



# Minutes

City Council Meeting  
20 Second Avenue SW, Oelwein  
May 08, 2023 - 6:00 PM

## Pledge of Allegiance

## Call to Order

Mayor DeVore called the meeting to order at 6:00 PM.

## Roll Call

**Present:** Stewart, Weber, Payne, Lenz, Garrigus, Seeders

**Also Present:** Mayor DeVore, City Administrator Mulfinger, City Clerk Rigdon

**Absent:** NA

## Additions or Deletions

A motion was made by Weber, seconded by Lenz to approve the agenda as amended.

All aye. Motion carried.

## Citizens Public Comments

Warren Fisk, Oelwein Board of Adjustment member, 102 6<sup>th</sup> Ave SW, and Christopher Link, 548 8<sup>th</sup> St SW, reported their concerns regarding the 25-foot set back and requested council to review this.

Greg Bryan, Oelwein Airport Board Chairman, 1302 Outer Road, raised concerns about his treatment from the Mayor regarding the situation out at the airport.

## Consent Agenda

1. Consideration of a motion to approve the April 24, 2023 minutes.

A motion was made by Weber, seconded by Stewart to approve the consent agenda.

All aye. Motion carried.

## Public Hearing

2. Public Hearing for the Oelwein NE Sanitary Sewer Improvements on May 8, 2023 at 6:00 PM in the Oelwein Council Chambers.

Mayor DeVore opened the public hearing.

John Gade, FOX Strand, informed council of the 1.8 million Northeast Sanitary Sewer Improvement will relieve constraints in the sewer system in the Northwest part of town and near Frederick and 1<sup>st</sup> Avenue Downtown.

Garrigus asked if receiving only 1 bid is the new norm. John stated this was the second time, even though 25 contractors were contacted for the project.

Mayor DeVore closed the public hearing.

## Ordinances

3. Consideration of an Ordinance amending Zoning Section 401.1 (Fencing Regulations), Section 202.2(4), and 203.2(4) (Setback Regulations). - Second Reading.

A motion was made by Weber, seconded by Lenz to approve an Ordinance amending Zoning Section 401.1 (Fencing Regulations), Section 202.2(4), and 203.2(4) (Setback Regulations) on the second reading.

Ayes: Stewart, Weber, Payne, Lenz, Garrigus, Seeders

Nays: NA

Motion carried.

### Resolutions

4. Consideration of a Resolution approving Pay Application No. 1 in the amount of \$200,971.74 to Mätt Construction, Inc for the Plaza Park Project.

A motion was made by Seeders, seconded by Garrigus to adopt Resolution No. 5408-2023.

Ayes: Stewart, Weber, Payne, Lenz, Garrigus, Seeders

Nays: NA

Motion carried.

5. Consideration of a Resolution accepting the bid from Dave Schmitt Construction in the amount of \$1,218,960.50 for the Northeast Sanitary Sewer project.

One bid was received:

|                           |                |
|---------------------------|----------------|
| Dave Schmitt Construction | \$1,218,960.50 |
|---------------------------|----------------|

A motion was made by Seeders, seconded by Garrigus to adopt Resolution No. 5409-2023.5409

Ayes: Stewart, Weber, Payne, Lenz, Garrigus, Seeders

Nays: NA

Motion carried.

6. Consideration of a Resolution approving the Sale of 119 West Charles to Frank Harry Jr. in the amount of \$1,000.

A motion was made by Weber, seconded by Seeders to decline approving the Sale of 119 West Charles to Frank Harry Jr. in the amount of \$1,000.

Ayes: Stewart, Weber, Payne, Lenz, Garrigus, Seeders

Nays: NA

Motion carried.

7. Consideration of a Resolution naming Plaza Park to Depot Park.

A motion was made by Weber, seconded by Stewart to adopt Resolution No. 5410-2023.

Ayes: Stewart, Weber, Payne, Lenz, Garrigus, Seeders

Nays: NA

Motion carried.

8. Consideration of a Resolution authorizing the Temporary Closure of Public Ways or Grounds for Oelwein Chamber and Area Development Events.

A motion was made by Seeders, seconded by Weber to adopt Resolution No. 5411-2023.

Ayes: Stewart, Weber, Payne, Lenz, Garrigus, Seeders

Nays: NA

Motion carried.

### Motions

9. Consideration of a motion to set a public hearing amending the Fiscal Year 2022-2023 budget on May 22, 2023 at 6:00 PM at the Oelwein Council Chambers.

A motion was made by Weber, seconded Seeders to approve setting a public hearing amending the Fiscal Year 2022-2023 budget on May 22, 2023 at 6:00 PM at the Oelwein Council Chambers.

All aye. Motion carried.

10. Consideration of a motion approving the Williams Wellness Center 5K Run/Walk on July 14, 2023 at 6PM.

A motion was made by Weber, seconded by Garrigus to approve approving the Williams Wellness Center 5K Run/Walk on July 14, 2023 at 6PM. All aye. Motion carried.

### **Committee Reports**

11. Report from Stewart on September Airport Board meeting.

For full meeting minutes please visit <https://www.cityofelweil.org/bc-ab/page/airport-board-22>

### **Council Updates**

Councilmember Payne shared a neighbor's house burnt in the winter and has moved in a camper to the property. She requested the council to review this.

Councilmember Payne asked the council if they were interested in a work session on the cemetery maintenance. No council members responded.

### **Mayor's Report**

Mayor DeVore and City Administrator Mulfinger attended the Inflation Reduction Act Funding Clinic and learned of lower income USDA programs for house repairs.

Mayor DeVore requested to be on the Airport agenda, was denied by the Airport Board Chair. He wanted to assist in resolving the code violation of not having three residents in the city limits on their board.

Mayor DeVore responded to Greg Bryan's citizen's comment. He clarified he did not press charges. He informed the Fayette County Sheriff. It was the county's decision to press charges, and if they would, the city would cooperate as a witness.

### **City Administrator's Report**

City Administrator Mulfinger stated setbacks for existing properties could go toward a special exception to make it easier for homeowners.

City Administrator asked for his evaluation be moved to the next meeting to attend his daughter's preschool graduation.

City Administrator Mulfinger advised Council they govern themselves and the meetings. Council should not allow any members of the public to scream at them. Council members should ask any one in their meetings to leave if their behavior is unacceptable.

### **Adjournment**

A motion was made by Weber, seconded by Lenz to adjourn the meeting at 6:35PM.

All aye. Motion carried.

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Brett DeVore, Mayor

ATTEST:

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Dylan Mulfinger, City Administrator

I, Dylan Mulfinger, City Administrator in and for the City of Oelwein, Iowa do hereby certify that the above and foregoing is a true accounting of the Council Proceedings held May 08, 2023 and copy of said proceedings was furnished to the Register May 10, 2023.

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Dylan Mulfinger, City Administrator