



[ CITY OF ]

OTTUMWA

TENTATIVE AGENDA  
OTTUMWA CITY COUNCIL

REGULAR MEETING NO. 1  
Bridge View Center, 102 Church St.

January 7, 2025  
5:30 O'Clock P.M.

PLEDGE OF ALLEGIANCE

A. ROLL CALL: Council Member Galloway, Hoffman, McAntire, Caviness, Reid and Mayor Johnson

B. CONSENT AGENDA:

1. Minutes from Regular Meeting No. 39 on December 17, 2024 as presented.
2. Acknowledge and approve January 7, 2025 Claims List as submitted by the Finance Department.
3. Recommend re-appointment of Tom Maher to the Inspection Board of Review, term to expire 01/18/2029.
4. Civil Service Eligibility List for December 18, 2024: Building Inspector Promotional.
5. Proclamation for Slavery and Human Trafficking Prevention Month.
6. Beer and/or liquor applications for: Iowa Liquor & Tobacco, 1021 E. Main Street; all applications pending final inspections.

C APPROVAL OF AGENDA

D. ADMINISTRATORS REPORT TO COUNCIL AND CITIZENS:

*All items on this agenda are subject to discussion and/or action.*

E. IDENTIFICATION OF CITIZENS DESIRING TO COMMENT ON AGENDA ITEMS:

(When called upon by the Mayor, step to the microphone; state their name, address and agenda item to be addressed. The Mayor will invite you to address the Council when that topic is being discussed. Remarks will be limited to **three minutes or less**. The City Clerk shall keep the time and notify the Mayor when the allotted time limit has been reached. Comments are to be directly germane to the agenda item being discussed; if not directly germane as determined by the Mayor will be ruled out of order.)

F. PUBLIC HEARING:

G. ORDINANCES:

1. Ordinance No. 3237-2025, amending the Code of Ordinances by changing the zoning classification of property known as 2411 North Court from C-3 Commercial Mixed-Use to C-2 Community Commercial District and the property known as 2415 North Court from R-1 Single Family Residential District to C-2 Community Commercial District.

RECOMMENDATION: Pass the Second Consideration of Ordinance No. 3237-2025.

H. DEPARTMENTAL, BOARD, OR COMMISSION RECOMMENDATIONS/REPORTS:

I. RESOLUTIONS:

1. Resolution No. 1-2025, approving Revision No. 1 to the Ottumwa Parks Master Plan.

RECOMMENDATION: Pass and adopt Resolution No. 1-2025.

2. Resolution No. 2-2025, accepting the low bid and awarding the contract for the Ottumwa Cemetery Office and Maintenance Building Project to RG Construction in the amount of \$1,520,000.

RECOMMENDATION: Pass and adopt Resolution No. 2-2025.

3. Resolution No. 3-2025, providing for the financial support of the Area 15 Regional Planning Commission for Fiscal Year 25/26.

RECOMMENDATION: Pass and adopt Resolution No. 3-2025.

4. Resolution No. 4-2025, providing for the financial support of the Regional Planning Affiliation (RPA 15) for Fiscal Year 25/26.

RECOMMENDATION: Pass and adopt Resolution No. 4-2025.

5. Resolution No. 5-2025, approving an Agreement with Greater Ottumwa Partners in Progress for Pearl Level Sponsorship of the 3<sup>rd</sup> Annual Lean In Conference for 2025.

RECOMMENDATION: Pass and adopt Resolution No. 5-2025.

6. Resolution No. 6-2025, awarding the contracts for Asbestos abatement and demolition of the condemned property at 814 Wabash to Ryan Ceynar of Iowa City, IA in the amount of \$15,900 (\$4,900 Abatement, \$11,000 Demolition).

RECOMMENDATION: Pass and adopt Resolution No. 6-2025.

7. Resolution No. 7-2025, authorizing the Mayor to execute Iowa DOT Agreement No. 5-23-STBG-SWAP-024 for a Surface Transportation Block Grant Program Federal-aid Swap Project.

RECOMMENDATION: Pass and adopt Resolution No. 7-2025.

#### J. PUBLIC FORUM:

The Mayor will request comments from the public on topics of city business or operations other than those listed on this agenda. Comments shall not be personalized and limited to three minutes or less. Comments not directly applicable to operations, inappropriate, or an improper utilization of meeting time, as determined by the Mayor, will be ruled out of order. When called upon by the Mayor, step to the microphone; give your name, address and topic on which to address the Council. The Council is not likely to take any action on your comments due to requirements of the Open Meetings Law. Pertinent questions, comments or suggestions may be referred to the appropriate department, city administrator or legal counsel for response, if relevant.

#### K. MAYOR/CITY COUNCIL REPORT AND/OR COMMUNICATIONS

##### ADJOURN

**\*\*\* It is the goal of the City of Ottumwa that all City Council public meetings are accessible to people with disabilities. If you need assistance in participating in City Council meetings due to a disability as defined under the ADA, please call the City Clerk's Office at (641) 683-0621 at least one (1) business day prior to the scheduled meeting to request an accommodation. \*\*\***

##### \*Items on the TABLE:

1. Resolution No. 147-2024, approving an agreement with McMahon Associates, Inc. for Professional Consulting Services.

RECOMMENDATION: Pass and adopt Resolution No. 147-2024.



[ CITY OF ]  
O T T U M W A

**FAX COVER SHEET**

City of Ottumwa

DATE: 1/3/2025 TIME: 10:30 AM NO. OF PAGES 3  
(Including Cover Sheet)

TO: News Media CO: \_\_\_\_\_

FAX NO: \_\_\_\_\_

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Regular City Council Meeting #1 to be held on 1/07/2025 at 5:30 P.M. at the Bridge View Center, 102 Church Street.

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 DEPT. ID 4717  
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KTVO  
 Ottumwa Waterworks  
 Ottumwa Courier  
 Tom FM



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TX REPORT  
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JOB NO. 0293  
DEPT. ID 4717  
ST. TIME 01/03 10:33  
SHEETS 3  
FILE NAME

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TRANSACTION OK 916606271885  
916416823269  
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916416828482

KTVO  
Ottumwa Waterworks  
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CITY OF  
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FAX NO: 641-683-0613 PHONE NO: 641-683-0620

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OTTUMWA CITY COUNCIL MINUTES Item No. B.-1.

REGULAR MEETING NO. 39  
Bridge View Center, 102 Church St.

December 17, 2024  
5:30 O'Clock P.M.

The meeting was called to order at 5:30 P.M.

Present were Council Member Reid, Galloway, Hoffman, McAntire, Caviness and Mayor Johnson.

Hoffman moved, seconded by Galloway to approve consent agenda: Mins. from Regular Mtg. No. 38 on Dec. 3, 2024 as presented; Ack. and approve Dec. 17, 2024 Claims List submitted by Finance; Ack. Nov. 2024 financial stmts. submitted by Finance; Recommend appointment of Jeffrey Hamann to Zoning Brd. of Adjustments, term to exp. 12/12/2029 due to a vacancy; Beer and/or liquor applications for: Under the Eagles, 109 S. Green, Ste. 2; El Rancho Grande, 232 E. Main; American Gothic Performing Arts Greater Ottumwa Vocal Arts Project, 529 E. Main; Ottumwa Golf and Social Club, 304 E. Golf Ave., with OSA; La Guadalupana, 301 Church St.; Motion carried 4-1. Ayes: Galloway, Hoffman, McAntire, Caviness. Nays: Reid.

McAntire moved, seconded by Hoffman to approve agenda as presented. All ayes.

Area 15 RPC, Executive Dir., Bowers, provided update.

Mayor inquired if anyone from the audience wished to speak on any agenda items. There were none.

This was the time, place and date set for a Public Hearing on FY 26-30 Capital Improvement Plan. Finance Dir. O'Donnell presented. No objections rec'd. McAntire moved, seconded by Galloway to close public hearing. All ayes.

Caviness moved, seconded by Hoffman that Res. No. 279-2024, approving FY26-30 CIP, be passed and adopted. All ayes.

This was the time, place and date set for a Public Hearing on proposal to convey interests in real property to Wash King, Inc., pursuant to proposed Purchase and Development Agt. related to a project within the Westgate Economic Development URA. Comm. Dev. Dir. Simonson reported. No objections rec'd. Hoffman moved, seconded by Reid to close public hearing. All ayes.

Caviness moved, seconded by Reid that Res. No. 280-2024, approving and auth. conveyance of certain real property to Wash King, Inc. and approving and auth. execution of related Purchase and Development Agt. within the Westgate Economic Development URA, be passed and adopted. All ayes.

This was the time, place and date set for a Public Hearing on proposed Ord. No. 3236-2024, amending the Code of Ord. by changing zoning classification of property 102 N. Hancock and 103 N. James, legally described as Lots 193 and 256 in Danes Addition to the City of Ottumwa, Wapello County, IA. Simonson reported. Property owner Matt Rhoads was also present. No objections rec'd. Galloway moved, seconded by Reid to close public hearing. All ayes.

Caviness moved, seconded by Hoffman to pass first Consideration of Ord. No. 3236-2024, amending Code of Ord. by changing zoning classification of property 102 N. Hancock and 103 N. James from R-4 Multifamily Residential District (Medium Density) to R-5 Multifamily Residential (High Density) District. All ayes.

McAntire moved, seconded by Hoffman to waive second and third considerations, pass and adopt Ord.

No. 3236-2024. All ayes.

This was the time, place and date set for a Public Hearing on proposed Ord. No. 3237-2025, amending the Code of Ord. by changing zoning classification of property 2411 and 2415 N. Court, City of Ottumwa, Wapello County, IA. Simonson reported. No objections rec'd. Galloway moved, seconded by Hoffman to close public hearing. All ayes.

Caviness moved, seconded by Galloway to pass first Consideration of Ord. No. 3237-2025, amending the Code of Ord. by changing zoning classification of property 2411 N. Court from C-3 Commercial Mixed-Use to C-2 Community Commercial District and 2415 N. Court from R-1 Single Family Residential District to C-2 Community Commercial District. All ayes.

Galloway moved, seconded by McAntire to pass first Consideration of Ord. No. 3234-2024, discontinuing Public Safety Adv. Committee of the City of Ottumwa, and Repealing Ch. 2, Article VI, Div. 5 of the Code of Ord. of the City of Ottumwa, IA. All ayes.

McAntire moved, seconded by Hoffman to waive second and third considerations, pass and adopt Ord. No. 3234-2024. All ayes.

McAntire moved, seconded by Reid that Res. No. 275-2024, approving changes to the Compensation Handbook, be passed and adopted. All ayes.

Hoffman moved, seconded by Galloway that Res. No. 276-2024, awarding contract for asbestos abatement and demolition of 516 Gladstone to Dustan Smith with Environmental Edge of Ottumwa, IA in the amt. \$11,300, be passed and adopted. All ayes.

Caviness moved, seconded by Hoffman that Res. No. 277-2024, awarding contract for asbestos abatement and demolition of 320 N. Holt to Weston McKee of Fairfield, IA in the amt. \$13,700, be passed and adopted. All ayes.

Hoffman moved, seconded by Galloway that Res. No. 278-2024, awarding contract for asbestos abatement and demolition of 625 Morris St. to Dustan Smith with Environmental Edge of Ottumwa, IA in the amt. \$9,700, be passed and adopted. All ayes.

Galloway moved, seconded by Hoffman that Res. No. 281-2024, a Resolution in support of Proposed Terms to be Included in a Development Agt. between the City and CBC Financial Corp., be passed and adopted. All ayes.

Hoffman moved, seconded by Reid that Res. No. 282-2024, accepting work as final and complete and approving Final Pay Request for the 2024 Street Crack Repair Program, be passed and adopted. All ayes.

Caviness moved, seconded by Hoffman that Res. No. 283-2024, approving Preliminary Engineering Services Agt. between the City and BNSF (Burlington Northern Santa Fe) Railway Comp. for BNSF Levee Crossing Project, be passed and adopted. All ayes.

Hoffman moved, seconded by McAntire that Res. No. 284-2024, auth. Mayor to execute two (2) Permanent Easements, twenty-four (24) Temporary Construction Easements and four (4) Real Estate Purchase Agt. for Construction and Maintenance of Public Improvements for the Mary Street Reconstruction Project, be passed and adopted. All ayes.

Caviness moved, seconded by Hoffman that Res. No. 285-2024, auth. purchase of three Video Detection Systems and four Advanced Cameras from Traffic and Transportation Products, Limited (TATPL) for \$55,600, be passed and adopted. All ayes.

Galloway moved, seconded by Hoffman that Res. No. 286-2024, a Resolution supporting the Wapello County Trails Council's Recommendation to Incorporate a Pedestrian Crossing in conjunction with the Future IDOT Project to redeck the Wapello St. Bridge, be passed and adopted. All ayes.

Res No. 147-2024 remains on the TABLE.

Mayor Johnson asked if anyone from the audience wished to address Council on any non-agenda items. Katie Howard, requested to speak about Ottumwa's "No Weapons" policy at Bridge View Center is a clear violation of IA Code 724.28. Request to have this item discussed with your legal counsel.

There being no further business, Galloway moved, seconded by McAntire that the mtg. adjourn. All ayes.

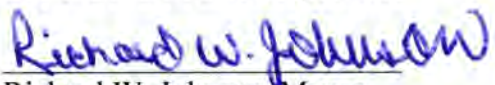
Adjournment was at 7:22 P.M.



ATTEST:

  
Christina Reinhard, CMC, City Clerk

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

Published in the Ottumwa Courier on 12/26/2024.



## Item No. B.-2.

CITY OF OTTUMWA		
CLAIMS LISTING - 1/7/2025 COUNCIL MEETING		
Vendor Name	Purpose	Amount
ACCENT WIRE-TIE	VHCL MTCE SUPPLIES	4,477.25
AED UNITED	OTHER SUPPLIES	401
AHLERS & COONEY P.C.	Legal Fees	11,050.55
ALEXANDER P MASON	PAYMENTS TO OTHER ENTITIES	505
ALFIE PACKERS, INC	LAB SUPPLIES	286
ALL ROADS TRUCK & TRAILER	VHCL MTCE SUPPLIES	3,108.41
ALTORFER	HEAVY MOTORIZED EQUIP	342,890.09
AMERICAN BOTTLING COMPANY	OPERATING SUPPLIES	186.96
ASCAP	DUES & MEMBERSHIPS	445
ASCENDANCE TRUCKS, LLC	VHCL MTCE SUPPLIES	84.87
ATOMIC TERMITE & PEST	BUILDING MAINT REPAIR	65
BARBARA WINTER	PAYMENTS TO OTHER ENTITIES	690
BARCO PRODUCTS COMPANY	STREET MAINT SUPPLIES	520.79
BERGANKDV, LTD	ACCOUNTING & AUDITING	39,000.00
BI-STATE CONTRACTING INC.	CONTRACTUAL SERVICES	56,222.46
BLACKSTONE PUBLISHING	LIBRARY MAT.-JAMES ESTATE	180
BOO PAW	PAYMENTS TO OTHER ENTITIES	630
BRENDA GILLIHAN	PAYMENTS TO OTHER ENTITIES	160
BRIDGE CITY SANITATION LL	FUEL SURCHARGE	3,396.86
BROWNS SHOE FIT OSKALOOSA LLC	SUSTENANCE SUPPLIES	1,309.68
BRYAN BIRCHARD	PAYMENTS TO OTHER ENTITIES	255
BUB'S TREE CARE	TREE TRIMMING	4,050.00
C&C MANUFACTURING LLC	VHCL MTCE SUPPLIES	1,746.51
CALEB MITCHELL	CLOTHING ALLOWANCE	200
CANTERA AGGREGATES LLC	STREET MAINT SUPPLIES	18,482.34
CAPITAL ONE	OFFICE SUPPLIES	1,110.36
CARROLL CONSTRUCTION SUPP	OPERATING SUPPLIES	513
CENTRAL IOWA FASTENERS	OTHER SUPPLIES	89.33
CENTRAL SALT LLC	STREET MAINT SUPPLIES	9,421.11
CHRISTINA ANDERSON	PAYMENTS TO OTHER ENTITIES	315
CHRISTNER PROPERTIES LLC	REIMBURSEMENT	10,000.00
CLUB SENTRY SOFTWARE	TECHNOLOGY SERVICES	32.95
COLTON CARTER	CLOTHING ALLOWANCE	128.39
CONSOLIDATED ELECTRICAL	BUILDING MAINT REPAIR	480.48
D P PLUMBING PLUS	BUILDING MAINT REPAIR	251.88
DAN LAURSEN EXCAVATING	CONTRACTUAL SERVICES	25,500.00
DANA PHERIGO	PAYMENTS TO OTHER ENTITIES	315
ELECTRIC PUMP INC.	OTHER SMALL CAPITAL	9,780.00
ELLIOTT BULK SERVICES LLC	VHCL-FUEL	9,524.17
ELLIOTT OIL COMPANY	FUEL	7,660.48
ERHARDT, CLAYTON	RENTS & LEASES	315
FASTENAL COMPANY	EQUIP REPAIR	2.91
GARDEN & ASSOCIATES LTD	ENGINEERING	5,657.60
GARY ANDERSON LIVING TRUST	PAYMENTS TO OTHER ENTITIES	865

GARY KING	PAYMENTS TO OTHER ENTITIES	280
GEOTECH SAND & STONE, INC	STREET MAINT SUPPLIES	4,889.88
GREGG YOUNG AUTOMOTIVE	VHCL MTCE SUPPLIES	378.35
HAWKEYE TRUCK EQUIPMENT	VHCL MTCE SUPPLIES	2,866.14
HDR ENGINEERING INC.	CONTRACTUAL SERVICES	4,892.21
HEARTLAND HUMANE SOCIETY	OTHER PROF SERV	10,950.00
HNTB CORPORATION	CONTRACTUAL SERVICES	108,163.50
HOPKINS & HUBBNER PC	LEGAL FEES	11,850.27
HOWDEN USA COMPANY	CONTRACTUAL SERVICES	137,601.00
HY-VEE ACCOUNTS RECEIVABL	OTHER SUPPLIES	100.42
IA LAW ENFORCEMENT ACADEM	TRAINING	725
IDEAL READY MIX	STREET MAINT SUPPLIES	278.5
IMWCA	FIRE W/C 411 CLAIMS	32,583.71
INDUSTRIAL CHEMICAL	MISC CONTRACT WORK	148
INFOMAX OFF SYSTEMS INC	CONTRACTUAL SERVICES	932.83
INGRAM LIBRARY SERVICES	LIBRARY MAT.-JAMES ESTATE	1,981.84
INTERSTATE BATTERY	VHCL MTCE SUPPLIES	305.9
IOWA LAW ENFORCEMENT	TRAINING	750
IOWA ONE CALL	OTHER PROF SERV	266.4
IOWA POLICE CHIEFS ASSOC	DUES & MEMBERSHIPS	125
JDA FARM LLP	PAYMENTS TO OTHER ENTITIES	415
JEFFREY GULLETT	PAYMENTS TO OTHER ENTITIES	315
JENTRI SMITH	PAYMENTS TO OTHER ENTITIES	1,450.00
JEO CONSULTING GROUP INC	CONTRACTUAL SERVICES	8,789.75
JIM FISK	PAYMENTS TO OTHER ENTITIES	190
JOHN DEERE FINANCIAL	VHCL MTCE SUPPLIES	2,008.02
JOHN PAUL GROOMS JR	PAYMENTS TO OTHER ENTITIES	145
JORDAN STATON	CLOTHING ALLOWANCE	200
JOY ALEXANDER	PAYMENTS TO OTHER ENTITIES	315
KATHERINE LARUE	PAYMENTS TO OTHER ENTITIES	800
KENNETH PAUL CROSBY	PAYMENTS TO OTHER ENTITIES	160
KEVIN MCDANIEL	CLOTHING ALLOWANCE	80.99
KIECKS	SUSTENANCE SUPPLIES	174
KOHL WHOLESALE	OPERATING SUPPLIES	511.53
MACQUEEN EQUIPMENT	SUSTENANCE SUPPLIES	4,059.44
MANATT'S INC	STREET MAINT SUPPLIES	1,293.18
MARK FISHER	PAYMENTS TO OTHER ENTITIES	260
MAST OVERHEAD DOORS INC	BUILDING MAINT REPAIR	7,436.63
MEET OTTUMWA	CONV & VISITOR BUREAU	23,372.78
MIDWEST AUTO GLASS & TIRE	VHCL MTCE SUPPLIES	104
MIDWEST TAPE	LIBRARY MAT.-JAMES ESTATE	28.04
MIDWEST UNDERGROUND	VHCL MTCE SUPPLIES	50.87
MIKES TIRE AND	VHCL MTCE SUPPLIES	947
MITCHELL & SONS HVAC INC	BUILDING MAINT REPAIR	224.7
MOBILE LOCKSMITH & ALARM,	OPERATING SUPPLIES	19
MOTION INDUSTRIES	OPERATING SUPPLIES	170.62
MUNICIPAL PIPE TOOL CO LL	VHCL MTCE SUPPLIES	613.19

OFFICE OF THE STATE ARCHAEOLOGIST	PROGRAM SUPPLIES	185
OHIO LUMEX CO INC	TOOLS & SMALL EQUIP	1,495.00
OTTUMWA COMMUNITY SCHOOL	PAYMENTS TO OTHER ENTITIES	160
PIERCE CONST & FENCE CO L	BUILDING MAINT REPAIR	970
RACOM CORPORATION	VHCL MTCE SUPPLIES	1,281.25
REPUBLIC COMPANIES	HAZARDOUS WASTE DISPOSAL	305
RG CONSTRUCTION LLC	CONTRACTUAL SERVICES	158,275.07
RICHARD MOYER	PAYMENTS TO OTHER ENTITIES	355
RIDGWAY ELECTRIC, LLC	BUILDING MAINT REPAIR	146.76
S & L ALL SEASON	TOOLS & SMALL EQUIP	43.98
SAMANTHA CAIN	TRAVEL & CONFERENCE	46.9
SCHROEDER GRAPHICS & SIGN	VHCL MTCE SUPPLIES	850
SCOTT MCCARTY	PAYMENTS TO OTHER ENTITIES	250
SCS ENGINEERS	ENGINEERING	12,757.23
SINCLAIR TRACTOR	OTHER CAPITAL EQUIP	5,900.00
SMITH FERTILIZER & GRAIN	STREET MAINT SUPPLIES	4,951.63
SUPREME STAFFING INC	CONTRACT EMPLOYEES	7,078.41
SYMETRA LIFE INSURANCE CO	GROUP LIFE PREMIUMS	4,439.82
THE STITCH DOCTOR	SUSTENANCE SUPPLIES	523.54
THOMAS MITCHELL	PAYMENTS TO OTHER ENTITIES	5,620.00
TK CONCRETE	CONTRACTUAL SERVICES	3,186.00
TRANSIT WORKS	TECHNOLOGY SERVICES	815
TRUITT ABSTRACT COMPANY	CONTRACTUAL SERVICES	175
VEENSTRA & KIMM INC	CONTRACTUAL	29,415.58
WAPELLO RURAL WATER ASSC	PAYMENTS TO OTHER ENTITIES	100
WAYNE'S TIRE	VHCL MTCE SUPPLIES	280
WILLETT HOFMANN	CONTRACTUAL SERVICES	7,580.00
WILLIAM HAZELWOOD	PAYMENTS TO OTHER ENTITIES	100
WINGER SERVICE	OTHER MAINT & REPAIR	908.44
CENTURYLINK	TELEPHONE/IT	147.02
CHILD SUPPORT SERVICES	CHILD SUPPORT PAYABLE	2093.67
HARDY DIAGNOSTICS	LAB SUPPLIES	143.46
MISSIONSQUARE	ICMA DEF COMP PAYABLE	1285.38
OTTUMWA WATER & HYDRO	OPERATING SUPPLIES	15.99
Sean Canto	OTHER BENEFITS & COSTS	12500
WAPELLO COUNTY UNITED WAY	UNITED WAY DED PAYABLE	10
WOODRIVER ENERGY LLC	NATURAL GAS	6115.13
TOTAL		1,217,014.38



January 7, 2025

TO: Ottumwa City Council Members

FROM: Richard W. Johnson, Mayor

**SUBJECT: APPOINTMENT TO CITY BOARDS AND/OR COMMISSIONS**

Recommend re-appointment to the Inspection Board of Review, term to expire 01/18/2029.

Tom Maher  
522 S. Davis St.

\* Reappointment Approved on  
12-16-24. Mayor Johnson  
CITY OF OTTUMWA

received  
12-16-2024

**Biographical Data for Re-Appointment to City Advisory Board**

The information contained on this form is for the use of the Mayor and City Council in order to review your request to continue serving on a City Advisory Board, Commission, Committee, or Task Force.

We ask that your reappointment application be submitted timely before the end of your current term in order to accommodate your request. If you elect to not be reappointed, kindly remit a resignation letter specifying the last day you will be serving on appointed board.

Board, Commission, Committee, or Task Force to which re-appointment is desired:

INSPECTION BOARD OF REVIEW

Name: Thomas Edward Maher Telephone: 641-777-0849

Email: (optional) maheoplmbg@bmahe.com

Address: 522 S. DAVIS ZIP: 52501

Business: Retired MASTER PLUMBER Telephone: 641-777-0849

Address: 522 S. DAVIS ZIP: 52501

Date Available for Re-Appointment 12-13-24 E-Mail: maheoplmbg@gmail.com

Present occupation: Retired

Previous Employment: OWNER MAHER PLUMBING

Answer the following: (Use additional sheets if necessary)

**Community Service:**

(List boards, commissions, committees and organizations currently serving or have served on, offices held and in what city). Please explain why you are requesting to be reappointed. Please elaborate on how/what you have contributed to the board/commission that you have served upon.

INSPECTION BOARD REVIEWS AND PLUMBING BOARD CITY OF OTTUMWA  
WAPELLO COUNTY BOARD OF INSPECTION'S AND REVIEWS  
I feel my construction + mechanical knowledge are of value to the board

Please list any professional or vocational licenses or certificates you hold.

License #04286 - MASTER PLUMBER; Master Hydronics

**Personal:**

Are you related to any employee or appointee of the City of Ottumwa? (If yes, please indicate name and relationship.)

Yes \_\_\_\_\_ No X

Rules of law and ethics prohibit members from participating in and voting on matters in which they pay have a direct or indirect financial interest. Are you aware of any potential conflicts of interest which may develop from your occupation or financial holdings in relation to your responsibilities as a member of the advisory body to which you seek appointment). (If yes, please indicate any potential conflicts).

Yes \_\_\_\_\_ No X

Are you aware of the time commitment necessary to fulfill the obligations of the advisory body to which you seek reappointment?

Yes X No \_\_\_\_\_

Please furnish brief written responses to the three following questions: (Use additional sheets if necessary.)

1. What is there specifically in your background, training, education, or interests which qualifies you as a reappointee? 40+ years of construction, 20+ years on this board

2. What do you see as the objectives and goals of the advisory body for the future to which you seek reappointment? To help protect the health & safety of CITIZENS who are Renting as well as WORKING with Owners for timely & cost effective solutions

3. How would you help achieve these objectives and goals? What special qualities can you continue to bring to the advisory body?

#1 By working with INSPECTORS to have open lines of communication & keeping updated on new Rental & Building codes. #2 My experience working through situations to be fair & honest.

I hereby certify that the following information is correct to the best of my knowledge.

  
Signature

12-13-24  
Date

The Mayor will review your current attendance, participation, interpersonal relationships, compliance with policies on conflict of interest and confidentiality, philanthropic contributions and community outreach when making the decision to reappoint you to a board/commission.

The strength of a board or commission depends on the productive and meaningful contributions of each individual member. The City of Ottumwa looks to support governance excellence based on a solid, continuing commitment to board service and ongoing adherence to established expectations for behavior and performance.

You are invited to attach additional pages or submit supplemental information which you feel may assist the Mayor and City Council in their evaluation of your application.

**WHEN COMPLETED MAIL ORIGINAL TO:** OFFICE OF THE MAYOR  
Ottumwa City Hall  
105 E Third Street  
Ottumwa, IA 52501

One of the goals of the City Council is to balance advisory board appointments in terms of gender and age.

The following information is desirable but not required for appointment.

Year of Birth 08/27/1958 Male + Female \_\_\_\_\_  
Number of years a city resident 66

**HUMAN RIGHTS COMMISSION  
MEMBER APPLICANT ONLY**

**The Human Rights Commission seeks to model service leadership and respect in its work with Commission members and the community. List your current experience working on diverse teams, public bodies, or committees, and skills related to intergroup dialogues and team building with diverse communities that would be a benefit to your reappointment to the Human Rights Commission:**



**AUTHORIZATION FOR RELEASE OF PERSONAL INFORMATION**

I, Thomas Edward Maher, (PLEASE PRINT YOUR FULL NAME, INCLUDE MIDDLE NAME) do hereby authorize a review of and full disclosure of all records concerning myself to any duly authorized agent of the City of Ottumwa.

The intent of this authorization is to give my consent for disclosure of records, including background reports, complaints or grievances filed by or against me.

I understand that any information obtained by a personal history background investigation, which is developed directly or indirectly, in whole or in part, upon this release authorization will be considered in determining my suitability for serving on a Board/Commission. I also certify that any person(s) who may furnish such information concerning me shall not be held accountable for giving this information; and I do hereby release said person(s) from any and all liability which may be incurred as a result of furnishing such information. I authorize the designated city official to conduct a routine background investigation. I further release the Ottumwa Police Department and the City of Ottumwa from any and all liability, which may be incurred as a result of collecting such information.

I have read and fully understand the contents of this "Authorization for Release of Personal Information".

My Date of Birth is 08/27/1958

TE Maher

12-13-24

**Signature of Applicant**

**Date**

Board/Commission applying for Inspection Board Reviews

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0600 Fax 641-683-0613



**OTTUMWA CIVIL SERVICE COMMISSION**

**Building Inspector – Promotional Eligibility List**

1. Jeff Clark
2. Kurt Stevens

Certified December 18, 2024

OTTUMWA CIVIL SERVICE COMMISSION

Ed Wilson, Chairman  
Ann Youngman  
Amy Gardner



## **Proclamation for Slavery and Human Trafficking Prevention Month January 2025**

**Whereas**, the United States was founded upon the principle that all people are created with the inalienable right to freedom, and added the 13th Amendment to the Constitution making slavery illegal; and

**Whereas**, slavery within the United States today is most often found in the form of forced labor and sex trafficking, which weakens our social fabric, increases violence and organized crime, and debases our humanity; and

**Whereas**, this heinous crime is found within our own community; and

**Whereas**, the Iowa Network Against Human Trafficking and Slavery has been working since 2005 to abolish all forms of human trafficking through education, prevention, volunteerism, advocacy and collaboration; and

**Whereas**, even though awareness of this crime is growing, human trafficking continues to go unreported due to its isolating nature, the misunderstanding of its definition, and the lack of awareness about its indicators; and

**Whereas**, increased community education on how to identify victims of human trafficking along with increased knowledge of local resources and services for those affected by these criminal actions can help restore freedom and dignity to identified survivors, as well as help diminish the number of future victims; and

**Whereas**, every business, community organization, faith community, family and individual can make a difference by choosing products that are not made by forced labor; by working to protect our young people from sexual exploitation; by addressing the problem of internet sex trafficking and pornography; and by becoming more aware of the problem and possible solutions; and

**Now, Therefore**, I Richard W. Johnson, Mayor of the City of Ottumwa, Iowa, do hereby proclaim the month of January 2025 as Slavery and Human Trafficking Prevention Month, and encourage all our citizens to become more informed on this growing problem, to be vigilant and report suspicious activity, and to work towards solutions to end trafficking in all its forms in our community. If you see something that doesn't look right, take action and call the National Human Trafficking Hotline at 888-3737-888. For more information and resources about trafficking in Iowa, go to the Network Against Human Trafficking and Slavery website at [www.iowanahf.org](http://www.iowanahf.org).

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Richard W. Johnson, Mayor

CITY OF OTTUMWA  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: Jun 18, 2024

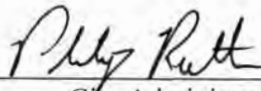
Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 147-2024 - Approving an Agreement with McMahon Associates, Inc. for Professional Consulting Services

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 147-2024

**MOTION FAILED 0-5  
MCANTIRE, REID**

**NAYS: GALLOWAY, HOFFMAN,**

**ABSENT: CAVINESS**

DISCUSSION:

With the retirement of Fire Chief Miller in September of 2023, the position has not been filled in a permanent capacity. The City has attempted to fill the position on two occasions. The first time resulted in one eligible candidate who was offered the position and turned it down. The second time resulted in one applicant who was not certified under the civil service procedure. Since the first failed attempt to fill the position I have been looking for alternative support to assist with the administrative functions of the role. One of these options was a retired fire chief who reviewed the opportunity and expressed the task bigger than one person could take on. Another option that was explored was the use of a company which

Source of Funds: General Fund - Fire

Budgeted Item:



Budget Amendment Needed:

specializes in the management of public safety and municipal entities. Attached to this document is a proposal for Professional Consulting Services for the fire department. The company would assign a team of professionals who have experience in the fire and emergency services area. They would be on site 4-5 days per month and available for consultation and support outside of those days.

The team would work with fire officers, city administration, and outside agencies as needed to review current practices and make recommendations related to required trainings, compliance with legal guidelines and standards, equipment, standard operating guidelines and policies, general operations, and EMS coordination. They work with current staff and DO NOT take command at any scene or incident. The company would provide support and guidance on the administrative side of the job and may prepare staff to be ready and able to take on the position the next time the job is posted for hire and/or assure the outside agencies that the City of Ottumwa of its support for the fire department and its future operation.

**RESOLUTION NO. 147-2024**

**RESOLUTION APPROVING AN AGREEMENT WITH  
MCMAHON ASSOCIATES, INC FOR  
PROFESSIONAL CONSULTING SERVICES**

**WHEREAS**, the City of Ottumwa has been operating without a full time fire chief since the retirement of Tony Miller; and

**WHEREAS**, the City has attempted on two separate occasions to fill the role and has been unsuccessful on both occasions, the first attempt resulting in a candidate turning down an offer and the most recent attempt receiving only one applicant; and

**WHEREAS**, McMahon Associates, Inc. has a Public Safety & Municipal Management component of their company which can provide support and counsel to the Interim Fire Chief, the Department, and the City; and

**WHEREAS**, the City has identified a need for Fire Management Counsel by professionals who can provide administrative support while evaluating and making recommendations related to the operating policies and procedures, equipment, training, and compliance of the fire department; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Ottumwa, Iowa, that the proposed Agreement between the City of Ottumwa, Iowa and McMahon Associates Inc. be hereby approved.

**BE IT FURTHER RESOLVED**, by the Ottumwa City Council of the City of Ottumwa, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute said resolution and the attached Agreement.

APPROVED, PASSED AND ADOPTED, this 18<sup>th</sup> day of June, 2024.

CITY OF OTTUMWA, IOWA

**MOTION FAILED 0-5  
MCANTIRE, REID**

**NAYS: GALLOWAY, HOFFMAN,**

**ABSENT: CAVINESS**

## Fire Management Counsel

Prepared for The



WAPELLO COUNTY | IOWA

February 12, 2024

Prepared By

Kevin Kloehn, Public Safety Specialist

Jeffrey R. Roemer, Public Safety Manager

## Fire Management Counsel

Prepared for The



Prepared By  
McMahon Associates, Inc. | NEENAH, WISCONSIN  
February 12, 2024

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February 12, 2024

City of Ottumwa  
Attn: Philip Rath, City Administrator  
105 E. Third Street  
Ottumwa, IA 52501

Dear Mr. Rath,

We are pleased to submit a proposal for Fire Management Counsel for the City of Ottumwa. Our teams' passion for Public Safety and working with Fire Management provides the basis for our interest in submitting this proposal. The McMahon Associates, Inc. (McMahon) team of consultants will not only meet your expectations, but also have extensive Fire Management experience.

McMahon's Public Safety and Municipal Management Group is a national and international consulting firm whose focus is on public sector consulting services. Most of our clients are public sector entities: municipalities, counties, tribes, or special districts. Our team of consultants are all senior level staff and are either current or former municipal management practitioners. An important component of our approach is frequent communication with the Administration.

Our extensive operational and strategic experience in the public safety area uniquely qualifies us for a project of this nature. The team has management, operational, technical, and consulting experience with all types of municipal and public safety operations experience.

Thank you again for the opportunity to submit this proposal. If you have any questions or desire to schedule a meeting where we can present our proposal in more detail and answer any questions, please feel free to contact me at 920-751-4200 ext. 403 or by email at [kkloehn@mcmgrp.com](mailto:kkloehn@mcmgrp.com). We look forward to working with you on this important project!

Respectfully,  
McMahon Associates, Inc.

Kevin Kloehn  
Public Safety Specialist

JRR:kmh

Jeffrey R. Roemer  
Public Safety Manager



McMahon provides public management consulting that provides professional, high quality public management consulting, project management and other related services to organizations throughout the United States and abroad. Our consultants have served the needs of numerous municipalities throughout the United States and remain very active with several public safety and government related organizations including:

- Wisconsin City/County Management Association
- International City/County Management Association
- Wisconsin State Fire Chiefs Association
- International Association of Fire Chiefs
- International Association of Police Chiefs
- Association of Public Safety Communications Officials
- Paramedic Systems of Wisconsin
- National Emergency Number Association
- National Police Protection Association
- Wisconsin Society of Certified Public Managers
- Wisconsin State Police Chiefs Association
- Wisconsin Association of Public Safety Communications Officials

Our consultants possess in-depth knowledge of relevant aspects of public service, which includes administration, communications, organization, labor relations, human resources, economics, and standards. This knowledge allows us to provide clients with an intellectual and objective analysis of the information received. This information is then presented in an easily understood format, allowing policy boards to make knowledgeable and informed decisions.

Project progress is measured against an established work plan, timetables, budget, and list of deliverables. Project methodology includes frequently scheduled progress meetings to discuss progress as well as new or unanticipated issues. The work plans are focused, coordinated, and logical. Project team members are also available throughout the duration of the project.

Our approach to this project requires a clear understanding of the current Fire Departments organization, staffing, operations, administration, planning, and related concerns. The key elements of our methodology include:

- A clear understanding of the project background, complex issues involved and the goals and objectives.
- A work plan that is comprehensive, well designed, practical and provides for ample opportunity for client input.
- Sufficient resources and a commitment to successfully completing the project within the desired time frame and at a reasonable cost.

### **Client Input**

To provide Fire Management Counsel and make specific recommendations, it is critical that we receive quality information from officials, and staff. Accordingly, our approach includes regular meetings with the City Administrator and Fire Chief, along with associated agencies that would have valuable information to communicate to the Service.

### **Practical Recommendations**

Our goal is to provide our client with realistic recommendations for the administration and management of the fire department. These recommendations need to be practical and based on sound practical standards and legal considerations.

### **Project Management**

A successful assessment and the provision of effective recommendations requires a special effort to ensure that all levels of the project receive adequate attention and those findings and recommendations are thoroughly coordinated. This is accomplished by the development and adherence to a project work plan, clear management team assignments and frequent communications with the City and Fire Department Administration.

### **Department Meetings**

Initial meetings will be held with the City and Fire Administration and/or Fire Officers, to review the duties and responsibilities of McMahon during the term of this project.

### **Management Team**

The management team will consist of the McMahon project team, primarily Kevin Kloehn, and the City Administrator, the Fire Chief and his Officers. This team will meet initially to organize and plan the communications structure, the daily, weekly, and monthly work plan, which will be utilized to complete the project.

### **Availability**

The McMahon project manager will be on-site an average of four to five days per month and will provide the ability for direct communications with the Fire Chief and City Administrator daily.

### **Administration**

The management team will manage the project direction, revisions of department operations, coordination of agencies and resource needs.

### **Training**

The management team will develop a department-wide training plan, which will outline training responsibility and provide adequate training for all department personnel on related changes to the Department based on the recommendations.

### **Compliance**

The management team will review all current administrative rules and applicable standards, along with current departmental practices to ensure compliance with relevant legal guidelines and standards. McMahon will also assist with coordinating corporate and public legal assistance if needed.

### **Equipment and Maintenance**

The management team will review current equipment, maintenance procedures and provide recommendations for any changes based on the resource recommendations.

### **Standard Operating Guidelines**

The Project Manager will also provide guidance and assistance with the implementation and training of any changes to the department standard operating guidelines and response plans.

## **External Contacts**

The Project Manager will assist with external fire departments, dispatch and related agencies as needed.

## **Reporting**

A management summary report will be provided to the City Administrator monthly. This report will outline the project team and department activities and actions that have taken place during this project.

## **Emergency Scene Operations**

The management team will review current incident scene practices and uniformity and develop and refine related standard operating guidelines to assure adherence to safety standards, best tactical practices, and uniformity throughout the Department, based on the recommendations. McMahon personnel will not be in a position to take command at the scene of any incident.

## **EMS Coordination**

The Project Manager would also be available to assist with EMS coordination as needed by the Department.

### **Project Fee**

McMahon Associates, Inc. proposes to provide the Scope of Services described in this Proposal for the Fire Management Counsel as follows:

*Time & Expense estimated at: \$10,000 - \$13,000 per month*

Upon acceptance of this Proposal, McMahon will prepare an Agreement incorporating the Scope of Services and terms outlined here. All services will be provided in accordance with our General Terms & Conditions, dated November 10, 2024, which will be incorporated into the Agreement for reference.

Invoices will be sent every month based on the previous months' time and expenses.

### **Project Schedule**

McMahon has the staff available to begin this project immediately upon award. Based on our prior experience in projects similar in nature, it is estimated that it will take approximately five to eight (5-8) months to complete. This timeline is contingent upon the compliance issues that need to be worked on. There will be weekly communications with the City Administration and regular review of project hours and prioritizing of objectives.

Personnel assigned to this project are selected from McMahon Associates, Inc. (McMahon). The Project Manager supervises the Project Team and clerical personnel support the team. The combined resources ensure that the client receives the best possible combination of professional attention.

**Kevin K. Kloehn – Public Safety Specialist**

Kevin will serve as Project Manager. Kevin has over 31 years of experience in the Fire, Emergency Medical, and Emergency Management field. He recently retired as a Fire Chief of a consolidated fire department in Wisconsin. Before his position as Fire Chief, he worked as a Shift Commander/Battalion Chief, Captain, and Driver. Prior to becoming a career Fire Chief, Kevin worked as a Fire Chief for a Volunteer Department in which he consolidated two (2) Fire Departments within a Community. Kevin has experience on two (2) major Consolidation Projects, Strategic Planning, Emergency Operations Planning, and developing Training Plans for new Firefighters.

**Kevin I. Bierce – Senior Public Safety Specialist**

Chief Bierce has been the Fire Chief for the City of Pewaukee Fire Department since 2008 where he oversees all emergency operations. Prior to becoming Chief, he worked in various positions including Assistant Chief, Division Chief of Prevention, Captain, and Lieutenant. As Division Chief of Inspections, Kevin worked to combine the building inspection department of two communities under the authority of the Fire Department to create the Building Services Division overseeing building, zoning, and plan review of all structures in the Village and City of Pewaukee. He is a licensed building official and serves by appointment of the Governor of Wisconsin on the Wisconsin Commercial Building Code Council, responsible for the oversight and review of the Wisconsin Building Codes.

**Robert C. Whitaker – Senior Public Safety Specialist**

Robert will assist the Project Team and has over 25 years of experience in the fire, emergency medical and emergency management field. He currently works as a Fire Chief/Administrator of a consolidated fire department in Wisconsin. Before his position as Fire Chief/Administrator, he worked as a Deputy Chief of Administration, Battalion Chief and Training Chief. Robert has worked as a consultant on a variety of public sector management projects, including multiple projects on fire service consolidation and shared service initiatives.

#### Gerald W. Kudek – Public Safety Specialist II

Gerald is an experienced and dedicated public safety professional with over 38 years of experience in the fire service. Starting as a paid-on-call firefighter, he advanced to a full-time career and has served in every aspect of the fire department, from firefighter/EMT, Motor Pump Operator, Lieutenant in charge of Training, Battalion Chief, and to his last 10 years as Fire Chief. His strong leadership and relationship building skills were key as the department gained City Council approval of 9 new firefighter positions (without grant or referendum), as well as moving forward with new station construction and a station remodel. His areas of expertise include fiscal responsibility, problem solving, and innovative thinking.

#### Jeffrey R. Roemer – Public Safety Manager

Jeff will assist the Project Team with review of project specific information and processes as well as advise on findings and recommendations. He has over 35 years of experience in public safety and is currently Public Safety Manager of the Public Safety & Municipal Management Group for McMahan. He is a certified public manager and has been providing full-time public safety management consulting for the last 24 years. He worked as a Fire Chief, Police Chief, EMS Director, and Emergency Management Director before moving into public management consulting. He has worked with over 300 public safety clients nationwide and internationally.

RIPON AREA FIRE DISTRICT  
**Strategic Planning & Org Analysis and Fire Management Counsel**  
Ellen Sorenson  
515 Aspen Street,  
Ripon, WI 54971  
920-745-2262

CITY OF MAUSTON  
**Fire Management Counsel**  
Mauston Police and Fire Commission  
Brian McGuire, Chairman  
[btmcguire77@gmail.com](mailto:btmcguire77@gmail.com)  
303 Mansion Street  
Mauston, WI 53948  
608-548-3035

HOLMEN FIRE DISTRICT  
**Fire Department Sustainability and Fire Management Counsel**  
Patrick Barlow, Fire Board President  
[barlow@holmenwi.com](mailto:barlow@holmenwi.com)  
710 South Main Street,  
Holmen, WI 54636  
608-526-9363

CITY OF BARABOO, WI  
**Fire Dept. Organizational & Consolidation Feasibility Study**  
Edward Geick, City Administrator  
101 South Blvd  
Baraboo, WI 53913  
608-355-2715

CITY OF DE PERE, WI  
**Fire Dept. Organizational & Consolidation Feasibility Analysis and Interim Fire Chief Services**  
Larry Delo, City Administrator  
335 S. Broadway  
De Pere, WI 54115  
920-339-4044



VILLAGE OF GERMANTOWN  
**Fire Management Counsel Services**  
Steven Kreklow, Village Administrator  
[skreklow@germantownwi.gov](mailto:skreklow@germantownwi.gov)  
N112W1701 Mequon Road  
Germantown, WI 53022  
262-250-4775

CITY OF GREEN BAY  
**Interim Fire Chief Services**  
Eric Genrich, Mayor  
100 N. Jefferson Street  
Green Bay, WI 54301  
920-448-3000

VILLAGE OF JOHNSON CREEK  
**Interim Fire Chief Services and Fire Management Counsel**  
Sam Bell, Village Clerk  
[samb@johnsoncreekwi.org](mailto:samb@johnsoncreekwi.org)  
125 Depot Street  
Johnson Creek, WI 53038  
920-699-2296

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : Jan 7, 2025

Planning & Development  
Department

Zach Simonson  
Prepared By  
Zach Simonson  
Department Head

  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Ordinance No. 3237-2025: An Ordinance Amending the Code of Ordinances (Municipal Code of the City of Ottumwa, Iowa) by Changing the Zoning Classification of Property Known as 2411 N Court from C-3 to C-2 and the Property Known as 2415 N Court from R-1 to C-2 in the City of Ottumwa, Wapello County, Iowa

\*\*\*\*\*

**\*\*Public hearing required if this box is checked.\*\***

\*\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.\*\*\*

RECOMMENDATION: Pass second consideration of Ordinance No. 3237-2025.

DISCUSSION: The City has received a petition requesting to purchase the City-owned parcels at 2411 and 2415 N Court for use a car wash. The car wash use requires C-2 Zoning and the petition for purchase would be subject to rezoning. The City is initiating a proposed rezoning of the property at 2411 N Court from C-3 Commercial Mixed Use District to C-2 Community Commercial District and 2415 N Court from R-1 Single Family Residential District to C-2 Community Commercial District. These parcels are directly south of the former North Hy-Vee store and have been owned by the City since 2015.

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

At the Plan and Zoning Commission meeting on December 2, 2024, the Commission recommended approving the rezoning. To date, Staff has not received any comments about the rezoning.

Section 38-966 requires reviewing the following elements in order to consider a rezoning:

1. Conformance to Future Land Use Plan: The Future Land Use Plan identifies the parcels as suitable for Low Density Residential Use. There has been no request or interest in purchasing this property for residential use. If the Council and Commission determine that extending the current commercial district around the N Court and Highway 149 intersection further south, then the Future Land Use Plan should be amended to designate these parcels as suitable for community commercial use. The Plan and Zoning Commission recommends adopting a Comprehensive Plan amendment which would include an amendment to reflect this change in the Future Land Use Plan.
2. Conformance to goals and objectives of the Comprehensive Plan: The rezoning would advance a number of Comprehensive Plan Goals including:  
Growth 2: Focus on commercial development to grow the tax base.
3. Compatibility with surrounding development: The area directly to the north is zoned C-2 Community Commercial and includes an active commercial shopping district. While the Hy-Vee store has closed, there have been other new businesses to open in recent years include the gym at 2502 N Court and the drive-through coffee shop at 2504. These are vacant parcels, rezoning would determine the boundary of this commercial shopping district. North Court St. is designated as Minor Arterial St. and suitable for commercial traffic. While there is a constructed car wash at 2508 N Court, it is not operated, which means there is no nearby car wash for this area.
4. Potential hardships or nuisances for surrounding development: The car wash will generate commercial traffic and business during regular business hours. It will produce some amount of noise. The car wash will be required to conform to the buffer and screening standards described in the code to prevent hardship for the neighbor at 2409. These include maintaining a ten foot landscaped, buffer yard with the south neighbor and erecting a six-foot opaque barrier such as a fence, landscape screen or earth berm.
5. Public utilities: Development will be served by existing utilities. The City will require easements to access public utilities which run across the site.
6. Trend of development: There is a trend of new business and opportunities for revitalization of the business district to the north. Rezoning would determine the boundary of this commercial district.

## ORDINANCE NO. 3237-2025

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (MUNICIPAL CODE OF THE CITY OF OTTUMWA, IOWA) BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY KNOWN AS 2411 N COURT FROM C-3 TO C-2 AND THE PROPERTY KNOWN AS 2415 N COURT FROM R-1 TO C-2 IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA, THAT:

### SECTION 1

Zoning Ordinance #3105-2015 of the City of Ottumwa, Iowa, as amended and as set forth in Chapter 38 of the Municipal Code, City of Ottumwa, Iowa be and the same is hereby amended and changed to conform with this ordinance and the following described property, to wit:

A part of the Southwest Quarter (SW1/4) of Section Seven (7), Township Seventy-two (72) North, Range Thirteen (13) West of the 5th P.M. and also a part of Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section Twelve (12), Township Seventy-two (72), Ranger Fourteen (14) West of the 5th P.M., all in the City of Ottumwa, Wapello County, Iowa, being more particularly described as follows, to wit:

Beginning at the Northwest Corner of the Southwest Quarter (SW1/4) of Southwest Quarter (SW1/4) of said Section 7; thence North 88 degrees – 46' – 44" East along the southerly line of Lot Four (4) of Bradford's Northgate Addition to the City of Ottumwa, Wapello County, Iowa, a distance of 445.78 feet to a point on the Westerly right-of-way line of North Court Street in said City of Ottumwa, Iowa (formerly U.S. Highway No. 63); thence South 1 degree – 06' – 52" West along the said Westerly right-of-way line of North Court Street, a distance of 181.30 feet; thence South 89 degrees – 27' – 24" West, a distance of 451.67 feet to a point on the West line of the said SW1/4 of the SW1/4 of Section 7, said point also being located South 00 degrees – 48' – 02" West, a distance of 176.2 feet from the said Point of Beginning and also being located North 00 degrees – 48' – 02" East, a distance of 1152.32 feet from the Southwest Corner of the Southwest Quarter (SW1/4) of said Section 7; thence South 89 degrees – 36' – 40" West on a line that is parallel with the North line of the said SE1/4 of the SE1/4 of Section 12, a distance of 148.55 feet to a point on the Easterly right-of-way line of the relocated U.S. Highway No. 63; thence Northeasterly along a 3,995 foot radius curve of the said U.S. Highway No. 63 right-of-way line, concave Northwesterly and being 175 feet Southeast of and parallel with the center line of said U.S. Highway No. 63 to a point on the North line of the said SE1/4 of the SE1/4 of Section 12, said point also being N. 22 degrees – 07' 08" East, a distance of 190.7 feet from the last described point; thence North 89 degrees – 36' – 40: East along the said North line of SE1/4 of the SE1/4 of Section 12, a distance of 79.18 feet to the point of beginning containing a total of 2/3 acres more or less.

Be and the same is hereby changed from its present zoning classification of "R-1" Single-Family Residential District and "C-3" Commercial Mixed-Use District to "C-2" Community Commercial District.

SECTION 2

The official zoning map of the City of Ottumwa, Iowa duly designated as such, and on file in the office of the City Clerk and the Wapello County Recorder, is hereby amended and changed to conform to this ordinance and the City Clerk, pursuant to Section 38-30 of the Zoning Ordinance #3088-2015, as amended, is hereby directed to record a certified copy of this said ordinance with the Wapello County Recorder and attach a certified copy of this said ordinance to the official zoning map.

SECTION 3

This ordinance shall be in full force and effect, from and after its passage, adoption and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

SECTION 4

When this ordinance is in effect, it shall automatically supplement, amend and become a part of the said Code of Ordinance (Municipal Code) of the City of Ottumwa, Iowa.

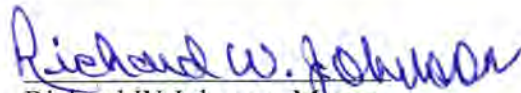
Passed on its first consideration on the 17 day of December, 2024.

Passed on its second consideration on the 7 day of January, 2025.

Requirement of consideration and vote at two prior council meetings suspended on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Final passage and adoption on the 7 day of January, 2025.

CITY OF OTTUMWA, IOWA

  
Richard W Johnson, Mayor

\_\_\_ No action taken by Mayor.

\_\_\_ Vetoed this \_\_\_ day of \_\_\_\_\_, 2025.

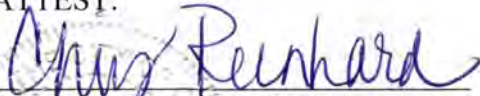
Richard W Johnson, Mayor

Repassed and adopted over the veto this \_\_\_ day of \_\_\_\_\_, 2025.

Veto affirmed this \_\_\_ day of \_\_\_\_\_, 2025 by failure of vote taken to repass.

Veto affirmed, no timely vote taken to repass over veto.

ATTEST:



Chris Reinhard, City Clerk





[ CITY OF ]  
OTTUMWA

Petition No.: \_\_\_\_\_

**Petitioner Information:**

Name: Blunt Investments

Address: 639 Mill St. Ottumwa, IA 52501

Phone Number: (641) 777-1041  **Petition contains the required number of signatures.**

Summary of Petition:

Purchasing 2 vacant lots on N Court.  
Purchase price of \$5000 for both lots.

\*\*\*\*\*

**1. Engineering Department**  **Approve**  **Deny** \_\_\_\_\_

Comments:

Date

**Dept. Initials  
Required**

**2. Plan/Zoning/Dev. Department**  **Approve**  **Deny** \_\_\_\_\_

Comments:

Date

**Dept. Initials  
Required**

**3. Health Department**  **Approve**  **Deny** \_\_\_\_\_

Comments:

Date

**Dept. Initials  
Required**

- \*\* If denied by your department automatically return to the City Clerk's Office.
- \*\* If approved by your department submit to the next department for review.
- \*\*\* Once the form is completed return to the City Clerk's Office





# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

I, Kyle Ocker, being duly sworn on my oath, say that I am the General Manager of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement 2415 & 2411 N COURT CITY OF OTTUMWA

hereto attached was published in said newspaper for one consecutive weeks to-wit:

11/28/2024

Subscribed and sworn to before me, and in my presence, by the said 3rd day of December, 2024



Traci Counterman

Notary Public

In and for Wapello County

Printer's Fee: \$ 87.33

## NOTICE OF PUBLIC HEARING

Notice of public hearing on proposed change in zoning classification on certain property located in Wapello County, Iowa.

### TO WHOM IT MAY CONCERN:

Notice is hereby given that the City of Ottumwa City Council will hold a public hearing at 5:30 p.m. on Tuesday December 17, 2024 at the Bridge View Center in the City of Ottumwa, Iowa, in regard to Ordinance No. 3237-2024 rezoning the property located at 2411 and 2415 North Court. The property is legally described as follows:

A part of the Southwest Quarter (SW1/4) of Section Seven (7), Township Seventy-two (72) North, Range Thirteen (13) West of the 5th P.M. and also a part of Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section Twelve (12), Township Seventy-two (72) North, Range Fourteen (14) West of the 5th P.M., all in the City of Ottumwa, Wapello County, Iowa, being more particularly described as follows, to-wit:

Beginning at the Northwest Corner of the Southwest Quarter (SW1/4) of Southwest Quarter (SW1/4) of said Section 7; thence North 88 degrees 46' 44" East along the southerly line of Lot Four (4) of Bradfords Northgate Addition to the City of Ottumwa, Wapello County, Iowa, a distance of 445.75 feet to a point on the Westerly right-of-way line of North Court Street in said City of Ottumwa, Iowa (formerly U.S. Highway No. 63); thence South 1 degree 06' 52" West along the said Westerly right-of-way line of North Court Street a distance of 181.30 feet; thence South 89 degrees 27' 24" West, a distance of 451.67 feet to a point on the West line of the said SW1/4 of the SW1/4 of Section 7; said point also being located South 00 degrees 46' 02" West, a distance of 176.2 feet from the said Point of Beginning and also being located North 03 degrees 48' 02" East, a distance of 1152.32 feet from the Southwest Corner of the Southwest Quarter (SW1/4) of said Section 7; thence South 89 degrees 36' 40" West on a line that is parallel with the North line of the said SE1/4 of the SE1/4 of Section 12, a distance of 148.55 feet to a point on the Easterly right-of-way line of the relocated U.S. Highway No. 63; thence Northeastery along a 3,995 foot radius curve of the said U.S. Highway No. 63 right-of-way line, concave Northwestery and being 175 feet Southeast of and parallel with the center line of said U.S. Highway No. 63 to a point on the North line of the said SE1/4 of the SE1/4 of Section 12, said point also being N. 22 degrees 07' 08" East, a distance of 190.7 feet from the last described point; thence North 80 degrees 38' 40" East along the said North line of SE1/4 of the

SE1/4 of Section 12, a distance of 78.16 feet to the point of beginning containing a total of 293 acres more or less.

The City is initiating the proposed rezoning for the City-owned properties further to a petition requesting to purchase the properties. The City request is that the property at 2411 North Court be rezoned from C-3 Commercial Mixed-Use to C-2 Community Commercial District and the property at 2415 North Court be rezoned from R-1 Single-Family Residential District to C-2 Community Commercial District for the purpose of permitting a car wash.

All persons interested in the above proposed change in zoning are invited to be present at the above time and place on the date mentioned to present their objections to, or arguments for the proposed change in zoning classification.

Members of the public wishing to contribute to the public hearing may attend the meeting at Bridge View Center, 102 Church Street, mail written remarks to Planning Department, 105 E Third St., Ottumwa, IA 52501, call 641-683-0850 or email remarks to simonsonz@ottumwa.us.

Further, the Plan and Zoning Commission will hold a hearing on this matter of the rezoning on Monday, December 2, 2024 at 6pm on the Second Floor of the Temporary City Hall at the Ottumwa Depot, 210 W Main Street.

FOR THE CITY OF OTTUMWA CITY COUNCIL  
Chris Reinhard, City Clerk

received  
12 19 24 315

Item No. I.-1.

# CITY OF OTTUMWA

## Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: Jan 7, 2025

Park & Recreation  
Department

Gene Rathje  
Prepared By  
Gene Rathje  
Department Head

  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Resolution #1-2025, A resolution approving Revision #1 to the Ottumwa Parks Master Plan.

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and Adopt Resolution #1-2025

DISCUSSION: The Ottumwa Park Master Plan was produced about 3 years ago. Since then, many new projects are underway or have changed location, such as the tennis courts at the high school, the Legacy fields soccer complex, the indoor sports facility in Sycamore Park, and the proposed skate park. Because of these changes, it was time to revise the Ottumwa Park Master plan. The revision was done by City IT Director Travis Lawrence, and approved by the Ottumwa Parks Advisory Board at their meeting on December 10, 2024. The revised plan is attached. The revised plan will be used as a guide for parks projects in the future.

Source of Funds:

Budgeted Item:  Budget Amendment Needed: No

RESOLUTION # 1-2025

A RESOLUTION APPROVING REVISION #1 TO THE OTTUMWA PARK MASTER PLAN

WHEREAS, City staff realized that the parks master plan was in need of an update due to changes in the location of projects, and;

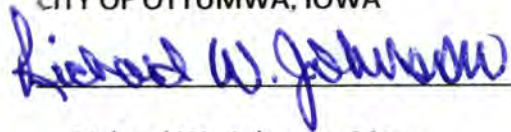
WHEREAS, The Ottumwa Park Master Plan was updated by City Staff at no cost to the City of Ottumwa, and;

WHEREAS, The Ottumwa Parks Advisory Board approved Revision #1 to the Ottumwa Parks Master Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: Revision #1 to the Ottumwa Parks Master Plan be accepted.

APPROVED, PASSED, AND ADOPTED, this 7<sup>th</sup> day of January, 2025.

CITY OF OTTUMWA, IOWA



Richard W. Johnson, Mayor

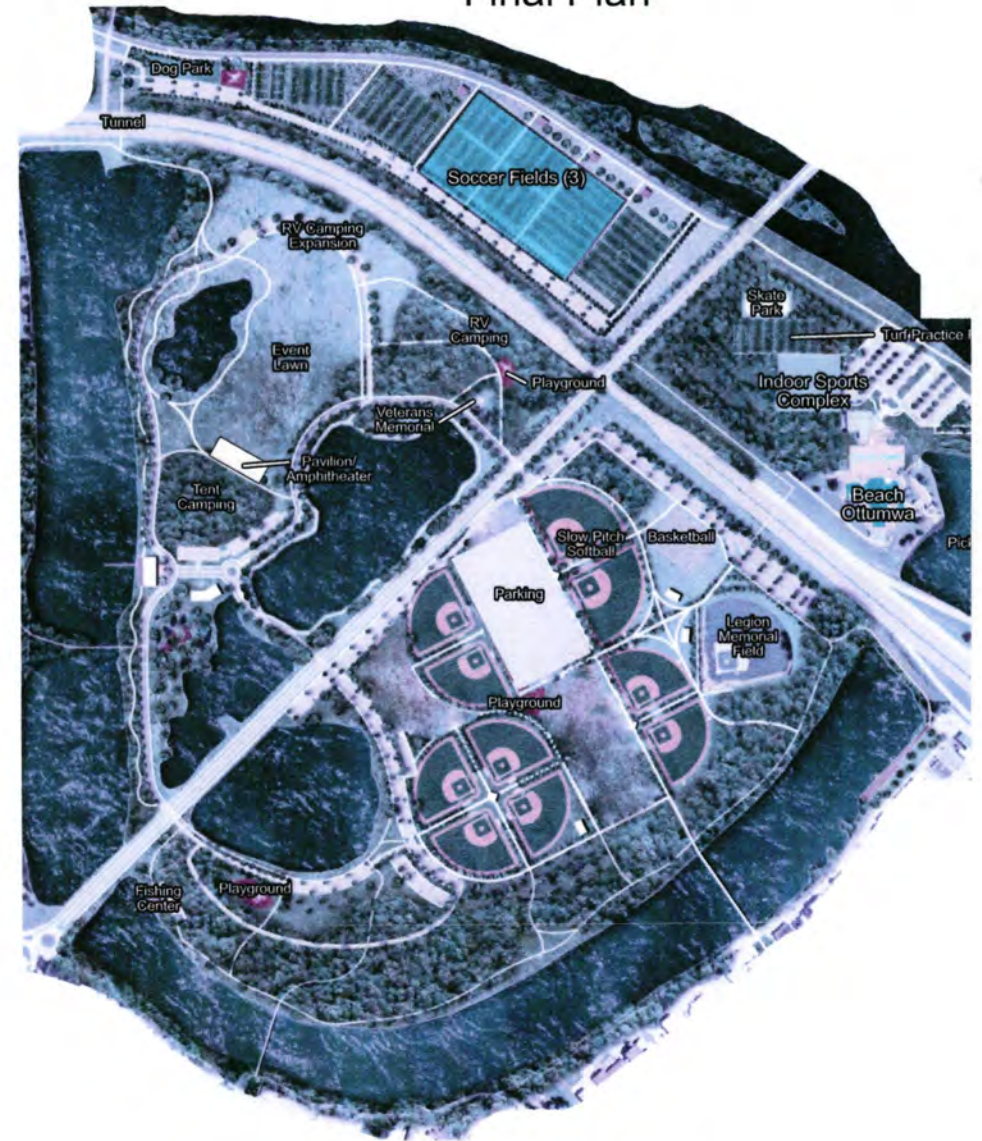
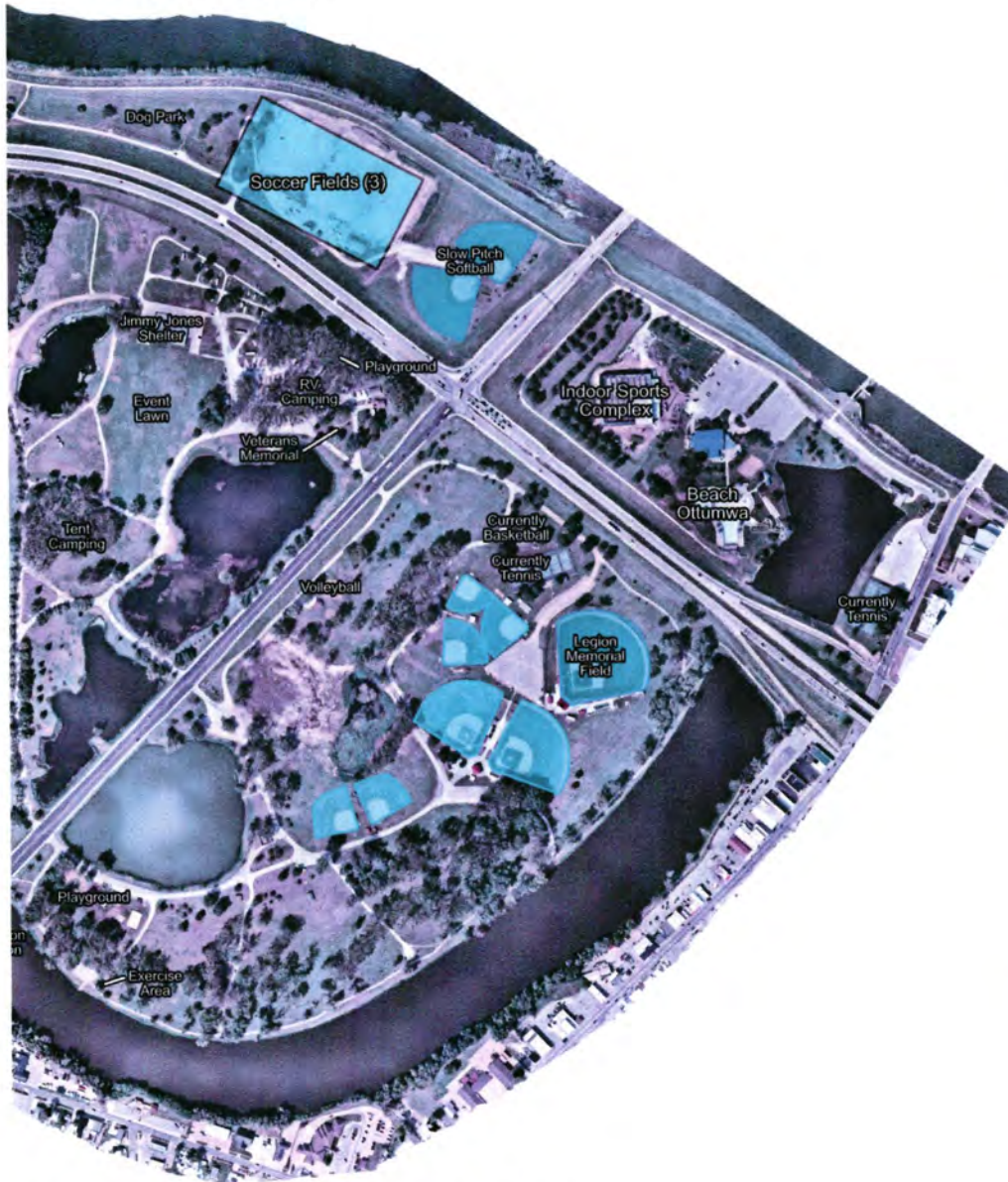
ATTEST:



Christina Reinhard, City Clerk

Current State

Revised Greater Ottumwa Park Master Plan  
Final Plan



September 11, 2024

January 3, 2023  
with modifications

received  
12 19 24 315

Item No. I.-2.

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : Jan 7, 2025

Park & Recreation  
Department

Gene Rathje  
Prepared By  
Gene Rathje  
Department Head

  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Resolution #2-2025. Bids for the Ottumwa Cemetery Office and Maintenance Building Project

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and Adopt Resolution #2-2025, Accepting the low bid from RG Construction for \$1,520,000 for the Ottumwa Cemetery Office and Maintenance Building Project.

DISCUSSION: Willett-Hoffman Architects and City of Ottumwa Staff advertised online for this project and 5 bids were received. The bids were opened on December 12 at 2 p.m. The bids tab is attached. The low bid was from RG Construction of Ottumwa for \$1,520,000. City Staff recommends accepting the bid from RG Construction for this project. The bid from RG Construction was approved by the Ottumwa Cemetery Board of Trustees at their meeting on January 2, 2025. There was \$1,875,000 budgeted for this project in the CIP.

Source of Funds: CIP

Budgeted Item:  Budget Amendment Needed: No





RESOLUTION # 2-2025

A RESOLUTION APPROVING THE LOW BID FOR THE OTTUMWA CEMETERY OFFICE AND  
MAINTENANCE BUILDING PROJECT

WHEREAS, The Ottumwa Cemetery Board of Trustees has determined that a new office and maintenance building is needed, and;

WHEREAS, Funding is currently available for this project through the City of Ottumwa CIP, and;

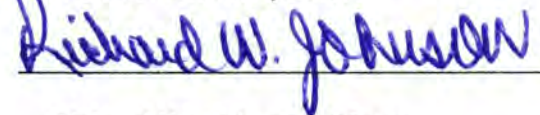
WHEREAS, The City of Ottumwa staff has put the cemetery office and maintenance building project out for bid and 5 bids were received, and;

WHEREAS, The low bid was within what was budgeted for this project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The low bid from RG Construction for \$1,520,000 be accepted.

APPROVED, PASSED, AND ADOPTED, this 7<sup>th</sup> day of January, 2025.

CITY OF OTTUMWA, IOWA



Richard W. Johnson, Mayor



ATTEST:



Christine Reinhard, City Clerk



**CITY OF OTTUMWA**  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: Jan 7, 2025

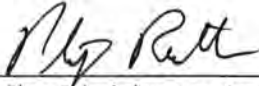
Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution No. 3-2025 - A Resolution Providing for the Financial Support of the Area 15 Regional Planning Commission

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 3-2025

DISCUSSION: In accordance with the 1973 Articles of Agreement with Area 15 Regional Planning Commission the City is responsible for \$0.54 per capita. This equates to a contribution of \$13,785.66 for the period covering July 1, 2025 through June 30, 2026.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:

**RESOLUTION NO. 3-2025**

**A RESOLUTION PROVIDING FOR THE FINANCIAL SUPPORT OF THE  
AREA 15 REGIONAL PLANNING COMMISSION**

**WHEREAS**, Chapters 28E and 473A of the State Code of Iowa, as amended, authorized the governing bodies of governmental units to cooperate in the operation of a regional planning commission; and

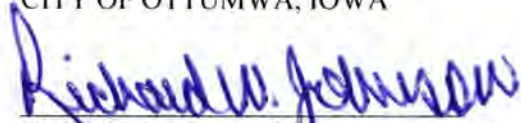
**WHEREAS**, by the Articles of Agreement, signed on August 15, 1973, as amended, the Area 15 Regional Planning Commission did become the authorized planning agency for Service Delivery Area 15; and

**WHEREAS**, the governing body of the **City of Ottumwa, Iowa** is a part of the Area 15 Regional Planning Commission and has agreed to contribute \$0.54 per capita, for a total amount equal to **\$13,785.66** to cover financial operating costs of the Area 15 Regional Planning Commission from July 1, 2025 through June 30, 2026.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Ottumwa, Iowa that the City of Ottumwa agrees to contribute \$13,785.66 to the Area 15 Regional Planning Commission to serve as FY26 contribution.

APPROVED, PASSED, AND ADOPTED this 7th day of January, 2025.

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:

  
  
Chris Reinhard, City Clerk

Please return this copy to the RPC

RESOLUTION # 3-2025

**RESOLUTION PROVIDING FOR THE FINANCIAL SUPPORT OF THE  
AREA 15 REGIONAL PLANNING COMMISSION**

**WHEREAS**, Chapters 28E and 473A of the State Code of Iowa, as amended, authorized the governing bodies of governmental units to cooperate in the operation of a regional planning commission; and

**WHEREAS**, by the Articles of Agreement, signed on August 15, 1973, as amended, the Area 15 Regional Planning Commission did become the authorized planning agency for Service Delivery Area 15; and

**WHEREAS**, the governing body of the City of **Ottumwa**, Iowa is a part of the Area 15 Regional Planning Commission and has agreed to contribute \$.54 per capita, for a total amount equal to **\$13,785.66** to cover financial operating costs of the Area 15 Regional Planning Commission from July 1, 2025 through June 30, 2026.

AGREED TO THIS 7<sup>th</sup> DAY OF January 2025.

Richard W. Johnson  
Mayor

ATTEST:

Chris Reinhard  
City Clerk



**received**  
129 2024

P.O. Box 1110 • Ottumwa, IA 52501  
(P) 641.684.6551  
Area15rpc@AREA15RPC.COM  
[www.area15rpc.com](http://www.area15rpc.com)  
chris.bowers@AREA15RPC.COM

December 6, 2024

Season's Greetings!

As the new year arrives, Area 15 Regional Planning Commission is excited to begin its annual membership drive! As you begin budgeting for **FY2025-2026**, I hope you will continue your membership and support of your regional planning commission. Membership provides you with local professional staff to access programs and services for your community.

The past year has been very successful and busy for your Economic Development District (EDD)/Council of Governments (COG). With an 89% membership rate for FY2024-2025, your support is incredible! RPC staff helped our communities and citizens with planning, housing, and community/economic development projects.

The RPC secured over **\$3.8 million** in grants from July 1, 2023 – June 30, 2024! This represents a return of **\$75** in grant funds for every \$1 of membership dues invested. However, success does not happen without your support. Your annual participation is extremely important for the regional planning commission to provide you with professional planning staff. Our four (4) professional staff have a combined 57 years of experience working for you at Area 15 RPC. They have the knowledge, experience, and connections to help with your community needs.

Thank you to our public officials, economic development professionals, and regional partners who assisted us to pursue these community and economic development opportunities over the past year. I ask that you please consider and return the enclosed resolution for membership to keep your regional planning commission going strong!

If there is anything that we can do for you, please reach out to me at (641) 814-8403 or [chris.bowers@area15rpc.com](mailto:chris.bowers@area15rpc.com). Remember – we are working for you!

Sincerely,

Chris Bowers  
Executive Director

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : Jan 7, 2025

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution No. 4-2025 - A Resolution Providing for the Financial Support of the Regional Planning Affiliation (RPA 15)

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 4-2025

DISCUSSION: Regional Planning Affiliation for Region 15 (RPA 15) has been designated to provide transportation planning to its members, which includes the City of Ottumwa. The City is estimated to receive \$626,315 in financial support. In return, the City is requested to contribute a proportional share (\$6,428) of the local match for the planning grant. The local match is 20% or \$28,398.

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

**RESOLUTION NO. 4-2025**

**A RESOLUTION PROVIDING FOR THE FINANCIAL SUPPORT OF THE  
REGIONAL PLANNING AFFILIATION (RPA 15)**

- WHEREAS, the State of Iowa has designated the counties of Jefferson, Keokuk, Mahaska, Van Buren, Wapello along with the cities of Fairfield, Oskaloosa and Ottumwa as the Regional Planning Affiliation for Region 15 (RPA 15); and,
- WHEREAS, RPA 15 Articles of Agreement, signed on December 22, 1994, and amended on January 23, 2014 designate the Area 15 Regional Planning Commission (Area 15 RPC) as the Regional Planning Affiliation for Region 15; and
- WHEREAS, the Iowa Department of Transportation (IDOT) requires each RPA to provide transportation planning to member jurisdictions prior to receiving Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funding from the Iowa Department of Transportation; and
- WHEREAS, RPA 15 expects to receive and program an estimated \$2,766,999 in federal highway transportation grant funds for FY26 to be used for road improvements in RPA 15, of which Ottumwa's estimated share is \$626,315; and
- WHEREAS, the IDOT requires Area 15 RPC to provide twenty percent (20%) local match toward the annual IDOT planning grant; and the FY26 local match requirement is an estimated \$28,398 and shall be proportionally shared by the member jurisdictions; and
- WHEREAS, the governing body of Ottumwa is a member of RPA 15 and whose apportioned share of FY26 local match equals \$6,428.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA HEREBY: agrees to contribute \$6,428 to the Area 15 Regional Planning Commission to serve as FY26 local match.

APPROVED, PASSED, AND ADOPTED this 7th day of January, 2025.

CITY OF OTTUMWA, IOWA



Richard W. Johnson, Mayor

ATTEST:

  
  
Chris Reinhard, City Clerk

Please return this copy to the RPC

RESOLUTION # 4-2025  
RESOLUTION PROVIDING FOR THE FINANCIAL SUPPORT OF THE  
REGIONAL PLANNING AFFILIATION (RPA 15)

**WHEREAS**, the state of Iowa has designated the counties of Jefferson, Keokuk, Mahaska, Van Buren, Wapello along with the cities of Fairfield, Oskaloosa and Ottumwa as the Regional Planning Affiliation for Region 15 (RPA 15), and;

**WHEREAS**, RPA 15 Articles of Agreement, signed on December 22, 1994, and amended on January 23, 2014 designate the Area 15 Regional Planning Commission (Area 15 RPC) as the Regional Planning Affiliation for Region 15; and

**WHEREAS**, the Iowa Department of Transportation (IDOT) requires each RPA to provide transportation planning to member jurisdictions prior to receiving Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funding from the Iowa Department of Transportation; and

**WHEREAS**, RPA 15 expects to receive and program an estimated \$2,766,999 in federal highway transportation grant funds for FY26 to be used for road improvements in RPA 15, of which Ottumwa's estimated share is \$626,315; and

**WHEREAS**, the IDOT requires Area 15 RPC to provide twenty percent (20%) local match toward the annual IDOT planning grant; and the FY26 local match requirement is an estimated \$28,398 and shall be proportionally shared by the member jurisdictions, and

**WHEREAS**, the governing body of Ottumwa is a member of RPA 15 and whose apportioned share of FY26 local match equals \$6,428

**NOW, THEREFORE BE IT RESOLVED** that Ottumwa has agreed to contribute \$6,428 to the Area 15 Regional Planning Commission to serve as FY26 local match.

AGREED TO THIS 7th DAY OF January, 2025

Richard W. Johnson  
Mayor

ATTEST:

Chris Reenhart  
City Clerk



**received**  
129 2024

P.O. Box 1110 • Ottumwa, IA 52501  
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chris.bowers@AREA15RPC.COM

December 6, 2024

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Thank you to our public officials, economic development professionals, and regional partners who assisted us to pursue these community and economic development opportunities over the past year. I ask that you please consider and return the enclosed resolution for membership to keep your regional planning commission going strong!

If there is anything that we can do for you, please reach out to me at (641) 814-8403 or [chris.bowers@area15rpc.com](mailto:chris.bowers@area15rpc.com). Remember – we are working for you!

Sincerely,

Chris Bowers  
Executive Director



# CITY OF OTTUMWA

## Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: Jan 7, 2025

Administration  
Department

Philip Rath  
Prepared By  
Mayor Johnson  
Department Head

  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Resolution 5-2025 - Resolution Approving an Agreement with Greater Ottumwa Partners In Progress for Pearl Level Sponsorship of the Lean In Conference for 2025

\*\*\*\*\*  
 \*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 5-2025

DISCUSSION: Greater Ottumwa Partners In Progress is preparing to host the 3rd annual Lean In Conference - a leadership event geared toward women. When an event serves a public purpose the city is able to contribute to the private sponsor. This particular event brings a variety of participants from across the region and captures a couple of the city's goals with growth and diversity. To outline the relationship between the deliverable GOPIP provides from any public dollars contributed, a simple agreement related to the event has been drafted and is attached for reference. Mayor Johnson is requesting city council to sponsor \$250 toward the event.

Source of Funds: General Fund (001) - Admin (610)

Budgeted Item:  Budget Amendment Needed: No

**RESOLUTION NO. 5-2025**

**RESOLUTION APPROVING AN AGREEMENT WITH  
GREATER OTTUMWA PARTNERS IN PROGRESS FOR  
SPONSORSHIP OF LEAN IN CONFERENCE**

**WHEREAS**, Greater Ottumwa Partners In Progress (GOPIP) has created and hosted an annual leadership conference focused for women and women in leadership roles for the past couple years; and

**WHEREAS**, the City of Ottumwa has previously supported this event financially as a special project under the GOPIP Agreement with the City; and

**WHEREAS**, the current Agreement with the City does not specify funding for this particular event; and

**WHEREAS**, the attached agreement identifies a public purpose and defines the terms for each party; and

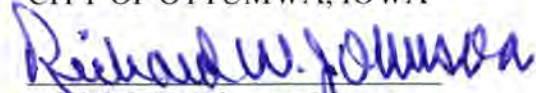
**WHEREAS**, the City desires to sponsor the women's leadership conference to further economic development opportunities as identified in the 2040 Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Ottumwa, Iowa, that the proposed Agreement between the City of Ottumwa, Iowa and GOPIP be hereby approved.

**BE IT FURTHER RESOLVED**, by the Ottumwa City Council of the City of Ottumwa, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute said resolution and the attached Agreement.

APPROVED, PASSED AND ADOPTED, this 7<sup>th</sup> day of January, 2025.

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:

  
  
Christina Reinhard, City Clerk

## FUNDING AGREEMENT FOR LEAN IN CONFERENCE

This Agreement is made and entered into by and between the City of Ottumwa, Iowa, an Iowa municipal corporation (the "City") and Greater Ottumwa Partners in Progress, an Iowa non-profit corporation ("GOPIP").

### WITNESSETH:

WHEREAS, GOPIP was created as an economic development catalyst, the volunteer members of which are citizens, unions, businesses and organizations who invest in the corporation; and

WHEREAS, the City and GOPIP desire to promote continued economic development within the community, and seek to promote economic development by retaining existing industry and attracting new business and industry to the City, which in turn will increase the business and employment opportunities for the citizens of the community, increase tax revenues, and will continue the economic vitality of the community; and

WHEREAS, GOPIP organizes a women's leadership conference at the Bridge View Center, which attracts recognition and visitors to the City for the event; and

WHEREAS, Iowa Code Chapter 15A provides that cities may provide grants and other financial assistance to private persons and businesses to advance economic development; and

WHEREAS, the City and GOPIP believe the fulfillment generally of this Agreement is in the best interest of the citizens of the City, and the City believes this Agreement is in accord with the public purposes, goals and provisions of the applicable State and local laws and requirements under which this Agreement is being undertaken and under which GOPIP is being assisted, under the terms and conditions set forth herein.

### IT IS AGREED AS FOLLOWS:

1. **TERM.** The term of this Agreement shall commence upon execution by both parties and continue through the 2025 Lean In conference event.
2. **REPORTS.** GOPIP agrees to submit a report to the City by May 1, 2025, with an accounting of the expenditures of funds provided by the City pursuant to Section 4 of this Agreement. The report shall also include information on the number of participants and vendors related to the conference.

3. **SCOPE OF SERVICES.** The Services to be provided by GOPIP to the City include, but are not limited to:
  - a. Organizing and managing a conference focused on women in leadership to be held at the Bridge View Center.
  - b. Recognition of the city sponsorship as indicated for those entities at the Pearl level for the event.
  
4. **FUNDING FOR SERVICES.** In exchange for GOPIP's provision of the services described herein, in furtherance of the goals and objectives of Iowa Code Chapter 15A, the City agrees, subject to GOPIP being and remaining in compliance with the terms of this Agreement, and subject to the terms and conditions of this Agreement, to provide GOPIP with funding as follows:
  - a. PEARL Level Sponsorship totaling \$250.00
  
5. **WAIVER OF WARRANTY.** GOPIP warrants and represents only that it will work diligently to perform the services required by this Agreement. GOPIP makes no warranty or representation that the services performed pursuant to this Agreement will produce results desired by the City.
  
6. **INDEMNIFICATION AND INSURANCE.** GOPIP shall provide adequate coverage to insure its operations. Further, to the extent permitted by law, GOPIP shall hold harmless, and indemnify the City, its elected officials, officers, directors, employees and agents from any and all claims, suits, actions, costs and fees, including but not limited to attorney's fees, interest and expenses growing out of or connected with the performance of this Agreement, or because of any act or omission, neglect, or misconduct of GOPIP, its officers, directors, employees, agents, volunteers, sub-recipients, independent contractors, or subcontractors.
  
7. **CONFLICT OF INTEREST.** GOPIP shall establish and follow policies prohibiting its officers, directors, agents, and employees from using City funds for their own private use.
  
8. **GOVERNING LAW.** This Agreement shall be governed and construed by the laws of the State of Iowa both as to interpretation and performance.
  
9. **REQUIRED NOTICES OR REPORTS.** Any notices, reports, records, or documents required under the terms of this Agreement shall be deemed sufficiently delivered if made in writing and sent by first class mail or personal service to:

**FOR THE CITY**

City of Ottumwa  
Attn: City Administrator  
105 East Third Street  
Ottumwa, IA 52501

**FOR GOPIP**

Greater Ottumwa Partners in Progress  
Attn: Executive Director  
217 East Main Street  
Ottumwa, IA 52501

- 10. TERMINATION.** Either party, upon ninety (90) days written notice to the other, may terminate this Agreement. Upon termination, the City agrees to pay GOPIP a prorated amount for all services performed pursuant to this Agreement prior to the effective date of termination. In the event the City has paid for services in advance, which were not rendered before the effective date of termination, then GOPIP shall return to the City the prorated portion of the advance payment for services not rendered before the termination.
- 11. SUCCESSORS AND ASSIGNS.** Each party, and their respective successors, executors, administrators and assigns, shall be bound by the terms of this Agreement. Neither party shall assign nor transfer any interest in this Agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of either party hereto nor shall it be construed as giving any rights or benefits hereunder to anyone other than the parties to this agreement.
- 12. AMENDMENTS.** This agreement may not be amended or modified except by written agreement of the City and GOPIP.
- 13. ENTIRE AGREEMENT.** This Agreement represents the entire agreement between the parties regarding the subject herein and supersedes all previous communications or understandings, whether oral or written.
- 14. SAVINGS CLAUSE.** If any provision of this Agreement, or the application of such provision, shall be rendered or declared invalid by a court of competent jurisdiction, or by reason of its requiring any steps, actions or results, the remaining parts or portions of this Agreement shall remain in full force and effect.
- 15. NO JOINT VENTURE.** Nothing in this Agreement shall be construed as creating or constituting the relationship of a partnership, joint venture, (or other association of any kind or agent/principal relationship) between the parties hereto. No party, unless otherwise specifically provided for herein, has the authority to enter into any agreement or create an obligation or liability on behalf of, in the name of, or binding upon another party to this Agreement.
- 16. NON-WAIVER.** Failure of either party to take action to enforce compliance with any of the terms or conditions of this Agreement, or to give notice or declare this Agreement or any authorization granted hereunder terminated, or to exercise any right or privilege hereunder, shall not be construed as a continuing or future waiver of such term, condition, right or privilege, but the same shall be and remain at all times in full force and effect.

GREATER OTTUMWA PARTNERS IN PROGRESS

\_\_\_\_\_  
President

Date \_\_\_\_\_

CITY OF OTTUMWA

*Richard W. Johnson*  
\_\_\_\_\_  
Mayor

ATTEST:

*Chris Reinhard*  
\_\_\_\_\_

Date *Jan 7, 2025*  
\_\_\_\_\_



# WOMEN'S CONFERENCE



## Platinum Sponsor | \$5000: 1 available

- Company logo will be present every time the event is promoted
- Company logo will be listed on the Greater Ottumwa Partners in Progress website
- Social media announcement when sponsorship is arranged
- Company logo on a shared event sponsor banner
- Press release specific to your business sent to all local news media
- 4 full-conference registrations, including all conference meals
- Preferred seating at lunch
- Brief (2-3 min) speaking opportunity and the event (specific opportunity to be determined in cooperation with the conference committee)
- Display table in lobby with company representation
- Company swag in the goodie bags

## Diamond | \$2500 — Lunch: 1 available Keynote Speaker: 2 available

- Company name listed on conference signage and Greater Ottumwa Partners in Progress website
- Company logo on a shared event sponsor banner
- Company mentioned on radio
- 2 full-conference registrations, including all conference meals
- Brief (2-3 min) speaking opportunity and the event (specific opportunity to be determined in cooperation with the conference committee)
- Display table in lobby with company representation
- Company swag in the goodie bags

## Sapphire | \$1000 — Breakout Session: 9 available Networking Event: 1 available

- Company name on all conference printed material and Greater Ottumwa Partners in Progress website
- Social media announcement when sponsorship is arranged
- Company logo on a shared event sponsor banner
- Sponsorship acknowledgment during conference
- Display table in lobby with company representation
- Company promotional materials in the goodie bags

## Ruby | \$500 — unlimited

- Company name listed on Greater Ottumwa Partners in Progress website
- Company name on a shared event sponsor banner
- Social media announcement when sponsorship is arranged
- Company swag in goodie bags

## Pearl | \$250 — unlimited

- Company name on a shared event sponsor banner
- Social media announcement when sponsorship is arranged
- Company name listed on Greater Ottumwa Partners in Progress website

## Sponsorship Form

- Platinum: \$5000
- Diamond: \$2,500
- Sapphire: \$1,000
- Ruby: \$500
- Pearl: \$250

Company

Contact

Address

Phone

Email

Payment Method:

- Invoice
- Check #\_\_\_ (payable to GOPIP)
- Cash
- Credit Card\* (MC/Visa/Discover)

\*4% service charge added to credit/debit transactions.  
Please call 641-682-3465 to pay by card

*Thank you for your support!*

WOMEN'S CONFERENCE

EMPOWER



Lean In

*Diversity, equity, and inclusion* means breaking down the barriers that separate us; and to be free means to be equal. We celebrate this concept, and our mission is to create a community in which we not only strive to bring success and balance for everyone but also learn from the trials and honor the successes of those who came before us.

That is why we choose International Women's Day, for this year's Lean In Conference. So many women have fought to be treated equally at work, at home, and in their communities. With this event, these voices can uplift, inspire, and engage us and our future generations. In our increasingly diverse community, we welcome you and see you, but more importantly, *we hear you.*

*Women in Leadership*  
CONFERENCE  
INTERNATIONAL WOMEN'S DAY

at  
Bridge View Center, Inc.  
Ottumwa, IA



GREATER  
OTTUMWA

[www.greaterottumwa.com]



received  
12/31/24 @ 12:30 PM

# CITY OF OTTUMWA Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: January 7, 2025

Jake Rusch

Prepared By

Building and Code Enforcement

Department

Zach Simonson

Department Head

City Administrator Approval

AGENDA TITLE: Resolution No.6-2025. A resolution awarding the contracts for Asbestos abatement and demolition of the condemned property at 814 Wabash.

\*\*\*\*\*

**\*\*Public hearing required if this box is checked.\*\***

\*\*The Proof of Publication for each Public hearing must be attached to this Staff Summary. If the Proof of Publication is not attached the item will not be placed on the agenda.\*\*

RECOMMENDATION: Pass and Adopt Resolution 6-2025

DISCUSSION: The structure at 814 Wabash was condemned by the City of Ottumwa. Bids for this Demolition and cleanup project were accepted until 2 P.M. on December 19, 2024. Five demolition and clean up bids and four asbestos removal bids were received. Ryan Cynar submitted the best bid in the amount of \$15,900.00 for the for the Demolition, asbestos removal and cleanup. Staff recommends awarding him the contract. A bid tab is attached.

RESOLUTION NO. 6-2025

A RESOLUTION AWARDED THE CONTRACT FOR THE DEMOLITION, ASBESTOS REMOVAL AND CLEANUP OF THE CONDEMNED PROPERTY AT 814 WABASH STREET.

WHEREAS, the City of Ottumwa has accepted bids for the above referenced project until 2pm on December 19, 2024; and

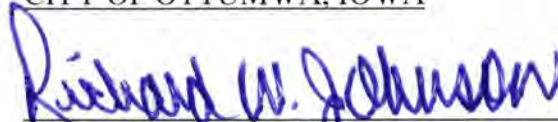
WHEREAS, the lowest qualified bid was from Ryan Cynar in the amount of \$15,900.00 for Demolition;

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA IN THE STATE OF IOWA THAT:



Ryan Cynar be awarded the contract for the demolition, asbestos removal and cleanup of the condemned property at 814 Wabash Street in the amount of \$15,900.00.

APPROVED, PASSED AND ADOPTED this 7<sup>th</sup> day of January 2025.

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:

  
  
Christina Reinhard, City Clerk

<b>814 WABASH</b>	<b>Asbestos</b>	<b>Demolition</b>	<b>Total</b>
<b>Ryan Cynar</b>	\$4,900.00	\$11,000.00	\$15,900.00
<b>Weston McKee</b>	\$5,900.00	\$10,750.00	\$16,650.00
<b>Dustan Smith</b>	\$4,400.00	\$13,600.00	\$18,000.00
<b>Hilsabeck Dirtwork LLC</b>	\$6,400.00	\$19,485.00	\$25,885.00
<b>Don Jones</b>	<b>NA</b>	\$5,900.00	\$5,900.00
<b>Best Bid For Demolition and clean up:</b>			
<b>Ryan Cynar</b>			\$15,900



[ CITY OF ]  
OTTUMWA

REQUEST BID FOR ASBESTOS REMOVAL AND DISPOSAL AND  
DEMOLITION OF 814 WABASH OTTUMWA, IOWA

BID FORM

Address	Asbestos Bid	Demolition Bid	TOTAL BID
814 Wabash	\$4900	\$1,000	\$15,900

~~Initial here if you are willing to have individual portions of your bid considered for award.~~

It is understood that the City reserves the right to accept or reject any or all proposals, to disregard any formality in connection therewith, or to accept any proposal, which in its opinion, is in the best interest of the City.

A Bid Security must be included in the sealed bid envelope along with this bid sheet. The bid security must equal ten percent (10%) of the total bid price and must be in the form of cash or a cashier's check or as a certified check drawn on a bank in Iowa or chartered in the United States, or a certified share draft drawn on a credit union chartered under the laws of the United States.

The Successful Bidder shall then provide a performance bond with corporate surety to one hundred percent (100%) of the bid price on all projects. A cashier's check, a certified share draft, as described above or cash may be used. An irrevocable letter of credit stating the

amount of the project for an amount equal to 100% of the bid price may be substituted for the performance bond.

The Bid Form and Work Required document automatically become part of the final contract should this proposal be accepted.

If my proposal is accepted, I, the undersigned, agree to enter into a contract (see attached sample) for said work.

  
Signature

Ryan Reynor  
Printed Name

3086 Stewart Rd NE  
Address

319-359-9693  
Telephone Number

Iowa City, IA 52240  
City, State, Zip

12/16/24  
Date

rygo11c@gmail.com  
E-mail Address

received  
1-3-2025 8AM

Item No. I.-7.

CITY OF OTTUMWA

Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: January 7, 2025

\_\_\_\_\_  
Engineering  
Department

\_\_\_\_\_  
Phillip Burgmeier  
Prepared By  
*Phillip Burgmeier*  
\_\_\_\_\_  
Department Head

\_\_\_\_\_  
*Phil Rott*  
City Administrator Approval

AGENDA TITLE: Resolution #7-2025. Authorizing the Mayor to execute Iowa DOT Agreement No. 5-23-STBG-SWAP-024 for a Surface Transportation Block Grant Program Federal-aid Swap Project.

\*\*\*\*\*

**\*\*Public hearing required if this box is checked. \*\***

**\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.\*\***

RECOMMENDATION: Pass and adopt Resolution #7-2025.

DISCUSSION: This agreement formalizes the federal-aid for the Mary Street Reconstruction Project from Ferry Street to Shaul Avenue. This construction project is a full width, full depth PCC project and includes replacement of sidewalks to ADA standards, storm and sanitary sewer improvements, and water main replacement where requested by Ottumwa Water Works.

The estimated cost of the project is \$3,330,000. This agreement will fund up to \$2,897,831 for construction. Local fund will pay for the remaining cost, estimated at \$432,169.

This is a DOT letting set for March 18, 2025

RESOLUTION #7-2025

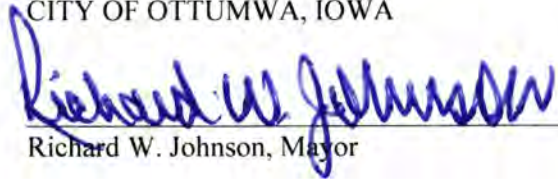
A RESOLUTION APPROVING THE MAYOR TO EXECUTE  
IOWA DOT AGREEMENT NO. 5-23-STBG-SWAP-024  
FOR A SURFACE TRANSPORTATION BLOCK GRANT PROGRAM  
FEDERAL-AID SWAP PROJECT.

WHEREAS, The agreement authorizes IDOT to develop and complete PCC pavement, grade and replace on Mary Street from Ferry Street West 0.70 miles to Shaul Avenue.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The Agreement between the City of Ottumwa and Iowa DOT for the above referenced project is hereby approved.

APPROVED, PASSED, AND ADOPTED, this 7<sup>th</sup> day of January, 2025.

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:

  
  
Christina Reinhard, City Clerk

**IOWA DEPARTMENT OF TRANSPORTATION  
Agreement for a Surface Transportation Block Grant Program Federal-aid Swap Project**

Recipient: City of Ottumwa

Project No.: STBG-SWAP-5825(650)--SG-90

Iowa DOT Agreement No.: 5-23-STBG-SWAP-024

This is an agreement between the City of Ottumwa, Iowa (hereinafter referred to as the Recipient) and the Iowa Department of Transportation (hereinafter referred to as the Department) for Surface Transportation Block Grant (STBG) Program Federal-aid Swap funds under 761 Iowa Administrative Code (IAC) Chapter 162. Iowa Code Section 306A.7 provides for the Recipient and the Department to enter into agreements with each other for the purpose of financing transportation improvement projects on streets and highways in Iowa.

Pursuant to the terms of this agreement, applicable statutes, and administrative rules, the Department agrees to provide STBG Federal-aid Swap funding to the Recipient for the authorized and approved costs for eligible items associated with the project.

Under this agreement, the parties further agree as follows:

1. The Recipient shall be the lead local governmental agency for carrying out the provisions of this agreement.
2. All notices required under this agreement shall be made in writing to the appropriate contact person. The Department's contact persons will be the Local Systems Project Development Engineer, Christy VanBuskirk, and Eastern Region Local Systems Field Engineer, Dillon Feldmann. The Recipient's contact person shall be the City Administrator.
3. The Recipient shall be responsible for the development and completion of the following described STBG project:  
  
PCC Pavement - Grade and Replace on Mary Street, from Ferry Street West 0.70 miles to Shaul Avenue
4. Eligible project activities will be limited to the following: construction, engineering, inspection, and right-of-way acquisition. Under certain circumstances, eligible activities may also include utility relocation or railroad work that is required for construction of the project.
5. The Recipient shall receive reimbursement for costs of authorized and approved eligible project activities from STBG Federal-aid Swap funds. The portion of the project costs reimbursed by STBG Federal-aid Swap funds shall be up to \$2,897,831 for the following phases of work as stipulated by the Area 15 Regional Planning Commission:  
  
Preliminary Engineering  
Construction Engineering  
Right-of-Way  
x Construction  
Other (please specify) \_\_\_\_\_
6. The Recipient shall pay for all project costs not reimbursed with STBG Federal-aid Swap funds.
7. If the project described in Section 3 drops out of the Area 15 Regional Planning Commission current TIP or the approved current STIP prior to obligation of funds, and the Recipient fails to reprogram the project in the appropriate TIP and STIP within 3 years, this agreement shall become null and void.
8. The Recipient shall let the project for bids through the Department.
9. If any part of this agreement is found to be void and unenforceable, the remaining provisions of this agreement shall remain in effect.
10. It is the intent of both parties that no third party beneficiaries be created by this agreement.



11. This agreement and the attached Exhibit 1 (& 2 if appropriate) constitute the entire agreement between the Department and the Recipient concerning this project. Representations made before the signing of this agreement are not binding, and neither party has relied upon conflicting representations in entering into this agreement. Any change or alteration to the terms of this agreement shall be made in the form of an addendum to this agreement. The addendum shall become effective only upon written acceptance of the Department and the Recipient.

---

**IN WITNESS WHEREOF**, each of the parties hereto has executed this agreement as of the date shown opposite its signature below.

---

**City Signature Block**

By Richard W. Johnson Date January 7, 2025  
Richard W. Johnson Mayor  
Title of city official

I, Christina Reinhard, certify that I am the City Clerk of Ottumwa, and that Richard W. Johnson, who signed said Agreement for and on behalf of the city was duly authorized to execute the same by virtue of a formal resolution duly passed and adopted by the city on the \_\_\_\_\_ day of January 7, 2025.

Signed Christina Reinhard Date January 7, 2025  
City Clerk of Ottumwa, Iowa

---

**IOWA DEPARTMENT OF TRANSPORTATION  
Highway Administration**

By \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_\_  
Dillon Feldmann, P.E.  
Local Systems Field Engineer  
Eastern Region

## Exhibit 1

### General Agreement Provisions for use of Federal-aid Swap Funds on Non-primary Projects

Unless otherwise specified in this agreement, the RECIPIENT shall be responsible for the following:

#### 1. General Requirements.

- a. The RECIPIENT shall take the necessary actions to comply with applicable State and Federal laws and regulations. To assist the RECIPIENT, the DEPARTMENT has provided guidance in the Instructional Memorandums to Local Public Agencies (I.M.s), available on-line at: [https://iowadot.gov/local\\_systems/publications/im/lpa\\_ims](https://iowadot.gov/local_systems/publications/im/lpa_ims). The RECIPIENT shall follow the applicable procedures and guidelines contained in the I.M.s in effect at the time project activities are conducted.
- b. In accordance with Iowa Code Chapter 216 and associated subsequent nondiscrimination laws and regulations, the RECIPIENT shall not discriminate against any person on the basis of race, color, creed, age, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability.
- c. The RECIPIENT shall comply with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504), the associated Code of Federal Regulations (CFR) that implement these laws, and the guidance provided in I.M. 1.080, ADA Requirements. When pedestrian facilities are constructed, reconstructed, or altered, the RECIPIENT shall make such facilities compliant with the ADA and Section 504.
- d. The RECIPIENT agrees to indemnify, defend, and hold the DEPARTMENT harmless from any action or liability arising out of the design, construction, maintenance, placement of traffic control devices, inspection, or use of this project. This agreement to indemnify, defend, and hold harmless applies to all aspects of the DEPARTMENT's application review and acceptance process, plan and construction reviews, and funding participation.
- e. Termination of funds. Notwithstanding anything in this agreement to the contrary, and subject to the limitations set forth below, the DEPARTMENT shall have the right to terminate this agreement without penalty and without any advance notice as a result of any of the following: 1) The Federal government, legislature or governor fail in the sole opinion of the DEPARTMENT to appropriate funds sufficient to allow the DEPARTMENT to either meet its obligations under this agreement or to operate as required and to fulfill its obligations under this agreement; or 2) If funds are de-appropriated, reduced, not allocated, or receipt of funds is delayed, or if any funds or revenues needed by the DEPARTMENT to make any payment hereunder are insufficient or unavailable for any other reason as determined by the DEPARTMENT in its sole discretion; or 3) If the DEPARTMENT's authorization to conduct its business or engage in activities or operations related to the subject matter of this agreement is withdrawn or materially altered or modified. The DEPARTMENT shall provide the RECIPIENT with written notice of termination pursuant to this section.

#### 2. Programming

- a. The RECIPIENT shall be responsible for including the project in the appropriate Regional Planning Affiliation (RPA) or Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP). The RECIPIENT shall also ensure that the appropriate RPA or MPO, through their TIP submittal to the DEPARTMENT, includes the project in the Statewide Transportation Improvement Program (STIP). If the project is not included in the appropriate fiscal year of the STIP, funds cannot be obligated.
- b. Before beginning any work for which funding reimbursement will be requested, the RECIPIENT shall submit a written request for acceptance to the DEPARTMENT. The DEPARTMENT will notify the RECIPIENT when acceptance is granted. The cost of work performed prior to acceptance will not be reimbursed. The turning in of plans for letting by the DEPARTMENT's administering bureau shall be considered acceptance for construction. The DEPARTMENT will notify the RECIPIENT when acceptance is granted.

### **3. Design and Consultant Services**

- a. The RECIPIENT shall be responsible for the design of the project, including all necessary plans, specifications, and estimates (PS&E). The project shall be designed in accordance with the design guidelines provided or referenced by the DEPARTMENT in the Guide and applicable I.M.s.

### **4. Environmental Requirements and other Agreements or Permits.**

- a. The RECIPIENT shall obtain project permits and approvals, when necessary, from the Iowa Department of Cultural Affairs (State Historical Society of Iowa; State Historic Preservation Officer), Iowa Department of Natural Resources, U.S. Coast Guard, U.S. Army Corps of Engineers, the DEPARTMENT, or other agencies as required. The RECIPIENT shall follow the applicable procedures in the Instructional Memorandums to Local Public Agencies Table of Contents, Chapter 4 – Environmental Regulations.

### **5. Right-of-Way, Railroads, and Utilities.**

- a. The RECIPIENT shall acquire the project right-of-way, whether by lease, easement, or fee title, and shall provide relocation assistance benefits and payments in accordance with the procedures set forth in I.M. 3.600, Right-of-Way Acquisition, and the DEPARTMENT's Right of Way Bureau Local Public Agency Manual. The RECIPIENT shall contact the DEPARTMENT for assistance, as necessary, to ensure compliance with the required procedures.
- b. If a railroad crossing or railroad tracks are within or adjacent to the project limits, the RECIPIENT shall obtain agreements, easements, or permits as needed from the railroad. The RECIPIENT shall follow the procedures in I.M. 3.670, Work on Railroad Right-of-Way.
- c. The RECIPIENT shall obtain agreements from utility companies as needed. The RECIPIENT shall comply with the "Policy for Accommodating Utilities on the County and City a Non-Primary Federal-aid Road System" for projects on non-primary Federal-aid highways. For projects connecting to or involving some work inside the right-of-way for a primary highway, the RECIPIENT shall follow the DEPARTMENT's "Policy for Accommodating and Adjustment of Utilities on the Primary Road System" The RECIPIENT should also use the procedures outlined in I.M. 3.640, Utility Accommodation and Coordination, as a guide to coordinating with utilities.

### **6. Contract Procurement.**

- a. The following provisions apply only to projects involving physical construction or improvements to transportation facilities:
- b. The project plans, specifications, and cost estimate (PS&E) shall be prepared and certified by a professional engineer or architect, as applicable, licensed in the State of Iowa.
- c. The RECIPIENT shall be responsible for the following:
  - i. Prepare and submit the PS&E and other contract documents to the DEPARTMENT for review and acceptance in accordance with I.M. 3.700, Check and Final Plans and I.M. 3.500, Bridge or Culvert Plans, as applicable.
  - ii. The contract documents shall use the DEPARTMENT's Standard Specifications for Highway and Bridge Construction. Prior to their use in the PS&E, specifications developed by the RECIPIENT for individual construction items shall be approved by the DEPARTMENT.
  - iii. Follow the procedures in I.M. 5.030, Iowa DOT Letting Process, to analyze the bids received; make a decision to either award a contract to the lowest responsive bidder or reject all bids; and if a contract is awarded, execute the contract documents and return to DEPARTMENT.

Note: The DEPARTMENT may not be able to allow a project to be let in the scheduled letting due to possible issues with cash flow availability.

- d. The RECIPIENT shall forward a completed Project Development Certification (Form 730002) to the DEPARTMENT in accordance with I.M. 3.710, Project Development Certification Instructions. The project will not be turned in for bid letting until the DEPARTMENT has reviewed and accepted the Project Development Certification.

- e. If the RECIPIENT is a city, the RECIPIENT shall comply with the public hearing requirements of the Iowa Code section 26.12.
- f. The RECIPIENT shall not provide the contractor with notice to proceed until after receiving written notice that the DEPARTMENT has concurred in the contract award.

## **7. Construction.**

- a. The RECIPIENT shall follow the procedures in I.M. 6.000, Construction Inspection, and the DEPARTMENT's Construction Manual, as applicable, for conducting construction inspection activities. The RECIPIENT's engineer shall at all times be responsible for inspection of the project.
- b. A full-time employee of the RECIPIENT shall serve as the person in responsible charge of the project. For cities that do not have any full-time employees, the mayor or city clerk will serve as the person in responsible charge, with assistance from the DEPARTMENT.
- c. Traffic control devices, signing, or pavement markings installed within the limits of this project shall conform to the "Manual on Uniform Traffic Control Devices for Streets and Highways" per 761 IAC Chapter 130. Proper protective measures and devices such as fences, barricades, signs, flood lighting, and warning lights as needed.
- d. The project shall be constructed under the DEPARTMENT's Standard Specifications for Highway and Bridge Construction and the RECIPIENT shall comply with the procedures and responsibilities for materials testing according to the DEPARTMENT's Materials I.M.s. Available on-line at: <https://www.iowadot.gov/erl/index.html>.
- e. If the DEPARTMENT provides any materials testing services to the RECIPIENT, the DEPARTMENT will bill the RECIPIENT for such testing services according to its normal policy as per Materials I.M. 103.

## **8. Reimbursements.**

- a. The RECIPIENT will be initially responsible for all project costs. After costs have been incurred, the RECIPIENT shall submit to the DEPARTMENT periodic itemized claims for reimbursement for eligible project costs. Requests for reimbursement shall be made at least semi-annually but not more than bi-weekly.
- b. To ensure proper accounting of costs, reimbursement requests for costs incurred prior to June 30 shall be submitted to the DEPARTMENT by August 1, if possible, but no later than August 15.
- c. Reimbursement claims shall include a certification that all eligible project costs, for which reimbursement is requested, have been reviewed by an official or governing board of the RECIPIENT, are reasonable and proper, have been paid in full, and were completed in substantial compliance with the terms of this agreement.
- d. The DEPARTMENT will reimburse the RECIPIENT for properly documented and certified claims for eligible project costs. The DEPARTMENT may withhold up to 5% of the total funds available for the project. Reimbursement will be made either by State warrant or by crediting other accounts from which payment was initially made. If, upon final review or audit selected by the Administering Bureau, the DEPARTMENT determines the RECIPIENT has been overpaid, the RECIPIENT shall reimburse the overpaid amount to the DEPARTMENT. After the final review is complete and after the RECIPIENT has provided all required paperwork, the DEPARTMENT will release the funds withheld.
- e. The total funds collected by the RECIPIENT for this project shall not exceed the total project costs. The total funds collected shall include any funds received; for example, Federal funds not received through FHWA, any special assessments made by the RECIPIENT (exclusive of any associated interest or penalties) pursuant to Iowa Code Chapter 384 (cities) or Chapter 311 (counties), proceeds from the sale of excess right-of-way, and any other revenues generated by the project. The total project costs shall include all costs that can be directly attributed to the project. In the event that the total funds collected by the RECIPIENT do exceed the total project costs, the RECIPIENT shall either:

- i. in the case of special assessments, refund to the assessed property owners the excess special assessments collected (including interest and penalties associated with the amount of the excess), or
- ii. refund to the DEPARTMENT all funds collected in excess of the total project costs (including interest and penalties associated with the amount of the excess) within 60 days of the receipt of any excess funds.

## **9. Project Close-out.**

- a. Acceptance of the completed construction shall be with the concurrence of the DEPARTMENT. Within 30 days of completion of construction or other activities authorized by this agreement, the RECIPIENT shall provide written notification to the DEPARTMENT. The RECIPIENT shall follow and request a final review, in accordance with the procedures in I.M. 6.110, Final Review, Audit, and Close-out Procedures for Federal-aid, Federal-aid Swap, and Farm-to-Market Projects. Failure to comply with the procedures may result in loss of funds and the ability to let future projects through the DEPARTMENT; reimbursed funds shall be returned, and a possible suspension may be placed on the RECIPIENT from receiving funds from the DEPARTMENT on future projects until the RECIPIENT has demonstrated responsible management of funds on roadway projects.
- b. For construction projects, the RECIPIENT shall provide a certification by a professional engineer, architect, or landscape architect as applicable, licensed in the State of Iowa, indicating the construction was completed in substantial compliance with the project plans and specifications.
- c. Final reimbursement of funds shall be made only after the DEPARTMENT accepts the project as complete.
- d. The RECIPIENT shall maintain all books, documents, papers, accounting records, reports, and other evidence pertaining to costs incurred for the project. The RECIPIENT shall also make this documentation available at all reasonable times for review by the DEPARTMENT. Copies of this documentation shall be furnished by the RECIPIENT if requested. Such documentation shall be retained for at least 3 years from the date of the DEPARTMENT's signature of the DEPARTMENT's Final Payment Form (Form 830436) or the bottom part of the Certificate of Completion and Final Acceptance of Agreement Work (Form 640003).
- e. The RECIPIENT shall maintain, or cause to be maintained, the completed improvement in a manner acceptable to the DEPARTMENT.



CITY OF  
OTTUMWA

**Citizen Input Request Form**

1-7-2025

Council Meeting Date

Name: ATIE HEWARD

Address: 1111 HAMILTON

Item No. to Address: PUBLIC COMMENT  
(Agenda will be provided to complete this section)

If you are addressing the Council on an item not listed on the agenda, briefly explain the item you wish to speak on:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

The Mayor will invite you to address the City Council at the appropriate time. When called upon by the Mayor, step to the microphone and please state your name for the record. Comments are to be directly germane to City business, operations, or an item listed on this agenda. Remarks shall not be personalized and will be limited to three minutes or less. The City Clerk shall keep the time and notify the Mayor when the allotted time limit has been reached. Comments not directly germane to City business, operations, or an item listed on the agenda, as determined by the Mayor, will be ruled out of order. If you are addressing an item not listed on the agenda the Council will not take any action on the item due to requirements of the Open Meetings Law. Pertinent questions, comments or suggestions may be referred to the appropriate department for response, if relevant.

Katie Howard - 1111 Hamilton St, Ottumwa

I am addressing you again today regarding the No-Weapons policy at BridgeView Center that is not in compliance with Iowa Code section 724.28. BridgeView is a city-owned property. The city is a political subdivision of the state, and political subdivisions of the State of Iowa are prohibited from regulating firearms in conflict with state law.

Yesterday, I had a conversation with Phil Rath about this situation. I do understand that the city attorney is reviewing the matter and working with the BridgeView management company. However, the management company is contracted by the city and working at the behest of the city – it can't "take the blame" for a policy that is forbidden to the city by state law.

On December 7, 2023, Richard Rogers, volunteer Lobbyist for Iowa Firearms Coalition, sent an email to the Mayor and a council member, providing an in-depth review of the law. On Dec. 17<sup>th</sup>, I addressed the council on this issue and provided physical copies of Mr. Roger's letter to all city council members/city attorney/mayor/city administrator and the city clerk. That letter included an attachment which was a copy of the court's decision on this similar situation in Monroe County in 2021. The resolution of that case resulted in a payment of \$100,000 damages, court costs and attorney's fees.

During the 2023 legislative session, Section 724.28, subsection a. of the Iowa Code was amended and strengthened, effective Jan 1, 2025. The new language provides for a Schedule of Damages, accruing daily, in amounts varying between \$100 per day to \$2,500 per day, for failure to remedy this situation, after written notice of a violation, plus attorney's fees and court costs. Therefore, time is of the essence.

You are all neighbors, and some of you are my friends. We have been hopeful that this matter would be resolved through a review of the pertinent sections of Iowa Code and city action repealing the No Weapons policy. The cost of the only other remedy, which is to provide weapons screening and armed security personnel in the building, would be prohibitive. I am aware of the city's financial situation and understand the challenges you face. We do not wish to add to that financial burden. I encourage you to remedy this situation expeditiously.