



# Minutes

City Council Meeting  
20 Second Avenue SW, Oelwein  
August 22, 2022 - 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, Garrigus, Seeders, Payne

Also Present: Mulfinger, Rigdon, Dillon

Absent: Lenz (arrived at 6:45 PM)

## Additions or Deletions

A motion was made by Weber, seconded by Garrigus to adopt the agenda as amended. All aye.

Motion carried.

## Citizens Public Comments

Stephen Keal, 707 1<sup>st</sup> Avenue SE, has a difficult neighbor harassing him and his daughter with a drone flying over his place watching them. His daughter is scared to go outside. He would like guidance put in place because a drone should not be able to watch their actions. City Attorney Pat Dillon stated if council chose to do so the city could put something in place. Dillon recommended talking to a private attorney.

Kenneth Powers, 201 7<sup>th</sup> Avenue NE, reported he is a combat veteran with neighbors working businesses at all hours and are making loud noises.

Jeff Milks, 212 10<sup>th</sup> Street SW, thanked Council for opposing the CO<sub>2</sub> pipeline between Fairbank and Oelwein. They are using eminent domain for private gain with no support at the state level. On Tuesday, August 23, 2022 at 12:00PM (noon) there will be a CO<sub>2</sub> meeting for Fayette county.

Sara Davis, 511 N Frederick, owns Second Chance Store. The building she has been leasing was sold and she is interested in purchasing the old Chamber building at 9 1<sup>st</sup> Street SW. Mulfinger responded we now have three interested parties. Council recommended Sara work with the Oelwein Chamber and Area Development to find a new location.

## Consent Agenda

1. Consideration of a motion to approve the August 8, 2022 minutes.
2. Claims Resolution in the amount of \$370,511.96.
3. Consideration of motion approving a new Class 'E' Liquor License for Kwik Star at 1350 Industrial Park Dr.
4. Consideration of a motion renewing Class B Native Wine Permit for Buds 'n Bloom

A motion was made by Weber, seconded by Seeders to approve the consent agenda. All aye.

Motion carried.

## Ordinances

5. Consideration of an Ordinance amending Chapter 22 Vehicles and Traffic Article IV Stopping, Standing, and Parking Section 22-117 and 22-119 of the Code of Ordinances of the City of Oelwein, Iowa - Third and Final Reading.

A motion was made by Weber, seconded by Garrigus to adopt Ordinance No. 1203.

Ayes: Stewart, Weber, Garrigus, Payne

Nays: Seeders

Absent: Lenz

Motion carried.

6. Consideration of an Ordinance amending Oelwein City Code Section 22 Article VII - Golf Carts - First Reading.

A motion was made by Weber, seconded by Garrigus to adopt an ordinance amending Oelwein City Code Section 22 Article VII - Golf Carts on the first reading.

Ayes: Stewart, Garrigus, Payne

Nays: Weber, Seeders

Absent: Lenz

Motion failed for lack of super majority.

## Resolutions

7. Consideration of a resolution requesting a street closure for The Oelwein Rotary Club for August 25, 2022 from 3:00 PM to 9:00 PM.

A motion was made Stewart, seconded by Seeders to adopt Resolution No. 5360-2022.

Ayes: Stewart, Weber, Garrigus, Seeders, Payne

Nays: None

Absent: Lenz

Motion carried.

8. Consideration of a resolution adopting the Utility Collection Policy.

A motion was made by Weber, seconded by Payne to adopt Resolution No. 5361-2022.

Ayes: Stewart, Weber, Garrigus, Seeders, Payne

Nays: None

Absent: Lenz

Motion carried.

9. Consideration of a resolution in opposition of the Navigator Heartland Greenway CO<sub>2</sub> Pipeline.

A motion was made by Seeders, seconded by Weber to adopt Resolution No. 5362-2022.

Ayes: Stewart, Weber, Garrigus, Seeders, Payne

Nays: None

Absent: Lenz

Motion carried.

## Motions

10. Consideration of a motion authorizing the Oelwein Fire Department to burn down 202 4th Ave NW for training purposes on September 10, 2022, with an alternate rain date of September 17, 2022.  
  
A motion was made by Stewart, seconded by Garrigus to approve the Oelwein Fire Department to burn down 202 4th Ave NW for training purposes. 4 Aye, 1 Abstain (Weber). Motion carried.
11. Consideration of a motion approving architectural and construction contract services with Martin Gardner Architecture PC in the amount of \$58,500 for renovation of City Hall.  
  
A motion was made by Stewart, seconded by Weber to approve the architectural and construction contract services for the renovation of City Hall. All aye. Motion carried.
12. Consideration of a motion entering in phase two agreement with Confluence in the amount not to exceed \$62,000 for design and project management of Plaza Park Renovation.  
  
A motion was made by Weber, seconded by Payne to approve entering in phase two agreement with Confluence for design and project management of Plaza Park Renovation. All aye.  
  
Motion carried.
13. Consideration of a motion to approve the FBO contract for July 1, 2022 to June 30, 2023.  
  
A motion was made by Seeders to approve the FBO contract. Motion died for lack of second.
14. Consideration of a motion to approve the payment of \$5,400 to AECOM for Airport Pavement Rehabilitation Project.  
  
A motion was made by Stewart, seconded by Garrigus to approve the payment to AECOM for the Airport Pavement Rehabilitation Project. All aye. Motion carried.
15. Consideration of a motion to accept the Planning, Finance, Enterprise, and Economic Development Committee recommendation regarding 513 1st Street NE.  
  
A motion was made by Stewart, seconded by Payne to accept the deeding of ownership to the city for tear down, with the stipulation the current property owners pay their water bill and clean up the yard. All aye. Motion carried.
16. Consideration of a motion purchasing a 2022 Ford Ranger for \$31,120 for Community Development from Birdnow Motors.  
  
Two vehicle quotes were received: Ford Maverick \$29,895 and a Ford Ranger \$26,787.  
  
A motion was made by Stewart, seconded by Weber to approve the 2022 Ford Ranger. 2 Ayes (Stewart, Weber), 3 Nay (Seeders, Payne, Garrigus). Motion failed.

## Committee Reports

17. Report from Lenz on Park and Recreation Commission meeting.  
  
No report from Lenz. Full minutes may be found at <https://www.cityofuelwein.org/bc-parks/page/parks-and-recreation-commission>
18. Report from Payne on the Library Board meeting.  
  
Full minutes can be found at <https://www.oelwein.lib.ia.us/about/library-board-minutes-1>
19. Report from Payne on Housing Committee minutes.

Full minutes can be found at <https://www.cityofelwein.org/bc-hc/page/housing-committee-1>

### **Council Updates**

Payne spoke with a neighbor of 707 1<sup>ST</sup> Ave SE regarding drone activity. She reported a neighbor did have a drone and would fly it all the time over their property.

Lenz arrived at 6:45 PM

### **Adjournment**

2. Additional Information.

A motion was made by Weber, seconded by Garrigus to adjourn the meeting at 6:50 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 August 22, 2022 and copy of said proceedings was furnished to the Register August 23, 2022.

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Dylan Mulfinger, City Administrator