



# Minutes

City Council Meeting  
20 Second Avenue SW, Oelwein  
December 13, 2021 - 6:00 PM

## Pledge of Allegiance

Call to Order by Mayor DeVore at 6:00 P.M.

Roll Call            Present:            Weber, Stewart, Seeders, Payne, Fisk, Cantrell  
                         Also Present:      Mulfinger, Rigdon, Dillon  
                         Absent:             None

## Additions or Deletions

A motion was made by Cantrell, seconded by Weber to adopt the Agenda as amended. All voted aye.

Motion Carried

## Citizens Public Comments

Terry Hall, 107 9<sup>th</sup> Ave SE stated he read the entire fire department report prepared by the consultant. He has 2 concerns:

- 1) An all-volunteer Fire Department changes the insurance rating from ISO4 to ISO5 which will increase property owners' insurance rates
- 2) Department Chief Weber – conflicts of interests as council man Weber who should not be in a leadership role

Weber stated he will be abstaining from voting.

Hall would also like to see stricter regulations on dog control in the city.

## Consent Agenda

1. Consideration of a motion to approve the minutes of the November 22, 2021 Council meeting
2. Consideration of a motion to approve a new Native Wine and Sunday Sales permit to Flowers on Main Gifts, LLC

A motion was made by Fisk, seconded by Weber to approve the Consent Agenda. All voted aye.

Motion Carried

## Public Hearing

3. Public Hearing on Proposed Vacation and Sale of the Public Right-of-Way Located in Oelwein's 6th Addition, Oelwein, Fayette County, Iowa

Mayor DeVore opened the hearing. No comments were received oral or written. Mayor DeVore closed the hearing.

## Ordinances

4. Consideration of an Ordinance granting to ITC MIDWEST LLC, a wholly owned subsidiary of ITC HOLDINGS CORP., its successors and assigns (the "Company"), the right and franchise to acquire, construct, reconstruct, erect, maintain, operate and remove in the City of Oelwein, Fayette County, Iowa, a transmission system for electric power and the right to erect and maintain the necessary poles, lines, wires, conduits and other appliances, equipment and substations for the transmission of electric current and telecommunications along, under and upon the streets, avenues, alleys and public places in the City of Oelwein, Fayette County, Iowa; granting the right to erect and maintain upon the streets, avenues, alleys and public places, transmission lines through the City of Oelwein, Fayette County, Iowa, for the period of twenty-five (25) years; and granting the right of eminent domain - Third and Final Reading

A motion was made by Weber, seconded by Payne to adopt Ordinance No. 1195

Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell

Nays: None

Motion Carried

5. Consideration of an Ordinance Establishing Boundaries for Designated Wards of the City of Oelwein - Third and Final Reading
 

A motion was made by Weber, seconded by Cantrell to adopt Ordinance No. 1196

Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell

Nays: None

Motion Carried
6. Consideration of an Ordinance Amending Section 3-71, Section 3-73, Section 3-78, Section 3-79, Section 3-81 to Modify City Administrator and City Clerk Duties - Second Reading
 

A motion was made by Weber, seconded by Fisk to adopt the second reading

Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell

Nays: None

Motion Carried
7. Consideration of an Ordinance Amending Section 3-5, Section 3-73, Section 5-2 through Section 5-11, Section 5-21, Section 11-10 and Section 16-80 to Modify Fire Department and Public Safety Chief - First Reading
 

A motion was made by Fisk, seconded by Cantrell to adopt the first reading

Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell

Nays: None

Motion Carried
8. Consideration of a motion to suspend the rules and adopt an Ordinance on the first and final reading
 

A motion was made by Cantrell, seconded by Seeders to suspend the rules on the first and final reading

Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell

Nays: None

Motion Carried
9. Consideration of an Ordinance Providing for the Vacation of the Public Right-of-Way located in Oelwein's 6th Addition, Oelwein, Fayette County, Iowa - First and Final Reading
 

A motion was made by Seeders, seconded by Cantrell to adopt Ordinance No. 1197

Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell

Nays: None

Motion Carried

Resolutions

10. Consideration of a Resolution Approving Elimination of Full-Time Firefighter Position
 

A motion was made by Fisk, seconded by Stewart to adopt Resolution No. 5234-2021

Ayes: Stewart, Seeders, Payne, Fisk,

Nays: Cantrell

Abstain: Weber

Motion Carried
11. Consideration of a Resolution Directing the Sale of the City's Interest in Parcel AO in the SW 1/4 of the SE 1/4 of Section 21-T91N-R9W City of Oelwein, Fayette County, Iowa
 

A motion was made by Weber, seconded by Cantrell to adopt Resolution No. 5325-2021

Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell

Nays: None

Motion Carried

12. Consideration of a Resolution Authorizing the Filing of a Project Scoping Application to the Iowa Homeland Security and Emergency Management for the FEMA Building Resilient Infrastructure and Communities Grant Program for Stormwater Capital Projects

A motion was made by Fisk, seconded by Cantrell to adopt Resolution No. 5326-2021

Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell

Nays: None

Motion Carried

#### Motions

13. Consideration of a motion to move forward on changes to the Viaduct Improvement Project  
Nathan Miller, Engineer from Origin Design explained \$50,000 can do selective demolition on the West end to allow water to drain out faster. Old concrete and steel start to deteriorate and break up bottom layer of concrete. Viaduct is reaching its end of life

A motion was made by Seeders, seconded by Payne to move forward on the changes to the Viaduct Project. All voted aye.

Motion Carried

14. Consideration of a motion authorizing the City Administrator to execute the Airport Rescue Grant Offer, Grant No. 3-19-0067-013-2022 for Oelwein Municipal Airport

A motion was made by Fisk, seconded by Seeders execute the Airport Rescue Grant Offer, Grant No. 3-19-0067-013-2022 for Oelwein Municipal Airport. All voted aye.

Motion Carried

15. Consideration of a motion execute the Airport Rescue Grant Offer, Grant No. 3-19-0067-013-2022 for Oelwein Municipal Airport in the amount of \$39,321.87 by Dick's Petroleum

A motion was made by Cantrell, seconded by Stewart to execute the Airport Rescue Grant Offer, Grant No. 3-19-0067-013-2022 for Oelwein Municipal Airport as to not exceed \$48,000. All voted aye.

Motion Carried

16. Consideration of a motion authorizing \$25,598.71 in Fuel System Upgrades from Dick's Petroleum

A motion was made by Weber, seconded by Stewart to execute Fuel System Upgrades from Dick's Petroleum. All voted aye.

Motion Carried

17. Consideration of a motion to repair or replace the Waste Water UV System with Glasco UV not to exceed \$68,000.00

A motion was made by Fisk, seconded by Weber to repair or replace the Waste Water UV System with Glasco UV. All voted aye.

Motion Carried

#### Committee Reports

18. Report from Stewart on November Airport Board meeting

The full minutes can be found at:

<http://www.cityofuelwein.org/government/agendas-and-minutes.html>

#### Council Updates

Cantrell requested an update on 27 S. Frederick. Compliance to take place by 12/27. Also concerns that someone maybe living in it. Payne expressed concerns regarding an employee resignation, then rescinding. Dylan will meet to explain.

#### City Attorney's Report

Received monetary judgement for property cleanup at \_\_\_\_\_. He is also working on process for violators and repeat violator regarding utility meter shenanigans by residents.

Adjournment

A motion was made by Cantrell, seconded by Seeders to Adjourn at 7:03PM. All voted 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 December 13, 2021 and copy of said proceedings was furnished to the Register December 14, 2021.

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Dylan Mulfinger, City Administrator