

REGULAR MEETING NO. 16
Council Chambers, City Hall

May 19, 2020
5:30 O'Clock P.M.

The meeting convened at 5:30 P.M.

In order to protect the health and safety of our citizens and staff and mitigate the spread of COVID-19, we are following the Proclamation of a State Public Health Disaster Emergency issued at 12:00 P.M. on Tuesday, March 17, 2020, which has been extended through May 27, 2020. Mass Gatherings or events of more than 10 people in attendance are hereby prohibited at all locations and venues. As a result, meeting attendance will be limited to *Elected Officials and Essential Personnel as it relates to items presented on the Council Agenda in Council Chambers*. Comments and/or questions will be accepted in writing at the door on the Fourth St. entrance. Our City Admin. will continue to evaluate the impact of COVID-19 on our community and will follow the guidelines and reqs of Wapello County EMA, the IDPH, and the CDC. The City will continue to record and broadcast mtgs of the City Council on the YouTube channel so they are accessible to the public.

During Public Hearings, individuals can call 641-683-4581 to address the Council. During the mtg, Staff will reserve a minimum of 4 mins for each Public Hearing Item to allow time for individuals to call in for questions/concerns.

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

Meyers moved, seconded by Roe to approve the following consent agenda items Mins. from Special Mtg. No. 13 on April 28, 2020, Special Mtg. No. 14 on April 29, 2020 and Reg. Mtg. No. 15 on May 5, 2020 as presented; Ack. of April financial rpt. and payment of bills as submitted by the Finance Dept.; Consider Accepting the 2020 Coronavirus Emergency Supplemental Funding Grant from the Bureau of Justice Assistance in the amount of \$41,882; Res. No. 92-2020, approving the City's Wellness Program – Healthy Choice\$ Services Agt. to be provided by ORHC, term to end on May 23, 2021; Res. No. 115-2020, authorizing the budgeted trf for FY 2020 Debt Pymts, Bond Fees and Debt Balance Adj.; Res. No. 122-2020, setting June 2, 2020 as a date of a public hearing on the Rev Sewer fees and charges as presented in Ord. No. 3174-2020; Beer and/or liquor app for: Kariden Wine Company 620 Church St.; Parkview Plaza/Hotel Ottumwa, 107 E. Second St. temp. outdoor service area in correlation with their Sidewalk Café Permit; all applications pending final inspections. All ayes.

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

City Admin. Rath provided an update on procedures and facility access during COVID-19. Wish to echo thank-you's to staff, public safety, teachers, parents – everyone who has worked through this situation. As we look to move forward, as a city, county, state and nation, we have to weigh our options and gauge if it is beneficial to open, in addition to keeping staff and the public safe. We currently have a Test Iowa site at the Beach; I encourage everyone to go to the website and take the assessment. Cont. to reach out to medical professionals should you feel ill. Ask for cont. grace for all businesses in our community that are making the decision to either reopen or remain closed to keep their employees safe. Be socially responsible and conscious of your environment.

PW Dir. Seals provided a progress update on US 63 South IDOT Project. The IDOT has a fairly aggressive schedule and plan to open back up mid-November. We have been fielding numerous questions on this project even though it is IDOT.

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

Dalbey moved, seconded by Roe to approve the app. for a Sidewalk Café Permit for Hotel Ottumwa, 107 E. Second beginning May 20, 2020 through July 18, 2020; with the option for an extension. Planner Simonson stated the new Ord. allows the City Admin. to approve, but we wanted to share with council that this is the first one approved since the revised Ord. and will help expand the applicant's amount of seating due to the response of COVID-19 restrictions. Hotel Ottumwa will need to purchase outdoor furniture to utilize for the café if they wish to extend services past July 18, 2020. All ayes.

Meyers moved, seconded by Stevens to approve mult. agts. and consent to lien for water service costs for part of the 200 block of East Main in connection with the Ottumwa Main St. Project (Downtown Streetscape) and authorize the Mayor to sign the Agts. and Consent to Lien for two properties. All ayes.

This was the time, place and date set for a public hearing regarding the proposed conveyance of City owned property located at 310 E. Main, Ottumwa, IA, to Christner Properties, LLC. No objections were recvd. Roe moved, seconded by Meyers to close the public hearing. All ayes.

Roe moved, seconded by Stevens that Res. No. 54-2020, accepting the Purchase and Dev. Agt. and approving the sale of real estate located at 310 E. Main, Ottumwa, IA, to Christner Properties, LLC, be passed and adopted. Vote taken: Ayes: Roe, Stevens, Meyers, Berg. Nays: Dalbey. Motion passed.

This was the time, place and date set for a public hearing on the sale of a City owned vacant lot located at 310 N. Moore, in the City of Ottumwa, Wapello County, IA. Dir. of Hlth., Insp & Planning Flanagan reported mult. petitions recvd for this vacant lot so it went to bid; to which only one was recvd from Ed Black. No objections were recvd. Meyers moved, seconded by Dalbey to close the public hearing. All ayes.

Meyers moved, seconded by Dalbey that Res. No. 80-2020, accepting the bid and approving the sale of 310 N. Moore to Ed Black for the sum of \$675, be passed and adopted. Vote taken: Ayes: Dalbey, Stevens, Meyers, Berg. Nays: Roe. Motion passed.

This was the time, place and date set for a public hearing on the sale of a City owned vacant lot located at 119 N. Ward, in the City of Ottumwa, Wapello County, IA. Dir. of Hlth., Insp & Planning Flanagan reported multiple petitions recvd for this vacant lot so it went to bid; to which two were recvd. No objections were recvd. Dalbey moved, seconded by Roe to close the public hearing. All ayes.

Dalbey moved, seconded by Roe that Res. No. 82-2020, accepting the bid and approving the sale of 119 N. Ward to Michael & April Shilkus for the sum of \$525, be passed and adopted. Councilman Stevens requests for all council members to take a look at this property. It is a large buildable lot, but across the st. is a mess which makes this lot less desirable for purchase to build upon. The orig. petition submitted by Michael & April Shilkus states they want to use the lot for green space. Dir. of Hlth., Insp & Planning Flanagan stated staff recommends disposing of vacant lot to Michael & April Shilkus, but it's within council's power to deny this item. Vote taken: Ayes: Dalbey. Nays: Roe, Stevens, Meyers, Berg. Motion failed.

This was the time, place and date set for a public hearing approving the plans, specifications, form of contract and est. cost for the 2020 Catch Basin Replacement Program. PW Dir. Seals reported this is one of our annual projects. No objections were recvd. Roe moved, seconded by Dalbey to close the public hearing. All ayes.

Dalbey moved, seconded by Roe that Res. No. 113-2020, approving the plans, specifications, form of contract and est. cost for the 2020 Catch Basin Replacement Program, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on the proposal to enter into a Dev. Agt. with Highlands Development I, LLC. Dir. of Hlth., Insp & Planning Flanagan reported this will be located in the old Target bldg. The project will be an overall investment of approx. \$8 Million. The TIF rebatement for this development is set not to exceed \$3.8 Million over the course of the 20-yr agt. The est. TIF exposure for the City is \$2.6-\$2.8 Million in overall rebate. The developer is looking at a two phase approach to the project with work in the first phase to be completed by the end of 2020. No objections were recvd. Meyers moved, seconded by Roe to close the public hearing. All ayes.

Meyers moved, seconded by Stevens that Res. No. 119-2020, approving and authorizing execution of a Dev. Agt. by and between the City of Ottumwa and Highlands Development I, LLC, be passed and adopted. All ayes.

Roe moved, seconded by Dalbey that Res. No. 110-2020, fixing an amount for abating a nuisance against certain lots in the City of Ottumwa, IA, totaling \$67,251.56, be passed and adopted. Dir. of Hlth., Insp & Planning Flanagan reported this includes nuisance abatement costs for five properties (422 S. Ferry, 1010 E. Fourth, 902 S. Hancock, 1006 Tuttle, 204 S. Van Buren). All ayes.

Meyers moved, seconded by Berg that Res. No. 111-2020, Budget Amendment for FY 20-21 to add an addtl 2 ½ Ton Dump Truck to the Street Dept., be passed and adopted. All ayes.

Roe moved, seconded by Dalbey that Res. No. 112-2020, approving Change Order No. 1 and accepting the work as final and complete and approving the final pay request for the 2019 Asphalt St. Repair Program, be passed and adopted. This change order decreases the contract sum by \$743,478.66. New contract sum \$381,577.34. All ayes.

Dalbey moved, seconded by Berg that Res. No. 114-2020, approving Change Order No. 5, in the amount of \$5,123.05 for the Main St. (Downtown Streetscape) Recon. Project, be passed and adopted. Change Order No. 5 decreases the contract sum by \$5,123.05. New contract sum \$5,145,443.33. All ayes.

Roe moved, seconded by Dalbey that Res. No. 116-2020, approving Change Order No. 1 and accepting the work as final and complete and approving the final pay request for the Beach Reno. Ph. 4, RFP 7X Wood Fence Repairs Project, be passed and adopted. Change Order No. 1 increases the contract sum by \$1,100. New contract sum \$5,660. All ayes.

Roe moved, seconded by Dalbey that Res. No. 117-2020, accepting the work as final and complete and approving the final pay request for Ph. 4 - Beach Reno.; Slide Structure Repainting Project, be passed and adopted. Mongan Painting Comp. has completed the referenced work according to plans and specs. And this authorizes final pymt and release of all retainages. All ayes.

Meyers moved, seconded by Berg that Res. No. 121-2020, rec to trnsfr \$115,880.93 to the BridgeView Center for delinq. payables due to lost rev. related to COVID-19, be passed and adopted. Finance Dir. Mulder reported outstanding payable listed through 4/22/2020 was \$174,406.98 with \$31,790.05 to be paid by the YMCA for the youth food program. VenuWorks has agreed to a discount of \$26,736 for the variable costs invoices for a total of \$115,880.93 to be paid to vendors. These expenses will be paid using an internal loan, not to reduce the Gen. Fund balance. Vote taken: Ayes: Stevens, Meyers, Berg. Nays: Dalbey, Roe. Motion passed.

Roe moved, seconded by Berg that Res. No. 123-2020, revising Policy No. 20-2018, Sewer Charges and Fees, adjusting how the credits are established for homeowners with a swimming pool and est. Revised

Policy No. 20-2018 effective July 1, 2020, be passed and adopted. Finance Dir. Mulder and PW Dir. Seals reported staff that did all of the legwork for this process is retiring in July and will not be replaced. Many depts. are involved with this extensive process so it is time consuming. Citizens wishing to still receive an annual credit for filling their swimming pools will need to get in touch with OWW to get an irrigation meter installed by a local plumber and to also cover all costs associated with the install. All ayes.

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

Adjournment was at 6:34 P.M.

ATTEST:



Christina Reinhard

Christina Reinhard, City Clerk

CITY OF OTTUMWA, IOWA



Tom X. Lazio, Mayor