

REGULAR MEETING NO. 6
Bridge View Center, 102 Church St.

February 6, 2024
5:30 O'Clock P.M.

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

Present were Council Member Galloway, Hoffman, McAntire, Caviness, Bossou and Mayor Johnson.

Hoffman moved, seconded by Bossou to approve consent agenda items: Mins. from Regular Mtg. No. 3 on Jan. 16, 2024, Special Work Session No. 4 on Jan. 23, 2024 and Special Work Session No. 5 on Jan. 30, 2024 as presented; Ack. Jan. 2024 Prepaid Claims List and approve Feb. 6, 2024 Claims List as submitted by Finance Dept.; Recommend appointment of Mary Stewart to Ottumwa Water Works Bd. of Trustees, term to exp. 7/22/27 due to vacancy and Brenda Case to Historic Preservation Bd., term to exp. 1/1/2025 due to vacancy; Ack. assignment of City Council members to elective Adv. Brds.; Civil Service Elig. Lists for Jan. 24, 2024: Communications Specialist Dispatch Ent. and Clerk Ent.; Accept proposed engagement letter from Piper Sandler for consultation related to bond services for 2024; Res. No. 26-2024, fixing date for public hearing on proposal to convey certain real property to Wilson B&L, LLC, and providing for publication of notice thereof; Res. No. 35-2024, approving Contract, Bond, Cert. of Ins. for Blake's Branch Ph. 8, Div. II, Sewer Separation Project; Beer and/or liquor applications for: The Keg, 622 Church St., with osa; Albia Road BP, 1340 Albia Rd.; N. Court BP, 1301 N. Court; For the Love of Paint by Good Shepard Creations, 324 E. Main; Penn & Jeff BP, 1147 N. Jefferson; all applications pending final inspections. All ayes. Mitch Niner was not in favor of the appointment to OWW Bd. Mary Stewart shared her appreciation for being appointed. Mayor Johnson reminded Mr. Niner that appointments have no political affiliation and the GM at OWW supported this decision.

Galloway moved, seconded by McAntire to approve agenda as presented. All ayes.

Int. Finance Dir. Kinser provided update city finances; still working through audit process while finishing up FY24 and FY25 budget items.

Mayor Johnson inquired if anyone from the audience wished to address an item on the agenda. Ashley Noreuil and Peg Lazio requested to address Item G-1, Election Ord.

This was the time, place and date set for a public hearing on consideration of ten-yr. municipal lease and operating agt. between City of Ottumwa and A.A.W. Golf Group, LLC. City Admin. Rath cont. from Jan. 16, 2024 mtg. No objections rec'd. Caviness moved, seconded by Hoffman to close public hearing. All ayes.

Caviness moved, seconded by Hoffman that Res. No. 20-2024, approve ten-yr. municipal lease and operating agt. with A.A.W. Golf Group, LLC, for operations of Cedar Creek Golf Course 2024-2034, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing approving plans, specs., form of contract and est. cost for Ottumwa Park Playground Equipment Project. Parks & Rec. Dir. Rathje reported Ottumwa Parks Foundation rec'd grant from Legacy Foundation totaling \$30,000 for new playground equipment in Ottumwa Parks. Bids due March 6, 2024 at 2:00 PM. Equipment will be installed by parks employees and volunteers during Summer 2024. No objections rec'd. McAntire moved, seconded by Galloway to close public hearing. All ayes.

Caviness moved, seconded by Hoffman that Res. No. 22-2024, approving plans, specs., form of contract and est. cost for Ottumwa Park Playground Equipment Project, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing approving plans, specs., form of contract and est. cost for Sanitary Sewer Spot Repair Project. PW Dir. Burgmeier reported bids due Feb. 21, 2024. No objections rec'd. Caviness moved, seconded by Hoffman to close public hearing. All ayes.

Caviness moved, seconded by McAntire that Res. No. 39-2024, approving plans, specs., form of contract and est. cost for Sanitary Sewer Spot Repair Project, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on proposed reallocation of Unspent Proceeds of General Obligation Capital Loan Notes, Series 2022A, of Ottumwa, IA. Kinser reported \$250,000 of unspent bond proceeds has not been utilized in the 18 months the funds have been on hand. Originally allocated to be used to match grants. Request to reallocate funds to pay costs of the acquisition, construction, improvement and equipping of city owned bldgs. and facilities (from fund 151 to 174). The budget will be amended as part of the FY24 amended budget. No objections rec'd. McAntire moved, seconded by Bossou to close public hearing. All ayes.

Galloway moved, seconded by Bossou that Res. No. 43-2024, instituting proceedings to take additional action and approving reallocation of certain unspent proceeds of Gen. Obligation Capital Loan Notes, Series 2022A, of the City of Ottumwa, IA, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on Ord. No. 3223-2024, Amending Municipal Code of the City of Ottumwa by Amending Section 31-14(a) entitled "Fees and Charges, Costs." Kinser explained, current language included in Section 31-14 establishes sewer rates and specific language stating the funds within Fund 613 can only be used for future treatment plant projects. Addtl. language is recommended to allow monies in Sewer Improv. Fund to benefit the entire sewer system. No objections rec'd. Caviness moved, seconded by Bossou to close public hearing. All ayes.

Caviness moved, seconded by Hoffman to pass first consideration of Ord. No. 3223-2024, amending Municipal Code of the City of Ottumwa by Amending Section 31-14(a) entitled "Fees and Charges, Costs." All ayes.

Caviness moved, seconded by McAntire to pass first consideration of Ord. No. 3222-2024, amending City of Ottumwa Code of Ord. Ch. 12 – Elections and Adopting Nomination by Petition Manner of Election for City of Ottumwa pursuant to IA Code Ch. 45. Much discussion was had; is cost the only reason to remove primary provisions? Council wished they had heard more from the public on this topic. Peg Lazio and Ashley Noreuil from the audience requested council to table this item before making a decision. Noreuil stated the premise of removing primary provisions revolves largely around the cost of the election; there are more nuances of this discussion that need to be factored into your decision. What are the benefits of holding primaries? Noreuil further stated primarily what you are taking away is resiliency in the election process. Motion failed. 2-3. Ayes: McAntire, Caviness. Nays: Galloway, Hoffman, Bossou.

Galloway moved, seconded by McAntire that Res. No. 23-2024, approving applications for residential and commercial tax abatement under URP, totaling \$1,437,306.14 and subject to review by local assessor, be passed and adopted. Comm. Dev. Dir. Simonson reported. All ayes.

Galloway moved, seconded by McAntire that Res. No. 24-2024, approving and auth. Addendum to Grant Admin. Contract between City of Ottumwa and Area 15 RPC for 307 E. Main Upper-Story Housing

Project (CDBG No. 20-CVN-050), be passed and adopted. All ayes.

Caviness moved, seconded by McAntire that Res. No. 25-2024, approving addtl. Transfer of Funds through Dec. 31, 2023 as presented by Finance, be passed and adopted. All ayes.

Caviness moved, seconded by Hoffman that Res. No. 30-2024, Set Feb. 20, 2024 at 5:30 P.M. as date for public hearing on auth. of Loan Agt. and issuance of Notes not to exceed \$6,000,000 Gen. Obligation Capital Loan Notes (ECP-1) of the City of Ottumwa, State of IA (for essential corporate purposes) and providing publication of notice thereof, be passed and adopted. Kinser reported, following items/projects are included with this: Demo Program, Cemetery (Office & Maint. Bldg., paving) court lighting in Troeger & Ottumwa Parks, Police (Public Safety Cameras/Access Points, Drones & Accessories, Bidirectional Turning Target Standards, Taser 10 implementation, Vehicle Replacement), Engineering BNSF Levee Closure, Fire Vehicle Replacement and HazMat vehicle replacement. This allows city to include a pre-levy as part of the FY25 budget. All ayes.

Caviness moved, seconded by Hoffman that Res. No. 31-2024, Set Feb. 20, 2024 at 5:30 P.M. as date for public hearing on auth. of Loan Agt. and issuance of Notes not to exceed \$700,000 Gen. Obligation Capital Loan Notes (GCP-2) of the City of Ottumwa, State of IA (for general corporate purposes) and providing publication of notice thereof, be passed and adopted. Kinser reported following items/projects for BVC LED video board/signage, roof repairs, combination oven, theater improvements, exterior waterproofing/access, ramp/stairs replacement. This allows city to include a pre-levy as part of the FY25 budget. All ayes.

Caviness moved, seconded by Hoffman that Res. No. 32-2024, Set Feb. 20, 2024 at 5:30 P.M. as date for public hearing on auth. of Loan Agt. and issuance of Notes not to exceed \$700,000 Gen. Obligation Capital Loan Notes (GCP-3) of the City of Ottumwa, State of IA (for general corporate purposes) and providing publication of notice thereof, be passed and adopted. Kinser reported following items/projects are included: Financial Software, South Fire Station flooring replacement, IT back-up server replacement, MCG Fiber & Network equipment, IT Tier 2 SAN purchase and IT Server (2) replacement. This allows city to include a pre-levy as part of the FY25 budget. All ayes.

Galloway moved, seconded by Bossou that Res. No. 34-2024, approving Change Order No. 1 and accepting work as final and complete and approving Final Pay Request for 2023 RFP#3 – Hamilton St. Pavement Repair Project, be passed and adopted. Burgmeier reported CO #1 increases contract \$614; new contract sum \$6,754. All ayes.

Caviness moved, seconded by Bossou that Res. No. 36-2024, approving Prof. Services Const. Agt. with V&K, Inc. for Blake's Branch Sewer Ph. 8, Div. II and III Projects, be passed and adopted. Burgmeier reported total fee for prof. services during const. shall not exceed \$689,700. All ayes.

Caviness moved, seconded by McAntire that Res. No. 37-2024, approving Amendment to Prof. Services Agt. for engineering services with V&K, Inc. for Blake's Branch Ph. 8, Div. II, Sewer Separation Project, be passed and adopted. Burgmeier reported, amendment adds design services that will not exceed \$39,800. All ayes.

Caviness moved, seconded by McAntire that Res. No. 38-2024, waiving bldg. permit fees for Ottumwa Comm. Schools Tennis Courts Project, be passed and adopted. Simonson reported permit fees are routinely waived for projects undertaken directly by the City or on City property. The City is a partner in this project so this request requires council approval. Est. fee \$10,560 for project. Council debated; City has already paid \$106,000 for this plan that didn't go to fruition with the School wishing to relocate;

hearing that we need to do this to be a good partner; when will the City be viewed as a good partner? The City is losing revenue when waiving fees; look at creating a policy that defines parameters for this type of process for future. Motion carried 3-2. Ayes: Hoffman, Caviness, Bossou. Nays: Galloway, McAntire.

Caviness moved, seconded by Hoffman that Res. No. 40-2024, approving Termination Agt. with 1919 Architects, be passed and adopted. Simonson reported, City entered a prof. services Agt. with 1919 Architects to provide design site plan prototypes and complete construction-ready drawings for middle density housing suitable for Housing Opportunity Infill program; budgeted \$150,000 from ARPA funds of which \$30,120 has been invoiced for. \$114,651 will be transferred to fund 309 for Greater Ottumwa Parks Master Plan with \$5,229 remaining in act. All ayes.

Caviness moved, seconded by Hoffman that Res. No. 41-2024, auth. transfer of funds to Greater Ottumwa Partners in Progress (GoPIP) from City of Ottumwa for RAGBRAI 2024, be passed and adopted. Rath Reported, last time RAGBRAI was here in 2016, the Finance Dir. opened a savings act. for investing excess RAGBRAI funds to use as "seed" money for future economic events in the City. The balance in act. \$31,256.15 will be issued to GoPIP to begin planning for RAGBRAI overnight stay. All ayes.

Caviness moved, seconded by McAntire that Res. No. 42-2024, approving Change Order No. 1 and accepting work as final and complete and approving Final Pay Request for 2023 Asphalt St. Repair Program, be passed and adopted. Burgmeier reported CO#1 decreases contract by \$1,111,877.88. New contract sum \$364,128.62. All ayes.

Mayor Johnson inquired if anyone from the audience wished to address an item not on the agenda. Tom Lazio questioned whether or not he was receiving all items within a FOIA he submitted to the City for 2023 W-2 File.

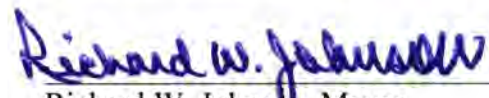
Mayor Johnson announced a five minute recess at 7:20 P.M.

Council reconvened at 7:25 P.M. – work session items for discussion.

Kinser cont. discussion on FY24/25 Budget. The following funds were discussed: Special Revenue Funds - 119 Emergency Fund; 121 LOST – Local Option Sales Tax Fund; 167 Fire Bequest Fund; 173 Library Bequest Fund; 175 Police Bequest Fund; 176 Reimbursement Grants; 177 Historic Preservation Request. Permanent Funds - 501 Cemetery Memorial Fund and 503 Cemetery Perpetual Care Fund.

There being no further business, Galloway moved, seconded by McAntire that the mtg. adjourn. All ayes. Adjournment was at 7:47 P.M.

CITY OF OTTUMWA, IOWA


Richard W. Johnson, Mayor

ATTEST:


Christina Reinhard, CMC, City Clerk

Published in the Ottumwa Courier on 2/17/2024.