



# Minutes

City Council Meeting  
20 Second Avenue SW, Oelwein  
June 12, 2023 - 6:00 PM

## Pledge of Allegiance

## Call to Order

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

## Roll Call

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

**Also Present:** Mayor DeVore, City Administrator Mulfinger, City Clerk Rigdon,  
Guest Councilmember Michael Rueber, 826 7<sup>th</sup> Street SE

**Absent:** NA

## 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

Warren Fisk, 102 6<sup>th</sup> Ave SW, reported a neighboring property at 110 6<sup>th</sup> Ave SW had been sold with no one was living there and was not cleaned out from the previous renter. Recently, they decided to open the windows and the feces and decaying odor is unbearable.

## Consent Agenda

1. Consideration of a motion to approve the May 22, 2023 minutes.
2. Consideration of a motion to approve the 2023-2024 Cigarette/Tobacco Permitting Renewal for Dollar General #2328.
3. Consideration of a motion approving the AECOM Invoice # 2000765110 in the amount of \$ 8,113.45 for the Airport Repavement Project.
4. Consideration of a motion approving the Class 'C' Retail Alcohol License for Hacienda Del Rio.

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

All aye. Motion carried.

## Resolutions

5. Consideration of a Resolution amending the Oelwein Personnel Policy Manual.

A motion was made by Garrigus, seconded by Weber to adopt Resolution No. 5415-2023.

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

Nays: NA

Motion carried.

6. Consideration of a Resolution to approve Pay Application No. 2 in the amount of \$311,308.55 to Matt Construction, Inc for Plaza Park Improvements Project.  
A motion was made by Weber, seconded by Garrigus to adopt Resolution No. 5416-2023.  
Ayes: Stewart, Weber, Payne, Lenz, Garrigus, Seeders  
Nays: NA Motion carried.
7. Consideration of a Resolution approving Streets Improvements with Fayette County for Outer Road SS4A Project in the amount of \$33,650.  
A motion was made by Seeders, seconded by Payne to adopt Resolution No. 5417-2023.  
Ayes: Stewart, Weber, Payne, Lenz, Garrigus, Seeders  
Nays: NA Motion carried.
8. Consideration of a Resolution to accept the 2022-2023 Airport Runway, Taxiway and Apron Pavement Rehabilitation Project.  
A motion was made by Garrigus, seconded by Lenz to adopt Resolution No. 5418-2023.  
Ayes: Stewart, Weber, Payne, Lenz, Garrigus, Seeders  
Nays: NA Motion carried.
9. Consideration of a Corrective Resolution regarding the direction of the sale of the city's interest in 815 4th Ave SW, Oelwein, Fayette County, Iowa.  
A motion was made by Stewart, seconded by Weber to adopt Resolution No. 5419-2023.  
Ayes: Stewart, Weber, Payne, Lenz, Garrigus, Seeders  
Nays: NA Motion carried.
10. Consideration of a Corrective Resolution regarding directing the sale of the City's Interest in 123 6th Ave NE, 145 2nd Ave NW, 149 2nd Ave NW, 202 4th Ave NW, 205 3rd Street NW, 206 4th Ave NW, 210 4th Ave NW, and 602 2nd Ave NE, Oelwein, Fayette County, Iowa.  
A motion was made by Weber, seconded by Lenz to adopt Resolution No. 5420-2023.  
Ayes: Stewart, Weber, Payne, Lenz, Garrigus, Seeders  
Nays: NA Motion carried.
11. Consideration of a Resolution Setting a Public Hearing for the Sale of the City's Interest in Parcel AD and AE (20 and 24 2nd Ave NW), Oelwein, Fayette County, Iowa on Monday June 26, 2023 at 6:00 PM at Oelwein City Hall.  
A motion was made by Seeders, seconded by Weber to adopt Resolution No. 5421-2023.  
Ayes: Stewart, Weber, Payne, Lenz, Garrigus, Seeders  
Nays: NA Motion carried.

**Motions**

12. Consideration of a motion to seek bids on Reed Bed Expansion and EQ Basin Liner Replacement project.  
A motion was made by Weber, seconded by Garrigus to approve seeking bids on Reed Bed Expansion and EQ Basin Liner Replacement project. All aye. Motion carried.
13. Consideration of a motion to set a public hearing on July 24, 2023 at 6:00 PM at Oelwein Council Chambers for the Reed Bed Expansion and EQ Basin Liner Replacement project.

A motion was made by Weber, seconded by Seeders to approve setting a public hearing on July 24, 2023 at 6:00 PM at Oelwein Council Chambers for the Reed Bed Expansion and EQ Basin Liner Replacement project. All aye. Motion carried.

14. Consideration of a motion approving a Beer Mile Athletic Event for Ampersand Taproom on July 15, 2023.

City Administrator Mulfinger and Councilman Lenz excused themselves due to personal conflicts of interest.

Jamie and Colin Jacobs, Ampersand Manager, explained how this event works.

A motion was made by Weber, seconded by Stewart to approve a Beer Mile Athletic Event for Ampersand Taproom on July 15, 2023. All aye (5 aye, Lenz Abstained).

Motion carried.

15. Consideration of a motion to approve Change Order No.3 for Plaza Park Improvement Project with Matt Construction Inc. in the amount of \$19,900 for sod.

Councilman Weber suggested a rustic appearance and lay straw now, then seed after the event. He was not in favor of spending \$20,000 on sod, plus cost to water it daily only to have thousands of people walk on it too soon and ruin it. Councilwoman Seeders suggested Astroturf. Councilmen Lenz and Garrigus stated hydroseeding would grow best, only need to water weekly and can reseed patches that did not grow.

Change Order No. 3 for Plaza Park Improvement Project died due to lack of motion.

16. Consideration of a motion to approve the Planning, Finance, Enterprise, and Economic Development Committee's recommendation on the Italian Heritage Days \$600.00 Hotel/Motel Funding Request.

A motion was made by Weber, second Garrigus to approve the Italian Heritage Days \$600.00 Hotel/Motel Funding Request. All aye. Motion approved.

17. Consideration of a motion to approve the Planning, Finance, Enterprise, and Economic Development Committee's recommendation on the Williams Center for the Arts \$1,500.00 Hotel/Motel Funding Request.

A motion was made by Weber, second Payne to approve the Williams Center for the Arts \$1,500.00 Hotel/Motel Funding Request. All aye. Motion approved.

### **Committee Reports**

18. Report from Stewart on Airport Board Minutes.

For full minutes, visit: <https://www.cityofelwein.org/bc-ab/page/airport-board-23>

### **Mayor's Report**

Two airport positions expire on June 30, 2023. Following city code, we will need one person within city limits and one outside of city limits.

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

- A. City Administrator's Report.

The railroad museum has invited council to tour their facility at 5:30 pm on July 10, 2023.

**Executive Session**

1. Consideration of a motion to go into closed session in accordance of 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 go into closed session at 6:43 PM.

All aye. Motion carried.

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

A motion was made by Stewart, seconded by Weber to return to regular session at 7:29 PM.

All aye. Motion carried.

3. Consideration of a resolution amending the City Administrator’s contract.

A motion was made by Weber, seconded by Stewart to adopt Resolution No. 5422-2023.

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

Nays: NA

Motion carried.

**Adjournment**

A motion was made by Weber, seconded by Seeders to adjourn the meeting at 7:35 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 12, 2023 and copy of said proceedings was furnished to the Register June 13, 2023.

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Dylan Mulfinger, City Administrator