

REGULAR MEETING NO. 22  
Council Chambers, City Hall

July 20, 2021  
5:30 O'Clock P.M.

The meeting convened at 5:30 P.M.

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

Roe moved, seconded by Dalbey to approve the following consent agenda items: Mins from Special Mtg. No. 20 on June 29, 2021 and Regular Mtg. No. 21 on July 6, 2021 as presented; Recommend appointment of Robert Swanson to the Historic Preservation Commission, term to expire 1/1/2022 due to a vacancy; Approve a three-yr. lease agt. and auth. Mayor to sign lease with YOUNiversal Products, LLC for the rental of Bldg. No. 34 at 14521 Second Ave. at Ottumwa Reg. Airport; Res. No. 139-2021, setting Aug. 3, 2021 as the date of a public hearing on the disposition of City owned property located at 215 N. Benton; Res. No. 151-2021, approve purchase of 2022 F-350 Reg. Cab with dump body for Sewer Maint. Dept., from Dewey Ford of Ankeny in the amount of \$56,149; Res. No. 152-2021, approve purchase of a 2021 O'Halloran International 2 ½ Ton Truck for PW Dept., for \$170,457 from the IA State Bid; Res. No. 153-2021, approve purchase of a 2022 F-150 Ext. Cab Truck for PW Streets Dept., from Dewey Ford of Ankeny in the amount of \$30,899.84; Beer and/or liquor applications for: Morgan's Corner Bar & Grill, 436 W. Second St.; all applications pending final inspections. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Dalbey moved, seconded by Meyers to approve the agenda as presented. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

City Admin. Rath reported we will hold a town hall style gathering on Aug. 5, 2021, at 5:30 P.M. at Bridge View Center. He also provided an update on the reestablishment of a civil rights commission; still collaborating with Monica Stone who is creating a guidebook for communities like Ottumwa.

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

Meyers moved, seconded by Dalbey to receive program update and have mayor present cert. of completion to Ibeth Rivera and Kadie Kinsler for Refugee RISE AmeriCorps program. This project was funded by Legacy Foundation and JBS with the City providing office space. Twenty-four individuals were served.

Roe moved, seconded by Dalbey to approve a Conflict of Interest Waiver for Ahlers & Cooney, P.C. between the City of Ottumwa and the Ottumwa Community School District in order to draft an Agt. between the partners. City Admin. Rath reported the Parks Foundation and Parks Brd. have discussed the addition of a tree nursery in Ottumwa, with the recommended site on Ottumwa Community School District's property. A structured agt. between the City and the School would help define expectations related to the project and ongoing maint. reqs. of each party. If both parties approve the waiver, A&C may proceed with drafting agt. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Meyers moved, seconded by Roe to approve the application to the Wapello County Foundation for grant funding for a new shower house. Park & Rec Dir. Rathje reported this grant application for \$50,000 to help fund a new shower house at the Ottumwa Park Campground. Approved by the Ottumwa Parks Adv. Brd. July 13, 2021. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Dalbey moved, seconded by Roe to accept the resignation of Council Member Stevens and proceed with filing the vacancy by appointment. Stevens submitted a letter of resignation on July 12, 2021, effective Aug. 1, 2021. His term is scheduled to end Jan. 2022, with elections being held this Nov. City Admin. Rath recommended to proceed with appointing an individual to fill the balance of the term, due to the limited time remaining in the current term and elections for the following term occurring in Nov. Council agrees that it would be better to appoint relatively soon. If council decides to hold a special election, it could cost tax payers approx. \$12,000 per candidate placed on the ballot. Interested applicants submitted by July 30, 2021. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Dalbey moved, seconded by Roe to approve the agt. between the City of Ottumwa and Allender Butzke Engineers, Inc. for Geotechnical Engineering Services in connection with CSO, Ph. VIII, Div. 1, Blake's Branch and the 2021 Levee Improvements and auth. the Mayor to sign. PW Dir. Seals reported \$6,100 for Ph. VIII, Div. 1 will come from TIF, RU, LOST and \$4,800 for 2021 Levee Improvements will come from CIP funding. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Meyers moved, seconded by Dalbey to accept bid and award contract for 2021 RFP#9 – Winbco Cantilever Gate Project to Pierce Fence Co. of Ottumwa, IA, for \$5,600 and auth. Mayor to sign the contract. PW Dir. Seals reported two bids were rec'd. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Roe moved, seconded by Dalbey to approve the purchase of the updated Fuel Master System for \$15,124. PW Dir. Seals reported the last available software update to our current system was in 2014. The actual cabinet at the pumps were installed 2005. Though Fuel Master will continue to offer what software support they can, this model of cabinet is no longer serviceable. The initial purchase price for the updated program, new fuel farm cabinet, installation, data migration, annual support plan and training is \$15,124; annual support after \$2,628. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Dalbey moved, seconded by Roe to approve the purchase of the updated RTA Fleet Mgmt. System software totaling \$9,926. PW Dir. Seals reported the last available software update to the current RTA software was in 2013. As of July 1, 2021, the current software pkg. is no longer supported. To continue use of RTA Fleet Mgmt. System, a program upgrade is required. Initial purchase price for updated program, installation, program customization, data migration annual support plan and training is \$9,926; annual support after \$3,326. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

This was the time, place and date set for a public hearing on the disposal of city owned property described as the SE 50 ft. of the NW 150 ft. of Lot 34 in Summer's Addition to the City of Ottumwa, Wapello County, IA commonly known as 922 Russell. Comm. Dev. Dir. Simonson reported two bids were rec'd. No objections were rec'd. Roe moved, seconded by Dalbey to close the public hearing. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Dalbey moved, seconded by Roe that Res. No. 113-2021, accepting the bid and approving the sale of City owned property at 922 Russell to Fred or Cindy Ver Schuure for \$6,789, be passed and adopted. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

This was the time, place and date set for a public hearing on the disposal of city owned property described as R20147, Lot 1 and the South Half of Lot 2 and the West 6 ft. of the North Half of Lot 2 in Block 27 in R.S. Smith's Fourth Addition to the City of Ottumwa, Wapello County, IA commonly known as 202 S. Ransom. Comm. Dev. Dir. Simonson reported four bids were rec'd. No objections were rec'd. Meyers

moved, seconded by Roe to close the public hearing. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Meyers moved, seconded by Dalbey that Res. No. 135-2021, accepting the bid and approving the sale of City owned property at 202 S. Ransom to Henry Lopez for \$16,500, be passed and adopted. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

This was the time, place and date set for a public hearing on the disposal of City owned property described as Lot 77 of Blake Park Heights, a Subdivision of Part of the SW Quarter of Sec. 26, Township 72, Range 14 West in the City of Ottumwa, Wapello County, IA commonly known as 313 Allison Ave. Comm. Dev. Dir. Simonson reported Daniel and Joanne Smith offered the City \$250 for the vacant lot to construct a new addition to their existing home. No objections were rec'd. Dalbey moved, seconded by Roe to close the public hearing. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Roe moved, seconded by Meyers that Res. No. 138-2021, accepting the bid and approving the sale of City owned property at 313 Allison Ave. to Daniel and Joanna Smith for \$250, be passed and adopted. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

This was the time, place and date set for a public hearing on the proposal to permanently transfer an interest in real property located at 915 E. Division which is not being utilized by the City and is not suitable for development. Comm. Dev. Dir. Simonson reported OWW will use the site for fill and soil excavated during emergency repairs. No objections were rec'd. Dalbey moved, seconded by Roe to close the public hearing. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Roe moved, seconded by Meyers that Res. No. 146-2021, permanently transferring an interest in real property located at 915 E. Division to the Brd. of Trustees of the Ottumwa Water Works, be passed and adopted. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Dalbey moved, seconded by Roe that Res. No. 147-2021, accepting the work as complete and approving release of retained funds for the Ottumwa Main Street (Downtown Streetscape) project be passed and adopted. PW Dir. Seals reported the Design Engineer has reviewed the Geotechnical reports and material cert. and determined that the contractor met the contract requirements as specified in the SUDAS for aggregate gradation, installation compaction and testing requirements and funds retained should be released. Recommend leaving the contract open at this time pending a final design solution. We are currently looking at solutions to limit how much of the grant funding we may be required to return (up to 60% or \$480,000). Currently, the Architectural Design firm is working directly with IDAL/IEDA to determine the impact for various possible solutions and a strategy to maintain the specific requirements of the calculated treatment volumes and catchment areas. A future presentation will cover possible features and opinions of probable cost and cover impacts on the grant funding levels and identify funding streams to complete any additional work required. Final pymt due to contractor \$190,900.34. Total contract sum \$5,302,787.23. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Dalbey moved, seconded by Roe that Res. No. 148-2021, approving Chg. Order No. 1 and accepting the work as final and complete and approving the final pay request for the 2020 Asphalt Street Repair Program, be passed and adopted. PW Dir. Seals reported CO#1 decreases the contract sum by \$806,496.32 for qty. adj., new contract amt. \$347,303.13. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Roe moved, seconded by Meyers that Res. No. 149-2021, accepting the work as final and complete and approving the final pay request for the 2021 RFP#1, City Hall Light Court Tuck-pointing Project, be passed and adopted. PW Dir. Seals reported E & H Restoration, LLC completed this project according to plans & specs and authorization to make final pymt in the amount of \$36,292 is approved; total contract sum \$73,234. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Meyers moved, seconded by Roe that Res. No. 150-2021, approving pymt. to Drish Construction in the amount of \$28,396 for the completion of an emergency Force Main Connection, be passed and adopted. PW Dir. Seals reported defects were discovered in the existing force main from the Richmond Pump Station to the Finley Box Sewer and concurrent construction on Milner Street and Finley Ave. necessitated an accelerated installation timeline. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Dalbey moved, seconded by Roe that Res. No. 154-2021, accepting partial funding for a Historic Resource Development Program (HRDP) Grant to develop a historic structure report for 131 E. Main and auth. the Comm. Dev. Dir. to complete the project, be passed and adopted. Comm. Dev. Dir. Simonson reported total cost of project is \$18,400 and grant award is \$7,350. The historic structure report will be used to prepare a development agt. with a future developer for the property. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Dalbey moved, seconded by Roe that Res. No. 155-2021, auth. the transfer of \$25,793.59 from the Wildwood Hwy 34 URA Fund to General Fund for partial repayment of monies advanced, be passed and adopted. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Meyers moved, seconded by Roe that Res. No. 156-2021, approval of Transportation Safety Improvement Program (TSIP) Grant Application for Improvements of the Albia Road/Quincy Intersection by installation of a Roundabout within the City of Ottumwa and authorize the Mayor to sign, be passed and adopted. PW Dir. Seals introduced Justin Campbell of Shive-Hattery to present roundabout education in correlation to how installation of these will affect the City. Installation of the current roundabouts eliminated conflict points – from 32 to 8; they also take the top 3 reasons for accidents to occur at an intersection (driving too fast, failing to yield, elimination of a left turn). Seals reported that each intersection is a standalone project with a max cap of \$500,000, with TSIP funds; Albia Rd/Quincy Ave. est. at \$520,000 – TSF \$500,000; current system needs include upgraded controller and detection system; pavement improvement est. at \$483,000 for Albia Rd. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Roe moved, seconded by Dalbey that Res. No. 157-2021, approving Change Order No. 1 and accepting the work as final and complete and approving the Final Pay Request for the 2021 RFP#7 Gray Eagle Trail Curb Project, be passed and adopted. PW Dir. Seals reported CO#1 increased the contract by \$217.50; new contract sum \$23,997.50. Motion carried 3-0 vote. Council Member Berg and Stevens were absent. Roe moved, seconded by Meyers to pass third consideration and adopt Ord. No. 3184-2021, amending Chapter 31 ½ of the City Code of the City of Ottumwa, IA to allow privately owned or leased trash dumpsters or receptacles in city parking lots to add a new Section 31 ½ - 45. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Meyers moved, seconded by Roe to pass third consideration and adopt Ord. No. 3185-2021, amending Section 32-73 of the City Code of the City of Ottumwa, IA for the purpose of addressing adjacent property owner liability for sidewalks. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

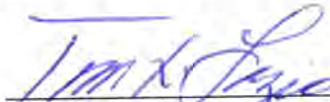
Roe moved, seconded by Dalbey to pass the second consideration of Ord. No. 3186-2021, amending the Municipal Code of the City of Ottumwa, IA by Repealing Section 2-270, Duties and responsibilities of the City Clerk and enacting a substitute in lieu thereof. Motion carried 3-0 vote. Council Member Berg and Stevens were 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 business, Roe moved, seconded by Dalbey that the meeting adjourn. Motion carried 3-0 vote. Council Member Berg and Stevens were absent.

Adjournment was at 6:46 P.M.

CITY OF OTTUMWA, IOWA

  
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Tom X. Lazio, Mayor

ATTEST:

  
  
Christina Reinhard, CMC, City Clerk