



COUNCIL PROCEEDINGS, MARCH 9, 2009, PAGE 2

Wastewater Treatment Plant Lance Aldrich from Fox Engineers explained some of the outstanding punch list items for the Wastewater Treatment Plant project and the amount of time that has passed without resolution. He recommends the City of Oelwein send a letter to Merchants Bonding calling in the bond on Peterson Construction Company. Shane Albrecht from Peterson Construction Co. was present and stated they have corrected the majority of items on the list and are committed to finishing the project. Vic Kane felt we should call in the bond because of the amount of time that has passed with minimal response from Peterson Construction until the City threatened to call in the bond.

Wastewater Treatment Plant Call in Bond A motion was made by Brandt, seconded by Gosse to authorize Lance Aldrich the engineer to prepare a letter for the City to send to Merchants Bonding calling in the bond on Peterson Construction Co. All voted aye.  
Motion Carried

North Frederick/Elmwood Drive Sewer Project Lance Aldrich also reported on the North Frederick/Elmwood Drive Sanitary Sewer project. The North Frederick traffic has been resolved without necessitating a detour. Elmwood sewer construction to be between June 10 and July 17. North Frederick project has 60 days to be completed with no mandatory start date. It must be completed by fall.

A motion was made by Gosse, seconded by Brandt to approve North Frederick/Elmwood Drive Sanitary Sewer Plans and Specs and set bid opening date for April 6, 2009 at 1:00 P.M. and to set Public Hearing for April 13, 2009 at 7:00 P.M. All voted aye.  
Motion Carried

Aquatics Center Fees and Concessions Curt Solsma reported on the March Park and Recreation Commission meeting. The Committee recommends increasing the youth daily rate to \$3.00 with the toddler and adult rate and all season passes to remain unchanged. The Commission also recommended the City run the Concession Stand at the pool. The use of a punch card for concessions would mean less money handling.

Aquatic Center Fees A motion was made by Ericson, seconded by Kerns to approve the Park and Recreation Commission recommendation to increase the youth daily rate from \$2.00 to \$3.00 with the toddler, adult and season passes remaining unchanged. All voted aye.  
Motion Carried

Kerns stated that the Flying Flamingo's thought they would be able to bid for 2009 pool concessions.

Aquatic Center Concessions A motion was made by Ericson, seconded by Ryan to approve the Park and Recreation Commission recommendation to have the City run the Aquatic Center concessions for 2009. 5 voted aye, 1 (Lein) voted nay.  
Motion Carried

Ericson suggested Wellness Facilitator Jessica Burkhart oversee the pool manager. She reported she'd be off on maternity leave this summer.

Sports Complex A motion was made by Kerns, seconded by Ericson to direct the City Administrator solicit proposals for the Sports Complex and Wings Park Concessions from April 18 thru October 15, 2009. All voted aye.  
Motion Carried

Police Department Processing Fees      A motion was made by Kerns, seconded by Gosse to adopt the first reading of an ordinance Establishing Charges for Prisoners Confined in the Oelwein Municipal Holding Facility.  
Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
Nays: None

Motion Carried

Resolution #4555 Vine Addition      A motion was made by Brandt, seconded by Ericson to adopt Resolution No. 4555 Accepting and Approving Plat of "Vine Addition" and certifying said addition to Fayette County Recorder.  
Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
Nays: None

Motion Carried

Maximum Height Restrictions Zoning Districts      City Attorney VanVeldhuizen explained the proposed amendment to the maximum height restrictions for Zoning Districts. Height restrictions will remain the same except for the following proposal:

Industrial districts would be a maximum of 75 feet and professional district buildings would be limited to 45 feet in height.

Resolution #4556 Set Public Hearing Maximum Height Restrictions for Zoning Districts      A motion was made by Gosse, seconded by Ryan to adopt Resolution No. 4556 to Set Public Hearing on Proposed Amendments to the Maximum Height Restrictions for Zoning Districts at 7:00 P.M. on March 23, 2009.  
Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
Nays: None

Motion Carried

Resolution #4557 Set Public Hearing Sale of Land      VanVeldhuizen explained the proposed sale of land to Oelwein Care Center to add a Senior Day Care facility.  
  
A motion was made by Gosse, seconded by Brandt to adopt Resolution No. 4557 to Set Public Hearing on Proposed Disposal by Sale of Parcels X and Y, Northeast Quarter of the Northeast Quarter, Section 28, Township 91 North, Range 9, West of the 5<sup>th</sup> P.M., City of Oelwein, Fayette County, Iowa at 7:00 P.M. on March 23, 2009.  
Ayes: Ryan, Gosse, Lein, Kerns, Brandt  
Nays: None  
Abstained: Ericson

Motion Carried

Fayette Co. Landfill      Brandt stated that a Resolution has been prepared to submit to Black Hawk County Landfill giving Fayette County Landfill the authorization to transfer waste to Black Hawk County Landfill. Plans are being discussed on the location of the transfer station at Fayette County Landfill.

CAT Grant      Mayor Murphy reported Jim Halverson is preparing a letter to get an extension for the CAT Grant and permission to use the \$67,500 CAT Grant instead of refunding the funds to Iowa Department of Economic Development.

Census 2010      The Census Bureau would like cities to establish Complete County Committees to increase awareness.

- City Policy on Purchasing Local      Ericson questioned an out of town purchase when the City could have purchased local. The price difference was 50% more to stay local. The Mayor reminded Council they have paid 10% extra for some local items. Council has not set a specific guideline.
- Tree Trimming      Lein inquired about amending the Tree Ordinance. Murphy suggested VanVeldhuizen look into model ordinances.
- Executive Session      A motion was made by Brandt, seconded by Ericson to go into Executive Session per Iowa Code 21.5 to discuss real estate.  
Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
Nays: None  
Motion Carried
- Return to Regular Session      A motion was made by Ryan, seconded by Gosse to return to Regular Session.  
Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
Nays: None  
Motion Carried
- Adjourn      A motion was made by Kerns, seconded by Brandt to adjourn at 8:50 P.M. All voted aye.  
Motion Carried

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LARRY MURPHY, MAYOR

ATTEST:

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STEVEN H. KENDALL, CITY ADMINISTRATOR

I, Steven H. Kendall, 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 March 9, 2009 and copy of said proceedings was furnished the Register March 12, 2009.

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STEVEN H. KENDALL, CITY ADMINISTRATOR