



| CITY OF |
O T T U M W A

TENATIVE AGENDA
OTTUMWA CITY COUNCIL

REGULAR MEETING NO. 8
Council Chambers, City Hall

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

PLEDGE OF ALLEGIANCE

A. ROLL CALL: Council Member Galloway, McAntire, Hull, Pope, Roe and Mayor Johnson.

B. CONSENT AGENDA:

1. Minutes from Regular Meeting No. 7 on February 15, 2022 as presented.
2. Acknowledge January financial statement and payment of bills as submitted by the Finance Department.
3. Approve the appointment of Will Heckart to the position of Equipment Operator – Traffic on or about March 13, 2022.
4. Approve the appointment of Jason Guyette to the position of Operator at the WPCF on or about March 13, 2022.
5. Civil Service Commission Eligibility Lists for February 23, 2022: Building Inspector Entrance and Utility Worker – Various Entrance.
6. Resolution No. 54-2022, approving the contract, bonds, and certificate of insurance for the Cooper Avenue Reconstruction Project (Main Street to Second Street).
7. Resolution No. 55-2022, approving the contract, bonds, and certificate of insurance for the Lillian Street Reconstruction Project (Mary Street to Williams Street).
8. Resolution No. 59-2022, setting March 15, 2022 as the date of a public hearing for the purpose of considering a ten-year renewal of lease agreement between the City of Ottumwa and the USDOT-FAA.
9. Resolution No. 62-2022, setting March 15, 2022 as the date of a public hearing on the disposition of a City owned vacant lot located at 817 Chester Avenue.
10. Resolution No. 63-2022, setting March 15, 2022 as the date of a public hearing on the Proposed Adoption of the 2022/2023 Annual Budget for the City of Ottumwa, Iowa.
11. Beer and/or liquor applications for: Coffee Pho 77, 1111 Quincy Ave., #109 & #107; all applications pending final inspections.

C. APPROVAL OF AGENDA

D. ADMINISTRATORS REPORT TO COUNCIL AND CITIZENS:

1. 2021 Bridge View Center Annual Report and Presentation of Check from BVC, Inc. Board of Directors.
2. Update on ARPA requests.
3. Annual review on State of the City.

All items on this agenda are subject to discussion and/or action.

E. IDENTIFICATION OF CITIZENS DESIRING TO COMMENT ON AGENDA ITEMS:

(When called upon by the Mayor, step to the microphone; state their name, address and agenda item to be addressed. The Mayor will invite you to address the Council when that topic is being discussed. Remarks will be limited to **three minutes or less**. The City Clerk shall keep the time and notify the Mayor when the allotted time limit has been reached. Comments are to be directly germane to the agenda item being discussed; if not directly germane as determined by the Mayor will be ruled out of order.)

F. DEPARTMENTAL RECOMMENDATIONS/REPORTS:

G. PUBLIC HEARING:

1. This is the time, place and date set for a public hearing on the authorization of a Loan Agreement and the issuance of Notes not to exceed \$3,300,000 to evidence the obligation of the City thereunder.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Resolution No. 41-2022, instituting proceedings to take additional action for the issuance of Not to exceed \$3,300,000 General Obligation Capital Loan Notes (ECP-1).

RECOMMENDATION: Pass and adopt Resolution No. 41-2022.

2. This is the time, place and date set for a public hearing on the authorization of a Loan Agreement and the issuance of Notes not to exceed \$700,000 to evidence the obligation of the City thereunder.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Resolution No. 42– 2022, instituting proceedings to take additional action for the issuance of Not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-2).

RECOMMENDATION: Pass and adopt Resolution No. 42-2022.

3. This is the time, place and date set for a public hearing on the authorization of a Loan Agreement and the issuance of Notes not to exceed \$700,000 to evidence the obligation of the City thereunder.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Resolution No. 43-2022, instituting proceedings to take additional action for the issuance of Not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-3).

RECOMMENDATION: Pass and adopt Resolution No. 43-2022.

4. This is the time, place and date set for a public hearing on the authorization of a Loan Agreement and the issuance of Notes not to exceed \$700,000 to evidence the obligation of the City thereunder.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Resolution No. 44-2022, instituting proceedings to take additional action for the issuance of Not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-4).

RECOMMENDATION: Pass and adopt Resolution No. 44-2022.

5. This is the time, place and date set for a public hearing on the authorization of a Loan Agreement and the issuance of Notes not to exceed \$700,000 to evidence the obligation of the City

thereunder.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Resolution No. 45-2022, instituting proceedings to take additional action for the issuance of Not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-5).

RECOMMENDATION: Pass and adopt Resolution No. 45-2022.

- 6. This is the time, place and date set for a public hearing on the authorization of a Loan Agreement and the issuance of Notes not to exceed \$700,000 to evidence the obligation of the City thereunder.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Resolution No. 46-2022, instituting proceedings to take additional action for the issuance of Not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-6).

RECOMMENDATION: Pass and adopt Resolution No. 46-2022.

- 7. This is the time, place and date set for a public hearing on the authorization of a Loan Agreement and the issuance of Notes not to exceed \$700,000 to evidence the obligation of the City thereunder.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Resolution No. 47-2022, instituting proceedings to take additional action for the issuance of Not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-7).

RECOMMENDATION: Pass and adopt Resolution No. 47-2022.

- 8. This is the time, place and date set for a public hearing on the authorization of a Loan Agreement and the issuance of Notes not to exceed \$1,100,000 to evidence the obligation of the City thereunder.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Resolution No. 48-2022, instituting proceedings to take additional action for the issuance of Not to exceed \$1,100,000 General Obligation Urban Renewal Capital Loan Notes (ECP/UR-8).

RECOMMENDATION: Pass and adopt Resolution No. 48-2022.

- D. Resolution No. 49-2022, authorizing the Issuance of \$8,000,000 General Obligation Capital Loan Notes, Series 2022, and Levying a Tax for the Payment Thereof.

RECOMMENDATION: Pass and adopt Resolution No. 49-2022.

- 9. This is the time, place and date set for a public hearing approving the plans, specifications, form of contract and estimated cost for the Green Street Storm Sewer Improvements Project.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Resolution No. 52-2022, approving the plans, specifications, form of contract and estimated cost for the Green Street Storm Sewer Improvements Project.

RECOMMENDATION: Pass and adopt Resolution No. 52-2022.

- 10. This is the time, place and date set for a public hearing approving the plans, specifications, form of contract and estimated cost for the Blake's Branch, Phase 8, East of Iowa Avenue Sewer Separation Project.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Resolution No. 53-2022, approving the plans, specifications, form of contract and estimated cost for the Blake's Branch, Phase 8, East of Iowa Avenue Sewer Separation Project.

RECOMMENDATION: Pass and adopt Resolution No. 53-2022.

H. RESOLUTIONS:

- 1. Resolution No. 6-2022, approving Change Order No. 1 and accepting the work as final and complete for the Marion Street Reconstruction Project.

RECOMMENDATION: Pass and adopt Resolution No. 6-2022.

- 2. Resolution No. 51-2022, awarding the contract for the Pawnee Drive Reconstruction Project to Jones Contracting Corp. of West Point, Iowa, in the amount of \$1,176,777.

RECOMMENDATION: Pass and adopt Resolution No. 51-2022.

- 3. Resolution No. 56-2022, approving Change Order No. 1 and accepting the work as final and complete for the Forrest Avenue Flood Wall Project.

RECOMMENDATION: Pass and adopt Resolution No. 56-2022.

- 4. Resolution No. 57-2022, approving Change Order No. 1 and accepting the work as final and complete for the Woodland Avenue Reconstruction Project.

RECOMMENDATION: Pass and adopt Resolution No. 57-2022.

- 5. Resolution No. 58-2022, approving a Lease Agreement between the City of Ottumwa and Avfuel Corporation.

RECOMMENDATION: Pass and adopt Resolution No. 58-2022.

- 6. Resolution No. 61-2022, fixing date for a public hearing on an application to the Iowa Economic Development Authority for a Community Development Block Grant (CDBG) from the COVID-19 Program.

RECOMMENDATION: Pass and adopt Resolution No. 61-2022.

I. ORDINANCES:

1. Ordinance No. 3190-2022, amending the Code of Ordinances by changing the zoning classification on property located south of Roemer Ave. with Merrouge Ave. to the west and the city limits to the east from R-2, Two-family Residential to C-1, Neighborhood Commercial, in the City of Ottumwa, Wapello County, Iowa.

RECOMMENDATION: Pass third consideration and adopt Ordinance No. 3190-2022.

J. PUBLIC FORUM:

The Mayor will request comments from the public on topics of city business or operations other than those listed on this agenda. Comments shall not be personalized and limited to three minutes or less. Comments not directly applicable to operations, inappropriate, or an improper utilization of meeting time, as determined by the Mayor, will be ruled out of order. When called upon by the Mayor, step to the microphone; give your name, address and topic on which to address the Council. The Council is not likely to take any action on your comments due to requirements of the Open Meetings Law. Pertinent questions, comments or suggestions may be referred to the appropriate department, city administrator or legal counsel for response, if relevant.

K. PETITIONS AND COMMUNICATIONS

Recess – Council will reconvene in Room 108 for closed session proceedings.

REGULAR MEETING NO. 8
Room 108, City Hall

March 1, 2022
7:00 O’Clock P.M.

ROLL CALL: Council Member Galloway, McAntire, Hull, Pope, Roe and Mayor Johnson

1. Motion to enter closed session in accordance with the Iowa 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 and his employment contract.
2. Return to open session for any related action and/or to adjourn.

ADJOURN

***** It is the goal of the City of Ottumwa that all City Council public meetings are accessible to people with disabilities. If you need assistance in participating in City Council meetings due to a disability as defined under the ADA, please call the City Clerk’s Office at (641) 683-0621 at least one (1) business day prior to the scheduled meeting to request an accommodation. *****



[CITY OF]
O T T U M W A

FAX COVER SHEET

City of Ottumwa

DATE: 2/25/2022 TIME: 11:40 AM NO. OF PAGES 6
(Including Cover Sheet)

TO: News Media CO: _____

FAX NO: _____

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Regular City Council Meeting #8 to be held on 3/1/2022 at 5:30 P.M.

*** FAX MULTI TX REPORT ***

JOB NO.	0431	
DEPT. ID	4717	
PGS.	6	
TX INCOMPLETE	-----	
TRANSACTION OK	96847834	Ottumwa Courier
	916606271885	KTVO
	96823269	Ottumwa Waterworks
ERROR	96828482	Tom FM



FAX COVER SHEET

City of Ottumwa

DATE: 2/25/2022 TIME: 11:40 AM NO. OF PAGES 6
(Including Cover Sheet)

TO: News Media CO: _____

FAX NO: _____

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Regular City Council Meeting #8 to be held on 3/1/2022 at 5:30 P.M.

*** TX REPORT ***

JOB NO.	0431	
DEPT. ID	4717	
ST. TIME	02/25 11:44	
SHEETS	6	
FILE NAME		
TX INCOMPLETE	-----	
TRANSACTION OK	96847834	Ottumwa Courier
	916606271885	KTVO
	96823269	Ottumwa Waterworks
ERROR	96828482	Tom FM



FAX COVER SHEET

City of Ottumwa

DATE: 2/25/2022 TIME: 11:40 AM NO. OF PAGES 6
(Including Cover Sheet)

TO: News Media CO: _____

FAX NO: _____

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Regular City Council Meeting #8 to be held on 3/1/2022 at 5:30 P.M.

REGULAR MEETING NO. 7
Council Chambers, City Hall

February 15, 2022
5:30 O'Clock P.M.

The meeting was called to order at 5:27 P.M.

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

Galloway moved, seconded by Pope to approve the following consent agenda items: Mins. from Regular Mtg. No. 4 on Feb. 1, 2022, Special Mtg. No. 5 on Feb. 8, 2022 and Special Mtg. No. 6 on Feb. 9, 2022 as presented; Approve Drug Task Force Bryne-JAG Grant submission via internet and auth. Mayor to sign all related docs.; Accept proposed engagement letter from Piper Sandler for consultation related to bond services; Contract for ethanol and diesel fuel by tank wagon delivery; Approve pymt. to Computer Information Systems, Inc. for \$20,425.93 for one-yr. Lic. Ren. & Maint. Agt. for Police Dept. in-house computer software; Approve repair Flygt Pump 3127.185-0991 for \$5036.40 for WPCF; Approve purchase of 2022 Ram 3500 Crew Cab 4X4 with inverter option for \$53,500 from Stew Hansen Dodge City for WPCF; Res. No. 23-2022, auth. Mayor, City Admin. & Interim Dir. of Finance/Accountant to sign checks and make wire transfers; Res. No. 24-2022, auth. City Admin. & Interim Dir. of Finance/Accountant to make investment purchases and sales in accordance with City Investment Policy; Res. No. 39-2022, approving temp. wage rate adj. for Accountant; Beer and/or liquor applications for: Albia Road BP, 1340 Albia Rd; North Court BP, 1301 N. Court; Penn & Jeff BP, 1147 N. Jefferson, West Second & McPherson BP, 1049 W. Second; Pallister Brothers Brewing Company, 116 N. Market St.; Hy-Vee Drugstore, 1140 N. Jefferson St.; Uncle Buck's Bar & Grill, 518 Church St.; all applications pending final inspections. Motion carried 4-0 vote. Council Member Hull was absent.

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

City Admin. Rath reported a scrivener's error occurred in staff summary presented at the last mtg. when passing the max levy. The item was published correctly and reflected correctly in the mins.

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

Roe moved, seconded by McAntire to submit RFP for wage and benefits survey. HR Dir. Codjoe reported the RFP will be released 2/21 with responses due 3/25; evaluation committee will announce selection 4/8 with council to consider agt. with selected bidder 4/19. One of the primary duties of HR is employment, retention and recruitment. Looking at current employment stats (12.5% of employees will retire within 2 yrs., this will double within 5 yrs.); current structure & concerns (current pay structure was created in 1989 and reviewed in 2009 with step increases being based on tenure; over the yrs., this has created pay compression; adtl' duties with little to no compensation; no consistency); reviewing current hiring practices for civil service positions and other unrepresented positions; what benefits do our employees want; asks of council – wage and benefits study will include job analysis to create accurate job descriptions, recommend classifications and salaries for current positions, review of company benefits, and recommendation of adopting plan. Will also ask for a future decision, compensation strategy – match the market, lead the market, lag the market, or use a combination of any three options. Motion carried 4-0 vote. Council Member Hull was absent.

PW Dir. Seals provided informational update on Sidewalk Drop & Detectable Warning Installation Program.

Roe moved, seconded by Galloway to consider possible personnel action related to Finance Dir. Rath requested more specifically, based upon information provided to council and legal counsel's ability to negotiate an agt. regarding separation and general release, the city council respectfully vote to adopt and auth. Mayor to sign the previously stated agt. for the resignation of employment of the Finance Dir.

Galloway moved, seconded by Pope to amend the action item to reflect city council adopting the separation and general release agt. and auth Mayor to sign. Motion carried 4-0 vote. Council Member Hull was absent.

This was the time, place and date set for a public hearing approving plans, specs, form of contract and est. cost for Apron 2022 Improvements Project at the Ottumwa Reg. Airport. Airport Mgr. Wheaton reported the airport rec'd grant from IDOT for \$225,250 to pay for 85% of this project; total cost \$265,000. Bids will be rec'd 3/4/2022 and award recommendations presented to council on 3/15/2022. No objections were rec'd. Roe moved, seconded by Galloway to close the public hearing. Motion carried 4-0 vote. Council Member Hull was absent.

Roe moved, seconded by Galloway that Res. No. 26-2022, approving the plans, specs, form of contract and est. cost for Apron 2022 Improvements Project at the Ottumwa Reg. Airport, be passed and adopted. Motion carried 4-0 vote. Council Member Hull was absent.

Roe moved, seconded by McAntire that Res. No. 16-2022, adopting the 2022 Ottumwa Housing Plan, be passed and adopted. Comm. Dev. Dir. Simonson reported. Motion carried 4-0 vote. Council Member Hull was absent.

Galloway moved, seconded by McAntire that Res. No. 21-2022, approving a dock-less shared motorized scooter operating and license agt. with Bird Rides, Inc., and auth. Mayor to sign and execute said agt, be passed and adopted. Simonson reported. Motion carried 4-0 vote. Council Member Hull was absent.

Roe moved, seconded by McAntire that Res. No. 25-2022, adopting the Local Human Rights Commissions Organizational Framework Models Guide, be passed and adopted. Rath reported the first step is designing a charter for this commission; once identified (how many people will serve on the commission and establish what their main focus/goals will be). Motion carried 4-0 vote. Council Member Hull was absent.

Galloway moved, seconded by Roe that Res. No. 27-2022, fixing date for a PH on an application to the IEDA for a CDBG Grant from the COVID-19 Program, be passed and adopted. Simonson reported staff has identified a project which provides assistance to the food service program operated by Starr Workforce/Blessings Soup Kitchen. This grant would not require a local match. Motion carried 4-0 vote. Council Member Hull was absent.

Roe moved, seconded by McAntire that Res. No. 28-2022, approving and auth. execution of a First Amendment to Development Agt. by and between the City and Cobblestone Hotel Development, LLC, be passed and adopted. Simonson reported original Development Agt. contained a closing date of Nov. 15, 2021; the environmental review has taken longer than expected so this amendment sets a new closing date on or before May 1, 2022. Motion carried 4-0 vote. Council Member Hull was absent.

Galloway moved, seconded by Roe that Res. No. 29-2022, Set March 1, 2022 at 5:30 P.M. as the date for a PH on the proposed auth. of a Loan Agt. and issuance of not to exceed \$3,300,000 General Obligation Capital Loan Notes (ECP-1) to evidence the obligations of the City thereunder, be passed and adopted. Motion carried 4-0 vote. Council Member Hull was absent.

McAntire moved, seconded by Roe that Res. No. 30-2022, Set March 1, 2022 at 5:30 P.M. as the date for a PH on the proposed auth. of a Loan Agt. and issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-2) to evidence the obligations of the City thereunder, be passed and adopted. Motion carried 4-0 vote. Council Member Hull was absent.

McAntire moved, seconded by Pope that Res. No. 31-2022, Set March 1, 2022 at 5:30 P.M. as the date for a PH on the proposed auth. of a Loan Agt. and issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-3) to evidence the obligations of the City thereunder, be passed and adopted. Motion carried 4-0 vote. Council Member Hull was absent.

Roe moved, seconded by McAntire that Res. No. 32-2022, Set March 1, 2022 at 5:30 P.M. as the date for a PH on the proposed auth. of a Loan Agt. and issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-4) to evidence the obligations of the City thereunder, be passed and adopted. Motion carried 4-0 vote. Council Member Hull was absent.

Galloway moved, seconded by Pope that Res. No. 33-2022, Set March 1, 2022 at 5:30 P.M. as the date for a PH on the proposed auth. of a Loan Agt. and issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-5) to evidence the obligations of the City thereunder, be passed and adopted. Motion carried 4-0 vote. Council Member Hull was absent.

Roe moved, seconded by Galloway that Res. No. 34-2022, Set March 1, 2022 at 5:30 P.M. as the date for a PH on the proposed auth. of a Loan Agt. and issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-6) to evidence the obligations of the City thereunder, be passed and adopted. Motion carried 4-0 vote. Council Member Hull was absent.

McAntire moved, seconded by Galloway that Res. No. 35-2022, Set March 1, 2022 at 5:30 P.M. as the date for a PH on the proposed auth. of a Loan Agt. and issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-7) to evidence the obligations of the City thereunder, be passed and adopted. Motion carried 4-0 vote. Council Member Hull was absent.

Roe moved, seconded by McAntire that Res. No. 36-2022, Set March 1, 2022 at 5:30 P.M. as the date for a PH on the proposed auth. of a Loan Agt. and issuance of not to exceed \$1,100,000 General Obligation Urban Renewal Capital Loan Notes (ECP/UR-8) to evidence the obligations of the City thereunder, be passed and adopted. Motion carried 4-0 vote. Council Member Hull was absent.

McAntire moved, seconded by Galloway that Res. No. 37-2022, awarding contract for Cooper Ave. Reconstruction Project to Drish Construction, Inc. of Fairfield, IA in the amt. of \$474,088, be passed and adopted. Seals reported 3 bids rec'd. Motion carried 4-0 vote. Council Member Hull was absent.

Roe moved, seconded by McAntire that Res. No. 38-2022, awarding contract for Lillian St. Reconstruction Project to Drish Construction, Inc. of Fairfield, IA in the amt. of \$660,619.50, with an alternate bid of \$160,567.50, be passed and adopted. Seals reported 3 bids rec'd. Motion carried 4-0 vote. Council Member Hull was absent.

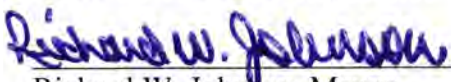
Galloway moved, seconded by McAntire to pass the second consideration of Ord. No. 3190-2022, amending the Code of Ord. by changing zoning classification on property located south of Roemer Ave. with Merrouge Ave. to the west and the city limits to the east from R-2, Two-family Residential to C-1, Neighborhood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

Adjournment was at 7:04 P.M.

CITY OF OTTUMWA, IOWA


Richard W. Johnson, Mayor

ATTEST:


Christina Reinhard, CMC, City Clerk

REPORT DATE 01/31/2022
 SYSTEM DATE 02/18/2022
 FILES ID 0

CITY OF OTTUMWA
 STATEMENT OF CHANGES IN CASH BALANCE
 AS OF 01/31/2022

Item No. B.-2.
 PAGE
 TIME 06:31:26
 USER TJ

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	BEG. PERIOD	CASH	CASH	END PERIOD	OUTSTANDING	TREASURY	
		BALANCE	DEBITS	CREDITS	BALANCE	CHECKS	BALANCE	
TOTALS FOR FUND	001	GENERAL OPER	3751088.94	807482.32	1190666.25	3367905.01	9719.50	3377624.51
TOTALS FOR FUND	002	PARKING RAMP	41307.24	858.00	855.10	41310.14		41310.14
TOTALS FOR FUND	003	GENERAL-ARPA	1821787.55			1821787.55		1821787.55
TOTALS FOR FUND	110	ROAD USE TAX	4712506.07	215803.62	299860.19	4628449.50	9936.93	4638386.43
TOTALS FOR FUND	112	EMPLOYEE BEN	1419423.19	33920.18	440481.51	1012861.86		1012861.86
TOTALS FOR FUND	119	EMERGENCY FU		1077.39	1077.39			
TOTALS FOR FUND	121	SALES TAX 1%	6278922.80	364631.82	30833.33	6612721.29		6612721.29
TOTALS FOR FUND	122	*****						
TOTALS FOR FUND	123	AGASSI TIF D						
TOTALS FOR FUND	124	VOGEL URBAN						
TOTALS FOR FUND	125	WESTGATE TIF	-418292.81	1975.19	54353.50	-470671.12	9784.50	-460886.62
TOTALS FOR FUND	126	AIRPORT TIF	2135.63	417.39		2553.02		2553.02
TOTALS FOR FUND	127	PENNSYLVANIA						
TOTALS FOR FUND	128	WILDWOOD HWY	65709.24			65709.24		65709.24
TOTALS FOR FUND	129	RISK MANAGEM	1001084.94	28376.22	43607.78	985853.38		985853.38
TOTALS FOR FUND	131	AIRPORT FUND	309445.43	128497.38	106000.68	331942.13	2755.20	334697.33
TOTALS FOR FUND	133	LIBRARY FUND	300974.00	27864.90	62453.06	266385.84	539.37	266925.21
TOTALS FOR FUND	135	CEMETERY FUN	24985.70	19076.22	28070.11	15991.81	389.08	16380.89
TOTALS FOR FUND	137	HAZ-MAT FUND	154381.04	21748.46	13247.30	162882.20	773.12	163655.32
TOTALS FOR FUND	141	2018 UPPER S	8078.12			8078.12		8078.12
TOTALS FOR FUND	142	HOAP/HILP ES						
TOTALS FOR FUND	143	EPA BROWNFI						
TOTALS FOR FUND	144	2013 CDBG HO						
TOTALS FOR FUND	145	DOWNTOWN REV						
TOTALS FOR FUND	146	DOWNTOWN STR	100528.06			100528.06		100528.06
TOTALS FOR FUND	147	CDBG P-2 MAS	17628.32			17628.32		17628.32
TOTALS FOR FUND	148	2016 OWW CDB						
TOTALS FOR FUND	151	OTHER BOND P	861985.72	297828.20	74748.53	1085065.39	50968.37	1136033.76
TOTALS FOR FUND	162	SSMID DISTRI	45293.83	134.29		45428.12		45428.12
TOTALS FOR FUND	167	FIRE BEQUEST	19009.23	500.00	5704.00	13805.23		13805.23
TOTALS FOR FUND	169	START UP/DON	-165.20			-165.20		-165.20
TOTALS FOR FUND	171	RETIREE HEAL						
TOTALS FOR FUND	173	LIBRARY BEQU	97372.17	8513.78	7716.92	98169.03	2360.84	100529.87
TOTALS FOR FUND	174	COMMUNITY DE	124329.27			124329.27		124329.27
TOTALS FOR FUND	175	POLICE BEQUE	187239.30	500.00	768.31	186970.99	16.00	186986.99
TOTALS FOR FUND	177	HISTORIC PRE	-6686.66		1840.00	-8526.66	1840.00	-6686.66
TOTALS FOR FUND	200	DEBT SERVICE	1647419.85	17005.67		1664425.52		1664425.52
TOTALS FOR FUND	301	STREET PROJE	3108911.12		116718.09	2992193.03		2992193.03
TOTALS FOR FUND	303	AIRPORT PROJ	-255558.97			-255558.97		-255558.97
TOTALS FOR FUND	307	SIDEWALK & C	154019.80		55796.07	98223.73		98223.73
TOTALS FOR FUND	309	PARK PROJECT	295671.42		533.90	295137.52		295137.52
TOTALS FOR FUND	311	LEVEE PROJEC	64004.21		145557.82	-81553.61		-81553.61
TOTALS FOR FUND	313	EVENT CENTER	99970.12		3302.73	96667.39		96667.39
TOTALS FOR FUND	315	SEWER CONSTR	5363829.20	135358.55	270578.97	5228608.78	7032.00	5235640.78
TOTALS FOR FUND	320	WEST END FLO						
TOTALS FOR FUND	501	CEMETERY MEM	2713.29			2713.29		2713.29
TOTALS FOR FUND	503	CEMETERY PER		435.00		435.00		435.00
TOTALS FOR FUND	610	SEWER UTILIT	3861667.06	533962.17	327756.12	4067873.11	9741.64	4077614.75
TOTALS FOR FUND	611	SEWER SINKIN	1377000.00			1377000.00		1377000.00
TOTALS FOR FUND	612	STORM WATER						
TOTALS FOR FUND	613	SEWER IMPROV	3800002.00	41667.00		3841669.00		3841669.00
TOTALS FOR FUND	670	LANDFILL FUN	1272483.23	327313.87	130674.37	1469122.73	7564.94	1476687.67

REPORT DATE 01/31/2022
 SYSTEM DATE 02/18/2022
 FILES ID 0

CITY OF OTTUMWA
 STATEMENT OF CHANGES IN CASH BALANCE
 AS OF 01/31/2022

PAGE 2
 TIME 06:31:26
 USER TJ

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	BEG. PERIOD	CASH	CASH	END PERIOD	OUTSTANDING	TREASURY
		BALANCE	DEBITS	CREDITS	BALANCE	CHECKS	BALANCE
TOTALS FOR FUND	671 LANDFILL RES	1167302.00			1167302.00		1167302.00
TOTALS FOR FUND	673 RECYCLING	426458.53	67850.96	33305.91	461003.58	458.12	461461.70
TOTALS FOR FUND	690 TRANSIT FUND	649721.12	404.00	8728.91	641396.21	122204.16	763600.37
TOTALS FOR FUND	695 1015 TRANSIT						
TOTALS FOR FUND	720 BRIDGEVIEW E	-61271.84			-61271.84		-61271.84
TOTALS FOR FUND	750 GOLF COURSE	31189.62			31189.62		31189.62
TOTALS FOR FUND	810 POOLED INVES	-50701319.48	1040342.56		-49660976.92		-49660976.92
TOTALS FOR FUND	820 PAYROLL CLEA	216663.06	454187.30	459075.37	211774.99	2374.35	214149.34
TOTALS FOR FUND	840 EQUIPMENT PU	1292046.37		184344.20	1107702.17		1107702.17
TOTALS FOR FUND	860 GROUF HEALTH	5640922.04	320797.05	268367.82	5693351.27	259080.94	5952432.21
TOTALS FOR FUND	861 POST 65 RETI	386060.79	27191.08	24370.45	388881.42	24370.45	413251.87
TOTALS FOR FUND	862 DENTAL INSUR	86756.93	7765.50	11412.36	83110.07	11412.36	94522.43
TOTALS FOR FUND	863 LIFE INSURAN	55950.51	2838.86	26214.22	32575.15		32575.15
<hr/>							
TOTALS FOR ALL LISTED FUNDS		902683.10	4936324.93	4429021.27	1409986.76	533321.87	1943308.63

REPORT DATE 01/31/2022
SYSTEM DATE 02/18/2022
FILES ID 0

CITY OF OTTUMWA
STATEMENT OF CHANGES IN CASH BALANCE
AS OF 01/31/2022

PAGE 3
TIME 06:31:26
USER TJ

SUMMARY PAGE INFORMATION

ERRORS DETECTED: 0

END OF REPORT

**CITY OF OTTUMWA
STATEMENT OF CHANGES IN CASH BALANCE
JANUARY, 2021**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	BEG. PERIOD BALANCE	CASH DEBITS	CASH CREDITS
TOTALS FOR FUND 001	GENERAL OPER	3,751,088.94	807,482.32	1,190,666.25
TOTALS FOR FUND 002	PARKING RAMP	41,307.24	858.00	855.10
TOTALS FOR FUND 003	GENERAL-ARPA	1,821,787.55		
TOTALS FOR FUND 110	ROAD USE TAX	4,712,506.07	215,803.62	299,860.19
TOTALS FOR FUND 112	EMPLOYEE BEN	1,419,423.19	33,920.18	440,481.51
TOTALS FOR FUND 119	EMERGENCY FU		1,077.39	1,077.39
TOTALS FOR FUND 121	SALES TAX 1%	6,278,922.80	364,631.82	30,833.33
TOTALS FOR FUND 122	*****			
TOTALS FOR FUND 123	AGASSI TIF D			
TOTALS FOR FUND 124	VOGEL URBAN			
TOTALS FOR FUND 125	WESTGATE TIF	(418,292.81)	1,975.19	54,353.50
TOTALS FOR FUND 126	AIRPORT TIF	2,135.63	417.39	
TOTALS FOR FUND 127	PENNSYLVANIA			
TOTALS FOR FUND 128	WILDWOOD HWY	65,709.24		
TOTALS FOR FUND 129	RISK MANAGEM	1,001,084.94	28,376.22	43,607.78
TOTALS FOR FUND 131	AIRPORT FUND	309,445.43	128,497.38	106,000.68
TOTALS FOR FUND 133	LIBRARY FUND	300,974.00	27,864.90	62,453.06
TOTALS FOR FUND 135	CEMETERY FUN	24,985.70	19,076.22	28,070.11
TOTALS FOR FUND 137	HAZ-MAT FUND	154,381.04	21,748.46	13,247.30
TOTALS FOR FUND 141	2018 UPPER S	8,078.12		
TOTALS FOR FUND 142	HOAP/HILP ES			
TOTALS FOR FUND 143	EPA BROWNIE			
TOTALS FOR FUND 144	2013 CDBG HO			
TOTALS FOR FUND 145	DOWNTOWN REV			
TOTALS FOR FUND 146	DOWNTOWN STR	100,528.06		
TOTALS FOR FUND 147	CDBG P-2 MAS	17,628.32		
TOTALS FOR FUND 148	2016 OWW CDB			
TOTALS FOR FUND 151	OTHER BOND P	861,985.72	297,828.20	74,748.53
TOTALS FOR FUND 162	SSMID DISTRI	45,293.83	134.29	
TOTALS FOR FUND 167	FIRE BEQUEST	19,009.23	500.00	5,704.00
TOTALS FOR FUND 169	START UP/DON	(165.20)		
TOTALS FOR FUND 171	RETIREE HEAL			
TOTALS FOR FUND 173	LIBRARY BEQU	97,372.17	8,513.78	7,716.92
TOTALS FOR FUND 174	COMMUNITY DE	124,329.27		
TOTALS FOR FUND 175	POLICE BEQUE	187,239.30	500.00	768.31
TOTALS FOR FUND 177	HISTORIC PRE	(6,686.66)		1,840.00
TOTALS FOR FUND 200	DEBT SERVICE	1,647,419.85	17,005.67	
TOTALS FOR FUND 301	STREET PROJE	3,108,911.12		116,718.09
TOTALS FOR FUND 303	AIRPORT PROJ	(255,558.97)		
TOTALS FOR FUND 307	SIDEWALK & C	154,019.80		55,796.07
TOTALS FOR FUND 309	PARK PROJECT	295,671.42		533.90
TOTALS FOR FUND 311	LEVEE PROJEC	64,004.21		145,557.82
TOTALS FOR FUND 313	EVENT CENTER	99,970.12		3,302.73

**CITY OF OTTUMWA
STATEMENT OF CHANGES IN CASH BALANCE
JANUARY, 2021**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	BEG. PERIOD BALANCE	CASH DEBITS	CASH CREDITS
TOTALS FOR FUND 315	SEWER CONSTR	5,363,829.20	135,358.55	270,578.97
TOTALS FOR FUND 320	WEST END FLO			
TOTALS FOR FUND 501	CEMETERY MEM	2,713.29		
TOTALS FOR FUND 503	CEMETERY PER		435.00	
TOTALS FOR FUND 610	SEWER UTILIT	3,861,667.06	533,962.17	327,756.12
TOTALS FOR FUND 611	SEWER SINKIN	1,377,000.00		
TOTALS FOR FUND 612	STORM WATER			
TOTALS FOR FUND 613	SEWER IMPROV	3,800,002.00	41,667.00	
TOTALS FOR FUND 670	LANDFILL FUN	1,272,483.23	327,313.87	130,674.37
TOTALS FOR FUND 671	LANDFILL RES	1,167,302.00		
TOTALS FOR FUND 673	RECYCLING	426,458.53	67,850.96	33,305.91
TOTALS FOR FUND 690	TRANSIT FUND	649,721.12	404.00	8,728.91
TOTALS FOR FUND 695	1015 TRANSIT			
TOTALS FOR FUND 720	BRIDGEVIEW E	(61,271.84)		
TOTALS FOR FUND 750	GOLF COURSE	31,189.62		
TOTALS FOR FUND 810	POOLED INVES	(50,701,319.48)	1,040,342.56	
TOTALS FOR FUND 820	PAYROLL CLEA	216,663.06	454,187.30	459,075.37
TOTALS FOR FUND 840	EQUIPMENT PU	1,292,046.37		184,344.20
TOTALS FOR FUND 860	GROUP HEALTH	5,640,922.04	320,797.05	268,367.82
TOTALS FOR FUND 861	POST 65 RETI	386,060.79	27,191.08	24,370.45
TOTALS FOR FUND 862	DENTAL INSUR	86,756.93	7,765.50	11,412.36
TOTALS FOR FUND 863	LIFE INSURAN	55,950.51	2,838.86	26,214.22
	TOTALS	902,683.10	4,936,324.93	4,429,021.27

**CITY OF OTTUMWA
VENDOR PAYMENT REPORT
JANUARY, 2022**

Vendor #	Vendor Name	Check #	Check Date	Amount	Reason
00198	ABC PEST CONTROL INC.	213510	1/14/2022	85.90	BLDG MAINT & REPAIR
00320	ACCO	213573	1/21/2022	1,140.00	EQUIP REPAIR
00626	SCOTT ADAMS	213574	1/21/2022	100.07	SUSTENANCE SUPPLIES
00690	AFLAC	213511	1/14/2022	1,636.44	AFLAC DEDUCTION PAYABLE
00800	AHLERS & COONEY P.C.	213440	1/7/2022	17,211.18	LEGAL FEES
01700	ALLIANT ENERGY/IPL	213441	1/7/2022	71,673.52	ELECTRIC
02080	ALTORFER INC.	213442	1/7/2022	26,576.95	VHCL MTCE SUPPLIES
02592	AMERICAN BOTTLING COMPANY	213443	1/7/2022	87.40	CONCESSION - RESALE
05581	ASCAP	213444	1/7/2022	390.00	PERMITS
05668	A-TEC RECYCLING INC	213513	1/14/2022	690.79	HAZARDOUS WASTE DISPOSAL
05700	ATOMIC TERMITE & PEST	213514	1/14/2022	130.00	RAMP MAINT & REPAIR
05860	AUTOZONE INC	213515	1/14/2022	180.59	VHCL MTCE SUPPLIES
05862	AVFUEL CORP	213516	1/14/2022	22,351.17	AVIATION FUEL
06012	BMI	213517	1/14/2022	391.00	PERMITS
06480	BAILEY OFFICE EQUIPMENT	213518	1/14/2022	529.82	OFFICE SUPPLIES
06742	BAINBRIDGE, CAROL	213577	1/21/2022	75.25	MUNICIPAL INFRACTIONS
07648	MARK J BECKER & ASSOC LLC	213445	1/7/2022	4,517.91	OTHER PROF SERV
09341	BLACKHAWK BODYSHOP AND	213446	1/7/2022	5,000.00	INSURANCE CLAIMS
09360	BLACK'S TIRE COMPANY LLC	213632	1/28/2022	163.50	VHCL MTCE SUPPLIES
09515	BLOOMFIELD COMMUNICATIONS	213519	1/14/2022	66.49	TELEPHONE/IT
11496	BRIDGE CITY SANITATION LL	213578	1/21/2022	155,780.10	OTHER PROF SERV
11506	BRIDGE VIEW CENTER	213635	1/28/2022	123.60	MISCELLANEOUS
12500	BUB'S TREE CARE	213520	1/14/2022	5,950.00	TREE TRIMMING
13270	BYWATER SOLUTIONS, LLC	213580	1/21/2022	7,080.00	CONTRACTUAL SERVICES
14098	ISSAC CAMPBELL VIDEO	213448	1/7/2022	555.00	MISCELLANEOUS
14317	CAPITAL ONE	213521	1/14/2022	591.68	OPERATING SUPPLIES
15788	CATERPILLAR GOLBAL SERVIC	213522	1/14/2022	4,833.98	VHCL MTCE SUPPLIES
16265	CENTER POINT LARGE PRINT	213523	1/14/2022	87.48	LIBRARY MAT.-JAMES ESTATE
16312	CENTRAL SALT LLC	213637	1/28/2022	14,674.75	STREET MAINT SUPPLIES
16402	CENTURYLINK	213451	1/7/2022	4,399.89	TELEPHONE/IT
16403	CENTURYLINK	213524	1/14/2022	167.05	TELEPHONE/IT
17620	CINTAS CORPORATION	213452	1/7/2022	103.16	SUSTENANCE SUPPLIES
17621	CINTAS	213638	1/28/2022	92.32	BLDG MAINT & REPAIR
18228	CLARKE COUNTY EMA	213582	1/21/2022	46.99	GRANT
18834	COLD SPRING GRANITE COMPA	213639	1/28/2022	357.00	MERCHANDISE - RESALE
18980	COLLECTION SERVICES	213583	1/21/2022	2,690.20	CHILD SUPPORT PAYABLE
19674	COMMERCIAL APPRAISERS OF	213681	1/28/2022	6,200.00	OTHER PROF SERV
21823	CREDIT BUREAU SERVICES	213584	1/21/2022	23.02	OTHER PROF SERV
21825	CREDIT UNION	213454	1/7/2022	37,915.36	CREDIT UNION PAYABLE
21830	LORI CREECH	213641	1/28/2022	32.09	SUSTENANCE SUPPLIES
21842	CRESCENT ELECTRIC SUP CO	213525	1/14/2022	18,835.00	OTHER CAPITAL EQUIP
22479	D P PLUMBING PLUS	213455	1/7/2022	2,200.00	CONTRACTUAL SERVICES
22608	DANI'S AUTO SUPPLY LLC	213456	1/7/2022	3,270.93	VHCL MTCE SUPPLIES
23350	DAVIS, REX	213526	1/14/2022	60.00	HOUSING CLEANUP ASSESSMTS
24330	DERANS TOWING SERVICE	213457	1/7/2022	185.00	STATE TOWING/STORAGE FEES
25390	ADVANTAGE ADMINISTRATORS	213586	1/21/2022	3,735.72	R.D. DRENKOW/FLEX PAY
25587	DURHAM SCHOOL SERVICES	213587	1/21/2022	350.30	OPERATING SUPPLIES
27005	ELECTRIC PUMP, INC.	213527	1/14/2022	19,993.00	OTHER CAPITAL EQUIP
27010	CONSOLIDATED ELECTRICAL	213459	1/7/2022	611.94	GROUNDS MAINT & REPAIR
27272	ELLIOTT BULK SERVICES LLC	213529	1/14/2022	8,135.59	VHCL-FUEL
27280	ELLIOTT OIL COMPANY	213588	1/21/2022	52.85	VHCL-FUEL
27355	ELY PUBLIC LIBRARY	213643	1/28/2022	10.00	LIBRARY FINES/BOOK CHARGE

**CITY OF OTTUMWA
VENDOR PAYMENT REPORT
JANUARY, 2022**

Vendor #	Vendor Name	Check #	Check Date	Amount	Reason
27552	EMPOWER RETIREMENT	213589	1/21/2022	700.00	HARTFORD DEF COMP PAYABLE
27823	ERHARDT, CLAYTON	213461	1/7/2022	1,840.00	RENTS & LEASES
28449	EVORA CONSULTING, LTD	213590	1/21/2022	4,648.10	CONTRACTUAL SERVICES
29090	FAMILY ANIMAL CARE	213591	1/21/2022	28.00	OTHER PROF SERV
29300	FASTENAL COMPANY	213462	1/7/2022	466.28	TOOLS & SMALL EQUIP
29829	FIDELITY SECURITY LIFE	213644	1/28/2022	2,348.35	AVESIS PAYABLE
30700	FLOOD CONTROL AMERICA WES	213592	1/21/2022	122,220.00	LEVEE CAPITAL IMPROVEMENT
31422	FUN EXPRESS, LLC	213645	1/28/2022	901.84	PROGRAM SUPPLIES
31454	GPM	213532	1/14/2022	181.29	LAB SUPPLIES
31682A	GALLS, LLC	213463	1/7/2022	5,511.56	OTHER SMALL CAPITAL
32901	GOEMAAT, LAURA	213533	1/14/2022	525.00	CONTRACTUAL SERVICES
33385	GRAINGER	213464	1/7/2022	456.99	OPERATING SUPPLIES
33635	GREAT WESTERN SUPPLY CO	213465	1/7/2022	470.90	OPERATING SUPPLIES
33648	GREATER OTTUMWA PARTNERS	213466	1/7/2022	265.00	DUES & MEMBERSHIPS
34664	JOHN HALL & ASSOC. PLLC	213535	1/14/2022	386.91	LEGAL FEES
34900	HAMILTON PRODUCE COMPANY	213536	1/14/2022	1,194.44	PROPANE GAS
36074	HAWKEYE ENVIRONMENTAL	213467	1/7/2022	575.00	CONTRACTUAL SERVICES
36083	HAWKEYE TRUCK EQUIPMENT	213537	1/14/2022	1,600.00	VHCL MTCE SUPPLIES
36302	HEARTLAND HUMANE SOCIETY	213468	1/7/2022	310.00	OTHER PROF SERV
37423	BRAD HIGGINS	213596	1/21/2022	200.00	SUSTENANCE SUPPLIES
37476	HILL PRODUCTIONS & MEDIA	213469	1/7/2022	173.00	ADVERT/LEGAL PUBL
38785	DON HOUK	213539	1/14/2022	40.09	OPERATING SUPPLIES
39185	HUMANA INSURANCE CO	213647	1/28/2022	24,143.41	MEDICARE PREMIUMS
39438	HY-VEE ACCOUNTS RECEIVABL	213597	1/21/2022	63.99	MISCELLANEOUS
40024A	IAWEA % CITY OF AMES	213648	1/28/2022	20.00	TRAINING
41035	IOWA STATE AUDITOR	213682	1/28/2022	850.00	ACCOUNTING & AUDITING
41505	IMWCA	213470	1/7/2022	13,369.00	WORKMENS COMPENSATION
41505A	IMWCA	213598	1/21/2022	19,606.34	POLICE W/C 411 CLAIMS
41600	IDEAL READY MIX	213649	1/28/2022	334.00	STREET MAINT SUPPLIES
41925	INDUSTRIAL MEDICINE	213541	1/14/2022	114.00	EMPLOYEE PHYSICALS/TESTS
42090	INFOMAX OFF SYSTEMS INC	213542	1/14/2022	2,338.07	PHOTOCOPIES
42160	INGRAM LIBRARY SERVICES	213650	1/28/2022	4,376.65	LIBRARY MAT.-JAMES ESTATE
43465	IOWA COMMUNITIES ASSURANC	213651	1/28/2022	5,000.00	INSURANCE CLAIMS
43569	IOWA FREEDOM OF	213473	1/7/2022	44.75	BOOKS FILMS RECORDING/ART
43999	IOWA ONE CALL	213474	1/7/2022	262.80	TELEPHONE/IT
44039	IOWA PUBLIC AIRPORTS ASSC	213600	1/21/2022	175.00	DUES & MEMBERSHIPS
44259	IOWA TIRE SALES COMPANY	213652	1/28/2022	450.00	VHCL MTCE SUPPLIES
45044	JEO CONSULTING GROUP, INC	213601	1/21/2022	3,100.00	ENGINEERING
45974	JOHN DEERE FINANCIAL	213653	1/28/2022	112.46	STREET MAINT SUPPLIES
49042	KIRKHAM MICHAEL	213475	1/7/2022	9,220.00	ENGINEERING
49206	KLODT DOOR SERVICE LLC	213544	1/14/2022	12,241.00	OPERATING SUPPLIES
49208	KLIMA ENTERPRISES	213655	1/28/2022	773.12	VHCL MTCE SUPPLIES
49500	KNIGHTS OF COLUMBUS	213683	1/28/2022	100.00	PROGRAM SUPPLIES
50620	LANGMAN CONSTRUCTION, INC	213572	1/14/2022	132,592.55	UTILITY SYSTEM
52093	THE LIFE GUARD STORE	213602	1/21/2022	45.00	SUSTENANCE SUPPLIES
52254	LISCO	213630	1/21/2022	280.00	TECHNOLOGY SERVICES
52990	LOKTRONICS SECURITY CORP	213477	1/7/2022	408.68	OPERATING SUPPLIES
53691	MACQUEEN EQUIPMENT	213656	1/28/2022	3,938.24	VHCL MTCE SUPPLIES
54187	MAIN STREET OTTUMWA	213604	1/21/2022	54,353.50	DOWNTOWN MAINTENANCE
54390	MANATT'S INC	213547	1/14/2022	1,052.80	STREET MAINT SUPPLIES
54531	MARCO TECHNOLOGIES, LLC	213605	1/21/2022	425.00	CAPITAL IMPROVEMENTS
56662	MCINTYRE, HEATHER	213657	1/28/2022	434.39	CONTRACTUAL SERVICES

**CITY OF OTTUMWA
VENDOR PAYMENT REPORT
JANUARY, 2022**

Vendor #	Vendor Name	Check #	Check Date	Amount	Reason
57385	MENARDS	213549	1/14/2022	2,266.31	OPERATING SUPPLIES
57518	SYMETRA LIFE INSURANCE CO	213478	1/7/2022	4,443.31	GROUP LIFE PREMIUMS
58500	MIDAMERICAN ENERGY CO	213480	1/7/2022	3,472.97	NATURAL GAS
59382	MIDWEST TAPE	213658	1/28/2022	207.65	LIBRARY MAT.-JAMES ESTATE
59753	MIKES TIRE AND	213550	1/14/2022	1,853.00	VHCL MTCE SUPPLIES
60299	MISSION SQUARE RETIREMENT	213608	1/21/2022	2,238.46	ICMA DEF COMP PAYABLE
60780	MOBILE LOCKSMITH & ALARM,	213660	1/28/2022	199.00	OPERATING SUPPLIES
62601	MUNICODE	213609	1/21/2022	85.00	ADVERT/LEGAL PUBL
64400	NATIONWIDE RETIREMENT SOL	213610	1/21/2022	3,200.00	NRS-NATION RETIRE SOL
65494	TODD NICKEL	213551	1/14/2022	64.19	SUSTENANCE SUPPLIES
65985	NORSOLV SYSTEMS ENVIRONM	213552	1/14/2022	152.95	MISCELLANEOUS
66001	NORRIS ASPHALT PAVING INC	213553	1/14/2022	5,445.15	STREET MAINT SUPPLIES
66088	NORTHERN ESCROW, INC	213554	1/14/2022	54,764.50	CONTRACTUAL SERVICES
66558	OCCUPATIONAL SAFETY SOLUT	213611	1/21/2022	4,700.00	GRANT
66561	OFFICIAL PEST CONTROL	213485	1/7/2022	55.00	SUSTENANCE SUPPLIES
66730	OHARA HARDWARE	213556	1/14/2022	699.84	OPERATING SUPPLIES
67098	O'REILLY AUTOMOTIVE	213486	1/7/2022	493.91	OPERATING SUPPLIES
67535	OSSIAN, LISA	213661	1/28/2022	150.00	PROGRAM SUPPLIES
68001	OTTUMWA COURIER	213612	1/21/2022	195.12	LIBRARY MAT.-JAMES ESTATE
68192	OTTUMWA FIBER LLC	213487	1/7/2022	150.00	TECHNOLOGY SERVICES
68560	OTTUMWA PRINTING, INC.	213613	1/21/2022	1,643.00	PRINTING
68574	OTTUMWA QUICK RIDES LLC	213614	1/21/2022	80.00	MISC CONTRACT WORK
68576	OTTUMWA RADIO	213615	1/21/2022	2,586.40	EMPLOYEE RECRUITMENT
69040	OTTUMWA WATER AND HYDRO	213489	1/7/2022	11,266.09	BILLING FEES-WW
69688	DIXIE L PARKER	213490	1/7/2022	1,600.00	JANITORIAL
73290	POWERPLAN	213663	1/28/2022	290.88	VHCL MTCE SUPPLIES
73490	DXP ENTERPRISES, INC	213491	1/7/2022	34.60	OPERATING SUPPLIES
73926	PRODUCTIVITY PLUS ACCOUNT	213664	1/28/2022	2,467.78	VHCL MTCE SUPPLIES
73971	PROFESSIONAL JANITORIAL	213493	1/7/2022	2,100.00	JANITORIAL
74625	QUALITY SERVICES 149	213558	1/14/2022	1,903.38	VHCL MTCE SUPPLIES
74748	RDG PLANNING & DESIGN	213665	1/28/2022	1,840.00	OTHER PROF SERV
74955	RACOM CORPORATION	213666	1/28/2022	74.80	TOOLS & SMALL EQUIP
75898	RECREONICS, INC.	213494	1/7/2022	685.38	OPERATING SUPPLIES
77466	ROCHESTER ARMORED CAR	213616	1/21/2022	765.50	OTHER PROF SERV
77965	ROTARY CLUB OF OTTUMWA	213617	1/21/2022	155.00	DUES & MEMBERSHIPS
78105	ROYAL PORTABLE TOILETS	213559	1/14/2022	100.44	OPERATING SUPPLIES
78149A	RUETER'S	213560	1/14/2022	2,862.46	VHCL MTCE SUPPLIES
78279	S & L ALL SEASON	213496	1/7/2022	49.93	TOOLS & SMALL EQUIP
78350	SADLER POWER TRAIN	213667	1/28/2022	139.88	VHCL MTCE SUPPLIES
78718	SANDRY FIRE SUPPLY LLC	213618	1/21/2022	1,187.50	OTHER SMALL CAPITAL
79358	SCHUMACHER ELEVATOR CO	213619	1/21/2022	513.66	BUILDING MAINTENANCE REPA
81507	SHRED-IT USA	213620	1/21/2022	98.76	CONTRACTUAL SERVICES
82136	SINCLAIR NAPA	213498	1/7/2022	2,227.35	VHCL MTCE SUPPLIES
83520	SOUTH SIDE DRUG	213621	1/21/2022	10,000.00	FACADE GRANTS
83880	SOUTHERN IOWA DIESEL, INC	213499	1/7/2022	462.89	VHCL MTCE SUPPLIES
83920	SOUTHERN IOWA ELECTRIC	213562	1/14/2022	78.65	OPERATING SUPPLIES
86196	THE STITCH DOCTOR	213500	1/7/2022	392.32	SUSTENANCE SUPPLIES
86970	SUPREME STAFFING INC	213501	1/7/2022	7,139.11	CONTRACTUAL SERVICES
88000	TEAMSTER LOCAL UNION 238	213623	1/21/2022	1,340.84	POLICE UNION DUES PAYABLE
88345	TESTAMERICA LABORATORIES	213564	1/14/2022	2,616.08	LAB SUPPLIES
88858	TIFCO INDUSTRIES	213668	1/28/2022	896.26	OPERATING SUPPLIES
89090	TOTAL CHOICE SHIPPING	213669	1/28/2022	22.93	VHCL MTCE SUPPLIES

**CITY OF OTTUMWA
 VENDOR PAYMENT REPORT
 JANUARY, 2022**

Vendor #	Vendor Name	Check #	Check Date	Amount	Reason
89206	TRAFFIC & TRANSPORTATION	213624	1/21/2022	165.00	STREET MAINT SUPPLIES
89840	TRUCK CENTER COMPANIES	213565	1/14/2022	94.86	VHCL MTCE SUPPLIES
90861	US CELLULAR	213670	1/28/2022	173.96	CONTRACTUAL SERVICES
91835	USA BLUE BOOK	213502	1/7/2022	958.40	LAB SUPPLIES
92555	THE VAN METER COMPANY	213567	1/14/2022	596.86	OPERATING SUPPLIES
94125	WAPELLO COUNTY	213671	1/28/2022	6,979.42	DRUG TASK FORCE GRANT
94720	WAPELLO COUNTY SHERIFF	213672	1/28/2022	58,869.25	OTHER CAPITAL EQUIPMENT
94721	WAPELLO CO SHERIFF'S OFFI	213673	1/28/2022	6,408.00	DRUG TASK FORCE GRANT
95000	WAPELLO COUNTY UNITED WAY	213626	1/21/2022	26.00	FICA CITY SHARE PAYABLE
95120	WAPELLO RURAL WATER ASSC	213505	1/7/2022	38.11	WATER
95368	WAYNE'S TIRE	213506	1/7/2022	1,602.42	VHCL MTCE SUPPLIES
95611	WELLMARK BC & BS OF IOWA	213675	1/28/2022	270,720.34	GROUP HEALTH CLAIMS
96741	WILCOX EQUIPMENT	213676	1/28/2022	48.27	VHCL MTCE SUPPLIES
96792	WILLETT HOFMANN	213507	1/7/2022	5,515.00	OTHER PROF SERV
97305	WINDSTREAM	213569	1/14/2022	1,768.21	TELEPHONE/IT
97320	WINGER COMPANIES	213627	1/21/2022	2,031.30	BLDG MAINT & REPAIR
97334	WINN CORP	213571	1/14/2022	12,275.48	STREET MAINT SUPPLIES
98320	YATES & YATES GLASS CO IN	213628	1/21/2022	5,564.00	OTHER CAPITAL EQUIP
98820	HEATHER ZUERCHER	213680	1/28/2022	26.91	TRAVEL & CONFERENCE
ACH	US TREASURY			20,771.70	FICA CITY SHARE PAYABLE
ACH	US TREASURY			21,673.63	FICA CITY SHARE PAYABLE
ACH	TREASURER STATE OF IOWA			17,742.79	STATE TAX PAID
ACH	TREASURER STATE OF IOWA			16,538.20	STATE TAX PAID
ACH	IPERS			44,235.93	EMPLOYERS SHARE OF IPERS
ACH	MFPRSI			84,136.46	EMPLOYERS SHARE OF MFPRSI
ACH	PURCHASING CARD			74,377.08	COMMERCIAL CARD PMT

Totals for January

1,683,205.29

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Mar 1, 2022

Administration
Department

Barbara Codjoe
Prepared By
Barbara Codjoe
Department Head



City Administrator Approval

AGENDA TITLE: Approve the appointment of Will Heckert to the position of Equipment Operator - Traffic

Public hearing required if this box is checked.

RECOMMENDATION: Approve the appointment of Will Heckert to the position of Equipment Operator in the Traffic Department on or about March 13, 2022.

DISCUSSION: Appoint Will Heckert to the position of Equipment Operator in the Traffic Department. This will be considered a lateral transfer and there will be no change in pay.

Source of Funds: N/A

Budgeted Item: Budget Amendment Needed:

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of : Mar 1, 2022

Barbara Codjoe

Prepared By

Barbara Codjoe

Department Head

Administration

Department



City Administrator Approval

AGENDA TITLE: Approve the appointment of Jason Guyette to the position of Water Pollution Control Operator.

Public hearing required if this box is checked.

RECOMMENDATION: Approve the appointment of Jason Guyette to the position of Operator at the Water Pollution Control Facility on or about March 13, 2022.

DISCUSSION: Appoint Jason Guyette to the position of Operator at the Water Pollution Control Facility at a starting salary of \$21.65 per hour. This wage is at step 3 (or 1 year mark) on our Public Works Wage Schedule Collective Bargaining Agreement.

Jason has been an Operator at our plant in the past for nine years. Jason has his Grade 2 Waste Waters Treatment Certification and is current. With his past experience with many of our processes at the facility, he will be able to come into the position and make an immediate impact.

Source of Funds: N/A

Budgeted Item: Budget Amendment Needed:

OTTUMWA CIVIL SERVICE COMMISSION

BUILDING INSPECTOR – Entrance List

1. Greg Cantrell
2. Walter (Rick) Hornback
3. Jeremy Lipe

Certified February 23, 2022

OTTUMWA CIVIL SERVICE COMMISSION

Ed Wilson, Chairman
Ann Youngman
Amy Gardner

OTTUMWA CIVIL SERVICE COMMISSION

UTILITY WORKER - VARIOUS – Entrance List

1. Chad Carlson
1. Todd Nickel
3. Cody Carter
3. Kevin McDaniel
5. Jack Carter
6. Seth Haney
6. Daryl McConkey

Certified February 23, 2022

OTTUMWA CIVIL SERVICE COMMISSION

Ed Wilson, Chairman
Ann Youngman
Amy Gardner

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

2022 FEB 24 PM 3: 55

CITY CLERK
OTTUMWA

Council Meeting of: March 1, 2022

Engineering Department
Department

Alicia Bankson
Prepared By
Larry Seals

Department Head

[Signature]

City Administrator Approval

AGENDA TITLE: Resolution #54-2022. Approving the contract, bonds, and certificate of insurance for the Cooper Avenue Reconstruction Project (Main Street to Second Street).

Public hearing required if this box is checked.

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #54-2022.

DISCUSSION: These are the required bonds, certificate of insurance and signed contract with Drish Construction, Inc. of Fairfield, Iowa for the above referenced project and are now on file with the City Clerk. This project was awarded at the February 15, 2022 City Council Meeting in the amount of \$474,088.00.

Ottumwa Water and Hydro has already installed a new main and service lines to the stop boxes. This project consists of removing the road surface and installing new PCC pavement. The start date will be determined once a preconstruction meeting is held.

Bid Amount: \$474,088.00

Budgeted amount: \$645,444.00

RESOLUTION #54-2022

A RESOLUTION APPROVING THE CONTRACT, BONDS, AND CERTIFICATE OF INSURANCE FOR THE COOPER AVENUE RECONSTRUCTION PROJECT

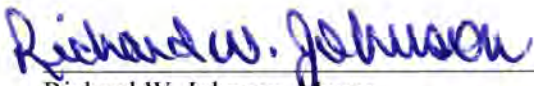
WHEREAS, The City Council of the City of Ottumwa, Iowa accepted bids for the above referenced project and awarded the contract to Drish Construction, Inc. of Fairfield, IA in the amount of \$474,088.00 based on total unit price and estimated quantities; and,

WHEREAS, All proper bonds and a certificate of insurance have been filed with the City Clerk and the contract executed.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The contract, bond and certificate of insurance with Drish Construction, Inc. of Fairfield, Iowa, for the above referenced project are hereby approved.

APPROVED, PASSED, AND ADOPTED, this 1st day of March, 2022.

CITY OF OTTUMWA, IOWA


Richard W. Johnson, Mayor

ATTEST:


Christina Reinhard, City Clerk

SECTION 00500
CONTRACT

THIS AGREEMENT, made and entered into this **1st day of March, 2022**, by and between the **City of Ottumwa, Wapello County, Iowa**, the party of the first part, hereinafter called the OWNER and **Drish Construction, Inc. of Fairfield, Iowa**, the party of the second part, hereinafter called the CONTRACTOR.

WITNESSETH, the Contractor and the Owner for the consideration hereinafter named agree as follow:

ARTICLE I

SCOPE OF WORK. The Contractor shall furnish all materials and perform all work shown on the Plans and described in the Specifications entitled: **"Cooper Avenue Reconstruction Project - Ottumwa, Iowa"** prepared by the City Engineering Department of Ottumwa, Iowa, acting as and in these documents entitled, the ENGINEER, and shall do everything required by this Agreement, the General Conditions of the Contract, the Specifications and the Plans.

ARTICLE II

TIME OF COMPLETION. The work performed under this Contract shall be commenced on or before the date specified in the "Notice to Proceed" and shall be completed in 45 working days and in accordance with any special timeframes as indicated on construction documents. The time of commencing and completing said work is the essence of this Contract.

ARTICLE III

THE CONTRACT SUM. The Owner shall pay the Contractor the sum of **\$474,088.00** payable as set forth in Article IV below, for the performance of the Contract subject to increases or decreases as provided in the Specifications.

ARTICLE IV

PROGRESS PAYMENTS. In consideration to the foregoing, the Owner agrees to make payments according and subject to the conditions set forth in the Official Notice and Specifications.

ARTICLE V

CONTRACTOR'S RESPONSIBILITY: The Contractor assumes full responsibility for the safekeeping of all materials and equipment and for all unfinished work until final acceptance by the Owner, and if any of it be damaged or be destroyed from any cause, he shall replace it at his own expense.

The Contractor shall indemnify and hold harmless the Owner against any liens filed for nonpayment of his bills in connection with the Contract work. The Contractor shall furnish the Owner satisfactory evidence that all persons who have done work or furnished materials, equipment or service of any type under this Contract have been fully paid prior to the acceptance of the work by the Owner.

The Contractor agrees to accept full responsibility for all construction means, methods, sequences, techniques, proceedings, property and personal safety on the project site, including the same for all subcontractors, and do not expect that the Owner, Engineer or Engineer's Representatives will assume any of these duties or responsibilities.

A certificate of insurance for liability, bodily injury and property damage satisfactory to the Owner in the amount of \$300,000 for each person bodily injury and \$1,000,000 per occurrence of or aggregate limit, or \$1,000,000 combined single limit. The Owner must be included as an additional insured to the certificate of insurance. Also, Worker's Compensation coverage in accordance with State of Iowa statutes must be provided.

The Contractor shall indemnify and hold harmless the Owner, the Owner's employees, the Engineer, and the Engineer's employees from any and all liability, loss, cost, damage, and expense (including reasonable attorney's fees and court costs) resulting from, arising out of, or incurred by reason of any claims, actions, or suits based upon or alleging bodily injury, including death, or property damage rising out of or resulting from the Contractor's operations under this Contract, whether such operations be by himself or by any subcontractor or by anyone directly or indirectly employed by either of them. The Contractor shall obtain insurance for this purpose, which shall insure the interests of the Owner and Engineer as the same may appear, and shall file with the Owner and Engineer certificates of such insurance.

ARTICLE VI

ACCEPTANCE AND FINAL PAYMENT. The manner of making final acceptance and final payment shall be as provided in the Specifications. The Owner may require the Contractor to show satisfactory evidence that all payroll, materials, bills and other indebtedness connected with the work shall have been paid before final acceptance of the work. The making and acceptance of the final payment shall constitute a waiver of all claims by the Owner other than those arising from unsettled liens and from all claims by the Contractor except those previously made and still unsettled, and except potential claims by owner against Contractor pursuant to the four (4) year warranty or guaranty period as provided for in the specifications, the Notice of Letting and the Performance Bond.

ARTICLE VII

CONTRACT DOCUMENTS. The Official Notice, the Proposal, this Contract, Detailed Plan Drawings and Specifications (including Measurement and Payment), the General Specifications, the Instruction to Bidders, the Special Conditions, the General Conditions and the Contractor's Bond and the Performance Bond form the Contract and they are as fully a part of this Agreement and Contract and to the same effect as if each of them had been set forth in complete detail herein.

IN WITNESS WHEREOF. The parties have executed this Agreement and Contract and one other of like tenor as of the day and year first above written.

CITY OF OTTUMWA, IOWA

By Richard W. Johnson
Title Mayor

ATTEST:

Christ Reinhard
Title City Clerk

Drish Construction, Inc.
Contractor

By Roger D Drish Roger D Drish
Title President

Address 1701 S Main St

City, State, Zip Fairfield, IA 52556

SECTION 00510

PLEASE NOTE: THIS IS A NEW FORM TO COMPLY WITH SUDAS STANDARDS. PLEASE HAVE YOUR BONDING COMPANY USE THIS FORM.

PERFORMANCE, PAYMENT, AND MAINTENANCE BOND

BOND NO. IAC586406

PRINCIPAL (Legal Name and Business Address)

STATE OF INCORPORATION

Drish Construction, Inc., 1701 S. Main Street, Fairfield IA 52556

Iowa

SURETY (Legal Name and Business Address)

Merchants Bonding Company (Mutual) 6700 Westown Parkway, W. Des Moines IA 50266

CONTRACT NO.

CONTRACT DATE

March 1, 2022

PENAL SUM OF BOND (Expressed in words and numerals)

Four Hundred Seventy-Four Thousand, Eighty-Eight and 00/100 \$474,088.00

KNOW ALL BY THESE PRESENTS:

That we, Drish Construction, Inc., as Principal (hereinafter the "CONTRACTOR" or "PRINCIPAL" and Merchants Bonding Company (Mutual), as SURETY are held and firmly bound unto the City of Ottumwa, Iowa, as OBLIGEE (hereinafter referred to as "the OWNER"), and to all persons who may be injured by any breach of any of the conditions of this Bond in the penal sum of Four Hundred Seventy-Four Thousand, Eighty-Eight and 00/100 dollars (\$477,088.00), lawful money of the United States, for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, legal representatives and assigns, jointly or severally, firmly by these presents.

The conditions of the above obligations are such that whereas said CONTRACTOR entered into a contract with the OWNER, bearing date the 1st day of March, 2022, wherein said CONTRACTOR undertakes and agrees to construct the following described improvements:

Project Name: Cooper Avenue Reconstruction Project

Project Location: City of Ottumwa, Iowa

The Work generally consists of:

Full Depth, Full Width, PCC Reconstruction (Main Street to Second Street). Reconstruction of storm intakes and sewer replacement as needed.

which said contract and associated contract documents, including any present or future amendment thereto, is incorporated herein by reference and is hereinafter referred to as the "Contract."

SECTION 00510

(CON'T – PERFORMANCE, PAYMENT, AND MAINTENANCE BOND)

and to faithfully perform all the terms and requirements of said Contract within the time therein specified, in a good and workmanlike manner, and in accordance with the Contract Documents.

It is expressly understood and agreed by the CONTRACTOR and SURETY in this bond that the following provisions are a part of this Bond and are binding upon said CONTRACTOR and SURETY, to-wit:

1. **PERFORMANCE:** The CONTRACTOR shall well and faithfully observe, perform, fulfill, and abide by each and every covenant, condition, and part of said Contract and Contract Documents, by reference made a part hereof, for the above referenced improvements, and shall indemnify and save harmless the OWNER from all outlay and expense incurred by the OWNER by reason of the CONTRACTOR's default of failure to perform as required. The CONTRACTOR shall also be responsible for the default or failure to perform as required under the Contract and Contract Documents by all its subcontractors, suppliers, agents, or employees furnishing materials or providing labor in the performance of the Contract.
2. **PAYMENT:** The CONTRACTOR and the SURETY on this Bond hereby agreed to pay all just claims submitted by persons, firms, subcontractors, and corporations furnishing materials for or performing labor in the performance of the Contract on account of which this Bond is given, including but not limited to claims for all amounts due for labor, materials, lubricants, oil, gasoline, repairs on machinery, equipment, and tools, consumed or used by the CONTRACTOR or any subcontractor, wherein the same are not satisfied out of the portion of the contract price the OWNER is required to retain until completion of the improvement, but the CONTRACTOR and SURETY shall not be liable to said persons, firms, or corporations unless the claims of said claimants against said portion of the contract price shall have been established as provided by law. The CONTRACTOR and SURETY hereby bind themselves to the obligations and conditions set forth in Chapter 573 of the Iowa Code, which by this reference is made a part hereof as though fully set out herein.
3. **MAINTENANCE:** The CONTRACTOR and the SURETY on this Bond hereby agree, at their own expense:
 - A. To remedy any and all defects that may develop in or result from work to be performed under the Contract within the period of 2 year (s) from the date of acceptance of the work under the Contract, by reason of defects in workmanship or materials used in construction of said work;
 - B. To keep all work in continuous good repair; and
 - C. To pay the OWNER's reasonable costs of monitoring and inspection to assure that any defects are remedied, and to repay the OWNER all outlay and expense incurred as a result of CONTRACTOR's and SURETY's failure to remedy any defect as required by this section.

SECTION 00510

(CON'T – PERFORMANCE, PAYMENT, AND MAINTENANCE BOND)

4. GENERAL: Every SURETY on this Bond shall be deemed and held bound, any contract to the contrary notwithstanding, to the following provisions:
- A. To consent without notice to any extension of time to the CONTRACTOR in which to perform the Contract;
 - B. To consent without notice to any change in the Contract or Contract Documents, which thereby increases the total contract price and the penal sum of this bond, provided that all such changes do not, in the aggregate, involve an increase of more than 20% of the total contract price, and that this bond shall then be released as to such excess increase; and
 - C. To consent without notice that this Bond shall remain in full force and effect until the Contract is completed, whether completed within the specified contract period, within an extension thereof, or within a period of time after the contract period has elapsed and the liquidated damage penalty is being charged against the CONTRACTOR.
 - D. That no provision of this Bond or of any other contract shall be valid that limits to less than four (4) years after the acceptance of the work under the Contract the right to sue on this Bond.
 - E. That as used herein, the phrase "all outlay and expense" is not to be limited in any way, but shall include the actual and reasonable costs and expenses incurred by the OWNER including interest, benefits, and overhead where applicable. Accordingly, "all outlay and expense" would include but not be limited to all contract or employee expense, all equipment usage or rental, materials, testing, outside experts, attorneys' fees (including overhead expenses of the OWNER's staff attorneys), and all costs and expenses of litigation as they are incurred by the OWNER. It is intended the CONTRACTOR and SURETY will defend and indemnify the OWNER on all claims made against the OWNER on account of CONTRACTOR's failure to perform as required in the Contract and Contract Documents, that all agreements and promises set forth in the Contract and Contract Documents, in approved change orders, and in this Bond will be fulfilled, and that the OWNER will be fully indemnified so that it will be put into the position it would have been in had the Contract been performed in the first instance as required.

In the event the OWNER incurs any "outlay and expense" in defending itself against any claim as to which the CONTRACTOR or SURETY should have provided the defense, or in the enforcement of the promises given by the CONTRACTOR in the Contract, Contract Documents, or approved change orders, or in the enforcement of the promises given by the CONTRACTOR and SURETY in this Bond, the CONTRACTOR and SURETY agree that they will make the OWNER whole for all such outlay and expense, provided that the SURETY's obligation under this bond shall not exceed 125% of the penal sum of this bond.

SECTION 00510

(CON'T - PERFORMANCE, PAYMENT AND MAINTENANCE BOND)

In the event that any actions or proceedings are initiated regarding this Bond, the parties agree that the venue thereof shall be in either the Iowa District Court in Wapello County, Iowa or the United States District Court for the Southern District of Iowa in Des Moines. If legal action is required by the OWNER to enforce the provisions of this Bond or to collect the monetary obligation incurring to the benefit of the OWNER, the CONTRACTOR and the SURETY agree, jointly, and severally, to pay the OWNER all outlay and expense incurred therefor by the OWNER. All rights, powers, and remedies of the OWNER hereunder shall be cumulative and not alternative and shall be in addition to all rights, powers, and remedies given to the OWNER, by law. The OWNER may proceed against SURETY for any amount guaranteed hereunder whether action is brought against the CONTRACTOR or whether CONTRACTOR is joined in any such action(s) or not.

NOW THEREFORE, the condition of this obligation is such that if said Principal shall faithfully perform all the promises of the Principal, as set forth and provided in the Contract, in the Contract Documents, and in this Bond, then this obligation shall be null and void, otherwise it shall remain in full force and effect.

When a work, term, or phrase is used in this Bond, it shall be interpreted or construed first as defined in this Bond, the Contract, or the Contract Documents; second, if not defined in the Bond, Contract, or Contract Documents, it shall be interpreted or construed as defined in applicable provisions of the Iowa Code; third, if not defined in the Iowa Code, it shall be interpreted or construed according to its generally accepted meaning in the construction industry; and fourth, if it has no generally accepted meaning in the construction industry, it shall be interpreted or construed according to its common or customary usage.

Failure to specify or particularize shall not exclude terms or provisions not mentioned and shall not limit liability hereunder. The Contract and Contract Documents are hereby made a part of this Bond.

(CON'T - PERFORMANCE, PAYMENT, AND MAINTENANCE BOND) Project No. _____

Witness our hands, in triplicate, this 1st day of March, 2022.

Surety Countersigned By:

Sofia Burnette
Signature of Agent

Sofia Burnette
Printed Name of Agent

Ruhl & Ruhl Insurance,
A Division of HUB International
Company Name

212 Brady Street, Suite 4B
Company Address

Davenport, IA 52801
City, State, Zip Code

(563) 324-1981
Company Telephone Number

PRINCIPAL:

Drish Construction, Inc.
Contractor

By: Roger D. Drish
Signature
President
Title

SURETY:

Merchants Bonding Company (Mutual)
Surety Company

By: Laura A. Foust
Signature Attorney-in-Fact Officer

Laura A. Foust
Printed Name of Attorney-in-Fact Officer
Ruhl & Ruhl Insurance,
A Division of HUB International
Company Name

212 Brady Street, Suite 4B
Company Address

Davenport, IA 52801
City, State, Zip Code

(563) 324-1981
Company Telephone Number



NOTE:

1. All signatures on this performance, payment, and maintenance bond must be original signatures in ink; copies, facsimile, or electronic signatures will not be accepted.
2. This bond must be sealed with the Surety's raised, embossing seal.
3. The Certificate or Power of Attorney accompanying this bond must be valid on its face and sealed with the Surety's raised, embossing seal.
4. The name and signature of the Surety's Attorney-in-Fact/Officer entered on this bond must be exactly as listed on the Certificate or Power of Attorney accompanying this bond.

MERCHANTS
BONDING COMPANY™
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually, Aaron E Matlock; Adam Kerns; Brian C Matlock; Joyce L Briggs; Laura A Foust; Meredith T Morrow; Michael F Wernsman; Scott A Saveraid; Seth W Doup; Stacy A Banfield; Walter G Zimmerer

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 29th day of March, 2021

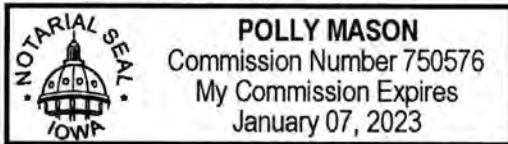


MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 29th day of March, 2021, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Polly Mason
Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 1 day of March, 2022



William Warner Jr.
Secretary



Date: January 25, 2022
 TO: ALL PLAN HOLDERS:
 RE: Cooper Avenue Reconstruction Project Addendum No. 1

The following changes are to be made to the Specification Documents:

- 1) Section 00510 - Performance, Payment, and Maintenance Bond Form, page 2, paragraph 3A.
 The period of time should read "four (4) years".
- 2) Section 00310 - Bid Proposal Form, page 3.
 Line Item 29 unit should be "TN".

The following changes are to be made to the Contract Plan Sheets.

- 1) Sheets B.01 to W.06 of the PDF plan set provided were printed from an outdated Auto CAD drawing instead from the council approved plan set. Replace the plan set in its entirety with the attached plan set.

This addendum must be incorporated into your plans and specifications. Please sign in the space provided, and mail or fax to the Engineering Department. Bid proposals may be rejected if addendums are not acknowledged prior to or with the proposal.

Sincerely,


 Phillip Burgmeier
 City Engineer

Enclosure

<p>To: City of Ottumwa Engineering Department 105 E. Third Street Ottumwa, Iowa 52501 Fax (641) 683-0692</p> <p>We hereby acknowledge receipt of Addendum No. 1 to the Plans and Specifications for the Cooper Avenue Reconstruction Project.</p> <p>Firm: <u>Drish Construction, Inc.</u></p> <p>By: <u>Payle E. Olson</u></p> <p>Title: <u>Office Assistant</u></p> <p>Date: <u>January 26, 2022</u></p>
--

CITY OF OTTUMWA

Staff Summary

2022 FEB 24 PM 3:15

**** ACTION ITEM ****

Council Meeting of: March 1, 2022

Alicia Bankson

Prepared By

Danny Seals

Department Head

Engineering Department

Department

Ally Rahr

City Administrator Approval

AGENDA TITLE: Resolution #55-2022. Approving the contract, bonds, and certificate of insurance for the Lillian Street Reconstruction Project (Mary Street to Williams Street).

Public hearing required if this box is checked.

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #55-2022.

DISCUSSION: These are the required bonds, certificate of insurance and signed contract with Drish Construction, Inc. of Fairfield, Iowa for the above referenced project and are now on file with the City Clerk. This project was awarded at the February 15, 2022 City Council Meeting in the amount of \$660,619.50, with an alternate bid of \$160,567.50.

The Alternate Bid item was for the complete replacement of the water line including the service line from the water main to stop box. The water main cost will be reimbursed from Ottumwa Water and Hydro.

Our tentative start date is May 1st, dependent upon material delivery.

Budgeted amount:	\$ 844,767.00	
Bid amount	\$ 660,619.50	City Share
Alternate bid:	\$ 160,567.50	Ottumwa Water
Project total	\$ 821,187.00	

Source of Funds: FY20/21 CIP

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #55-2022

A RESOLUTION APPROVING THE CONTRACT, BONDS, AND CERTIFICATE OF INSURANCE FOR THE LILLIAN STREET RECONSTRUCTION PROJECT

WHEREAS, The City Council of the City of Ottumwa, Iowa accepted bids for the above referenced project and awarded the contract to Drish Construction, Inc. of Fairfield, IA in the amount of \$660,619.50, with an alternate bid of \$160,567.50 based on total unit price and estimated quantities; and,

WHEREAS, Ottumwa Water and Hydro requested the inclusion of water main installation; and

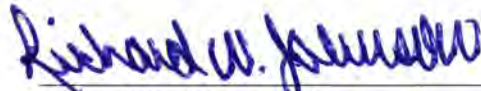
WHEREAS, Ottumwa Water and Hydro will reimburse actual cost of water main installation; and

WHEREAS, All proper bonds and a certificate of insurance have been filed with the City Clerk and the contract executed.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The contract, bond and certificate of insurance with Drish Construction, Inc. of Fairfield, Iowa, for the above referenced project are hereby approved.

APPROVED, PASSED, AND ADOPTED, this 1st day of March, 2022.

CITY OF OTTUMWA, IOWA



Richard W. Johnson, Mayor

ATTEST:



Christina Reinhard, City Clerk

SECTION 00500
CONTRACT

THIS AGREEMENT, made and entered into this **1st day of March, 2022**, by and between the **City of Ottumwa, Wapello County, Iowa**, the party of the first part, hereinafter called the OWNER and **Drish Construction, Inc. of Fairfield, Iowa** the party of the second part, hereinafter called the CONTRACTOR.

WITNESSETH, the Contractor and the Owner for the consideration hereinafter named agree as follow:

ARTICLE I

SCOPE OF WORK. The Contractor shall furnish all materials and perform all work shown on the Plans and described in the Specifications entitled: **"Lillian Street Reconstruction Project - Ottumwa, Iowa"** prepared by the City Engineering Department of Ottumwa, Iowa, acting as and in these documents entitled, the ENGINEER, and shall do everything required by this Agreement, the General Conditions of the Contract, the Specifications and the Plans.

ARTICLE II

TIME OF COMPLETION. The work performed under this Contract shall be commenced on or before the date specified in the "Notice to Proceed" and shall be completed in 45 working days, and in accordance with any special timeframes as indicated on construction documents. The time of commencing and completing said work is the essence of this Contract. Awarding the bid alternate will add 20 additional working days.

ARTICLE III

THE CONTRACT SUM. The Owner shall pay the Contractor the sum of **\$660,619.50 with an alternate bid of \$160,716.00** payable as set forth in Article IV below, for the performance of the Contract subject to increases or decreases as provided in the Specifications.

ARTICLE IV

PROGRESS PAYMENTS. In consideration to the foregoing, the Owner agrees to make payments according and subject to the conditions set forth in the Official Notice and Specifications.

ARTICLE V

CONTRACTOR'S RESPONSIBILITY: The Contractor assumes full responsibility for the safekeeping of all materials and equipment and for all unfinished work until final acceptance by the Owner, and if any of it be damaged or be destroyed from any cause, he shall replace it at his own expense.

The Contractor shall indemnify and hold harmless the Owner against any liens filed for nonpayment of his bills in connection with the Contract work. The Contractor shall furnish the Owner satisfactory evidence that all persons who have done work or furnished materials, equipment or service of any type under this Contract have been fully paid prior to the acceptance of the work by the Owner.

The Contractor agrees to accept full responsibility for all construction means, methods, sequences, techniques, proceedings, property and personal safety on the project site, including the same for all subcontractors, and do not expect that the Owner, Engineer or Engineer's Representatives will assume any of these duties or responsibilities.

A certificate of insurance for liability, bodily injury and property damage satisfactory to the Owner in the amount of \$300,000 for each person bodily injury and \$1,000,000 per occurrence of or aggregate limit, or \$1,000,000 combined single limit. The Owner must be included as an additional insured to the certificate of insurance. Also, Worker's Compensation coverage in accordance with State of Iowa statutes must be provided.

The Contractor shall indemnify and hold harmless the Owner, the Owner's employees, the Engineer, and the Engineer's employees from any and all liability, loss, cost, damage, and expense (including reasonable attorney's fees and court costs) resulting from, arising out of, or incurred by reason of any claims, actions, or suits based upon or alleging bodily injury, including death, or property damage rising out of or resulting from the Contractor's operations under this Contract, whether such operations be by himself or by any subcontractor or by anyone directly or indirectly employed by either of them. The Contractor shall obtain insurance for this purpose, which shall insure the interests of the Owner and Engineer as the same may appear, and shall file with the Owner and Engineer certificates of such insurance.

ARTICLE VI

ACCEPTANCE AND FINAL PAYMENT. The manner of making final acceptance and final payment shall be as provided in the Specifications. The Owner may require the Contractor to show satisfactory evidence that all payroll, materials, bills and other indebtedness connected with the work shall have been paid before final acceptance of the work. The making and acceptance of the final payment shall constitute a waiver of all claims by the Owner other than those arising from unsettled liens and from all claims by the Contractor except those previously made and still unsettled, and except potential claims by owner against Contractor pursuant to the four (4) year warranty or guaranty period as provided for in the specifications, the Notice of Letting and the Performance Bond.

ARTICLE VII

CONTRACT DOCUMENTS. The Official Notice, the Proposal, this Contract, Detailed Plan Drawings and Specifications (including Measurement and Payment), the General Specifications, the Instruction to Bidders, the Special Conditions, the General Conditions and the Contractor's Bond and the Performance Bond form the Contract and they are as fully a part of this Agreement and Contract and to the same effect as if each of them had been set forth in complete detail herein.

IN WITNESS WHEREOF. The parties have executed this Agreement and Contract and one other of like tenor as of the day and year first above written.

CITY OF OTTUMWA, IOWA

By Richard W. Johnson
Title _____ Mayor _____

ATTEST:

Christi Richards
Title _____ City Clerk _____

Drish Construction, Inc.
Contractor

By Roger D Drish Roger D Drish
Title President

Address 1701 S Main St

City, State, Zip Fairfield, IA 52556

SECTION 00510

**PLEASE NOTE: THIS IS A NEW FORM TO COMPLY WITH SUDAS STANDARDS.
PLEASE HAVE YOUR BONDING COMPANY USE THIS FORM.**

**PERFORMANCE, PAYMENT, AND
MAINTENANCE BOND**

BOND NO. IAC586407

PRINCIPAL (Legal Name and Business Address)

STATE OF INCORPORATION

Drish Construction, Inc., 1701 S. Main Street, Fairfield IA 52556

Iowa

SURETY (Legal Name and Business Address)

Merchants Bonding Company (Mutual)
6700 Westown Parkway, W. Des Moines IA 50266

CONTRACT NO.

CONTRACT DATE

March 1, 2022

PENAL SUM OF BOND (Expressed in words and numerals)

Eight Hundred Twenty One Thousand, Three Hundred Thirty-Five and 00/100 (\$821,335.50)-----

KNOW ALL BY THESE PRESENTS:

That we, Drish Construction, Inc., as Principal (hereinafter the "CONTRACTOR" or "PRINCIPAL" and Merchants Bonding Company (Mutual), as SURETY are held and firmly bound unto *the City of Ottumwa, Iowa*, as OBLIGEE (hereinafter referred to as "the OWNER"), and to all persons who may be injured by any breach of any of the conditions of this Bond in the penal sum of Eight Hundred Twenty One Thousand, Three Hundred Thirty-Five and 50/100 dollars (\$ 821,335.50), lawful money of the United States, for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, legal representatives and assigns, jointly or severally, firmly by these presents.

The conditions of the above obligations are such that whereas said CONTRACTOR entered into a contract with the OWNER, bearing date the 1st day of March, 2022, wherein said CONTRACTOR undertakes and agrees to construct the following described improvements:

Project Name: Lillian Street Reconstruction Project

Project Location: City of Ottumwa, Iowa

The Work generally consists of:

Full Depth, Full Width PCC Reconstruction, with potential storm and sanitary improvements;

which said contract and associated contract documents, including any present or future amendment thereto, is incorporated herein by reference and is hereinafter referred to as the "Contract."

SECTION 00510

(CON'T – PERFORMANCE, PAYMENT, AND MAINTENANCE BOND)

and to faithfully perform all the terms and requirements of said Contract within the time therein specified, in a good and workmanlike manner, and in accordance with the Contract Documents.

It is expressly understood and agreed by the CONTRACTOR and SURETY in this bond that the following provisions are a part of this Bond and are binding upon said CONTRACTOR and SURETY, to-wit:

1. **PERFORMANCE:** The CONTRACTOR shall well and faithfully observe, perform, fulfill, and abide by each and every covenant, condition, and part of said Contract and Contract Documents, by reference made a part hereof, for the above referenced improvements, and shall indemnify and save harmless the OWNER from all outlay and expense incurred by the OWNER by reason of the CONTRACTOR's default of failure to perform as required. The CONTRACTOR shall also be responsible for the default or failure to perform as required under the Contract and Contract Documents by all its subcontractors, suppliers, agents, or employees furnishing materials or providing labor in the performance of the Contract.
2. **PAYMENT:** The CONTRACTOR and the SURETY on this Bond hereby agreed to pay all just claims submitted by persons, firms, subcontractors, and corporations furnishing materials for or performing labor in the performance of the Contract on account of which this Bond is given, including but not limited to claims for all amounts due for labor, materials, lubricants, oil, gasoline, repairs on machinery, equipment, and tools, consumed or used by the CONTRACTOR or any subcontractor, wherein the same are not satisfied out of the portion of the contract price the OWNER is required to retain until completion of the improvement, but the CONTRACTOR and SURETY shall not be liable to said persons, firms, or corporations unless the claims of said claimants against said portion of the contract price shall have been established as provided by law. The CONTRACTOR and SURETY hereby bind themselves to the obligations and conditions set forth in Chapter 573 of the Iowa Code, which by this reference is made a part hereof as though fully set out herein.
3. **MAINTENANCE:** The CONTRACTOR and the SURETY on this Bond hereby agree, at their own expense:
 - A. To remedy any and all defects that may develop in or result from work to be performed under the Contract within the period of 2 year (s) from the date of acceptance of the work under the Contract, by reason of defects in workmanship or materials used in construction of said work;
 - B. To keep all work in continuous good repair; and
 - C. To pay the OWNER's reasonable costs of monitoring and inspection to assure that any defects are remedied, and to repay the OWNER all outlay and expense incurred as a result of CONTRACTOR's and SURETY's failure to remedy any defect as required by this section.

SECTION 00510

(CON'T – PERFORMANCE, PAYMENT, AND MAINTENANCE BOND)

4. GENERAL: Every SURETY on this Bond shall be deemed and held bound, any contract to the contrary notwithstanding, to the following provisions:

- A. To consent without notice to any extension of time to the CONTRACTOR in which to perform the Contract;
- B. To consent without notice to any change in the Contract or Contract Documents, which thereby increases the total contract price and the penal sum of this bond, provided that all such changes do not, in the aggregate, involve an increase of more than 20% of the total contract price, and that this bond shall then be released as to such excess increase; and
- C. To consent without notice that this Bond shall remain in full force and effect until the Contract is completed, whether completed within the specified contract period, within an extension thereof, or within a period of time after the contract period has elapsed and the liquidated damage penalty is being charged against the CONTRACTOR.
- D. That no provision of this Bond or of any other contract shall be valid that limits to less than four (4) years after the acceptance of the work under the Contract the right to sue on this Bond.
- E. That as used herein, the phrase "all outlay and expense" is not to be limited in any way, but shall include the actual and reasonable costs and expenses incurred by the OWNER including interest, benefits, and overhead where applicable. Accordingly, "all outlay and expense" would include but not be limited to all contract or employee expense, all equipment usage or rental, materials, testing, outside experts, attorneys' fees (including overhead expenses of the OWNER's staff attorneys), and all costs and expenses of litigation as they are incurred by the OWNER. It is intended the CONTRACTOR and SURETY will defend and indemnify the OWNER on all claims made against the OWNER on account of CONTRACTOR's failure to perform as required in the Contract and Contract Documents, that all agreements and promises set forth in the Contract and Contract Documents, in approved change orders, and in this Bond will be fulfilled, and that the OWNER will be fully indemnified so that it will be put into the position it would have been in had the Contract been performed in the first instance as required.

In the event the OWNER incurs any "outlay and expense" in defending itself against any claim as to which the CONTRACTOR or SURETY should have provided the defense, or in the enforcement of the promises given by the CONTRACTOR in the Contract, Contract Documents, or approved change orders, or in the enforcement of the promises given by the CONTRACTOR and SURETY in this Bond, the CONTRACTOR and SURETY agree that they will make the OWNER whole for all such outlay and expense, provided that the SURETY's obligation under this bond shall not exceed 125% of the penal sum of this bond.

SECTION 00510

(CON'T – PERFORMANCE, PAYMENT AND MAINTENANCE BOND)

In the event that any actions or proceedings are initiated regarding this Bond, the parties agree that the venue thereof shall be in either the Iowa District Court in Wapello County, Iowa or the United States District Court for the Southern District of Iowa in Des Moines. If legal action is required by the OWNER to enforce the provisions of this Bond or to collect the monetary obligation incurring to the benefit of the OWNER, the CONTRACTOR and the SURETY agree, jointly, and severally, to pay the OWNER all outlay and expense incurred therefor by the OWNER. All rights, powers, and remedies of the OWNER hereunder shall be cumulative and not alternative and shall be in addition to all rights, powers, and remedies given to the OWNER, by law. The OWNER may proceed against SURETY for any amount guaranteed hereunder whether action is brought against the CONTRACTOR or whether CONTRACTOR is joined in any such action(s) or not.

NOW THEREFORE, the condition of this obligation is such that if said Principal shall faithfully perform all the promises of the Principal, as set forth and provided in the Contract, in the Contract Documents, and in this Bond, then this obligation shall be null and void, otherwise it shall remain in full force and effect.

When a work, term, or phrase is used in this Bond, it shall be interpreted or construed first as defined in this Bond, the Contract, or the Contract Documents; second, if not defined in the Bond, Contract, or Contract Documents, it shall be interpreted or construed as defined in applicable provisions of the Iowa Code; third, if not defined in the Iowa Code, it shall be interpreted or construed according to its generally accepted meaning in the construction industry; and fourth, if it has no generally accepted meaning in the construction industry, it shall be interpreted or construed according to its common or customary usage.

Failure to specify or particularize shall not exclude terms or provisions not mentioned and shall not limit liability hereunder. The Contract and Contract Documents are hereby made a part of this Bond.

(CON'T – PERFORMANCE, PAYMENT, AND MAINTENANCE BOND) Project No. _____

Witness our hands, in triplicate, this 1st day of March, 2022.

Surety Countersigned By:

Sofia Burnette
Signature of Agent

Sofia Burnette

Printed Name of Agent

Ruhl & Ruhl Insurance,
A Division of HUB International
Company Name

212 Brady Street, Suite 4B
Company Address

Davenport, IA 52801
City, State, Zip Code

(563) 324-1981
Company Telephone Number

PRINCIPAL:

Drish Construction, Inc.,
Contractor

By: Roger D. Drish
Signature
Roger D. Drish
President
Title

SURETY:

Merchants Bonding Company (Mutual)
Surety Company

By: Laura A. Foust
Signature Attorney-in-Fact Officer

Laura A. Foust
Printed Name of Attorney-in-Fact Officer
Ruhl & Ruhl Insurance,
A Division of HUB International
Company Name

212 Brady Street, Suite 4B
Company Address

Davenport, IA 52801
City, State, Zip Code

(563) 324-1981
Company Telephone Number



NOTE:

1. All signatures on this performance, payment, and maintenance bond must be original signatures in ink; copies, facsimile, or electronic signatures will not be accepted.
2. This bond must be sealed with the Surety's raised, embossing seal.
3. The Certificate or Power of Attorney accompanying this bond must be valid on its face and sealed with the Surety's raised, embossing seal.
4. The name and signature of the Surety's Attorney-in-Fact/Officer entered on this bond must be exactly as listed on the Certificate or Power of Attorney accompanying this bond.

MERCHANTS BONDING COMPANY™

POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually, Aaron E Matlock; Adam Kerns; Brian C Matlock; Joyce L Briggs; Laura A Foust; Meredith T Morrow; Michael F Wernsman; Scott A Saveraid; Seth W Doup; Stacy A Banfield; Walter G Zimmerer

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 29th day of March, 2021.

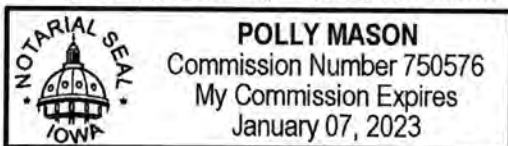


MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 29th day of March, 2021, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Polly Mason
Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 1 day of March, 2022.



William Warner Jr.
Secretary



DATE: February 2, 2022
TO: ALL PLAN HOLDERS:
RE: Lillian Street Reconstruction Project: Addendum No. 1

The following changes are to be made to the Specifications Documents:

- 1) Section 00510 - Performance, Payment, and Maintenance Bond Form, page 2, paragraph 3A.

The period of time should read "four (4) years".

The following question was asked about the specifications.

- 1. Could working days start after April 1, 2022?

The City is willing to delay issuance of the Notice to Proceed if the contractor has additional projects they are working on for the City, or if the site is unavailable because of other work being performed. In general the City is open to delaying an NTP as long as it doesn't endanger completion of the project in the current construction season or cause a staffing issue with inspectors.

This addendum must be incorporated into your plans and specifications. Please sign in the space provided, and mail or fax to the Engineering Department. Bid proposals may be rejected if addendums are not acknowledged prior to or with the proposal.

Sincerely,

Phillip Burgmeier
City Engineer

Enclosure

To: City of Ottumwa
Engineering Department
105 E. Third Street
Ottumwa, Iowa 52501

We hereby acknowledge receipt of Addendum No. 1 to the Plans and Specifications for the Lillian Avenue Reconstruction Project.

Firm: Drish Construction, Inc.

By: Dayle Eden Dayle Eden

Title: Office Assistant

Date: February 2, 2022

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Mar 1, 2022

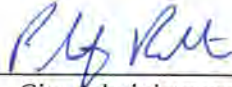
Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 59-2022 - Set March 15, 2022 at 5:30 PM for the Public Hearing for the Purpose of Considering a Ten-Year Renewal of Lease Agreement Between the City of Ottumwa and the USDOT-FAA

Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution 59-2022

DISCUSSION: The Federal Aviation Administration (FAA) has been leasing space from the City of Ottumwa for the purpose of operating an antenna and equipment. The ten-year lease has expired and is subject to renew. City staff has negotiated a successor agreement, which has been reviewed by legal counsel and has been recommended for adoption by the Airport Board of Supervisors. Due to the length of the lease, a public hearing is required and requested for the March 15, 2022 meeting.

Source of Funds: N/A

Budgeted Item: Budget Amendment Needed:

RESOLUTION NO. 59-2022

**RESOLUTION SETTING TIME AND PLACE FOR A PUBLIC HEARING FOR
THE PURPOSE OF CONSIDERING A TEN YEAR RENEWAL OF LEASE
AGREEMENT BETWEEN THE CITY OF OTTUMWA AND THE UNITED
STATES OF AMERICA DEPARTMENT OF TRANSPORTATION FEDERAL
AVIATION ADMINISTRATION**

WHEREAS, the City of Ottumwa and the United States of America Department of Transportation Federal Aviation Administration have had an agreement for the lease of space at the Ottumwa Regional Airport located at 14802 Terminal Street; and

WHEREAS, both parties desire to continue the lease for an additional ten year period; and

WHEREAS, lease agreements greater than or equal to three years in length of term require a public hearing; and

WHEREAS, interested residents or taxpayers having comment for or against the stated lease agreement may appear and be heard at a public hearing held for stated purpose during the meeting of the City Council at the Ottumwa City Hall, at 105 East Third Street, Ottumwa, Iowa.

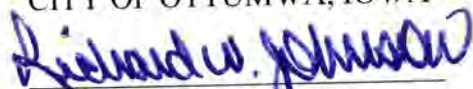
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ottumwa, Iowa, that a public hearing will be scheduled and held on March 15, 2022 during the meeting of the City Council scheduled to begin at 5:30 PM; and

BE IT FURTHER RESOLVED, by the Ottumwa City Council of the City of Ottumwa, Iowa, that the City Clerk is directed to publish notice of said meeting in accordance with law; and

BE IT FURTHER RESOLVED, by the Ottumwa City Council of the City of Ottumwa, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute said resolution.

APPROVED, PASSED AND ADOPTED, this 1st day of March, 2022.

CITY OF OTTUMWA, IOWA



Richard W. Johnson, Mayor

ATTEST:



Christina Reinhard, City Clerk

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Mar 1, 2022

Planning & Development
Department

Zach Simonson
Prepared By
Zach Simonson
Department Head



City Administrator Approval

AGENDA TITLE: RESOLUTION 62-2022: RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON DISPOSITION OF CITY PROPERTY AT 817 CHESTER AVE

Public hearing required if this box is checked.

RECOMMENDATION: PASS AND ADOPT RESOLUTION 62-2022.

DISCUSSION: Rippling Waters has submitted an application to purchase the City-owned property at 817 Chester. The developer intends to use the lot to place a new Homes for Iowa house on the lot. The new home will be affordable to a moderate income family and will be available for owner-occupied use. Rippling Waters expects the new home to arrive in early July.

This resolution sets a public hearing to consider the disposition of the lot on March 15.

Source of Funds:

Budgeted Item: Budget Amendment Needed:

RESOLUTION NO. 62-2022

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON DISPOSITION
OF CITY PROPERTY AT 817 CHESTER AVE

WHEREAS, the City owns real property situated in the City of Ottumwa, Wapello County, State of Iowa, legally described as Lot 11 in Block 3 of the Blake Park Addition to the City of Ottumwa, Wapello County, Iowa and known locally as 817 Chester Avenue; and

WHEREAS, Rippling Waters has submitted an application to purchase the above property for the purpose of constructing a new dwelling; and

WHEREAS, before such application may be considered, it is necessary that a public hearing be held thereon and that due notice be given.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OTTUMWA, IOWA:

Section 1. It is determined that it is in the best interests of the citizens of the City to hold a public hearing on the matter of the disposition of City property at 817 Chester Avenue, on March 15, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East Third Street, Ottumwa, Iowa.

Section 2. That the City Clerk be and is hereby directed to publish a notice of a public hearing on the application, at least once not less than seven days prior to the date of said public hearing. March 15, 2022 will be the next regularly scheduled City Council meeting after the publication of notice.

Section 3. The notice of the proposed hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING ON DISPOSITION OF
CITY PROPERTY AT 817 CHESTER AVE

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of the City of Ottumwa, Iowa, will hold a public hearing Tuesday, March 15, 2022 at 5:30 P.M. in City Hall in the City of Ottumwa, Iowa on its intent to dispose of real property legally described as Lot 11 in Block 3 of the Blake Park Addition to the City of Ottumwa, Wapello County, Iowa, also known as 817 Chester, to Rippling Waters. All persons interested in the intent to dispose of said property are invited to be present at the above time and place on the date mentioned to present their objections to, or arguments for the intent to dispose of said property.

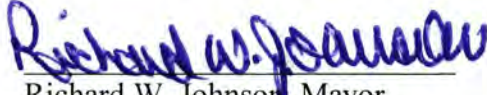
If you are unable to attend this meeting but have comments, written comments must be received no later than 4:30 p.m. March 15, 2022. Written comments may be addressed to: City of Ottumwa, 105 E. Third St., Ottumwa, IA 52501.

Dated this ____ day of _____, 2022.

City Clerk, City of Ottumwa, Iowa

(End of Notice)

PASSED AND APPROVED this 1st day of March, 2022.


Richard W. Johnson, Mayor

ATTEST:


City Clerk



CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Mar 1, 2022


Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 63-2022 - Set March 15, 2022 at 5:30 PM for the Public Hearing on the Proposed Adoption of the 2022/2023 Annual Budget for the City of Ottumwa, Iowa

Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution 63-2022

DISCUSSION: In accordance with laws for the State of Iowa, the City Council is required to hold a public hearing in regard to the proposed annual budget for the City prior to adoption and certification of the budget to the County Auditor. Certification to the Auditor is required to occur no later than March 31, 2022.

Source of Funds: N/A

Budgeted Item: Budget Amendment Needed:

RESOLUTION NO. 63-2022

**RESOLUTION SETTING TIME AND PLACE FOR A PUBLIC HEARING FOR
THE PURPOSE OF CONSIDERING THE BUDGET ESTIMATE FOR THE
CITY'S FISCAL YEAR 2022-2023**

WHEREAS, the City is required to hold a public hearing concerning the City's budget estimate for fiscal year July 1, 2022 through June 30, 2023; and

WHEREAS, interested residents or taxpayers having comment for or against the stated budget estimate may appear and be heard at a public hearing held for stated purpose during the meeting of the City Council at the Ottumwa City Hall, at 105 East Third Street, Ottumwa, Iowa.

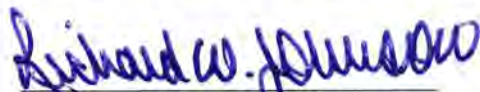
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ottumwa, Iowa, that a public hearing will be scheduled and held on March 15, 2022 during the meeting of the City Council scheduled to begin at 5:30 PM for the purpose of hearing public comment related to the City's budget estimate for fiscal year 2022/2023; and

BE IT FURTHER RESOLVED, by the Ottumwa City Council of the City of Ottumwa, Iowa, that the City Clerk is directed to publish notice of said meeting in accordance with law; and


BE IT FURTHER RESOLVED, by the Ottumwa City Council of the City of Ottumwa, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute said resolution.

APPROVED, PASSED AND ADOPTED, this 1st day of March, 2022.

CITY OF OTTUMWA, IOWA


Richard W. Johnson, Mayor

ATTEST:



Christina Reinhard, City Clerk

NOTICE OF PUBLIC HEARING – PROPOSED BUDGET

Fiscal Year July 1, 2022 - June 30, 2023

City of: OTTUMWA

The City Council will conduct a public hearing on the proposed Budget at: 105 E 3rd Street Council Chambers Meeting Date: 3/15/2022 Meeting Time: 05:30 PM

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget. This notice represents a summary of the supporting detail of revenues and expenditures on file with the City Clerk and County Auditor.

City budgets are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult <https://dom.iowa.gov/local-gov-appeals>.

The Budget Estimate Summary of proposed receipts and expenditures is shown below. Copies of the the detailed proposed Budget may be obtained or viewed at the offices of the Mayor, City Clerk, and at the Library.

The estimated Total tax levy rate per \$1000 valuation on regular property 21.21996

The estimated tax levy rate per \$1000 valuation on Agricultural land is 3.00375

At the public hearing, any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget.

Phone Number
(641) 683-0607

City Clerk/Finance Officer's NAME
Phil Rath

		Budget FY 2023	Re-estimated FY 2022	Actual FY 2021
Revenues & Other Financing Sources				
Taxes Levied on Property	1	14,225,542	13,560,095	13,881,967
Less: Uncollected Property Taxes-Levy Year	2	10,000	10,000	0
Net Current Property Taxes	3	14,215,542	13,550,095	13,881,967
Delinquent Property Taxes	4	287,145	0	421,476
TIF Revenues	5	1,892,449	484,725	598,371
Other City Taxes	6	5,396,366	4,615,803	5,551,249
Licenses & Permits	7	390,000	329,164	235,556
Use of Money and Property	8	403,816	1,124,395	660,032
Intergovernmental	9	6,091,504	4,217,453	7,315,946
Charges for Fees & Service	10	19,685,053	18,476,740	18,634,052
Special Assessments	11	87,000	35,000	111,388
Miscellaneous	12	1,610,812	1,099,834	3,889,503
Other Financing Sources	13	8,400,420	0	7,497,113
Transfers In	14	14,722,343	13,187,095	17,071,029
Total Revenues and Other Sources	15	73,182,450	57,120,304	75,867,682
Expenditures & Other Financing Uses				
Public Safety	16	10,311,445	9,333,186	9,183,293
Public Works	17	9,160,742	8,294,224	7,257,782
Health and Social Services	18	954,545	806,094	782,601
Culture and Recreation	19	4,429,151	2,448,640	2,651,921
Community and Economic Development	20	863,978	335,671	477,193
General Government	21	2,039,674	1,821,541	3,037,273
Debt Service	22	4,975,049	3,911,550	4,507,415
Capital Projects	23	5,441,212	11,061,602	13,569,877
Total Government Activities Expenditures	24	38,175,796	38,012,508	41,467,355
Business Type / Enterprises	25	16,146,184	13,657,596	13,981,879
Total ALL Expenditures	26	54,321,980	51,670,104	55,449,234
Transfers Out	27	14,722,343	13,187,095	17,071,029
Total ALL Expenditures/Transfers Out	28	69,044,323	64,857,199	72,520,263
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	4,138,127	-7,736,895	3,347,419
Beginning Fund Balance July 1	30	41,896,515	49,633,410	46,285,991
Ending Fund Balance June 30	31	46,034,642	41,896,515	49,633,410

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Mar 1, 2022

Philip Rath

Prepared By

Administration

Department

Department Head

City Administrator Approval

AGENDA TITLE: Resolution 41-2022 - Resolution Instituting Proceedings to Take
Additional Action for the Issuance of Not to Exceed \$3,300,000 General
Obligation Capital Loan Notes



Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution 41-2022

DISCUSSION: City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The funding in question is being requested for the procurement of Law Enforcement: vehicles, dispatch software, equipment, cameras; Fire: vehicle; Community Development: nuisance eradication program; Parks: tennis courts; Airport: improvements; Public Works: sidewalk drop, GPS system, and tree trimming.

Source of Funds: N/A

Budgeted Item:

Budget Amendment Needed:

ITEMS TO INCLUDE ON AGENDA

CITY OF OTTUMWA, IOWA

Not to Exceed \$3,300,000 General Obligation Capital Loan Notes (ECP-1)

- Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder.
- Resolution instituting proceedings to take additional action.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

March 1, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Cara Galloway, Doug McAntire, Russ Hull, Sandra Pope, Marc
Roe

Absent: none

Vacant: none

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$3,300,000 General Obligation Capital Loan Notes, in order to provide funds to pay the costs of equipping the street, police and fire departments; the acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties; the construction, reconstruction, and repairing of any street and levee improvements, the acquisition, installation, and repair of sidewalks, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices, including the acquisition of any real estate needed for any of the foregoing purposes and the removal or replacement of dead or diseased trees; the reconstruction extension and improvement of the airport; and the rehabilitation and improvements of City parks, including facilities, equipment and improvements commonly found in City parks, for essential corporate purposes, and that notice of the proposed action by the Council to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes had been published as provided by Sections 384.24A and 384.25 of the Code of Iowa.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that zero written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Mayor declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member Roe introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$3,300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ .M. on the _____ day of _____, 2022, at this place.

Council Member Galloway seconded the motion. The roll was called and the vote was,

AYES: Galloway, McAntire, Hull, Pope, Roe

NAYS: None

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 41-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$3,300,000 GENERAL OBLIGATION CAPITAL
LOAN NOTES

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$3,300,000 General Obligation Capital Loan Notes, for the essential corporate purposes, in order to provide funds to pay the costs of equipping the street, police and fire departments; the acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties; the construction, reconstruction, and repairing of any street and levee improvements, the acquisition, installation, and repair of sidewalks, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices, including the acquisition of any real estate needed for any of the foregoing purposes and the removal or replacement of dead or diseased trees; the reconstruction extension and improvement of the airport; and the rehabilitation and improvements of City parks, including facilities, equipment and improvements commonly found in City parks, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the City and residents thereof.

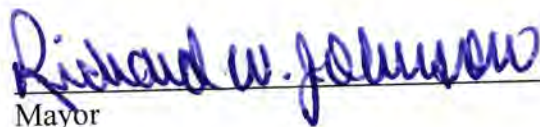
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$3,300,000 General Obligation Capital Loan Notes, for the foregoing essential corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital

advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 1st day of March, 2022.



Mayor

ATTEST:



City Clerk

CERTIFICATE

STATE OF IOWA

)

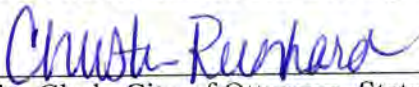
) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 2nd day of March, 2022.



City Clerk, City of Ottumwa, State of Iowa



CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of : Mar 1, 2022

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 42-2022 - Resolution Instituting Proceedings to Take
Additional Action for the Issuance of Not to Exceed \$700,000 General
Obligation Capital Loan Notes



Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution 42-2022

DISCUSSION:

City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The funding in question is being requested for the procurement of Community Development: roof and facade grants, downtown development, historic preservation plan and economic development grant.

Source of Funds: N/A

Budgeted Item:

Budget Amendment Needed:

ITEMS TO INCLUDE ON AGENDA

CITY OF OTTUMWA, IOWA

Not to Exceed \$700,000 General Obligation Capital Loan Notes (GCP-2)

- Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder.
- Resolution instituting proceedings to take additional action.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

March 1, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Cara Galloway, Doug McAntire, Russ Hull, Sandra Pope, Marc
Roe

Absent: none

Vacant: none

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, in order to provide funds to pay the costs of funding projects necessary for the operation of the City or for the health and welfare of citizens, including funding façade and roof grants; development grants and local grant matches; and costs of the historic preservation plan, for general corporate purposes, and that notice of the proposed action by the Council to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 384.24A and 384.26 of the Code of Iowa, and the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, in the manner provided by Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the City.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that zero written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Mayor declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member Galloway introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ .M. on the _____ day of _____, 2022, at this place.

Council Member Hull seconded the motion. The roll was called and the vote was,

AYES: Galloway, McAntire, Hull, Pope, Roe

NAYS: none

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 42-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for the general corporate purposes, in order to provide funds to pay the costs of funding projects necessary for the operation of the City or for the health and welfare of citizens, including funding façade and roof grants; development grants and local grant matches; and costs of the historic preservation plan, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the City and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$700,000 General Obligation Capital Loan Notes, for the foregoing general corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 1st day of March, 2022.



Mayor

ATTEST:



City Clerk

CERTIFICATE

STATE OF IOWA

)

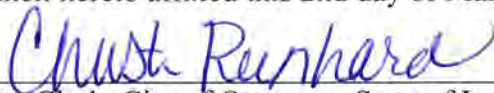
) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 2nd day of March, 2022.



City Clerk, City of Ottumwa, State of Iowa



CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Mar 1, 2022

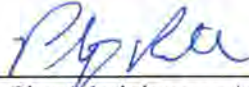
Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 43-2022 - Resolution Instituting Proceedings to Take
Additional Action for the Issuance of Not to Exceed \$700,000 General
Obligation Capital Loan Notes



Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution 43-2022

DISCUSSION: City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The funding in question is being requested for the procurement of Community Development: property purchase, neighborhood development, and rail relocation engineering.

Source of Funds: N/A

Budgeted Item:

Budget Amendment Needed:

ITEMS TO INCLUDE ON AGENDA
CITY OF OTTUMWA, IOWA

Not to Exceed \$700,000 General Obligation Capital Loan Notes (GCP-3)

- Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder.
- Resolution instituting proceedings to take additional action.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

March 1, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Cara Galloway, Doug McAntire, Russ Hull, Sandra Pope, Marc
Roe

Absent: none

Vacant: none

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, in order to provide funds to pay the costs of the acquisition of properties for commercial or economic development and for the construction of a city-wide transportation hub; grant matches for economic development or other city projects, including the Healthy Neighbors Program and the Ottumwa Block Challenge Program, for general corporate purposes, and that notice of the proposed action by the Council to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 384.24A and 384.26 of the Code of Iowa, and the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, in the manner provided by Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the City.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that zero written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Mayor declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member Galloway introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ .M. on the _____ day of _____, 2022, at this place.

Council Member Hull seconded the motion. The roll was called and the vote was,

AYES: Galloway, McAntire, Hull, Pope

ABSTAIN: Roe (Executive Dir. Greater Ottumwa
Partners in Progress)

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 43-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for the general corporate purposes, in order to provide funds to pay the costs of the acquisition of properties for commercial or economic development and for the construction of a city-wide transportation hub; grant matches for economic development or other city projects, including the Healthy Neighbors Program and the Ottumwa Block Challenge Program, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the City and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$700,000 General Obligation Capital Loan Notes, for the foregoing general corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 1st day of March, 2022.

Richard W. Johnson
Mayor

ATTEST:

Christa Reinhard
City Clerk

CERTIFICATE

STATE OF IOWA

)

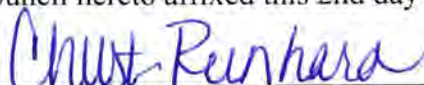
) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 2nd day of March, 2022.



City Clerk, City of Ottumwa, State of Iowa

(SEAL)

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of : Mar 1, 2022

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 44-2022 - Resolution Instituting Proceedings to Take
Additional Action for the Issuance of Not to Exceed \$700,000 General
Obligation Capital Loan Notes



Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution 44-2022

DISCUSSION:

City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The funding in question is being requested for the procurement of Municipal Property: City Hall HVAC system updates.

Source of Funds: N/A

Budgeted Item:

Budget Amendment Needed:

ITEMS TO INCLUDE ON AGENDA

CITY OF OTTUMWA, IOWA

Not to Exceed \$700,000 General Obligation Capital Loan Notes (GCP-4)

- Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder.
- Resolution instituting proceedings to take additional action.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

March 1, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Cara Galloway, Doug McAntire, Russ Hull, Sandra Pope, Marc
Roe

Absent: none

Vacant: none

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, in order to provide funds to pay the costs of the construction and reconstruction of city hall HVAC systems, for general corporate purposes, and that notice of the proposed action by the Council to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 384.24A and 384.26 of the Code of Iowa, and the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, in the manner provided by Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the City.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that zero written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Mayor declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member Roe introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ .M. on the _____ day of _____, 2022, at this place.

Council Member McAntire seconded the motion. The roll was called and the vote was,

AYES: Galloway, McAntire, Hull, Pope, Roe

NAYS: none

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 44-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for the general corporate purposes, in order to provide funds to pay the costs of the construction and reconstruction of city hall HVAC systems, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the City and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$700,000 General Obligation Capital Loan Notes, for the foregoing general corporate purposes.


Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 1st day of March, 2022.



Mayor

ATTEST:



City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 2nd day of March, 2022.

Christine Reinhard
City Clerk, City of Ottumwa, State of Iowa

(SEAL)

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Mar 1, 2022

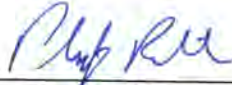
Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 45-2022 - Resolution Instituting Proceedings to Take
Additional Action for the Issuance of Not to Exceed \$700,000 General
Obligation Capital Loan Notes



Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution 45-2022

DISCUSSION:

City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The funding in question is being requested for the procurement of Municipal Property: fire station improvements, Beach maintenance, cemetery rental maintenance, BVC maintenance; Municipal Fleet: building code/planning vehicles, parks vehicles.

Source of Funds: N/A

Budgeted Item:

Budget Amendment Needed:

ITEMS TO INCLUDE ON AGENDA

CITY OF OTTUMWA, IOWA

Not to Exceed \$700,000 General Obligation Capital Loan Notes (GCP-5)

- Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder.
- Resolution instituting proceedings to take additional action.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

March 1, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Cara Galloway, Doug McAntire, Russ Hull, Sandra Pope, Marc
Roe

Absent: none

Vacant: none

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, in order to provide funds to pay the costs of the construction and reconstruction, enlargement, improvement and equipping of fire stations, police stations, and swimming pools and recreational areas, including the Ottumwa Beach; the acquisition of city vehicles, including for building code enforcement and the parks departments; the reconstruction, improvement and repair of city facilities and houses, including the Bridgeview Center, for general corporate purposes, and that notice of the proposed action by the Council to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 384.24A and 384.26 of the Code of Iowa, and the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, in the manner provided by Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the City.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that zero written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Mayor declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member Hull introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ .M. on the _____ day of _____, 2022, at this place.

Council Member McAntire seconded the motion. The roll was called and the vote was,

AYES: Galloway, McAntire, Hull, Pope, Roe

NAYS: none

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 45-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES

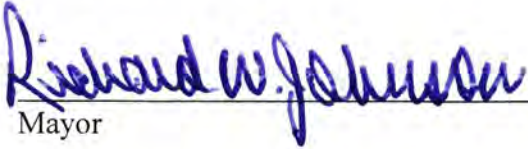
WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for the general corporate purposes, in order to provide funds to pay the costs of the construction and reconstruction, enlargement, improvement and equipping of fire stations, police stations, and swimming pools and recreational areas, including the Ottumwa Beach; the acquisition of city vehicles, including for building code enforcement and the parks departments; the reconstruction, improvement and repair of city facilities and houses, including the Bridgeview Center, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the City and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$700,000 General Obligation Capital Loan Notes, for the foregoing general corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 1st day of March, 2022.



Mayor

ATTEST:



City Clerk

CERTIFICATE

STATE OF IOWA

)

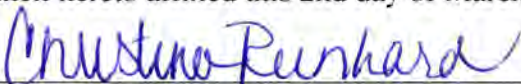
) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 2nd day of March, 2022.



City Clerk, City of Ottumwa, State of Iowa



CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of : Mar 1, 2022

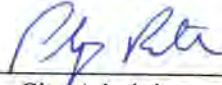
Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 46-2022 - Resolution Instituting Proceedings to Take
Additional Action for the Issuance of Not to Exceed \$700,000 General
Obligation Capital Loan Notes



Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution 46-2022

DISCUSSION: City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The funding in question is being requested for the procurement of Community Development: housing programs; Municipal Fleet: airport vehicles; Technology: record maintenance software.

Source of Funds: N/A

Budgeted Item:

Budget Amendment Needed:

ITEMS TO INCLUDE ON AGENDA

CITY OF OTTUMWA, IOWA

Not to Exceed \$700,000 General Obligation Capital Loan Notes (GCP-6)

- Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder.
- Resolution instituting proceedings to take additional action.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

March 1, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Cara Galloway, Doug McAntire, Russ Hull, Sandra Pope, Marc
Roe

Absent: none

Vacant: none

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, in order to provide funds to pay the costs of the acquisition of software and related equipment for City Hall, including local grant matches; equipping the city airport, including vehicles; and funding for the acquisition of, or grants for housing, for general corporate purposes, and that notice of the proposed action by the Council to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 384.24A and 384.26 of the Code of Iowa, and the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, in the manner provided by Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the City.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that zero written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Mayor declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member Galloway introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ .M. on the _____ day of _____, 2022, at this place.

Council Member Hull seconded the motion. The roll was called and the vote was,

AYES: Galloway, McAntire, Hull, Pope, Roe

NAYS: none

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 46-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES

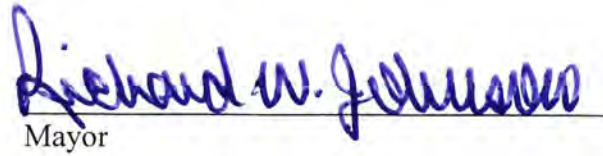
WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for the general corporate purposes, in order to provide funds to pay the costs of the acquisition of software and related equipment for City Hall, including local grant matches; equipping the city airport, including vehicles; and funding for the acquisition of, or grants for housing, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the City and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$700,000 General Obligation Capital Loan Notes, for the foregoing general corporate purposes.

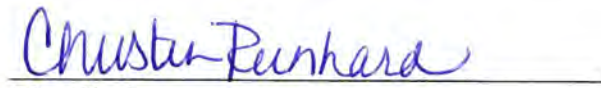
Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 1st day of March, 2022.



Mayor

ATTEST:



City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 2nd day of March, 2022.

Christine Burkhard
City Clerk, City of Ottumwa, State of Iowa



CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Mar 1, 2022

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 47-2022 - Resolution Instituting Proceedings to Take
Additional Action for the Issuance of Not to Exceed \$700,000 General
Obligation Capital Loan Notes



Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution 47-2022

DISCUSSION: City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The funding in question is being requested for the procurement of Parks: indoor sports complex.

Source of Funds: N/A

Budgeted Item:

Budget Amendment Needed:

ITEMS TO INCLUDE ON AGENDA

CITY OF OTTUMWA, IOWA

Not to Exceed \$700,000 General Obligation Capital Loan Notes (GCP-7)

- Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder.
- Resolution instituting proceedings to take additional action.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

March 1, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Cara Galloway, Doug McAntire, Russ Hull, Sandra Pope, Marc
Roe

Absent: none

Vacant: none

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, in order to provide funds to pay the costs of the construction and reconstruction, enlargement, improvement and equipping of an indoor sports complex, for general corporate purposes, and that notice of the proposed action by the Council to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 384.24A and 384.26 of the Code of Iowa, and the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, in the manner provided by Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the City.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that zero written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Mayor declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member Roe introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ .M. on the _____ day of _____, 2022, at this place.

Council Member Galloway seconded the motion. The roll was called and the vote was,

AYES: Galloway, McAntire, Hull, Pope, Roe

NAYS: none

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 47-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for the general corporate purposes, in order to provide funds to pay the costs of the construction and reconstruction, enlargement, improvement and equipping of an indoor sports complex, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the City and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$700,000 General Obligation Capital Loan Notes, for the foregoing general corporate purposes.


Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 1st day of March, 2022.



Mayor

ATTEST:



City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 2nd day of March, 2022.

Christina Reinhard

City Clerk, City of Ottumwa, State of Iowa



CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Mar 1, 2022

Philip Rath

Prepared By

Administration

Department

Department Head

City Administrator Approval

AGENDA TITLE: Resolution 48-2022 - Resolution Instituting Proceedings to Take
Additional Action for the Issuance of Not to Exceed \$1,100,000 General
Obligation Urban Renewal Capital Loan Notes



Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution 48-2022

DISCUSSION:

City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The funding in question is being requested for the procurement of Municipal Property: BVC parking lot expansion.

Source of Funds: N/A

Budgeted Item:

Budget Amendment Needed:

ITEMS TO INCLUDE ON AGENDA

CITY OF OTTUMWA, IOWA

Not to Exceed \$1,100,000 General Obligation Urban Renewal Capital Loan Notes (ECP/UR-8)

- Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder.
- Resolution instituting proceedings to take additional action.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

March 1, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Cara Galloway, Doug McAntire, Russ Hull, Sandra Pope, Marc
Roe

Absent: none

Vacant: none

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$1,100,000 General Obligation Urban Renewal Capital Loan Notes, of the City of Ottumwa, State of Iowa, in order to provide funds to pay the costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Chapter 403 and the Urban Renewal Plan for the West Gate Economic Development Urban Renewal Area, such as those costs associated with grants and incentives to private developers and the construction, improvement, and equipping of parking in the vicinity of the convention center, for essential corporate urban renewal purposes, and that notice of the proposed action by the Council to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 384.24(3)(q), 384.24A, 384.25 and 403.12 of the Code of Iowa, and the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, as contemplated in Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the City.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that zero written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Mayor declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member Hull introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$1,100,000 GENERAL OBLIGATION URBAN RENEWAL CAPITAL LOAN NOTES", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ .M. on the _____ day of _____, 2022, at this place.

Council Member Roe seconded the motion. The roll was called and the vote was,

AYES: Galloway, McAntire, Hull, Pope, Roe

NAYS: none

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 48-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$1,100,000 GENERAL OBLIGATION URBAN
RENEWAL CAPITAL LOAN NOTES

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$1,100,000 General Obligation Urban Renewal Capital Loan Notes, for the essential corporate urban renewal purposes, in order to provide funds to pay the costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Chapter 403 and the Urban Renewal Plan for the West Gate Economic Development Urban Renewal Area, such as those costs associated with grants and incentives to private developers and the construction, improvement, and equipping of parking in the vicinity of the convention center, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the City and residents thereof.

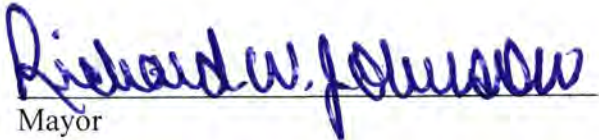
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$1,100,000 General Obligation Urban Renewal Capital Loan Notes, for the foregoing essential corporate urban renewal purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after

service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 1st day of March, 2022.



Mayor

ATTEST:



City Clerk

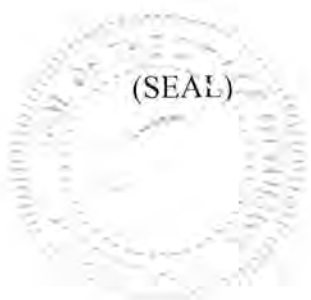
CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WAPELLO)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 2nd day of March, 2022.

Christina Reinhard
City Clerk, City of Ottumwa, State of Iowa



CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Mar 1, 2022

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 49-2022 - Resolution Authorizing the Issuance of \$8,000,000 General Obligation Capital Loan Notes, Series 2022, And Levying a Tax for the Payment Thereof



Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution 49-2022

DISCUSSION:

City staff has identified the need of certain capital improvements, which would require financing in order to proceed. These improvements range from the purchase of vehicles to building maintenance to neighborhood and economic development. Based upon the audit for FY ended 6/30/21 the legal debt limit of the city is \$52M, which is 5% of the total assessed value. With debt service dropping off the schedule and short term financing paid the City is well within the limit for the City. The proposed debt schedule has been included in the projected maximum tax levy and upcoming annual budget.

Source of Funds: N/A

Budgeted Item:

Budget Amendment Needed:

ITEMS TO INCLUDE ON AGENDA

CITY OF OTTUMWA, IOWA

\$8,000,000 General Obligation Capital Loan Notes, Series 2022

- Resolution authorizing the issuance and levying a tax for the payment thereof.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

March 1, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Cara Galloway, Doug McAntire, Russ Hull, Sandra Pope, Marc
Roe

Absent: none

Vacant: none

* * * * *

Council Member Roe introduced the following Resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF \$8,000,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022, AND LEVYING A TAX FOR THE PAYMENT THEREOF", and moved that the same be adopted. Council Member Hull seconded the motion to adopt. The roll was called and the vote was,

AYES: Galloway, McAntire, Hull, Pope, Roe

NAYS: none

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION NO. 49-2022

**RESOLUTION AUTHORIZING THE ISSUANCE OF
\$8,000,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES, SERIES 2022, AND LEVYING A TAX FOR THE
PAYMENT THEREOF**

WHEREAS, the City of Ottumwa, State of Iowa ("Issuer"), is a municipal corporation, organized and existing under the Constitution and laws of the State of Iowa, and is not affected by any special legislation; and

WHEREAS, the Issuer is in need of funds to pay costs of equipping the street, police and fire departments; the acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties; the construction, reconstruction, and repairing of any street and levee improvements, the acquisition, installation, and repair of sidewalks, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices, including the acquisition of any real estate needed for any of the foregoing purposes and the removal or replacement of dead or diseased trees; the reconstruction extension and improvement of the airport; and the rehabilitation and improvements of City parks, including facilities, equipment and improvements commonly found in City parks; funding projects necessary for the operation of the City or for the health and welfare of citizens, including funding façade and roof grants; development grants and local grant matches; and costs of the historic preservation plan; the acquisition of properties for commercial or economic development and for the construction of a city-wide transportation hub; grant matches for economic development or other city projects, including the Healthy Neighbors Program and the Ottumwa Block Challenge Program; the construction and reconstruction of city hall HVAC systems; the construction and reconstruction, enlargement, improvement and equipping of fire stations, police stations, and swimming pools and recreational areas, including the Ottumwa Beach; the acquisition of city vehicles, including for building code enforcement and the parks departments; the reconstruction, improvement and repair of city facilities and houses, including the Bridgeview Center; the acquisition of software and related equipment for City Hall, including local grant matches; equipping the city airport, including vehicles; and funding for the acquisition of, or grants for housing; the construction and reconstruction, enlargement, improvement and equipping of an indoor sports complex; and aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Chapter 403 and the Urban Renewal Plan for the West Gate Economic Development Urban Renewal Area, such as those costs associated with grants and incentives to private developers and the construction, improvement, and equipping of parking in the vicinity of the convention center (the "Project"), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, Series 2022, in the amount of \$8,000,000 be issued; and

WHEREAS, the City Council has taken such acts as are necessary to authorize issuance of the Notes.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. Authorization of the Issuance. General Obligation Capital Loan Notes, Series 2022, in the amount of \$8,000,000 shall be issued pursuant to the provisions of Iowa Code Sections 384.24A; 384.25, 384.26 and 284.28 for the purposes covered by the hearings.

Section 2. Levy of Annual Tax. For the purpose of providing funds to pay the principal and interest as required under Chapter 76.2, there is levied for each future year the following direct annual tax upon all the taxable property in the City of Ottumwa, State of Iowa, to wit:

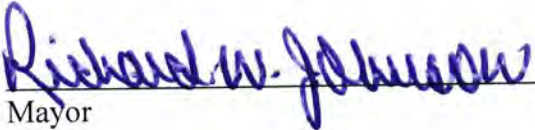
AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$3,757,444	2022/2023
\$88,300	2023/2024
\$88,300	2024/2025
\$88,300	2025/2026
\$88,300	2026/2027
\$88,300	2027/2028
\$88,300	2028/2029
\$603,300	2029/2030
\$578,000	2030/2031
\$568,000	2031/2032
\$558,000	2032/2033
\$548,000	2033/2034
\$538,000	2034/2035
\$528,000	2035/2036
\$518,000	2036/2037
\$408,000	2037/2038

Principal and interest coming due at any time when the proceeds of the tax on hand are insufficient to pay the amount due shall be promptly paid when due from current funds available for that purpose and reimbursement must be made.

Section 3. Amendment of Levy of Annual Tax. Based upon the terms of the future sale of the Notes to be issued, this Council will file an amendment to this Resolution ("Amended Resolution") with the County Auditor.


Section 4. Filing. A certified copy of this Resolution shall be filed with the County Auditor of County of Wapello, State of Iowa, who shall, pursuant to Iowa Code Section 76.2, levy, assess and collect the tax in the same manner as other taxes and, when collected, these taxes shall be used only for the purpose of paying principal and interest on the Notes.

PASSED AND APPROVED this 1st day of March, 2022.



Mayor

ATTEST:



City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 2nd day of March, 2022.

Christine Reinhard
City Clerk, City of Ottumwa, State of Iowa



CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: March 1, 2022

Engineering
Department

Larry Seals
Prepared By

Larry Seals *Larry Seals*
Department Head

Pg Rte
City Administrator Approval

AGENDA TITLE: Resolution #52-2022. Approving the Plans, Specifications, Form of Contract and Estimated Cost for the Green Street Storm Sewer Improvement Project.

**Public hearing required if this box is checked. **

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #52-2022.

DISCUSSION: During both the Main Street Projects (Vine Street to Jefferson) and Main Street (Jefferson to Market Street) a separate storm system was installed and then re-combined at the Main and Green Street intersection. This project will connect the newly installed storm systems and complete the backbone for future separations. As part of the design process and to meet the minimum cover required by BNSF design department we had to modify our preliminary design to include twin 36" line storm lines and twin bored casings under the track system. This change also required the addition of two junction box structures to allow the connection of the main 48" RCP line to the 36" lines. These designs requirements have increase the estimated cost to \$930,000.

Once completed this project will allow storm water to discharge by gravity during rain events but has the added feature of pumping by back flowing to the new storm pump station on Gateway Drive during major river flood events.

This project also includes installation of a new larger waterline that will allow for increased flow capacity and be reimbursed by Ottumwa Water and Hydro.

Bids will be received and opened by the City of Ottumwa on March 23, 2022 at 2:00 p.m. The bid report and bid award recommendation will be presented at the City Council meeting on April 5th, 2022, or at a later date as determined by staff.

Budgeted amount: \$790,000 City	Estimated total \$930,000	City of Ottumwa \$707,000	OWW \$223,000
---------------------------------	------------------------------	------------------------------	------------------

Source of Funds: Sewer Fund Balance

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #52-2022

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, FORM OF CONTRACT,
AND ESTIMATED COST FOR THE GREEN STREET STORM SEWER IMPROVEMENT PROJECT

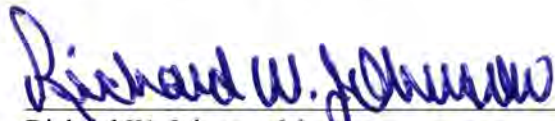
WHEREAS, The City Council of the City of Ottumwa, Iowa has conducted a public hearing on the plans, specifications, form of contract, and estimated cost for the above referenced project; and,

WHEREAS, No objections to the said plans, specifications, form of contract and estimated cost were received.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The plans, specifications, form of contract, and estimated cost for the above referenced project are hereby approved and adopted.

APPROVED, PASSED, AND ADOPTED, this 1st day of March, 2022.

CITY OF OTTUMWA, IOWA


Richard W. Johnson, Mayor

ATTEST:


Christina Reinhard, City Clerk

ENGINEER'S FINAL OPINION OF PROBABLE COST

Project Name: Ottumwa Green Street

Project Location: Ottumwa, Iowa

Date Prepared:

February 23, 2022

ESTIMATE OF QUANTITIES

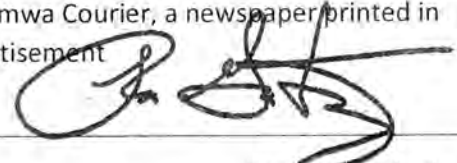
Item #	Description	Unit	Quantity	Unit Price	Total
Division 1 - City					
10.	2010-108-D-1 Topsoil, On-Site	CY	361	\$8.00	\$2,888.00
20.	2010-108-E Excavation, Class 12	CY	15	\$65.00	\$975.00
30.	2010-108-G Subgrade Prep	SY	1565	\$8.00	\$12,520.00
40.	2010-108-I Subbase, Modified	SY	1463	\$35.00	\$51,205.00
50.	2010-108-J Removal of Structure, Valve Pit	EA	1	\$5,000.00	\$5,000.00
60.	2010-108-J Remove Watermain	LF	60	\$10.00	\$600.00
70.	2010-K-1 Filling & Plugging of Watermain Pipe, PVC, 20 In.	LF	90	\$75.00	\$6,750.00
80.	2010-108-L Trench Compaction Testing	LS	1	\$3,500.00	\$3,500.00
90.	4010-A-1 Sanitary Sewer Gravity Main, Trenched, PVC, 12"	LF	10	\$125.00	\$1,250.00
100.	4020-108-A-1 Storm Sewer, Trenched, RCP, 15 In.	LF	40	\$100.00	\$4,000.00
110.	4020-108-A-1 Storm Sewer, Trenched, RCP, 48 In.	LF	457	\$175.00	\$79,975.00
120.	4020-108-B-2 Storm Sewer with casing pipe, Trenchless, RCP, 48 In.	LF	264	\$600.00	\$158,400.00
130.	4020-108-D Removal of Storm Sewer	LF	42	\$25.00	\$1,050.00
140.	4040-108-A-0 Subdrain, 4"	LF	547	\$30.00	\$16,410.00
150.	4040-108-C-0 Subdrain, Cleanout	EA	2	\$500.00	\$1,000.00
160.	4040-108-D-0 Subdrain, Outlets & Connections	EA	2	\$1,000.00	\$2,000.00
170.	5020-108-E Valve Box Adjustment Minor	EA	2	\$250.00	\$500.00
180.	5020-108-J Valve Removal	EA	4	\$250.00	\$1,000.00
190.	6010-108-A Manhole, SW-401, 84"	EA	1	\$5,000.00	\$5,000.00
200.	6010-108-A Manhole, SW-401, 96"		1	\$12,000.00	\$12,000.00
210.	6010-108-A Manhole, Modified SW-403	EA	2	\$10,000.00	\$20,000.00
220.	6010-108-B Intake, SW-501	EA	2	\$5,000.00	\$10,000.00
230.	6010-108-B Intake, SW-502, 84"	EA	1	\$5,000.00	\$5,000.00
240.	6010-108-E Manhole Adjustment, Minor	EA	5	\$500.00	\$2,500.00
250.	6010-108-H Remove Intake	EA	3	\$1,250.00	\$3,750.00
260.	7010-108-A Pavement, PCC, 8 In.	SY	1344	\$70.00	\$94,080.00
270.	7030-108-E Sidewalk, PCC, 4 In.	SY	376	\$45.00	\$16,920.00
280.	7030-108-C Shared Use Path, PCC, 6 In	SY	102	\$55.00	\$5,610.00
290.	7030-108-H-1 Driveway, Paved, PCC, 6 In.	SY	253	\$60.00	\$15,180.00
300.	8030-1.08-A Temporary Traffic Control	LS	1	\$10,000.00	\$10,000.00
310.	9010-1.08-A Conventional Seeding, Seeding, Fertilizing, and Mulching	AC	0.34	\$5,000.00	\$1,700.00
320.	9040-108-F Wattle, Straw, 8 IN	LF	67	\$5.00	\$335.00
330.	9040-108-F Wattle Removal	LF	67.00	\$2.00	\$134.00
340.	9040-108-N-1 Silt Fence	LF	422	\$5.00	\$2,110.00
350.	9040-108-N-3 Silt Fence, Removal	LF	422	\$2.00	\$844.00
360.	11010-108-A Construction Survey	LS	1	\$10,000.00	\$10,000.00
370.	11020-108-A Mobilization	LS	1	\$53,456.00	\$53,456.00
380.	11050-108-A Concrete Washout	LS	1	\$4,000.00	\$4,000.00
390.	Special Gatewell Structure	EA	1	\$50,000.00	\$50,000.00
400.	Special Gate, Gatewell	EA	2	\$10,000.00	\$20,000.00
410.	Special Remove Pavement	SY	2,194	\$7.00	\$15,358.00
Total Opinion of Construction Cost - Division 1					\$707,000.00
Division 2 - DWW					
10.	5010-108-A-1 Watermain, Tenched, DIP, 6 In.	LF	8	\$100.00	\$800.00
20.	5010-108-A-1 Watermain, Tenched, DIP, 20 In.	LF	337	\$175.00	\$58,975.00
30.	5010-108-A-1 Watermain, Tenched, DIP, 24 In.	LF	80	\$200.00	\$16,000.00
40.	5010-108-B-2 Watermain with Casing Pipe, Trenchless, DIP, 20 In.	LF	90	\$750.00	\$67,500.00
50.	5010-108-C-2 Fittings, Ductile Iron	LB	6151	\$5.00	\$30,755.00
60.	5020-108-A Valve, Gate, DIP, 6 In.	EA	1	\$3,000.00	\$3,000.00
70.	5020-108-A Valve, Gate, DIP, 20 In.	EA	1	\$10,000.00	\$10,000.00
80.	5020-108-A Valve, Gate, DIP, 24 In.	EA	1	\$15,000.00	\$15,000.00
100.	5020-108-C Fire Hydrant Assembly	EA	1	\$5,000.00	\$5,000.00
110.	11020-108-A Mobilization	EA	1	\$15,970.00	\$15,970.00
Total Opinion of Construction Cost - Division 2					\$223,000.00
Total Opinion of Construction Cost - Total					\$930,000.00

PROOF OF PUBLICATION

STATE OF IOWA
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Section 00010 Notice of Public Hearing
City of Ottumwa



here to attached

was published in said newspaper for 1 consecutive week's to-wit: 02/19/22
Subscribed and sworn to before me, and in my presence, by the said 19th day of February, 2022



Notary Public

In and for Wapello County

Printer's fee \$25.78

COPY OF ADVERTISEMENT

SECTION 00010
NOTICE OF PUBLIC HEARING

The City Council of Ottumwa, Iowa, will hold a public hearing on the proposed Plans and Specifications, form of contract and estimate of cost for the construction of said improvements described in general as "Green Street Storm Sewer Improvements, Ottumwa, Iowa" at 5:30 o'clock p.m. on the 1st day of March, 2022, in the Council Chambers, City Hall, Ottumwa, Iowa. At said hearing any interested person may appear and file objections thereto or to the cost of the improvements. At the hearing, the City will receive and consider any objections made by any interested party, to the Plans and Specifications, proposed form of Contract, and the estimate of cost for the project. The work to be done is as follows: Furnish all labor, materials and equipment to construct the following: The project consists of installing a new storm sewer outfall structure, approximately 500 LF of 48" RCP trench storm sewer, and two 110 LF trenchless lines under the BNSF Railroad Tracks. Ancillary work includes: removing and replacing 2200 SY of pavement, driveways, trails, and sidewalks; installing intakes and manholes; replacing 400 LF adjacent water main; traffic control; survey; and site restoration. All work and materials are to be in strict compliance with the Plans and Specifications prepared by the City of Ottumwa Engineering Department which together with the proposed form of contract and estimate of cost have heretofore been approved by the City and are now on file for public examination in the office of the Clerk, and are by this reference made a part hereof as though fully set out and incorporated herein. CITY OF OTTUMWA, IOWA By: Richard W. Johnson, Mayor ATTEST: Christina Reinhard, City Clerk

2/19/22

SECTION 00010
NOTICE OF PUBLIC HEAR-
ING

The City Council of Ottumwa, Iowa, will hold a public hearing on the proposed Plans and Specifications, form of contract

and estimate of cost for the construction of said improvements described in general as "Green Street Storm Sewer Improvements, Ottumwa, Iowa" at 5:30 o'clock p.m. on the 1st day of March, 2022, in the Council Chambers, City Hall, Ottumwa, Iowa. At said hearing any interested person may appear and file objections thereto or to the cost of the improvements. At the hearing, the City will receive and consider any objections made by any interested party, to the Plans and Specifications, proposed form of Contract, and the estimate of cost for the project. The work to be done is as follows: Furnish all labor, materials and equipment to construct the following: The project consists of installing a new storm sewer outfall structure, approximately 500 LF of 48" RCP trenched storm sewer, and two 110 LF trenchless lines under the BNSF Railroad Tracks. Ancillary work includes: removing and replacing 2200 SY of pavement, driveways, trails, and sidewalks; installing intakes and manholes; replacing 400 LF adjacent water main; traffic control; survey; and site restoration. All work and materials are to be in strict compliance with the Plans and Specifications prepared by the City of Ottumwa Engineering Department which together with the proposed form of contract and estimate of cost have heretofore been approved by the City and are now on file for public examination in the office of the Clerk, and are by this reference made a part hereof as though fully set out and incorporated herein. CITY OF OTTUMWA, IOWA By: Richard W. Johnson, Mayor ATTEST: Christina Reinhard, City Clerk

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

FILED
2022 FEB 24 PM 3:05
CITY CLERK
OTTUMWA, IOWA

Council Meeting of: March 1, 2022

Engineering
Department

Alicia Bankson
Prepared By
Larry Seal

Department Head

Rg Rtr

City Administrator Approval

AGENDA TITLE: Resolution #53-2022. Approving the Plans, Specifications, Form of Contract and Estimated Cost for the Blake's Branch, Phase 8, East of Iowa Avenue Sewer Separation Project Ottumwa, Iowa

**Public hearing required if this box is checked. **

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #53-2022.

DISCUSSION: This project consist of five smaller subsystems that completes the removal of intakes from the existing sanitary sewer system. The first segment extents the Phase VIII Div. 1 storm line east on Roemer Ave to Adams and an area on Old Main Street. A new sanitary and storm system will be installed from Barton's Branch Creek west on Second Street to Foster. This system allows the removal of existing sanitary laterals from the storm system. Two additional systems will be installed on Van Buren Ave between Main and Fourth Street. The last storm system is on Mable Street.

These systems will allow us to change the Orchard Street Pump station to storm only operation.

Bids will be received and opened by the City of Ottumwa on March 9, 2022 at 2:00 p.m. The bid report and bid award recommendation will be presented at the City Council meeting on March 15, 2022, or at a later date as determined by staff.

Budgeted amount: \$3,000,000

Current construction estimate is \$2,650,000

Source of Funds: CIP \$2,000,000 Balance RU Budgeted Item: Yes

Budget Amendment Needed: NO

RESOLUTION #53-2022

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, FORM OF CONTRACT,
AND ESTIMATED COST FOR THE BLAKE'S BRACH, PHASE 8, EAST OF IOWA AVENUE
SEWER SEPARATION PROJECT OTTUMWA, IOWA

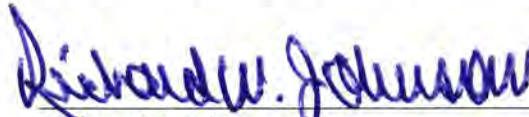
WHEREAS, The City Council of the City of Ottumwa, Iowa has conducted a public hearing on the plans, specifications, form of contract, and estimated cost for the above referenced project; and,

WHEREAS, No objections to the said plans, specifications, form of contract and estimated cost were received.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The plans, specifications, form of contract, and estimated cost for the above referenced project are hereby approved and adopted.

APPROVED, PASSED, AND ADOPTED, this 1st day of March, 2022.

CITY OF OTTUMWA, IOWA



Richard W. Johnson, Mayor

ATTEST:



Christina Reinhard, City Clerk

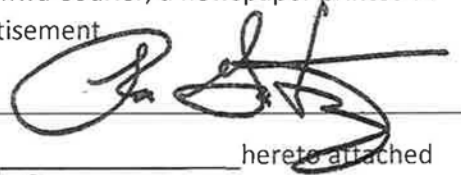


PROOF OF PUBLICATION

STATE OF IOWA
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Section 0010 Notice of Public Hearing
City of Ottumwa



hereby attached

was published in said newspaper for 1 consecutive week's to-wit: 02/19/22
Subscribed and sworn to before me, and in my presence, by the said 19th day of February, 2022



Notary Public

In and for Wapello County

Printer's fee \$30.59

COPY OF ADVERTISEMENT

SECTION 0010
NOTICE OF PUBLIC HEARING

The City Council of Ottumwa, Iowa, will hold a public hearing on the proposed Plans and Specifications, form of contract and estimate of cost for the construction of said improvements described in general as "Blake's Branch, Phase 8, East of Iowa Avenue Sewer Separation Project Ottumwa, Iowa" at 5:30 o'clock p.m. on March 1, 2022, in the Council Chambers, City Hall, Ottumwa, Iowa. At said hearing any interested person may appear and file objections thereto or to the cost of the improvements. At the hearing, the City will receive and consider any objections made by any interested party, to the Plans and Specifications, proposed form of Contract, and the estimate of cost for the project. The work to be done is as follows: Furnish all labor, materials and equipment to construct the following: Construct Blake's Branch Sewer Separation Phase 8, Division 1 East of Iowa Avenue Sewer Separation project including all labor, materials and equipment necessary to construct approximately 4,700 Linear Feet of 12-36-inch storm sewer in open cut, 1,050 Linear Feet of 8-inch sanitary sewer in open cut, manholes, intakes, sanitary service stubs, approximately 4,170 SY of 7"-8" PCC Pavement, approximately 1,875 SY Full Depth PCC patches, 1,890 LF of PCC Curb and Gutter removal and replacement, 740 SY of PCC Sidewalk, 350 SY of PCC Driveway, excavation and backfill, surface restoration, erosion control, testing, mobilization, traffic control, construction staking and miscellaneous work, including cleanup. All work and materials are to be in strict compliance with the Plans and Specifications prepared by the City of Ottumwa Engineering Department which together with the proposed form of contract and estimate of cost have heretofore been approved by the City and are now on file for public examination in the office of the Clerk, and are by this reference made a part hereof as though fully set out and incorporated herein. CITY OF OTTUMWA, IOWA By: Richard W. Johnson, Mayor ATTEST: Christina Reinhard, City Clerk

2/19/22

SECTION 00010
NOTICE OF PUBLIC HEAR-
ING

The City Council of Ottumwa, Iowa, will hold a public hearing on the proposed Plans and Specifications, form of contract and estimate of cost for the construction of said improvements described in general as "Blake's Branch, Phase 8, East of Iowa Avenue Sewer Separation Project Ottumwa, Iowa" at 5:30 o'clock p.m. on March 1, 2022, in the Council Chambers, City Hall, Ottumwa, Iowa. At said hearing any interested person may appear and file objections thereto or to the cost of the improvements. At the hearing, the City will receive and consider any objections made by any interested party, to the Plans and Specifications, proposed form of Contract, and the estimate of cost for the project. The work to be done is as follows: Furnish all labor, materials and equipment to construct the following: Construct Blake's Branch Sewer Separation Phase 8, Division 1 East of Iowa Avenue Sewer Separation project including all labor, materials and equipment necessary to construct approximately 4,700 Linear Feet of 12-36-inch storm sewer in open cut, 1,050 Linear Feet of 8-inch sanitary sewer in open cut, manholes, intakes, sanitary service stubs, approximately 4,170 SY of 7"-8" PCC Pavement, approximately 1,875 SY Full Depth PCC patches, 1,890 LF of PCC Curb and Gutter removal and replacement, 740 SY of PCC Sidewalk, 350 SY of PCC Driveway, excavation and backfill, surface restoration, erosion control, testing, mobilization, traffic control, construction staking and miscellaneous work, including cleanup. All work and materials are to be in strict compliance with the Plans and Specifications prepared by the City of Ottumwa Engineering Department which together with the proposed form of contract and estimate of cost have heretofore been approved by the City and are now on file for public examination in the office of the Clerk, and are by this reference made a part hereof as though fully set out and incorporated herein. CITY OF OTTUMWA, IOWA By: Richard W. Johnson, Mayor ATTEST: Christina Reinhard, City Clerk

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

2022 FEB 24 PM 3: 15
CITY OF OTTUMWA

Council Meeting of: March 1, 2022

Engineering Department
Department

Alicia Bankson
Prepared By
Darryl Seal
Department Head

[Signature]
City Administrator Approval

AGENDA TITLE: Resolution #6-2022. Approving Change Order #1 and accepting the work as final and complete for the Marion Street Reconstruction Project.

****Public hearing required if this box is checked. ****

****The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.****

RECOMMENDATION: Pass and adopt Resolution #6-2022.

DISCUSSION: This project involved full-width, full depth PCC Reconstruction of Marion Street from 4th Street to North Court. This project included replacing the existing sanitary sewer and adding storm sewer to separate the combined system. Marion Street suffered extensive damage from water main breaks. Ottumwa Water installed a new water main from 4th Street to North Court. ADA HC ramps were installed and sidewalk was replaced where required to allow paving.

Change Order #1 consisted of an increase of \$5,781.17 for the decrease in quantity adjustments.

Original Contract Amount	\$ 735,723.00
Change Order #1	\$ 5,781.17
New Contract Sum	\$ 741,504.17
Amount paid to date	\$ 689,048.65
Final Payment	\$ 52,455.52

Drish Construction of Fairfield, Iowa has completed the above referenced work according to the plans and specifications. This will authorize payment and release all retainage.

Funding: \$500,000 LOST
\$300,000 RU

Estimated cost: \$785,237

Budgeted amount: \$800,000

Source of Funds: LOST/RU

Budgeted Item: YES

Budget Amendment Needed: No

RESOLUTION #6-2022

A RESOLUTION APPROVING CHANGE ORDER #1 AND ACCEPTING THE WORK AS FINAL AND COMPLETE FOR THE MARION STREET RECONSTRUCTION PROJECT

WHEREAS, The City Council of the City of Ottumwa, Iowa entered into a contract on February 16, 2021 with Drish Construction of Fairfield, Iowa for the above referenced project; and

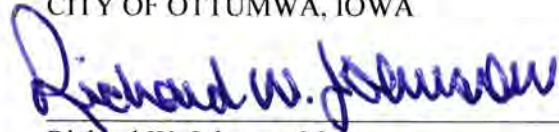
WHEREAS, Change Order #1 increased the contract amount by \$5,781.17, resulting in a new contract sum of \$741,504.17; and

WHEREAS, All work has been finished and the project is now completed in accordance with the plans and specifications

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The above mentioned change order for this project is hereby approved. The Marion Street Reconstruction Project is hereby accepted as complete and authorization to make final payment to Drish Construction of Fairfield, Iowa in the amount of \$52,455.52 is hereby approved.

APPROVED, PASSED, AND ADOPTED, this 1st day of March, 2022.

CITY OF OTTUMWA, IOWA



Richard W. Johnson, Mayor

ATTEST:



Christina Reinhard, City Clerk



**Section 640
CHANGE ORDER**

Project: MARION STREET RECONSTRUCTION

To Contractor: DRISH CONSTRUCTION

Change Order Number: 1

The Contract is changed as follows:

	11-Jan-21
Qty Adjustments	(\$10,408.63)
Additional Survey	\$4,708.00
Exploratory Excavation	\$2,126.25
Fill Sand	\$268.89
Flat Top for Manhole	\$1,350.00
Increase Patch Depth from 7" to 9"	\$1,980.00
Replace Rebar in Driveway	\$523.98
Curb Grinding	\$962.50
Lateral-patch	\$9,770.18
Liquidated Damages: 27.5 Days @ \$200 /day	(\$5,500.00)
	Total: \$5,781.17

Base bid amount \$735,723.00

NEW PROJECT TOTAL \$741,504.17

NOT VALID UNTIL SIGNED BY THE OWNER AND CONTRACTOR

The Original Contract Sum was	<u>\$735,723.00</u>
Net change by previously authorized Change Orders	<u>\$0.00</u>
The Contract Sum prior to this change order	<u>\$735,723.00</u>
The Contract Sum will be <u>increased</u> by this change order in the amount of	<u>\$5,781.17</u>
The new Contract Sum including this change order	<u>\$741,504.17</u>
The Contract Time will be <u>increased</u> by	<u>6</u> days


The date of Substantial Completion as of the date of this Change Order is in accordance with contract documents.


ENGINEER/
DIRECTOR OF PUBLIC WORKS

02-25-2022
DATE

DRISH CONSTRUCTION
CONTRACTOR

2-24-22
DATE


BY

Pres
TITLE

**SECTION 630
PAY ESTIMATE**

CITY OF OTTUMWA

APPLICATION FOR PAYMENT

TO OWNER: City of Ottumwa PROJECT: MARION STREET RECONSTRUCTION PAY REQUEST NO. _____
FROM CONTRACTOR: DRISH CONSTRUCTION PAY PERIOD: 23-Feb-22 _____

CONTRACTOR'S APPLICATION FOR PAYMENT

Application for payment is made as follows:

1. Original Contract Sum	\$735,723.00
2. Net change by Change Orders	\$5,781.17
3. Contract Sum to Date (Line 1+ Line 2)	\$741,504.17
4. Total Completed and Stored to Date	\$741,504.17
5. Retainage: <u>0</u> % of Completed work	\$0.00
6. Total Earned Less Retainage Amount	\$741,504.17
7. Less Previous Payments	\$689,048.65
8. Current Payment Due	\$52,455.52

The undersigned Contractor certifies that to the best of their knowledge, the Work covered by this Application has been completed in accordance with the Contract Documents, that the Contractor has paid for all Work which previous Applications for Payment were issued and payments received from the Owner, and that current payment (Line 8) is now due.

CONTRACTOR: Drish Construction, Inc DATE: 2-24-22
BY: Roger O'Donoghue TITLE: Pres

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the contract documents, based on on-site observations and the information contained in this application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge the Work has progressed as indicated, the quality of the Work is in accordance with the contract Documents, and the Contract entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$52,455.52
DATE: 02-25-2022
[Signature]
ENGINEER/DIRECTOR OF PUBLIC WORKS

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

2022 FEB 24 PM 3:03

Council Meeting of: March 1, 2022

Alicia Bankson

Prepared By

Darryl Seals
Department Head

Engineering

Department

PKJ

City Administrator Approval

AGENDA TITLE: Resolution #51-2022. Awarding the contract for the Pawnee Drive Reconstruction Project.

**Public hearing required if this box is checked. **

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #51-2022.

DISCUSSION: This project involves full-width, full depth PCC Reconstruction of Pawnee Drive from Fox-Sauk to the Cul-de-Sac. In addition, this project will install a small amount of storm sewer to improve drainage. The new road will be 31 wide and is 2,195 feet in length.

The street was originally installed in 1974 and is beyond its useful life.

Recently GO-PIP developed Helgerson Flats Certified Industrial Park which is adjacent to the proposed new roadway.

Plans for the project are posted on the City's website, submitted to Master Builders of Iowa for publication with their Construction Update plan service, and available for pick up in the Engineering Office. An announcement is published in the Ottumwa Courier notifying the public of the project.

Bids were received and opened by the City of Ottumwa on February 23, 2022 at 2:00 p.m. Two (2) bids were received. The low bidder is Jones Contracting Corp of West Point, Iowa in the amount of \$1,176,777.00. The funding gap will be paid from RU.

Bid Tab and Plan Holders List are attached.

Budgeted amount: \$ 1,012,412

Source of Funds: FY-20/21 CIP

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #51-2022

A RESOLUTION AWARDING THE CONTRACT FOR THE
PAWNEE DRIVE RECONSTRUCTION PROJECT

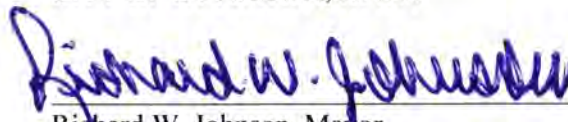
WHEREAS, The City Council of the City of Ottumwa, Iowa did advertise and accept bids for the above referenced project; and,

WHEREAS, Bids were received, proper, and mathematically correct.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The award of contract for the above referenced project is made to the lowest responsible bidder, Jones Contracting Corp of West Point, Iowa in the amount of \$1,176,777.00.

APPROVED, PASSED, AND ADOPTED, this 1st day of March, 2022.

CITY OF OTTUMWA, IOWA


Richard W. Johnson, Mayor

ATTEST:


Christina Reinhard, City Clerk



BID TABULATION FOR

Pawnee Drive

2/23/2022

ITEM	DESCRIPTION	CONSTRUCTION ESTIMATE			JONES CONTRACTING		HAWKEYE PAVING		
		UNIT	QTY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	Topsail - Strip, Salvage, and Spread	CY	417	\$ 30.00	\$12,510.00	\$ 60.50	\$25,228.50	\$20.00	\$8,340.00
2	Excavation, Class 10, Roadway and Borrow	CY	694	\$ 15.00	\$10,410.00	\$ 27.50	\$19,085.00	\$15.00	\$10,410.00
3	Excavation, Class 10, Unsuitable or Unstable Material	CY	200	\$ 35.00	\$7,000.00	\$ 79.20	\$15,840.00	\$20.00	\$4,000.00
4	Subgrade Preparation, 12" Depth	SY	8900	\$ 2.00	\$17,800.00	\$ 4.40	\$39,160.00	\$2.00	\$17,800.00
5	Subgrade Treatment - Cement	SY	8900	\$ 8.00	\$71,200.00	\$ 8.80	\$78,320.00	\$4.00	\$35,600.00
6	Modified Subbase	SY	8900	\$ 7.00	\$62,300.00	\$ 11.00	\$97,900.00	\$15.00	\$133,500.00
7	Trench Compaction Testing	LS	1	\$ 3,000.00	\$3,000.00	\$ 9,240.00	\$9,240.00	\$2,000.00	\$2,000.00
8	Sewer Service, Sanitary 6 In. Dia.	LF	225	\$ 50.00	\$11,250.00	\$ 88.00	\$19,800.00	\$150.00	\$33,750.00
9	Storm Sewer, Trenched, 18" RCP	LF	30	\$ 65.00	\$1,950.00	\$ 121.00	\$3,630.00	\$160.00	\$4,800.00
10	Storm Sewer, Trenched, 24" RCP	LF	24	\$ 80.00	\$1,920.00	\$ 154.00	\$3,696.00	\$230.00	\$5,520.00
11	Storm Sewer, Trenched, 30" RCP, Remove and Re-Lay Existing	LF	64	\$ 50.00	\$3,200.00	\$ 99.00	\$6,336.00	\$150.00	\$9,600.00
12	Storm Sewer, Removal of Pipe	LF	154.5	\$ 25.00	\$3,862.50	\$ 55.00	\$8,497.50	\$30.00	\$4,635.00
13	Storm Sewer, Trenched, 23" x 37" RCP (Arch Pipe)	LF	168	\$ 125.00	\$21,000.00	\$ 220.00	\$36,960.00	\$320.00	\$53,760.00
14	Pipe Apron, 24"	EA	1	\$ 1,300.00	\$1,300.00	\$ 1,980.00	\$1,980.00	\$2,700.00	\$2,700.00
15	Pipe Apron, Arch, 23" x 37"	EA	2	\$ 2,500.00	\$5,000.00	\$ 2,200.00	\$4,400.00	\$3,500.00	\$7,000.00
16	Pipe Apron Footing, 24"	EA	1	\$ 1,000.00	\$1,000.00	\$ 1,320.00	\$1,320.00	\$1,200.00	\$1,200.00
17	Pipe Apron Footing, Arch, 23" x 37"	EA	2	\$ 2,000.00	\$4,000.00	\$ 2,640.00	\$5,280.00	\$1,300.00	\$2,600.00
18	Subdrain, Std, Perforated, 4"	LF	4390	\$ 8.00	\$35,120.00	\$ 9.90	\$43,461.00	\$12.00	\$52,680.00
19	Subdrain Outlet (4040.233)	EA	6	\$ 300.00	\$1,800.00	\$ 335.50	\$2,013.00	\$600.00	\$3,600.00
20	End Drain With Rock Flume - Iowa IOT STD DR-402	EA	3	\$ 1,200.00	\$3,600.00	\$ 3,080.00	\$9,240.00	\$3,000.00	\$9,000.00
21	Double Grate Intake, SW-505	EA	2	\$ 6,000.00	\$12,000.00	\$ 7,370.00	\$14,740.00	\$7,000.00	\$14,000.00
22	Remove Manhole or Intake	EA	3	\$ 1,000.00	\$3,000.00	\$ 1,210.00	\$3,630.00	\$1,000.00	\$3,000.00
23	Standard or Slip Form PCC Pavement, Class C, Class 3 Durability, 9"	SY	7951	\$ 65.00	\$516,815.00	\$ 70.00	\$556,570.00	\$80.00	\$636,080.00
24	Removal of Paved Driveway	SY	163	\$ 10.00	\$1,630.00	\$ 22.00	\$3,586.00	\$10.00	\$1,630.00
25	Driveway, P.C. Concrete, 7 In.	SY	175	\$ 60.00	\$10,500.00	\$ 84.15	\$14,726.25	\$104.00	\$18,200.00
26	Removal of Pavement	SY	8518	\$ 7.00	\$59,626.00	\$ 5.00	\$42,590.00	\$8.00	\$68,144.00
27	Traffic Control	LS	1	\$ 5,000.00	\$5,000.00	\$ 3,850.00	\$3,850.00	\$7,000.00	\$7,000.00
28	Seeding, Fertilizing, & Mulching (Urban)	LS	1	\$ 10,000.00	\$10,000.00	\$ 8,800.00	\$8,800.00	\$3,000.00	\$3,000.00
29	Rip Rap, Class D	TN	150	\$ 65.00	\$9,750.00	\$ 66.00	\$9,900.00	\$70.00	\$10,500.00
30	Erosion Control, Silt Fence & Filter Socks	LF	250	\$ 5.00	\$1,250.00	\$ 15.40	\$3,850.00	\$2.00	\$500.00
31	Erosion Control, Silt Fence & Filter Socks Removal	LF	250	\$ 5.00	\$1,250.00	\$ 7.70	\$1,925.00	\$0.10	\$25.00
32	Construction Survey	LS	1	\$ 20,000.00	\$20,000.00	\$ 5,254.70	\$5,254.70	\$5,000.00	\$5,000.00
33	Mobilization	LS	1	\$ 50,000.00	\$50,000.00	\$ 70,968.05	\$70,968.05	\$60,000.00	\$60,000.00
34	Concrete Washout	LS	1	\$ 3,000.00	\$3,000.00	\$ 5,000.00	\$5,000.00	\$10,000.00	\$10,000.00

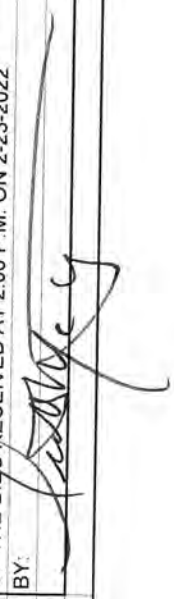
TOTAL

\$983,043.50

\$1,176,777.00

\$1,239,574.00

I HEREBY CERTIFY THAT THIS IS A TRUE TABULATION OF THE BIDS RECEIVED AT 2:00 P.M. ON 2-23-2022

BY: 

PLAN HOLDERS LIST

**Pawnee Drive Reconstruction Project
Ottumwa, Iowa 52501**

Engineer's Estimate: \$1,012,412

Plan Deposit: \$40.00 (\$40.00 refundable)

Set No	Name & Address of Plan Holder	Phone/Fax	Plans Mailed	Deposit Received	Plans Returned Refund Mailed	Addendum No. 1
1	Jones Contracting Corp 1808 Hwy 16 PO Box 156 West Point, IA 52656 pjones@jonescontractingcorp.com	319-837-8129	Emailed 2/2/2022			
2	DC Concrete & Construction 15476 Emerald Rd Douds, IA 52551 dcconstruction.ia@gmail.com	641-919-0636	Emailed 2/2/2022			
3	Mike Nelson Concrete Paving Co 6430 - 115th Ave Burlington, IA 52601 Mike Nelson (mnelsonconcrete@aol.com)	319-754-4160	Emailed 2/2/2022			
4	Cremer Concrete 606 Goode Street Bloomfield, IA 52537 cremerconcrete@hotmail.com	641-777-5925	Emailed 2/2/2022			
5	MJ Daley Construction Co Inc 1916 Mt. Pleasant St. Burlington, IA 52601 dalyconst@aol.com	319-754-8119	Emailed 2/2/2022			
6	Fye Excavating 10165 Sperry Rd Sperry, IA 52650 sbush@fyeexcavating.com	319-209-0002	Emailed 2/2/2022			
7	Ideal Ready Mix 2901 N Court St Ottumwa, IA 52501 lmartsching@idealm.com	319-759-0246	Emailed 2/2/2022			
8	Manatts Ready Mix 1775 Old 6 Rd Brooklyn, IA 52211 nickg@manatts.com	641-522-9206	Emailed 2/2/2022			
9	Sternquist Construction 1110 N 14th St Indianola, IA 51025 bbohlender@sternquistconstruction.com	515-961-8127	Emailed 2/2/2022			
10	Hawkeye Paving Corp 801 42nd St Bettendorf, IA 52722 tperkins@hawkeyepaving.com	563-355-6834	Emailed 2/2/2022			
11	Metro Pavers, Inc. 101 Southgate Ave Iowa City IA 52240 craig@metro-pavers.com	319-351-8800	Emailed 2/2/2022			
12	Langman Construction 220 - 34th Ave Rock Island, IL 61201 brian@langmanco.com	309-786-8944	Emailed 2/2/2022			
13	Absolute Concrete Construction 505 1st ave N, PO Box 148 Slater, IA 50244 droboters@ac-iowa.com	515-497-6137	Emailed 2/2/2022			
14	Iowa Concrete Paving Association 360-380 SE Delaware Ave Ankeny, IA 50021 rbangs@concretestate.org	515-963-0606	Emailed 2/2/2022			
15	Wicks Construction, Inc. 2201 State Hwy 9 Decorah, IA 52101 dave@wicksconstruction.com	563-382-2325	Emailed 2/2/2022			
16	Blommers Construction					

	117 222nd Ave Pella, IA 50219 jblommers5@gmail.com	641-780-4173	Emailed 2/2/2022			
17	Drish Construction 1701 S Main St Fairfield IA 52556 dayle.drish@gmail.com	641-472-9506	City Website 2/4/2022			
18	OEL Construction 1306 S River Rd Steamboat Rock, IA 50672 triniteeoel@gmail.com	641-751-9362	City Website 2/14/2022			
19	Iowa Civil Contracting, Inc. 1106 3rd St Victor, IA 52347 patm@iowacivil.com	319-647-3561	City Website 2/17/2022			
20						
21						
22						
	Master Builders 221 Park Street Des Moines, IA 50309 CAdams@mbionline.com	800-362-2578 515-288-8718	Notice of Project 2/2/2022			
	City of Ottumwa 105 E Third St Ottumwa, IA 52501	641-683-0680	Notice of Project, P&S 2/2/2022			

FILED

CITY OF OTTUMWA

Staff Summary

2022 FEB 24 PM 3:58

**** ACTION ITEM ****

CITY OF OTTUMWA

Council Meeting of: March 1, 2022

Alicia Bankson

Prepared By

Larry Seals
Department Head

Engineering Department
Department

Ally Rott

City Administrator Approval

AGENDA TITLE: Resolution #56-2022. Approving Change Order #1 and accepting the work as final and complete for the Forrest Avenue Flood Wall Project.

Public hearing required if this box is checked.

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #56-2022.

DISCUSSION: This project constructed a reinforced concrete flood wall along the east side of Forrest Avenue, between the street and the drainage ditch. Ancillary work included pavement removal, excavation, dewatering, sub drain, backfill, and seeding. This work was required as a step to complete the Levee Accreditation process. Without FEMA accreditation property owners behind the levee would not be eligible for Flood Insurance through the National Flood Insurance program. The numerous levee projects currently under design or under contract are necessary to meet new freeboard requirements which changed due to an increase of the calculated 100 year flood profile and re-rating of the flood release rates.

Change Order #1 consisted of a decrease of \$190,485.82 in adjusted as-built quantities and decreased wall footage.

Original Contract Amount	\$ 521,175.00
Change Order #1	\$ (190,485.82)
New Contract Sum	\$ 336,689.18
Amount paid to date	\$ 303,297.17
Final Payment	\$ 33,392.01

Iowa Bridge & Culvert of Washington, Iowa has completed the above referenced work according to the plans and specifications. This will authorize final payment and release all retainage.

Funding: \$500,000 CIP
Estimate: \$296,100

Source of Funds: CIP

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #56-2022

A RESOLUTION APPROVING CHANGE ORDER #1 AND ACCEPTING THE WORK AS FINAL AND COMPLETE FOR THE FORREST AVENUE FLOOD WALL PROJECT

WHEREAS, The City Council of the City of Ottumwa, Iowa entered into a contract on September 21, 2021 with Iowa Bridge and Culvert of Washington, Iowa for the above referenced project; and

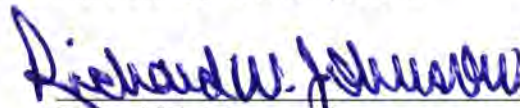
WHEREAS, Change Order #1 decreased the contract amount by \$190,485.82, resulting in a new contract sum of \$336,689.18; and

WHEREAS, All work has been finished and the project is now completed in accordance with the plans and specifications

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The above mentioned change order for this project is hereby approved. The Forrest Avenue Flood Wall Project is hereby accepted as complete and authorization to make final payment to Iowa Bridge and Culvert of Washington, Iowa in the amount of \$33,392.01 is hereby approved.

APPROVED, PASSED, AND ADOPTED, this 1st day of March, 2022.

CITY OF OTTUMWA, IOWA


Richard W. Johnson, Mayor

ATTEST:


Christina Reinhard, City Clerk



**Section 640
CHANGE ORDER**

Project: Forrest Ave Flood Wall To Contractor: IOWA BRIDGE & CULVE

Change Order Number: 1

The Contract is changed as follows:

	DATE
Qty Adjustments-See Tab Sheet	-\$207,914.82
Price Adjustment for decreased wall footage	\$17,429.00
	<u>\$0.00</u>
	<u>\$0.00</u>
	<u>\$0.00</u>
	<u>\$0.00</u>
	<u>\$0.00</u>
Total:	(\$190,485.82)


Base bid amount \$527,175.00

NEW PROJECT TOTAL \$336,689.18

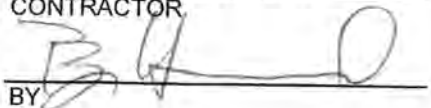
NOT VALID UNTIL SIGNED BY THE OWNER AND CONTRACTOR


The Original Contract Sum was	<u>\$527,175.00</u>
Net change by previously authorized Change Orders	<u>\$0.00</u>
The Contract Sum prior to this change order	<u>\$527,175.00</u>
The Contract Sum will be <u>decreased</u> by this change order in the amount of	<u>(\$190,485.82)</u>
The new Contract Sum including this change order	<u>\$336,689.18</u>
The Contract Time will be <u>unchanged</u> by	<u>0</u> days

The date of Substantial Completion as of the date of this Change Order is in accordance with contract documents.


 ENGINEER
 DIRECTOR OF PUBLIC WORKS

02-22-2022
 DATE

IOWA BRIDGE & CULVERT
 CONTRACTOR

 BY

2/18/22
 DATE

 TITLE

SECTION 630
PAY ESTIMATE

CITY OF OTTUMWA

APPLICATION FOR PAYMENT

TO OWNER: City of Ottumwa

PROJECT: Forrest Ave Flood Wall

PAY REQUEST NO. 3

Final

FROM CONTRACTOR: IOWA BRIDGE & CULVERT

PAY PERIOD: 18-Feb-22

CONTRACTOR'S APPLICATION FOR PAYMENT

Application for payment is made as follows:

1. Original Contract Sum	<u>\$527,175.00</u>
2. Net change by Change Orders	<u>(\$190,485.82)</u>
3. Contract Sum to Date (Line 1± Line 2)	<u>\$336,689.18</u>
4. Total Completed and Stored to Date	<u>\$336,689.18</u>
5. Retainage: <u>0</u> % of Completed work	<u>\$0.00</u>
6. Total Earned Less Retainage Amount	<u>\$336,689.18</u>
7. Less Previous Payments	<u>\$303,297.17</u>
8. Current Payment Due	<u>\$33,392.01</u>

The undersigned Contractor certifies that to the best of their knowledge, the Work covered by this Application has been completed in accordance with the Contract Documents, that the Contractor has paid for all Work which previous Applications for Payment were issued and payments received from the Owner, and that current payment (Line 8) is now due.

CONTRACTOR: Iowa Bridge & Culvert

DATE: 2/18/22

BY: [Signature]

TITLE: Pres

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the contract documents, based on on-site observations and the information contained in this application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge the Work has progressed as indicated, the quality of the Work is in accordance with the contract Documents, and the Contract entitled to payment of the AMOUNT CERTIFIED.

[Signature]
ENGINEER/DIRECTOR OF PUBLIC WORKS

AMOUNT CERTIFIED: \$33,392.01

DATE: 02-22-2022

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

FILED

2022 FEB 24 PM 3: 50

CITY CLERK
OTTUMWA, IOWA

Council Meeting of: March 1, 2022

Engineering Department
Department

Alicia Bankson
Prepared By
Larry Seals
Department Head

[Signature]
City Administrator Approval

AGENDA TITLE: Resolution #57-2022. Approving Change Order #1 and accepting the work as final and complete for the Woodland Avenue Reconstruction Project.

**Public hearing required if this box is checked. **

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #57-2022.

DISCUSSION: This project consisted of the East Woodland Avenue reconstruction from Court Street to approximately 1,100 LF east. It included complete reconstruction of the roadway, installation of new sewers and adding new storm system on Green Street between Woodland and Fillmore. Up-grades to the storm sewer system and replacement of the sanitary sewer main. This area is in the Phase VIII Division 3D area and was designed to allow the sanitary to be connected in the future without removing any of the newly installed street pavement.

Change Order #1 consists of an increase of \$16,497.35 for a price adjustment for additional material, removal of additional rock for temp surface, cold weather concrete and unsuitable fill-sewer trench.

Original Contract Amount	\$ 857,279.65
Change Order #1	\$ 16,497.35
New Contract Sum	\$ 873,777.00
Amount paid to date	\$ 807,196.53
Final Payment	\$ 66,580.47

Drish Construction of Fairfield, Iowa has completed the above referenced work according to the plans and specifications. This will authorize payment and release all retainage.

Engineer's Opinion of Cost:	\$928,883
OWW	\$118,263.06 – Pavement Replacement
RU	\$356,000
LOST Balance	

Source of Funds: LOST/RU

Budgeted Item: YES

Budget Amendment Needed: No

RESOLUTION #57-2022

A RESOLUTION APPROVING CHANGE ORDER #1 AND ACCEPTING THE WORK AS
FINAL AND COMPLETE FOR THE WOODLAND AVENUE
RECONSTRUCTION PROJECT

WHEREAS, The City Council of the City of Ottumwa, Iowa entered into a contract on March 2, 2021 with Drish Construction of Fairfield, Iowa for the above referenced project; and

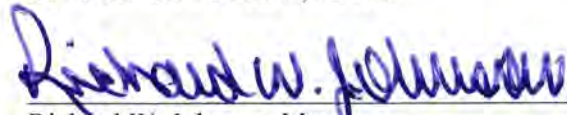
WHEREAS, Change Order #1 increased the contract amount by \$16,497.35, resulting in a new contract sum of \$873,777.00; and

WHEREAS, All work has been finished and the project is now completed in accordance with the plans and specifications

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The above mentioned change order for this project is hereby approved. The Woodland Avenue Reconstruction Project is hereby accepted as complete and authorization to make final payment to Drish Construction of Fairfield, Iowa in the amount of \$66,580.47 is hereby approved.

APPROVED, PASSED, AND ADOPTED, this 1st day of March, 2022.

CITY OF OTTUMWA, IOWA


Richard W. Johnson, Mayor

ATTEST:



Christina Reinhard, City Clerk

**Section 640
CHANGE ORDER**

Project: East Woodland Reconstruction

To Contractor: DRISH CONSTRUCTION

Change Order Number: 1

The Contract is changed as follows:

	DATE
	<u>\$0.00</u>
Qty Adjustments	<u>\$250.91</u>
Price Adj for Add. Mat'l cost-12" SDR26	<u>\$546.84</u>
Removal of Additional Rock for Temp Surface	<u>\$4,480.00</u>
Cold Weather Concrete	<u>\$9,014.00</u>
Unsuitable Fill-Sewer Trench	<u>\$2,205.60</u>
	<u>\$0.00</u>
Total:	\$16,497.35

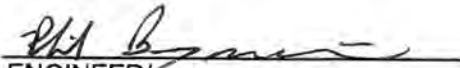
Base bid amount \$857,279.65

NEW PROJECT TOTAL \$873,777.00


NOT VALID UNTIL SIGNED BY THE OWNER AND CONTRACTOR


The Original Contract Sum was	<u>\$857,279.65</u>
Net change by previously authorized Change Orders	<u>\$0.00</u>
The Contract Sum prior to this change order	<u>\$857,279.65</u>
The Contract Sum will be <u>increased</u> by this change order in the amount of	<u>\$16,497.35</u>
The new Contract Sum including this change order	<u>\$873,777.00</u>
The Contract Time will be <u>increased</u> by	<u>5</u> days

The date of Substantial Completion as of the date of this Change Order is in accordance with contract documents.


ENGINEER/
DIRECTOR OF PUBLIC WORKS

02-24-2022
DATE

DRISH CONSTRUCTION
CONTRACTOR

BY

2-24-22
DATE

TITLE

**SECTION 630
PAY ESTIMATE**

CITY OF OTTUMWA

APPLICATION FOR PAYMENT

TO OWNER: City of Ottumwa

PROJECT: East Woodland Reconstruction

PAY REQUEST NO. 8
Final

FROM CONTRACTOR: DRISH CONSTRUCTION

PAY PERIOD: 18-Feb-22

CONTRACTOR'S APPLICATION FOR PAYMENT

Application for payment is made as follows:

1. Original Contract Sum	<u>\$857,279.65</u>
2. Net change by Change Orders	<u>\$16,497.35</u>
3. Contract Sum to Date (Line 1 + Line 2)	<u>\$873,777.00</u>
4. Total Completed and Stored to Date	<u>\$873,777.00</u>
5. Retainage: <u>0</u> % of Completed work	<u>\$0.00</u>
6. Total Earned Less Retainage Amount	<u>\$873,777.00</u>
7. Less Previous Payments	<u>\$807,196.53</u>
8. Current Payment Due	<u>\$66,580.47</u>

The undersigned Contractor certifies that to the best of their knowledge, the Work covered by this Application has been completed in accordance with the Contract Documents, that the Contractor has paid for all Work which previous Applications for Payment were issued and payments received from the Owner, and that current payment (Line 8) is now due.

CONTRACTOR: Drish Construction Inc

DATE: 2/24/22

BY: Roger Quinn

TITLE: Pres

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the contract documents, based on on-site observations and the information contained in this application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge the Work has progressed as indicated, the quality of the Work is in accordance with the contract Documents, and the Contract entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$66,580.47

Shawn B...
ENGINEER/DIRECTOR OF PUBLIC WORKS

DATE: 02-24-2022

ITEM REMOVED FROM AGENDA – NO LEGISLATIVE ACTION OCCURRED

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of : Mar 1, 2022

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 58-2022 - A Resolution Approving a Lease Agreement
Between the City of Ottumwa and Avfuel Corporation

Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution 58-2022

DISCUSSION: This lease captures the continued supply of aviation fuel to the Ottumwa Regional Airport and documents the lease to own agreement between Avfuel and airport staff for a 1,000 gallon fueling truck. This is a three year lease subject to a monthly lease payment and \$1.00 option to purchase the vehicle at the end of the lease. The lease agreement is attached for reference.

Source of Funds: N/A

Budgeted Item:

Budget Amendment Needed:

RESOLUTION NO. 58-2022

RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF OTTUMWA AND AVFUEL CORP. FOR FUEL AND FUELING VEHICLE

WHEREAS, the City of Ottumwa has been receiving aviation fuel from Avfuel and desires to continue that relationship; and

WHEREAS, Avfuel has offered to enter into a three-year lease to own program for a fueling vehicle; and

WHEREAS, staff have negotiated the attached agreement, which has been reviewed by legal counsel and recommended by the Airport Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ottumwa, Iowa, that the proposed Lease Agreement between the City of Ottumwa, Iowa and Avfuel Corporation be hereby approved.

BE IT FURTHER RESOLVED, by the Ottumwa City Council of the City of Ottumwa, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute said resolution and the attached Lease Agreement.

APPROVED, PASSED AND ADOPTED, this 1st day of March, 2022.

CITY OF OTTUMWA, IOWA

Richard W. Johnson, Mayor

ATTEST:

Christina Reinhard, City Clerk

**ITEM REMOVED FROM AGENDA –
NO LEGISLATIVE ACTION OCCURRED**

AVFUEL CORPORATION
AVIATION REFUELER LEASE AGREEMENT WITH OPTION TO PURCHASE
Summary of Terms and Conditions

<i>Avfuel Number/Description</i> Unit 1014 / '95 Ford F450 1,000 Gal Avgas	<i>Vin Number</i> 1FDLF47XFSEA11893	<i>Monthly Rental</i> \$583.33 plus applicable tax
--	---	--

Replacement value:

Customer:

**City of Ottumwa, IA
14802 Terminal St
Ottumwa, IA 52501**

Airport Location:

OTM - Ottumwa Regional Airport

**NOTE: 1) Meter calibration is the responsibility of the Customer.
2) Equipment is in "as is, where is" condition at OTM.**

The terms and conditions governing this Agreement are set forth above and on the following page(s), which are made a part of this Agreement.

AVFUEL CORPORATION

CUSTOMER

By: _____
Signature

By: _____
Signature

William B. Light, Vice President of Administration
Print name/Title

Print name / Title

Date: _____

Date: _____

The reference date of this Agreement is; December 15, 2021 effective date is such date or January 1, 2021.

TERMS AND CONDITIONS

1. **EQUIPMENT.** Avfuel agrees to Lease the foregoing Equipment to Customer for its sole use, subject to the following terms and conditions. Customer will have the option to Purchase the Equipment for \$1.00 at the end of the Lease Term.
2. **RENTAL.** Customer will pay Avfuel 36 monthly Lease payments of \$583.33 plus any applicable tax during the Term of the Agreement. Customer will have the option to Purchase the Equipment for \$1.00 at the end of the Lease Term.
3. **TERM:** This Lease is for the term of January 1, 2022 until December 31, 2024. During the Term of the Lease, Customer will purchase all of its jet fuel and avgas requirements at OTM from Avfuel.
4. **RETURN OF EQUIPMENT.** In the event the Lease is terminated prior to the end of the Term, or if Customer does not elect to Purchase the Equipment for \$1.00 at the end of the Lease Term, Customer shall return the Equipment to Avfuel's place of business in Ann Arbor, Michigan in as good condition as when Customer received it, normal wear and tear accepted. Failure to return the Equipment shall be deemed a breach of this Lease. Notwithstanding such breach, Avfuel may, without foregoing any other remedies available to it, treat the Agreement as continuing from month to month under the same terms and conditions as were in effect at the end of the lease term. Nothing herein shall require that Customer perform the repair or maintenance obligations of Avfuel under the provisions of Section 7 below
5. **TITLE TO: EQUIPMENT.** Avfuel warrants that it has all necessary rights to lease said Equipment to Customer. Further, the parties agree that as between themselves, Avfuel has title to the Equipment and Customer shall keep the Equipment free of liens and shall not do or permit anything to be done that will prejudice the title of Avfuel, or its rights in the Equipment. Each item of Equipment shall bear a legend denoting it as the property of Avfuel and Customer shall not remove or deface that legend under any circumstances.

6. USE. The Equipment shall be used solely by Customer or its representatives at the above airport, solely for handling aviation fuels and shall not be moved from said airport nor operated on any public road without the prior written consent of Avfuel. Customer will comply with all laws, ordinances and regulations applicable to the possession, operation or use of the Equipment and will demonstrate compliance upon request.
7. MAINTENANCE.
- 7.1 Except as noted in 7.3 below, the Customer will maintain the Equipment in a condition equivalent to that as of the day of this Lease Agreement, normal wear and tear excepted, and, to that end, will, at the Customer's sole expense, provide all preventative maintenance (including but not limited to lubrication, oil and filter changes, etc.), repairs, and replacement parts as are necessary to preserve the Equipment in good operating condition and in compliance and in conformity with all laws, rules, regulation (including meter calibrations, meters are not calibrated or certified prior to delivery), and industry standards which are applicable to the operation of refuelers. Customer shall keep complete and accurate maintenance records and AVFUEL shall be entitled to inspect the Equipment and the maintenance records at any time during regular business hours. At AVFUEL'S option, any item of repair or maintenance which would be the responsibility of Customer may be performed by AVFUEL and billed back to Customer as additional rent.
- 7.2 Customer shall be responsible for all tire maintenance, repair, and replacement. CHANGING A TIRE ON A REFUELER IS VERY DANGEROUS AND MUST NOT BE ATTEMPTED BY UNTRAINED PERSONNEL. CUSTOMER AGREES THAT IT WILL PERMIT TIRES TO BE CHANGED ONLY BY AN OUTSIDE CONTRACTOR WHO IS PROFESSIONALLY TRAINED TO DO SUCH WORK.
- 7.3 Avfuel shall be permitted access to the Equipment at any reasonable time. Avfuel assumes no responsibility for loss of use or any other items of ancillary damage which may be caused by or result to customer by reason of the fact that the equipment becomes inoperable.
- 7.4 Customer shall not make any alterations or modifications to the Equipment of any kind including but not limited to painting, mounting of radios or antennas, applying decals or lettering without the express written consent of Avfuel.
- 7.5 Customer shall promptly notify of the need for any repair or maintenance which is required.. If such repair or maintenance is required as the result of intentional conduct, negligence, or failure to perform repair or maintenance on the part of Customer or any of Customer's agents or employees, Customer shall be liable for all costs associated with performing such repairs and/or maintenance.
8. WARRANTIES. AVFUEL MAKES NO WARRANTY, EXPRESS OR IMPLIED, REGARDING DEFECTS IN MATERIAL, WORKMANSHIP, DESIGN, CAPACITY, OR FITNESS OF THE EQUIPMENT FOR ANY PURPOSE, NOR WHICH EXTEND BEYOND THE DESCRIPTION OF THE EQUIPMENT WHICH APPEARS AT THE BEGINNING HEREOF.
9. **"TAXES AND OTHER CHARGES"**. The Customer shall pay all taxes, assessments, fees and similar charges (the "Taxes") which are imposed by any federal, state or local governmental agency or by any airport authority (the "Taxing Authorities") based upon leasing, delivery, use or sale of the Equipment (including, without limitation, sales taxes, use taxes, registration fees, transfer taxes or similar charges), excepting only taxes which are imposed upon AVFUEL based upon its net income or revenues. If the Taxing Authority collects the Taxes directly from the Customer, then the Customer shall pay all such Taxes on or before their due dates. If the Taxing Authority requires that the lessor or seller collect the Taxes from the lessee or purchaser at the time of lease or sale, then AVFUEL will attempt in good faith to include all such Taxes in its invoices to the Customer and the Customer shall pay all such invoices on or before their due dates. (In its invoices, AVFUEL will identify those Taxes as separate items.) If the Customer is entitled to an exemption from any Taxes which the Taxing Authority requires to be collected by the lessor or seller, then, in order to permit AVFUEL to not collect those Taxes, the Customer shall obtain and provide to AVFUEL current and valid exemption certificates with respect to those Taxes. The Customer acknowledges that it remains solely responsible for all such Taxes even if AVFUEL, through inadvertence, error or otherwise, fails to include any such Taxes in its invoices to the Customer.

Accordingly, if, subsequent to the issuance of any invoice, the Taxing Authority or AVFUEL advises the Customer of additional Taxes payable with respect to that invoice, then the Customer shall promptly pay such additional Taxes. The Customer shall indemnify AVFUEL from any liability for any Taxes payable by the Customer and, except as provided below, for any interest, penalties or other charges assessed with respect to those Taxes. The Customer's indemnity shall extend to any Taxes which should have been collected by AVFUEL but were not included by AVFUEL in its invoice to the Customer and any Taxes which are assessable against the Customer as a result of any subsequent change or reinterpretation of the laws relating to those Taxes or any exemptions from those Taxes. The Customer's indemnity shall also extend to any Taxes for which an exemption had been claimed but which are subsequently assessed by a Taxing Authority based upon its rejection of the claimed exemption for the Equipment or the Customer. AVFUEL will indemnify and hold the Customer harmless from any interest, penalties or similar charges which are assessed against the Customer as a result of the late payment of any Taxes if AVFUEL is required under applicable law to collect such Taxes from the Customer but, as a result of the negligence or willful misconduct of its employees, AVFUEL failed to include such Taxes in its invoice to the Customer.

10. **EVENTS OF DEFAULT.** The following are Events of Default: Failure to pay when due any rental or other sum for which Customer is obligated hereunder; the failure of Customer to observe or perform any other obligations or covenants contained herein; the voluntary filing by Customer seeking protection from creditors under the United States Bankruptcy Code or under state laws designed for the protection of debtors; the adjudication of a court or tribunal that Customer is insolvent; the assignment of Customer's assets for the benefit of creditors; the appointment of a trustee, receiver, or other representative to control or operate all or a substantial part of Customer's property; the occurrence of any event or events which, in the sole opinion of Avfuel, would have a material adverse effect upon the ability of Customer to meet its future obligations hereunder.
11. **RIGHTS ON DEFAULT.** IN THE EVENT OF DEFAULT, AVFUEL MAY, UPON ORAL OR WRITTEN NOTICE TO CUSTOMER, DECLARE THIS AGREEMENT TERMINATED AND CANCELED AS OF THE DATE OF SUCH DEFAULT OR AS OF A SUBSEQUENT DATE SPECIFIED IN AVFUEL'S NOTICE OF TERMINATION TO CUSTOMER. In such event, Avfuel or its agents or employees may, without further notice and without legal process enter onto any facility of Customer for the purpose of repossessing any item of Equipment or any personal property of any description owned by Avfuel, and Customer shall use its best efforts to assist Avfuel in such repossession. Pursuit of the foregoing shall not preclude pursuit of any other remedies provided by law, nor constitute a waiver of any amount due by Customer hereunder or of any damages accruing by reason of the breach of any of the terms or conditions contained herein. No waiver of any breach hereof shall be deemed to constitute a waiver of any other breach hereof, and forbearance to enforce a remedy herein provided upon an event of default shall not be deemed or construed to constitute a waiver of such default. Aviation fuels on board repossessed Equipment will become the property of Avfuel, and credited against any amount owed Avfuel by Customer at that day's market price.
12. **INSURANCE.** Prior to the effectiveness of this Agreement, Customer shall secure at its cost, the following insurance and furnish Avfuel a Certificate of Insurance, evidencing: (1) commercial general liability insurance, including aircraft products liability, with limits not less than \$1,000,000 combined single limit for bodily injury and property damage; and (2) automobile liability insurance with limits not less than \$1,000,000 combined single limit for bodily injury and property damage; and (3) workers compensation covering all employees of Customer; and (4) physical damage coverage covering the value of the leased equipment. Insurance policies shall be issued by insurance companies acceptable to Avfuel, shall name Avfuel as additional insured, or loss payee as the case may be, and shall provide for at least thirty (30) day's written notice to Avfuel prior to cancellation or modification. Customer shall maintain such policies in full force and effect throughout the term of this lease and until all of its obligations hereunder have been released by Avfuel.
13. **INDEMNIFICATION. CUSTOMER AGREES TO INDEMNIFY AND HOLD AVFUEL AND/OR THE OWNER OF THE EQUIPMENT HARMLESS FROM AND AGAINST ANY AND ALL CLAIMS, LIABILITIES, LOSSES, EXPENSES (INCLUDING ATTORNEY'S FEES), OBLIGATIONS AND CAUSES OF ACTION FOR INJURY TO OR DEATH OF ANY AND ALL PERSONS, OR FOR DAMAGE TO OR DESTRUCTION OF ANY OR ALL PROPERTY ARISING OUT OF OR RESULTING FROM THE CONDITION, EXISTENCE, USE OR MAINTENANCE OF THE EQUIPMENT.**

Customer Initial _____

Form R1

Page 3 of 3

Revised 3/13

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of : Mar 1, 2022

Planning & Development
Department

Zach Simonson
Prepared By
Zach Simonson
Department Head



City Administrator Approval

AGENDA TITLE: RESOLUTION 61-2022: RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON AN APPLICATION TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE COVID-19 PROGRAM

Public hearing required if this box is checked.

RECOMMENDATION: PASS AND ADOPT RESOLUTION 61-2022.

DISCUSSION: The Iowa Economic Development Authority is providing a special round of Community Development Block Grant funding as a result of additional federal Covid relief funding. With Area 15 Regional Planning, staff has identified a project which will provide assistance to the food service program operated by Starr Workforce/Blessings Soup Kitchen which provides meals to persons experiencing homelessness.

Source of Funds:

Budgeted Item: Budget Amendment Needed:

Since the beginning of the pandemic, the number of daily meals served by Blessings has more than doubled from 100-150 to 250-300 meals per day. This while operating on residential grade appliances. If funded, the \$100 thousand CDBG grant would provide:

- 2 Commercial stoves
- 2 Commercial refrigerators
- 2 Commercial freezers
- 3 Double convection ovens
- 1 Stainless steel compartment sink
- 1 Commercial pasta cooker
- 1 Industrial washer & dryer
- 75,000 take-out containers (1 year supply)

This would not only support the growing need for this service but also enable Blessings to serve more nutritional food and a wider variety of meals. The grant would not require a local match.

A resolution was previously adopted to set this public hearing on March 1. The notice for that hearing was not published in the paper. The resolution resets the hearing for March 15. The grant application will still meet the submission deadline.

RESOLUTION NO. 61-2022

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON AN APPLICATION TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE COVID-19 PROGRAM

WHEREAS, the Iowa Economic Development Authority (IEDA) is seeking proposals for Community Development Block Grant COVID-19 (CDBG-CV) projects; and

WHEREAS, the CDBG-CV program provides assistance to communities to provide assistance for food service programs in communities impacted by COVID-19; and

WHEREAS, the CDBG-CV housing conversion program provides up to \$100 thousand per project; and

WHEREAS, City staff have identified a suitable project for assistance to the food service program operated by Starr Workforce dba Blessings Soup Kitchen which prepares meals for persons experiencing homelessness; and

WHEREAS, before such application may be submitted, it is necessary that a public hearing be held thereon and that due notice be given in accordance with the requirements of the CDBG-CV program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OTTUMWA, IOWA:

Section 1. It is determined that it is in the best interests of the citizens of the City to hold a public hearing on the matter of the IEDA CDBG-CV application, on March 15, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East Third Street, Ottumwa, Iowa.

Section 2. That the City Clerk be and is hereby directed to publish a notice of a public hearing on the application, at least once not less than seven days prior to the date of said public hearing. January 18, 2022 will be the next regularly scheduled City Council meeting after the publication of notice.

Section 3. The notice of the proposed hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING FOR CITIZEN PARTICIPATION REGARDING
PROPOSED ACTIVITIES RELEVANT TO APPLICATION FOR
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

YOU ARE HEREBY NOTIFIED that the City of Ottumwa, Iowa will hold a public hearing to gather public input on a proposed application to the Iowa Economic Development Authority for CDBG COVID-19 Non-Entitlement funds for a food program assistance project. Public comments will be considered in the development of the application and a Community Development and Housing Needs Assessment.

This hearing will be held on March 15, 2022 at 5:30 PM at the Ottumwa City Hall in Ottumwa, Iowa.

The purpose of the hearing is to provide an opportunity for the public to propose or comment on the project and the proposed application to the CDBG COVID-19 Non-Entitlement program and a Community Development and Housing Needs Assessment. The needs assessment will address the following:

1. Major housing and community development needs of low to moderate income (LMI) residents of the community.
2. Other major housing and community development needs (for non-LMI residents).
3. Planned or potential activities to address the needs identified in 1 and 2 above.

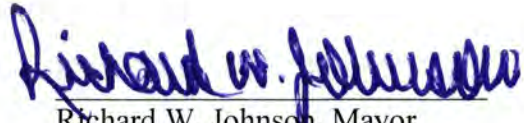
If you are unable to attend this meeting but have comments, written comments must be received no later than 4:30 p.m. March 15, 2022. Written comments may be addressed to: City of Ottumwa, 105 E. Third St., Ottumwa, IA 52501.

Dated this _____ day of _____, 2022.

City Clerk, City of Ottumwa, Iowa

(End of Notice)

PASSED AND APPROVED this 1st day of March, 2022.


Richard W. Johnson, Mayor

ATTEST:


City Clerk




CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Mar 1, 2022

Planning & Development
Department

Jake Rusch
Prepared By
Zach Simonson 
Department Head



City Administrator Approval

AGENDA TITLE: Ordinance No. 3190-2022, an ordinance amending the Code of Ordinances by changing the zoning classification on property located South of Roemer Avenue with Merrouge Avenue to the West and the city limits to the East from R-2 Two-family Residential to C-1 Neighborhood Commercial.

Public hearing required if this box is checked.

RECOMMENDATION: Pass third consideration and pass and adopt of Ordinance No. 3190-2022.

DISCUSSION: The 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. Surrounding property with access to Roemer Ave. is zoned for commercial use. The property's current zoning is a result of Roemer having previously served as a state highway which made access to the street from this property difficult or impossible.

Source of Funds:

Budgeted Item: Budget Amendment Needed:

lowa X-Plosion Cheer & Tumbling has been a place for children, and teens to learn safe and efficient tumbling and cheer skills since June of 2017. Our current location is rented out, and out of space for the opportunity to grow. The building is no longer able to provide us the space needed to continue to grow our X-Plosion community. Our class sizes have tripled since we opened our doors.

I would like to rezone the property on Roemer Ave to be able to build a new, safe, and updated facility to provide cheer, tumbling, trampoline, and acro based classes to both Ottumwa, and surrounding areas youth. Ottumwa is lacking in opportunities for our youth to stay active. By having the ability to operate a commercial business on this property, we will be able to do the following:

- Hold multiple classes at once in the same facility
- Double or triple the amount of revenue
- Continue to see rising number in athlete enrollments
- Keep our youth healthy and active
- Ability to host in house meets or showcases
- Rentable room for parties and gatherings
- Offer more employment options for Ottumwa

Thank you for your consideration,

Lindsey McCoy
Owner & Coach



Alley

Riverway Blvd

Merrouge Ave.

Hughs Ave.

Herman Ave.

Roemer Ave.

gravel parking lot
120' x 90'
gymnasium

Ottumwa

319

316

319

312

300

311

308

308

300

2801

2803

1134

ORDINANCE NO. 3190-2022

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (MUNICIPAL CODE OF THE CITY OF OTTUMWA, IOWA) BY CHANGING THE ZONING CLASSIFICATION ON CERTAIN PROPERTY LOCATED TO THE SOUTH OF ROEMER AVENUE WITH MERROUGE AVENUE TO THE WEST AND THE CITY LIMITS TO THE EAST FROM R-2 TO C-1 IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA, THAT:

SECTION 1

Zoning Ordinance #3105-2015 of the City of Ottumwa, Iowa, as amended and as set forth in Chapter 38 of the Municipal Code, City of Ottumwa, Iowa be and the same is hereby amended and changed to conform with this ordinance and the following described property, to wit:

A part of Auditor' s Lot 3 and a part of Auditor' s Lot 4 and also a part of Auditor' s Lot 5 in the Southeast Quarter of the Northeast Quarter in Section 29, Township 72 North, Range 13 West of the 5th P.M. in the City of Ottumwa, Wapello County, Iowa described as follows to-wit: Commencing at the Southwest Corner of the said SE¹/₄ of the NE¹/₄ of Section 29; thence North 00 degrees 10 minutes 40 seconds East along the West line of the SE¹/₄ of NE¹/₄ of Section 29, a distance of 511.02 feet to the point of beginning of the tract of land herein described; thence continuing North 00 degrees 10 minutes 40 seconds East, a distance of 325.00 feet; thence South 89 degrees 47 minutes 20 seconds East, a distance of 286.55 feet; thence South 00 degrees 56 minutes 10 seconds East, a distance of 621.63 feet to a point on the North right of way line of U.S. Highway No. 34; thence North 89 degrees 59 minutes 30 seconds West, a distance of 209.01 feet along the said North right of way line of U.S. Highway No. 34; thence North 31 degrees 12 minutes 10 seconds West along the Easterly right of way line of the public road connection to said U.S. Highway No. 34, a distance of 57.05 feet; thence North 09 degrees 59 minutes 30 seconds West along the said Easterly right of way line of the Public Road, a distance of 151.65 feet; thence North 00 degrees 19 minutes 40 seconds East along the said Easterly right of way line of the Public Road, a distance of 99.27 feet, thence 89 degrees 45 minutes West, a distance of 33.4 feet to the point of beginning, containing 3.86 acres and being subject to a 20 foot wide strip of land reserved for roadway across the West 20.00 feet of the North 325.00 feet thereof.

AND

A part of the Southeast Quarter of the Northeast Quarter and part of the Northeast Quarter and part of the Northeast Quarter of the Southeast Quarter of Section 29, Township 72 North, Range 13 West of the 5th P.M., in Wapello County, Iowa described as follows, to-wit: Beginning at a point 113.6 feet South of the Southwest Corner of the Southeast Quarter of the Northeast Quarter of said Section 29, thence North 328 feet and 10 inches; thence East 765.4 feet, thence South 328 feet and 10 inches; thence West 766.9 feet to the place of beginning; said tract being all of Auditor' s Lot 2 of the Northeast Quarter of the Southeast Quarter of said Section 29 and the South 215 7/30 feet of Auditor' s Lot 4 of the Southeast Quarter of the Northeast Quarter of said Section 29, containing

5 3/4 acres, more or less, except 20 feet off the West side for roadway and except that part conveyed to the State of Iowa for road purposes and for use as a public highway as shown by record 244 page 175, Recorder' s Office of said County and subject to a transmission line easement to the Iowa Southern Utilities Company as shown by record 277 Page 259 Recorder' s Office of said County.

ALSO

A tract of land located in the Northeast Quarter of Section 29, Township 72 North, Range 13 West of the 5th P.M., in Wapello County, Iowa and described as follows: Commencing at the East Quarter Corner of said Section 29, thence West 1326.5 feet; thence North 00°17'20" East a distance of 510.35 feet to the point of beginning of the tract herein described; thence North 00°17'20" East a distance of 325 feet; thence South 89°40'40" East a distance of 1227.5 feet along a boundary fence, thence South 08°52' West a distance of 649.5 feet; thence North 76°20'10" W. A distance of 326.1 feet; thence South 46°5'40" West a distance of 74.5 feet; thence North 89°59'30" West a distance of 670.4 feet; thence North 31°12'10" West a distance of 57.05 feet; thence North 09°59'30" West a distance of 15 feet; thence North 00°19'40" East a distance of 99.75 feet; thence West 32.8 feet to the point of beginning. The South line of the Northeast Quarter of Section 29 is taken as due East and West. The above tract is subject to a 20-foot wide right of way across the Westerly 20 feet of the North 325 feet thereof;

EXCEPT THE FOLLOWING:

A part of Auditor' s Lot 3 and a part of Auditor' s Lot 4 and also a part of Auditor' s Lot 5 in the Southeast Quarter of the Northeast Quarter of Section 29, Township 72 North, Range 13 West of the 5th P.M. in the City of Ottumwa, Wapello County, Iowa described as follows to wit: Commencing at the Southwest Corner of the said SE¹/₄ of the NE¹/₄ of Section 29; thence North 00 degrees 10 minutes 40 seconds East along the West line of the SE¹/₄ of NE¹/₄ of Section 29, a distance of 511.02 feet to the point of the beginning of the tract of land herein described; thence continuing North 00 degrees 10 minutes 40 seconds East, a distance of 325.00 feet; thence South 89 degrees 47 minutes 20 seconds East, a distance of 286.55 feet; thence South 00 degrees 56 minutes 10 seconds East, a distance of 621.63 feet to a point of the North right of way line of U.S. Highway No. 34; thence North 89 degrees 59 minutes 30 seconds West, a distance of 209.01 feet along the said North right of way line of U.S. Highway No. 34; thence North 31 degrees 12 minutes 10 seconds West along the Easterly right of way line of the public road connection to said U.S. Highway No. 34, a distance of 57.05 feet; thence North 09 degrees 59 minutes 30 seconds West along the said Easterly right of way line of the Public Road, a distance of 151.65 feet; thence North 00 degrees 19 minutes 40 seconds East along the said Easterly right of way line of the Public Road, a distance of 99.27 feet, thence North 89 degrees 45 minutes West, a distance of 33.4 feet to the point of beginning, containing 3.86 acres and being subject to a 20 foot wide strip of land reserved for roadway across the West 20.00 feet of the North 325.00 feet thereof.

Be and the same is hereby changed from its present zoning classification of "R-2" Two-family Residential District to "C-1" Neighborhood Commercial District.

SECTION 2

The official zoning map of the City of Ottumwa, Iowa duly designated as such, and on file in the office of the City Clerk and the Wapello County Recorder, is hereby amended and changed to conform to this ordinance and the City Clerk, pursuant to Section 38-30 of the Zoning Ordinance #3088-2015, as amended, is hereby directed to record a certified copy of this said ordinance with the Wapello County Recorder and attach a certified copy of this said ordinance to the official zoning map.

SECTION 3

This ordinance shall be in full force and effect, from and after its passage, adoption and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

SECTION 4

When this ordinance is in effect, it shall automatically supplement, amend and become a part of the said Code of Ordinance (Municipal Code) of the City of Ottumwa, Iowa.

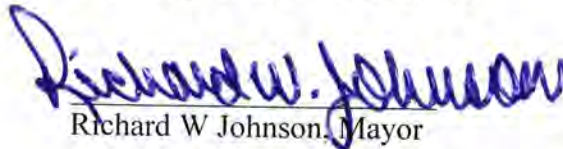
Passed on its first consideration on the 1st day of February, 2022.

Passed on its second consideration on the 15 day of February, 2022.

Requirement of consideration and vote at two prior council meetings suspended on the _____ day of _____, 2022.

Final passage and adoption on the 1st day of March, 2022.

CITY OF OTTUMWA, IOWA


Richard W Johnson, Mayor

___ No action taken by Mayor.

___ Vetoed this ___ day of _____, 2022.

Richard W Johnson, Mayor

___ Repassed and adopted over the veto this ___ day of _____, 2022.

___ Veto affirmed this ___ day of _____, 2022 by failure of vote taken to repass.

___ Veto affirmed, no timely vote taken to repass over veto.

ATTEST:



Chris Reinhard

Chris Reinhard, City Clerk

