

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 18
Council Chambers, City Hall

June 2, 2020
5:30 O'Clock P.M.

The meeting convened at 5:36 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 Tues., March 17, 2020, and extended through June 25, 2020. Effective 12:01 a.m. on June 1, 2020, and continuing until 11:59 p.m. on June 17, 2020: mass gatherings or events of more than 10 ppl. in attendance may be held but only if the gathering complies with all other relevant provisions in the Proclamation with the following reqs: limit the number of participants present in any indoor venue by 50% of its normal operating capacity and ensure at least six ft of physical distance between each group or individual attending alone are followed. The 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 meetings 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 meeting, Staff will reserve a minimum of **4** minutes for each PH Item to allow time for individuals to call in for questions/concerns.

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

Meyers moved, seconded by Berg to approve the following consent agenda items Mins. from Reg. Mtg. No. 16 on May 19, 2020 as presented; Approve the appointment of Lori Creech to Equip. Operator – Landfill eff. May 11, 2020; Approve the appointment of Jeff Kropf to Equip. Operator – St. Cleaning Dept. eff. May 26, 2020; Approve a two-yr. lease agt. with A&A Storage, LLC for the rental of a portion of Bldg. No. 38 at 14478 Terminal Ave. at the Ottumwa Regional Airport; Cigarette Permit Applications for: Elliot Oil Company – Albia Road BP (1340 Albia Rd.), North Court BP (1301 N. Court St.), Penn & Jeff BP (1147 N. Jefferson), Richmond & Ferry BP (720 Richmond Ave.), W. Second BP (1049 W. Second), Casey's General Stores - #7 (1001 E. Main), #1678 (346 Richmond Ave.), #2208 (1603 W. Second), #1886 (504 W. Mary St.), Fareway Stores #648 (1325 Albia Rd.), Smokin Hot, LLC (2604 N. Court, Suite A), Walgreens #1301 (327 W. 4th St.), Yesway #1012 (2508 N. Court St.), Yesway #1013 (534 Church St.), Yesway #1014 (502 W. Second St.), Yesway #1030 (1317 E. Mary St.). Beer and/or liquor applications for: Front Runners, 837 Church St.; American Legion OB Nelson #3, 550 W. Main St.; Appanoose Rapids, 332 E. Main St.; Champion Bowl, 2601 Roemer Ave.; with outdoor service area; Owl's Nest LLC, 116 S. Court; Applebee's, 1303 Vaughn Dr.; all applications pending final inspections. All ayes.

Roe moved, seconded by Dalbey to approve the Agenda as amended. Mayor Lazio requested to move Item D-4 up to D-1 and add recognition of Chief McAndrew, along with Oath of Office for the incoming Chief of Police. All ayes.

Mayor Lazio recognized Chief McAndrew for 32 years of service with OPD. This transitional milestone has to be gratifying for you, to see one of your own being promoted to Chief of Police. Oath of Office for the new Chief of Police was read to Lt. Farrington.

City Admin. Rath stated he has proposed a plan to return to full operations at City Hall beginning June 22, 2020 should all precautionary measures be in place to do so. On a positive note, we were able to hold this mtg. at 50% capacity. Encouraging people to call or email with city staff and make appointments. An assessment will be done by Wapello County EMA to determine if we are ready to open back up to the public. The Beach is currently open for lap swimming only; optimistic to open after June 17 should Gov. Reynolds lift restrictions.

First 100 Days Report from City Admin. Rath.

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

Roe moved, seconded by Dalbey to approve submission of a grant application and authorize the Mayor or Chief of Police to sign any related docs. as may be required to participate in the 2020 Bulletproof Vest Partnership Program through the Bureau of Justice Assistance. Chief of Police McAndrew reported this grant will cover purchases made between 4/1/20 - 8/31/22 and reimburses up to 50% of the cost of vests. This application will request twelve vests in the amount of \$11,868 for a possible reimbursement of \$5,934. All ayes.

Meyers moved, seconded by Roe to authorize the Mayor to sign the Agt. and Consent to Lien for one property (213 E. Main) in the 200 block of E. Main for Water Service Costs in connection with the Ottumwa Main St. (Downtown Streetscape) Project. All ayes.

Dalbey moved, seconded by Berg to accept bid and award contract for garage demo and fire debris clean-up at 517 S. Ward to Dan Laursen of Ottumwa, IA for \$3,600. Planner Simonson reported three bids received. The City had some problems with the lowest bidder 5 yrs. ago and he was banned from bidding any City projects for one yr. In addition, there have been fairly current problems with the low bidder placing a derelict mobile home on City property without permission. The difference between the lowest bid and the next lowest was \$190, and the City has not had any problems with the next lowest bidder, which is why staff recommends awarding the contract to Laursen. City Code Section 2-234 (f) allows the City Council in determining the "best quotation or best bid," consideration shall be given where, applicable to price, service, delivery time, maintenance, warranties, quality of the product or service and past performance of the person submitting the quote or bid. Tim Wright with Wright Contracting stated he did not agree with this decision. He provided the lowest bid and should be awarded the project. Dir. of Hlth. Insp. & Planning Flanagan stated the staff recommendation was made with consideration of past performance and also discussed on the floor of the Solid Waste Commission. City Attorney Keith also stated that the City has been struggling with Mr. Wright for a number of months. Derelict mobile homes were parked on private property at the airport without permission to do so and this has been an ongoing problem for the county as well. Any mobile homes dumped in the city or county violates our zoning ordinances and must be removed from premises. Vote taken: All ayes to award contract for garage demo and fire debris clean-up at 517 S. Ward to Dan Laursen for \$3,600.

Roe moved, seconded by Dalbey to reject bids received on the WPCF Final Clarifier Sandblasting, Priming and Painting 2020 Project. PW Dir. Seals reported two bids were received. The bids were significantly higher than the engineer's opinion of cost of \$76,000. Staff recommends rejecting the two bids and rebidding the project with a revised scope of work and start date. All ayes.

This was the time, place and date set for a public hearing on Ord. No. 3174-2020, amending Ch. 31, Sec. 14 of the Municipal Code of the City of Ottumwa, IA, regarding Sewer Fees and Charges, City of Ottumwa, Wapello County, IA. Present for discussion include PW Dir. Seals, Finance Dir. Mulder, Ted Payser of Veenstra & Kimm, and Tim Oswalt of Piper Sandifer. Proposed new sewer rates will become effective July 1, 2020 and used to fund operations of the plant, debt service and capital projects. Effective 7/1/20 base charge per month shall be \$15.65 per user; plus a user charge rate \$5.15/100 CF; effective 7/1/21 base charge per month shall be \$16.90 per user; plus a user charge rate \$5.55/100 CF; effective 7/1/22 base charge per month shall be \$18.25 per user; plus a user charge rate \$6.00/100 CF. Commodity charge for American Bottling Company will be as follows: 7/1/20 \$6.45/100 CF; 7/1/21 \$6.95/100 CF; 7/1/22 \$7.50/100 CF. For those contributors who contribute wastewater, the strength of which is greater

than normal domestic wastewater shall be charged the following surcharge: 7/1/20 \$0.319 per pound BOD and \$0.354 per pound TSS; 7/1/21 \$0.345 per pound BOD and \$0.382 per pound TSS; 7/1/22 \$0.373 per pound BOD and \$0.413 per pound TSS. This is an 8% revenue increase over the next 3 yrs. No objections were received. Roe moved, seconded by Stevens to close the public hearing. All ayes.

Meyers moved, seconded by Berg to pass the first consideration of Ord. No. 3174-2020, amending the Municipal Code of the City of Ottumwa, IA by repealing Sec. 31-14 entitled "Fees and Charges, Costs" in its entirety and enacting a new Sec. 31-14 in lieu thereof. All ayes.

Dalbey moved, seconded by Roe that Res. No. 118-2020, approving Change Order No. 2 and accepting the work as final and complete for the BVC PCC Precast Repair Project, be passed and adopted. PW Dir. Seals reported Change Order No. 2 consists of a deduct of \$6,500 as a negotiated settlement to conclude the project. New contract sum \$123,500. All ayes.

Meyers moved, seconded by Roe that Res. No. 124-2020, adopting City of Ottumwa Policy to be in full compliance with Title VI of the Civil Rights Act of 1964, related statutes and regulations concerning discrimination and to designate a Title VI Coordinator, be passed and adopted. City Attorney Keith reported the IDOT requires that the City adopt a Title VI Discrimination Policy and sign a Title VI Non-Discrimination Agt. with the State of IA to receive Federal Aide Dollars. This policy is reviewed and approved every 5 yrs. All ayes.

Roe moved, seconded by Berg that Res. No. 126-2020, award the contract for the 2020 Asphalt Street Repair Program to Norris Asphalt Paving Co., LC of Ottumwa, IA, in the amount of \$1,153,799.45, be passed and adopted. PW Dir. Seals reported one bid was received. This bid includes a base bid total of \$1,070,520. and an alternate bid total of \$83,279.45. All ayes.

Meyers moved, seconded by Dalbey that Res. No. 127-2020, award the contract for the 2020 Chip and Seal Program to Manatts Readymix of Ottumwa, IA, in the amount of \$64,303.34, be passed and adopted. PW Dir. Seals reported two bids were received. All ayes.

Roe moved, seconded by Dalbey that Res. No. 128-2020, award the contract for the 2020 Sanitary Utility Access Program to DC Concrete & Construction of Douds, IA, in the amount of \$53,300, be passed and adopted. PW Dir. Seals reported two bids were received. All ayes.

Meyers moved, seconded by Dalbey that Res. No. 129-2020, award the contract for 2020 Sidewalk Drop & Detectible Warning Installation Program to DC Concrete & Construction of Douds, IA, in the amount of \$202,375, be passed and adopted. PW Dir. Seals reported two bids were received. All ayes.

Roe moved, seconded by Stevens that Res. No. 130-2020, award the contract for the 2020 HMA, PCC Street Crack Repair Program to Wolverine Specialties, LLC of Jackson, MI, in the amount of \$22,200, be passed and adopted. PW Dir. Seals reported seven bids were received. All ayes.

Dalbey moved, seconded by Roe that Res. No. 132-2020, approving Change Order No. 1 for the 2020 Roofing Improvements Project, be passed and adopted. PW Dir. Seals reported Change Order No. 1 increases the contract amount by \$6,380. New contract sum \$117,643. All ayes.

Dalbey moved, seconded by Stevens that Res. No. 133-2020, approve the adoption of the revised City of Ottumwa Personnel Policies and Procedures, be passed and adopted. City Attorney Keith reported due to changes in IA Code Ch. 20 (Public Employment Relations) and 400 (Civil Service) that have occurred, there have been a number of sections in the Collective Bargaining Agts. which were required to be

removed from the City's union contracts. Those items, such as retirement, health insurance and job postings would need to be placed in the new Personnel Policies. All ayes.


Meyers moved, seconded by Berg that Res. No. 134-2020, recommendation to transfer \$7,654.25 to the BVC for delinquent payables due to lost revenue related to COVID-19 for the outstanding payables listing from 4/22 -5/28/20, be passed and adopted. Finance Dir. Mulder reported the invoices totaled \$8,816.14; however, BridgeView, Inc. has offered to help with some of the capital invoices, reducing the amount to \$7,654.25. These expenses will be paid using an internal loan, not to reduce the General Fund fund balance. A listing of the transfers will be provided at the next mtg. Vote taken: Ayes: Stevens, Meyers, Berg. Nays: Dalbey, Roe. Motion passed.

City Admin. Rath reported we will have a special mtg. next Tues, June 9, 2020, at 5:30 P.M. to have the second reading on the sewer rates.


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

Adjournment was at 7:05 P.M.

CITY OF OTTUMWA, IOWA


Tom X. Lazio, Mayor

ATTEST:


Christina Reinhard, City Clerk