

COUNCIL PROCEEDINGS

March 23, 2009

The Oelwein City Council met in regular session March 23, 2009 at 7:00 P.M. Mayor Murphy presided.

- Roll Call                   PRESENT: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
                                  ABSENT: None  
                                  ALSO PRESENT: Kendall, Rigdon, VanVeldhuizen
- Agenda Adopted           A motion was made by Gosse, seconded by Ericson to adopt the Agenda as amended. All voted aye.  

Motion Carried
- Consent Agenda           A motion was made by Brandt, seconded by Ryan to approve the following Consent Agenda with items:
- A. Minutes of the March 9, 2009 regular meeting
  - B. Claims Resolution in the amount of \$421,764.29
  - C. Final Pay Request to C & R Construction in the amount of \$2,370.00 for work completed on CDBG Housing Rehabilitation Project at 154 3<sup>rd</sup> Avenue NW
  - D. Final Pay Request to C & R Construction in the amount of \$1,192.50 for Lead Hazard Reduction work completed on CDBG Housing Rehabilitation project at 154 3<sup>rd</sup> Avenue NW
  - E. Reappointment of Durango Steggall and Jym Hansen to the Tree Board
  - F. Appointment of John Gosse to the City of Oelwein Economic Development Neighborhood Revitalization Program
- All voted aye.  

Motion Carried
- Barker Award            Mayor Murphy presented an award to Police Department employee Bruce Barker for 30 years of service.
- Public Hearing  
Maximum Height  
Restrictions  
Zoning Districts        Mayor Murphy opened the Public Hearing on the proposed amendments to the maximum height restrictions for zoning districts.  
  
                                  A motion was made by Ryan, seconded by Gosse to close the hearing.  
                                  Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
                                  Nays: None  

Motion Carried
- Suspend Rules           A motion was made by Ericson, seconded by Ryan to suspend the rules and adopt an ordinance on the first and final reading.  
                                  Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
                                  Nays: None  

Motion Carried
- Ordinance #1101  
Maximum Height  
Restrictions Zoning  
Districts                 A motion was made by Ericson, seconded by Ryan to adopt Ordinance No. 1101 Amending the Maximum Height Requirements of Ordinances 208.4, 209.4 and 211.4.  
                                  Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
                                  Nays: None  

Motion Carried

Public Hearing  
Sale of Land

Mayor Murphy opened the Public Hearing on proposed 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. A motion was made by Gosse, seconded by Brandt to close the hearing.  
Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
Nays: None

Motion Carried

Resolution #4558

A motion was made by Brandt, seconded by Kerns to adopt Resolution No. 4558 Directing the Sale of the City's Interest in 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. City Attorney VanVeldhuizen explained these two parcels are in Platt's Park. One will be sold to ABCM Corporation for use in an expansion project for a Senior Day Care. The other will go to Daniel and Kathryn Forsyth. They previously had donated five acres to the City for the Sports Park trail.  
Ayes: Ryan, Gosse, Lein, Kerns, Brandt  
Nays: None  
Abstained: Ericson

Motion Carried

Police Department  
Processing Fees

Chief Logan recommended amending the proposed ordinance Establishing Charges for Prisoners Confined in the Oelwein Municipal Holding Facility by deleting Section 2(c) and replacing Section 4 first sentence with "the Chief of Police or his designee, will file a reimbursement claim with the Clerk of District Court in compliance with ICA 356.7(2)", keep second sentence as is.

A motion was made by Lein, seconded by Ryan to adopt amendment to proposed ordinance Establishing Charges for Prisoners in the Oelwein Municipal Holding Facility as follows: Delete Section 2(c) and Section 4 remove "the City Attorney may" and replace with "the Chief of Police, or his designee, will".  
Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
Nays: None

Motion Carried

Suspend Rules

A motion was made by Brandt, seconded by Gosse to suspend the rules and adopt an ordinance on the second reading.  
Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
Nays: None

Motion Carried

Ordinance #1102  
Police Dept.  
Processing Fee

A motion was made by Brandt, seconded by Gosse to adopt Ordinance No. 1102 Establishing Charges for Prisoners Confined in the Oelwein Municipal Holding Facility on the second and final reading.  
Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
Nays: None

Motion Carried

Loan Agreements	City Administrator Kendall explained the proposed loan agreements are for Essential Corporate Purpose not to exceed \$1,225,000 for items including street construction, streetscape, sanitary sewer, airport and park improvements, and equipment and General Corporate Purpose not to exceed \$160,000 for an addition to the City Hall and swimming pool improvements.
Resolution #4559 Set Public Hearing Loan Agreements	A motion was made by Gosse, seconded by Ryan to adopt Resolution No. 4559 to fix a date for Public Hearings on Loan Agreements at 7:00 P.M. on April 13, 2009. Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt Nays: None <p style="text-align: right;">Motion Carried</p>
Resolution #4560 Block Mortgage Release	A motion was made by Gosse, seconded by Kerns to adopt Resolution No. 4560 Authorizing the Mayor to Execute Mortgage Release for Debra Block. All voted aye. <p style="text-align: right;">Motion Carried</p>
Library Board	Kerns reported on the March Library Board meeting. Friends of the Library approved purchasing an outdoor storage shed with a cement pad to be placed east of the Library building. The High School shop class will build the shed. A Library Foundation Board is being established to help with fundraising and special projects.
OCAD Meeting	Ryan reported on the March OCAD meeting.
Landfill Meeting	Brandt stated the Resolution passed 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 and building costs.
Dennis Martin Awning Ordinance	Mayor Murphy shared downtown property owner Dennis Martin's letter regarding the Awning Ordinance.
UERPC	Tom Masey is retiring as Executive Director of Upper Explorerland Regional Planning Commission.
Park Concessions	As no bids were received for Park Concessions the City will re-advertise.
Housing Demo Grants	A motion was made by Kerns, seconded by Brandt to refer two housing grant requests to the Economic Development Neighborhood Revitalization Program Committee for recommendation. All voted aye. <p style="text-align: right;">Motion Carried</p>
Building Inspector	Lein requested a work session to discuss the Building Inspector's position. 6:00 P.M. on April 13, 2009 was scheduled.
CAT Funds	Murphy reported the Vision Iowa Board will be reviewing the city's request to use CAT funds for the former Midwest Wireless building project.

Adjourn

A motion was made by Gosse, seconded by Brandt to adjourn at 7:48 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 23, 2009 and copy of said proceedings was furnished the Register April 3, 2009.

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STEVEN H. KENDALL, CITY ADMINISTRATOR