

COUNCIL PROCEEDINGS

November 10, 2008

The Oelwein City Council met in regular session November 10, 2008 at 7:00 P.M. Mayor Larry Murphy presided.

- Roll Call PRESENT: Ericson, Kerns, Brandt, Ryan, Lein
 ABSENT: Gosse
 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
- Citizen - Chuck DeTimmerman Mr. Chuck DeTimmerman apologized for his behavior at the last Council meeting he attended. He is proud of Oelwein and the work done to keep the railroad area clean. Shawn Mason has been hired by the Union Pacific once again to do stump clean-up and weed control.
- Consent Agenda A motion was made by Ryan, seconded by Brandt to approve the following Consent Agenda items:
- A. Minutes of the October 27, 2008 Regular Meeting
 - B. Pay Request No. 3 to Bryan Construction in the amount of \$121,770.81 for work completed on Airport Hangar Project
 - C. Progress payment to Earth Tech/Aecom in the amount of \$7,830.00 for work completed on Airport Hangar Project
 - D. Pay Request No. 1 to C & R Construction in the amount of \$2,893.50 for work completed on CDBG Housing Rehabilitation Project at 100 3rd Avenue SE
 - E. Request from Andrea Detweiler of OCAD to close a portion of 1st Street SW on Saturday, December 6, 2008 from noon to 2:00 P.M. for Old Tyme Christmas Fruit Cake Toss
- All voted aye.

Motion Carried
- Transco Railcar Grant Steve Masters from Transco Railcar, Inc. was present to request the City of Oelwein be the lead agency for an Iowa Department of Transportation/Transco Grant in the amount of \$800,000. He also asked the City to provide half of the railroads 20% match. Fayette County will be asked for the other half. Kendall questioned whether the City would be expected to front the \$800,000. Lyle TeKippe, Transco's project engineer, did not know; however when the funding agreement is received it will explain the terms. The City can act upon it then.
- A motion was made by Brandt, seconded by Kerns to authorize the City being the lead agency for the Iowa Department of Transportation/Transco Grant subject to the funding agreement being acceptable. All voted aye.

Motion Carried
- 7th Street SE Kendall reported a proposed agreement with TeKippe Engineering provided for final design and construction related services (CRS) for 7th Street SE repaving from South Frederick to 3rd Avenue SE.
- A motion was made by Ericson, seconded by Lein to approve an engineering agreement with TeKippe for the 7th Street SE project in the amount of \$50,112.00. All voted aye.

Motion Carried

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Bike Trail
Preliminary Design Kendall reported a proposed agreement with TeKippe Engineering provides for additional funds to pay for preliminary engineering on the Levin Park to Wings Park trail concept and an opinion on probably cost.

A motion was made by Ericson, seconded by Kerns to approve the amended agreement with TeKippe Engineering for bike trail preliminary project concept and routine services in the amount of \$4,800. All voted aye.

Motion Carried

Bike Trail
Platts to Wings Park Kendall reported the final proposal from TeKippe Engineering would provide services for design and construction engineering (CRS) in the amount of \$41,382 to construct the bike/pedestrian trail from Platt's Park to Wings Park.

A motion was made by Ryan, seconded by Brandt to approve the engineering agreement with TeKippe Engineers for Platt's to Wings Bike Trail Design and Construction Related Services in the amount of \$41,382.00. All voted aye.

Motion Carried

Resolution #4535
Iowa DNR
SRF Application A motion was made by Brandt, seconded by Lein to adopt Resolution No. 4535 Requesting Assistance from the Iowa Department of Natural Resources State Revolving Loan Fund.

Ayes: Kerns, Brandt, Ryan, Lein, Ericson

Nays: None

Absent: Gosse

Motion Carried

TSR Rezoning
From I-3 to C-2 A motion was made by Lein, seconded by Brandt to accept the Zoning Board of Adjustment's minutes on Todd's Specialized Rigging (TSR) for Rezoning and Special Exception for 1520 Rock Island Road from I-3 Industrial to C-2 Highway Commercial with a Special Use Exception for a residence. All voted aye.

Motion Carried

Resolution #4536
Set Public Hearing A motion was made by Lein, seconded by Kerns to adopt Resolution No. 4536 to Set a Public Hearing on Proposed Reclassification of Real Estate Located at 1520 Rock Island Road, Oelwein, Iowa from I-3 Heavy Industrial to C-2 Highway Commercial.

Ayes: Kerns, Brandt, Ryan, Lein, Ericson

Nays: None

Absent: Gosse

Motion Carried

Platt's Park Shelter A motion was made by Kerns, seconded by Lein to approve a request from Rex Ericson to have the City Park and Recreation increase it's contribution for the Oelwein Care Center Platt's Park Shelter cement from \$2,300.00 to \$2,736.40. Ryan inquired whether this would be the final request for money on this project. Ericson reported that it was. He further stated Oelwein Care Center had paid for the sidewalk damage that had been caused by a delivery truck. 4 voted aye, 1 (Ryan) voted nay.

Motion Carried

Library Board
Meeting Kerns reported on the November Library Board meeting. Friends of the Library made \$1,158.00 at the Book and Bake Sale. Funds will be used to purchase a rug and magazine rack.

Saur Lot The Library Bequest Fund paid for the new sidewalk. Kerns reported the Lighting Sidewalk Library Board requested the City check into getting a street light on the west end of the sidewalk near the alley.

A motion was made by Kerns, seconded by Brandt to have the City Administrator contact Alliant Energy to request a street light be installed near the sidewalk and alley. All voted aye.

Motion Carried

Hwy 3/187 Murphy reported there will be an Iowa Department of Transportation Round-About information meeting on Tuesday, November 18, 2008 at 5:00 P.M. in Starmont Community High School on the proposed round-about at the Highway 3/187 intersection.

City Generators Murphy requested a generator status report for the next Council meeting.

Mainstay Zoning VanVeldhuizen updated the Council on the Mainstay (DeKalb) zoning issue. The building is zoned I-2, but has residential housing in it which is prohibited. VanVeldhuizen has notified the property owners they can request rezoning if they so desire.

G-Zone bricks Lein acknowledged the bricks were off the street and sidewalk by the G-Zone building but there are still some between the buildings on the west side. These also need to be cleaned up.

Snowmobile Route Kerns requested the Council consider allowing a direct snowmobile route in and out of the downtown area.

Executive Session A motion was made by Kerns, seconded by Ericson to go into Executive Session per Iowa Code Chapter 21.5 to discuss pending litigation. All voted aye.

Motion Carried

Return to Regular A motion was made by Ryan, seconded by Ericson to return to Session regular session.

Ayes: Kerns, Brandt, Ryan, Lein, Ericson

Nays: None

Motion Carried

Adjourn A motion was made by Kerns, seconded by Ryan to adjourn at 8:10 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 November 10, 2008 and copy of said proceedings was furnished the Register November 13, 2008.

STEVEN H. KENDALL, CITY ADMINISTRATOR