

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 4
Room 108, City Hall

February 7, 2023
5:30 O’Clock P.M.

The meeting was called to order at 5:30 P.M.

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

Roe moved, seconded by Pope to enter closed session in accordance with the IA Code Section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Motion carried 4-1. Absent: Hull.

The meeting entered closed session at 5:31 P.M.

Galloway moved, seconded by Pope to return to open session at 5:37 P.M. Motion carried 4-1. Absent: Hull.

Council resumed session in Council Chambers at 5:40 P.M.

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

Pope moved, seconded by Galloway that Res. No. 21-2023, Approval of Release & Settlement Agt. between Ten-Fifteen Reg. Transit Agency and City of Ottumwa, be passed and adopted. City Admin. Rath reported in Feb. 2021, Council approved pymt. of \$116,000 from Transit fund to payout remaining obligation from transfer of transit services to Ten-Fifteen Reg. Transit. Ten-Fifteen questioned the final pymt. and did not cash the check. This dispute resulted in the filing of suit by Ten-Fifteen, which has come to the conclusion with the proposed release and settlement agt. for the previously auth. amt. \$116,000. Motion carried 4-1. Absent: Hull.

Roe moved, seconded by Galloway to approve consent agenda items: Mins. from Regular Mtg. No. 2 on Jan. 17, 2023 as presented; Approve two-yr. lease Agt. with Erhardt Industries, LLC for use of rental aircraft for flight instruction at Ottumwa Reg. Airport; Civil Service Comm. Elig. List for Feb. 1, 2023: PW – Equip. Operator Ent.; Res. No. 19-2023, fixing Feb. 21, 2023 as date for public hearing on proposal to convey certain real property l/k/a 2417 Emma St., Ottumwa, IA to Wapello Emergency Mgmt. Comm., and providing for publication of notice thereof; Beer and/or liquor applications for: Uncle Buck’s Bar & Grill, 518 Church; The Keg, 622 Church, with OSA; Ottumwa Golf & Social Club, 304 E. Golf Ave., with OSA; all applications pending final inspections. Motion carried 4-1. Absent: Hull.

McAntire moved, seconded by Roe to approve the agenda as presented. Motion carried 4-1. Absent: Hull.

City Admin. Rath provided his perspective on the City’s progress within the four pillars of Our Ottumwa Comprehensive Plan: Housing, Quality of Life/Community Character, Growth, Celebrating Diversity.

Mayor Johnson inquired if there was anyone from the audience who wished to address an item on the

agenda. There were none.

This was the time, place and date set for a public hearing approving FY24 Max Property Tax Dollars. Rath reported IA law requires Council to hold public hearing on the proposed Max Tax Levy before adopting City Budget. The rate of \$17.11347 is the max levy for affected property taxes for the City of Ottumwa. This rate does not include levies for Debt. Service, Support Public Library or SSMID's for total property taxes levied. No objections rec'd. McAntire moved, seconded by Galloway to close the public hearing. Motion carried 4-1. Absent: Hull.

Roe moved, seconded by Galloway that Res. No. 6-2023, approving the max property tax dollars for FY 2024, be passed and adopted. Motion carried 4-1. Absent: Hull.

Roe moved, seconded by Galloway to pass the first consideration of Ord. No. 3211-2023, an Ord. est. regulations applicable to the use of Utility Terrain Vehicles and Amending Ch. 23 and 26 of the Code of Ord. of the City of Ottumwa, and striking language from 23-518 (d) (2) and renumbering the remaining items in section to reflect removed language. The revised Ord. will be presented for second consideration with this change on Feb. 21, 2023. Motion carried 4-1. Absent: Hull.

Galloway moved, seconded by McAntire to approve and auth. OPD to submit for a grant through the Small Rural Tribal Body Worn Camera Program to pay for 50% of the costs. Chief Farrington reported OPD will purchase forty body worn cameras totaling \$43,860; grant funds will reimburse \$21,930; deadline to submit application is Feb. 17, 2023. Motion carried 4-1. Absent: Hull.

Pope moved, seconded by Roe that Res. No. 14-2023, approving Agt. with Interstate Power & Light Comp. (a/k/a Alliant Energy) for Facilities Restoration and Planned Services, be passed and adopted. Motion carried 4-1. Absent: Hull.

McAntire moved, seconded by Galloway that Res. No. 16-2023, approving and auth. execution of Amendment No. 1 to Agt. for Private Development by and between City of Ottumwa and HCI52501 Investment, LLC, be passed and adopted. Comm. Dev. Dir. Simonson reported DA with HCI52501 for the Bonita Apartments project had a completion date of Dec. 31, 2022. Because of supply chain delays, the project was not completed by said date. This amendment adopts new completion date of July 1, 2023. Motion carried 4-1. Absent: Hull.

Roe moved, seconded by Galloway that Res. No. 17-2023, approving applications for residential and commercial tax abatement under Urban Revitalization Plan, totaling \$736,938 and subject to review by the local assessor, be passed and adopted. P&Z Coord. Rusch reported this includes six residential and one commercial abatement applications. Motion carried 4-1. Absent: Hull.

McAntire moved, seconded by Roe that Res. No. 18-2023, removing special assessment applied to 230 S. Foster on Res. No. 252-2013, be passed and adopted. Clerk Reinhard explained City took ownership of 230 S. Foster on Nov. 25, 2013 and a special assessment was not removed from the parcel. Motion carried 4-1. Absent: Hull.

Pope moved, seconded by McAntire that Res. No. 22-2023, awarding contract for Lake Rd. Culverts Project to Rock N Load of Decorah, IA, in the amt. \$114,575, be passed and adopted. PW Dir. Seals reported five bids were rec'd. Est. cost \$131,995. Motion carried 4-1. Absent: Hull.

Roe moved, seconded by McAntire that Res. No. 23-2023, approving CO No. 5 clerical error and CO No. 6 for N. Market Façade Improvements Project, be passed and adopted. Simonson reported the previous

CO No. 5 misstated contract sum; CO No. 6 increases contract by \$1,049.25; new contract sum \$293,196.92. Motion carried 4-1. Absent: Hull.

McAntire moved, seconded by Roe that Res. No. 24-2023, providing financial support of Area 15 Reg. Planning Comm. for FY 23/24, be passed and adopted. Rath reported, City is responsible for \$0.52 per capita; this equates to \$13,275.08 for FY23/24. Motion carried 4-1. Absent: Hull.

Pope moved, seconded by McAntire that Res. No. 25-2023, providing financial support of Reg. Planning Affiliation (RPA 15) for FY 23/24, be passed and adopted. Rath reported RPA 15 is designated to provide transportation planning to its members. The City is est. to receive \$671,822 in fin. support; in return, City is requested to contribute a proportional share (\$5,123) of the local match for the planning grant. The local match is 20% or \$22,388. Motion carried 4-1. Absent: Hull.

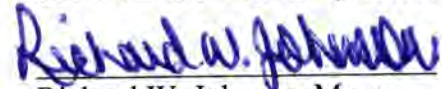
Mayor Johnson inquired if anyone from the audience wished to address an item not on the agenda. There were none.

Roe explained SF181 passed through the Senate and is now onto the House; it will have financial impact on municipalities, counties and schools. Opportunity for people to become activists on your own behalf; speak to your representatives; research this bill and reach out to your local legislature because it will most definitely have an impact on the City as well as Wapello County and the school districts in the area.

There being no further business, Pope moved, seconded by Galloway that the mtg. adjourn. Motion carried 4-1. Absent: Hull.

Adjournment was at 6:19 P.M.

CITY OF OTTUMWA, IOWA



Richard W. Johnson, Mayor



ATTEST:



Christina Reinhard, CMC, City Clerk

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