

OTTUMWA CITY COUNCIL MINUTES Item No. B.-1.

REGULAR MEETING NO. 33
Council Chambers, City Hall

November 16, 2021
5:30 O'Clock P.M.

New City Council Member Sandra Pope was sworn in by Honorable Judge Daily.

The meeting convened at 5:32 P.M.

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

Roe moved, seconded by Meyers to approve the following consent agenda items: Mins. from Regular Mtg. No. 32 on Nov. 2, 2021 as presented; Approve appointment of Linda Vogt to Airport Adv. Brd., term to exp. 10/1/2022 and Ashley Noreuil to Planning & Zoning Commission, term to exp. 4/1/2024; Approve appointment of Vernon (Bud) Guyette to Airport Maint. Worker effective on or about Nov. 21, 2021; Approve appointment of John Lloyd to WPCF Superintendent effective on or about Dec. 5, 2021; Hunger and Homelessness Awareness Week Proclamation; Auth. Mayor to sign lease agts. with the Ottumwa Little League, Girls Softball, Babe Ruth, Adult Soccer, and YMCA at Sycamore Park for use of facilities effective Jan. 1, 2022 through Dec. 31, 2022; Award contract for delivery of ethanol and diesel fuel by semi tanker delivery to the PW above ground storage tanks to Elliott Oil Company and auth. Mayor to sign; Beer and/or liquor applications for: Godfrey's Ale House, 2513 Northgate; all applications pending final inspections. All ayes.

Dalbey moved, seconded by Berg to approve the agenda as presented. All ayes.

City Admin. Rath discussed TIF. You can have Urban Renewal Plan without TIF Ord.; you can have TIF Ord. without Development Agt., but you can't have a TIF Ord. without an Urban Renewal Plan. All three items work in tandem. We have worked closely with legal counsel to make sure we have protections in place against common failures of TIF. You may not agree with the Development Agt., but if we do not pass the TIF Ord., we cannot use the funds within the TIF to pay for other projects/improvements in this area. In order for us to grow, we will need to incentivize some projects.

Mayor Lazio inquired if there was anyone from the audience who wished to address an item on the agenda. We will move into Item F-1, consideration of resignation of Council Member Meyers, and Ashley Noreuil would like to address Council on this topic. Who is the 5th member to put the council in the best position to move Ottumwa forward? If selected, I bring government budget experience, continued, regular ethics training, leadership of diverse teams and strategic thinking and problem solving skills to the table. I ask that you think about the assets I bring to the table and do you find these valuable assets for your newest council member? Mayor then asked for Russ Hull to address the council. Russ stated for the citizens of Ottumwa to have faith in the City Council to appoint the next member so we don't have the costs associated with a special election. You have two viable candidates willing to fill this seat based on the results of the last election.

Meyers moved, seconded by Berg to Consider resignation of Council Member Meyers and how to proceed with filling the vacancy. All Council members discussed in length. Roe made a motion to amend the motion to accept the resignation of Council Member Meyers, effective 12/31/2021, and begin the appointment process. Seconded by Dalbey. All ayes.

Vote taken on original motion to consider resignation of Council Member Meyers effective 12/31/2021; All ayes.

Dalbey moved, seconded by Berg to accept bid and award contract to Tim Skinner Trucking & Excavating for \$4,880, and auth. Mayor to sign contract for demolition and disposal of materials at 218 S. Willard. Community Development Dir. Simonson reported three bids received. All ayes.

Meyers moved, seconded by Roe to accept bid and award contract to Weston McKee for \$9,500 and auth. Mayor to sign contract for demolition and disposal of materials at 306 E. Park. Simonson reported three bids received. All ayes.

Roe moved, seconded by Berg to accept bid and award contract to Weston McKee for \$19,000 and auth. Mayor to sign contract for asbestos removal, demolition and disposal of materials at 238 N. Moore. Simonson reported two asbestos bids and three demolition bids received. All ayes.

Berg moved, seconded by Dalbey to approve the fee increases for camping at the Ottumwa Park Campground for the 2022 camping season. Parks & Rec. Dir. Rathje reported fees are currently \$15 per night for tents and \$18 for RVs. Both fees should be raised to \$20 per night. The fee increase will result in approx. \$9,700 in additional revenue for campground. All ayes.

Roe moved, seconded by Berg that Res. No. 204-2021, auth. purchase of a new 75 ft. aerial fire apparatus for OFD from Sutphen Corp. for total cost \$1,095,169.40, be passed and adopted. Fire Chief Miller reported this is a replacement for truck #308 which is a 1996 Pierce aerial with a 65 ft. aerial. The aerial portion of this truck was taken out of service due to corrosion issues approx. two yrs. ago. Fleet committee approved this replacement on 9/28/2021, with an est. \$1.5 Million. Sutphen will increase prices 7-10% starting 1/1/2022. This apparatus is considered a quint which will aid in maintaining the current ISO rating. A quint provides pump, water tank, fire hose, aerial device and ground ladders. Est. delivery time is 13-15 months and pymt. is required at time of delivery. Finance Dir. Mulder further explained this will be the same process as our last purchased fire apparatus. We will apply for grants to assist in funding and it will be on our next CIP request for the next two years. All ayes.

Meyers moved, seconded by Dalbey that Res. No. 205-2021, fixing date for a public hearing on the proposal to enter into a Development Agt. with HCI52501 Investment, LLC, and providing for publication of notice thereof, be passed and adopted. Simonson reported at the 11/2/2021 mtg., council rejected a proposed DA with HCI52501 which would have provided a 20-yr., 100% TIF rebate for a 108 unit multifamily housing project. Staff and the developer have cont. negotiations and reached a compromise, a 20-yr., 50% rebate which would cut the City's obligation in half from the previous proposal. This sets the public hearing for Dec. 7, 2021, at 5:30 P.M. to consider the new DA. All ayes.

Berg moved, seconded by Roe that Res. No. 206-2021, approving Change Order No. 11 and accepting the work as final and complete and approving the final pay request for the Ottumwa Main Street (Downtown Streetscape) Project, be passed and adopted. PW Dir. Seals reported CO#11 increases the contract by \$129,363.94. New contract sum \$5,432,151.17. All ayes.

Berg moved, seconded by Meyers to pass the first consideration of Ord. No. 3187-2021, an ordinance providing that general property taxes levied and collected each year on all property located within the Bonita Urban Renewal Area, in the City of Ottumwa, County of Wapello, State of IA, by and for the benefit of the State of IA, City of Ottumwa, County of Wapello, Ottumwa Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies, advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Bonita Urban Renewal Area (The Bonita Urban Renewal Plan). Simonson reported at the 11/2/2021 mtg., Council adopted the Bonita URP and est. the Bonita URA. In order to carry out any of the projects included in the Bonita URP, the City would need to pass an ordinance to auth. capturing tax

increment and using it to make economic development payments to pay certified debts. This is the ordinance that executes the URP. The plan included a project for the development of 108 units of LMI, workforce housing. However, the plan also included a project for street repair. In order to do any action on any project, this ordinance would have to be adopted as a partner to the URP. All ayes.

Petition No. 5086-2021; 730 signatures located in 52501 petition to end the ban on Pit Bulls in Ottumwa, IA. Ottumwa's breed-specific law names breeds and non-breed mixes in a discriminatory manner, labeling and the visual identification of these dogs is wrong. A simple change to this ord. to include all dogs and holding owners responsible for their dogs' behavior is needed. Cities everywhere are deciding to revise these discriminatory bans to hold owners responsible no matter the breed or mix a dog is. This ban has not worked in keeping pitbulls out of city limits. It relies on out of town rescues and shelters to remove these types of dogs, stretching our neighbors' resources is not being a responsible community. This was received by Council; further action will come at a later date. Rath stated we are working closely with legal and city staff to develop new language within our ordinance. Roe added, we need to also include someone from Wapello County Attorney's office as they are a critical link for enforcement of this ordinance. Berg added, look at the dangerous animal ordinance and anti-tethering, back yard breeder that will help reduce instances from happening; look at it this ordinance holistically and not just focus on breed specific language.

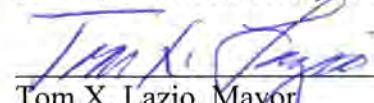
There being no further business, Roe moved, seconded by Dalbey that the meeting adjourn. All ayes.

Adjournment was at 6:49 P.M.

ATTEST:


Christina Reinhard, CMC, City Clerk

CITY OF OTTUMWA, IOWA


Tom X. Lazio, Mayor