

REGULAR MEETING NO. 16  
Council Chambers, City Hall

May 17, 2022  
5:30 O'Clock P.M.

The meeting was called to order at 5:31 P.M.

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

Roe moved, seconded by McAntire to approve consent agenda items; followed by a motion to rescind by Roe. Galloway moved, seconded by Roe to approve the following consent agenda items with removal of Item B-4, Approve updated Salary Schedule, to discuss and vote on separately. Mins. from Regular Mtg. No. 15 on May 3, 2022; Approve appointment of Jessica Townsend to Airport Line Tech. at Ottumwa Airport on or about May 22, 2022; Approve appointment of Amanda Hull to Probationary Firefighter; Historic Preservation Month Proclamation; Res. No. 123-2022, fixing June 7, 2022 as date for public hearing on proposal to convey certain real property locally known as Legion Field to Ottumwa Comm. School Dist.; Res. No. 131-2022, directing Alliant Energy to Revise Lighting System on Existing dedicated structure No. 61425, along Ferry St. Ext.; Res. No. 132-2022, directing Alliant Energy to Revise Lighting System on Existing dedicated structure No. 61428, along Ferry St. Ext.; Res. No. 133-2022, directing Alliant Energy to Revise Lighting System on Existing dedicated structure No. 60350, along S. Market St.; Res. No. 136-2022, fixing June 7, 2022 as date for public hearing on proposal to convey certain real property, being a portion of the property locally known as Pickwick Park, to Ottumwa Comm. School Dist.; Beer and/or liquor applications for: Front Runners with OSA, 837 Church; Fraternal Order of Eagles Ottumwa Aerie #114, 109 S. Green; American Legion OB Nelson #3, 550 W. Main; Appanoose Rapids, with OSA, 332 E. Main; Champion Bowl, 2601 Roemer Ave.; Owl's Nest, LLC, 116 S. Court; all applications pending final inspections. All ayes.

Galloway moved, seconded by Pope to approve updated salary schedule, as presented. Clarification on addition of GIS Administrator; this position will be primarily funded by projects; this system maps our sewer infrastructure that has been updated through CSO. Galloway questioned; were we waiting for completed salary comparison before adding any new positions. City Admin. Rath responded we are not adding any new positions out of general fund, and this will not be paid out of that fund. All ayes.

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

Rath presented initial draft version Charter of Human Rights Commission. Encourage and initiate programs and services within the City designated to eliminate discrimination, improve human relations and positively affect the spirit and intent of applicable human and civil rights legislation. Provide education and training to help end discrimination and inequalities. The Commission will be comprised of nine voting members (representing various groups in the community) and three ex-officio (non-voting) members serving three-year terms. This will be presented in Ordinance form at a later date.

He also provided update on Proposed Ord. to Repeal & Replace Ch. 7, Animals and Fowl. Next steps: hold a work session to finalize some of the language within the Ord. before it comes back to council for a vote. Looking at holding work session on 5/24.

Mayor Johnson inquired if there was anyone from the audience who wished to address an item on the agenda. Brooke Engeman, Julie Engeman and Tom Rodgers wished to speak about Ch. 7. Brooke described an incident that happened to her dog Lola while in Adair, IA, where a pit bull ban was in place. Lola was attacked by a pit bull. Julie also discussed this incident and how it has affected all of their lives. If you lift the breed specific language from your ordinance, who will be accountable if a pit bull gets loose

and mauls another animal or a child? Tom shared he was employed with the City in 2002 when CharLee Shepherd was mauled by a pit bull in her back yard and the ban was then put in place. Council at the time was angry that something like this could happen in their community. We have been very fortunate to not have another incident and we have an animal control officer who deals with this on a daily basis. Please consider keeping the breed specific language in place.

Roe moved, seconded by McAntire to accept bid and award contract for the 2022 RFP#2 – West End Valve Check Installation to DC Concrete and Construction of Douds, IA for \$8,200 and auth. the Mayor to sign the contract. Two bids were rec'd. All ayes.

This was the time, place and date set for a public hearing on the Proposed Amendment to the FY22 City Budget. Roe inquired on part of the amendment including changes in airport operations; he also asked about having periodic presentations from the Airport staff since the City took over FBO operations because we have not had any to date. No objections were rec'd. Hull moved, seconded by McAntire to close the public hearing. All ayes.

Roe moved, seconded by Hull that Res. No. 125-2022, amending the annual budget for the FY ending June 30, 2022, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on proposed Ord. No. 3197-2022, amending the zoning ord. of the City of Ottumwa, IA, by conditionally rezoning property generally located at 1321 Asbury Dr. and direct the Zoning Admin. to note Ord. Number and Date of change on the official zoning map. Comm. Development Dir. Simonson reported Ord. No. 3124-2017 provided conditional rezoning of property at 1321 Asbury from R-1 to R-5 for a multi-family residential development not to exceed 63 units and to begin within 5 yrs. The ord. provided for extension, if the developer was able to demonstrate pursuing completion of the project. Jim Danaher, owner, submitted a progress report; which he developed a project for the site for the 2021 Iowa Low Income Tax Credit application. This Ord. extends the current rezoning with the same terms. No objections were rec'd. Galloway moved, seconded by Hull to close the public hearing. All ayes.

Hull moved, seconded by Roe to pass the first consideration of Ord. No. 3197-2022, amending the Zoning Ordinance of the City of Ottumwa, IA by conditionally rezoning property generally located at 1321 Asbury Dr. and direct the Zoning Admin. to note Ord. Number and date of change on the official zoning map. All ayes.

Galloway moved, seconded by McAntire that Res. No. 126-2022, auth. Mayor to sign and submit the CDBG Application for Ottumwa Blessings Soup Kitchen/Food Program Assistance Project and, if funded, sign all contract related docs, and rescind Res. No. 77-2022. Simonson reported an error occurred in Res. No. 77-2022 that referenced a local match from a different CDBG program. This program does not require a match from the City or Blessings. All ayes.

Roe moved, seconded by McAntire that Res. No. 127-2022, approving submission of application for the IA Airport Capital Improvement Program (ACIP) and Cert. Eligibility Reqs. for fiscal years 2023-2026. Airport Mgr. Wheaton reported the updated project plan includes taxiway improvements (2023), construct hanger (2025), and terminal Apron Improvements in 2026. IADOT covers 85% with local match being 15% of the projects. All ayes.

Roe moved, seconded by Pope that Res. No. 128-2022, directing acceptance of a proposal to purchase \$5,000,000 Gen. Obligation Capital Loan Notes, Series 2022A, be passed and adopted. Tim Oswald of Piper Sandler presented bids received for the City's GO CLN Series 2022A and Taxable GO CLN Series

2022B. Key Government Finance, Inc. (KGF) provides the best and most favorable proposal for both Series. This option is more cost effective for the City than selling conventional bonds. All ayes.

Hull moved, seconded by McAntire that Res. No. 129-2022, directing acceptance of a proposal to purchase \$3,000,000 Taxable Gen. Obligation Capital Loan Notes, Series 2022B, be passed and adopted. All ayes.

Hull moved, seconded by Roe that Res. No. 130-2022, approve Change Order No. 5 for the Blake's Branch Sewer Separation Ph. 8, Div. 1 Project, be passed and adopted. City Engineer Burgmeier stated CO#5 increases contract amt. \$4,590; new contract sum \$12,161,467.25. All ayes.

McAntire moved, seconded by Hull that Res. No. 135-2022, awarding the contract for asbestos abatement and demolition of condemned property at 209 W. Fifth to Weston McKee in the amt. of \$38,000. Simonson reported two bids rec'd. All ayes.

Roe moved, seconded by Pope that Res. No. 137-2022, approving execution of Affidavit of Possession and Explanatory of Title for the property known as Legion Field, be passed and adopted. Rath reported this affidavit has been presented by legal to clear up the entity who has the proper authority to own said property. All ayes.

Mayor Johnson inquired if anyone from the audience wished to address an item not on the agenda. Jim & Lori Rushman requested to discuss the empty lot located at 817 Chester. We filed a petition with the City on July 12, 2019 to purchase the empty lot at 817 Chester and provided a \$50 deposit at that time. This process normally takes approx. 60 days, but it shows that someone else has purchased the lot. Want a better explanation of the process.

There being no further discussion, Galloway moved, seconded by Hull that the meeting adjourn. All ayes.

Adjournment was at 6:59 P.M.



ATTEST:

Christina Reinhard  
Christina Reinhard, CMC, City Clerk

CITY OF OTTUMWA, IOWA

Richard W. Johnson  
Richard W. Johnson, Mayor

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