



TENTATIVE AGENDA  
OTTUMWA CITY COUNCIL

REGULAR MEETING NO. 11  
Council Chambers, City Hall

May 2, 2023  
5:30 O'Clock P.M.

PLEDGE OF ALLEGIANCE

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

B. CONSENT AGENDA:

1. Minutes from Regular Meeting No. 10 on April 18, 2023 as presented.
2. Acknowledgement of February financial report and payment of bills as submitted by the Finance Department.
3. Proclamation of Arbor Day on April 28, 2023.
4. Canvasser and Solicitors Application for American Legion Auxiliary to collect donations for poppy week for veterans on 5/22-5/29/2023 at various businesses within the City.
5. Approve the Salary Adjustment along with assignment of Assistant City Administrator Duties to the Director of Community Development, effective May 7, 2023.
6. Resolution No. 68-2023, approving contract, bonds and certificate of insurance for the Green Street Sewer Improvements Project – Group B.
7. Resolution No. 72-2023, fixing date for a public hearing on Ordinance No. 3212-2023 – an ordinance establishing solid waste fees for noncommercial establishments by repealing and replacing Section 31 ½ - 35 of the Municipal Code of the City of Ottumwa.
8. Resolution No. 73-2023, authorizing renewal and administrative services agreement with Wellmark Blue Cross and Blue Shield of Iowa for health and dental insurance, Avesis, a Guardian Company and Symetra Life Insurance Company for a period of July 1, 2023 through June 30, 2024.
9. Resolution No. 74-2023, fixing date for a public hearing on Amendment No. 3 to Our Ottumwa 2040 Comprehensive Plan, amending Zoning Compatibility Matrix.
10. Resolution No. 78-2023, approving Amendment A to the Aviation Fuel Supply Agreement between AVFUEL Corporation and City of Ottumwa.
11. Beer and/or liquor applications for: Parkview Plaza (Hotel Ottumwa), 107 E. Second St.; and temporary outdoor service area for the following dates: 6/9, 7/7, 7/14, 7/21, 7/28/2023; Front Runners with outdoor service area, 837 Church St.; Fraternal Order of Eagles Ottumwa Aerie #114, 109 S. Green St.; American Legion OB Nelson #3, 550 W. Main St.; Champion Bowl, 2601 Roemer Ave.; Owl's Nest, LLC, 116 S. Court; Ottumwa Elks Lodge 347, temporary outdoor service area 6/20-6/25/2023 at the Jimmy Jones Shelter; Red's Pub, temporary outdoor service area on 7/8/2023; all applications pending final inspections.

C APPROVAL OF AGENDA

D. ADMINISTRATORS REPORT TO COUNCIL AND CITIZENS:

1. Anderson Larkin providing update on FY 2022 Audit Report.

*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. PUBLIC HEARING:

1. This is the time, place and date set for a public hearing on proposed Ordinance No. 3213-2023, amending the Code of Ordinances (Municipal Code of the City of Ottumwa, Iowa) by changing the zoning classification of property known as 526 E. Second from R-4 to C-2 in the City of Ottumwa, Wapello County, Iowa.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Ordinance No. 3213-2023, amending the Code of Ordinances by changing the zoning classification of property known as 526 E. Second from R-4 to C-2 in the City of Ottumwa, Wapello County, Iowa.

RECOMMENDATION: Pass the first consideration of Ordinance No. 3213-2023.

2. This is the time, place and date set for a public hearing on proposed Ordinance No. 3214-2023, amending the Code of Ordinances (Municipal Code of the City of Ottumwa, Iowa) by changing the zoning classification of property known as 1508 Albia Road from C-1 to C-2 in the City of Ottumwa, Wapello County, Iowa.

- A. Open the public hearing.
- B. Close the public hearing.
- C. Ordinance No. 3214-2023, amending the Code of Ordinances by changing the zoning classification of property known as 1508 Albia Road from C-1 to C-2 in the City of Ottumwa, Wapello County, Iowa.

RECOMMENDATION: Pass the first consideration of Ordinance No. 3214-2023.

G. ORDINANCES:

H. DEPARTMENTAL, BOARD, OR COMMISSION RECOMMENDATIONS/REPORTS:

1. Bid report to reject bid received on the 2023 RPF #1 Bridge View Hotel Overflow Parking Project.

RECOMMENDATION: Reject bid received on RFP #1 Bridge View Hotel Overflow Parking Project.

I. RESOLUTIONS:

1. Resolution No. 75-2023, resolution of support for a Workforce Housing Tax Credit Program Application by Bush Real Estate Development, LLC for an adaptive reuse and historic preservation project at 107 E. Second Street.

RECOMMENDATION: Pass and adopt Resolution No. 75-2023.

2. Resolution No. 76-2023, approving and providing consent to assignment of the Lease Agreement concerning Lots 7, 8 and 10 in Caldwell Park Addition to the City of Ottumwa, Wapello County, Iowa, commonly known as 1520 West Main and 1512 West Main.

RECOMMENDATION: Pass and adopt Resolution No. 76-2023.

3. Resolution No. 77-2023, addressing an Irrevocable Letter of Direction and Authorizing the Mayor to sign on the Green Street Sewer Improvements Project – Group A.

RECOMMENDATION: Pass and adopt Resolution No. 77-2023.

4. Resolution No. 79-2023, joining the Southeast Iowa Sports Commission Destination Iowa Grant Application and award as Co-Applicant and Sub-Recipient.

RECOMMENDATION: Pass and adopt Resolution No. 79-2023.

#### 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. MAYOR/CITY COUNCIL REPORT AND/OR COMMUNICATIONS

#### 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 ]

OTTUMWA

**FAX COVER SHEET**

City of Ottumwa

DATE: 4/28/23 TIME: 9:20 AM NO. OF PAGES 4  
(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 #11 to be held on 5/02/2023 at 5:30 P.M.

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\*\*\* FAX MULTI TX REPORT \*\*\*  
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ERROR 916416847834  
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KTVO  
Ottumwa Waterworks  
Ottumwa Courier  
Tom FM



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\*\*\* TX REPORT \*\*\*  
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| ST. TIME       | 04/28 09:24  |                    |
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| ERROR          | 916416847834 | Ottumwa Courier    |
|                | 916416828482 | Tom FM             |



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REGULAR MEETING NO. 10  
Council Chambers, City Hall

April 18, 2023  
5:30 O'Clock P.M.

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

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

Galloway moved, seconded by McAntire to approve consent agenda items: Mins. from Regular Mtg. No. 9 on April 4, 2023 as presented; Civil Service Comm. Elig. Lists for April 5, 2023: WPCF Maint. Tech. Entrance & Communication Specialist Entrance; Res. No. 63-2023, approving City's Wellness Program – Healthy Choice\$ Services Agt. to be provided by ORHC, term to end May 23, 2024; Beer and/or liquor applications for: Casey's Gen. Store #1678, 346 Richmond; Casey's Gen. Store #1886, 504 W. Mary; Casey's Gen. Store #7, 1001 E. Main; Casey's Gen. Store #2208, 1603 W. Second; Walgreens #1301, 327 W. Fourth; all applications pending final inspections. Motion carried 4-1. Absent: Pope.

Roe moved, seconded by Galloway to approve agenda as presented. Motion carried 4-1. Absent: Pope.

Council Member Pope arrived at 5:31 P.M.

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

This was the time, place and date set for a public hearing on proposed adoption of 2023/2024 Annual Budget for City of Ottumwa, IA. City Admin. Rath stated the purpose of a budget is to provide resources to meet legal, mandated and statutory obligations while also matching resources to community needs and goals. Want to add the following positions: facilities maint. mgr., another housing & code inspector, HR generalist, parks utility worker, planner, and public information officer. Able to lower the levy by just under two cents. Roe inquired about the reduction in fund balance (14.5%) and if this was cause for any concern; Rath believes we will see a bounceback on these items. Also looking to purchase new finance software est. around \$200,000. No objections rec'd. Galloway moved, seconded by Pope to close public hearing. All ayes.

Roe moved, seconded by Pope that Res. No. 49-2023, adopting FY 2023/2024 Annual Budget for City of Ottumwa, IA, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on disposition of City owned property at 601 N. Wapello to Maria Reyes. Comm. Development Dir. Simonson reported four bids rec'd on this property. No objections rec'd. McAntire moved, seconded by Roe to close public hearing. All ayes.

Pope moved, seconded by Roe that Res. No. 51-2023, accepting offer and approving sale of 601 N. Wapello, Ottumwa, IA to Maria Reyes for \$10,500 be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on disposition of City owned property at 701 W. Fourth to Maria Reyes. Simonson reported two bids rec'd. No objections rec'd. Roe moved, seconded by McAntire to close public hearing. All ayes.

Hull moved, seconded by Roe that Res. No. 53-2023, accepting offer and approving sale of 701 W. Fourth, Ottumwa, IA to Maria Reyes for \$5,500, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on proposal to enter into DA with Asbury Mgr. LLC. Simonson stated this resolution approves a DA with Asbury Mgr. LLC for the construction of 30 townhome units at two locations (20 units at 1321 Asbury and 10 units at 1412 Sherwood). 100% of the units in the development would be available to low-to-moderate income families and tenants. Both sites are in Westgate Urban Renewal Area. Total construction cost of min. improvements will be \$10,000,000. The project received a 9% Low-Income Housing Tax Credit from IA Finance Auth. As local match for LIHTC program, this agt. provides three economic development grants to the project. \$62,000 will be paid to the developer on three separate dates - July 1, 2023; January 1, 2024; July 1, 2024 pending construction completion. This incentive will be funded using franchise fees. This development is consistent with 2040 Our Ottumwa Comp. Plan and 2022 Ottumwa Housing Plan. Simonson introduced Ed Malloy to discuss this project. Mr. Malloy reported this project was one of eleven that will be funded from IA Finance Auth. Roe questioned, at what point are we going to say that we have enough LMI housing in the community? Do we need to start diverting more funding towards market rate projects? Based upon our housing study conducted in 2022, we do have a wide mix of housing needs and I want to make sure we are not lop sided on pushing more funding towards LMI. No objections rec'd. Hull moved, seconded by McAntire to close public hearing. All ayes.

Hull moved, seconded by Pope that Res. No. 64-2023, approving and auth. execution of DA by and between the City of Ottumwa and Asbury Mgr. LLC, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on disposition of City owned property at 226 S. Ward to Mahaska Communications Group (MCG). Simonson reported, MCG plans to build an enclosure on this lot to house equip. needed for fiber installation within the City. No objections rec'd. McAntire moved, seconded by Hull to close public hearing. All ayes.

Hull moved, seconded by McAntire that Res. No. 65-2023, accepting the offer and approving disposal of City owned property at 226 S. Ward to MCG for \$500. All ayes.

This was the time, place and date set for a public hearing on disposition of City owned property at 328 S. Ward. Simonson reported Rippling Waters submitted application to purchase this lot to erect a single family dwelling. No objections rec'd. Roe moved, seconded by Galloway to close public hearing. All ayes.

Roe moved, seconded by Pope that Res. No. 66-2023, accepting the offer and approving disposal of City owned property at 328 S. Ward to Rippling Waters for \$125 to erect a single family dwelling. All ayes.

Galloway moved, seconded by Pope to approve increase of Sewer Dump Fee at Ottumwa Park Campground from \$3 to \$5. All ayes.

McAntire moved, seconded by Galloway to approve replacement of Hydromatic 60RDP pump for WPCF in the amt. of \$11,205. All ayes.

Roe moved, seconded by McAntire to approve Rochester Station Fairbanks pump replacement for WPCF in the amt. of \$14,498. All ayes.

Hull moved, seconded by McAntire that Res. No. 70-2023, awarding contract for Ottumwa Campground Parking Lot & RV Dump Station to RG Construction, Inc. of Ottumwa, IA, for \$117,500, be passed and adopted. Parks & Rec. Dir. Rathje reported only one bid rec'd. Budgeted \$300,000 from ARPA funds along with \$50,000 grant from Wapello County Foundation. The sewer dump station was a requirement



of the project in order to be qualify for funding from the Foundation. Engineer's cost est. was \$52,000. All ayes.

Roe moved, seconded by Pope that Res. No. 71-2023, approving Agt. between City and Calhoun-Burns and Associates, Inc. for Professional Engineering Services to conduct 2023 & 2024 Biennial Bridge Inspections. All ayes.

Mayor Johnson inquired if anyone from the audience wished to address an item not on the agenda. Yas Torres, 545 Ray St., briefly discussed the housing project (Item F-4) and how he feels this city has so much potential.

Reminder: Make Ottumwa Shine will be going on April 20-23, 2023 and request anyone wishing to volunteer should contact the Recycling Center.

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

Adjournment was at 6:56 P.M.

ATTEST:



*Christina Reinhard*  
Christina Reinhard, CMC, City Clerk

CITY OF OTTUMWA, IOWA

*Richard W. Johnson*  
Richard W. Johnson, Mayor

Published in the Ottumwa Courier on 4/29/2023.

# Item No. B.-2.

**CITY OF OTTUMWA  
STATEMENT OF CHANGES IN CASH BALANCE  
FEBRUARY, 2023**

| ACCOUNT NUMBER      | ACCOUNT DESCRIPTION | BEG. PERIOD     | CASH            | CASH            |
|---------------------|---------------------|-----------------|-----------------|-----------------|
|                     |                     | BALANCE         | DEBITS          | CREDITS         |
| TOTALS FOR FUND 001 | GENERAL OPER        | \$ (87,876.27)  | \$ 1,296,090.78 | \$ 1,306,022.75 |
| TOTALS FOR FUND 002 | PARKING RAMP        | \$ 53,758.74    | \$ 1,170.00     | \$ 991.72       |
| TOTALS FOR FUND 003 | GENERAL-ARPA        | \$ 3,081,458.10 |                 |                 |
| TOTALS FOR FUND 110 | ROAD USE TAX        | \$ 5,202,123.25 | \$ 115,457.35   | \$ 489,391.93   |
| TOTALS FOR FUND 112 | EMPLOYEE BEN        | \$ 4,496,497.69 | \$ 57,743.71    |                 |
| TOTALS FOR FUND 119 | EMERGENCY FU        | \$ 106,865.93   | \$ 2,106.50     |                 |
| TOTALS FOR FUND 121 | SALES TAX 1%        | \$ 8,724,897.51 | \$ 441,785.07   |                 |
| TOTALS FOR FUND 122 | *****               |                 |                 |                 |
| TOTALS FOR FUND 123 | AGASSI TIF D        |                 |                 |                 |
| TOTALS FOR FUND 124 | VOGEL URBAN         |                 |                 |                 |
| TOTALS FOR FUND 125 | WESTGATE TIF        | \$ (144,297.00) | \$ 15,413.69    | \$ 263.77       |
| TOTALS FOR FUND 126 | AIRPORT TIF         | \$ 121,907.75   | \$ 25,393.94    |                 |
| TOTALS FOR FUND 127 | PENNSYLVANIA        |                 |                 |                 |
| TOTALS FOR FUND 128 | WILDWOOD HWY        | \$ 92,803.29    |                 |                 |
| TOTALS FOR FUND 129 | RISK MANAGEM        | \$ 672,667.90   | \$ 5,852.21     | \$ 17,542.78    |
| TOTALS FOR FUND 131 | AIRPORT FUND        | \$ 303.72       | \$ 37,509.05    | \$ 106,558.81   |
| TOTALS FOR FUND 133 | LIBRARY FUND        | \$ 29,829.65    | \$ 32,479.61    | \$ 91,361.11    |
| TOTALS FOR FUND 135 | CEMETERY FUN        | \$ (110,254.39) | \$ 3,959.10     | \$ 23,355.84    |
| TOTALS FOR FUND 137 | HAZ-MAT FUND        | \$ 175,397.40   |                 | \$ 23,824.17    |
| TOTALS FOR FUND 141 | 2023 UPPER S        | \$ 192,938.79   |                 |                 |
| TOTALS FOR FUND 142 | HOAP/HILP ES        |                 |                 |                 |
| TOTALS FOR FUND 143 | EPA BROWNFIE        |                 |                 |                 |
| TOTALS FOR FUND 144 | 2013 CDBG HO        |                 |                 |                 |
| TOTALS FOR FUND 145 | DOWNTOWN REV        |                 |                 |                 |
| TOTALS FOR FUND 146 | DOWNTOWN STR        | \$ 142,220.06   |                 |                 |
| 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        | \$ 2,271,195.49 | \$ 54,659.64    | \$ 58,309.97    |
| TOTALS FOR FUND 162 | SSMID DISTRI        | \$ 76,538.13    | \$ 263.77       |                 |
| TOTALS FOR FUND 167 | FIRE BEQUEST        | \$ 14,248.30    |                 | \$ 216.00       |
| TOTALS FOR FUND 169 | START UP/DON        | \$ (165.20)     |                 |                 |
| TOTALS FOR FUND 171 | RETIREE HEAL        | \$ (1,698.17)   |                 |                 |
| TOTALS FOR FUND 173 | LIBRARY BEQU        | \$ 146,964.07   | \$ 575.00       | \$ 56,246.18    |
| TOTALS FOR FUND 174 | COMMUNITY DE        | \$ 428,616.15   |                 |                 |
| TOTALS FOR FUND 175 | POLICE BEQUE        | \$ 186,940.88   | \$ 12,913.24    | \$ 25,368.28    |
| TOTALS FOR FUND 176 | Reimb Grants        |                 |                 |                 |
| TOTALS FOR FUND 177 | HISTORIC PRE        | \$ 26,446.09    |                 |                 |
| TOTALS FOR FUND 200 | DEBT SERVICE        | \$ 2,107,413.09 | \$ 35,292.22    | \$ 1,200.00     |
| TOTALS FOR FUND 301 | STREET PROJE        | \$ 1,692,607.14 |                 | \$ 11,879.87    |
| TOTALS FOR FUND 303 | AIRPORT PROJ        | \$ 358,702.56   |                 |                 |
| TOTALS FOR FUND 307 | SIDEWALK & C        | \$ 175,291.69   |                 |                 |
| TOTALS FOR FUND 309 | PARK PROJECT        | \$ 1,214,049.41 |                 | \$ 27,507.58    |
| TOTALS FOR FUND 311 | LEVEE PROJEC        | \$ (155,241.18) | \$ 104.86       | \$ 2,728.81     |
| TOTALS FOR FUND 313 | EVENT CENTER        | \$ 1,279,124.80 |                 | \$ 141.29       |
| TOTALS FOR FUND 315 | SEWER CONSTR        | \$ 4,187,537.87 |                 | \$ 409,636.39   |

|                 |     |               |    |                      |    |                                  |
|-----------------|-----|---------------|----|----------------------|----|----------------------------------|
| TOTALS FOR FUND | 320 | WEST END FLO  |    |                      |    |                                  |
| TOTALS FOR FUND | 501 | CEMETERY MEM  | \$ | 2,713.29             |    |                                  |
| TOTALS FOR FUND | 503 | CEMETERY PER  | \$ | 300.00               | \$ | 201.00 \$ 300.00                 |
| TOTALS FOR FUND | 610 | SEWER UTILIT  | \$ | 3,495,839.41         | \$ | 483,245.78 \$ 630,435.21         |
| TOTALS FOR FUND | 611 | SEWER SINKIN  | \$ | 1,377,000.00         |    |                                  |
| TOTALS FOR FUND | 612 | STORM WATER   |    |                      |    |                                  |
| TOTALS FOR FUND | 613 | SEWER IMPROV  | \$ | 4,050,000.00         |    |                                  |
| TOTALS FOR FUND | 670 | LANDFILL FUN  | \$ | 1,839,356.69         | \$ | 104,324.57 \$ 117,372.85         |
| TOTALS FOR FUND | 671 | LANDFILL RES  | \$ | 1,191,555.00         |    |                                  |
| TOTALS FOR FUND | 673 | RECYCLING     | \$ | 571,971.17           | \$ | 10,162.02 \$ 55,168.21           |
| TOTALS FOR FUND | 690 | TRANSIT FUND  | \$ | 749,862.25           |    | \$ 116,107.32                    |
| TOTALS FOR FUND | 695 | 1015 TRANSIT  |    |                      |    |                                  |
| TOTALS FOR FUND | 720 | BRIDGEVIEW E  | \$ | (174,567.48)         |    | \$ 30.78                         |
| TOTALS FOR FUND | 750 | GOLF COURSE   | \$ | 40,748.62            |    |                                  |
| TOTALS FOR FUND | 810 | POOLED INVES  | \$ | (47,747,158.62)      | \$ | 1,358.92                         |
| TOTALS FOR FUND | 820 | PAYROLL CLEA  | \$ | 957,571.37           | \$ | 435,336.07 \$ 879,795.51         |
| TOTALS FOR FUND | 840 | EQUIPMENT PU  | \$ | 2,923,280.31         |    | \$ 10,988.00                     |
| TOTALS FOR FUND | 860 | GROUP HEALTH  | \$ | 6,437,907.71         | \$ | 316,508.56 \$ 583,129.74         |
| TOTALS FOR FUND | 861 | POST 65 RETI  | \$ | 298,836.10           | \$ | 17,893.38 \$ 30,787.48           |
| TOTALS FOR FUND | 862 | DENTAL INSUR  | \$ | 74,620.64            | \$ | 7,790.50 \$ 21,867.71            |
| TOTALS FOR FUND | 863 | LIFE INSURAN  | \$ | 41,830.55            | \$ | 4,334.89 \$ 4,364.16             |
|                 |     | <b>TOTALS</b> |    | <b>12,909,108.57</b> |    | <b>3,519,925.43 5,102,894.22</b> |

City of Ottumwa  
Vender Payment Report  
February, 2023

| Vendor # | Vendor Name               | Check # | Check Date | Amount        | Reason                    |
|----------|---------------------------|---------|------------|---------------|---------------------------|
|          | 2 A+ SERVICES             | 217011  | 2/10/2023  | \$ 337.67     | OPERATING SUPPLIES        |
| 316      | ACCENT WIRE-TIE           | 217012  | 2/10/2023  | \$ 4,635.50   | VHCL MTCE SUPPLIES        |
| 672      | ADVANTAGE ARCHIVES, LLC   | 217158  | 2/24/2023  | \$ 47,895.00  | CONTRACTUAL SERVICES      |
| 690      | AFLAC                     | 217013  | 2/10/2023  | \$ 2,100.96   | AFLAC DEDUCTION PAYABLE   |
| 778      | AGRILAND FS, INC.         | 217014  | 2/10/2023  | \$ 248.16     | VHCL MTCE SUPPLIES        |
| 800      | AHLERS & COONEY P.C.      | 217141  | 2/24/2023  | \$ 18,329.30  | LEGAL FEES                |
| 1304     | ALL ROADS TRUCK & TRAILER | 217015  | 2/10/2023  | \$ 354.59     | VHCL MTCE SUPPLIES        |
| 1700     | ALLIANT ENERGY/IPL        | 217080  | 2/17/2023  | \$ 78,123.44  | ELECTRIC                  |
| 2080     | ALTORFER INC.             | 216961  | 2/3/2023   | \$ 2,862.37   | VHCL MTCE SUPPLIES        |
| 2592     | AMERICAN BOTTLING COMPANY | 216962  | 2/3/2023   | \$ 124.98     | OPERATING SUPPLIES        |
| 3643     | AMERICAN TEST CENTER      | 217082  | 2/17/2023  | \$ 2,600.00   | VHCL MTCE SUPPLIES        |
| 5368     | AREA 15 REGIONAL PLANNING | 216963  | 2/3/2023   | \$ 1,030.86   | CONTRACTUAL SERVICES      |
| 5465     | ARRC GARAGE DOORS LLC     | 217143  | 2/24/2023  | \$ 1,444.37   | OPERATING SUPPLIES        |
| 5670     | ATHENS TECHNICAL SPECIAL  | 216964  | 2/3/2023   | \$ 719.93     | OTHER PROF SERV           |
| 5681     | ATLANTIC BOTTLING COMPANY | 217017  | 2/10/2023  | \$ 135.00     | CONCESSION - RESALE       |
| 5700     | ATOMIC TERMITE & PEST     | 217018  | 2/10/2023  | \$ 130.00     | GROUND MAINT & REPAIR     |
| 6481     | BAILEY OFFICE OUTFITTERS  | 217019  | 2/10/2023  | \$ 506.19     | OFFICE SUPPLIES           |
| 6950     | BALL, DUKE                | 217084  | 2/17/2023  | \$ 30.00      | TRAVEL & CONFERENCE       |
| 7019     | BRADLEY T BARNES          | 216965  | 2/3/2023   | \$ 720.00     | OTHER PROF SERV           |
| 9341     | BLACKHAWK BODYSHOP AND    | 217085  | 2/17/2023  | \$ 500.00     | VHCL MTCE SUPPLIES        |
| 9352     | BLACKSTONE PUBLISHING     | 217144  | 2/24/2023  | \$ 50.00      | LIBRARY MAT.-JAMES ESTATE |
| 9360     | BLACK'S TIRE COMPANY LLC  | 217086  | 2/17/2023  | \$ 321.75     | VHCL MTCE SUPPLIES        |
| 9680     | GEORGE BOITNOTT           | 216966  | 2/3/2023   | \$ 884.79     | OPERATING SUPPLIES        |
| 11495    | BRIDGE CITY TRUCK REPAIR  | 217020  | 2/10/2023  | \$ 225.34     | VHCL MTCE SUPPLIES        |
| 11496    | BRIDGE CITY SANITATION LL | 217087  | 2/17/2023  | \$ 161,303.12 | OTHER PROF SERV           |
| 11506    | BRIDGE VIEW CENTER        | 217021  | 2/10/2023  | \$ 2,339.52   | TRAINING                  |
| 12500    | BUB'S TREE CARE           | 217088  | 2/17/2023  | \$ 6,325.00   | TREE TRIMMING             |
| 13100    | JANEAN BURRELL            | 217023  | 2/10/2023  | \$ 86.00      | REFUNDS                   |
| 13579    | C&C MANUFACTURING LLC     | 217159  | 2/24/2023  | \$ 3,834.96   | VHCL MTCE SUPPLIES        |
| 13646    | CALHOUN-BURNS & ASSOC INC | 217024  | 2/10/2023  | \$ 7,707.80   | ENGINEERING               |
| 14317    | CAPITAL ONE               | 217025  | 2/10/2023  | \$ 711.06     | OPERATING SUPPLIES        |
| 14318A   | CAPITAL CITY EQUIPMENT CO | 217089  | 2/17/2023  | \$ 91.85      | VHCL MTCE SUPPLIES        |
| 15760    | CARROLL CONSTRUCTION SUPP | 216969  | 2/3/2023   | \$ 446.64     | TOOLS & SMALL EQUIP       |
| 15788    | CATERPILLAR GLOBAL SERVIC | 217090  | 2/17/2023  | \$ 2,917.80   | VHCL MTCE SUPPLIES        |
| 16300    | CENTRAL IOWA FASTENERS    | 217147  | 2/24/2023  | \$ 310.09     | MISCELLANEOUS             |
| 16312    | CENTRAL SALT LLC          | 217148  | 2/24/2023  | \$ 10,403.89  | STREET MAINT SUPPLIES     |
| 16402    | CENTURYLINK               | 217160  | 2/24/2023  | \$ 1,634.29   | TELEPHONE/IT              |
| 16403    | CENTURYLINK               | 217092  | 2/17/2023  | \$ 6.70       | TELEPHONE/IT              |
| 17825    | CITY OF OTTUMWA, CEMETERY | 216971  | 2/3/2023   | \$ 300.00     | CASH INVESTED PASSBK SVNG |
| 18502    | CLUB SENTRY SOFTWARE      | 217027  | 2/10/2023  | \$ 32.95      | TECHNOLOGY SERVICES       |
| 18740    | COBAN TECHNOLOGIES, INC   | 217028  | 2/10/2023  | \$ 17,167.00  | AUTOMOTIVE EQUIPMENT      |
| 18980    | COLLECTION SERVICES       | 217093  | 2/17/2023  | \$ 5,532.10   | CHILD SUPPORT PAYABLE     |
| 21818    | CREATIVE FORMS & CONCEPTS | 217094  | 2/17/2023  | \$ 847.29     | OFFICE SUPPLIES           |
| 21825    | CREDIT UNION              | 216973  | 2/3/2023   | \$ 33,376.54  | CREDIT UNION PAYABLE      |
| 22479    | D P PLUMBING PLUS         | 216974  | 2/3/2023   | \$ 3,300.00   | CONTRACTUAL SERVICES      |
| 22608    | DANI'S AUTO SUPPLY LLC    | 217029  | 2/10/2023  | \$ 132.32     | VHCL MTCE SUPPLIES        |
| 23958    | DELL MARKETING LP         | 217150  | 2/24/2023  | \$ 741.48     | SMALL OFFICE EQUIP        |
| 23985    | DENISES ALTERATIONS       | 217151  | 2/24/2023  | \$ 37.00      | OTHER PROF SERV           |
| 24375    | DESIGN WORKSHOP, INC      | 217096  | 2/17/2023  | \$ 26,850.39  | COMPREHENSIVE PLAN        |
| 25148    | DANAE DOROTHY             | 217152  | 2/24/2023  | \$ 142.00     | TRAVEL & CONFERENCE       |
| 25585    | DUPERON CORPORATION       | 217030  | 2/10/2023  | \$ 1,111.98   | OPERATING SUPPLIES        |
| 25593    | DXP ENTERPRISES, INC.     | 217031  | 2/10/2023  | \$ 176.78     | VHCL MTCE SUPPLIES        |
| 27005    | ELECTRIC PUMP, INC.       | 217032  | 2/10/2023  | \$ 10,569.28  | OTHER MAINT & REPAIR      |
| 27272    | ELLIOTT BULK SERVICES LLC | 217033  | 2/10/2023  | \$ 7,037.78   | AVIATION FUEL             |

|                                 |        |           |    |            |                           |
|---------------------------------|--------|-----------|----|------------|---------------------------|
| 27280 ELLIOTT OIL COMPANY       | 217099 | 2/17/2023 | \$ | 17,602.59  | VHCL-FUEL                 |
| 27552 EMPOWER RETIREMENT        | 217100 | 2/17/2023 | \$ | 700.00     | HARTFORD DEF COMP PAYABLE |
| 28208 EUROFIN ENVIRONMENT       | 217101 | 2/17/2023 | \$ | 2,649.32   | LAB SUPPLIES              |
| 28449 EVORA CONSULTING, LTD     | 217034 | 2/10/2023 | \$ | 9,145.90   | CONTRACTUAL SERVICES      |
| 29300 FASTENAL COMPANY          | 217102 | 2/17/2023 | \$ | 258.47     | OPERATING SUPPLIES        |
| 30810 FORD HALL COMPANY         | 216978 | 2/3/2023  | \$ | 651.76     | OPERATING SUPPLIES        |
| 31382 FRONTLINE WARNING SYSTEMS | 216979 | 2/3/2023  | \$ | 27,730.00  | GROUNDS MAINT & REPAIR    |
| 31384 FRONTLINE PUBLIC SAFETY   | 217035 | 2/10/2023 | \$ | 3,150.00   | TECHNOLOGY SERVICES       |
| 31459 GRP & ASSOCIATES          | 217103 | 2/17/2023 | \$ | 52.00      | HAZARDOUS WASTE DISPOSAL  |
| 32754 GILWORTH FURNITURE        | 217104 | 2/17/2023 | \$ | 1,199.98   | FURNITURE & FIXTURES      |
| 33192 GOVRED TECHNOLOGY, INC    | 217036 | 2/10/2023 | \$ | 20,383.00  | OTHER SMALL CAPITAL       |
| 33653 GREGG YOUNG AUTOMOTIVE    | 217037 | 2/10/2023 | \$ | 1,116.54   | VHCL MTCE SUPPLIES        |
| 35421 DAVID HARRIS              | 216980 | 2/3/2023  | \$ | 11,500.00  | TRAINING                  |
| 36074 HAWKEYE ENVIRONMENTAL     | 217153 | 2/24/2023 | \$ | 350.00     | CONTRACTUAL SERVICES      |
| 36083 HAWKEYE TRUCK EQUIPMENT   | 217105 | 2/17/2023 | \$ | 2,649.80   | VHCL MTCE SUPPLIES        |
| 37476 HILL PRODUCTIONS & MEDIA  | 217038 | 2/10/2023 | \$ | 111.40     | ADVERT/LEGAL PUBL         |
| 37560 HINDMAN PERSON HEATING    | 217107 | 2/17/2023 | \$ | 1,182.00   | BLDG MAINT & REPAIR       |
| 38195 HOPKINS & HUBBNER PC      | 217161 | 2/24/2023 | \$ | 6,108.01   | LEGAL FEES                |
| 39174 HUPP TOYOTALIFT           | 216981 | 2/3/2023  | \$ | 607.59     | VHCL MTCE SUPPLIES        |
| 39185 HUMANA INSURANCE CO       | 217162 | 2/24/2023 | \$ | 24,856.92  | MEDICARE PREMIUMS         |
| 39438 HY-VEE ACCOUNTS RECEIVABL | 217108 | 2/17/2023 | \$ | 340.78     | MISCELLANEOUS             |
| 39439 HYVEE                     | 217154 | 2/24/2023 | \$ | 25.51      | SUSTENANCE SUPPLIES       |
| 40975 KIRKWOOD COMMUNITY COLLEG | 216982 | 2/3/2023  | \$ | 140.00     | TRAINING                  |
| 41920A INDUSTRIAL CHEMICAL      | 216983 | 2/3/2023  | \$ | 146.00     | BUILDING MAINTENANCE REPA |
| 41925 INDUSTRIAL MEDICINE       | 216984 | 2/3/2023  | \$ | 443.00     | EMPLOYEE PHYSICALS/TESTS  |
| 42090 INFOMAX OFF SYSTEMS INC   | 217109 | 2/17/2023 | \$ | 2,289.49   | PHOTOCOPIES               |
| 42160 INGRAM LIBRARY SERVICES   | 216986 | 2/3/2023  | \$ | 4,897.51   | LIBRARY MAT.-JAMES ESTATE |
| 42260 INSPECTIONS & APPEALS     | 216987 | 2/3/2023  | \$ | 150.00     | PERMITS                   |
| 43265 INTERSTATE BATTERY        | 217039 | 2/10/2023 | \$ | 1,307.61   | TOOLS & SMALL EQUIP       |
| 43275 INTERSTATE INDUS. SERVICE | 217110 | 2/17/2023 | \$ | 554.00     | OPERATING SUPPLIES        |
| 43295 IOWA ASSN PROF FIRE CHIEF | 217163 | 2/24/2023 | \$ | 120.00     | TRAINING                  |
| 43501 IA DEPT OF TRANSPORTATION | 217111 | 2/17/2023 | \$ | 7,576.69   | STREET MAINT SUPPLIES     |
| 43514 IOWA DEPT NATURAL RESOURC | 217040 | 2/10/2023 | \$ | 700.00     | PERMITS                   |
| 43999 IOWA ONE CALL             | 217041 | 2/10/2023 | \$ | 90.00      | TELEPHONE/IT              |
| 44259 IOWA TIRE SALES COMPANY   | 217164 | 2/24/2023 | \$ | 2,146.50   | VHCL MTCE SUPPLIES        |
| 45057 J & J MOWING              | 217042 | 2/10/2023 | \$ | 7,415.00   | CONTRACTUAL SERVICES      |
| 45616 JERRY'S TREE SERVICE      | 217112 | 2/17/2023 | \$ | 770.00     | TREE TRIMMING             |
| 48767 LAURA F KEYES             | 216989 | 2/3/2023  | \$ | 250.00     | PROGRAM SUPPLIES          |
| 48800 KIECKS                    | 217165 | 2/24/2023 | \$ | 291.15     | OPERATING SUPPLIES        |
| 49042 KIRKHAM MICHAEL           | 216990 | 2/3/2023  | \$ | 2,460.00   | OTHER PROF SERV           |
| 49081 KIRKWOOD COMM. COLLEGE    | 217166 | 2/24/2023 | \$ | 300.00     | TRAINING                  |
| 49687 KOHL WHOLESale            | 217043 | 2/10/2023 | \$ | 544.05     | OPERATING SUPPLIES        |
| 49795 KRISS PREMIUM PRODUCTS    | 217167 | 2/24/2023 | \$ | 200.00     | BLDG MAINT & REPAIR       |
| 49804D KRONOS, A UKG COMPANY    | 217168 | 2/24/2023 | \$ | 6,150.80   | CONTRACTUAL SERVICES      |
| 50620 LANGMAN CONSTRUCTION, INC | 217044 | 2/10/2023 | \$ | 369,850.84 | UTILITY SYSTEM            |
| 51418 LEGACY FOUNDATION         | 216991 | 2/3/2023  | \$ | 171.99     | MISCELLANEOUS             |
| 51968 LIBERTY TIRE              | 217045 | 2/10/2023 | \$ | 1,918.88   | CONTRACTUAL SERVICES      |
| 51969 LIBERTY TIRE SERVICES LLC | 217169 | 2/24/2023 | \$ | 2,301.33   | TIRE DISPOSAL             |
| 52990 LOKTRONICS SECURITY CORP  | 217046 | 2/10/2023 | \$ | 16.48      | BLDG MAINT & REPAIR       |
| 54187 MAIN STREET OTTUMWA       | 217114 | 2/17/2023 | \$ | 821.00     | TRAVEL & CONFERENCE       |
| 56656 MCKEE CONSTRUCTION AND    | 217047 | 2/10/2023 | \$ | 28,800.00  | CONTRACTUAL SERVICES      |
| 57385 MENARDS                   | 217157 | 2/24/2023 | \$ | 1,870.39   | TOOLS & SMALL EQUIP       |
| 57518 SYMETRA LIFE INSURANCE CO | 216993 | 2/3/2023  | \$ | 4,364.16   | GROUP LIFE PREMIUMS       |
| 57997 METRO WASTE AUTHORITY     | 216994 | 2/3/2023  | \$ | 200.00     | TRAINING                  |
| 58500 MIDAMERICAN ENERGY CO     | 217116 | 2/17/2023 | \$ | 6,125.92   | NATURAL GAS               |
| 58555 MID-IOWA SOLID WASTE      | 216995 | 2/3/2023  | \$ | 115.69     | VHCL MTCE SUPPLIES        |
| 59382 MIDWEST TAPE              | 217117 | 2/17/2023 | \$ | 215.90     | LIBRARY MAT.-JAMES ESTATE |
| 60299 MISSIONSQUARE             | 217118 | 2/17/2023 | \$ | 2,430.76   | ICMA DEF COMP PAYABLE     |
| 61785 MOTION INDUSTRIES         | 217049 | 2/10/2023 | \$ | 270.43     | OPERATING SUPPLIES        |
| 62450 M S MARTIN ENTERPRISES IN | 217050 | 2/10/2023 | \$ | 4,116.00   | AUTOMOTIVE EQUIPMENT      |
| 62580 MUNICIPAL PIPE TOOL CO LL | 217119 | 2/17/2023 | \$ | 1,936.87   | VHCL MTCE SUPPLIES        |

|                                    |        |           |    |            |                             |
|------------------------------------|--------|-----------|----|------------|-----------------------------|
| 64565 NAVIANT                      | 217051 | 2/10/2023 | \$ | 840.00     | CONTRACTUAL SERVICES        |
| 64677A NEAPOLITAN LABS LLC         | 217052 | 2/10/2023 | \$ | 1,250.00   | CONTRACTUAL SERVICES        |
| 65680 NOEL INSURANCE INC           | 217053 | 2/10/2023 | \$ | 4,872.00   | GEN LIABIL INSURANCE        |
| 66086 NORTHERN SAFETY & INDUSTRI   | 217171 | 2/24/2023 | \$ | 113.70     | OFFICE SUPPLIES             |
| 66561 OFFICIAL PEST CONTROL        | 217120 | 2/17/2023 | \$ | 55.00      | SUSTENANCE SUPPLIES         |
| 66641 O'HALLORAN INTERNATIONAL     | 216998 | 2/3/2023  | \$ | 25,568.56  | VHCL MTCE SUPPLIES          |
| 66730 OHARA HARDWARE               | 217055 | 2/10/2023 | \$ | 620.07     | VHCL MTCE SUPPLIES          |
| 67058 ONSITE SERVICE SOLUTIONS     | 217172 | 2/24/2023 | \$ | 8,338.00   | CONTRACTUAL SERVICES        |
| 67098 O'REILLY AUTOMOTIVE          | 217121 | 2/17/2023 | \$ | 116.08     | VHCL MTCE SUPPLIES          |
| 67520 OSKALOOSA HERALD             | 217000 | 2/3/2023  | \$ | 179.88     | LIBRARY MAT.-JAMES ESTATE   |
| 68560 OTTUMWA PRINTING, INC.       | 217122 | 2/17/2023 | \$ | 580.00     | PRINTING                    |
| 68577 OTTUMWA RENTALS LLC          | 217001 | 2/3/2023  | \$ | 100.00     | PLUMBING PERMITS            |
| 69040 OTTUMWA WATER AND HYDRO      | 217056 | 2/10/2023 | \$ | 13,237.68  | BILLING FEES-VW             |
| 69688 DIXIE L PARKER               | 217002 | 2/3/2023  | \$ | 1,600.00   | JANITORIAL                  |
| 70180 PATTERSON MONUMENT CO        | 217124 | 2/17/2023 | \$ | 400.00     | MERCHANDISE - RESALE        |
| 73926 PRODUCTIVITY PLUS ACCOUNT    | 217057 | 2/10/2023 | \$ | 92.70      | EQUIP REPAIR                |
| 73971 PROFESSIONAL JANITORIAL      | 217058 | 2/10/2023 | \$ | 2,870.00   | JANITORIAL                  |
| 74955 RACOM CORPORATION            | 217059 | 2/10/2023 | \$ | 787.20     | EQUIP REPAIR                |
| 75152 PHILIP RATH                  | 217060 | 2/10/2023 | \$ | 82.71      | TRAVEL & CONFERENCE         |
| 75160 RANGEMASTERS TRAINING        | 217125 | 2/17/2023 | \$ | 212.07     | OPERATING SUPPLIES          |
| 75902 RECREONICS CORPORATION       | 217174 | 2/24/2023 | \$ | 1,915.00   | EQUIP REPAIR                |
| 76998 RIDGWAY ELECTRIC, LLC        | 217061 | 2/10/2023 | \$ | 117.77     | BLDG MAINT & REPAIR         |
| 77466 ROCHESTER ARMORED CAR        | 217175 | 2/24/2023 | \$ | 463.31     | OTHER PROF SERV             |
| 78350 SADLER POWER TRAIN           | 217176 | 2/24/2023 | \$ | 5.39       | VHCL MTCE SUPPLIES          |
| 78718 SANDRY FIRE SUPPLY LLC       | 217177 | 2/24/2023 | \$ | 2,646.00   | OTHER SMALL CAPITAL         |
| 79358 SCHUMACHER ELEVATOR CO       | 217178 | 2/24/2023 | \$ | 926.06     | Equip Repair                |
| 82136 SINCLAIR NAPA                | 217062 | 2/10/2023 | \$ | 753.43     | VHCL MTCE SUPPLIES          |
| 83100A SNAP-ON-TOOLS               | 217063 | 2/10/2023 | \$ | 652.00     | TOOLS & SMALL EQUIP         |
| 83160 SOLENIS                      | 217064 | 2/10/2023 | \$ | 4,602.89   | OPERATING SUPPLIES          |
| 83433 SOUTHEAST IOWA CITY CLERK    | 217065 | 2/10/2023 | \$ | 20.00      | DUES & MEMBERSHIPS          |
| 83920 SOUTHERN IOWA ELECTRIC       | 217066 | 2/10/2023 | \$ | 79.56      | ELECTRIC                    |
| 84100 SPILMAN AUTO PARTS INC       | 217067 | 2/10/2023 | \$ | 175.00     | VHCL MTCE SUPPLIES          |
| 86196 THE STITCH DOCTOR            | 217004 | 2/3/2023  | \$ | 879.04     | SUSTENANCE SUPPLIES         |
| 86661 SUEZ TREATMENT SOLUTIONS     | 217068 | 2/10/2023 | \$ | 5,459.36   | OPERATING SUPPLIES          |
| 86970 SUPREME STAFFING INC         | 217005 | 2/3/2023  | \$ | 15,251.50  | CONTRACTUAL SERVICES        |
| 88000 TEAMSTER LOCAL UNION 238     | 217128 | 2/17/2023 | \$ | 1,469.32   | POLICE UNION DUES PAYABLE   |
| 88275 TEN-FIFTEEN TRANSIT          | 217069 | 2/10/2023 | \$ | 116,000.00 | CONTRACTUAL SERVICES        |
| 88697 THUMBS UP GIFTS & AWARDS     | 217070 | 2/10/2023 | \$ | 235.00     | TOOLS & SMALL EQUIP         |
| 89306 TRANSIT WORKS                | 217129 | 2/17/2023 | \$ | 23,024.00  | OTHER CAPITAL EQUIP         |
| 89321 TRASH STICKERS, INC.         | 217071 | 2/10/2023 | \$ | 881.00     | TRASH TAGS & STICKERS       |
| 89510 TREE TOWN KENNELS LLC        | 217072 | 2/10/2023 | \$ | 22,500.00  | SUSTENANCE SUPPLIES         |
| 89855 TRUITT ABSTRACT COMPANY      | 217130 | 2/17/2023 | \$ | 350.00     | LEGAL FEES                  |
| 89989 TUMBLEWEED PRESS INC.        | 217131 | 2/17/2023 | \$ | 650.00     | CONTRACTUAL SERVICES        |
| 90454 ULINE                        | 217074 | 2/10/2023 | \$ | 269.44     | OPERATING SUPPLIES          |
| 92555 THE VAN METER COMPANY        | 217006 | 2/3/2023  | \$ | 3,754.69   | OPERATING SUPPLIES          |
| 92621 DAKOTA VAUGHN                | 217180 | 2/24/2023 | \$ | 180.00     | SUSTENANCE SUPPLIES         |
| 92640 VAUGHN AUTOMOTIVE            | 217007 | 2/3/2023  | \$ | 593.80     | VHCL MTCE SUPPLIES          |
| 92648 VEENSTRA & KIMM INC          | 217075 | 2/10/2023 | \$ | 37,076.79  | MISCELLANEOUS               |
| 94635 WAPELLO COUNTY EXTENSION     | 217008 | 2/3/2023  | \$ | 135.00     | TRAINING                    |
| 94721 WAPELLO CO SHERIFF'S OFFI    | 217181 | 2/24/2023 | \$ | 2,522.70   | DRUG TASK FORCE GRANT       |
| 95000 WAPELLO COUNTY UNITED WAY    | 217132 | 2/17/2023 | \$ | 14.00      | UNITED WAY DED PAYABLE      |
| 95120 WAPELLO RURAL WATER ASSC     | 217076 | 2/10/2023 | \$ | 39.24      | WATER                       |
| 95368 WAYNE'S TIRE                 | 217182 | 2/24/2023 | \$ | 912.28     | VHCL MTCE SUPPLIES          |
| 95611 WELLMARK BC & BS OF IOWA     | 217136 | 2/17/2023 | \$ | 539,627.85 | GROUP HEALTH CLAIMS         |
| 97306 WINDSTREAM ENTERPRISE        | 217078 | 2/10/2023 | \$ | 2,619.70   | TELEPHONE/IT                |
| 97320 WINGER COMPANIES             | 217009 | 2/3/2023  | \$ | 4,739.80   | EQUIP REPAIR                |
| 97331 CLAYTON WINN                 | 217139 | 2/17/2023 | \$ | 10,000.00  | 15155306413                 |
| 97334 WINN CORP                    | 217140 | 2/17/2023 | \$ | 25,572.68  | STREET MAINT SUPPLIES       |
| 97577 WOODRIVER ENERGY LLC         | 217010 | 2/3/2023  | \$ | 52,661.45  | NATURAL GAS                 |
| 98810 ZOOBEAN INC                  | 217079 | 2/10/2023 | \$ | 1,216.00   | PROGRAM SUPPLIES            |
| Federal Document Management System |        | 2/1/2023  | \$ | 90.00      | Credit Card Equipment Lease |

|                                    |           |                        |                             |
|------------------------------------|-----------|------------------------|-----------------------------|
| IRS                                | 2/1/2023  | \$ 75,597.25           | 941 Withholding             |
| State of Iowa                      | 2/1/2023  | \$ 14,376.45           | State Withholding           |
| Bankcard                           | 2/2/2023  | \$ 44.95               | Credit Card Fees            |
| Advantage Administration Plan Fund | 2/6/2023  | \$ 2,238.09            | Payroll Payment             |
| West Bank                          | 2/6/2023  | \$ 382.83              | Legal Fees                  |
| Merchant Services                  | 2/7/2023  | \$ 0.09                | Fees                        |
| Nationwide Payments                | 2/7/2023  | \$ 1,485.00            | Payroll Payment             |
| Federal Document Management System | 2/8/2023  | \$ 32.10               | Credit Card Equipment Lease |
| Commercial Card Payment            | 2/8/2023  | \$ 73,752.52           | Purchasing Card             |
| Ipers Payment                      | 2/9/2023  | \$ 71,674.96           | Employees Retirement        |
| Bankcard                           | 2/10/2023 | \$ 196.55              | Credit Card Fees            |
| Municipal Fire & Company           | 2/10/2023 | \$ 133,469.79          | Fire & Police Retirement    |
| Insurance Division                 | 2/14/2023 | \$ 372.00              | Cemetery Charge             |
| IRS                                | 2/15/2023 | \$ 74,582.36           | 941 Withholding             |
| State of Iowa                      | 2/15/2023 | \$ 14,079.50           | State Withholding           |
| Advantage Administration Plan Fund | 2/15/2023 | \$ 2,238.09            | Payroll Payment             |
| Nationwide Payments                | 2/21/2023 | \$ 1,490.00            | NRS Payment                 |
| Advantage Administration Plan Fund | 2/21/2023 | \$ 2,238.09            | Payroll Payment             |
| UMB Corp Trust                     | 2/22/2023 | \$ 1,200.00            | Fees                        |
| <b>Total</b>                       |           | <b>\$ 2,479,071.14</b> |                             |

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : May 2, 2023

Park & Recreation  
Department

Gene Rathje

Prepared By

Gene Rathje

Department Head

\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: **Arbor Day Proclamation 2023**

\*\*\*\*\*

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

RECOMMENDATION: **Approve the Arbor Day Proclamation and authorize the Mayor to sign.**

DISCUSSION: **The Arbor Day Foundation has declared April 28, 2023 as Arbor Day. A proclamation of Arbor Day is necessary for the Tree City USA application that is submitted by the City of Ottumwa every year in December.**

**Source of Funds:**

**Budgeted Item:**  **Budget Amendment Needed:**





### ARBOR DAY PROCLAMATION

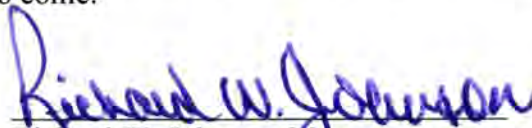
WHEREAS; Trees are a most valuable resource in Ottumwa and the State of Iowa by purifying our air and water, helping to conserve our soil and energy, creating jobs for our people, providing critical wildlife habitat, and yielding bountiful recreation; and

WHEREAS; Disease, insects, and pollutants have damaged and continue to threaten our trees, creating the need for reforestation programs and concerted public action toward ensuring the future of our city's urban forest; and

WHEREAS; This year on April 28, 2023, Arbor Day, the people of Ottumwa paid special attention to the wonderful gift that our trees represent and dedicate themselves to the continued health of our City's urban forest.

**NOW, THEREFORE, I, Richard W. Johnson, Mayor,** City of Ottumwa, do hereby proclaim April 28, 2023 as Arbor Day in Ottumwa, Iowa.

FURTHER, I urge the citizens of Ottumwa, Iowa, to become aware of the importance of trees to our community's well being and to participate in tree planting programs, which ensure a green environment in the decades to come.

  
Richard W. Johnson, Mayor

ATTEST:

  
  
Chris Reinhard, City Clerk



CANVASSER & SOLICITORS REGISTRATION & APPLICATION

Name of Individual completing this application: Judy Agee

And Residing address: 521 Minnesota Ottumwa IA 52501 Date of Birth 12/16/52  
Street City State Zip

Organization represented, if applicable: American Legion Auxiliary

Organization's address: 548 W Main St Ottumwa IA 52501  
No. Street City State Zip

Applicant's/Organization's phone number: 641-777-8770 641-682-5232  
mine Legion

Names, addresses and position of the officers of the organization:

|                                 |                                      |  |
|---------------------------------|--------------------------------------|--|
| <u>Judy Agee</u><br>Name        | <u>521 Minnesota, Ott</u><br>Address | <u>President</u><br>Officer Position             |
| <u>Linda Farrington</u><br>Name | <u>PO Box</u><br>Address             | <u>Agency Vice-President</u><br>Officer Position |
| <u>Betty Stromgren</u><br>Name  | <u>Blakesburg</u><br>Address         | <u>Chaplain</u><br>Officer Position              |

Estimated number of persons who will be directly soliciting: 7-10

Nature and purpose of your solicitation activities: Distributing Poppies For Annual Poppy Drive For Veterans

What method will you be using to solicit funds? (Example: direct monetary donations, sale of tags, decals, etc.) Direct monetary Donations and letters

Where do you plan to canvass or solicit in Ottumwa? All Hy-Vees, Farway Menards Wal-Mart

Date(s) when you wish to conduct your activities in Ottumwa: May 22 through May 29, 2023

NOTE TO APPLICANT: Canvassing and soliciting shall be no earlier than 8:00 A.M. and no later than 9:00 P.M. and shall be no more than 90 days as determined by the City Council.

I do hereby certify that the above statements are true and correct. Signed this 18<sup>th</sup> day of April, 2023

Judy Agee  
Applicant

Staff recommendation to Council: May 2, 2023  
 Approved  Denied  by City Council on May 2, 2023  
 Restrictions set by Council: None  
 Number of days set by Council for applicant: as requested  
 License Number 5033 Receipt No. N/A

# Canvasser & Solicitors Permit



Ottumwa

105 E 3rd St. Room 203

Ottumwa, IA 52501

(641) 683-0650

|  |
|--|
| <b>Owner:</b>  |
| O B NELSON POST #3<br>550 W MAIN<br>OTTUMWA, IA 52501-0000<br>POPPY DRIVE FOR VETERANS |

|   |
|---|
| <b>Address</b>  |
| Address: 550 W MAIN<br>City/State/Zip: OTTUMWA, IA<br>Parcel No.: 7413670014000<br>Tract No.:<br>Block No.:<br>Lot No.:<br>Section: |

|   |
|---|
| <b>Permit:</b>  |
| Permit No.: 5033<br>Permit Type: Canvasser & Solicitors |

|   |
|---|
| <b>Project:</b>   |
| Issue Date: 05/02/2023<br>Expires: 05/29/2023<br>Valuation: \$0 |

|                              |
|------------------------------|
| <b>Construction Details:</b> |
|                              |

|                   |              |
|-------------------|--------------|
| <b>Contractor</b> | <b>Phone</b> |
|                   |              |

| Item         | GL Code | Amount        |
|--------------|---------|---------------|
| <b>Total</b> |         | <b>\$0.00</b> |

| Date              | Paid By | Payment Type | Amount        |
|-------------------|---------|--------------|---------------|
| <b>Total Paid</b> |         |              | <b>\$0.00</b> |

received  
4.27.23 12pm

Item No. B.-5.

# CITY OF OTTUMWA Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: May 2, 2023

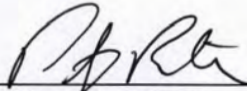
Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Consideration of Assigning Director of Community Development with Assistant City Administrator Duties and Salary Adjustment

\*\*\*\*\*

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

RECOMMENDATION:

Approve the salary adjustment to \$97,500 for the Director of Community Development in line with taking on the role of Assistant City Administrator - effective May 7, 2023.

**\*\*Item moved to H-2 for discussion\*\***

DISCUSSION:

The City is in the process of conducting a compensation study for all positions across the city. Recently the City Administrator was advised that the Director of Community Development was a finalist in a City Administrator position for another Iowa community. Early data from the study indicates the DCD would fall in a compensation rate +/- \$96,000. The thought was to adjust this pay upon the full roll out of the plan. The loss of this position at this time would be a critical blow to community development and I am recommending the adjustment for this position effective May 7, 2023 to retain the employee.

Source of Funds: N/A

Budgeted Item:

Budget Amendment Needed:

**received**  
4.27.23 12pm

Item No. B.-6.

APR 27 2023

CITY OF OTTUMWA

Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: May 2, 2023

\_\_\_\_\_  
Engineering Department  
Department

\_\_\_\_\_  
Larry Seals  
Prepared By  
*Larry Seals*  
\_\_\_\_\_  
Department Head

\_\_\_\_\_  
*Pf RB*  
City Administrator Approval

AGENDA TITLE: Resolution #68-2023. Approving the contract, bonds, and certificate of insurance for the Green Street Sewer Improvements Project – Group B.

\*\*\*\*\*

**\*\*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 #68-2023.

DISCUSSION: These are the required bonds, certificate of insurance and signed contract with DC Concrete & Construction, LLC of Douds, Iowa for the above referenced project and are now on file with the City Clerk. This project was awarded at the April 4, 2023 City Council Meeting in the amount of \$185,760.00.

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

Funding:

Total Amount Budgeted for Whole Project: \$1,700,000.00.

Source of Funds: Sewer Fund

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #68-2023

A RESOLUTION APPROVING THE CONTRACT, BONDS, AND CERTIFICATE OF INSURANCE FOR THE GREEN STREET SEWER IMPROVEMENTS PROJECT – GROUP B.

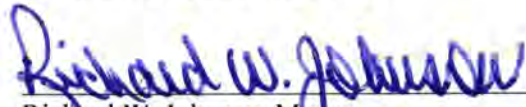
WHEREAS, The City Council of the City of Ottumwa, Iowa accepted bids for the above referenced project and awarded the contract to DC Concrete & Construction, LLC of Douds, Iowa, in the amount of \$185,760.00 based on total unit price and estimated quantities; and,

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 DC Concrete & Construction, LLC of Douds, Iowa, for the above referenced project are hereby approved.

APPROVED, PASSED, AND ADOPTED, this 2<sup>nd</sup> day of May, 2023.

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:

  
  
Christina Reinhard, City Clerk

SECTION 00500  
CONTRACT

- CK

May 2

THIS AGREEMENT, made and entered into this ~~April 18~~, 2023, by and between the City of Ottumwa, Wapello County, Iowa, the party of the first part, hereinafter called the OWNER and DC Concrete & Construction LLC, of Douds, 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: "2023 GREEN STREET SEWER IMPROVEMENTS, GROUP B - 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 July 5, 2023 and shall be completed in 30 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 **\$185,760.00** 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:

Christine Reinhard  
Title City Clerk

DC Concrete & Construction, LLC  
Contractor

By Budget Corp  
Title Owner  
Address 15476 Emerald RD  
City, State, Zip Dows, IA 52551



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**

DC Concrete & Construction, LLC, 15476 Emerald Rd., Douds, IA 52551

Iowa

PRINCIPAL (Legal Name and Business Address)

STATE OF INCORPORATION

West Bend Mutual Insurance Company, 1900 S. 18th Ave., West Bend, WI 53095

SURETY (Legal Name and Business Address)

CONTRACT NO.

CONTRACT DATE

One hundred eighty-five thousand seven hundred sixty and 0/100 dollars

Group B -  
No. 200341.00

May 2, 2023

PENAL SUM OF BOND (Expressed in words and numerals)

KNOW ALL BY THESE PRESENTS:

That we, DC Concrete & Construction, LLC, as Principal  
(hereinafter the "CONTRACTOR" or "PRINCIPAL" and

West Bend Mutual Insurance Company, 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  
One hundred eighty-five thousand seven hundred sixty and 0/100

dollars (\$ 185,760), 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 2nd day of May, 2023, wherein said  
CONTRACTOR undertakes and agrees to construct the following described improvements:

Project Name: **2023 GREEN STREET SEWER IMPROVEMENTS**

Project Location: **City of Ottumwa, Iowa**

The Work generally consists of:

**Installation of storm sewer along Green Street from Main Street to the Des  
Moines River along with gatewell structure improvements, watermain  
replacement, sidewalk/driveway replacement, and PCC paving. Additional  
work includes trenchless installation of storm sewer and watermain under  
BNSF railway.**

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 or 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 four (4) years 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)

Witness our hands, in triplicate, this 2nd day of May, 2023.

Surety Countersigned By:

[Signature]  
Signature of Agent

Allyse Kreiss  
Printed Name of Agent

GAMRATH DOYLE INSURANCE  
Company Name

306 W BURLINGTON AVE  
Company Address

FAIRFIELD, IA, 52556  
City, State, Zip Code

641-472-2141  
Company Telephone Number

PRINCIPAL:

DC Concrete & Construction, LLC  
Contractor

By: [Signature]  
Member  
Title

SURETY:

West Bend Mutual Insurance Company  
Surety Company

By: [Signature]  
Signature Attorney-in-Fact Officer

Davis Lowenberg  
Printed Name of Attorney-in-Fact Officer

Gamrath-Doyle Insurance  
Company Name

306 W. Burlington Ave.  
Company Address

Fairfield, IA 52556  
City, State, Zip Code

(641) 472-2141  
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.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/14/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|   |  |  |  |
|---|--|--|--|
| <b>PRODUCER</b><br>Fortress Insurance Services<br>2894 106th Street Suite 120<br><br>Urbandale IA 50322 |  | <b>CONTACT NAME:</b> Chad McMullin<br><b>PHONE (A/C, No, Ext):</b> (515) 225-1712<br><b>E-MAIL ADDRESS:</b> chad@thefortress.net<br><b>FAX (A/C, No):</b> (515) 225-1749     |  |
| <b>INSURED</b>  |  | <b>INSURER(S) AFFORDING COVERAGE</b>   |  |
| DC Concrete & Construction Lic<br>15476 Emerald Rd<br><br>Douds IA 52551-8104                           |  | <b>INSURER A:</b> Owners Insurance Company<br><b>INSURER B:</b> Auto-Owners Insurance Co<br><b>INSURER C:</b><br><b>INSURER D:</b><br><b>INSURER E:</b><br><b>INSURER F:</b> |  |
|   |  | <b>NAIC #</b>  |  |
|   |  | 32700  |  |
|   |  | 18988  |  |

**COVERAGES****CERTIFICATE NUMBER:** CL2321413597**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE  | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                    |              |
|----------|--|-----------|----------|---------------|-------------------------|-------------------------|---|--------------|
| A        | <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b><br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC<br><input type="checkbox"/> OTHER |           |          | 39269108      | 01/12/2023              | 01/12/2024              | EACH OCCURRENCE                           | \$ 2,000,000 |
|          |  |           |          |               |                         |                         | DAMAGE TO RENTED PREMISES (Ea occurrence) | \$ 300,000   |
|          |  |           |          |               |                         |                         | MED EXP (Any one person)                  | \$ 10,000    |
|          |  |           |          |               |                         |                         | PERSONAL & ADV INJURY                     | \$ 2,000,000 |
|          |  |           |          |               |                         |                         | GENERAL AGGREGATE                         | \$ 4,000,000 |
|          |  |           |          |               |                         |                         | PRODUCTS - COMP/OP AGG                    | \$ 4,000,000 |
|          |  |           |          |               |                         |                         | Premises/Operations                       | \$           |
|          | <b>AUTOMOBILE LIABILITY</b>  |           |          |               |                         |                         | COMBINED SINGLE LIMIT (Ea accident)       | \$           |
|          | <input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> OWNED AUTOS ONLY<br><input type="checkbox"/> HIRED AUTOS ONLY<br><input type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> NON-OWNED AUTOS ONLY   |           |          |               |                         |                         | BODILY INJURY (Per person)                | \$           |
|          |  |           |          |               |                         |                         | BODILY INJURY (Per accident)              | \$           |
|          |  |           |          |               |                         |                         | PROPERTY DAMAGE (Per accident)            | \$           |
|          |  |           |          |               |                         |                         |   | \$           |
| B        | <input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b><br><input type="checkbox"/> EXCESS LIAB<br><input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000<br><input type="checkbox"/> OCCUR<br><input type="checkbox"/> CLAIMS-MADE   |           |          | 5426910800    | 01/12/2023              | 01/12/2024              | EACH OCCURRENCE                           | \$ 2,000,000 |
|          |  |           |          |               |                         |                         | AGGREGATE                                 | \$ 2,000,000 |
|          |  |           |          |               |                         |                         |   | \$           |
|          | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>   |           |          |               |                         |                         | PER STATUTE                               | OTH-ER       |
|          | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below  |           |          |               |                         |                         | E L EACH ACCIDENT                         | \$           |
|          |  |           |          |               |                         |                         | E L DISEASE - EA EMPLOYEE                 | \$           |
|          |  |           |          |               |                         |                         | E L DISEASE - POLICY LIMIT                | \$           |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER****CANCELLATION**

City of Ottumwa

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : May 2, 2023

Planning & Development  
Department

Zach Simonson  
Prepared By  
Zach Simonson  
Department Head

\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: RESOLUTION NO. 72-2023: RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON ORDINANCE NO. 3212-2023 – AN ORDINANCE ESTABLISHING SOLID WASTE FEES FOR NONCOMMERCIAL ESTABLISHMENTS BY REPEALING AND REPLACING SECTION 31½-35 OF THE MUNICIPAL CODE OF THE CITY OF OTTUMWA

\*\*\*\*\*

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

RECOMMENDATION: Pass and adopt Resolution No. 72-2023.

DISCUSSION: This resolution sets May 16 as the date of a public hearing to set the fees for noncommercial trash collection. The current ordinance expires July 1, 2023. The new fees include an increase of \$2.82 per month or 14.7%. The increase accounts for the increase in the landfill tipping fee, the contract increase for Bridge City Sanitation, the fuel surcharge paid to Bridge City Sanitation and administrative costs. Without any change, the ordinance

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

would increase the fee again by \$1.00 per month on July 1, 2024. The 2024 increase would be 4.5%. For FY 2023-2024 each customer would pay \$264 per year for trash collection, up from \$230.16 today. In FY 2024-2025 that cost would increase to \$276 per year.

Trash collection fees are collected by the Ottumwa Water Works and the City pays Ottumwa Water Works an administrative fee for processing these payments.



RESOLUTION NO. 72-2023

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON ORDINANCE NO. 3212-2023 – AN ORDINANCE ESTABLISHING SOLID WASTE FEES FOR NONCOMMERCIAL ESTABLISHMENTS BY REPEALING AND REPLACING SECTION 31½-35 OF THE MUNICIPAL CODE OF THE CITY OF OTTUMWA

WHEREAS, Ordinance 3212-2023 would establish fees for solid waste collection from July 1, 2023 through June 30, 2025; and

WHEREAS, before such ordinance is 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 Ordinance No. 3212-2023, on May 16, 2023, 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. May 16, 2023 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 ORDINANCE NO. 3212-2023 – AN  
ORDINANCE ESTABLISHING SOLID WASTE FEES FOR  
NONCOMMERCIAL ESTABLISHMENTS BY REPEALING AND  
REPLACING SECTION 31½-35 OF THE MUNICIPAL CODE OF THE CITY  
OF OTTUMWA

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, May 16, 2023 at 5:30 P.M. in City Hall in the City of Ottumwa, Iowa on Ordinance 3212-2023, an ordinance establishing solid waste fees for noncommercial establishments by repealing and replacing Section 31½-35 of the Municipal Code of the City of Ottumwa. All persons interested in the ordinance are invited to be present at the above time and place on the date mentioned to present their objections to, or arguments for the ordinance.

If you are unable to attend this meeting but have comments, written comments must be received no later than 4:30 p.m. May 16, 2023. Written comments may be addressed to: City of Ottumwa, 105 E. Third St., Ottumwa, IA 52501.

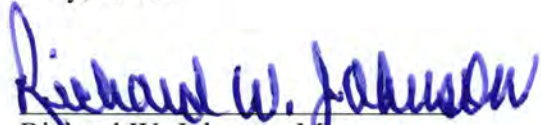
Dated this 2nd day of May, 2023.

---

City Clerk, City of Ottumwa, Iowa

(End of Notice)

PASSED AND APPROVED this 2nd day of May, 2023.

  
Richard W. Johnson, Mayor

ATTEST:



  
City Clerk

**received**  
4-27-23 11:10A

**CITY OF OTTUMWA**  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of : May 2, 2023

Administration  
Department

Barbara Codjoe

Prepared By

Barbara Codjoe

Department Head



\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Resolution 73-2023 - Authorizing renewal of insurances

\*\*\*\*\*

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

RECOMMENDATION: Pass and adopt resolution #73-2023

DISCUSSION: Please see attached.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:

The City of Ottumwa would like to enter into a renewal agreement with Wellmark Blue Cross and Blue Shield of Iowa for health and dental insurance, Avesis for vision insurance and Symetra Life Insurance Company for life insurance as set out in the price schedules below.

We were notified in April that rates for medical coverage will be staying the same but dental will be increasing by approximately 5.8%. Staff is recommending following percentage increase / decreases.

Employer / Employee split will remain 90/10. There are no changes to our coverages for this year.

Rates are as follows on the next page.

Basic Life Insurance and Accidental Death and Dismemberment Insurance (provided to our full-time regular employees at no charge) costs will increase by 38% this year. This increase equals approximately \$12,171 for the year.

RESOLUTION NO. 73-2023

RESOLUTION AUTHORIZING RENEWAL OF HEALTH INSURANCE

WHEREAS, the City of Ottumwa, Iowa wishes to provide medical, prescription, and dental insurance through Wellmark Blue Cross Blue Shield of Iowa; vision insurance through Avesis a Guardian Company; and life insurance through Symetra Life Insurance to its full- time employees and eligible retirees; and

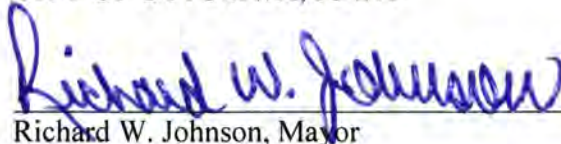
WHEREAS, Wellmark Blue Cross and Blue Shield of Iowa, Avesis a Guardian Company and Symetra Life Insurance Company have previously contracted with the City of Ottumwa and would like to renew for the period of July 1, 2023 through June 30, 2024.

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

That the City of Ottumwa enter into a renewal agreement with Wellmark Blue Cross and Blue Shield of Iowa for health insurance and dental insurance, Avesis a Guardian Company for vision insurance and Symetra Life Insurance Company for life insurance as set out in the price schedules

PASSED, ADOPTED and APPROVED this 2<sup>nd</sup> day of May, 2023.

CITY OF OTTUMWA, IOWA



---

Richard W. Johnson, Mayor

ATTEST:



---

Christina Reinhard, City Clerk

**Rates effective July 1, 2023 - 10% Employee Contribution**

|   | Single<br>(Employee) | Employee +<br>Spouse | Employee +<br>Children | Family     |
|---|----------------------|----------------------|------------------------|------------|
| <b>Medical</b>                            |                      |                      |                        |            |
| Monthly Premium                           | \$891.00             | \$1,819.80           | \$1,674.00             | \$2,721.60 |
| Employee Semi-Monthly Deduction           | \$44.55              | \$90.99              | \$83.70                | \$136.08   |
| <b>Dental</b>                             |                      |                      |                        |            |
| Monthly Premium                           | \$23.28              | \$46.55              | \$43.38                | \$83.58    |
| Employee Semi-Monthly Deduction           | \$0.00               | \$11.64              | \$10.05                | \$30.15    |
| <b>Vision</b>                             |                      |                      |                        |            |
| Monthly Premium                           | \$13.35              | \$25.81              | \$28.04                | \$36.49    |
| Employee Semi-Monthly Deduction           | \$6.68               | \$12.91              | \$14.02                | \$18.25    |
| <b>Summary of Semi-Monthly Deductions</b> |                      |                      |                        |            |
| Medical                                   | \$44.55              | \$90.99              | \$83.70                | \$136.08   |
| Medical and Dental                        | \$44.55              | \$102.63             | \$93.75                | \$166.23   |
| Medical and Vision                        | \$51.23              | \$103.90             | \$97.72                | \$154.33   |
| Medical, Dental and Vision                | \$51.23              | \$115.53             | \$107.77               | \$184.48   |

**received**  
4.27.23 11:10A

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of: May 2, 2023

Planning & Development  
Department

Zach Simonson  
Prepared By  
Zach Simonson  
Department Head

  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: RESOLUTION NO. 74-2023: RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON AMENDMENT THREE TO THE OUR OTTUMWA 2040 COMPREHENSIVE PLAN AMENDING ZONING COMPATIBILITY MATRIX

\*\*\*\*\*

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

RECOMMENDATION: PASS AND ADOPT RESOLUTION 74-2023

DISCUSSION: The Plan and Zoning Commission will consider recommending at its May 1, 2023 meeting to adopt a comprehensive plan amendment which would revise the Zoning Compatibility Matrix to extend the Zoning Districts which are Partially Compatible with Neighborhood Mix-Use Land Use and Public/Semi-Public/Institutional Land Use under the Zoning Compatibility Matrix. This would make most zoning districts partially compatible with

Source of Funds:

Budgeted Item:  Budget Amendment Needed:



Public/Semi-Public and Institutional Land Use and would also make the C-2 Community Commercial Zoning District partially compatible with Neighborhood Mixed-Use Land Use.

RESOLUTION NO. 74-2023

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON AMENDMENT  
THREE TO THE OUR OTTUMWA 2040 COMPREHENSIVE PLAN  
AMENDING ZONING COMPATIBILITY MATRIX

WHEREAS, the City adopted the *Our Ottumwa 2040 Comprehensive Plan* on August 18, 2020, Amendment 1 to the comprehensive plan on September 1, 2020 and Amendment 2 on October 4, 2022; and

WHEREAS, the Plan and Zoning Commission has recommended that the Council adopt Amendment 3 to comprehensive plan, extending the Zoning Districts which are Partially Compatible with Neighborhood Mix-Use Land Use and Public/Semi-Public/Institutional Land Use under the Zoning Compatibility Matrix; and

WHEREAS, before such amendment 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 Amendment 2 to the Comprehensive Plan, on May 16, 2023, 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. May 16, 2023 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 AMENDMENT THREE TO THE OUR  
OTTUMWA 2040 COMPREHENSIVE PLAN AMENDING ZONING  
COMPATIBILITY MATRIX

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, May 16, 2023 at 5:30 P.M. in City Hall in the City of Ottumwa, Iowa on the proposed Amendment Three to the *Our Ottumwa 2040 Comprehensive Plan*. The amendment extends the Zoning Districts which are Partially Compatible with Neighborhood Mix-Use Land Use and Public/Semi-Public/Institutional Land Use under the Zoning Compatibility Matrix. All persons interested in the amendment are invited to be present at the above time and place on the date mentioned to present their objections to, or arguments for the amendment. The amendment is available in the Planning and Development Office at City Hall, 105 Third Street East, Ottumwa, Iowa.

If you are unable to attend this meeting but have comments, written comments must be received no later than 4:30 p.m. May 16, 2023. Written comments may be addressed to: City of Ottumwa, 105 E. Third St., Ottumwa, IA 52501.

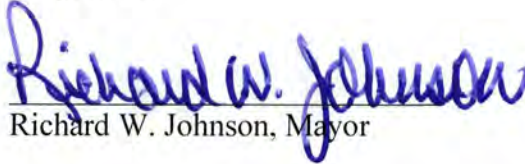
Dated this 3rd day of May, 2023.

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Chris Reinhard, City Clerk, City of Ottumwa, Iowa

(End of Notice)

PASSED AND APPROVED this 2nd day of May, 2023.

  
Richard W. Johnson, Mayor

ATTEST:

  
  
City Clerk

# Our Ottumwa 2040 Comprehensive Plan Amendment 3

The Our Ottumwa 2040 Comprehensive Plan is hereby amended as follows:

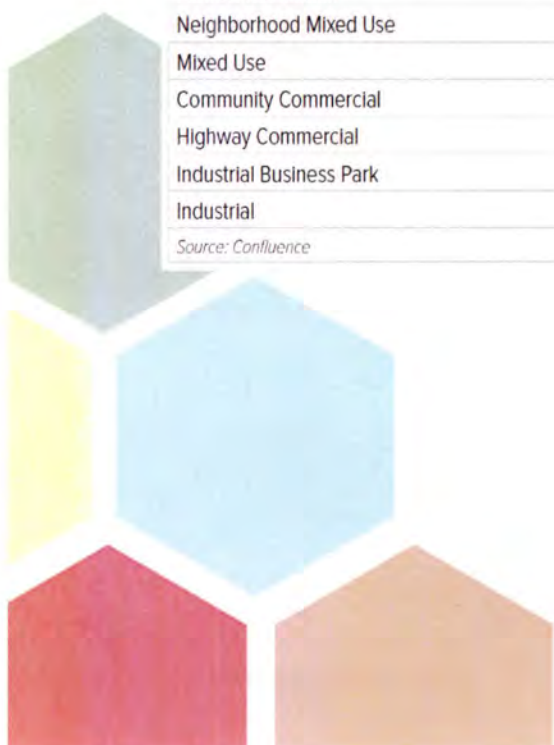
Land Use and Zoning Compatibility Matrix, Table 10.3, is revised to extend the Zoning Districts which are Partially Compatible with Neighborhood Mix-Use Land Use and Public/Semi-Public/Institutional Land Use. The Matrix reads as follows:

**Table 10.3 - Land Use & Zoning Compatibility Matrix**

| Land Use Categories                 | Zoning Districts                      |                         |                                 |                               |   |   |   |                                  |                                |                             |                                    |                             |                           |                     |                           |                           |                                 |
|-------------------------------------|---------------------------------------|-------------------------|---------------------------------|-------------------------------|---|---|---|----------------------------------|--------------------------------|-----------------------------|------------------------------------|-----------------------------|---------------------------|---------------------|---------------------------|---------------------------|---------------------------------|
|                                     | AG/UR<br>Agricultural / Urban Reserve | RR<br>Rural Residential | R1<br>Single-Family Low-Density | R-2<br>Two-Family Low-Density | R-3<br>Townhouse Residential Moderate-Density | R-4<br>Multifamily Residential Medium-Density | R-5<br>Multifamily Residential High-Density | R-MHP<br>Mobile Home Residential | C-1<br>Neighborhood Commercial | C-2<br>Community Commercial | CS-1<br>Commercial Shopping Center | C-3<br>Commercial Mixed-Use | C-4<br>Downtown Mixed Use | BP<br>Business Park | I-1<br>Limited Industrial | L-2<br>General Industrial | PUD<br>Planned Unit Development |
| Agriculture / Open Space            | C                                     | C                       |                                 |                               |   |   |   |                                  |                                |                             |                                    |                             |                           |                     |                           |                           | PC                              |
| Rural Residential                   | C                                     | C                       | PC                              |                               |   |   |   |                                  |                                |                             |                                    |                             |                           |                     |                           |                           | PC                              |
| Low Density Residential             |                                       | PC                      | C                               | PC                            |   |   |   |                                  |                                |                             |                                    |                             |                           |                     |                           |                           | PC                              |
| Medium Density Residential          |                                       |                         | PC                              | C                             | C   | PC  |   |                                  |                                |                             |                                    |                             |                           |                     |                           |                           | PC                              |
| High Density Residential            |                                       |                         |                                 | PC                            | C   | C   | C   | C                                |                                |                             |                                    |                             |                           |                     |                           |                           | PC                              |
| Downtown Core                       |                                       |                         |                                 |                               |   |   |   |                                  | PC                             |                             |                                    | PC                          | C                         |                     |                           |                           | PC                              |
| Office                              |                                       |                         |                                 |                               |   |   |   |                                  | C                              | PC                          | PC                                 | PC                          | PC                        | PC                  |                           |                           | PC                              |
| Public, Semi-Public & Institutional | C                                     | C                       | C                               | PC                            | PC  | PC  | PC  |                                  | PC                             | PC                          | PC                                 | PC                          | PC                        | PC                  | PC                        | PC                        | PC                              |
| Parks & Recreation                  | C                                     | C                       |                                 |                               |   |   |   |                                  |                                |                             |                                    |                             |                           |                     |                           |                           | PC                              |
| Neighborhood Mixed Use              |                                       |                         |                                 |                               |   |   | PC  |                                  | C                              | PC                          |                                    | PC                          | C                         |                     |                           |                           | PC                              |
| Mixed Use                           |                                       |                         |                                 |                               |   |   | PC  |                                  | C                              |                             |                                    | C                           | C                         | PC                  |                           |                           | PC                              |
| Community Commercial                |                                       |                         |                                 |                               |   |   |   |                                  | C                              | C                           | C                                  | C                           | PC                        | PC                  |                           |                           | PC                              |
| Highway Commercial                  |                                       |                         |                                 |                               |   |   |   |                                  | C                              | C                           | C                                  | C                           | PC                        | PC                  |                           |                           | PC                              |
| Industrial Business Park            |                                       |                         |                                 |                               |   |   |   |                                  |                                |                             |                                    |                             |                           | C                   | C                         | PC                        | PC                              |
| Industrial                          |                                       |                         |                                 |                               |   |   |   |                                  |                                |                             |                                    |                             |                           |                     | PC                        | C                         | PC                              |

Source: Confluence

By the Ottumwa City Council  
May 16, 2023



**received**  
4.27.23 12:00 PM

# CITY OF OTTUMWA

## Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: May 2, 2023

Christina Reinhard *CJR*  
Prepared By

Airport  
Department

\_\_\_\_\_  
Department Head

*R. A.*  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Resolution No. 78-2023 - Authorizing Execution of Amendment A to the Aviation Fuel Supply Agreement (AFSA) between AVFUEL Corporation and the City of Ottumwa.

\*\*\*\*\*

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

RECOMMENDATION: Pass and adopt Resolution No. 78-2023.

DISCUSSION: Council adopted Resolution No. 83-2022, on April 5, 2022, that authorized a lease-purchase Agreement in the principal amount of not to exceed \$25,000, for the acquisition and equipping of a refueler truck for the Airport for a general corporate purpose. This lease captured 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 was a three-year lease subject to a monthly lease payment of \$583.33 and a \$1.00 option to purchase the vehicle at the end of the lease. All paperwork was not submitted upon passing of this

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed: No

Resolution back in 2022 so the account was not properly set up within Avfuel's system to bill the City of Ottumwa appropriately. Avfuel has allowed the city to carry this balance on the account until arrangements can be finalized. The City has submitted a signed AFSA, that was not received back in 2022.

Amendment A changes the payment terms to net ten (10) days via electronic funds transfer (EFT), with a credit limit set on the account at \$40,000. The Agreement remains in full force and effect.

RESOLUTION NO. 78-2023

A RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT A TO THE AVIATION FUEL SUPPLY AGREEMENT BETWEEN AVFUEL CORPORATION AND CITY OF OTTUMWA.

WHEREAS, Resolution No. 83-2022, adopted by City Council on April 5, 2022, included a Fixed Base Operator Aviation Fuel Supply Agreement between the City of Ottumwa and AVFUEL Corporation that authorized a lease-purchase option in the principal amount of not to exceed \$25,000 for a refueler truck at the Ottumwa Regional Airport for general corporate purpose; and,

WHEREAS, this was a three-year lease subject to a monthly lease payment of \$583.33 with a \$1.00 option to purchase the vehicle at the end of the lease; and,

WHEREAS, all fully executed paperwork for this transaction was not received by AVFUEL Corporation in order to set up proper billing within their accounting system; and,

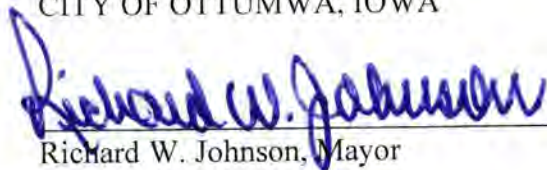
WHEREAS, Amendment A changes the Payment Terms to Net Ten (10) days via electronic funds transfer (EFT), with a set credit limit of \$40,000 on the account, and all other terms from the Agreement remain in full force and effect.

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

The execution of Amendment A to the Aviation Fuel Supply Agreement between AVFUEL Corporation and City of Ottumwa is hereby authorized and approved.

APPROVED, PASSED, AND ADOPTED, this 2nd day of May, 2023.

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:

  
Christina Reinhard, City Clerk



## Chris Reinhard

---

**From:** Chris Reinhard  
**Sent:** Wednesday, April 19, 2023 12:12 PM  
**To:** Philip Rath; Kristin Billingsley Cooper; Kristine Stone  
**Subject:** FW: Addendum- Payment Terms  
**Attachments:** FBO AFSA Amendment City of Ottumwa 230419.pdf  
  
**Importance:** High

All –

Please see attached.

This is in response to Avfuel not receiving the proper paperwork to set up the prepay invoicing on their end (back when it was approved by Council in 2022).

This means we have a balance due covering 12 months at \$583.33 that will need paid net 10 via EFT when received.

My initial thoughts are that this needs to go to council for approval, because it is amending the original agreement, but wanted to confirm with Legal on how to proceed.

Please let me know when time allows.

Thank-you.  
Chris

---

**From:** JD Wheaton <[wheatonj@ottumwa.us](mailto:wheatonj@ottumwa.us)>  
**Sent:** Wednesday, April 19, 2023 11:25 AM  
**To:** Chris Reinhard <[reinhardc@ottumwa.us](mailto:reinhardc@ottumwa.us)>  
**Subject:** FW: Addendum- Payment Terms

Chris,

I need your help again!! Can you get this signed for me also please.

Thank you  
J.D. Wheaton  
Director of Airport Operations  
641-683-0619

**From:** Diggs, Joshua D. <[jdiggs@avfuel.com](mailto:jdiggs@avfuel.com)>  
**Sent:** Wednesday, April 19, 2023 11:23 AM  
**To:** JD Wheaton <[wheatonj@ottumwa.us](mailto:wheatonj@ottumwa.us)>  
**Subject:** Addendum- Payment Terms

JD-

The original agreement was written out on the aspect of pre-pay. However, we have been running a credit limit of \$40k and EFT payments within 10 days of receipt of the invoice for the city. So, I need to have this signed and placed with the agreement to have it up to date on how things are processing.

Let me know if you have any questions, but I just need to have this signed. I appreciate all the assistance in getting this set up.

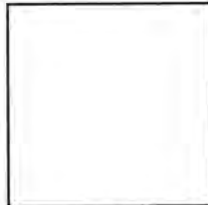
Thank you,

**Josh Diggs**  
Area Manager- Great Plains, **Avfuel**

47 West Ellsworth Rd. | Ann Arbor, MI 48108 | [avfuel.com](http://avfuel.com)  
P: +1-734-663-6466, ext. 20716 M: +1-913-574-7121  
**Your Feedback Matters:** [Take a 30-second survey.](#)



Global Supplier of  
Aviation Fuel and Services  
[Find fueling locations](#)



The contractor and subcontractor shall abide by the requirements of 41 CFR §§ 60-1.4(a), 60-300.5(a) and 60-741.5(a) and 29 CFR Section Part 471, Appendix A to Subpart A, if applicable. These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, gender, national origin or other protected status. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, gender, national origin, protected veteran status, disability or other protected status.

This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 USC 2510-2521, and contain information intended for the specified individual(s) only. This information is confidential. If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

**AMMENDMENT A TO THE  
AVIATION FUEL SUPPLY  
AGREEMENT (AFSA)  
BETWEEN  
AVFUEL CORPORATION  
and  
City of Ottuwa**

This Amendment amends the Aviation Fuel Supply Agreement, dated March 1, 2022 (the "Agreement") between Avfuel Corporation ("Avfuel") and the City of Ottumwa ("Customer") and the following are hereby incorporated and made part of the Agreement effective date as of April 19, 2023.

**The Payment Terms:**

Payment will be net ten (10) days via electronic funds transfer (EFT). The credit limit has been set at \$40,000.00.

To the extent there is any conflict between the Agreement and this Amendment, the terms of this Amendment shall prevail. Except as amended herein, the Agreement remains in full force and effect.

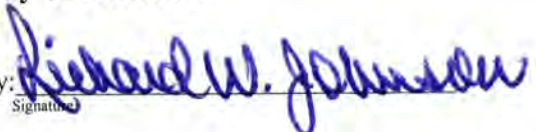
**AVFUEL CORPORATION**

By: \_\_\_\_\_  
Signature

William B Light, Vice President Administration

\_\_\_\_\_  
Date

**City of Ottumwa**

By:   
Signature

Richard W. Johnson, Mayor  
\_\_\_\_\_  
Name and Title Printed

May 2, 2023  
\_\_\_\_\_  
Date

ANNUAL COMPREHENSIVE FINANCIAL REPORT  
OF THE  
CITY OF OTTUMWA, IOWA

FOR THE  
FISCAL YEAR ENDED  
JUNE 30, 2022

DEPARTMENT OF FINANCE

PHILIP RATH  
CITY ADMINISTRATOR



ANDERSON, LARKIN & CO., P.C.  
Certified Public Accountants  
"Your Success Is Our Business."

Kenneth E. Crosser, CPA  
April D. Crosser, CPA  
Michael J. Podliska, CPA  
Alexander T. Barr, CPA

## INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and  
Members of the City Council  
City of Ottumwa, Iowa

### Report on the Audit of the Financial Statements

#### Opinions

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund and the aggregate remaining fund information of the City of Ottumwa, Iowa as of and for the year ended June 30, 2022, and the related Notes to the Financial Statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund and the aggregate remaining fund information of the City of Ottumwa, Iowa, as of June 30, 2022, and the respective changes in financial position, and, where applicable, its cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of Financial Statements section of our report. We are required to be independent of City of Ottumwa, Iowa and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

#### Emphasis of Matter

As discussed in Note 23 to the financial statements, City of Ottumwa, Iowa adopted new accounting guidance related to Governmental Accounting Standards Board Statement No. 87, Leases. Our opinions are not modified with respect to this matter.

#### Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raised substantial doubt about the City of Ottumwa Iowa's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

## Statement of Net Position as of June 30, 2022 and 2021:

This section discusses and analyzes the significant differences between this and the prior fiscal year. A condensed version of the Statement of Net Position as of June 30, 2022 and 2021 follows:

### Statement of Net Position at Year-end (In Thousands)

|                                     | June 30, 2022              |                                |                     | June 30, 2021                            |                                |                                   |
|-------------------------------------|----------------------------|--------------------------------|---------------------|--|--------------------------------|-----------------------------------|
|                                     | Governmental<br>Activities | Business<br>Type<br>Activities | Total<br>Government | (Restated)<br>Governmental<br>Activities | Business<br>Type<br>Activities | (Restated)<br>Total<br>Government |
| Cash and investments                | \$ 41,078.9                | \$ 19,408.7                    | \$ 60,487.6         | \$ 31,200.9                              | \$ 19,705.5                    | \$ 50,906.4                       |
| Other assets                        | 19,495.2                   | 2,276.3                        | 21,771.5            | 18,381.1                                 | 2,418.8                        | 20,799.9                          |
| Capital assets                      | <u>72,889.0</u>            | <u>77,094.1</u>                | <u>149,983.1</u>    | <u>73,381.3</u>                          | <u>79,645.8</u>                | <u>153,027.1</u>                  |
| Total assets                        | <u>133,463.1</u>           | <u>98,779.1</u>                | <u>232,242.2</u>    | <u>122,963.3</u>                         | <u>101,770.1</u>               | <u>224,733.4</u>                  |
| Deferred outflows of<br>resources   | <u>2,791.7</u>             | <u>349.6</u>                   | <u>3,141.3</u>      | <u>4,646.1</u>                           | <u>635.8</u>                   | <u>5,281.9</u>                    |
| Current liabilities                 | 12,506.7                   | 1,839.6                        | 14,506.3            | 7,488.5                                  | 3,529.8                        | 11,018.3                          |
| Noncurrent liabilities              | <u>29,181.5</u>            | <u>26,373.7</u>                | <u>55,395.2</u>     | <u>41,301.7</u>                          | <u>29,369.2</u>                | <u>70,670.9</u>                   |
| Total liabilities                   | <u>41,688.2</u>            | <u>28,213.3</u>                | <u>69,901.5</u>     | <u>48,790.2</u>                          | <u>32,899.0</u>                | <u>81,689.2</u>                   |
| Deferred inflows of<br>resources    | <u>25,627.2</u>            | <u>1,510.6</u>                 | <u>27,137.8</u>     | <u>16,402.5</u>                          | <u>381.1</u>                   | <u>16,783.6</u>                   |
| Net position:                       |                            |                                |                     |  |                                |                                   |
| Net investment in<br>capital assets | 50,905.1                   | 56,418.1                       | 107,323.2           | 54,412.9                                 | 57,604.3                       | 112,017.2                         |
| Restricted                          | 25,307.0                   | 95.0                           | 25,402.0            | 20,733.0                                 | 95.0                           | 20,828.0                          |
| Unrestricted                        | <u>(7,272.7)</u>           | <u>12,891.6</u>                | <u>5,618.9</u>      | <u>(12,729.2)</u>                        | <u>11,426.5</u>                | <u>(1,302.7)</u>                  |
| Total net position                  | \$ <u>68,939.4</u>         | \$ <u>69,404.7</u>             | \$ <u>138,344.1</u> | \$ <u>62,416.7</u>                       | \$ <u>69,125.8</u>             | \$ <u>131,542.5</u>               |

### Governmental Activities

The net position for governmental activities increased approximately \$6.5 million or 10.5 percent. This increase is primarily the result of a \$3.5 million decrease in net investment in capital assets, \$4.6 million increase in restricted net position and \$5.4 million increase in unrestricted net position.

### Business-Type Activities

Net position increased \$0.3 million or 0.4 percent for fiscal year 2022. This increase is primarily the result of a \$1.2 million decrease in net investment in capital assets combined with a \$1.5 million dollar increase in unrestricted net position.

### Statement of Activities for the Fiscal Years Ended June 30, 2022 and 2021:

A summary version of the Statement of Activities follows:

**Changes In Net Position**  
**For Fiscal Years Ended June 30, 2022 and 2021**  
(In Thousands)

|   | June 30, 2022              |                                |                     | June 30, 2021              |                                |                     |
|---|----------------------------|--------------------------------|---------------------|----------------------------|--------------------------------|---------------------|
|   | Governmental<br>Activities | Business<br>Type<br>Activities | Total<br>Government | Governmental<br>Activities | Business<br>Type<br>Activities | Total<br>Government |
| <b>Revenues:</b>  |                            |                                |                     |                            |                                |                     |
| Charges for services                                    | \$ 7,694.3                 | \$ 10,086.7                    | \$ 17,781.0         | \$ 7,249.4                 | \$ 9,667.6                     | \$ 16,917.0         |
| Operating grants, contributions and restricted interest | 4,977.7                    | 18.2                           | 4,995.9             | 5,275.9                    | 15.7                           | 5,291.6             |
| Capital grants, contributions and restricted interest   | 1,360.5                    | -                              | 1,360.5             | 2,203.0                    | -                              | 2,203.0             |
| <b>General revenues:</b>                                |                            |                                |                     |                            |                                |                     |
| Property taxes  | 15,134.6                   | 9.7                            | 15,144.3            | 14,791.5                   | 485.7                          | 15,277.2            |
| Local option sales tax                                  | 4,660.7                    | -                              | 4,660.7             | 4,451.0                    | -                              | 4,451.0             |
| Other taxes   | 699.5                      | -                              | 699.5               | 689.1                      | -                              | 689.1               |
| Investment income                                       | 80.4                       | 77.2                           | 157.6               | 119.1                      | 127.5                          | 246.6               |
| Other   | 14.7                       | 766.4                          | 781.1               | 32.6                       | 1,181.9                        | 1,214.5             |
| <b>Total revenues</b>                                   | <u>34,622.4</u>            | <u>10,958.2</u>                | <u>45,580.6</u>     | <u>34,811.6</u>            | <u>11,478.4</u>                | <u>46,290.0</u>     |
| <b>Expenses:</b>  |                            |                                |                     |                            |                                |                     |
| General government                                      | 1,398.5                    | -                              | 1,398.5             | 3,280.1                    | -                              | 3,280.1             |
| Public safety   | 9,309.7                    | -                              | 9,309.7             | 9,970.7                    | -                              | 9,970.7             |
| Public services   | 9,889.6                    | -                              | 9,889.6             | 10,639.8                   | -                              | 10,639.8            |
| Culture and recreation                                  | 2,777.3                    | -                              | 2,777.3             | 3,747.8                    | -                              | 3,747.8             |
| Community development                                   | 601.1                      | -                              | 601.1               | 849.5                      | -                              | 849.5               |
| Interest on long-term debt                              | 1,215.9                    | -                              | 1,215.9             | 572.0                      | -                              | 572.0               |
| Solid waste   | -                          | 2,716.9                        | 2,716.9             | -                          | 3,471.9                        | 3,471.9             |
| Sewer utility   | -                          | 8,358.7                        | 8,358.7             | -                          | 8,710.0                        | 8,710.0             |
| Events center   | -                          | 2,416.8                        | 2,416.8             | -                          | 1,474.8                        | 1,474.8             |
| Ottumwa Transit   | -                          | 65.4                           | 65.4                | -                          | 1,017.4                        | 1,017.4             |
| Golf course   | -                          | 29.1                           | 29.1                | -                          | 25.8                           | 25.8                |
| <b>Total expenses</b>                                   | <u>25,192.1</u>            | <u>13,586.9</u>                | <u>38,779.0</u>     | <u>29,059.9</u>            | <u>14,699.9</u>                | <u>43,759.8</u>     |
| Excess (deficiency) of revenue over (under) expenses    | 9,430.3                    | (2,628.7)                      | 6,801.6             | 5,751.7                    | (3,221.5)                      | 2,530.2             |
| Transfers   | <u>(2,907.6)</u>           | <u>2,907.6</u>                 | -                   | <u>(3,612.6)</u>           | <u>3,612.6</u>                 | -                   |
| Change in net position                                  | 6,522.7                    | 278.9                          | 6,801.6             | 2,139.1                    | 391.1                          | 2,530.2             |
| Beginning net position                                  | <u>62,416.7</u>            | <u>69,125.8</u>                | <u>131,542.5</u>    | <u>60,277.6</u>            | <u>68,734.7</u>                | <u>129,012.3</u>    |
| Ending net position                                     | <u>\$ 68,939.4</u>         | <u>\$ 69,404.7</u>             | <u>\$ 138,344.1</u> | <u>\$ 62,416.7</u>         | <u>\$ 69,125.8</u>             | <u>\$ 131,542.5</u> |

**Governmental Activities**

Charges for services make up 22.2 percent of governmental revenues. The remaining revenue comes from taxes, primarily property taxes (43.7 percent), operating grants, contributions and restricted interest (14.4 percent) and capital grants and contributions (3.9 percent). Total Governmental activities for the City increased the net position by \$6,522,701. An increase in charges for services of \$444,951 and an increase in property taxes of \$343,053 contributed to the net position increase. Total expenses decreased by \$3,867,884 compared to the prior year and also contributed to the net position increase.

**Business Type Activities**

Charges for services is the primary revenue source for business type activities (92.1 percent). Other revenue makes up 7.9 percent of the remaining revenues. Total Business-type activities for the City increased the net position by \$278,898. The increase in net position is primarily due to a \$1,112,985 decrease in expenses being offset by a \$476,060 decrease in property tax revenue and a \$415,504 decrease in other revenue.

**Fund Financial Statements**

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City can be divided into three categories: governmental funds, proprietary funds, and fiduciary funds.

CITY OF OTTUMWA, IOWA

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2022

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of Ottumwa, Iowa is a political subdivision of the State of Iowa located in Wapello County. It was first incorporated in 1851 and operates under the Home Rule provisions of the Constitution of Iowa. The City operates under the Mayor-Council-Manager form of government with the Mayor and Council members elected on a non-partisan basis. The City provides numerous services to its citizens, including public safety, public works, health and social services, culture and recreation, community and economic development and general government services. It also operates an airport, a water recreation park, a wide range of parks and recreational facilities and sewer and sanitation utilities.

The financial statements of the City of Ottumwa, Iowa have been prepared in conformity with U.S. generally accepted accounting principles (GAAP) as prescribed by the Governmental Accounting Standards Board.

Reporting Entity

For financial reporting purposes, the City of Ottumwa, Iowa has included all funds, organizations, agencies, boards, commissions and authorities. The City has also considered all potential component units for which it is financially accountable and other organizations for which the nature and significance of their relationship with the City are such that exclusion would cause the City's financial statements to be misleading or incomplete. The Governmental Accounting Standards Board has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body and (1) the ability of the City to impose its will on that organization or (2) the potential for the organization to provide specific benefits to or impose specific financial burdens on the City.

These financial statements present the City of Ottumwa, Iowa (the primary government) and its component unit. The component unit discussed below is included in the City's reporting entity because of the significance of its operational or financial relationships with the City. The City handles the cash management and financial reporting of the component unit. In addition, City employees perform the duties at the direction of the component unit's board.

Discretely Presented Component Unit: The component unit column in the government-wide financial statements, include the financial data of the City's component unit. It is reported in a separate column to emphasize that it is legally separate from the City. Separate financial statements of the component unit may be obtained from the City's finance department.

Hazardous Materials: The Hazardous Materials component unit includes all operations of the Hazardous Materials response team operated by the Ottumwa Fire Department, under the authority of the Southeast Iowa Response Group Board consisting of nine county supervisors from Wapello County and eight nearby counties. The elected City officials are financially accountable for the organization. The City handles all of the accounting, budgeting, payroll, treasury management and administrative functions for the organization.

Basis of Presentation

Government-wide Financial Statements

The Statement of Net Position and the Statement of Activities report information on all activities of the primary government and its component unit. For the most part, the effect of interfund activity has been removed from these statements. However, interfund services provided and used are not eliminated in the process of consolidation. Governmental activities, which are supported by property tax and intergovernmental revenues, are reported separately from business type activities, which rely to a significant extent on fees and charges for service.

The Statement of Net Position presents the City's nonfiduciary assets, deferred outflows of resources, liabilities and deferred inflows of resources, with the difference reported as net position. Net position is reported in the following categories:



CITY OF OTTUMWA, IOWA

BUDGETARY COMPARISON SCHEDULE OF RECEIPTS, DISBURSEMENTS AND  
CHANGES IN BALANCES - BUDGET AND ACTUAL (CASH BASIS) -  
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS

REQUIRED SUPPLEMENTARY INFORMATION

YEAR ENDED JUNE 30, 2022

|   | Governmental<br>Funds<br><u>Actual</u> | Proprietary<br>Funds | Total<br><u>Actual</u> |
|---|--|----------------------|------------------------|
| <u>RECEIPTS:</u>  |  |                      |                        |
| Property tax  | \$ 14,649,244                          | \$ -                 | \$ 14,649,244          |
| Other city tax  | 5,844,244                              | -                    | 5,844,244              |
| Licenses and permits  | -                                      | -                    | -                      |
| Intergovernmental   | 5,297,072                              | 18,229               | 5,315,301              |
| Use of money and property   | 25,300                                 | -                    | 25,300                 |
| Charges for service   | 4,733,470                              | 9,387,816            | 14,121,286             |
| Other fines   | 74,982                                 | -                    | 74,982                 |
| Miscellaneous   | 2,351,774                              | -                    | 2,351,774              |
| Total receipts  | <u>32,976,086</u>                      | <u>9,406,045</u>     | <u>42,382,131</u>      |
| <u>DISBURSEMENTS:</u>   |  |                      |                        |
| Current:  |  |                      |                        |
| Public safety   | 9,856,559                              | -                    | 9,856,559              |
| Public works  | 7,754,192                              | -                    | 7,754,192              |
| Health and social services  | 701,745                                | -                    | 701,745                |
| Culture and recreation  | 2,933,414                              | -                    | 2,933,414              |
| Community and economic development  | 543,100                                | -                    | 543,100                |
| General government  | 1,835,413                              | -                    | 1,835,413              |
| Capital projects  | 4,360,463                              | -                    | 4,360,463              |
| Debt service  | 3,750,576                              | -                    | 3,750,576              |
| Business-type activities  | -                                      | 16,132,494           | 16,132,494             |
| Total disbursements   | <u>31,735,462</u>                      | <u>16,132,494</u>    | <u>47,867,956</u>      |
| Excess (deficiency) of revenues<br>over (under) expenses  | 1,240,624                              | (6,726,449)          | (5,485,825)            |
| Other financing sources (uses), net   | <u>564,866</u>                         | <u>6,134,285</u>     | <u>6,699,151</u>       |
| Excess (deficiency) of receipts and other<br>financing sources over (under) disbursements<br>and other financing uses | 1,805,490                              | (592,164)            | 1,213,326              |
| Balances - Beginning of year  | <u>31,515,057</u>                      | <u>18,118,353</u>    | <u>49,633,410</u>      |
| Balances - End of year  | \$ <u>33,320,547</u>                   | \$ <u>17,526,189</u> | \$ <u>50,846,736</u>   |

See Accompanying Independent Auditor's Report

| <u>Budgeted Amounts</u> |                      | <u>Final to Actual</u> |
|-------------------------|----------------------|------------------------|
| <u>Original</u>         | <u>Final</u>         | <u>Variance</u>        |
| \$ 13,550,095           | \$ 13,550,095        | \$ 1,099,149           |
| 4,615,803               | 4,615,803            | 1,228,441              |
| 329,164                 | 364,164              | (364,164)              |
| 4,217,453               | 6,862,857            | (1,547,556)            |
| 1,124,395               | 1,156,095            | (1,130,795)            |
| 18,476,740              | 19,175,527           | (5,054,241)            |
| 35,000                  | 62,500               | 12,482                 |
| <u>1,099,834</u>        | <u>1,206,934</u>     | <u>1,144,840</u>       |
| <u>43,448,484</u>       | <u>46,993,975</u>    | <u>(4,611,844)</u>     |
| 9,333,186               | 9,678,497            | (178,062)              |
| 8,294,224               | 7,798,461            | 44,269                 |
| 806,094                 | 806,094              | 104,349                |
| 2,448,640               | 2,449,640            | (483,774)              |
| 335,671                 | 414,725              | (128,375)              |
| 1,821,541               | 1,993,141            | 157,728                |
| 11,061,602              | 12,580,371           | 8,219,908              |
| 3,812,387               | 4,576,025            | 825,449                |
| <u>13,657,596</u>       | <u>14,958,735</u>    | <u>(1,173,759)</u>     |
| <u>51,570,941</u>       | <u>55,255,689</u>    | <u>7,387,733</u>       |
| (8,122,457)             | (8,261,714)          | 2,775,889              |
| <u>-</u>                | <u>-</u>             | <u>6,699,151</u>       |
| (8,122,457)             | (8,261,714)          | 9,475,040              |
| <u>34,820,771</u>       | <u>36,664,618</u>    | <u>12,968,792</u>      |
| \$ <u>26,698,314</u>    | \$ <u>28,402,904</u> | \$ <u>22,443,832</u>   |

CITY OF OTTUMWA, IOWA

SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
YEAR ENDED JUNE 30, 2022

Part I: Summary of the Independent Auditor's Results

- a. Unmodified opinions were issued on the financial statements prepared in accordance with U.S. generally accepted accounting principles.
- b. No material weaknesses in internal control over financial reporting were disclosed by the audit of the financial statements.
- c. The audit did not disclose any non-compliance which is material to the financial statements.
- d. No material weaknesses in internal control over the major program were noted.
- e. An unmodified opinion was issued on compliance with requirements applicable to the major program.
- f. The audit disclosed no audit findings which were required to be reported in accordance with the Uniform Guidance Section 200.516.
- g. Major programs were as follows:

CFDA Numbers

21.027            Coronavirus State and Local Fiscal Recovery Funds

- h. The dollar threshold used to distinguish between Type A and Type B programs was \$750,000.
- i. The City of Ottumwa, Iowa qualifies as a low-risk auditee.

Part II: Findings Related to the Financial Statements

INTERNAL CONTROL DEFICIENCIES

No material weaknesses in internal control over financial reporting were noted.

INSTANCES OF NON-COMPLIANCE

No matters were noted.

Part III: Findings and Questioned Costs for Federal Awards

INSTANCES OF NON-COMPLIANCE

No matters were noted.

INTERNAL CONTROL DEFICIENCIES

No material weaknesses in internal control over the major program were noted.

CITY OF OTTUMWA, IOWA  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
YEAR ENDED JUNE 30, 2022

Part IV: Other Findings Related to Required Statutory Reporting:

IV-A-22 Certified Budget – Disbursements during the year ended June 30, 2022 exceeded the amount budgeted in the public safety, culture and recreation, community and economic development and business-type activities functions. Chapter 384.20 of the Code of Iowa states, in part, "Public monies may not be expended or encumbered except under an annual or continuing appropriation."

Recommendation – The budget should have been amended in accordance with Chapter 384.18 of the Code of Iowa before disbursements were allowed to exceed the budget.

Response – The budget will be amended in the future, if applicable.

Conclusion – Response accepted.

IV-B-22 Questionable Expenditures – No expenditures were noted that may not meet the requirements of public purpose as defined in an Attorney General's opinion dated April 25, 1979.

IV-C-22 Travel Expense – No expenditures of City money for travel expenses of spouses of City officials or employees were noted.

IV-D-22 Business Transactions – Business transactions between the City and City officials or employees are detailed as follows:

| <u>Name, Title and<br/>Business Connection</u>                                  | <u>Transaction<br/>Description</u> | <u>Amount</u>    |
|---|------------------------------------|------------------|
| Larry Seals, Public Works Director<br>Dixies Cleaning Service (Spouse is Owner) | Cleaning                           | \$ <u>19,200</u> |

The transactions do not appear to represent a conflict of interest since it was entered into through competitive bidding in accordance with Chapter 362.5(3)(d) of the Code of Iowa.

IV-E-22 Restricted Donor Activity – No transactions were noted between the City, City officials, City employees and restricted donors in compliance with Chapter 68B of the Code of Iowa.

IV-F-22 Bond Coverage – Surety bond coverage of City officials and employees is in accordance with statutory provisions. The amount of coverage should be reviewed annually to ensure that coverage is adequate for current operations.

IV-G-22 City Council Minutes – No transactions were found that we believe should have been approved in the Council minutes but were not.

IV-H-22 Deposits and Investments – No instances of non-compliance with the deposit and investment provisions of Chapters 12B and 12C of the Code of Iowa and the City's investment policy were noted.

IV-I-22 Revenue Bonds/Notes – No instances of non-compliance with the revenue bond/note provisions were noted.

IV-J-22 Annual Urban Renewal Report – The annual urban renewal report was properly approved and certified to the Iowa Department of Management on or before December 1.

CITY OF OTTUMWA, IOWA

SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
YEAR ENDED JUNE 30, 2022

Part IV: Other Findings Related to Required Statutory Reporting: (Continued)

IV-K-22 Financial Condition – Note 21 to the financial statements reported deficit fund balances at June 30, 2022.

Recommendation – The City should investigate alternatives to eliminate the fund deficits in order to return the accounts to sound financial position.

Response – We are aware of the deficit balances. See Note 21 for further explanation.

Conclusion – Response accepted.

IV-L-22 Annual Financial Report – The annual financial report was not certified timely to the Iowa Department of Management.

Recommendation – Future annual financial reports should be certified to the Iowa Department of Management by the City before December 1<sup>st</sup> of each fiscal year in accordance with the Code of Iowa.

Response – Future annual financial reports will be certified to the Iowa Department of Management by the City by December 1<sup>st</sup> of each fiscal year in accordance with the Code of Iowa.

Conclusion – Response accepted.



# CITY OF OTTUMWA Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: May 2, 2023

Planning & Development  
Department

Zach Simonson  
Prepared By  
Zach Simonson  
Department Head

  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: ORDINANCE NO. 3213-2023: AN ORDINANCE AMENDING THE CODE OF ORDINANCES (MUNICIPAL CODE OF THE CITY OF OTTUMWA, IOWA) BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY KNOWN AS 526 E SECOND FROM R-4 TO C-2 IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

\*\*\*\*\*

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

RECOMMENDATION: Open public hearing,  
Receive public comment,  
Close public hearing,  
Plan and Zoning Commission will provide recommendation at its May 1, 2023 meeting, staff will provide Plan and Zoning recommendation at May 2 Council meeting.

DISCUSSION: The applicant, Ottumwa Community School District, seeks rezoning the property at 526 E Second in order to complete an athletics complex. The parcel is currently used as a parking lot. The parking use is existing non-conforming and not typically a permitted use in the current R-4 district. The change of use would alleviate the existing non-conforming issue and allow for the athletics complex use.

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

Section 38-966 requires reviewing the following elements in order to consider a rezoning:

1. Conformance to Future Land Use Plan: The Future Land Use Plan identifies 526 E Second as suitable for Public, Semi-Public and Institutional Use. The athletics complex use is consistent with that determination. The Land Use and Zoning Compatibility Matrix does not identify any Commercial Zoning Districts as Compatible or Partially Compatible with Public, Semi-Public or Institutional Use. Staff believes this should be corrected as numerous Public-Semi-Public and Institutional Uses are permitted by right or conditional use permit in a wide variety of zoning districts and many such uses are conducted in zoning districts including R-2, R-4, C-1, C-2, C-4 and I-1. Staff staff has prepared Amendment 3 to the Comprehensive Plan to update the matrix to make this correction. Amendment 3 is set for public hearing and adoption May 16.
2. Conformance to goals and objectives of the Comprehensive Plan: The athletics complex would advance at least two goals in the 2040 Our Ottumwa Comprehensive Plan:
  - a. Quality of Life 2b: Expand recreational activities for the entire community including indoor and outdoor winter activities and after school programs. The athletics complex will provide improved facilities for student recreation.
  - b. Growth 1a: Seek out opportunities for advancing Ottumwa's economic leadership role. The facility will improve Ottumwa's position as destination for sports tourism in the region.
3. Compatibility with surrounding development: The bulk of surrounding development is the rest of the Ottumwa High School campus. Other surrounding development has a commercial nature.
4. Potential hardships or nuisances for surrounding development: Current use is consistent with traffic generation, large amounts of foot traffic, etc.
5. Public utilities: Development will be served by existing utilities.
6. Trend of development: The trend of the development in this area supports the rezoning. The OHS campus has grown and added new parking the west.

**ORDINANCE NO. 3213-2023**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (MUNICIPAL CODE OF THE CITY OF OTTUMWA, IOWA) BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY KNOWN AS 526 E SECOND FROM R-4 TO C-2 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:

Ottumwa Original Lots 263-268 Blk 19. As recorded in book 439 page 305.

Described area contains 1.21 acres and is subject to easements and other restrictions of record.

Be and the same is hereby changed from its present zoning classification of “R-4” Multifamily Residential District (Medium Density) to “C-2” Community 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 2nd day of May, 2023.

Passed on its second consideration on the      day of                     , 2023.



Requirement of consideration and vote at two prior council meetings suspended on the \_\_\_\_ day of \_\_\_\_\_, 2023.

Final passage and adoption on the \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF OTTUMWA, IOWA

\_\_\_\_\_  
Richard W Johnson, Mayor

\_\_\_ No action taken by Mayor.

\_\_\_ Vetoed this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Richard W Johnson, Mayor

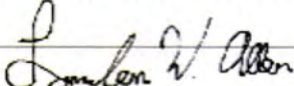
\_\_\_ Repassed and adopted over the veto this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_ Veto affirmed this \_\_\_\_ day of \_\_\_\_\_, 2023 by failure of vote taken to repass.

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

ATTEST:

\_\_\_\_\_  
Chris Reinhard, City Clerk

| APPLICATION TO REZONE PROPERTY  |                |                 |
|---|----------------|-----------------|
| <b>APPLICANT INFORMATION</b>  |                |                 |
| Name: LANDON ALLEN  |                |                 |
| Phone: 641-683-4449   |                |                 |
| Address: 1112 North Van Buren   |                |                 |
| City: Ottumwa   | State: IA      | ZIP Code: 52501 |
| E-mail: landon.allen@ottumwaschool.com  |                |                 |
| <b>PROPERTY INFORMATION</b>   |                |                 |
| Business Name: Ottumwa School District  |                |                 |
| Proposed Property Use: High School Athletics Complex  |                |                 |
|   |                |                 |
| Property Manager (If different from applicant): same  |                |                 |
| Address:  |                |                 |
| City:   | State:         | ZIP Code:       |
| E-mail:   |                |                 |
| <b>REZONE INFORMATION</b>   |                |                 |
| Current Zoning Classification R-4   |                |                 |
| Requested Zoning Classification C-2   |                |                 |
| <b>SIGNATURES</b>   |                |                 |
| I authorize the verification of the information provided on this form and have attached all required documentation. |                |                 |
| Signature of applicant:          | Date: 4/3/2023 |                 |

**Submittal Checklist**

- Full Legal Description( Deed)
- List of all property owners within 200 feet radius of property
- Letter to the Plan Commission "Why you want the property rezoned"
- Application fee(Non-refundable) \$300.00
- Site Plan

*Hearings by city planning and zoning commission on proposed amendments, report to city council; hearings by city council.* All applications for amendment of the ordinance shall first be submitted to the city planning and zoning commission, who will hold a public hearing in relation to the proposed amendment. At the public hearing, citizens shall have an opportunity to be heard. The planning and zoning commission shall then make a recommendation to the city council. The city council may adopt, reject, or send back to the planning and zoning commission's recommendation after a public hearing before the city council. The planning and zoning commission and city council shall find that the project adequately addresses the following concerns:

- (1) The rezoning conforms to the future land use map in the comprehensive plan.
- (2) The proposed rezoning is consistent with the goals and objectives of the comprehensive plan.

If the responses for both subsections (1) and (2) are not affirmative, then either the rezoning request recommendation must be denial or the planning and zoning commission and city council must amend the comprehensive plan to provide the required consistency.

- (3) The subject property, after the requested rezoning, will be compatible with the character of the surrounding neighborhood, including the existing uses and zoning of the properties near the subject property.
- (4) The potential hardships and nuisances (such as noise, neon lights, odors, etc.) of the rezoning request have been adequately considered.
- (5) There are adequate public utilities and services available to the land if rezoned. If not, who will have to pay for installing them?
- (6) The trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district, supports the rezoning request.
- (7) The proposed rezoning amendment is in the public interest and not solely in the interests of the applicant.

### **Summary**

Zoning is a tool used to classify and regulate the uses that occur on land within the city. Zoning takes into account past uses but it also is used as a tool to guide future development in a way that makes sense for the community and is outlined in the Comprehensive Plan.

To change a land use classification, or propose a "rezone," The applicant must have a "good reason" or one that is substantiated by the Comprehensive Plan or other planning document that outlines the need for the area of proposed rezone. Staff can help the applicant read the documents to identify if there is a need.

If the applicant decides to apply for a rezone, they must attach all required documentation, submit the fee, and the process can begin.

### **Process**

The applicant will complete the application, and staff will begin processing it. The application must have a published notice in the paper, and the applicant must place a sign

in the yard of the property that is proposed to be rezoned. This may be obtained from the Planning Department. We will also mail a letter to adjacent property owners within a 200 foot radius of the parcel(s) to be rezoned. The application will then be presented to the Planning and Zoning Commission. We need a minimum of 45 days prior to the Planning and Zoning Commission meeting to process the application properly. The applicant must appear at the Planning and Zoning Commission meeting to present and or answer questions asked by the adjacent property owners or the board. If you wish to bring speakers that are in favor of the rezone, it is encouraged.

After a recommendation is given by the Planning and Zoning Commission, it will move up and be presented to the City Council for three readings. The first reading includes a public hearing and it is recommended that the applicant attend the first reading to answer questions that the City Council may have. **The City Council makes the final decision.**

**Time Line**

|                                 | Month 1 |    | Month 2 |    | Month 3 |    |  |
|---------------------------------|---------|----|---------|----|---------|----|--|
| Days                            | 15      | 30 | 45      | 60 | 75      | 90 |  |
| Planning & Zoning               |         |    |         |    |         |    | Applicant must attend meeting to present |
| Council 1 <sup>st</sup> Reading |         |    |         |    |         |    | Applicant must attend meeting to present |
| Council 2 <sup>nd</sup> Reading |         |    |         |    |         |    | Attend to answer questions               |
| Council 3 <sup>rd</sup> Reading |         |    |         |    |         |    | Attend to answer questions               |

- Plan Commission 1<sup>st</sup> Monday of month 7:00 PM
- City Council 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of Month 5:30 PM



CIVIL • STRUCTURAL • MECHANICAL • ELECTRICAL • SURVEY • SPECIALTY

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March 31, 2023

Zach Simonsen  
Community Development Director  
Planning and Zoning Commission, City of Ottumwa  
105 E. Third Street  
Ottumwa, IA 52501

RE: Rezoning Request For Property at 526 Second Street East

In accordance with the requirements of the City of Ottumwa Planning and Zoning Commission, please be informed that the Ottumwa Community School District is intending construction of a new Athletics Building on property at 526 East Second Street.

The Project will consist of an approximately 29,000 square foot (building footprint) Athletic building. The building will have parking west of the building as well as within the new parking lot currently being built. Additional parking is planned to be added along 2<sup>nd</sup> Street E.

The rezoning is being requested to better align the zoning with the permitted use.

Thank you.

Sincerely,

Nicholas J. Bettis, P.E.  
Civil Engineer



## REZONING EXHIBIT OTTUMWA HIGH SCHOOL ATHLETIC COMPLEX OTTUMWA, IOWA

PROJECT LOCATION MAP:



**APPLICANT INFORMATION:**

**APPLICANT/OWNER:**  
OTTUMWA COMMUNITY SCHOOL DISTRICT  
MIKE MCCORMY  
1112 N. VAN BUREN  
OTTUMWA, IA 52501  
641-684-6597

**PREPARED BY:**  
AXIOM CONSULTANTS, LLC  
C/O RICK BETTIS  
60 E. COURT STREET, UNIT 3  
IOWA CITY, IOWA 52240  
319-519-6220  
NBETTIS@AXIOM-CON.COM

**LEGAL DESCRIPTION:**

OTTUMWA ORIGINAL LOTS 263-268 BLK 19. AS RECORDED IN BOOK 439 PAGE 305.  
DESCRIBED AREA CONTAINS 1.21 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

**ZONING INFORMATION:**

CURRENT ZONING: MULTI-FAMILY RESIDENTIAL MEDIUM DENSITY (R-4)

PROPOSED ZONING: COMMUNITY COMMERCIAL (C-2)

**EXISTING ZONING LEGEND:**

MULTI-FAMILY RESIDENTIAL MEDIUM DENSITY (R-4)

COMMUNITY COMMERCIAL (C-2)

COMMERCIAL MIXED-USE (C-3)

DOWNTOWN MIXED-USE (C-4)

LIMITED INDUSTRIAL (I-1)



**AXIOM**  
CONSULTANTS  
WWW.AXIOM-CON.COM | 319.519.6220

DRAWING LOG

| REV | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |
|     |      |             |
|     |      |             |

PROJECT: OTTUMWA HIGH SCHOOL ATHLETIC COMPLEX  
LOCATION: OTTUMWA, IOWA, WAPELLO COUNTY  
DRAWING NO.: 22-0153  
DATE: 08/20/2022  
DRAWN BY: RICK BETTIS

**REZONING EXHIBIT**

**1 OF 1**



LEGAL ARCHITECTS  
120 2ND STREET E  
OTTUMWA, IOWA 52501  
PH: 319.223.1100  
WWW.LEGATARCHITECTS.COM

AVON CONSULTANTS  
120 2ND STREET E  
OTTUMWA, IOWA 52501  
PH: 319.223.1100  
WWW.AVONCONSULTANTS.COM

SELECT STRUCTURAL  
120 2ND STREET E  
OTTUMWA, IOWA 52501  
PH: 319.223.1100  
WWW.SELECTSTRUCTURAL.COM

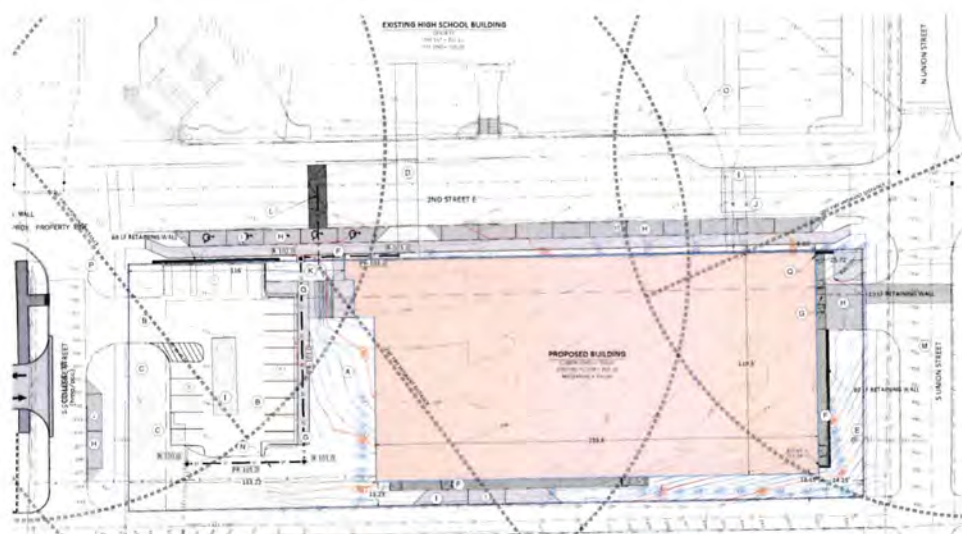
REVISIONS  
NO. DATE BY

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REVISIONS  
NO. DATE BY

OVERALL SITE AND UTILITY PLAN  
C2.00  
30% CD PLAN



AREA CALCULATIONS

|                                  |                     |
|----------------------------------|---------------------|
| TOTAL LOT SIZE                   | 62,790 SF (2.21 AC) |
| EXISTING                         |                     |
| BUILDING AREA                    | 91,512 SF (2.63 AC) |
| PAVEMENT AREA                    | 11,733 SF (0.26 AC) |
| OPEN SPACE                       | 13,005 SF (0.33 AC) |
| PRE-DEVELOPMENT IMPERVIOUS AREA  | 75,174 SF (2.17 AC) |
| PROPOSED                         |                     |
| BUILDING AREA                    | 27,890 SF (0.64 AC) |
| PAVEMENT AREA                    | 13,790 SF (0.31 AC) |
| OPEN SPACE                       | 13,130 SF (0.33 AC) |
| POST-DEVELOPMENT IMPERVIOUS AREA | 75,174 SF (2.17 AC) |

PARKING

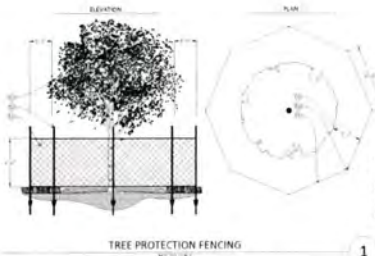
|                        |                             |
|------------------------|-----------------------------|
| ON STREET              | 20 STALLS (10 ALLEY STALLS) |
| OFF STREET             | 215 STALLS (11 HANDICAP)    |
| OFF SITE PARKING LOT   | 215 STALLS                  |
| TOTAL PARKING PROVIDED | 235 STALLS                  |

STORM SEWER PIPE TABLE

| PIPE ID | STRUCTURE | STRUCTURE DIS. | INVERT | INVERT | PIPE SLOPE | PIPE SLOPE | PIPE SLOPE | PIPE SLOPE | PIPE SLOPE | PIPE SLOPE |
|---------|-----------|----------------|--------|--------|------------|------------|------------|------------|------------|------------|
| 100.0   | 100.0     | 100.0          | 100.0  | 100.0  | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      |
| 100.1   | 100.1     | 100.1          | 100.1  | 100.1  | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      |
| 100.2   | 100.2     | 100.2          | 100.2  | 100.2  | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      |
| 100.3   | 100.3     | 100.3          | 100.3  | 100.3  | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      |
| 100.4   | 100.4     | 100.4          | 100.4  | 100.4  | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      |
| 100.5   | 100.5     | 100.5          | 100.5  | 100.5  | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      |
| 100.6   | 100.6     | 100.6          | 100.6  | 100.6  | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      |
| 100.7   | 100.7     | 100.7          | 100.7  | 100.7  | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      |
| 100.8   | 100.8     | 100.8          | 100.8  | 100.8  | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      |
| 100.9   | 100.9     | 100.9          | 100.9  | 100.9  | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      |
| 101.0   | 101.0     | 101.0          | 101.0  | 101.0  | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      | 0.00%      |

STORM SEWER STRUCTURES

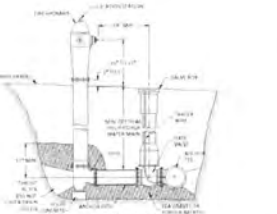
| STRUCTURE ID | TYPE  | INVERT | INVERT | OUTSIDE | OUTSIDE |
|--------------|-------|--------|--------|---------|---------|
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| 100.1        | 100.1 | 100.1  | 100.1  | 100.1   | 100.1   |
| 100.2        | 100.2 | 100.2  | 100.2  | 100.2   | 100.2   |
| 100.3        | 100.3 | 100.3  | 100.3  | 100.3   | 100.3   |
| 100.4        | 100.4 | 100.4  | 100.4  | 100.4   | 100.4   |
| 100.5        | 100.5 | 100.5  | 100.5  | 100.5   | 100.5   |
| 100.6        | 100.6 | 100.6  | 100.6  | 100.6   | 100.6   |
| 100.7        | 100.7 | 100.7  | 100.7  | 100.7   | 100.7   |
| 100.8        | 100.8 | 100.8  | 100.8  | 100.8   | 100.8   |
| 100.9        | 100.9 | 100.9  | 100.9  | 100.9   | 100.9   |
| 101.0        | 101.0 | 101.0  | 101.0  | 101.0   | 101.0   |



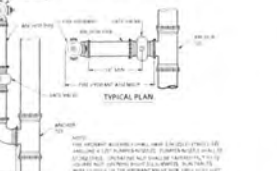
TREE PROTECTION FENCING

- TREE PROTECTION FENCING NOTES:
- 01 PHYSICAL ALL TREES NOTED FOR PROTECTION ON SITE PLANS.
  - 02 60" W/ 4" WIP VISIBILITY OR 4" WIP CONSTRUCTION FENCE.
  - 03 6" WIP VISIBILITY OR 4" WIP CONSTRUCTION FENCE.
  - 04 6" WIP VISIBILITY OR 4" WIP CONSTRUCTION FENCE.
  - 05 6" WIP VISIBILITY OR 4" WIP CONSTRUCTION FENCE.
  - 06 6" WIP VISIBILITY OR 4" WIP CONSTRUCTION FENCE.
  - 07 6" WIP VISIBILITY OR 4" WIP CONSTRUCTION FENCE.
  - 08 6" WIP VISIBILITY OR 4" WIP CONSTRUCTION FENCE.
  - 09 6" WIP VISIBILITY OR 4" WIP CONSTRUCTION FENCE.
  - 10 6" WIP VISIBILITY OR 4" WIP CONSTRUCTION FENCE.

- KEYNOTES
- A NOT USED
  - B EXISTING PARKING LOT PAVING TO REMAIN
  - C PROTECT TREE. SEE DETAIL #1
  - D PROPOSED W/ BRIDGE TO CONNECT TO EXISTING BUILDING BRIDGE FIBER + 125' SL. BOTTOM OF BRIDGE + 75' SL. CONTRACTOR TO MAINTAIN MINIMUM BRIDGE CLEARANCE OF 14' 0" PER SIGN TABLE SC.1.03 FOR COLLECTOR STREET.
  - E PROPOSED W/ SIS TO BE INSTALLED ON EXISTING STORM LINE
  - F PROPOSED PCC SIDEWALK. SEE DETAIL #3 SHEET C4.00
  - G PROPOSED PCC SIDEWALK WITH METEAL CURB. SEE DETAIL #4 SHEET C4.00
  - H PROPOSED LOW DENSITY PCC PAVING. SEE DETAIL #5 SHEET C4.00
  - I PROPOSED HIGH DENSITY PCC PAVING. SEE DETAIL #6 SHEET C4.00
  - J PROPOSED 1" 1/2" W/ WATER SERVICE AND CURB STOP. 4" WIP PROTECTION LINE. USE TAPPING SERVICE AND CONNECT TO EXISTING MAIN ALONG 2ND ST E. REMOVE AND REPLACE PAVEMENT AS NEEDED.
  - K PROPOSED 4" W/ WATER LINE AND FIRE HYDRANT ASSEMBLY WITH GATE VALVE. SEE DETAIL #7. CONNECT TO WATER MAIN PER CITY OF OTTUMWA WATER DEPARTMENT SPECIFICATIONS.
  - L REPLACED WMA PAVEMENT AND PCC CURB AND GUTTER FUR INSTALLATION OF FIRE HYDRANT AND ASSOCIATED LINE TO MAIN.
  - M PROPOSED 42" W/ SANITARY SERVICE WITH CLEANOUT. REMOVE AND REPLACE PAVEMENT TO CONNECT TO MAIN WITH W/SE.
  - N PROPOSED 42" W/ GAS SERVICE. COORDINATE WITH UTILITY COMPANY.
  - O PROPOSED FIBER SERVICE. COORDINATE WITH UTILITY COMPANY.
  - P PROPOSED SIGN LOCATION
  - Q FOG LOCATION



TYPICAL SECTION



ALTERNATE PLAN

HYDRANT ASSEMBLY DETAIL

# Land Use Plan

## LAND USE & ZONING COMPATIBILITY MATRIX

The land use to zoning compatibility matrix shows the relationship between the new future land use categories and the existing zoning districts within the City. Land uses and zoning districts have been listed as either compatible ("C") or partially compatible ("PC").

This matrix should be used as the basis for determining the appropriate zoning district(s) for land that is annexed into the City or as a property rezoning is being considered. If the zoning desired for a given property is incompatible with its land use designation, the designation on future land use map should be first amended accordingly. In certain situations an update or amendment to this matrix may be warranted to address changes in development patterns or revisions to the City's zoning code regulations.

**Table 10.3 - Land Use & Zoning Compatibility Matrix**

| Land Use Categories                 | Zoning Districts                   |                      |                              |                            |  |  |  |                               |                             |                          |                                 |                          |                        |                  |                        |                        |                              |
|-------------------------------------|------------------------------------|----------------------|------------------------------|----------------------------|--|--|--|-------------------------------|-----------------------------|--------------------------|---------------------------------|--------------------------|------------------------|------------------|------------------------|------------------------|------------------------------|
|                                     | AG/UR Agricultural / Urban Reserve | RR Rural Residential | R1 Single-Family Low-Density | R-2 Two-Family Low-Density | R-3 Townhouse Residential Moderate-Density | R-4 Multifamily Residential Medium-Density | R-5 Multifamily Residential High-Density | R-MHP Mobile Home Residential | C-1 Neighborhood Commercial | C-2 Community Commercial | CS-1 Commercial Shopping Center | C-3 Commercial Mixed-Use | C-4 Downtown Mixed Use | BP Business Park | I-1 Limited Industrial | L-2 General Industrial | PUD Planned Unit Development |
| Agriculture / Open Space            | C                                  | C                    |                              |                            |  |  |  |                               |                             |                          |                                 |                          |                        |                  |                        |                        | PC                           |
| Rural Residential                   | C                                  | C                    | PC                           |                            |  |  |  |                               |                             |                          |                                 |                          |                        |                  |                        |                        | PC                           |
| Low Density Residential             |                                    | PC                   | C                            | PC                         |  |  |  |                               |                             |                          |                                 |                          |                        |                  |                        |                        | PC                           |
| Medium Density Residential          |                                    |                      | PC                           | C                          | C  | PC   |  |                               |                             |                          |                                 |                          |                        |                  |                        |                        | PC                           |
| High Density Residential            |                                    |                      |                              | PC                         | C  | C  | C  | C                             |                             |                          |                                 |                          |                        |                  |                        |                        | PC                           |
| Downtown Core                       |                                    |                      |                              |                            |  |  |  |                               | PC                          |                          |                                 | PC                       | C                      |                  |                        |                        | PC                           |
| Office                              |                                    |                      |                              |                            |  |  |  |                               | C                           | PC                       | PC                              | PC                       | PC                     | PC               |                        |                        | PC                           |
| Public, Semi-Public & Institutional | C                                  | C                    | C                            |                            |  |  |  |                               |                             |                          |                                 |                          |                        |                  |                        |                        | PC                           |
| Parks & Recreation                  | C                                  | C                    |                              |                            |  |  |  |                               |                             |                          |                                 |                          |                        |                  |                        |                        | PC                           |
| Neighborhood Mixed Use              |                                    |                      |                              |                            |  |  |  | PC                            | C                           |                          |                                 | PC                       | C                      |                  |                        |                        | PC                           |
| Mixed Use                           |                                    |                      |                              |                            |  |  |  | PC                            | C                           |                          |                                 | C                        | C                      | PC               |                        |                        | PC                           |
| Community Commercial                |                                    |                      |                              |                            |  |  |  |                               | C                           | C                        | C                               | C                        | PC                     | PC               |                        |                        | PC                           |
| Highway Commercial                  |                                    |                      |                              |                            |  |  |  |                               | C                           | C                        | C                               | C                        | PC                     | PC               |                        |                        | PC                           |
| Industrial Business Park            |                                    |                      |                              |                            |  |  |  |                               |                             |                          |                                 |                          |                        | C                | C                      | PC                     | PC                           |
| Industrial                          |                                    |                      |                              |                            |  |  |  |                               |                             |                          |                                 |                          |                        |                  | PC                     | C                      | PC                           |

Source: Confluence



# Land Use Plan

## LAND USE & ZONING COMPATIBILITY MATRIX

The land use to zoning compatibility matrix shows the relationship between the new future land use categories and the existing zoning districts within the City. Land uses and zoning districts have been listed as either compatible ("C") or partially compatible ("PC").

This matrix should be used as the basis for determining the appropriate zoning district(s) for land that is annexed into the City or as a property rezoning is being considered. If the zoning desired for a given property is incompatible with its land use designation, the designation on future land use map should be first amended accordingly. In certain situations an update or amendment to this matrix may be warranted to address changes in development patterns or revisions to the City's zoning code regulations.

**Table 10.3** - Land Use & Zoning Compatibility Matrix

| Land Use Categories                 | Zoning Districts                   |                      |                              |                            |  |  |  |                               |                             |                          |                                 |                          |                        |                  |                        |                        |                              |
|-------------------------------------|------------------------------------|----------------------|------------------------------|----------------------------|--|--|--|-------------------------------|-----------------------------|--------------------------|---------------------------------|--------------------------|------------------------|------------------|------------------------|------------------------|------------------------------|
|                                     | AG/UR Agricultural / Urban Reserve | RR Rural Residential | R1 Single-Family Low-Density | R-2 Two-Family Low-Density | R-3 Townhouse Residential Moderate-Density | R-4 Multifamily Residential Medium-Density | R-5 Multifamily Residential High-Density | R-MHP Mobile Home Residential | C-1 Neighborhood Commercial | C-2 Community Commercial | CS-1 Commercial Shopping Center | C-3 Commercial Mixed-Use | C-4 Downtown Mixed Use | BP Business Park | I-1 Limited Industrial | L-2 General Industrial | PUD Planned Unit Development |
| Agriculture / Open Space            | C                                  | C                    |                              |                            |  |  |  |                               |                             |                          |                                 |                          |                        |                  |                        |                        | PC                           |
| Rural Residential                   | C                                  | C                    | PC                           |                            |  |  |  |                               |                             |                          |                                 |                          |                        |                  |                        |                        | PC                           |
| Low Density Residential             |                                    | PC                   | C                            | PC                         |  |  |  |                               |                             |                          |                                 |                          |                        |                  |                        |                        | PC                           |
| Medium Density Residential          |                                    |                      | PC                           | C                          | C  | PC   |  |                               |                             |                          |                                 |                          |                        |                  |                        |                        | PC                           |
| High Density Residential            |                                    |                      |                              | PC                         | C  | C  | C  | C                             |                             |                          |                                 |                          |                        |                  |                        |                        | PC                           |
| Downtown Core                       |                                    |                      |                              |                            |  |  |  |                               | PC                          |                          |                                 | PC                       | C                      |                  |                        |                        | PC                           |
| Office                              |                                    |                      |                              |                            |  |  |  |                               | C                           | PC                       | PC                              | PC                       | PC                     | PC               |                        |                        | PC                           |
| Public, Semi-Public & Institutional | C                                  | C                    | C                            | PC                         | PC   | PC   | PC                                       |                               | PC                          | PC                       | PC                              | PC                       | PC                     | PC               | PC                     | PC                     | PC                           |
| Parks & Recreation                  | C                                  | C                    |                              |                            |  |  |  |                               |                             |                          |                                 |                          |                        |                  |                        |                        | PC                           |
| Neighborhood Mixed Use              |                                    |                      |                              |                            |  |  | PC                                       |                               | C                           | PC                       |                                 | PC                       | C                      |                  |                        |                        | PC                           |
| Mixed Use                           |                                    |                      |                              |                            |  |  | PC                                       |                               | C                           |                          |                                 | C                        | C                      | PC               |                        |                        | PC                           |
| Community Commercial                |                                    |                      |                              |                            |  |  |  |                               | C                           | C                        | C                               | C                        | PC                     | PC               |                        |                        | PC                           |
| Highway Commercial                  |                                    |                      |                              |                            |  |  |  |                               | C                           | C                        | C                               | C                        | PC                     | PC               |                        |                        | PC                           |
| Industrial Business Park            |                                    |                      |                              |                            |  |  |  |                               |                             |                          |                                 |                          |                        | C                | C                      | PC                     | PC                           |
| Industrial                          |                                    |                      |                              |                            |  |  |  |                               |                             |                          |                                 |                          |                        |                  | PC                     | C                      | PC                           |

Source: Confluence

# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

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

Ordinance No. 3213-2023 (526 E Second)

City of Ottumwa

hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 4/25/23

Subscribed and sworn to before me, and in my presence, by the said 25th day of April, 2023



Traci Counterman  
Notary Public

In and for Wapello County

Printer's fee \$28.92

## COPY OF ADVERTISEMENT

NOTICE OF PUBLIC HEARING  
Notice of public hearing on proposed change in zoning classification on certain property located in Wapello County, Iowa. TO WHOM IT MAY CONCERN: Notice is hereby given that the City of Ottumwa City Council will hold a public hearing at 5:30 p.m. on Tuesday May 2, 2023 at City Hall in the City of Ottumwa, Iowa, in regard to Ordinance No. 3213-2023 rezoning the property located at 526 E Second. The property is legally described as follows: OTTUMWA ORIGINAL LOTS 263-268 BLK 19. AS RECORDED IN BOOK 439 PAGE 305. DESCRIBED AREA CONTAINS 1.21 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD. The applicant requests that the property be rezoned from R-4 Multifamily Residential (Medium Density) to C-2 Community Commercial District for the purpose of constructing an athletics complex for the Ottumwa Community School District. All persons interested in the above proposed change in zoning are invited to be present at the above time and place on the date mentioned to present their objections to, or arguments for the proposed change in zoning classification. Members of the public wishing to contribute to the public hearing may attend the meeting at City Hall, mail written remarks to Planning Department, 105 E Third St., Ottumwa, IA 52501, call 641-683-0606 or email remarks to simonsonz@ottumwa.us. FOR THE CITY OF OTTUMWA CITY COUNCIL Chris Reinhard, City Clerk

# CITY OF OTTUMWA Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: May 2, 2023

Planning & Development  
Department

Zach Simonson  
Prepared By  
Zach Simonson  
Department Head

  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: ORDINANCE NO. 3214-2023: AN ORDINANCE AMENDING THE CODE OF ORDINANCES (MUNICIPAL CODE OF THE CITY OF OTTUMWA, IOWA) BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY KNOWN AS 1508 ALBIA ROAD FROM C-1 TO C-2 IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

\*\*\*\*\*

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

RECOMMENDATION: Open public hearing,  
Receive public comment,  
Close public hearing,  
Plan and Zoning Commission will provide recommendation at its  
May 1, 2023 meeting, staff will provide Plan and Zoning  
recommendation at May 2 Council meeting.

DISCUSSION: The applicant seeks rezoning the property at 1508 Albia from C-1 to C-2 in order to operate an impound lot. The zoning change would permit Short Term Vehicle Storage to be a permitted use. Short Term Vehicle Storage allows for parking operating and non-operating vehicles on hard surface parking for up to 30 days. Storage of body damaged vehicles would require screening from public rights-of-way, storage longer than 30 days would be prohibited.

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

Section 38-966 requires reviewing the following elements in order to consider a rezoning:

1. Conformance to Future Land Use Plan: The Future Land Use Plan identifies the parcel as suitable for Neighborhood Mixed-Use Land Use. This Land Use and Zoning Compatibility Matrix does not identify the C-2 zone as compatible with Neighborhood Mixed-Use land use. Staff believes that regardless of the outcome of the rezoning, the Matrix should be amended to identify the C-2 zone as Partially Compatible. The entire Church Street district is a C-2 zone and is identified for Neighborhood Mixed-Use land use in the Future Land Use Plan. This correction will avoid issues with conditional use permits, changes of use and changes of zone in areas like Church St, Richmond and Albia Rd. This change is included in Comprehensive Plan Amendment 3 which is set for public hearing and adoption May 16.
2. Conformance to goals and objectives of the Comprehensive Plan: The rezoning does not directly advance goals in the comprehensive plan or directly conflict with the comprehensive plan.
3. Compatibility with surrounding development: The surrounding development is largely commercial with a mix of some residential use. Nearby development is C-2 zoned at Fareway. The former use of this parcel included RV sales, which was an existing nonconforming use in the C-1 zone.
4. Potential hardships or nuisances for surrounding development: Operation that strictly conforms to the code would not be expected to produce nuisance or hardship. However, vehicle storage operations tend to exceed limits and create obligations for enforcement.
5. Public utilities: Development will be served by existing utilities.
6. Trend of development: There is not particularly strong trend of development in the area. The Fareway store was completed in 2007 and began some higher intensity use while the Southern Iowa Mental Health use is lower intensity than the previous bowling alley.

**ORDINANCE NO. 3214-2023**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (MUNICIPAL CODE OF THE CITY OF OTTUMWA, IOWA) BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY KNOWN AS 1508 ALBIA ROAD FROM C-1 TO C-2 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:

Part of Auditor's Lot 19 of the Northwest Quarter of the Southwest Quarter of Section 26, Township 72, Range 14 as follows: Beginning at a point 180 feet South and 181 feet West of the Northeast corner of the Northwest Quarter of the Southwest Quarter; thence South 60 feet; thence West 150 feet; thence North 60 feet; thence East 150 feet to the place of beginning.

ALSO

Part of the Northwest Quarter of the Southwest Quarter of Section 26, Township 72 North, Range 14 West of the 5th P.M. in the City of Ottumwa, Wapello County, Iowa, described as follows: Beginning 30 feet South and 181 feet West of the Northeast corner of said NW¼ of the SW¼; thence South 150 feet; thence West 100 feet; thence North 150 feet; thence East 100 feet to the place of beginning. Said tract being a part of Lot 19 of Auditor's Subdivision of the Southwest Quarter of said Section 26, and also a part of Lots 23 and 24 of an unrecorded plat of Silverwood Farm, an Addition to the City of Ottumwa, Wapello County, Iowa.

ALSO

A part of the Northwest Quarter of the Southwest Quarter of Section 26, Township 72 North, Range 14 West of the 5th P.M. in the City of Ottumwa, Wapello County, Iowa, described as follows: Beginning 30 feet South and 281 feet West of the Northeast corner of said NW¼ of SW¼ of Section 26, Township 72, Range 14; thence South 150 feet; thence West 50 feet; thence North 150 feet; thence East 50 feet to the place of beginning.

Be and the same is hereby changed from its present zoning classification of "C-1" Neighborhood Commercial District to "C-2" Community 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 2nd day of May, 2023.

Passed on its second consideration on the \_\_\_ day of \_\_\_\_\_, 2023.

Requirement of consideration and vote at two prior council meetings suspended on the \_\_\_ day of \_\_\_\_\_, 2023.

Final passage and adoption on the \_\_\_ day of \_\_\_\_\_, 2023.

CITY OF OTTUMWA, IOWA

\_\_\_\_\_  
Richard W Johnson, Mayor

\_\_\_ No action taken by Mayor.

\_\_\_ Vetoed this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Richard W Johnson, Mayor

\_\_\_ Repassed and adopted over the veto this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_ Veto affirmed this \_\_\_ day of \_\_\_\_\_, 2023 by failure of vote taken to repass.

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

ATTEST:

\_\_\_\_\_  
Chris Reinhard, City Clerk

#5004



Planning and Development  
City Hall; Room 204  
105 East Third Street  
Ottumwa, IA 52501

| APPLICATION TO REZONE PROPERTY  |           |                 |
|---|-----------|-----------------|
| <b>APPLICANT INFORMATION</b>  |           |                 |
| Name: Joshua Kirby  |           |                 |
| Phone: 641-226-4206   |           |                 |
| Address: 910 W Walnut   |           |                 |
| City: Bloomfield  | State: IA | ZIP Code: 52537 |
| E-mail: Kirbywrecker service@gmail.com  |           |                 |
| <b>PROPERTY INFORMATION</b>   |           |                 |
| Business Name: Kirby Wrecker Service LLC  |           |                 |
| Proposed Property Use: Towing and roadside assistance and vehicle storage   |           |                 |
| Property Manager (If different from applicant):   |           |                 |
| Address: 1508 Albia Road  |           |                 |
| City: Ottumwa   | State: IA | ZIP Code: 52501 |
| E-mail:   |           |                 |
| <b>REZONE INFORMATION</b>   |           |                 |
| Current Zoning Classification C1  |           |                 |
| Requested Zoning Classification C2  |           |                 |
| <b>SIGNATURES</b>   |           |                 |
| I authorize the verification of the information provided on this form and have attached all required documentation. |           |                 |
| Signature of applicant: <i>Joshua Kirby</i>   |           | Date: 4/10/23   |

**Submittal Checklist**

- Full Legal Description( Deed)
- List of all property owners within 200 feet radius of property
- Letter to the Plan Commission "Why you want the property rezoned"
- Application fee(Non-refundable) \$300.00
- Site Plan



## Planning and Zoning Commission and Council

Kirby Wrecker Service LLC. Is requesting rezoning to C2 for the commercial property located at 1508 Albia Rd Ottumwa, IA currently zoned as C1. The reason for this request is to allow the company to fully fulfill its job requirements. Part of those requirements is to have the ability to store vehicles in an impound lot securely. Which the C1 zone prohibits that.

Kirby Wrecker Service is an established Towing and Roadside business in Bloomfield Iowa since 2020. We strive to serve the public and law enforcement with 24/7 dependable services. The need for our services in the Ottumwa community have become very demanding over the past few years. So, after a long search we acquired the property off Albia Rd to expand our business to be of better service. We have included a site map with our goals to improve the property which includes new privacy fencing, accommodation to serve the public and updates to the existing structures. All improvements will be made in compliance with the ordinances of the city and Iowa code.

We have reached out to the surrounding property owners for concerns about our adjustments to the property, as well as provide information about the type of business we will be conducting. In this we all agreed that the suggested adjustments to the property would help deter criminal activity and visually improve the area that we all share.

As for all stored vehicles on this property if granted, said vehicles will always be concealed from public view and will not be on the property for more than 30 days at a time. Once the stored vehicles have exceeded the 20-day storage limit they will be removed from the property. The property will not be used for any repairs or parting of vehicles of any kind. It will be used solely to conduct the towing needs of Ottumwa and store impounded vehicles. Thank you for your consideration.

Sincerely,   
Owner

**SITE PLAN**

1508 Albia Rd

ottumwa, IA 52501

Parcel ID: 007417540273000

Lot area: 0.17 Acres

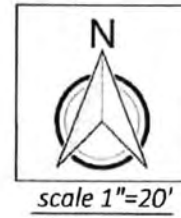
Parcel ID: 007417540269000

Lot area: 0.34 Acres

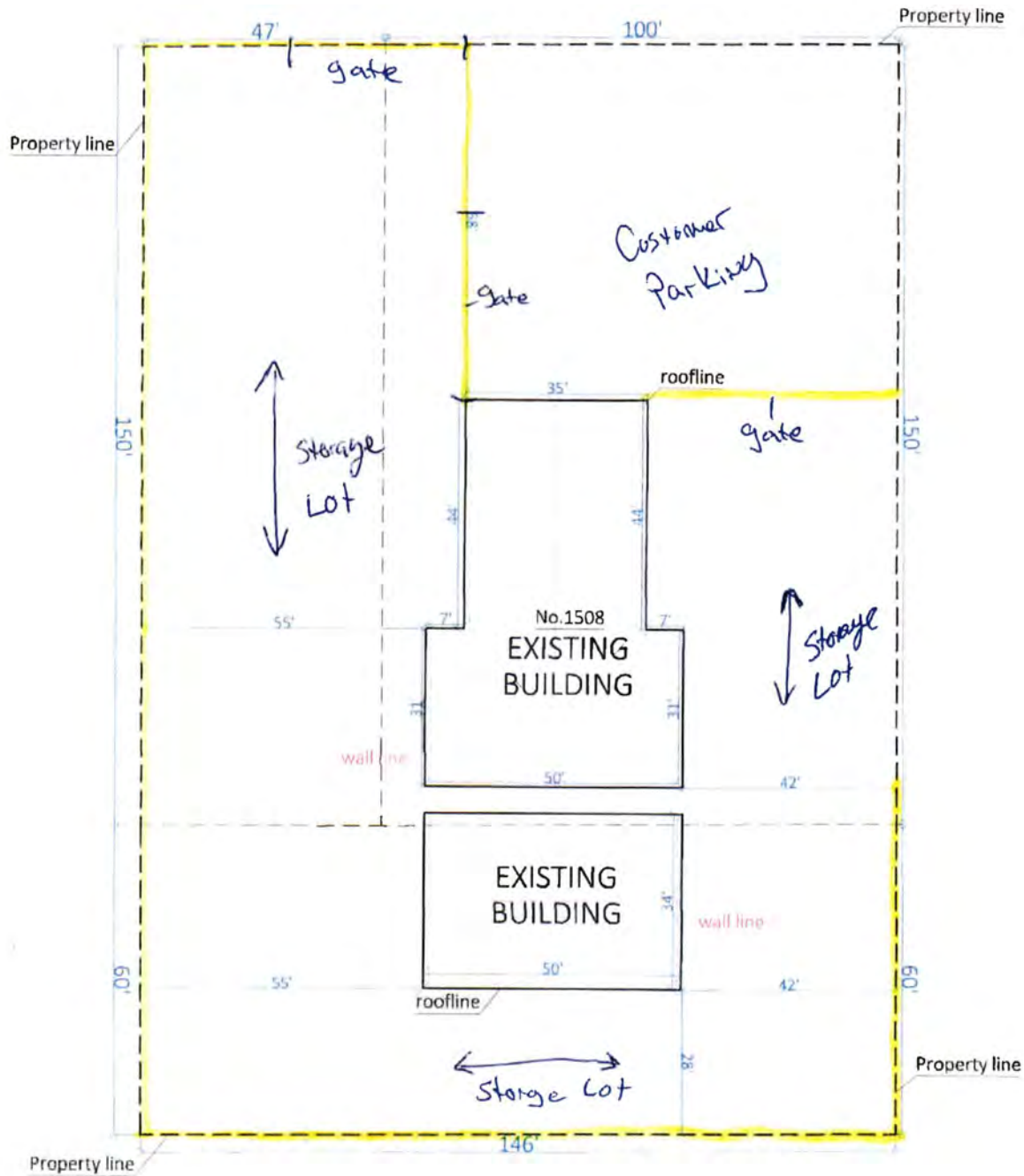
Parcel ID: 007417540181000

Lot area: 0.21 Acres

Paper Size: 11"x17"



Albia Rd





100-120 cars  
Red - Fence

# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

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

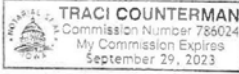
Ordinance No. 3214-2023 (1508 Albia Rd)

City of Ottumwa

hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 4/25/23

Subscribed and sworn to before me, and in my presence, by the said 25th day of April, 2023



Notary Public

In and for Wapello County

Printer's fee \$53.30

## COPY OF ADVERTISEMENT

NOTICE OF PUBLIC HEARING  
Notice of public hearing on proposed change in zoning classification on certain property located in Wapello County, Iowa. TO WHOM IT MAY CONCERN: Notice is hereby given that the City of Ottumwa City Council will hold a public hearing at 5:30 p.m. on Tuesday May 2, 2023 at City Hall in the City of Ottumwa, Iowa, in regard to Ordinance No. 3214-2023 rezoning the property located at 1508 Albia. The property is legally described as follows: Part of Auditor's Lot 19 of the Northwest Quarter of the Southwest Quarter of Section 26, Township 72, Range 14 as follows: Beginning at a point 180 feet South and 181 feet West of the Northeast corner of the Northwest Quarter of the Southwest Quarter; thence South 80 feet; thence West 150 feet; thence North 60 feet; thence East 150 feet to the place of beginning. ALSO Part of the Northwest Quarter of the Southwest Quarter of Section 26, Township 72 North, Range 14 West of the 5th P.M. in the City of Ottumwa, Wapello County, Iowa, described as follows: Beginning 30 feet South and 181 feet West of the Northeast corner of said NW 1/4 of the SW 1/4; thence South 150 feet; thence West 100 feet; thence North 150 feet; thence East 100 feet to the place of beginning. Said tract being a part of Lot 19 of Auditor's Subdivision of the Southwest Quarter of said Section 26, and also a part of Lots 23 and 24 of an unrecorded plat of Silverwood Farm, an Addition to the City of Ottumwa, Wapello County, Iowa. ALSO A part of the Northwest Quarter of the Southwest Quarter of Section 26, Township 72 North, Range 14 West of the 5th P.M. in the City of Ottumwa, Wapello County, Iowa, described as follows: Beginning 30 feet South and 281 feet West of the Northeast corner of said NW 1/4 of SW 1/4 of Section 26, Township 72, Range 14; thence South 150 feet; thence West 50 feet; thence North 150 feet; thence East 50 feet to the place of beginning. The applicant requests that the property be rezoned from C-1 Neighborhood Commercial District to C-2 Community Commercial District for the purpose of operating an impound lot. Short term vehicle storage, less than 30 days of operating and non-operating vehicles, is a permitted use in the C-2 Zoning District. All persons interested in the above proposed change in zoning are invited to be present at the above time and place on the date mentioned to present their objections to, or arguments for the proposed change in zoning classification. Members of the public wishing to contribute to the public hearing may attend the meeting at City Hall, mail written remarks to Planning Department, 105 E Third St., Ottumwa, IA 52501, call 641-683-0606 or email remarks to simonsonz@ottumwa.us. FOR THE CITY OF OTTUMWA CITY COUNCIL Chris Reinhard, City Clerk

received  
4-27-23 12pm

Item No. H.-1.

Stamp: [Redacted]

CITY OF OTTUMWA

Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: April 27, 2023

\_\_\_\_\_  
Engineering  
Department

\_\_\_\_\_  
Larry Seals  
Prepared By  
*Larry Seals*  
\_\_\_\_\_  
Department Head

\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Bid report to reject bid received on the 2023 RFP #1 Bridge View Hotel Overflow Parking.

\*\*\*\*\*

**\*\*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: Reject bid received on RFP #1 Bridge View Hotel Overflow Parking.

DISCUSSION: The bids for the RFP #1 Bridge View Hotel Overflow Parking were opened on April 26, 2023 at 2:00 p.m. One bid was received and the bid exceed the opinion of probable cost.

The following bid was received:

Drish Construction, Inc.                      \$68,400.00

Staff is recommending rejection of the bid.

Bid Proposal is attached.

Source of Funds: CIP

Budgeted Item: Yes

Budget Amendment Needed: No

ENGINEERING DEPARTMENT  
CITY OF OTTUMWA, IOWA

PROPOSAL FOR: 2023 RFP#1 BRIDGEVIEW OVERFLOW PARKING LOCATED EAST OF THE JEFFERSON STREET BRIDGE BEHIND THE BRIDGEVIEW EVENT CENTER.

4/26/2023

Date

TO WHOM IT MAY CONCERN:

The undersigned has examined the advertisement for bid and detailed specifications for construction services and agrees to furnish said construction services in accordance with those documents

| <u>Bridge View Overflow Parking</u> | <u>QTY</u> | <u>UNIT</u> | <u>PRICE</u> | <u>EXTENSION</u>    |
|-------------------------------------|------------|-------------|--------------|---------------------|
| Bid Items:                          |            |             |              |                     |
| 1. Site preparation                 | 1          | LS          | \$10,000.00  | \$ 10,000.00        |
| 2. 1 1/4" Road Stone                | 1600       | TN          | \$ 36.50     | \$ 58,400.00        |
|                                     |            |             | <b>TOTAL</b> | <b>\$ 68,400.00</b> |

October 30, 2023

COMPLETION DATE

NONE

WARRANTY, (Specify)

All work shall be completed on or before **October 30, 2023**. A \$200.00 per day penalty will be assessed for failure to complete this project in the allocated time. The City shall also reserve the right to void the contract and award it to the next lowest responsible bidder, if the undersigned has not completed the work on time.

TIME REQUIRED

It is understood that the City reserves the right to accept or reject any or all proposals, to disregard any informality in connection therewith, or to accept any proposal which in its opinion is to the best interest of the City.

If bid is accepted, the undersigned further agrees to enter into a contract for delivery of said services according to instructions as issued by the City and at the time requested.

Drish Construction, Inc.  
Name of Company

647-472-9506  
Phone Number

By   
Authorized Signature Trevor Drish, Owner

4/26/2023  
Date

**received**  
4-27-23 11:10A

**CITY OF OTTUMWA**  
**Staff Summary**

*[Faint red stamp]*

**\*\* ACTION ITEM \*\***

Council Meeting of : May 2, 2023

Planning & Development  
Department

Zach Simonson  
Prepared By  
Zach Simonson  
Department Head

*[Handwritten Signature]*  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: RESOLUTION NO. 75-2023: RESOLUTION OF SUPPORT FOR A WORKFORCE HOUSING TAX CREDIT PROGRAM APPLICATION BY BUSH REAL ESTATE DEVELOPMENT, LLC FOR AN ADAPTIVE REUSE AND HISTORIC PRESERVATION PROJECT AT 107 E SECOND ST

\*\*\*\*\*

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

RECOMMENDATION: PASS AND ADOPT RESOLUTION 75-2023

DISCUSSION: This resolution supports a Workforce Housing Tax Credit application for the Hotel Ottumwa project. Bush Construction is pursuing the tax credit further to financing an \$18 million historic rehabilitation and conversion of the hotel into 68 units of market rate housing. The tax credit would provide a benefit up to \$1 million. The tax credit requires local match equal to at least \$1,000 per unit. This resolution establishes that the project would

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

qualify for incentives including a TIF rebate for up to \$1,770,000 and facade grants up to \$80,000. This resolution does not award those incentives. Those incentives would be subject to a development agreement at a later date as the project progresses. Those numbers are ceiling, establishing that the City has programs available to meet the minimum requirements and outlining the potential programs available.



RESOLUTION NO. 75-2023

RESOLUTION OF SUPPORT FOR A WORKFORCE HOUSING TAX CREDIT PROGRAM  
APPLICATION BY BUSH REAL ESTATE DEVELOPMENT, LLC FOR AN ADAPTIVE  
REUSE AND HISTORIC PRESERVATION PROJECT AT 107 E SECOND ST

WHEREAS, BUSH REAL ESTATE DEVELOPMENT, LLC (the "Developer") is proposing to undertake the historic preservation and adaptive reuse of the Hotel Ottumwa building at 107 E Second Street and is applying for Workforce Housing Tax Credit ("WHTC") funds through the Iowa Economic Development Authority (IEDA); and

WHEREAS, the project consists of the following:

- \$18 million capital investment
- Adaptive reuse of the historic Hotel Ottumwa Building
- 68 total apartment units

WHEREAS, the WHTC Program requires the City to provide local match of not less than \$1,000 per dwelling unit associated with the Project, which local match can be satisfied through a property tax exemption or rebate; and

WHEREAS, the City Council has established economic development programs which guide the use of financial assistance and aid in achieving the economic development objectives of the City contained in the *Our Ottumwa 2040 Comprehensive Plan*, as well as the Urban Revitalization Plan and Westgate Urban Renewal Plan; and

WHEREAS, the Project qualifies for the City's Local Match – Economic Development Program which, with an approved development agreement, provides up to a 15-year, 100% reimbursement of increased (increment) taxes which are generated by the Project, which is estimated to total \$1,770,000 (the "City Incentive"); and

WHEREAS, the Project qualifies for the Ottumwa Downtown Revitalization Facade Grant Program with a maximum award in the amount of \$80,000 (\$20,000 per facade); and

WHEREAS, the City Incentive as authorized by this Resolution meets the requisite match requirement as required by the WHTC program.

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Ottumwa, Iowa, that the City Council hereby expresses its support of an application on behalf of the Developer to IEDA for WHTC funds and providing qualification for local match funds under the Local Match – Economic Development Program.

PASSED AND APPROVED this 2nd day of May, 2023.

Richard W. Johnson  
Richard Johnson, Mayor



ATTEST:

Christina Reinhard  
Christina Reinhard, City Clerk



[ CITY OF ]  
O T T U M W A

May 3, 2023

**Richard Bell**

Iowa Economic Development Authority  
1963 Bell Avenue Suite 200  
Des Moines, IA 50315

Re: Hotel Ottumwa Workforce Housing Tax Credit Application

To whom it may concern:

I am writing in support of the Workforce Housing Tax Credit application for the Hotel Ottumwa project. The project will rehabilitate the magnificent, six-story hotel into 68 units of housing as well as make improvements to the first and second floor commercial spaces.

Redevelopment of the hotel will not only preserve one of our most iconic historic treasures, it will protect the progress we have made in our downtown revitalization. Hotel Ottumwa was constructed as luxury hotel in 1917 and continues to serve as a hotel to this day. The ballroom, restaurant and bar have been vital social spaces. The building is a landmark place.

In 2022, the City adopted the Ottumwa Housing Plan. The plan demonstrates a need for housing of this type and at this scale. The downtown area is identified as a priority target for housing development.

The proposed \$18 million project would be catalyst for change and growth downtown. To lose the opportunity would instead risk backsliding on the progress and investment the City and state have made downtown. Thank you for your consideration.

Sincerely,

**Richard W. Johnson**

Mayor  
City of Ottumwa, IA  
641.683.0600

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0600 Fax 641-683-0609

**received**  
4-27-23 11:10A

*[Faint stamp]*

**CITY OF OTTUMWA**  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: May 2, 2023

Planning & Development  
Department

Zach Simonson  
Prepared By  
Zach Simonson  
Department Head

*[Signature]*  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: RESOLUTION NO. 76-2023: RESOLUTION APPROVING AND PROVIDING  
CONSENT TO ASSIGNMENT OF THE LEASE AGREEMENT CONCERNING  
LOTS 7, 8, AND 10 IN CALDWELL PARK ADDITION TO THE CITY OF  
OTTUMWA, WAPELLO COUNTY, IOWA

\*\*\*\*\*

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

RECOMMENDATION: PASS AND ADOPT RESOLUTION 76-2023

DISCUSSION: The City leased three parcels known as 1520 W Main and 1512 W Main  
James and Deoara Olsen in 1997 with the lease to expire in 2047. The  
interests of the original tenants has been inherited by Aubrey Olsen and  
further assigned to Joshua and Hannah Steadman. This resolution  
provides the City's consent to the assignment.

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

RESOLUTION NO. 76-2023

RESOLUTION APPROVING AND PROVIDING CONSENT TO  
ASSIGNMENT OF THE LEASE AGREEMENT CONCERNING  
LOTS 7, 8, AND 10 IN CALDWELL PARK ADDITION TO THE  
CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

WHEREAS, the City of Ottumwa, Iowa ("City") entered into a lease agreement with James A. Olsen and Deora L. Olsen (the "Original Tenants") on or about January 28, 1997 (the "Lease Agreement"), a copy of which was recorded in Book 501 at Page 691 in the records of the Wapello County Recorder, pursuant to which Lease Agreement the City leased certain real property locally known as 1520 W. Main and 1512 West Main (together, the "Property") to the Original Tenants, which property is more particularly described as follows:

Lots 7, 8, and 10 in Caldwell Park Addition to the City of Ottumwa, Wapello County, Iowa

WHEREAS, the Lease Agreement's term ends on February 10, 2047; and

WHEREAS, the interests of the Original Tenants under the Lease Agreement have been inherited by or assigned to Aubrey L. Olsen and are proposed to be further assigned to Joshua Steadman and Hannah Steadman; and

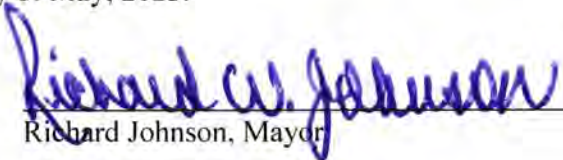
WHEREAS, the Lease Agreement requires the City's consent to such assignments; and

WHEREAS, the City is willing to provide its consent to the assignment of the interests of the Original Tenants under the Lease Agreement, provided the assignee assumes all obligations of the Original Tenants.

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

Section 1. That the City does hereby consent to the assignment of the interests of the Original Tenants under the Lease Agreement to Aubrey L. Olsen and subsequently to Joshua Steadman and Hannah Steadman, and that the City Clerk is hereby authorized and directed to deliver an executed copy of this Resolution to the assignees as evidence of the City's consent, which may be recorded by the assignees in the land records of Wapello County, Iowa.

PASSED AND APPROVED this 2nd day of May, 2023.

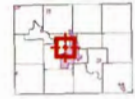
  
Richard Johnson, Mayor

ATTEST:

  
Christina Reinhard, City Clerk



Overview



Legend

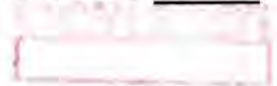
- Easements
- Lots
- Parcels**
- <blank>
- Subdivisions
- City Limits
- Lot Symbols
- Misc Symbols
- Parcel Symbols
- Road Symbols
- Right-of-Way Line
- Roads**
- Sections
- Section Center
- Quarter Lines
- Quarter Quarter Lines

|                       |  |              |     |               |                      |
|-----------------------|--|--------------|-----|---------------|----------------------|
| Parcel ID             | 007413790044000                                  | Alternate ID | n/a | Owner Address | Ruby, Jeffery Daniel |
| Sec/Twp/Rng           | 0-0-0  | Class        | R   |               | 3535 270th Ave       |
| Property Address      |  | Acreage      | n/a |               | Keokuk, IA 52632     |
| District              | OTTUMWA CITY/ OTTUMWA SCH                        |              |     |               |                      |
| Brief Tax Description | PARK PLACE ADD<br>LOT 45<br>(LAND ONLY)          |              |     |               |                      |
|                       | <i>(Note: Not to be used on legal documents)</i> |              |     |               |                      |

Date created: 4/26/2023  
 Last Data Uploaded: 4/25/2023 11:01:38 PM

received  
4-27-23 12pm

Item No. I.-3.



CITY OF OTTUMWA

Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: May 2, 2023

\_\_\_\_\_  
Engineering  
Department

\_\_\_\_\_  
Larry Seals  
Prepared By  
*Larry Seals*  
\_\_\_\_\_  
Department Head

\_\_\_\_\_  
*[Signature]*  
City Administrator Approval

AGENDA TITLE: Resolution #77-2023. Addressing an Irrevocable Letter of Direction and Authorizing the Mayor to sign on the Green Street Sewer Improvements Project – Group A.

\*\*\*\*\*

**\*\*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 77-2023. Discuss the Irrevocable Letter of Direction received from North American Construction Services, Inc. for the Green Street Sewer Improvements Project – Group A.

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.

The contract was awarded to J&K Contracting, LLC of Urbandale, Iowa on April 4, 2023.

The Irrevocable Letter of Direction was received from North American Construction Services, Inc. of Golden Valley, Minnesota requesting assignment of contract funds due J&K Contracting, LLC for work to be completed on the Green Street Sewer Improvements Project – Group A.

Total Amount Budgeted for whole project: \$1,700,000.00

RESOLUTION #77-2023

A RESOLUTION APPROVING AN IRREVOCABLE LETTER OF DIRECTION AND  
AUTHORIZING THE MAYOR TO SIGN ON THE GREEN STREET SEWER IMPROVEMENTS  
PROJECT – GROUP A

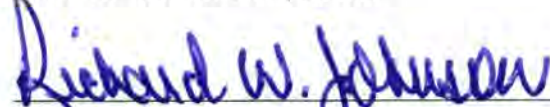
WHEREAS, The City Council of the City of Ottumwa, Iowa did award the Green Street Sewer Improvements Project – Group A to J&K Construction, LLC of Urbandale, Iowa on April 4, 2023; and,

WHEREAS, An Irrevocable Letter of Direction has been received from North American Construction Services, Inc. of Golden Valley, Minnesota requesting an assignment of contract funds due to J&K Construction LLC.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The Mayor is authorized to sign the Irrevocable Letter of Direction received from North American Construction Services, Inc. for the assignment of contract funds due J&K Construction, LLC of Urbandale, Iowa for work completed on the Green Street Sewer Improvements Project – Group A.

APPROVED, PASSED, AND ADOPTED, this 2<sup>nd</sup> day of May, 2023.

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:

  
Christina Reinhard, City Clerk





## **Irrevocable Letter of Direction**

**Account #722495630**

Obligee: **City of Ottumwa, Wapello County, Iowa**  
Project: **2023 Green Street Sewer Improvements, Group A - Ottumwa, Iowa**  
Contractor: **J&K Contracting, LLC**  
Surety: **American Contractors Indemnity Company**

To: **City of Ottumwa, Wapello County, Iowa**

The undersigned Contractor hereby irrevocably requests and directs that all payments due or to become due on account of the above referenced Project between Obligee and the undersigned be issued in the form of ACH's or Checks as follows:

ACH's are payable as follows:

ACH to: **Bremer Bank, National Association**

Bank Routing Number: **096010415**  
Account Name: **J&K Contracting, LLC**  
Account Number: **722495630**

Checks are to be made payable to: "J&K Contracting, LLC"

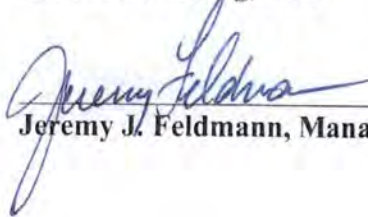
and sent to the following address:

North American Construction Services, Inc.  
1710 Douglas Drive N.  
Suite 109  
Golden Valley, MN 55422

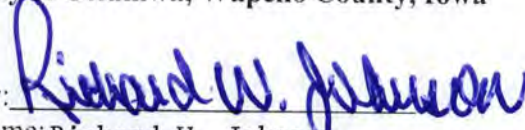
**American Contractors Indemnity Company**, as surety on Performance and Labor and for Material Payment Bonds (the "Bonds") issued in connection with the aforesaid Project has required the establishment of an Escrow Account with Bremer Bank, National Association (the "Bank") and **J&K Contracting, LLC**.

These instructions, which are coupled with an interest, may not be modified, changed or rescinded without the written authorization and consent of an officer or Attorney-In-Fact of the Surety. You may receive a follow up phone call or email from North American Construction Services, Inc. to confirm these instructions and answer any questions you may have.

Sincerely,  
J&K Contracting, LLC

  
Jeremy J. Feldmann, Managing Member

ACCEPTED AND AGREED BY OBLIGEE:  
City of Ottumwa, Wapello County, Iowa

By:   
Name: Richard W. Johnson  
Title: Mayor  
Date: May 2, 2023  
Telephone: 641-683-0605  
E-Mail Address: johnsonr@ottumwa.us

\_\_\_\_ Verified \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ By/Initials  
(This line for use by NACS only)

**received**  
4-27-23 12PM

# CITY OF OTTUMWA

## Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: May 2, 2023

Zach Simonson

Prepared By

Phil Rath

Department Head

Administration

Department

City Administrator Approval

AGENDA TITLE: RESOLUTION NO. 79-2023: RESOLUTION JOINING THE SOUTHEAST IOWA SPORTS COMMISSION DESTINATION IOWA GRANT APPLICATION AND AWARD AS CO-APPLICANT AND SUB-RECIPIENT

\*\*\*\*\*

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

RECOMMENDATION: Pass and approve Resolution No. 79-2023.

DISCUSSION: The Southeast Iowa SportsPlex was awarded a \$2.5 million grant as part of IEDA's Destination Iowa Program. Because the project is on City property and involves investment from the City, IEDA has requested that the City join the project as co-applicant and sub-recipient. Joining the project does not increase the investment the City has already committed to the project.

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

RESOLUTION NO. 79-2023

RESOLUTION JOINING THE SOUTHEAST IOWA SPORTS  
COMMISSION DESTINATION IOWA GRANT APPLICATION  
AND AWARD AS CO-APPLICANT AND SUB-RECIPIENT

WHEREAS, the Southeast Iowa Sports Commission has applied for and received a grant from the Iowa Economic Development Authority's Destination Iowa program for \$2.5 million for the Ottumwa SportsPlex Development Project; and

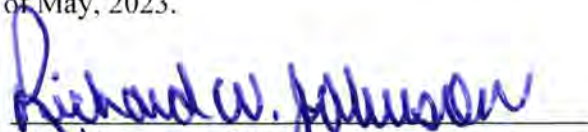
WHEREAS, the project would develop a \$10.7 million, 60,000 square foot indoor sports complex in Sycamore Park; and

WHEREAS, it is in the best interest of the project and the community for the City to join the application and grant as co-applicant and sub-recipient;


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

Section 1. That the City does hereby consent to join the Southeast Iowa Sports Commission Destination Iowa Ottumwa SportsPlex Development Project grant and application as co-applicant and sub-recipient and authorizes the Mayor to complete the Co-Applicant Addition form.

PASSED AND APPROVED this 2nd day of May, 2023.

  
Richard Johnson, Mayor

ATTEST:

  
Christina Reinhard, City Clerk



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# Destination Iowa

Funding Available through ARPA/SLFRF





## Co-Applicant Addition

to 05/09/22 Southeast Iowa Sports Commission application for Destination Iowa.

Name of Project: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Applicant Organization: \_\_\_\_\_

### Co-applicant

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Federal Identification Number: \_\_\_\_\_

Unique Entity Identifier: \_\_\_\_\_

## Required Attachments

Co-Applicants must submit the following attachments:

Not-for-Profit Applicants:

1. Copy of the organization's IRS Determination Letter, Articles of Incorporation, and Bylaws.
2. Profit and loss statements and balance sheets for past three year-ends
3. W-9

For-Profit Applicants:

1. Comprehensive proposal including an explanation and budget for all eligible and ineligible expenses being considered

Profit and loss statements and balance sheets for past three year-ends

## Certifications and Acknowledgements

### Acknowledgment, Release of Information, & Certification

1. In the last five years, have there been any judgments or court actions completed or are any judgments or court actions currently pending against the applicant entity?

Yes  No If yes, please explain.

2. In the last five years, has any current director or principal officer(s) been accused or convicted of any wrongdoing or crime in their capacity as director/principal officer?

Yes  No If yes, please explain

3. Have there been any current or past bankruptcies on the part of the applicant entity?

Yes  No If yes, please explain

4. In the last five years, have there been, or are there currently any investigations of potential violations of public health, safety or environmental laws by the applicant entity?

Yes  No If yes, please explain

I acknowledge that I have read and understand the application materials including the provisions relating to security, contracts and reporting as noted above. I understand that awarded funds must be obligated by recipient organization no later than December 31, 2024 and all construction must be complete by June 30, 2026. I understand failure to meet these dates could result in partial or full repayment of any awarded dollars. Further, I give permission to the Iowa Economic Development Authority (IEDA) to perform due diligence, perform credit checks, contact the organization's financial institutions, and perform other related activities necessary for reasonable evaluation of this proposal. Moreover, I understand that provisions of the Uniform Guidance (2 CFR Part 200) apply to the use of funds for the approved project, including Cost Principles and Single Audit Requirements. I understand that all information submitted relating to this application is a public record. I certify that all representations, warranties, or statements made or furnished in connection with this application are true and correct in all material respects. I understand that it is a criminal violation under Iowa law to engage in deception and knowingly make, or cause to be made, directly or indirectly, a false statement in writing for procuring economic development assistance from a state agency or subdivision.

Signature of co-applicant certifying officer or individual:

Date: \_\_\_\_\_



CITY OF  
OTTUMWA

**Citizen Input Request Form**

2 May 2023  
Council Meeting Date

Name: Dennis Willhoit

Address: 334 E. 5<sup>th</sup>

Item No. to Address: No 5 Consent Agenda  
(Agenda will be provided to complete this section)

*- Assistant City Admin*

If you are addressing the Council on an item not listed on the agenda, briefly explain the item you wish to speak on:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

The Mayor will invite you to address the City Council at the appropriate time. When called upon by the Mayor, step to the microphone and please state your name for the record. Comments are to be directly germane to City business, operations, or an item listed on this agenda. Remarks shall not be personalized and 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 not directly germane to City business, operations, or an item listed on the agenda, as determined by the Mayor, will be ruled out of order. If you are addressing an item not listed on the agenda the Council will not take any action on the item due to requirements of the Open Meetings Law. Pertinent questions, comments or suggestions may be referred to the appropriate department for response, if relevant.





CITY OF  
OTTUMWA

**Citizen Input Request Form**

5-2-23

Council Meeting Date

Name: Gari Roberts

Address: 9 Friendly Lane

Item No. to Address: B5  
(Agenda will be provided to complete this section)

If you are addressing the Council on an item not listed on the agenda, briefly explain the item you wish to speak on:

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CITY OF  
OTTUMWA

**Citizen Input Request Form**

5-2-23

Council Meeting Date

Name: Josh Kirby Wrecker Service LLC

Address: 1508 Albia Rd

Item No. to Address: F2  
(Agenda will be provided to complete this section)

If you are addressing the Council on an item not listed on the agenda, briefly explain the item you wish to speak on:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

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CITY OF  
OTTUMWA

**Citizen Input Request Form**

5-2-23

Council Meeting Date

Name: Tina Jaegers

Address: 550 Bryan Rd

Item No. to Address: B-5

(Agenda will be provided to complete this section)

If you are addressing the Council on an item not listed on the agenda, briefly explain the item you wish to speak on:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

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