



Minutes

City Council Meeting
20 Second Avenue SW, Oelwein
June 13, 2022 - 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, Lenz, Garrigus, Seeders, Payne

Also Present: Mulfinger, Rigdon, Dillon

Absent: None

Additions or Deletions

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

Motion carried.

Citizens Public Comments

Jerry Hull, 107 9th Ave SE, supports Mike Leo's concerns as referring to 27 and 33 South Frederick Avenue.

Mike Leo, 3672 Outer Road, owner of Leo's Restaurant states it's been 2 years and the issues of 27 and 33 South Frederick Ave are directly affecting his building. City Attorney Dillon stated the court order just passed its cure date and the city continues to move forward. Civil remedies are available to Mr. Leo if he so chooses to file personally. Mr. Leo and City Attorney Dillon will meet in private regarding the council meeting, updates will be provided as he has had continuous contact throughout the lengthy process.

Dick Wakeford, 218 3rd Ave SE, worked on Mr. Leo's building twelve years ago, and the neighboring building issues were already there.

Consent Agenda

1. Consideration of a motion to approve the May 23, 2022 minutes.
2. Consideration of a motion to approve the Class C Liquor License for Hacienda Del Rio.
3. Consideration of a motion approving the Class C Liquor License for Viper Lanes & PJ's Bar and Grill.

A motion was made by Weber, seconded by Seeders to adopt the consent agenda. All voted aye.

Motion carried.

Public Hearing

4. Public Hearing for CDBG about Oelwein Sewer Improvement Project along with Community Needs Assessment at Oelwein City Hall Council Chambers at 6:00 P.M.

Mayor DeVore opened the public hearing. Diana Johnson of Upper Explorerland Regional Planning Commission read:

(a) how the need for the proposed activity or projects were identified;

The need for the CDBG water/sewer grant with the Iowa Economic Development Authority (IEDA) came from various planning sessions within the city. The City of Oelwein received a notice of violation from the Iowa Department of Natural Resources (IDNR) in December of 2020. The notice outlined operation and maintenance issues within the sanitary sewer collection system. There had been 22 instances of basement backup, 8 bypasses that were caused by rain events and regular use of the EQ basin during wet weather flows. Due to this, it was required that a preliminary engineering report be submitted that outlined steps to address inflow and infiltration (I&I) and bypass issues in the most affected areas of the collection system.

(b) how the proposed activity or projects will be funded and the sources of funds;

The request from the IEDA will be \$600,000. If successfully funded, the remainder of the proposed activity will be funded through American Rescue funds of \$820,000 and city funds of \$427,000 for a total project cost of \$1,846,338.

(c) the date the CDBG application will be submitted;

The CDBG water/sewer application will be submitted on or before July 1, 2022 to the IEDA.

(d) requested amount of federal funds;

The requested amount is \$600,000.

(e) estimated portion of federal funds that will benefit persons of low and moderate income;

Per year 2015 low and moderate income (LMI) data from the Housing and Urban Development (HUD), Oelwein's LMI is 60.2%. Therefore, it can be expected that the same proportion of the funds will benefit that group of residents or a total of 3,861 persons.

(f) where the proposed activity or project will be conducted;

The project will be conducted within the northeast portion of the city limits of Oelwein in the following areas: Site A is located on 4th Avenue NE from 3rd Street NE to 5th Street NE, then over to 5th Avenue NE up to 6th Street NE. Site B is located on 2nd Street NE from North Frederick Avenue to 2nd Avenue NE.

(g) plans to minimize displacement of persons and businesses as a result of funded activities or projects;

No businesses or persons will be displaced as a result of the proposed facility upgrades.

(h) plans to assist persons actually displaced, and;

No plans to displace any persons.

(i) the nature of the proposed activity or project.

The nature of the proposed project within the City of Oelwein is for two proposed collection system projects to reduce the likelihood of basement backups and sewer bypasses. The existing clay sanitary sewer mains will be replaced with larger diameter plastic pipe. The existing brick manholes will be replaced with concrete manholes. New sanitary sewer services will be installed beyond the edge of pavement. These improvements will greatly reduce the amount of I&I into the sanitary sewer collection system.

Johnson also spoke on the needs assessment during the public hearing. Mayor DeVore closed the public hearing.

Ordinances

5. Consideration of an ordinance amending Oelwein City Code Section 22 Article VII Golf Carts - First Reading.

A motion was made by Stewart to adopt an ordinance amending Oelwein City Code Section 22 Article VII Golf Carts on the first reading. Mayor DeVore shared his concerns which were the same as those listed in Public Safety Chief Logan's memo. Seeders was concerned that people will confuse the rules for golf carts and UTVs. Weber agreed with Public Safety Chief Logan's memo and felt that there was no need to rush into golf carts and golf carts do not have standard safety equipment. Payne questioned why golf carts would be an issue when mopeds, motorized bikes, and motorized scooters are allowed on city streets. Stewart stated Council asked staff to pursue an ordinance and now they are voting on it as was planned. Garrigus seconded the motion.

Ayes: Stewart, Lenz, Garrigus, Payne

Nays: Weber, Seeders

Absent: None

Motion carried.

Resolutions

6. Consideration of a resolution authorizing the submission of a CDBG Water/Sewer application to the Iowa Economic Development Authority.

A motion was made by Seeders, seconded by Lenz to adopt Resolution No. 5352-2022.

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

Nays: None

Motion carried.

7. Consideration of a resolution to sell 608 1st Ave SE for the amount of \$1,000.

A motion was made by Seeders, seconded by Weber to adopt Resolution No. 5353-2022, removing the incorrect address and inserting 608 1st Ave SE.

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

Nays: None

Motion carried.

Payne questioned if we should be selling this buildable lot since the Housing Committee has plans for additional housing with a company they've recently met with.

8. Consideration of a resolution requesting the closure of corner of 1st Street and North Frederick Ave to south of 2nd Street N.W. on August 20, 2022 for the Oelwein Fire Department.

A motion was made by Stewart, seconded by Payne to adopt Resolution No 5354-2022.

Ayes: Stewart, Lenz, Garrigus, Seeders, Payne

Nays: None

Abstain: Weber

Motion carried.

Motions

9. Consideration of a motion to award the Streets Department 2022 Seal Coat Project with Black Top Services in the amount of \$290,742.00.

Two bids were received:

Blacktop Service \$188.95/ton

Prairie Road Builders at \$288.00/ton

A motion was made by Stewart, seconded by Garrigus to award the 2022 Seal Coat Project to Black Top Services in the amount of \$290,742. All voted aye. Motion carried.

10. Consideration of a motion to award the Parks Department 2022 Seal Coat Project to Black Top Services in the amount of \$39,745.

Two bids were received:

Blacktop Service \$188.95/ton

Prairie Road Builders \$8,346.78

A motion was made by Weber, seconded by Lenz to award the 2022 Seal Coat Project to Black Top Services in the amount of \$39,745. All voted aye. Motion carried.

11. Consideration of a motion to approve Pay Application No. 1 for the Charles Street Viaduct Maintenance 2022 project in the amount of \$51,566.00.

A motion was made by Weber, seconded by Lenz to approve Pay Application No. 1 for the Charles Street Viaduct. All voted aye. Motion carried.

12. Consideration of a motion to approve Pay Application No. 2 and final for the Charles Street Viaduct Maintenance 2022 project in the amount \$2,714.00.

A motion was made by Seeders, seconded by Weber to approve Pay Application No. 2 for the Charles Street Viaduct. All voted aye. Motion carried.

13. Consideration of a motion to approve Change Order No. 4 for the 2021 Watermain Improvements in the amount of -\$21,336.81.

A motion was made by Seeders, seconded by Garrigus to approve Change Order No. 4. All voted aye. Motion carried.

14. Consideration of a motion to approve Pay Request No. 6 for the 2021 Watermain Improvements in the amount of \$206,753.22 to Summers Enterprises, Inc.

A motion was made by Garrigus, seconded Weber to approve Pay Request No. 6. All voted aye. Motion carried.

15. Consideration of a motion to approve Change Order No. 5 for the 2021 Watermain Improvement in the amount of \$69,619.13.

A motion was made by Seeders, seconded by Garrigus to approve Change Order No. 5. All voted aye. Motion carried.

John Gade, of Fox/Strand Engineering, explained the change order. Seeders amended her motion to approve Change Order No. 5 for the 2021 Watermain Project in the amount of \$72,619.13. Weber seconded. All voted aye. Motion carried.

16. Consideration of a motion to award the demolition of 104 8th Ave SW.

No action was taken.

17. Consideration of a motion to approve a cost increase on the purchase of a dump truck in the amount of \$14,238 from Thompson Truck and Trailer for the Street Department.

A motion was made by Seeders, seconded by Weber to approve the increased cost of a dump truck. All voted aye. Motion carried.

18. Consideration of a motion to approve the City Hall cleaning contract with Steve Horan.

A motion was made by Weber, seconded Stewart to approve the City Hall cleaning contract. All voted aye. Motion carried.

Committee Reports

19. Report from Stewart on Airport Board Minutes.

Full minutes can be found at: <https://www.cityofelwein.org/bc-ab/page/airport-board-12>

Council Updates

Weber requested a “no overnight parking” sign be posted in the 100 block of North Frederick Avenue. Council referred the request to the safety committee.

Payne had concerns about the code violations regarding lawn mowing.

Payne requested a weekly update on downtown buildings that the city has open code enforcement on from the city attorney. Mulfinger responded that he will work with Dillon on this request.

Payne asked if family members could mow their own tombstone. They are not happy with the weed eating damaging the ground around the headstone. Weber stated it would be a liability to the city to allow that.

Payne expressed concern about the windsock at the airport.

Mayor's Report

- A. Consideration of a motion to appoint Joe Bouska to the Parks and Recreation Board.

A motion was made by Seeders, seconded Weber to approve the appointment of Joe Bouska.

Mayor DeVore, Payne, and Mulfinger participated in a Zoom call with Alquist from Iowa City to Build 3-D homes in Oelwein. The Housing Board will pursue this further.

City Administrator's Report

- A. City Administrator.

The pool situation is being addressed and hopefully resolved this week; if not next week, for sure.

Adjournment

A motion was made by Weber, seconded by Lenz to adjourn the meeting at 6:53 PM. 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 June 13, 2022 and copy of said proceedings was furnished to the Register June 17, 2022.

Dylan Mulfinger, City Administrator