

REGULAR MEETING NO. 4  
Council Chambers, City Hall

February 1, 2022  
5:30 O'Clock P.M.

The meeting was called to order at 5:28 P.M.

Present were Council Member McAntire, Hull, Roe, Galloway and Mayor Johnson.  
Council Member Pope was absent.

Galloway moved, seconded by Hull to approve the following consent agenda items: Mins. from Regular Mtg. No. 3 on Jan. 18, 2022 as presented; Ack. Dec. financial stmt. and pymt. of bills as submitted by the Finance Dept.; Approve appointment of Blaise Rupe to Equip. Operator-St. Maint. at Ottumwa Garage on or about Feb. 6, 2022; Approve appointment of Jeff Kropf to Utility Worker – Custodian at Ottumwa Garage on or about Feb. 6, 2022; Approve appointment of Kolton Jones to Probationary Firefighter; Res. No. 13-2022, auth. destruction of certain records according to the Code of IA, 2015, as amended, and the IA Municipal Records Retention Manual; Beer and/or liquor applications for: Recovery Room, 1805 W. Second; The Keg, 622 Church St., with osa; Hy-Vee Wine & Spirits, 2453 N. Court; Hy-Vee Gas #1, 1027 N. Quincy Ave.; Hy-Vee Gas #2, 2457 N. Court; all applications pending final inspections. Motion carried 4-0 vote. Council Member Pope was absent.

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

City Admin. Rath reported we will have a FY23 Budget Work Session Feb. 8, 2022, following the Law Center tour. He also stated that he rec'd documentation yesterday to guide us in re-establishing a local human rights commission. This will be presented to council for adoption in the near future.

Mayor Johnson inquired if there was anyone from the audience who wished to address an item on the agenda. Kris Mundt, 109 S. Cherry, discussed Item F-2 and Rollie Ehm, 13 Cambridge Court, discussed Item H-2 when those items were presented.

Roe moved, seconded by Galloway to auth. the Mayor to sign the annual rpt. and submit to the State Historic Preservation Office after review and acceptance of the Cert. Local Government Annual Rpt. for the 2021 Ottumwa Historic Preservation Commission. HPC Chair Dennis Willhoit provided an update to council on the work HPC does. He also mentioned the State Historical Society of IA recommends local government provide the commission a budget with a minimum of \$750 to pay for training and other commission expenses. Motion carried 4-0 vote. Council Member Pope was absent.

Roe moved, seconded by Galloway to approve city attorney and staff to review and revise Chp. 7 of the Muni City Code entitled "Animals and Fowl." Rath said one of the consistent comments has been there is a larger issue regarding animal care and enforcement of the code in general. Another theme that has emerged is a belief that the "Dangerous Animal" section of the Code only applies to pit bulls, which is incorrect as it applies to other animals and actions to be deemed as a "dangerous animal." Look at revising the current ord. to make it fair to all animals, make sure all animals are cared for and make sure what we have is enforceable. Motion carried 4-0 vote. Council Member Pope was absent.

This was the time, place and date set for a public hearing approving plans, specs., form of contract and est. cost for Pawnee Dr. Reconstruction Project. PW Dir. Seals reported this involves full-width, full depth PCC reconstruction from Fox-Sauk to the Cul-de-Sac. The street was originally installed in 1974 and is beyond its useful life. Bids are due Feb. 23, 2022 at 2:00 P.M. Est. cost \$1,012,412. No

objections were rec'd. Hull moved, seconded by McAntire to close the public hearing. Motion carried 4-0 vote. Council Member Pope was absent.

Hull moved, seconded by McAntire that Res. No. 17-2022, approving plans, specs., form of contract and est. cost for Pawnee Dr. Reconstruction Project, be passed and adopted. Motion carried 4-0 vote. Council Member Pope was absent.

This was the time, place and date set for a public hearing approving plans, specs., form of contract and est. cost for Street Patch Repair Program – 2022. Seals reported targeted streets include McLean, Ferry, Carter Ave. and Pennsylvania Ave. Bids are due Feb. 23, 2022 at 2:00 P.M. Est. cost \$150,000. No objections were rec'd. Roe moved, seconded by Hull to close the public hearing. Motion carried 4-0 vote. Council Member Pope was absent.

Galloway moved, seconded by Roe that Res. No. 18-2022, approving plans, specs., form of contract and est. cost for Street Patch Repair Program – 2022, be passed and adopted. Motion carried 4-0 vote. Council Member Pope was absent.

This was the time, place and date set for a public hearing approving FY23 Maximum Property Tax Dollars. Fin. Dir. Mulder reported the proposed max. property tax dollar amt. is \$16.655, not including Library and Debt. Service levies. Our total max levy rates are decreasing by at least \$1.00 with hopes of a further reduction presented during the final FY23 budget. No objections were rec'd. McAntire moved, seconded by Hull to close the public hearing. Motion carried 4-0 vote. Council Member Pope was absent.

Roe moved, seconded by McAntire that Res. No. 22-2022, approving maximum property tax dollars for FY 2023, be passed and adopted. Motion carried 4-0 vote. Council Member Pope was absent.

This was the time, place and date set for a public hearing on proposed Ord. No. 3190-2022, amending the Code of Ord. by changing zoning classification on property located south of Roemer Ave. with Merrouge Ave. to the west and city limits to the east from R-2, Two-family Residential to C-1, Neighborhood Commercial, in the City of Ottumwa, Wapello County, IA. Comm. Dev. Dir. Simonson reported an applicant is seeking to rezone the described property for the purpose of constructing and operating a tumbling gym which would use Roemer Ave. for its entrance. P&Z heard this rezoning request at their Jan. 3, 2022 mtg. and they recommend this change. No objections were rec'd. Hull moved, seconded by McAntire to close the public hearing. Motion carried 4-0 vote. Council Member Pope was absent.

Hull moved, seconded by Roe to pass the first consideration of Ord. No. 3190-2022, amending the Code of Ord. by changing zoning classification on property located south of Roemer Ave. with Merrouge Ave. to the west and city limits to the east from R-2, Two-family Residential to C-1, Neighborhood Commercial, in the City of Ottumwa, Wapello County, IA. Motion carried 4-0 vote. Council Member Pope was absent.

Hull moved, seconded by McAntire that Res. No. 14-2022, releasing a request for proposals RFP for mowing and nuisance clean-up services for the City of Ottumwa for 2022-2026, be passed and adopted. Simonson reported the City contracts mowing services for some City-owned property, the Jefferson Drainage Ditch and properties which fail to comply with notices to mow tall grass. The City also contracts clean-up of nuisances when owners have failed to comply with nuisance notices or when a court order has authorized clean-up. The current contract with J&J Mowing expires April 1, 2022. Motion carried 4-0 vote. Council Member Pope was absent.

Roe moved, seconded by McAntire that Res. No. 15-2022, approving applications for residential and commercial tax abatement under Urban Revitalization Plan, totaling \$1,808,700 and subject to review by the local assessor, be passed and adopted. Simonson reported 11 residential and 1 commercial tax abatement applications were rec'd. There were 4 new homes and 1 new 4 unit rental in the city that applied for tax abatement assistance. The other applicants made improvements to their existing properties. Motion carried 4-0 vote. Council Member Pope was absent.

Galloway moved, seconded by Hull that Res. No. 19-2022, approving Change Order No. 1 and accepting the work as final and complete for Johnson Ave. Reconstruction Project, be passed and adopted. Seals reported CO No. 1 increases contract by \$9,357.40; new contract sum \$119,287.05. Final amt. due \$14,957.13 to Pillar, Inc. Motion carried 4-0 vote. Council Member Pope was absent.

Roe moved, seconded by Galloway that Res. No. 20-2022, approving Change Order No. 1 and accepting the work as final and complete for 2021 Sidewalk Drop Program, be passed and adopted. Seals reported CO No. 1 decreases contract by \$78,673.66; new contract sum \$57,646.84. Final amt. due \$2,882.34 to Pillar, Inc. Roe asked Seals what percentage of the ADA Transition Plan for the Sidewalk Drop Program are complete. Seals thinks somewhere around 85% but will get further information to council on this question. Motion carried 4-0 vote. Council Member Pope was absent.

Hull moved, seconded by McAntire that Res. No. 21-2022, approving a dock-less shared motorized scooter operating and License Agt. with Bird Rides, Inc. for an add'l two yrs., be passed and adopted. Simonson reported a poll is being conducted through the City website to solicit feedback about the scooters. Council discussed and decided there is no harm in tabling this item until the survey is done so they have a full report from citizens to aid in their decision.

Roe moved, seconded by Galloway to table Res. No. 21-2022. Motion carried 4-0 vote. Council Member Pope was absent.

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

There being no further discussion, Mayor Johnson called the meeting to recess at 6:34 P.M.

Council will reconvene in Room 108 for closed session proceedings.

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REGULAR MEETING NO. 4  
Room 108, City Hall

February 1, 2022  
6:43 O'Clock P.M.

The meeting reconvened at 6:43 P.M.

Present were Council Member Roe, Galloway, McAntire, Hull and Mayor Johnson.  
Council Member Pope was absent.

Roe moved, seconded by Galloway to enter closed session in accordance with the IA Code Section 21.5(1) (i). ("To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.") for the purpose of discussing the City Administrator's performance goals that are tied to his evaluation. Motion carried 4-0 vote. Council Member Pope was absent.



The meeting entered closed session at 6:44 P.M.

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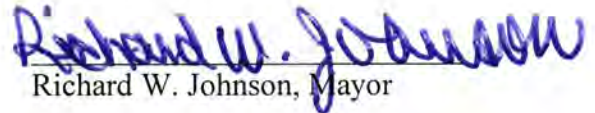
Galloway moved, seconded by Roe to return to open session at 8:02 P.M. Motion carried 4-0 vote. Council Member Pope was absent.

Council wants to see a revised listing of goals from their closed session discussion.

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

Adjournment was at 8:04 P.M.

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:

  
Christina Reinhard, CMC, City Clerk