



# Minutes

City Council Meeting  
20 Second Avenue SW, Oelwein  
September 12, 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 (on speaker phone)

Also Present: Mulfinger, Rigdon, Dillon

Absent: NA

## Additions or Deletions

A motion was made by Weber, seconded by Lenz to adopt the agenda as presented. All aye.

Motion carried.

## Citizens Public Comments

Warren Fisk, 102 6<sup>th</sup> Ave SW, spoke in favor of the event center but against city financial funding. Fisk stated the town needs to be cleaned up. Fisk felt we need to do more to create a better first impression.

Jessie Kalb, 120 7<sup>th</sup> Ave NE, spoke regarding 131 7<sup>th</sup> Ave NE and 619 1<sup>st</sup> St NE both were tagged and vacated. Kalb stated someone took off the tags and now people are living their again. City Attorney Dillon stated he can't share the details on open court cases and needs to maintain trial strategy. The city continues to move forward on these two properties.

## Consent Agenda

1. Consideration of a motion to approve the August 22, 2022 minutes.
2. Consideration of a motion approving the amendment for the Class 'C' Liquor License for the American Legion Ross Reid Post #9.
3. Consideration of a motion to approve the Class 'E' Liquor License renewal for Fareway Stores, Inc.

A motion was made by Stewart, seconded by Garrigus to approve the consent agenda. All aye.

Motion carried.

## Ordinances

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

Weber and Seeders stated they are not in favor of the golf cart ordinance.

A motion was made by Seeders, seconded by Weber to refer to Public Safety to address the safety concerns of driving golf carts on the street.

Ayes: Weber, Seeders

Nays: Lenz, Garrigus, Payne Stewart

Motion failed.

A motion was made by Lenz, seconded by Stewart to approve ordinance amending Oelwein City Code Section 22 Article VII - Golf Carts on the first reading.

Ayes: Lenz, Garrigus, Payne Stewart

Nays: Weber, Seeders

Motion carried.

5. Consideration of an Ordinance Adding Chapter 23 Article IX - Drones - First Reading.

A motion was made by Payne, seconded by Seeders to refer to Public Safety.

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

Nays: None

Motion carried.

**Resolutions**

6. Consideration of a Resolution accepting the deed to 33 South Frederick.

A motion was made by Stewart, seconded by Lenz to adopt Resolution No 5363-2022.

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

Nays: None

Motion carried.

**Motions**

7. Consideration of a motion accepting the recommendation of the Planning, Finance, Enterprise, and Economic Development Committee on the Hotel/Motel Application for the Williams Center for the Arts.

A motion was made by Stewart, seconded by Garrigus to approve the Planning, Finance, Enterprise, and Economic Development Committee's recommendation on the Hotel/Motel Application for the Williams Center for the Arts in the amount of \$1,500. All aye.

Motion carried.

8. Consideration of a motion authorizing signatures on the statement of work and payment in the amount of \$11,650 to CivicPlus for code codification services.

A motion was made by Seeders, seconded by Weber to authorize signatures on the statement of work and payment in the amount of \$11,650 to CivicPlus. All aye. Motion carried.

9. Consideration of a motion to award the bid of the Residential and Commercial Building Demolition Project to Bryan Construction, Inc. in the amount of \$235,146.

Five Bids were received:

Bryan Construction, Inc.	Oelwein, IA	\$235,146.00
DW Zinzer	Walford, IA	\$281,918.00
Lansing Construction	Luxemburg, IA	\$345,600.00
Dore & Associates	Bay City MI	\$425,200.00
Linn Construction	Sartell, MN	\$1,013,000.00

A motion was made by Seeders, seconded by Lenz to award the bid of the Residential and Commercial Building Demolition Project to Bryan Construction, Inc. in the amount of \$235,146. 5 Aye, 1 Abstain (Garrigus, part owner). Motion carried.

10. Consideration of a motion to award the bid of the Asbestos Remediation Project #2 to Site Services, Inc. in the amount of \$26,850.

A motion was made by Weber, seconded by Payne to award the Asbestos Remediation Project #2 to Site Services, Inc. in the amount of \$26,850. All aye. Motion carried.

11. Consideration of a motion to permit the hosting of the 2022 Homecoming Dance on the Oelwein High School Football Field on September 16th, 2022 starting after the football game until midnight.

A motion was made by Lenz, seconded by Seeders to permit the hosting of the 2022 Homecoming Dance on the Oelwein High School Football Field on September 16th, 2022. All aye. Motion carried.

### **Mayor's Report**

Mayor DeVore echoed Seeder's and Weber's concerns regarding golf carts should not be driven on roads. Golf carts do not have headlights, taillights, or brake lights. City Council should allow the community to familiarize themselves with the UTV ordinance before a golf cart ordinance. City Council should consider the lack of safety devices on golf carts.

### **City Attorney's Report**

- A. City Attorney.

City Attorney Dillon stated it was efficient use of city dollars doing codification.

The defender's office is trying to get cities to pay for criminal defense when criminals are sited for simples and recommends if we want the outcome to be jail time, cite them under state code, or if we want a fine, use city code.

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

- A. City Administrator.

The Plaza Project teardown is going to bid this month.

MSA specializes in sustainable development of communities and will be at the Fall Fling on September 24 to work on the city's comprehensive plan. They will meet with community members regarding their ideas and needs.

**Adjournment**

2. Additional Information.

A motion was made Seeders, seconded by Weber to adjourn the meeting at 6:24 PM. 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 September 12, 2022 and copy of said proceedings was furnished to the Register September 14, 2022.

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Dylan Mulfinger, City Administrator