



Minutes

City Council Meeting
20 Second Avenue SW, Oelwein
May 11, 2020 - 6:00 PM

Pledge of Allegiance

Call to Order by Mayor DeVore at 6:00 P.M.

Roll Call

| | |
|--------------|---|
| Present | Fisk, Stewart, Gerdts, Weber, Cantrell, Seeders |
| Absent | None |
| Also Present | Mulfinger, Rigdon, Dillon |

Additions or Deletions

A motion was made by Weber, seconded by Seeders to adopt the Agenda as presented. All voted aye.

Motion Carried

Citizens Public Comments - See Guidelines for Public Comments Below

No comments from the public were received.

Consent Agenda

2. Consideration of a motion approving the April 27, 2020 Council Minutes
3. Consideration of a motion to approve the minutes of the May 4, 2020 Special Council Meeting
4. Consideration of a motion authorizing the purchase of a Mag Meter from Automatic Systems Co. in the amount of \$5,610.00
5. Consideration of a motion authorizing signatures on Task Order No. 2003-20B re:Stream Mixing Zone Study with Fox Engineers in the amount of \$13,500.00
6. Consideration of Pay Request No. 2 to Dave's Home Improvement in the amount of \$20,144.00 for work completed on CDBG Owner Occupied Housing Program
7. Consideration of a motion approving final pay request to Kirvan Enterprises in the amount of \$28,900 for work completed on CDBG Owner Occupied Housing Rehab
8. Consideration of a motion approving final pay request to Kirvan Enterprises in the amount of \$3,803 for work completed on CDBG Owner Occupied Housing Rehab

A motion was made by Gerdts, seconded by Fisk to adopt the Consent Agenda. All voted aye.

Motion Carried

Public Hearing

9. Public Hearing on Wings East Pavement Improvements Project

Mayor Devore opened the Public Hearing on Wings East Pavement Improvements Project.

Written comments were received from:

Eric and Rebekah Pryor, 1111 St. NE
Gwendolyn Wilson, 1108 3rd St NE
Rhonda Cue, 112 13th Ave NE
Ken Woodraska, 1215 2nd St NE
Jim Tuecke, 1208 2nd St NE
Bonnie Schulz, 1200 3rd St NE
Tim Benter & Erin Pattison, 1207 1st St NE
Walz, Leo V., Jr., 116 13th Ave NE

Oral comments were presented at the meeting by:

Ken and Marcia Woodraska, 1215 2nd Street NE
Rebekah and Eric Pryor, 1111 1st Street NE
Erin Pattison, 1207 1st Street NE
Jackie Larson, 1203 1st Street NE
Mary Chase, 204 13th Avenue NE

Mayor Devore closed the public hearing.

10. Public Hearing on Proposed 2020 Amendment to Urban Renewal Plan for Industrial Park Urban Renewal Area

Mayor DeVore opened the Public Hearing on Proposed 2020 Amendment to Urban Renewal Plan for Industrial Park Urban Renewal Area.

No comments were received.

Mayor DeVore closed the hearing.

11. Public Hearing on Development Agreements with BR Development, LLC

Mayor DeVore opened the Public Hearing on Development Agreements with BR Development, LLC.

No comments were received from the public, Oelwein Community School or Fayette County.

Mayor DeVore closed the hearing.

12. Public Hearing on Plans, Specification, Form of Contract and Estimated Total Cost - West Water Tower Repainting Project

Mayor DeVore opened the Public Hearing on Plans, Specifications, Form of Contract and Estimated Total Cost – West Water Tower Repainting project.

No comments were received.

Mayor DeVore closed the hearing.

13. Public Hearing on Proposed Disposal by Sale of the City's Interest in Multiple Properties

Mayor DeVore opened the Public Hearing on Proposed Disposal by Sale of the City’s Interest in Multiple Properties.

City Administrator Mulfinger received letters from residents interested in lots for sale after tear down and plans to have community development follow up with all interested properties

Mayor DeVore closed the hearing.

Resolutions

14. Consideration of a Resolution Amending Proposed Resolution of Necessity for the Wings East Pavement Improvements Project

A motion was made by Gerdts, seconded by Weber to adopt Resolution No. 5170-2020 Amending Proposed Resolution of Necessity for the Wings East Pavement Improvements Project.

Ayes: Fisk, Stewart, Gerdts, Weber, Cantrell, Seeders

Nays: None

Motion Carried

15. Consideration of a Resolution of Necessity covering the Wings East Pavement Improvements Project

A motion was made by Weber, seconded by Gerdts to adopt Resolution No. 5171-2020 a Resolution of Necessity covering the Wings East Pavement Improvements Project.

Ayes: Fisk, Stewart, Gerdts, Weber, Cantrell, Seeders

Nays: None

Motion Carried

16. Consideration of a Resolution Ordering the Preparation of Detailed Plans and Specifications, Notice of Hearing, Notice to Bidders and Form of Contract

A motion was made by Weber, seconded by Cantrell to adopt Resolution No. 5172-2020 Ordering the Preparation of Detailed Plans and Specifications, Notice of Hearing, Notice to Bidders and Form of Contract.

Ayes: Stewart, Gerdts, Weber, Cantrell, Seeders

Nays: Fisk

Motion Carried

17. Consideration of a Resolution approving 2020 Urban Renewal Plan Amendment for the Industrial Park Urban Renewal Area

A motion was made by Seeders, seconded by Cantrell to adopt Resolution No. 5173 approving 2020 Urban Renewal Plan Amendment for the Industrial Park Urban Renewal Area.

Ayes: Fisk, Stewart, Gerdt, Weber, Cantrell, Seeders
Nays: None

Motion Carried

18. Consideration of a Resolution Approving Development Agreements with BR Development, LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreements

A motion was made by Gerdt, seconded by Stewart adopt Resolution No. 5174-2020 Approving Development Agreements with BR Development, LLC, Authorizing Annual Appropriation Tax increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreements.

Ayes: Stewart, Gerdt, Weber, Cantrell, Seeders
Nays: Fisk

Motion Carried

Fisk is against giving TIF incentive to developer without knowing the businesses the developer is bringing to Oelwein.

19. Consideration of a Resolution Approving Payment for the Oelwein Residential Tax Abatement Program

A motion was made by Weber, seconded by Cantrell to adopt Resolution No. 5175-2020 Approving Payment for the Oelwein Residential Tax Abatement Program.

Ayes: Fisk, Stewart, Gerdt, Weber, Cantrell, Seeders
Nays: None

Motion Carried

20. Consideration of a Resolution Authorizing the Mayor to Sign a Road Construction Agreement with Fayette County on the City Owned Portion of County Line Road East

A motion was made by Fisk, seconded by Weber to adopt Resolution No. 5176-2020 Authorizing the Mayor to Sign a Road Construction Agreement with Fayette County on the City Owned Portion of County Line Road East.

Ayes: Fisk, Stewart, Gerdt, Weber, Cantrell, Seeders
Nays: None

Motion Carried

21. Consideration of a Resolution to Set Public Hearing on Proposed Disposal by Sale of the City's Interest in 406 3rd Avenue SE and Adjacent Property, All in Oelwein, Fayette County, Iowa

A motion was made by Gerdt, seconded by Weber to adopt Resolution No. 5177-2020 to Set Public Hearing on Proposed Disposal by Sale of the City's Interest in 406 3rd Avenue SE and Adjacent Property, All in Oelwein, Fayette County, Iowa.

Ayes: Fisk, Stewart, Gerdt, Weber, Cantrell, Seeders
Nays: None

Motion Carried

22. Consideration of a Resolution Authorizing Temporary Closure of Public Ways or Grounds for Oelwein Community High School

A motion was made by Weber, seconded by Fisk to adopt Resolution No. 5178-2020 Authorizing Temporary Closure of Public Ways or Grounds for Oelwein Community High School.

Ayes: Fisk, Stewart, Gerdt, Weber, Cantrell, Seeders
Nays: None

Motion Carried

Motions

23. Consideration of a motion directing City Clerk file certified copies of the Resolution of Necessity and Preliminary Plat and Schedule with the County Treasurer of Fayette County

A motion was made by Weber, seconded by Gerdt's directing the City Clerk file certified copies of the Resolution of Necessity and Preliminary Plat and Schedule with the County Treasurer of Fayette County, Iowa. All voted aye.

Motion Carried

24. Consideration of a motion to set a Public Hearing on proposed bidding requirements, contract documents and estimate of cost for Wings East Pavement Improvements Project for June 8, 2020 at 6:00 P.M.

A motion was made by Weber, seconded by Cantrell to set a Public Hearing on proposed bidding requirements, contract documents and estimate of cost for Wings East Pavement Improvements Project for June 8, 2020 at 6:00 P.M. All voted aye.

Motion Carried

25. Consideration of a motion to award West Water Tower Repainting project to Maguire Iron, Inc. in the amount of \$765,220.00

A motion was made by Fisk, seconded by Gerdt's to award West Water Tower Repainting project to Maguire Iron, Inc. in the amount of \$765,220.00. All voted aye.

Motion Carried

26. Consideration of a motion determining the 2020 season for the Oelwein Family Aquatics Center

A motion was made by Fisk, seconded by Cantrell to table determining the 2020 season for the Oelwein Family Aquatics Center until next meeting after governor gives guidance. All voted aye.

Motion Carried

27. Consideration of a motion authorizing the purchase of a Variable Frequency Drive, Controller and Mag Meter for the Aquatics Center in the amount of \$14,908 from Pool Tech

A motion was made by Gerdt's, seconded by Seeders authorizing the purchase of a Variable Frequency Drive, Controller and Mag Meter for the Aquatics Center in the amount of \$14,908.00 from Pool Tech. All voted aye.

Motion Carried

28. Consideration of a motion authorizing the Mayor to sign a contract with George Tegeler for to be the Fixed based Operator for the Oelwein Municipal Airport (OLZ)

A motion was made by Seeders to approve signatures on an FBO contract with George Tegeler. The motion died for lack of a second.

A motion was made by Stewart, seconded by Cantrell that the salary to stay at \$35,000. All voted aye.

Motion Carried

29. Consideration of a motion to purchase a replacement server and replacement switches in the amount of \$22,297 from berganKDV

A motion was made by Weber, seconded by Fisk to approve the purchase of a replacement server and replacement switches in the amount of \$22,297 from berganKDV. All voted aye.

Motion Carried

30. Consideration of a motion authorizing signatures on an Iowa Contaminated Site Environmental Covenant

A motion was made by Seeders, seconded by Weber authorizing signatures on an Iowa Contaminated Site Environmental Covenant. All voted aye.

Motion Carried

Committee Reports

31. Report from Gerdt's on April 29, 2020 Special Library Board Meeting

Gerdt's reported curbside pickup started this week. The full Library Board minutes may be found at www.oelwein.lib.ia.us.

Mayor's Report

- A. Discussion on Food Trucks

A work session regarding food trucks was scheduled for May 26, 2020 at 5:30 P.M.

City Attorney's Report

City Administrator's Report

Consideration of a motion to go into Executive Session per Iowa Code...

A motion was made by Cantrell, seconded by Weber to go into Executive Session at 8:19 P.M. per Iowa Code 21.5 J to Discuss the Purchase or Sale of Particular Real Estate Only Where Premature Disclosure Could be Reasonably Expected to Increase the Price the Governmental Body Would Have to Pay for that Property or Reduce the Price the Governmental Body Would Receive for that Property. All voted aye.

Motion Carried

Consideration of a motion to return to regular session

A motion was made by Cantrell seconded by Seeders to return to regular session at 8:40 P.M.. All voted aye.

Motion Carried

Adjournment

A motion was made by Weber seconded by Seeders to adjourn at 8:45 P.M. all voted aye.

Motion Carried

Brett DeVore, Mayor

ATTEST:

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 11, 2020 and copy of said proceedings was furnished to the Register May 12, 2020.

Dylan Mulfinger, City Administrator