

# Item No. B.-1.

## OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 7  
Council Chambers, City Hall

March 21, 2023  
5:30 O'Clock P.M.

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

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

Galloway moved, seconded by Roe to remove Item B-3 from the Consent Agenda and add it to the regular agenda as Item H-6. All ayes.

Roe moved, seconded by Pope to approve consent agenda items without inclusion of Item B-3: Mins. from Regular Mtg. No. 6 on March 7, 2023 as presented; Order Accepting Ack./Settlement Agt. between City of Ottumwa and Casey's Marketing Comp., d/b/a Casey's #1678 (346 Richmond Ave.); Cigarette Permit Application for Dollar General #24713 (1235 Hutchinson Ave.). All ayes.

Hull moved, seconded by Roe to approve the agenda as presented. All ayes.

City Admin. Rath announced we will hold a work session next wk. to discuss FY24 budget.

Mayor Johnson inquired if there was anyone from the audience who wished to address an item on the agenda. Weston McKee requested to speak on Item H-4.

This was the time, place and date set for a public hearing approving plans, specs., form of contract and est. cost for Ottumwa Park Campground Shower House Parking Lot & Sewer Dump Station Project. Park & Rec. Dir. Rathje reported a concrete parking lot is necessary for this project to accommodate campers and their vehicles. The Wapello County Foundation Grant that the City received for this project requires a new sewer dump station to be included. Eng. cost est. \$52,000. No objections rec'd. Pope moved, seconded by Galloway to close public hearing. All ayes.

Roe moved, seconded by Hull that Res. No. 32-2023, approving plans, specs., form of contract and est. cost for Ottumwa Park Campground Shower House Parking Lot & Sewer Dump Station Project, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing approving FY24 Max Property Tax Dollars. Rath reported IA law requires the City Council to hold a public hearing on the proposed Max Property Tax Dollars before adopting City Budget. The rate of \$17.34379 is the max levy for affected property taxes for the City. This rate does not include levies for Debt Service, Support Public Library or SSMIDs for total Property Taxes levied as \$22.01539. Due to the passage of SF181, the assessed valuation is reduced by \$17 Million. The requested change is up to \$0.23032 above the previous max levy. No objections rec'd. Galloway moved, seconded by Pope to close public hearing. All ayes.

Roe moved, seconded by Pope that Res. No. 35-2023, approving max property tax dollars for FY24, be passed and adopted. All ayes.

Hull moved, seconded by McAntire to approve purchase of replacement OADC Fairbanks Pump No. 1, for \$12,468, for the WPCF. PW Dir. Seals reported original unit was installed in 1975 and the City has gotten the useful life out of the pump. Replacement pump comes with a one-yr. warranty when installed. All ayes.

Roe moved, seconded by Galloway to approve repair of Elm Street Lift Station Pump No. 1 totaling \$12,507 for the WPCF. Seals reported cost of a replacement unit is \$131,287; staff recommends repairing at this time. All ayes.

Hull moved, seconded by Galloway to accept Historic Preservation Certified Local Govt. Annual Report. Comm. Dev. Dir. Simonson reported CLG Annual Report is required and submitted to the IA Dept. of Cultural Affairs. HPC Chair Dennis Willhoit provided update on the work of the Commission. All ayes.

Roe moved, seconded by McAntire to reject all bids rec'd. for asbestos abatement and demolition of the condemned property at 530 W. Fourth and re-bid project. Simonson reported three abatement bids and four demo bids were rec'd. Due to the best bid providing insufficient bid securities, it was disqualified. Staff feels the remaining bids are too high. McAntire asked how does one decide what is fair amt. or max for the project. Simonson explained this particular bid would be the most we have ever awarded (dollar amt.) for abatement/demo; we were hoping for and expecting to be under \$35,000.

Mr. McKee reported fair bidding is an important part of the process and there is no quantifiable reason to reject my bid. I spent three days going through the house estimating how much asbestos it contained and feel that the city needs to prove why my numbers appear to be too high. We have three local contractors that bid very competitively.

Council had lengthy discussion concerning this project.

Vote Taken. Motion Failed 1-4. Ayes: Roe. Nays: Galloway, McAntire, Hull, Pope.

Hull moved, seconded by McAntire to accept the second lowest bid rec'd and award contract for Asbestos Abatement \$21,000 and Demo \$17,450 (total \$38,450), of 530 W. Fourth St. to Weston McKee, of Fairfield, IA, and direct staff to prepare required resolution document to be adopted at the next mtg. Motion Carried 4-1. Ayes: Galloway, McAntire, Hull, Pope. Nays: Roe.

McAntire moved, seconded by Galloway to reject all bids rec'd for asbestos abatement and demo of condemned property at 734 Center St. and re-bid the project. Simonson reported three abatement bids and four demo bids were rec'd. Due to the best bid providing insufficient bid securities, it was disqualified. Staff again feels that the remaining bids are too high. Motion Failed 2-3. Ayes: Roe, Pope. Nays: Galloway, McAntire, Hull.

Hull moved, seconded by McAntire to accept the second lowest bid rec'd and award contract for Asbestos Abatement \$18,400 and Demo \$18,000 (total \$36,400), of 734 Center St. to Environmental Edge, of Ottumwa, IA, and direct staff to prepare required resolution document to be adopted at the next mtg. Motion Carried 4-1. Ayes: Galloway, McAntire, Hull, Pope. Nays: Roe.

Galloway moved, seconded by Roe to auth. Mayor to sign Order Assessing Penalty 1<sup>st</sup> Violation and the Ack./Settlement Agt. with Ross Tobacco Shop at 129 E. Second St. Clerk Reinhard reported the above permit holder committed a violation of IA Code Section 453A.2(1), by selling, giving, or otherwise supplying any tobacco, tobacco products, alternative nicotine products, vapor products or cigarettes to any person under twenty-one yrs of age and this this was the first violation of this statue. All ayes.

Roe moved, seconded by Pope that Res. No.31-2023, approve Fiber Optic Network Installation Agt. between the City and Mahaska Communication Group, LLC (MCG) and auth. Mayor to sign Agt., be

passed and adopted. Seals reported MCG intends to start this spring and plans to build out the entire City in a three year time frame. All ayes.

Hull moved, seconded by Roe that Res. No. 40-2023, approve CO No. 1 for Blake's Branch Sewer Separation Ph. 8, Div. 1, E. of Iowa Ave. Project, be passed and adopted. Seals reported CO No. 1 increases the contract sum \$6,000 for adding an external drop connection to a sanitary sewer manhole; new contract sum \$232,500. All ayes.

Hull moved, seconded by McAntire that Res. No. 41-2023, assessing 2022 Weed Mowing charges against certain lots in the City of Ottumwa, be passed and adopted. Simonson reported mowing fees affect 53 properties for a total including assessment fees \$17,860; assessed clean-up fees affect 15 properties for a total including assessment fees \$26,527.67. All ayes.

Roe moved, seconded by Pope that Res. No. 42-2023, removing Special Assessment's applied to 121 S. Iowa Ave. on Res. No. 260-2020 and No. 209-2021 totaling \$1,359.00, be passed and adopted. Simonson reported in March 2023, Whatsoever You Do acquired this property. The property had accumulated mowing assessments totaling \$1,359 under the previous owner. All ayes.

Hull moved, seconded by McAntire that Res. No. 43-2023, awarding contract for Asbestos abatement and demo of 517 Grant St. to Weston McKee of Fairfield, IA for best bid \$10,000 abatement and \$10,400 demo total \$20,400, be passed and adopted. All ayes.

Roe moved, seconded by Galloway that Res. No. 44-2023, awarding contract for Asbestos abatement and demo of 1016 S. Weller St. to Environmental Edge of Ottumwa, IA for the best bid \$2,400 abatement and \$4,600 demo total \$7,000, be passed and adopted. All ayes.

Hull moved, seconded by McAntire that Res. No. 45-2023, approving N. Market Façade Project (CDBG 20-CVN-024) Change Order No.7 & 8, be passed and adopted. Simonson reported CO No. 7 & 8 increase the contract sum \$4,478.36; new contract sum \$297,695.28. All ayes.

Mayor Johnson inquired if anyone from the audience wished to address an item not on the agenda. Brian Fisher, 214 S. Graves St. discussed an on-going issue of idling trains from BNSF along two different crossings in the area.

Galloway requested an update from HR/Admin. on the Wage & Benefit Study being conducted by Gallagher during the next regular mtg. (4/4/2023).

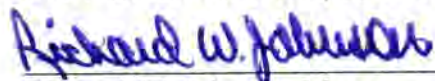
There being no further business, Pope moved, seconded by Galloway that the mtg. adjourn. All ayes.

Adjournment was at 6:47 P.M.

ATTEST:

  
Christina Reinhard, CMC, City Clerk

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

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