

REGULAR MEETING NO. 16
 Council Chambers, City Hall

May 21, 2019
 5:30 O'Clock P.M.

The meeting convened at 5:33 P.M.

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

Roe moved, seconded by Berg to approve the following consent agenda items with the exception of pulling Item B-6 and presenting as Item F-3 for discussion: Mins. from Reg. Mtg. No. 15 on May 7, 2019 as presented; Ack. of April financial rpt. and payment of bills as submitted by the Finance Dept.; Reappointment of Larry Jarvis to the Planning and Zoning Commission, term to expire 4/01/2024; Appointment of Scott McCarty to the position of Engineering Supervisor effective 5/13/2019; Consid. of Ack./Settlement Agt. between the City of Ottumwa and Hy-Vee, Inc. d/b/a Hy-Vee C-Store (2457 N. Court St.); Res. No. 89-2019, authorizing the monthly budgeted transfers for June 2019 as authorized in the fiscal year 2019 budget; Res. No. 94-2019, Approving the contract, bond and cert. of insurance for the Ottumwa Main Street (Downtown Streetscape) Project; Res. No. 110 -2019, setting June 18, 2019 as the date of a public hearing on the disposition of City owned property located at 411 Appanoose; Res. No. 111-2019, setting June 4, 2019 as the date of a public hearing on the disposition of City owned property described as Lots 51, 52, 53 and the West One-Half of Lot 54, all in Manning's First Addition (commonly known as 1726, 1732, 1736 and 1744 Mable St.); Res. No. 112-2019, setting June 4, 2019 as the date of a public hearing on the disposition of City owned property located at 122 S. Fellows; Res. No. 114-2019, Approving the contract, bond and cert. of insurance for the 2019 Asphalt St. Repair Program; Res. No. 115-2019, Approving the contract, bond and cert. of insurance for the 2019 Catch Basin Replacement Program; Res. No. 116-2019, Approving the contract, bond and cert. of insurance for the 2019 Sanitary Utility Access Program; Res. No. 117-2019, Approving the contract, bond and certificate of insurance for the 2019 Sidewalk Drop & Detectable Warning Installation Program; Res. No. 118-2019, Approving the contract, bond and certificate of insurance for the 2019 HMA, PCC St. Crack Repair Program; Beer and/or liquor applications for: African & Asian Bar, LLC, 105-107 N. Market St.; Parkview Plaza (Hotel Ottumwa); 107 E. Second St.; Front Runners; 837 Church St.; Fraternal Order of Eagles; 109 S. Green St.; American Legion OB Nelson #3; 550 W. Main St.; Appanoose Rapids; 332 E. Main St. with outdoor service area; all applications pending final inspections. All ayes.

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

Harry Doyle and Seth Sojka from Blackbird provided an update on the St. Joseph's demo project. Blackbird is extremely sorry for the extended timeline and loss of communication.

Project timeline as presented by Blackbird:

- Began discussions with the City regarding the project 2014
- Blackbird acquired site January 2018
- Zoning approved February 2018
- Development Agt. approved March 2018
- Abatement of site starts January 2018
- Abatement of site ended June 2018
- Garden & Associates starts site design April 2018
- Demo of parking structure and nurse's quarters May 2018
- Demo of hospital structure starts July 2018
- Elder Corp. walks off site August 2018
- Blackbird terminates Elder Corp. contract January 2019

Dispute between Blackbird and Elder Corp. was a result of inconsistencies in billing. Despite trying to reach resolution, both parties agreed the only way to make any progress is through arbitration which is set to occur later this year. By terminating Elder Corp. contract in January 2019, Blackbird let this project for competitive bids. Drish Construction of Fairfield, IA will finish demo of the site and also perform the second ph. of the construction. Demo will resume this summer - Drish will have 70 days for completion. Blackbird believes this is the first step in rebuilding a strained relationship that they take responsibility for.

All hazardous materials have been abated from the site and certified by DNR as a clean site.

Blackbird will keep lines of communication open for residents, city staff, and council – website portal to voice concerns as well as receive updates on the project. City Admin. Morris requests wklly updates provided to the City Clerk's office so they can be recorded accordingly.

Blackbird has taken steps to maintain the site in regards to nuisances that need addressed.

In addition to the \$500,000 from the city, Blackbird has contributed over \$500,000 of their own funding for this project. To be clear, \$500,000 was given to the City by Legacy, and then applied to the abatement of this project based on grant language and the development agt.

City Admin. Morris reported the following:

Brian McMillin of Neapolitan Labs will be at City Hall on 5/24/19 to provide annual update on website and converse with staff on issues, suggestions, etc.

Sen. Grassley will be in Council Chambers on 5/30/19 at 9:30 A.M.

Discussion of creation of a Parks Foundation continues.

Solar Panel Feasibility Study Discussion – Ideal Energy – will present at the Council mtg. 6/4/19.

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

Jody Gates, Consultant, presented Certificates of Appreciation for Make Ottumwa Shine initiative. This year there were over 150 volunteers who rose to the challenge.

Roe moved, seconded by Dalbey to reject the Ottumwa Comm. School District's proposed update to the School Resource Officer Agt. with the Ottumwa Police Dept., effective July 1, 2019. The school district is requesting an equal cost-share (50-50) of the total salary and benefit cost of an officer at the 2nd year wage rate. This proposal would result in the City paying an additional \$74,579.89 towards the cost of three resource officers. Based on the number of arrests made at Evans and OHS over the past 3 yrs., it's not a good idea to compromise the number of officers stationed in these bldgs. Evans has approximately 23% less students than OHS, but continues to outpace OHS with the number of arrests doubling in most categories. Hopeful to reach some sort of agreement to keep the school district staffed with 3 SRO's. All ayes.

Roe moved, seconded by Dalbey to approve the hourly rate schedule for Professional Services between Veenstra & Kim and the City of Ottumwa to develop estimates for a Build Grant Application. Public Works Dir. Seals, reported this project will be moved out to 2020 in order to pull all information together and develop a complete application. Presentation in the future (work session) to expand on the original study provided by Legacy. All ayes.

This was the time, place, and date set for a public hearing on the sale of City owned property located at Lot 11 in Devin's Addition to the City of Ottumwa, Wapello County, Iowa, excepting the South 41 feet, commonly known as 206 E. Court. Dir. of Hlth. Insp. & Planning Flanagan reported the vacant lot

will be used as additional yard space. No objections were received. Streeby moved, seconded by Berg to close the public hearing. All ayes.

Streeby moved, seconded by Roe that Res. No. 87-2019, accepting the offer and approving the sale of City owned property located at Lot 11 in Devin's Addition to the City of Ottumwa, Wapello County, Iowa, excepting the South 41 feet, commonly known as 206 E. Court to Janice Rutledge for the sum of \$250, be passed and adopted. All ayes.

This was 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. Dir. of Hlth. Insp. & Planning Flanagan reported this resolution will amend our Westgate URA to include provisions allowing for incentives related to our BVC Hotel project and various public/private initiatives that could be developed resulting from our Build Grant project. The amendment covers the 20-year TIF rebatement concept for the BVC Hotel, not to exceed \$4 Million, as well as the \$500,000 in site prep and connectivity costs associated with performing the development and the operations following. The amendment includes the capacity for \$8 Million in incentives for the Market St. parking lot area related to river walk/park development, public/private mixed-use initiatives, and infrastructure improvements. The amendment also includes the capacity for \$4.5 Million in incentives for the Washington St. parking lot area and in and around the train station related to public/private mixed-use projects, which could include elevation commercial use and upper story housing elements. The BVC Hotel project will be presented again spring 2020. No objections were received. Streeby moved, seconded by Stevens to close the public hearing. All ayes.

Dalbey moved, seconded by Berg that Res. No. 113-2019, determining an area of the City to be 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, be passed and adopted. All ayes.

Roe moved, seconded by Streeby that Res. No. 86-2019, establishing fees for rental housing permits and inspections in the City of Ottumwa, Iowa and rescinding Res. No. 214-2017, be passed and adopted. Propose increase rental inspection fees from \$30 per unit per year to \$50 per year for units one and two and \$40 per year for all units 3 and over in the same bldg., effective 1/01/2020. Inspections will be done every three yrs. All ayes.

Streeby moved, seconded by Berg that Res. No. 105-2019, establishing fees for bldg. permits in the City of Ottumwa, Iowa and rescinding Res. No. 177-2016, be passed and adopted. This resolution establishes bldg. permit fees through Dec. 31, 2025 and adopts newer bldg. valuations than are currently in place. All ayes.

Streeby moved, seconded by Dalbey that Res. No. 107-2019, establishing fees for Planning and Development services in the City of Ottumwa, Iowa and rescinding Res. No. 94-2016, be passed and adopted. All ayes.

Berg moved, seconded by Roe that Res. No. 119-2019, approving the Professional Services Agt. between Garden & Associates, Ltd. and the City of Ottumwa in the amount of \$300,000 for the Ottumwa Main Street (Downtown Streetscape) Project, be passed and adopted. Public Works Dir. Seals reported Garden & Associates will perform construction observation, limited construction administration and construction survey and staking services. Work hours are est. and based on an average forty hrs/wk for construction

observation, five hrs./wk for construction admin./oversight, and construction staking services as needed for two thirty-week construction seasons (2019 & 2020). Total estimated fee is \$300,000. All ayes.

Streeby moved, seconded by Berg that Res. No. 120-2019, approving Change Order No. 1, increasing contract \$313.02 and accepting the work as final and complete and approving the final pay request for \$618.52 for the 2019 RFP#4, Montagne Lane Concrete Project, total contract sum \$6,423.02, be passed and adopted. All ayes.

Streeby moved, seconded by Roe to pass the first consideration of Ordinance No. 3156-2019, amending Chapter 14, entitled Fire Protection and Prevention, by amending Section 14-31(3) and Section 14-31(10) and by adding new Subsection 14-31(37) of the Municipal Code of the City of Ottumwa, Iowa as set forth hereafter. All ayes.

Streeby moved, seconded by Dalbey to waive the second and third consideration, pass, and adopt Ordinance No. 3156-2019. All ayes.

Berg moved, seconded by Streeby that Res. No. 109-2019, establishment of a Fire Safety Operational Permit (FSOP) and fees associated with implementation of such permit, be passed and adopted. The FSOP will increase in price from thirty-five to fifty dollars. All ayes.

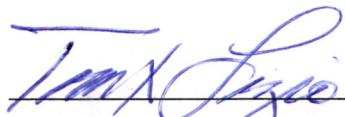
Mayor Lazio inquired if anyone from the audience wished to address an item not on the agenda. Additional paperwork was turned in for the consideration of a new boat ramp/dock by Black Hawk Park.

Council would like to see a resolution passed stating their opposition to the Alliant rate increase. Requesting staff recommendation for the next mtg. (June 4, 2019).

Dalbey moved, seconded by Streeby that the meeting adjourn. All ayes.

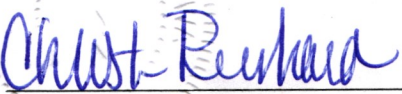
Adjournment was at 6:52 P.M.

CITY OF OTTUMWA, IOWA



Tom X. Lazio, Mayor

ATTEST:



Christina Reinhard, City Clerk

