

TENTATIVE AGENDA
OTTUMWA CITY COUNCIL

REGULAR MEETING NO. 27
Council Chambers, City Hall

October 1, 2019
5:30 O'Clock P.M.

PLEDGE OF ALLEGIANCE

A. ROLL CALL: Council Member Berg, Roe, Stevens, Streeby and Mayor Pro Tem Dalbey.

B. CONSENT AGENDA:

1. Minutes from Regular Meeting No. 26 on September 17, 2019 as presented.
2. Acknowledge August financial statement and payment of bills as submitted by the Finance Department.
3. Approve the Proclamation of October 6-12, 2019 as Fire Prevention Week.
4. Approve the Proclamation to designate October 2019 as National Disability Awareness Month.
5. Approve appointments of Roger Hemmings to the Cemetery Board of Trustees, term to expire 7/1/2026; Cara Galloway to the Historic Preservation Commission, term to expire 1/1/2020; and Rick Woten to the Historic Preservation Commission, term to expire 1/1/2022.
6. Canvasser/Solicitor applications for the Soap Creek Rebels Saddle Club to solicit donations within City limits from October 1 to November 30, 2019 and the Workingman's Christmas Party to solicit donations within City limits from November 1 to December 31, 2019.
7. Approve the purchase of one (1) 2019 Polaris Ranger XP 1000 North Star Edition utility vehicle from R/J Performance, Inc. in the amount of \$25,599, for the Police Dept., with funding awarded through the 2019 JAG Grant.
8. Resolution No. 197-2019, authorizing the Mayor/Interim City Administrator and Accountant to make investment purchases and sales in accordance with the City Investment Policy.
9. Resolution No. 198-2019, authorizing the Mayor/Interim City Administrator and Accountant to sign checks and make wire transfers for the City of Ottumwa.
10. Resolution No. 214-2019, accepting the work as final and complete and approving the final pay request for the 2019 Street Crack Seal Program.
11. Resolution No. 221-2019, setting October 15, 2019 as a date of a public hearing on the Council's intent to voluntarily release an easement on City-owned property at 203 East Main / 116 South Market, Ottumwa, Iowa.
12. Beer and/or liquor applications for: Supermercado Cerro Grande, 311 E. Main Street; Mexico Lindo, 530 W. Second Street; Richmond & Ferry BP, 720 Richmond Ave.; Club 888, 123 W. Third St.; Mizu Hibachi & Sushi, 1111 N. Quincy Ave.; all applications pending final inspections.

C. APPROVAL OF AGENDA

D. ADMINISTRATORS REPORT TO COUNCIL AND CITIZENS:

1. Work Session on Finance & Budget – Erin Mullenix, Iowa League of Cities, 10/8/19, 4:30 PM. at Bridge View Center
2. Work Session on Streets – PW Dir. Seals, October, date TBA.
3. Report to Council on Finance Director Position.
4. Report to Council on RFQ for City Administrator position.
5. Blackhawk River Access update.
6. Report on Iowa League of Cities Conference held in Dubuque.

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. Approve refund to Dr. Pepper for overpayment of Surcharge Fees.

RECOMMENDATION: Approve a total refund amount \$71,622.16 to Dr. Pepper for overpayment of surcharge fees.

2. Approve request for funding to Heartland Humane Society for the sum of \$8,000.

RECOMMENDATION: Approve the request for funding to Heartland Humane Society for the sum of \$8,000.

3. Bid report and contract award for demolition of 811 East Mary Street.

RECOMMENDATION: Accept bid and award contract for demolition of 811 East Mary Street to Tim Skinner Trucking & Excavation, of Ottumwa, Iowa, in the amount of \$6,980.

G. PUBLIC HEARING:

1. This is the time, place and date set for a public hearing on the proposed adoption of Amendment No. 8 to the West Gate Economic Development Urban Renewal Plan.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Resolution No. 217-2019, determining an area of the City to be an economic development and blighted area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for Urban Renewal projects; and adopting Amendment No. 8 to the West Gate Economic Development Urban Renewal Area; and rescinding Resolution No. 113-2019.

RECOMMENDATION: Pass and adopt Resolution No. 217-2019.

2. This is the time, place and date set for a public hearing on the Resolution determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Urban Renewal Plan.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Resolution No. 218-2019, determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Agassiz Urban Renewal Plan.

RECOMMENDATION: Pass and adopt Resolution No. 218-2019.

D. Ordinance No. 3166-2019, an ordinance providing that general property taxes levied and collected each year on all property located within the Agassiz Urban Renewal Area, in the City of Ottumwa, County of Wapello of the State of Iowa, City of Ottumwa, County of Wapello, Ottumwa Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Agassiz Urban Renewal Area (The Agassiz Urban Renewal Plan).

RECOMMENDATION: A) Pass the first consideration of Ordinance No. 3166-2019.
B) Waive the second and third considerations, pass and adopt Ordinance No. 3166-2019.

H. RESOLUTIONS:

1. Resolution No. 199-2019, fixing an amount for abating a nuisance against certain lots in the City of Ottumwa, Iowa, totaling \$34,682.98.

RECOMMENDATION: Pass and adopt Resolution No. 199-2019.

2. Resolution No. 215-2019, awarding the contract for the 2020 Roofing Replacement Project to Hawkeye Enterprise Roofing & Coating of Cincinnati, Iowa in the amount of \$111,263.

RECOMMENDATION: Pass and adopt Resolution No. 215-2019.

3. Resolution No. 216-2019, awarding the contract for the Beach Renovations Phase 4 Shade Structures Installation Project to ACCO Unlimited Corporation of Johnston, Iowa in the amount of \$99,535.70.

RECOMMENDATION: Pass and adopt Resolution No. 216-2019.

4. Resolution No. 219-2019, setting the time and place for the receipt of Proposals and/or the approval of a Development Agreement with R.G. Property, LLC for the renovation of 307 East Main Street and setting a public hearing on the intent to dispose of real property located at 307 East Main Street in the City of Ottumwa, Wapello County, Iowa.

RECOMMENDATION: Pass and adopt Resolution No. 219-2019.

5. Resolution No. 220-2019, provides for the reallocation and transfer of designated funds from the Capital Projects Fund to the Community Development Fund for purposes of incentivizing the rehabilitation of 307 East Main Street, Ottumwa, Iowa.

RECOMMENDATION: Pass and adopt Resolution No. 220-2019.

6. Resolution No. 222-2019, waiving the right of review for Matthew 5:5 Subdivision.

RECOMMENDATION: Pass and adopt Resolution No. 222-2019.

I. ORDINANCES:

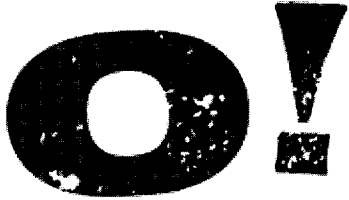
J. PUBLIC FORUM:

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

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. *****



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FAX COVER SHEET

City of Ottumwa

DATE: 9/27/19 TIME: 8:30 AM NO. OF PAGES 5
(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 Regular City Council Meeting #27 to be held on 10/1/19

*** FAX MULTI TX REPORT ***

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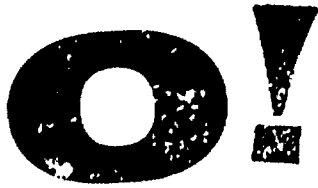
FAX NO: 641-683-0613 PHONE NO: 641-683-0620

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

MEMO: Tentative Agenda for the Regular City Council Meeting #27 to be held on 10/1/19

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

REGULAR MEETING NO. 26
Council Chambers, City Hall

September 17, 2019
5:30 O'Clock P.M.

The meeting convened at 5:30 P.M.

Present were Council Member Streeby, Berg, Roe, Stevens and Mayor Pro Tem Dalbey.

Roe moved, seconded by Stevens to approve the following consent agenda items: Mins. from Reg. Mtg. No. 24 on Sept. 3, 2019 and Special Mtg. No. 25 on Sept. 6, 2019 as presented; Approve the Proclamation of the indoor swimming pool at the Beach Ottumwa as the "Coach McWilliams Pool"; Approve re-appointment of Duke Ball and Pam Kaupins to the Airport Adv. Brd., terms to expire 10/1/2022; Approve the appointment of Cody McClure to Engineering Assistant II effective Sept. 9, 2019; Approve the appointment of Todd Nickel to Engineering Assistant II effective Sept. 30, 2019; Approve the appointment of Kristi R. McDowell as the Interim Finance Dir. effective Sept. 30, 2019; Approve the designation of the position of City Clerk as a Dept. Head effective Sept. 30, 2019 and provide a salary adjustment; Res. No. 212-2019, approving the purchase of a 2019 Dodge 3500 One Ton Dump Truck from Stew Hanson Dodge in the amount of \$45,201 for the Street Maint. Dept.; Res. No. 213-2019, approving the purchase of a 2019 Dodge Ram Pickup 5500 from Stew Hanson Dodge in the amount of \$69,796, which includes a V-Plow and Salt Spreader for the Street Maint. Dept.; Res. No. 204-2019, accepting the work as final and complete and approving the final pay request for the 2019 RFP#1 – Blake's Branch Cleaning Proj.; Res. No. 208-2019, approving the contract, bond, and cert. of insurance for the Ottumwa Reg. Airport improvement proj.; Beer and/or liquor applications for: Potros Garcia, 2804 N. Court; Bubba-Q's, 1110 N. Quincy Ave.; Veterans of Foreign Wars No. 775, 702 W. Main St.; Club 888, 123 W. Third St.; Oktoberfest Committee, temp. outdoor service area, Jimmy Jones Shelter, 10/2-10/5/19; all applications pending final inspections. All ayes.

Roe moved, seconded by Streeby to approve the agenda as presented. All ayes.

Interim City Admin. Lazio recognized Frank Huston for his 46 seasons as the Ottumwa Softball Coach.

Council woman Berg recognized Mike McKelvey as having the oldest appliance (1945 GE) turned in for the Alliant Energy Hometown Rewards Program. This program was developed by state legislatures to educate and assist communities on being more energy efficient.

Interim City Admin. Lazio also reported the following:

- Heartland Humane – requesting funds for this year between \$6-8,000; will work with finance dept. to see if we can contribute \$5,000. This will be brought to Council for approval at the next mtg.
- Annual League of Cities Conf. being held in Dubuque 9/25-9/27/19 – four people representing Ottumwa.
- Introduced Edward Wilson, IT Mgr. for project update. Completed projects: IT equip./server room revamped; installed 40 new network switches; all depts. operating with new servers; new machines installed for Police Dept. in dispatch with multiple dispatch systems being migrated to new host; CAT6 cable installed throughout City Hall; interconnected all city operating systems to one which is crucial for future phone system and firewalls; wifi upgrade at campgrounds; replacement of outdated desktops & laptops; outdoor cameras replaced and video recorders for Police Dept.; digital door locks at City Hall. Future projects: new email system with shared contacts, devices and calendars; new phone system; kronos upgrade and timeclocks.
- Landlords Conference in Ottumwa next month – will work with Police Chief on downtown parking arrangements.

- Meeting with Tim Oswalt – refinancing city bonds, a look at where we are and if we can save by refinancing.
- IUB decision on Alliant Rates – this decision in October will effect all citizens in SE Iowa.
- Review of City Goals – met with staff to discuss goals, comp plan and ways to start looking at long term goals in order to carefully budget for them.
- Effect of construction on small businesses – especially in our downtown/E. Main area. We need to be sensitive to our local businesses that are affected by our continued progress and development of the area. Other communities are struggling too.

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

Roe moved, seconded by Streeby to accept the bid and award the contract for asbestos removal and demolition of 601 Spring St. to Dan Laursen of Ottumwa, IA, in the amount of \$10,400. Dir. of Hlth. Insp. & Planning Flanagan reported four bids were received. All ayes.

This was the time, place and date set for a public hearing on proposed Ord. No. 3165-2019, amending the Code of Ordinances by changing the zoning classification on certain property located at 430 E. Second St. in the City of Ottumwa, Wapello County, IA from R-4, Multi-Family Residential District to C-2, Community Commercial District. Dir. of Hlth. Insp. & Planning Flanagan reported the Planning Commission voted unanimously to approve this rezoning with the following conditional restrictions: auto repair, service, and/or sales; and agricultural equip. repair, service, and/or sales. No objections were received. Streeby moved, seconded by Stevens to close the public hearing. All ayes.

Roe moved, seconded by Streeby to pass the first consideration of Ord. No. 3165-2019, amending the Code of Ordinances by changing the zoning classification on certain property located at 430 E. Second in the City of Ottumwa, Wapello County, IA from R-4, Multi-Family Residential to C-2, Community Commercial. All ayes.

Streeby moved, seconded by Roe to waive the second and third considerations, pass and adopt Ord. No. 3165-2019. All ayes.

Berg moved, seconded by Streeby that Res. No. 194-2019, approving Chg. Order No. 1 and accepting the work as final and complete and approving the final pay request for the Quiet Zone Proj., be passed and adopted. PW Dir. Seals reported this change order increased the contract by \$4,418.02. Total new contract sum \$279,921.57. A final walk through meeting is set for Oct. 4, 2019 with SRF and FRA which will start the 30 day count down. All ayes.

Roe moved, seconded Stevens that Res. No. 200-2019, approving Chg. Order No. 1 and accepting the work as final and complete and approving the final pay request for the 2019 RFP#6 – City Hall Sidewalk Replacement Proj., be passed and adopted. PW Dir. Seals reported this change order decreased the contract by \$323.76. Total new contract sum \$3,584.99. All ayes.

Berg moved, seconded by Roe that Res. No. 201-2019, approving Chg. Order No. 1 and accepting the work as final and complete and approving the final pay request for the 2019 RFP#7 – Ottumwa Public Library Sidewalk Proj., be passed and adopted. PW Dir. Seals reported this change order increased the contract by \$662.93. Total new contract sum \$9,945.68. All ayes.

Roe moved, seconded by Streeby that Res. No. 202-2019, approving Chg. Order No. 1 and accepting the work as final and complete and approving the final pay request for the 2019 RFP#8 – Ray St. Sidewalk Installation Proj., be passed and adopted. PW Dir. Seals reported this change order increased the contract by \$302,70. Total new contract sum \$3,594.15. All ayes.

Berg moved, seconded by Roe that Res. No. 203-2019, accepting an IA Transportation Commission Grant for additional work on the Apron Reconstruction Proj. at the Ottumwa Reg. Airport, be passed and adopted. City Attorney Keith reported the IA Transportation Commission has awarded a grant of 85% of eligible costs up to a max state share of \$297,500 for the continuation of the Apron Reconstruction Proj. at the airport. This portion of the project is being funded from the FY2020 State Airport Dev. Program. All ayes.

Roe moved, seconded by Streeby that Res. No. 205-2019, approving the contract, bond and cert. of insurance for the Bridge View Center PCC Precast Panel Repair Proj., be passed and adopted. PW Dir. Seals reported this project was awarded Aug. 20, 2019 in the amount of \$153,450. All ayes.

Streeby moved, seconded by Berg that Res. No. 206-2019, approving Chg. Order No. 1 for the Bridge View Center PCC Precast Panel Repair Proj., be passed and adopted. PW Dir. Seals reported discussions occurred with Merit Construction Services to determine contract work items to reduce project costs. This change order decreases the contract amount by \$23,450. New contract sum \$130,000. All ayes.

Berg moved, seconded by Streeby that Res. No. 207-2019, approve matching funds for the Main St. IA Challenge Grant Application for 219 E. Main St., for renovation costs, be passed and adopted. Dir. of Hlth. Insp. & Planning Flanagan introduced Brad Grefe, Area 15 RPC. The bldg. at 219 E. Main was originally a part of the second CDBG Master Façade Proj., but the owner pulled out. The new owner intends to renovate the bldg. with assistance through the Main St. IA Challenge Grant. Main St. Ottumwa requests \$26,000 in matching funds from the City to be pooled with the owner's match of \$44,000 and \$5,000 from OEDC. Grant applications are due Sept. 21, 2019, with the award announcement expected in early Nov. Projects awarded this grant must be completed within 24 months. All ayes.

Roe moved, seconded by Streeby that Res. No. 209-2019, awarding the contract for the WPCF VLR Gate Replacement Proj. to Woodruff Construction, LLC, out of Ames, IA in the amount of \$34,583, be passed and adopted. PW Dir. Seals reported four bids were received. All ayes.

Berg moved, seconded Stevens that Res. No. 210-2019, approving the contract, bond and cert. of insurance for the WPCF VLR Gate Replacement Proj., be passed and adopted. All ayes.

Roe moved, seconded by Streeby that Res. No. 211-2019, setting the date of a public hearing on a proposed Amendment No. 8 to the West Gate Economic Development Urban Renewal Plan in the City of Ottumwa, State of IA, be passed and adopted. Dir. of Hlth. Insp. & Planning Flanagan reported this resolution sets Oct. 1, 2019 as the public hearing to discuss a not to exceed \$4 Million rebatement to Chrisbro for the Bridge View Center Hotel project. This amendment also includes the expansion of incentives limitations to include \$8 Million for the Market St. and \$4.5 Million for the Washington St. projects, in relation to the RFQ's we recently released. Projects are slated for spring 2021 construction start. All ayes.

Tabled from Meeting No. 24 on 9/03/19

Stevens moved, seconded by Berg that Res. No. 195-2019, to accept the severance agt. with former City Admin. Andy Morris, be passed and adopted. Council members came to an agt. that when an employee signs a contract, they are expected to live up to/follow said contract and all feel that we need to settle this

issue. The contract that Mr. Morris signed provides that either the City or Mr. Morris may sever employment without cause subject to a six month severance package. In addition, Mr. Morris would receive a 2% wage increase on his anniversary date in November 2019. Roe moved, seconded by Stevens to amend Res. No. 195-2019, to accept the severance agt. minus the 2% wage increase on his anniversary date in November. Mr. Morris would receive six months' severance and his benefit package, excluding vacation and sick leave accrual, as set out in his employment contract signed Oct. 6, 2015. All ayes. Roll call on the motion as amended. All ayes.


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

Interim City Admin. Lazio stated we will hold a special work session in Oct. with Erin Mullenix from IA League of Cities on the IA budget process.


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

Adjournment was at 6:30 P.M.

ATTEST:


Christina Reinhard, City Clerk

CITY OF OTTUMWA, IOWA


Matt Dalbey, Mayor Pro Tem

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	BEG. PERIOD BALANCE	CASH DEBITS	CASH CREDITS	END PERIOD BALANCE	OUTSTANDING CHECKS	TREASURY BALANCE
TOTALS FOR FUND 001	GENERAL OPER	3302285.10	828564.70	1344463.91	2786385.89	45423.66	2831809.55
TOTALS FOR FUND 002	PARKING RAMP	31543.27	3014.00	1108.43	33448.84	469.51	33918.35
TOTALS FOR FUND 110	ROAD USE TAX	5192675.46	466399.26	296793.63	5362281.09	13174.21	5375455.30
TOTALS FOR FUND 112	EMPLOYEE BEN	-176787.60		475743.00	-652530.60		-652530.60
TOTALS FOR FUND 119	EMERGENCY FU						
TOTALS FOR FUND 121	SALES TAX 1%	2625227.43	1766646.44	3026723.00	1365150.87		1365150.87
TOTALS FOR FUND 124	VOGEL URBAN						
TOTALS FOR FUND 125	WESTGATE TIF	-55645.93			-55645.93	9530.00	-46115.93
TOTALS FOR FUND 126	AIRPORT TIF	41200.00			41200.00		41200.00
TOTALS FOR FUND 127	PENNSYLVANIA						
TOTALS FOR FUND 128	WILDWOOD HWY	.82			.82		.82
TOTALS FOR FUND 129	RISK MANAGEM	1010411.89	22432.95	56113.16	976731.68		976731.68
TOTALS FOR FUND 131	AIRPORT FUND	84831.43	20736.45	37593.10	67974.78	565.80	68540.58
TOTALS FOR FUND 133	LIBRARY FUND	282030.48	51189.07	68042.09	265177.46	472.86	265650.32
TOTALS FOR FUND 135	CEMETERY FUN	-35962.36	18559.00	35116.97	-52520.33	6339.16	-46181.17
TOTALS FOR FUND 137	HAZ-MAT FUND	33443.11	94720.00	23115.81	105047.30	2948.68	107995.98
TOTALS FOR FUND 141	2018 UPPER S	-95671.88	143796.20	156415.13	-108290.81	82300.81	-25990.00
TOTALS FOR FUND 142	HOAP/HILP ES						
TOTALS FOR FUND 143	EPA BROWNIE						
TOTALS FOR FUND 144	2013 CDBG HO						
TOTALS FOR FUND 145	DOWNTOWN REV						
TOTALS FOR FUND 146	DOWNTOWN STR	3084424.23		194241.06	2890183.17	22795.95	2912979.12
TOTALS FOR FUND 147	CDBG P-2 MAS	16098.32			16098.32	6478.65	22576.97
TOTALS FOR FUND 148	2016 OWW CDB						
TOTALS FOR FUND 151	OTHER BOND P	1047194.05	24331.23	134117.37	937407.91	17324.12	954732.03
TOTALS FOR FUND 167	FIRE BEQUEST	24750.86			24750.86		24750.86
TOTALS FOR FUND 169	START UP FUN						
TOTALS FOR FUND 171	RETIREE HEAL	776711.54	98794.00	66740.87	808764.67	100.98	808865.65
TOTALS FOR FUND 173	LIBRARY BEQU	184516.88	187.00	9205.82	175498.06	1251.58	176749.64
TOTALS FOR FUND 174	COMMUNITY DE	67449.26	8030.00	117.00	75362.26		75362.26
TOTALS FOR FUND 175	POLICE BEQUE	84101.13			84101.13	616.00	84717.13
TOTALS FOR FUND 177	HISTORIC PRE	2358.17		500.00	1858.17		1858.17
TOTALS FOR FUND 200	DEBT SERVICE	940229.22			940229.22		940229.22
TOTALS FOR FUND 301	STREET PROJE	841780.11	59070.27	267697.26	633153.12		633153.12
TOTALS FOR FUND 303	AIRPORT PROJ	1149797.98		355281.26	794516.72		794516.72
TOTALS FOR FUND 307	SIDEWALK & C	69152.02		1382.22	67769.80		67769.80
TOTALS FOR FUND 309	PARK PROJECT	429149.30		32156.48	396992.82	2612.50	399605.32
TOTALS FOR FUND 311	LEVEE PROJEC	182405.29			182405.29		182405.29
TOTALS FOR FUND 313	EVENT CENTER	140691.54		180.25	140511.29		140511.29
TOTALS FOR FUND 315	SEWER CONSTR	1239853.84	3000000.00	1662752.50	2577101.34		2577101.34
TOTALS FOR FUND 320	WEST END FLO						
TOTALS FOR FUND 501	CEMETERY MEM						
TOTALS FOR FUND 503	CEMETERY PER	610.00	1370.00	1980.00		1370.00	1370.00
TOTALS FOR FUND 610	SEWER UTILIT	2594749.61	467467.18	487592.60	2574624.19	12145.10	2586769.29
TOTALS FOR FUND 611	SEWER SINKIN	201837.00	106837.00		308674.00		308674.00
TOTALS FOR FUND 612	STORM WATER						
TOTALS FOR FUND 613	SEWER IMPROV	2591667.00	41667.00		2633334.00		2633334.00
TOTALS FOR FUND 670	LANDFILL FUN	3242208.73	179832.41	121624.84	3300416.30	8435.44	3308851.74
TOTALS FOR FUND 671	LANDFILL RES	1114976.00			1114976.00		1114976.00
TOTALS FOR FUND 673	RECYCLING	78637.98	21869.15	77402.91	23104.22	27572.40	50676.62
TOTALS FOR FUND 690	TRANSIT FUND	783867.63	24661.69	88907.21	719622.11	2546.91	722169.02
TOTALS FOR FUND 695	1015 TRANSIT						
TOTALS FOR FUND 720	BRIDGEVIEW E	100336.16	50755.00	88255.00	62836.16		62836.16
TOTALS FOR FUND 750	GOLF COURSE	10793.62	5000.00		15793.62		15793.62
TOTALS FOR FUND 810	POOLED INVES	-37104245.22	1604653.38		-35499591.84		-35499591.84
TOTALS FOR FUND 820	PAYROLL CLEA	224675.50	1091821.62	1209118.95	107378.17	124405.29	231783.46
TOTALS FOR FUND 840	EQUIPMENT PU	1402209.28			1402209.28		1402209.28
TOTALS FOR FUND 860	GROUP HEALTH	3884536.44	331700.32	325213.76	3891023.00	4289.85	3895312.85
TOTALS FOR ALL LISTED FUNDS		1647104.69	10534105.32	10645695.59	1535514.42	393169.46	1928683.88

REPORT DATE 08/31/2019
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CITY OF OTTUMWA
STATEMENT OF CHANGES IN CASH BALANCE
AS OF 08/31/2019

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SUMMARY PAGE INFORMATION

ERRORS DETECTED: 0

END OF REPORT

Vendor #	Vendor Name	Check Number	Check Date	Amount	Reason
00198	ABC PEST CONTROL INC.	202953	08/09/2019	85.90	BLDG MAINT & REPAIR
00320	ACCO	202860	08/02/2019	6,054.00	OPERATING SUPPLIES
00329	A CHILD IS MISSING	202861	08/02/2019	200.00	DUES & MEMBERSHIPS
00672	ADVANTAGE ARCHIVES, LLC	203217	08/23/2019	1,530.00	LIBRARY MAT.-JAMES ESTATE
00681	AFLAC	202862	08/02/2019	1,981.80	AFLAC DEDUCTION PAYABLE
00688	AFSCME/IA COUNCIL 61	203218	08/23/2019	141.00	LIBRARY UNION DUES PAYABL
00800	AHLERS & COONEY P.C.	202954	08/09/2019	2,227.86	LEGAL FEES
00855	AIRGAS USA LLC	202955	08/09/2019	144.86	OPERATING SUPPLIES
01235	ALFIE PACKERS, INC	203098	08/16/2019	246.50	LAB SUPPLIES
01297	NOAH ALJETS	203219	08/23/2019	102.00	TRAVEL & CONFERENCE
01700	ALLIANT ENERGY/IPL	202956	08/09/2019	126,945.68	ELECTRIC
02080	ALTORFER INC.	202957	08/09/2019	2,669.33	OPERATING SUPPLIES
02592	AMERICAN BOTTLING COMPANY	203100	08/16/2019	453.86	CONCESSION - RESALE
03648A	AMERICAN WATER WORKS ASSO	203101	08/16/2019	160.00	TRAINING
04440	ANDERSON LARKIN CO PC	203299	08/30/2019	16,000.00	ACCOUNTING & AUDITING
05116	ARAMARK	203102	08/16/2019	408.60	JANITORIAL
05117	ARAMARK	202958	08/09/2019	95.89	SUSTENANCE SUPPLIES
05124	ARCHANGEL SERVICES, LLC	202864	08/02/2019	3,100.00	MISC CONTRACT WORK
05450A	ARNOLD MOTOR SUPPLY, LLP	203300	08/30/2019	62.51	VHCL MTCE SUPPLIES
05579	ASCHENBRENNER TRUCKING IN	202865	08/02/2019	2,600.00	HEAVY MOTORIZED EQUIP
05700	ATOMIC TERMITE & PEST	202959	08/09/2019	130.00	GROUNDS MAINT & REPAIR
05849	AUTO JET MUFFLER CORP	203103	08/16/2019	539.63	VHCL MTCE SUPPLIES
05860	AUTOZONE INC	203104	08/16/2019	359.98	VHCL MTCE SUPPLIES
06006	BP	203105	08/16/2019	3,261.72	VHCL-FUEL
06474	CAROLYN BAILEY	203221	08/23/2019	35.00	REFUNDS
06481	BAILEY OFFICE OUTFITTERS	202962	08/09/2019	3,053.75	OFFICE SUPPLIES
06780	BAKER & TAYLOR	203302	08/30/2019	59.97	LIBRARY MAT.-JAMES ESTATE
07010	BARCO MUNICIPAL PROD INC	202963	08/09/2019	364.32	STREET MAINT SUPPLIES
07016	BARKER LEMAR ENGINEERING	203222	08/23/2019	21,080.96	ENGINEERING
07872	LINDA BELL	202964	08/09/2019	50.00	REFUNDS
07879	CORY BENGE	203303	08/30/2019	112.12	TOOLS & SMALL EQUIP
08895	BINNS & STEVENS EXPLOSIVE	202866	08/02/2019	1,869.75	STREET MAINT SUPPLIES
08985	BITUMINOUS MATERIALS	203107	08/16/2019	2,053.10	STREET MAINT SUPPLIES
09360	BLACK'S TIRE COMPANY LLC	202965	08/09/2019	692.32	VHCL MTCE SUPPLIES
09522	WELLMARK BC & BS OF IOWA	203223	08/23/2019	22,352.40	MEDICARE PREMIUMS
10079	BOUND TREE MEDICAL LLC	203108	08/16/2019	667.65	SUSTENANCE SUPPLIES
11495	BRIDGE CITY TRUCK REPAIR	203109	08/16/2019	1,378.01	VHCL MTCE SUPPLIES
11496	BRIDGE CTY SANITATION LLC	203110	08/16/2019	136,240.60	REFUSE HAULING
11506	BRIDGE VIEW CENTER	202968	08/09/2019	88,255.00	MANAGEMENT SERVICES
12500	BUB'S TREE CARE	202868	08/02/2019	12,100.00	CONTRACTUAL SERVICES
13607	CFI TIRE SERVICE	203226	08/23/2019	687.22	VHCL MTCE SUPPLIES
13646	CALHOUN-BURNS & ASSOC INC	202869	08/02/2019	10,034.00	ENGINEERING
14773	SCOTT CARLSON	202970	08/09/2019	120.00	TRAVEL & CONFERENCE
15760	CARROLL CONSTRUCTION SUPP	202870	08/02/2019	575.10	CAPITAL IMPROVEMENTS
15778A	CASEY'S MARKETING CO.	202871	08/02/2019	150.00	REFUNDS
16257	CELLEBRITE INC	203113	08/16/2019	3,700.00	TECHNOLOGY SERVICES
16265	CENTER POINT LARGE PRINT	202971	08/09/2019	85.08	LIBRARY MAT.-JAMES ESTATE
16300	CENTRAL IOWA FASTENERS	202972	08/09/2019	317.67	MISCELLANEOUS
16402	CENTURYLINK	202873	08/02/2019	4,177.41	TELEPHONE/IT
16403	CENTURYLINK	203118	08/16/2019	209.99	TELEPHONE/IT
17500	CHRISTNER CONTRACTING INC	202974	08/09/2019	4,059.47	CAPITAL IMPROVEMENTS
17620	CINTAS CORPORATION	202975	08/09/2019	182.01	SUSTENANCE SUPPLIES
17621	CINTAS	203307	08/30/2019	157.10	BLDG MAINT & REPAIR
17622	CINTAS	203119	08/16/2019	78.55	BLDG MAINT & REPAIR

Vendor #	Vendor Name	Check Number	Check Date	Amount	Reason
17681	CIT	203120	08/16/2019	281.95	PHOTOCOPIES
17825	CITY OF OTTUMWA, CEMETERY	203308	08/30/2019	1,980.00	CASH INVESTED PASSBK SVNG
18349	CLARK EQUIPLMENT COMPANY	203309	08/30/2019	23,652.00	OTHER CAPITAL EQUIP
18366	EURAYNA CLAWSON	203310	08/30/2019	15.00	REFUNDS
18379	CLEMONS INC OF OTTUMWA	202976	08/09/2019	623.31	VHCL MTCE SUPPLIES
18502	CLUB SENTRY SOFTWARE	202876	08/02/2019	32.95	TECHNOLOGY SERVICES
18980	COLLECTION SERVICES	203228	08/23/2019	4,293.12	CHILD SUPPORT PAYABLE
20329	RICHARD OR KRIS CONLEY	202877	08/02/2019	220.00	JANITORIAL
21670	MIKE CRAFF	203121	08/16/2019	103.12	TRAVEL & CONFERENCE
21707	LLOYD CRAMER	202978	08/09/2019	10,000.00	FACADE GRANTS
21825	CREDIT UNION	203229	08/23/2019	38,989.72	CREDIT UNION PAYABLE
21842	CRESCENT ELECTRIC SUP CO	202878	08/02/2019	568.11	STREET MAINT SUPPLIES
22457	DC CONCRETE & CONST. LLC	203230	08/23/2019	51,318.58	CONTRACTUAL
22469	DJ CLEANING COMPANY	202879	08/02/2019	1,900.00	JANITORIAL
22479	D P PLUMBING PLUS	203231	08/23/2019	2,275.00	CONTRACTUAL SERVICES
22608	DANI'S AUTO SUPPLY LLC	202984	08/09/2019	5,368.38	VHCL MTCE SUPPLIES
23032	JO ANNE DAVIS	202985	08/09/2019	51.83	OPERATING SUPPLIES
23932	DECATUR CO EMERGENCY MANA	203232	08/23/2019	235.16	GRANT
24325	DEMCO, INC	202986	08/09/2019	427.28	OPERATING SUPPLIES
24840	DIAMOND MOWERS INC	203233	08/23/2019	262.76	VHCL MTCE SUPPLIES
25361	DOUDS STONE LLC	203123	08/16/2019	764.75	STREET MAINT SUPPLIES
25390	R. D. DRENKOW & CO INC	203234	08/23/2019	4,183.62	R.D. DRENKOW/FLEX PAY
25394	DRISH CONSTRUCTION, INC.	203124	08/16/2019	71,287.53	CONTRACTUAL
25593	DXP ENTERPRISES, INC.	203311	08/30/2019	327.24	VHCL MTCE SUPPLIES
26640	ECOSYSTEMS INC	202989	08/09/2019	12,546.00	SLUDGE HAULING
27005	ELECTRIC PUMP, INC.	202881	08/02/2019	20,400.38	OTHER MAINT & REPAIR
27010	ELECTRICAL ENGINEERING &	202882	08/02/2019	272.44	GROUNDS MAINT & REPAIR
27272	ELLIOTT BULK SERVICES LLC	202991	08/09/2019	4,773.42	VHCL-FUEL
27280	ELLIOTT OIL COMPANY	203125	08/16/2019	8,138.94	VHCL-FUEL
27518	EMERGENCY MEDICAL PRODUCT	202993	08/09/2019	389.97	TOOLS & SMALL EQUIP
27617	ENGINEERING NEWS-RECORD	203126	08/16/2019	87.00	BOOKS FILMS RECORDING/ART
27786	ENVIRONMENTAL PRODUCTS &	203236	08/23/2019	642.08	SUSTENANCE SUPPLIES
27789	ENVIRONMENTAL EDGE	202883	08/02/2019	8,374.00	CONTRACTUAL SERVICES
28208A	EUROFINS TESTAMERICA	202884	08/02/2019	7,454.48	LAB SUPPLIES
28610	EYES & EARS	203127	08/16/2019	500.00	PUBLIC INFORMATION
29285	CHAD FARRINGTON	203237	08/23/2019	102.00	TRAVEL & CONFERENCE
29300	FASTENAL COMPANY	202885	08/02/2019	495.64	TOOLS & SMALL EQUIP
29750	KEN FESKE	203239	08/23/2019	160.45	SUSTENANCE SUPPLIES
29829	FIDELITY SECURITY LIFE	202994	08/09/2019	1,536.05	AVESIS PAYABLE
30119	FIRESTONE COMPLETE AUTO C	202995	08/09/2019	183.52	VHCL MTCE SUPPLIES
30148	FIREMANS ASSC	203240	08/23/2019	1,731.00	FIRE UNION DUES PAYABLE
30720	FLOOR TO CEILING STORE	203314	08/30/2019	141.12	BUILDING MAINTENANCE REPA
31024	SHAWN FOSTER	203128	08/16/2019	8.00	TRAINING
31427	FYE EXCAVATING, INC.	203241	08/23/2019	121,336.31	CONTRACTUAL SERVICES
31459	GRP & ASSOCIATES	203315	08/30/2019	104.00	HAZARDOUS WASTE DISPOSAL
31682	GALLS LLC-DBA CARPENTER	203129	08/16/2019	6,286.19	TOOLS & SMALL EQUIP
31791	RAMIRO GARCIA	203317	08/30/2019	100.00	REFUNDS
31797	GARDEN & ASSOCIATES LTD	203318	08/30/2019	44,134.62	CONTRACTUAL SERVICES
32032	KENDRA GASPAR	202997	08/09/2019	100.00	REFUNDS
32783	DALLAS GLICK	203131	08/16/2019	171.19	SUSTENANCE SUPPLIES
32931	GOLF CARS OF IOWA	203319	08/30/2019	50.46	VHCL MTCE SUPPLIES
33182	GOVERNMENT FINANCE	202998	08/09/2019	225.00	DUES & MEMBERSHIPS
33390	GRAINGER	203132	08/16/2019	229.29	CAPITAL IMPROVEMENTS
33635	GREAT WESTERN SUPPLY CO	202999	08/09/2019	1,562.24	OPERATING SUPPLIES

Vendor #	Vendor Name	Check Number	Check Date	Amount	Reason
33854	PAM GRUNDSTAD	203000	08/09/2019	100.00	REFUNDS
34659	HAINES AUTO SUPPLY, INC.	203001	08/09/2019	542.50	VHCL MTCE SUPPLIES
34664	JOHN HALL & ASSOC. PLLC	203243	08/23/2019	2,324.50	LEGAL FEES
34894	JEFFREY HAMANN	203208	08/20/2019	95.86	SUSTENANCE SUPPLIES
34900	HAMILTON PRODUCE COMPANY	203003	08/09/2019	46.00	STREET MAINT SUPPLIES
35430	HARRISON MORELAND WEBBER	203004	08/09/2019	3,704.50	LEGAL FEES
35434	HARRISON TRUCK CENTERS	203133	08/16/2019	225.20	VHCL MTCE SUPPLIES
36074	HAWKEYE ENVIRONMENTAL	203321	08/30/2019	525.00	CONTRACTUAL SERVICES
36302	HEARTLAND HUMANE SOCIETY	203005	08/09/2019	378.00	OTHER PROF SERV
36850	HELMUTH REPAIR, INC.	203244	08/23/2019	32.14	OPERATING SUPPLIES
37415	HICKENBOTTOM INC	202890	08/02/2019	424.06	SEWER/DRAINAGE SUPPLIES
37423	BRAD HIGGINS	202891	08/02/2019	200.00	SUSTENANCE SUPPLIES
37476	HILL PRODUCTIONS & MEDIA	203006	08/09/2019	30.00	ADVERT/LEGAL PUBL
37560	HINDMAN PERSON HEATING	203246	08/23/2019	2,125.00	GROUPS MAINT & REPAIR
37572	HISTORIC PRESERVATION COR	203008	08/09/2019	500.00	OTHER PROF SERV
38610	HOTSY CLEANING SYSTEMS	203247	08/23/2019	549.48	TOOLS & SMALL EQUIP
39307	HYDRO DRAMATICS	202892	08/02/2019	85.41	OPERATING SUPPLIES
39308	HYDROFIT	203009	08/09/2019	205.00	EQUIP REPAIR
39438	HY-VEE ACCOUNTS RECEIVABL	203248	08/23/2019	61.62	MISCELLANEOUS
41480	ICMA RETIREMENT TRUST 457	203249	08/23/2019	4,525.52	ICMA DEF COMP PAYABLE
41505	IMWCA	203134	08/16/2019	49,501.66	POLICE W/C 411 CLAIMS
41534	IRA/ISOSWO CONFERENCE	203135	08/16/2019	500.00	TRAVEL & CONFERENCE
41600	IDEAL READY MIX	203011	08/09/2019	14,623.53	STREET MAINT SUPPLIES
41614	IDEXX DISTRIBUTION INC	203012	08/09/2019	3,701.96	OTHER SMALL CAPITAL
41920A	INDUSTRIAL CHEMICAL	202894	08/02/2019	168.00	MISC CONTRACT WORK
41925	INDUSTRIAL MEDICINE	203136	08/16/2019	507.00	EMPLOYEE PHYSICALS/TESTS
42090	INFOMAX OFF SYSTEMS INC	203323	08/30/2019	3,441.80	PHOTOCOPIES
42160	INGRAM LIBRARY SERVICES	203137	08/16/2019	3,918.63	LIBRARY MAT.-JAMES ESTATE
42170	INLAND TRUCK PARTS & SERV	203014	08/09/2019	742.96	VHCL MTCE SUPPLIES
43265	INTERSTATE BATTERY	203015	08/09/2019	1,011.33	VHCL MTCE SUPPLIES
43280	INTOXIMETERS INC	202897	08/02/2019	380.00	TOOLS & SMALL EQUIP
43501	IA DEPT OF TRANSPORTATION	203325	08/30/2019	240.00	TRAINING
43504	IOWA DNR	203016	08/09/2019	23,152.50	SOLID WASTE FEES PAYABLE
43504A	IA DEPT NATURAL RESOURCES	202898	08/02/2019	1,275.00	PERMITS
43849A	IOWA INSURANCE DIVISION	203096	08/09/2019	100.00	MISCELLANEOUS
43880A	IA LAW ENFORCEMENT ACADEM	203253	08/23/2019	525.00	OTHER PROF SERV
43999	IOWA ONE CALL	202899	08/02/2019	263.70	TELEPHONE/IT
44037	IOWA PRISON INDUSTRIES	202900	08/02/2019	1,520.90	STREET MAINT SUPPLIES
44038	IOWA PUMP WORKS, INC	203019	08/09/2019	1,635.62	EQUIP REPAIR
45044	JBO CONSULTING GROUP, INC	203254	08/23/2019	25,447.12	ENGINEERING
45057	J & J MOWING	203327	08/30/2019	24,140.00	WEED MOWING
45221	J & S ELECTRONIC BUSINESS	203256	08/23/2019	230.40	OFFICE SUPPLIES
45974	JOHN DEERE FINANCIAL	203257	08/23/2019	510.92	SEWER/DRAINAGE SUPPLIES
46158	AMY JOHNSON	203021	08/09/2019	8.00	TRAINING
46694	JONES CONTRACTING CORP	203141	08/16/2019	137,302.52	CONTRACTUAL SERVICES
47688	KARL CHEVROLET	203142	08/16/2019	1,790.89	VHCL MTCE SUPPLIES
47714	KAY PARK-REC CORP (AR)	203022	08/09/2019	117.00	OPERATING SUPPLIES
47726	KAYSER SOIL SERVICE	203143	08/16/2019	28.40	VHCL MTCE SUPPLIES
48003	BILL KEITH	203144	08/16/2019	8.00	TRAVEL & CONFERENCE
48017	KELTEK INCORPORATED	203145	08/16/2019	155.00	VHCL MTCE SUPPLIES
48809	KIESLER'S POLICE SUPPLY,	203146	08/16/2019	12,923.80	TOOLS & SMALL EQUIP
49041	ALLYSON KIRKING	203024	08/09/2019	30.16	TRAVEL & CONFERENCE
49042	KIRKHAM MICHAEL	203025	08/09/2019	41,287.11	INFRASTRUCTURE
49082	KIRX INC.	203026	08/09/2019	966.64	ADVERT/LEGAL PUBL

Vendor #	Vendor Name	Check Number	Check Date	Amount	Reason
49206	KLODT DOOR SERVICE LLC	203027	08/09/2019	1,251.50	BLDG MAINT & REPAIR
49687	KOHL WHOLESALE	203028	08/09/2019	7,127.38	CONCESSION - RESALE
50138	KNOXVILLE COMMUNITY	203329	08/30/2019	300.00	TRAINING
50305A	KYOU	203147	08/16/2019	480.00	ADVERT/LEGAL PUBL
50560	BOB LANCASTER OIL CO INC	203029	08/09/2019	5,861.83	VHCL-FUEL
50817	DAN LAURSEN EXCAVATING	202903	08/02/2019	26,500.00	CONTRACTUAL SERVICES
51060	LAWSON PRODUCTS INC	203209	08/20/2019	43.48	OPERATING SUPPLIES
51390	BLAKE LEFLER	203259	08/23/2019	118.00	TRAVEL & CONFERENCE
51723	AURORA LEYA	203260	08/23/2019	50.00	REFUNDS
51969	LIBERTY TIRE SERVICES LLC	203150	08/16/2019	3,809.19	VHCL MTCE SUPPLIES
52094	LIFELINE AUDIO VIDEO TECH	202905	08/02/2019	16,451.15	CAPITAL IMPROVEMENTS
52254	LISCO	203151	08/16/2019	270.00	TECHNOLOGY SERVICES
52735	LOGAN CONTRACTORS SUPPLY	203333	08/30/2019	94.12	VHCL MTCE SUPPLIES
52990	LOKTRONICS SECURITY CORP	203030	08/09/2019	50.17	MISCELLANEOUS
53688	MACHINE SHED	203153	08/16/2019	3,698.00	TRAVEL & CONFERENCE
54055	MAHASKA	203031	08/09/2019	1,731.20	CONCESSION - RESALE
54172	MAHASKA COUNTY EMA	202906	08/02/2019	983.20	GRANT
54390	MANATT'S INC	202907	08/02/2019	6,258.78	STREET MAINT SUPPLIES
54396	MANATTS INC.	203262	08/23/2019	314,594.15	INFRASTRUCTURE
54533	MAREN ENGINEERING CORP	203263	08/23/2019	1,610.44	VHCL MTCE SUPPLIES
55311	MASSMUTUAL RETIREMENT SER	203264	08/23/2019	500.00	HARTFORD DEF COMP PAYABLE
56163	JASON MCDANIEL	203334	08/30/2019	180.00	SUSTENANCE SUPPLIES
56656	MCKEE CONSTRUCTION AND	202908	08/02/2019	22,650.00	CONTRACTUAL SERVICES
56665	MCKIM TRACTOR SERVICE LLC	202909	08/02/2019	421.35	VHCL MTCE SUPPLIES
57195	MCMMASTER-CARR	203210	08/20/2019	30.46	OPERATING SUPPLIES
57385	MENARDS	203156	08/16/2019	2,289.62	OPERATING SUPPLIES
57388	MENKE PROFESSIONAL AUTO P	203034	08/09/2019	542.74	VHCL MTCE SUPPLIES
57391	MENARD CONSULTING, INC.	203035	08/09/2019	2,700.00	OTHER PROF SERV
57414	MERCYONE OCCUPATIONAL	203335	08/30/2019	1,648.00	EMPLOYEE PHYSICALS/TESTS
57518	SYMETRA LIFE INSURANCE CO	203336	08/30/2019	4,390.83	GROUP LIFE PREMIUMS
57945	JESSE MERRILL JR	203337	08/30/2019	72.00	DUES & MEMBERSHIPS
57961	METAL CULVERTS INC.	203338	08/30/2019	5,175.00	CELL DEVELOPMENT
58500	MIDAMERICAN ENERGY CO	203037	08/09/2019	1,919.22	NATURAL GAS
59301	MIDWEST AUTO GLASS & TIRE	203158	08/16/2019	60.00	VHCL MTCE SUPPLIES
59382	MIDWEST TAPE	203266	08/23/2019	81.21	LIBRARY MAT.-JAMES ESTATE
59753	MIKES TIRE AND	203339	08/30/2019	2,031.00	VHCL MTCE SUPPLIES
60088	MARK MILLER	203160	08/16/2019	50.00	REFUNDS
60097	TONY MILLER	203161	08/16/2019	8.00	TRAVEL & CONFERENCE
60278	MSA SAFETY SALES LLC	202912	08/02/2019	331.08	OPERATING SUPPLIES
60780	MOBILE LOCKSMITH & ALARM,	203038	08/09/2019	567.00	CONTRACTUAL SERVICES
61785	MOTION INDUSTRIES	203162	08/16/2019	945.15	BUILDING MAINTENANCE REPA
62551	MUNDELL & ASSOCIATES	203039	08/09/2019	216.50	GROUNDS MAINT & REPAIR
62560	MUNICIPAL CODE CORP	203163	08/16/2019	271.46	ADVERT/LEGAL PUBL
62575	MUNICIPAL FIRE & POLICE	203341	08/30/2019	237,488.70	FIRE RETIREMENT
62580	MUNICIPAL PIPE TOOL CO LL	203164	08/16/2019	2,139.11	VHCL MTCE SUPPLIES
62889	MYOU	203165	08/16/2019	520.00	ADVERT/LEGAL PUBL
63024	NALC POST OFFICE OTTUMWA	203040	08/09/2019	50.00	REFUNDS
63669	NATIONAL ASSOCIATION OF	202914	08/02/2019	495.00	TRAINING
63671	NATIONAL ASSOCIATION OF	203166	08/16/2019	55.00	DUES & MEMBERSHIPS
64400	NATIONWIDE RETIREMENT SOL	203269	08/23/2019	4,250.00	NRS-NATION RETIRE SOL
64991	NEW LIFE CENTER	203167	08/16/2019	100.00	REFUNDS
65801	NORFOLK SOUTHERN RAILWAY	203168	08/16/2019	564.47	RENTS & LEASES
65975	NORMED	203169	08/16/2019	270.96	SUSTENANCE SUPPLIES
65985	NORSOLV SYSTEMS ENVIRONM	203270	08/23/2019	389.90	OPERATING SUPPLIES

Vendor #	Vendor Name	Check Number	Check Date	Amount	Reason
66001	NORRIS ASPHALT PAVING INC	203342	08/30/2019	7,784.10	STREET MAINT SUPPLIES
66077	NORTHERN SAFETY COMPANY	203043	08/09/2019	112.45	OPERATING SUPPLIES
66534	OCCUPATIONAL SAFETY SOLUT	202915	08/02/2019	8,350.00	GRANT
66545	STEVE O'CONNOR	203272	08/23/2019	1,350.00	GRANT
66561	OFFICIAL PEST CONTROL	203044	08/09/2019	55.00	SUSTENANCE SUPPLIES
66730	OHARA HARDWARE	202919	08/02/2019	912.41	OPERATING SUPPLIES
67058	ONSITE SERVICE SOLUTIONS	203045	08/09/2019	2,891.50	CONTRACTUAL SERVICES
67059	ONSITE SERVICE SOLUTIONS,	203170	08/16/2019	807.50	CONTRACTUAL SERVICES
67098	O'REILLY AUTOMOTIVE	203046	08/09/2019	654.73	VHCL MTCE SUPPLIES
67101	OTC BRANDS INC	202920	08/02/2019	992.04	PROGRAM SUPPLIES
67105	OQUAWKA BOATS &	203173	08/16/2019	54,526.00	OTHER CAPITAL EQUIPMENT
67752	OTTUMWA CHIROPRACTIC CLIN	203048	08/09/2019	170.00	EMPLOYEE PHYSICALS/TESTS
67759	OTTUMWA COMMUNITY SCHOOLS	203343	08/30/2019	188.88	OFFICE SUPPLIES
68000	OTTUMWA COURIER	203174	08/16/2019	5,616.05	ADVERT/LEGAL PUBL'
68001	OTTUMWA COURIER	202922	08/02/2019	379.20	DUES & MEMBERSHIPS
68239	OTTUMWA GLASS	203175	08/16/2019	338.00	EQUIP REPAIR
68240	OTTUMWA GLASS COMPANY	203049	08/09/2019	175.00	EQUIP REPAIR
68248A	OTTUMWA MUNICIPAL BAND	203050	08/09/2019	3,501.62	OTHER PROF SERV
68556	OTTUMWA NAPA	203051	08/09/2019	473.96	VHCL MTCE SUPPLIES
68560	OTTUMWA PRINTING, INC.	203052	08/09/2019	1,096.00	PRINTING
68575	OTTUMWA RADIATOR SHOP	203344	08/30/2019	550.00	VHCL MTCE SUPPLIES
68640	OTTUMWA SEAT & TOP	202923	08/02/2019	75.00	EQUIP REPAIR
69040	OTTUMWA WATER AND HYDRO	203053	08/09/2019	11,897.22	WATER
69193	OVERDRIVE INC.	203176	08/16/2019	3,992.45	CONTRACTUAL SERVICES
69270	OYOU	203177	08/16/2019	470.00	ADVERT/LEGAL PUBL
69397	PRI MANAGEMENT GROUP	203054	08/09/2019	390.00	TRAINING
69688	DIXIE L PARKER	202924	08/02/2019	1,400.00	JANITORIAL
70610	PAYMENT REMITTANCE CENTER	203214	08/20/2019	14,741.23	OPERATING SUPPLIES
71950	PIERCE CONST & FENCE CO L	202925	08/02/2019	1,074.44	CAPITAL IMPROVEMENTS
72035	PIPESTONE VET CLINIC OF	203056	08/09/2019	437.00	OTHER PROF SERV
72236	PITNEY BOWES INC.	203057	08/09/2019	314.46	OFFICE SUPPLIES
72250	PITNEY BOWES GLOBAL	203345	08/30/2019	181.53	CONTRACTUAL SERVICES
72253	PPG ARCHITECTURAL FINISHE	203058	08/09/2019	151.05	STREET MAINT SUPPLIES
72561	PLUMB SUPPLY COMPANY-OT	203178	08/16/2019	24.76	OPERATING SUPPLIES
72986	PORTZEN CONSTRUCTION INC	203059	08/09/2019	148,864.57	CONTRACTUAL SERVICES
73290	POWERPLAN	203179	08/16/2019	123.24	VHCL MTCE SUPPLIES
73420	PRAIRIE AG SUPPLY INC	203180	08/16/2019	324.25	OPERATING SUPPLIES
73926	PRODUCTIVITY PLUS ACCOUNT	203346	08/30/2019	800.26	VHCL MTCE SUPPLIES
73960	PROFESSIONAL COMPUTER	203060	08/09/2019	99.99	TECHNOLOGY SERVICES
74545	QUAD CITY SAFETY INC	203275	08/23/2019	209.90	SUSTENANCE SUPPLIES
74626	QUALITY SERVICES CORP	203276	08/23/2019	236.75	VHCL MTCE SUPPLIES
74740	RJ PERFORMANCE INC	203277	08/23/2019	23.98	VHCL MTCE SUPPLIES
74751	R.G. CONSTRUCTION, LLC	203347	08/30/2019	156,415.13	CONTRACTUAL SERVICES
74952	RADIO ENGINEERING INDUSTR	203278	08/23/2019	437.51	OTHER SMALL CAPITAL
74955	RACOM CORPORATION	202928	08/02/2019	10,574.99	OTHER SMALL CAPITAL
75901	RECORDED BOOKS INC	203279	08/23/2019	695.34	LIBRARY MAT.-JAMES ESTATE
75902	RECREONICS CORPORATION	203064	08/09/2019	113.55	EQUIP REPAIR
76040	REED & REED, INC	203181	08/16/2019	165.00	RAMP MAINT & REPAIR
76053	REED OVERHEAD DOOR	202930	08/02/2019	412.50	CAPITAL IMPROVEMENTS
76291	REHRIG PACIFIC COMPANY	203182	08/16/2019	3,793.00	TRASH TAGS & STICKERS
76321A	RELIANT FIRE APPARATUS, IN	203183	08/16/2019	318.70	VHCL MTCE SUPPLIES
76998	RIDGWAY ELECTRIC, LLC	202931	08/02/2019	962.50	MISC CONTRACT WORK
77180	RICHARD LEVI RITZ	203066	08/09/2019	200.00	SUSTENANCE SUPPLIES
77454	ROBYN REESE, CEM	203280	08/23/2019	1,750.00	GRANT

Vendor #	Vendor Name	Check Number	Check Date	Amount	Reason
78279	S & L ALL SEASON	202932	08/02/2019	560.42	STREET MAINT SUPPLIES
78291	S & S PLUMBING, HEATING,	203185	08/16/2019	439.71	BLDG MAINT & REPAIR
78443	SAFETY MEETING OUTLINES	203281	08/23/2019	95.00	SUSTENANCE SUPPLIES
78718	SANDRY FIRE SUPPLY LLC	202933	08/02/2019	66.15	TOOLS & SMALL EQUIP
79358	SCHUMACHER ELEVATOR CO	203186	08/16/2019	476.79	BLDG MAINT & REPAIR
79721	SCOTT MERRIMAN INC.	203187	08/16/2019	1,026.00	PRINTING
79992	SECOND BAPTIST CHURCH	203188	08/16/2019	50.00	REFUNDS
80050	SECRETARY OF STATE	202934	08/02/2019	30.00	DUES & MEMBERSHIPS
80170	SELF-FUNDING ACTUARIAL	203067	08/09/2019	400.00	OTHER PROF SERV
81360	SHERWIN WILLIAMS	203189	08/16/2019	287.96	STREET MAINT SUPPLIES
81507	SHRED-IT USA	203190	08/16/2019	37.80	OTHER PROF SERV
82127	ZACH SIMONSON	203068	08/09/2019	252.58	TRAINING
82135	SINCLAIR TRACTOR	203070	08/09/2019	1,907.54	TOOLS & SMALL EQUIP
82198	TIM SKINNER TRUCKING AND	203349	08/30/2019	6,964.00	CONTRACTUAL SERVICES
83880	SOUTHERN IOWA DIESEL, INC	203071	08/09/2019	297.47	VHCL-FUEL
83920	SOUTHERN IOWA ELECTRIC	203072	08/09/2019	83.29	ELECTRIC
83958	SPECIAL OLYMPICS	203350	08/30/2019	50.00	REFUNDS
84947	STANARD & ASSOC INC	202935	08/02/2019	145.00	OTHER PROF SERV
85262A	STATE HYGIENIC LABORATORY	203191	08/16/2019	190.00	TRAINING
85277	STATE OF IOWA DIVISION OF	202936	08/02/2019	225.00	PERMITS
85285	STATE LIBRARY OF IOWA	202937	08/02/2019	1,526.38	CONTRACTUAL SERVICES
86196	THE STITCH DOCTOR	203351	08/30/2019	30.00	SUSTENANCE SUPPLIES
86661	SUEZ TREATMENT SOLUTIONS	203073	08/09/2019	1,854.60	OPERATING SUPPLIES
86704	SUMMIT FIRE PROTECTION CO	203192	08/16/2019	153.50	VHCL MTCE SUPPLIES
86970	SUPREME STAFFING INC	203194	08/16/2019	60,193.11	CONTRACT EMPLOYEES
87250	SWANA	203282	08/23/2019	223.00	DUES & MEMBERSHIPS
87466	SYN-TECH SYSTEMS, INC.	203075	08/09/2019	208.75	VHCL-FUEL
88000	TEAMSTER LOCAL UNION 238	203283	08/23/2019	3,073.36	PUBLIC WKS UNION DUE PAYA
88431	THERMO KING SALES & SERVI	203354	08/30/2019	826.84	VHCL MTCE SUPPLIES
88858	TIFCO INDUSTRIES	203355	08/30/2019	254.28	TOOLS & SMALL EQUIP
89090	TOTAL CHOICE SHIPPING	203076	08/09/2019	168.42	POSTAGE & SHIPPING
89215	TRADEBE TREATMENT AND	203196	08/16/2019	8,835.20	HAZARDOUS WASTE DISPOSAL
89308	TRANS-IOWA EQUIPMENT, INC.	203356	08/30/2019	2,097.64	VHCL MTCE SUPPLIES
89462A	TREASURER STATE OF IOWA	203078	08/09/2019	6,175.00	SALES TAX PAYABLE
89525	TRINITY CHURCH OF THE	203197	08/16/2019	50.00	REFUNDS
89855	TRUITT ABSTRACT COMPANY	202940	08/02/2019	425.00	CONTRACTUAL SERVICES
90454	ULINE	202941	08/02/2019	220.35	OPERATING SUPPLIES
90846	UPS	203080	08/09/2019	279.25	POSTAGE & SHIPPING
90885	UNITYPOINT CLINIC	203081	08/09/2019	210.00	EMPLOYEE PHYSICALS/TESTS
91835	USA BLUE BOOK	203082	08/09/2019	1,140.41	OPERATING SUPPLIES
92000	UTILITY EQUIPMENT COMPANY	203199	08/16/2019	5,109.22	SEWER/DRAINAGE SUPPLIES
92398	VAN MAANEN ELECTRIC, INC.	203083	08/09/2019	3,889.28	CAPITAL IMPROVEMENTS
92555	THE VAN METER COMPANY	203084	08/09/2019	811.21	OPERATING SUPPLIES
92648	VEENSTRA & KIMM INC	202943	08/02/2019	19,127.62	CONTRACTUAL SERVICES
92662	MARCO VENEGAS	203359	08/30/2019	50.00	REFUNDS
92679	VERIZON WIRELESS	203201	08/16/2019	1,200.36	TELEPHONE/IT
92680	VERMEER SALES & SERVICE	203085	08/09/2019	27.00	VHCL MTCE SUPPLIES
92694	MARTHA VERSTEEGH	203202	08/16/2019	50.00	REFUNDS
92923	VISION INDUSTRIAL SALES	203203	08/16/2019	769.20	OPERATING SUPPLIES
94000	WALMART COMMUNITY/RFCSELLC	203288	08/23/2019	1,511.42	TOOLS & SMALL EQUIP
94001	WALMART COMMUNITY/RFCSELLC	203360	08/30/2019	884.85	LIBRARY MAT.-JAMES ESTATE
94075	WAPELLO CO AGRICULTURAL	203086	08/09/2019	35.00	OPERATING SUPPLIES
94235	WAPELLO CO CLERK OF COURT	202945	08/02/2019	90.00	RECORDING & COURT FEES
94235B	WAPELLO CO CLERK OF COURT	203087	08/09/2019	275.00	RECORDING & COURT FEES

Vendor #	Vendor Name	Check Number	Check Date	Amount	Reason
94235C	WAPELLO CO CLERK OF COURT	203088	08/09/2019	470.00	RECORDING & COURT FEES
94485	WAPELLO COUNTY, IOWA	203361	08/30/2019	96.12	RECORDING & COURT FEES
94490	WAPELLO COUNTY TREASURER	203089	08/09/2019	25.00	RECORDING & COURT FEES
94547	WAPELLO CO EMRG.MANAGEMEN	203289	08/23/2019	436.68	GRANT
94704	WAPELLO COUNTY RECORDER	203090	08/09/2019	212.00	ADVERT/LEGAL PUBL
94704A	WAPELLO COUNTY RECORDER	202949	08/02/2019	136.00	RECORDING & COURT FEES
95000	WAPELLO COUNTY UNITED WAY	203290	08/23/2019	70.00	UNITED WAY DED PAYABLE
95120	WAPELLO RURAL WATER ASSC	203092	08/09/2019	43.93	WATER
95315	WATEROUS COMPANY	203093	08/09/2019	613.56	VHCL MTCE SUPPLIES
95368	WAYNE'S TIRE	203363	08/30/2019	2,227.79	VHCL MTCE SUPPLIES
95611	WELLMARK BC & BS OF IOWA	203293	08/23/2019	344,938.75	GROUP HEALTH CLAIMS
95890	WESTERN SPECIALTY CONTRAC	202951	08/02/2019	1,981.25	CONTRACTUAL SERVICES
96800	GARY (VINCE) WILCOXSON	203294	08/23/2019	105.91	TRAVEL & CONFERENCE
97305	WINDSTREAM	203295	08/23/2019	873.02	TELEPHONE/IT
97320	WINGER COMPANIES	203206	08/16/2019	2,155.99	CAPITAL IMPROVEMENTS
97334	WINN CORP	203365	08/30/2019	8,262.10	STREET MAINT SUPPLIES
97577	WOODRIVER ENERGY LLC	203215	08/20/2019	1,955.30	NATURAL GAS

TOTAL NUMBER OF CHECKS 679 WRITTEN TO 341 VENDORS FOR 2,951,876.66

US TREASURY	123,112.47	Fed/FICA
US Treasury	44,326.60	PR/TAX
Treasurer St of Iowa	42,997.00	St/W/H
IPERS	32,446.40	W/H
IPERS	48,699.81	City Share
<hr/>		
	<u>3,243,461.94</u>	Total



City of Ottumwa Mayor's Proclamation

- WHEREAS, the City of Ottumwa, Iowa is committed to ensuring the safety and security of all those living in and visiting Ottumwa; and
- WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and
- WHEREAS, home fires killed 2,630 people in the United States in 2017, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 357,000 home fires; and
- WHEREAS, the majority of US fire deaths (4 out of 5) occur at home each year; and
- WHEREAS, the fire death rate per 1000 home fires reported to US fire departments was 4 percent higher in 2017 than in 1980; and
- WHEREAS, when the smoke alarm sounds Ottumwa's residents may have less than two minutes to escape to safety; and
- WHEREAS, Ottumwa's residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and
- WHEREAS, Ottumwa's residents should make a home escape plan, drawing a map of each level of the home, showing all doors and windows; and
- WHEREAS, Ottumwa's residents should practice the home fire escape plan with everyone in the household, including visitors; and
- WHEREAS, Ottumwa's residents should practice the home fire escape drill at least twice a year, during the day and at night; and
- WHEREAS, Ottumwa's residents should teach children to escape on their

own in case adults can't help them; and

WHEREAS, Ottumwa's residents should make sure everyone in the home knows how to call 9-1-1 or the local emergency number from a cell phone or a neighbor's phone; and

WHEREAS, Ottumwa's residents should practice using different ways out; and

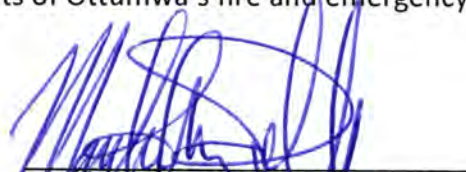
WHEREAS, Ottumwa's residents in a real emergency should get low and go under the smoke to get out quickly; and

WHEREAS, Ottumwa's residents should get out and stay out, never going back inside the home for people, pets, or things; and

WHEREAS, Ottumwa's residents are responsive to public education measures and are able to take action to increase their safety from fire, especially in their homes; and


WHEREAS, the 2019 Fire Prevention Week™ theme, "Not Every Hero Wears a Cape. Plan and Practice Your Escape!™" effectively serves to remind us that we need to take personal steps to increase our safety from fire.

NOW, THEREFORE, I Matt Dalbey, Mayor Pro Tem, City of Ottumwa, do hereby proclaim October 6–12, 2019, as Fire Prevention Week throughout this city, and I urge all the people of Ottumwa to be aware of their surroundings, look for available ways out in the event of a fire or other emergency, respond when the smoke alarm sounds by exiting the building immediately, and to support the many public safety activities and efforts of Ottumwa's fire and emergency services during Fire Prevention Week 2019.



Matt Dalbey, Mayor Pro Tem

ATTEST:



Christina Reinhard, City Clerk




**PROCLAMATION
National Disability Awareness Month
October 2019**

WHEREAS, Workplaces who welcome the talents of all people, including people with disabilities, are a critical part of our efforts to build an inclusive community and strong economy; and

WHEREAS, In this spirit, the City of Ottumwa is recognizing National Disability Employment Awareness Month this October to raise awareness about disability employment issues and celebrate the many and varied contributions of people with disabilities; and

WHEREAS, Activities during this month will reinforce the value and talent people with disabilities add to our workplaces and communities and affirm Ottumwa's commitment to an inclusive community.

NOW, THEREFORE, I, MATT DALBEY, MAYOR PRO TEM, City of Ottumwa, do hereby proclaim October 2019 as National Disability Employment Awareness Month. In so doing, I call upon employers, schools and other community organizations in Ottumwa to observe this month with appropriate programs and activities, and to advance its important message that people with disabilities are equal to the task throughout the year.


Matt Dalbey, Mayor Pro Tem

ATTEST:

Christina Reinhard, City Clerk



October 1, 2019

TO: Ottumwa City Council Members

FROM: Matt Dalbey, Mayor Pro Tem

SUBJECT: APPOINTMENT TO CITY BOARDS AND/OR COMMISSIONS

Recommend appointment to the Cemetery Board of Trustees, term to expire 07/01/2026, due to a vacancy.

Roger Hemmings
2123 N. Elm

Recommend appointment to the Historic Preservation Commission, term to expire 01/01/2020, due to a vacancy.

Cara Galloway
1219 N. Fellows

Recommend appointment to the Historic Preservation Commission, term to expire 01/01/2022, due to a vacancy.

Rick Woten
P.O. Box 399

received
8-29-19

CITY OF OTTUMWA
Biographical Data for Appointment to City Advisory Board

The information contained on this form is for the use of the Mayor and City Council in order to fill vacancies on City Advisory Boards Commissions, Committees, or Task Forces.

Biographical forms may be submitted at any time during the year; however, they will be purged January 31 of each year. If you have not been appointed to an advisory board during the preceding year, and still desire appointment, please resubmit an updated biographical form or advise in writing that the initial form is still usable.

Board, Commission, Committee, or Task Force to which appointment is desired:

Ottumwa Cemetery Board

Name: Roger Hemmings Telephone: 641-799-7553

Email: (optional) rogerhem53@gmail.com

Address: 2123 N. Elm ZIP: 52501

Business: North Court Baptist Church Telephone: 641-682-0371

Address: 1411 N. Court ZIP: 52501

Date Available for Appointment Now E-Mail: _____

Present occupation: clergy man

Previous Employment: _____

Answer the following: (Use additional sheets if necessary)

Community Service:

(List boards, commissions, committees and organizations currently serving or have served on, offices held and in what city).

Please list any professional or vocational licenses or certificates you hold.

ordained minister



Personal:

(Have you ever worked for the City of Ottumwa?
(If yes, please list dates and names of departments)

Yes _____ No

Are you related to any employee or appointee of
the City of Ottumwa? (If yes, please indicate name
and relationship.)

Yes _____ No

Rules of law and ethics prohibit members from
participating in and voting on matters in which they
pay have a direct or indirect financial interest. Are
you aware of any potential conflicts of interest
which may develop from your occupation or financial
holdings in relation to your responsibilities as a
member of the advisory body to which you seek
appointment). (If yes, please indicate any potential
conflicts).

Yes _____ No

Are you aware of the time commitment necessary
to fulfill the obligations of the advisory body to
which you seek appointment?

Yes No _____

Please furnish brief written responses to the three following questions: (Use additional sheets if
necessary.)

1. What is there specifically in your background, training, education, or interests which
qualifies you as an appointee? - Counseling, various committees - church related
- Bachelor of Theology degree
- Pastored churches over 40 yrs. (9+ here in Ottumwa)
2. What do you see as the objectives and goals of the advisory body to which you seek
appointment? (Giving a church/pastoral viewpoint to the cemetery board)
- Help w/ regulations
- Well-run, well-kept cemetery
3. How would you help achieve these objectives and goals? What special qualities can you
bring to the advisory body?

I hereby certify that the following information is correct to the best of my knowledge.

Roger Jennings
Signature

Aug. 29, 2019
Date

You are invited to attach additional pages or submit supplemental information which you feel may assist the Mayor and City Council in their evaluation of your application.

WHEN COMPLETED MAIL ORIGINAL TO: OFFICE OF THE MAYOR
Ottumwa City Hall
105 E Third Street
Ottumwa, IA 52501

One of the goals of the City Council is to balance advisory board appointments in terms of gender and age.

The following information is desirable but not required for appointment.

Year of Birth 1953 Male Female
Number of years a city resident 29+

**YOUTH BOARD
MEMBER APPLICANT ONLY**

Name of School

Year

received
7-29-19

CITY OF OTTUMWA
Biographical Data for Appointment to City Advisory Board

The information contained on this form is for the use of the Mayor and City Council in order to fill vacancies on City Advisory Boards Commissions, Committees, or Task Forces.

Biographical forms may be submitted at any time during the year; however, they will be purged January 31 of each year. If you have not been appointed to an advisory board during the preceding year, and still desire appointment, please resubmit an updated biographical form or advise in writing that the initial form is still usable.

Board, Commission, Committee, or Task Force to which appointment is desired:

Historic Preservation Commission

Name: Cara Galloway Telephone: 515.509.3745

Email: (optional) galloway.cara@gmail.com

Address: 1219 N Fellows Ave ZIP: 52501

Business: _____ Telephone: _____

Address: _____ ZIP: _____

Date Available for Appointment Right away E-Mail: _____

Present occupation: Program Coordinator for CASA / FCRB (State of Iowa)

Previous Employment: Social Worker (State of Iowa)

Answer the following: (Use additional sheets if necessary)

Community Service:

(List boards, commissions, committees and organizations currently serving or have served on, offices held and in what city).

Ottumwa Symphony Orchestra,
Ottumwa Arts Councils, Wapello County Children's Alliance

Please list any professional or vocational licenses or certificates you hold.

Personal:

(Have you ever worked for the City of Ottumwa?
(If yes, please list dates and names of departments)

Yes _____ No

Are you related to any employee or appointee of
the City of Ottumwa? (If yes, please indicate name
and relationship.)

Yes _____ No

Rules of law and ethics prohibit members from
participating in and voting on matters in which they
pay have a direct or indirect financial interest. Are
you aware of any potential conflicts of interest
which may develop from your occupation or financial
holdings in relation to your responsibilities as a
member of the advisory body to which you seek
appointment). (If yes, please indicate any potential
conflicts).

Yes _____ No

Are you aware of the time commitment necessary
to fulfill the obligations of the advisory body to
which you seek appointment?

Yes No _____

Please furnish brief written responses to the three following questions: (Use additional sheets if
necessary.)

1. What is there specifically in your background, training, education, or interests which
qualifies you as an appointee?

While I may not have a specific background or training in
historic preservation, I have always had an interest and eagerness to
see the historic homes and buildings come to life through preservation.

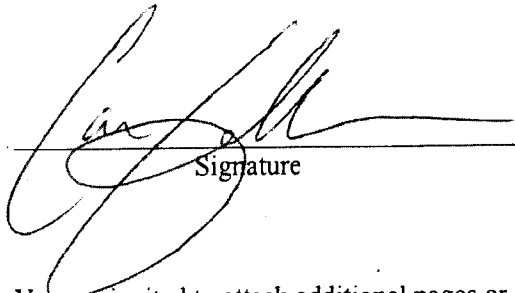
2. What do you see as the objectives and goals of the advisory body to which you seek
appointment? *I am eager to assist and eager to record to make*

*to preserve the history of our town best it can
through assisting the community in gaining knowledge about
the historic neighborhoods, buildings etc. to get community
excited about preserving the history of our town.*

3. How would you help achieve these objectives and goals? What special qualities can you
bring to the advisory body?

*I am willing to be an active member on this commission.
I am willing to learn, get my hands dirty, knock on doors or
whatever is needed to achieve the goals*

I hereby certify that the following information is correct to the best of my knowledge.



Signature

7.25.19

Date

You are invited to attach additional pages or submit supplemental information which you feel may assist the Mayor and City Council in their evaluation of your application.

WHEN COMPLETED MAIL ORIGINAL TO: OFFICE OF THE MAYOR
Ottumwa City Hall
105 E Third Street
Ottumwa, IA 52501

One of the goals of the City Council is to balance advisory board appointments in terms of gender and age.

The following information is desirable but not required for appointment.

Year of Birth 06/16/1986 Male _____ Female X

Number of years a city resident about 5 years

**YOUTH BOARD
MEMBER APPLICANT ONLY**

Name of School

Year

received
9-23-19

CITY OF OTTUMWA
Biographical Data for Appointment to City Advisory Board

The information contained on this form is for the use of the Mayor and City Council in order to fill vacancies on City Advisory Boards Commissions, Committees, or Task Forces.

Biographical forms may be submitted at any time during the year; however, they will be purged January 31 of each year. If you have not been appointed to an advisory board during the preceding year, and still desire appointment, please resubmit an updated biographical form or advise in writing that the initial form is still usable.

Board, Commission, Committee, or Task Force to which appointment is desired:

Historic Preservation Commission

Name: Rick Lee Woten Telephone: 515-491-7801

Email: (optional) riwoten@gmail.com

Address: PO Box 399 52501

Business: Wapello County Historical Society & Museum Telephone: 641-6828676

Address: 210 W. Main Street ZIP: 52501

Date Available for Appointment Immediately E-Mail: wchmdir@wapellocountymuseum.com

Present occupation: Museum Director; Wapello County Historical Society & Museum

Previous Employment: Non-TT Assistant Professor of History - Simpson College

Answer the following: (Use additional sheets if necessary)

Community Service:

(List board, commissions, committees and organizations currently serving or have served on, offices held and in what city).

- Please see attached CV/Resume for full listings, including specific service in historic preservation

Please list any professional or vocational licenses or certificates you hold.

- B.A., M.A., and Ph.D. in history

Personal:

(Have you ever worked for the City of Ottumwa?
(If yes, please list dates and names of departments)

Yes _____ No X

Are you related to any employee or appointee of
the City of Ottumwa? (If yes, please indicate name
and relationship.)

Yes _____ No X

Rules of law and ethics prohibit members from
participating in and voting on matters in which they
pay have a direct or indirect financial interest. Are
you aware of any potential conflicts of interest
which may develop from your occupation or financial
holdings in relation to your responsibilities as a
member of the advisory body to which you seek
appointment). (If yes, please indicate any potential
conflicts).

Yes _____ No X

Are you aware of the time commitment necessary
to fulfill the obligations of the advisory body to
which you seek appointment?

Yes X No _____

Please furnish brief written responses to the three following questions: (Use additional sheets if
necessary.)

1. What is there specifically in your background, training, education, or interests which
qualifies you as an appointee?
 - Extensive academic training in general and comparative history, Iowa
history, land law, political history, and agricultural history
 - Extensive service on State of Iowa Department of Cultural Affairs and
State Historical Society of Iowa/ State Historic Preservation Office
committees (including HRDP and National Registry Nominations
Committees, among others)
2. What do you see as the objectives and goals of the advisory body to which you seek
appointment?
 - To safeguard and promote the treasured historical resources of the
community while encouraging cooperative dialogue resulting in creating a
more inclusive historical and culturally-minded community.
3. How would you help achieve these objectives and goals? What special qualities can you
bring to the advisory body?
 - In inside academia and outside, I have extensive experience working with
diverse stakeholders to build consensus and community pride. Having
worked with and on behalf of many regional, state, and federal historic
preservation agencies, I can help facilitate discussions and projects between
our community and those entities.

I hereby certify that the following information is correct to the best of my knowledge.

Signature

Date

You are invited to attach additional pages or submit supplemental information which you feel may assist the Mayor and City Council in their evaluation of your application.

WHEN COMPLETED MAIL ORIGINAL TO: OFFICE OF THE MAYOR
Ottumwa City Hall
105 E Third Street
Ottumwa, IA 52501

One of the goals of the City Council is to balance advisory board appointments in terms of gender and age.

The following information is desirable but not required for appointment.

Year of Birth 06/16/1975 Male X Female _____

Number of years a city resident 19 years (from 1975 to 1993 & returned in January 2019)

**YOUTH BOARD
MEMBER APPLICANT ONLY**

Name of School

Year



CANVASSER & SOLICITORS REGISTRATION & APPLICATION

Name of Individual completing this application: Norma LaDouceur

And Residing address: 905 Tuttle St Ottumwa Ia 52501 Date of Birth 11-24-69
Street City State Zip

Organization represented, if applicable: Soap Creek Rebels Saddle Club

Organization's address: 12788 Copperhead rd Ottumwa Ia 52501
No. Street City State Zip

Applicant's/Organization's phone number: 641-954-0551

Names, addresses and position of the officers of the organization:

Name	Address	Officer Position
<u>Ron Downing</u>		<u>President</u>
<u>Norma LaDouceur</u>	<u>905 Tuttle St</u>	<u>Board member</u>
<u>Sharon Shaw</u>		<u>Board member</u>

Estimated number of persons who will be directly soliciting: 4

Nature and purpose of your solicitation activities: to Raise money to help with awards and up keep on grounds

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

Where do you plan to canvass or solicit in Ottumwa? ~~Gettysburg~~
all over

Date(s) when you wish to conduct your activities in Ottumwa: Oct 1st thru Nov 30

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 19 day of September, 2019.

Norma LaDouceur
Applicant

Staff recommendation to Council: 10.1.19

Approved Denied by City Council on October 1, 2019

Restrictions set by Council: _____

Number of days set by Council for applicant: 10/1/19 - 11/30/19

License Number _____ Receipt No. _____



CANVASSER & SOLICITORS REGISTRATION & APPLICATION

Name of Individual completing this application: NEER & OGDEN
And Residing address: 508 WAVERLY OTTUMWA IA 52501 Date of Birth 9-26-51
Street City State Zip

Organization represented, if applicable: WORKING MANS CHRISTMAS PARTY FOR NEEDY CHILDREN
Organization's address: 508 WAVERLY OTTUMWA IA 52501
No. Street City State Zip

Applicant's/Organization's phone number: 641 799 1194

Names, addresses and position of the officers of the organization:

Name	Address	Officer Position
<u>JERRY OGDEN</u>	<u>508 WAVERLY AVE</u>	<u>PRESIDENT</u>
<u>NICOLE BACHMAN</u>	<u>302 W CHESTNUT</u>	<u>VICE PRESIDENT</u>
_____	_____	_____

Estimated number of persons who will be directly soliciting: 25

Nature and purpose of your solicitation activities: FOR ANNUAL CHRISTMAS PARTY FOR NEEDY CHILDREN OF WAPELLO COUNTY

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

Where do you plan to canvass or solicit in Ottumwa? NOV 1, 2019 THRU DEC 31, 2019

Date(s) when you wish to conduct your activities in Ottumwa: _____

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 13 day of SEPT, 2019.

Applicant

Staff recommendation to Council: 10.1.19
Approved Denied by City Council on October 1, 2019
Restrictions set by Council: _____
Number of days set by Council for applicant: 11/1/19 - 12/31/19 Receipt No. _____
License Number _____

FILED

FILED

2019 SEP 25 AM 11:53

2019 SEP 30 AM 8:01

CITY OF OTTUMWA

CITY OF
OTTUMWA

Staff Summary

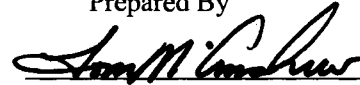
CITY OF
OTTUMWA

**** ACTION ITEM ****

Council Meeting of : Oct 1, 2019

Mary Lou Donaldson

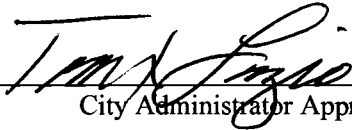
Prepared By



Department Head

Police

Department



City Administrator Approval

AGENDA TITLE: Approve the purchase of one (1) 2019 Polaris Ranger XP 1000 NorthStar Edition utility vehicle from R/J Performance, Inc.

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: Approve the purchase of one (1) 2019 Polaris Ranger XP 1000 NorthStar Edition utility vehicle from R/J Performance, Inc.

DISCUSSION: This utility vehicle was part of the 2019 JAG Grant application approved by the City Council on August 20, 2019. The department has been informed that we were awarded the grant. The cost of the utility vehicle is \$25,599.00. The department will receive \$11,049.00 from the grant towards the cost of the new UTV.

The Police Department currently owns an electric utility vehicle that is six years old and no longer able to perform the function it was purchased for in 2013. This vehicle along with an older ATV that was forfeited from a

case are being used as trade-ins towards the cost of the new UTV. The department will receive \$6,500.00 for the trade-ins. Polaris is also offering a rebate on the new utility vehicle in the amount of \$1,400.00. The remaining \$6,650.00 will come out of forfeitures.

R/J Performance Inc.

14231 Sycamore Rd. Ottumwa IA 52501

(641) 684-8400

Date
09/25/2019

Deal #
2085

Salesperson
Jim Schaffner

Bill of Sale

Buyer: City Of Ottumwa Police Dept
330 West 2nd
Ottumwa, IA 52501
(CS) (641) 683-0633
hucksm@ci.ottumwa.ia.us

Co-Buyer:

Major Unit:

Stock #	Year	Make	Model	VIN	Color	MSRP
POL913024	2019	Polaris	Ranger XP 1000	4XARRU998K8913024	Pearl Whit	25,599.00

Lien Holder:

Trade-In:

Stock #	Year	Make	Model	VIN	MSRP	Buy-Off
2012		Polaris	Polaris® EV LSV	52CRC08LXC4720068	\$4,000.00	
2007		Polaris	Sportsman 500 EFI	4XAMH50A37A227887	\$2,500.00	

ALL SALES FINAL- NO REFUNDS. DEPOSITS NON-REFUNDABLE. ALL USED VEHICLES "AS IS," NO WARRANTY EXPRESSED OR IMPLIED. PRICE REFLECTS ALL FACTORY REBATES & DEALER INCENTIVES. RETURNED CHECK FEE OF \$35.00 PLUS ANY LEGAL FEES INCURRED. THE TERMS AND CONDITIONS OF THIS BILL OF SALE COMPRISE THE ENTIRE AGREEMENT PERTAINING TO THIS PURCHASE AND NO OTHER AGREEMENT OF ANY KIND. NO VERBAL UNDERSTANDING OR PROMISE WHATSOEVER WILL BE RECOGNIZED. UPON FAILURE OR REFUSAL OF THE PURCHASER TO COMPLETE THIS AGREEMENT FOR ANY REASON, ALL OR PART OF THE CASH DEPOSIT MAY BE DETAINED AS LIQUIDATED DAMAGES. THE PURCHASER CERTIFIES HE OR SHE IS OF LEGAL AGE AND HEREBY ACCEPTS AND ACKNOWLEDGES A COPY OF THIS BILL OF SALE. NOT VALID UNLESS ACCEPTED BY AUTHORIZED REPRESENTATIVE.
THANK YOU VERY MUCH FOR YOUR BUSINESS!

Vehicle Price:	\$25,599.00
Freight:	\$0.00
Set-Up:	\$0.00
Other:	\$0.00
Sub-Total:	\$25,599.00
Warranty:	\$0.00
Pre-Paid Maint:	\$0.00
Total Loss & Prot:	\$0.00
GAP:	\$0.00
P & A Total:	\$0.00
Inst. P & A Total:	\$0.00
Labor Total:	\$0.00
Sales Tax:	\$0.00
License/Reg. Fees:	\$0.00
Doc Fee:	\$0.00
Sales Tax:	\$0.00
Sub-Total:	\$25,599.00
Trade-In Amount:	\$6,500.00
Rebate/Incentives:	\$1,400.00
Payments:	
Balance Due:	\$17,699.00

Buyer: _____ Date: 09/25/2019

Co-Buyer: _____ Date: 09/25/2019

Dealer: _____ Date: 09/25/2019

FILED

2019 SEP 10 AM 10:36

CITY CLERK
OTTUMWA, IA


City of Ottumwa
Staff Summary

Council Meeting of: October 1, 2019

Item No. _____

Finance Department
Department


Interim City Administrator

Robert Jay
Prepared By

Department Head

Agenda Title: Resolution No. 197-2019 Authorizing The Mayor/Interim City Administrator and Accountant To Make Investment Purchases and Sales In Accordance With The City Investment Policy.

.....
Purpose: Approve the resolution authorizing the Mayor/Interim City Administrator and Accountant to make investment purchases and sales in accordance with the City Investment Policy.

Recommendation: Pass and adopt Resolution 197-2019.

Discussion: This resolution updates the individuals who are authorized to make investment purchases and sales in accordance with the City's investment policy. Individuals authorized by this resolution are Tom X. Lazio and Kristi McDowell.

RESOLUTION NO. 197-2019


AUTHORIZING THE MAYOR/INTERIM CITY ADMINISTRATOR AND ACCOUNTANT TO MAKE INVESTMENT PURCHASES AND SALES IN ACCORDANCE WITH THE CITY INVESTMENT POLICY

BE IT RESOLVED BY THE CITY COUNCIL OF THE City of Ottumwa, Iowa, the following individuals shall be authorized to buy, sell, assign, and transfer securities and to execute any and all instruments necessary, proper and desirable for the purpose, in conformity with the Investment Policy of the City of Ottumwa, Iowa.

Name	Title
Tom X. Lazio	Mayor/Interim City Administrator
Kristi McDowell	Accountant

Passed and adopted this 1st day of October 2019.

CITY OF OTTUMWA, IOWA



Matt Dalbey, Mayor Pro Tem

ATTEST:




Christine Reinhard, City Clerk

City of Ottumwa
Staff Summary

FILED
2019 SEP 10 AM 10:36
CITY OF OTTUMWA

Council Meeting of: October 1, 2019

Item No. _____

Finance Department
Department

Tom X. Lazio
Interim City Administrator

Robert Jay
Prepared By
Robert Jay
Department Head

Agenda Title: Resolution No. 198-2019 Authorizing The Mayor/Interim City Administrator and Accountant To Sign Checks and Make Wire Transfers.

.....
Purpose: Approve the resolution authorizing the Mayor/Interim City Administrator and Accountant to sign checks and make wire transfers.

Recommendation: Pass and adopt Resolution 198-2019.

Discussion: This resolution updates the individuals who are authorized to sign checks and make wire transfers.

Individuals authorized by this resolution are Tom X. Lazio and Kristi McDowell.

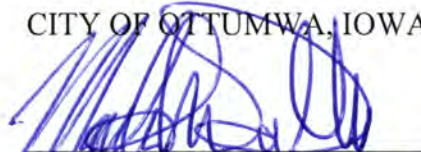
RESOLUTION NO. 198-2019
AUTHORIZING THE MAYOR/INTERIM CITY ADMINISTRATOR, AND
ACCOUNTANT TO SIGN CHECKS AND MAKE WIRE TRANSFERS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE City of Ottumwa, Iowa, the following individuals shall be authorized to signatories for the City of Ottumwa, Iowa.

Name	Title
Tom X. Lazio	Mayor/Interim City Administrator
Kristi McDowell	Accountant

Passed and adopted this 1st day of October 2019.


CITY OF OTTUMWA, IOWA



Matt Dalbey, Mayor Pro Tem

ATTEST:




Christine Reinhard, City Clerk

FILED

2019 SEP 23 AM 8:40

CITY CLERK
OTTUMWA, IA

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: October 1, 2019

Engineering Department
Department

Alicia Bankson
Prepared By
Larry Seal
Department Head

Tom A. Szabo
City Administrator Approval

AGENDA TITLE: Resolution #214-2019. Accepting the work as final and complete for the Street Crack Repair Program 2019.

**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 #214-2019.

DISCUSSION: This project is one of our annual preventative maintenance programs and consists of sealing street cracks throughout the City of Ottumwa.

Kluesner Construction of Farley, Iowa has completed the above referenced work according to the plans and specifications. This will authorize approval of final payment releasing all retainage.

Funding: 2019 ESRP: \$50,000.00

Final Contract Amount: \$44,455.00

RESOLUTION #214-2019

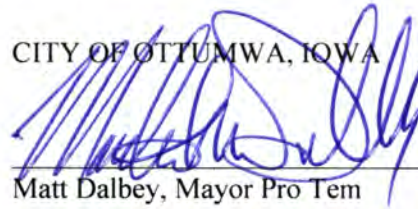
A RESOLUTION ACCEPTING THE WORK AS FINAL AND COMPLETE FOR THE
STREET CRACK REPAIR PROGRAM 2019

WHEREAS, The City Council of the City of Ottumwa, Iowa entered into a contract on May 7, 2019, with Kluesner Construction of Farley, Iowa for the above referenced project.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The Street Crack Repair Program 2019 is hereby accepted as complete and authorization to make final payment to Kluesner Construction of Farley, Iowa in the amount of \$2,222.75 is hereby approved.

APPROVED, PASSED, AND ADOPTED, this 1st day of October, 2019.

CITY OF OTTUMWA, IOWA



Matt Dalbey, Mayor Pro Tem

ATTEST:



Christina Reinhard, City Clerk

**SECTION 630
PAY ESTIMATE**

CITY OF OTTUMWA

APPLICATION FOR PAYMENT

TO OWNER: City of Ottumwa

PROJECT: HMA, PCC STREET CRACK REPAIR PRO PAY REQUEST NO. 2
Final

FROM CONTRACTOR: KLUESNER CONSTRUCTION

PAY PERIOD: 12-Sep-19

CONTRACTOR'S APPLICATION FOR PAYMENT

Application for payment is made as follows:

1. Original Contract Sum	\$44,455.00
2. Net change by Change Orders	\$0.00
3. Contract Sum to Date (Line 1 ± Line 2)	\$44,455.00
4. Total Completed and Stored to Date	\$44,455.00
5. Retainage: <u>0</u> % of Completed work	\$0.00
6. Total Earned Less Retainage Amount	\$44,455.00
7. Less Previous Payments	\$42,232.25
8. Current Payment Due	\$2,222.75

The undersigned Contractor certifies that to the best of their knowledge, the Work covered by this Application has been completed in accordance with the Contract Documents, that the Contractor has paid for all Work which previous Applications for Payment were issued and payments received from the Owner, and that current payment (Line 8) is now due.

CONTRACTOR: Kluesner Construction, Inc.

DATE: 9-13-19

BY: _____

TITLE: President

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the contract documents, based on on-site observations and the information contained in this application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge the Work has progressed as indicated, the quality of the Work is in accordance with the contract Documents, and the Contract entitled to payment of the AMOUNT CERTIFIED.

[Signature]
ENGINEER/DIRECTOR OF PUBLIC WORKS

AMOUNT CERTIFIED: \$2,222.75

DATE: 09-19-2019

Item No. B.-11.

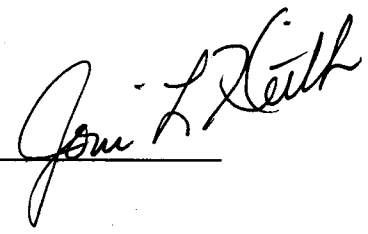
FILED
CITY OF OTTUMWA
STAFF SUMMARY

2019 SEP 25 AM 11:54
2019 SEP 30 AM 8:04

Council Meeting of: October 1, 2019

CITY ITEM NO. _____
OTTUMWA, IOWA

Joni Keith
Prepared By



Planning

Department

Kevin Flanagan

Department Head



Tom X. Lazio, Acting City Administrator

AGENDA TITLE: Resolution No. 221-2019 setting a public hearing on the Council's intent to voluntarily release an easement on city-owned property at 203 E. Main/116 S. Market, Ottumwa, Iowa.

PURPOSE: Setting October 15, 2019, 5:30 p.m., City Hall, Ottumwa, Iowa, as the time, place and date for a public hearing regarding the intent to revoke an existing easement on city-owned property and the demolition of a small storage shed.

RECOMMENDATION: Pass and adopt Resolution No. 221-2018.

DISCUSSION: This resolution sets a public hearing on October 15, 2019 at 5:30 p.m. for the revocation of an existing easement agreement and the demolition of a cook shack building located adjacent to 203 E. Main/116 S. Market in Ottumwa. The City acquired this property through the 657A process and will be accepting bids on the property in the near future. There is an existing easement on this property that allowed the former owner of 203 E. Main/116 S. Market to construct a small metal shed on property owned by Paul and Judith Gettings for a cook shack and storage. This shed is no longer needed and the current owners are requesting that the easement be released and revoked so they can utilize this area for parking for their tenants. The current owner, Josh Gettings, has agreed to remove and demolish the metal storage unit at his cost. Attached is a copy of the Easement that would be revoked. A public hearing is needed since the City is revoking a current property right and demolishing a storage unit that would go with the 203 E. Main/116 S. Market property. A copy of the revocation document will be provided to Council prior to the public hearing.

RESOLUTION NO. 221 -2019

A RESOLUTION SETTING A PUBLIC HEARING ON THE INTENT TO DISPOSE OF AN EASEMENT ADJACENT TO 203 E. MAIN/116 S. MARKET IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

WHEREAS, the City proposes to dispose of the following described property locally known as an easement over and across the northeast forty feet (40') of Grantors' real estate legally described as:

See attached legal description

WHEREAS, the City of Ottumwa is the present title holder of this easement as it runs with the city-owned land located at 203E. Main/116 S. Market; and

WHEREAS, before a real estate interest may be disposed of, notice must be published and a public hearing held thereon; and

WHEREAS, grantors of the original easement have requested that the easement be revoked and terminated and the storage shed/cooking shed located thereon be demolished at their cost and the grantors be allowed to utilize their property as if no easement existed; and

WHEREAS, the City needs to set a public hearing regarding this proposal.

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

That the public hearing on the notice of intent to revoke and terminate this easement and demolish the cooking shed/storage shed located thereon is set for the 15th day of October, 2019 at 5:30 P.M. in the City Council Chambers on the second floor of City Hall in the City of Ottumwa, Iowa. The City Clerk or designee is authorized and directed to publish notice of said public hearing as provided by law.


Passed and adopted this 1st day of October 2019.

CITY OF OTTUMWA, IOWA

By


Matt Dalbey, Mayor Pro Tem

ATTEST:


Christina Reinhard, City Clerk

PO Box 1507
1100 Bret Geiger
Ottumwa, IA



Document 2010 4181
Book 2010 Page 4181 Type 06 058 Pages 5
Date 10/01/2010 Time 4:09:00PM
Rec Amt \$29.00

INDEL
RELA
AUD
COPY ✓

JOYCE HASS, RECORDER
WAPELLO COUNTY IOWA

Prepared by Attorney Gregory G. Milani, of Orsborn, Milani, Mitchell & Goedken, L.L.P. 110 E. Third Street, Ottumwa, IA 52501
641-682-5447

Return to: Gregory G. Milani, 110 E. Third Street, Ottumwa, IA 52501

EASEMENT

COMES NOW Paul J. Gettings and Judith Gettings, husband and wife, hereinafter referred to as Grantors, and Bret W. Geiger and Georgia F. Geiger, husband and wife, hereinafter referred to as Grantees; and the parties hereby acknowledge that the Grantors are the owners of real estate described as:

A part of Lot 292, Block 22, in the Original Plat of the City of Ottumwa, Iowa, described as follows, to-wit: Commencing at a point on the Northeasterly line of Main Street 2 feet Northwesterly from the Southeasterly line of said Lot 292; thence Northwesterly along said Northeasterly line of Main Street 24 feet and 6 inches; thence at right angles to said Main Street Northeasterly 80 feet; thence Southeasterly parallel to Main Street 6 inches; thence Northeasterly at right angles to Main Street to a point 25 feet Southwest from the alley in the rear of said lot; thence Southeasterly parallel with and 25 feet from the Southwesterly line of said alley to a point 2 feet Northwesterly from the Southeasterly line of said Lot; thence Southwesterly parallel with and 2 feet from the Southeasterly line of said lot 292 to the place of beginning; also the undivided 1/2 interest in common in the stairway erected between the building on the ground hereinabove described and the building of the successor in interest of James L. Taylor on the part of Lot 291 adjoining and all the rights in and to the unconditional use and ownership of the whole of the front office over the stairway in said building erected on the ground hereinabove described and formerly used as a bank building so long as said building remains standing being all the rights and interest of the Iowa National Bank of Ottumwa, Iowa, owned and held under the terms and conditions of a certain deed executed by the said Iowa National

Bank to James L. Taylor dated January 20, 1872, and recorded in Deed Record H page 594, in the Recorder's Office of Wapello County, Iowa.

Also a perpetual easement for use as a passageway 6 feet in width over and across the Northeast 25 feet of the Northwest 64 feet of Lot 292, Block 22, in the Original Plat of the City of Ottumwa, Iowa, more particularly described as follows: Beginning 2 feet Northwest of the East corner of said Lot on the line of the alley; thence Northwest along the line of the alley to Market Street; thence Southwest along Market Street 25 feet; thence Southeast on a line parallel with said alley 64 feet; thence Northeast parallel with Market Street 25 feet to the place of beginning. The title to said 6 foot strip of ground being vested in the Phoenix Trust Company, its successors and assigns, but the same to be forever kept open for free and common use of both the Phoenix Trust Company and the Iowa National Bank, of Ottumwa, Iowa, and their successors and assigns as a passageway in connection with the adjoining properties. All as provided in a Quit-Claim Deed from Phoenix Trust Company to Iowa National Bank, of Ottumwa, dated June 9, 1904 and recorded in deed record 65 page 231, Wapello County, Iowa, Records.

Grantees are the owners of the following described real estate in Wapello County, Iowa:

A part of Lot 292 in Block 22 in the Original Plat of the City of Ottumwa, Wapello County, Iowa, described as follows, to-wit:

Beginning at a point on Northeast building line of East Main Street in said City, and at the Center of the public wall that is 20 feet Southeast from the NW Line of said Lot 292, thence Northeast parallel to Market Street 83.26 feet to the line between 2 separate walls, viz: The Harman Wall and the H.M. Ennis rear wall; thence Northwest parallel to Main street 20 feet to the Northwest line of said Lot 292; thence Northeast along the Northwest line of said Lot 292, 25.73 feet to the center of the public wall between Harman's & Phoenix Trust Building; thence Southeast along the centerline of this last mentioned wall and parallel to Main Street 40 feet; thence Southwest parallel to Market Street 27.73 feet; thence Northwest parallel to Main Street 0.5 feet to the center of the Southeast Wall of the Main Street Building on the property herein described; thence Southwest along the centerline of said last mentioned public wall and parallel to Market Street 81.26 feet to the Northeast building

line of East Main Street; thence Northwest along the Northeast Building Line of East Main Street 19-1/2 feet to the point of beginning.

Locally known as 116 South Market Street, Ottumwa, Iowa.

WHEREAS, the parties desire to memorialize this Easement and therefore:

IN CONSIDERATION OF ONE (\$1.00^{***}) DOLLAR and other good and valuable consideration, Grantors do hereby grant to the Grantees and their heirs and assigns, an Easement over and across the northeast forty feet (40') of Grantors' real estate, said easement being for the purpose of ingress and egress, the placement of air conditioners and condensing units, building maintenance, fire escape access, and the placement of a 14' x 14' portable shed which may be used by Grantees or their heirs and assigns for storage or cooking.

That the shed and other improvements described above shall be placed upon the east wall of Grantees' property.

That said Easement shall be in effect only during the time period that the existing building is located on Grantees' real estate and shall cease and terminate upon said structure being torn down, damaged beyond reasonable repair, destroyed or upon any occurrence of said events which make said structure so as to be reasonably unusable. In any of said events, said Easement shall be held for naught and of no further effect.

That any structure placed by Grantees upon said easement shall be assessed for tax purposes to the Grantees. That the taxes for said structure shall be paid by the Grantees. That said structure shall be used for lawful purposes only and, in the event of unlawful use, said Easement shall immediately terminate. That Grantees shall keep said structure in a reasonable state of repair and failure to do so shall be grounds for termination of said Easement.

That the Grantees, their heirs or assignees, shall be solely responsible for the maintaining of any structure or fixture placed upon said easement. That the easement shall not be used for any purpose other than provided herein and shall not interfere with Grantors' lawful use of their building.

That said Easement shall run with the land.

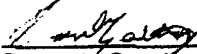
That the consideration paid herewith shall be in full payment for said Easement.

That said Easement shall be binding upon the parties' heirs and assigns.

IN CONSIDERATION paid herewith is acknowledged and shall be full payment for said Easement.

Dated this 21st day of September, 2010.


IN WITNESS WHEREOF, the Grantors and Grantees have hereunto set their hands on the day and year first above written.



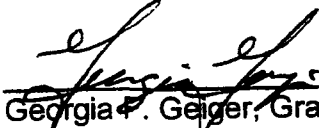
Paul J. Gettings, Grantor



Judith Gettings, Grantor



Bret W. Geiger, Grantee

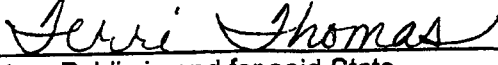


Georgia F. Geiger, Grantee

STATE OF IOWA, WAPELLO COUNTY, ss:

On this 21 day of September, 2010, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paul J. Gettings, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

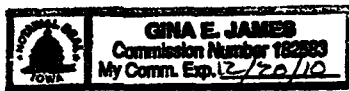


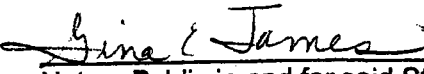


Notary Public in and for said State

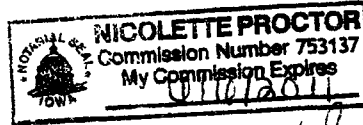
STATE OF IOWA, WAPELLO COUNTY, ss:

On this 21st day of September, 2010, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Judith Gettings, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.





Notary Public in and for said State



Nicolette Proctor

STATE OF IOWA, WAPELLO COUNTY, ss:

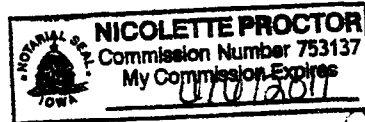
On this 1 day of ~~September~~^{October}, 2010, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Bret W. Geiger, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Iowa Nicolette Proctor
Notary Public in and for said State

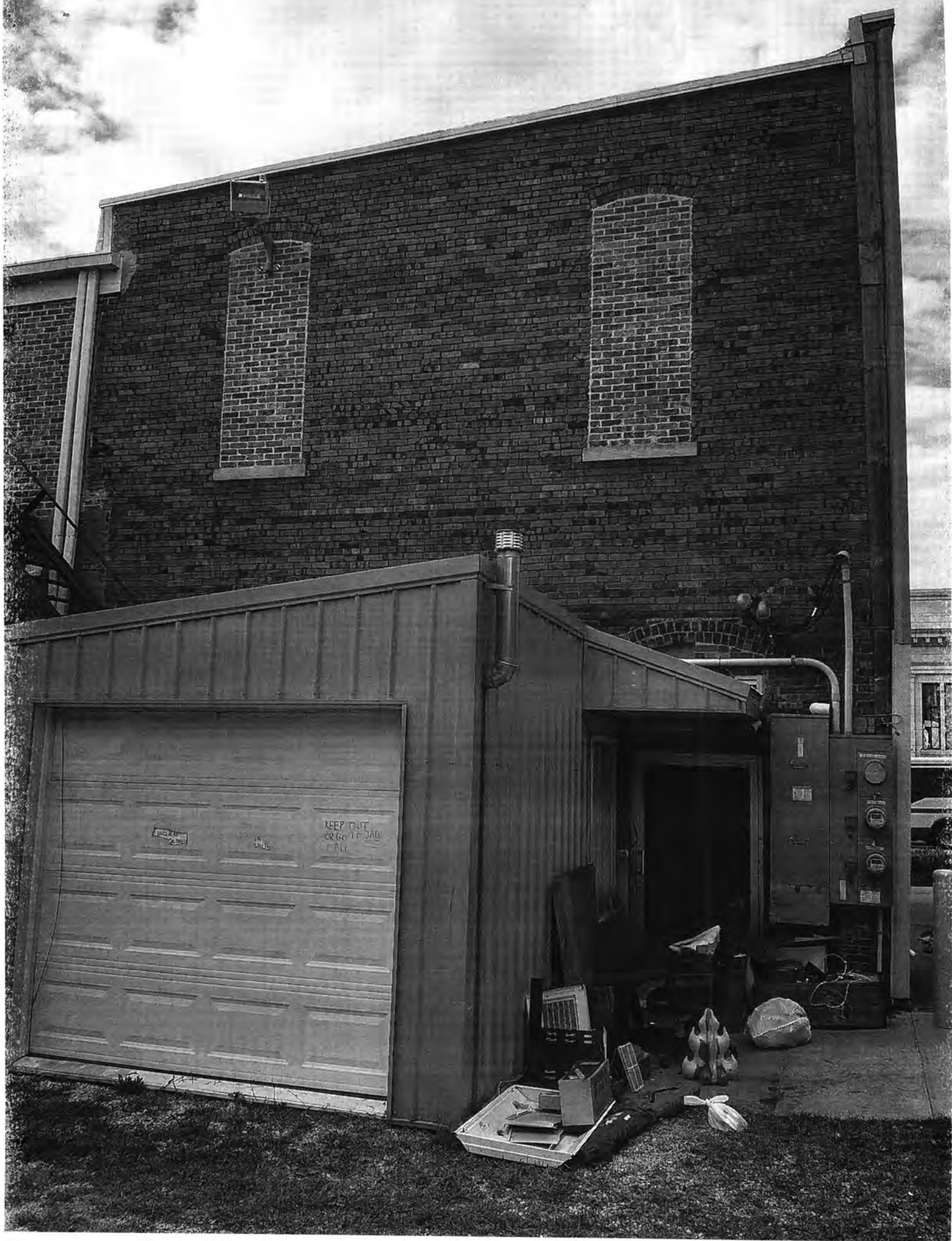
STATE OF IOWA, WAPELLO COUNTY, ss:

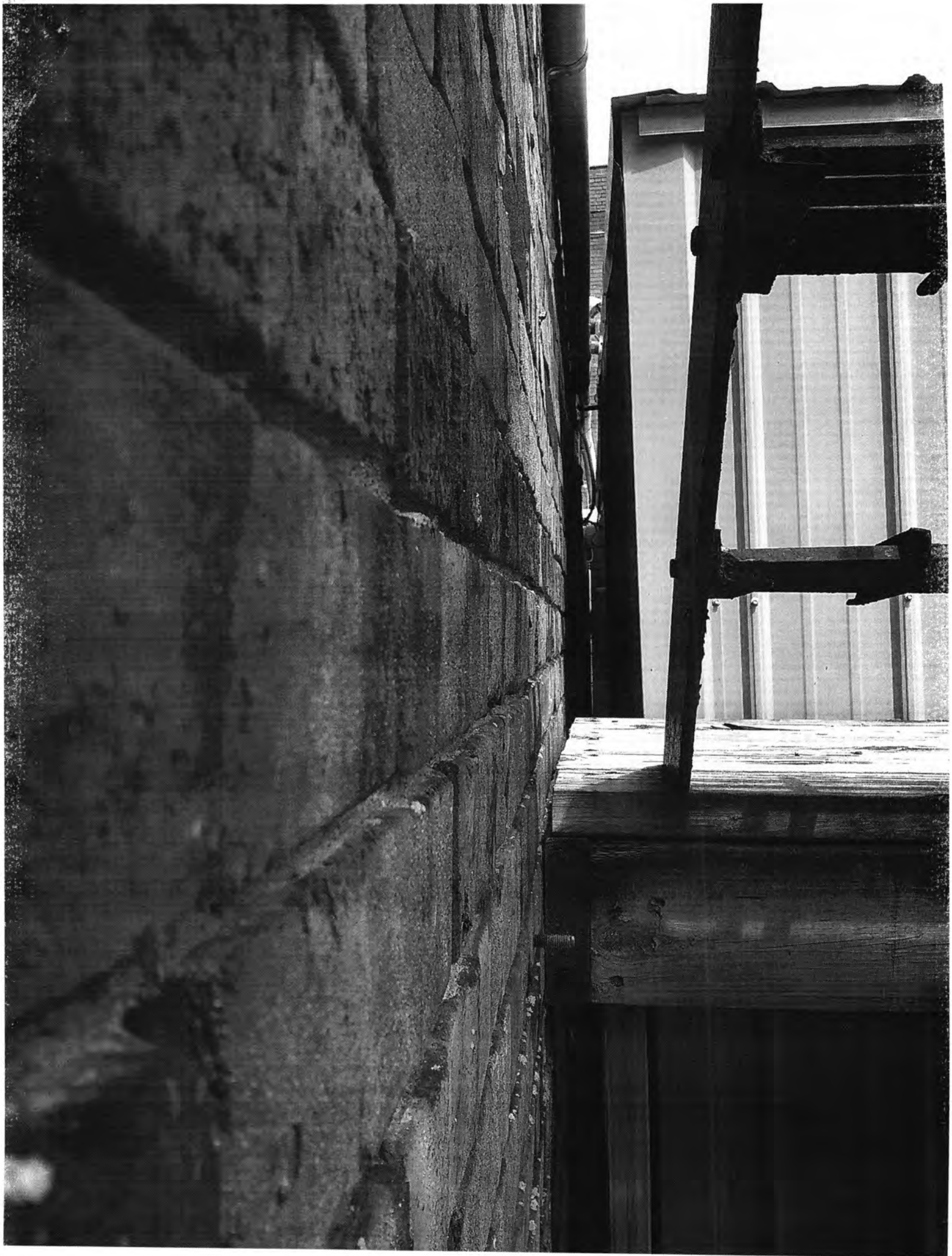
On this 1 day of ~~September~~^{October}, 2010, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Georgia F. Geiger, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

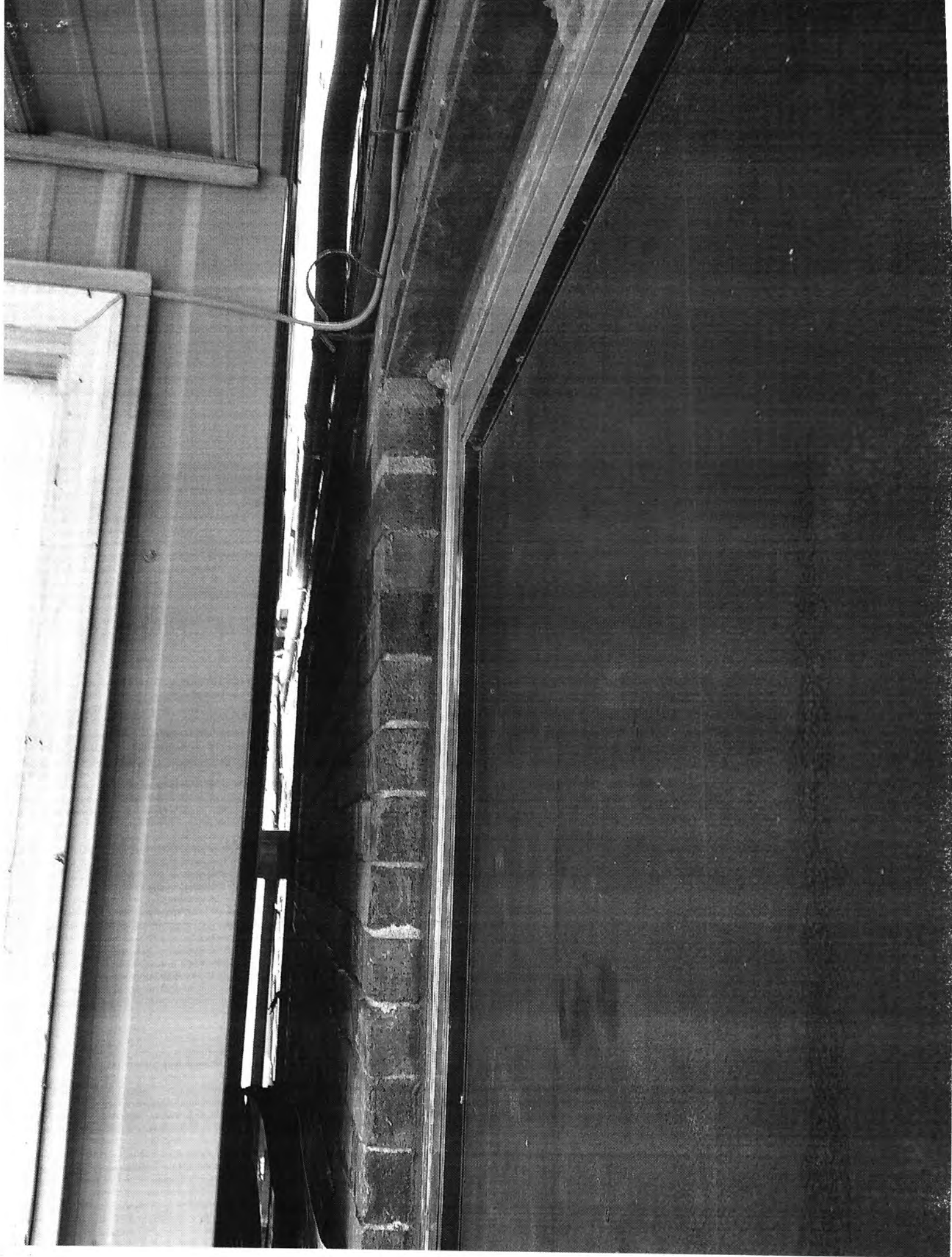
Iowa Nicolette Proctor
Notary Public in and for said State



Nicolette Proctor







NOTICE OF PUBLIC HEARING
203 E. MAIN/116 S. MARKET, OTTUMWA, IOWA

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of the City of Ottumwa, Iowa, will hold a public hearing Tuesday, October 15, 2019 at 5:30 p.m. in City Hall in the City of Ottumwa, Iowa on its intent to revoke an easement and demolish a metal storage unit adjacent to 203 E. Main/116 S. Market. The legal description of the easement is set out in documents located with the City Clerk. All persons interested in the intent to revoke said easement are invited to be present at the above time and place on the date mentioned to present their objections to, or arguments for the intent to dispose of said property interest.

A part of Lot 292, Block 22, in the Original Plat of the City of Ottumwa, Iowa, described as follows, to-wit: Commencing at a point on the Northeasterly line of Main Street 2 feet Northwesterly from the Southeasterly line of said Lot 292; thence Northwesterly along said Northeasterly line of Main Street 24 feet and 6 inches; thence at right angles to said Main Street Northeasterly 80 feet; thence Southeasterly parallel to Main Street 6 inches; thence Northeasterly at right angles to Main Street to a point 25 feet Southwest from the alley in the rear of said lot; thence Southeasterly parallel with and 25 feet from the Southwesterly line of said alley to a point 2 feet Northwesterly from the Southeasterly line of said Lot; thence Southwesterly parallel with and 2 feet from the Southeasterly line of said lot 292 to the place of beginning; also the undivided $\frac{1}{2}$ interest in common in the stairway erected between the building on the ground hereinabove described and the building of the successor in interest of James L. Taylor on the part of Lot 291 adjoining and all the rights in and to the unconditional use and ownership of the whole of the front office over the stairway in said building erected on the ground hereinabove described and formerly used as a bank building so long as said building remains standing being all the rights and interest of the Iowa National Bank of Ottumwa, Iowa, owned and held under the terms and conditions of a certain deed executed by the said Iowa National

Bank to James L. Taylor dated January 20, 1872, and recorded in Deed Record H page 594, in the Recorder's Office of Wapello County, Iowa.

Also a perpetual easement for use as a passageway 6 feet in width over and across the Northeast 25 feet of the Northwest 64 feet of Lot 292, Block 22, in the Original Plat of the City of Ottumwa, Iowa, more particularly described as follows: Beginning 2 feet Northwest of the East corner of said Lot on the line of the alley; thence Northwest along the line of the alley to Market Street; thence Southwest along Market Street 25 feet; thence Southeast on a line parallel with said alley 64 feet; thence Northeast parallel with Market Street 25 feet to the place of beginning. The title to said 6 foot strip of ground being vested in the Phoenix Trust Company, its successors and assigns, but the same to be forever kept open for free and common use of both the Phoenix Trust Company and the Iowa National Bank, of Ottumwa, Iowa, and their successors and assigns as a passageway in connection with the adjoining properties. All as provided in a Quit-Claim Deed from Phoenix Trust Company to Iowa National Bank, of Ottumwa, dated June 9, 1904 and recorded in deed record 65 page 231, Wapello County, Iowa, Records.

FILED

CITY OF OTTUMWA

2019 SEP 20 AM 11:09

Staff Summary

CITY CLERK
OTTUMWA, IA

**** ACTION ITEM ****

Council Meeting of: October 1, 2019

Public Works - WPCF
Department

Phillip Burgmeier
Prepared By
Larry Seals
Department Head

Tom Lazio
City Administrator Approval

AGENDA TITLE: Approve Refund to Dr. Pepper for Overpayment of Surcharge Fees.

 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: Approve Refund.

DISCUSSION: According to City Code users contributing wastewater, the strength of which is greater than normal domestic wastewater, are assessed a surcharge in addition to the normal user charge. One of the users billed under this code is Dr. Pepper. In November of 2016 the WPCF began using a different spreadsheet to calculate Dr. Pepper's surcharges. When the formulas were set up the daily biological oxygen demand (BOD) in pounds was used instead of the daily BOD concentration in mg/L. This resulted in Dr. Pepper being overcharged a total of \$71,622.16.

Officials from the City including Mayor Lazio, Larry Seals, Phillip Burgmeier, Ron Jacobsen, and Steve Cullinan met with Dr. Pepper and explained what happened and why. Dr. Pepper was agreeable to applying the overcharge to future sewer bills. At an average charge of around \$30,000 per month their sewer bills will be zero for October and November. December's bill will be discounted by the remaining balance of the overcharge.

FILED

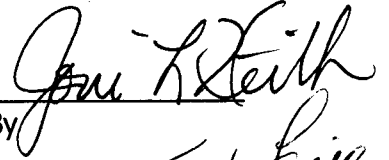
CITY OF OTTUMWA
STAFF SUMMARY

2019 SEP 24 PM 2:44

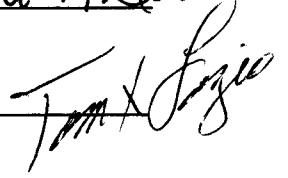
Council Meeting of: October 1, 2019

ITEM NO. _____

Joni Keith
Prepared By



Tom X. Lazio
Department Head



Administration
Department

AGENDA TITLE: Approve request for funding to Heartland Humane Society for the sum of \$8,000.00.

PURPOSE: Approve additional funding to Heartland Humane Society.

RECOMMENDATION: Approve the sum of \$8,000 to be designated to the Heartland Humane Society.

DISCUSSION: The Heartland Humane Society was designated as the City's shelter for lost and abandoned dogs within the City limits in 2018. Currently, the City has a two-year agreement with Heartland to provide shelter for these dogs. The Agreement does not provide for additional funding and this organization has sought a subsidy to help provide these services. While the current budget year is in progress, the acting City Administrator is recommending the sum of \$8,000 be designated to Heartland Humane Society. Staff will make a recommendation for the possibility of additional funding for the next budget year to be included in the Police Department Budget.

FILED

FILED

2019 SEP 26 AM 9:42

2019 SEP 30 AM 8:04

CITY OF OTTUMWA

CITY OF OTTUMWA

Staff Summary

CITY OF OTTUMWA

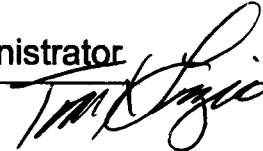
**** ACTION ITEM ****

Council Meeting of: Oct 1, 2019

Health & Inspections
Department

Jody Gates
Prepared By
Kevin C Flanagan
Department Head

Tom X. Lazio, Acting City Administrator
City Administrator Approval



AGENDA TITLE: Bid review and contract award for demolition of 811 E. Mary Street

Public hearing required if this box is checked.

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

RECOMMENDATION: Accept the bid and award demolition contract to Tim Skinner for the best bid price of \$6,980.

DISCUSSION: Bids for this project were accepted until 2:00 P.M. September 24, 2019 and four bids were received. The best bid was from Tim Skinner in the amount of \$6,980. A bid tab is attached.

Source of Funds: 151-3-342-6499

Budgeted Item: Budget Amendment Needed:

811 E Mary

Bidder

Demolition Bid

Tim Skinner	\$6,980.00
Dan Laursen	\$8,375.00
Environmental Edge	\$11,400.00
Jeremy Frase	\$11,780.00

Best bidder is Tim Skinner



[CITY OF]

OTTUMWA

REQUEST FOR BID FOR DEMOLITION AND DISPOSAL
811 East Mary Street

BID FORM

Address	Demolition Bid		Total Line Bid
811 E. Mary	6980 ⁰⁰		6980 ⁰⁰

TS Initial here if you are willing to have individual portions of your bid considered for award.

It is understood that the City reserves the right to accept or reject any or all proposals, to disregard any formality in connection therewith, or to accept any proposal, which in its opinion, is in the best interest of the City.

A Bid Security must be included in the sealed bid envelope along with this bid sheet. The bid security must equal ten percent (10%) of the total bid price and must be in the form of cash or a cashier's check or as a certified check drawn on a bank in Iowa or chartered in the United States, or a certified share draft drawn on a credit union chartered under the laws of the United States.

The Successful Bidder shall then provide a performance bond with corporate surety to one hundred percent (100%) of the bid price on all projects. A cashier's check, a certified share draft, as described above or cash may be used. An irrevocable letter of credit stating the

amount of the project for an amount equal to 100% of the bid price may be substituted for the performance bond.

The Bid Form and Work Required document automatically become part of the final contract should this proposal be accepted.

If my proposal is accepted, I, the undersigned, agree to enter into a contract (see attached sample) for said work.



Signature

TIM SKINNER TRUCKING & EXCAVATION

Printed Name

16585 15th ST

Address

641-777-6053

Telephone Number

OTTUMWA IA 52501

City, State, Zip

9-23-19

Date

E-mail Address

FILED

FILED

2019 SEP 26 AM 9:42

2019 SEP 30 AM 8:04

CITY OF OTTUMWA

CITY OF OTTUMWA

Staff Summary

CITY OF OTTUMWA

**** ACTION ITEM ****

Council Meeting of : Oct 1, 2019

Kevin C. Flanagan

Prepared By

Kevin C. Flanagan

Department Head

Planning & Development

Department



City Administrator Approval

AGENDA TITLE:

Resolution No. 217-2019, a resolution determining an area of the City to be an economic development and blighted area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for Urban Renewal projects; and adopting Amendment No. 8 to the West Gate Economic Development Urban Renewal Area; and rescinding Resolution No. 113-2019.

Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution No. 217-2019.

DISCUSSION:

This resolution will provide for Amendment 8 to our West Gate Development URA. The amendment will allow for the City to use TIF incentives in order to develop the BVC hotel project and various mixed-use, commercial/multi-family market rate housing, projects in conjunction with the City's BUILD Grant river development initiative.

Source of Funds:

Budgeted Item:

Budget Amendment Needed:

ITEMS TO INCLUDE ON AGENDA

CITY OF OTTUMWA, IOWA

October 1, 2019

5:30 P.M.

West Gate Economic Development Urban Renewal Plan

- Public hearing on the proposed Amendment No. 8 to the West Gate Economic Development Urban Renewal Plan
- Resolution determining an area of the City to be an economic development and blighted area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Amendment No. 8 to the West Gate Economic Development Urban Renewal Plan

IMPORTANT INFORMATION

1. The above agenda items should be included, along with any other agenda items, in the meeting agenda. The agenda should be posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting. If no such office exists, the notice must be posted at the building in which the meeting is to be held.
2. If you do not now have a bulletin board designated as above mentioned, designate one and establish a uniform policy of posting your notices of meeting and tentative agenda.
3. Notice and tentative agenda must be posted at least 24 hours prior to the commencement of the meeting.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

October 1, 2019

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Pro Tem Dalbey, in the chair, and the following named Council Members:

Berg, Roe, Stevens, Streeby, Dalbey

Absent: None

Vacant: None

* * * * *

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Amendment No. 8 to the West Gate Economic Development Urban Renewal Plan, the Mayor first asked for the report of the Director of Health, Inspections, Solid Waste, and Planning & Development, or his delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Amendment. The Council was informed that the consultation was duly held as ordered by the Council, and that the Wapello County Board of Supervisors had submitted a letter on May 3, 2019 which did not contain any specific recommendation regarding the proposed division of revenue. The report of the Director of Health, Inspections, Solid Waste, and Planning & Development, or his delegate, with respect to the consultation was placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written objections had been filed with respect to the proposed Amendment, and the City Clerk reported that zero written objections thereto had been filed. The Mayor then called for any oral objections to the adoption of the Amendment No. 8 to the West Gate Economic Development Urban Renewal Plan and none were made. The public hearing was then closed.

{Attach summary of objections here}

Council Member Streeby then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AND BLIGHTED AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 8 TO THE WEST GATE ECONOMIC DEVELOPMENT URBAN RENEWAL PLAN" and moved:

- that the Resolution be adopted.
- to defer action on the Resolution and the proposal to the meeting to be held at _____ .M. on the _____ day of _____, 2019, at this place.

Council Member Roe seconded the motion. The roll was called, and the vote was:

AYES: Berg, Roe, Stevens, Streeby, Dalbey

NAYS: None

Whereupon, the City declared the measure duly adopted.

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AND BLIGHTED AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 8 TO THE WEST GATE ECONOMIC DEVELOPMENT URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 39-1989, adopted May 2, 1989, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the West Gate Economic Development Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the West Gate Economic Development Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Wapello County; and

WHEREAS, the Plan has subsequently been amended seven times, lastly by the adoption of Amendment No. 7 to the Plan, adopted by Resolution No. 203-2017, on October 3, 2017; and

WHEREAS, this Urban Renewal Area currently includes and consists of the following property:

ORIGINAL AREA

Being a part of Section 23, 24, 25, 26, T 72 N, R 14 W in the City of Ottumwa, Wapello County, Iowa, and being more particularly described as follows:

Beginning at the center of Sec. 23, T 72 N, R 14 W; Thence South along the North-South center line of Section 23 to the South Right-of-Way line of U.S. Highway 34; Thence West along the South Right-of-Way line of U.S. Highway 34 to the West Right-of-Way line of Wildwood Drive; Thence South along the West Right-of-Way line of Wildwood Drive to the South line of Richmond Avenue; Thence East along the South line of Richmond Avenue to the East line of Carlisle Street; Thence Northeasterly along the East line of Carlisle Street to the South Bank of the South Ottumwa Lagoon; Thence Northwest along the South bank of the Lagoon to the Easterly Right-of-Way line of Wapello Street; Thence Northeasterly along Wapello Street Right-of-Way line to the South line of U.S. Highways 63 and 34; thence West along said Right-of-Way line to the Westerly Right-of-Way line of U.S. Highway 63; Thence Northeasterly along the West line of U.S. Highway 63 to the center line of the Des Moines River Levee; Thence

Northwesterly along the center line of the Levee to the West line of Clay Street; Thence Northeasterly along the West line of Clay Street to the South line of Main Street; Thence Northwest along the South line of Main Street to the Westerly line of Blackhawk Street; Thence along the Northwesterly and North Right-of-Way line of Blackhawk Street to the center of Section 23, T 72 N, R 14 W and the Point of Beginning.

AMENDMENT NO. 1 AREA

Beginning at the center of Sec. 23, T 72 N, R 14 W; thence east and northeasterly along the north right-of-way line of Blackhawk Street to the south line of Main Street; thence southeasterly along the south line of Main Street to the west line of Clay Street; thence southwesterly along the west line of Clay Street to the center line of the Des Moines River Levee; thence southeasterly along the centerline of the levee to the west line of U.S. Highway 63; thence southeasterly along the westerly right-of-way line of U.S. Highway 63 to the south line of U.S. Highways 63 and 34; thence southeasterly along the south line of U.S. Highways 63 and 34 to the easterly right-of-way line of Wapello Street; thence southwesterly along the easterly right-of-way line of Wapello Street to the south bank of the south Ottumwa Lagoon; thence southeast along the south bank of the lagoon to the east line of Carlisle Street; thence southwesterly along the east line of Carlisle Street to the south line of Richmond; thence east along the south line of Richmond Avenue to the west line of Willard Street; thence south long the west line of Willard Street to the south right-of-way line of Vine Street; thence east and northeast along the south and southeasterly right-of-way line of Vine Street to the north right-of-way line of Second Street; thence northwesterly along the north right-of-way line to the easterly right-of-way line of Union Street; thence northeasterly along the right-of-way line of Union Street to the north right-of-way line of Fourth Street; thence northwesterly along said right-of-way line to the westerly right-of-way line of Kitterman Avenue; thence southwesterly along the said right-of-way line to the north right-of-way line of Second Street; thence northwesterly along said right-of-way line to the west corporate line; thence southeasterly and south along the west corporate line to the point of beginning.

AMENDMENT NO. 2 AREA

Commencing at the point of intersection between the center section line of Sec. 27-72-14 and the south right of way line of Highway US 34, thence southerly following the corporate limit line to Finley Avenue, thence easterly to Wildwood Drive, thence northerly to the south property line of residential property 921 Wildwood Drive, thence following the corporate limit line westerly to the southwest corner of said property, thence northerly 435 feet to the northwest corner of residential property 929 Wildwood Drive, thence easterly to the west right of way line of Wildwood, thence northerly to the southeast corner of the Team Duea property, thence westerly 317.75 feet to the southwest corner of said

property, thence northerly 372.90 to the south right of way line of Highway US 34, thence westerly along said right of way line to the point of beginning.

The area excludes the Team Duea Property and the residential properties at 921 & 929 Wildwood Drive located in Wapello County. Included are the 5 acres west of the Team Duea Property previously annexed this year and the full rights of way of all streets forming the boundary.

Lots 1, 2, 3, 4 and 5 of Vaughn's Second Addition; Lot A (public right-of-way known as Vaughn Drive), and all of the public right-of-way of Quincy Avenue and U.S. Highway No. 34 contiguous to Vaughn's Second Addition.

NOTE: References in the legal description for the Amendment No. 2 Area to the "corporate limit line" refer to the corporate limit line existing in 2002, which is the year Amendment No. 2 to the Plan was adopted and approved.

AMENDMENT NO. 3 AREA

Commencing at the Northwesterly intersection of the Vine Street and Main Street Right of Way lines in the City of Ottumwa, Section 30, Township 72 North, Range 13 West, Wapello County, Iowa, and the Point Of Beginning, thence Easterly along the Northerly Right Of Way line of Main Street, continuing East across U.S. Highway 34 and following the North Right Of Way of Roemer Avenue to the Corporate City Limits; thence South along said Limits to the corner thereof; thence West to the corner thereof; thence South along said Limits through three small offsets to the East and continuing South to Brick Row; thence East along Brick Row to the corner thereof; thence South along said Limits to the Burlington Northern and Santa Fe Railroad; thence Northwesterly along said Railroad to the corner of said Limits; thence South along said Limits to Northerly bank of the Des Moines River; thence Southwesterly and Southerly along said river bank to the existing Corporate Limits; thence West along said Limits to the Easterly Right Of Way of 120th Avenue/Walnut Avenue; thence North along the Easterly Right of Way line of 120th Avenue/Walnut Avenue to the corner of the Corporate Limits, thence West along said limits to the corner thereof; thence Southerly along said limits and the Des Moines River to an extension of the North Right of Way of Mary Street; thence West along said North line and the Corporate Limits to the westerly Right Of Way line of U.S. Highway 63, thence Northwesterly along said Right of Way line to the Northwesterly Right Of Way line of Vine Street, thence Northeasterly along said Right of Way line to the Point Of Beginning.

The urban renewal area includes the full Right of Way of all streets forming the boundary.

AMENDMENT NO. 4 AREA

DELETING the following area from the West Gate Economic Development Urban Renewal Area:

THAT PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 23 LYING SOUTH OF HIGHWAY 34 AND THAT PART OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 26, ALL IN TOWNSHIP 72 NORTH, RANGE 14 WEST OF THE 5TH P.M., IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA DESCRIBED AS: COMMENCING AT THE SW CORNER OF SAID SECTION 23; THENCE N88°47'47"E, 30.00 FEET TO THE OTTUMWA CORPORATE LIMIT LINE AND THE EAST RIGHT OF LINE OF WILDWOOD DRIVE TO THE POINT OF BEGINNING; THENCE NORTH ALONG SAID LIMIT LINE TO THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 34; THENCE 558.99 FEET ALONG SAID RIGHT OF WAY LINE ON A 5558.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY (CHORD BEARING N82°42'02"E, 558.75 FEET); THENCE ALONG SAID RIGHT OF WAY S85°09'42"E, 98.40 FEET; THENCE ALONG SAID RIGHT OF WAY N81°11'49"E, 97.72 FEET; THENCE 124.64 FEET ALONG SAID RIGHT OF WAY LINE ON A 5575.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY (CHORD BEARING N88°12'39"E, 124.63 FEET); THENCE ALONG SAID RIGHT OF WAY N88°51'04"E, 25.45 FEET; THENCE S00°42'37"W, 44.47 FEET; THENCE S08°18'43"W, 43.41 FEET; THENCE S40°17'00"W, 112.44 FEET; THENCE S30°33'18"W, 67.46 FEET; THENCE S47°58'30"W, 71.07 FEET; THENCE S57°47'54"W, 181.33 FEET; THENCE S49°35'53"W, 243.76 FEET; THENCE S30°18'30"W, 181.95 FEET; THENCE S51°53'28"W, 196.54 FEET; THENCE S83°00'08"W, 153.71 FEET TO THE OTTUMWA CORPORATE LIMIT LINE AND EAST RIGHT OF WAY LINE OF WILDWOOD DRIVE, THENCE NORTH ALONG SAID EAST RIGHT OF WAY OF WILDWOOD DRIVE AND CORPORATE LIMIT LINE TO THE POINT OF BEGINNING. DESCRIBED LAND CONTAINS 9.89 ACRES MORE OR LESS.

AMENDMENT NO. 5 AREA

Amendment No. 5 did not add or remove land.

AMENDMENT NO. 6 AREA

Amendment No. 6 did not add or remove land.

AMENDMENT NO. 7 AREA

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 2ND STREET AND THE WESTERLY RIGHT-OF-WAY LINE OF NORTH MCLEAN STREET; THENCE NORTHEASTERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID NORTH MCLEAN

STREET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST HOLT STREET; THENCE EASTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID EAST HOLT STREET EXTENDED EASTERLY TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF WEST MAPLE AVENUE EXTENDED NORTHWESTERLY; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WEST MAPLE AVENUE TO THE EASTERLY RIGHT-OF-WAY LINE OF NORTH 5TH STREET; THENCE SOUTHERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID NORTH 5TH STREET TO THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WEST 5TH STREET; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID WEST 5TH STREET TO THE EASTERLY RIGHT-OF-WAY LINE OF NORTH WAPELLO STREET; THENCE SOUTHWESTERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID NORTH WAPELLO STREET TO THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 4TH STREET ALSO BEING A COMMON LINE WITH THE AMENDMENT #1 IN THE WEST GATE URBAN RENEWAL PLAN; THENCE NORTHWESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WEST 4TH STREET TO THE WESTERLY RIGHT-OF-WAY LINE OF KITTEMAN AVENUE EXTENDED NORTHEASTERLY; THENCE SOUTHWESTERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID KITTEMAN AVENUE TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WEST 2ND STREET; THENCE NORTHWESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WEST 2ND STREET TO THE POINT OF BEGINNING. AFORESAID, ALL BEING A COMMON LINE WITH THE AMENDMENT #1 IN THE WEST GATE URBAN RENEWAL PLAN, ALL IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA.

WHEREAS, a proposed Amendment No. 8 to the Plan ("Amendment No. 8" or "Amendment") for the Urban Renewal Area described above has been prepared, which proposed Amendment has been on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to add and/or confirm proposed urban renewal projects to be undertaken within the Urban Renewal Area; and

WHEREAS, this proposed Amendment No. 8 adds no new land to the Area; and

WHEREAS, it is desirable that the Area be redeveloped as part of the activities described within the proposed Amendment No. 8; and

WHEREAS, by Resolution No. 73-2019, adopted on April 16, 2019, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 8 and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 8 be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held on April 25, 2019 as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Director of Health, Inspections, Solid Waste, and Planning & Development, or his delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by Resolution No. 73-2019, this Council also set a public hearing on the adoption of the proposed Amendment No. 8 for the meeting of the Council on May 21, 2019, and held a public hearing at that meeting, and following the public hearing adopted Resolution No. 113-2019 to approve Amendment No. 8, but subsequently determined that the published notice of the May 21, 2019 public hearing may be insufficient; and

WHEREAS, in order to ensure legally sufficient notice of the public hearing to consider Amendment No. 8, the City decided to hold a second public hearing on the adoption of Amendment No. 8 and set the date for the second public hearing for the August 6, 2019 meeting of the Council and published notice of such public hearing, but due to various underlying delays, the Council did not hold a public hearing or otherwise take action on Amendment No. 8 at the August 6, 2019 meeting; and

WHEREAS, by Resolution adopted September 17, 2019, this Council set this meeting of the Council as the new date for the second public hearing on the proposed Amendment No. 8 and published proper notice of the public hearing, as provided by law, by timely publication in the Ottumwa Courier, which notice set forth the time and place for this hearing and the nature and purpose thereof, and additionally the City mailed the notice of the public hearing at this meeting to the affected taxing entities; and

WHEREAS, Resolution No. 113-2019 as adopted May 21, 2019, is to be rescinded; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 8, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in Amendment No. 8 concerning the area of the City of Ottumwa, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Plan, as amended, and Amendment No. 8 conform to the general plan for the development of the City as a whole; and

c) Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the Urban Renewal Area:

i. Residential use is expected and with reference to those portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal Area, as amended, continues to be an economic development and blighted area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

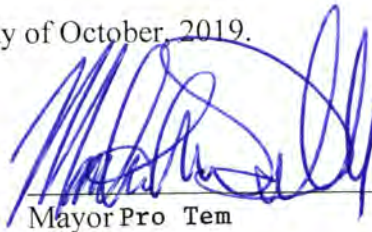
Section 4. That Amendment No. 8 to the West Gate Economic Development Urban Renewal Plan of the City of Ottumwa, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 8 to the West Gate Economic Development Urban Renewal Plan for the City of Ottumwa, State of Iowa";

Amendment No. 8 is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 8 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, Amendment No. 8 shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. The proposed Amendment No. 8 shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Wapello County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 8, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects, with the exception of Resolution No. 113-2019 adopted on May 21, 2019, which is hereby rescinded and replaced in all respects with this Resolution.

PASSED AND APPROVED this 1st day of October, 2019.



Mayor Pro Tem

ATTEST:



City Clerk

Label the Amendment as Exhibit 1 and attach it to this Resolution.

ATTACH THE AMENDMENT
LABELED AS EXHIBIT 1 HERE

AMENDMENT NO. 8
to the
**WEST GATE ECONOMIC DEVELOPMENT
URBAN RENEWAL PLAN**
for the
**WEST GATE ECONOMIC DEVELOPMENT
URBAN RENEWAL AREA**

CITY OF OTTUMWA, IOWA

Adopted – May 1989
Amendment No. 1 – July 1994
Amendment No. 2 – May 2002
Amendment No. 3 – November 2009
Amendment No. 4 – August 2011
Amendment No. 5 – March 2013
Amendment No. 6 – March 2016
Amendment No. 7 – October 2017
Amendment No. 8 – May 2019

AMENDMENT NO. 8
to the
WEST GATE ECONOMIC DEVELOPMENT URBAN RENEWAL PLAN
for the
WEST GATE ECONOMIC DEVELOPMENT URBAN RENEWAL AREA
CITY OF OTTUMWA, IOWA

INTRODUCTION

The West Gate Economic Development Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the West Gate Economic Development Urban Renewal Area (“Area” or “Urban Renewal Area”) was adopted in 1989 and amended in 1994, 2002, 2009, 2011, 2013, 2016, and 2017.

The Urban Renewal Plan is now being further amended to add and/or confirm proposed urban renewal projects to be undertaken within the Urban Renewal Area by this Amendment No. 8 (“Amendment” or “Amendment No. 8”). This Amendment adds no new land to the Area and has no effect on the duration, designation, or base value of the Plan or the Area.

Except as modified by this Amendment, the provisions of the original Urban Renewal Plan, as previously amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control. Any subsections not mentioned in this Amendment shall continue to apply to the Plan.

DEVELOPMENT PLAN/ZONING

The City has a general plan for the physical development of the City as a whole outlined in The Ottumwa Plan, adopted by the City in September 2001 and updated in 2014. The Urban Renewal Plan, as amended, and the projects described in this Amendment No. 8, are in conformity with the goals, objectives, and overall policies identified in The Ottumwa Plan.

This Urban Renewal Plan, as amended, does not in any way replace the City’s current land use planning or zoning regulation process.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area, is set forth in this Plan, as amended. As the Area continues to develop, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

PREVIOUSLY APPROVED URBAN RENEWAL PROJECTS

Numerous urban renewal projects were authorized prior to the date of this Amendment, and are continuing. Such projects are not listed in this Amendment but consist of a variety of urban renewal projects.

ELIGIBLE URBAN RENEWAL PROJECTS (Amendment No. 8)

Although certain project activities may occur over a period of years, the Eligible Urban Renewal Projects under this Amendment include:

1. Development Agreements

A. *Agreement with Chrisbro 5, LLC and Chrisbro Hospitality.* The City expects to enter into a development agreement with Chrisbro 5, LLC (“Developer”) and Chrisbro Hospitality (“Operator”), to provide incentives for the development of a hotel with a connection to the existing Convention Center and on-site parking. Construction for this project is expected to be completed in 2020. As part of the terms of the development agreement, the Developer would agree to a minimum assessed value for the completed hotel and the Operator would agree to create or retain jobs therein. Pursuant to the terms and conditions of the development agreement, the City would, inter alia: (a) lease the property on which the hotel will be constructed to the Developer for 99 years; (b) make Economic Development Grants of up to \$4,000,000 to the Developer and comprised of 100% of the tax increment created by the construction of the hotel for up to 20 years; (c) move a sanitary sewer line that currently crosses the construction site at an estimated cost of \$125,000; (d) reimburse certain site improvement costs of up to \$500,000 from monies in the Community Development Fund; and (e) cause the construction of off-site parking with costs estimated at not to exceed \$1,100,000. The total cost of the incentives described above is approximately \$5,725,000. This Amendment summary does not contain all of the terms and conditions to be included in the detailed development agreement.

B. *Market Street Mixed-Use and River Walk Agreement.* The City expects to enter into a development agreement with a Developer to provide incentives for the development of a mixed-use development including approximately 65 housing units, commercial improvements, and park and river walk amenities to be completed in a multi-phase project. The City may support the project through the construction of, or the provision of incentives towards, public infrastructure, or provide other incentives such as tax increment rebates, in order to encourage economic development on current grayfield sites and blight remediation in the area. Construction for this project is expected to be completed between 2020-2022. As part of the terms of the development agreement, the Developer would agree to a minimum assessed value for the completed improvements on the property. Total incentives are not expected to exceed \$8 million. This Amendment summary does not contain all of the terms and conditions to be included in the detailed development agreement.

C. *Washington Street Mixed Use Agreement.* The City expects to enter into a development agreement with a Developer to provide incentives for the development of a mixed-use development including approximately 35 housing units, commercial development, and park and river walk amenities to be completed in a multi-phase project. The City may support the project through the construction of, or the provision of incentives towards, public infrastructure, or provide other incentives such as tax increment rebates, in order to encourage economic development on current grayfield sites and blight remediation

in the area. Construction for this project is expected to be completed between 2020-2022. As part of the terms of this development agreement, developer would agree to a minimum assessed value from the completed improvements on the property. Total incentives are not expected to exceed \$4.5 million. This Amendment summary does not contain all of the terms and conditions to be included in the detailed development agreement.

D. Development Agreements: The City expects to consider requests for Development Agreements for projects that are consistent with this Plan, in the City’s sole discretion. Such Agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such Development Agreements will not exceed \$16,000,000.

2. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning

Project	Date	Estimated cost
Fees and costs	Undetermined	Not to exceed \$100,000

FINANCIAL DATA

1.	July 1, 2018 constitutional debt limit:	\$49,915,087
2.	Current outstanding general obligation debt:	\$25,680,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects (Amendment No. 8) has not yet been determined. This document is for planning purposes only. The estimated project costs in this Amendment are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City’s best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately as stated in the next column:	\$34,325,000 This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.

EFFECTIVE PERIOD

This Amendment No. 8 will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment,

resolution, or document, the Urban Renewal Plan, as amended, shall remain in effect until terminated by the City Council. The use of incremental property tax revenues, or the “division of revenue,” as those words are used in Chapter 403 of the *Code of Iowa*, will be consistent with Chapter 403 of the *Code of Iowa*. The division of revenues shall continue on the Urban Renewal Area for the maximum period allowed by law.

This Urban Renewal Area, and all subareas therein, has been designated as being appropriate for both blight remediation and economic development activities. Because Iowa Code section 403.17(10) provides that the 20-year limitation on the division of revenues applies only to economic development area with no part containing slum or blighted conditions, and because the Urban Renewal Area, as amended, contains parts that are blighted, the Area is not subject to the 20-year limitation set forth in section 403.17(10). Therefore, notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution, or document, the division of revenue in the Urban Renewal Area, as amended, has no sunset.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

REPEALER AND SEVERABILITY CLAUSE

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole or the previous amendments to the Plan, or any part of the Plan or this Amendment not determined to be invalid or unconstitutional.

01570992-1\10981-137

CERTIFICATE

STATE OF IOWA

)

) SS

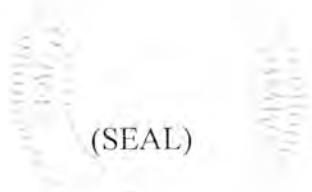
COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 1st day of October, 2019.

Christ Reinhard
City Clerk, City of Ottumwa, State of Iowa



FILED

FILED

2019 SEP 26 AM 9:42

2019 SEP 30 AM 8:04

CITY OF OTTUMWA

CITY CLERK
OTTUMWA, IA

Staff Summary

CITY CLERK
OTTUMWA, IA

**** ACTION ITEM ****

Council Meeting of : Oct 1, 2019

Planning & Development
Department

Kevin C. Flanagan

Prepared By

Kevin C. Flanagan

Department Head



City Administrator Approval

AGENDA TITLE: Resolution No. 218-2019, a resolution determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Agassiz Urban Renewal Plan.

Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution No. 218-2019.

DISCUSSION: This resolution will establish the Agassiz Urban Renewal Area (URA) and adopt the Agassiz Urban Renewal Plan (URP) in conjunction with our efforts to work with developer Jim Danaher in order to develop workforce housing on the site of the former school.

Source of Funds:

Budgeted Item:

Budget Amendment Needed:

ITEMS TO INCLUDE ON AGENDA

ORIGINAL

CITY OF OTTUMWA, IOWA

October 1, 2019

5:30 P.M.

Agassiz Urban Renewal Plan

- Public hearing on the proposed Agassiz Urban Renewal Plan
- Resolution determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Agassiz Urban Renewal Plan
- Consideration of Ordinance for the division of revenues under Section 403.19, Code of Iowa, for Agassiz Urban Renewal Plan

IMPORTANT INFORMATION

1. The above agenda items should be included, along with any other agenda items, in the meeting agenda. The agenda should be posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting. If no such office exists, the notice must be posted at the building in which the meeting is to be held.
2. If you do not now have a bulletin board designated as above mentioned, designate one and establish a uniform policy of posting your notices of meeting and tentative agenda.
3. Notice and tentative agenda must be posted at least 24 hours prior to the commencement of the meeting.

NOTICE MUST BE GIVEN PURSUANT TO CHAPTER 21,
CODE OF IOWA, AND THE LOCAL RULES OF THE CITY.

October 1, 2019

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 E. 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Pro Tem Dalbey, in the chair, and the following named Council Members:

Berg, Roe, Stevens, Streeby, Dalbey

Absent: None

Vacant: None

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Agassiz Urban Renewal Plan, the Mayor first asked for the report of the Director of Health, Inspections, Solid Waste, and Planning & Development, or his delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Plan. The Council was informed that the consultation was duly held as ordered by the Council, and that zero written recommendations were received from affected taxing entities. The report of the Director of Health, Inspections, Solid Waste, and Planning & Development, or his delegate, with respect to the consultation was placed on file for consideration by the Council.

The City also was informed that the proposed Plan had been approved by the Planning and Zoning Commission as being in conformity with the general plan for development of the City as a whole, as set forth in the minutes or report of the Commission. The Commission's report or minutes were placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written objections had been filed with respect to the proposed Plan, and the City Clerk reported that zero written objections thereto had been filed. The Mayor then called for any oral objections to the adoption of the Agassiz Urban Renewal Plan and none were made. The public hearing was then closed.

{Attach summary of objections here}

Council Member Roe then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE AGASSIZ URBAN RENEWAL PLAN" and moved:

- that the Resolution be adopted.
- to defer action on the Resolution and the proposal to the meeting to be held at _____ .M. on the _____ day of _____, 2019, at this place.

Council Member Streeby seconded the motion. The roll was called, and the vote was:

AYES: Berg, Roe, Stevens, Streeby, Dalbey

NAYS: None

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 218-2019

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE AGASSIZ URBAN RENEWAL PLAN

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law; and

WHEREAS, a proposed Agassiz Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Agassiz Urban Renewal Area ("Area" or "Urban Renewal Area") described below has been prepared, which proposed Plan has been on file in the office of the City Clerk and which is incorporated herein by reference; and

WHEREAS, this proposed Urban Renewal Area includes and consists of:

Lot Three (3) in J.J. McCoy Baker's Third Addition to the City of Ottumwa,
Wapello County, Iowa

WHEREAS, it is desirable that the Urban Renewal Area be redeveloped as described in the proposed Urban Renewal Plan to be known hereafter as the "Agassiz Urban Renewal Plan"; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole, prior to City Council approval thereof; and

WHEREAS, creation of the Urban Renewal Area and adoption of the Urban Renewal Plan therefore has been approved by the Planning and Zoning Commission for the City as being in conformity with the general plan for development of the City as a whole, as evidenced by its written report and recommendation filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, by resolution adopted on September 3, 2019, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if

any, have been timely made as set forth in the report of the Director of Health, Inspections, Solid Waste, and Planning & Development, or his delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Urban Renewal Plan for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Ottumwa Courier, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in the proposed "Agassiz Urban Renewal Plan" for the area of the City of Ottumwa, State of Iowa, legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the "Agassiz Urban Renewal Area"), be and the same are hereby adopted and approved as the findings of this Council for this area.

Section 2. This Council further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Urban Renewal Plan conforms to the general plan for the development of the City as a whole; and

c) Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the Urban Renewal Area:

i. Residential use is expected and with reference to those portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

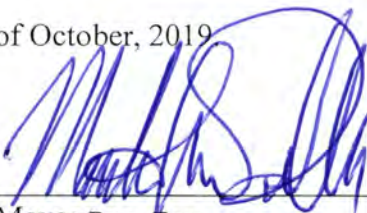
ii. Non-residential use is not expected, however, with reference to any portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal Area is an economic development area within the meaning of Chapter 403, Code of Iowa; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403, Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That the Urban Renewal Plan, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as the "Agassiz Urban Renewal Plan for the Agassiz Urban Renewal Area"; the Urban Renewal Plan for such area is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of the Urban Renewal Plan with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the Urban Renewal Plan shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. Said Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Wapello County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 1st day of October, 2019



Mayor Pro Tem

ATTEST:



City Clerk

Label the Plan as Exhibit 1 (with all exhibits) and attach it to this Resolution.

ATTACH THE PLAN LABELED AS
EXHIBIT 1 HERE

**AGASSIZ
URBAN RENEWAL PLAN**

for the

**AGASSIZ
URBAN RENEWAL AREA**

CITY OF OTTUMWA, IOWA

October 2019

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**Agassiz Urban Renewal Plan
for the
Agassiz Urban Renewal Area
City of Ottumwa, Iowa**

A. INTRODUCTION

The Agassiz Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Agassiz Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials respond to and promote economic development in the City of Ottumwa, Iowa (the “City”). The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new low and moderate income (LMI) housing and residential development as defined in the *Code of Iowa* Section 403.17(12).

In order to achieve this objective, the City intends to undertake Urban Renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the *Code of Iowa*, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Urban Renewal Area is described in Exhibit “A” and illustrated in Exhibit “B.”

The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City of Ottumwa designates this Urban Renewal Area as an economic development area that is appropriate for the development of LMI residential housing units.

D. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) ordinance is adopted, and debt is certified prior to December 1, 2019, the taxable valuation as of January 1, 2018, will be considered the frozen “base valuation” for the portion of the Urban Renewal Area identified in the TIF ordinance. If a TIF ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2019, the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Area.

E. DEVELOPMENT PLAN

Ottumwa has a general plan for the physical development of the City as a whole outlined in the Ottumwa Comprehensive Plan 2001, updated in 2013. The goals and objectives identified in this

Plan, and the urban renewal projects described herein, are in conformity with the goals and actions identified in the Comprehensive Plan.

This Urban Renewal Plan does not in any way replace the City's current land use planning or zoning regulation process. Currently the Area contains land that is zoned R-5. The City doesn't anticipate any change in zoning as a result of the proposed development.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in this Plan. As the Area continues to develop, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

F. RESIDENTIAL DEVELOPMENT

The City's objective in this Urban Renewal Area is to promote new LMI housing and residential development. The City realizes that the availability of affordable housing is an important component of attracting new business and industry and retaining existing businesses. In order to help stimulate the development of new affordable housing opportunities, one of the City's overall priorities is to investigate and pursue funding options to provide financial support for new residential development.

G. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites for new LMI residential development within the Area. More specific objectives for development within the Urban Renewal Area are as follows:

1. To increase the availability of housing opportunities, which may, in turn, attract and retain local industries and commercial enterprises that will strengthen and revitalize the economy of the State of Iowa and the City of Ottumwa.
2. To stimulate, through public action and commitment, private investment in new LMI housing and residential development. The City realizes that the availability of affordable, decent, safe, and sanitary housing is important to the overall economic viability of the community.
3. To plan for and provide sufficient land for LMI residential development in a manner that is efficient from the standpoint of providing municipal services.
4. To improve housing conditions and increase housing opportunities, particularly for LMI seniors and/or individuals.
5. To provide for the installation and upgrade of public works, infrastructure, and related facilities in support of new LMI housing development.

6. To provide a more marketable and attractive investment climate.
7. To preserve the health, safety, living environment, general character, and general welfare of Ottumwa, Iowa.
8. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

H. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To acquire property and to hold, clear, or prepare the property for development.
3. To dispose of property so acquired.
4. To provide for the construction of site specific improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
5. To arrange for, or cause to be provided, the construction or repair of public infrastructure, including, but not limited to, streets and sidewalks, traffic lights, pedestrian safety measures, water mains, sanitary sewers, storm sewers, public utilities, or other facilities in connection with urban renewal projects.
6. To make loans, forgivable loans, tax rebate payments, or other types of economic development grants or incentives to private persons or businesses to promote housing projects on such terms as may be determined by the City Council.
7. To use tax increment revenues to help leverage grants, loans, or other assistance from the state and federal governments (such as providing the local match for such assistance) in support of projects or businesses that advance the objectives of this Plan.
8. To use tax increment financing to facilitate urban renewal projects, including, but not limited to, financing to achieve a more marketable and competitive land offering price and to provide for necessary physical improvements and infrastructure.
9. To use tax increment for LMI housing assistance.
10. To borrow money and to provide security therefor.

11. To finance programs that will directly benefit housing conditions and promote the availability of housing affordable to LMI persons in the community.
12. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Program or specific urban renewal projects.
13. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Ottumwa and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

I. ELIGIBLE URBAN RENEWAL PROJECTS

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Urban Renewal Plan include:

1. Development Agreements.

a. CBC Financial Corporation (or a related entity):

This proposed urban renewal project involves providing incentives to assist with the cost of constructing a new LMI residential facility to be developed by CBC Financial Corporation (or a related entity). The project will involve the adaptive reuse and rehabilitation of the Agassiz school building to result in approximately 40 housing units. The project will prevent the former school site from falling into blighted condition as the site is currently under-utilized by the community. The project will include some measure of historic renovation. Construction is anticipated to take place in 2019-2022.

The City intends to provide assistance in the form of property tax rebates of potential incremental taxes that may result from development of the residential facility. Under the proposal, up to 100% of the incremental property tax generated by LMI units within the project (from incremental taxes from the rehabilitated building on the developer's land pursuant to the *Code of Iowa* Section 403.19) is expected to be rebated to the developer for up to a 15-year period. No rebates will be given for units leased at market rates. The potential incentive to the developer for the new development is expected to be approximately \$500,000, and will be subject to the terms and conditions of a detailed development agreement. These rebates will not be general obligations of the City, but will be subject to annual appropriation and payable solely from incremental property taxes under *Code of Iowa* Section 403.19 and generated by the LMI units within the project.

b. Other Development Agreements.

The City expects to consider requests for development agreements for projects that are consistent with this Plan, as amended, in the County's sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the County expects to consider a broad range of incentives as authorized by this Plan, as amended, including, but not limited to, land, loans, grants, tax increment rebates, public infrastructure assistance, and other incentives. The costs of such development agreements will not exceed \$1,000,000.

2. Planning, Engineering Fees (for Urban Renewal Plans), Attorney Fees, Administrative, and Other Related Costs to Support Urban Renewal Projects and Planning:

Project	Estimated Date	Estimated Cost
Fees and Costs	Undetermined	Not to Exceed \$50,000

J. FINANCIAL INFORMATION

1.	July 1, 2019, Constitutional Debt Limit	\$49,915,087
2.	Current Outstanding General Obligation Debt	\$22,165,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately as stated in the next column:	\$1,550,000 This does not include financing costs related to debt issuance, which may be incurred over the life of the Area.

K. URBAN RENEWAL FINANCING

The City intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. Tax Increment Financing.

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives, or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

B. General Obligation Bonds.

Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area and for other urban renewal projects or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of Ottumwa. It may be, the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates, or other incentives to developers or private entities in connection with the urban renewal projects identified in this Plan. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

L. PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and the disposition of property within the Urban Renewal Area.

M. RELOCATION

The City does not expect there to be any relocation required of residents or businesses as part of the eligible urban renewal project; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

N. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to State and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

O. AGRICULTURAL LAND

Because this Area does not contain land defined as "agricultural land" pursuant to *Code of Iowa* Section 403.17(3), no agricultural landowner consents are required.

P. PROPERTY WITHIN AN URBAN REVITALIZATION AREA

The Urban Renewal Area is located within an established Urban Revitalization Area. No tax abatement incentives under the Urban Revitalization Plan or any other plan, policy, or ordinance will be allowed for development that occurs in this Urban Renewal Area absent express written permission of the City Council.

Q. SEVERABILITY

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

R. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying goals or types of renewal activities.

The City Council may amend this Plan in accordance with applicable State law.

S. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and shall remain in effect until terminated by the City Council.

With respect to property included within the Urban Renewal Plan Area, which is also included in an ordinance providing for the division of revenue as set forth in Section 403.19 of the *Code of Iowa* (TIF ordinance), the use of incremental property tax revenues or the "division of revenue," as those words are used in Chapter 403 of the *Code of Iowa*, is limited to twenty (20) years, beginning with the first calendar year following the calendar year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property identified in the TIF ordinance.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness, or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

EXHIBIT A

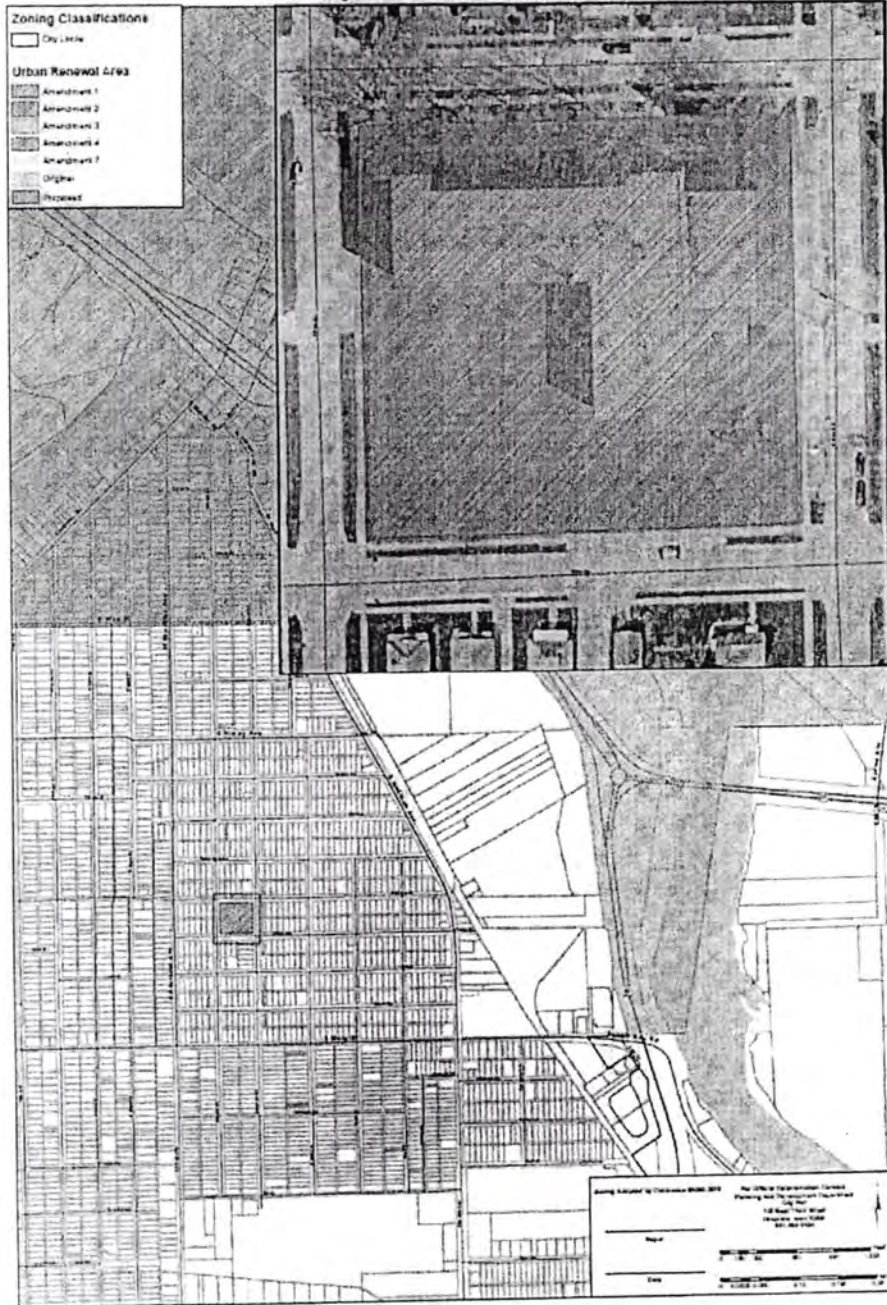
LEGAL DESCRIPTION OF AGASSIZ URBAN RENEWAL AREA

LEGAL DESCRIPTION: Lot Three (3) in J.J. McCoy Baker's Third Addition to the City of Ottumwa, Wapello County, Iowa

EXHIBIT B

MAP OF AGASSIZ URBAN RENEWAL AREA

City of Ottumwa, Iowa
Agassiz Urban Renewal Area



9-11-19 County / School Agassiz URA Consultation

In Attendance

Joseph A. Padden

Kevin C. Hodgson

Organization

WAPLEO CO

City of Othmanwa

Report from September 11, 2019 Agassiz Urban Renewal Plan Consultation
Meeting of Wapello County, City of Ottumwa, and Ottumwa Community School
District

The meeting began promptly on time on September 11, 2019 at 2:00 PM. In attendance representing Wapello County was Supervisor Jerry Parker. In attendance for the City was City Planning Director Kevin Flanagan. The school system was absent representation, having voiced verbal support prior to the meeting by phone.

Discussions were opened by Mr. Flanagan, explaining the project at hand, which is an LMI housing project of approximately 32 units set to be housed in a redeveloped former and historic school building. The developer having the intent to apply for housing tax credits economic development assistance and requesting a 15 year tax rebatement, in additional incentives, as a local share for the project. The urban renewal area would be curb to curb, only, and not include additional area outside of the project scope itself.

Mr. Parker enthusiastically support the geographical scope of the project, the project's intended audience of policy influence and impact, and also the noted lack of perceived overreach concerning any future project impacts or possibilities that could "steal" revenues from other entities in the future.

Mr. Flanagan expressed concern for the overwrought language in representation of TIF policy applications, cautioning for a measured rhetorical approach rather than hyperbolic or misleading characterizations of TIF policy applications, particularly in the public arena, that were at their essence commonwealth goods, leading not only to economic development generally, but often specifically geared toward blight remediation.

Mr. Flanagan appealed for the county to openly support an initiative they seemed in appreciation of and to join with the City in a public celebration of the school system, the County, and the City working together toward a like and fruitful end. Mr. Parker suggested this would be considered fairly.

The meeting closed amicably at 2:40 PM.

PLAN AND ZONING COMMISSION MINUTES
7 p.m. September 9, 2019 City Hall

Members present: Don Krieger, Chairperson; Chuck Manson, William Hopkins, Peg Lazio, Joni Winston

Members absent: Debra Hutton, Mary Ann Reiter, Marilyn Watts, Larry Jarvis

Staff present: Zach Simonson, Planner; Kevin Flanagan, Director; Peggy Eskew, Secretary.

Krieger called the meeting to order at 7 p.m.

Manson moved to approve the August 5, 2019 minutes; seconded by Winston. All in favor, motion carried with a vote of 5-0.

334 East Fifth Street – Public Hearing

The applicant is requesting to rezoning the property from “R4” Multi-family residential to “C-1” Neighborhood Commercial in order to allow the owners to catered special event dining from their restaurant.

The public hearing was opened. Simonson explained the request for rezoning to allow the applicant’s historic home to be used for catered dinner parties and events through their restaurant. The first floor dining room has a seating capacity of 14. One parking space is required for each five person seating capacity, which is satisfied due to the applicant owning an adjacent lot at 215 N. Jefferson. A letter was provided by First Lutheran Church to allow any overflow parking. No commercial cooking will be conducted on site as it will be catered from the restaurant.

Staff recommendation was to approve the rezoning and forward to City Council.

A letter and a petition opposing the rezoning with 20 signatures was received at the meeting; however some signatures were from the same address and two were not from the 200 foot distance. Staff calculated 11 households out of the 26 mailed were in opposition.

Martis Jones, 331 E Fifth had submitted a letter to staff. Being present for the hearing, Jones read the letter. He is opposed to the rezoning, stating it will change the character of an historic neighborhood, present noise, parking and safety issues.

Kyle Carriker, 328 E Fifth, cited what he called Sections 40.02 and 40.15 of the City Code to explain that he did not believe rezoning was appropriate. He believed it was more appropriate to give the applicant what he called an exception. He is opposed to the rezoning.

Note: There is no Chapter 40 of the City Code. Staff discussed with Carriker after the meeting and he was quoting Wapello County zoning regulations.

Krieger asked staff if creating an exception was possible. Flanagan explained that the only tools available in the City Code for resolving zoning issues are rezoning, conditional use permits and variances. The code does allow for conditional use permits for this kind of use in a residential

district nor does it permit variances for issues of use. Flanagan and Simonson both explained that rezoning is the only tool in the code for this circumstance.

Applicant Dennis Willhoit stated that as chair of the Ottumwa Historic Preservation Commission, he is very interested in preserving historic neighborhoods. His home has been completely renovated. He discussed with Planning staff his plan to offer catered dining in his home and was told he needed to seek rezoning due to charging a fee to use the private dining room in his home then using his catering service. Willhoit has had personal dinner parties before and will continue to have dinner parties. He is asking for the rezoning to have an exclusive dining experience in the historic Simmons house.

Discussion followed regarding parking allowed on one side of Fifth Street which created parking limitations since many homes do not have garages or driveways. Willhoit said that he had five paved spots as well as gravel on his adjoining lot and noted the letter for First Lutheran Church giving parking permission as well.

Savannah Depaz, 335 E Fifth, was opposed to the request.

Flanagan explained to the commission that conditional rezoning would be possible. That with the rezoning they could attach limitations on hours of operation, types of C-1 uses, etc.

Hearing no further comment, Manson moved to close the public hearing; seconded by Winston. All in favor, motion carried with a vote of 5-0.

Krieger asked staff what the penalties are for violation of the zoning ordinance. Simonson explained that they are subject to civil citation, injunction and litigation.

Manson moved to table the rezoning for one month, to allow the opportunity for the applicant and neighbors to engage with negotiations for conditional rezoning. A public hearing for the conditional rezoning will be held next month; seconded by Lazio. All in favor, motion carried with a vote of 5-0.

430 E. Second Street – Public hearing

The applicant is requesting to rezone lots owned by the former Wesley United Methodist Church from “R-4” Multi-Family Residential to “C-2” Community Commercial District. The new owner will move a book store and gift shop into the church plus rent the sanctuary and fellowship hall for events, with a possible flower shop in the future. A portion of the lots are currently “C-2”. This rezone would allow future development of the other lots.

Flanagan explained that the applicant asked to rezone the former Wesley United Methodist Church to operate a bookstore, rent the sanctuary and fellowship hall for weddings and events. Staff had found a letter from 1970 where the school district had opposed rezoning lots one block further west, but noted that the school district has confirmed they have no opposition to the current rezoning. Flanagan also stated that some of the lots owned by the applicant are currently zoned C-2 and that bringing the rest of the block into that zone, with those stipulations would make it advantageous for future development.

Applicant Jeremy Frase, 1218 Lake Rd., said he purchased the property unaware that zoning restrictions would prevent its use as a bookstore. He found the building to be historic and doesn't intend to change it. Future consideration for the empty lots is studio apartments.

Staff recommendation is to approve the rezoning and forward to City Council with the following conditions:

1. None of the lots may be used for auto sale
2. None of the lots may be used for auto service.

Hearing no further comment, Manson moved to close the public hearing; seconded by Lazio. All in favor the motion carried 5-0.

Discussion followed regarding the conditions. It was agreed to add taverns and equipment sales and service to the conditions. Future developers would have to come back to the Commission to lift any of these conditions on the lots

Manson moved to approve the rezoning from R-4 to C-2 and forwarded to City Council with the conditions:

1. None of the lots may be used for auto sales.
2. None of the lots may be used for auto services.
3. None of the lots may be used for a tavern.
4. None of the lots may be used for equipment sales/service.

Motion seconded by Lazio. All in favor, with a vote of 5-0.

Agassiz Urban Renewal Area.

Flanagan described that the area includes only the lot on which the former Agassiz Elementary School stands, no streets or public ways are included in the Urban Renewal Plan. This will allow a tax increment financing rebate to a developer for purpose of renovating the school into low-to-moderate income housing.

The commission is tasked with making a recommendation to approve the plan based on finding it in conformity with the general plan for the development of the municipality as a whole. Meetings would be held with the relevant taxing authorities before the council made a final decision.

Hopkins asked for clarification that tax increment financing would not increase taxes for surrounding properties. Flanagan explained the mechanism and that it would not.

Manson moved to approve the Agassiz Urban Renewal Area; seconded by Winston. All in favor, the motion carried 5-0.

Flanagan and Krieger advised the Commission of the upcoming joint meeting of City Council and the Commission regarding the new Comprehensive Plan, date TBA. The meeting will give opportunity to discuss issues of future land use and other planning priorities.

Manson moved to adjourn; seconded by Lazio. All in favor, the motion carried 5-0.

For the Plan and Zoning Commission

ATTEST:

Don Krieger, Chairperson

Peggy Eskew, Secretary

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 1st day of October, 2019.

Christine Reulard
City Clerk, City of Ottumwa, State of Iowa

(SEAL)

01628130-1\10981-141

FILED

2019 SEP 26 AM 9:42

CITY OF OTTUMWA

CITY OF OTTUMWA
Staff Summary

2019 SEP 30 AM 8:04

CITY OF OTTUMWA

**** ACTION ITEM ****

Council Meeting of: Oct 1, 2019

Planning & Development
Department

Kevin C. Flanagan
Prepared By
Kevin C. Flanagan
Department Head



City Administrator Approval

AGENDA TITLE: ORDINANCE NO. 3166-2019 an Ordinance to establish an Urban
Renewal Plan for the Agassiz Urban Renewal Area

Public hearing required if this box is checked.

RECOMMENDATION: A. Pass the first consideration of Ordinance No. 3166-2019
B. Waive the second and third considerations of Ordinance No.
3166-2019
C. Pass and Adopt Ordinance No. 3166-2019.

DISCUSSION: This Ordinance will establish the Agassiz Urban Renewal Plan for the
URA. This URA is being established to empower the City to provide rebate
incentives in conjunction with tax credits applications for the development
of approximately 36 units of multi-family housing within the old school.

Source of Funds:

Budgeted Item: Budget Amendment Needed:

Developer Jim Danaher will be applying this December for the next round of tax credits from IFA and IEDA. This project and our rebate incentives will be similar to those we engaged in recently in our partnership with TWG for Washington Apartments. Mr. Danaher will be requesting a 15 year TIF rebatement as an incentive for redevelopment. The value of this rebatement would be approximately \$350,000 - \$450,000 over the fifteen year term of the Development Agreement.

ORDINANCE NO. 3166-2019

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AGASSIZ URBAN RENEWAL AREA, IN THE CITY OF OTTUMWA, COUNTY OF WAPELLO OF THE STATE OF IOWA, CITY OF OTTUMWA, COUNTY OF WAPELLO, OTTUMWA COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE AGASSIZ URBAN RENEWAL AREA (**THE AGASSIZ URBAN RENEWAL PLAN**)

WHEREAS, the City Council of the City of Ottumwa, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. 218-2019 passed and approved on the 1st day of October, 2019, adopted an Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the Agassiz Urban Renewal Area (the "Urban Renewal Area"), which Urban Renewal Area includes the lots and parcels located within the area legally described as follows:

Lot Three (3) in J.J. McCoy Baker's Third Addition to the City of Ottumwa, Wapello County, Iowa

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Ottumwa, State of Iowa, in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Ottumwa, State of Iowa, desires to provide for the division of revenue from taxation in the Urban Renewal Area, as above described, in accordance with the provisions of Section 403.19, Code of Iowa, as amended.

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

Section 1. That the taxes levied on the taxable property in the Urban Renewal Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, City of Ottumwa, County of Wapello, Ottumwa Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2. That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Ottumwa, State of Iowa, certifies to the County of Wapello County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and

when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

Section 3. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of the City of Ottumwa, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12, Code of Iowa, as amended, incurred by the City of Ottumwa, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2, Code of Iowa, and taxes for the instructional support program of a school district imposed pursuant to Section 257.19, Code of Iowa, (but in each case only to the extent required under Section 403.19(2), Code of Iowa); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Section 346.27(22), Code of Iowa, related to joint county-city buildings; and (iv) any other exceptions under Section 403.19, Code of Iowa, shall be collected against all taxable property within the Urban Renewal Area without any limitation as hereinabove provided.

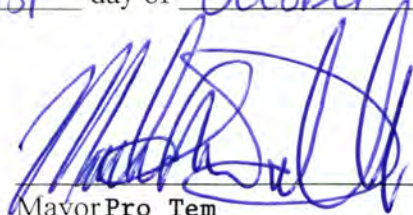
Section 4. Unless or until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in the Urban Renewal Area as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5. At such time as the loans, advances, indebtedness, bonds and interest thereon of the City of Ottumwa, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19, Code of Iowa, as amended, with respect to the division of taxes from property within the Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19, Code of Iowa, with reference to the Urban Renewal Area and the territory contained therein.

Section 7. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 1st day of October, 2019.



Mayor Pro Tem

ATTEST:

Christ Reinhard

City Clerk

Read First Time: October 1, 2019

Read Second Time: waived, Oct. 1, 2019

Read Third Time: waived, Oct. 1, 2019

PASSED AND APPROVED: October 1, 2019.

I, Christina Reinhard City Clerk of the City of Ottumwa, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. 3166-2019 passed and approved by the City Council of the City at a meeting held October 1, 2019, signed by the Mayor on October 1, 2019, and published in the Ottumwa Courier on _____, 2019.

Christ Reinhard

City Clerk, City of Ottumwa, State of Iowa



ORDINANCE CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WAPELLO)

1. I certify that Ordinance Number 3166-2019, of which a true copy is attached, was duly adopted by the City Council of the City of Ottumwa, State of Iowa, signed by the Mayor and published as required by law and is now in effect. I further certify that the consideration(s) and votes taken for the enactment of the Ordinance were as follows:

- a. First consideration - Date: October 1, 2019
 Vote: In favor 5, Opposed 0,
 Absent or Abstain None
- b. Second consideration - Date: waived - October 1, 2019
 Vote: In favor 5, Opposed 0,
 Absent or Abstain None
- c. Final Consideration - Date: waived - October 1, 2019
 Vote: In favor 5, Opposed 0,
 Absent or Abstain None
- d. Publication Date: October 5, 2019

2. The Ordinance was not considered on any date after its first consideration as shown above when it did not receive an affirmative vote for passage.

3. On the date of _____, _____, the City Council adopted a motion for the suspension of the rule requiring separate consideration at three meetings and voted the final adoption of the Ordinance. The vote for suspension of the rules was by three-fourths of the full City Council, voting _____ in favor, _____ opposed and _____ absent, vacant or abstaining and was duly recorded.

4. I further certify that each meeting for the consideration of the Ordinance was duly and publicly held, with a notice of the meeting and tentative agenda naming the consideration of the Ordinance timely posted and upon reasonable advance notice to the media as required by the Chapter 21, Code of Iowa, and rules of the Council then governing.

5. I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the City hereto affixed this October day of _____, 2019.

Christie Reinhard
City Clerk, City of Ottumwa, State of Iowa



**(Attach Affidavit of Publication to this Certificate
and send Certificate and Affidavit to Ahlers & Cooney, P.C.)**

01628158-1\10981-141

FILED

2019 SEP 12 AM 9:44

CITY CLERK
OTTUMWA, IOWA

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Oct 1, 2019

Health & Inspections
Department

Jody Gates

Prepared By

Kevin C Flanagan
Department Head

Tom R. Price
City Administrator Approval

AGENDA TITLE: Resolution No. 199 - 2019, a resolution by the Ottumwa City Council fixing an amount for abating a nuisance against certain lots in the City of Ottumwa, Iowa

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 No. 199 - 2019

DISCUSSION: The City abated nuisances on the properties on this resolution. Abatement costs were subsequently billed to the properties and the amounts on this resolution remain unpaid and will be assessed to the real estate taxes. There are two demolitions and one nuisance on the resolution totaling \$34,682.98

Source of Funds: 151-3-342-6499

Budgeted Item: Budget Amendment Needed:

RESOLUTION NO. 199 – 2019

A RESOLUTION BY THE OTTUMWA CITY COUNCIL FIXING AN AMOUNT FOR ABATING A NUISANCE AGAINST CERTAIN LOTS IN THE CITY OF OTTUMWA, IOWA

WHEREAS, the nuisances existing on properties located at 129 N. McLean, 1022 Plum and 250 S. Ward were abated by the City of Ottumwa; and

WHEREAS, the Code of Iowa, Section 364.12, allows the City Council to assess costs of abating nuisances against real estate taxes in the same manner as the property tax; and

WHEREAS, said costs are as follows:

1. 129 North McLean – legal description – the Northeast one half of Lot 11 in Major and Dibble's Addition to the city of Ottumwa, Wapello County, Iowa, excepting that portion described as follows: Beginning at a point on the Northwest line of McLean Street in said City, that is 58.7 feet Southwest of the East corner of said Lot 11, thence Northwest parallel to Fourth Street to the Northwest line of said Lot 11; thence along the Northwest line of said lot a distance of 41.08 feet to the West corner of the Northeast half of said Lot 11; thence Southeast parallel to Fourth Street, a distance of 56 ½ feet; thence Northeast along the Northwest line of McLean Street a distance of 41.08 feet to the point of beginning, owner Tim La Point and the nuisance abatement costs are \$9,879.77 – Parcel #007413650006000.
2. 1022 Plum – legal description – the North Half of Lot 1 in Block 11 in Blake's First Addition to the City of Ottumwa, Wapello County, Iowa, owner Larry K. Stroud and the nuisance abatement costs are \$24,448.96 – Parcel #007410120091000.
3. 250 S. Ward – legal description – the South 41 ¼ feet of the West Half of the South Half of Lot 15 in M.J. Williams Addition to the City of Ottumwa, Iowa, owner Roy E. Henry and the nuisance abatement costs are \$354.25 – Parcel #007417330016000.

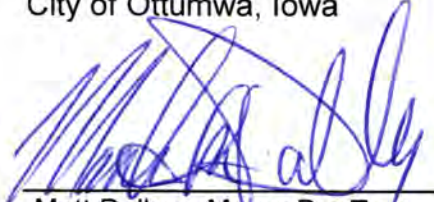
NOW, THEREFORE BE IT RESOLVED THAT the foregoing amounts are assessed against the respective properties as set forth hereinabove.

Passed and adopted this 1st day of October 2019

ATTEST:


Christina Reinhard, City Clerk

City of Ottumwa, Iowa


Matt Dalbey, Mayor Pro Tem

FILED

FILED

2019 SEP 26 AM 9:25

CITY OF OTTUMWA

2019 SEP 30 AM 8:04

Staff Summary

CITY OF OTTUMWA

**** ACTION ITEM ****

CITY OF OTTUMWA

Council Meeting of: October 1, 2019

Alicia Bankson

Prepared By

Engineering
Department

Larry Seal
Department Head

Tom Lorie
City Administrator Approval

AGENDA TITLE: Resolution #215-2019. Awarding the contract for the 2020 Roofing Improvements Rebid 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 #215-2019.

DISCUSSION: This project will entail furnishing all labor, materials and equipment to remove existing and install new roofing systems on the Water Pollution Control Maintenance Roof, Water Pollution Control Airport Pump Station Roof, and Fire Station No. 1 Dormitory Roof. New system to be installed includes rigid tapered insulation and single ply membrane qualifying for a 20-year no dollar limit material and labor water tightness system warranty.

Plans for the project were posted on the City's website, submitted to Master Builders of Iowa for publication with their Construction Update plan service, and available for pick up in the Engineering Office. An announcement was published in the Ottumwa Courier notifying the public of the project. Project notices were sent to six contractors.

Bids were received and opened by the City of Ottumwa on September 25, 2019 at 2:00 p.m. Five (5) sets of plans were either sent out or downloaded from the City website, and two (2) bids were received. The low bidder is Hawkeye Enterprise Roofing & Coating of Cincinnati, Iowa, in the amount of \$111, 263.00.

Low Bid Breakdown is as follows:	WPCF Maintenance	\$45,700.00
	WPCF Airport Pump Station	\$15,925.00
	Fire Station No. 1 Dormitory	\$49,638.00

Engineer's Opinion of Cost: \$107,000.00.

Bid Tab, Bid Proposal, and Plan Holders List are attached.

Source of Funds: Fire: \$99,000 CIP Funds Budgeted Item: Yes Budget Amendment Needed: No
WPCF: \$70,000

RESOLUTION #215-2019

A RESOLUTION AWARDING THE CONTRACT FOR THE
2020 ROOFING IMPROVEMENTS REBID PROJECT

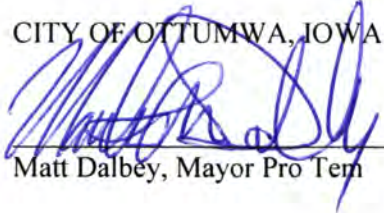
WHEREAS, The City Council of the City of Ottumwa, Iowa did advertise and accept bids for the above referenced project; and,

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 contract for the above referenced project is made to the lowest responsible bidder, Hawkeye Enterprise Roofing and Coating of Cincinnati, Iowa in the amount of \$111,263.00.

APPROVED, PASSED, AND ADOPTED, this 1st day of October, 2019.

CITY OF OTTUMWA, IOWA



Matt Dalbey, Mayor Pro Tem

ATTEST:



Christina Reinhard, City Clerk

**2020 Roofing Improvements Project
Bid Tabulation**

September 25, 2019 2:00 PM

Company Name	10% Bid Bond	Contract A: WPCF Maintenance Roof	Contract B: WPCF Airport Pump Station	Contract C: Fire Station Dormitory	Lump Sum Bid Amt
Hawkeye Enterprise	X	\$45,700.00	\$15,925.00	\$49,638.00	\$111,263.00
For Sure Roofing & Sheet Metal	X	\$56,316.00	\$20,205.00	\$64,407.00	\$135,568.00
Engineer's Opinion of Cost					\$107,000

I HEREBY CERTIFY THAT THIS IS A TRUE TABULATION OF THE PROPOSALS RECEIVED September 25, 2019 AT 2:00 PM. Dwight L. Dohlman, P.E.

SECTION 00310
BID PROPOSAL FORM

2020 ROOFING IMPROVEMENT PROJECT
OTTUMWA, IOWA

September 25th, 2019

Ms. Christina Reinhard, City Clerk
City of Ottumwa
105 E. Third Street
Ottumwa, IA 52501

Dear Madam,

We the undersigned, doing business as *Hawkeye Enterprise Roofing and Coating and hereinafter known as the Bidder, have examined the Contract Drawings and Project Manual with related documents and the site of the proposed work, and are familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor. We hereby propose to enter into an agreement with the City of Ottumwa, Iowa, to furnish all labor, materials, equipment, skills and facilities for the complete construction of "2020 Roofing Improvement Project - Ottumwa, Iowa" within the time set forth herein, all in accordance with the drawings and specifications and addenda thereto, as prepared by the City Engineering Department of Ottumwa, Iowa, excluding State Sales Tax and Local Option Sales Tax for the TOTAL BID PRICE OF:

CONTRACT A: Reroofing WPCF Maintenance

\$ 45,700.00

CONTRACT B: Reroofing WPCF Airport Pump Station (Including \$1,500.00 Concrete Repair Allowance)

\$ 15,925.00

CONTRACT C: Reroofing Fire Station No. 1 Dormitory

\$ 49,638.00

LUMP SUM BID if awarded Contracts A,B, and C together

\$ 111,263.00

- Insert "a corporation", "a partnership", or "an individual" as applicable.

Hawkeye Enterprise
Contractor

By Dan Van Derender

Title Sales

Address 813 Adeline Rd.

City, State, Zip Ottumwa, IA 52501

AWARD OF CONTRACT

The City will review each bid section and decide whether to award all or part of the work based on the Bid Proposal Form submitted.

This Bid Proposal Form is submitted after careful study of the Contract Drawings and Project Manual and from personal knowledge of the conditions to be encountered at the construction site which knowledge was obtained from the undersigned's own sources of information and not from any official or employee of the City of Ottumwa, Iowa.

By submission of this Bid Proposal Form, the Bidder certifies, and in the case of a joint Bid Proposal form, each party thereto certifies, that this Bid Proposal form has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this Bid Proposal Form with any other Bidder or with any competitor.

If a discrepancy appears between the written and the numerical, the written works will be used as the quoted price. If an error appears in an extension or the addition of terms, the corrected extension or total of the parts shall govern.

It is understood and agreed that a Bid Proposal Form cannot be withdrawn within thirty (30) days without the consent of the City of Ottumwa, Iowa and that the said City has the right to accept or reject any or all Bid Proposal Forms and to waive any irregularities and informalities.

BID SECURITY

Accompanying this Bid Proposal Form is a cash deposit, cashier's check, certified check drawn on a bank in Iowa, or share draft drawn on an Iowa credit union, or Bidder's Bond in the amount of: twelve thousand five hundred dollars & cents

Dollars

(\$ 12,500.00)

Drawn to the order of the City of Ottumwa, Iowa with the understanding that if this Bid Proposal Form is accepted and the undersigned refuses, fails or neglects to execute a contract and furnish said bonds and insurance certificates within ten (10) days of date of acceptance, said bid security shall be liquidated damages occasioned by such failure and thereupon said City shall realize said bid security and use the proceeds in payment of incurred damages and upon further understanding that said bid security will be promptly returned upon the rejection of this Bid Proposal Form.

COMPLETION TIME, LIQUIDATED DAMAGES

If this Bid Proposal Form is accepted and Contract awarded, the Bidder agrees to the following completion times based upon the Notice to Proceed, all subject to the provisions of the Contract Documents.

The work under the proposed contract shall be commenced within fifteen (15) calendar days after the issuance of the "Notice to Proceed". Failure to meet said requirements will result in liquidated damages of \$200.00 per working day.

ADDENDUM RECEIPTS

Receipt of the following addenda to the Specifications is acknowledged:

Addendum No. N/A Dated _____

Addendum No. N/A Dated _____

The foregoing prices are the basis upon which the undersigned will accept the contract and thereafter complete the work.

Respectively submitted,

HawkEye Enterprise Roofing and Coating
Contractor

116385 584th St Cincinnati, IA 52549

Enos Miller
Address

By Dan VanDewender

Title Sales

State whether the Bidder is sole proprietor, a partnership or a corporation, and if a corporation, the State in which it is incorporated:

LLC

Date: 9-25-19

CORPORATE SEAL:

FILED

FILED

2019 SEP 26 AM 10:10

CITY OF OTTUMWA

Staff Summary 2019 SEP 30 AM 8:04

CITY OF OTTUMWA

**** ACTION ITEM ****

CITY OF OTTUMWA

Council Meeting of: October 1, 2019

Alicia Bankson

Prepared By

Gene Rathje
Department Head

Parks Department
Department

Tom Snyo
City Administrator Approval

AGENDA TITLE: Resolution #216-2019. Awarding the contract for the Beach Renovations Phase 4 Shade Structures Installation.

**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 #216-2019.

DISCUSSION: This project will install new designated shade structures around the outdoor pools, complete with new concrete foundations, prefabricated steel framing and woven vinyl mesh fabric.

Plans for the project were posted on the City's website, submitted to Master Builders of Iowa for publication with their Construction Update plan service, and available for pick up in the Engineering Office. An announcement was published in the Ottumwa Courier notifying the public of the project. Project notices were sent to four contractors.

Bids were received and opened by the City of Ottumwa on September 25, 2019 at 2:00 p.m. Six (6) sets of plans were either sent out or downloaded from the City website, and three (3) bids were received. Staff is recommending award of the base bid amount to the low bidder ACCO Unlimited Corporation of Johnston, Iowa, in the amount of \$99,535.70.

Engineer's Opinion of Cost: \$100,000.00

Bid Tab, Bid Proposal, and Plan Holders List are attached.

Phase 4 Project Cost Summary to Date:

Public Improvement Contracts:

Wave Generation Equipment \$ 115,375.00 (complete)

Source of Funds: Bond Proceeds

Budgeted Item: Yes

Budget Amendment Needed: No

Wave Generation Equipment Installation	\$	34,609.90	(complete)
Wave Generation Blower and Motor Repair	\$	8,026.76	(complete)
Slide Repair/Restoration	\$	66,500.00	(in progress)
Slide Structural Support Repainting	\$	110,000.00	(in progress)
Volleyball Court Reconstruction	\$	75,000.00	(estimated)
New Shade Structure Installation	\$	99,535.70	(awarded)
Total	\$	508,865.36	

RFP's:

Kitchen Floor Resurfacing	\$	6,710.00	(in progress)
Overhead Door Replacement	\$	8,250.00	(complete)
Pool Netting and Rope Fencing Replacement	\$	9,983.88	(complete)
Walk-in Cooler Replacement	\$	16,419.83	(complete)
Storm Sewer Improvements	\$	35,000.00	(estimated)
Aluminum Entrance Door Repair	\$	15,000.00	(estimated)
Recirculating Pump Replacement	\$	8,538.43	(complete)
Wood Fencing Repair	\$	8,000.00	(estimated)
Final Landscaping and Seeding	\$	12,000.00	(estimated)
Dedication Plaque	\$	1,200.00	(estimated)
Portable Storage Building	\$	4,029.92	(complete)
Total	\$	125,132.06	

Total Phase 4 Costs:

Contracts	\$	508,865.36
RFP's	\$	125,132.06
Total	\$	633,997.42

RESOLUTION #216-2019

A RESOLUTION AWARDDING THE CONTRACT FOR THE
BEACH RENOVATIONS PHASE 4 SHADE STRUCTURES INSTALLATION

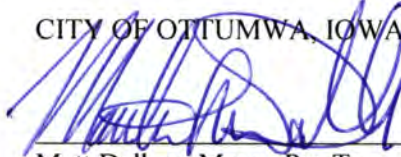
WHEREAS, The City Council of the City of Ottumwa, Iowa did advertise and accept bids for the above referenced project; and,

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 contract for the above referenced project is made to the lowest responsible bidder ACCO Unlimited Corporation of Johnston, Iowa in the amount of \$99,535.70.

APPROVED, PASSED, AND ADOPTED, this 1st day of October, 2019.

CITY OF OTTUMWA, IOWA



Matt Dalbey, Mayor Pro Tem

ATTEST:



Christina Reinhard, City Clerk

**Beach Ottumwa Phase 4 –Shade Structures Installation Project
 Bid Tabulation
 September 25, 2019 2:00 PM**

Company Name	10% Bid Bond	Add. #1	Base Bid Amount	Add Alt. Bid #1	Add Alt. Bid #2
Acco Unlimited	X	X	\$99,535.70	\$22,868.35	\$1,070.00
R.G. Construction	X	X	\$105,500.00	\$20,000.00	N/A
Woodruff Construction	X	X	\$147,173.00	\$28,200.00	\$1,020.00
Engineer's Opinion of Cost			#100,000.00 (incl. alternates)		

I HEREBY CERTIFY THAT THIS IS A TRUE TABULATION OF THE PROPOSALS RECEIVED SEPTEMBER 25, 2019 AT 2:00 PM. Dwight L. Dohlman, P.E.

SECTION 00310
BID PROPOSAL FORM

BEACH RENOVATIONS – PHASE 4
SHADE STRUCTURE INSTALLATIONS
OTTUMWA, IOWA

September 23, 2019

Ms. Christina Reinhard, City Clerk
City of Ottumwa
105 E. Third Street
Ottumwa, IA 52501

Dear Madam,


We the undersigned, doing business as * ACCO Unlimited Corporation, and hereinafter known as the Bidder, have examined the Contract Drawings and Project Manual with related documents and the site of the proposed work, and are familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor. We hereby propose to enter into an agreement with the City of Ottumwa, Iowa, to furnish all labor, materials, equipment, skills and facilities for the complete construction of "**Beach Renovations-Phase 4, Shade Structure Installation, 2019 - Ottumwa, Iowa**" within the time set forth herein. all in accordance with the drawings and specifications and addenda thereto, as prepared by the City Engineering Department of Ottumwa, Iowa, excluding State Sales Tax and Local Option Sales Tax for the TOTAL BID PRICE OF:

BASE BID: Ninety Nine Thousand Five Hundred Thirty Five Dollars and 70 cents
Dollars (\$ 99,535.70)

ALTERNATE BID 1
ADD to Base Bid \$ 22,868.35

ALTERNATE BID 2
ADD to Alternate Bid 1 plus Base Bid \$ 1,070.00

- Insert "a corporation", "a partnership", or "an individual" as applicable.

ACCO Unlimited Corporation
Contractor
By 
Title General Manager/Treasurer
Address 5105 NW Johnston Drive
City, State, Zip Johnston, IA 50131

AWARD OF CONTRACT

The City will review each bid section and decide whether to award all or part of the work based on the Bid Proposal Form submitted.

This Bid Proposal Form is submitted after careful study of the Contract Drawings and Project Manual and from personal knowledge of the conditions to be encountered at the construction site which knowledge was obtained from the undersigned's own sources of information and not from any official or employee of the City of Ottumwa, Iowa.

By submission of this Bid Proposal Form, the Bidder certifies, and in the case of a joint Bid Proposal form, each party thereto certifies, that this Bid Proposal form has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this Bid Proposal Form with any other Bidder or with any competitor.

If a discrepancy appears between the written and the numerical, the written works will be used as the quoted price. If an error appears in an extension or the addition of terms, the corrected extension or total of the parts shall govern.

It is understood and agreed that a Bid Proposal Form cannot be withdrawn within thirty (30) days without the consent of the City of Ottumwa, Iowa and that the said City has the right to accept or reject any or all Bid Proposal Forms and to waive any irregularities and informalities.

BID SECURITY

Accompanying this Bid Proposal Form is a cash deposit, cashier's check, certified check drawn on a bank in Iowa, or share draft drawn on an Iowa credit union, or Bidder's Bond in the amount of:

of: 10% _____ Dollars
Bid Bond
(\$ _____)

Drawn to the order of the City of Ottumwa, Iowa with the understanding that if this Bid Proposal Form is accepted and the undersigned refuses, fails or neglects to execute a contract and furnish said bonds and insurance certificates within ten (10) days of date of acceptance, said bid security shall be liquidated damages occasioned by such failure and thereupon said City shall realize said bid security and use the proceeds in payment of incurred damages and upon further understanding that said bid security will be promptly returned upon the rejection of this Bid Proposal Form.

COMPLETION TIME, LIQUIDATED DAMAGES

If this Bid Proposal Form is accepted and Contract awarded, the Bidder agrees to the following completion times based upon the Notice to Proceed, all subject to the provisions of the Contract Documents.

The work under the proposed contract shall be commenced within fifteen (15) calendar days after the issuance of the "Notice to Proceed". Failure to meet said requirements will result in liquidated damages of **\$200.00 per working day**.

ADDENDUM RECEIPTS

Receipt of the following addenda to the Specifications is acknowledged:

Addendum No. 1 Dated September 18, 2019

Addendum No. _____ Dated _____

The foregoing prices are the basis upon which the undersigned will accept the contract and thereafter complete the work.

Respectively submitted,

ACCO Unlimited Corporation

Contractor

5105 NW Johnston Drive

Johnston IA 50131

Address

By *Alvin J. Coffman*

Title General Manager/Treasurer

State whether the Bidder is sole proprietor, a partnership or a corporation, and if a corporation, the State in which it is incorporated:

Iowa

Date: September 23, 2019

CORPORATE SEAL:

NON COLLUSION AFFIDAVIT OF PRIME BIDDER

STATE OF _____)
) SS
COUNTY OF _____)

Debra J. Coffman , being first duly sworn, deposes and says that:

(1) She is General Manager/Treasurer of (2)

(Owner, Partner, Office Representative, Agent, Other (explain))
ACCO Unlimited Corporation , the Bidder that has submitted the attached bid.

She

- (2) ~~He~~ is fully responsible for the preparation and contents of the attached Bid and of all pertinent circumstances respecting such bid.
- (3) Such Bid is genuine and is not a collusive or sham Bid.
- (4) Neither the said Bidder nor any of its officers, partners, owner, agents, representatives, employees or parties in interest including this affiant, nor any employee or official of the City of Ottumwa, Iowa, or the Owner of the property interested in the proposed contract. The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employers, or parties in interest including this affiant, or by any employee or official of the City of Ottumwa, Iowa.

Signed: Debra J. Coffman

Title: General Manager/Treasurer

Subscribed and sworn to me by Debra Coffman before me this 23 day of Sept., 2019

Jessica L. Pollard

Notary Public in and for Polk County, Iowa.



SECTION 00400
BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we ACCO Unlimited Corp, as Principal, and Merchants Bonding Company, as Surety, are held and firmly bound unto the City of Ottumwa, Iowa, hereinafter called "OWNER" in the penal sum of 10% of the Bid Dollars (\$ 10%), lawful money of the United States of America, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successor, jointly and severally, firmly by these presents. The condition of this obligation is such that whereas the Principal has submitted the accompanying bid, dated September 25, 2019, for Beach Renovations-Phase 4, Shade Structure Installations, 2019 - Ottumwa, Iowa.

NOW, THEREFORE,

- (a) If said Bid shall be rejected, or in the alternate;
- (b) If said Bid shall be accepted and the Principal shall execute and deliver a contract in the form specified and shall furnish a bond for his faithful performance of said contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said Bid, then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and for all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated. By virtue of statutory authority, the full amount of this bid bond shall be forfeited to the Owner in liquidation of damages sustained in the event that the Principal fails to execute the contract and provide the bond as provided in the Specifications or by law. The Surety, for value received, hereby stipulates and agrees that the obligations of said surety and its bond shall be in no way impaired or affected by any extension of time within which the Owner may accept such Bid or execute such contract; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers this 20th day of September, 2019.

Jessica Dollard
Witness

ACCO Unlimited Corp (Seal)
Principal

By Michael J. Coffman

(Title)

Merchants Bonding Company (Seal)

Surety

By Margaret A. Foyle

(Title) Attorney-In-Fact

Janet W. Spahr
Witness

ATTACH POWER OF ATTORNEY

IMPORTANT: Surety companies executing this bond must appear on the U.S. Treasury Department's current list (Circular 570, as amended) and be authorized to transact business in the State of Iowa.

MERCHANTS
BONDING COMPANY, INC.
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Dana C Ramundt; Jennifer Westphal; Lisa Buster; Margaret A Pope; Marilyn E Lane; Megan Schmidt, Rory Robson; Vicki J Pearson

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

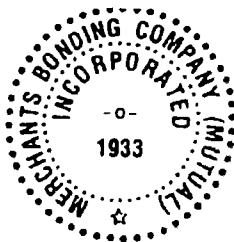
"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 29th day of August, 2017

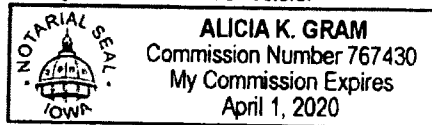


MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this this 29th day of August 2017, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Alicia K. Gram
Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this _____ day of _____



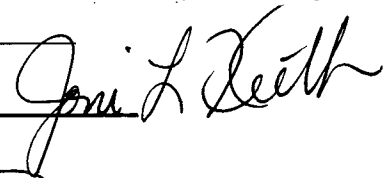
William Warner Jr.
Secretary

FILED
CITY OF OTTUMWA
Staff Summary
2019 SEP 25 AM 11:54
2019 SEP 30 AM 8:04

COUNCIL MEETING OF: October 1, 2019

Item No. _____
CITY OF OTTUMWA

Joni Keith
Prepared By



Planning & Development
Department

Kevin Flanagan
Department Head


Tom X. Lazio, Acting City Administrator

AGENDA TITLE: Resolution No. 219-2019. A resolution setting the time and place for the receipt of Proposals and/or the approval of a Development Agreement with R.G. Property, LLC for the renovation of 307 E. Main and setting a public hearing on the intent to dispose of real property located at 307 E. Main in the City of Ottumwa, Wapello County, Iowa.

PURPOSE: Set October 31, 2019, 10:00 a.m. as the time and date for the submission of Proposal/Development Agreements for the renovation of 307 E. Main, Ottumwa, Iowa, defining the evaluation criteria and setting November 5, 2019, 5:30 p.m., City Hall, Ottumwa, Iowa, as the time, place and date for a public hearing regarding the intent to dispose of real property located at 307 E. Main Street, Ottumwa, Iowa.

RECOMMENDATION: Pass and adopt Resolution No. 219-2019.

DISCUSSION: The city acquired this property through the Iowa Code Chapter 657A process as abandoned property under Iowa law. This property is severely in need of prompt renovation and the removal of miscellaneous debris, storage items and trash. A Development Agreement has been proposed by Rod Grooms with R.G. Property, LLC for the renovation of this property. A copy of the proposed Agreement is attached hereto. The Resolution sets the time and place for the submission of any other competing proposal(s), which is 10:00 a.m. on October 31, 2019. Proposal(s) will be submitted to the City Clerk. Resolution #180-2019 establishes a competitive criterion to evaluate proposal(s) submitted on the property. If no competing proposals are submitted, the City Council will proceed with the approval of the proposed Development Agreement from Rod Grooms D/B/A R.G. Property, LLC.

The Resolution also sets the time and place for the public hearing, which will be held at 5:30 p.m. on November 5, 2019 in City Council Chambers. Developers interested in submitting proposals may pick up the proposal documents at the Planning and Development office. Resolution #180-2019 established a review team. A team will evaluate the proposals based upon the criterion identified in the Resolution. The team will provide a recommendation on the disposition of 307 East Main Street for the November 5, 2019 public hearing.

RESOLUTION NO. 219 -2019

A RESOLUTION APPROVING THE SOLICITATION OF ADDITIONAL DEVELOPMENT PROPOSALS, APPROVING A PROPOSED DEVELOPMENT AGREEMENT AND SETTING A PUBLIC HEARING ON THE INTENT TO DISPOSE OF REAL PROPERTY LOCATED AT 307 EAST MAIN STREET IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA TO ROD GROOMS D/B/A R.G. PROPERTY, LLC

WHEREAS, the City proposes to dispose of the following described property locally known as 307 East Main Street, Ottumwa, Iowa:

The Northwest Forty (40) feet of Lot No. Two Hundred Eight-five (285) in Block Twenty-one (21) in the Original Plat of the City of Ottumwa, Wapello County, Iowa; and

WHEREAS, the City of Ottumwa is the present title holder of record of the property; and

WHEREAS, before real property may be disposed of, notice must be published and a public hearing held thereon; and

WHEREAS, the property will be disposed by Quit Claim deed with no abstract; and

WHEREAS, the City accepted proposals for this property until 2:00 P.M. September 9, 2019 and received no proposals; and

WHEREAS, the City will extend its request for development proposals for 307 E. Main to 10 A.M. on October 31, 2019 under the criteria established in Resolution #180-2019 passed and adopted on August 6, 2019; and in the event proposals are received, will review those proposals to determine which proposal is in the best interest of the City and make a recommendation to the city council; and

WHEREAS, Rod Grooms D/B/A R.G. Property, LLC offered the City \$1.00 and other valuable consideration for the property; and

WHEREAS, if the proposal from R.G. Property, LLC is recommended as the best proposal, said entity shall be required to sign a Development Agreement with the City and execute said Agreement prior to the transfer of said property; and

WHEREAS, said agreement contains specific redevelopment conditions; and

WHEREAS, in the event the developer does not complete the improvements and redevelopment conditions, the City shall have the right to take possession of the property upon notification of default per the development agreement; and

WHEREAS, the developer will remove all trash, garbage, junk, appliances, and miscellaneous refuse and rubbish from the building, secure the windows and building from weather, birds and pests; and


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

That proposals for the redevelopment of 307 E. Main shall be accepted until 10 A.M. on October 31, 2019; City staff will review any such proposals compared to the R.G. Property, LLC proposal and make a recommendation to accept the proposal that is in the best interest of the City. If said proposal development agreement with R.G. Property, LLC is recommended, council will review its approval at public hearing on the 5th day of November 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 dispose of real property legally described above to R.G. Property, LLC; and the City Clerk is authorized and directed to publish notice of said public hearing as provided by law.


Passed and adopted this 1st day of October 2019.

CITY OF OTTUMWA, IOWA

By


Matt Dalbey, Mayor Pro Tem

ATTEST:


Christina Reinhard, City Clerk

INVITATION FOR PROPOSALS

SOLICITATION FOR PROPOSALS FOR THE RE-DEVELOPMENT OF CITY OWNED PROPERTY, AND NOTICE OF PUBLIC HEARING ON THE DISPOSITION OF PROPERTY LOCATED AT 307 EAST MAIN, CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City of Ottumwa, Iowa, proposes by Resolution to dispose by Quit Claim deed with no abstract the following Real Property as described:

The Northwest Forty (40) feet of Lot No. Two Hundred Eight-five (285) in Block Twenty-one (21) in the Original Plat of the City of Ottumwa, Wapello County, Iowa; and

This property is a commercial building, located in Ottumwa's downtown, in a C-4 Downtown Mixed Use zoning district. The City is disposing of the property for re-development of the structure and repair of structural deficiencies.

The City has received a proposal from Rod Grooms, D/B/A R.G. Property, LLC for the Development of this property. Said proposed Development Agreement is available for inspection in the City Clerk's Office. Invitations for other Proposals for the development of 307 E. Main are being requested subject to the following conditions:

The successful developer shall be required to submit a Proposal/Development Agreement to the City and execute said Agreement prior to the transfer of property. The buyer will pay the costs of conveyance and closing costs, delinquent taxes will be waived or paid by the City of Ottumwa prior to disposition of the property, and disposition will be by Quit Claim deed.

The City of Ottumwa will provide a financial incentive up to \$40,000 to a qualified Developer for the reimbursement of approved expenditures for a new roof and other improvements completed by the Developer. The property may be eligible for State of Iowa grant opportunities, although the Development Agreement will not be subject to or dependent upon any such grant opportunities.

The Proposal/Development Documents include: Invitation for Proposals, and Proposal/Development Agreement. Proposal/Development Agreement Document(s) may be picked up from the Department of Planning and Development on Second Floor, City Hall, 105 East Third Street, Ottumwa, IA.

Proposals shall be mailed or delivered to the City Clerk's office located on the First Floor of City Hall, 105 East Third Street, Ottumwa, IA 52501 in a sealed envelope and plainly marked **Proposal/Development Agreement for 307 E. Main** prior to 10:00 A.M. on October 31, 2019. The developer shall provide confidential financial information and letter from financial institution to demonstrate the ability to promptly complete improvements to the structure. The Review Team will present a recommendation on the disposition of the property to the City Council in a public hearing at 5:30 p.m. on November 5, 2019 City Council meeting. The recommendation shall be based upon the following evaluation criteria approved under Resolution No. 180-2019:

Developer qualifications

Proposed Use(s) and Impact on Central Business District

Cash Payment and Fiscal Impact

Fiscal Impact

Proposed Financing

Persons interested in inspecting the interior of the structure may schedule an appointment through Kevin Flanagan, Director of Health, Inspections, Solid Waste & Planning, 641-683-0694, 105 East Third Street, Ottumwa, IA 52501. Questions regarding this Invitation for Proposals should be directed to Kevin Flanagan. The City reserves the right to accept or reject any or all proposals, and to waive technicalities and irregularities.

FOR THE CITY OF OTTUMWA, IOWA
Christina Reinhard

**NOTICE OF PUBLIC HEARING
307 E. MAIN, OTTUMWA, IOWA**

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of the City of Ottumwa, Iowa, will hold a public hearing Tuesday, November 5, 2019 at 5:30 p.m. in City Hall in the City of Ottumwa, Iowa on its intent to dispose of real property legally described as The Northwest 40 feet of Lot 285 in Block 21 in the Original Plat of the City of Ottumwa, Wapello County, Iowa, also known as 307 E. Main pursuant to a Request for Proposals for a Development Agreement regarding the renovation of 307 E. Main and the purchase of said property. A proposal for a Development Agreement has been received from Rod Grooms D/B/A R.G. Property, LLC that is available to review in the City's Clerk office. New proposals for Development will be available for review with the City Clerk's office after October 31, 2019. A Review Team will be evaluating each proposal and providing a recommendation to council at said public hearing. All persons interested in the intent to dispose of said property are invited to be present at the above time and place on the date mentioned to present their objections to, or arguments for the intent to dispose of said property.

**DEVELOPMENT AGREEMENT
BETWEEN
CITY OF OTTUMWA, IOWA
AND
R.G. PROPERTY, LLC**

Conveyance of Property and Development Agreement for the following described property locally known as 307 East Main Street, Ottumwa, Iowa:

The Northwest Forty (40) feet of Lot No. Two Hundred Eight-five (285) in Block Twenty-one (21) in the Original Plat of the City of Ottumwa, Wapello County, Iowa.

THIS AGREEMENT is made and entered into this _____ day of _____, 2019, by and between the City of Ottumwa, Iowa, and R.G. Property, LLC, hereinafter referred to as “Developer.” The City of Ottumwa, Iowa, an Iowa Municipal Corporation, has its principal place of business at 105 East Third Street, Ottumwa, Iowa 52501, hereinafter will be referred to as the “City.”

RECITALS

WHEREAS, the City owns real property situated in the City of Ottumwa, Wapello County, State of Iowa, legally described above and locally known as 307 East Main Street. Said property was acquired as abandoned property through Iowa Code Chapter 657A due to its dilapidated condition. The Iowa District Court granted title to the City on July 18, 2019 with the City obtaining possession on July 26, 2019; and

WHEREAS, it is the intention of the City to rehabilitate blighted areas and buildings in urban renewal areas and tax increment financing district areas in the City, which includes the above described property. Rehabilitation, redevelopment, development or a combination thereof of said areas, including this property, is in the interest of the public health, safety or welfare of the residents of the City. Said real estate is located within the West Gate Urban Renewal Area (the “Development Property”); and

WHEREAS, as an inducement to Developer, the City intends on making economic development grants (the “Grants”) to Developer as more particularly described below; and

WHEREAS, the City believes that it is in the best interests of the City and of its residents and is also in accord with the public purposes of applicable state and local laws, including Chapters 15A and 403 of the Code of Iowa, to enter into this Agreement to promote the development of 307 East Main Street, in Ottumwa, Iowa; and

WHEREAS, Developer desires to acquire said real property for the purpose of future development, and the City wishes to transfer ownership of the above described property to Developer for the purpose of rehabilitation, redevelopment, development or a combination thereof. Developer agrees to sign this Development Agreement with the City.

NOW, THEREFORE, in consideration of the terms, covenants, warranties and conditions hereinafter set forth, the parties hereto, intending to be legally bound hereby, mutually agree as follows:

CONVEYANCE OF THE CITY'S REAL PROPERTY

Subject to the terms and conditions of this Agreement, the City shall convey, transfer, assign and deliver to Developer on the closing date, under such terms as hereinafter defined and as set out in this Agreement executed between the City and Developer and which is incorporated herein.

REDEVELOPMENT CONDITIONS

As consideration for the transaction contemplated by this Agreement and other good and valuable consideration, Developer agrees to the following redevelopment conditions:

1. Subject to all terms and conditions of this Agreement, the City will sell by Quit Claim Deed the above-described real estate to Developer for the amount of \$1.00 Dollar(s) and other good and valuable consideration. Said real estate is being sold in its "AS IS" condition, with the City making absolutely no title guarantees and no warranties as to the condition of said property. Developer will pay all costs of transfer, including abstracting and title opinion, if requested.

2. Developer will accept the abovementioned property in its "AS IS" condition and will secure the building, including the roof, from weather and animals within 20 days of the date of transfer.

Section 1. Obligations of the Developer.

1. Developer, at its sole cost and expense shall completely renovate the building at 307 East Main Street, Ottumwa, Iowa, within four (4) years from the date of the transfer of the real estate to Developer. Additional completion time must be approved by the Ottumwa Planning Director and may require City Council approval.

2. Upon approval of this Development Agreement by the City Council, the Developer, on behalf of the City of Ottumwa, will immediately begin cleaning out the property and transporting any debris, trash and miscellaneous items that will not be personally kept by the Developer to the Solid Waste Commission Landfill, utilizing the City's \$3.30 per ton tipping fee. Closing on this transaction will occur on or before 60 days after the City Council approves this Development Agreement. The City will invoice the tipping fee to Developer, who will reimburse the City for the Landfill tipping fee at the closing.

3. With the exception of the cleanup work set out in Paragraph 2 above, Developer will begin work on the redevelopment of said building immediately upon transfer of ownership to Developer. All work on the building will be performed by Developer at its own expense. Developer will immediately secure said building, and ensure said building is not open to the elements due to roof and siding leaks or open or broken windows. Developer shall ensure that any renovation assures the structural integrity of any adjoining property walls. Demolition, cleanup, and repair within the building shall be conducted obtaining any necessary permits and complying with all local, state and federal regulations.

4. Developer will redevelop the property for uses permitted under the City of Ottumwa Zoning regulations, but in no event shall Developer lease to tenants or sell to prospective buyers who would require a conditional use permit under said City Zoning Code, Section 38-873. Adult entertainment businesses. When marketing said property to prospective buyers or tenants, Developer shall pay particular attention to retail mix, quality, and the type of tenant or buyer and the image of the central business district. No sale of this property shall occur without the express written consent of the City, not unreasonably withheld.

5. Said real estate may be sold at any time during, before or after the rehabilitation, redevelopment or development process with the agreement by both parties prior to the conveyance of the property.

6. Any financial liability resulting from the sale of the real estate by the City to Developer will be the sole responsibility of Developer. Developer shall provide property damage and liability insurance on said property. Developer shall indemnify and hold harmless the City from any liability or loss associated with the redevelopment project, or resulting from Developer activities or lack thereof.

7. Any balance of funds from the sale of the property will be retained by Developer.

8. In the event Developer does not complete the improvements and redevelopment conditions set forth in this Agreement, and such failure continues for a period of sixty (60) days after the holder has been notified of the default, the purchase cost of the parcel will be refunded

to Developer and the City shall have the right to take possession of the property, terminating the estate conveyed by the deed to Developer. The deed shall contain a condition subsequent to the effect that in the event of any default, failure, violation, or other action or inaction by Developer, the City at its option may declare a termination of the estate conveyed and take title and possession. If the Developer undertakes construction or completion of the improvements and does not finish such construction within the period as agreed, the original Developer and/or the City shall have the option of paying the costs of any improvements made by the holder and the amount of the mortgage debt and securing an assignment of the mortgage and the debt secured.

9. Minimum Assessment Agreement. As further consideration for this Agreement, Developer, City, and the County Assessor shall execute an Assessment Agreement pursuant to the provisions of Iowa Code Section 403.6(19) specifying the Assessor's Minimum Actual Value for the Minimum Improvements on the Development Property for calculation of real property taxes in the form attached as Exhibit "B" ("Assessment Agreement" or "Minimum Assessment Agreement"). Specifically, Developer, City, the County Assessor, the holder of any mortgage and all prior lienholders shall agree to a minimum actual value for the Minimum Improvements to be constructed on the Development Property of not less than \$200,000 (after any rollback) upon completion of the Minimum Improvements until the Assessment Agreement Termination Date (as defined below). Such minimum actual value at the time applicable is herein referred to as the "Assessor's Minimum Actual Value" (land and taxable improvement value).

Nothing in the Assessment Agreement shall limit the discretion of the Assessor to assign an actual value to the property in excess of such Assessor's Minimum Actual Value nor prohibit Developer from seeking through the exercise of legal or administrative remedies a reduction in such actual value for property tax purposes; provided, however, that Developer shall not seek a reduction of such actual value below the Assessor's Minimum Actual Value in any year so long as the Assessment Agreement shall remain in effect. The Assessment Agreement shall remain in effect until December 31, 2025 (the "Assessment Agreement Termination Date"). The Assessment Agreement shall be certified by the Assessor for the County as provided in Iowa Code Section 403.6(19) (2019) and shall be filed for record in the office of the County Recorder, and such filing shall constitute notice to any subsequent encumbrancer or purchaser of the Development Property or part thereof, whether voluntary or involuntary. Such Assessment Agreement shall be binding and enforceable in its entirety against any such subsequent purchaser or encumbrancer, as well as all prior lienholders and the holder of the First Mortgage, each of which shall sign a consent to the Minimum Assessment Agreement.

10. In the event the real estate is sold before complete redevelopment, the purchaser (hereinafter referred to as "Developer") shall be required to sign a Development Agreement with the City that will encompass the following requirements:

(a) The Developer will submit a site plan containing the information listed in Exhibit "A." The Developer will redevelop the property in accordance with this Proposal/Development Agreement. **The Developer will submit plans and specifications to the Ottumwa Planning Department and the Ottumwa Department of Health to review for conformity with the Proposal for Development, and all applicable state and local laws and regulations. The Development Agreement runs to all subsequent purchasers, owners, successors and assigns.**

(b) **Development shall be completed within four (4) years of the real estate transaction closing date with the original Developer. Additional completion time must be approved by the Ottumwa Planning Director and may require City Council approval.**

(c) If the subsequent Developer desires to make any change in the Proposal for Development Agreement, Developer shall submit the proposed change(s) to the City for approval. Additional development not described in this agreement may be permitted by amending the Development Agreement. Amendments to the Development Agreement are subject to approval by the Ottumwa City Council.

(d) Developer will not, prior to the completion of the improvements in the Proposal for Development, sell, assign, convey, lease or transfer in any other form of, or with respect to, this Agreement or the property, or contract or agree to do any of the same without prior written approval of the City and the original Developer. All legal documents involved in effecting the transfer shall be submitted to the City for review.

The consideration payable for the transfer by the transferee shall not exceed an amount representing the actual cost (including carrying charges) to the purchaser of the property, and the improvements, if any, made thereof; it being the intent of this provision to preclude assignment of the agreement or transfer of property for profit prior to the completion of the improvements. As certificate of completion of the construction of the improvements, in accordance with this Agreement, will be issued by the Planning Department.

(e) Prior to the completion of the improvements, Developer shall not encumber any mortgage, encumbrance, or lien on the property except for the purpose of obtaining necessary funds for the improvements. **In the event Developer does not complete the improvements and redevelopment conditions set forth in this Agreement, and such failure continues for a period of sixty (60) days after the holder has been notified of the default, the purchase cost of the parcel will be refunded to Developer and the City shall have the right to take possession of the**

property, terminating the estate conveyed by the deed to Developer. The deed shall contain a condition subsequent to the effect that in the event of any default, failure, violation, or other action or inaction by Developer, the original Developer and/or the City at its option, may declare a termination of the estate conveyed and take title and possession. If the Developer undertakes construction or completion of the improvements and does not finish such construction within the period as agreed, the original Developer and/or the City shall have the option of paying the costs of any improvements made by the holder and the amount of the mortgage debt and securing an assignment of the mortgage and the debt secured.

(f) Developer shall provide evidence of compliance of the above to the City.

11. This property shall be subject to real estate taxes. Developer shall keep all tax liabilities current.

12. Except as otherwise expressly provided herein, Developer and any subsequent Developer agrees to accept the City Real Property on an "AS IS, WHERE IS" basis. Except as otherwise expressly and explicitly provided herein, with respect to the City Real Property, the City disclaims any and all warranties, express or implied, regarding said property and makes no warranty of merchantability or fitness of said property for any particular purpose, express or implied.

13. Developer as well as any subsequent Developer of this property will not be eligible for tax abatement for a period of 10 years from the date of this Agreement. The Developer and any subsequent Developer, may apply for any other eligible competitive grants that may be available to said Developer.

Section 2. Obligations of the City.

1. The City finds that the Project will bring businesses that add diversity to or generate new opportunities for the economy, revitalize a building that would have been condemned, and provide for employment within the community and will provide needed benefit to the general public. Thus, the City agrees to make economic development grants to Developer under the authority of Chapters 15A and 43 of the Iowa Code, for purposes of completing the Project at 307 East Main Street, and upon the completion of the following contingencies (the "Grant Projects"):

(a) Within 120 days of execution of this Agreement, and upon completion, review and final acceptance by the City, the City will grant to Developer the sum of \$40,000 from the City's Community Development Fund to reimburse Developer for the costs of actual

renovation and activities related to blight remediation of 307 E. Main, including but not limited to a new roof on the building, or for the cost of razing the back portion of the building or cleaning out said building, or for completing other structural improvements to make the structure safe. Receipts for all expenses associated with the renovation shall be submitted to City for review and approval for reimbursement payment.

(b) Within 60 days of the transfer of the real estate to Developer, the City will either pay the property taxes on said real estate through date of possession, or will waive said taxes.

2. Upon Developer's possession of the real estate, development shall be completed within four (4) years of the date the transfer of ownership is completed. If Developer shall be delayed or prevented from completing the Grant Projects by reason of acts of God, war, civil commotion, riots, strikes, lockouts, picketing or other labor disputes, inability to obtain required governmental approvals or permits, unavailability of labor or materials, damage to work in progress by reason of fire or other casualty, or other causes without fault and beyond the reasonable control of Developer, then such failure to complete by the deadline shall be excused and the deadline extended for a period equivalent to the period of such delay.

3. The City has adopted Ordinance No. 2916-2002 approving the collection and distribution of tax increment within the Urban Renewal Area. The City hereby reserves the right to recover the costs of the Economic Development Grants to Developer from these tax increments.

4. The City shall fund the Economic Development Grants to Developer from a general obligation bond issue, cash on hand, or any available source of funds authorized for such purposes.

5. Upon closing of this real estate transaction, Developer shall promptly apply for the \$10,000 City roof grant, the \$10,000 white box grant and the \$10,000 façade grant. The City will award these three grants to the Developer pursuant to the conditions and regulations that apply to these grants.

6. Closing shall occur on or prior to 60 days from the date the Council approves this Development Agreement. Said real estate shall be transferred by Quit Claim Deed. Developer shall pay the transfer costs, the preparation of any abstract and any title search Developer deems necessary.

Section 3. Representations and Warranties of the Developer.

Developer makes the following representations and warranties as of the date of this Agreement:

1. Authority. Developer is an Iowa corporation and has the power and authority to enter into this Agreement and to perform its obligations hereunder, and is not in violation of any provisions of its Articles of Incorporation, By-laws, or other charter documents or the laws of the State of Iowa. This Agreement constitutes the valid and legally binding agreement of the Developer, enforceable in accordance with its terms.

2. Compliance. Developer will cause the Project to comply in all material respects and in accordance with the terms of this Agreement, the City's urban renewal plan and all local, state and federal laws and regulations (including, but not limited to, environmental, zoning, energy conservation, building code and public health laws and regulations).

3. Other Agreements. To the knowledge of the Developer the execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, and the fulfillment of or compliance with the terms and conditions of this Agreement are not, in any material respect, prevented by, limited by, in conflict with, and will not result in a breach of, the terms, conditions or provisions of any contractual restriction, evidence of indebtedness, agreement or instrument of whatever nature to which Developer is now a party or by which it is bound, nor do they constitute a default under any of the foregoing.

Section 4. Representations and Warranties of the City.

The City makes the following representations and warranties as of the date of this Agreement:

1. Authority. The City is an Iowa municipal corporation and has the power and authority to enter into this Agreement and to perform its obligations hereunder, and is not in violation of any governing laws, regulations or ordinances. This Agreement constitutes the valid and legally binding agreement of the City, enforceable in accordance with its terms.

2. Other Agreements. To the knowledge of the City, the execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, and the fulfillment of or compliance with the terms and conditions of this Agreement are not, in any material respect, prevented by, limited by, in conflict with, and will not result in a breach of, the terms, conditions or provisions of any contractual restriction, evidence of indebtedness, agreement or instrument of whatever nature to which the City is now a party or by which it is bound, nor do they constitute a default under any of the foregoing.

Section 5. Further Agreements.

1. Except as otherwise specifically provided herein, the parties hereto shall pay their own expense, including attorneys' fees, incident to the preparation and performance of this Agreement, whether or not the transaction contemplated herein is consummated.

2. Each party hereby agrees to indemnify and save the other harmless from and against any claim, settlement, cost or demand for commission or other compensation by any broker, finder, financial consultant or similar agent claiming to have been employed by or on behalf of such party and to bear the cost of legal expenses incurred in defending any such claim.

3. Any notice required or permitted under this Agreement shall be deemed given on the date personally delivered or sent by certified mail, or by overnight delivery, addressed as follows or to any other address as shall be furnished in writing by any addressee:

If to Developer: Rod Grooms
 R.G. Property, LLC
 215 East Fourth Street
 Ottumwa, IA 52501

If to the City: Ottumwa City Administrator
 105 East Third Street
 Ottumwa, IA 52501

4. Any subsequent Developer shall submit information in Exhibit "C" Statement of Financial Status; which is confidential information (not for public record).

5. Developer and any subsequent Developer hereby agrees to hold the City harmless from any, and all, liability incurred as a result of developer's project on the above-described parcel. This hold harmless provision applies to any and all unknown hazardous or toxic waste clean-up and all other activities.

6. This Agreement shall be governed, construed, and interpreted in accordance with the laws of the State of Iowa.

7. This Agreement to be executed pursuant hereto may be amended, superseded, canceled, renewed or extended, and their terms or covenants hereof may be waived, only by a written instrument executed by the parties hereto or in the case of a waiver, by the party waiving compliance. The failure of any party at any time or times to require performance of any provision hereof shall in no manner affect its right at a later time to enforce the same. The

parties reserve the right by mutual consent to amend, modify, supersede, and cancel this Agreement, or waive the terms of conditions hereof, without the consent of any other person (natural or otherwise).

8. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns. No party shall assign this Agreement without the prior written consent of the other parties hereto, which consent shall not be unreasonably withheld.

9. The invalidity or unenforceability of any provision of this Agreement shall not affect or impair any other provision hereof.

IN WITNESS WHEREOF, the City of Ottumwa, Iowa has caused this Agreement to be duly executed in its name and on its behalf by its Mayor and its seal to be hereunto duly affixed and attested by its City Clerk, and has caused this Agreement to be duly executed in its name and on its behalf by the officers indicated below, on or as of the day first above written.

R.G. PROPERTY, LLC
An Iowa Limited Liability Company

By: _____
Name: Rod Grooms
Title:

By: _____
Rod Grooms, Personally

STATE OF IOWA)
) SS.
WAPELLO COUNTY)

On this _____ day of _____, 2019 before me, Rod Grooms 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 the said person, who had authority on behalf of said corporation to sign said Agreement.

Notary Public in and for said State

CITY OF OTTUMWA, IOWA,
An Iowa Municipal Corporation

By: _____

Name: Matt Dalbey

Title: Mayor Pro Tem

By: _____

Christina Reinhard, City Clerk

STATE OF IOWA)

) SS.

WAPELLO COUNTY)

On this _____ day of _____, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Matt Dalbey and Christina Reinhard, to me personally known, who, being by me duly sworn, did say that they are the Mayor Pro Tem 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.

Notary Public in and for said State

EXHIBIT "A"

The proposal shall contain a Conceptual Site Plan.

EXHIBIT B

MINIMUM ASSESSMENT AGREEMENT

THIS MINIMUM ASSESSMENT AGREEMENT (“Minimum Assessment Agreement” or “Assessment Agreement”) is dated as of _____, 2019, by and between the City of Ottumwa, Iowa (“City”), a municipal corporation established pursuant to the Code of Iowa and acting under the authorization of Chapter 403 of the Code of Iowa, 2019, as amended (the “Urban Renewal Act”), and Chapter 15A , and _____ (“Developer”).

WITNESSETH:

WHEREAS, the City and Developer have entered into a Development Agreement dated as of _____, 2019 (“Agreement”) regarding certain real property located 307 E. Main Street in the City which is legally described as follows:

The Northwest Forty (40) feet of Lot No. Two Hundred Eight-five (285) in Block Twenty-one (21) in the Original Plat of the City of Ottumwa, Wapello County, Iowa.

(the “Development Property”); and

WHEREAS, it is contemplated that Developer will undertake the redevelopment of the structure at 307 E. Main Street, as provided in the Agreement; and

WHEREAS, pursuant to Section 403.6(19) of the Code of Iowa, as amended, the City and Developer desire to establish a minimum actual value for the Minimum Improvements to be constructed on the Development Property by Developer pursuant to the Agreement; and

WHEREAS, the City and the Assessor for the County have reviewed the preliminary plans and specifications for the Minimum Improvements that are contemplated to be constructed.

NOW, THEREFORE, the parties to this Minimum Assessment Agreement, in consideration of the promises, covenants and agreements made by each other, do hereby agree as follows:

1. Upon substantial completion of the renovation of 307 E. Main Street, Ottumwa, Iowa, but no later than January 1, 2021, the minimum actual value which shall be fixed for assessment purposes for the renovation of 307 E. Main shall be not less than Two Hundred and Fifty Thousand Dollars (\$250,000) (after any rollback) (hereafter referred to as the “Minimum Actual Value”).

The Minimum Actual Value shall continue to be effective until termination of this Minimum Assessment Agreement on December 31, 2025 (the "Assessment Agreement Termination Date"). This means that the Minimum Improvements and Development Property will be required to have a Minimum Actual Value pursuant to this Minimum Assessment Agreement of at least \$250,000 (after any rollback) until January 1, 2026, which shall govern the taxes collected for the entire fiscal year 2025-2026. The Minimum Actual Value shall be maintained during such period regardless of: (a) any failure to complete the Minimum Improvements; (b) destruction of all or any portion of the Minimum Improvements; (c) diminution in value of the Development Property or the Minimum Improvements; or (d) any other circumstance, whether known or unknown and whether now existing or hereafter occurring.

2. Developer shall pay or cause to be paid when due all real property taxes and assessments payable with respect to all and any parts of the Development Property and the Minimum Improvements pursuant to the provisions of this Minimum Assessment Agreement and the Agreement. Such tax payments shall be made without regard to any loss, complete or partial, to the Development Property or the Minimum Improvements, any interruption in, or discontinuance of, the use, occupancy, ownership or operation of the Development Property or the Minimum Improvements by Developer, or any other matter or thing which for any reason interferes with, prevents or renders burdensome the use or occupancy of the Development Property.

3. Developer agrees that its obligation to make the tax payments required hereby and to perform and observe its other agreements contained in this Minimum Assessment Agreement shall be absolute and unconditional obligations of Developer (not limited to the statutory remedies for unpaid taxes) and that Developer shall not be entitled to any abatement or diminution thereof, or set off therefrom, nor to any early termination of this Minimum Assessment Agreement for any reason whatsoever.

4. Developer agreed that, prior to the Termination Date, it will not:

- a. seek administrative review or judicial review of the applicability or constitutionality of any Iowa tax statute relating to the taxation of property contained as a part of the Development Property determined by any tax official to be applicable to the Development Property or the Minimum Improvements, or raise the inapplicability or constitutionality of any such tax statute as a defense in any proceedings, including delinquent tax proceedings; or
- b. seek any tax deferral or abatement, either presently or prospectively authorized under Iowa Code Chapter 403 or 404, or any other local or State law, of the taxation of real property, including improvements and fixtures thereon, contained in the Development Property between the date of execution of this Minimum Assessment Agreement and the Termination Date; or

- c. request the Assessor to reduce the Minimum Actual Value; or
- d. appeal to the board of review of the County, State, District Court or to the Director of Revenue of the State to reduce the Minimum Actual Value; or
- e. cause a reduction in the actual value or the Minimum Actual Value through any other proceedings.

5. This Minimum Assessment Agreement shall be promptly recorded by the City with the Recorder of Wapello County, Iowa. Such filing shall constitute notice to any subsequent encumbrancer of the Development Property (or any part thereof), whether voluntary or involuntary, and this Minimum Assessment Agreement shall be binding and enforceable in its entirety against any such subsequent encumbrancer, including the holder of any mortgage. The City shall pay all costs of recording.

6. Neither the preambles nor provisions of this Minimum Assessment Agreement are intended to, or shall be construed as, modifying the terms of the Agreement.

7. This Minimum Assessment Agreement shall not be assignable without the consent of the City and shall be binding upon and inure to the benefit of and be enforceable by the parties hereto and their respective successors and permitted assigns.

8. Nothing herein shall be deemed to waive the rights of Developer under Iowa Code Section 403.6(19) to contest that portion of any actual value assignment made by the Assessor in excess of the Minimum Actual Value established herein. In no event, however, shall Developer seek to reduce the actual value to an amount below the Minimum Actual Value established herein during the term of this Minimum Assessment Agreement. This Minimum Assessment Agreement may be amended or modified and any of its terms, covenants, representations, warranties or conditions waived, only by a written instrument executed by the parties hereto, or in the case of a waiver, by the party waiving compliance.

9. If any term, condition or provision of this Minimum Assessment Agreement is for any reason held to be illegal, invalid or inoperable, such illegality, invalidity or inoperability shall not affect the remainder hereof, which shall at the time be construed and enforced as if such illegal or invalid or inoperable portion were not contained herein.

10. The Minimum Actual Value herein established shall be of no further force and effect and this Minimum Assessment Agreement shall terminate on the Termination Date set forth in Section 1 above.

11. Developer shall provide a title opinion or title search to the City listing all lienholders of record as of the date of this Assessment Agreement and all such lienholders shall have signed consents to this Assessment Agreement, which consents are attached hereto and made a part hereof.

(SEAL)

CITY OF OTTUMWA, IOWA

By: _____
Matt Dalbey, Mayor Pro Tem

ATTEST:

By: _____
Christina Reinhard, City Clerk

STATE OF IOWA)
) ss
COUNTY OF WAPELLO)

On this _____ day of _____, 2019, before me a Notary Public in and for said State, personally appeared Matt Dalbey and Christina Reinhard, to me personally known, who being duly sworn, did say that they are the Mayor Pro Tem 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.

Notary Public in and for the State of Iowa

CERTIFICATION OF ASSESSOR

The undersigned, having reviewed the plans and specifications for the Minimum Improvements to be constructed, and being of the opinion that the minimum market value contained in the foregoing Minimum Assessment Agreement appears reasonable, hereby certifies as follows: The undersigned Assessor, being legally responsible for the assessment of the Development Property described in the foregoing Minimum Assessment Agreement, certifies that upon completion of the Minimum Improvements, but in no event later than January 1, 2021, the actual value assigned to the Minimum Improvements shall not be less than Two Hundred Thousand Dollars (\$200,000), after any rollback, all until the Assessment Agreement Termination Date of this Minimum Assessment Agreement.

Assessor for the County of Wapello, Iowa.

Date

STATE OF IOWA)
) ss
COUNTY OF WAPELLO)

Subscribed and sworn to before me by _____, Assessor for the County of Wapello, Iowa.

Notary Public in and for the State of Iowa

EXHIBIT "C"

Statement of Financial Status

Sources and amount of cash available to Developer to meet requirements of the proposed undertaking:

- A. In Banks:
Name and address of bank _____
Amount \$ _____

- B. By loans from affiliated or associated corporations or firms:
Name and address of source _____
Amount \$ _____

- By sale of readily salable assets:
Description Market Value Mortgages

- C. By financing as set forth:

- D. Names and addresses of bank references:

- E. Attach a statement from lending institution stating their preliminary interest in Providing financial support for your Development Project.

The above is confidential information submitted by the Redeveloper.

Signature _____

Date _____

Title _____

FILED

2019 SEP 26 AM 9:54

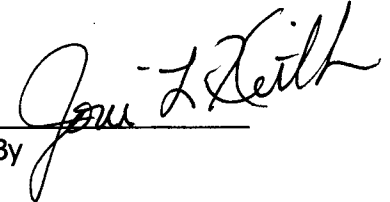
CITY OF OTTUMWA
STAFF SUMMARY

CITY OF OTTUMWA

Council Meeting of: October 1, 2019

ITEM NO. _____

Joni Keith
Prepared By

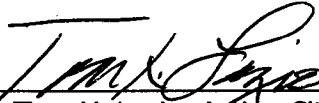


Planning

Department

Kevin Flanagan

Department Head



Tom X. Lazio, Acting City Administrator

AGENDA TITLE: Resolution No. 220-2019 provides for the reallocation and transfer of designated funds from the Capital Projects Fund to the community Development Fund for purposes of incentivizing the rehabilitation of 307 E. Main, Ottumwa, Iowa.

PURPOSE: Approving the reallocation of funds for the purpose of incentivizing the rehabilitation of 307 E. Main.

RECOMMENDATION: Pass and adopt Resolution No. 220-2019.

DISCUSSION: The City and Ottumwa Regional Legacy Foundation each pledged funds to provide for blight remediation in the downtown area and residential areas throughout the City. The City placed the sum of \$655,000 in the capital projects fund, while Legacy pledged the sum of \$400,000 in the capital projects fund over a four-year period. Staff is requesting that the sum of \$40,000 be reallocated from City Fund 151, "Other Capital Projects Fund," to City Fund 174, "Community Development Fund," for the purpose of incentivizing the renovation of 307 E. Main. The successful developer for this property will receive the sum of \$40,000 pursuant to a Development Agreement which will be approved by Council at a later date. Legacy has consented to this reallocation verbally and will do so in writing through an amendment to the blight remediation Grant Agreement previously signed by the parties.

RESOLUTION NO. 220-2019

A RESOLUTION REALLOCATING GRANT FUNDS FROM THE OTTUMWA REGIONAL LEGACY FOUNDATION, IN THE AMOUNT OF \$20,000, FROM FUND 151 TO FUND 174, TO BE USED IN SUPPORT OF BLIGHT REMEDIATION IN THE CITY DOWNTOWN AREA

WHEREAS, the City of Ottumwa has an ongoing program of blight remediation in the downtown area; and

WHEREAS, the City implemented programs to reduce the number of blighted downtown structures; and

WHEREAS, despite the programs to reduce the number of blighted structures, a select number of such structures remain; and

WHEREAS, the Ottumwa City Council is working with Ottumwa Regional Legacy Foundation in order to address blight in the City, in the downtown area and throughout residential areas ; and

WHEREAS, to this end, the Ottumwa City Council pledged \$655,000 over a five year period (\$131,000 a year) and requested the Ottumwa Regional Legacy Foundation pledge \$400,000 over a four year period(\$100,000 a year),funds to be used to remove placarded houses in Ottumwa; and

WHEREAS, the Ottumwa Regional Legacy Foundation approved the funding request from the City of Ottumwa; and

WHEREAS, the City has requested the Ottumwa Regional Legacy Foundation allow the re-allocation of \$20,000 of said funds for blight remediation in conjunction with the redevelopment of a downtown structure known as 307 East Main through a public/private partnership and these funds would be utilized as incentives for redevelopment purposes; and

WHEREAS, he Ottumwa Regional Legacy Foundation has agreed to said reallocation of funds for blight remediation in 307 East Main; and

WHEREAS, said funds (\$20,000) will be transferred by the City from City Fund 151 "Other Capital Projects Fund" into City Fund 174 "Community Development Fund", for the stated purposes of blight remediation and the incentivizing of private development efforts to this end; and

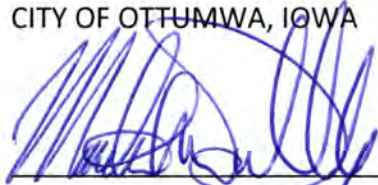
WHEREAS, the City will also utilize \$20,000 of City funds toward said purposes in conjunction with and in like fashion to said Ottumwa Regional Legacy funds; and

WHEREAS, the City of Ottumwa and Ottumwa Regional Legacy Foundation will make amendment to the blight remediation Grant Agreement between said entities, memorializing said reallocation and said mutual effort in blight remediation and redevelopment incentivizing for 307 East Main, as a public/private partnership of substantial community significance, in good standing; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA that the City Council hereby authorizes the Finance Department to transfer the total sum of \$40,000 from City Fund 151 "Other Capital Projects Fund" into City Fund 174 "Community Development Fund" for purposes of incentivizing the rehabilitation of 307 E. Main as part of a Development Agreement.

APPROVED, PASSED, AND ADOPTED this 1st day of October 2019.

CITY OF OTTUMWA, IOWA



Matt Dalbey, Mayor Pro Tem

ATTEST:



Chris Reinhard, City Clerk

FILED

2019 SEP 26 AM 9:42

CITY OF OTTUMWA

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Oct 1, 2019

Planning & Development
Department

Kevin C. Flanagan
Prepared By
Kevin C. Flanagan
Department Head



City Administrator Approval

AGENDA TITLE: Resolution NO. 222-2019 Waving Right of Review for Matthew 5:5 Subdivision

Public hearing required if this box is checked.

RECOMMENDATION: Approve and Pass Resolution NO. 222-2019 to Waive the Right of Review for Matthew 5:5 Subdivision

DISCUSSION: The owner of 11122 Dahlonga Rd. (32.65 acres) is piecing off a portion of 4 acres in order to sell this land know as Matthew 5:5 Subdivision to the owner of 11298, their neighbor, for yardspace. Given the lack of interest in exercising our right of review upon this subdivision, staff is recommending we waive our right and allow this transaction to occur without further action on the part of the City.

Source of Funds:

Budgeted Item: Budget Amendment Needed:

RESOLUTION NO. 222-2019

A RESOLUTION WAIVING THE RIGHT OF REVIEW FOR MATTHEW 5:5 SUBDIVISION OF THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

WHEREAS Matthew 5:5 Subdivision, Wapello County, Iowa, is being described as follows, to-wit:

Matthew 5:5 Subdivision is a part of Auditor's Parcel A of the NW ¼ of the SE ¼ and part of the NE ¼ of the SE ¼ and part of the SE ¼ of the SE ¼ of Section Eight (8), Township Seventy-two (72) North, Range Thirteen (13) West of the 5th P.M. in Wapello County, Iowa, recorded in Plat Book 13-L on page 751 (Document 2015-1463), Matthew 5:5 Subdivision is more particularly described as follows: Beginning at the Northwest corner of the SE ¼ of the SE ¼ Section 8; thence South 88°08'50" West 366.75 feet along the South line the NW ¼ of the SE ¼ to the Southeast line of Dahlonaga Road; thence North 56°40'10" East along the Southeast line of Dahlonaga Road 367.32 feet; thence North 75°45'20" East along the Southeast line of Dahlonaga Road 258.00 feet; thence South 20°43'10" East 600.00 feet; thence North 70°55'05" West 417.20 feet to the Southeast corner of a parcel of land described in deed 2009-4630 owned by Melody Lynn Williams; thence North 02°48'30" West 171.55 feet along the East line thereof to the Point of Beginning, containing 4.00 acres and subject to any and all easements and/or restrictions of record.

WHEREAS, Matthew 5:5 Subdivision is a subdivision of property within the City's one-mile extra-territorial jurisdiction; and


WHEREAS, the City Council deems this subdividing activity to be of no consequence to the City and a legal action that is in good order.

NOW, THEREFORE, be it resolved by the City Council of the City of Ottumwa, Iowa:

That the City Council of Ottumwa, Iowa is hereby waiving its Right of Review for the Plat known as Matthew 5:5 Subdivision, Wapello County, Iowa, and the Mayor and the City Clerk are hereby authorized to sign the plat and attest to the same and certify a true copy of this Resolution to the County Recorder of Wapello County, Iowa, as provided by law and all other public officers as required by law.

Passed and adopted this 1st day of October 2019.

CITY OF OTTUMWA, IOWA

By 
Matt Dalbey, Mayor Pro Tem

ATTEST:



Chris Reinhard, City Clerk



INDEX LEGEND	
LOCATION:	PART OF AUDITOR'S PARCEL A IN THE SE 1/4 SECTION 8-72-13, WAPELLO COUNTY, IOWA
PROPRIETOR:	PATRICK D. & SARA LONG
REQUESTED BY:	MELODY WILLIAMS
PREPARED BY:	GARY W. KEITH
COMPANY:	GARDEN & ASSOCIATES, LTD.
RETURN TO:	P.O. BOX 451, OSKALOOSA, IOWA 52577



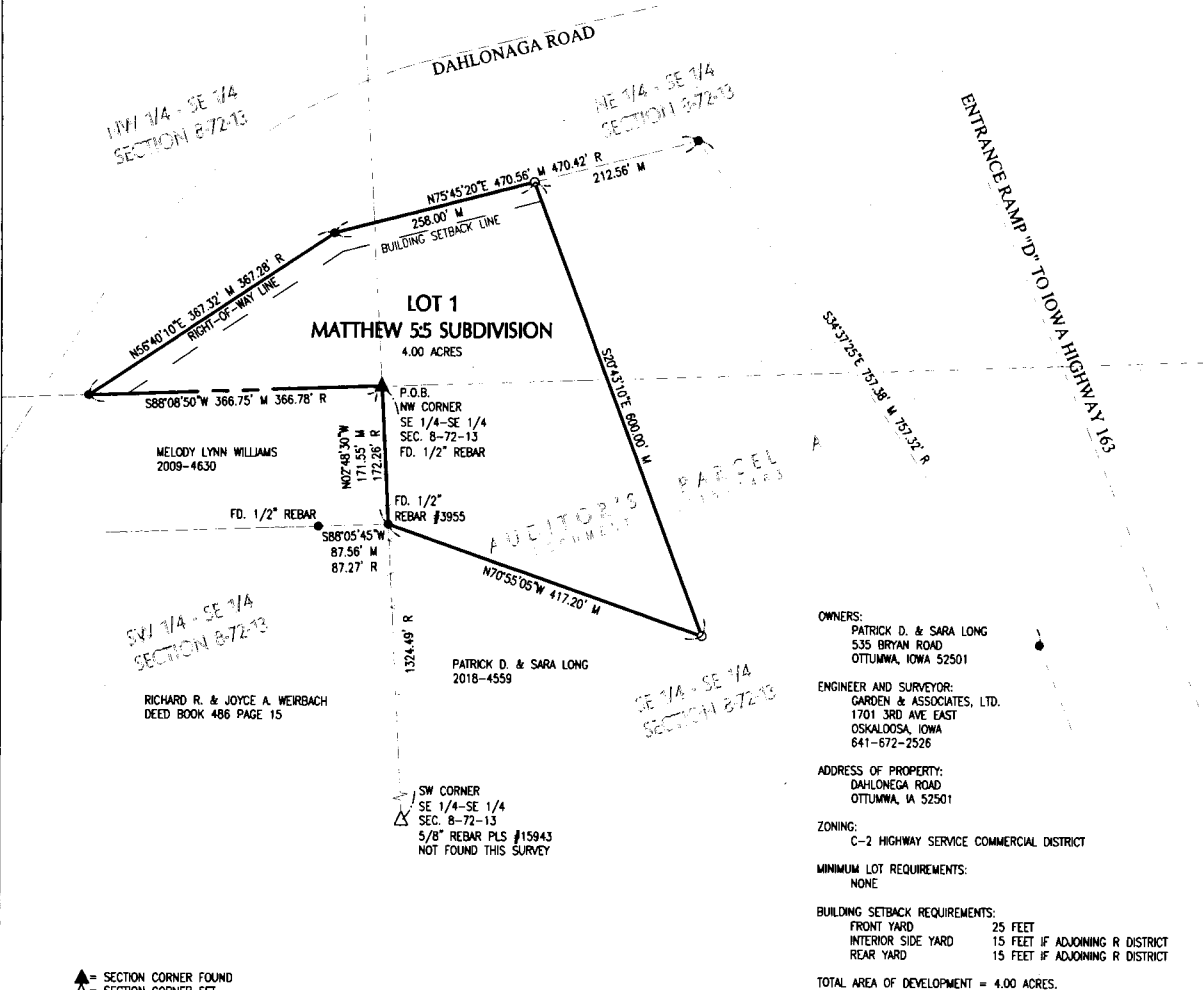
GARDEN & ASSOC.

P.O. Box 451, Oskaloosa, Iowa 52577-0451 Phone: (641)672-2526

RESERVED FOR RECORDER'S USE

FINAL PLAT - MATTHEW 5:5 SUBDIVISION

Matthew 5:5 Subdivision is a part of Auditor's Parcel A of the NW 1/4 of the SE 1/4 and part of the NE 1/4 of the SE 1/4 and part of the SE 1/4 of the SE 1/4 of Section Eight (8), Township Seventy-two (72) North, Range Thirteen (13) West of the 5th P.M. in Wapello County, Iowa, recorded in Plat Book 13-L on page 751 (Document 2015-1463), Matthew 5:5 Subdivision is more particularly described as follows: Beginning at the Northwest corner of the SE 1/4 of the SE 1/4 Section 8; thence South 88°08'50" West 366.75 feet along the South line the NW 1/4 of the SE 1/4 to the Southeast line of Dahlonaga Road; thence North 58°40'10" East along the Southeast line of Dahlonaga Road 367.32 feet; thence North 75°45'20" East along the Southeast line of Dahlonaga Road 258.00 feet; thence South 20°43'10" East 600.00 feet; thence North 70°55'05" West 417.20 feet to the Southeast corner of a parcel of land described in deed 2009-4630 owned by Melody Lynn Williams; thence North 02°48'30" West 171.55 feet along the East line thereof to the Point of Beginning, containing 4.00 acres and subject to any and all easements and/or restrictions of record.



OWNERS:
PATRICK D. & SARA LONG
535 BRYAN ROAD
OTTUMWA, IOWA 52501

ENGINEER AND SURVEYOR:
GARDEN & ASSOCIATES, LTD.
1701 3RD AVE EAST
OSKALOOSA, IOWA
641-672-2526

ADDRESS OF PROPERTY:
DAHLONAGA ROAD
OTTUMWA, IA 52501

ZONING:
C-2 HIGHWAY SERVICE COMMERCIAL DISTRICT

MINIMUM LOT REQUIREMENTS:
NONE

BUILDING SETBACK REQUIREMENTS:
FRONT YARD 25 FEET
INTERIOR SIDE YARD 15 FEET IF ADJOINING R DISTRICT
REAR YARD 15 FEET IF ADJOINING R DISTRICT

TOTAL AREA OF DEVELOPMENT = 4.00 ACRES.

- ▲ = SECTION CORNER FOUND
- △ = SECTION CORNER SET
- = PROPERTY CORNER FOUND (5/8" REBAR #11420)
- = PROPERTY CORNER SET (5/8" REBAR PLS #15943)
- = PROPERTY CORNER SET (5/8" X 30" REBAR #11420)
- M = MEASURED DIMENSION
- R = RECORDED DIMENSION
- P = PLATTED DIMENSION



DATE OF FIELDWORK: AUGUST 22, 2019
BASIS OF BEARINGS: IOWA RCS, ZONE 12-RED OAK-OTTUMWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Gary Wayne Keith, P.L.S.
License No. 11420 Date _____
My registration expires on December 31, 2020
Pages of sheets covered by this seal: _____



MATTHEW 5:5 SUBDIVISION
PART OF AUDITOR'S PARCEL A
OF THE SE 1/4 SECTION 8-72-13
WAPELLO COUNTY, IOWA

DATE: 08-29-19	DRN. TRH	APP.
FLD.BK. 69-9D	PROJ.NO. 6019222	