

Agenda

City Council Meeting
20 Second Avenue SW, Oelwein
6:00 PM

October 11, 2021
Oelwein, Iowa

Mayor: Brett DeVore

Mayor Pro Tem: Warren Fisk

Council Members: Matt Weber, Renee Cantrell, Tom Stewart, Lynda Payne, Karen Seeders

Pledge of Allegiance

Call to Order

Roll Call

Additions or Deletions

Citizens Public Comments - See Guidelines for Public Comments Below

Consent Agenda

- [1.](#) Consideration of a motion to approve the minutes of the September 27, 2021 Council meeting
- [2.](#) Consideration of a Class 'B' Native Wine and Sunday Sales renewal for Buds 'n Blossoms
- [3.](#) Consideration of a Class 'C' Beer, Class 'B' Wine and Sunday Sales Transfer to 236 1st Avenue SE with a tentative effective date of March 1, 2021

Public Hearing

4. Public Hearing on application with the USDA Rural Development for Financial Assistance to Develop Disaster Response Abilities
5. Public Hearing on application with the USDA Rural Development for Financial Assistance to Develop Mobile Data and Incident Documenting Abilities

Ordinances

- [6.](#) Consideration of an Ordinance Amending Section 3-171 to Reduce Park and Recreation Commission to Five Members - Third and Final Reading
- [7.](#) Consideration of an Ordinance Amending Oelwein Municipal Code Chapter 22 Vehicles and Traffic, Adding Article VII Automatic Traffic Enforcement Sections 22-180 through Section 22-189 - First Reading

Resolutions

- [8.](#) Consideration of a Resolution Adopting Iowa Department of Transportation City Street Finance Report
- [9.](#) Consideration of a Resolution Adopting the Oelwein Central Business District Architectural Design Guidelines

Motions

- [10.](#) Consideration of a motion to approve Pay Request 2 in the amount of \$569,240.00 to Maguire Iron for work completed on West Elevated Water Storage Tank
- [11.](#) Consideration of a motion approving payment of \$24,900.00 to Lansing Brothers Construction for work completed on 2020 Demolition Project
12. Consideration of a motion to approve Pay Estimate No. 6 in the amount of \$16,413.33 to Bacon Concrete, LLC for work completed on Segment 1 Trail Improvements Project
- [13.](#) Consideration of a motion approving the closure of the South Parking Lot Friday, October 29, 2021 from 3:00 P.M. - 7:00 P.M. for Oelwein Lions Club Trunk or Treat Halloween Event
- [14.](#) Consideration of a recommendation from Planning, Finance, Enterprise and Economic Development re: The Grand Theatre of Oelwein, Inc. Hotel/Motel Funding Application

Council Updates

Mayor's Report

City Attorney’s Report

[A.](#) City Attorney's Report

City Administrator’s Report

[A.](#) City Administrators Report

Adjournment

[ii.](#) Additional Information

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk’s Office at least 24 hours prior to the meeting at 319-283-5440



Minutes

City Council Meeting
20 Second Avenue SW, Oelwein
September 27, 2021 - 6:00 PM

Pledge of Allegiance

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

Roll Call	Present:	Cantrell, Weber, Stewart, Seeders, Payne, Fisk
	Also Present:	Mulfinger, Rigdon, Dillon
	Absent:	None

Additions or Deletions

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

Motion Carried

Consent Agenda

1. Consideration of a motion to approve the minutes of the September 13, 2021 Council meeting
2. Consideration of a motion to approve the minutes of the September 20, 2021 Special Council meeting
3. Claims Resolution in the amount of \$678,572.97
4. Consideration of a Class 'C' Liquor, Outdoor and Sunday Service License Renewal for Hacienda Del Rio, Inc.
5. Consideration of a Class 'B' Beer Permit and Sunday Sales renewal for Country Cottage Cafe
6. Consideration of a Class 'E' Liquor and Class 'C' Beer Permit Renewal for Fareway Stores, Inc. #412
7. Consideration of a motion to approve Pay Request No. 1 to Summers' Enterprises, Inc. in the amount of \$213,530.90 for work completed on Oelwein 2021 Water Main Improvements Project

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

Motion Carried

Ordinances

8. Consideration of an Ordinance Amending Section 3-171 to Reduce Park and Recreation Commission to Five Members - Second Reading

A motion was made by Weber, seconded by Seeders to adopt the second reading.

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

Motion Carried

Resolutions

9. Consideration of a Resolution Regarding Demolition of Dangerous Buildings - 23 2nd Street NW

A motion was made by Fisk, seconded by Cantrell to adopt Resolution No. 5300-2021.

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

Motion Carried

10. Consideration of a Resolution Directing the Sale of the City's Interest in 541 4th Avenue SE, Oelwein, Fayette County, Iowa

A motion was made by Fisk, seconded by Cantrell to adopt Resolution No. 5301-2021.

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

Motion Carried

11. Consideration of a Resolution Approving the Application of Transco Railway Products Inc. to The Iowa Economic Development Authority High Quality Jobs Program

A motion was made by Fisk, seconded by Weber to adopt Resolution No. 5302-2021.

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

Nays: None

Motion Carried

Motions

12. Consideration of a motion authorizing signatures on Agreement for Professional Services with Fehr Graham for Segment 3 Trail Improvements

A motion was made by Weber, seconded by Cantrell to authorize signatures. All voted aye.

Motion Carried

13. Consideration of a motion to accept quote from Blacktop Services in the amount of \$42,834 for sealcoat

Bids were received from Prairie Road Builders, Inc. in the amount of \$47,022.00 and Blacktop Service Co. in the amount of \$42,834.00.

A motion was made by Weber, seconded by Seeders to approve Blacktop Services. All voted aye.

Motion Carried

14. Consideration of a motion to accept bid from Miller's Construction Inc. in the amount of \$8,553.50 for 1st Avenue SE Concrete Curb

Only one bid was received.

A motion was made by Seeders, seconded by Payne to accept the bid from Miller's Construction. All voted aye.

Motion Carried

15. Consideration of Proposals Received for the Demolition of 23 2nd Street NW

Bids received were:	Lansing Brothers Construction	\$13,475.00
	Bryan Construction Inc.	\$13,500.00

Bids were accepted based on teardown cost (doesn't include asbestos removal). A motion was made by Weber, seconded by Fisk to award the demolition to Lansing Brothers Construction. All voted aye.

Motion Carried

16. Consideration of bids received for the Charles Street Viaduct Hazard Mitigation Project

Only one bid was received. The bid was not as instructed. A motion was made by Seeders, seconded by Weber to reject the bid and do over. All voted aye.

Motion Carried

17. Consideration of a motion authorizing the purchase and installation of Electric Vehicle Charging Stations at the Oelwein Public Library by Livingston Energy

Bids received were:	Livingston Energy-\$5,716 plus shipping	Ken's Electric Install \$3,000
	EVBox Iqon - \$9,120 plus shipping	Ken's Electric Install \$3,000
	ChargePoint \$10,409 includes shipping of \$185	Munson Install \$14,175

Grant funding is 90/10 up to \$15,000. A motion was made by Cantrell, seconded by Seeders to award to Livingston Energy. All voted aye.

Motion Carried

18. Consideration of a Recommendation from Planning, Finance, Enterprise and Economic Development Committee re: Demolition Assistance Application for 407 7th Street SE

A motion was made by Fisk, seconded by Cantrell to accept Planning, Finance, Enterprise and Economic Development Committee's recommendation of \$3,750.00. All voted aye.

Motion Carried

19. Consideration of a motion entering into an Agreement with Iowa Association of Municipal Utilities for their Iowa Safety Education Program in the amount of \$7,486.00

A motion was made by Weber, seconded by Fisk to join IAMU Safety Group. All voted aye.

Motion Carried

20. Consideration of a motion to approve an Engineering and Architectural Services Agreement with Confluence Inc. for Plaza Park

The Plaza Foundation Board owns the Plaza Building. The City has no ownership in this building. This engineer firm will prepare a site plan so the city can apply for a CDBG Grant to assist with development and matching funds of \$200,000 from Northeast Iowa Charitable Foundation. The Plaza Board has approved demolition of the building.

A motion was made by Seeders, seconded by Weber to approve Task 3 of the Agreement – Grant Application Assistance in the amount of \$4,690.00. All voted aye.

Motion Carried

21. Consideration of a motion to proceed with Incident Command Center Room Prep and Equipment Costs in an amount not to exceed \$58,322.27

This will upgrade the conference room at the Oelwein Police Department to be used as an “Emergency Operation Center” for Oelwein only during storms, tornados, flood, lost child, heavy rain, etc. City operations from various departments would operate jointly from this center coordinating response assistance. A USDA Grant has been applied for up to 55% matching funds.

A motion was made by Fisk, seconded by Weber to proceed. All voted aye.

Motion Carried

22. Consideration of a motion to approve the Comprehensive Emergency Plan

A motion was made by Fisk, seconded by Cantrell to approve the Plan. All voted aye.

Motion Carried

Committee Reports

23. Report from Cantrell on September Park and Recreation Commission meeting

The full minutes can be found at <http://www.cityofeelwein.org/government/agendas-and-minutes.html>.

24. Report from Stewart on September Airport Board meeting

The full minutes can be found at <http://www.cityofeelwein.org/government/agendas-and-minutes.html>.

25. Report from Payne on September Library Board meeting

The full minutes can be found at https://www.oelwein.lib.ia.us/application/files/5416/3243/0669/Minutes_September_21_2021.pdf.

Council Updates

Cantrell was approached by a resident requesting red light cameras in Oelwein. Council directed City Administrator to list Resolution on agenda to vote.

Mayor's Report

- A. Consideration of a motion to approve the Mayor's appointment of Chief Jeremy Logan to the Fayette County 911 Board and Captain Ron Voshell as alternate

A motion was made by Weber, seconded by Fisk to approve the appointments. All voted aye.

Motion Carried

DeVore also questioned why would city pay to replace retaining wall along the trail that is on private property. To be reviewed as Segment 4 Trail Improvements.

City Attorney's Report

Dillon reported he is working on a Trail land swap and inspection of South Frederick buildings.

The Judge determines if masks are required while in court.

Executive Session

Consideration of a motion to enter into Executive Session per Iowa Code 20.17(3) for Collective Bargaining Negotiations and Strategy Meetings of Public Employers

A motion was made by Weber, seconded by Payne to go into Executive Session at 7:03 P.M. All voted aye.

Motion Carried

Return to Regular Session

A motion was made by Weber, seconded by Seeders to return to regular session at 7:15 P.M. All voted aye.

Motion Carried

Motions

Consideration of a motion to approve amendments to Chaufferus, Teamsters, and Helpers Local Union No. 238 Police Contract

A motion was made by Weber, seconded by Cantrell to approve the amendments. All voted aye.

Motion Carried

Resolutions

Consideration of a Resolution Amending the 2021-2022 Salary Resolution to Reflect Contractual Changes

A motion was made by Fisk, seconded by Payne to adopt Resolution No. 5303-2021 effective January 1, 2022.

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

Motion Carried

Adjournment

A motion was made by Cantrell, seconded by Fisk to adjourn at 7:18 P.M. All voted aye.

Motion Carried

ATTEST:

Brett DeVore, Mayor

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 27, 2021 and copy of said proceedings was furnished to the Register September 28.

Dylan Mulfinger, City Administrator



State of Iowa

Alcoholic Beverages Division

Item 2.

Applicant

NAME OF LEGAL ENTITY

Charter Leete

NAME OF BUSINESS(DBA)

Buds 'n Blossoms

BUSINESS

(319) 283-4954

ADDRESS OF PREMISES

125 South Frederick Ave

CITY

Oelwein

COUNTY

Fayette

ZIP

50662

MAILING ADDRESS

125 South Frederick Ave

CITY

Oelwein

STATE

Iowa

ZIP

50662

Contact Person

NAME

Charter Leete

PHONE

(319) 283-4954

EMAIL

charterleete@gmail.com

License Information

LICENSE NUMBER

WBN001021

LICENSE/PERMIT TYPE

Class B Native Wine Permit

TERM

12 Month

TENTATIVE EFFECTIVE DATE

Oct 7, 2021

TENTATIVE EXPIRATION DATE

Oct 6, 2022

SUB-PERMITTS/PRIVILEGES

Class B Native Wine Permit, Sunday Service



Status of Business

BUSINESS TYPE

Sole Proprietor

Ownership

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Charter Leete	Oelwein	Iowa	50662	Owner	100.00	Yes
Linda Leete	Oelwein	Iowa	50662	Owner	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE
DATE

OUTDOOR SERVICE EXPIRATION
DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE
DATE

TEMP TRANSFER EXPIRATION
DATE



State of Iowa

Alcoholic Beverages Division

Item 3.

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS	
DOLGENCORP, LLC	Dollar General Store #2328	(319) 283-4576	
ADDRESS OF PREMISES	CITY	COUNTY	ZIP
236 1st Avenue Southeast	Oelwein	Fayette	50662
MAILING ADDRESS	CITY	STATE	ZIP
100 Mission Ridge	Goodlettsville	Tennessee	37072

Contact Person

NAME	PHONE	EMAIL
Caleb Barton	(615) 855-4000	tax-beerandwinelicense@dollargeneral.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM
BC0029839	Class C Beer Permit	12 Month
TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	
Mar 1, 2021	Feb 28, 2022	
SUB-PERMITTS/PRIVILEGES		
Class C Beer Permit, Class B Wine Permit, Sunday Service		



Status of Business

BUSINESS TYPE

Limited Liability Company

Ownership

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Dollar General Corporation	Goodlettsville	Tennessee	37027	N/A	100.00	Yes
Lawrence Gatta	Brentwood	Tennessee	37027	Non-Member Manager	0.00	Yes
Jason Reiser	Nashville	Tennessee	37212	Non Member Manager	0.00	Yes
Steven Deckard	Mount Juliet	Tennessee	37122	Non Member Manager	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 3-171
TO REDUCE PARK AND RECREATION COMMISSION TO FIVE MEMBERS

BE IT ORDAINED by the City Council of the City of Oelwein, Iowa, as follows:

Section 1. That the General Ordinances of the City of Oelwein adopted February 10, 2003, be amended by deleting Section 3-171 in its entirety and replacing it with the following:

ARTICLE IX
PARK AND RECREATION COMMISSION

Section 3-171. COMMISSION ORGANIZATION.

1. Number. The Commission shall consist of five (5) Park and Recreation Commissioners appointed by the Mayor, with the approval of the Council.
2. Term. The Mayor with the approval of the Council, shall appoint Five (5) Park and Recreation Commissioners for over-lapping and staggered three (3) year terms. The Park and Recreation Commission shall choose its Chair and Vice-Chair every year thereafter.
3. Preference for appointment. Commissioners shall be appointed with a preference to eligible electors who are citizens of the City of Oelwein, Iowa.
4. Vacancies. A Commissioner’s death or absence from three consecutive regular meetings of the Park and Recreation Commission, or failure to attend one-fourth of all regular scheduled meetings in any year, excepting absences due to illness of the Commissioner, shall render the Commissioner’s office vacated. Vacancies in the Park and Recreation Commission shall be filled in the same manner as original appointments and such appointment shall be for the unexpired term of which the appointment is made.

Section 2. That all Ordinances or parts thereof in conflict herewith be and the same are hereby repealed. This Ordinance shall become effective upon its passage.

First reading September 13, 2021
Second reading
Third reading

Passed and adopted by the City Council of the City of Oelwein, Iowa this _____ day of _____, 2021.

Brett DeVore, Mayor

Attest:

Dylan Mulfinger, City Administrator

Recorded _____, 2021.

Dylan Mulfinger, City Administrator

Second Reading on _____ It was moved by
and seconded by _____that the Ordinance as read
be adopted (or to suspend the rules), and upon roll
call there were:

AYES NAYS ABSENT ABSTAIN

M Weber
Cantrell
Fisk
Stewart
Seeders
Payne

First Reading on _____:
It was moved by _____ and seconded by
that the Ordinance as read be adopted, and upon roll
call there were:

AYES NAYS ABSENT ABSTAIN

M Weber
Cantrell
Fisk
Stewart
Seeders
Payne

Third Reading on _____ It was
moved by _____ and seconded by _____ that
the Ordinance as read be adopted (or to suspend the
rules) and upon roll call there were:

AYES NAYS ABSENT ABSTAIN

M Weber
Cantrell
Fisk
Stewart
Seeders
Payne

ORDINANCE NO. _____

An Ordinance Amending Oelwein Municipal Code Chapter 22 Vehicles and Traffic, Adding Article VII Automatic Traffic Enforcement Sections 22-180 through Section 22-189.

BE IT ORDAINED by the City Council of the City of Oelwein, Iowa, as follows:

Section 1. That the General Ordinances of the City of Oelwein adopted July 1, 2012 be amended by adding Article VII to Chapter 22, Automatic Traffic Enforcement Sections 22-180 through Section 22-189 as follows:

SECTION 22-180. AUTOMATIC TRAFFIC ENFORCEMENT

The City of Oelwein, in accordance with its police powers, may deploy, erect or cause to have erected an automatic traffic enforcement system for making video images of vehicles that fail to obey red light traffic signals at intersections designated by the Chief of Police, or their designee, or fail to obey speed regulations at other locations in the city. The systems may be managed by the private contractor that owns and operates the requisite equipment with supervisory control vested in the city's police department. Video images shall be provided to the police department by the contractor for review. The police department will determine which vehicle owners are in violation of the city's traffic control ordinances and are to receive a notice of violation for the offense.

SECTION 22-181. DEFINITIONS

1. Automated Traffic Citation shall mean a notice of fine generated in connection with the automated traffic enforcement system.
2. Automated Traffic Enforcement Contractor shall mean the company or entity, if any, with which the City of Oelwein contracts to provide equipment and/or services in connection with the Automated Traffic Enforcement System.
3. Automated Traffic Enforcement System shall mean an electronic system consisting of a photographic, video, or electronic camera and a vehicle sensor installed to work in conjunction with an official traffic controller or police department employee to automatically produce photographs, video or digital images of each vehicle violating a standard traffic control device or speed restriction.
4. Vehicle Owner shall mean the person or entity identified by the Iowa Department of Transportation, or registered with any other state vehicle registration office, as the registered owner of a vehicle detected violating a traffic law by failing to obey red light traffic signals at intersections designated by the city administrator or official designee or failing to obey speed regulations within the City. Notwithstanding the foregoing, in the event the Iowa Department of Transportation or any other state vehicle registration office identifies a person or entity as the lessee of the vehicle, that lessee shall be the vehicle owner for purposes of this 22-181. In the event a state registration office does not specify whether a person or entity listed on the registration for the vehicle is the owner or the lessee of the vehicle, any person or entity listed on that vehicle registration may be deemed the vehicle owner and held jointly and severally responsible for a violation of this section.

SECTION 22-182. VEHICLE OWNER'S CIVIL LIABILITY FOR CERTAIN TRAFFIC OFFENSES

1. The vehicle Owner shall be liable for a fine as imposed if a vehicle is detected crossing a marked stop line or the intersection plane at a system location when the traffic signal for that vehicle's direction is emitting a steady red light or arrow, the Vehicle Owner shall be subject to a civil fine as scheduled below in section 22-187.
2. If a vehicle is detected traveling at a speed above the posted limit, the Vehicle Owner shall be subject to a civil fine as scheduled below in subsection 22-187.
3. The violation may be exempted from liability as outlined below in subsection 22-185 of this section, and other defenses may be considered in connection with the appeal process.
4. In no event will an Automated Traffic Citation be sent or reported to the Iowa Department of Transportation or similar department of any other state for the purpose of being added to the Vehicle Owner's driving record.

SECTION 22-183. NOTICE OF VIOLATION; FINE

1. Upon an Oelwein Police Officer's determination that the Automated Traffic Enforcement System has detected a violation described in subsections 22-182(1) or (2), a notice of the violation will be mailed to the Vehicle Owner for each violation recorded by an Automated Traffic Enforcement System or traffic control signal monitoring device. The Automated Traffic Enforcement Contractor shall mail the notice within 30 days after receiving information about the Vehicle Owner. The notice shall include the name and address of the Vehicle Owner; the vehicle make, if available and readily discernable, and registration number; the violation charged; the time; the date; and the location of the alleged violation; the applicable fine and monetary penalty which shall be assessed for late payment; information as to the availability of an administrative hearing in which the notice may be contested on its merits; and that the basis of the notice is a photographic record obtained by an Automated Traffic Enforcement System.
2. Any violation of subsection 22-182 (1) or 22-182 (2) above shall be subject to a civil fine as stated in Section 22-187. All civil fines shall be payable to the City of Oelwein.

SECTION 22-184. CONTESTING AN AUTOMATED TRAFFIC CITATION

A Vehicle Owner who has been issued an Automated Traffic Citation may contest the citation as follows:

1. By submitting in a form specified by the City a request for an administrative hearing to be held at the Oelwein Police Department before an administrative appeals board (the "Board") consisting of one or more impartial fact finders. Such a request must be filed within 30 days from the date on which Notice of the violation is sent to the Vehicle Owner. After a hearing, the Board may either uphold or dismiss the Automated Traffic Citation and shall mail its written decision within 10 days after the hearing, to the address provided on the request for hearing. If the citation is upheld, then the Board shall include in its written decision a date by which the fine must be paid, and on or before that date, the Vehicle Owner shall either pay the fine or submit a request pursuant to the next paragraph.
2. By submitting in a form specified by the City a request that in lieu of the Automated Traffic Citation, a municipal infraction citation be issued and filed with the Clerk of Courts of the Iowa District Court in Fayette County. Such a request must be filed within 30 days from the date on which Notice of the violation is sent to the Vehicle Owner. Such a request will result in a court order requiring the Vehicle Owner to file an answer and appearance with the Clerk of Court, as well as setting the matter for trial before a judge or magistrate. If the Court finds the Vehicle Owner guilty of the municipal infraction mandated court costs will be added to the amount of the fine imposed by this section.

SECTION 22-185. EXCEPTIONS TO OWNER LIABILITY

There shall be no liability pursuant to this section if:

1. The operator of the vehicle in question was issued a municipal infraction for the violation in question pursuant to Oelwein Code 22-241 or was issued a uniform traffic citation for the violation in question pursuant to Chapter 321 of the Code of Iowa; or
2. The violation occurred at any time after the vehicle in question or its state registration plates were reported to a law enforcement agency as having been stolen, provided, however, the vehicle or its plates had not been recovered by the Vehicle Owner at the time of the alleged violation; or
3. The vehicle in question was an authorized emergency vehicle; or
4. The officer inspecting the recorded image determines that the vehicle in question was lawfully participating in a funeral procession; or
5. The officer inspecting the recorded image determines that the vehicle in question entered the intersection in order to yield the right-of-way to an emergency vehicle.

SECTION 22-186. FAILURE TO TIMELY PAY OR APPEAL

If the recipient of an Automated Traffic Citation does not either pay the fine by the due date stated in the citation or appeal the citation as provided herein, a municipal infraction may be filed by the Oelwein Police Department and a fine may be sought in accordance with Oelwein Code 22-241 rather than section 22-187 below. If the Court finds the Vehicle Owner guilty of the violation, mandated court costs will be added to the amount of the fine imposed by this section. If the recipient of an Automated Traffic Citation does not either pay the fine by the due date stated on the original citation or successfully challenge the citation as provided herein, the City may file a municipal infraction against the Vehicle Owner in accordance with Oelwein Municipal Code 22-241 and 364.22 of the Code of Iowa, seeking

judgment for the applicable civil fine provided in section 22-187 plus state mandated filing fee and court costs. If judgment is entered for the City in the municipal infraction proceeding, the City may, subject to applicable law, pursue enforcement of the judgment together with interest as permitted by law. Collection of that judgment may include referral to the State of Iowa Income Offset program administered by the Department of Administrative Services, State Accounting Enterprise. Notwithstanding the City’s right to file a municipal infraction, the City may first seek voluntary payment of the fine by sending a written request for payment to the Vehicle Owner and/or referring the matter to a private service agent to conduct collection in accordance with all applicable law.

SECTION 22-187. FINES

Subsection	Speed over the limit	Civil Fine	If in a Construction or School Zone
1	1 through 5 miles per hour ("MPH")	\$25	\$50
2	6 through 9 MPH	\$50	\$100
3	10 through 14 MPH	\$100	\$200
4	15 through 19 MPH	\$150	\$300
5	20 through 24 MPH	\$200	\$400
6	25 through 29 MPH	\$250	\$500
7	Over 30 MPH	\$400	\$800
8	Failure to stop for a red light	\$100	\$200

SECTION 22-188 – 22-189 Reserved.

Section 2. That all Ordinances or parts thereof in conflict herewith be and the same are hereby repealed. This Ordinance shall become effective upon its passage.

Brett DeVore, Mayor

Attest:

Dylan Mulfinger, City Administrator

Recorded_____, 2021.

Dylan Mulfinger, City Administrator

First Reading on_____:
It was moved by_____and seconded by
that the Ordinance as read be adopted, and upon roll
call there were:
AYES NAYS ABSENT ABSTAIN

Second Reading on_____It was moved by
and seconded by_____that the Ordinance as read
be adopted (or to suspend the rules), and upon roll
call there were:
AYES NAYS ABSENT ABSTAIN

Third Reading on_____It was
moved by_____and seconded by_____that
the Ordinance as read be adopted (or to suspend the
rules) and upon roll call there were:
AYES NAYS ABSENT ABSTAIN



Bureau of Local Systems
Ames, IA 50010

City Street Finance Report

Fiscal Year Item 8.

Oelwein
10/1/2021 1:34:07 PM

Expenses

	General Fund Streets (001)	Road Use (110)	Other Special Revenues	Debt Service (200)	Capital Projects (300)	Utilities (600 & U0)	Grand Total
Salaries - Roads/Streets		\$249,438					\$249,438
Benefits - Roads/Streets			\$153,291				\$153,291
Training & Dues		\$2,509					\$2,509
Building & Grounds Maint. & Repair		\$4,602					\$4,602
Vehicle & Office Equip Operation and Repair		\$12,003					\$12,003
Operational Equipment Repair		\$27,053					\$27,053
Other Utilities		\$1,888					\$1,888
Other Maintenance and Repair						\$7,894	\$7,894
Engineering		\$19,773			\$120,455		\$140,228
Insurance	\$40,960						\$40,960
Technology Expense		\$11,520					\$11,520
Other Professional Services		\$3,555					\$3,555
Other Equipment	\$27,000		\$31,785				\$58,785
Office Supplies		\$747					\$747
Operating Supplies		\$75,256					\$75,256
Heavy Equipment		\$205,205	\$68,215		\$63,285		\$336,705
Right-of-Way						\$68,100	\$68,100



Bureau of Local Systems
Ames, IA 50010

City Street Finance Report

Fiscal Year Item 8.

Oelwein

10/1/2021 1:34:07 PM

	General Fund Streets (001)	Road Use (110)	Other Special Revenues	Debt Service (200)	Capital Projects (300)	Utilities (600 & U0)	Grand Total
Buildings		\$265					\$265
Street - Capacity Improvement		\$61,750			\$488,178		\$549,928
Street - Safety/ Environment		\$37,524					\$37,524
Principal Payment				\$350,067			\$350,067
Interest Payment				\$34,397			\$34,397
Bond Registration Fees				\$835			\$835
Transfer Out		\$30,000					\$30,000
Street Lighting		\$107,070					\$107,070
Traffic Control/Safety		\$10,321					\$10,321
Snow Removal		\$9,050					\$9,050
Depreciation & Building Utilities		\$6,675					\$6,675
Street Cleaning		\$13,791					\$13,791
Total	\$67,960	\$889,995	\$253,291	\$385,299	\$671,918	\$75,994	\$2,344,457



Bureau of Local Systems
Ames, IA 50010

City Street Finance Report

Fiscal Year Item 8.

Oelwein
10/1/2021 1:34:07 PM

Revenue

	General Fund Streets (001)	Road Use (110)	Other Special Revenues	Debt Service (200)	Capital Projects (300)	Utilities (600 & U0)	Grand Total
Levied on Property	\$37,722		\$145,083	\$385,299			\$568,104
Other Taxes (Hotel, LOST)			\$100,000				\$100,000
Interest	\$2,053				\$2,637		\$4,690
State Revenues - Road Use Taxes		\$960,083					\$960,083
Charges/fees						\$75,994	\$75,994
Assessments			\$2,667				\$2,667
Fuel Tax Refund			\$5,541				\$5,541
Sale of Property & Merchandise	\$827						\$827
Sale of Assests	\$27,358						\$27,358
Transfer In					\$30,000		\$30,000
Total	\$67,960	\$960,083	\$253,291	\$385,299	\$32,637	\$75,994	\$1,775,264



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City Street Finance Report

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Bonds/Loans

Bond/Loan Description	Principal Balance As of 7/1	Total Principal Paid	Total Interest Paid	Principal Roads	Interest Roads	Principal Balance As of 6/30
2020 GO Bond	\$2,385,000	\$105,000	\$60,420	\$29,717	\$17,100	\$2,280,000
2016B GO Bond	\$825,000	\$135,000	\$13,323	\$93,150	\$9,193	\$690,000
2011 Bonds	\$455,000	\$355,000	\$12,663	\$227,200	\$8,104	\$100,000



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Equipment

Description	Model Year	Usage Type	Cost	Purchased Status
Ford F450 Boom Truck	2004	Purchased	\$17,000	Junked
Freightliner Truck	2015	Purchased	\$105,600	No Change
Freightliner Truck	2014	Purchased	\$103,035	No Change
International Dump Truck	2012	Purchased	\$105,000	No Change
Ford F-250 Super Duty Pickup/V Snow Plow	2011	Purchased	\$22,393	No Change
Case 621E Wheel Loader	2011	Purchased	\$56,700	Traded
310SG JD Backhoe	2003	Purchased	\$31,861	No Change
Bobcat A300 Skidloader	2006	Purchased	\$32,487	Traded
Kioti DK65 Loader with 84" bucket	2004	Purchased	\$27,000	Traded
LN7000 Dump Truck	1991	Purchased	\$35,880	Junked
LN8000 Dump Truck	1991	Purchased	\$38,591	Junked
LT-7506 Dump Truck	2002	Purchased	\$77,417	No Change
G720 Volvo Road Grader	2002	Purchased	\$79,372	No Change
JD 570 Road Grader	1995	Purchased	\$135,369	No Change
Champion Roller	1998	Purchased	\$15,000	No Change
IHC Truck w/Klaur Sno Go Blower	1972	Purchased	\$5,600	No Change
Ford 137 F-250 4x2	2016	Purchased	\$24,980	No Change
Elgin Street Sweeper	1999	Purchased	\$77,681	No Change
John Deere Utility Tractor 5090E	2020	Purchased	\$69,871	New
International Boom Truck	2007	Purchased	\$27,000	New
Freightliner Dump Truck	2021	Purchased	\$136,715	New



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Description	Model Year	Usage Type	Cost	Purchased Status
Bobcat Skidsteer S770	2021	Purchased	\$53,049	New
Volvo Endloader	2021	Purchased	\$131,500	New



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Street Projects

Project Description	Contract Price	Final Price	Contractor Name
Wings East Payment Improvements, HMA Overlay	\$448,671	\$476,418	Lodge Construction



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City Street Finance Report

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Summary

	General Fund Streets (001)	Road Use (110)	Other Special Revenues	Debt Service (200)	Capital Projects (300)	Utilities (600 & U0)	Grand Total
Begining Balance	\$0	\$670,136	\$0	\$0	\$805,311	\$0	\$1,475,447
SubTotal Expenses (-)	\$67,960	\$859,995	\$253,291	\$385,299	\$671,918	\$75,994	\$2,314,457
Transfers Out (-)		\$30,000					\$30,000
Subtotal Revenues (+)	\$67,960	\$960,083	\$253,291	\$385,299	\$2,637	\$75,994	\$1,745,264
Transfers In (+)					\$30,000		\$30,000
Ending Balance	\$0	\$740,224	\$0	\$0	\$166,030	\$0	\$906,254

Resolution Number:

Execution Date:

Signature:

Resolution No. _____

Resolution Adopting the Oelwein Central Business District Architectural Design Guidelines

WHEREAS, the City of Oelwein is working toward a downtown that has a consistent and uniform look; and

WHEREAS, these guidelines will be required for a downtown building owner should they receive funding from the city through tax increment financing, revolving loan fund, or other sources; and

WHEREAS, the Oelwein Chamber and Economic Development worked with a group of volunteers to update these standards;

WHEREAS, the city will use the Planning and Zoning Commission to settle disputes between the city and downtown business owners;

WHEREAS, these guidelines will ensure that the downtown continues to be a feature for the city of Oelwein and provide space for retail and commercial activity;

WHEREAS, the city will work with building owners to ensure they follow these guidelines;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Oelwein, Iowa, does hereby adopt Oelwein Central Business District Architectural Design Guidelines

Passed and approved this _____ day of October, 2021.

Attest:

Dylan Mulfinger, City Administrator

Recorded _____, 2021.

Dylan Mulfinger, City Administrator

Mayor Brett DeVore

It was moved by _____ and seconded by _____ that the Resolution as read be adopted, and upon roll call there were:

AYES NAYS ABSENT ABSTAIN

Weber
Stewart
Cantrell
Fisk
Seeders
Payne



Oelwein Central Business District Architectural Design Guidelines

Approved by Council Resolution #####-####

Month/Day/Year



Oelwein Central Business District Architectural Design Guidelines

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1. Introduction

- Several of the buildings within the central business district have unique physical attributes that contribute to the overall character. In particular, many of these buildings exhibit historic features that are directly associated with the character of downtown Oelwein.
- Since 2005, the City of Oelwein has renewed its commitment to restore and upgrade the physical features within the central business district through a comprehensive plan of streetscape and utility improvements. Based on the scope and character of these "public" improvements, the City of Oelwein, and its private sector partners wishes to establish a set of architectural and urban design standards that preserve the established character of the area rather than see a dramatic change. This Design Standards Manual is intended to serve as a guide for future building construction or alteration projects with an emphasis on maintaining and preserving the historic character of buildings within the district.
- These downtown guidelines are recommendations for all downtown buildings. These recommendations are required to be followed should the property owner received public funds such as Downtown TIF loan program, Revolving Loan Fund, and other programs provided by or through the City of Oelwein.

2. Purpose

- To foster and maintain the economic viability of Oelwein's central business district by encouraging redevelopment and new development;
- To regulate exterior scale, massing, design, arrangement, texture, and materials within the district to promote compatibility with the existing character of downtown Oelwein. To provide a comprehensive guide for exterior redevelopment and new construction projects;
- The goal is to create a unified design and avoid monotonous uniformity or standardization of architectural forms;
- To maintain the unique identity of Downtown Oelwein;
- To prepare and implement ordinances and policies consistent with Iowa Code Chapter 414 concerning powers granted to cities for the purpose of regulating land use.

3. Oelwein's Central Business District

- The Central Business District is comprised of a grid street system with Fredrick Avenue and Charles Street serving as the two primary arterial streets serving the area. In addition, First Street NE, First Street SE, Second Street SE, and State Highway 150 are home to several additional businesses.
- Many of the buildings within this area house commercial retail businesses, financial institutions, and service-oriented businesses. Most buildings are two-story structures with the upper floor dedicated to storage space or residential use.
- Most buildings constructed along Charles Street and Fredrick Avenue were built between the late 1800s and early to mid-1900s. A tornado event that occurred in 1968 caused substantial damage to several downtown properties.
- The first phase of a streetscape project began in 2005 and was completed in November 2006. The scope of improvements included replacement of utility services, upgrades to streets and sidewalks, including decorative paving and planting areas. The City also installed benches, trash receptacles, decorative lighting, and associated amenities. While these improvements have greatly enhanced the physical and aesthetic character of the area,

several adjacent buildings are suffering from lack of investment and maintenance. Moreover, buildings lack a cohesive or unified design standard.

- Figure 1 represents the area that is subject to the guidelines and requirements associated with this Manual and associated Zoning Overlay Ordinance.
4. Creation of the Design Manual: The original Design Standards Manual was created in consultation with a Steering Committee comprised of representatives from the Oelwein City Council, City staff, Oelwein Chamber of Commerce (OCAD), and downtown business owners. The overlay zoning ordinance does provide the necessary regulatory authority to ensure that new construction and renovation of existing structures is consistent with character-defining elements summarized in this manual. The OCAD downtown committee revised the manual in 2021 and collaborated with Planning and Zoning and City Council.
 5. Review Principles: The Planning and Zoning Commission will be charged with reviewing requests for exterior renovation projects and the new construction buildings within the designated area. The following review principles are intended to focus the evaluation.
 - These guidelines shall only apply to the exterior of buildings and to portions of buildings that would be visible at the pedestrian level from public rights-of-way, including alley ways.
 - While economic costs are not a primary factor in the review process, economic cost will be considered in relation to the adherence to these guidelines.
 - It is understood that a project may not meet every guideline to conform to the document's intent. However, it is the responsibility of the Planning and Zoning Commission and City Council to determine which guidelines most effectively achieve the larger design objectives for the district.
 - It is not the intent of these guidelines to require existing buildings to be in full compliance with these guidelines. Existing buildings that contain non-conforming elements are encouraged to make alterations that will improve the overall appearance of the building. As non-conforming buildings are altered, improvements shall be consistent with the guidelines set forth in this document and associated Central Business District Overlay Zoning Ordinance.
 - Staff and the Planning and Zoning Commission will review proposed projects in a consistent, fair, and equitable manner. Review of downtown guidelines by the Planning and Zoning Commission are final unless the applicant appeals to the City Council.
 - The design guidelines summarized in this document shall be effective within the boundaries of the central Business District Overlay Zoning Ordinance. If the guidelines are, more or less restrictive than the regulations of the underlying zoning district, these regulations shall take precedence.
 6. New Construction and Additions: Additions and new infill construction must adhere to the patterns that prevail in nearby or adjacent structures. When new buildings are constructed, it is best to think of it as one element in a larger group of buildings. In this context, the construction of new buildings or building additions specific emphasis should be to establish design guidelines for specific building elements, such as storefronts, offices, etc.
 - Facade Height Guidelines:
 - ◆ The height of the building must be considered in proportion to its width and the story-to-story height of the building.

- ◆ The height of new buildings and additions shall relate to the surrounding buildings. Every effort should be made to avoid new construction that varies greatly in height from adjacent buildings. In general, new construction should not be more than two-stories (24 feet) higher than the adjacent buildings.
 - ◆ Corner buildings should be higher than those located in the interior of the block. (Figure 1)
 - ◆ Corner buildings shall be a minimum of two-stories in height.
 - Facade Width Guidelines:
 - ◆ The facade width associated with improvements with infill construction should completely fill the available space.
 - ◆ Facade widths for new buildings and additions should correspond with the width of other buildings in the same block.
 - ◆ If the site is large, the mass of the facade should be broken down into a number of smaller bays, to maintain a rhythm similar to surrounding buildings.
 - Composition Guidelines:
 - ◆ The composition of the infill facade shall be similar to the surrounding facades in the block.
 - ◆ Physical elements that carry throughout the block (e.g., window spacing, etc.), shall be incorporated into the new facade.
 - ◆ The size and proportion of window and door openings of the new construction should be similar to other buildings in the block.
 - ◆ The ratio of window area to solid wall for new construction should be similar to other buildings in the block.
 - New construction shall be constructed with a shared-wall when feasible (faux shared wall)
 - Figure 2: Grouped Windows
 - Addition Guidelines:
 - New building additions should be placed in the rear of existing structures.
7. Preservation of Historic Buildings: The downtown area is not presently designated as an historic district. However, significant consideration must be given to planned alteration and renovation projects associated with buildings that were constructed before 1950. To this end, the following guidelines shall be applied.
- Alterations and/or Renovations to Historic Buildings:
 - ◆ Alterations to and renovations of historic buildings should incorporate measures to protect and preserve the historic character and features.
 - ◆ A property used for historic purpose or placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
 - ◆ Alterations and/or, renovations, construction, development, or other form of improvement to the exterior of any building constructed before 1950 should take appropriate measures to protect and preserve the historic character of existing features. Several sections of the Design Standards Manual references

guidelines that can be used to preserve historically significant buildings in the affected area.

- Building Demolition:
 - ◆ Demolition requests that are unrelated to public safety should be accompanied by additional documentation indicating the existing condition of the building and the proposed use for the site. Documentation should include proposed plans and elevations and an explanation of why the current structure is not feasible for reuse.
- 8. Preservation of Non-Historic Buildings: Alterations to non-historic buildings should incorporate design features that are stylistically compatible with the existing structure.
 - Alterations or Renovations to Non-Historic Buildings:
 - ◆ Any historic features, such as storefront elements and façade detailing, should be retained.
 - ◆ Renovations that convert the character of the building into a structure that exhibits more of an historic appeal is encouraged.
 - ◆ If additional stories are added to one story structures, renovations should incorporate a visually compatible raised front parapet wall which is at least four feet above the eave height.
 - ◆ Figure 3: Example of a Non-Historic Building
 - ◆ Particular attention should be given to design guidelines referenced in other sections of this manual.
 - Building Demolition: Demolition requests that are unrelated to public safety should be accompanied by additional documentation indicating the existing condition of the building and the proposed use for the site. Documentation should include proposed plans and elevations and an explanation of why the current structure is not feasible for reuse.
- 9. Signage: Signs should be architecturally compatible with the style, composition, materials, colors, and details of the building and with other signs on nearby buildings, while providing for adequate identification of the business.
 - Guidelines:
 - ◆ Downtown signs should be oriented toward pedestrians, not vehicular traffic. Figure 4 Blade Sign
 - ◆ Signs which use materials common to the structure and architectural style of the building are encouraged.
 - ◆ All signs must be maintained.
 - ◆ Lighted signs, detached signs (except for sandwich board signs), and signs that extend into the public right-of-way are prohibited.
 - ◆ Signs should not obscure the architectural detail elements.
 - ◆ Signs should be subordinate to the building's facade. The size and scale of the sign shall be in proportion to the size and scale of the street level facade.
 - ◆ Signs should be in design harmony with the building.
 - ◆ Signs with multiple storefronts within the same building should align with each other.

10. Rooflines and Parapet Roofs: The roofline establishes the relationship with adjacent buildings. In general, roofs in downtown Oelwein tend to be flat roofed structures with a parapet added for decoration and to screen roof mounted equipment.

- Guidelines:
 - ◆ Retain the original roofline and parapet features.
 - ◆ Rooflines should be consistent with adjacent buildings and avoid improvements that are not in scale with adjacent buildings.
 - ◆ Traditional roof line features of historic buildings should be preserved where visible. These features include cornices, pediments, brackets, caps, etc. Historically authentic materials, overhang proportions, and details should be used.
 - ◆ Roofs for non-historic buildings should normally be screened by raised parapet walls with decorative masonry cornices.
 - ◆ For any building, visible roofs should not appear above walls in their respective visible proportions from street views.

11. Existing Ornamentation: Several buildings in downtown Oelwein exhibit embellished limestone and brickwork. These elements should be maintained because they contribute to unique architectural details in the downtown.

- Architectural Details:
 - ◆ Intact original ornamentation or architectural details should be maintained and preserved. Figure Sign
 - ◆ If original detailing is covered, exposing and restoring the features is encouraged.
 - ◆ While the use of original material is encouraged, substitute materials can be used subject to the Planning and Zoning Commission approval.
 - ◆ Cornices shall not be removed. A determination will be made by the Building Inspector as to safety.

12. Building Facades: Traditional commercial facades have three horizontal sections:

- Building Cornice: Traditional building materials include stone, brick, wood, metal, or other materials to visually cap the building.
- Upper Facade: The upper facade is generally constructed of brick, stone, stucco, or pressed tin. It is also characterized by a symmetrical design and regularly spaced window openings.
- Storefront: Characteristics commonly associated with the storefront are significantly different from the upper facade. This area is primarily composed of large display windows surrounded by enframing piers and a storefront cornice, awning, or canopy.
- The design guidelines that follow make distinctions between the following facade areas:
 - ◆ First Floor
 - ◆ Front of Building- Upper Floor
 - ◆ Shared Walls
 - ◆ Rear Facades
 - ◆ Corner Building Facades
- Guidelines regarding First Floor Facades:

- ◆ Storefronts are encouraged to reflect the scale of the original design if known. If unknown, it should be in scale with the total facade.
 - ◆ Existing historic elements such as original display windows, transoms, doors, and integrated wall signs should be preserved. New buildings and renovations are also encouraged to incorporate these elements.
 - ◆ Exterior security bars or shutters on storefronts should be avoided where possible.
 - Guidelines regarding Front of Building Upper Floor Facades:
 - ◆ Historic window arrangements, including lintels, sills, and masonry surrounds, should be preserved when present.
 - ◆ No new improvements relative to adding or closing window openings will be permitted. Windows for new buildings should be organized to create rhythmic, symmetrical patterns. Windows should be aligned vertically and horizontally.
 - ◆ Window dividers in historic buildings should reflect the original design pattern.
 - ◆ Window mounted air conditioners are not allowed on the street facing windows.
 - ◆ Upper story windows shall only have minimal tinting and should appear transparent from the street.
 - ◆ The facade of upper floors should be balanced in design and shall provide a distinction between lower and upper sections of the building.
 - Guidelines regarding Shared Walls:
 - ◆ Window openings may be introduced; however, the design must be compatible with other windows on the building.
 - ◆ Window replacement in existing buildings is permitted; however, the use of original window patterns and finishes is encouraged.
 - ◆ Walls shall not be painted unless approved by the Planning and Zoning Board.
 - Guidelines regarding Rear Facades:
 - ◆ Rear entrances that face public parking areas are encouraged.
 - ◆ Rear facades should provide sufficient architectural detail, such as window and door openings to articulate the building facade; it should not compete with the primary facade.
 - ◆ Window replacement in existing buildings should use original window patterns and finishes.
13. Mechanical Equipment: The placement of mechanical equipment (e.g., heating, ventilation and air conditioning units; window mounted air conditioners, satellite or related antennas, etc.) can diminish the aesthetic character of buildings within the district. The guidelines summarized below are designed to screen or displace this equipment to other areas of the building.
- Guidelines:
 - ◆ For historic buildings, fire escapes, or other mechanical features (such as louvers) should not be installed in ways that damage historic features or materials. On masonry buildings, mounting hardware should be attached to mortar joints rather than to the masonry itself.

- ◆ Rooftop mechanical equipment should not be visible from street views.
- ◆ Where feasible, fire escapes, window-mounted air conditioners, or other mechanical features should not be located on facades which front on major streets.

14. Permitted Construction Materials: Surface materials are a key factor in the appearance of a building and its relationship to adjacent buildings. The original building material shall be retained if possible. If the original material has been overlaid by such coverings as aluminum, these alterations should be removed and the original material maintained, repaired or replaced with similar materials. The permitted construction materials are specific to the following facade areas:

- ◆ Primary Façade
- ◆ Secondary and Rear Facade
- ◆ Shared Walls
- ◆ General Masonry
- ◆ Roofing
- Guidelines regarding the Primary Façade:
 - ◆ The original building material shall be retained when possible. If the original material has been overlaid with aluminum or stucco, building owners will be encouraged to remove the overlay materials and restore the use of the original materials via maintenance, replacement or repair with similar materials.
 - ◆ Additions or alterations to existing buildings shall use traditional building materials consistent with existing traditional building stock.
 - ◆ For all construction, materials should be combined in historically appropriate combinations.
 - ◆ Vinyl and aluminum siding is not allowed.
- Guidelines regarding the Secondary and Rear Facade:
 - ◆ Secondary facades that are exposed to the public right-of-way shall be composed of building materials consistent with the existing building stock. This would include brick, stone, terracotta, stucco, or equivalent materials.
- Guidelines regarding the Shared Walls:
 - ◆ Building materials for shared walls are typically less costly than materials used on primary and secondary facades. Rubble limestone, brick, and tile block are common shared wall materials.
 - ◆ Materials which are to be painted, such as previously painted facade materials and window frames, should be repainted in colors that complement the materials on the building.
 - ◆ Unpainted or previously painted facade materials should only be painted when the Planning and Zoning Board has approved the painting plan.
- Guidelines regarding General Masonry:
 - ◆ Proper maintenance should be done by re pointing and cleaning processes.
 - ◆ Masonry walls that are visible from public right-of-ways should not be clad with stucco, artificial stone, or EIFS (Exterior Insulation Finish Systems).
 - ◆ Mortar color should not significantly contrast with the masonry hue or darkness.

- ◆ Existing unpainted masonry walls shall not be painted.
- Guidelines regarding Roofing Materials:
 - ◆ Roofing materials that are visible from the public right-of-way should use traditional materials such as slate, metal, tile, or reasonable facsimiles thereof, used in appropriate traditional combinations.
- 15. Canopies and Awnings: The form of the awning or canopy shall provide pedestrians with protection from the elements and compliment the character of the building.
 - Guidelines:
 - ◆ Typically, fabric, wood, and metal are the most common materials used for awnings and canopies.
 - ◆ Awnings and canopies shall be in proportion to the overall building facade and should match the width of the storefront or window opening.
 - ◆ Awnings on the storefront level should not extend into the second story of the building facade.
 - ◆ Upper floor awnings shall be mounted within the window opening.
 - ◆ Post or pole supported canopies are not allowed.
 - ◆ Back-lit awnings and are allowed. Colors of light should complement the downtown design.
- 16. Color of Materials Used: The colors of materials used for building facades and canopies/awnings are important to creating a unifying design and theme for the district. Guidelines regarding the use of colors focuses on the following building elements:
 - ◆ Building Facades
 - ◆ Awnings and Canopies
 - Guidelines regarding the Color of Building Facades:
 - ◆ Renovations to existing historic buildings must use original color(s) common to the building.
 - ◆ Colors associated with new building construction must compliment the color of adjacent buildings and the area as a whole.
 - Guidelines regarding the Color of Awnings and Canopies:
 - ◆ The colors associated with awnings and/or canopies will be complimentary to the primary structure and adjacent buildings. Exhibit B provides a list of recommended colors.
 - ◆ Neutral and earth tone colors are generally accepted with other accent colors subject to approval by planning and zoning.
- 17. Screening of Waste and Storage Areas: Exterior storage and waste disposal areas detract significantly from the design and aesthetics of the area.
 - Guidelines:
 - ◆ All exterior waste disposal and storage areas shall be placed in the rear of buildings and screened from public view.
 - ◆ Measures shall be taken to prevent debris from disbursing from the affected property.

Figure 1 Corner Buildings



Figure 2: Grouped Windows



Figure 4: Example of a Non-Historic Building



Figure Sign



Figure 4 Blade Signs



Map



APPLICATION AND CERTIFICATION FOR PAYMENT

Item 10.

TO OWNER:

City of Oelwein
20 Second Ave SW
Oelwein, IA 50662

PROJECT:

500MG West Elevated Water Storage Tank

APPLICATION NO:

Two
PERIOD TO: 6/1/2021 - 8/31/2021

PROJECT NOS: 3406-19A

CONTRACT DATE: 4/27/2020

FROM CONTRACTOR:

Maguire Iron
PO Box 1446
Sioux Falls, SD 57101

VIA ENGINEER:

Fox Engineering
414 South 17th St., Suite 107
Ames, IA 50010

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.

Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM	.....	\$	765,220.00
2. Net change by Change Orders	.....	\$	\$69,700.00 66,200.00
3. CONTRACT SUM TO DATE (Line 1 + 2)	.....	\$	\$834,920.00 831,420.00
4. TOTAL COMPLETED & STORED TO DATE	.....	\$	\$798,670.00 814,420.00
5. RETAINAGE:			
a. 5% of Work Completed	\$		\$39,933.50 40,721.00
(Columns D + E on Continuation Sheet)			
b. _____ % of Stored Material	\$		
(Column F on Continuation Sheet)			
Total Retainage (Line 5a + 5b )	.....	\$	\$39,933.50 40,721.00
(Total in Column I on Continuation Sheet)			
6. TOTAL EARNED LESS RETAINAGE	.....	\$	\$758,736.50 773,699.00
(Line 4 less Line 5 Total)			
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	.....	\$	189,496.50
(Line 6 from prior Certificate)			
			\$569,240.00
8. CURRENT PAYMENT DUE	.....	\$	584,202.50
9. BALANCE TO FINISH, INCLUDING RETAINAGE	.....	\$	\$76,183.50 57,721.00
(Line 3 less Line 6)			

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: MAGUIRE IRON, INC.

By: Migdad Mustafa Date: 8/31/2021

ENGINEER'S RECOMMENDATION FOR PAYMENT

AMOUNT RECOMMENDED.....\$ 569,240.00

(Attached explanation if amount recommended differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified)

ENGINEER:

By: Matthew L. Hauer Date: 10/5/2021

OWNER'S APPROVAL:

By: _____ Date: _____

CONTINUATION SHEET

Item 10.

APPLICATION AND CERTIFICATE FOR PAYMENT,
containing Contractor's signed Certification, is attached.

APPLICATION NO: Two
APPLICATION DATE: 6/1/2021
PERIOD TO: 8/31/2021
ENGINEER'S PROJECT NO.: 3406-19A

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

A	B	C	D	E	F	G		H	I
Item No.	Description of Work	Scheduled Value	Work Completed		Materials Presently Stored (not in D or E)	Total Completed & Stored to Date (D + E + F)	% (G/C)	Balance to Finish (C - G)	Retainage (If Variable Rate) 5%
			From Previous Application (D + E)	This Period					
1	Mobilization	\$ 15,000.00	\$ 7,500.00	\$ 7,500.00		\$ 15,000.00	100%	\$0.00	
2	Interior Surface Prep	\$ 66,000.00	\$ -	\$ 66,000.00		\$ 66,000.00	100%	\$0.00	
3	Interior Paint	\$ 44,000.00	\$ -	\$ 44,000.00		\$ 44,000.00	100%	\$0.00	
4	Exterior Surface Paint	\$ 180,000.00	\$ -	\$ 180,000.00		\$ 180,000.00	100%	\$0.00	
5	Exterior Paint	\$ 120,000.00	\$ -	\$ 120,000.00		\$ 120,000.00	100%	\$0.00	
6	Containment	\$ 150,000.00	\$ -	\$ 150,000.00		\$ 150,000.00	100%	\$0.00	
7	Logo	\$ 8,000.00	\$ -	\$ 8,000.00		\$ 8,000.00	100%	\$0.00	
8	Shell Ladder	\$ 10,000.00	\$ 10,000.00	\$ -		\$ 10,000.00	100%	\$0.00	
9	Safety Climb and extended existing ladder	\$ 9,000.00	\$ 1,500.00	\$ 5,500.00 \$0		\$ 7,000.00 \$1,500.00	78% 17%	\$2,000.00 \$7,500.00	
10	Replace wet riser access hatch	\$ 10,000.00	\$ 10,000.00	\$ -		\$ 10,000.00	100%	\$0.00	
11	Modify Balcony Guardrail	\$ 7,500.00	\$ 7,500.00	\$ -		\$ 7,500.00	100%	\$0.00	
12	New Overflow, Flapper, Spashpad	\$ 22,500.00	\$ 22,500.00	\$ -		\$ 22,500.00	100%	\$0.00	
13	Spider rods	\$ 1,500.00	\$ 1,500.00	\$ -		\$ 1,500.00	100%	\$0.00	
14	Remove Anti-Climb Device	\$ 5,000.00	\$ -	\$ 5,000.00		\$ 5,000.00	100%	\$0.00	
15	Roof Vent	\$ 7,500.00	\$ 7,500.00	\$ -		\$ 7,500.00	100%	\$0.00	
16	Riser Tube Grate	\$ 20,000.00	\$ 20,000.00	\$ -		\$ 20,000.00	100%	\$0.00	
17	Repair concrete support piers	\$ 5,500.00	\$ -	\$ 5,500.00		\$ 5,500.00	100%	\$0.00	
18	Valve Vault	\$ 44,770.00	\$ 44,770.00	\$ -		\$ 44,770.00	100%	\$0.00	
19	Demolish and dispose existing shed and electrical equipment	\$ 7,500.00	\$ 7,500.00	\$ -		\$ 7,500.00	100%	\$0.00	
20	Fencing, Site cleanup and restoration	\$ 15,000.00	\$ -	\$ -		\$ -	0%	\$15,000.00	
21	Newforma Constructex	\$ 2,700.00	\$ 2,700.00	\$ -		\$ 2,700.00	100%	\$0.00	
22	Misc repair (Seam welding, Plug weld and 25 plates)	\$ 13,750.00	\$ -	\$ 13,750.00 \$0		\$ 13,750.00 \$0	100% 0%	\$0.00 \$13,750.00	
23	Change Order #1	\$ 55,000.00	\$ 55,000.00	\$ -		\$ 55,000.00	100%	\$0.00	
24	Change Order #2	\$ 1,500.00	\$ 1,500.00	\$ -		\$ 1,500.00	100%	\$0.00	
25	Change Order #3	\$ 9,700.00	\$ -	\$ 9,700.00		\$ 9,700.00	100%	\$0.00	
26	Add for Change Order #4 (\$0) & Change Order #5 (\$3,500)	\$3,500.00		\$3,500.00		\$3,500.00	100%	\$0.00	
		\$831,420.00	\$ 199,470.00	\$ 614,950.00	\$ -	\$ 814,420.00	98%	\$17,000.00	\$ 40,721.00
		\$834,920.00		\$599,200.00		\$798,670.00	95%	\$36,250.00	\$39,933.50

39



DATE: October 7, 2021

TO: Honorable Mayor and City Council

FROM: Jay Shekleton, Building Official JS

RE: 2020 Demolition Project

I recommend final payment of \$24,900.00 to Lansing Brothers Construction for completion of the 2020 Demolition Project.

Dear Council,

The Oelwein Lions Club is writing this letter today to request a portion of a parking lot downtown to be blocked off for a Trunk or Treat Halloween Event for the Oelwein Lions Club on Friday Oct. 29th from 3pm-7pm.

For many years we have done HOOT for Halloween in the Coliseum but we believe this year for safety reasons this event should be held outside, hence why we are reaching out today to request a parking lot for our event. HOOT is a Halloween event for Oelwein Kids from prek-6th, we hand out candy and typically have games for kids to play. No games this year just candy.

The HOOT Event would be Friday Oct. 29th from 4:30pm – 6:30pm. We would request the parking lot be blocked off from 3pm – 7pm. The parking lot we would request is the area adjacent from the log cabin downtown, currently where the farmers market is held.

Thank you to all members of the council for hearing our request today. We appreciate all that you do.

Lions President, Katy Solsma Bell & the Oelwein Lions Club

October 4, 2021

THE GRAND THEATRE OF OELWEIN

26 S Frederick – PO Box 469
Oelwein, Iowa 50662
319/283-5511

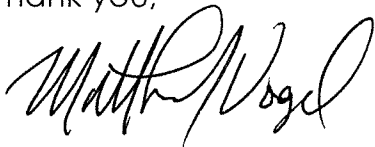
To: Dylan Mulfinger and members of the
Hotel/Motel Funding Committee

Enclosed is a copy of our grant request from The City of Oelwein Hotel/Motel Tax Funding. As you are probably aware The Grand Theatre was awarded \$10,000 in 2020. We were unable to complete our project because of continued COVID pandemic concerns.

We now believe that the worse is over and we can move forward. Movie houses are releasing new movies and people are coming back to the movies. We are not yet at pre—COVID levels but a newly remodeled theatre will give our community confidence to come back downtown to the movies.

Thank you for your consideration. If you need any further information, please let me know.

Thank you,



Matthew Vogel, President
The Grand Theatre of Oelwein

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JAN 27 2011

THE GRAND THEATRE OF OELWEIN INC
C/O MATTHEW J VOGEL
26 S FREDERICK AVE
OELWEIN, IA 50662

Employer Identification Number:
27-2242627

DLN:
17053363311020

Contact Person:
JOAN C KISER ID# 31217

Contact Telephone Number:
(877) 829-5500

Accounting Period Ending:
December 31

Public Charity Status:
509(a)(2)

Form 990 Required:
Yes

Effective Date of Exemption:
March 31, 2010

Contribution Deductibility:
Yes

Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Sincerely,



Lois G. Lerner
Director, Exempt Organizations

Enclosure: Publication 4221-PC



**CITY OF OELWEIN
HOTEL AND MOTEL TAX FUNDING APPLICATION
(TOURISM)**

Application Deadlines
September 1 -- December 1
March 1 -- June 1

Applications must be received by 5:00 p.m. on the deadline date. All areas of the applications must be completed and typed. Each applicant will be afforded the opportunity to attend a brief question and answer session with the Advisory Board.

Organization Name: The Grand Teatre of Oelwein, Inc.

Contact Name: Matthew Vogel, President

Mailing Address: POBox 469

City, State, Zip: Oelwein, IA 50662

Phone: 563-608-1815 **Fax:** 319-283-1838 **Email Address:** mjvia1958@gmail.com

Total Project Cost: \$115,000

Total Requested from Hotel/Motel Tax Funds: \$ 10,000

Please indicate which category you are applying for funds:

- ☐ Category 1 - Primary
- ☒ Category 2 - Community Culture and Education
- ☐ Category 3 - Community Recreation and Events
- ☐ Category 4 - New and Emerging Organization and Events

Please sign and date this application. Your signature below certifies that you have read and understand all of the guidelines for this funding program. You further understand that you will be required to submit a summary of expenses at the end of the project and that if any funds are not expended or are found to be outside the scope of the grant made by the City Council you will be **required to reimburse/return** these funds to the City of Oelwein.

Applicant:

by: Matthew Vogel Date 10-4-26

Matthew Vogel
(printed name)

**CITY OF OELWEIN
HOTEL/MOTEL TAX FUNDING APPLICATION
(Tourism)**

Project Identification

1. What is the title of your project? New seating project.

Provide a brief description of your project. Attach additional pages, if needed.

The Grand has two theatres, one with 300 seats and the other with 200 seats. These seats, which were installed after a major fire in 1975, are still used today. That means the newest seat in our theatre is 46 years old. The fabric on many of the seats is so worn that (ServiceMaster) our cleaning company will no longer clean them. Many have broken parts and they squeak! There is no way to fix them, the seats need to be replaced

2. Hotel and Motel Tax Funds must be used to fund projects that promote and/or expand tourism activity in Oelwein. How will your project help to realize this goal?

Before COVID, the theatre had 27,000 movie goers. We were about 30% of this last year. Our income has exceeded our expenses for each of the last three months. We are confident that things are getting better. We also believe that people will be excited to see a updated theatre.

3. Project Evaluation:

A. Targeted Population

- 1) Hotel/Motel guests generated by project
 - a. Number of projected hotel/motel guests.
 - b. How will hotel/motel guests be tracked.
- 2) Number of adults the project will reach 16,000
- 3) Number of youth the project will reach 11,000

B. Geographic area of draw

NE Iowa

C. Volunteers

- 1) Number of volunteers 10*
- 2) Number of volunteer hours 50*

D. Attendance of event previous year(s) 8000

E. Day open to public or performance(s) every day

*less than 50% of our past years. (COVID)

4. Project Budget

- A. Please provide a project budget and schedule of completion including all expenses. If desired, the project budget may be attached to the application. If exact costs are not known please attach estimates to the application, which should be identified as such.

\$115,000 to purchase seats, remove the old seats, install new seats, update floor coverings and update our sound system to be ADA (American with Disabilities Act) compliant.

- B. List sources of matching funds obtained below. Funding requests are eligible for up to 100% funding, but priority will be given to projects with additional sources of funding, including in-kind donations.

Currently we have secured a grant from NE Iowa Charitable Foundation for \$35,000. \$9500 from The Fayette Community Foundation. The Grand has pledged \$25,000 of its future earnings to the project. We believe that we additional sources of funding for \$20,500. We will asking the Oelwein community for the balance.

- C. Is this application "seed money" for a new project? If yes, please explain.

NO

- D. Is this application for the expansion of an existing project/program? If yes, please explain.

NO

- E. Have you ever received Hotel/Motel Tax Funding from the City of Oelwein in the past?

Yes: XX No: (check one)

If you answered yes, please answer the following: (attach additional pages, if needed)

Amount of Funding: \$ 10,000 but was not funded.

Date of Funding: 2020

Assurances

Applicants hereby agree and acknowledge that:

If they are awarded funds, they will conduct their operations in accordance with Title VI and the Civil Rights Act of 1964, as amended, and the Rehabilitation Act of 1973, as amended, which prohibits discrimination against any employee, applicant for employment, or any person participating in a sponsored program on the basis of race, creed, color, national origin, religion, sex, age, or physical or mental disability, and require compensation for employment at no less than minimum wage requirements, and will provide safe and sanitary working conditions;

They will comply with the Americans with Disabilities Act;

They will comply with all other applicable State and federal laws, rules, ordinances, regulations, and orders;

They will expend funds, received as a result of this application, solely on the described project and programs included within the grant application documents within the fiscal year from which the grant is disbursed;

If they are awarded funds, applicants will include in all appropriate promotions, publicity, advertising, and in printed material the following credit line as applicable:

This project was partially supported by a Hotel-Motel Tax Fund grant from the City of Oelwein.

Our operations are partially supported by a Hotel-Motel Tax Fund grant from the City of Oelwein.

Our operations are and this project was partially supported by a Hotel-Motel Tax Fund grant from the City of Oelwein.

The filing of this application has been approved by the legally authorizing body of the applicant, if applicable;

The facts, figures and information contained in this application including all attachments, are true and correct;

Failure to comply with the administrative rules for this program will result in the forfeiture of funds allocated based upon this application grant;

All records of the grantee relating to this grant application are available during reasonable business hours to the City or their authorized representative upon request;

All records of the grantee related to this grant will be maintained for a period of three years following the date the final grant payment is made;

Assurances Continued

All grantees acknowledge that the source of the grant it is requesting from the City comes from the hotel and motel tax applicable in the City of Oelwein as contemplated by Iowa Code Chapter 422A (2007). The grantee specifically acknowledges the limited use that can be made of hotel and motel tax revenues and assures the City of Oelwein that the grant will be used only for allowable purposes as specifically set forth in Iowa Code Chapter 422A (2) (4) (2007). The grantee additionally and specifically acknowledges and assures the City of Oelwein that it will not use the grant for any purpose, which would be improper pursuant to this law. Furthermore, the grantee warrants that should it use the grant for any purpose not allowed by Iowa Code Section 422A (2)(4)(2007) that it will reimburse, in full, the City of Oelwein the entire amount of the grant;

All grantees acknowledge and assure the City of Oelwein that all grant funds received shall be segregated from other funds maintained by the grantee, until used for the proper purposes as described herein. The sums will be deposited into a segregated, identifiable checking account;

All grantees expressly acknowledge and assure the City of Oelwein that none of the sums received hereunder shall be used for "political purposes" as contemplated by Chapter 56 of the Code of Iowa (2007).

Cost Reimbursement

- A complete project budget and schedule of completion must be included with the application.
- Applicants must have accurate estimates included with the project budget.
- Applicants are eligible for up to 100% funding and funds will be distributed upon approval of the City of Oelwein City Council.
- Funds will be paid only to the applicant, not to contractors or vendors.
- Upon completion of the project, the applicant must submit documentation of expenses and a project recap **within 60 days to City Hall**.
- Any funds that are not expended or are found to be outside the scope of the grant made by the Funding Advisory Board must be reimbursed/returned, by the applicant, to the City of Oelwein **within 60 days**.
- **Failure to comply with the aforementioned rules will prohibit the applicant from applying for funds for one year.**

Recipient

Matthew Vogel

Date

10-4-21

Recipient

Date



Dillon Law PC

209 E 1st Street
Sumner, Iowa 50674

City of Oelwein
Attn: Dylan Mulfinger
20 2nd Ave. SW
Oelwein, IA 50662

CityOelwein

Oelwein City Attorney

INVOICE

Invoice # 9212
Date: 10/01/2021
Due Upon Receipt

Type	Date	Notes	Quantity	Rate	Total
Service	09/02/2021	Flat Rate: Drafting Quit Claim deed to Herbert Doudney and Gail J. Bilden	1.00	\$100.00	\$100.00
Expense	09/02/2021	Reimbursable expenses: Recording fee for Lewis & Reagan Quit Claims	1.00	\$48.00	\$48.00
Expense	09/07/2021	Reimbursable expenses: Additional recording for resolutions for Lewis & Reagan	1.00	\$10.00	\$10.00
Service	09/10/2021	review code and email correspondence, calendar time for pat, email from pat and to pat with code	0.30	\$60.86	\$18.26
Service	09/13/2021	council meeting	2.25	\$136.83	\$307.87
Service	09/14/2021	latham pay offs	0.25	\$136.83	\$34.21
Expense	09/16/2021	Reimbursable expenses: recording fee for Bilden Deed	1.00	\$29.00	\$29.00
Service	09/22/2021	Flat Rate: Drafting Mortgage release to Oelwein Neighborhood Improvement Team, LLC	1.00	\$100.00	\$100.00
Service	09/22/2021	Deed Drafting: Preparation of two Quit Claim Deeds from Barbara Jean Wegner to City of Oelwein, Iowa.	1.00	\$200.00	\$200.00
Service	09/24/2021	tax sales document prep on 8 properties , email to abstract office for lien searches	2.00	\$60.86	\$121.72
Expense	09/24/2021	Reimbursable expenses: Recording fee for release of mortgage Oelwein Neighborhood Improvement	1.00	\$12.00	\$12.00
Service	09/24/2021	tcw with Dylan re Snow Removal issue, read up on snow removal issue, read weekly update, tcw Dylan re	0.50	\$136.83	\$68.42

Barb Wegner property					
Service	09/27/2021	draft search warrant applications and affidavit for wegner properties x2 email to pat	1.00	\$60.86	\$60.86
Service	09/27/2021	tax sale docs	0.50	\$60.86	\$30.43
Service	09/27/2021	attend council meeting and work shop	1.50	\$136.83	\$205.25
Service	09/28/2021	email to nathan, enter time	0.10	\$60.86	\$6.09
Expense	09/28/2021	Reimbursable expenses: Fayette Treasurer Radcliff Tax Sale	1.00	\$25.00	\$25.00
Expense	09/28/2021	Reimbursable expenses: Fayette Recorder Radcliff Tax Sale	1.00	\$17.00	\$17.00
Service	09/29/2021	Dr. Leo concerns, obtain admin search warrant, email re admin search warrants, email from city admin re Dr. Leo.	1.00	\$136.83	\$136.83
Service	09/30/2021	Flat Rate: Drafting Quit claim deed from Cindy Happel	1.00	\$100.00	\$100.00
Service	10/01/2021	Preparation Release of Real Estate Mortgage - BBV, LLC	1.00	\$100.00	\$100.00
				Total	\$1,730.94

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
9212	10/01/2021	\$1,730.94	\$0.00	\$1,730.94
Outstanding Balance				\$1,730.94
Total Amount Outstanding				\$1,730.94

Please make all amounts payable to: Dillon Law PC

Payment is due upon receipt.



Dillon Law PC

209 E 1st Street
Sumner, Iowa 50674

City of Oelwein
Attn: Dylan Mulfinger
20 2nd Ave. SW
Oelwein, IA 50662

INVOICE

Invoice # 9211
Date: 10/01/2021
Due Upon Receipt

City of Oelwein nuisance/abatement work

nuisance/abatement work 657A's

Type	Date	Notes	Quantity	Rate	Total
Service	07/02/2021	Phone call to Sam re: various building issues; njl	0.25	\$139.16	\$34.79
Service	07/02/2021	Phone call back to citizen re: building codes NJL	0.20	\$139.16	\$27.83
Service	07/02/2021	Email to City re: tiny houses njl	0.30	\$139.16	\$41.75
Service	07/28/2021	Email from Mulfinger re: Ongoing Wegner problem; Email reply from Dillon re: Wegner; compose email to Dillo njl	0.20	\$139.16	\$27.83
Service	08/02/2021	Email from Chief Logan re: Cox illegal dumping investigation. Review of email, email to Dillon njl	0.20	\$139.16	\$27.83
Service	08/31/2021	Curt Horstmeier email update request to Sam	0.25	\$139.16	\$34.79
Service	09/02/2021	review of Wegner file, review case law, give opinion on ways forward.	1.00	\$139.16	\$139.16
Service	09/03/2021	review Oelwein citation and photos	0.20	\$61.90	\$12.38
Service	09/07/2021	call to clerk re IA	0.10	\$61.90	\$6.19
Service	09/08/2021	unsafe house palacard issue Gary Wright owner.	0.25	\$139.16	\$34.79

Service	09/13/2021	Oelwein case review, send spreadsheet, review filings, email reminder to Sam for review hearings, email to touch base with Sam	0.50	\$61.90	\$30.95
Service	09/13/2021	jensen matter- draft and file amended witness list	0.20	\$61.90	\$12.38
Service	09/14/2021	draft and file witness list	0.30	\$61.90	\$18.57
Service	09/14/2021	draft and file motion to continue in hamilton	0.30	\$61.90	\$18.57
Service	09/14/2021	case review email correspondence with Sam and Pat	0.30	\$61.90	\$18.57
Service	09/15/2021	Email with Jay re b wegner building issues	0.25	\$139.16	\$34.79
Service	09/15/2021	Review snow issue for City of Oelwein	0.25	\$139.16	\$34.79
Service	09/17/2021	case review, email to sam re latham	0.20	\$61.90	\$12.38
Expense	09/20/2021	Reimbursable expenses: filing fee for citations	2.00	\$155.00	\$310.00
Service	09/20/2021	Wright citations x2, data entry, beacon searches, iowa land records searches, data entry, filing citations with efile instructions	1.00	\$61.90	\$61.90
Service	09/20/2021	wright- draft exhibit list, witness list, directions for service, admissions x2	0.50	\$61.90	\$30.95
Service	09/21/2021	review filings, adjust spreadsheet	0.30	\$61.90	\$18.57
Service	09/21/2021	adjust docs with case number, contact Ted for service of two citations for wright, update spreadsheet, calendar event	0.50	\$61.90	\$30.95
Service	09/22/2021	review judgement orders in weiland	0.20	\$61.90	\$12.38
Service	09/24/2021	Call Tiffany Pingree re city of oelwein issue	0.25	\$139.16	\$34.79
Service	09/27/2021	Phone call from citizen re: building codes	0.75	\$139.16	\$104.37
		NJL			
Service	09/28/2021	tcw Jay re Status of WOrthan property, Wegner property call	0.25	\$139.16	\$34.79
Service	09/28/2021	draft proposed orders x2, print and label exhibits, review exhibits, wegner issues	0.70	\$61.90	\$43.33
Service	09/29/2021	Wright citations, draft witness lis, label exhibits, draft witness list	0.50	\$61.90	\$30.95
Service	09/29/2021	save wegner packets to file	0.10	\$61.90	\$6.19

Total \$1,287.51

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
9211	10/01/2021	\$1,287.51	\$0.00	\$1,287.51
Outstanding Balance				\$1,287.51
Total Amount Outstanding				\$1,287.51

Please make all amounts payable to: Dillon Law PC

Payment is due upon receipt.



To: Mayor and City Council

From: Dylan Mulfinger

Subject: Administrator's Council Agenda Memo

Date: 10/11/2021

Consent Agenda

1. Consideration of a motion to approve the minutes of the September 27, 2021 Council meeting
2. Consideration of a Class 'B' Native Wine and Sunday Sales renewal for Buds 'n Blossoms
3. Consideration of a Class 'C' Beer, Class 'B' Wine and Sunday Sales Transfer to 236 1st Avenue SE with a tentative effective date of March 1, 2021

Public Hearing

1. Public Hearing on application with the USDA Rural Development for Financial Assistance to Develop Disaster Response Abilities
 1. This grant will help the radio purchase we are waiting to make for the response to storm and disasters. The public hearing is required by USDA.
2. Public Hearing on application with the USDA Rural Development for Financial Assistance to Develop Mobile Data and Incident Documenting Abilities
 1. The grant will help with technology within the police cars. This purchase came sooner than budgeted so the grant will assist in the purchase. The public hearing is required by USDA.

Ordinances

3. Consideration of an Ordinance Amending Section 3-171 to Reduce Park and Recreation Commission to Five Members - Third and Final Reading
 1. This item has been recommended by the Parks and Rec board. It is harder than ever to find community members for these boards. The City Administrator recommends approving the final reading.
4. Consideration of an Ordinance Amending Oelwein Municipal Code Chapter 22 Vehicles and Traffic, Adding Article VII Automatic Traffic Enforcement Sections 22-180 through Section 22-189 - First Reading
 1. The Mayor and council members has requested this item be brought forward. Speed Cameras and Red-Light Cameras have been discussed on and off for several years. This ordinance allows the city to implement each if they decide too later. Council would have to vote on locations,



rules, and the vendor for the cameras. The City Administrator recommends approving the first reading.

Resolutions

5. Consideration of a Resolution Adopting Iowa Department of Transportation City Street Finance Report
 1. This report is done annually. There is no significant findings from this year. The City Administrator recommends approving the resolution.
6. Consideration of a Resolution Adopting the Oelwein Central Business District Architectural Design Guidelines
 1. The OCAD downtown committee has worked on new guidelines for the downtown to ensure a uniform look for the future of the downtown. These guidelines are required if the property owner takes city funding for their improvements. Planning and Zoning Board discussed this in two meetings. The Planning and Zoning Board recommends approval. The City Administrator recommends approving the resolution.

Motions

7. Consideration of a motion to approve Pay Request 2 in the amount of \$569,240.00 to Maguire Iron for work completed on West Elevated Water Storage Tank
 1. All work has been satisfactory at this point. The project engineer recommends approving the pay request. The City Administrator recommends approving the pay request.
8. Consideration of a motion approving payment of \$24,900.00 to Lansing Brothers Construction for work completed on 2020 Demolition Project
 1. All items have been addressed with the demolition project. This was supposed to close in March of 2021 and was extended to June. Substantial completion was done by June. This last payment will close out the project. The City Administrator recommends approving the payment.
9. Consideration of a motion to approve Pay Estimate No. 6 in the amount of \$16,413.33 to Bacon Concrete, LLC for work completed on Segment 1 Trail Improvements Project
 1. All work has been satisfactory at this point. The project engineer recommends approving the pay request. The City Administrator recommends approving the pay request.
10. Consideration of a motion approving the closure of the South Parking Lot Friday, October 29, 2021 from 3:00 P.M. - 7:00 P.M. for Oelwein Lions Club Trunk or Treat Halloween Event
 1. The classic Hoot for Halloween is going outside. The City Administrator sees no issue with the request and recommends approval.
11. Consideration of a recommendation from Planning, Finance, Enterprise and Economic Development re: The Grand Theatre of Oelwein, Inc. Hotel/Motel Funding Application



1. The City Administrator recommends increasing the amount to \$20,000. This is a major attraction for Oelwein and has been a great amenity.



PARKS MONTHLY UPDATE, SEPTEMBER 2021
PARKS / CEMETERY / AQUATICS / CAMPGROUND / TRAILS

Park and Recreation

www.oelwein.fun

This month in the park department, the rangers have been mowing and trimming all the properties. As departments, we have been still working on storm damage in the parks, cemetery, empty properties and trails. City Park had a couple trees go down on the west side of the park that Jay has been focusing on this past month. I have been talking with the DNR Decorah fish hatchery about Lake Oelwein these past several months in regards to fish population. Theresa and Amanda with the DNR came down on the first Tuesday of the month and set out six fyke nets at various locations around the lake. After they set the nets, they invited me to do some electrofishing around the lake. With this method, they stun the fish with short electrical pulses and we catch them with hand nets, drop them in a live well. We then counted, identified, and measured the fish that will go into their report. On Wednesday morning, I was able to go out, pull in half the fyke nets with the DNR, and help identify and record the fish the nets had captured. There were a lot of fish caught in these nets that included; carp, yellow and black bullheads, large and smallmouth bass, black and white crappie, white suckers, bluegill and a couple of turtles. The trails project is plugging along as the contractor was working on the Wings site to finish the dirt work along the trail to wrap that section up. I submitted our new trail map to Aaron Detter with Upper explorerland that he will send with all the regional trail maps to the DOT for their interactive trails map. I have been working on the trails presentation for Monday night's council meeting for segments 2 & 3. On the second Tuesday, we had a full burial for Geilenfeld-Buehner funeral home at Woodlawn. The countertop for the Redgate Park finally arrived and Miller is waiting on the bathroom partitions to be delivered. I am also working on the year-end aquatic center report for this past season.

At Woodlawn, we had two cremation burials the second week of the month to prepare. Notification was posted in the paper for foundation orders as usual, to be submitted by Friday September 24th to City Hall. Chris J. has started the smaller foundations and most of the prefabs that he can do himself. Bacon Const. has finished the dirt work along both new trail segments and seeded the areas. Winterization of the aquatic facility is ongoing when we have time. Alliant Energy is placing new utility poles at City Park as a part of the electrical upgrades. I have recruited two more individuals for the trails committee that have experience writing grants that will be a tremendous help. I have been working on the IDOT federal recreation trail grant for segments 2 & 3 to be submitted next week. On the third Monday evening, I hosted the park and rec meeting at Redgate Park as we went over our current activities and projects.

All the departments got their fire extinguishers in to be inspected and charged if needed. At Woodlawn Cemetery, both departments helped pour headstone foundations. Then the employees poured a concrete pad for the Reeves memorial bench at the sports complex. After that, they poured a couple tee pads for the disc golf course at City Park. The trail contractor finished installing the handicap accessible water drinking fountain near the aquatic facility. The contractor had also poured a section of sidewalk in the NW and someone walked their dog through it while it was still wet, so they ripped it out and started over. Once again, at the sports complex we graded the gravel parking lot and swept the trails and skate park. We received the new pool rules sign that I ordered from Anamosa along with more trail mileage signs. I finished and submitted the Federal Rec Trails grant proposal this week, asking \$1.2 million for segments 2&4. This week I finally got some contractors to stop in and discuss some upcoming projects. I attended the monthly safety meeting and preparing the agenda for the Tree Board meeting next Monday.

PARKS MONTHLY UPDATE, SEPTEMBER 2021
PARKS / CEMETERY / AQUATICS / CAMPGROUND / TRAILS

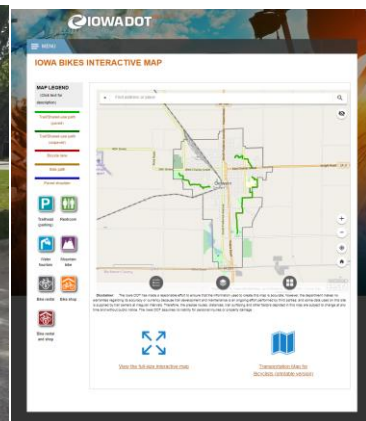
Park and Recreation

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ELECTROFISHING



TRAIL WORK



PARKS MONTHLY UPDATE, SEPTEMBER 2021
PARKS / CEMETERY / AQUATICS / CAMPGROUND / TRAILS

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STORM DAMAGE CLEANUP



WELCOME SIGNS



TRAIL WORK



STORM CLEANUP



AQUATICS WINTERIZATION



PARKS MONTHLY UPDATE, SEPTEMBER 2021
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ELECTRICAL UPGRADES



EXTINGUISHERS



FOUNDATIONS



FOUNDATIONS



DISC GOLF





PARKS MONTHLY UPDATE, SEPTEMBER 2021
PARKS / CEMETERY / AQUATICS / CAMPGROUND / TRAILS

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DRINKING FOUNTAIN



TRAILS



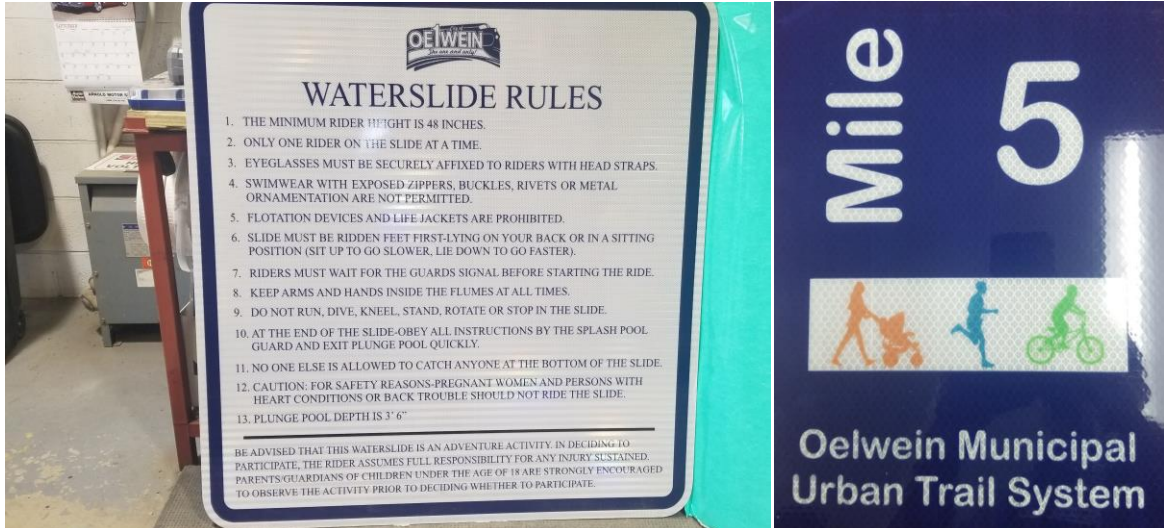
COMPLEX



SWEEPING



NEW SIGNAGE



GRANT PROPOSAL





PARKS MONTHLY UPDATE, SEPTEMBER 2021
PARKS / CEMETERY / AQUATICS / CAMPGROUND / TRAILS

Park and Recreation

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Daily Activities

www.oelwein.fun

- | | |
|--|--------------------------------------|
| ❖ Sanitizing shop and equipment | ❖ Order supplies for all departments |
| ❖ Pick up garbage downtown | ❖ Safety meetings |
| ❖ Cleaning restrooms | ❖ Meet with contractors |
| ❖ Checking/maintaining parks, cemeteries | ❖ Retrieve & upload trail count data |
| ❖ Maintenance on equipment | |

Progress on Projects

www.oelwein.fun

- | | |
|---|------------------------------------|
| ❖ Website work ongoing | ❖ Turned in DOT FRT grant proposal |
| ❖ Trail easements/grants | ❖ Continue pool winterization |
| ❖ Work on Park and Rec master plan | ❖ Storm cleanup ongoing |
| ❖ Bathroom/shelter project at Red Gate park ongoing | ❖ Work on disc golf course |
| ❖ Trail Segment 1 work | ❖ Cemetery foundations poured |

Next Month and Future Projects

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- | | |
|---|---|
| ❖ Disc golf course install | ❖ Replace decking on old bridge |
| ❖ Diamond 3 in-field fencing | ❖ Grant work |
| ❖ Website work | ❖ Pool shelter install |
| ❖ Remove old well houses at City Park | ❖ Motor/Pump replacement at pool |
| ❖ Drinking fountain install Platt Park | ❖ Block signs at Woodlawn |
| ❖ Diamond 1 building work | ❖ Install basketball anchors/ hoops at Wings Park |
| ❖ Arching sign for entrance at Woodlawn | |
| ❖ Electrical project at City Park | |

JOSHUA JOHNSON MA
OELWEIN PARK SUPERINTENDENT



SEPTEMBER 2021

CITY OF OELWEIN TREASURER'S REPORT

Date Printed

10/4/2021

Fund	Beg Balance	Revenue	Expense	Transfers	Fund Balance	BANK BALANCE	
001 General	708,167.90	125,368.46	207,683.83	(916.67)	624,935.86		Item ii.
051 County Emergency Manage	8,058.09	884.90	-	-	8,942.99		
110 Road Use Tax	688,375.21	98,499.71	50,898.88	-	735,976.04		
112 Trust and Agency	372,986.93	56,935.93	67,920.46	-	362,002.40		
113 Flex Spending	1,436.73	2,143.14	1,428.76	-	2,151.11	1,436.73	
119 Emergency	953.51	2,658.92	-	-	3,612.43		
120 Sidewalks Repaired/Replaced	-	-	-	-	-		
121 Sales Tax	155,362.78	54,186.68	-	-	209,549.46		
122 Hotel/Motel Tax	55,236.52	11.01	-	-	55,247.53		
123 Gas-Electric Franchise Fee	500,865.87	99.83	(3,793.58)	(21,195.00)	483,564.28		
124 Library Bequest	373,353.78	100.42	-	-	373,454.20		
126 Downtown TIF	96,031.13	7,381.16	-	-	103,412.29		
127 Industrial Park TIF	-	6,843.44	-	-	6,843.44		
128 Ind Park SubFund TIF East Penn	182,700.04	703,482.14	-	-	886,182.18		
132 DARE	3,159.35	-	-	-	3,159.35		
136 Trees Forever	19,905.82	-	-	-	19,905.82		
146 Oelwein Housing Revolving Loan Fund	126,179.79	25.15	-	-	126,204.94		
160 Econ Dev (\$12,500 Wellness Res)	441,519.76	792.00	39,609.39	-	402,702.37		
161 IRP Revolving Loan	277,098.00	84,100.85	1,149.58	-	360,049.27	344,243.14	
162 Downtown Business Grants	78,571.03	15.66	-	-	78,586.69		
167 Oelwein Volunteer Fire Dept	25,026.00	1,000.00	-	916.67	26,942.67		
177 Forfeit Assets	3,537.83	82.00	540.00	-	3,079.83		
200 Debt Service	260,673.56	79,221.42	-	21,195.00	361,089.98		
201 Water Bondsinking	89,956.40	17.93	-	16,325.00	106,299.33		
202 Sewer Bondsinking	211,963.83	42.25	-	56,735.00	268,741.08		
205 Special Assessments	64,395.10	11,078.10	-	-	75,473.20		
214 2016A GO UR ED Bond Ind Pk Land	-	-	-	-	-		
269 Future Proposed Bond Sale	-	-	-	-	-		
282 CDBG Housing Rehab	554.72	-	-	-	554.72		
285 2009 Bond Sale	-	-	-	-	-		
286 2016B GO Bond (Rise City Port)	-	-	-	-	-		
287 2020 GO Bond	142,361.02	28.38	-	-	142,389.40		
288 2016D Water Revenue Bond	-	-	-	-	-		
302 Oelwein Housing Teardown	-	-	-	-	-		
305 Airport Grant	(20,201.52)	-	-	-	(20,201.52)		
307 Tri Park Trail Extensions	479,960.16	95.67	89,315.57	-	390,740.26		
314 Oel Ind Park E Penn/14th St Ext	148,928.71	29.68	-	-	148,958.39		
360 Cares Act	439,619.81	87.62	-	-	439,707.43		
385 West Water Tower	13,887.50	-	263,799.70	-	(249,912.20)		
386 42 Well Rehab	(1,494.00)	-	-	-	(1,494.00)		
387 Pave 10th Street SE/Old Road	14,316.43	2.85	339.00	-	13,980.28		
397 Railroad Grant-Viaduct	39,357.37	7.84	-	-	39,365.21		
501 Cemetery Perp Care	291,071.34	720.26	-	-	291,791.60	6,791.60	
600 Water (2016D Reserve \$67,000)	472,463.83	126,282.62	72,273.09	(16,325.00)	510,148.36		
601 Water Infrastructure Fee	860,914.06	11,015.84	-	-	871,929.90		
620 Customer Water Deposits	132,797.27	3,350.00	1,735.31	-	134,411.96		
640 Fuel	32,123.93	9,470.55	20,573.61	-	21,020.87		
670 Landfill	10,308.88	49,250.23	27,893.27	-	31,665.84		
671 Recycling	(4,423.38)	6,444.09	61.75	-	1,958.96		
672 ROW Trees Utility Fee	42,564.29	8,280.57	12,794.46	-	38,050.40		
680 Wellness Center	8,715.42	12,495.58	14,699.49	-	6,511.51		
700 Sewer/Waste Treatment	893,607.35	147,119.55	68,385.67	(52,410.00)	919,931.23		
701 Sewer Infrastructure Fee	160,394.34	55.26	-	(4,325.00)	156,124.60		
706 20th Street Lift Station	76,146.89	15.18	-	-	76,162.07		
	8,979,489.38	1,609,722.87	937,308.24		9,651,904.01		
Fidelity 999-1003 and Community 999-1004 Money Market Accounts						8,037,839.89	
CD'S Cemetery \$285,000/Water Deposits \$100,000						385,000.00	
Fidelity IRP 999-1001/Flex 999-1002/Cem Perp Bank Ckng 501-1002						368,991.98	
Unapplied Accounts Receivable						-	
Balance Checking Account 999-1000						860,072.14	
Payroll Liabilities						-	
					9,651,904.01	9,651,904.01	

Signature:

Date:

The Oelwein Public Library Board of Trustees will meet on Tuesday, October 12, 2021 at 5:30 p.m. at the Oelwein Public Library.

AGENDA

Roll Call

Agenda Approved

Minutes Approved

Correspondence and communications –

Trustee Training – Library Access – Online Catalog of Holdings

Director's Report – Attic Access, Charging Bench, EV Charging Station, Painting Beams, Lights, Sewer Backup, Vaccination Clinic, Cemetery Walk, Wreath Workshop

Friend's Report – Book Sale

Bills Approved –

Unfinished Business

New Business

FY23 Budget Request

FY23 Bequest Request

FY23 Capital Improvement Plan

Progress on Goals

Policy Review – Inter-library Loan

Adjournment

September

Circulation:

21 September: 2,957

20 September: 2,865

Attendance:

21 September: 1,673 Sunday()

20 September: 1,304 Sunday()

Computer Use:

21 September: 199

20 September: 167

New Patrons:

21 September: 17

20 September: 16

Reference Questions:

Wireless: 640

Wireless: 489

Program Attendance:

21 September: 81

20 September: 14

21 September: 486

20 September: 464

Website Visits:

21 September: 434

Acquisitions:

Books 64

Movies 13

Audio 8

BRIDGES Downloads: 342

eBooks: 238

Audio: 89

eMagazines: 15

Video 0

HOOPLA Downloads: 117

eBooks: 59

Audio: 46

Movies: 2

Comics: 7

Music: 2

TV: 1

52. (Tier 2) **(NEW)** The library has a current and maintained ONLINE catalog of its holdings that is easy to use and independently accessible by the public. This ensures the confidentiality of customers' inquiries. A catalog that is only accessible by staff will not meet this standard. Access to SILO does not meet this standard. Libraries that meet this standard automatically meet standard #51.

Interlibrary Loan Service

August 10, 1995

Revised 6/11/09, 3/10/11, 1/10/13

Reviewed 1/14/16, 5/14/19, 10/12/21

- Interlibrary loan is a transaction in which the Oelwein Public Library borrows materials directly from another library on behalf of its patron, or another library borrows materials from the Oelwein Public Library on behalf of its patron.
- Interlibrary loan is not a substitute for collection development. It supports the mission of Oelwein Public Library by expanding the range of materials available to library patrons without needlessly duplicating the resources of other libraries.
- In meeting patron needs, Oelwein Public Library follows state and national interlibrary loan protocols. Effective July 1, 2012, the requesting library may now charge the library customer up to \$3.00 per item to offset postage.
- Items in frequent or recurring demand are considered for purchase.



Library Report to the City Council – October 2021



Stroll with the Spirits at the library Cemetery Walk to be held Sunday, October 17th from 2:00-4:00 at the Old Catholic Cemetery located on Fourth Street SW. Listen to costumed historical interpreters tell the fascinating stories of Oelwein's pioneers. Free will donations will help support future programs at the library.



The library is partnering with Oelwein Dollar Fresh Hy-Vee Pharmacy to provide a flu shot clinic at the library on October 28th from 10:00- 6:00. A link will be provided to sign up and reserve a spot. Paper consent forms will be available at the library for walk-ins.



The Friends of the Library will hold their Book Sale and Bake Sale Thursday through Saturday, October 21st – 23rd during library open hours (no bake sale on Saturday). There will be a HUGE selection as this is the first book sale to be held for over a year!



Iowa State University Extension will be sponsoring a Take a Kid Outdoors program at the Oelwein Public Library on Saturday, November 6th from 10:00-11:30. Learn how to create a seasonal wreath by working with natural materials found along the roadside and timber such as wild grape vines, milkweed pods, red osier dogwood, and sumac. All materials will be provided and attendees can bring their own decorative materials, as well. Admission is free and a free-will donation of canned goods for the local food pantry is accepted. To help with material planning, please notify the Library at 283-1515.



Book Club will meet

Tuesday, October 26th and 2:00

October Take Home Kit
Luminary



Pick up your prop bag and movie script for an interactive movie night featuring *Hocus Pocus*!