

COUNCIL PROCEEDINGS

May 11, 2009

The Oelwein City Council met in regular session May 11, 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 Kerns, seconded by Lein 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 items:
- A. Minutes of the April 27, 2009 regular meeting
 - B. Class 'C' Liquor and Sunday Sales renewal for Luigi's Restaurant
 - C. Class 'C' Liquor, Outdoor Service and Sunday Sales renewal for Leo's Italian Restaurant
 - D. Request from Oelwein Celebration for use of designated streets and parking lots for July 4, 2009 parade
 - E. Setting Wednesday, May 27, 2009 at 6:00 P.M. for Joshua Meike's vicious dog appeal
- All voted aye.

Motion Carried
- North Frederick/
Elmwood Drive
Sanitary Sewer A motion was made by Gosse, seconded by Brandt to approve Contract Documents with Dolan Excavating, LLC for North Frederick/Elmwood Drive Sanitary Sewer project. All voted aye.

Motion Carried
- Advanced Auto
Façade A motion was made by Kerns, seconded by Ericson to accept the recommendations from the Planning and Zoning Commission and approve Downtown Streetscape façade improvements to the Advanced Automotive building at 110 North Frederick. All voted aye.

Motion Carried
- Resolution #4566
Transfers A motion was made by Gosse, seconded by Lein to adopt Resolution No. 4566 re: Transfers.
Ayes: Gosse, Lein, Ericson, Kerns, Brandt, Ryan
Nays: None

Motion Carried
- Resolution #4567
Sector5 Agreement A motion was made by Ryan, seconded by Kerns to adopt Resolution No. 4567 Authorizing the Mayor to Execute Agreement with Sector5 Technologies, Inc. City Attorney VanVeldhuizen reviewed the agreement with the Council.
Ayes: Gosse, Lein, Ericson, Kerns, Brandt, Ryan
Nays: None

Motion Carried
- Resolution #4568
UERPC Assistance
on CDBG A motion was made by Gosse, seconded by Brandt to adopt Resolution No. 4568 Requesting the Assistance of the Staff of the Upper Explorerland Regional Planning Commission to provide technical and professional services in administering the \$600,000 Community Development Block Grant for water improvements.
Ayes: Gosse, Lein, Ericson, Kerns, Brandt, Ryan
Nays: None

Motion Carried

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- Resolution #4569
CDBG Policies
- A motion was made by Ericson, seconded by Gosse to adopt Resolution No. 4569 Adopting Policies Compliant to the 2009 CDBG Grant for Water Improvements.
Ayes: Gosse, Lein, Ericson, Kerns, Brandt, Ryan
Nays: None
- Motion Carried
- Resolution #4570
Neighborhood
Stabilization
Contract
- A motion was made by Brandt, seconded by Kerns to adopt Resolution No. 4570 Authorizing Execution of Neighborhood Stabilization Program Contract with the Iowa Department of Economic Development.
Ayes: Gosse, Lein, Ericson, Kerns, Brandt, Ryan
Nays: None
- Motion Carried
- Farmers' Market
- By general consensus the Council discussed and approved request from the Oelwein Farmers' Market for use of the South Parking lot and placement of a portable toilet in the market area for the 2009 season. The request to ban truck parking in the area was denied. City Administrator Kendall and Police Chief Logan were asked to work with the truckers suggesting they be moved north, away from the log cabin.
- Hotel/Motel Tax
- Mike Kerns suggested using Hotel/Motel Tax funds for recreational trail maintenance. Mayor Murphy suggested this topic be discussed at a Street Committee meeting. He further suggested a work session for this topic as well as some ideas for Generation Oelwein and the Williams Center.
- Plaza Board
- John Gosse reported on the May Community Plaza Board meeting.
- OCAD
- Paul Ryan reported on the May Oelwein Chamber and Area Development (OCAD) meeting.
- Downtown Phase II
- Mayor Murphy reported requests have been made for Downtown Streetscape Phase II funding earmarks.
- Streetscape
- It was reported a settlement has been reached for \$2,000 each from Portzen Construction and Howard R. Green for Downtown Streetscape plantings.
- Vision Iowa/CAT Grant
- Murphy reported on the Vision Iowa Committee visit to Oelwein last week. The Committee will make a decision on repayment of funds Wednesday.
- Vicious Animal Ordinance
- The Mayor suggested scheduling a work session to discuss the vicious animal ordinance.
- Kings Knights
- Murphy received a request from the Kings Knights to join forces with City Recreation programs. This was referred to the Park and Recreation Commission for a recommendation.
- Aquatics Water Temperature
- A motion was made by Gosse, seconded by Brandt to maintain the Oelwein Family Aquatics Center water temperature at 78°. All voted aye.
- Motion Carried
- Police Department Trailer
- A motion was made by Lein, seconded by Ericson to approve the purchase of a trailer from FEMA for use at the pistol range. Funds for the purchase will come from Forfeited Assets. All voted aye.
- Motion Carried

Executive Session A motion was made by Gosse, seconded by Brandt to go into Executive Session per Iowa Code Chapter 21.5(g).
Ayes: Gosse, Lein, Ericson, Kerns, Brandt, Ryan
Nays: None

Motion Carried

Return to Regular Session A motion was made by Ryan, seconded by Ericson to return to regular session.
Ayes: Gosse, Lein, Ericson, Kerns, Brandt, Ryan
Nays: None

Motion Carried

7th Street SE Paving Eight bids were received by the Iowa Department of Transportation for paving of 7th Street SE as follows:

Concrete Foundations Inc.	\$291,143.05
Eastern Iowa Excavating & Concrete, LLC	\$299,512.76
Wicks Construction, Inc.	\$317,331.18
Horsfield Construction, Inc. & Subsidiary	\$322,468.30
Vieth Construction Corporation	\$336,617.10
Stickfort Construction Co.	\$342,951.05
K. Cunningham Construction Co., Inc.	\$351,112.53
Tschiggfrie Excavating Co.	\$368,987.16

A motion was made by Lein, seconded by Ericson to award the contract to the low bidder, Concrete Foundations, Inc. of New Hampton for \$291,143.05. All voted aye.

Motion Carried

Adjourn A motion was made by Ryan, seconded by Ericson to adjourn at 8:12 P.M.
All voted aye.

Motion Carried

LARRY MURPHY, MAYOR

ATTEST:

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 May 11, 2009 and copy of said proceedings was furnished the Register May 20, 2009.

STEVEN H. KENDALL, CITY ADMINISTRATOR