

COUNCIL PROCEEDINGS

October 12, 2009

The Oelwein City Council met in regular session October 12, 2009 at 7:00 P.M.

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

Motion Carried
- Lori Powelson            Lori Powelson, 5 8<sup>th</sup> Avenue NW approached the Council regarding questions on building a deck and handicap ramp onto her house. Council referred her to the building inspector.
- Williams Center         Doug McFarlane, Williams Center Manager requested a \$10,000 Hotel/Motel Grant to help cover costs of the Broadway Musical "Cabaret".
- Consent Agenda         A motion was made by Brandt, seconded by Gosse to approve the following Consent Agenda items:
- A. Minutes of the September 28, 2009 regular meeting
  - B. Change Order No. 1 to C & R Construction in the amount of \$1,590.00 for CDBG Housing Rehabilitation Project located at 25 2<sup>nd</sup> Street NW
  - C. Pay Request No. 1 to C & R Construction in the amount of \$18,958.50 for work completed on CDBG Housing Rehabilitation Project located at 25 2<sup>nd</sup> Street NW
  - D. Change Order No. 1 to C & R Construction in the amount of \$700.00 for Lead Hazard Reduction Work on CDBG Housing Project located at 25 2<sup>nd</sup> Street NW
  - E. Pay Request No. 1 to C & R Construction in the amount of \$7,141.50 for Lead Hazard Reduction Work completed on CDBG Housing Project located at 25 2<sup>nd</sup> Street NW
- All voted aye.  

Motion Carried

Proclamation            Mayor Murphy signed a proclamation recognizing "National Save for Retirement Week" October 18-24, 2009 encouraging Oelwein citizens to save for their future retirement.

Suspend Rules           A motion was made by Gosse, seconded by Ericson to suspend the rules and adopt an ordinance on the first and final reading.  
Ayes: Ericson, Kerns, Brandt, Ryan, Gosse  
Nays: Lein  

Motion Carried

Decibel Levels           A motion was made by Gosse, seconded by Ericson to incorporate the Police chief's recommendations into a new ordinance amending decibel levels on the first and final reading.  
  
Kerns felt the proposed decibel levels are too drastic a change to pass on the first reading without informing the downtown businesses.

Gosse stated he had five calls regarding the band noise from last weekend's downtown outdoor entertainment.

Lein believed snowmobiles and outdoor marching bands are louder than the proposed ordinance decibel readings.

Ayes: Ericson, Brandt, Ryan, Gosse

Nays: Lein, Kerns

Motion Carried

Resolution #4590 A motion was made by Ryan, seconded by Ericson to adopt Resolution No. 4590 Authorizing Participation in LEIN Region 3, AKA Fusion Program Lease.

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

Nays: None

Motion Carried

Youth Halloween Event A motion was made by Brandt, seconded by Gosse to approve a request from Youth Halloween Event Co-Chairs to close a portion of the 10 block of 1<sup>st</sup> Avenue SW from 4:00 – 8:00 P.M. on October 31, 2009. All voted aye.

Motion Carried

5 Year Service Award Mayor Murphy presented Police Officer Ted Phillips a Certificate of Appreciation for five years of service.

10 Year Service Award Mayor Murphy presented Police Officer Jesse Paul a Certificate of Appreciation for ten years of service.

Rezone Horkheimer Lots 49, 50, 51, Millers Addition A motion was made by Kerns, seconded by Ericson to refer a request from Gerald Horkheimer to rezone Lots 49, 50 and 51, Block 5, Millers Addition to Oelwein from R1 Residential to C2 Commercial to Planning and Zoning. All voted aye.

Motion Carried

Code Review A Code Review Committee report was deferred to the next council meeting.

Census 2010 CCC Brandt and Lein reported on the recent Complete Count Committee Census 2010 meeting. The next meeting is scheduled for November 3<sup>rd</sup> at 10:00 A.M. at the OCAD offices.

Planning, Finance, Enterprise, Economic Devel. Hotel Motel Tax Gosse reported on the Planning, Finance, Enterprise and Economic Development Committee meeting regarding Hotel/Motel Sales Tax Funding requests.

A motion was made by Gosse, seconded by Ryan to approve Planning, Finance, Enterprise and Economic Development Committee's recommendation for funding in the amount of \$277.50 for the Aviation Enthusiasts airport courtesy car insurance and license expenses. All voted aye.

Motion Carried

A motion was made by Gosse, seconded by Ryan to approve Planning, Finance, Enterprise and Economic Development Committee's recommendation for Hotel/Motel Tax Funding for a Broadway musical performance of "Cabaret" by fronting \$10,000 with the stipulation that 50% of the sales be refunded to the Hotel/Motel fund as per Williams Center Manager Doug McFarlane's request. All voted aye.

Motion Carried

Library Board Meeting

Kerns reported on the October Library Board meeting. Friends of the Library book sale and bake sale will be December 14, 2009. Their new officers are President: Julie Johnson, Vice-President: Jake Blitsch, Secretary: Marybeth Jaggard, and Treasurer: Barb Arndt.

Kerns explained the Safe Child Policy. Several Council members were concerned regarding children still at the Library at closing time. The Library Board will re-evaluate the policy.

Plaza Board Mtg.

Gosse reported on the October Community Plaza Board meeting. Beth McFarlane and Bud Henderson have resigned from the Board. A sanitizer station donated by Mercy Hospital was installed. The Community Plaza Craft Fair is October 24-25.

Murphy related the presentation by Gene Fuelling and himself to the Oelwein School Board went well today. They were updated regarding cooperative projects.

Highway 150

Mayor Murphy expressed his appreciation for all the time and work spent by Wendy Mihm-Herold, Director Upper Explorerland, Karla Organist, and Robin Bostrom of Fayette County Economic Development regarding the Highway 150 presentation and Iowa Department of Transportation audit.

Ashley Industrial

Ashley Industrial Molding open house is 11:00 A.M. – 2:00 P.M. on October 24, 2009.

7<sup>th</sup> Street SE

Lyle TeKippe, TeKippe Engineering, reported on 7<sup>th</sup> Street SE project. He anticipated it will be open to traffic Thursday, October 15<sup>th</sup>. A ribbon cutting ceremony was scheduled for 12:00 noon on that date.

Murphy expressed his displeasure to Mr. TeKippe regarding the scheduling and slow progress of this project.

Eastside Trail

Mr. TeKippe reported the trail alignment can be moved to the Westside of the 12<sup>th</sup> Avenue SE sidewalk adjacent to the 59 well site. The trail cannot be redesigned to relocate it south of the tree near the driveway. Department of Transportation requirements dictate the minimum curve radii. To comply with this requirement the Recreational Trail must curve north of the tree. TeKippe will inform the property owner to the north.

Planning, Finance, Enterprise and Economic Development Mtg.

Murphy requested and a motion was made by Kerns, seconded by Brandt to direct the Planning, Finance, Enterprise and Economic Development Committee review employee contracts and report back to the full council.

Fall Clean Up

Household Hazardous Waste Collection was Saturday. Regular collection numbers were down. Fall Brush pick up for Oelwein residents began today.

Nuisance Property VanVeldhuizen updated the council regarding the January 15, 2009 nuisance house list. Kerns would like to select another house to demo with the remaining funding available.

Adjourn A motion as made by Gosse, seconded by Ericson to adjourn at 8:20 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 October 12, 2009 and copy of said proceedings was furnished the Register October 14, 2009.

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STEVEN H. KENDALL, CITY ADMINISTRATOR