

COUNCIL PROCEEDINGS

April 13, 2009

The Oelwein City Council met in regular session April 13, 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 Ericson, seconded by Ryan to adopt the Agenda as amended. All voted aye.  

Motion Carried
- Consent Agenda           A motion was made by Gosse, seconded by Ryan to approve the following Consent Agenda items:
- A. Minutes of the March 23, 2009 regular meeting
  - B. New Cigarette Permit for Shaindev LLC doing business as Oelwein Mart South at 701 South Frederick
  - C. New Class 'C' Beer, Carry Out Wine and Sunday Sales Permit for Shaindev LLC doing business as Oelwein Mart South at 701 South Frederick
  - D. Class 'C' Beer and Sunday Sales Permit renewal for Oelwein Parts Plus
  - E. Class 'C' Beer and Sunday Sales renewal for Kwik Trip, Inc.
  - F. Class 'C' Beer Permit Refund in the amount of \$37.50 for Casey's General Store #2573
  - G. Class 'C' Beer, Carry Out Wine and Sunday Sales Permit renewal for Pamida #3163
  - H. Class 'E' Liquor and Sunday Sales renewal for L & M Beverage
  - I. Oelwein Oddrods Friday Night Park 'n Events
  - J. Recommendations from Planning and Zoning Commission re: building façade improvements at Oelwein Family Eyecare at 12 First Avenue NE and sign replacement at Maurices, 17 North Frederick
- All voted aye.  

Motion Carried
- Haar Award                Mayor Murphy presented an award to Street Department employee Kim Haar for 30 years of service.
- Reyerson Award          Paula Reyerson was also recognized for 15 years of service. A plaque will be given to her in appreciation.
- Public Hearing  
Loan Agreement          Mayor Murphy opened the Public Hearing on taking additional action to enter into Loan Agreement and proving sale of \$1,190,000 General Obligation Corporate Purpose Bonds, Series 2009. No comments were received.
- A motion was made by Gosse, seconded by Brandt to close the hearing.  
                                  Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt  
                                  Nays: None  

Motion Carried
- Loan Agreement          Jeff Heil from Northland Securities explained the proposed loan. The city's debt capacity is at 55.44%. The Debt Service levy is \$1.92 per thousand for 2009/10. This levy has remained low to allow the Trust and Agency levy to fund city requirements. In the future the levy will need to be at a level of \$3.00 to \$4.00 per thousand.

Standard and Poor's rated the City of Oelwein A/Stable which allowed the City to save \$60,000 in interest expenses. The debt schedule was explained with the overall loan rate of 3.64%. This issue is callable at at par June 1, 2015 thus giving the City additional flexibility at that time.

Resolution #4561  
Loan Agreement      A motion was made by Brandt, seconded by Gosse to adopt Resolution No. 4561 Taking Additional Action to Enter Into a Loan Agreement and Providing For Sale of \$1,190,000 General Obligation Corporate Purpose Bonds, Series 2009.

Ayes: Ryan, Gosse, Lein, Ericson, Kerns, Brandt

Nays: None

Motion Carried

Bond Purchase  
Agreement      A motion was made by Brandt, seconded by Ryan to approve Purchase Agreement for Bonds. All voted aye.

Motion Carried

(Murphy left the room at 7:28 P.M. and returned at 7:31 P.M. Mayor Pro Tem Brandt temporarily took over.)

North Frederick/  
Elmwood Sanitary  
Sewer Improvement      John Gade from FOX Engineering reported the city received seven bids for construction of the North Frederick/Elmwood Drive Sanitary Sewer Improvements as follows:

|                                  |              |
|----------------------------------|--------------|
| Baker Concrete, Clermont         | \$425,082.84 |
| Dave Schmitt, Cedar Rapids       | \$571,120.00 |
| Summer's Enterprises, Masonville | \$481,229.20 |
| Top Grade Excavating, Epworth    | \$507,913.75 |
| Vieth Construction, Cedar Falls  | \$612,439.50 |
| Tschiggfrie Excavating, Dubuque  | \$563,429.07 |
| Dolan Excavating, Manchester     | \$423,173.77 |

The engineers estimate was \$624,935.00.

A motion was made by Gosse, seconded by Ryan to award the low bid for the North Frederick/Elmwood Drive Sanitary Sewer Project to Dolan Excavating of Manchester in the amount of \$423,173.77.

Mayor Murphy questioned the quality of the references the low bidder received. He further expressed concern over whether it would require additional engineering time to observe this contractor. After further discussion all voted aye.

Motion Carried

CAT Funds      Mayor Murphy and Jim Halverson from Howard R. Green attended the Vision Iowa meeting last week to present Oelwein's request to use the unexpended CAT Funds. The committee will be sending representatives to look at the former Elliott's building and streetscape.

Wellness Center      The Mayor suggested a work session be scheduled at a later date to discuss tying membership in the Wellness Center to other activities in the community to generate both membership and revenue.

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- Civil Service Commission Appt. A motion was made by Gosse, seconded by Kerns to accept Mayor Murphy's reappointment of Sherry Dillon to the Civil Service Commission. All voted aye.  
Motion Carried
- Murphy Exited Due to a family emergency Murphy left the meeting at 7:45 P.M. Mayor Pro Tem Brandt took over.
- Recreation Fees A motion was made by Gosse, seconded by Ryan to approve recommendation from Park and Recreation Commission re: 2009 Recreation Fees as follows:  
  
The \$10, \$15, \$20 and \$30 programs will increase by \$5.00.  
Men's Softball will be \$225.00 per team with Women's  
And Co-ed Softball at \$200.00 per team.  
  
All voted aye.  
Motion Carried  
  
Ryan pointed out the Park and Recreation Commission minutes incorrectly list the Council's Wellness subsidy cap. It should read \$25,000 maximum.
- Free Fishing Day Brandt requested the Park and Recreation Commission look into participating in the June 1<sup>st</sup> Free Fishing Day.
- Vicious Dog Appeal-Thornton A motion was made by Kerns, seconded by Gosse to set Public Hearing date for the Jennifer Thornton vicious dog appeal on April 20 at 6:30 P.M. All voted aye.  
Motion Carried
- Library Board Mtg. Kerns reported on the April Library Board meeting. A book sale is April 17-19. An energy audit is being compiled for the Library to determine where savings could be acquired. Kerns requested clarification from the Council regarding the approved 2009/2010 Library budget of \$200,000. He asked whether this was in addition to Open Access and Enrich Iowa Grant awards or are they already included in the figure? Budget meeting notes reflect the \$200,000 budget includes the funds in question.  
  
A motion was made by Lein, seconded by Kerns to list the Library's request for additional funds for the 2009-2010 budget on the April 27<sup>th</sup> Council agenda so it can be voted on. All voted aye.  
Motion Carried
- Plaza Board Gosse reported on the April Plaza Board meeting.
- Spring Cleanup Oil and Tire Collection day at the Log Cabin will be from 8:00 A.M. to Noon on May 2<sup>nd</sup>. Scrap metal, automotive batteries, computers and appliances will also be taken.
- Newsletter Council approved the proposed newsletter with minor changes.
- Plantings in Streetscape Council was asked to create a city policy regarding plantings in downtown streetscape. This will be a discussion item on the next Council agenda.

Landscaping            Dieter Erdelt will be asked to share his recommendations at the next  
Downtown and        Council meeting regarding the downtown streetscape plantings and  
Library                Library lot landscaping.

Code Book             Brandt requested the Ordinance Review Committee meet to review  
proposed changes to the Code Book. For example the Cablevision section  
should be reviewed.

Viaduct                Kerns asked when the viaduct is inspected. It and all bridges are inspected  
every other year. 2009 is an inspection year.

Adjourn                A motion was made by Ryan, seconded by Kerns to adjourn at 8:28 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 April 13, 2009 and copy of said proceedings  
was furnished the Register April 17, 2009.

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STEVEN H. KENDALL, CITY ADMINISTRATOR