



# Minutes

City Council Meeting  
20 Second Avenue SW, Oelwein  
April 10, 2023 - 6:00 PM

## Pledge of Allegiance

## Call to Order

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

## Roll Call

**Present:** Payne, Stewart, Weber, Lenz, Garrigus

**Also Present:** DeVore, Mulfinger, Rigdon, Guest Council Member Brett Ehlers, 2638 S. Frederick

**Absent:** Seeders

## Additions or Deletions

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

All aye. Motion carried.

## Citizens Public Comments

Ann Roth, 308 1<sup>st</sup> Ave NE, requested Council review the late fee process regarding the rental inspection process.

Jenny Eickhoff, 605 1<sup>st</sup> Ave NE, Ace Hardware, would like a "Loading Zone" area marked off Friday mornings. She also requested the location of the handicap parking on the east side of their store be moved closer to their store.

Warren Fisk, 102 6<sup>th</sup> Ave SW, inquired when he could speak regarding the Reed Bed project. He was informed it would be allowed during the public hearing later on the agenda tonight.

Terry Hull, 615 5<sup>th</sup> St NE, thanked the fire department for responding to his house fire at 107 9<sup>th</sup> Ave SE.

Peter Lyon, 542 5<sup>th</sup> Ave SE, requested a toddler swing to be installed at Platts Park near where he lives.

## Consent Agenda

1. Consideration of a motion to approve the March 27, 2023 minutes.
2. Consideration of a motion to approve the amended March 27, 2023 claims resolution from \$346,900.41 to the corrected amount of \$370,537.31.
3. Consideration of a motion approving the Class 'E' Retail License for Casey's General Store.
4. Consideration of a motion to approve the Class 'E' Retail Alcohol License for Kwik Star, Inc #665.

A motion was made by Weber, seconded by Stewart to approve the consent agenda.

All aye. Motion carried.

## Public Hearing

5. Public Hearing to review an application for a State Revolving Fund (SRF) loan and to make available to the public the contents of an environmental information document and the City's Reed Bed Expansion project plan at 6:00 PM on April 10, 2023 in the Oelwein Council Chambers.

Mayor DeVore opened the public hearing.

Lance Aldrich, Engineer at FOX Strand, reviewed the project and the SRF public hearing requirements. Three alternatives were considered; constructing additional reed beds, utilize the existing reed beds and provide additional liquid sludge storage for liquid land application, and “do nothing”. Alternate 1, constructing additional reed beds, was deemed to be the most cost effective.

Several federal, state, and local agencies have been contacted about the project for their review of any environmental impacts, this included Corps of Engineers, US Fish and Wildlife, IDNR Flood Plains, Iowa State Historical Preservation Office, numerous Native American tribes, and other county and city agencies. No significant environmental impact is anticipated and all agencies contacted have given their approval of the project with the exception of the Iowa State Historical Preservation Office which has recently started their archeological investigation. The Environmental Information Document provided by the state only notes impacts related to the construction itself, such as construction noise, dust, and the use of fuel by construction equipment.

As the initial project costs will reduce annual operating expenses significantly, the overall impact on user charges is anticipated to be negligible.

The project is anticipated to be bid this summer, tentatively July 19, with construction beginning this fall and concluding late 2024.

Payne questioned where the sludge tank liquid goes. Aldrich responded that it is injected into the soil, similar to livestock waste.

Warren Fisk, 102 6<sup>th</sup> Ave SW, inquired why the reed bed did not work like it was supposed to. Aldrich responded with two reasons:

- 1.) It needed to be larger for the amount of loading.
- 2.) Old treatment plant data on loading was actually higher than the original data reported.

FOX Strand paid for a national expert to review the reed beds and is part of the project input.

Fisk also questioned when the city last reviewed utility rate increases, was the cost of this project included. City Administrator Mulfinger stated no it was not. We were trying to build up capital to support projects, but not specifically trying to get to the number on this project. The city received an Iowa Grant for \$375,000 for this project.

Weber questioned if all four of the bays are reed beds now. Mulfinger replied yes, they are and two new ones will be built.

Aldrich stated the plan is to build the new reed beds as big as the space will allow. So, there is future ability for larger flow to take on the community growth.

Fisk questioned if we will be hauling less. Public Works Director Vic Kane stated we are currently cleaning out every two to three years now. With these improvements, we are hoping to get 7 years or more.

Terry Hull, 615 5<sup>th</sup> St NE, questioned how much liquid is hauled off, does the farmer pay for it, and have you thought about taking it to the county landfill to help decompose the garbage faster.

Kane stated there is hope in the future it will go that way. Right now, a farmer wanted to use it but by default we will usually use it on our own Airport grounds.

Mayor DeVore closed the public hearing.

## **Resolutions**

6. Consideration of a resolution awarding Downtown Property Forgivable Loans for Building Improvements Provided by Tax Increment Financing.

A motion was made by Weber, seconded by Lenz to adopt Resolution 5402-2023.

Ayes: Payne, Stewart, Weber, Lenz, Garrigus

Nays: NA

Motion carried.

### Motions

7. Consideration of motion approving Change Order No. 3 for the Oelwein 2021 Water Main Improvements.

A motion was made by Stewart, seconded by Weber to approve Change Order No. 3 for the Oelwein 2021 Water Main Improvements in the amount of \$21,778.40 and adding 13 calendar days.

All aye. Motion carried.

8. Consideration of motion approving the Notice of Acceptability of Work minus set-offs for the Oelwein 2021 Water Main Improvements.

A motion was made by Weber, second Stewart to approve the Notice of Acceptability of Work minus set-offs for the Oelwein 2021 Water Main Improvements and assessing \$179,700 based on the number of days past the project completion dates.

All aye. Motion carried.

9. Consideration of motion approving Change Order No. 6 for final quantity adjustments and set-offs for the Oelwein 2021 Water Main Improvements.

A motion was made by Stewart, seconded by Weber to approve Change Order No. 6 for final quantity adjustments and set-offs for the Oelwein 2021 Water Main Improvements in the amount of -\$242,975.07.

All aye. Motion carried.

10. Consideration of motion approving Pay Application No. 9 for the Oelwein 2021 Water Main Improvements.

A motion was made by Weber, seconded by Stewart to approve Pay Application No. 9 for the Oelwein 2021 Water Main Improvements in the amount of \$6,670.98 to Summers' Enterprises, Inc.

All aye. Motion carried.

11. Consideration of motion approving Pay Application No. 10 for the Oelwein 2021 Water Main Improvements to release 5% retainage after 30 days.

A motion was made by Weber, seconded by Stewart to approve Pay Application No. 10 for the Oelwein 2021 Water Main Improvements to release the corrected 3% retainage after 30 days in the amount of \$28,118.98 to Summers' Enterprises, Inc.

All aye. Motion carried.

12. Consideration of a motion setting the Bid Opening for the Oelwein NE Sanitary Sewer Improvements on May 2, 2023 at 11:00 AM in the Oelwein Council Chambers.

A motion was made by Weber, seconded by Stewart to set the Bid Opening for the Oelwein NE Sanitary Sewer Improvements on May 2, 2023 at 11:00 AM in the Oelwein Council Chambers.

All aye. Motion carried.

13. Consideration of a motion setting the Public Hearing for the Oelwein NE Sanitary Sewer Improvements on May 8, 2023 at 6:00 PM in the Oelwein Council Chambers.

A motion was made by Weber, seconded by Stewart to approve setting the Public Hearing for the Oelwein NE Sanitary Sewer Improvements on May 8, 2023 at 6:00 PM in the Oelwein Council Chambers.

All aye. Motion carried.

14. Consideration of a motion approving the Oelwein NE Sanitary Sewer Improvements FOX Strand Task Order for Construction Phase Services.

A motion was made by Weber, seconded by Stewart to approve approving the Oelwein NE Sanitary Sewer Improvements FOX Strand Task Order #7038.031 for Construction Phase Services in the amount of \$215,000.

All aye. Motion carried.

15. Consideration of a motion to approve the pool filter replacement from Carrico Aquatic Resources, Inc. in the amount of \$134,100.00.

A motion was made by Stewart, seconded by Weber to approve the pool filter replacement from Carrico Aquatic Resources, Inc. in the amount of \$134,100.00.

All aye. Motion carried.

16. Consideration of a motion to amend the administration contract with Upper Explorerland Regional Planning Commission for the Plaza Project and Sewer Improvement Project.

A motion was made by Payne, seconded by Garrigus to amend wording in the administration contract with Upper Explorerland Regional Planning Commission for the CDBG-CV Public Facilities Project #20-CVN-023 (Plaza Project) and CDBG Sewer Improvement Project # 22-WS-021.

All aye. Motion carried.

17. Consideration of a motion to set a public hearing directing the sale of the city's interest of 815 4th Ave SW, 123 6th Ave NE, 202 4th Ave NW, 206 4th Ave NW, and 210 4th Ave NW on April 24, 2023 at 6:00 PM in the Oelwein Council Chambers.

A motion was made by Payne, seconded by Weber to set a public hearing directing the sale of the city's interest of 815 4th Ave SW, 123 6th Ave NE, 202 4th Ave NW, 206 4th Ave NW, and 210 4th Ave NW on April 24, 2023 at 6:00 PM in the Oelwein Council Chambers.

All aye. Motion carried.

### Council Updates

Weber inquired how the city would restrict a contractor or subcontractor from bidding or working on future city projects. Fox Engineer stated the city should seek legal counsel, so it is done correctly. Weber recommended City Administrator Mulfinger contact the City Attorney regarding this.

### Mayor's Report

Mayor DeVore requested Mayor Pro Tem Payne attend the Legion's 100-year birthday celebration on his behalf.

### Adjournment

A motion was made by Weber, seconded by Lenz to adjourn the meeting at 6:50PM.

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 April 10, 2023 and copy of said proceedings was furnished to the Register April 18, 2023.

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Dylan Mulfinger, City Administrator