

Agenda

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

September 12, 2022
Oelwein, Iowa

Mayor: Brett DeVore

Mayor Pro Tem: Lynda Payne

Council Members: Karen Seeders, Tom Stewart, Matt Weber, Dave Garrigus, Dave Lenz

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

Ordinances

4. Consideration of an Ordinance amending Oelwein City Code Section 22 Article VII - Golf Carts - First Reading.
5. Consideration of an Ordinance Adding Chapter 23 Article IX - Drones - First Reading

Resolutions

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

Motions

7. Consideration of a motion accepting the recommendation of the Planning, Finance, Enterprise, and Economic Development Committee on the Hotel/Motel Application for the Williams Center for the Arts.
8. Consideration of a motion authorizing signatures on the statement of work and payment in the amount of \$11,650 to CivicPlus for code codification services.
9. Consideration of a motion to award the bid of the Residential and Commercial Building Demolition Project to Bryan Construction, Inc. in the amount of \$235,146.

- [10.](#) Consideration of a motion to award the bid of the Asbestos Remediation Project #2 to Site Services, Inc. in the amount of \$26,850.
- [11.](#) Consideration of a motion to permit the hosting of the 2022 Homecoming Dance on the Oelwein High School Football Field on September 16th, 2022 starting after the football game until midnight.

Committee Reports

Council Updates

Mayor's Report

City Attorney's Report

- [A.](#) City Attorney.

City Administrator's Report

- [A.](#) City Administrator.

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
August 22, 2022 - 6:00 PM

Pledge of Allegiance

Call to Order

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

Roll Call

Present: Stewart, Weber, Garrigus, Seeders, Payne

Also Present: Mulfinger, Rigdon, Dillon

Absent: Lenz (arrived at 6:45 PM)

Additions or Deletions

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

Motion carried.

Citizens Public Comments

Stephen Keal, 707 1st Avenue SE, has a difficult neighbor harassing him and his daughter with a drone flying over his place watching them. His daughter is scared to go outside. He would like guidance put in place because a drone should not be able to watch their actions. City Attorney Pat Dillon stated if council chose to do so the city could put something in place. Dillon recommended talking to a private attorney.

Kenneth Powers, 201 7th Avenue NE, reported he is a combat veteran with neighbors working businesses at all hours and are making loud noises.

Jeff Milks, 212 10th Street SW, thanked Council for opposing the CO₂ pipeline between Fairbank and Oelwein. They are using eminent domain for private gain with no support at the state level. On Tuesday, August 23, 2022 at 12:00PM (noon) there will be a CO₂ meeting for Fayette county.

Sara Davis, 511 N Frederick, owns Second Chance Store. The building she has been leasing was sold and she is interested in purchasing the old Chamber building at 9 1st Street SW. Mulfinger responded we now have three interested parties. Council recommended Sara work with the Oelwein Chamber and Area Development to find a new location.

Consent Agenda

1. Consideration of a motion to approve the August 8, 2022 minutes.
2. Claims Resolution in the amount of \$370,511.96.
3. Consideration of motion approving a new Class 'E' Liquor License for Kwik Star at 1350 Industrial Park Dr.
4. Consideration of a motion renewing Class B Native Wine Permit for Buds 'n Bloom

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

Motion carried.

Ordinances

5. Consideration of an Ordinance amending Chapter 22 Vehicles and Traffic Article IV Stopping, Standing, and Parking Section 22-117 and 22-119 of the Code of Ordinances of the City of Oelwein, Iowa - Third and Final Reading.

A motion was made by Weber, seconded by Garrigus to adopt Ordinance No. 1203.

Ayes: Stewart, Weber, Garrigus, Payne

Nays: Seeders

Absent: Lenz

Motion carried.

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

A motion was made by Weber, seconded by Garrigus to adopt an ordinance amending Oelwein City Code Section 22 Article VII - Golf Carts on the first reading.

Ayes: Stewart, Garrigus, Payne

Nays: Weber, Seeders

Absent: Lenz

Motion failed for lack of super majority.

Resolutions

7. Consideration of a resolution requesting a street closure for The Oelwein Rotary Club for August 25, 2022 from 3:00 PM to 9:00 PM.

A motion was made Stewart, seconded by Seeders to adopt Resolution No. 5360-2022.

Ayes: Stewart, Weber, Garrigus, Seeders, Payne

Nays: None

Absent: Lenz

Motion carried.

8. Consideration of a resolution adopting the Utility Collection Policy.

A motion was made by Weber, seconded by Payne to adopt Resolution No. 5361-2022.

Ayes: Stewart, Weber, Garrigus, Seeders, Payne

Nays: None

Absent: Lenz

Motion carried.

9. Consideration of a resolution in opposition of the Navigator Heartland Greenway CO₂ Pipeline.

A motion was made by Seeders, seconded by Weber to adopt Resolution No. 5362-2022.

Ayes: Stewart, Weber, Garrigus, Seeders, Payne

Nays: None

Absent: Lenz

Motion carried.

Motions

10. Consideration of a motion authorizing the Oelwein Fire Department to burn down 202 4th Ave NW for training purposes on September 10, 2022, with an alternate rain date of September 17, 2022.

A motion was made by Stewart, seconded by Garrigus to approve the Oelwein Fire Department to burn down 202 4th Ave NW for training purposes. 4 Aye, 1 Abstain (Weber). Motion carried.
11. Consideration of a motion approving architectural and construction contract services with Martin Gardner Architecture PC in the amount of \$58,500 for renovation of City Hall.

A motion was made by Stewart, seconded by Weber to approve the architectural and construction contract services for the renovation of City Hall. All aye. Motion carried.
12. Consideration of a motion entering in phase two agreement with Confluence in the amount not to exceed \$62,000 for design and project management of Plaza Park Renovation.

A motion was made by Weber, seconded by Payne to approve entering in phase two agreement with Confluence for design and project management of Plaza Park Renovation. All aye.

Motion carried.
13. Consideration of a motion to approve the FBO contract for July 1, 2022 to June 30, 2023.

A motion was made by Seeders to approve the FBO contract. Motion died for lack of second.
14. Consideration of a motion to approve the payment of \$5,400 to AECOM for Airport Pavement Rehabilitation Project.

A motion was made by Stewart, seconded by Garrigus to approve the payment to AECOM for the Airport Pavement Rehabilitation Project. All aye. Motion carried.
15. Consideration of a motion to accept the Planning, Finance, Enterprise, and Economic Development Committee recommendation regarding 513 1st Street NE.

A motion was made by Stewart, seconded by Payne to accept the deeding of ownership to the city for tear down, with the stipulation the current property owners pay their water bill and clean up the yard. All aye. Motion carried.
16. Consideration of a motion purchasing a 2022 Ford Ranger for \$31,120 for Community Development from Birdnow Motors.

Two vehicle quotes were received: Ford Maverick \$29,895 and a Ford Ranger \$26,787.

A motion was made by Stewart, seconded by Weber to approve the 2022 Ford Ranger. 2 Ayes (Stewart, Weber), 3 Nay (Seeders, Payne, Garrigus). Motion failed.

Committee Reports

17. Report from Lenz on Park and Recreation Commission meeting.

No report from Lenz. Full minutes may be found at <https://www.cityofuelwein.org/bc-parks/page/parks-and-recreation-commission>
18. Report from Payne on the Library Board meeting.

Full minutes can be found at <https://www.oelwein.lib.ia.us/about/library-board-minutes-1>
19. Report from Payne on Housing Committee minutes.

Full minutes can be found at <https://www.cityofelwein.org/bc-hc/page/housing-committee-1>

Council Updates

Payne spoke with a neighbor of 707 1ST Ave SE regarding drone activity. She reported a neighbor did have a drone and would fly it all the time over their property.

Lenz arrived at 6:45 PM

Adjournment

2. Additional Information.

A motion was made by Weber, seconded by Garrigus to adjourn the meeting at 6:50 PM. All aye. Motion carried.

Brett DeVore, Mayor

ATTEST:

Dylan Mulfinger, City Administrator

I, Dylan Mulfinger, City Administrator in and for the City of Oelwein, Iowa do hereby certify that the above and foregoing is a true accounting of the Council Proceedings held August 22, 2022 and copy of said proceedings was furnished to the Register August 23, 2022.

Dylan Mulfinger, City Administrator



Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
Ross Reid Post #9 Of The American Legion Department	American Legion Ross Reid Post #9	(319) 283-2964		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
108 1st Street SW		Oelwein	Fayette	50662-0000
MAILING ADDRESS	CITY	STATE	ZIP	
108 1st Street SW	Oelwein	Iowa	50662-0000	

Contact Person

NAME	PHONE	EMAIL
Ricky Kleppe	(319) 283-2964	rossreidlounge@gmail.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LC0026687	Class C Liquor License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
Oct 1, 2021	Sep 30, 2022	

SUB-PERMITS

Class C Liquor License



PRIVILEGES

Sunday Service

Status of Business

BUSINESS TYPE

Privately Held Corporation

Ownership

- Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Donald Blitsch	Oelwein	Iowa	50662	1st Vice	0.00	Yes
Russ Turner	Oelwein	Iowa	50662	Commander	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

Nationwide Mutual Insurance Co.

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

Services <https://directory.iowa.gov/service/Index?ga=1.101492737.1604613096.1488473035&ia_slv=1662663890127>
 (App-167974)
 Agencies <https://directory.iowa.gov/?ia_slv=1662663890127>

Social <https://directory.iowa.gov/social/Index?ia_slv=1662663890127>

<https://www.iowa.gov/search/google?ia_slv=1662663890127>

License or Permit Type

License or Permit Type	Length of License Requested
Class E Liquor License	12 Month
Tentative Effective Date	Tentative Expiration Date
2022-11-16	2023-11-15

Privileges / Sub-Permits Information

Privileges

Sub-Permits

Class B Wine Permit

Class C Beer Permit

Premises Information

Business Information

*** (required) Name of Legal Entity (The name of the individual, partnership, corporation or other similar legal entity that is receiving the income from the alcoholic beverages sold)**

*** (required) Name of Business (D/B/A)**

Indicate how the business will be operated

*** (required) Federal Employer ID #**

*** (required) Business Number of Secretary of State**

Tentative Expiration Date

Premises Information

Please select here if your location is in an unincorporated town

Address of Premises:

You must use the Address or location field below to search for your operating location. If your event does not populate, please find the closest applicable address and then modify your premises street field to better identify the address of your event.

Address or location

Search by a location name or address to automatically populate the address fields below (optional)

*** (required) Premises Street**

Premises Suite/Apt Number

Item 3.

102 2nd Street SE

*** (required) Premises City**

Premises State

Oelwein

Iowa

*** (required) Premises Zip/Postal Code**

Premises County

50662

Fayette

*** (required) Local Authority**
City of Oelwein

Control of Premises

Own

Premises Type

Does your premises conform to all local and state health, fire and building laws and regulation?

Grocery Store

Yes

Does or will your licensed location wholesale alcoholic spirits to on-premises liquor control licensees?

*** (required) Square footage of the entire retail sales area of the business, including area of walk-in coolers that are accessible to the public. This includes all areas where non-alcohol products are also sold. Do not include areas that are not accessible to the public (offices, bathroom, kitchen, storage area etc.).**

Yes

13,775

Do you sell gasoline?

No

*** (required) Square footage of the entire interior area of the building, including, but not limited to, all areas used in the storage, distribution, whole-sale and retail sale of merchandise, offices, bath-rooms, break rooms etc.**

21,536

Hours of Operation: Beginning

8:00 AM

Hours of Operation: Ending

9:00 PM

Hours deliveries may be received: Beginning

6:00 AM

Hours deliveries may be received: Ending

4:00 PM

Are the hours of deliveries flexible?

Yes

Contact Information

*** (required) Contact Name**

Tracey Wilson

*** (required) Business**

(required) ExtēnsiPhone

on

(319) 283-2872

*** (required) Email Address**

twilson@farewaystores.com

*** (required) Phone**

(required) Extēnsi

on

(515) 433-5336

Same as Premises Address

Mailing Address:

You must use the Address or location field below to search for your operating location. If your event does not populate, please find the closest applicable address and then modify your premises street field to better identify the address of your event.

Address or location

2300 Industrial Park Road PO Box 70,Boone,Iowa,

Search by a location name or address to automatically populate the address fields below (optional)

Mailing Street

2300 Industrial Park Road PO Box 70

Mailing Suite/Apt Number

Mailing City

Boone

Mailing State

Iowa

Mailing Zip/Postal Code

50036

Mailing County

Ownership

**Various
Individuals &
Trust each**

**Fred E. Vitt
Control Trust**
Position: Trust
SSN: XXX-XX-4543
US Citizen: Yes

Garrett S Piklapp
Position: Secretary
SSN: XXX-XX-4541
US Citizen: Yes
Ownership: 0%

Item 3.

holding less than 5%

Ownership: 10.87%
DOB: 01/01/1930

DOB: 06/04/1981

Position: Stockholders

SSN: XXX-XX-6789

US Citizen: Yes

Ownership: 33.25%

DOB: 01/01/1930

Fareway Control Trust

Position: Trust

SSN: XXX-XX-4547

US Citizen: Yes

Ownership: 55.88%

DOB: 01/01/1930

Criminal History Information

Since the license was last issued, has anyone listed on the Ownership page been charged or convicted of a felony offense in Iowa or any other state of the United States?

No

Since the license was last issued, has anyone listed on the Ownership page been convicted of any violation of any state, county, city, federal or foreign law (not including traffic violations, except those that are alcohol related)?

No

Local Authority Information

Item 3.

Extension

*(required) Daytime Phone for

Local Authority

(319) 283-5440

Sketch on File

Proof of Control of Property (Deed / Final Sales Contract / Lease / Written Agreement)

**Purchase agreements not accepted

Premise's Address Correct?

Premises Zoned Properly?

Fire Inspection Completed?

Health Inspection Completed?

Was a DCI background check run?

Previous License Number for this Location

*(required) Local Authority Email Address

Comments

Amount Owed to Local Authority

Document Upload Information

Item 3.

DOCUMENT NAME

Proof of Control of Property (Deed / Final Sales Contract / Lease / Written Agreement)

**Purchase agreements not accepted

UPLOADED DOCUMENTS

ADDITIONAL COMMENTS

DOCUMENT NAME

Sketch

UPLOADED DOCUMENTS

412 - Oelwein.pdf

ADDITIONAL COMMENTS

DOCUMENT NAME

TTB Basic Permit

UPLOADED DOCUMENTS

#412.pdf

ADDITIONAL COMMENTS



**OELWEIN POLICE DEPARTMENT
CITY OF OELWEIN, IOWA
MEMORANDUM**

FROM: Jeremy P. Logan, Chief of Police

DATE: August 24, 2022

TO: City Administrator Dylan Mulfinger – Mayor Brett DeVore – Oelwein City Council

SUBJECT: Golf Cart Ordinance Proposal

I would like to again take this opportunity to provide some guidance and a recommendation in reference to the consideration of a golf cart ordinance, for road use, in the city of Oelwein. Please note that when I provide an opinion or recommendation that is contrary to the considered direction of the council, that opinion or recommendation is based upon experience and research on the issue, and not out of a desire to be an obstacle.

I have previously expressed concerns about golf carts not being designed or intended for road use. I stand by that position.

In addition to the details provided in my memo to council on June 2, 2022 (which is attached for review and consideration), I have concerns that the proposed ordinance does not require any forward or rear lighting (headlamps, brake lamps, etc...). I recognize that the golf carts are limited to sunrise to sunset operation, however, daytime running lights are a safety measure that would assist all of our motoring public. Additionally, brake lamps and tail lamps are imperative for safe operation. While I stand opposed to legalizing the use of golf carts in our community, should the council move forward, these lighting issues should be addressed.

Also in my June 2, 2022, memo, I direct council's attention to Iowa Code 321.247 that restricts golf carts from being utilized on any roadway that is a primary extension through a city. Because of that restriction, we would be required to prohibit use on a number of roadways. The current ordinance proposal does not provide those restrictions. Cities are allowed to make an Iowa law more restrictive, but they cannot make them less restrictive.

I again respectfully request that the Oelwein City Council table consideration of a golf cart ordinance to allow our community to implement and practice the UTV ordinance, while considering if the lack of safety devices on a golf cart is worth the risk of allowing them on the roadway.

Thank you for your consideration.



**OELWEIN POLICE DEPARTMENT
CITY OF OELWEIN, IOWA
MEMORANDUM**

FROM: Jeremy P. Logan, Chief of Police

DATE: June 2, 2022

TO: City Administrator Dylan Mulfinger – Mayor Brett DeVore – Oelwein City Council

SUBJECT: Golf Cart Ordinance Proposal

I would like to take this opportunity to provide some guidance and a recommendation the consideration of a golf cart ordinance, for road use, in the city of Oelwein. Please note that when I provide an opinion or recommendation that is contrary to the considered direction of the council, that opinion or recommendation is based upon experience and research on the issue, and not out of a desire to be an obstacle.

Golf carts are not designed nor are they intended for road use. I recognize the convenience of use, the reduction of gas usage, and the entertainment that can be created driving a golf cart from place to place. However, golf carts, in general, are not designed with the safety features that a motor vehicle or a UTV are. These devices are considered a slower moving vehicle and lack the general speed, safety belts, lighting, and roll over protections that a car, truck, or UTV provide.

As important is Iowa Code 321.247 that restricts golf carts from being utilized on any roadway that is a primary extension through a city. Because of that restriction, we would be required to prohibit use on a number of roadways. I point this out because of the confusion that will be created for our community members by restricting golf carts on certain roadways, but not UTV's (other than state highways). The UTV ordinance will be in effect on July 1, 2022, and there will be a learning curve with this ordinance. By potentially implementing another alternative apparatus on the roadway at the same time as the UTV implementation, we will be tasking our officers with addressing an additional issue that will frustrate citizens as they are approached and warned/cited for violations that they are confused about.

I respectfully request that the Oelwein City Council table consideration of a golf cart ordinance to allow our community to implement and practice the UTV ordinance, while considering if the lack of safety devices on a golf cart is worth the risk of allowing them on the roadway.

Thank you for your consideration.

Ordinance No.

AN ORDINANCE AMENDING OELWEIN CITY CODE SECTION 22 ARTICLE VII GOLF CART

Be Ordained by the City Council of the City of Oelwein, Iowa as follows: establishing Oelwein City Code Section 22 Article VII Golf Cart is hereby admitted

Purpose: The purpose of this chapter is to permit the operation of golf carts, as authorized by Section 321.247 of the Code of Iowa, on certain streets in the city. This chapter applies whenever a Golf Cart is operated on any city street or alley, subject to those exceptions stated herein.

Section 22-180 Definitions: 1. "Golf cart" means a four-wheeled recreational vehicle generally used for the transportation of person(s) in the sport of golf. Note that a vehicle with appearance of a "golf cart" but satisfying the requirements of 49 CFR 571.500 (i.e., is a "low speed vehicle") is not subject to this chapter but rather to the Code of Iowa 321.3 81 A.

Section 22-181 Operation of Golf Carts Permitted: Golf carts may be operated upon the streets of the City by persons possessing a valid Iowa operator's license and at least eighteen (18) years of age, except as prohibited.

Section 22-182 Required Equipment: Golf Carts operated upon City streets shall be equipped with at least the following:

1. A slow moving vehicle sign.
2. An orange safety flag, the top of which shall be a minimum of five (5) feet above the ground level.
3. Adequate and functional brakes.
4. Rear view or side mirrors.
5. Adequate exhaust and muffler system.

Section 22-183 Hours of Operation: Golf carts may be operated on City streets only between sunrise and sunset, as established by the National Weather Service, at which time said operations shall cease. Ambulance, Fire, and Law Enforcement, golf carts are exempt from these hours of operation hours in performance of their duties.

Section 22-184 Speed: Golf carts shall not exceed 25 miles per hour on any city street.

Section 22-185 Passengers:

1. All passengers must be properly seated while the golf cart is in motion.
2. No person shall operate a golf cart with more persons on the vehicle than it was designated to carry or have more than one person per seat (two per bench seat). No more than two passengers may ride in the back seat if said seat exists.
3. No part of any rider or operator may extend beyond the sides of the vehicle.
4. No children under the age of six are permitted on a golf cart.

Section 22-186 Operation:

1. General Operation
 - a. Except as noted otherwise, herein, any person operating a golf cart on City streets or alleys shall adhere to all traffic signs and signals, and all other City of Oelwein and St

of Iowa traffic rules and regulations and shall obey the orders and direction of any law enforcement officer authorized to direct or regulate traffic, or the direction of a fire department officer during a fire.

- b. No person shall operate a golf cart in a careless, reckless, or negligent manner endangering the person or property of another or causing injury or damage to the same.
- c. This ordinance forbids the operation of golf carts on:
 - i. Any recreational, bike or walking trail unless the trail is specifically designed to allow the use of motor Vehicles.
 - ii. Sidewalks.
 - iii. City parks or any other land owned by the City, unless permission is granted by the city council.
 - iv. Private property without the consent of the property owner.
 - i. Primary Road extensions through the city limits, however Golf Carts may cross these roads at approximately a ninety (90) degree angle after yielding the right of way to cross traffic. Ambulance, Fire, and Law Enforcement, carts and are exempt from these restrictions in performance of their duties.

2. Street Etiquette:

- a. Except when executing a left turn, golf carts and shall be driven as close as practical to the right-hand edge of any street or alley.
- b. When necessary to prevent congestion of traffic, golf carts and shall be pulled to the right-hand edge of streets and be stopped to allow other motor vehicles traveling in the same direction to pass.
- c. When two or more golf carts or are being operated in the same direction and general vicinity on a city street or alley, they shall proceed in single file.

3. Parking:

- a. A golf cart or may be parked on City streets or parking lots only in designated parking spaces.

4. Negligence

- a. The owner and operator of a golf cart are liable for any injury or damage occasioned by the negligent operation of the golf cart.
- b. All persons who operate or ride on golf carts on streets inside the city limits of Oelwein do so at their own risk and peril. The city has no liability under any theory of liability, for golf carts that are operated on the streets of the city.

5. Accident reports

- a. Whenever a golf cart is involved in an accident resulting in injury or death to anyone or property damage amounting to one thousand five hundred dollars (\$1,500.00) or more, either the operator or someone acting for the operator shall immediately notify a law enforcement officer as required under Iowa Code Sections 3211.11 and 321.266.

Section 22-187 Permits: Golf carts and must be registered with the City of Oelwein before operating on any public street or alley.

- 1. A permit shall be issued once the owner has provided the following:
 - a. Proof that the owner has liability insurance covering operation of a golf cart or on city streets with limits of liability at least as great as those required by the Code of Iowa chapter 321A as amended.
 - b. Inspection and approval by the Police Department of the City of Oelwein.
- 2. Any golf cart operated on the City streets shall display the City of Oelwein permit sticker prominently on the rear left fender or similar component.

- 3. The fee for such permits shall be set by the Oelwein City Council through the fee resolution. The fee will not be prorated for permit its purchased during the year. The fee will not be refunded if the golf cart is sold, or the permit is suspended or revoked.
- 4. All permits will expire on December 31 of the third year. Permits may be purchased at any time.
- 5. The permit may be suspended or revoked
- 6. Businesses selling Golf Carts are exempt from having to obtain permits.
- 7. Must comply with all applicable state regulations.

Section 22-187 Special Events Exemption Requires Approval of The City Council

- 1. Special Events will be exempt from obtaining a Golf Cart permit only with the approval of the Oelwein Public Safety Chief.

Section 22-188 Violation and Penalty:

- 1. A violation of this ordinance shall be considered a simple misdemeanor subject to a fine of \$250.00. To all of the above fines shall be added the surcharge and costs pursuant to the Iowa Code and the Oelwein City Code.

Section II. All ordinances or parts of ordinances which conflict herewith are repealed.

Section III. Severability Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudge invalid or unconstitutional.

Section IV. This ordinance shall be in full force and effect from and after its passage and publication, as provided by law from and after the _____ day of _____, 2022.

Attest:

Dylan Mulfinger, City Administrator

First Reading on September 12, 2022:

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

AYES NAYS ABSENT ABSTAIN

Recorded _____, 2022.

Dylan Mulfinger, City Administrator

Weber

Garrigus

Lenz

Stewart

Seeders

Payne

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

Weber
Garrigus
Lenz
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

Weber
Garrigus
Lenz
Stewart
Seeders
Payne

ORDINANCE NO. _____

AN ORDINANCE ADDING CHAPTER 23 ARTICLE IX DRONES OF THE CODE OF
ORDINANCES OF THE CITY OF OELWEIN, IOWA

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 the following to Section CHAPTER 23 ARTICLE IX DRONES

REGULATIONS RELATED TO THE OPERATION OF UNMANNED AERIAL VEHICLES ORDINANCE; PROVIDING, RULES AND REQUIREMENTS FOR THE OPERATION OF UNMANNED AERIAL VEHICLES WITHIN THE CITY OF OELWEIN; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OELWEIN, IOWA:

ARTICLE I

Section 1.

Purpose: Harmony with Other Governmental Regulations

The City Council hereby recognizes that unmanned aerial vehicles (UAV), also known as drones, can pose unique safety, nuisance, and privacy invasion risks; thus regulating the operation of unmanned aerial vehicles within the city is needed to promote the public safety and welfare of the City and its residents. These regulations are to be read in harmony with all other regulations regarding the use of unmanned aerial vehicles, specifically including any rules promulgated by the Federal Aviation Administration. Further, compliance with these regulations should not be interpreted as express, implied or tacit approval to operate an unmanned aerial vehicle in violation of any other governmental regulations or in a manner, which jeopardizes the health, safety, or welfare of the public. Nothing in this article shall be construed to authorize the operation of any UAV in the City Limits airspace in violation of any Federal statute or rules promulgated thereunder. Operators of unmanned aerial vehicles should familiarize themselves with all applicable regulations relating to the use of an unmanned aerial vehicle, including the Federal Aviation Administration requirements regarding notification of an airport operator and control tower, where applicable, prior to operating an unmanned aerial vehicle within five miles of an airport, including but not limited to the Oelwein Municipal Airport.

Section 2 – Definitions

1. The following words, terms and phrases, when used in this article, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
 - a. "Commercial Use" means the use of an Unmanned Aerial Vehicle within the City
 - i. Limits for a commercial purpose, including aerial photography, aerial mapping, or geospatial Imaging.
 - b. "Commercial User" means any company, entity or person who is in the business of flying an Unmanned Aerial Vehicle for a Commercial Use and has a license to fly.
 - c. "OPD" means Oelwein Police Department
 - d. "FAA" means the Federal Aviation Administration
 - e. "Law Enforcement Agency" means a lawfully established federal, state, or local public law enforcement agency that is responsible for the prevention and detection of crime, law

government code enforcement, and the enforcement of penal, traffic, regulatory, game, or controlled substance laws.

- f. "Private Property" means all parcels of land within the City of Oelwein limits that are not Public Property, including, but not limited to, residences, schools, churches, resorts, utility substations, golf course, or lakes.
- g. "Public Property" means streets, rights of way, parks, lakes, and other parcels of land owned by the City of Oelwein, Iowa.
- h. "Unmanned Aerial Vehicle" or "UAV" (aka "Drone") means an aircraft that maybe flown without a pilot or operator in or touching the aircraft.

Section 3 - Restrictions; Exceptions

1. Private Property. It is unlawful for a person to use a UAV over Private Property at a level between zero feet and five hundred feet above the ground level of the Private Property without the express written permission of the owner of the Private Property over which the UAV is flying.
2. Public Property. The use of a UAV/drone over Public Property within the City Limits is unlawful unless the use has been authorized by the issuance of a Special Event Permit approved by City Council.
3. Commercial Use on Private or Public Property. The Commercial Use of UAV within the City Limits is unlawful unless the Commercial User has met the requirements provided in subsection A and B above with respect to operation of a UAV on either Private Property or Public Property and the following additional requirements:
 - a. Registered as a Commercial User with the OPD, said registration to include proof of having obtained the appropriate certifications or registrations required from the FAA for the type of Commercial Use(s) to be conducted within the City Limits by the Commercial User; Provided a list of the types and number of UAVs that the Commercial User plans to use within the City Limits, as well as the brand and model of each UAV; any registration number, license number or other identifying information for each such UAV, specifically including registration numbers supplied by the FAA; and photos of each UAV, at least one such photo to show the particular registration or license number for each UAV; and
 - b. At least four hours prior to each Commercial Use of a UAV, the Commercial User shall provide notification to the OPD and the O-ACM or his/her designee of the planned date, time, location of the Commercial Use, contact information for the Commercial User, and other information required by the Police Department.
4. Exceptions. In addition to the uses allowed above, the use of a UAV is allowed Within the City Limits for:
 - a. Recreational use of an UAV within one's own property so long as such use is at a height of less than five hundred feet (500') and not in violation of the additional violations set forth in subsection E below; or
 - b. By a Law Enforcement Agency in response to an emergency situation or after obtaining a warrant based upon probable cause that criminal activity is occurring.
5. Additional Violations. In addition to those violations enumerated above, the following are violations of this Article, even under an otherwise authorized use or exception. No person or entity shall operate a UAV within the City Limits:
 - a. In a careless or reckless manner that poses an apparent or actual threat of harm, or actual harm to persons or property; or
 - b. Without the express permission of a person, owner, or authorized representative, to capture, view, record or transmit any visual image or audio recording of such person or their private real property, located In the City Limits, under circumstances in which the

- subject person or owner of the private property has a reasonable expectation of privacy (including, but not limited to, inside a private residence, school room, resort room, office, or inside an enclosed yard); or
- c. In such a manner as to intentionally harass, annoy, or assault a person or persons or to cause a public nuisance.

Section 4 — Violations/Penalties:

- 1. Violation of any part of this ordinance shall be a simple misdemeanor.

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

- First reading –
- Second reading –
- Third reading –

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

Brett DeVore, Mayor

Attest:

Dylan Mulfinger, City Administrator

Recorded _____, 2022.

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

Weber
Garrigus
Lenz
Stewart
Seeders
Payne

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
Weber				
Garrigus				
Lenz				
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
Weber				
Garrigus				
Lenz				
Stewart				
Seeders				
Payne				

RESOLUTION NO. _____

Resolution accepting the deed to 33 South Frederick

WHEREAS, The City of Oelwein has interest in accepting the deed to 33 South Frederick; and

WHEREAS, The City deemed 33 South Frederick an unsafe building, and the owner does not have the resources to bring the building into compliance; and

WHEREAS, going through code enforcement to acquire the building will be costly to the city and will result in an assessment to the taxes that will go unpaid; and

WHEREAS, the city is taking an aggressive standpoint on dilapidated properties, especially properties that are having an adverse effect on neighboring properties; and

WHEREAS, the city will acquire 33 South Frederick through a quit claim deed then work on a plan to revitalize the lot to ensure the downtown continues to stay vibrant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Oelwein, Iowa accepts the deed to 33 South Frederick.

Passed and Approved this 12th day of September, 2022.

Brett DeVore, Mayor

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

AYES NAYS ABSENT ABSTAIN

- Stewart
- Weber
- Lenz
- Garrigus
- Seeders
- Payne

Attest:

Dylan Mulfinger, City Administrator

Recorded September 13, 2022.

City Administrator

**QUIT CLAIM DEED
Recorder's Cover Sheet**

Preparer Information: Patrick B. Dillon, 209 E. 1st Street, Sumner, IA 50674, Phone: (563) 578-1850

Taxpayer Information: City of Oelwein, Iowa, 20 2nd Ave. SW, Oelwein, IA 50662

Return Document To: Patrick B. Dillon, 209 E. 1st Street, Sumner, IA 50674

Grantors: Barbara Jean Wegner a/k/a Barbara Jean Wenger

Grantees: City of Oelwein, Iowa

Legal Description: See Page 2

Document or instrument number of previously recorded documents:



QUIT CLAIM DEED

For the consideration of One and No/100 Dollar and other valuable consideration, Barbara Jean Wegner, a/k/a Barbara Jean Wenger, a single person, does hereby Convey to City of Oelwein, Iowa, a municipality organized and existing under the laws of Iowa, all of her Contract seller interest in the following described real estate in Fayette County, Iowa:

This deed is exempt according to Iowa Code 428A.2(21).

All my interest in Lots 14 & 15, Block 1, Original Oelwein Addition to Oelwein, Fayette County, Iowa.

There is no known private burial site, well, solid waste disposal site, underground storage tank, hazardous waste, or private sewage disposal system on the property as described in Iowa Code Section 558.69, and therefore the transaction is exempt from the requirement to submit a groundwater hazard statement.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate. Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: _____, 2022.

Barbara Jean Wegner, Grantor
a/k/a Barbara Jean Wenger

STATE OF IOWA, COUNTY OF FAYETTE

This record was acknowledged before me on _____, 2022 by Barbara Jean Wegner a/k/a Barbara Jean Wenger, single.

Signature of Notary Public

**CITY OF OELWEIN
HOTEL AND MOTEL TAX FUNDING APPLICATION
(TOURISM, COMMUNITY CULTURE AND EDUCATION,
AND COMMUNITY RECREATION AND EVENTS)**

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 application will be afforded the opportunity to attend a brief question and answer session with the Advisory Board.

Organization Name: Williams Center for the Arts
(Williams Center, INC.)

Contact Name: Linda Murphy & Sandie Graff, Co-Directors

Mailing Address: P. O. Box 636

City, State, and Zip: Oelwein, IA 50662-0636

Phone: 319-283-6616 **FAX:** 319-283-4497

Email Address: director@williamscenterforthearts.com

Total Project Cost: \$15,548.00

Amount requested from the Hotel/Motel Tax Funds is \$1500.

Please indicate which category you are applying for funds:

- Primary
- Community Culture and Education
- Community Recreation and Events
- New and Emerging Organization and Events

Please sign and date this application. Your signature below certifies that you have read and understand 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 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.

By Linda Murphy Applicant: August 25, 2022

Linda Murphy
(Printed name)

**CITY OF OELWEIN
HOTEL/MOTEL TAX FUNDING APPLICATIONM
(Tourism, Community Culture and Education, and Community Recreation and Events.)**

Project Identification:

1. **What is the title of your project?**
2. ***Christmas with the Celts***:Williams Center for the Arts stage.

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

The Celts present the perfect combination of ancient Irish Carols, contemporary Christmas standards and spontaneous humor. Expenses for this concert include the artists' fee, lighting sound, salaries, payments to Oelwein Community Schools for utilities and custodial service, printing, advertising, meals, and housing. This program is the 4th show in the Williams Center for the Arts Artist Series. The program will be held on Sunday, November 27, 2022.

3. **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?**

The Williams Center for the Arts is one of the top destinations of choice for the arts in the four county area of northeast Iowa. Almost 1/3 of our audiences come from communities other than Oelwein. We have had concert attendees from over 40 area communities.

Some of the locations which our patrons come from include: Spencer, IA, Des Moines, IA, Minneapolis, MN, Rochester, MN, Galena, IL, Dubuque, IA, as well as the Oelwein area.

People coming to Oelwein for programs at the Williams Center for the Arts not only come to the programs but also spend money with our local businesses such as restaurants, convenience stores and motel/hotels.

During the 2022-23 concert year the Williams Center for the Arts will spend more than \$8,000 in hotel costs at Cornerstone Inn and Suites. An additional \$5,000 is spent for meals, and an additional \$1,500 for hospitality, which is a required part of each contracted event.

3. Project Evaluation:

A. Targeted Population

1.) Hotel/Motel guests generated by this project.

a. Number of guests.

The number of guests generated by this project is approximately 75+. This includes the performers as well as members of the audience needing housing.

b. How will hotel/motel guests be tracked?

We ask for information from Cornerstone Inn and Suites as to the number of rooms used and how many guests were housed in those rooms per evening.

2.) Number of adults the project will reach.

The total number of visitors to the Williams Center for the Arts Artist Series is 7,625 persons per year. Total number of persons using the Williams Center for the Arts during a calendar year is over 75,000. This includes the Artist Series, City of Oelwein, Mercy Hospital, NICC use, school use, district and state music associations, the State of Iowa, and the Federal Government.

The total number of adults this project will reach is 500 persons.

The Williams Center for the Arts provides residents with special needs the opportunity to attend the events at the center. Groups with special needs using the Williams Center for the Arts include: Mercy Living Plus, the two Alternative Living Homes in Oelwein, Full Circle Services, Grandview Nursing Home, Oelwein Care Nursing Home, and ABCM facilities in Independence, IA. These residents are admitted to the Artist Series event at a reduced ticket price.

3.) Number of youth the project will reach.

Approximately 300 youth will be reached by this project and over 10,000 youth will be served for the entire 2022-23 performance year. (This number includes all usage.) Every Oelwein School student (K-12) is admitted at no charge.

C. Volunteers

1) Number of volunteers

Based on past experience we will have over 25 volunteers

2.) Number of volunteer hours

We anticipated volunteers contributing 50 hours.

D. Attendance of event previous year(s)

The total number of visitors to the Williams Center for the Arts Artist Series is approximately 75,000 persons. (This includes the Williams Center for the Arts Artist Series, Northeastlowa Honor Bands and Honor Choirs, Pre-All State High School Vocal Workshop, Programs and Concerts from the Oelwein Community Schools, Gallagher-Bluedorn children's plays, and various Community usages, as well as the State of Iowa, and the Federal Government.

E. Day open to the public or performances(s)?

The Williams Center for the Arts Artist Series begins in mid-August and runs through April, 2023. The Ultimate Garth Brooks Tribute was the first show in the series. It was held on August 20, 2022. The show cited for this grant will be Sunday, November 27, 2022.

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. Cost estimates are included at the conclusion of this grant request form in this application. Date of cost completion should be November 27, 2022.

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

Matching funds:

Northeast Iowa Charitable Foundation, In-Kind donations, Memorials, Ticket Sales, Local Business Sponsorships (program ads)

The Williams Center for the Arts is hoping for a \$1,500 grant to help cover part of the cost of Christmas with the Celts.

C. Is this application “seed money” for a new? Project? If yes, Please explain.

It is not “seed” money.

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

This application helps to fund the existing 2022-23 Artist Series at the Williams Center for the Arts.

E. Have you ever received Hotel/Motel funding? From the City of Oelwein in the past?

Yes: X No: _____

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

Amount of Funding: The Williams Center Artist Series has received \$6,000 each year for the past several years. Prior to 2017, the City of Oelwein was able to assist the Williams Center Artist series in the amount of \$10,000 yearly. We are hoping for a \$1,500 grant.

Completion Date is November 27, 2022

BUDGET FOR: Christmas with the Celts

Artist fee - \$9,500
 \$5,250.00 retainer paid March 1, 2022
Housing \$1230
Meals: TBD (estimated at \$100.00)
Sound and Lights: \$2,500
Advertising: \$743.00
Programs and posters: \$675.00
Hospitality: \$100.00
Transportation: \$700.00

Total Projected Costs: \$15,548.00

Hotel Motel FY2019

Fund 122

Remaining from previous FY 2018	14,834.85		
Balance on T Report June 30, 2018	25,602.62	Bal on T Report Jan. 31, 2019	57,951.82
		Bal on T Report Feb 28, 2019	51,506.36
Projected Rev 2019	54,000.00	Bal on T Report March 31, 2019	67,096.92
		Bal on T Report April 30, 2019	67,166.99
Revenue to General Fund	26,460.00	Bal on T Report May 31, 2019	56,834.18
Revenue to Tourism	17,540.00	Bal on T Report June 30, 2019	34,478.34
Revenue to Trails	10,000.00		

Project	Date Requested	Amount Requested	Date Council Awarded	Amount Awarded	Sent Ck Paid	Date Paid	Remaining Balance
Fair	8/28/2018	1000		1000	YES	9/25/2018	
Italian Days	6/24/2018	1200		1200	yes	7/9/2018	
Soccer Club	6/24/2018	2000		2000	yes	7/9/2018	
Williams Center	Jul-Sept 2018	1000	9/24/2018	1000	yes	10/9/2018	
United Way	6/27/2018	1060	9/24/2018	1040	yes	11/15/2018	
Pawsitively Oelwein Inc	9/25/2018	4045.49	9/24/2018	3900	YES	5/29/2019	
Williams Center	Oct-Dec 2018	2000	2/11/2019	1500	YES	2/12/2019	
OELWEIN CELEBRATIONS INC	2/1/2019	5000	2/11/2019	5000	yes	2/25/2019	
Williams Center	Jan-Mar 2019	1500	3/25/2019	1500	yes	5/7/2019	
Fayette Co Ag Society	2/28/2019	5000	3/25/2019	5000	YES	5/17/2019	
Williams Center	6/1/2019	1500	6/10/2019	1500			
Oelwein Soccer Club	5/16/2019	5200	6/10/2019	2200	yes	6/13/2019	holding check waiting on 501C3
			Total Awarded	26840			

32,978.34 remaining balance T Report minus unpaid

Hotel Motel FY 2020

Past Fiscal Year

Balance on T Report June 30, 2019	34,478.34
less trails 2018-19 (to trans 6-2020)	(10,000.00)
less Williams Center 6-1-request	<u>(1,500.00)</u>
Unused carry over balance	22,978.34
<i>*not included in remaining balance in chart</i>	

Current Fiscal Year

Estimated Revenue 2020	60,000.00
less Revenue to General Fund 50%	(30,000.00)
less Revenue to Trails (to trans 6-2020)	(10,000.00)
FY 2019-20 available for tourism awards	<u>20,000.00</u>

Treasurer's Report Fund 122

Month End Balance History

July	32,320.23
August	49,770.62
September	47,294.15
October	44,706.64
November	44,554.22
December	61,761.90
January	61,820.40
February	73,099.63
March	73,167.16
April	73,204.88
May	73,242.61
June	50,877.90

Revenue Rec'd Tracking (s/b \$60,000)

August '19	18,096.68
December '19	17,155.88
February '20	15,829.45
June '20	<u>5,162.85</u>
	56,244.86

Project	Date Requested	Amount Requested	Council Award Date	Amount Awarded	Date Paid	Amount paid	*Remaining Balance	Special Instructions
Williams Center (prior year award)	6/1/2019	1500	6/10/2019	1500	9/18/2019	1500.00	\$20,000.00	
Oelwein Community Plaza Board	7/1/2019?	7800	7/22/2019	3900	8/21/2019	685.63	\$16,100.00	50% HM / 50% ED
"	"				9/10/2019	833.75		50% HM / 50% ED
"	"				9/23/2019	201.25		50% HM / 50% ED
"	"				10/11/2019	445.62		50% HM / 50% ED
"	"				10/21/2019	696.25		50% HM / 50% ED
"	"				11/7/2019	209.38		50% HM / 50% ED
Williams Center Q1	10/1/2019	1,500	10/14/2019	1,500	10/18/2019	1500.00	\$14,600.00	
Junior Husky Basketball Club	10/1/2019	3,105	10/14/2019	3,105	2/12/2020	3105.00	\$11,495.00	
Williams Center Q2	12/1/2019	1,500	2/24/2020	1,500	2/25/2020	1500.00	\$9,995.00	
Williams Center Q3	3/1/2020	1,500	2/24/2020	1,500				
Fayette Co Ag Society	3/1/2020	6,000	3/9/2020	6,000	7/20/2020	6000.00		
Oelwein Celebrations	3/1/2020	5,000	3/9/2020	5,000				
Rotary Club		2,000		2,000	7/29/2020	6/22/1905		
Grand Theatre - new seating		10,000	6/23/2020	10,000				
Current FY Total Awarded				\$ 34,505.00				
Amt Remaining to be awarded				<u>\$ (14,505.00)</u>				

Hotel Motel FY 2021

Past Fiscal Year

Balance on T Report June 30, 2019	34,478.34
less trails 2018-19 (to trans 6-2020)	(10,000.00)
less Williams Center 6-1-request	<u>(1,500.00)</u>
Unused carry over balance	<u>22,978.34</u>
*not included in remaining balance in chart	

Current Fiscal Year

Estimated Revenue 2021

less Revenue to General Fund 50%	65,000.00
less Revenue to Trails (to trans 6-2021)	(30,000.00)
less Revenue to Trails (to trans 6-2021)	<u>(10,000.00)</u>
FY 2020-21 available for tourism awards	<u>25,000.00</u>

Treasurer's Report Fund 122

Month End Balance History

July	50,899.54
August	56,132.24
September	56,150.82
October	51,736.11
November	71,465.17
December	69,983.19
January	69,999.51
February	70,015.12
March	78,148.28
April	78,165.84
May	81,999.06
June	45,342.41

Revenue Rec'd Tracking (s/b \$60,000)

August '20	13,215.93
December '20	19,715.85
February '21	9,615.41
June '21	<u>8,819.86</u>
	<u>51,367.05</u>

Project	Date Requested	Amount Requested	Council Award Date	Amount Awarded	Date Paid	Amount paid	*Remaining Balance	Special Instructions
Oelwein Community Plaza Board	7/1/2019?	7800	7/22/2019	3071.88	8/21/2019	685.63		50% HM / 50% ED
"	"				9/10/2019	833.75		50% HM / 50% ED
"	"				9/23/2019	201.25		50% HM / 50% ED
"	"				10/11/2019	445.62		50% HM / 50% ED
"	"				10/21/2019	696.25		50% HM / 50% ED
"	"				11/7/2019	<u>209.38</u>		50% HM / 50% ED
						3071.88		
Williams Center Q3	3/1/2020	1,500	2/24/2020	-		\$1500 WITHDRAWN		
Fayette Co Ag Society	3/1/2020	6,000	3/9/2020	6,000	7/20/2020	6000.00		
Oelwein Celebrations	3/1/2020	5,000	3/9/2020	-		\$5,000 WITHDRAWN		
Rotary Club		2,000		2,000	7/29/2020	2000.00		
Grand Theatre - new seating		10,000	6/23/2020	-		\$10,000 WITHDRAWN		
Oelwein Soccer Club	8/27/2020	4,430	9/18/2020	4,430	10/29/2020	4430.00		
Williams Center	12/1/2020	1,500	12/10/2020	1,500	12/23/2020	1500.00		
Williams Center	3/1/2021	1,500	3/8/2021	1,500	3/24/2021	1500.00		
Oelwein Celebrations	4/14/2021	12,000	4/12/2021	5,000	5/26/2021	5000.00		
Williams Center	6/1/2021	1,500	6/14/2021	1,500	6/15/2021	1500.00		
Fayette Co Ag Society	6/2/2021	7,000	6/28/2021	6,000	7/15/2021	6000.00		

Hotel Motel FY 2022

Past Fiscal Year

Fund 122 balance 6/30/2021 45,342.41

45,342.41

Current Fiscal Year

Estimated Revenue 2022 65,000.00
 less Revenue to General Fund 50% (32,500.00)
 less Revenue to Trails (to trans 6-2021) (10,000.00)
 FY 2021-22 available for tourism awards 22,500.00

Treasurer's Report Fund 122

Month End Balance History

July 39,351.49
 August 55,236.52
 September 55,247.53
 October 53,758.24
 November 53,768.35
 December 78,741.94
 January 78,756.07
 February 78,768.82
 March 73,420.04
 April 60,434.08
 May 67,643.97
 June

Revenue Rec'd Tracking (s/b \$65,000)

August '21 15,877.61
 December '21 24,963.75
 February '22 14,637.03
 June '22 11,198.41
 66,676.80

Project	Date Requested	Amount Requested	Council Award Date	Amount Awarded	Date Paid	Amount paid	*Remaining Balance	Special Instructions
Williams Center	9/1/2021	1,500	9/13/2021	1,500	10/28/2021	1,500		
Grande Theatre of Oelwein	10/1/2021	10,000	10/11/2021	20,000	3/4/2022	20,000		
Williams Center	12/1/2021	1,500.00	12/22/2021	1,500	4/6/2022	1,500		
Williams Center	2/1/2022	1,500	2/14/2022	1,500	4/21/2022	1,500		
Junior Husky Basketball Club	2/1/2022	4,000	2/28/2022	4,000	5/25/2022	4,000		
Oelwein Celebrations	3/1/2022	15,000	3/28/2022	10,000	4/6/2022	10,000		
Williams Center	5/1/2022	1,500	5/9/2022	1,500				

Hotel Motel FY 2023

Past Fiscal Year

Fund 122 balance 6/30/2022 24,970.38

24,970.38

Current Fiscal Year

Estimated Revenue 2023

65,000.00
 less Revenue to General Fund 50% (32,500.00)
 less Revenue to Trails (to trans 6-2021) (10,000.00)
 FY 2022-23 available for tourism awards 22,500.00

Treasurer's Report Fund 122

Month End Balance History

July 24,989.08
 August
 September
 October
 November
 December
 January
 February
 March
 April
 May
 June

Revenue Rec'd Tracking (s/b \$65,000)

August '22 19,820.08
 December '22
 February '23
 June '23 19,820.08

Project	Date Requested	Amount Requested	Council Award Date	Amount Awarded	Date Paid	Amount paid	*Remaining Balance	Special Instructions
Williams Center	5/1/2022	1,500	5/9/2022	1,500	8/25/2022	1,500		
Fayette County Agricultural Society	7/1/2022	7,000	7/12/2022	6,000	8/31/2022	6,000		
O-Town Mania	8/1/2022	2,500	8/8/2022	2,500	9/7/2022	2,500		


CivicPlus

302 South 4th St. Suite 500
Manhattan, KS 66502
US

Quote #: Q-28828-1
Date: 8/31/2022 9:24 AM
Expires On: 11/29/2022
Product: Code and Supp

Client:
OELWEIN, IOWA

Bill To:
OELWEIN, IOWA

SALESPERSON	Phone	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Lafaye Kiely	x	lkiely@civicplus.com		Net 30

Code and Supp - Statement of Work

QTY	DESCRIPTION	PRODUCT TYPE
1.00	Republication (per page)	One-time
Total Investment Initial Term		USD 11,650.00
Annual Recurring Services		USD 0.00

1. This Statement of Work ("SOW") is between City of Oelwein ("Client") and CivicPlus, LLC (the "Service Provider"), and shall be subject to the terms and conditions of the CivicPlus Master Services Agreement located at <https://www.civicplus.com/master-services-agreement> ("MSA"). By signing this SOW, Client expressly agrees to the terms and conditions of the MSA throughout the Term of this SOW.

2. This SOW shall remain in effect for an initial term starting at signing of this SOW and continuing for sixteen (16) months ("Initial Term"). In the event that neither party gives 60 days' notice to terminate prior to the end of the Initial Term, or any subsequent Renewal Term, this SOW may be renewed for an additional 1-year renewal terms ("Renewal Term"). The Initial Term and all Renewal Terms are collectively referred to as the "Term".

3. The Total Investment - Year 1 will be invoiced as follows:

- 50% will be due upon signing of this SOW.
- 50% will be due upon completion of the Republication.

4. The Annual Recurring Services fee shall be invoiced at the start of each Renewal Term and subject to a annual increase each Renewal Term, starting the first Renewal Term.

5. Total Investment Initial Term assumes Service Provider can rely upon the version of the Client's code ("the Code") furnished and it is in an editable, electronic format. Conversion will take approximately 90 - 120 days upon receipt of all required materials.

6. The Conversion services do NOT include: renumbering, reorganizing the structure of the Code, or legally reviewing the Code content; additional ordinances added to the project; state sales tax, or any annual recurring services; freight, color printing, subsection linking and linking to tables, and internal cross reference review.

7. Client understands and agrees that the Total Investment Initial Term for the Conversion may be increased by the addition of legislation or materials, which may be added at the agreed upon per page rate. Unless noted otherwise in line items above, pages will be printed with single columns and 10 point font size. Additional legislation added to the Conversion must be approved and received by Service Provider prior to the cutoff date established by the parties. Following the delivery of the final code draft for Client proofing (the "Proof"), any extensive changes requested in the Proof content, and/or any material added to the Proof that was not previously contemplated by the parties, will be subject to an additional "Proof Update" fee. Proofs not returned within 45 days may be subject to a Proof Update fee.

8. Client agrees to provide all necessary and correct documentation, materials and communication in a timely manner as agreed upon by the parties following execution of this SOW. Service Provider shall not begin work under this SOW until all necessary documentation, materials, of a general and permanent nature and in a useable format (MS WORD or editable PDF), and communication are received. Service Provider will not be liable or responsible for any delay in the time or completion of the services due to the action or inaction of Client.

9. Additional services, including but not limited to, additional labor required because of delays, errors or omissions on the part of Client, may be purchased upon mutual written agreement between the parties.

10. If Supplement Subscription Services is included in the line items above, Supplement Services do NOT include:
- a. Additional copies, reprints, binders and tab orders;
 - b. Documents that contain unique formatting requirements or any other form-based code requirements;
 - c. Legal work, creation of fee schedules or additional tables, gender neutral review/implementation, external linking;
 - d. Codifying complete replacement of complex subject matter such as, but not limited to, Zoning (or equivalent). This work is subject to a one-time editorial conversion fee and an increase in the annual supplement rate and online hosting fee(s). Quote provided upon receipt of material;
 - e. Codifying a newly adopted full Chapter/Title/Appendix. This may be subject to a one-time additional editorial fee and an increase in the annual supplement rate and online hosting fee(s). Material to be reviewed upon receipt;
 - f. Codifying a newly adopted term change legislation. This may be subject to a one-time additional editorial fee. Material to be reviewed upon receipt;
 - g. The addition of Manuals, Policies, Procedures, Comprehensive Plans, Land Use, Unified Codes, Zoning (or equivalent). Quotation upon request; and
 - h. Online Code hosting and online features.

11. Service Provider is not a law firm and may not perform services performed by an attorney, and the services contemplated herein do not constitute a substitute for the advice or services of an attorney. Nor is an attorney-client relationship established under this SOW or the services provided herein.

12. If applicable, in the event Client wishes to increase its supplement updates frequency, Client agrees to pay an annual increase in an amount to be agreed upon between the parties, such amount to be prorated from the time of purchase to align with Client's Renewal Date. Client shall provide CivicPlus with written notice, email is sufficient, of its

intent to increase its supplement updates frequency. Rush Supplement requests will be assessed an additional one-time fee.

13. The Parties agree that notwithstanding the indemnification covenants at Section 15 of the MSA, shall not apply to public interpretation of Legal Code or work product. Service Provider shall not be responsible for the legal sufficiency or copyright infringement of any material initially or subsequently published.

Signature Page to Follow.

Acceptance

By signing below, the parties are agreeing to be bound by the covenants and obligations specified in this SOW and the MSA terms and conditions found at: <https://www.civicplus.com/master-services-agreement>.

IN WITNESS WHEREOF, the parties have caused this SOW to be executed by their duly authorized representatives as of the dates below.

Client

CivicPlus

By:

By:

Name: Brett DeVore

Name: _____

Title: Mayor

Title: _____

Date: September 12, 2022

Date: _____

Contact Information

*all documents must be returned: Master Service Agreement, Statement of Work, and Contact Information Sheet.

Organization City of Oelwein URL <https://www.cityofuelwein.org/>

Street Address 20 2nd Ave SW

Address 2

City **Oelwein** State **Iowa** Postal Code **50662**

CivicPlus provides telephone support for all trained clients from 7am –7pm Central Time, Monday-Friday (excluding holidays).
Emergency Support is provided on a 24/7/365 basis for representatives named by the Client. Client is responsible for
ensuring CivicPlus has current updates.

Emergency Contact & Mobile Phone

Emergency Contact & Mobile Phone

Emergency Contact & Mobile Phone

Billing Contact E-Mail

Phone 319-283-5440 Ext. Fax

Billing Address 20 2nd Ave SW

Address 2

City **Oelwein** State **Iowa** Postal Code **50662**

Tax ID # Sales Tax Exempt #

Billing Terms Account Rep

Info Required on Invoice (PO or Job #)

Are you utilizing any external funding for your project (ex. FEMA, CARES): Y [] or N []

Please list all external sources: _____

Contract Contact Email

Phone Ext. Fax

Project Contact Email

Phone Ext. Fax



September 8, 2022

Mayor & City Council

City of Oelwein
 20 Second Ave SW
 Oelwein, IA 50662

Recommendation of Award - Oelwein 2022 Residential & Commercial Building Demolition

Dear Mayor and City Council:

The City of Oelwein received five (5) bids on September 1, 2022 for the Oelwein 2022 Residential & Commercial Building Demolition project. This project includes the demolition of 11 residential homes and 2 commercial properties in the City of Oelwein. The following is a summary of the properties to be demolished:

- 1. Residential - 303 2nd St. NW
- 2. Residential - 218 3rd Ave. NW
- 3. Residential - 531 3rd Ave. SE
- 4. Residential - 407 3rd St. SW
- 5. Residential - 702 3rd Ave. SW
- 6. Residential - 202 4th Ave. NW
- 7. Residential - 217 4th Ave. NW
- 8. Residential - 123 6th Ave. NE
- 9. Residential - 22 7th St. SW
- 10. Residential - 517 N. Frederick Ave.
- 11. Commercial - 27 S. Frederick Ave.
- 12. Commercial - 33 S. Frederick Ave.
- 13. Residential - 513 1st St. NE

The following is a summary of the bids:

Bryan Construction, Inc.	\$235,146.00
DW Zinzer	\$281,918.00
Lansing Construction	\$345,600.00
Dore & Associates	\$425,200.00
Linn Construction	\$1,013,000.00



We believe Bryan Construction, Inc. has a practical knowledge of the work, adequate equipment and personnel, sufficient schedule, and financial resources to complete the work. It is the Community Development Department’s recommendation that the demolition contract for the Oelwein 2022 Residential & Commercial Building Demolition project be awarded to Bryan Construction, Inc. whose bid is \$235,146.00.

According to bidding documents, the Council has the following options:

- Option 1: Award the project to Bryan Construction, Inc. for \$235,146.00
- Option 2: Reject all bids

Please contact us with any questions or comments regarding this recommendation.

Sincerely,

David Kral
Building Official/Zoning Admin.
City of Oelwein
20 2nd Ave SW Oelwein, Iowa 50662
319-283-5862





September 8, 2022

Mayor & City Council

City of Oelwein
20 Second Ave SW
Oelwein, IA 50662

Recommendation of Award – 25 W.Charles, 33 and 27 S.Frederick - Asbestos Remediation

Dear Mayor and City Council:

We believe Site Services, Inc. has a practical knowledge of the work, adequate equipment and personnel, sufficient schedule, and financial resources to complete the work for the asbestos remediation needed at 25 W.Charles, 33 S.Frederick, and 27 S.Frederick. We've worked with Site Services in the past, we're pleased with their work, and asked for a competitive bid for this project.

It is the Community Development Department's recommendation that the asbestos remediation contract be awarded to Site Services, Inc. whose bid is \$26,850.00.

Please contact us with any questions or comments regarding this recommendation.

Sincerely,

David Kral

Building Official/Zoning Admin.
City of Oelwein
20 2nd Ave SW Oelwein, Iowa 50662
319-283-5862





1621 East Commercial * Algona, IA 50511 * Office: 515-295-6888 * Fax: 515-295-6845
siteservicesabate@gmail.com

August 23, 2022

City of Oelwein
20 2nd Ave. SW
Oelwein, IA 50662

Attn: David Kral

Re: Asbestos Removal: **27 S. Frederick, 33 S. Frederick and 25 W Charles
Oelwein, IA**

PROPOSAL

1. DESCRIPTION: Remove Asbestos Containing Materials at above address as described in Asbestos Inspection conducted by Hawkeye Environment dated August 5, 2022. Dispose of the ACM in the landfill accepting the waste from this location. All procedures will be in accordance with DNR and EPA guidelines.

2. SITE SERVICES, INC. RESPONSIBILITIES: Provide tools, equipment, labor, materials and services applicable to the work.

3. QUANTITY OF MATERIALS: As per survey report.

4. OWNERS RESPONSIBILITIES: Remove all items from the work area. Provide uninterrupted access to the work area for the duration of the project.

5. CONTRACT CLOSEOUT: Final visual inspection: By Site Services, Inc.

6. FINANCIAL ARRANGEMENTS: Upon Completion

Proposal good for 30 days:

Total Lump Sum Bid: \$26,850.00

Submitted by: Wayne Clegg, President
Site Services, Inc.

Accepted by:
Date:

----- Forwarded message -----

From: **Jamie Jacobs** <jjacobs@oelwein.k12.ia.us>
Date: Fri, Sep 9, 2022 at 12:01 PM
Subject: Formal Request for HoCo Dance
To: Jeremy Logan <jlogan@oelweinplice.org>

To whom it may concern,

I am formally asking that the Oelwein High School be permitted to host our 2022 Homecoming Dance outside on the OHS Football Field on September 16th starting after the football game (between 9-10 PM) until Midnight.

Thank you for your consideration,

Jamie Jacobs
Activities Director and Ast. Principal
Oelwein High School

--

Jamie Jacobs | 7-12 Activities Director and High School Associate Principal

Oelwein Community School District

(P): 319-283-2731 (W): www.OelweinSchools.com

(A): 307 8th Ave. SE, Oelwein, IA 50662





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 # 11296
Date: 08/28/2022
Due Upon Receipt

Type	Date	Notes	Quantity	Rate	Total
Service	08/02/2022	early deed possession issue email to city admin and respond	0.25	\$136.83	\$34.21
Service	08/04/2022	email to city admin on likely outcome of 27 and 33 actions.	0.50	\$136.83	\$68.42
Service	08/18/2022	review email from city admin re 33 Frederick respond to the same.	0.25	\$136.83	\$34.21
Service	08/19/2022	33 s Frederick email traffic	0.25	\$136.83	\$34.21
Service	08/22/2022	attend city council meeting	0.75	\$136.83	\$102.62
Service	08/23/2022	Drone research	1.50	\$150.00	\$225.00
Service	08/26/2022	drone ordinance review and research and ct city admin.	1.25	\$136.83	\$171.04
Service	08/26/2022	email from Chief re drones, email from City Admin re drones.	1.00	\$136.83	\$136.83
Service	08/26/2022	attention to LDS document	0.25	\$136.83	\$34.21
				Total	\$840.75

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
11296	08/28/2022	\$840.75	\$0.00	\$840.75
			Outstanding Balance	\$840.75
			Total Amount Outstanding	\$840.75

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 # 11295
Date: 08/28/2022
Due Upon Receipt

City of Oelwein nuisance/abatement work

nuisance/abatement work 657A's

Type	Date	Notes	Quantity	Rate	Total
Service	06/22/2022	06.22-23.2022: Emails to and from Voshell re: discharging firearm and death of dog; search of applicable statutes and case law; .3 NJL	0.30	\$139.16	\$41.75
Service	07/05/2022	07.05.2022: Review of Oelwein v. Recevuer; Consult with Dillon; Consult with Barker; Trial of matter; .5 NJL	0.50	\$139.16	\$69.58
Service	07/06/2022	07.06.2022: Attention to emails from Baltimore/Dillon re: 27 & 33 South Frederick, reply to email; receipt of follow up emails, review of attachment and pictures; .3 NJL	0.30	\$139.16	\$41.75
Service	07/06/2022	07.06.2022: Receipt of email from Dillon re: Oelwein v. Wieland, review of dispositional order, reply to Dillon; .2 NJL	0.20	\$139.16	\$27.83
Service	07/07/2022	07.07.2022: Receipt of Engineer's report re: 27 S. Frederick, review of same and review of motion to demolish; .1 NJL	0.10	\$139.16	\$13.92
Service	07/08/2022	07.08.2022: Attention to email from Dillon re: Wieland LLC/Mulfinger exchange. .1 NJL	0.10	\$139.16	\$13.92
Service	07/15/2022	07.15.2022: Review of motion to continue by Wright; email to Wehling; .2 NJL	0.20	\$139.16	\$27.83
Service	07/18/2022	07.18.2022: Conference with Dillon re: July 19th hearings; review of body cam footage from DeJong re: 27 South Frederick; .75 NJL	0.75	\$139.16	\$104.37
Service	07/19/2022	07.19.2022: Attendance at review hearing for Oelwein v. Horstmeier: .2 NJL	2.00	\$139.16	\$278.32

		07.19.2022: Attendance at review hearing of Oelwein v. Meyer; .1 NJL			
		07.19.2022: Attendance at review hearing of Oelwein v. Receveur; .1 NJL			
		07.19.2022: Attendance at review hearing of Oelwein v. Pahl; .1 NJL			
		07.19.2022: Attendance at Oelwein v. Wright; 1.5 NJL			
Expense	07/19/2022	Reimbursable expenses: mod guys filing fee x6	6.00	\$155.00	\$930.00
Service	07/29/2022	file motions x4 to extend deadline	0.40	\$61.90	\$24.76
Service	07/29/2022	email to Bruce	0.10	\$61.90	\$6.19
Service	08/01/2022	update spreadsheet, email to all	0.20	\$61.90	\$12.38
Service	08/01/2022	email to Bruce, email from Bruce	0.20	\$61.90	\$12.38
Service	08/02/2022	Call Ron Winter 563 880-0443 motion to continue	0.50	\$139.16	\$69.58
Service	08/02/2022	email and beacon search, reply to email to Sam on 322 6th ave	0.20	\$61.90	\$12.38
Service	08/02/2022	call from DeJong, email to DeJong, review email history	0.30	\$61.90	\$18.57
Service	08/02/2022	pull down filings, email to sam and nathan and bruce, list of upcoming cases, review filings, calendar events	0.50	\$61.90	\$30.95
Service	08/03/2022	draft and file motion to continue	0.20	\$61.90	\$12.38
Service	08/03/2022	label, adjust exhibit list, refile list awith new exhibit wright	0.30	\$61.90	\$18.57
Expense	08/04/2022	Reimbursable expenses: Phillips service on Gary Wright	1.00	\$30.00	\$30.00
Service	08/04/2022	email with comm development director re plaquarded buildings.	0.25	\$139.16	\$34.79
Service	08/04/2022	draft, save, file, return of servie, wright	0.40	\$61.90	\$24.76
Service	08/05/2022	M@C winter, email to pat	0.20	\$61.90	\$12.38
Expense	08/11/2022	Reimbursable expenses: Service fees by Fayette Sheriff on MOD GUYS INC.	1.00	\$392.50	\$392.50
Service	08/15/2022	update and email spreadsheet	0.30	\$61.90	\$18.57
Service	08/15/2022	review filings, email upcoming cases to sam and Bruce	0.20	\$61.90	\$12.38
Service	08/16/2022	Maddigan start 657a beacon search, email to recorder, email to abstract, iowa land records	0.50	\$61.90	\$30.95
Service	08/16/2022	08.16.2022: Attendance at Oelwein v. Mod Guys X6; .4 NJL 08.16.2022: Attendance at Oelwein v. Pahl; .1 NJL 08.16.2022: Attendance at Oelwein v. Receveur; .1 NJL 08.16.2022: Attendance at Oelwein v. Meyer; .1 NJL	0.90	\$139.16	\$125.24

08.16.2022: Email to Dillon re: MOD GUYS; .2 NJL					
Service	08/16/2022	email to sam re horsmeier order, calendar event pull down order	0.30	\$61.90	\$18.57
Service	08/16/2022	review mod guys	0.30	\$61.90	\$18.57
Expense	08/16/2022	Reimbursable expenses: Recorder fee for copy of deed	1.00	\$2.00	\$2.00
Service	08/16/2022	mod guys discussion	1.00	\$139.16	\$139.16
Service	08/17/2022	email to Bruce and Sam re mod guys	0.20	\$61.90	\$12.38
Service	08/17/2022	email to Sam re Maddigan property, review lien search, draft on and petition	1.00	\$61.90	\$61.90
Service	08/18/2022	review filings, update spreadsheet, pull down orders, forward to CD	0.50	\$61.90	\$30.95
Service	08/18/2022	draft witness list and exhibit list for mod guys x6	0.50	\$61.90	\$30.95
Service	08/19/2022	email form sam, fwd pat, email sam response	0.20	\$61.90	\$12.38
Service	08/19/2022	call to kathy, email to sam, adjust petition and ON, draft AOS and Consents for all ddef	1.50	\$61.90	\$92.85
Service	08/19/2022	attention to known heirs for 657A	0.25	\$139.16	\$34.79
Service	08/24/2022	email from community development rer curtis hortshiemer. tcw op counsel, email to client.	0.50	\$139.16	\$69.58
Expense	08/24/2022	Reimbursable expenses: maddigan 657a filing fee	1.00	\$255.00	\$255.00
Service	08/24/2022	maddigan 657a, calls from Kathy, email to pat, call to clerk, file petition and ON, data entry	1.50	\$61.90	\$92.85
Service	08/26/2022	judgment collection work out	0.25	\$139.16	\$34.79
Service	08/26/2022	send out letter, on, petition, consent, aos to maddigan def, draft affidavit and send to ted for service, email estate recovery, draft letter to witnesses	1.50	\$61.90	\$92.85
Service	08/26/2022	update spreadsheet	0.30	\$61.90	\$18.57
				Total	\$3,467.12

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
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11295	08/28/2022	\$3,467.12	\$0.00	\$3,467.12	
				Outstanding Balance	\$3,467.12
				Total Amount Outstanding	\$3,467.12

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: 9/12/2022

Consent Agenda

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

Ordinances

4. Consideration of an Ordinance amending Oelwein City Code Section 22 Article VII - Golf Carts - First Reading.
 1. City Council failed to reach four votes and could not get the item passed through the first reading. Ordinances and resolutions require a majority of council, even when ones that are not present. Normally a failed vote has to be brought back by the no votes. This vote failed on a technicality, so the path to bring it back to council was unclear. Council can decide if they want to continue the item. The City Administrator and Public Safety Chief has advised waiting to allow golf carts until 2023. This is the first reading.
5. Consideration of an Ordinance Adding Chapter 23 Article IX - Drones - First Reading
 1. The City Administrator and the Public Safety Chief are not in favor of this ordinance. The City Administrator advises this ordinance is brought to Public Safety Committee then sent to a work session. After research the City Administrator was unable to find a city in Iowa that was successfully enforcing a drone ordinance. Creating an ordinance for one complaint, while valid, is a slippery slope and not good policy. This is the first reading.

Resolutions

6. Consideration of a Resolution accepting the deed to 33 South Frederick.
 1. Council has the option to take this building and be in charge of the future of this building and piece of ground. After the demolition, council can determine the best future for this property. Going through code enforcement for this property



would only cost the taxpayers more money that would never return to the community. The City Administrator recommends approving this resolution.

Motions

7. Consideration of a motion accepting the recommendation of the Planning, Finance, Enterprise, and Economic Development Committee on the Hotel/Motel Application for the Williams Center for the Arts.
8. Consideration of a motion authorizing signatures on the statement of work and payment in the amount of \$11,650 to CivicPlus for code codification services.
 1. This is the first step in bringing the city code online in a readable friendly interface. Codification is bringing the code up to date and in line with all state and federal laws. This process will take months and will require a great deal of staff time. Civic Plus will guide us through the process and make sure the city's code is up to date. This item is in the budget.
9. Consideration of a motion to award the bid of the Residential and Commercial Building Demolition Project to Bryan Construction in the amount of \$235,146.00.
 1. Bryan Construction has completed multiple demolitions in the city. They have a proven track record of doing excellent work. We are excited to work with this contractor to take down many problem properties. The City has \$255,000 this year for demolition as they received \$40,000 in grant dollars from the Northeast Iowa Housing Trust Fund, \$60,000 in local option sales tax junk house removal, and \$150,000 in general obligation bonds. Overrun on this project from asbestos removal will be taken from reserves for economic development. The City did not anticipate taking down two downtown buildings this fiscal year. The City Administrator recommends approving the bid.
10. Consideration of a motion to award the bid of the Asbestos Remediation Project #2 to Site Services, Inc. in the amount of \$26,850.
 1. The city has to remediate asbestos in 27 South Frederick, 33 South Frederick, and the Plaza. The Plaza is a minimal amount of asbestos with the two downtown buildings being the largest amount of asbestos. The city can remediate the asbestos in the plaza immediately, but it will be on a different time frame as we wait to take ownership of 33 South Frederick and get court action on 27 South Frederick. The City Administrator recommends approving the bid.



PARKS MONTHLY UPDATE, JUNE 2022
PARKS / CEMETERY / AQUATICS / CAMPGROUND / TRAILS

Park and Recreation www.oelwein.fun

This month in the park department we have been super busy completing tasks with very limited staff, mowing and trimming all the city properties. This past month we worked on the fountain near the pool that was giving us problems and fixed it. On Sunday morning we had another five inches of rain, so I barricaded off the bridge at City Park. Bacon Concrete is moving right along on 4th street SW with segment three trail. I drove up to West Union on Tuesday for a 5pm meeting with the county REAP committee to get our grant proposal approved so I could send into the state the following day. Fehr Graham was in this month looking over the filter project at the aquatic center. The pool closes on the 21st with the dog dip the last two hours of operation. The circus went well at the complex as they appreciated the addition rock, we added to the parking area that we added, they did a great job of policing the area before they left. The DNR forestry department is in completing a tree survey of all the parks and cemeteries for us which will take them a few weeks to finish. The employees placed a new light on the flagpole at Oakdale Cemetery this past month and replaced some boards on the trail bridge by the complex. The employees completed some maintenance on the cemetery mowers cleaning and power spraying them at the end of last week. At Woodlawn we had two full burials and two cremation burials this week on top of the mowing. At Wings Park the guys put up the last two goal setter hoops in the old tennis courts to repurpose the area which has seen a lot of usage.

The segment 3 trail project is moving right along as the contractors have been pouring a lot of concrete this week. The contractors have poured most of the trail but have had to leave access to the different properties as they move along. On the third Monday I hosted the park and rec meeting at City Hall as we went over the past months' activities. The concrete pad under the airplane has been poured as Jake Blitsch talked to the board about adding Saur-King Plaza to the City Park sign. The pool season has wrapped up as the boiler decided to give us problems one last time on the final weekend. Nate and I cleaned out the holding tank at Redgate Park this last month and the cemetery guys laid sod on the past two burials we had last week. It has been a busy month just keeping up with the mowing in both departments as the weekly rain events won't quit. I met with Jon with Fehr Graham to look at locates and plans for the drain project with the aquatic facility.

The segment 3 trail project is moving right along as Iowa Northern came in to place the rail pads to cross on the tracks on the north side of the lights. The pool season concluded on Thursday with the doggy dip at the end of the day. This year we had a great turnout for the event with around 25 dogs in the pool at one point. This month I took the boiler apart and cleaned out the top end and works great and will be ready to go for next season startup. We took down five ash trees at Redgate Park that were infected with EAB.

I met with Alliant at the aquatic center to get the gas shut off and talk with them about the location of their gas line regarding the drain project. The trails and cemetery roads were swept once again this week. The contractors chip sealed the three main north south roads at Woodlawn this past week as well as Redgate Park in its entirety. These roads were used extensively during the cleanup from the tornado that came through in the spring of 2020. City Park road was done from the main entrance to the dog park as well. Nate and I ran up to Wings as the west outfield lights were not working and fixed them and looking at some grants to upgrade the lighting at the ballfields. The basketball hoops that we installed at Wings have been a big hit this year as there is a steady stream of people utilizing the new facilities. The contractor is working hard to finish up the segment three trail project on 4th street. Bacon Const. finished pouring the last few aprons and started on backfilling and dirt work. We have received several complements about this segment from the public already. We have been working on winterizing the aquatic center as there is a lot to finish yet bring supplies back to the shop and cleaning up equipment. At Woodlawn the guys prepared a full burial for a Wednesday burial and took a few more foundation orders. I have been working on several upcoming grants for trails including FRT, TAP for future trail development. I am working with a couple other counties and submitting a Destination Iowa grant proposal through Upper explorer land for more trail funding. I have been working on budget and CIP pricing for the upcoming budget season as well. I sent out the agenda for the upcoming tree board meeting and trails committee for September. Janessa with the Iowa DNR was in this week again working on the tree survey of the parks and cemetery.



PARKS MONTHLY UPDATE, AUGUST 2022
PARKS / CEMETERY / AQUATICS / CAMPGROUND / TRAILS

Park and Recreation www.oelwein.fun

FOUNTAIN REPAIR



MINOR FLOODING



SEGMENT 3 TRAIL



REAP MEETING

FILTER PROJECT



PARKS MONTHLY UPDATE, AUGUST 2022
PARKS / CEMETERY / AQUATICS / CAMPGROUND / TRAILS

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CIRCUS



TREE SURVEY



FLAG LIGHT



BRIDGE REPAIR



MAINTENANCE



GOAL SETTER HOOPS





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PARKS / CEMETERY / AQUATICS / CAMPGROUND / TRAILS

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SEGMENT THREE



AIRPLANE PROJECT

BOILER ISSUES



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REDGATE



BURIALS



MOWING



SEGMENT THREE TRAIL





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SEGMENT 3



DOG DIP



BOILER WORK



ASH TREE REMOVAL



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ASH TREE REMOVAL



ALLIANT

TRAIL SWEEPING



CHIP SEALING



PARKS MONTHLY UPDATE, AUGUST 2022
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CHIP SEALING



CHIP SEALING

BASKETBALL COURTS



SEGMENT 3



PARKS MONTHLY UPDATE, AUGUST 2022
PARKS / CEMETERY / AQUATICS / CAMPGROUND / TRAILS

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WINTERIZING POOL



ASH TREE REMOVAL



ASH TREE REMOVAL

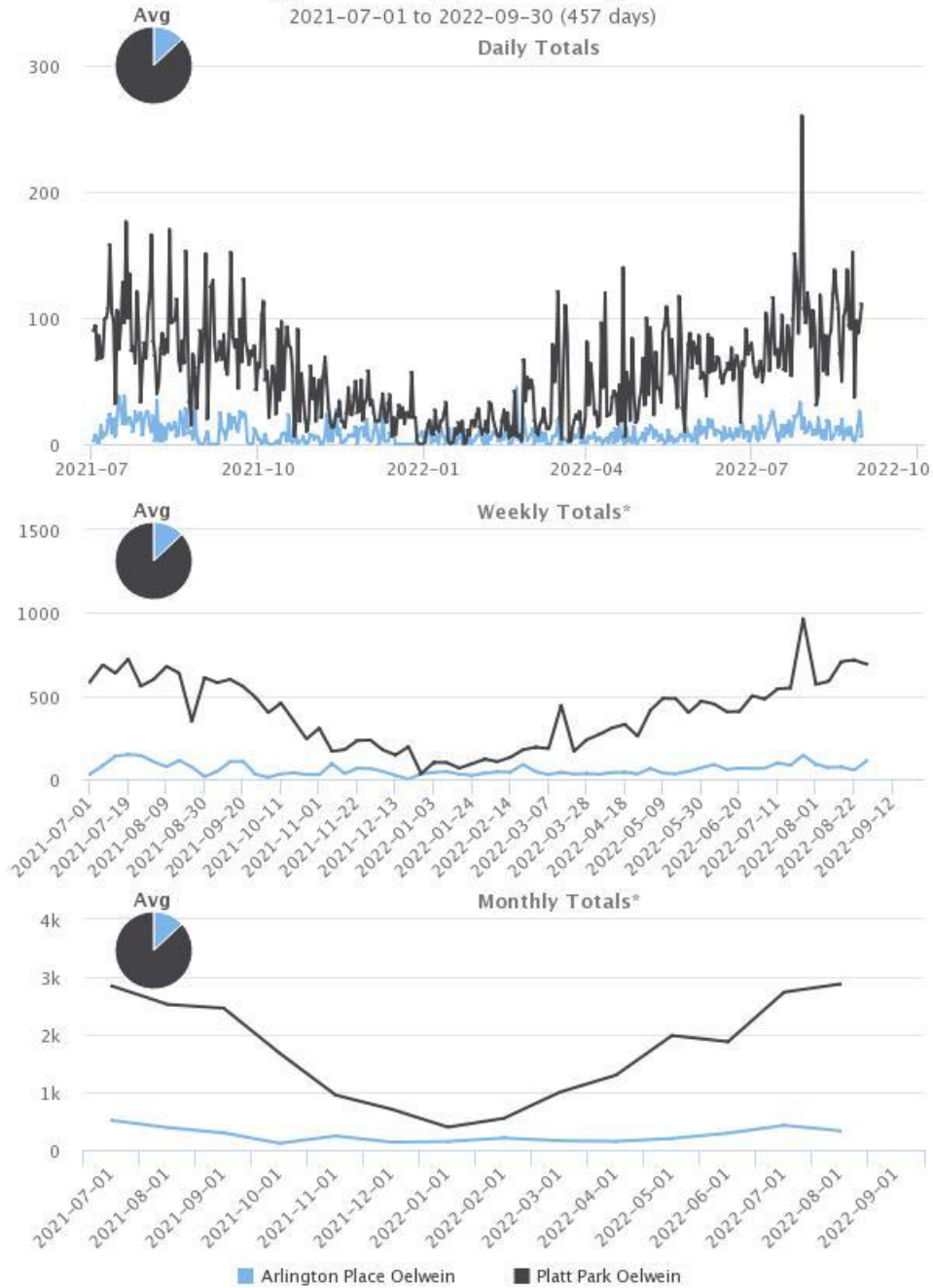




PARKS MONTHLY UPDATE, AUGUST 2022
 PARKS / CEMETERY / AQUATICS / CAMPGROUND / TRAILS

Park and Recreation www.oelwein.fun

Daily/Weekly/Monthly totals



21/22 TRAIL TOTALS

SITE	SEPT.	OCT	NOV.	DEC.	JAN.	FEB.	MARCH	APRIL	MAY	JUNE	AUGUST	TOTAL
Arlington Place	294	115	242	134	146	207	158	148	199	290	332	2,265
Platt Park	2458	1676	950	704	394	548	1002	1297	1984	1877	2,877	15,767



PARKS MONTHLY UPDATE, AUGUST 2022
PARKS / CEMETERY / AQUATICS / CAMPGROUND / TRAILS

Park and Recreation www.oelwein.fun

Daily Activities www.oelwein.fun

- ❖ Clean/organize shop and equipment
- ❖ Pick up garbage downtown
- ❖ Checking/maintaining parks, cemeteries
- ❖ Maintenance on equipment
- ❖ Order supplies for all departments
- ❖ Safety meetings
- ❖ Meet with contractors
- ❖ Retrieve & upload trail count data
- ❖ Weed spraying
- ❖ Water downtown flowers
- ❖ Trail sweeping

Progress on Projects www.oelwein.fun

- ❖ Website work ongoing
- ❖ Trail easements/grants
- ❖ Work on Park and Rec master plan
- ❖ Grant writing
 - CAT
 - FRT
 - NEIC
 - TAP
- ❖ REAP grant submitted
- ❖ Order CIP Items
- ❖ Stump grinding
- ❖ Ash tree removal
- ❖ Sealcoating roads
- ❖ Install basketball hoops installed
- ❖ Trail Segment 3
- ❖ CIP pricing
- ❖ Winterizing pool
- ❖ Airplane project

Next Month and Future Projects www.oelwein.fun

- ❖ Remove old well houses at City Park
- ❖ Drinking fountain install Platt Park
- ❖ Arching sign for entrance at Woodlawn
- ❖ Replace decking on old bridge
- ❖ Grant writing
- ❖ Finish segment 3
- ❖ Disc golf signage
- ❖ Ash tree removal
- ❖ Install solar umbrella at pool from ITC
- ❖ Pool filter project
- ❖ Prairie planting
- ❖ Diamond 3 in-field fencing

JOSHUA JOHNSON
OELWEIN PARK SUPERINTENDENT



The Library Noise

Item ii.



Oelwein Public Library

Volume 13

Issue 9

September 2022



Library Hours:

Monday-Thursday:

9:30 am-8:00 pm

Friday:

9:30 am-5:30 pm

Saturday:

9:30 am-4:00 pm

Contact Us:

201 East Charles

Oelwein, IA 50650

319-283-1515

www.oelwein.lib.ia.us
oelwein@oelwein.lib.ia.us

Like us on Facebook



September Calendar

9/5	Labor Day Closed	
9/12	Friends Annual Meeting	1:30
9/12	Cookbook Book Club	5:30
9/14	Alzheimer's Public Health Program	3:00
9/20	Board Meeting	5:15
9/23	Author Janis Van Buren Visit	1:00
9/27	Book Club	2:00
9/27	Electric Vehicle Event	4:00

Oelwein Public Library Cookbook Book Club September 12, 2022 at 5:30 p.m. Pot Luck Favorites

1. Select a cookbook from the circulation display.
2. Spend some time perusing the cookbook and sample a few recipes.
3. Make a recipe from the cookbook and bring samples to the meeting.
4. Join us for a lively discussion of the cookbooks and some delicious taste tests.

Visit the library to choose a themed cookbook to make your dish!

Question, call 319-283-1515 or email charris@oelwein.lib.ia.us

Donor's Corner

The following people made donations in memory of loved ones during the month of August:

In memory of Seth Garceau

Jens & Joanne Nielsen

In memory of Steve Bergeson

Ryan Scholl



For more information on how you can create this lasting tribute to someone you have lost or would like to honor, please contact Deann Fox at 283-1515.

Alzheimer's, Dementia, and Public Health

Wednesday, Sept. 14th at 3:00 p.m.

Join us for this informational program presented by Greg Woods from the Iowa Department of Public Health. Alzheimer's disease is the sixth leading cause of death in the United States, and its prevalence is growing. More than five million Americans are affected by Alzheimer's, but that number is expected to triple by 2050.

This program highlights the growing focus of Alzheimer's and dementia in public health; what causes memory loss; what the latest research shows in our fight against this condition; what can be done to decrease one's risk; what resources exist and what the Iowa Department of Public Health is doing to help.

Author Janis Van Buren

Friday, Sept. 23rd at 1:00 p.m.

Janis Van Buren grew up on a farm east of Fayette, Iowa about three miles from where Susan Angeline Collins lived in 1865. Susan did mission work in what is now the Democratic Republic of the Congo and Angola. Janis was urged by a friend to write a short history of Susan Collin's life. She began researching in 2009. The results are found in her debut biography, *Susan*

Angeline Collins: With a Hallelujah Heart published in April 2021.

Electric Vehicle Educational Event Tuesday, Sept. 27th from 4-5:30 p.m.

Learn about EV's, how to charge them, and where the charging stations are located in Iowa. Michelle Barness, Regional Planner from Upper Explorerland Regional Planning Commission, will present this event and take your questions.

**Book Club will be discussing
Save Me the Plums by Ruth Reichl
on September 27th at 2:00 p.m.**

Pick up a book or download a copy from Bridges or Hoopla and join the group discussion.



September 2022

Pages & Play Club

Join Miss Katie every Wednesday at 10:00 a.m.



9/7 Wake Up, Sleepyhead!

9/14 Shapes

9/21 Fall is Here

9/28 Don't Read This Book

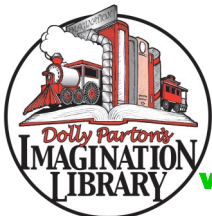
**New at the Library
Walk-in Wednesdays**

3:00 p.m.

Walk-in Wednesdays: This weekly program for students will cover a different topic every week, from science to technology to art and everything in between. One week every month will be Legos, so you'll still get a chance for those. Let your curiosity and creativity flow.

**Take & Make
Kits**

Make your own Hedgehog or Mushroom Bookmark!



Sign up today

Stop in the library or visit our website at

www.oelwein.lib.ia.us



New Items @ the Library

Item ii.

Adult Fiction

- Overkill-Sandra Brown
- Upgrade-Blake Crouch
- The Housekeeper-Joy Fielding
- You're Invited-Amanda Jayalissa
- The Family Remains-Lisa Jewell
- The Hunt-Faye Kellerman
- Fox Creek-William Kent Krueger
- The House Across the Lake-Riley Sager
- The Daughter of Doctor Moreau-Silvia Moreno-Garcia
- The Polish Girl-Malka Adler
- Quicksand-Janet Dailey
- Girl, Forgotten-Karin Slaughter
- Tick Tock-Fern Michaels
- Babysitter-Joyce Carol Oates
- The Many Daughters of Afong Moy-Jamie Ford
- Carrie Soto is Back-Taylor Jenkins Reid
- Desperation in Death-J. D. Robb
- Hell and Back=Craig Johnson
- Captive-Iris Johansen
- A Song of Comfortable Chairs-Alexander McCall Smith

Adult Non-Fiction

- Thank You for Your Servitude-Mark Leibovich
- Battle for the American Mind-Pete Hegseth
- Dirtbag, Massachusetts-Isaac Fitzgerald
- The Big Lie-Jonathan Lemire
- Why We Did It-Tim Miller
- This Story Will Change-Elizabeth Crane

New Young Adult

- The Honeys-Ryan La Sala
- Youngblood-Sasha Laurens
- The Undead Truth of Us-Britney S. Lewis
- Blood of Troy-Claire M. Andrews
- The Dragon's Promise-Elizabeth Lim

DVD's

- Doctor Strange In The Multiverse Of Madness;
- The Lost City; Murder, She Baked; The Witches;
- The Black Phone; Jurassic World: Dominion

On the Ladybug

- Ballet Bruce-Ryan T. Higgins
- Iguana Be a Dragon-Maddie Frost
- Leila, the Perfect Witch-Flavia Z. Drago
- The Pigeon Will Ride the Roller Coaster-Mo Willems
- Pizza!-Greg Pizzoli
- The Queen of Kindergarten-Derrick Barnes

New J

- Thirst-Varsha Bajaj
- Be Real, Macy Weaver-Lakita Wilson
- Surely Surely Marisol Rainey-Erin Entrada Kelly
- Attack of the Black Rectangles-Amy Sarig King

And So Many More!