Roe moved, seconded by Meyers to close the public hearing. Motion carried 4-0 vote. Council Member Berg was absent.

Roe moved, seconded by Meyers that Res. No. 50-2021, accepting the offer and approving the sale of City owned property commonly known as 111 N. Clay, to Scott Ridgway for \$5,000, be passed and adopted. Motion carried 4-0 vote. Council Member Berg was absent.

This was the time, place and date set for a public hearing on the proposed adoption of the 2022 City Budget. Finance Dir. Mulder reported the City will decrease the total tax levy rate to \$22.22 which is a reduction of almost 24 cents. By FY25, we should be able to bond and pay in full our debt service levy annually; if you recall, we just completed some bond issuances that provided some relief to our general fund that will also fund CIP and street projects. No objections were recd. Dalbey moved, seconded by Roe to close the public hearing. Motion carried 4-0 vote. Council Member Berg was absent.

Roe moved, seconded by Dalbey that Res. No. 55-2021, adopting the annual budget for the fiscal yr. ending June 30, 2022, be passed and adopted. Motion carried 4-0 vote. Council Member Berg was absent.

This was the time, place and date set for a public hearing approving the plans, specs, form of contract and est. cost for the Operations Roof Replacement Project at the WPCF. PW Dir. Seals reported bids will be opened on April 14, 2021 with construction expected to commence on or about June 1, 2021. Engineer's opinion of cost \$85,000. No objections were recd. Dalbey moved, seconded by Meyers to close the public hearing. Motion carried 4-0 vote. Council Member Berg was absent.

Roe moved, seconded by Meyers that Res. No. 58-2021, approving the plans, specs, form of contract and est. cost for the WPCF - Operations Reroofing Project, be passed and adopted. Motion carried 4-0 vote. Council Member Berg was absent.

This was the time, place and date set for a public hearing on proposed Ord. No. 3179-2021, amending the Code of Ord. by changing the zoning classification on certain property located at 1815 W. Second St. in the City of Ottumwa, Wapello County, IA from C-1, Neighborhood Commercial Dist. to C-2, Community Commercial Dist. Interim Dir./Planner Simonson reported rezoning of this property will allow the applicant to expand convenience storage operation at 1839 W. Second. No objections were recd. Dalbey moved, seconded by Stevens to close the public hearing. Motion carried 4-0 vote. Council Member Berg was absent.

Meyers moved, seconded by Dalbey to pass the first consideration of Ord. No. 3179-2021, amending the Code of Ord. by changing the zoning classification on certain property located at 1815 W. Second St. in the City of Ottumwa, Wapello County, IA from C-1, Neighborhood Commercial Dist. to C-2, Community Commercial Dist. Motion carried 4-0 vote. Council Member Berg was absent.

Roe moved, seconded by Stevens to waive the second and third considerations, pass and adopt Ord. No. 3179-2021. Motion carried 4-0 vote. Council Member Berg was absent.

This was the time, place and date set for a public hearing on proposed Ord. No. 3180-2021, amending the Code of Ord. by changing the zoning classification on certain property located at 420 Minneopa in the City of Ottumwa, Wapello County, IA from R-1, Single-Family Residential Dist. (Low Density) to R-4 Multiple Family Residential Dist. (Medium Density). Interim Dir./Planner Simonson reported the applicant is interested in purchasing the property at 420 Minneopa including the former church bldg. on condition that it can be rezoned to permit up to 8 dwelling units for multiple-family use. The former church property is in a similar position to other former church properties throughout the city. It is too large for single-family residential use and there are very limited options for other uses that are harmonious with the surrounding development. Multiple-family use is one of the few options for the cont. use of the

bldg. and redevelopment for this use will avoid the property becoming a source of blight. The Future Land Use Plan designates this property as suitable for Low Density Residential. R-4 classification is not compatible with Low Density Residential Land Use in the Future Land Use Plan adopted with Our Ottumwa 2040 Comp. Plan. The best course of action for resolving a discrepancy between the plan and City action is to amend the plan. Staff will create a list of amendments to the Future Land Use Plan to be considered at the Dec. Planning mtg. and then at Council. Simonson also discussed the concerns brought to P&Z on this rezoning (congested traffic on a narrow residential st., decreased property values, excess noise and trash in the neighborhood). Tim Hall, wants to purchase the property and develop apartments; projected 4 apartments on upper level rent \$900-\$1,000/month; 3 apartments on lower level will be \$750-800 range. No objections were recd. Stevens moved, seconded by Meyers to close the public hearing. Motion carried 4-0 vote. Council Member Berg was absent.

Roe moved, seconded by Meyers to pass the first consideration of Ord. No. 3180-2021, amending the Code of Ord. by changing the zoning classification on certain property located at 420 Minneopa in the City of Ottumwa, Wapello County, IA from R-1, Single-Family Residential Dist. (Low Density) to R-4 Multiple Family Residential Dist. (Medium Density). Motion carried 4-0 vote. Council Member Berg was absent.

Roe moved, seconded by Dalbey to waive the second and third considerations, pass and adopt Ord. No. 3180-2021. Motion carried 4-0 vote. Council Member Berg was absent.

Meyers moved, seconded by Dalbey that Res. No. 59-2021, award the contract for RFP#1 – City Hall Light Court Tuck-point and Sealing Project to E & H Restoration of Davenport, IA in the amt of \$73,234, and auth. the Mayor to sign the contract, be passed and adopted. PW Dir. Seals reported six bids were recd. Motion carried 4-0 vote. Council Member Berg was absent.

Roe moved, seconded by Meyers that Res. No. 60-2021, auth. the Mayor to execute seven (7) Permanent Easements and one (1) Temp. Construction Easement Agt. for Construction and Maint. of Public Improvements for the Woodland Ave Reconstruction Project, be passed and adopted. PW Dir. Seals reported this project consists of the E. Woodland Ave. from Court St. to approx. 1,100 LF east. This area is in the Ph. VIII Div. 3D area and will be designed to allow the sanitary to be connected in the future without removing any of the newly installed pavement. Motion carried 4-0 vote. Council Member Berg was absent.

Roe moved, seconded by Dalbey that Res. No. 63-2021, award temp compensation related to perf. and add'l duties regarding the vacant Dir. of Planning and Zoning position. City Admin. Rath reported City Planner Simonson has agreed to assume a majority of the responsibility in addition to his current role. To compensate for the additional degree of responsibility during this temp. period, staff is recommending an hourly wage adjustment of \$8.50 (\$340/week). Motion carried 4-0 vote. Council Member Berg was absent.

Dalbey moved, seconded by Roe that Res. No. 64-2021, approve the contract with Marco Technologies, LLC to replace the City's phone system, in the amount of \$122,933.64 and auth. the Mayor to sign, be passed and adopted. IT mgr. Wilson reported a few adjustments to the original RFP as submitted have occurred, increasing the total by \$6,572. Motion carried 4-0 vote. Council Member Berg was absent.

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

There being no further discussion, Mayor Lazio called the meeting to recess at 6:56 P.M.

Council will reconvene in Room 108 for closed session proceedings.

REGULAR MEETING NO. 9
Room 108, City Hall

March 16, 2021
7:05 O'Clock P.M.

The meeting reconvened at 7:05 P.M.

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

Roe moved, seconded by Dalbey to enter closed session in accordance with the IA 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 Clerk's performance evaluation. Motion carried 4-0 vote. Council Member Berg was absent.

The meeting entered closed session at 7:06 P.M.


Meyers moved, seconded by Roe to return to open session at 7:51 P.M. Motion carried 4-0 vote. Council Member Berg was absent.

Roe moved, seconded by Dalbey to increase the City Clerk's salary 2% effective July 1, 2021 and increase salary by \$2,500 immediately upon receipt of City Clerk Certification from IMFOA. Motion carried 4-0 vote. Council Member Berg was absent.

There being no further business, Roe moved, seconded by Dalbey that the meeting adjourn. Motion carried 4-0 vote. Council Member Berg was absent.

Adjournment was at 7:53 P.M.

CITY OF OTTUMWA, IOWA


Tom X. Lazio, Mayor

ATTEST:


Christina Reinhard, City Clerk