



# Minutes

City Council Meeting  
20 Second Avenue SW, Oelwein  
June 24, 2024 - 6:00 PM

## Pledge of Allegiance

## Call to Order

Mayor DeVore called the meeting to order at 6:00 PM.

## Roll Call

**Present:** Weber, Lenz, Garrigus, Ricchio, Seeders, Payne

**Also Present:** Mayor DeVore, City Administrator Mulfinger, City Clerk Rigdon

**Absent:** NA

## Additions or Deletions

A motion was made by Lenz, seconded by Weber to approve the agenda as presented.

All aye. Motion carried.

## Citizens Public Comments

No oral or written comments were received.

## Consent Agenda

2. Consideration of a motion to approve the June 10, 2024 minutes.
3. Claims resolution in the amount of \$3,246,978.19.
4. Consideration of a motion to approve 2024-2025 Cigarette/Tobacco Permit Renewals.
5. Consideration of a resolution authorizing temporary closure of public ways or grounds for building repairs to 102 South Frederick Avenue on July 8th through August 12th.

*Resolution No. 5582-2024 was applied to this resolution.*

6. Consideration of a motion approving the Class 'C' alcohol license for Hacienda Del Rio.
7. Consideration of a motion approving the Class 'C' alcohol license for Events on Frederick.

A motion was made by Garrigus, seconded by Lenz to approve the consent agenda.

All aye. Motion carried.

## Public Hearing

8. Public Hearing on the CDBG Community Facilities application to the Iowa Economic Development Authority for the RISE Ltd. Oelwein Day Habilitation Center Improvements Project on behalf of RISE Ltd. on the 24th day of June 2024, at 6:00 P.M. in the Oelwein Public Library at 201 East Charles Street, Oelwein, IA 50662.

Mayor DeVore opened the public hearing.

Ashley Christensen, Upper Explorerland Regional Planning Commission, read the required nine points:

Conduct at least one public hearing on the activities proposed in the application and at least one public hearing on the status of funded activities following an award. Make sure all nine (9) points are covered (see list below) and included in the public hearing minutes.

The application public hearing must include a review of:

(a) how the need for the proposed activity or projects was identified;

The need for the proposed RISE Ltd. Oelwein Day Habilitation Center Improvements Project was identified through planning discussions by the RISE Ltd. Board of Directors. The Oelwein Day Habilitation Center offers day program services for adults and children with intellectual disabilities, mental illnesses, brain injuries, and other developmental disabilities. However, the building is currently not fully handicap accessible. The RISE Ltd. Board of Directors determined that handicap accessible upgrades and other improvements to its Oelwein Day Habilitation Center are needed to better serve current clients and to prepare for future programming growth.

(b) how the proposed activity or projects will be funded and the sources of funds;

The request from the Iowa Economic Development Authority will be \$347,267. If successfully funded, the remainder of the proposed activity will be financially supported by RISE Ltd., for a total project cost of \$789,243.

(c) the date the CDBG application will be submitted;

The CDBG Community Facilities and Services application will be submitted on or before August 1, 2024 to the Iowa Economic Development Authority.

(d) requested amount of federal funds;

The requested amount is \$347,267.

(e) estimated portion of federal funds that will benefit persons of low and moderate income;

RISE Ltd. qualifies for low-to-moderate income (LMI) status under the category of Limited Clientele because activities will benefit clientele that are generally presumed to be principally LMI. Based on this information, it is estimated that 100% of federal funds will benefit persons of low and moderate income.

(f) where the proposed activity or project will be conducted;

The proposed project will be conducted at the RISE Ltd. Oelwein Day Habilitation Center, located at 16 1st Street SW within the city limits of Oelwein.

(g) plans to minimize displacement of persons and businesses as a result of funded activities or projects;

No tenant businesses or persons will be displaced as a result of the proposed building upgrades. However, RISE Ltd. plans to temporarily relocate its day habilitation programs and staff during project construction.

(h) plans to assist persons actually displaced, and;

No tenant businesses or persons will be displaced as a result of the proposed building upgrades. However, RISE Ltd. day habilitation programs and staff will be temporarily relocated during project construction to another location within Oelwein. RISE Ltd. does not anticipate any disruption to its day habilitation services as a result of the temporary relocation.

(i) the nature of the proposed activity or project.

The nature of the proposed project for the RISE Ltd. Day Habilitation Center includes updates to the bathrooms, training kitchen, flooring, and offices on the interior of the building. A new free-standing vehicle canopy, a new window, and new roof will be added to the exterior of the building. Additionally, solar will be installed as part of the project.

No further oral or written comments were received.

Mayor DeVore closed the public hearing.

9. Consideration of a resolution authorizing the submission of a CDBG Community Facilities and Services application to the Iowa Economic Development Authority and the expenditure of funds to be applied to local match for a Community Facilities and Services Fund application for the RISE Ltd. Oelwein Day Habilitation Center Improvements Project.

A motion was made by Weber, seconded by Garrigus to adopt Resolution No. 5583-2024.

Ayes: Weber, Lenz, Garrigus, Ricchio, Seeders, Payne

Nays: NA

Motion carried.

#### **Ordinances**

10. Consideration of an ordinance amending Appendix A – Zoning Ordinance, Section 206 -C-1 Commercial-Central Business District. - Third and Final Reading.

A motion was made by Seeders, seconded by Weber to adopt Ordinance No. 1216.

Ayes: Weber, Lenz, Garrigus, Ricchio, Seeders, Payne

Nays: NA

Motion carried.

#### **Resolutions**

11. Consideration of a resolution approving the Interfund Transfers for Fiscal Year 2023-24.

A motion was made by Weber, seconded by Lenz to adopt Resolution No. 5584-2024.

Ayes: Weber, Lenz, Garrigus, Ricchio, Seeders, Payne

Nays: NA

Motion carried.

12. Consideration of a resolution approving the fees for the Oelwein Williams Wellness Center.

A motion was made by Weber, seconded by Garrigus to adopt Resolution No. 5585-2024, with amended fees provided by Mulfinger.

Ayes: Weber, Lenz, Garrigus, Ricchio, Seeders, Payne

Nays: NA

Motion carried.

13. Consideration of a resolution approving Final Change Order No. 4 in the amount of –(\$35,431.82) for Oelwein NE Sanitary Sewer Improvements project with Dave Schmidt Construction.

John Gade, Strand Associates, stated there were no late feels and no liquidated damages. The final project was \$140,000.00 under the estimate.

A motion was made by Seeders, seconded by Garrigus to adopt Resolution No. 5586-2024.

Ayes: Weber, Lenz, Garrigus, Ricchio, Seeders, Payne

Nays: NA

Motion carried.

14. Consideration of a resolution accepting the completion of the NE Sanitary Sewer Improvements Project with Dave Schmidt Construction.

A motion was made by Garrigus, seconded by Weber to adopt Resolution No. 5587-2024.

Ayes: Weber, Lenz, Garrigus, Ricchio, Seeders, Payne

Nays: NA

Motion carried.

15. Consideration of a resolution approving Final Pay Application No. 7 in the amount of \$62,371.12 for Oelwein NE Sanitary Sewer Improvements project with Dave Schmidt Construction.

A motion was made by Garrigus, seconded by Weber to adopt Resolution No. 5588-2024.

Ayes: Weber, Lenz, Garrigus, Ricchio, Seeders, Payne

Nays: NA

Motion carried.

16. Consideration of a resolution accepting 132 6th Ave SE from Gregory Doyle as a Property Forfeiture.

A motion was made by Weber, seconded by Seeders to adopt Resolution No. 5589-2024.

Ayes: Weber, Lenz, Garrigus, Ricchio, Seeders, Payne

Nays: NA

Motion carried.

17. Consideration of a resolution scheduling public hearing on proposed sale of city owned real property located at 637 5th Avenue SW.

A motion was made by Seeders, seconded by Weber to adopt Resolution No. 5590-2024.

Ayes: Weber, Lenz, Garrigus, Ricchio, Seeders, Payne

Nays: NA

Motion carried.

18. Consideration of a resolution scheduling public hearing on proposed sale of city owned real property located at 516 4th Street SW.

A motion was made by Seeders, seconded by Lenz to adopt Resolution No. 5591-2024.

Ayes: Weber, Lenz, Garrigus, Ricchio, Seeders, Payne

Nays: NA

Motion carried.

## **Motions**

19. Consideration of a motion to approve the Community Needs Assessment.

A motion was made by Seeders, seconded by Payne to approve the community needs assessment.

All aye. Motion carried.

20. Consideration of a motion to approve the Culpepper and Merriweather Circus for the Hub City Heritage Railway Museum at the sports complex on August 4th.

A motion was made by Seeders, seconded by Weber to approve the Culpepper and Merriweather Circus for the Hub City Heritage Railway Museum at the sports complex on August 4th.

4 aye (Ricchio & Payne abstained) Motion carried.

### **Committee Reports**

21. Report from Seeders on the Library Board minutes.

For full minutes, please visit: <https://www.oelwein.lib.ia.us/about/library-board-minutes-1>

22. Report from Garrigus on the Park and Recreation Committee minutes.

For full minutes, please visit: <https://www.cityfoelwein.org/bc-parks/page/parks-and-recreation-15>

23. Report from Ricchio on the Airport Board minutes.

For full minutes, please visit: <https://www.cityfoelwein.org/bc-ab/page/airport-board-35>

### **Mayor's Report**

A motion was made by Ricchio, seconded by Garrigus to investigate moving the blue containers to the public works facility.

### **City Administrator's Report**

Mulfinger reported the Iowa Finance Authority awarded Oelwein loan forgiveness consisting of 55% of the construction portion of the SRF loan for the Reed Bed and EQ Liner Project, through the Disadvantaged Community program totaling approximately \$557,193.00. The city hall remodel is approximately 90% complete.

### **City Attorney's Report**

City Attorney Herman provided a report to council.

### **Executive Session**

24. Consideration of a motion to go into Executive Session per Iowa Code 21.5 Section 1 to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

A motion was made by Weber, seconded by Lenz to approve entering into a closed session at 6:26 PM.

All aye. Motion carried.

### **Close Executive Session**

25. Consideration of a motion to return to regular session.

A motion was made by Seeders, seconded by Weber to approve returning to regular session at 6:55 PM.

All aye. Motion carried.

26. Consideration of a resolution amending and updating City Contracts.

A motion was made by Seeders, seconded by Weber to adopt Resolution No. 5592-2024.

Ayes: Weber, Lenz, Garrigus, Ricchio, Seeders, Payne

Nays: NA

Motion carried.

**Adjournment**

A motion was made Lenz, seconded by Weber to adjourn the meeting at 6:56 PM.

All aye.

Motion carried.

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Brett DeVore, Mayor

ATTEST:

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Dylan Mulfinger, City Administrator

I, Dylan Mulfinger, 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 June 24, 2024 and copy of said proceedings was furnished to the Register June 27, 2024.

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Dylan Mulfinger, City Administrator