



TENTATIVE AGENDA  
OTTUMWA CITY COUNCIL

REGULAR MEETING NO. 31  
Council Chambers, City Hall

October 19, 2021  
5:30 O'Clock P.M.

PLEDGE OF ALLEGIANCE

A. ROLL CALL: Council Member Meyers, Johnson, Berg, Dalbey, Roe and Mayor Lazio.

B. CONSENT AGENDA:

1. Minutes from Regular Meeting No. 30 on October 5, 2021 as presented.
2. Acknowledgement of September financial reports and payment of bills as submitted by the Finance Department.
3. Recommend reappointment of Mark Hanson and Leisa Walker to the Ottumwa Housing Authority, terms to expire 11/22/2023.
4. Approve the appointment of Austin Kennedy to the position of Airport Line Technician at the Ottumwa Airport on or about October 31, 2021.
5. Approve the appointment of Colton Mitchell to the position of Airport Line Technician at the Ottumwa Airport on or about October 31, 2021.
6. Approve the appointment of Cooper Shelton to the position of Airport Line Technician at the Ottumwa Airport on or about October 31, 2021.
7. Community Planning Month Proclamation.
8. Red-Ribbon Week Proclamation for the Ottumwa Elks Lodge #347.
9. Accept donation from Main Street Ottumwa for the 2019 Polaris to be utilized by the City Parks Department.
10. Resolution No. 192-2021, approve Cybersecurity Handbook for the City of Ottumwa.
11. Resolution No. 194-2021, approve update to City of Ottumwa Personnel Policies.
12. Beer and/or liquor applications for: Mizu Hibachi & Sushi, Inc., 1111 Quincy Ave., Suite 111; Club 888, 123 W. Third St.; Mexico Linda, 530 W. Second St.; all applications pending final inspections.

C. APPROVAL OF AGENDA

D. ADMINISTRATORS REPORT TO COUNCIL AND CITIZENS:

1. CVB Quarterly Update – Andy Wartenberg
2. Tim Richmond, EMA Coordinator; Chief Farrington; Sheriff Phillips – Computer Aided Dispatch (CAD) presentation
3. Presentation – TIF and Economic Development
4. City Election – November 2, 2021

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

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

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

F. DEPARTMENTAL RECOMMENDATIONS/REPORTS:

1. Consideration of Engaging Commercial Appraisers of Iowa, Inc. to complete an appraisal of transit property.

RECOMMENDATION: Approve and authorize the City Administrator to engage Commercial Appraisers of Iowa, Inc. to complete an official appraisal of transit property to comply with State and Federal requirements.

G. PUBLIC HEARING:

H. RESOLUTIONS:

1. Resolution No. 183-2021, authorizing the Mayor to execute an Easement Agreement for Construction and Maintenance of Public Improvements for the CSO, Blake's Branch Phase 8, Division 1 Project.

RECOMMENDATION: Pass and adopt Resolution No. 183-2021.

2. Resolution No. 193-2021, authorizing an Agreement for Professional Services between the City of Ottumwa and Design Workshop for a Master Plan for Greater Ottumwa Park.

RECOMMENDATION: Pass and adopt Resolution No. 193-2021.

3. Resolution No. 195-2021, approving Change Order No. 1 and accepting the work as final and complete and approving the Final Pay Request for the River Wall Extension Project.

RECOMMENDATION: Pass and adopt Resolution No. 195-2021.

4. Resolution No. 196-2021, approving Change Order No. 2 for the Milner Street Reconstruction Project.

RECOMMENDATION: Pass and adopt Resolution No. 196-2021.

5. Resolution No. 197-2021, fixing date for a public hearing on the proposal to enter into a Development Agreement with HCI52502 Investment, LLC, and providing for publication of notice thereof.

RECOMMENDATION: Pass and adopt Resolution No. 197-2021.

6. Resolution No. 198-2021, authorizing the Mayor to execute an Easement Agreement for Construction and Maintenance of Public Improvements for the Richmond Avenue Pump Station Improvements Project.

RECOMMENDATION: Pass and adopt Resolution No. 198-2021.

7. Resolution No. 199-2021, approving a 28E Agreement between the Ottumwa School District, the Friends of Ottumwa's Parks, and the City of Ottumwa related to establishing tree nurseries.

RECOMMENDATION: Pass and adopt Resolution No. 199-2021.

I. ORDINANCES:

## J. PUBLIC FORUM:

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

## K. PETITIONS AND COMMUNICATIONS

### ADJOURN

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



[ CITY OF ]  
O T T U M W A

**FAX COVER SHEET**

City of Ottumwa

DATE: 10/15/21 TIME: 9:15 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 #31 to be held on  
10/19/2021 at 5:30 P.M.

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\*\*\* FAX MULTI TX REPORT \*\*\*  
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JOB NO. 4698  
DEPT. ID 4717  
PGS. 4  
TX INCOMPLETE -----  
TRANSACTION OK 96847834  
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96823269  
ERROR 96828482

Ottumwa Courier  
KTVO  
Ottumwa Waterworks  
Tom FM



CITY OF  
OTTUMWA

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\*\*\* TX REPORT \*\*\*  
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JOB NO.	4698	
DEPT. ID	4717	
ST. TIME	10/15 09:16	
SHEETS	4	
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TRANSACTION OK	96847834	Ottumwa Courier
	916606271885	KTVO
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## OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 30  
Council Chambers, City Hall

October 5, 2021  
5:30 O'Clock P.M.

The meeting convened at 5:36 P.M.

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

Meyers moved, seconded by Johnson to approve the following consent agenda items: Mins. from Special Mtg. No. 27 on Sept. 14, 2021, Regular Mtg. No. 28 on Sept. 21, 2021 and Special Mtg. No. 29 on Sept. 24, 2021 as presented; Recommend appointment Ann Youngman to Ottumwa Housing Auth., term to expire 11/11/2022, due to an upcoming vacancy; Res. No. 191-2021, approving Street Fin. Rpt. for fiscal yr. July 2020 through June 2021 for the City of Ottumwa; Beer and/or liquor applications for: Bridge View Center/VenuWorks, 102 Church St.; Mimi's Taqueria, 707 Church St.; Warehouse Barbeque, 2818 N. Court; Alpine Inn, 1804 Albia Rd., with OSA; Potros Garcia, 2804 N. Court; Red's Pub LLC, 618 Church St., temp OSA for 10/30/2021; all applications pending final inspections. Vote taken: Ayes: Roe, Meyers, Johnson, Berg. Abstain: Dalbey, related to appointment to Ottumwa Housing Auth. Motion passed.

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

Dr. Matt Thompson, President, IHCC, discussed the \$28 Million bond referendum that is going before the voters on Nov. 2, 2021. Originally started as \$36 Million bond trimmed down to \$28 Million due to secured grant funding. This bond referendum will allow IHCC to improve campus classrooms and master facilities at the Centerville Educational Bldg. along with facilities at the Ottumwa sites: Center for Fine Arts, Criminal Justice Training Center, Student Wellness Center and Virtual Classrooms. 92% of IHCC students are from Iowa with 8 out of 10 from the 10-county region; 86% of IHCC graduates remain in the 10-county region after graduation.

City Admin. Rath discussed quarterly mtg. held with Bridge City Sanitation as part of the new contract. The number of customer complaints have decreased which is a good sign that things are moving in the right direction. Citizens can email BCS to schedule bulky item pick-up and currently developing a website. Will schedule a spring clean-up day sometime in April/May 2022.

He also reminded the public of the City Election on 11/2/2021.

Mayor Lazio inquired if there was anyone from the audience who wished to address an item on the agenda. Bridgett Michel, 318 Bonita Ave., wished to discuss Item H-3, setting dates of a Consultation and PH on Proposed Bonita URP/URA. Concerned that crime rate will go up; property taxes increase while values decrease if this is built. Where is all of the traffic going to go? Wouldn't it have made more sense to build this over by JBS and not on the north side of town?

Roe moved, seconded by Meyers to approve and authorize the City to use a portion of future Road Use Tax (RUT) Funds to settle with IADOT the balance owed following project completion and evaluation. Rath reported; on Jan. 23, 2013, the City Council adopted Res. 19-2013, which allowed the city to submit an application under Revitalize Iowa's Sound Economy (RISE) program. The res. auth. the city to commit \$792,795 for a CIP – reconstruction of Iowa Ave. The program allows the IADOT to reimburse the city for project expenses in exchange for future job creation resulting from the project. Property owner (Cargill Meat Solutions) supported the project and anticipated the creation of 120 jobs within two yrs. following completion. IADOT awarded the grant under RISE Immediate Opportunity program and

reimbursed the city \$1,172,195 toward the project. On or around July 1, 2015, Cargill Meat Solutions sold the property to JBS USA (current owner). IADOT completed a review of the project and associated job creation and identified that neither employer had met the job creation requirement during the six-month monitoring period. In accordance with grant docs, the penalty for this failure is reimbursement of the proportionate share of additional RISE funds provided under the "Immediate Opportunity" provision based upon actual jobs created to required jobs created. The City is required to reimburse IADOT \$342,913 based upon the report figures in the Settlement. Three options were presented: lump sum pymt., installments., or charges against the City's share of future Road Use Tax Fund (RUTF). All ayes.

Berg moved, seconded by Johnson to approve and auth. the City to contribute \$10,000 to Greater Ottumwa Partners in Progress (GOPiP) toward completion of an airport analysis and comp. land use plan for the airport and surrounding area. Rath reported *Our Ottumwa 2040 Comp. Plan* identifies Growth as one of the four guiding principles related to the vision of the City. Economic development is a major driver for growth and the airport is a key feature for growth and development of commercial and industrial opportunities. One of the goals identified is to invest in Airport infrastructure by conducting a feasibility study to assess future expansion and development possibilities. Sharon Stroh, VP Industrial Development & Organizational Communication GOPiP, in coordination with City staff took on this goal and identified Bolten Menk to complete such a study. This proposal will cost \$58,500, with the City contributing \$10,000. The study will provide information related to land use, transportation and utilities. It will also provide a development concept for the land associated with the airport. This study is scheduled to take approx. 6 months. Vote taken: Ayes: Meyers, Johnson, Berg, Dalbey. Abstain: Roe, serving as the Chair of the GOPiP Board. Motion passed.

Roe moved, seconded by Dalbey that Res. No. 186-2021, approving CO No. 2, accepting work as final and complete, and approving final pay request for the 13/31 Runway Recon. Project at the Ottumwa Reg. Airport, be passed and adopted. CO No. 2 increased contract by \$123,800.57; new contract sum \$6,987,765.61. All ayes.

Berg moved, seconded by Roe that Res. No. 187-2021, auth. advancement of costs for an URP and Cert. of Expenses incurred by the City for Reimbursement under Iowa Code Section 403.19, be passed and adopted. Fin. Dir. Mulder reported the City has entered into a DA with Cobblestone Hotel Development, LLC in the West Gate Economic Development URA. This res. is auth. advancement of costs not to exceed \$75,000 if site remediation and site preparation is needed. All ayes.

Meyers moved, seconded by Roe that Res. No. 188-2021, a res. determining the necessity and setting dates of a Consultation and a Public Hearing on a Proposed Bonita URP for a Proposed URA in the City of Ottumwa, be passed and adopted. Simonson reported Huegerich Const. is seeking to create 108 units of housing on 10 acres of property on Bonita Ave. The developer is interested in obtaining a TIF Rebate for this project. In order to use TIF, the property needs to be included in an URA. This res. begins the process of est. a Bonita URA. The plan designates the Bonita URA as an economic development area appropriate for the development of new low-to-moderate income residential housing units and housing which is necessary to encourage the retention or relocation of industrial and commercial enterprises. Low-to-moderate (LMI) housing for this community is 60% of LMI affordable rent is up to \$979 for a two-bedroom and \$1131 for a three-bedroom. In the proposed project, the developer is pursuing workforce tax credits and has developed a proforma for achieving the LMI standard by charging affordable rents, rather than verifying incomes. The Bonita URP describes providing a TIF rebate up to 100% of the incremental property tax generated by the housing development for 20 yrs., not to exceed \$3.5 Million. Tax increment financing is an urban renewal power given to cities that allows us to leverage future taxable value to incentivize growth. This rebate is not general fund or other taxpayer money. Instead the developer will pay their taxes and the tax paid for most levies on the added value will



be rebated back to the developer. A second project included in the URP is street repair for Bonita. Concerned that the construction could cause damage to Bonita Ave. which will require repair or reconstruction. Est. cost could be \$250,000. JBS has played a key role in this project. They recruited the developer and will likely provide some of their own incentives. As the area's largest employer, they are especially aware of the challenges housing creates for attracting and retaining talent. Ryan Huegerich, owner Hugerich Construction; Joe Mach, General Mgr. and Zenna Boyd, HR, of JBS were also present to discuss this item. Council questions/concerns: What is the impact on property values in this area? What is the traffic load? Not a fan of creating new TIF areas as they don't generate any help for the general fund. What is something tangible for the City? We need to see single-family units instead of apartments. Ms. Boyd shared that they need to hire at least 200 more people for open positions at their plant; people don't want to relocate their families to hotels until they can find a house to purchase, which is why this is so important. Vote taken: Ayes: Roe, Meyers, Johnson, Berg. Nays: Dalbey. Motion passed, 4-1.

Dalbey moved, seconded by Roe that Res. No. 189-2021, approving the Design Contract between the City and Willett Hoffman and Assoc., Inc. for City Hall Improv. Project, be passed and adopted. PW Dir. Seals reported this provides for the design features included in system 6 HVAC that will allow for heating and cooling with the ability for zone separation control. The selected system has the ability to be installed and then expanded in phases as needed without major rework. Add'l improv. include first floor remodeling and redefining the original corridor. The reno. will address bldg. wide access to meet both ADA reqs. and fire protection. Add'l office space will be developed for IT office, work shop and storage area in the basement and all restrooms will be up-dated as part of the ADA reqs. Prior to kick off, an adv. committee will be est. to seek input from staff members for design features and maintain job functionality during construction. Design contract lump sum est. at \$275,750. This does not include the Historical Structure Report needed for grant applications. Will need to do this separately, will cost around \$10-12,000. This will give us the entire design and overall view of entire bldg. with actual costs for each phase. All ayes.

Roe moved, seconded by Berg that Res. No. 190-2021, approving a Subordination Agt. between the City, South Ottumwa Savings Bank, and Rippling Waters Property Development, be passed and adopted. Simonson reported this correlates to the CDBG Upper-Story Housing program in 2018-2019. All ayes.

Mayor Lazio inquired if anyone from the audience wished to address an item not on the agenda. Bill O'Hara, 1119 N. Court, wanted to speak about a business being operated next door on West St. Parking has caused some issues on the street; health hazards from junk and trash in the neighborhood; and construction of numerous tents.

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

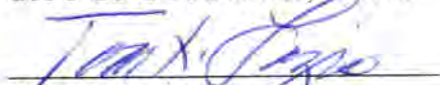
Adjournment was at 7:12 P.M.

ATTEST:



Christina Reinhard, CMC, City Clerk

CITY OF OTTUMWA, IOWA

  
Tom X. Lazio, Mayor

# Item No. B.-2.

**CITY OF OTTUMWA  
VENDOR PAYMENT REPORT  
SEPTEMBER, 2021**

Vendor #	Vendor Name	Check #	Check Date	Amount	Reason
00198	ABC PEST CONTROL INC.	212163	9/3/2021	42.95	BLDG MAINT & REPAIR
00320	ACCO	212234	9/10/2021	2,864.00	OPERATING SUPPLIES
00690	AFLAC	212295	9/17/2021	1,636.44	AFLAC DEDUCTION PAYABLE
00778	AGRILAND FS, INC.	212296	9/17/2021	137.34	VHCL MTCE SUPPLIES
00800	AHLERS & COONEY P.C.	212297	9/17/2021	13,951.89	LEGAL FEES
00855	AIRGAS USA LLC	212235	9/10/2021	462.6	SUSTENANCE SUPPLIES
01700	ALLIANT ENERGY/IPL	212299	9/17/2021	113,205.61	ELECTRIC
02080	ALTORFER INC.	212237	9/10/2021	3,454.00	VHCL MTCE SUPPLIES
02592	AMERICAN BOTTLING COMPANY	212166	9/3/2021	229.88	MERCHANDISE - RESALE
04440	ANDERSON LARKIN CO PC	212167	9/3/2021	16,500.00	ACCOUNTING & AUDITING
05668	A-TEC RECYCLING INC	212301	9/17/2021	1,191.36	HAZARDOUS WASTE DISPOSAL
05681	ATLANTIC BOTTLING COMPANY	212238	9/10/2021	630.95	CONCESSION - RESALE
05687	AT&T MOBILITY	212168	9/3/2021	1,188.68	TELEPHONE/IT
05700	ATOMIC TERMITE & PEST	212302	9/17/2021	195	GROUNDS MAINT & REPAIR
05860	AUTOZONE INC	212169	9/3/2021	279.98	VHCL MTCE SUPPLIES
05862	AVFUEL CORP	212239	9/10/2021	51,179.00	IOWA FUEL TAX
05873	AVESIS THIRD PARTY	212170	9/3/2021	2,569.43	AVESIS PAYABLE
06481	BAILEY OFFICE OUTFITTERS	212303	9/17/2021	196.53	OFFICE SUPPLIES
06950	BALL, DUKE	212403	9/24/2021	44	TRAVEL & CONFERENCE
09352	BLACKSTONE PUBLISHING	212304	9/17/2021	100	LIBRARY MAT.-JAMES ESTATE
09360	BLACK'S TIRE COMPANY LLC	212305	9/17/2021	262.12	VHCL MTCE SUPPLIES
09557	BOULDER CONTRACTING, LLC	212306	9/17/2021	4,022.34	ENGINEERING
11470	THE BRIDGE CHURCH	212172	9/3/2021	50	REFUNDS
11496	BRIDGE CITY SANITATION LL	212307	9/17/2021	155,174.20	REFUSE HAULING
11506	BRIDGE VIEW CENTER	212308	9/17/2021	91,204.00	MANAGEMENT SERVICES
12500	BUB'S TREE CARE	212173	9/3/2021	10,900.00	TREE TRIMMING
13610	C-FAB LLC	212174	9/3/2021	1,241.60	VHCL MTCE SUPPLIES
14315	CAPITAL CITY BOILER &	212175	9/3/2021	1,528.00	EQUIP REPAIR
14317	CAPITAL ONE	212176	9/3/2021	603.46	OPERATING SUPPLIES
15760	CARROLL CONSTRUCTION SUPP	212310	9/17/2021	459.03	TOOLS & SMALL EQUIP
15788	CATERPILLAR GOLBAL SERVIC	212177	9/3/2021	13,166.52	VHCL MTCE SUPPLIES
16265	CENTER POINT LARGE PRINT	212312	9/17/2021	85.08	LIBRARY MAT.-JAMES ESTATE
16402	CENTURYLINK	212179	9/3/2021	4,420.65	TELEPHONE/IT
16403	CENTURYLINK	212314	9/17/2021	225.42	TELEPHONE/IT
17620	CINTAS CORPORATION	212315	9/17/2021	74.84	SUSTENANCE SUPPLIES
17621	CINTAS	212407	9/24/2021	157.1	BLDG MAINT & REPAIR
17825	CITY OF OTTUMWA, CEMETERY	212180	9/3/2021	115.4	CASH INVESTED PASSBK SVNG
18379	CLEMONS INC OF OTTUMWA	212181	9/3/2021	2,757.73	VHCL MTCE SUPPLIES
18980	COLLECTION SERVICES	212316	9/17/2021	2,690.20	CHILD SUPPORT PAYABLE
21270	COWDER, DAMIEN	212408	9/24/2021	50	REFUNDS
21675	CYNTHIA BROWN CRAFT	212243	9/10/2021	50	REFUNDS
21825	CREDIT UNION	212183	9/3/2021	38,642.47	CREDIT UNION PAYABLE
21835	CREMER CONCRETE	212184	9/3/2021	28,787.54	ENGINEERING EXPENSE
22479	D P PLUMBING PLUS	212185	9/3/2021	2,953.37	OPERATING SUPPLIES
22608	DANI'S AUTO SUPPLY LLC	212245	9/10/2021	2,207.33	VHCL MTCE SUPPLIES
24330	DERANS TOWING SERVICE	212246	9/10/2021	435	CENTRAL GARAGE/VEHICLES
24840	DIAMOND MOWERS INC	212319	9/17/2021	228.44	VHCL MTCE SUPPLIES
25390	R. D. DRENKOW & CO INC	212320	9/17/2021	4,033.98	R.D. DRENKOW/FLEX PAY
25394	DRISH CONSTRUCTION, INC.	212187	9/3/2021	244,532.63	ENGINEERING
26041	EAGLE ENGRAVING, INC	212321	9/17/2021	1,017.90	SUSTENANCE SUPPLIES
26050	EARL MAY SEED & NURSERY	212322	9/17/2021	328.98	STREET MAINT SUPPLIES
26640	ECOSYSTEMS INC	212247	9/10/2021	14,400.00	SLUDGE HAULING
27010	ELECTRICAL ENGINEERING &	212188	9/3/2021	264.28	GROUNDS MAINT & REPAIR
27272	ELLIOTT BULK SERVICES LLC	212409	9/24/2021	9,649.10	VHCL-FUEL
27280	ELLIOTT OIL COMPANY	212248	9/10/2021	14,770.95	VHCL-FUEL
27552	EMPOWER RETIREMENT	212326	9/17/2021	700	HARTFORD DEF COMP PAYABLE
28449	EVORA CONSULTING, LTD	212327	9/17/2021	8,938.05	CONTRACTUAL SERVICES
29300	FASTENAL COMPANY	212328	9/17/2021	116.77	MISCELLANEOUS
31422	FUN EXPRESS, LLC	212249	9/10/2021	352.84	PROGRAM SUPPLIES
31459	GRP & ASSOCIATES	212412	9/24/2021	187	HAZARDOUS WASTE DISPOSAL
31682A	GALLS, LLC	212250	9/10/2021	1,303.23	SUSTENANCE SUPPLIES
31797	GARDEN & ASSOCIATES LTD	212191	9/3/2021	10,297.18	ENGINEERING
32792	GLOBAL EQUIPMENT COMPANY	212192	9/3/2021	683.51	OPERATING SUPPLIES
33385	GRAINGER	212251	9/10/2021	318.16	OPERATING SUPPLIES

CITY OF OTTUMWA  
 VENDOR PAYMENT REPORT  
 SEPTEMBER, 2021

Vendor #	Vendor Name	Check #	Check Date	Amount	Reason
33635	GREAT WESTERN SUPPLY CO	212252	9/10/2021	2,215.13	OPERATING SUPPLIES
33765	GRIMES ASPHALT & PAVING	212330	9/17/2021	2,038.16	STREET MAINT SUPPLIES
33853	NICK GROOMS	212331	9/17/2021	1,950.00	FACADE GRANTS
33857	STEVEN GROTHE	212253	9/10/2021		50 REFUNDS
34664	JOHN HALL & ASSOC. PLLC	212413	9/24/2021	2,078.50	LEGAL FEES
34900	HAMILTON PRODUCE COMPANY	212332	9/17/2021	979.79	NATURAL/PROPANE GAS
34966	HARDY DIAGNOSTICS	212333	9/17/2021	221.11	LAB SUPPLIES
35291	HANK HARPER	212254	9/10/2021		18 REFUNDS
35990	HAWK ANALYTICS	212334	9/17/2021	2,497.50	TECHNOLOGY SERVICES
36083	HAWKEYE TRUCK EQUIPMENT	212255	9/10/2021	8,515.00	OTHER CAPITAL EQUIPMENT
36302	HEARTLAND HUMANE SOCIETY	212335	9/17/2021		300 OTHER PROF SERV
36385	HECKART, LACEY	212256	9/10/2021		70 REFUNDS
36500	HEIMAN FIRE EQUIPMENT	212257	9/10/2021	134.25	TOOLS & SMALL EQUIP
36850	HELMUTH REPAIR, INC.	212193	9/3/2021	848.72	OPERATING SUPPLIES
37476	HILL PRODUCTIONS & MEDIA	212336	9/17/2021	185.4	ADVERT/LEGAL PUBL
38610	HOTSY CLEANING SYSTEMS	212194	9/3/2021	551	VHCL MTCE SUPPLIES
39185	HUMANA INSURANCE CO	212415	9/24/2021	23,344.00	MEDICARE PREMIUMS
39431	HYMBAUGH CONSTRUCTION, INC	212416	9/24/2021	4,673.18	OTHER MAINT & REPAIR
40155	IDEXX DISTRIBUTION INC	212258	9/10/2021	773.13	LAB SUPPLIES
41505	IMWCA	212337	9/17/2021	13,369.00	WORKMENS COMPENSATION
41505A	IMWCA	212338	9/17/2021	39,100.35	POLICE W/C 411 CLAIMS
41600	IDEAL READY MIX	212195	9/3/2021	4,438.00	STREET MAINT SUPPLIES
41915	INDUSTRIAL CHEM LABS & SE	212340	9/17/2021	71.56	OPERATING SUPPLIES
41920A	INDUSTRIAL CHEMICAL	212196	9/3/2021	140	MISC CONTRACT WORK
41925	INDUSTRIAL MEDICINE	212341	9/17/2021	244	EMPLOYEE PHYSICALS/TESTS
42090	INFOMAX OFF SYSTEMS INC	212342	9/17/2021	1,396.28	PHOTOCOPIES
42160	INGRAM LIBRARY SERVICES	212260	9/10/2021	2,415.52	LIBRARY MAT.-JAMES ESTATE
43265	INTERSTATE BATTERY	212261	9/10/2021	996.65	VHCL MTCE SUPPLIES
43290	IAMU	212344	9/17/2021	1,097.00	TRAINING
43388	IOWA CIVIL CONTRACTING, IN	212345	9/17/2021	157,291.38	STREET MAINT
43465	IOWA COMMUNITIES ASSURANC	212198	9/3/2021	811.49	INSURANCE CLAIMS
43880A	IA LAW ENFORCEMENT ACADEM	212346	9/17/2021	7,075.00	TRAINING
43999	IOWA ONE CALL	212199	9/3/2021	243	TELEPHONE/IT
44037	IOWA PRISON INDUSTRIES	212262	9/10/2021	605	STREET MAINT SUPPLIES
45044	JEO CONSULTING GROUP, INC	212347	9/17/2021	13,515.00	ENGINEERING
45057	J & J MOWING	212200	9/3/2021	11,904.00	CONTRACTUAL SERVICES
45616	JERRY'S TREE SERVICE	212419	9/24/2021	4,730.00	TREE TRIMMING
45974	JOHN DEERE FINANCIAL	212420	9/24/2021	280.2	OPERATING SUPPLIES
47210	JUBILEE BIBLE CHURCH	212349	9/17/2021		50 REFUNDS
47726	KAYSER SOIL SERVICE	212350	9/17/2021	101.04	STREET MAINT SUPPLIES
49500	KNIGHTS OF COLUMBUS	212421	9/24/2021	100	PROGRAM SUPPLIES
49687	KOHL WHOLESALE	212263	9/10/2021	798.92	CONCESSION - RESALE
49804D	KRONOS, A UKG COMPANY	212351	9/17/2021	7,454.94	CONTRACTUAL SERVICES
50305A	KYOU	212202	9/3/2021	819	ADVERT/LEGAL PUBL
50620	LANGMAN CONSTRUCTION, INC	212352	9/17/2021	415,067.40	UTILITY SYSTEM
50845A	DAN LAURSEN EXCAVATING	212203	9/3/2021	24,000.00	CONTRACTUAL SERVICES
51051	MARK LAWSON	212353	9/17/2021		50 REFUNDS
51074	TOM X LAZIO	212422	9/24/2021	475.3	TRAVEL & CONFERENCE
51968	LIBERTY TIRE	212264	9/10/2021	3,905.27	TIRE DISPOSAL
52254	LISCO	212354	9/17/2021	270	TECHNOLOGY SERVICES
52736	LOGAN LAWN CARE, LLC	212355	9/17/2021	325	GROUNDS MAINT & REPAIR
53298	LULAC 377	212424	9/24/2021		100 REFUNDS
54390	MANATT'S INC	212265	9/10/2021	4,984.20	STREET MAINT SUPPLIES
54531	MARCO TECHNOLOGIES, LLC	212205	9/3/2021	71,767.19	CAPITAL IMPROVEMENTS
55265	JEREMY MARTS	212357	9/17/2021	180	SUSTENANCE SUPPLIES
55271	ANAHI MARTINEZ	212358	9/17/2021		100 REFUNDS
57195	MCMASER-CARR	212425	9/24/2021	60.05	OPERATING SUPPLIES
57367	MEDIACOM	212206	9/3/2021	398.72	TELEPHONE/IT
57385	MENARDS	212360	9/17/2021	1,895.72	TOOLS & SMALL EQUIP
57518	SYMETRA LIFE INSURANCE CO	212207	9/3/2021	4,451.31	GROUP LIFE PREMIUMS
58403	BOB MEYERS	212426	9/24/2021	104.5	TRAVEL & CONFERENCE
58500	MIDAMERICAN ENERGY CO	212267	9/10/2021	1,538.43	NATURAL GAS
58550	MID IOWA PETROLEUM SERV	212427	9/24/2021	1,097.76	VHCL-FUEL
59301	MIDWEST AUTO GLASS & TIRE	212362	9/17/2021	118.88	VHCL MTCE SUPPLIES

CITY OF OTTUMWA  
 VENDOR PAYMENT REPORT  
 SEPTEMBER, 2021

Vendor #	Vendor Name	Check #	Check Date	Amount	Reason
59382	MIDWEST TAPE	212363	9/17/2021	55.97	LIBRARY MAT.-JAMES ESTATE
59753	MIKES TIRE AND	212208	9/3/2021	34	VHCL MTCE SUPPLIES
60299	MISSION SQUARE RETIREMENT	212364	9/17/2021	2,600.00	ICMA DEF COMP PAYABLE
60780	MOBILE LOCKSMITH & ALARM,	212269	9/10/2021	80	OPERATING SUPPLIES
61603	DOYLE MOORE	212270	9/10/2021	31.99	SUSTENANCE SUPPLIES
61785	MOTION INDUSTRIES	212428	9/24/2021	108.81	OPERATING SUPPLIES
62575	MUNICIPAL FIRE & POLICE	212429	9/24/2021	125,493.50	FIRE RETIREMENT
62580	MUNICIPAL PIPE TOOL CO LL	212430	9/24/2021	88.91	VHCL MTCE SUPPLIES
62889	MYOU	212210	9/3/2021	1,075.00	ADVERT/LEGAL PUBL
63046	NAPOLEON, AMY	212365	9/17/2021	104.94	TRAINING
64400	NATIONWIDE RETIREMENT SOL	212211	9/3/2021	3,360.00	NRS-NATION RETIRE SOL
65680	NOEL INSURANCE INC	212432	9/24/2021	5,482.00	PROPERTY INSURANCE
66561	OFFICIAL PEST CONTROL	212367	9/17/2021	55	SUSTENANCE SUPPLIES
66634	HERB OGDEN	212271	9/10/2021	240	TRAINING
66730	OHARA HARDWARE	212274	9/10/2021	916.26	BUILDING MAINTENANCE REPA
67058	ONSITE SERVICE SOLUTIONS	212275	9/10/2021	455	CONTRACTUAL SERVICES
67098	O'REILLY AUTOMOTIVE	212276	9/10/2021	254.96	VHCL MTCE SUPPLIES
67685	OTTUMWA AREA CONVENTION &	212433	9/24/2021	42,631.52	CONV & VISITOR BUREAU
68000	OTTUMWA COURIER	212368	9/17/2021	154.24	ADVERT/LEGAL PUBL
68001	OTTUMWA COURIER	212434	9/24/2021	195.12	TECHNOLOGY SERVICES
68560	OTTUMWA PRINTING, INC.	212369	9/17/2021	183	PRINTING
68576	OTTUMWA RADIO	212370	9/17/2021	519	ADVERT/LEGAL PUBL
69040	OTTUMWA WATER AND HYDRO	212371	9/17/2021	11,831.56	BILLING FEES-W/W
69040A	OTTUMWA WATER & HYDRO	212436	9/24/2021	77.43	WATER
69193	OVERDRIVE INC.	212212	9/3/2021	4,804.14	CONTRACTUAL SERVICES
69688	DIXIE L PARKER	212213	9/3/2021	1,600.00	JANITORIAL
70177	JOSE PATLAN	212372	9/17/2021	100	REFUNDS
71163	PERDUE, MICHELE	212214	9/3/2021	105	REFUNDS
72238	PURCHASE POWER	212373	9/17/2021	478.25	POSTAGE & SHIPPING
72239	PITNEY BOWES	212374	9/17/2021	148.26	RENTS & LEASES
72253	PPG ARCHITECTURAL FINISHE	212437	9/24/2021	179.38	STREET MAINT SUPPLIES
72561	PLUMB SUPPLY COMPANY-OT	212277	9/10/2021	10.26	TOOLS & SMALL EQUIP
73290	POWERPLAN	212375	9/17/2021	83.7	VHCL MTCE SUPPLIES
73420	PRAIRIE AG SUPPLY INC	212278	9/10/2021	415.72	OPERATING SUPPLIES
73926	PRODUCTIVITY PLUS ACCOUNT	212279	9/10/2021	550.34	VHCL MTCE SUPPLIES
73971	PROFESSIONAL JANITORIAL	212280	9/10/2021	2,150.00	JANITORIAL
74714	QUINTEROS, YESENIA	212281	9/10/2021	35	REFUNDS
74740	RJ PERFORMANCE INC	212282	9/10/2021	12.99	VHCL MTCE SUPPLIES
74955	RACOM CORPORATION	212283	9/10/2021	168	EQUIP REPAIR
74973	TOM REA	212438	9/24/2021	180	SUSTENANCE SUPPLIES
75152	PHILIP RATH	212439	9/24/2021	268.13	TRAVEL & CONFERENCE
76296	CHRISTINA REINHARD	212377	9/17/2021	17.8	TRAVEL & CONFERENCE
76354	RESIDENTIAL RENOVATORS LL	212440	9/24/2021	2,976.21	OPERATING SUPPLIES
77309	GAIL ROBERTS	212215	9/3/2021	36.98	OFFICE SUPPLIES
77752	RON TURLEY ASSOCIATES INC	212284	9/10/2021	9,926.00	OTHER CAPITAL EQUIPMENT
77975	ROTO-ROOTER	212216	9/3/2021	504	OPERATING SUPPLIES
78145	RUBLE, MORGAN	212217	9/3/2021	1,000.00	CONTRACTUAL SERVICES
78190	RUSCH, LISA	212218	9/3/2021	50	REFUNDS
78279	S & L ALL SEASON	212285	9/10/2021	69.98	OTHER MAINT & REPAIR
78740	SANDERS, SARA	212379	9/17/2021	50	REFUNDS
79358	SCHUMACHER ELEVATOR CO	212380	9/17/2021	498.7	BUILDING MAINTENANCE REPA
81360	SHERWIN WILLIAMS	212381	9/17/2021	199.89	STREET MAINT SUPPLIES
81367	BEN SHINN TRUCKING INC	212219	9/3/2021	1,349.04	STREET MAINT SUPPLIES
82134	SINCLAIR BROADCAST GROUP	212382	9/17/2021	1,830.00	ADVERT/LEGAL PUBL
82136	SINCLAIR NAPA	212286	9/10/2021	662.77	VHCL MTCE SUPPLIES
83160	SOLENIS	212383	9/17/2021	1,723.50	OPERATING SUPPLIES
83880	SOUTHERN IOWA DIESEL, INC	212221	9/3/2021	103.59	VHCL MTCE SUPPLIES
83920	SOUTHERN IOWA ELECTRIC	212384	9/17/2021	46.17	ELECTRIC
84140	SPRINGVILLE MEMORIAL LIBR	212385	9/17/2021	15	MISCELLANEOUS
84956	LEROY STANSBERRY	212441	9/24/2021	50	REFUNDS
86196	THE STITCH DOCTOR	212386	9/17/2021	46.98	SUSTENANCE SUPPLIES
86659	SUEZ	212442	9/24/2021	1,070.80	OPERATING SUPPLIES
86970	SUPREME STAFFING INC	212387	9/17/2021	15,866.69	CONTRACTUAL SERVICES
87593	TK CONCRETE	212288	9/10/2021	106,421.01	ENGINEERING

**CITY OF OTTUMWA  
VENDOR PAYMENT REPORT  
SEPTEMBER, 2021**

Vendor #	Vendor Name	Check #	Check Date	Amount	Reason
88000	TEAMSTER LOCAL UNION 238	212388	9/17/2021	1,298.84	POLICE UNION DUES PAYABLE
88345	TESTAMERICA LABORATORIES	212222	9/3/2021	2,105.51	LAB SUPPLIES
88697	THUMBS UP GIFTS & AWARDS	212289	9/10/2021	32	SUSTENANCE SUPPLIES
89411	JAMES ANDREW TRAY	212389	9/17/2021	144.43	SUSTENANCE SUPPLIES
89855	TRUITT ABSTRACT COMPANY	212223	9/3/2021	150	CONTRACTUAL SERVICES
90454	ULINE	212390	9/17/2021	143.1	OPERATING SUPPLIES
90846	UPS	212224	9/3/2021	105.82	POSTAGE & SHIPPING
90851	UNITED SEEDS INC	212291	9/10/2021	516	GROUNDS MAINT & REPAIR
92273	VALLEY ENVIRONMENTAL SERV	212444	9/24/2021	152	MISC CONTRACT WORK
92555	THE VAN METER COMPANY	212393	9/17/2021	3,203.71	STREET MAJNT SUPPLIES
92648	VEENSTRA & KIMM INC	212225	9/3/2021	49,076.08	MISCELLANEOUS
94125	WAPELLO COUNTY	212226	9/3/2021	4,055.63	DRUG TASK FORCE GRANT
94235	WAPELLO CO CLERK OF COURT	212292	9/10/2021	55	COURT FINES
94544	WAPELLO COUNTY EXTENSION	212394	9/17/2021	35	TRAINING
94721	WAPELLO CO SHERIFF'S OFFI	212227	9/3/2021	3,484.35	DRUG TASK FORCE GRANT
95000	WAPELLO COUNTY UNITED WAY	212395	9/17/2021	26	FICA CITY SHARE PAYABLE
95120	WAPELLO RURAL WATER ASSC	212293	9/10/2021	38.11	WATER
95368	WAYNE'S TIRE	212228	9/3/2021	54	VHCL MTCE SUPPLIES
95493	WEISS, KYLE	212396	9/17/2021	100	REFUNDS
95611	WELLMARK BC & BS OF IOWA	212449	9/29/2021	191,171.34	GROUP HEALTH CLAIMS
96520	WHATSOEVER YOU DO, INC	212229	9/3/2021	50	REFUNDS
96525	JAY WHEATON	212445	9/24/2021	44	TRAVEL & CONFERENCE
96792	WILLET HOFMANN	212230	9/3/2021	1,980.75	OTHER PROF SERV
97032	WILSON, DENNIS	212446	9/24/2021	300	PROGRAM SUPPLIES
97205	WINDSTREAM	212231	9/3/2021	126.94	TELEPHONE/IT
97320	WINGER COMPANIES	212232	9/3/2021	3,749.00	OPERATING SUPPLIES
97334	WINN CORP	212397	9/17/2021	4,942.71	STREET MAINT SUPPLIES
97577	WOODRIVER ENERGY LLC	212398	9/17/2021	2,969.45	NATURAL GAS
ACH	US TREASURY			20,964.00	EMPLOYERS SHARE OF FICA
ACH	US TREASURY			21,767.00	EMPLOYERS SHARE OF FICA
ACH	TREASURER STATE OF IOWA			60,907.87	EMPLOYERS SHARE OF STATE TAX
ACH	TREASURER STATE OF IOWA			63,492.14	EMPLOYERS SHARE OF STATE TAX
ACH	IPERS			44,965.98	EMPLOYERS SHARE OF IPERS

**Totals for September**

**2,567,058.27**

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CITY OF OTTUMWA  
 STATEMENT OF CHANGES IN CASH BALANCE  
 AS OF 09/30/2021

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ACCOUNT NUMBER	ACCOUNT DESCRIPTION	BEG. PERIOD	CASH	CASH	END PERIOD	OUTSTANDING	TREASURY
		BALANCE	DEBITS	CREDITS	BALANCE	CHECKS	BALANCE
TOTALS FOR FUND	001 GENERAL OPER	3331094.51	1083703.81	1387180.93	3027617.39	14057.98	3041675.37
TOTALS FOR FUND	002 PARKING RAMP	35049.33	2900.00	275.91	37673.42		37673.42
TOTALS FOR FUND	003 GENERAL-ARPA	1815704.30			1815704.30		1815704.30
TOTALS FOR FUND	110 ROAD USE TAX	4421999.23	514481.23	283517.64	4652962.82	8.00	4652970.82
TOTALS FOR FUND	112 EMPLOYEE BEN	233603.88	323816.32	440481.51	116938.69		116938.69
TOTALS FOR FUND	119 EMERGENCY FU		10286.85	10286.85			
TOTALS FOR FUND	121 SALES TAX 1%	4585455.37	351721.88	61666.66	4875510.59		4875510.59
TOTALS FOR FUND	122 *****						
TOTALS FOR FUND	123 AGASSI TIF D						
TOTALS FOR FUND	124 VOGEL URBAN						
TOTALS FOR FUND	125 WESTGATE TIF	-416424.89	13344.96		-403079.93	9784.50	-393295.43
TOTALS FOR FUND	126 AIRPORT TIF	-5451.27	13301.85		7850.58		7850.58
TOTALS FOR FUND	127 PENNSYLVANIA						
TOTALS FOR FUND	128 WILDWOOD HWY	-11145.33	28399.00		17253.67		17253.67
TOTALS FOR FUND	129 RISK MANAGEM	779431.21	53955.04	63545.26	769840.99		769840.99
TOTALS FOR FUND	131 AIRPORT FUND	168628.16	203020.50	135442.24	236206.42	133.20	236339.62
TOTALS FOR FUND	133 LIBRARY FUND	210188.87	44787.95	63280.90	191695.92		191695.92
TOTALS FOR FUND	135 CEMETERY FUN	-19579.24	19258.37	25975.99	-26296.86	32.08	-26264.78
TOTALS FOR FUND	137 HAZ-MAT FUND	163610.64	4664.10	8890.57	159384.17		159384.17
TOTALS FOR FUND	141 2018 UPPER S	8078.12			8078.12		8078.12
TOTALS FOR FUND	142 HOAP/HILP ES						
TOTALS FOR FUND	143 EPA BROWNFI						
TOTALS FOR FUND	144 2013 CDBG HO						
TOTALS FOR FUND	145 DOWNTOWN REV						
TOTALS FOR FUND	146 DOWNTOWN STR	68217.21		2790.09	65427.12		65427.12
TOTALS FOR FUND	147 CDBG P-2 MAS	17628.32			17628.32		17628.32
TOTALS FOR FUND	148 2016 OWW CDB						
TOTALS FOR FUND	151 OTHER BOND P	1310798.47	1860.50	116329.82	1196329.15		1196329.15
TOTALS FOR FUND	162 SSMID DISTRI	39928.86	1497.59		41426.45		41426.45
TOTALS FOR FUND	167 FIRE BEQUEST	18682.23	50.00		18732.23		18732.23
TOTALS FOR FUND	169 START UP/DON	-165.20			-165.20		-165.20
TOTALS FOR FUND	171 RETIREE HEAL	1233706.18		1233706.18			
TOTALS FOR FUND	173 LIBRARY BEQU	129099.78	483.01	5459.85	124122.94	360.00	124482.94
TOTALS FOR FUND	174 COMMUNITY DE	134765.47			134765.47		134765.47
TOTALS FOR FUND	175 POLICE BEQUE	187550.34			187550.34	16.00	187566.34
TOTALS FOR FUND	177 HISTORIC PRE	1499.19			1499.19		1499.19
TOTALS FOR FUND	200 DEBT SERVICE	395836.46	161707.65		557544.11		557544.11
TOTALS FOR FUND	301 STREET PROJE	3427410.18	1114037.19	428053.28	4113394.09		4113394.09
TOTALS FOR FUND	303 AIRPORT PROJ	307603.33			307603.33		307603.33
TOTALS FOR FUND	307 SIDEWALK & C	160918.47		435.12	160483.35		160483.35
TOTALS FOR FUND	309 PARK PROJECT	361035.81		111870.73	249165.08		249165.08
TOTALS FOR FUND	311 LEVEE PROJEC	409058.26	22033.46	34270.06	396821.66		396821.66
TOTALS FOR FUND	313 EVENT CENTER	100700.68		238.00	100462.68		100462.68
TOTALS FOR FUND	315 SEWER CONSTR	7010938.59		480729.85	6530208.74		6530208.74
TOTALS FOR FUND	320 WEST END FLO						
TOTALS FOR FUND	501 CEMETERY MEM	2713.29			2713.29		2713.29
TOTALS FOR FUND	503 CEMETERY PER	115.40	433.00	115.40	433.00		433.00
TOTALS FOR FUND	610 SEWER UTILIT	3113288.94	507403.96	348214.85	3272478.05	12651.25	3285129.30
TOTALS FOR FUND	611 SEWER SINKIN	1377000.00			1377000.00		1377000.00
TOTALS FOR FUND	612 STORM WATER						
TOTALS FOR FUND	613 SEWER IMPROV	3633334.00	41667.00		3675001.00		3675001.00
TOTALS FOR FUND	670 LANDFILL FUN	1149899.50	159352.69	127938.04	1181314.15	220.72	1181534.87

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CITY OF OTTUMWA  
 STATEMENT OF CHANGES IN CASH BALANCE  
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ACCOUNT NUMBER	ACCOUNT DESCRIPTION	BEG. PERIOD	CASH	CASH	END PERIOD	OUTSTANDING	TREASURY
		BALANCE	DEBITS	CREDITS	BALANCE	CHECKS	BALANCE
TOTALS FOR FUND	671 LANDFILL RES	1167302.00			1167302.00		1167302.00
TOTALS FOR FUND	673 RECYCLING	288258.61	81518.90	36065.82	333711.69	3.12	333714.81
TOTALS FOR FUND	690 TRANSIT FUND	653126.88		595.08	652531.80	116004.16	768535.96
TOTALS FOR FUND	695 1015 TRANSIT						
TOTALS FOR FUND	720 BRIDGEVIEW E	102895.16		91204.00	11691.16		11691.16
TOTALS FOR FUND	750 GOLF COURSE	29689.62			29689.62		29689.62
TOTALS FOR FUND	810 POOLED INVES	-44761289.91	1358.88		-44759931.03		-44759931.03
TOTALS FOR FUND	820 PAYROLL CLEA	105425.55	1070017.17	1068738.25	106704.47	26.00	106730.47
TOTALS FOR FUND	840 EQUIPMENT PU	1283461.37		8515.00	1274946.37		1274946.37
TOTALS FOR FUND	860 GROUP HEALTH	4828273.81	1072347.83	187271.04	5713350.60	182446.31	5895796.91
TOTALS FOR FUND	861 POST 65 RETI	-11004.72	370822.90	23567.60	336250.58	23567.60	359818.18
TOTALS FOR FUND	862 DENTAL INSUR	-7842.26	108919.00	8501.43	92575.31	8501.43	101076.74
TOTALS FOR FUND	863 LIFE INSURAN	-96.00	35000.00	93.00	34811.00		34811.00
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TOTALS FOR ALL LISTED FUNDS		3570006.76	7418152.59	6795246.95	4192912.40	367812.35	4560724.75

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CITY OF OTTUMWA  
STATEMENT OF CHANGES IN CASH BALANCE  
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SUMMARY PAGE INFORMATION

ERRORS DETECTED: 0

END OF REPORT





October 19, 2021

TO: Ottumwa City Council Members

FROM: Tom X. Lazio, Mayor

**SUBJECT: APPOINTMENT TO CITY BOARDS AND/OR COMMISSIONS**

Recommend re-appointments to the Ottumwa Housing Authority, terms to expire 11/22/2023.

Mark Hanson  
2323 Timberlane Heights

Leisa Walker  
416 W. Golf Ave.

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

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

Council Meeting of: Oct 19, 2021

Administration  
Department

Barbara Codjoe  
Prepared By  
Barbara Codjoe  
Department Head

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

AGENDA TITLE: Approve the appointment of Austin Kennedy to the position of Airport Line Technician at the Ottumwa Airport.

\*\*\*\*\*

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

RECOMMENDATION: Approve the appointment of Austin Kennedy to the position of Airport Line Technician at the Ottumwa Airport on or about October 31, 2021.

DISCUSSION: Appoint Austin Kennedy from the Approved Airport Line Technician Civil Service List to said position at a starting salary of \$14 per hour. This wage is as per our current salary schedule.

Austin has worked at the Airport doing this same work under Archangel and Supreme Staffing since August 2018.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:

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

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

Council Meeting of : Oct 19, 2021

Administration  
Department

Barbara Codjoe  
Prepared By  
Barbara Codjoe  
Department Head

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

AGENDA TITLE: Approve the appointment of Colton Mitchell to the position of Airport Line Technician at the Ottumwa Airport.

\*\*\*\*\*

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

RECOMMENDATION: Approve the appointment of Colton Mitchell to the position of Airport Line Technician at the Ottumwa Airport on or about October 31, 2021.

DISCUSSION: Appoint Colton Mitchell from the Approved Airport Line Technician Civil Service List to said position at a starting salary of \$13 per hour. This wage is as per our current salary schedule.

Austin has worked at the Airport doing this same work under Archangel and Supreme Staffing since March 2021.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:

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

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

Council Meeting of : Oct 19, 2021

Administration  
Department

Barbara Codjoe  
Prepared By  
Barbara Codjoe  
Department Head

  
City Administrator Approval

AGENDA TITLE: Approve the appointment of Cooper Shelton to the position of Airport Line Technician at the Ottumwa Airport.

\*\*\*\*\*

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

RECOMMENDATION: Approve the appointment of Cooper Shelton to the position of Airport Line Technician at the Ottumwa Airport on or about October 31, 2021.

DISCUSSION: Appoint Cooper Shelton from the Approved Airport Line Technician Civil Service List to said position at a starting salary of \$13 per hour. This wage is as per our current salary schedule.

Austin has worked at the Airport doing this same work under Archangel and Supreme Staffing since August 2020.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:

2021 OCT 13 PM 12:23

# CITY OF OTTUMWA Staff Summary

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

Council Meeting of: Oct 19, 2021


Planning & Development  
Department

Zach Simonson

Prepared By

Zach Simonson

Department Head



City Administrator Approval

AGENDA TITLE: Community Planning Month Proclamation

\*\*\*\*\*

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

RECOMMENDATION: Mayor to issue proclamation and staff to provide update on Planning activities.

DISCUSSION:

October is National Community Planning Month and an opportunity for celebrate the work done by City staff, community partners and the members of the public that volunteer on boards and commissions and turn out to public hearings to provide input on projects. This month, at the American Planning Association Iowa Chapter Conference in Des Moines, the Our Ottumwa 2040 Comprehensive Plan received the Daniel Burnham

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

Award for a Comprehensive Plan. This award is a recognition that the Legacy Foundation, the steering committee, Confluence and City staff made a superior effort to create a plan that reflected the community's priorities and goals for housing, quality of life, growth and celebrating diversity.

Community Planning Month is also an opportunity to provide an update to the Council and the public regarding ongoing Planning Department projects. Those include:

The Greater Ottumwa Parks Master Plan request for proposals received five responses from world-class firms from Iowa and across the country. A committee including City staff and community partners selected Design Workshop to lead the planning project. That project is on the Council agenda tonight.

The Ottumwa Regional Legacy Foundation has funded and lead a housing study that is in the final stages of being completed by RDG. This process has already identified a need for housing across all categories and provided useful, locally-specific information about the nature of our housing challenges. The study and the goals and actions it recommends will be presented to the council at a meeting this fall.

Greater Ottumwa Partners in Progress has spearheaded an effort to conduct a feasibility study to assess the future expansion and development possibilities at the airport. This was a specific action item described in the Comprehensive Plan. This study will provide staff and partners the information and tools to achieve the full potential for our airport.

Legislative changes to Iowa's property tax system eliminated the property category for multi-family residential. This necessitates an update to our urban revitalization plan and specifically our tax abatement schedule. Staff intends to use data from the housing study fine tune the abatement incentives included in the entire plan, rather than just updating the multi-family residential schedule. At the same time, Staff has begun working with our attorneys to update existing urban renewal plans to provide flexibility in how we provide support to community partners doing economic development work within urban renewal areas and fund our planning endeavors.

RDG was also selected by the City to complete a historic structure report for 131 E Main. A draft of this report will arrive in mid-October. The report will be used by Staff to prepare a development agreement with a prospective buyer for the building that will protect the City's interest in having the building restored as it comes back into use. This is as Staff, regional planning, the Legacy Foundation and downtown business owners have begun exploring projects to leverage special state and federal funding for additional upper-story housing and facade opportunities. Also downtown, Main Street Ottumwa is nearing the end of its Ready 2 Recruit program, for which it has collected useful data and created a number of useful marketing and analytic tools that will help in the mission of promoting Downtown Ottumwa for new business.

**COMMUNITY PLANNING MONTH PROCLAMATION**  
**October 2021**

WHEREAS, community planning is the discipline of steering and managing change by formulating goals, policies and strategies to manage land use, transportation, economic development and housing; and

WHEREAS, the month of October is designated as National Community Planning Month by the American Planning Association and throughout the United States;

WHEREAS, community planning efforts in Ottumwa include city staff, volunteer members of boards and commissions, the City Council, regional planners at Area 15 Regional Planning, the member organizations of Greater Ottumwa Partners in Progress, other community partners and the general public; and

WHEREAS, Community Planning Month is an opportunity to recognize the effort and ingenuity these public servants have contributed to quality of life, economic growth and community revitalization; and

WHEREAS, the *Our Ottumwa 2040 Comprehensive Plan* received the Daniel Burnham Award for a Comprehensive Plan at the American Planning Association – Iowa Chapter Conference on October 14, 2021;

NOW, THEREFORE, I, Tom X. Lazio, Mayor of the City of Ottumwa, Iowa, do proclaim October 2021, as Community Planning Month in the City of Ottumwa; and

FURTHER, I extend my congratulations to city staff, the Ottumwa Regional Legacy Foundation, Confluence and the many community partners who contributed to our award-winning comprehensive plan.

In witness whereof, I have hereunto set my hand and caused to be affixed the official seal of the City of Ottumwa, Wapello County, Iowa this 19<sup>th</sup> day of October 2021.

  
\_\_\_\_\_

Tom X. Lazio, Mayor

ATTEST:

  
\_\_\_\_\_

Chris Reinhard, City Clerk

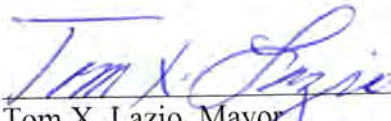


CITY OF  
OTTUMWA

**Proclamation  
Red Ribbon Week  
October 23 – 31, 2021**

- WHEREAS, Alcohol and drug abuse affect individuals, families, and communities across the nation; and;
- WHEREAS, It is imperative that visible, unified efforts by community members be launched to prevent drug abuse and;
- WHEREAS, Red Ribbon Week offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles and;
- WHEREAS, Businesses, government, law enforcement, media, health care providers, religious institutions, schools, and other community-based organizations will demonstrate their commitment to healthy, drug-free lifestyles by wearing red ribbons and participating in drug prevention activities and;
- WHEREAS, This year the Ottumwa Elks Lodge #347 will be lighting the Jefferson Street Viaduct red in honor of Red Ribbon Week, October 23 – 31, 2021.

**NOW, THEREFORE, I Tom X. Lazio, Mayor, City of Ottumwa,** proclaim October 23 – 31, 2021 as Red Ribbon Week in Ottumwa, Iowa. I urge all citizens to participate in drug prevention education activities, not only during Red Ribbon Week, but also throughout the year, making a visible statement that we are strongly committed to a drug-free lifestyle.

  
Tom X. Lazio, Mayor

ATTEST:

  
Christina Reinhard, City Clerk

Christina Reinhard, City Clerk



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

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

Council Meeting of : Oct 19, 2021

Park & Recreation  
Department

Kala Mulder

Prepared By

Gene Rathje

Department Head

City Administrator Approval

AGENDA TITLE: Accept donation from Main Street Ottumwa for 2019 Polaris to be utilized by the City Parks Department.

\*\*\*\*\*

\*\*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: Accept donation of 2019 Polaris

DISCUSSION: Main Street Ottumwa purchased a 2019 Polaris GEM ELXD, electric low speed vehicle to be utilized by the Parks Department/Chamber Flowers, it will replace the 2013 Polaris #256.

Source of Funds:

Budgeted Item:

Budget Amendment Needed: No



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

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

Council Meeting of : Oct 19, 2021

Administration  
Department

Barbara Codjoe

Prepared By

Barbara Codjoe *bc*

Department Head

*[Signature]*  
City Administrator Approval

AGENDA TITLE: Resolution #192-2021 - Approve Cybersecurity Handbook

\*\*\*\*\*

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

RECOMMENDATION: Pass and adopt resolution #192-2021

DISCUSSION: See attached

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:

This is a revision and addition of policies concerning Cybersecurity.

The Cybersecurity Handbook contains seven (7) distinct policies.

- General Email/Internet Security and Use
- Personally Identifiable Information (PII) and Protected Personally Identifiable Information (PPII) Requirements Applicable to all Federal Awards
- Cell Phone (revision to policy #56-2015)
- Bring Your Own Device (BYOD)
- Acceptable Use
- Online Social Networking
- SAQ Point-to Point Encryption (P2PE)

The General Email / Internet Security and Use policy is more detailed than our current version in our Personnel Handbook. The Cell Phone policy is an update to a previous policy. The PII policy is a requirement for us to have as we receive federal grant money. The other policies work in conjunction with these policies.

These policies all define the appropriate and authorized behavior for personnel approved to use the City of Ottumwa information assets.

RESOLUTION NO. 192-2021

RESOLUTION APPROVE CYBERSECURITY HANDBOOK

**WHEREAS**, the City of Ottumwa, Iowa had approved a revised Personnel Policies and Procedures manual on June 2, 2020, which incorporated the current Internet & E-Mail usage, Social media Policy and Cell Phone Policy as part of the document' and;

**WHEREAS**, staff for the City of Ottumwa has reviewed the current policies regarding Cybersecurity and determined the current policy does not meet the short and long term care for employees and operational needs for the employer, and;

**WHEREAS**, staff has drafted a Cybersecurity Handbook to meet the needs of both employee and employer and finds that approval of said policies and procedures, as revised, would be in the best interest of the City and the employees of the City, and;

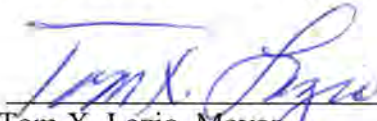
**WHEREAS**, the City Council of the City of Ottumwa, Iowa desires to approve the new Cybersecurity Handbook in accordance with the Municipal Code of the City of Ottumwa, sections 2-144 and 2-145

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Ottumwa, Iowa, that the current Internet & E-Mail usage, Social media Policy and Cell Phone Policy as part of the Personnel Policies and Procedures approved on June 2, 2020 and any supplements thereafter are hereby repealed and that the attached Cybersecurity Handbook are hereby adopted in their place with an effective date of October 20, 2021.

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

PASSED, ADOPTED and APPROVED this 19<sup>th</sup> day of October 2021.

CITY OF OTTUMWA, IOWA

  
\_\_\_\_\_  
Tom X. Lazio, Mayor

ATTEST:

  
\_\_\_\_\_  
Christina Reinhard, City Clerk

## **PURPOSE OF THE CYBERSECURITY HANDBOOK**

The City of Ottumwa Cybersecurity Policy forms the foundation of the Information Security Program. Information security policies are the principles that direct managerial decision-making and facilitate secure business operations. A concise set of security policies enables the IT team to manage the security of information assets and maintain accountability. These policies provide the security framework upon which all subsequent security efforts will be based. They define the appropriate and authorized behavior for personnel approved to use the City of Ottumwa information assets.

This handbook includes seven distinct policies:

- General Email/Internet Security and Use
- Personally Identifiable Information (PII) and Protected Personally Identifiable Information (PPII) Requirements Applicable to all Federal Awards
- Cell Phone (revision to policy #56-2015)
- Bring Your Own Device (BYOD)
- Acceptable Use
- Online Social Networking
- SAQ Point-to Point Encryption (P2PE)

## **ELIGIBILITY**

The City of Ottumwa Cybersecurity Policy applies to all employees and anyone using the City of Ottumwa's information assets. Policies are the organizational mechanism used to manage the confidentiality, integrity and availability issues associated with information assets. Information assets are defined as any information system (hardware or software), data, networks, and components owned or leased by City of Ottumwa or its designated representatives.

## GENERAL EMAIL/INTERNET SECURITY AND USE

### **PURPOSE**

The City of Ottumwa is a public entity and as such employees, elected officials, and others serving in an official capacity have no right nor reasonable expectation of privacy in the use of e-mail or internet sites accessed. The City of Ottumwa will refrain from accessing such information unless doing so is in compliance with the City of Ottumwa's need for supervision, control and efficiency in the workplace. Under Iowa Code Chapter 22, all of these media and associated services, e-mails, etc., are deemed as potential public records.

### **ELIGIBILITY**

All employees, and any other person using or accessing the City of Ottumwa's information or information systems must adhere to the following policies.

At a minimum, all users will be responsible for understanding and complying with the following policy statements:

- General Security Policy
- Password System Security
- Desktop Service Security Policy
- Internet Acceptable Use Policy
- Email Security Policy
- Personal Equipment Policy
- Virus, Hostile and Malicious Code Policy

### **General Security Policy**

- All information systems within the City of Ottumwa are the property of the City of Ottumwa and will be used in compliance with the City of Ottumwa policy statements.
- Any personal information placed on the City of Ottumwa information system resources becomes the property of the City of Ottumwa.
- Any attempt to circumvent the City of Ottumwa security policy statements and procedures (e.g., disconnecting or tunneling a protocol through a firewall) is strictly prohibited.
- Unauthorized use, destruction, modification and/or distribution of the City of Ottumwa information or information systems is prohibited.
- All users will acknowledge understanding and acceptance by signing the appropriate City of Ottumwa policy statements prior to use of the City of Ottumwa information assets and information systems.
- All users will report any irregularities found in information or information systems to the IT team immediately upon detection.
- The City of Ottumwa information systems and information will be subject to monitoring at all times. Use of the City of Ottumwa information systems constitutes acceptance of this

monitoring policy.

- Use of any City of Ottumwa information system or dissemination of information in a manner bringing disrepute, damage or ill will against the City of Ottumwa is not authorized.
- Release of the City of Ottumwa information will be in accordance with the City of Ottumwa policy statements.
- Users may attach their own computer or equipment for personal business to the City of Ottumwa Staff (Ottumwa-Staff) or Guest (Ottumwa-Guest) Wi-Fi network. *Please refer to the Acceptable Use Policy for more information.*

### **Password System Security**

In today's information age, poorly selected, reusable passwords represent the most vulnerable aspects of information security. The City of Ottumwa has adopted this policy to ensure that the private information of our clients and our municipal corporation data are kept secure at all times. The City of Ottumwa authorized users must comply with creation, usage and storage policies to minimize risk to municipal corporation information assets:

- Passwords will conform to the following criteria:
  - Not contain the user's account name or parts of the user's full name that exceed two consecutive characters
  - Be at least eight characters in length
  - Contain characters from three of the following four categories:
    - English uppercase characters (A through Z)
    - English lowercase characters (a through z)
    - Base 10 digits (0 through 9)
    - Non-alphabetic characters (for example, !, \$, #, %)
- The sharing of passwords is prohibited. Passwords are protected as they are employee's personal selection.
- Passwords should be different for each log in. Using the same password is strongly discouraged.
- Any suspicious queries regarding passwords will be reported to the IT team.
- Writing passwords down or storing them unencrypted on the information system is prohibited.
- Accounts will be locked out after five failed password attempts in a 15-minute time period. Accounts can be reset by contacting the IT team or by waiting 15 minutes for the account to reset automatically.
- Users will be forced to unlock their computers using their network password after 15 minutes of inactivity on their desktops.
- All system passwords will be required to be changed immediately after a possible compromise, taking no longer than 24 hours.
- When users leave the organization, their accounts will be immediately disabled or deleted.

- If the user leaving the organization was a privileged user or a network administrator, all system passwords will be changed immediately.

### **Desktop / Laptop Service Security Policy**

The City of Ottumwa Desktop / Laptop Services Security Policy addresses the authorized and legitimate use of hardware, operating systems, software, local area network (LAN), file servers and all other devices used to access any City of Ottumwa information system:

- No software of any kind will be installed onto a laptop or desktop computer without the approval of the IT team.
- Unauthorized copying or distributing of copyrighted software is a violation of federal copyright law and will not be permitted.
- Users will not allow non-employees to use any City of Ottumwa machine or device without authorization of the IT team.
- The following items are municipal corporation policy for security monitoring:
  - All City of Ottumwa systems and network activities will be subject to monitoring. Use of City of Ottumwa systems and networks constitutes consent to this monitoring.
  - Disabling or interfering with virus protection software is prohibited.
  - Disabling or interfering with logging, auditing or monitoring software is prohibited.
  - All City of Ottumwa desktop services will be subject to inventory and inspection.
  - Security irregularities, incidents, emergencies and disasters related to City of Ottumwa information or systems will be reported to the IT team immediately.
- The following items are municipal corporation policy for system usage:
  - Sabotage, destruction, misuse or unauthorized repairs are prohibited on City of Ottumwa information systems.
- All repairs will be authorized and performed by the IT team:
- Desktop resources will not be used to compromise, harm, destroy or modify any other service or resource on the City of Ottumwa information system.
- All data on information systems at the City of Ottumwa is classified as potential public records as defined by Iowa Code Chapter 22. Access to such records is governed by said code.
- Users will secure all printed material and other electronic media associated with their use of City of Ottumwa information and information systems.
- Storage, development or the unauthorized use of tools that compromise security (such as password crackers or network sniffers) may only be used by the IT team.

### **Internet Acceptable Use Policy**

Internet access is provided to City of Ottumwa employees to conduct City of Ottumwa business. While these resources are to be used primarily for City of Ottumwa business, the company realizes that employees may occasionally use them for personal matters and therefore provides access to non-offensive personal sites during non-business hours:



- Non-business internet activity will be restricted to non-business hours.
- The definition of non-business sites is the sole discretion of the IT team. This definition can, and will, change without notice as the internet continues to evolve.
- Internet activity will be monitored for misuse.
- Internet activities that can be attributed to a City of Ottumwa domain address (such as posting to newsgroups, use of chat facilities and participation in mail lists) must not bring disrepute to the City of Ottumwa or associate the City of Ottumwa with controversial issues (e.g., sexually explicit materials).
- Internet use must not have a negative effect on the City of Ottumwa operations.
- Users will not make unauthorized purchases or business commitments through the internet.
- Internet services will not be used for personal gain.
- Internet users will make full attribution of sources for materials collected from the internet. Plagiarism or violation of copyright is prohibited.
- All internet users will immediately notify their supervisor or the IT department of any suspicious activity (ex. Non-business internet activity, unauthorized purchases, SPAM emails or texts).
- All remote access to the City of Ottumwa internal network through the internet will be encrypted and authenticated in a manner authorized by the IT team.
- Accessing personal social networking accounts (including, but not limited to, Facebook, Twitter, Google+, LinkedIn, Foursquare and Tumblr) or using City of Ottumwa email for social networking purposes is prohibited during working hours. The use of social networking sites for specific business purposes must be pre-approved or assigned by a manager or supervisor.

### **Email Security Policy**

The City of Ottumwa Email Security Policy specifies mechanisms for the protection of information sent or retrieved through email. In addition, the policy guides representatives of the City of Ottumwa in the acceptable use of email. For this policy, email is described as any computer-based messaging including notes, memos, letters and data files that may be sent as attachments.

Authorized users are required to adhere to the following policies. Violators of any policy are subject to disciplinary actions, up to and including termination.

The following items are the municipal corporation policy statements for access controls:

- All email on the City of Ottumwa information systems, including personal email, is the property of the City of Ottumwa. As such, all email can and will be periodically monitored for compliance with this policy.
- Individual email accounts are intended to be used only by the person to whom they are assigned. Special arrangements can be made to share information between team members, such as between a producer and an account representative. In all other cases, no user is authorized to open or read the email of another without the express consent of the City Administrator or a designated representative.

- Email is provided to the users of the City of Ottumwa primarily to enhance their ability to conduct City of Ottumwa business. All City of Ottumwa business will be conducted using the city provided email address.
- Email will be stored on the system up to a maximum of 50 GB per mailbox. Mailbox is defined as the combined total of deleted items, inbox, sent items and any user-created email folders. Users will receive a warning message stating that they need to clear out space when their mailbox size reaches 49 GB. However, once the mailbox storage space exceeds 49.5 GB, users will not be able to send new mail messages until the mailbox size falls below the 49.5 GB limit. Users will continue to receive incoming messages until they reach 50GB. After that, no messages will sent or received.
  - All record retention requirements must be adhered to when clearing out a mailbox. Cloud storage is available for use to clear space.
  - The maximum size of any individual incoming email message will be 150 MB.
  - Employees who leave their employment with the city will have all email access immediately blocked.
  - Users who leave employment with the city will have all new emails automatically forwarded to their immediate supervisor, or their designated representative, for 60 days. The former employee's mailbox will then be permanently removed from the system.
- The following items are the municipal corporation policy statements for content:
  - Use of profane, inappropriate, pornographic, slanderous or misleading content in email is prohibited.
  - Use of email to spam (e.g., global send or mail barrage) is prohibited. This includes the forwarding of chain emails.
  - Use of email to communicate sexual or other harassment is prohibited. Users may not include any words or phrases that may be construed as derogatory based on race, color, sex, age, disability, national origin or any other category.
  - Use of email to send unprofessional or derogatory messages is prohibited.
  - Use of defamatory, false, inaccurate, or otherwise objectionable or illegal material is prohibited.
  - Forging of email content (e.g., identification or addresses) is prohibited.
  - All outgoing email will automatically include the following statement: "This email is intended solely for the person or entity to which it is addressed and may contain confidential and/or privileged information. Any review, dissemination, copying, printing or other use of this email by persons or entities other than the addressee is prohibited. If you have received this email in error, please contact the sender immediately, and delete the material from your computer."
- The following items are the municipal corporation policy statements for usage:
  - Any email activity that is in violation of policy statements or that constitutes suspicious or threatening internal or external activity will be reported to their supervisor or the IT department.

- When sending email, users should verify all recipients to whom they are sending the message(s).
- Be aware that deleting an email message does not necessarily mean it has been deleted from the system.
- When an employee goes on any type of leave (FMLA, Unpaid Leave of Absence, etc.), their email will be temporarily disabled. This will allow the employee to focus on the reason for their leave.
- If an employee will be out of office (vacation, sick, other leave, prolonged meetings), it is expected they will set up an out of office message. This message will provide a timeline of the absence and alternative contacts if needed.

### **Personal Equipment Policy**

This policy provides guidelines for using Municipal Corporation IT support resources for personally owned equipment and related software, including, but not limited to, notebook computers, desktop computers, personal digital assistants (PDAs), smartphones and cellphones.

The City of Ottumwa recognizes that personally owned equipment can play a valuable role in convenience, efficiency and productivity of its employees. Nonetheless, the use of municipal corporation resources, human or otherwise, for personal gain must be monitored closely.

As a general rule, employees of the City of Ottumwa will not use or request municipal corporation IT resources in the use, network connectivity or installation of their personally owned equipment or software.

Personally owned notebooks and desktop computers will not be granted access to the internal network. Employees are not permitted to access the City of Ottumwa network from a remote location using their personally owned computer.

PDAs and smartphones, which include devices using BlackBerry, iPhone, Windows Mobile, Android, Linux and Palm technologies, will be supported according to the following rules:

- Employees are responsible for learning, administering, installing and setting up their own PDAs or smartphones.
- Municipal Corporation IT resources should not be used for assistance in the basic operation of these devices.
- The IT team will not install synchronization software to the employee's desktop or notebook computer.

*For more information, please refer to the [Bring Your Own Device \(BYOD\) Policy](#).*

### **Virus, Hostile and Malicious Code Security Policy**

The intent of this policy is to better protect the City of Ottumwa assets against attack from destructive or malicious programs:

- Any public domain, freeware or shareware software will be evaluated by the IT team prior to installation on any company resource.
- No unauthorized software will be downloaded and installed on end-user machines without express approval from the IT team.
- System users will not execute programs of unknown origin, as they may contain malicious

logic.

- Only licensed and approved software will be used on any company computing resource.
- The IT team will ensure that the City of Ottumwa obtains and deploys the latest in virus protection and detection tools.
- All information systems media, including disks, CDs and USB drives, introduced to the City of Ottumwa environment will be scanned for virus, hostile and malicious code.
- All email will be scanned for virus, hostile and malicious code.
- All internet file transfers will be scanned for virus, hostile and malicious code.
- The unauthorized development, transfer or execution of virus, hostile and malicious code is strictly prohibited.
- All users will report any suspicious occurrences to their supervisor or the IT team immediately.
- All company systems will be protected by a standard virus protection system.
- Viruses that are detected on a user's workstation will be reported to the IT team immediately for action and resolution.
- Irregular behaviors of any software program will be reported to the IT team immediately.

## PERSONALLY IDENTIFIABLE INFORMATION (PII) AND PROTECTED PERSONALLY IDENTIFIABLE INFORMATION (PPII) REQUIREMENTS

### **PURPOSE**

In compliance with Uniform Grant Guidance in Title 2 Code of Federal Regulation (C.F.R.) Grants and Agreements, Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, the City of Ottumwa must take reasonable measures to safeguard protected personally identifiable information and other information designated as sensitive contact by the Federal awarding agency, or the non-Federal entity, consistent with applicable Federal, State, local, and tribal laws regarding privacy and responsibility over confidentiality. 2 C.F.R. 200.303(3).

It is the policy of the City of Ottumwa to protect Personally Identifiable Information (PII) of employees, customers, vendors, contractors, volunteers, etc., This policy provides guidance for employees, volunteers, agents, etc. with access to Personally Identifiable Information (PII) and Protected Personally Identifiable Information (PPII).

### **Personally Identifiable Information (PII)**

Personally Identifiable Information (2 C.F.R. 200.1) is any information pertaining to an individual that can be used to distinguish or trace a person's identity. Some information that is considered PII is available in public sources such as telephone books, public websites, etc. This type of information is considered to be Public PII and includes:

- First and Last name
- Address
- Work telephone number
- Work e-mail address
- Home telephone number
- General educational credentials
- Photos and video

The definition of PII is not anchored to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified. Non-PII can become PII whenever additional information is made publicly available, in any medium and from any source, that, when combined with other available information, could be used to identify an individual.

### **Protected Personally Identifiable Information (PPII)**

Protected PII (2 C.F.R. 200.1) means an individual's first name or first initial and last name in combination with any one or more of types of information, including, but not limited to:

- Social security number
- Username and password
- Passport number
- Credit card number

- Clearances
- Banking information
- Biometrics
- Data and place of birth
- Mother's maiden name
- Criminal, medical and financial records
- Educational transcripts
- Photos and video including any of the above

This does not include PII that is required by law, statute, or regulation to be disclosed, such as a law enforcement or court order.

### **Procedures**

Guidelines on how to maintain and discard PII.

- All electronic files that contain Protected PII will reside within a protected information system location.
- All physical files that contain Protected PII will reside within a locked/secured/monitored location when not being actively viewed or modified. Protected PII is not to be downloaded, without prior approval from the Director of Finance and/or the Director of Human Resources, to personal or organization owned employee workstations or mobile devices (such as laptops, personal digital assistants, mobile phones, tablets or removable media).
- PII will also not be sent through any form of insecure electronic communication e.g. e-mail or instant messaging systems. Significant security risks emerge when PII is transferred from a secure location to a less secure location or is disposed of improperly.
- When disposing of PII the physical or electronic file should be shredded, securely deleted, or disposed of by a means that renders the information unrecognizable and beyond reconstruction.

### **Incident Reporting**

The IT Manager and Director of Finance for the City must be informed of a real or suspected disclosure or breach of Protected PII data within 24 hours after discovery. They will inform the City's Administrator and Council upon discovery. Examples: misplacing a paper report; loss of a laptop, mobile device, or removable media containing PII; accidental email of PII; and possible virus or malware infection of a computer containing PII.

### **Audits**

Periodic audits of organization-owned equipment and physical locations may be performed to ensure that protected PII is stored in approved information systems or locations. The purpose of the audit is to ensure compliance with this policy and to provide information necessary to continuously improve practices.

### **Enforcement**

Anyone found to be in violation of this policy may be subject to disciplinary action as deemed appropriate based on the facts and circumstances giving rise to the violation.

**Records Disposal**

Records containing personal data are to be disposed of so as to prevent inadvertent compromise of data and will use a disposal method that will render all personal data unrecognizable and beyond reconstruction.

Employee Printed Name \_\_\_\_\_ Date \_\_\_\_\_

Employee Signature \_\_\_\_\_

Supervisor Printed Name \_\_\_\_\_ Date \_\_\_\_\_

Supervisor Signature \_\_\_\_\_

## CELL PHONE POLICY

### **PURPOSE**

The City of Ottumwa's Cell Phone policy provides guidance regarding the use of personal cellular telephones during the workday and establishes the protocol for reimbursement by employees for personal use of City cell phones.

It is the policy of the City to entrust employees with communications equipment for productivity and safety reasons; and it remains employees' responsibility to use such equipment prudently; such that the safety of themselves, their co-workers and the general public is always their top priority.

Employees who abuse this policy for whatever reason may be subject to disciplinary action, up to and including termination.

### **ELIGIBILITY**

The City of Ottumwa Cell Phone Policy applies to all employees, and anyone using the City of Ottumwa's assets. Department Heads will determine which employees in their department require the use of cellular telephones. It will be the responsibility of the Department Head to justify and budget for the cell phone allowance or a City-owned phone for designated supervisory employees.

A company provided phone or provided monthly stipend will need to be approved by the City Administrator by using the attached Cell Phone Authorization Request / Change Form. Once all approvals have been obtained, this form will be submitted to payroll / finance.

### **City-provided cellphones**

When job duties or business needs demand, the City of Ottumwa may issue a business cellphone to an employee for work-related communications. Personal use of City-owned cellphones should be kept to a minimum.

Employees in possession of City-owned cellphones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return, trade-in, or inspection.

### **Employee-provided cellphones (monthly stipend)**

In some cases, the City of Ottumwa may provide an employee a monthly stipend in their paycheck to offset the expense of a personal cellular telephone. The cellular telephone the employee uses will remain his/her personal property. The employee will be responsible for the capital cost of the phone. That employee may, at his or her own discretion and expense, add extra services, insurance or equipment features as desired.

The employee receiving a cell phone stipend must retain an active cellular phone contract as long as the stipend remains in place. Because the cell phone is owned personally by the employee, the employee will be allowed to make and receive personal calls on said phone. However, personal calls shall not interfere with work.

*For more information, please refer to our Bring Your Own Device (BYOD) Policy.*



Department Heads and other exempt employees who are issued either a City-owned cell phone or a cell phone stipend are required to carry these phones and are on call unless on authorized vacation.

For specified positions other than Department Heads that either have a City-owned cellular telephone or a cell phone stipend, these employees are required to have the phone on at all times for City business while at work. If a designated exempt employee chooses to turn the phone off on off-duty hours (as defined by each department) or chooses to not answer the phone, that individual may lose the City-owned cellular phone or the phone stipend and may face disciplinary action.

All employees are encouraged to arrange for coverage during a vacation or set up an outgoing voicemail message for alternative contacts so as to not have to answer phone calls or emails during this time.

While at work, employees are expected to exercise discretion in using personal cellphones and should limit use to breaks and emergency purposes to the extent possible. Excessive personal calls or other personal use of cellphones during the workday can interfere with employee productivity and be distracting to others. Employees are encouraged to make any personal calls or other personal use of cellphones (e.g. texting or use of social media, etc.) during non-work time when possible and to ensure that friends and family members are aware of the City of Ottumwa's policy.

The City of Ottumwa will not be liable for the loss of personal cellphones brought into the workplace.

### **Use of Phone while Driving**

All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cellphones at all times.

### **Safety must come before all other concerns.**

Employees whose job responsibilities include regular or occasional driving and who are issued a cellphone for business use are expected to refrain from using their phone while driving; use of a cellphone while driving is not required by the company.

Regardless of the circumstances, including slow or stopped traffic, employees are required to use hands-free operations or pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Employees are encouraged to refrain from discussion of complicated or emotional matters and to keep their eyes on the road while driving at all times. Special care should be taken in situations where there is traffic or inclement weather, or the employee is driving in an unfamiliar area.

Reading or sending text messages while driving is strictly prohibited.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

**CELL PHONE AUTHORIZATION REQUEST/CHANGE FORM**

\_\_\_\_\_ New Application

\_\_\_\_\_ Change in Enrollment Employee

Employee Name	
Job Title	Department

Request Type (please check one)

\_\_\_\_\_ Cell Phone Stipend

\_\_\_\_\_ City-Owned Cell Phone

Only for Cell phone stipend:

Current phone number	Current network provider
----------------------	--------------------------

I certify that the stipend will be used toward expenses I incur for cellular phone usage and that I am responsible for the payment of any cost that exceeds the approved City allowance. I also understand that I am responsible to notify the City of changes to my cellular phone number or provider. I understand and intend to comply with the City's Cell Phone Policy and Procedure. I understand that the contract provisions of any communication service plan entered into by me are my personal responsibility.

I understand that if I use my personal device and receive a stipend, I may be subject to rules for Public Records and FOIA requests.

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

**Approved for Cell Phone Allowance of \$\_\_\_\_\_ per month:**

Department Head Approval \_\_\_\_\_ Date \_\_\_\_\_

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

**Approved for City-owned Cell Phone**

Department Head Approval \_\_\_\_\_ Date \_\_\_\_\_

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

## BRING YOUR OWN DEVICE (BYOD)

### **PURPOSE**

This policy provides guidelines for using personally owned cell phone/smartphone devices and related software for municipal corporation use. Personally owned electronic devices that are permitted for use for business by the City of Ottumwa include cell phones/smartphones and PDA's only.

Employees are strongly encouraged to use City provided cell phone devices for business use as reviewed in the Cell Phone Policy. Employees acknowledge that by using a personally owned cell phone device for business use their personally owned device may be subject to rules for Public Records and FOIA requests, as well as inspection for work-related purposes.

### **ELIGIBILITY**

The BYOD policy applies to all City of Ottumwa employees and any other person using or accessing City of Ottumwa information or information systems. Exceptions to this policy must be approved by the City Administrator or a designated representative.

Furthermore, based on the amount of personally identifiable information an employee may work with, the City of Ottumwa management reserves the right to determine which employees can use personally owned devices and which cannot.

### **End-user Support**

As a general rule, users of personally owned devices will not use or request municipal corporation IT resources in the use, network connectivity or installation of their equipment or software. Users are responsible for learning, administering, installing and setting up their personally owned devices.

### **Device Security**

The user is required to follow good security practices including the following:

- Password protect all personally owned devices
- Do not leave personally owned devices unattended
- User needs to have a setting set up on their device so that if it is lost or stolen, it can be remotely wiped.

### **Remote Wiping**

- While the City of Ottumwa does not own the device, it does own all company data. The user needs to have a setting set up on their device so that if it is lost or stolen, it can be remotely wiped. Not only will company data get wiped, but the user's personal data could be lost as well. The user must understand and accept this risk.

### **Reporting Security Concerns**

The user agrees to report the following immediately:

- If the device is lost or stolen
- If the device has been attacked with malware, a virus or any other suspicious attack
- Any other security concern with regard to company data

**Release of Liability and Disclaimer to Users**

The City of Ottumwa and employee hereby acknowledge that the use of personally owned devices in connection with the City of Ottumwa business carries specific risks for which the employee, as the end user, assume full liability.

The City of Ottumwa is required to comply with all litigation and FOIA requests. This may include information shared by employees on personal devices. Employees using their own device are advised that a request of this nature may require access to personal devices used in the course of business.

## ACCEPTABLE USE POLICY

### **PURPOSE**

This policy provides rules for the acceptable use of personally owned devices on the municipal corporation network.

### **ELIGIBILITY**

The Acceptable Use Policy applies to all City of Ottumwa employees, and any other person using or accessing City of Ottumwa information or information systems. Exceptions to this policy must be approved by the City Administrator or a designated representative.

### **General Policy**

Users that wish to access the City of Ottumwa network using their personally owned computer may do so using only with City of Ottumwa-authorized software and only with the approval of the user's supervisor and the IT department.

Users must follow the same rules when accessing the network from both municipal corporation-issued equipment and personally owned devices. When connected to the City of Ottumwa network, the user will NOT do the following:

- Use the service as part of violating the law
- Attempt to break the security of any computer network or user
- Attempt to send junk email or spam to anyone
- Attempt to send a massive amount of email to a specific person or system in order to flood a server

### **Authorization of Devices**

The City of Ottumwa IT department reserves the right to determine the level of network access for each personally owned device. The user could be granted full, partial or guest access.

### **Third-party Applications on Devices**

The City of Ottumwa IT department reserves the right to block or limit the use of certain third-party applications, such as those that probe the network or share files illegally, that may harm the municipal corporation network.

As the number of approved applications continually evolves, the user must check with the IT department for the current list of approved third-party applications and get IT approval before downloading an application on the device.

### **Release of Liability and Disclaimer to Users**

The City of Ottumwa and employee hereby acknowledges that the use of a personally owned device on the City of Ottumwa network carries specific risks for which the employee, as the end user, assume full liability.

## ONLINE SOCIAL NETWORKING POLICY

### **PURPOSE**

The City of Ottumwa is committed to maintaining a good relationship with employees and with the public. If City of Ottumwa sustains a positive reputation and excellent image in the public eye, it directly benefits the company as a whole, in addition to putting you in an advantageous situation as an employee. The way the public views the City of Ottumwa is vital to promoting business, gaining new business, retaining first-class employees, recruiting new employees, and marketing our products and services.

While the City of Ottumwa has no intentions of controlling employees' actions outside of work, it is important that employees practice caution and use discretion when posting content on the internet, especially on social networking sites that could affect the City of Ottumwa's business operations or reputation. This policy serves as a notice on the practice of social networking for all employees to read and understand.

The following is the purpose of the Online Social Networking Policy:

- To guarantee a constructive relationship between the company and its employees
- To reduce the possibility of risk to the City of Ottumwa or its reputation
- To discourage the use of company time for personal networking
- To ensure employees are aware of their actions while engaging in social networking, the number of individuals who can access information presented on social networking sites and the consequences associated with these actions

### **ELIGIBILITY**

The City of Ottumwa Cybersecurity Policy applies to all employees of the City of Ottumwa.

### **Prohibited Use**

It is important that employees use their time while at work to conduct company business. Employees are not blocked from access to social networking sites on the City of Ottumwa computers because, under some circumstances, social networking is a powerful business tool that can be channeled to gain positive publicity for the company and to connect with clients. However, access to such websites does not mean they can be used at any time. The following actions are prohibited during working hours:

- Using social networking sites to conduct personal or non-city business
- Browsing social networking sites for non-company business on company time
- Reading email alerts regarding personal social networking account activity or using the City of Ottumwa email to correspond with personal social networking contacts
- Updating information, uploading photos or otherwise engaging with one's own, personal social networking profile for non-business purposes
- Microblogging for a non-business purpose on a social networking site throughout the day, whether it is on a company-provided computer or a personal PDA or smartphone device

## Prohibited Conduct

Having your own individual social networking account and using it on your own time is certainly permissible. However, keep in mind that some actions on your personal site are visible for the entire social networking community and are no longer private matters. While the City of Ottumwa will not be continuously monitoring employees' personal conduct on social networking sites, it might be a good guideline to assume that anything posted on your personal social networking profile could potentially be seen by anyone at the company.

While this section of the policy is a sensitive one, the City of Ottumwa put it in place to protect not only the company, but you and your job. It is for your own security and defense that you follow these guidelines:

- Maintain the confidentiality of City private or confidential information. Avoid posting anything that could be viewed as malicious, obscene, threatening or intimidating, that disparages customers or other employees, or that might constitute harassment or bullying.
- Be selective about using the company name, address or other information in your personal profile. This is for your physical safety as well the safety of everyone else at the company and the protection of the City of Ottumwa's name.
- Employees may not post material that is malicious, obscene, threatening or intimidating or that might constitute bullying or harassment. Examples of such posts might include pictures that are meant to harm a person's reputation or that contribute to a hostile work environment on the basis of age, race, sex, religion, disability, or any other status protected by law.
- You are also responsible for what other users post on your individual social networking profile. Do not allow inappropriate or sensitive information regarding the City of Ottumwa anywhere on your profile, even if it is generated by a different user.
- Remember that if your personal profile is visible to other employees at the company, supervisors, managers or peers, practice caution. You have control over yourself but not over these employees, and just one inappropriate picture or comment taken out of context could fall into the wrong hands and cost you your job.

**Nothing contained in this policy is intended to, nor shall be interpreted as, limiting an employee's right to free speech or an employee's right to engage in concerted activity aimed at affecting a change in the workplace, as protected by the Public Employment Relations Act.**

## Participation in on-line forums & social networking sites

Employees should remember that any messages or information sent on City of Ottumwa-provided facilities to one or more individuals via an electronic network (for example: Internet mailing lists, bulletin boards, social networking sites, blogs and on-line services) are statements identifiable and attributable to the City of Ottumwa.

The City of Ottumwa recognizes that participation in some forums might be important to the performance of an employee's job. For instance, an employee might find the answer to a technical problem by consulting members of a newsgroup devoted to the technical area.

Employees shall include the following disclaimer in all of their postings to public forums: "The views, opinions, and judgments expressed in this message are solely those of the author. The

message contents have not been reviewed or approved by the Governing Unit of the City of Ottumwa."

Employees should note that even with a disclaimer, a connection with the City of Ottumwa exists and a statement could be imputed legally to the City of Ottumwa. Therefore, employees should not rely on disclaimers as a way of insulating the City of Ottumwa from the comments and opinions they contribute to forums. Instead, employees must limit their discussion to matters of fact and avoid expressing opinions while using the City of Ottumwa's systems or City of Ottumwa provided account. Communications must not reveal confidential information and must not otherwise violate this or other City of Ottumwa policies.

Employees must receive authorization from their Department Heads prior to participating in an on-line forum. The employees shall be required to review the provisions of this section before they receive such authorization.

## **Definitions**

### **Social Networking**

Defined as any activity that involves interaction in online communities of people. This interaction includes, but is not limited to, browsing other users' profiles, browsing other users' photos, reading messages sent through social networking forums and engaging in online communities' instant messaging services.

### **Social Networking Sites**

Specific online communities of users or any website that links individuals electronically and provides a forum where users can connect and share information. These websites can be general or tailored to specific interests or certain types of users. Examples of popular social networking sites include Facebook, Twitter, Google+, LinkedIn, Foursquare and Tumblr. The list of domains that constitute social networking sites is ever-growing and changing because of the nature of the internet.

### **Social Networking Profile**

A specific user's personalized webpage within a certain social networking site, usually containing personal information, such as one's name, birthday, profile photo and interests.

### **Microblogging**

The practice of publishing your recent whereabouts, thoughts or activities on a social networking site for other users to see. This is the main focus of social networking sites such as Twitter, but it also includes features like status updates on Facebook.

### **Business Purposes**

Using a social networking site for the company's gain, usually as a task or assignment given by a manager or supervisor. This can be done either through a specific company account on a given social networking site or through a personal account for the purposes of recruiting or marketing for the City of Ottumwa.



## SAQ POINT-TO-POINT ENCRYPTION (P2PE)

**PURPOSE**

The purpose of this policy is to establish a security posture for the interaction of cardholder data and reduce the burden of the implementation and management of PCI of applicable controls required by the most current version of the Payment Card Industry Data Security Standard (PCI DSS).

Unless otherwise provisioned, documented, or communicated, this document establishes policy as it relates to the storage, processing, or transmission of cardholder data within the City of Ottumwa.

**ELIGIBILITY**

This document applies to all employees, contractors, and third party entities that store, process, transmit cardholder data, or otherwise interact with cardholder data which is processed against any transaction where the City of Ottumwa owns or is responsible for the associated merchant ID (MID).

Furthermore, this policy applies to all devices that are used for the physical capture of cardholder data used to capture those transactions.

Unless otherwise approved by the City of Ottumwa leadership, the following policy must be implemented and managed.

**Transaction Processing**

- All payment processing must be facilitated through a validated PCI P2PE solution approved and listed by the PCI Security Standards Council (SSC). No other forms of transaction processing will be permitted or approved.
- The City of Ottumwa may not receive or transmit cardholder data electronically outside of a validated P2PE solution.

**PCI P2PE Devices**

- All devices must be deployed in accordance with the vendor provided P2PE Implementation Guide.
- Care, custody, and control must be applied to each device used to interact with cardholder data. These processes must include, but are not limited to, the following:
  - Inventory management
    - A formal inventory of all P2PE payment devices must be maintained.
    - A formal process to maintain this list must be implemented. This will include asset management of devices in production, inventory, reallocation, and decommissioning.
    - A formal inspection process must be implemented to ensure that there has not been any unauthorized substitution.
    - A formal list of each device must be maintained. This list will include, but is not limited to:
      - Make and model of device

- Location of device
- Unique identifier
- Device security
  - Devices must be inspected on a weekly basis by each department with such a device. This inspection must be sufficient to identify a tampered device.

### **Employee Training**

Individuals must receive training sufficient to:

- Identify any payment device which has been tampered with.
- Be aware of suspicious behavior around payment devices.
- Be aware of devices which have been tampered with or substituted.
- Verify the identity of any individual claiming to provide repair or maintenance services.
- Not install, replace, or return devices without formal verification and approval by Director of Finance.
- Report any suspicious behavior to the IT Department or Director of Finance
- Follow formal processes for inspection of any payment device used for cardholder data.
- Maintain the established frequency of inspection of payment devices.

### **Cardholder Data Storage**

- Storage of electronic/digital cardholder data is prohibited, unless required for documented legal reasons.
- Storage of sensitive authentication data after authorization is prohibited.
- Storage of physical print media is permitted, given the following requirements are met:
  - A formal data retention policy must exist that defines the data that is retained, and the purpose of the retention. This retention must be defined with specific legal and/or business reasons.
  - Physical print media containing cardholder data may not be stored for longer than its defined retention period.
  - There must be a formal process, executed quarterly, to identify any data which has exceeded the retention period.
  - In the event cardholder data has been identified as exceeding its retention period, a formal process must be implemented to securely dispose of it. Destroyed data should not be able to be recovered or reconstructed.

Storage of physical print media must be secured from any unauthorized access

**CyberSecurity Policy: Employee Acknowledgment**

Security of information and the tools that create, store and distribute that information are vital to the long-term health of our organization. Likewise, it is imperative that we maintain a positive reputation and excellent public image. To further these objectives, the City of Ottumwa has established this Cybersecurity Policy.

Employees who abuse the privilege of City of Ottumwa-facilitated access to electronic media or services risk having the privilege removed for themselves and possibly other employees, are subject to discipline, up to and including termination and may be subject to civil liability and criminal prosecution.

All employees are expected to understand and follow the guidelines established by this policy. We encourage employees to take a proactive approach to cybersecurity. If and when you identify a potential problem, please report it promptly to your direct supervisor.

Prior to using the City of Ottumwa equipment, each employee is expected to have read the entire Cybersecurity Policy.

If you have any uncertainty regarding the content of this policy, you are required to consult your supervisor. This should be done prior to signing this acknowledgment form.

By signing below, I acknowledge that I have read the City of Ottumwa's Cybersecurity Policy in its entirety, and I understand and agree to the requirements and expectations of me as an employee.

---

Employee signature

Date

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

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

Council Meeting of: Oct 19, 2021

Administration  
Department

Barbara Codjoe  
Prepared By  
Barbara Codjoe *BC*  
Department Head

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

AGENDA TITLE: Resolution #194-2021 - Approve update to Personnel Policies

\*\*\*\*\*

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

RECOMMENDATION: Pass and adopt resolution #194-2021

DISCUSSION: See attached

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:

RESOLUTION NO. 194-2021

RESOLUTION APPROVE UPDATED PERSONNEL POLICIES AND PROCEDURES

**WHEREAS**, the City of Ottumwa, Iowa had approved a revised Personnel Policies and Procedures manual on June 2, 2020, which incorporated the current Internet & E-Mail usage, Social media Policy and Cell Phone Policy as part of the document' and;

**WHEREAS**, staff for the City of Ottumwa has reviewed the current policies regarding Cybersecurity and determined the current policy does not meet the short and long term care for employees and operational needs for the employer, and;

**WHEREAS**, staff has drafted and revised the Personnel Policies and Procedures to meet the needs of both employee and employer and finds that approval of said policies and procedures, as revised, would be in the best interest of the City and the employees of the City, and;

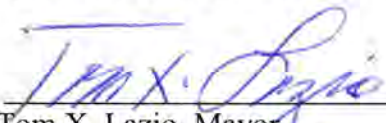
**WHEREAS**, the City Council of the City of Ottumwa, Iowa desires to approve the new Personnel Policies and Procedures containing reference to the Cybersecurity Handbook in accordance with the Municipal Code of the City of Ottumwa, sections 2-144 and 2-145

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Ottumwa, Iowa, that the current Personnel Policies and Procedures approved on June 2, 2020 and any supplements thereafter are hereby repealed and that the attached Personnel Policies and Procedures are hereby adopted in their place with an effective date of October 20, 2021.

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

PASSED, ADOPTED and APPROVED this 19<sup>th</sup> day of October 2021.

CITY OF OTTUMWA, IOWA

  
\_\_\_\_\_  
Tom X. Lazio, Mayor

ATTEST:

  
\_\_\_\_\_  
Christina Reinhard, City Clerk

This is a revision and addition of policies concerning Cybersecurity.

We will be implementing our Cybersecurity Handbook which will contain seven distinct policies.

General Email/Internet Security and Use, Acceptable Use and Online Social Networking will replace and expand upon current articles 25 and 26.

Personally Identifiable Information and Protected Personally Identifiable (PII) Information Requirements Applicable to all Federal Awards (PII) - this is a new policy that is a requirement for us to receive and administer federal grants. "The City of Ottumwa must take reasonable measures to safeguard protected personally identifiable information and other information designated as sensitive contact by the Federal awarding agency, or the non-Federal entity, consistent with applicable Federal, State, local, and tribal laws regarding privacy and responsibility over confidentiality."

Cell Phone - This is a revision to current policy #56-2015. There are no major changes. This cleans up the language and provides a better form for employees to fill out.

Bring Your Own Device (BYOD) - There was wording referring this in our Cell Phone policy but this explains a little more and gives more clarification.

SAQ Point-to Point Encryption (P2PE) - this is a new policy that is required for us to use electronic card readers for payment by Credit Card.

While the Cybersecurity Handbook will contain most of this information, we will add this wording into the current Personnel Handbook for reference to that policy.

"The use of electronic mail and the Internet is necessary for City employees, elected officials, and others serving in an official capacity with the City to communicate with each other more efficiently and to provide superior customer service, increase productivity, and provide opportunities for professional growth. The City encourages the use of these media and associated services because these communications and access to information are useful in conducting City business. It remains, however, that electronic media and services provided on or through City devices are City property and their purpose is to facilitate City business. The goal of this policy is to encourage the responsible and prudent use of this resource.

With the rapidly changing nature of electronic media, this policy cannot establish rules to cover or anticipate every possible situation. This policy is intended to express the City's philosophy and establish general principles to be applied in the use of electronic media and services on City property or with City-owned devices.

Please refer to our Cybersecurity Handbook which outlines the following seven (7) policies:

- General Email/Internet Security and Use
- Personally Identifiable Information and Protected Personally Identifiable (PII) Information Requirements Applicable to all Federal Awards (PII)
- Cell Phone (revision to policy #56-2015)
- Bring Your Own Device (BYOD)

- Acceptable Use
- Online Social Networking
- SAQ Point-to Point Encryption (P2PE)"

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2. The evaluations shall be conducted privately between the employee and the supervisor at a time and place designated by the department head.

1. The job performance of each department head will be evaluated by the City Administrator at least once a year and before receiving any merit increases.

4. Each employee shall receive a written copy of the results of the evaluation. The form of the evaluation shall be prescribed by the City Administrator. The employee will be asked to sign the evaluation to indicate that he\she has discussed it with his\her department head. A refusal to sign the evaluation shall be so noted on the form.

5. A portion of the evaluation shall consist of designating areas where improvement is needed. At the time of the next evaluation, the evaluator shall note whether improvement has been achieved in those areas.

6. The evaluation shall become a part of the employee's personnel file.

#### **ARTICLE 24. ACCESS TO CITY ADMINISTRATOR**

Employees may have access to the City Administrator to present complaints, disputes or disagreements for which union grievance procedures or Civil Service procedures are not applicable. Before employees meet with the City Administrator they shall first present their complaints, disputes or disagreements in a timely fashion through their departmental chain-of-command and\or Human Resource Manager. In the event that such use of the chain of command constitutes part of the complaint or dispute, the employee may request a confidential hearing with the City Administrator by confidential written request.

#### **ARTICLE 25. CYBERSECURITY**

The use of electronic mail and the Internet is necessary for City employees, elected officials, and others serving in an official capacity with the City to communicate with each other more efficiently and to provide superior customer service, increase productivity, and provide opportunities for professional growth. The City encourages the use of these media and associated services because these communications and access to information are useful in conducting City business. It remains, however, that electronic media and services provided on or through City devices are City property and their purpose is to facilitate City business. The goal of this policy is to encourage the responsible and prudent use of this resource.

With the rapidly changing nature of electronic media, this policy cannot establish rules to cover or anticipate every possible situation. This policy is intended to express the City's philosophy and establish general principles to be applied in the use of electronic media and services on City property or with City-owned devices.

*Please refer to our Cybersecurity Handbook which outlines the following seven (7)*

*policies:*

- General Email/Internet Security and Use
- Personally Identifiable Information and Protected Personally Identifiable (PII) Information Requirements Applicable to all Federal Awards (PII)
- Cell Phone (revision to policy #56-2015)
- Bring Your Own Device (BYOD)
- Acceptable Use
- Online Social Networking
- SAQ Point-to Point Encryption (P2PE)

## **ARTICLE 26. DISCIPLINARY PRACTICES/PROCEDURE**

Certain rules and regulations governing the conduct of all City employees must be adhered to by all employees in order to ensure safe, efficient and successful operation of city functions. This policy is not intended to abrogate the appointing authority's discretion to discipline and/or terminate an at will employee.

To ensure a safe, efficient and effective working environment, city employees need to adhere to city and departmental rules regarding appropriate conduct on the job. It may sometimes be necessary for a supervisor to take disciplinary action with an employee. The City is committed to a policy of progressive discipline. Progressive discipline is defined as a series of disciplinary measures, ranging from employee counseling to discharge of an employee, designed to effectively correct problems as they occur and to let an employee know if his/her conduct is inappropriate. However, the City reserves the right to terminate promptly or bypass progressive disciplinary steps in the event of flagrant and/or intentional misconduct.

The following items will be considered to be infractions subject to disciplinary action up to and including discharge from employment. This list is not all inclusive of all acts that may be subject to disciplinary action and are illustrative only, but not limited to, the types of behavior for which disciplinary action may be taken.

- Gifts, Gratuities, Fees, Rewards, Loans – Employees shall not, under any circumstances, solicit or accept any gift, gratuity, loan, reward, or fee when there is any direct connection between it and their Department or employment. Employees must abide by the State's Gift Law, Iowa Code Chapter 68B, as it may be amended from time to time.
- Controlled Substances – Employees shall not use controlled substances other than those prescribed to them by a physician.
- Drugs – No employee shall be at work while under the influence of drugs or be unfit for work because of their excessive use. This includes the abuse of prescription drugs.
- Alcohol – No employee shall report to work while under the influence of alcohol or drink alcohol while at work.
- False Injury Claims - Employees injured while not at work shall not falsely claim it to be an injury while on the job.



# Greater Ottumwa Convention & Visitors Bureau October 2021 Update



# REBRANDING



*Meet*  
**OTTUMWA**  
Where Iowa Meets The World

VISIT *Lake Geneva*

*Visit Pella*  
IOWA

 Visit Finland

LIVE YOUR  
UNEXPECTED  
LUXEMBOURG

*CATCH*  
**DES MOINES**

EXPERIENCE  
*Olympia & Beyond*  
DECIDEDLY DIFFERENT

**TRAVEL**  
*Dubuque*

VISIT  
**SAVANNAH**  
EST.  1733

travel  
**IOWA.**

  
**TIMOR  
LESTE**  
*Explore the Undiscovered*

 **BRAZIL**  
VISIT AND LOVE US

Discover Australia  
HOLIDAYS

1 Meet Ottumwa!



2



3

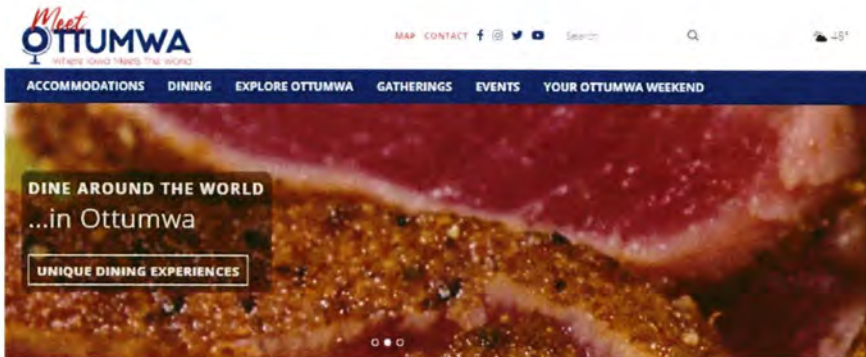


4



\* It's about what they want,  
not about what we've got.  
\* Our diversity makes us a  
unique gathering place.





Ottumwa residents represent more than 50 countries. Come enjoy big-city diversity with small-town **spirit**. Experience eclectic dining. Sleep well in historic accommodations. Bring your gathering to **world-class conference facilities**. Join us for some of Iowa's most unique events. Say hello to the wildlife on our river trails.



Enjoy Family Fun at the Beach  
One of Iowa's Premier Waterparks



Visit the American Gothic House  
A true American icon



Plan Your Event at Bridge View Center  
Southeast Iowa's premiere meeting destination

## EXPLORE Ottumwa!

Meet OTTUMWA

### ENTERTAINMENT

TAKE IN WORLD-FAMOUS ACTS AND SHOWS AT THE BRIDGE VIEW CENTER. LISTEN TO IOWA'S BEST MUSICIANS AT DOWNTOWN VENUES. ENJOY A SYMPHONY IN CENTRAL PARK UNDER THE STARS. EXPERIENCE ONE OF OUR SIGNATURE EVENTS. ENTERTAINMENT FOR THE WHOLE FAMILY IS RIGHT HERE.

### HISTORY

TAKE A DRIVING TOUR OF OTTUMWA'S SEVEN HISTORIC DISTRICTS. VISIT THE CITY'S FIVE OLDEST CHURCHES OR OUR WALKING TOUR. WANDER THROUGH THE WAPELLO COUNTY HISTORICAL MUSEUM. ENJOY THE HOMES ON THE FIFTH STREET BLUFF. VISIT AN ANTIQUE AIRFIELD AND MUSEUM. HISTORY COMES ALIVE IN OTTUMWA!

### RECREATION

COOL OFF AT THE BEACH OTTUMWA WATERPARK. PADDLE DOWN THE DES MOINES RIVER. RACE OR BIKE ALONG 16 MILES OF TRAILS. WANDER ON A TRAIL AT PIONEER RIDGE NATURE AREA. ENJOY A ROUND OF GOLF OR DISK GOLF. HAVE A BARBECUE AT GREATER OTTUMWA PARK. OPT OUTSIDE!

### SHOPPING

BUY LOCAL. SHOP LOCAL IS A WAY OF LIFE HERE. TAKE HOME SOME VINTAGE CLOTHING AND JEWELRY. AN ANTIQUE PIECE OF FURNITURE. A RARE COIN OR EVEN A BICYCLE FROM LOCALLY OWNED BUSINESSES ON MAIN STREET. BROWSE THE SHOPS AT QUINCY PLACE MALL. SHOP TILL YOU DROP!

www.MeetOttumwa.org

## Meet OTTUMWA

Where Iowa Meets The World

# RESTAURANT GUIDE

f t i y p

WWW.MEETOTTUMWA.ORG

**Andrew Wartenberg**  
Executive Director  
**Meet Ottumwa**  
102 Church Street Ottumwa, IA 52501-4209  
O: 641.684.4303 C: 517.290.9514  
meetottumwa.org







# 2021 BABE RUTH WORLD SERIES

Tournament Economic Impact Sports Marketing



# PROFESSIONAL DEVELOPERS OF IOWA CONFERENCE



# BVC HOTEL MARKETING PLAN

- Task Force
- Central Information Office
- Unified Information Points
- Unified Messaging Points
- Primary Targets
- Macro Campaigns
- Micro Campaigns
- FAM Trips and Site Visits



# Esports Gaming Event

- OG CON March 18-20, 2022
- Three prized competitions: Rocket League, Fighting Competition and New Game TBD
- Video Game History Component
- Costs and Goals





**Halloweenapalooza: Iowa's only horror film festival showcase - created by horror filmmakers for horror fans**

Prescribed Films is proud to announce iconic scream queens - Kelli Maroney, Lynn Lowry and Brinke Stevens - as the headlining celebrity guests for Halloweenapalooza 2021! You recognize them from classic movies like Night of the Comet, Chopping Mall, The Drabes, Tromes & Juliet and Slobber Party Massacre, and now you'll get to meet them in person October 5-9 at the historic and haunted, Hotel Ottumwa. Actor Debbie Rochon was slated to appear as well but will not be able to attend.



Justin Marxen, who had his big break out in 2019's hunt as the menacing Cohen, will also make an appearance at Halloweenapalooza. An accomplished actor and director, Justin is working on a new series called Quad Cities that we might get to see a title of at Halloweenapalooza.



Now in its eleventh year, Halloweenapalooza is Iowa's only horror film showcase - created by horror filmmakers for horror fans. You'll enjoy an educational and entertaining visual experience during the festival, which entertains and enlightens the hearts of the film. Portions of films will be



### Local Events - October 12-25, 2021

There is so much to do in Ottumwa!

Whether you're visiting Ottumwa, planning to visit us or you call our community home, we would love to see you at our local events. Here are just some of the events coming up in October. For a full calendar of events for Ottumwa and Wapello County, click [HERE](#).



Join us for the 2nd Annual Wine & Brew Stroll in Downtown Ottumwa on Thursday, October 14. This benefit is hosted by Main Street Ottumwa with all proceeds going to the Family Crisis Center. Together we can support victims of domestic violence.

Grab your friends and come sample from Iowa wineries, breweries, distilleries and food vendors while shopping local businesses in our beautiful historic Downtown Ottumwa district. Begin at Hotel Ottumwa and enjoy the tastings and a silent auction from 5-8 p.m. with prizes and live music from 8-9 p.m.

Tickets are available for purchase in advance at the Main Street Ottumwa office (217 E. Main St.) and the night of the event at Hotel Ottumwa (107 E. Second St., Must be 21+). The first 550 tickets sold will include a complimentary event wine glass and event 4-bottle wine bag.



# SOCIAL MEDIA & EVENT SUPPORT



# Hotel/Motel Tax Revenue FY2020-FY2021

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<b>Hotel Motel Tax Revenue</b>	<b>FY 2020</b>	<b>FY 2021</b>
<b>Third Quarter</b>	<b>\$53,680</b>	<b>\$64,733</b>
<b>Fourth Quarter</b>	<b>\$117,654.88</b>	<b>\$121,804.34</b>



**Thank You!**

Computer Aided Dispatch &  
Records Management System  
Software for  
Public Safety in  
Ottumwa and Wapello County

October 2021



# Background

- ◆ 2017- Ottumwa Police Dept. and Wapello Co. Sheriff's Office recognize their software is not meeting their needs and no info sharing.
- ◆ An evaluation of several different platforms was completed and Central Square was the best choice, but OPD chose to update current system (CIS) due to cost.
- ◆ Sheriff's Office did not have funding to make a transition to a new system either.
- ◆ Networked with other agencies and Central Square was the one with the best user reviews.
- ◆ 2021 Demo with stakeholders to review Central Square. The following are the group's notes and highlights of new capabilities this software will offer the end users:

# Computer Aided Dispatch

## Computer Aided Dispatch (CAD) -Patrol capabilities

- ◆ Single sign-on to access all information in CAD, RMS, Civil and JMS.
- ◆ DASHBOARD—officers and deputies will have view of current information
- ◆ Integrated state database programs: TRAC, MACH, CLIPS
- ◆ Information sharing between agencies is instantaneous.
- ◆ Time saving by eliminating information input redundancy.

## Computer Aided Dispatch (CAD) -Patrol capabilities

- ◆ Configurable system that enables users to define workflows and select fields and features that meet job requirements.
- ◆ Key elements are not missed because checks can be built into the system.
- ◆ Alerts on Name Cards showing any associated documents such as warrants, orders, weapon permits or civil papers.

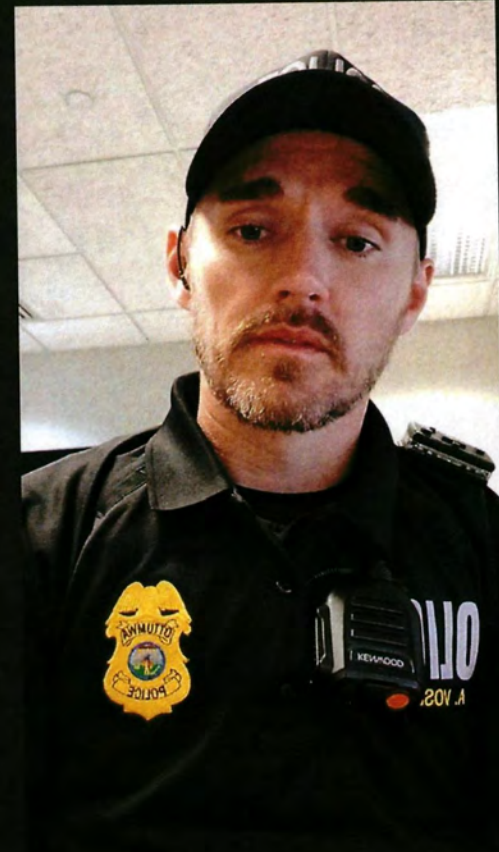
## Computer Aided Dispatch (CAD) -Patrol capabilities

- ◆ Photos automatically appear when master names/name card are ran. Pulls photo from the jail intake information.
- ◆ Patrol supervisors have ability to process and approve officer reports in bulk.
- ◆ Call for Service location and information automatically pushed out to units Mobile Data Terminals (MDT) and will plot map with quickest route.

Sgt. Aaron Vose

Patrol Division

Ottumwa Police  
Department



## CAD- Dispatch

- ◆ Time saved by not needing to look up info for another agency. Collaboration of information between agencies.
- ◆ Much easier to use during high-stress situations.

TJ Millikin

Supervisor-  
Dispatch and  
Records

Ottumwa Police  
Department





# Records Management

## RMS- Records

- ◆ Single sign-on credentials to access the entire database.
- ◆ All forms preloaded and will auto populate across forms.
- ◆ System created clean, professional forms and reports.
- ◆ Ability to attach items to case file. Photos, forms, etc. Will make stat tracking much easier.
- ◆ Report fields show which items are required and which are optional. Currently, there are far too many unnecessary fields making report writing far too long and frustrating.

# Evidence

- ◇ One program and one page to process evidence items.
- ◇ Streamlines the process. Eliminates need for two software systems.
- ◇ Requires the necessary information fields when submitting evidence.
- ◇ Photos of the evidence can be including with the submission form.

Kaitlyn Overturf

Evidence

Ottumwa Police  
Department



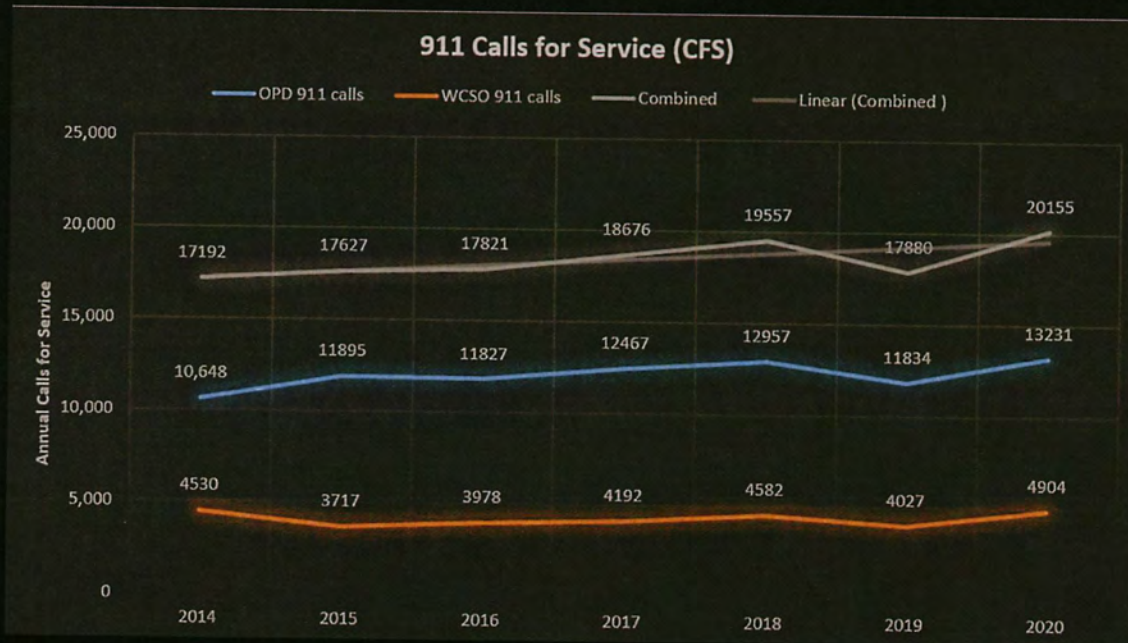
## Administration

- ◆ Transparency and connectivity between agencies increasing officer safety.
- ◆ Data analytics to know where to spend more time and community reporting.
- ◆ Ability to digitize forms, create any form needed, go paperless. Reducing redundancy, increasing efficiency for officers.
- ◆ Redaction capability. No more manual redaction process. Audit trail for changes made to records. Improved transparency.

# Administration

- ◆ Information sharing between OPD, WSCO, Fire, EMS & Emergency Management (Public Safety collaboration)
- ◆ Connection and information sharing with all departments using Central Square (in development)
- ◆ More efficiency = more time on the streets

# Calls for Service are on an upward trend

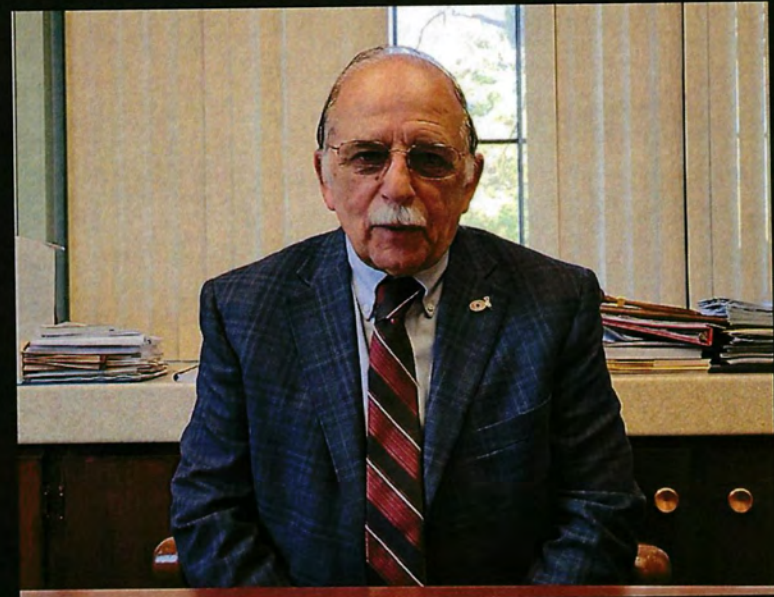


2,963 increase in calls  
**17.23% increase in 7 year period**  
By department:  
24.26% OPD, 2,583  
8.25% WCSO 374

Mayor Tom Lazio

Honorable Mayor

City of Ottumwa





Presentation produced by  
Wapello County Emergency Management  
on behalf of and for our public safety partners.



October 2021



Questions?

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

OCT 14 11:51

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

Council Meeting of: Oct 19, 2021

Administration

Department

Prepared By

**Philip Rath**

Department Head

City Administrator Approval

AGENDA TITLE: Consideration of Engaging Commercial Appraisers of Iowa, Inc. to Complete an Appraisal of Transit Property

\*\*\*\*\*

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

RECOMMENDATION: Approve and authorize the City Administrator to engage Commercial Appraisers of Iowa, Inc. to complete an official appraisal of transit property to comply with State and Federal requirements.

DISCUSSION: June 30, 2020 was the last day Ottumwa Transit operated from the Emma Street location. Per the agreement with 10-15 their operations continued over the following year. Earlier this year the City received interest in the property from Wapello County Emergency Management. In order for the City to consider selling the property or a long-term lease, it needs to be free and clear of the prior federal and state funding obligations. Per the federal regulations this will require a specific appraisal be conducted and the City will be required to "purchase back" the property.

Source of Funds:

Budgeted Item:

Budget Amendment Needed:

CITY OF OTTUMWA

Staff Summary

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

Council Meeting of: October 19, 2021

Engineering Department  
Department

\_\_\_\_\_  
Alicia Bankson  
Prepared By

\_\_\_\_\_  
Larry Seals *Larry Seals*  
Department Head

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

AGENDA TITLE: Resolution #183-2021. Authorizing the Mayor to execute an Easement Agreement for Construction and Maintenance of Public Improvements for the CSO, Blake's Branch, Phase 8, and Division 1 Project.

\*\*\*\*\*

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

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

RECOMMENDATION: Pass and adopt Resolution #183-2021.

DISCUSSION: This is the final easement necessary for the phase VIII Division I project. The easement is required to allow new construction across private property. It allows for permanent right of access for future maintenance as needed.

The permanent and temporary easement will be recorded and will be deemed to run with the land.

The temporary easement is in effect during construction and allow areas wide enough for construction activities, once completed the temporary easements sunset.

Staff will present easement for approval and recording as it is developed and finalized.

Source of Funds: TIF, LOST, RU and Sewer Funds

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #183-2021

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AGREEMENT  
FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS FOR THE CSO, BLAKE'S BRANCH,  
PHASE 8, DIVISION 1 PROJECT.

WHEREAS, The project will consist of installation of cross county sanitary sewer lines.

WHEREAS, This resolution will authorize the Mayor to sign the easement with the property owner for construction of the public improvements.


NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The Mayor is authorized to sign the easement agreement for the CSO, Blake's Branch, Phase 8, Division 1 Project.

APPROVED, PASSED, AND ADOPTED, this 19<sup>th</sup> day of October, 2021.

CITY OF OTTUMWA, IOWA

  
\_\_\_\_\_  
Tom X. Lazio, Mayor

ATTEST:

  
\_\_\_\_\_  
Christina Reinhard, City Clerk

DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER

Prepared by: Larry Seals, The City of Ottumwa, Wapello County, Iowa 52501 (Phone: 641-683-0680)

Return to: City of Ottumwa, 105 E. Third St, Ottumwa, IA 52501

**CITY OF OTTUMWA**  
**PERMANENT EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT**  
**AGREEMENT FOR CONSTRUCTION AND MAINTENANCE OF PUBLIC IMPROVEMENTS**

THIS AGREEMENT, entered into by the **City of Ottumwa, Iowa**, a municipal corporation, Grantee, (hereinafter called "City"), and **Arletta R. Darner**, Grantor, (hereinafter called "Property Owner"). Property Owner grants unto City, its successors and assigns, including any agents, contractors, and employees designated by the city, a temporary right of access, on, over, under, through and across the land as follows for the purpose of reconstructing a driveway, together with necessary appurtenances thereto:

A Permanent Sanitary Sewer Easement over, under, through and across a part of Lot Six (6) of Block Twelve (12) of Blake's Addition to the City of Ottumwa, Wapello County, Iowa, more particularly described as follows: Beginning at the Southwest corner of said Lot 6 of Block 12 Blake's Addition; thence North  $00^{\circ}38'55''$  West 80.79 feet along the West line of said Lot 6; thence South  $36^{\circ}34'55''$  East 47.97 feet; thence South  $00^{\circ}32'50''$  East 41.95 feet to the South line of said Lot 6; thence South  $89^{\circ}21'25''$  West 28.08 feet along said South line of Lot 6 to the Southwest corner thereof and the Point of Beginning, containing 1,726 square feet of Permanent Sanitary Sewer Easement.

And a Temporary Construction Easement, over, under, through and across a part of Lot 6 of Block 12 of Blake's Addition to the City of Ottumwa, Wapello County, Iowa, more particularly described as follows: Beginning at a point on the West line of said Lot 6 a distance of 80.79 feet North of the Southwest corner of said Lot 6, Block 12 Blake's Addition; thence South  $36^{\circ}34'55''$  East 47.97 feet; thence South  $00^{\circ}32'50''$  East 41.95 feet to the South line of said Lot 6 Block 12; thence North  $89^{\circ}21'25''$  East 10.00 feet along the South line of said Lot 6 Block 12; thence North  $00^{\circ}32'50''$  West 45.18 feet; thence North  $36^{\circ}34'55''$  West 65.02 feet to the West line of said Lot 6 Block 12; thence South  $00^{\circ}38'55''$  East 17.04 feet along said West line to the Point of Beginning, containing 1,000 square feet of Temporary Construction Easement.

NOW THEREFORE, in consideration of the mutual promises herein stated, the parties agree as follows:

I. Consideration

City shall bear the entire cost of restoring the area disturbed to a condition that is equal to or better than the condition before the work began. City shall waive one connection fee to the new sanitary sewer for the Grantor for the use of the above described property for the temporary and permanent easement to construct said improvements, together with necessary appurtenances thereto. The City will at the owners request stack the existing carriage walk bricks on property and replace the carriage walk with a three foot wide PCC carriage walk area. Sidewalk access will be maintained to either Plum Street or Birch Street for duration of project.

II. Possession

Possession of the premises is the essence of this agreement. Property Owner hereby grants to City the immediate right to enter the above described property.

III. Repairs

City agrees that any retaining wall, drain tile, fence, yard, or other improvements which may be damaged as a result of any entry made through an exercise of the rights granted to the City in this agreement shall be repaired at no expense to Property Owner.

IV. Damages, If Any

It is understood and agreed that the consideration for this agreement includes full compensation for all apparent damages caused by the exercise of this agreement.

V. City's Liability

City will assume all liability for all damages to the above described property caused by City's failure to use due care in its exercise of the rights granted.

VI. Termination

The temporary easement described herein will terminate upon completion of the construction project.

VII. Easement Runs With the Land

The temporary easement shall be deemed to run with the land and shall be binding on Property Owner and on the successors and assigns of Property Owner.

VIII. Obstructions

Property Owner shall not erect any structure, plant any tree nor otherwise obstruct, the Temporary Easement Area without obtaining the prior written consent of City.

IX. Five Year Right to Renegotiate

City hereby gives notice of the five-year right of Property Owner to renegotiate construction or maintenance damages not apparent at the time of the signing of this agreement, as required by Section 6B.52 of the Code of Iowa.

X. Words and Phrases

Words and phrases herein, including acknowledgement herein, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to context.

XI. Entire Agreement

This writing, consisting of three (3) pages and attachments, constitutes the entire agreement between City and Property Owner, and there is no agreement to do or not to do any act or deed except as specifically provided herein.

XII. Acceptance by City

This easement agreement shall not be binding until it has been approved and accepted by the City Council of Ottumwa, Iowa, by Resolution. Said approval and acceptance shall be noted on this agreement.

Signed the 19th day of October, 2021.

**CITY OF OTTUMWA, IOWA**

By: Tom Lazio  
Tom Lazio, Mayor



Attest: Chris Reinhard  
Chris Reinhard, City Clerk

STATE OF IOWA )

WAPELLO COUNTY )

On this 19th day of October, 2021 before me, a Notary Public in and for the State of Iowa, personally appeared Tom Lazio and Chris Reinhard, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ottumwa, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution No. 183-2021 Adopted by the City Council on the 19th day of October, 2021 and that Tom Lazio and Chris Reinhard acknowledged the execution of the instrument to be their voluntary act and deed of the corporation, by it voluntarily executed.

Katy King  
Notary Public in and for Wapello County, Iowa

Signed the 12th day of October, 2021.

**PROPERTY OWNER:**

By: Aretta R. Darner  
Aretta R. Darner

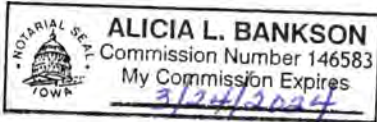
**ALL PURPOSE ACKNOWLEDGMENT**

STATE OF IOWA )  
 ) SS  
COUNTY OF WAPELLO )

On this 12th day of October, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Aretta R. Darner and \_\_\_\_\_, to me personally known, or  proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the person(s) acted, executed the instrument.

**CAPACITY CLAIMED BY SIGNER:**

- INDIVIDUAL(S)
- CORPORATE
- Title(s) of Corporate Officer(s): \_\_\_\_\_
- \_\_\_\_\_ Corporate Seal is affixed
- \_\_\_\_\_ No Corporate Seal procured
- \_\_\_\_\_ PARTNER(S):
- \_\_\_\_\_ Limited Partnership
- \_\_\_\_\_ General Partnership
- \_\_\_\_\_ ATTORNEY-IN-FACT
- \_\_\_\_\_ EXECUTOR(S),
- \_\_\_\_\_ ADMINISTRATOR(S),
- \_\_\_\_\_ or TRUSTEE(S)
- \_\_\_\_\_ GUARDIAN(S)
- \_\_\_\_\_ or CONSERVATOR(S)
- \_\_\_\_\_ OTHER: \_\_\_\_\_





(NOTARY SEAL) \_\_\_\_\_

(Sign in ink) Alicia L. Bankson  
(Print/type name) Alicia L. Bankson  
Notary Public in and for the State of Iowa

INDEX LEGEND	
LOCATION:	LOT 6 OF BLOCK 12, BLAKE'S ADDITION, CITY OF OTTUMWA, IOWA
PROPRIETOR:	ARLETTA R. DARNER
REQUESTED BY:	CITY OF OTTUMWA
PREPARED BY:	GARY W. KEITH
COMPANY:	GARDEN & ASSOCIATES, LTD.
RETURN TO:	P.O. BOX 451, OSKALOOSA IOWA 52577



GARDEN & ASSOC.

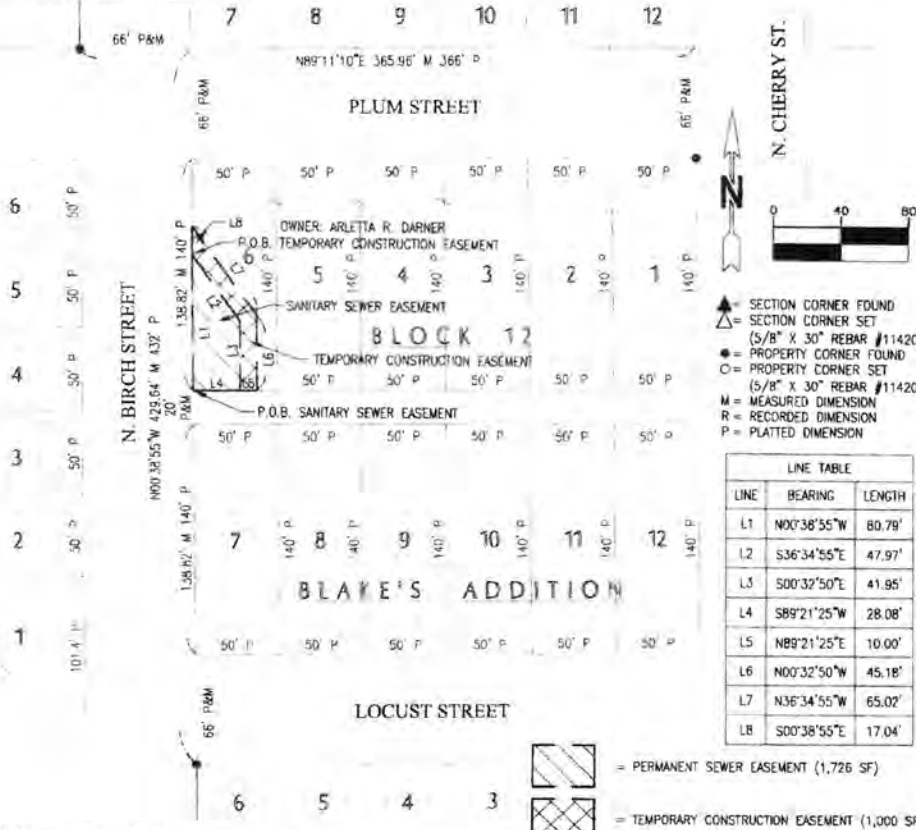
P.O. Box 451, Oskaloosa, Iowa 52577-0451 Phone: (641)672-2526

RESERVED FOR RECORDER'S USE

## EASEMENT PLAT

A Permanent Sanitary Sewer Easement over, under, through and across a part of Lot Six (6) of Block Twelve (12) of Blake's Addition to the City of Ottumwa, Wapello County, Iowa, more particularly described as follows: Beginning at the Southwest corner of said Lot 6 of Block 12 Blake's Addition; thence North 00°38'55" West 80.79 feet along the West line of said Lot 6; thence South 36°34'55" East 47.97 feet; thence South 00°32'50" East 41.95 feet to the South line of said Lot 6; thence South 89°21'25" West 28.08 feet along said South line of Lot 6 to the Southwest corner thereof and the Point of Beginning, containing 1,726 square feet of Permanent Sanitary Sewer Easement.

And a Temporary Construction Easement, over, under, through and across a part of Lot 6 of Block 12 of Blake's Addition to the City of Ottumwa, Wapello County, Iowa, more particularly described as follows: Beginning at a point on the West line of said Lot 6 a distance of 80.79 feet North of the Southwest corner of said Lot 6, Block 12 Blake's Addition; thence South 36°34'55" East 47.97 feet; thence South 00°32'50" East 41.95 feet to the South line of said Lot 6 Block 12; thence North 89°21'25" East 10.00 feet along the South line of said Lot 6 Block 12; thence North 00°32'50" West 45.18 feet; thence North 36°34'55" West 65.02 feet to the West line of said Lot 6 Block 12; thence South 00°38'55" East 17.04 feet along said West line to the Point of Beginning, containing 1,000 square feet of Temporary Construction Easement.



- ▲ SECTION CORNER FOUND
- △ SECTION CORNER SET (5/8" X 30" REBAR #11420)
- PROPERTY CORNER FOUND
- PROPERTY CORNER SET (5/8" X 30" REBAR #11420)
- M = MEASURED DIMENSION
- R = RECORDED DIMENSION
- P = PLATTED DIMENSION

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°38'55"W	80.79'
L2	S36°34'55"E	47.97'
L3	S00°32'50"E	41.95'
L4	S89°21'25"W	28.08'
L5	N89°21'25"E	10.00'
L6	N00°32'50"W	45.18'
L7	N36°34'55"W	65.02'
L8	S00°38'55"E	17.04'

- = PERMANENT SEWER EASEMENT (1,726 SF)
- = TEMPORARY CONSTRUCTION EASEMENT (1,000 SF)

DATE OF FIELDWORK: JANUARY 13, 2020  
BASIS OF BEARINGS: IOWA STATE PLANE - SOUTH ZONE

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.  
*Gary Wayne Keith* 16 April 2020  
Gary Wayne Keith, P.L.S. Date  
License number: 11420  
My license renewal date is December 31, 2020  
Pages or sheets covered by this seal: 1 of 1



**EASEMENT NO. 11**

ARLETTA R. DARNER  
LOT 6 OF BLOCK 12  
BLAKE'S ADDITION  
OTTUMWA, IOWA

DATE: 04-16-20 DRN. TRH APP. *[Signature]*  
FLD.BK. PROJ.NO. 6019287

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

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

Council Meeting of: Oct 19, 2021

Planning & Development  
Department

Zach Simonson  
Prepared By  
Zach Simonson  
Department Head

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

AGENDA TITLE: Resolution No. 193-2021: A RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF OTTUMWA AND DESIGN WORKSHOP FOR A MASTER PLAN FOR GREATER OTTUMWA PARK

\*\*\*\*\*

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

RECOMMENDATION: Approve and Pass Resolution No. 193-2021

DISCUSSION: In August, the City released a request for qualifications for firms to develop a master plan for Greater Ottumwa Park. We received responses from 5 highly-qualified firms from across Iowa and across the country. The cost summaries for the teams is included in the packet. A selection team including members of City Staff and representatives from the Legacy Foundation and Area 15 Regional Planning met to review the submissions

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

and selected Design Workshop out of Raleigh, NC. Design Workshop offered a competitive third place proposed fee. However, the scope of services and proposed work plan were superior to other proposals. The evaluation team was especially interested in Design Workshop's method of providing two site-wide alternatives the City can choose between.

The planning process is divided into two tasks. Task 1 is Establishing a Foundation of Understanding and is scheduled to last 3 months. Task 2 is Developing the Master Plan and is scheduled to last 6 months. The process will include at least 2 community meetings, meetings with key stakeholders and a public survey.

The proposed fee is \$183,875 to \$215,875 plus reimbursable expenses for travel. The Legacy Foundation is considering a contribution request of \$75,000 toward the project. Finance has proposed applying existing CIP funding for the balance as well as continuing to identify community partners willing to assist in the cost of the plan. This plan is the essential next step to moving from dream to reality.

RESOLUTION NO. 193-2021

A RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF OTTUMWA AND DESIGN WORKSHOP FOR A MASTER PLAN FOR GREATER OTTUMWA PARK

WHEREAS, on August 4, 2021 the City of Ottumwa released a Request for Qualifications for Architects, Landscape Architects, Recreation Planner and Engineers to Develop a Master Plan for Greater Ottumwa Park; and

WHEREAS, five responses were received from teams and firms from across Iowa and across the United States; and

WHEREAS, an evaluation team comprising of City Staff and representatives from the Legacy Foundation and Area 15 Regional Planning Commission evaluated the responses and selected Design Workshop because of the firms excellent qualifications, demonstrated experience and competitive price and because the firm proposed the work plan and scope of services most in line with City's goals for the Master Plan; and

WHEREAS, the proposed fee for this project is between \$183,875 and \$215,875 plus reimbursable expenses for travel; and

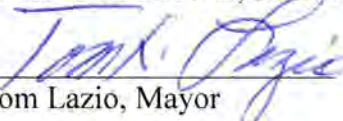
WHEREAS, the Ottumwa Regional Legacy Foundation has offered to contribute \$75,000 toward the project;

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

1. The City Administrator is authorized to develop the form and substance of an Agreement between the City of Ottumwa and Design Workshop for a Master Plan for Greater Ottumwa Park; and
2. That the Agreement shall be substantially in conformance with the proposed scope of services included in Design Workshop's response to the City's Request for Qualifications and shall be for a fee within the proposed fee scheduled.
3. That the City Administrator and City Clerk are hereby respectively authorized and directed for and on behalf of the City to execute, attest, seal and deliver the Agreement.

Approved, passed and adopted this 19<sup>th</sup> of October 2021.

CITY OF OTTUMWA, IOWA

BY   
Tom Lazio, Mayor

ATTEST:  
  
Chris Reinhard, City Clerk

<b>Respondent Firm</b>	<b>Location</b>	<b>Partnering Firms</b>	<b>Plan Fee</b>	<b>Construction Document Fee</b>
Hood Design Studio	Oakland, CA	David Mason + Associates (Civil Engineering), Forella Group (Cost Estimating)	\$605,000	N/A
Martin Gardner Architecture	Marion, IA	Fehr Graham (Engineering), ASTIG Planning	\$170,000 - \$200,000	5-12% of construction cost depending on scope
Confluence	Des Moines, IA	Bishop Engineering, Ethos Design Group, KCL Engineering, Pros Consulting	\$145,000	8-12% of construction cost
Design Workshop	Raleigh, NC	JBC (Sports Field and Design Consultation), ISG (Stakeholder Engagement and Civil Engineering), CCS International (Cost Estimating)	\$183,875 - \$215,875	10.5% of construction cost
OLIN	Philadelphia, PA	Klinger and Associates (Engineering), Pros Consulting (Recreation Planning)	\$365,000 - \$575,000 depending on scope	N/A

CITY OF OTTUMWA

Staff Summary

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

Council Meeting of: October 19, 2021

Alicia Bankson

Prepared By

*Darryl Seeds*  
Department Head

Engineering Department

Department

*APK*

City Administrator Approval

AGENDA TITLE: Resolution #195-2021. Approving Change Order #1 and accepting the work as final and complete and approving the Final Pay Request for the River Wall Extension Project.

\*\*\*\*\*

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

RECOMMENDATION: Pass and adopt Resolution #195-2021.

DISCUSSION: This project raised the north side river wall between the Hydro Dam and Wapello Street Bridge by one foot. The project was necessary for the river wall to meet FEMA's freeboard requirements. Work included prepping the existing wall, installing rebar, placing concrete, and sealing joints. The length of the wall is 1,350 LF.

Change Order #1 increases the contract sum by \$3,402.09 for quantity adjustment and wall repair.

Cremer Concrete of Bloomfield, Iowa has completed the above referenced work according to the plans and specifications. This will authorize approval of Change Order #1 with final payment releasing all retainage.

Original Contract Amount	\$56,745.54
Change Order #1	<u>\$ 3,402.09</u>
New Contract Amount	\$60,147.63
Less Previous Payments	<u>\$53,908.26</u>
Final Amount Due	\$ 6,239.37

Funding Source: \$500,000.00 CIP

Source of Funds: CIP

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #195-2021

A RESOLUTION APPROVING CHANGE ORDER #1 AND ACCEPTING THE WORK  
AS FINAL AND COMPLETE FOR THE RIVER WALL EXTENSION PROJECT

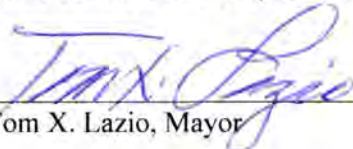
WHEREAS, The City Council of the City of Ottumwa, awarded a contract on May 4, 2021 with Cremer Concrete of Bloomfield, Iowa for the above referenced project; and

WHEREAS, Change Order #1 increases the contract amount by \$3,402.09. The total new contract sum is \$60,147.63. The project is now completed in accordance with the plans and specifications.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The above mentioned change order for this project is hereby approved. The River Wall Extension Project is hereby accepted as complete and authorization to make final payment to Cremer Concrete of Bloomfield, Iowa in the amount of \$6,239.37 is hereby approved.

APPROVED, PASSED, AND ADOPTED, this 19<sup>th</sup> day of October, 2021.

CITY OF OTTUMWA, IOWA

  
\_\_\_\_\_  
Tom X. Lazio, Mayor

ATTEST:

  
\_\_\_\_\_  
Christina Reinhard, City Clerk



**Section 640  
CHANGE ORDER**

Project: River Wall Extension To Contractor: Cremer Concrete

Change Order Number: 1

The Contract is changed as follows:

	8-Oct-21
	<u>\$0.00</u>
Qty. Adjustments-See Tab Sheet	<u>\$1,304.89</u>
Wall Repair-Chip Conc/repour wall 14.98 sf @ \$140.00	<u>\$2,097.20</u>
	<u>\$0.00</u>
	<u>\$0.00</u>
	<u>\$0.00</u>
	<u>\$0.00</u>
Total:	<u>\$3,402.09</u>

**Base bid amount** \$56,745.54

**NEW PROJECT TOTAL** \$60,147.63

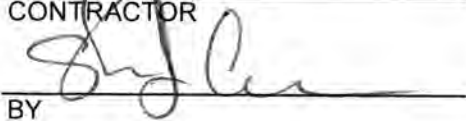
**NOT VALID UNTIL SIGNED BY THE OWNER AND CONTRACTOR**

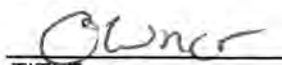
The Original Contract Sum was	<u>\$56,745.54</u>
Net change by previously authorized Change Orders	<u>\$0.00</u>
The Contract Sum prior to this change order	<u>\$56,745.54</u>
The Contract Sum will be <u>increased</u> by this change order in the amount of	<u>\$3,402.09</u>
The new Contract Sum including this change order	<u>\$60,147.63</u>
The Contract Time will be <u>unchanged</u> by	<u>0</u> days

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

  
ENGINEER/  
DIRECTOR OF PUBLIC WORKS

10-11-2021  
DATE

Cremer Concrete  
CONTRACTOR  
  
BY

10-11-21  
DATE  
  
TITLE

**SECTION 630**  
**PAY ESTIMATE**

**CITY OF OTTUMWA**

**APPLICATION FOR PAYMENT**

TO OWNER: City of Ottumwa

PROJECT: River Wall Extension

PAY REQUEST NO. 4

Final

FROM CONTRACTOR: Cremer Concrete

PAY PERIOD: 8-Oct-21

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application for payment is made as follows:

1. Original Contract Sum	<u>\$56,745.54</u>
2. Net change by Change Orders	<u>\$3,402.09</u>
3. Contract Sum to Date (Line 1+ Line 2)	<u>\$60,147.63</u>
4. Total Completed and Stored to Date	<u>\$60,147.63</u>
5. Retainage: <u>0</u> % of Completed work	<u>\$0.00</u>
6. Total Earned Less Retainage Amount	<u>\$60,147.63</u>
7. Less Previous Payments	<u>\$53,908.26</u>
8. Current Payment Due	<u>\$6,239.37</u>

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

CONTRACTOR: Cremer Concrete

DATE: 10-11-21

BY: [Signature]

TITLE: Owner

**ENGINEER'S CERTIFICATE FOR PAYMENT**

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

AMOUNT CERTIFIED: \$6,239.37

[Signature]  
ENGINEER/DIRECTOR OF PUBLIC WORKS

DATE: 10-11-2021



CITY OF OTTUMWA

Staff Summary

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

Council Meeting of: October 19, 2021

Engineering  
Department

Alicia Bankson  
Prepared By  
Larry Seals  
Department Head

[Signature]  
City Administrator Approval

AGENDA TITLE: Resolution #196-2021. Approving Change Order #2 for Milner Street Reconstruction Project.

\*\*\*\*\*

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

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

RECOMMENDATION: Pass and adopt Resolution #196-2021.

DISCUSSION: The following changes are included in Change Order #2:

Sanitary Sewer Service Stub – The contractor replaced a leaking sewer service.

Temporary Driveway Surfacing – Most water main was installed with the street open to residential traffic. After installation gravel was placed on driveways to maintain access to the house until the street was closed.

Cleanout Covers – Added metal cleanout covers in sidewalk. Was more cost effective than moving the cleanouts away from the sidewalk.

Added Working Days – Added 48 working days for extra work performed and delays due to staging changes.

Original Contract: \$2,505,053.77  
Change Order #2: \$ 8,495.05  
New Contract Total: \$2,513,548.82

Source of Funds: STBG/SWAP, ESRP

Budgeted Item: Yes

Budget Amendment Needed: No

Funding:	
City of Ottumwa:	\$1,979,057.82
Ottumwa Water Works:	<u>\$ 512,994.90</u>
	\$2,492,052.72

**Budgeted**

Funding Sources-Entire Project	Funding Amount
Estimated Construction Cost	\$ 2,750,000
STBG/SWAP	\$ 1,629,508
ESRP	\$ 407,377
City Budgeted	\$ 2,036,885
Ottumwa Water	\$ 512,995

Source of Funds: STBG/SWAP, ESRP

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #196-2021

A RESOLUTION APPROVING CHANGE ORDER #2 FOR  
THE MILNER STREET RECONSTRUCTION PROJECT

WHEREAS, The City Council of the City of Ottumwa, Iowa entered into a contract with Iowa Civil Contracting, Inc. of Victor, Iowa for the above referenced project; and

WHEREAS, Change Order #2 increases the contract amount by \$8,495.05 resulting in a new contract sum of \$2,513,548.82;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The above-mentioned change order for this project is hereby approved.

APPROVED, PASSED, AND ADOPTED, this 19<sup>th</sup> day of October, 2021.

CITY OF OTTUMWA, IOWA

  
\_\_\_\_\_  
Tom X. Lazio, Mayor

ATTEST:

  
\_\_\_\_\_  
Christina Reinhard, City Clerk

**CHANGE ORDER**  
For Local Public Agency Projects

No. 2

Non-Substantial:

Substantial:

Administering Office  
Concurrence Date

Accounting ID No. (5-digit number): 36636

Project Number: STBG-SWAP-5825(644)--SG-90

Contract Work Type: PCC Pavement - Replace

Local Public Agency: City of Ottumwa

Contractor: Iowa Civil Contracting, Inc.

Date Prepared: September 16, 2021

You are hereby authorized to make the following changes to the contract documents.

A - Description of change to be made:

8004 - Add an item for 6" PVC Sanitary Sewer Service Stub. Work shall be in accordance with Section 2504 of the Standard Specifications.

8005 - Add an item to provide temporary driveway surfacing. Work shall be in accordance with Section 2315 of the Standard Specifications.

8006 - Add an item for sanitary sewer cleanout covers in sidewalk.

B - Reason for change:

8004 - A leaking sewer lateral was found under Finley Ave.

8005 - Contractor provided temporary surfacing for driveways in order to keep access to houses while installing pipe.

8006 - Sewer cleanouts were located in the sidewalk. Cheaper to install proper metal caps than to move the cleanouts.

C - Settlement for cost(s) of change as follows with items addressed in Sections F and/or G:

8004 - Agreed Unit Price of \$63.00 + 10% = \$69.30 / LF

8005 - Agreed Unit Price of \$30.50 + 10% = \$33.55 / TN

8006 - Agreed Unit Price of \$530.00 + 10% = \$583.00 / EA

D - Justification for cost(s) (See I.M. 3.805, Attachment D, Chapter 2.36, for acceptable justification):

8004 - Unit prices averaged \$68.21 / LF in the latest Summary of Awarded Contract Unit Prices so the agreed price is in line with similar contracted items on previous projects. The price includes 10% prime contractor markup per Standard Specification 1109.03, B.,3

8005 - Unit prices averaged \$28.42 / TN in the latest Summary of Awarded Contract Unit Prices. Since the placements were spread out over time and distance the agreed price is in line with similar contracted items on previous projects. The price includes 10% prime contractor markup per Standard Specification 1109.03, B.,3.

8006 - Material costs provided are in line with local suppliers. Estimated labor hours seem reasonable based on past experience performing this activity. The price includes 10% prime contractor markup per Standard Specification 1109.03, B.,3.

E - Contract time adjustment:  No Working Days added  Working Days added: 48.0  Unknown at this time

Justification for selection:

3.0 Days - Adding and removing rock for temporary driveways.

1.0 Day - Replace lateral for 102 N Finley.

4.0 Days - Added Driveway at 428 S Milner and paved an additional 55 LF of alley

1.0 Day - City crews repaired force main at Hamilton street.

Accounting ID No.(5-digit number): \_\_\_\_\_

2.0 Days - City crews repaired force main at Finley Ave.

2.0 Days - Subcontractor stopped work on project to connect force main at Finley Ave. to gravity sewer. Change Order No.: \_\_\_\_\_

2.0 Days - Added subdrain and rerouted water main at Finley Ave.

5.0 Days - Overrun of Class 10 Waste.

3.0 Days - City requested rebar be added to sidewalk.

25.0 Days - Ottumwa Water Works requested that all new water main between Mary and Finley be installed and operational before abandoning the old main. The original staging had the water main abandoned in 4 sections. This delayed the installation of storm sewer north of Keota. Days counted are for all days between finishing paving south of Keota and before the subbase was ready to pave north of Keota.

The items listed above impacted the controlling item of work. The time being added is based upon the actual time needed to perform the extra work or the actual time the contractor was delayed.





H. Signatures

Accounting ID No.(5-digit number): \_\_\_\_\_

Agreed: \_\_\_\_\_  
Contractor \_\_\_\_\_ Date \_\_\_\_\_

Change Order No.: \_\_\_\_\_

Recommended: \_\_\_\_\_  
Project Engineer \_\_\_\_\_ Date \_\_\_\_\_

Approved: \_\_\_\_\_  
Person in Responsible Charge \_\_\_\_\_ Date \_\_\_\_\_ Other (optional) \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_ Other (optional) \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_  
Iowa DOT Administering Office

Approval is contingent upon funds being available under the existing project agreement or upon additional Federal-aid funds being made available by a modified project agreement.

FHWA Concurrence: \_\_\_\_\_  
Federal Highway Division Administration \_\_\_\_\_ Date \_\_\_\_\_  
(if required)

DISTRIBUTION (after fully executed on LPA projects): Original - Finance; Copies - Contractor, Project Engineer, Contracting Authority, Administering Office.

Date distributed: \_\_\_\_\_ Initials: \_\_\_\_\_

# Doc Express® Document Signing History

Contract: 90-5825-644 Document: CO 02

This document is in the process of being signed by all required signatories using the Doc Express® service. Following are the signatures that have occurred so far.

Date	Signed By
10/06/2021	Tammy Kolash Iowa Civil Contracting Inc. Electronic Signature (Approved by Contractor (Optional))
	(Recommended by Engineer / Approved)
	(Approved by PIRC (when applicable))
	(Approved by Administering Office or designee)
	(Approved by FHWA (when applicable))

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

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

Council Meeting of : Oct 19, 2021

Planning & Development  
Department

Zach Simonson  
Prepared By  
Zach Simonson  
Department Head

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

AGENDA TITLE: Resolution No. 197-2021: RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO ENTER INTO A DEVELOPMENT AGREEMENT WITH HCI52501 INVESTMENT, LLC, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

\*\*\*\*\*

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

RECOMMENDATION: Approve and Pass Resolution No. 197-2021

DISCUSSION: This resolution sets a public hearing for the proposed development agreement with HCI52501 Investment, LLC to develop 108 units of housing on Bonita Ave. The public hearing will be on November 2, 2021 at 5:30pm in the Council Chamber. The public hearing for the proposed Bonita Urban Renewal Plan will be on the same date. The development agreement includes a Tax Increment Financing rebate that is contingent on approving the Urban Renewal Plan.

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

This project will create 108 units of affordable, workforce housing. Tax Increment Financing rebate up to 100% of the property tax increment generated by the housing development for 20 years, not to exceed \$3.5 million. Tax increment financing is an urban renewal power given to cities that allows us to leverage future taxable value to incentivize growth. This rebate is not general fund or other taxpayer money. Instead, the developer will pay their taxes and the tax paid for most levies on the added value will be rebated back to the developer.

The proposed development property is already zoned R-4 Multi-Family Residential. The 2040 Our Ottumwa Comprehensive Plan and the ongoing housing study have identified housing as a critical economic development and quality of life issue for Ottumwa. Insufficient or inadequate housing is a barrier to commercial and economic growth. More housing is necessary to retain existing industry, enable existing industry to have the flexibility to grow and to attract to new industry. Further, new housing provides current residents more housing options and creates market pressure improve the existing rental housing stock. Staff believes this project is compatible development goals and recommends continuing toward bringing it to fruition.

## ITEM TO INCLUDE ON AGENDA

### CITY OF OTTUMWA, IOWA

October 19, 2021

5:30 P.M.

#### Bonita Urban Renewal Plan

- Resolution fixing date for a public hearing on the proposal to enter into a Development Agreement with HCI52501 Investment, LLC.

### IMPORTANT INFORMATION

1. The above agenda items should be included, along with any other agenda items, in the meeting agenda. The agenda should be posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting. If no such office exists, the notice must be posted at the building in which the meeting is to be held.
2. If you do not now have a bulletin board designated as above mentioned, designate one and establish a uniform policy of posting your notices of meeting and tentative agenda.
3. Notice and tentative agenda must be posted at least 24 hours prior to the commencement of the meeting.

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

October 19, 2021

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

Bob Meyers, Rick Johnson, Matt Dalbey, Marc Roe

Absent: Holly Berg

Vacant: None

\* \* \* \* \*

Council Member Johnson then introduced the following proposed Resolution entitled "RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO ENTER INTO A DEVELOPMENT AGREEMENT WITH HCI52501 INVESTMENT, LLC, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member Meyers seconded the motion to adopt. The roll was called, and the vote was:

AYES: Meyers, Johnson, Dalbey

---

NAYS: Roe

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



RESOLUTION NO. 197-2021

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON  
THE PROPOSAL TO ENTER INTO A DEVELOPMENT  
AGREEMENT WITH HCI52501 INVESTMENT, LLC, AND  
PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, on November 2, 2021, this Council proposes to consider whether certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, pursuant to the proposed Bonita Urban Renewal Plan (the "Urban Renewal Plan" or "Plan") for the proposed Bonita Urban Renewal Area (the "Urban Renewal Area" or "Area") described therein; and

WHEREAS, it is desirable that properties within the Area be redeveloped as part of the overall redevelopment area covered by said Plan, if adopted; and

WHEREAS, the City has received a proposal from HCI52501 Investment, LLC (the "Developer"), in the form of a proposed Development Agreement (the "Agreement") by and between the City and the Developer, pursuant to which, among other things, the Developer would agree to construct certain Minimum Improvements (as defined in the Agreement) on certain real property located within the Urban Renewal Area as defined and legally described in the Agreement (the "Development Property") and consisting of the construction of a 108 unit multi-family housing complex, together with all related site improvements, as outlined in the proposed Agreement; and

WHEREAS, all of the housing units proposed to be constructed as part of the Minimum Improvements are planned to be LMI Housing Units (as defined in the Agreement), and relatedly an application has been made for the Project to receive incentives from the Iowa Economic Development Authority under the Workforce Housing Tax Credits Program; and

WHEREAS, the Agreement further proposes that the City will make up to twenty (20) consecutive annual payments of Economic Development Grants to Developer consisting of 100% of the Tax Increments pursuant to Section 403.19, Code of Iowa, and generated by the construction of the Minimum Improvements, but not to exceed \$175,000 annually; the cumulative total for all such payments not to exceed the lesser of (i) \$3,500,000 over twenty (20) years, or (ii) the amount accrued under the formula outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, Chapters 15A and 403, Code of Iowa, (the "Urban Renewal Law") authorize cities to make grants for economic development in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapter, and to levy taxes and assessments for such purposes; and

WHEREAS, the Council has determined that the Agreement is in the best interests of the City and the residents thereof and that the performance by the City of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the City's performance thereunder is in furtherance of appropriate

economic development activities and objectives of the City within the meaning of Chapters 15A and 403, Code of Iowa, taking into account the factors set forth therein; and

WHEREAS, neither the Urban Renewal Law nor any other Code provision sets forth any procedural action required to be taken before said economic development activities can occur under the Agreement, and pursuant to Section 364.6, Code of Iowa, it is deemed sufficient if the action hereinafter described be taken and the City Clerk publish notice of the proposal and of the time and place of the meeting at which the Council proposes to take action thereon and to receive oral and/or written objections from any resident or property owner of said City to such action.

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

Section 1. That this Council meet in the Council Chambers, City Hall, 105 East Third Street, Ottumwa, Iowa, at 5:30 P.M. on November 2, 2021, for the purpose of taking action on the matter of the proposal to enter into a Development Agreement with HCI52501 Investment, LLC.

Section 2. That the City Clerk is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said City, said publication to be not less than four (4) clear days nor more than twenty (20) days before the date of said public meeting.

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

**(One publication required)**

NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF  
THE CITY OF OTTUMWA IN THE STATE OF IOWA, ON THE  
MATTER OF THE PROPOSAL TO ENTER INTO A  
DEVELOPMENT AGREEMENT WITH HCI52501  
INVESTMENT, LLC, AND THE HEARING THEREON

PUBLIC NOTICE is hereby given that the Council of the City of Ottumwa in the State of Iowa, will hold a public hearing on November 2, 2021, at 5:30 P.M. in the Council Chambers, City Hall, 105 East Third Street, Ottumwa, Iowa, at which meeting the Council proposes to take action on the proposal to enter into a Development Agreement (the "Agreement") with HCI52501 Investment, LLC (the "Developer").

The Agreement would obligate the Developer to construct certain Minimum Improvements (as defined in the Agreement) on certain real property located within the proposed Bonita Urban Renewal Area as defined and legally described in the Agreement (the "Development Property"), consisting of the construction of a 108 unit multi-family housing complex, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Agreement. All of the housing units proposed to be constructed as part of the Minimum Improvements are planned to be LMI Housing Units (as defined in the Agreement), and relatedly an application has been made for the Project to receive incentives from the Iowa Economic Development Authority under the Workforce Housing Tax Credits Program.

The Agreement would further obligate the City to make up to twenty (20) consecutive annual payments of Economic Development Grants to Developer consisting of 100% of the Tax Increments pursuant to Section 403.19, Code of Iowa, and generated by the construction of the Minimum Improvements, but not to exceed \$175,000 annually. The cumulative total for all such payments would not exceed the lesser of (i) \$3,500,000 over twenty (20) years, or (ii) the amount accrued under the formula outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement.

A copy of the Agreement is on file for public inspection during regular business hours in the office of the City Clerk, City Hall, City of Ottumwa, Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of said City, to the proposal to enter into the Agreement with the Developer. After all objections have been received and considered, the Council will at this meeting or at any adjournment thereof, take additional action on the proposal or will abandon the proposal to authorize said Agreement.

This notice is given by order of the City Council of the City of Ottumwa in the State of Iowa, as provided by Section 364.6, Code of Iowa.

Dated this 19 day of October, 2021.

Christ Reinhard



City Clerk, City of Ottumwa in the State of Iowa

(End of Notice)

PASSED AND APPROVED this 19<sup>th</sup> day of October, 2021.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
  
\_\_\_\_\_  
City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WAPELLO

)

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

WITNESS my hand and the seal of the Council hereto affixed this 19<sup>th</sup> day of October, 2021.

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

(SEAL)

04951738-1\10981-172



CITY OF OTTUMWA

Staff Summary

OCT 19 11:12:17

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

Council Meeting of: October 19, 2021

Engineering Department  
Department

Alicia Bankson  
Prepared By

Larry Seals *Larry Seals*  
Department Head

*Ally Rta*  
City Administrator Approval

AGENDA TITLE: Resolution #198-2021. Authorizing the Mayor to execute an Easement Agreement for Construction and Maintenance of Public Improvements for the Richmond Avenue Pump Station Improvements Project.

\*\*\*\*\*

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

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

RECOMMENDATION: Pass and adopt Resolution #198-2021.

DISCUSSION: The project is for connecting the existing pressure main installed in an earlier separation project. In order to install the pressure line on the west side of the existing pump station as designed an easement is required to allow new construction across private property. It allows for temporary right of access for future maintenance as needed.

The permanent and temporary easement will be recorded and will be deemed to run with the land.

The temporary easement is in effect during construction and allow areas wide enough for construction activities, once completed the temporary easements sunset.

Source of Funds: Sewer Fund Balance

Budgeted Item: No

Budget Amendment Needed: No



RESOLUTION #198-2021

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AGREEMENT FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS FOR THE RICHMOND PUMP STATION IMPROVEMENTS PROJECT

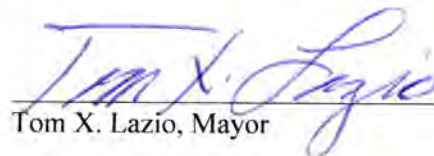
WHEREAS, The project will consist of installation of pressure sanitary sewer lines.

WHEREAS, This resolution will authorize the Mayor to sign the easement with the property owner for construction of the public improvements.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The Mayor is authorized to sign the easement agreement for the Richmond Avenue Pump Station Improvements Project.

APPROVED, PASSED, AND ADOPTED, this 19<sup>th</sup> day of October, 2021.

CITY OF OTTUMWA, IOWA

  
Tom X. Lazio, Mayor

ATTEST:

  
Christina Reinhard, City Clerk

---

DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER

Prepared by: Larry Seals, The City of Ottumwa, Wapello County, Iowa 52501 (Phone: 641-683-0680)

Return to: City of Ottumwa, 105 E Third St, Ottumwa, IA 52501

**CITY OF OTTUMWA**  
**PERMANENT EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT**  
**AGREEMENT FOR CONSTRUCTION AND MAINTENANCE OF PUBLIC IMPROVEMENTS**

THIS AGREEMENT, entered into by the **City of Ottumwa, Iowa**, a municipal corporation, Grantee, (hereinafter called "City"), and **Impact Properties, LLC**, Grantor, (hereinafter called "Property Owner"). Property Owner grants unto City, its successors and assigns, including any agents, contractors, and employees designated by the city, a temporary right of access, on, over, under, through and across the land as follows for the purpose of reconstructing a driveway, together with necessary appurtenances thereto:

A perpetual sanitary sewer easement located in Lot 25, Block 1, Richmond Addition to Ottumwa, an Official Plat, now included in and forming a part of the City of Ottumwa, Wapello County, Iowa. Said perpetual easement being more particularly described as follows:

Beginning at the Southwesterly corner of the South 58 feet of the East 20 feet of said Lot 25; thence Northwesterly along the Southerly line of said Lot 25 and the Northerly right-of-way line of Richmond Avenue a distance of 25 feet; thence Northeasterly to a point on the West line of said East 20 feet of Lot 25 that is 25 feet Northeasterly of the Point of Beginning; thence Southwesterly 25 feet along said West line to the Point of Beginning, containing 313 square feet.

NOW THEREFORE, in consideration of the mutual promises herein stated, the parties agree as follows:

I. Consideration

City shall bear the entire cost of restoring the area disturbed to a condition that is equal to or better than the condition before the work began. City shall waive one connection fee to the new sanitary sewer for the Grantor for the use of the above described property for the temporary and permanent easement to construct said improvements, together with necessary appurtenances thereto.

II. Possession

Possession of the premises is the essence of this agreement. Property Owner hereby grants to City the immediate right to enter the above described property.

III. Repairs

City agrees that any retaining wall, drain tile, fence, yard, or other improvements which may be damaged as a result of any entry made through an exercise of the rights granted to the City in this agreement shall be repaired at no expense to Property Owner.

IV. Damages, If Any

It is understood and agreed that the consideration for this agreement includes full compensation for all apparent damages caused by the exercise of this agreement.

V. City's Liability

City will assume all liability for all damages to the above described property caused by City's failure to use due care in its exercise of the rights granted.

VI. Termination

The temporary easement described herein will terminate upon completion of the construction project.

VII. Easement Runs With the Land

The temporary easement shall be deemed to run with the land and shall be binding on Property Owner and on the successors and assigns of Property Owner.

VIII. Obstructions

Property Owner shall not erect any structure, plant any tree nor otherwise obstruct, the Temporary Easement Area without obtaining the prior written consent of City.

IX. Five Year Right to Renegotiate

City hereby gives notice of the five-year right of Property Owner to renegotiate construction or maintenance damages not apparent at the time of the signing of this agreement, as required by Section 6B.52 of the Code of Iowa.

X. Words and Phrases

Words and phrases herein, including acknowledgement herein, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to context.

XI. Entire Agreement

This writing, consisting of three (3) pages and attachments, constitutes the entire agreement between City and Property Owner, and there is no agreement to do or not to do any act or deed except as specifically provided herein.

XII. Acceptance by City

This easement agreement shall not be binding until it has been approved and accepted by the City Council of Ottumwa, Iowa, by Resolution. Said approval and acceptance shall be noted on this agreement.

Signed the 19<sup>th</sup> day of October, 2021.

**CITY OF OTTUMWA, IOWA**

By: [Signature]  
Tom Lazio, Mayor

Attest: [Signature]  
Chris Reinhard, City Clerk

STATE OF IOWA )  
WAPELLO COUNTY ) SS:

On this 19<sup>th</sup> day of October, 2021, before me, a Notary Public in and for the State of Iowa, personally appeared Tom Lazio and Chris Reinhard, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ottumwa, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution No. 198-2021 Adopted by the City Council on the 19 day of October, 2021, and that Tom Lazio and Chris Reinhard acknowledged the execution of the instrument to be their voluntary act and deed of the corporation, by it voluntarily executed.



[Signature]  
Notary Public in and for Wapello County, Iowa

Signed the 30<sup>th</sup> day of September, 2021.

**PROPERTY OWNER:**

By: [Signature]  
Jennifer Christopher, Impact Properties, LLC

**ALL PURPOSE ACKNOWLEDGMENT**

STATE OF Iowa )  
 ) SS  
COUNTY OF WAPELLO )

On this 30<sup>th</sup> day of September, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Jennifer Christopher and [Signature] to me personally known, or  proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the person(s) acted, executed the instrument.

**CAPACITY CLAIMED BY SIGNER:**

- INDIVIDUAL(S)
- CORPORATE
- Title(s) of Corporate Officer(s): \_\_\_\_\_
- \_\_\_\_\_ Corporate Seal is affixed
- \_\_\_\_\_ No Corporate Seal procured
- \_\_\_\_\_ PARTNER(S):
- \_\_\_\_\_ Limited Partnership
- \_\_\_\_\_ General Partnership
- \_\_\_\_\_ ATTORNEY-IN-FACT
- \_\_\_\_\_ EXECUTOR(S),
- \_\_\_\_\_ ADMINISTRATOR(S),
- \_\_\_\_\_ or TRUSTEE(S)
- \_\_\_\_\_ GUARDIAN(S)
- \_\_\_\_\_ or CONSERVATOR(S)
- \_\_\_\_\_ OTHER: \_\_\_\_\_

(NOTARY SEAL) \_\_\_\_\_



(Sign in ink) [Signature]  
(Print/type name) Alicia L. Bankson  
Notary Public in and for the State of Iowa

INDEX LEGEND	
LOCATION:	LOT 25, BLOCK 1, RICHMOND ADDITION OTTUMWA, IOWA
PROPRIETOR:	IMPACT PROPERTIES, LLC
REQUESTED BY:	CITY OF OTTUMWA
PREPARED BY:	BOBBY J. MADDALENO
COMPANY:	GARDEN & ASSOCIATES, LTD.
RETURN TO:	P.O. BOX 451, OSKALOOSA, IOWA 52577



GARDEN & ASSOC.

P.O. Box 451, Oskaloosa, Iowa 52577-0451 Phone: (641)672-2526

RESERVED FOR RECORDER'S USE

## EASEMENT PLAT

A perpetual sanitary sewer easement located in Lot 25, Block 1, Richmond Addition to Ottumwa, an Official Plat, now included in and forming a part of the City of Ottumwa, Wapello County, Iowa. Said perpetual easement being more particularly described as follows:

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I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.  
*Bobby J. Maddaleno* 9-1-21  
 Bobby J. Maddaleno, P.L.S. Date  
 License number: 19960  
 My license renewal date is December 31, 2021  
 Pages or sheets covered by this plat: 1



**SANITARY SEWER EASEMENT**  
**LOT 25, BLOCK 1**  
**RICHMOND ADDITION**  
**OTTUMWA, IOWA**

DATE: 09-01-21	DRN. TRH	APP.
FLD.BK.	PROJ.NO. 3021263	

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

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

Council Meeting of : Oct 19, 2021

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution No. 199-2021 - a resolution approving a 28E agreement between the Ottumwa School District, the Friends of Ottumwa's Parks, and the City related to establishing tree nurseries.

\*\*\*\*\*

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

RECOMMENDATION: Pass and adopt Resolution 199-2021

DISCUSSION: Earlier this year the Friends of Ottumwa's Parks had presented the idea of creating one or more tree nurseries to the Park Board. The Board approved of this concept and working with staff and the Ottumwa School District identified a couple of ideal District properties to locate tree nurseries. The entities (with the assistance of the City Attorney) drafted the attached 28E agreement for consideration and adoption by resolution.

Source of Funds: Gift from Friends

Budgeted Item:  Budget Amendment Needed:

**RESOLUTION NO. 199-2021**

**RESOLUTION APPROVING A 28E AGREEMENT BETWEEN THE  
OTTUMWA SCHOOL DISTRICT, THE FRIENDS OF OTTUMWA'S PARKS,  
AND THE CITY RELATED TO ESTABLISHING TREE NURSERIES**

**WHEREAS**, the City of Ottumwa, Iowa desires to approve a 28E Agreement with the Ottumwa School District and the Friends of Ottumwa Parks for the establishment and maintenance of tree nurseries on District property; and

**WHEREAS**, the parties receive mutual benefit from the trees at maturity, educational opportunities for students related to horticulture, volunteerism, and stewardship of the environment.

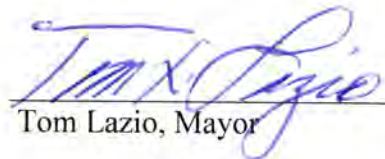
**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF  
THE CITY OF OTTUMWA, IOWA:**

That the proposed 28E Agreement between the City of Ottumwa, the Ottumwa School District, and the Friends of Ottumwa Parks is hereby approved; and

That the Mayor and the City Clerk of the city of Ottumwa, Iowa, are hereby authorized and directed to execute said renewal on behalf of the City.

APPROVED, PASSED AND ADOPTED, this 19<sup>th</sup> day of October, 2021.

CITY OF OTTUMWA, IOWA

  
Tom Lazio, Mayor

ATTEST:

  
Christina Reinhard, City Clerk

## CHAPTER 28E AGREEMENT TREE NURSERIES

This Chapter 28E Agreement is dated \_\_\_\_\_, 2021 and is between the Ottumwa Community School District, an Iowa school corporation (the "District"), the City of Ottumwa, an Iowa municipal corporation (the "City"), and the Friends of Ottumwa's Parks, an Iowa nonprofit corporation (the "Friends").

The District, City and Friends desire to establish tree nurseries (the "Project") which will be located on real estate currently owned by the District and more particularly described in the attached Exhibit A (the "District Real Estate").

One of the primary purposes of this Agreement is to have students of the District learn about the caretaking of the trees, and the value of volunteerism and being a steward to the community and the environment.

The trees that are grown at the Project will be transplanted at maturity to the City's parks and the District's schools.

Iowa Code Chapter 28E permits public and private agencies to enter into agreements for this type of joint and cooperative action.

The parties therefore agree as follows:

1. **Purpose.** The purpose of this Agreement is to facilitate the joint exercise of the parties' respective powers to fund, construct/install and maintain the Project.
2. **Administration.** No separate legal or administrative entity shall be created for the governance or administration of this Agreement. This Agreement shall be administered jointly by the District Superintendent and the City Administrator or their respective designees, as needed.
3. **Duration.** This Agreement will commence with the date it is filed with the Iowa Secretary of State in accordance with Iowa Code Section 28E.8 and will end on June 30, 2024.
4. **Property.** This Agreement does not involve the transfer of real property. The Project shall be located on the District Real Estate and the District Real Estate shall at all times be owned by the District. The City and Friends shall be allowed reasonable access to the District Real Estate to perform their respective obligations under this Agreement.
5. **Individual Ownership and Responsibility.** Except as otherwise explicitly provided herein, each party shall at all times hold and own its respective properties. Each party shall be solely authorized to supervise, direct, and manage their own activities and the activities of their respective employees, volunteers and agents hereunder. Each party shall retain sole



responsibility and liability for its own acts and omissions hereunder and for the acts and omissions of their respective employees, volunteers and agents hereunder, and each party waives subrogation against the other for all claims, suits, damages, and demands which are covered by any insurance, including but not limited to property, casualty and workers compensation insurance.

6. **Responsibilities.**

A. **District Responsibilities.** The District shall make the District Real Estate available for the construction/installation of the Project. The District shall provide water for the tree plantings as well as for the ongoing maintenance of the trees. The District shall be responsible for mowing the Project area. The District shall have the rights to 25% of the plantings in the nurseries. The District agrees to provide educational opportunities and encourage students to volunteer in planting, mulching, and weeding within the nurseries areas as plausible within the curriculum and school calendar.

B. **City Responsibilities.** The City shall provide the labor to plant the initial trees in the nurseries area. The City shall be responsible for the ongoing mulching and weeding of trees in the nurseries area. The City shall provide labor to transplant trees from the nurseries area as well as the labor to re-plant new trees in the nurseries area. The City shall have rights to 75% of the plantings in the nurseries.

C. **Friends Responsibilities.** The Friends shall provide funding and shall engage a contractor to perform any construction related to the Project (fencing and trenching). The Friends shall provide the funding for the purchase of the trees used to begin the nurseries (estimated 100 plantings). The Friends shall provide the funding for the future rental of tree spade to be used in transplanting trees. The Friends shall coordinate with community service organizations to provide volunteer labor to supplement City labor and student volunteers for planting, mulching, and weeding in nurseries area. The Friends shall provide funding for future replacement trees, mulch, gardening equipment and supplies as needed.

7. **Termination of Agreement.** This Agreement may be terminated as follows:

A. Jointly at any time, by a written agreement executed by District, City and Friends;

B. By any party for a material breach of any of the terms of this Agreement by another party. Termination shall be accomplished by giving written notice to the breaching party specifying the breach and stating that the Agreement will be terminated if the breach is not cured within ninety calendar days.

C. In the event of termination, the parties shall be relieved of all further obligations or duties beyond the date of termination, but none of the parties shall be relieved of its duties and obligations under this Agreement through the date of termination.

8. **Notice.** For a notice under this Agreement to be valid, it must be in writing and must be delivered either (i) in person, (ii) via certified mail to the address noted below, or (iii) via email if the receiving party consents to receiving notice via email. All notices shall be effective upon receipt.

**To District:**  
Superintendent  
Ottumwa Community School District  
1112 N. Van Buren  
Ottumwa, IA 52501

**To City:**  
City Administrator  
105 East 3<sup>rd</sup> St.  
Ottumwa, IA 52501

**To Friends:**  
Friends of Ottumwa's Parks  
105 East 3<sup>rd</sup> St.  
Ottumwa, IA 52501

9. **Liability; Indemnification.** Each party ("Indemnifying Party"), to the fullest extent permitted by law, hereby agrees to indemnify, defend, pay on behalf of, and hold harmless the other parties, and their elected or appointed officials, agents, employees and volunteers, and others working on behalf of such parties ("Indemnitees"), against any and all claims, demands, suits, damages or losses, together with any and all outlay and expense connected therewith including, but not limited to, attorneys' fees and court costs, that may be asserted or claimed against, recovered from or suffered by the Indemnitees by reason of any injury or loss arising out of any wrongful act or omission of the Indemnifying Party, including, but not limited to, bodily injury or death, property damage, including loss of use thereof, and economic damages that arise out of or are in any way connected to this Agreement. No party shall have any right of indemnity for damages or claims proximately cause by its own negligent or intentionally wrongful acts. Each party's agreements and obligations as set forth in this Paragraph are applicable for the duration of and following expiration or termination of this Agreement, regardless of the manner of termination, and notwithstanding other provisions of this Agreement.

10. **Insurance.** Each party shall procure and maintain its own insurance.

11. **No Assignment.** None of the parties may transfer to any other person (i) any discretion granted under this Agreement, (ii) any right under this Agreement, (iii) any remedy under this Agreement, or (iv) any obligation imposed under this Agreement.

12. **Entire Agreement.** This Agreement constitutes the entire understanding between the parties with respect to the subject matter of this Agreement and supersedes all other agreements, whether written or oral, between the parties.

13. **Modification.** No amendment of this Agreement will be effective unless it is in writing and signed by all parties.

14. **Interpretation.** If any section, provision or article of this Agreement shall be found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision or article thereof not found to be invalid or unconstitutional.

15. **Governing Law.** This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Iowa.

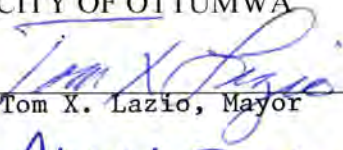
**IN WITNESS THEREOF,** the parties have caused this Agreement to be executed in counterparts, each of which shall be considered an original.


OTTUMWA COMMUNITY SCHOOL DISTRICT

\_\_\_\_\_

\_\_\_\_\_  
Attest

CITY OF OTTUMWA

  
\_\_\_\_\_  
Tom X. Lazio, Mayor

  
\_\_\_\_\_  
Attest Christina Reinhard, City Clerk



FRIENDS OF OTTUMWA'S PARKS

\_\_\_\_\_

Exhibit A

Google Maps



# Exhibit A

Google Maps



Imagery ©2021 Maxar Technologies, Map data ©2021 100 ft