



## Agenda

City Council Meeting  
20 Second Avenue SW, Oelwein  
6:00 PM

January 10, 2022  
Oelwein, Iowa

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**Mayor:** Brett DeVore

**Mayor Pro Tem:** Lynda Payne

**Council Members:** Karen Seeders, Tom Stewart, Matt Weber, Dave Garrigus, Dave Lenz

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**Pledge of Allegiance**

**Call to Order**

**Roll Call**

**Additions or Deletions**

**Citizens Public Comments** - See Guidelines for Public Comments Below

**Consent Agenda**

- [1.](#) Consideration of a motion to approve the minutes of the December 20, 2021 Council meeting
- [2.](#) Consideration of a motion to approve ownership updates for PMA Petroleum, LLC. doing business as Super Mart
- [3.](#) Consideration of a motion to approve liquor license renewal for Clete and Connie's
- [4.](#) Consideration of a motion to approve wine permit renewal for Farmer's Daughter's Quilt. LLC.

**Ordinances**

- [5.](#) Consideration of an Ordinance Amending Section 3-5, Section 3-73, Section 5-2 through Section 11, Section 5-21, Section 11-10, and Section 16-80 to modify Fire Department and Public Safety Chief - Third and Final Reading

**Resolutions**

- [6.](#) A consideration of a Resolution to adopt the Non-Discrimination Policy
- [7.](#) A consideration of a Resolution to adopt the Non-Discrimination Policy Against those with Disabilities
- [8.](#) A consideration to adopt the Policy and Procedures for those with Limited English Proficiency Resolution
- [9.](#) Consideration of a Resolution to approve the 2022 Housing Tax Abatement Applications

- [10.](#) Consideration of a Resolution to set a public hearing on January 24th at 6:00 PM at City Hall to on proposal to enter into a General Obligation Corporate Purpose and Refunding Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$4,500,000

#### **Motions**

- [11.](#) Consideration of a motion to amend the employment contract of Public Safety Chief, Jeremy Logan
12. Consideration of a motion to set a public hearing on CDBG-CV Plaza Improvement Project for January 24th at 6:00PM at Oelwein City Hall
- [13.](#) Consideration of a motion to approve a task order with AECOM in the amount of \$54,000 for Rehabilitation of Runway Pavements
- [14.](#) Consideration of a motion to dispose of 777 - 1996 Special Ops Fire Vehicle

#### **Council Updates**

#### **Mayor's Report**

- A. Consideration of a motion to approve the reappointment of Mike Kerns and Steve Cockerham to the Board of Appeals
- B. Consideration of a motion to approve the appointment of Warren Fisk to the Board of Adjustments
- C. Consideration of a motion to approve Lynda Payne as Mayor Pro Tem
- [D.](#) Consideration of a motion to approve appointments of new members to committees, boards and commissions

#### **City Attorney's Report**

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

- [A.](#) City Administrator's Report

Consideration of a motion to return to regular session

#### **Adjournment**

- [ii.](#) Additional Information
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In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 319-283-5440



# Minutes

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

### Pledge of Allegiance

Call to Order by Mayor DeVore at 6:00PM

Roll Call Present: Weber, Stewart, Seeders, Payne, Fisk, Cantrell  
Also present: Mulfinger, Rigdon, Dillion  
Absent

### Additions or Deletions

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

Motion Carried.

### Citizens Public Comments

1. Presentation of a plaque to Renee Cantrell in appreciation of service on the Park and Recreation Commission by Joshua Johnson, Park and Recreation Superintendent
2. Senior Seminar Olivia Ritze  
Ritze presented her project to Council regarding gathering data through mailed surveys and a Facebook survey regarding different forms of communication tools to citizens.

Paul Schmitz requested clarification on TIF Funding regarding the property he is purchasing from the city. He can apply and council will discuss the funding in a work session.

### Consent Agenda

3. Consideration of a motion to approve the minutes of the December 13, 2021 Council meeting
4. Claims resolution in the amount of \$739,074.60  
A motion was made by Fisk, seconded by Cantrell to adopt the Consent Agenda as amended. All voted aye.

Motion Carried.

### Ordinances

5. Consideration of an Ordinance Amending Section 3-71, Section 3-73, Section 3-78, Section 3-79, Section 3-81, to modify City Administrator and City Clerk Duties - Third and Final Reading  
A motion was made by Fisk, seconded by Cantrell to adopt Ordinance No. 1198  
Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell  
Nays: None  
  
Motion Carried.
6. Consideration of an Ordinance Amending Section 3-5, Section 3-73, Section 5-2 through Section 5-11, Section 5-21, Section 11-10, and Section 16-80 to modify Fire Department and Public Safety Chief - Second Reading  
A motion was made by Fisk, seconded by Cantrell to adopt the second reading  
Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell  
Nays: None

Motion Carried.

### Motions

7. Consideration of a recommendation from Planning, Finance, Enterprise, and Economic Development Committee Re: Hotel-Funding Applications for Williams Center for the Arts and Junior Husky Club Basketball  
 A motion was made by Fisk, seconded by Cantrell to adopt the \$1,500 to the Williams Center for the arts and table the Junior Husky Club Basketball Funding needing specific questions answered by applicant  
 Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell  
 Nays: None  
 Motion Carried.
8. Consideration of a motion to approve Change Order No. 4 on the Segment 1 Trails Improvement Project in the amount of -\$2,075.00  
 A motion was made by Fisk, seconded by Cantrell to adopt Change Order No. 4 on the Segment 1 Trails Improvement Project  
 Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell  
 Nays: None  
 Motion Carried.
9. Consideration of a motion approving pay request No. 7 in the amount of \$9,331.14 to Bacon Concrete, LLC for work completed on the Segment 1 Trail Improvement Project  
 A motion was made by Fisk, seconded by Cantrell to adopt the pay request for the Segment 1 Trail Improvement Project  
 Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell  
 Nays: None  
 Motion Carried.
10. Consideration of a motion to approve the pay request No. 8 - Final in the amount of \$17,898.31 to Bacon Concrete, LLC. for work completed for the Segment 1 Trail Improvement Project  
 A motion was made by Fisk, seconded by Cantrell to adopt the pay request for the Segment 1 Trail Improvement Project  
 Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell  
 Nays: None  
 Motion Carried.
11. Consideration of a motion to accept the Segment 1 Trail Improvement Project  
 A motion was made by Fisk, seconded by Cantrell to adopt the Segment 1 Trail Improvement Project  
 Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell  
 Nays: None  
 Motion Carried.
12. Consideration of a motion authorizing signatures on Agreement for Professional Services with Fehr Graham for Segment 2 Trails  
 A lengthy discussion regarding option 1 near Transco on 3<sup>rd</sup> Street NW, an existing concrete and option 2 along 2<sup>nd</sup> Street NW with a cost difference of \$230,000 too place. Whether the city should pay for retaining wall improvements along West Charles near the viaduct.  
 Council directed Mulfinger to see what the property owner could pay and what an assessment would cost for the property owner who owned the retaining wall that needs to be replaced.  
 A motion was made by Seeders, seconded by Fisk to adopt the pay request for signatures on the Segment 2 Trail Improvement Project  
 Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell  
 Nays: None

Motion Carried.

13. Consideration of a motion to accept the bid J.D. Wolf in the amount of \$18,000 for the Fire Department Truck Bay Painting  
 A motion was made by Fisk, seconded by Cantrell to adopt the bid from J.D. Wolf inf the amount of \$18,000 for the Fire Department Truck Bay Painting  
 Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell  
 Nays: None

Motion Carried.

14. Consideration of a motion to authorizing signatures on Master Services Agreement with Sensys Gatso for Redlight - Speed Camera  
 A motion was made by Fisk, seconded by Cantrell  
  
 Ayes:, Seeders, Payne, Fisk, Cantrell  
 Nays: Weber, Stewart

15. Consideration of a motion to authorize signatures on 3 year airport agricultural land lease for \$315 per acre  
 A motion was made by Fisk, seconded by Cantrell to adopt the bid of \$315 per acre for the airport farmland lease  
 Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell  
 Nays: None

Motion Carried.

16. Consideration of a motion to purchase Emergency Vehicle Occupant Extrication Tools from Alex Air Apparatus in the amount of \$37,642.00  
 A motion was made by Fisk, seconded by Cantrell to adopt the bid from J.D. Wolf inf the amount of \$18,000 for the Fire Department Truck Bay Painting  
 Ayes: Weber, Stewart, Seeders, Payne, Fisk, Cantrell  
 Nays: None  
 Abstain: Weber

#### Committee Reports

17. Report from Payne on December Library Board meeting  
 The full minutes can be found at: <https://www.oelwein.lib.ia.us/about/library-board-minutes-2021>

#### Council Updates

Cantrell thanked council and Department Heads stating it was an honor to work with them for eight years  
 Fisk appreciated working with council and staff for the last 4 years.

#### Mayor's Report

DeVore and Stewart will be absent at the first meeting of January 2022. DeVore thanked Fisk and Cantrell for their service.

#### City Attorney's Report

Local Magistrate John Sullivan was appoint to District Court Judge. This transition is to be held on January 7, 2022.

City Administrator's Report

Mulfinger thanked Fisk and Cantrell for their years of service on the council and holding committee appointments.

Adjournment

A motion was made by Fisk, seconded by Cantrell to Adjourn at 6:58PM. All voted aye.

Motion Carried.

\_\_\_\_\_  
Brett DeVore, Mayor

ATTEST:

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

I, Dylan Mulfinger, City Administrator in and for the City of Oelwein, Iowa do hereby certify that the above and foregoing is a true accounting of the Council Proceedings held December 20, 2021 and copy of said proceedings was furnished to the Register December 23, 2021.

\_\_\_\_\_  
Dylan Mulfinger, City Administrator



City of Oelwein  
 20 Second Ave SW  
 Oelwein, Iowa 50662  
 319-283-5440  
 FAX: 319-283-4032  
[www.cityfoelwein.org](http://www.cityfoelwein.org)

Item 1.

**CIVIL RIGHTS COMPLAINT FORM**

**Date:**

|  |   |
|--|---|
| <p><b>Person Filing Complaint:</b></p> <hr/> <p><b>Name</b></p> <hr/> <p><b>Address</b></p> <hr/> <p><b>City, State, Zip</b></p> <hr/> <p><b>Day Time Phone</b></p> <hr/> <p><b>E-mail</b></p> <hr/> | <p><b>Person/Entity you are Filing a Complaint about:</b></p> <hr/> <p><b>Name</b></p> <hr/> <p><b>Address</b></p> <hr/> <p><b>City, State, Zip</b></p> <hr/> <p><b>Day Time Phone</b></p> <hr/> <p><b>E-mail</b></p> <hr/> |
|--|---|

**Nature of alleged Civil Rights violation (please check area that applies to your complaint):**

- |   |  |   |  |
|---|--|---|--|
| <input type="checkbox"/> Age                | <input type="checkbox"/> Physical Disability               | <input type="checkbox"/> Color                              | <input type="checkbox"/> Gender Identity |
| <input type="checkbox"/> Race               | <input type="checkbox"/> Creed                             | <input type="checkbox"/> Religion                           |  |
| <input type="checkbox"/> Marital Status     | <input type="checkbox"/> Sex                               | <input type="checkbox"/> Mental Disability                  |  |
| <input type="checkbox"/> National Origin    | <input type="checkbox"/> Familial Status                   | <input type="checkbox"/> Retaliation*                       |  |
| <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Presence or Absence of Dependents | <input type="checkbox"/> Public Assistance Source of Income |  |

\* Because I filed prior complaint or opposed a discriminatory practice





If yes, please provide the case name and number, court the case was filed in, and the current status of the case:

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Have you filed a complaint concerning this matter with any other federal, state, or government agency?  
 Yes       No

If yes, please list the agency, complaint number, name of contact person, phone number, and status of complaint:

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What office or agency, if any, referred you to our office?

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Please understand that submitting this complaint form has no effect on any statute of limitations or other filing requirements that might apply to any personal claim you may have.

Further, by submitting this claim you have not commenced a lawsuit or other legal proceeding, and this office has not initiated a suit or proceeding on your behalf.

If you believe your civil rights have been violated, and intend to bring a lawsuit, you should also contact a private attorney.

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I certify under penalty of perjury and pursuant to the laws of the City of Oelwein, the State of Iowa and the laws of the United States of America that the preceding charge is true and correct.

X \_\_\_\_\_ Date \_\_\_\_\_  
Signature of Complainant

Subscribed and sworn to before me by \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

Commission expires: \_\_\_\_\_

**City of Oelwein Non-Discrimination Policy Grievance Procedure**

- A. Nondiscrimination Program Coordinator
  - a. The City Administrator shall serve as the Nondiscrimination Program Coordinator and their responsibilities shall include :
    - i. Ensures information regarding City of Oelwein’s Nondiscrimination Program is internally and externally available;
    - ii. Posts and maintains public notice of, and procedures for receipt and processing of complaints;
    - iii. Tracks and reviews complaints received;
    - iv. Trains department staff on City of Oelwein’s Nondiscrimination Policy and procedures;
    - v. Provides written updates to complainants on the progress of investigations; and
    - vi. Periodically reviews the efficacy of City of Oelwein’s Nondiscrimination Program.
    - vii. Updates the City Council as needed in regard to the Oelwein Non-Discrimination Policy
- B. Filing a Complaint
  - a. If someone believes they have suffered from discrimination under a City of Oelwein program, they may contact the Oelwein Nondiscrimination Program Coordinator to seek informal resolution. If the matter cannot be resolved informally, the following steps will be followed:
    - i. Within 180 days of the alleged discrimination, complainants may submit a written or verbal complaint to the Nondiscrimination Program Coordinator. Complaints must include the complainant’s name, the nature of the complaint, the dates of the complaint, requested action, and contact information. Complaint forms are available online and at City Hall.
    - ii. The City Administrator will review the complaint and may solicit additional information from the complainant as needed. If additional information is requested and not received, the case may be closed. The case may also be closed if the complainant no longer wishes to pursue their case.
    - iii. If the complaint is outside the jurisdiction of the City of Oelwein, the complainant will be notified of the name and contact information for the appropriate agency with jurisdiction, if known.
- C. Complaint Processing
  - i. If the complaint is within the jurisdiction of City of Oelwein, or informal resolution was not possible, it will be promptly and impartially investigated. Oelwein’s goal is to address complaints within 60 days of receipt, though the time to carefully investigate complaints may be longer depending on the nature of the complaint and complexity of the issue.
- D. Preliminary Inquiry:
  - a. The City will conduct a preliminary inquiry to determine the need for further investigation.
    - i. The City will notify the complainant in writing that a preliminary inquiry is underway to determine the need for further investigation.
    - ii. If the preliminary inquiry by the City indicates that an investigation is warranted, the complainant will be notified in writing and an interview will be scheduled.
    - iii. If the preliminary inquiry indicates an investigation is not warranted, the complainant will be notified in writing of the reasons why and factors considered.
- E. Complaint Investigation:
  - i. Complaints warranting further investigation will be promptly and impartially processed by the City Administrator.
  - ii. The complainant will be notified in writing of the results of the investigation and what actions will be/have been taken in response and a timeline to request review.



## Applicant

|                            |                       |                |       |
|----------------------------|-----------------------|----------------|-------|
| NAME OF LEGAL ENTITY       | NAME OF BUSINESS(DBA) | BUSINESS       |       |
| PMA PETROLEUM LLC          | SUPER MART            | (571) 316-4945 |       |
| ADDRESS OF PREMISES        | CITY                  | COUNTY         | ZIP   |
| 701 South Frederick Avenue | Oelwein               | Fayette        | 50662 |
| MAILING ADDRESS            | CITY                  | STATE          | ZIP   |
| 701 South Frederick Avenue | Oelwein               | Iowa           | 50662 |

## Contact Person

|                   |                |                              |
|-------------------|----------------|------------------------------|
| NAME              | PHONE          | EMAIL                        |
| ABDUL REHMAN AWAN | (319) 283-9337 | abdulrehmanawan902@gmail.com |

## License Information

|                          |                           |                      |                              |
|--------------------------|---------------------------|----------------------|------------------------------|
| LICENSE NUMBER           | LICENSE/PERMIT TYPE       | TERM                 | STATUS                       |
|                          | Class E Liquor License    | 12 Month             | Submitted to Local Authority |
| TENTATIVE EFFECTIVE DATE | TENTATIVE EXPIRATION DATE | LAST DAY OF BUSINESS |                              |
| Jan 1, 2022              | Dec 31, 2022              |                      |                              |

### SUB-PERMITS

Class E Liquor License, Class B Wine Permit, Class C Beer Permit



## PRIVILEGES

Sunday Service

## Status of Business

## BUSINESS TYPE

Limited Partnership

## Ownership

| NAME         | CITY    | STATE | ZIP   | POSITION | % OF OWNERSHIP | U.S. CITIZEN |
|--------------|---------|-------|-------|----------|----------------|--------------|
| nadeem islam | Dubuque | Iowa  | 52002 | OWNER    | 100.00         | Yes          |

## Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE  
DATEOUTDOOR SERVICE EXPIRATION  
DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE  
DATETEMP TRANSFER EXPIRATION  
DATE



## Applicant

|                         |                       |                |            |
|-------------------------|-----------------------|----------------|------------|
| NAME OF LEGAL ENTITY    | NAME OF BUSINESS(DBA) | BUSINESS       |            |
| Dempsey, Connie Jo      | Clete And Connie's    | (319) 283-5455 |            |
| ADDRESS OF PREMISES     | CITY                  | COUNTY         | ZIP        |
| 12 1st Street Southwest | Oelwein               | Fayette        | 50662-0000 |
| MAILING ADDRESS         | CITY                  | STATE          | ZIP        |
| 12 1st Street SW        | Oelwein               | Iowa           | 50662      |

## Contact Person

|        |                |                 |
|--------|----------------|-----------------|
| NAME   | PHONE          | EMAIL           |
| Connie | (319) 283-5455 | rsweger@msn.com |

## License Information

|                |                        |          |         |
|----------------|------------------------|----------|---------|
| LICENSE NUMBER | LICENSE/PERMIT TYPE    | TERM     | STATUS  |
| LC0020027      | Class C Liquor License | 12 Month | Renewed |

|                          |                           |                      |
|--------------------------|---------------------------|----------------------|
| TENTATIVE EFFECTIVE DATE | TENTATIVE EXPIRATION DATE | LAST DAY OF BUSINESS |
| Mar 14, 2020             | Mar 13, 2021              |                      |

SUB-PERMITS

Class C Liquor License

PRIVILEGES

Outdoor Service, Sunday Service



## Status of Business

BUSINESS TYPE

Sole Proprietor

## Ownership

| NAME           | CITY     | STATE | ZIP   | POSITION | % OF OWNERSHIP | U.S. CITIZEN |
|----------------|----------|-------|-------|----------|----------------|--------------|
| Connie Dempsey | Hazleton | Iowa  | 50662 | Owner    | 100.00         | Yes          |
| Cletus Dempsey | Hazleton | Iowa  | 50662 | Spouse   | 0.00           | Yes          |

## Insurance Company Information

INSURANCE COMPANY

Society Insurance

POLICY EFFECTIVE DATE

Mar 14, 2020

POLICY EXPIRATION DATE

Mar 14, 2021

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



## Applicant

|                                |                          |                |       |
|--------------------------------|--------------------------|----------------|-------|
| NAME OF LEGAL ENTITY           | NAME OF BUSINESS(DBA)    | BUSINESS       |       |
| FARMER'S DAUGHTERS QUILTS, LLC | Farmers Daughters Quilts | (319) 283-5165 |       |
| ADDRESS OF PREMISES            | CITY                     | COUNTY         | ZIP   |
| 21 E Charles Street            | Oelwein                  | Fayette        | 50662 |
| MAILING ADDRESS                | CITY                     | STATE          | ZIP   |
| 11597 400th Street             | Strawberry Point         | Iowa           | 52076 |

## Contact Person

|               |                |                    |
|---------------|----------------|--------------------|
| NAME          | PHONE          | EMAIL              |
| Sarah Ottesen | (563) 608-0591 | sarah@fdquilts.com |

## License Information

|                |                            |          |                              |
|----------------|----------------------------|----------|------------------------------|
| LICENSE NUMBER | LICENSE/PERMIT TYPE        | TERM     | STATUS                       |
| WCN000275      | Class C Native Wine Permit | 12 Month | Submitted to Local Authority |

|                          |                           |                      |
|--------------------------|---------------------------|----------------------|
| TENTATIVE EFFECTIVE DATE | TENTATIVE EXPIRATION DATE | LAST DAY OF BUSINESS |
| Feb 1, 2022              | Jan 31, 2023              |                      |

### SUB-PERMITS

Class C Native Wine Permit



PRIVILEGES

Sunday Service

## **Status of Business**

BUSINESS TYPE

Limited Liability Company

## **Ownership**

No Ownership information found

## **Insurance Company Information**

INSURANCE COMPANY

IMT Insurance Co

POLICY EFFECTIVE DATE

Sep 1, 2021

POLICY EXPIRATION DATE

Feb 1, 2023

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 3-5, SECTION 3-73, SECTION 5-2 THROUGH SECTION 5-11, SECTION 5-21, SECTION 11-10 AND SECTION 16-80 TO MODIFY FIRE DEPARTMENT AND PUBLIC SAFETY CHIEF

BE IT ORDAINED by the City Council of the City of Oelwein, Iowa, as follows:

Section 1. That the General Ordinances of the City of Oelwein adopted July 1, 2012 be amended by replacing Section 3-5 with the following:

SECTION 3-5. POLICE DEPARTMENT – CIVIL SERVICE.

The provisions of Chapter 400 of the Code of Iowa, are adopted establishing civil service for the paid police department of the city.

Section 2. That the General Ordinances of the City of Oelwein adopted July 1, 2012 be amended by replacing Section 3-6 SAME - - EMPLOYEE QUALIFICATIONS (4) with the following:

4. The person has attempted a deception or fraud in connection with a civil service examination.

The person shall become a resident of the State of Iowa at the time employment begins and shall remain a resident of the State during employment.

The maximum age for a police officer qualifying under civil service, Chapter 400 of the code of Iowa, is 65 years of age. However, no person shall be appointed, promoted, discharged or demoted to or from a civil service position, or in any other way favored or discriminated against because of political or religious opinions or affiliations, race, national origin, sex or age.

Section 3. That the General Ordinances of the City of Oelwein adopted July 1, 2012 be amended by deleting Section 3-73 (8) and replace it with the following:

SECTION 3-73. DUTIES.

8. The city administrator is the chief administrative officer of the city and the duties shall be as follows:

The administrator shall have the power to fix the compensation to be paid all City employees, subject to the approval of the City Council. The administrator shall have the power to employ, reclassify, or discharge all department heads of the city (except police department head), subject to the approval of the city council. The chief of police shall be appointed and discharged by the Mayor, upon the recommendation of the city administrator and approval of the city council. The chief of the police shall be directly responsible to the city administrator for the effective administration of the department and all activities assigned thereto. In exercising the powers granted in this sub-section, the administrator shall be subject to the provisions of the Soldier's Preference Law and Civil Service Law.

Section 4. That the General Ordinances of the City of Oelwein adopted July 1, 2012 be amended by deleting Section 5-2 through Section 5-10 in their entirety and replacing them with the following:

SECTION 5-2. PUBLIC SAFETY CHIEF.

The police chief will serve as the Public Safety Chief. The Public Safety Chief will serve as the department head of the fire department. The Public Safety Chief, as it relates to the operations of the fire department, is responsible for administrative duties, fire protection, and emergency services. These duties may include technical, administrative, management, investigative, fire prevention, interacting with public, supervision of subordinate employees/volunteers and such other duties and responsibilities as necessary, required, or directed by the city administrator or his/her designee. The Public Safety Chief plans, organizes, directs, and manages overall operations of the police and fire departments. Additionally, this position adjusts departmental methods and service delivery protocols to address new situations and to improve existing operations and functionality.

SECTION 5-3. VOLUNTEER FIRE CHIEF.

The Volunteer Fire Chief shall be appointed by the city administrator, subject to the approval of the city council and after consideration of a recommendation from the volunteer fire personnel. The Volunteer Fire Chief, in consultation with the Public Safety Chief, will appoint a command staff consistent with the structure designated in the department policy and procedures manual.

SECTION 5-4. VOLUNTEER FIRE CHIEF'S DUTIES.

The fire chief shall supervise all operations of the department other than volunteer fire personnel foundation business and social meetings and be responsible for the care, maintenance and use of all vehicles and equipment for the department. The chief shall provide all fire personnel with a copy of the policy and procedures manual. The chief shall keep a record of the names, ages and residences of all fire personnel, and be responsible for their training and supervision. The chief or his/her designee shall maintain attendance records for drill meetings and fires. The chief will assist in the investigation as to the cause, origin, and circumstances of each fire by which property has been destroyed or damaged, or which results in the bodily injury to any person and report their findings to the state fire marshal in writing within thirty (30) days after the fire. If the chief believes that a fire was started by design, or if a death occurs as the result of a fire, the Chief or the Public Safety Chief shall notify the state fire marshal immediately. The Chief, Public Safety Chief, or designated officer has the authority to enter and inspect any buildings or premises in the performance of their duties and shall make written orders to correct any conditions that are likely to cause fire or endanger other buildings and property.

SECTION 5-5. VOLUNTEER FIRE PERSONNEL.

A volunteer fire personnel's organization of the Oelwein Fire Department is hereby established, and such organization may adopt such construction and bylaws for the further government of such organization as may be best calculated to properly regulate and govern it, but said constitution and

bylaws, or any amendments thereto, shall be submitted to the city council for approval, modification or rejection. A copy of said constitution and bylaws when adopted and approved as herein provided, shall be filed with the city clerk. Such constitution and bylaws shall not be inconsistent with this article, city and department policies, and state laws.

SECTION 5-6. FIRE PERSONNEL DUTIES.

When called by the Chief or Public Safety Chief, all fire personnel shall report for duty immediately in the manner directed by the Chief or Public Safety Chief. They shall be subject to call at any time. They shall obey strictly the commands of the fire chief, the Public Safety Chief, and of any other fire personnel who has been appointed by the chief to be in command temporarily. Fire personnel shall report to the chief in advance if they expect to be absent from the city for twelve (12) hours or more. Fire personnel shall report for training as ordered by the chief. Prior to appointment and at the direction of the fire chief, a fire personnel shall take a physical examination and supply a report thereof to the designated officer by policy, who shall promptly file the same with the city clerk.

SECTION 5-7. WORKMEN'S COMPENSATION AND HOSPITALIZATION INSURANCE.

The council shall contract to insure the city against liability for workmen's compensation and against statutory liability for the costs of hospitalization, nursing, and medical attention for volunteer fire personnel injured in the performance of their duties as fire personnel. All volunteer fire personnel shall be covered by the contract.

SECTION 5-8. LIABILITY INSURANCE.

The council shall contract to insure against liability of the city or members of the department for injuries, death or property damage arising out of and resulting from the performance of departmental duties.

SECTION 5-9. FIRES OUTSIDE CITY LIMIT.

The department shall answer calls to fire and other emergencies outside the city limits, according to fire protection contracts and mutual aid agreements, if the fire chief determines that such an emergency exists and that such action will not endanger persons or property within the city limits.

SECTION 5-10. DESTRUCTION OF BUILDINGS.

The Public Safety Chief, Mayor, and fire chief, or the mayor, or the mayor pro tem in the absence of the mayor, and person in charge in the absence of the chief, may direct the fire personnel to take down and remove any building, erection or other obstacles for the purpose of checking the progress of any fire, and the fire personnel, with the advice and concurrence of the mayor and chief or the mayor and other person in charge in the absence of the chief, shall have the power and authority to blow up or cause to be blown up with an explosive any building, erection or other obstacle during any fire for the purpose of checking the progress of said fire and when so ordered and approved they shall incur no liability therefore.

**SECTION 5-11. OBEDIENCE TO OR INTERFERENCE WITH FIRE PERSONNEL; DAMAGING APPARATUS.**

Any person present at any fire shall be subject to the orders of the Public Safety Chief, Fire Chief, Assistant Chief or other person in charge. Any person who shall willfully hinder or interfere with any fire personnel or the fire apparatus during the time of fire or any fire drill, either while the fire personnel are going to or returning from any fire or drill, or while said fire personnel are tending to their duty as members of the fire department, or any person who shall willfully or negligently drive any vehicle of any kind, across, along or upon any of the fire apparatus, or any person who shall willfully or negligently cut, mar or deface in any manner any of the fire apparatus, whether while at a fire or fire drill or otherwise, shall be guilty of a misdemeanor, and shall be punished accordingly, and in addition thereto shall be personally liable for all damages to said apparatus.

Section 5. That the General Ordinances of the City of Oelwein adopted July 1, 2012 be amended by replacing Article II Fire Prevention Code Section 5-21 with the following:

**SECTION 5-21. ENFORCING OFFICER.**

The fire prevention code shall be enforced by the Community Development Department or designee.

Section 6. That the General Ordinances of the City of Oelwein adopted July 1, 2012 be amended by replacing Chapter 11, Section 11-10 Investigation of Applicant with the following:

**SECTION 11-10. INVESTIGATION OF APPLICANT.**

Upon receipt of an original application for a liquor license or beer permit by the city council, it shall be forwarded to the chief of police, who shall conduct an investigation and shall submit a written report on the applicant as to the truth of the facts averred in the application and a recommendation to the city council as to the approval of the license or permit. It shall be the duty of the health inspector the Code Enforcement Officer or his/her designee to inspect the premises to determine if they conform to the requirements of the city, and no license or permit shall be approved until or unless an approving report has been filed with the city council by such officers.

Section 7. That the General Ordinances of the City of Oelwein adopted July 1, 2012 be amended by replacing Article VI Open Burning Section 16-80 Open Burning Restrictions (2) B and E with the following:

B. Time Restriction: Burning shall be allowed only on specific days, between 8:00 A.M. and 9:00 P.M., and under favorable atmospheric conditions or local circumstances designated by the Public Safety Chief or the Fire Chief and said fire does not create a nuisance, health or safety hazard.

E. Ordered Discontinuance: The Public Safety Chief, the Fire Chief, or his/her designee, is authorized to order the cessation of the burning if smoke emissions create a nuisance or safety hazard.

Section 8. That all Ordinances or parts thereof in conflict herewith be and the same are hereby repealed. This ordinance shall become effective upon its passage.

First Reading                      December 13, 2021  
Second Reading  
Third Reading

Passed and adopted by the City Council of the City of Oelwein, Iowa this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Brett DeVore, Mayor

Attest:

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

Recorded \_\_\_\_\_.

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

First Reading on \_\_\_\_\_:  
It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Ordinance as read be adopted, and upon roll call there were:

AYES    NAYS    ABSENT    ABSTAIN

M Weber  
Cantrell  
Fisk  
Stewart  
Seeders  
Payne

Second Reading on \_\_\_\_\_ It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Ordinance as read be adopted (or to suspend the rules), and upon roll call there were:

AYES    NAYS    ABSENT    ABSTAIN

M Weber  
Cantrell  
Fisk  
Stewart  
Seeders  
Payne

Third Reading on \_\_\_\_\_ It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Ordinance as read be adopted (or to suspend the rules) and upon roll call there were:

AYES    NAYS    ABSENT    ABSTAIN

M Weber  
Cantrell  
Fisk  
Stewart  
Seeders  
Payne

Resolution No. \_\_\_\_\_

Resolution Adopting the Oelwein Non-Discrimination Policy

WHEREAS, The City is required to have a policy in place in order to accept federal funds; and

WHEREAS, The City is determined to provide a safe space for all community members; and

WHEREAS, the City follows all federal guidelines when it comes to ensuring that no one is discriminated against in Oelwein; and

WHEREAS, the City will review this policy as needed to ensure it meets all federal standards,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OELWEIN, IOWA: Adopts the Oelwein Non-Discrimination Policy.

Passed and adopted by the City Council of the City of Oelwein, Iowa this 10 day of January, 2022.

\_\_\_\_\_  
Brett DeVore, Mayor

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Resolution as read be adopted and upon roll call there were:

Attest:

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

Recorded January 11, 2022.

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

AYES    NAYS    ABSENT

ABSTAIN

Weber

Stewart

Lenz

Garrigus

Seeders

Payne



## Oelwein Non-Discrimination Policy

Adopted by Resolution: #####-##### on ##/##/####

The City of Oelwein is committed to ensuring that no person is excluded from participation in, denied the benefits of, or subjected to discrimination under any program, activity, or service that it provides. The city will not tolerate intimidation, threats, coercion, or discrimination against any individual or group. This policy establishes a framework for taking reasonable steps to ensure access to all services provided by Oelwein for all community members and establishes procedures whereby Oelwein will receive and investigate allegations of discrimination.

As a condition of receipt of Federal financial assistance, the recipient is required to comply with applicable provisions of laws and policies prohibiting discrimination, including but not limited to:

- Title VI of the Civil Rights Act of 1964 is the overarching civil rights law that prohibits discrimination based on race, color, or national origin, in any program, service, or activity that receives federal assistance. Specifically, Title VI assures that “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.” Nondiscrimination prohibitions have been further broadened and supplemented by related statutes, regulations, and executive orders.
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based on disability.
  - It is impermissible for a recipient or other person to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title VI, or because the individual has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the DHS regulation implementing Title VI (6 C.F.R. § 21.11(e)). Any individual alleging such harassment or intimidation may file a separate complaint with DHS.
- Title IX of the Education Amendments Act of 1972, which prohibits discrimination based on sex in education programs or activities.
- The Age Discrimination Act of 1975, as amended, which prohibits discrimination in federally supported activities on the basis of age.
- U.S. Department of Homeland Security regulation 6 C.F.R. Part 19, which prohibits discrimination based on religion in social service programs.
- The City is actively engaged in Title VI activities as a recipient of federal assistance.

### What Does This Mean?

The City will not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under any of its programs, regardless of the funding source for the program. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color or national origin.



The City will not tolerate intimidation, threats, coercion, or discrimination against any individual or group for the purpose of interfering with any right or privilege guaranteed under law or regulations, or because the individual has filed a complaint or has testified, assisted, or participated in any way in an investigation, proceeding, or hearing or has opposed any city action or decision.

The City will take reasonable measures to provide access to individuals with limited ability to speak, write, or understand English and/or to those with disabilities.

The City will train staff to understand what and how a person with disabilities can be accommodated.

This policy will be displayed on the City's website along with the application and other supporting materials.

### **Nondiscrimination Program Coordinator**

The City Administrator shall serve as the Nondiscrimination Program Coordinator and their responsibilities shall include :

- A. Ensures information regarding City of Oelwein's Nondiscrimination Program is internally and externally available;
- B. Posts and maintains public notice of, and procedures for receipt and processing of complaints;
- C. Tracks and reviews complaints received;
- D. Trains department staff on City of Oelwein's Nondiscrimination Policy and procedures;
- E. Provides written updates to complainants on the progress of investigations; and
- F. Periodically reviews the efficacy of City of Oelwein's Nondiscrimination Program.
- G. Updates the City Council as needed in regard to the Oelwein Non-Discrimination Policy

### **Filing a Complaint**

If someone believes they have suffered from discrimination under a City of Oelwein program, they may contact the Oelwein Nondiscrimination Program Coordinator to seek informal resolution. If the matter cannot be resolved informally, the following steps will be followed:

- Within 180 days of the alleged discrimination, complainants may submit a written or verbal complaint to the Nondiscrimination Program Coordinator. Complaints must include the complainant's name, the nature of the complaint, the dates of the complaint, requested action, and contact information. Complaint forms are available online and at City Hall.
- The City Administrator will review the complaint and may solicit additional information from the complainant as needed. If additional information is requested and not received, the case may be closed. The case may also be closed if the complainant no longer wishes to pursue their case.
- If the complaint is outside the jurisdiction of the City of Oelwein, the complainant will be notified of the name and contact information for the appropriate agency with jurisdiction, if known.

### **Complaint Processing**

If the complaint is within the jurisdiction of City of Oelwein, or informal resolution was not possible, it will be promptly and impartially investigated. Oelwein's goal is to address complaints within 60 days of





receipt, though the time to carefully investigate complaints may be longer depending on the nature of the complaint and complexity of the issue.

**Preliminary Inquiry:**

The City will conduct a preliminary inquiry to determine the need for further investigation.

- The City will notify the complainant in writing that a preliminary inquiry is underway to determine the need for further investigation.
- If the preliminary inquiry by the City indicates that an investigation is warranted, the complainant will be notified in writing and an interview will be scheduled.
- If the preliminary inquiry indicates an investigation is not warranted, the complainant will be notified in writing of the reasons why and factors considered.

**Complaint Investigation:**

- Complaints warranting further investigation will be promptly and impartially processed by the City Administrator.
- The complainant will be notified in writing of the results of the investigation and what actions will be/have been taken in response and a timeline to request review.

**Access to Persons with Limited English Proficiency (LEP) or Disability**

The City of Oelwein will take reasonable steps ensure access to all people, and that accommodation is available to facilitate the participation of those persons with English language proficiency and/or disability.

The City provides at no cost appropriate auxiliary aids and services including qualified interpreters to LEP persons, to disabled persons who are deaf or hard of hearing, and other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the decision making process.

For questions, please contact us:

City Administrator  
 City of Oelwein  
 20 2<sup>nd</sup> Ave SW Oelwein, Iowa 50662  
 City Hall- 319-283-5440

Resolution No. \_\_\_\_\_

Resolution Adopting the Oelwein Non-Discrimination Policy for Person with Disabilities

WHEREAS, The City is required to have a policy in place in order to accept federal funds; and

WHEREAS, The City is determined to provide a safe space for all community members especially those with disabilities; and

WHEREAS, the City follows all federal guidelines when it comes to ensuring that no one with disabilities is discriminated against in Oelwein; and

WHEREAS, the City will do their best to accommodate any community member to ensure they can access city related activities and facilities; and

WHEREAS, the City will review this policy as needed to ensure it meets all federal standards,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OELWEIN, IOWA: Adopts the Oelwein Non-Discrimination Policy for Person with Disabilities.

Passed and adopted by the City Council of the City of Oelwein, Iowa this 10 day of January, 2022.

Attest:

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

Recorded January 11, 2022.

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

\_\_\_\_\_  
Brett DeVore, Mayor

It was moved by \_\_\_\_\_ and seconded by that the Resolution as read be adopted and upon roll call there were:

|          |      |      |        |
|----------|------|------|--------|
|          | AYES | NAYS | ABSENT |
| ABSTAIN  |      |      |        |
| Weber    |      |      |        |
| Stewart  |      |      |        |
| Lenz     |      |      |        |
| Garrigus |      |      |        |
| Seeders  |      |      |        |
| Payne    |      |      |        |





## Oelwein Nondiscrimination Policy for Person with Disabilities

### Procedures for Reasonable Modifications/Accommodations

Adopted by Resolution: #####-##### on ##/##/#####

#### **Requirements**

Federal funding recipients must make reasonable accommodations in policies, practices, or procedures when necessary to avoid discrimination on the basis of disability unless recipients can demonstrate that making the accommodations would fundamentally alter the nature of the service, program, activity, or result in an undue financial and administrative burden.

This requirement applies to the City of Oelwein and the activities they offer for members of the public.

When considering changes to facilities or services, the City of Oelwein must consider the most integrated setting appropriate for individuals with disabilities.

However, the City of Oelwein can refuse to provide service to an individual that engages in violent, seriously disruptive, or illegal conduct, or represents a direct threat to the health or safety of others.

The City of Oelwein cannot refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons.

#### **Procedures for Reasonable Modifications/Accommodations**

All requests for reasonable modifications/accommodations will be processed in the following manner:

Request may be submitted by email at (City@CityofOelwein.org), written mail to City of Oelwein, City Hall Attn: Non Discrimination Policy , by fax to 319-283-4032 or by phone to 319-283-5440. All requests will be logged into a Reasonable Modification/Accommodation spreadsheet noting the requestors name, date, contact information and specific accommodation request being made.

Information regarding requesting reasonable modifications/accommodations will be available on City of Oelwein's website, <http://www.cityfoelwein.org/>, as well as within the various printed materials normally provided by the City.

The City Administrator will review and determine if modifications/accommodations should be granted at the time of the request. Additional information may be requested. Whenever feasible, request for modifications/accommodations shall be made in advance.

All requests for modifications (reasonable or otherwise) will be assigned to the City Administrator for review and evaluation. Prior to determination, the City Administrator will consult with the City Attorney, Department Head, and City staff regarding requests for reasonable modification.

Training regarding these procedures will be provided to the City staff on an annual basis.



All reasonable modifications/accommodations requests will be acknowledged within three business days of receipt. The resolution and response to the person who submitted a request will be made timely, within 10 business days, and the response must explain the reasons for the resolution. The response must be documented and any requests requiring more than 10 business days to resolve must be reviewed by the City's Attorney and documented as to why the resolution requires additional time for full resolution.

### **Complaint Procedures**

Complaints may be submitted by email at ([City@CityofOelwein.org](mailto:City@CityofOelwein.org)), written mail to City of Oelwein, City Hall Attn: Non Discrimination Policy, by fax to 319-283-4032 or by phone to 319-283-5440. All complaints will be logged by City staff noting the requestors name, date, contact information and specific accommodation request being made.

All complaints will be reviewed by the City Administrator. Should the complaint be on the City Administrator, the complaint will be forwarded to the City Attorney.

All complaints will be acknowledged within five business days of receipt. The resolution and response will be made timely, within 10 business days, and the response must explain the reasons for the determination. The response will be documented, referencing the original request for modification. Any complaint responses requiring more than 10 business days for resolution must be reviewed by the City's POC and the transit operations contractor and documented as to why the resolution requires additional time for full resolution.



Oelwein Public Reasonable Accommodation Request for Person with Disabilities

The City of Oelwein, Iowa does not discriminate on the basis of disability in admissions to, or operation of its programs, services, activities or facilities. This form may be used by individuals and their companions with a disability seeking access to an Oelwein service or facility.

Accommodation/Modification Request Information

|            |  |
|------------|--|
| Name:      |  |
| Address:   |  |
| Telephone: |  |
| Date:      |  |

I am requesting the following modifications/accommodation (s):

|                          |   |
|--------------------------|---|
| <input type="checkbox"/> | Wheelchair access   |
| <input type="checkbox"/> | Sign language interpretation  |
| <input type="checkbox"/> | Written material in alternate format (large print, computer disc or CD, cassette tape or other aid) |
| <input type="checkbox"/> | Written material in Braille   |
| <input type="checkbox"/> | Reader  |
| <input type="checkbox"/> | Modification of policies or procedures  |
| <input type="checkbox"/> | Other:  |

Requests may be submitted by email at (City@CityofOelwein.org), written mail to City of Oelwein, City Hall Attn: Non-Discrimination Policy, by fax to 319-283-4032 or by phone to 319-283-5440. All requests will be logged by City staff noting the requestors name, date, contact information and specific accommodation request being made.



Oelwein Accommodation/Modification Evaluation Form Accommodation/Modification Request Information

|                            |  |
|----------------------------|--|
| Date request was received: |  |
| Due date:                  |  |
| Name of Evaluator:         |  |
| Area of Service:           |  |

Customer's Request:

|  |
|--|
|  |
|--|

Policy creating barrier:

|  |
|--|
|  |
|--|

Discussion:

|  |
|--|
|  |
|--|

|                             |  |
|-----------------------------|--|
| Date Modification Approved: |  |
| Modification Request Denied |  |
|                             | Fundamentally alters service                           |
|                             | Creates a direct threat to health and safety of others |
|                             | Customer can fully use service without modification    |
|                             | Causes undue financial or administrative burden        |

Describe other actions taken to ensure access:

|  |
|--|
|  |
|--|

|                         |  |
|-------------------------|--|
| Date customer notified: |  |
| Denial:                 |  |

Resolution No. \_\_\_\_\_

Resolution Adopting the Oelwein Policy and Procedures for Communication with Persons with Limited English Proficiency

WHEREAS, The City is required to have a policy in place in order to accept federal funds; and

WHEREAS, The City is determined to help community members who speak English at as a second language, or do not speak English at all; and

WHEREAS, the City follows all federal guidelines when it comes to assisting persons with limited English proficiency; and

WHEREAS, the City will do their best to work with persons who do not speak English and connect them with an interpreter as needed; and

WHEREAS, the City will review this policy as needed to ensure it meets all federal standards,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OELWEIN, IOWA: Adopts the Oelwein Policy and Procedures for Communication with Persons with Limited English Proficiency.

Passed and adopted by the City Council of the City of Oelwein, Iowa this 10 day of January, 2022.

\_\_\_\_\_  
Brett DeVore, Mayor

Attest:

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Resolution as read be adopted and upon roll call there were:

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

AYES    NAYS    ABSENT

ABSTAIN

Recorded January 11, 2022.

Weber

Stewart

Lenz

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

Garrigus

Seeders

Payne







## **Oelwein Policy and Procedures for Communication with Persons with Limited English Proficiency**

The City of Oelwein will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs and other benefits. The policy of the City of Oelwein is to ensure meaningful communication with LEP patients/clients and their authorized representatives involving their medical conditions and treatment. The policy also provides for communication of information contained in vital documents, including but not limited to, utility payments, building permits, shelter reservations, etc. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served, and patients/clients and their families will be informed of the availability of such assistance free of charge.

Language assistance will be provided through use of contracted qualified interpreters. All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including when to alert the City Clerk that an interpreter is needed.

The City of Oelwein will conduct a regular review of the language access needs of our patient population, as well as update and monitor the implementation of this policy and these procedures, as necessary.

### **Procedures:**

- 1. Identifying LEP Persons and Their Language**
  - a. The City of Oelwein will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card (or "I speak cards," available online at [www.lep.gov](http://www.lep.gov)) or posters to determine the language. In addition, when records are kept of past interactions with patients (clients/residents) or family members, the language used to communicate with the LEP person will be included as part of the record. Once staff has identified that an interpreter is needed, they will alert the City Clerk.
- 2. Obtaining A Qualified Interpreter**
  - a. The City Clerk is responsible for:
    - i. Maintaining an accurate and current list showing the name, language, phone number and hours of availability of bilingual contractors.
    - ii. EMBARC out of Waterloo, Iowa will be contacted for qualified interpreter services. The agency's telephone number is 319-214-0178, and they are located at 620 W 5<sup>th</sup> Street Floor 4 Waterloo, Iowa 50702.
  - b. Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and after the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the facility. Such an offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be



considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

- c. Children and other clients/patients/residents will not be used to interpret, to ensure confidentiality of information and accurate communication.
- 3. Providing Written Translations**
    - a. When translation of vital documents is needed, each unit in the City of Oelwein will submit documents for translation into frequently encountered languages to the City Clerk. Original documents being submitted for translation will be in final, approved form with updated and accurate legal and medical information.
    - b. Facilities will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.
    - c. The City of Oelwein will set benchmarks for translation of vital documents into additional languages over time.
  - 4. Providing Notice to LEP Persons**
    - a. The City of Oelwein will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. At a minimum, notices and signs will be posted and provided in intake areas and other points of entry, including but not limited to City Hall, Fire Station, Police Station, the Library, and Public Works. Notification will also be provided through one or more of the following: the City's Website and Social Media.
  - 5. Monitoring Language Needs and Implementation**
    - a. On an ongoing basis, the City of Oelwein will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, the City of Oelwein will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed by LEP persons, and feedback from community members.



# I Speak Statements

- |  |   |
|--|---|
| <input type="checkbox"/> Unë flas <b>shqip</b> (Albanian)                    | <input type="checkbox"/> N̄ a po <b>Klào</b> Win. (Kru)                           |
| <input type="checkbox"/> አማርኛ እናገራለሁ (Amharic)                               | <input type="checkbox"/> ຂ້າພະເຈົ້າເວົ້າ ພາສາລາວ. (Lao)                           |
| <input type="checkbox"/> انا اتكلم اللغة العربية. (Arabic)                   | <input type="checkbox"/> Yie gorngv <b>Mienh</b> waac. (Mien)                     |
| <input type="checkbox"/> Ես խոսում եմ <b>հայերեն</b> (Armenian)              | <input type="checkbox"/> म <b>नेपाली</b> बोल्छु (Nepali)                          |
| <input type="checkbox"/> আমি বাংলা ভাষী। (Bengali)                           | <input type="checkbox"/> Mówię <b>po polsku.</b> (Polish)                         |
| <input type="checkbox"/> Ja govorim <b>bosanski jezik</b> (Bosnian)          | <input type="checkbox"/> Eu falo <b>Português.</b> (Portuguese)                   |
| <input type="checkbox"/> ကျွန်တော်ပြန်ဟောကားပြောသည်။ (Burmese)               | <input type="checkbox"/> ਇ ਸੁਪੇਆਕ ਪੰਜਾਬੀ (Punjabi)                                |
| <input type="checkbox"/> 我说中文 (Chinese Simplified)                           | <input type="checkbox"/> Cunosc limba <b>Română.</b> (Romanian)                   |
| <input type="checkbox"/> 我說中文 (Chinese Traditional)                          | <input type="checkbox"/> Я говорю <b>по-русски.</b> (Russian)                     |
| <input type="checkbox"/> Ja govorim <b>hrvatski.</b> (Croatian)              | <input type="checkbox"/> Ou te tautala <b>faaSamoa.</b> (Samoan)                  |
| <input type="checkbox"/> اینجانب به زبان فارسی صحبت می کنم (Farsi)           | <input type="checkbox"/> Govorim <b>srpski.</b> (Serbian)                         |
| <input type="checkbox"/> Je parle <b>français.</b> (French)                  | <input type="checkbox"/> Waxaan ku hadlaa <b>Somali.</b> (Somali)                 |
| <input type="checkbox"/> Je parle le <b>Français haïtien</b> (French Creole) | <input type="checkbox"/> Yo hablo <b>español.</b> (Spanish)                       |
| <input type="checkbox"/> Μιλάω <b>ελληνικά.</b> (Greek)                      | <input type="checkbox"/> أتحدث <b>السودانية</b> (لغوي سوداني) (Sudanese)          |
| <input type="checkbox"/> ཧྭ གུའུའུའུ ཡོལུ རྩུ (Gujarati)                     | <input type="checkbox"/> Marunong po akong magsalita ng <b>Tagalog.</b> (Tagalog) |
| <input type="checkbox"/> Mwen pale <b>Kreyòl.</b> (Haitian Creole)           | <input type="checkbox"/> ข้าพเจ้าพูด ภาษาไทย (Thai)                               |
| <input type="checkbox"/> मैं हिंदी बोलता हूँ (Hindi)                         | <input type="checkbox"/> ኢካ ትግርኛ ይዘረብ እየ. (Tigrinya)                              |
| <input type="checkbox"/> Kuv hais <b>lus hmoob.</b> (Hmong)                  | <input type="checkbox"/> Я розмовляю <b>українською.</b> (Ukrainian)              |
| <input type="checkbox"/> Ana m a sụ <b>Igbo</b> (Igbo)                       | <input type="checkbox"/> میں اردو بولتا/ بولتی ہوں. (Urdu)                        |
| <input type="checkbox"/> Parlo <b>Italiano</b> (Italian)                     | <input type="checkbox"/> Tôi nói tiếng <b>Việt.</b> (Vietnamese)                  |
| <input type="checkbox"/> 私は日本語を話します (Japanese)                               | <input type="checkbox"/> ך ארעא <b>יידיש</b> (Yiddish)                            |
| <input type="checkbox"/> Mi chat <b>Jamiekan langwjjj</b> (Jamaican Creole)  | <input type="checkbox"/> Mo gbọ <b>Yoruba</b> (Yoruba)                            |
| <input type="checkbox"/> y k t <b>ꨀꨁꨂꨃꨄꨅ</b> (Karen)                         |   |
| <input type="checkbox"/> ខ្ញុំនិយាយភាសាខ្មែរ (Khmer)                         |   |
| <input type="checkbox"/> 본인의 모국어는 <b>한국어</b> 입니다 (Korean)                    |   |
| <input type="checkbox"/> ئە ز زمانى <b>كوردى</b> ده ناخفم. (Kurdish)         |   |

Resolution No. \_\_\_\_\_

Resolution approving 2022 Housing Tax Abatement Applications

WHEREAS, City Council must approve the housing tax abatement applications in order for the city staff to send them onto the county; and

WHEREAS, the city's tax abatement program runs for five years, and any property that applies in the program for five years; and

WHEREAS, the city's tax abatement plan abates taxes and refunds the city portion of the taxes; and

WHEREAS, a property must increase in its assessed value in order to to be eligible for the abatements; and

WHEREAS, the City Council created the tax abatement program to provide a catalyst for new and improved housing in Oelwein;

NOW, THEREFORE, BE IT RESOLVED, the City Council of Oelwein, Iowa does hereby approve the 2022 Housing Tax Abatement Applications

Passed and adopted by the City Council of the City of Oelwein, Iowa this 10 day of January, 2022.

\_\_\_\_\_  
Brett DeVore, Mayor

Attest:

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Resolution as read be adopted and upon roll call there were:

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

AYES    NAYS    ABSENT

ABSTAIN

Recorded January 11, 2022.

Weber

Stewart

Lenz

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

Garrigus

Seeders

Payne



Application for Tax Abatement

Under The Urban Revitalization Plan For The City Of Oelwein, Iowa Residential Revitalization Area

All real estate assessed as residential property; assessed as commercial property, if the commercial property consists of three or more separate living quarters with at least 75% of the space used for residential purposes; or assessed as multi-residential property, is eligible to receive a partial exemption from taxation on the actual value added by new construction or improvements. The exemption is for a period of five years and is applicable to the first \$75,000 of value added.

Assessed value added must exceed \$10,000 for all remodels in order to be eligible for a tax abatement.

New construction applicants are also eligible for 90 percent reimbursement of city property taxes. Value added must exceed \$75,000 for the city reimbursement portion. Applicants will pay their city taxes then be reimbursed by bringing in a receipt to City Hall.

Applications must be turned in to City Hall in the month of January. All properties started after January 1, 2017 may apply for the tax abatement. Applicants are encouraged to apply for the abatement the January after they start construction. Applications are only accepted in the month of January each year.

The Oelwein Residential Tax Abatement runs from January of 2018 to January of 2022. The tax abatement lasts for 5 years per application. The tax abatement will stay with the property regardless of the owner.

| Estimates for Abatement/ Reimbursement* |                      |               |                    |                         |
|---|----------------------|---------------|--------------------|-------------------------|
| Type                                    | Assessed Value Added | Tax Abatement | City Reimbursement | Total Five Year Savings |
| Remodel                                 | \$10,000             | \$1,100       | \$0                | \$1,100                 |
| Remodel                                 | \$25,000             | \$2,750       | \$0                | \$2,750                 |
| Remodel                                 | \$75,000             | \$8,272       | \$0                | \$8,272                 |
| New Construction                        | \$250,000            | \$8,272       | \$7,940            | \$16,212                |
| New Construction                        | \$350,000            | \$8,272       | \$12,477           | \$20,749                |
| New Construction                        | \$450,000            | \$8,272       | \$17,014           | \$25,286                |

\*Estimates based on 2016 County/City Tax Rates, Actuals Will Vary

Name of Applicant: Jessica Swaab

Address of Property: 820 4th Ave. S.W.  
Oelwein, IA 50062



Legal Description of Property: residential property

Address of Applicant (if different from above): \_\_\_\_\_

Phone Number (to be reached during day): 515-290-1749

Email contact: jlswaab@gmail.com

Type of Property:  Single-family Residential  Commercial or multi-residential

Type of Project:  New Construction  Improvements

Specify details of construction or improvements: \_\_\_\_\_  
\_\_\_\_\_

Estimated or Actual Date of Completion: 25 October 2021

Date 10/19/2021

Jessica L. Swaab  
Signature of Applicant

CITY COUNCIL ACTION:

Application:  Approved  Disapproved

(Reason if disapproved) \_\_\_\_\_

City Clerk \_\_\_\_\_ Date \_\_\_\_\_

ASSESSOR ACTION:

Application:  Approved  Disapproved

Present Assessed Value \$ \_\_\_\_\_ Assessed Value w/Improvements \$ \_\_\_\_\_

Assessor \_\_\_\_\_ Date \_\_\_\_\_



Application for Tax Abatement

Under The Urban Revitalization Plan For The City Of Oelwein, Iowa Residential Revitalization Area

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Assessed value added must exceed \$10,000 for all remodels in order to be eligible for a tax abatement.

New construction applicants are also eligible for 90 percent reimbursement of city property taxes. Value added must exceed \$75,000 for the city reimbursement portion. Applicants will pay their city taxes then be reimbursed by bringing in a receipt to City Hall.

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The Oelwein Residential Tax Abatement runs from January of 2018 to January of 2022. The tax abatement lasts for 5 years per application. The tax abatement will stay with the property regardless of the owner.

| Estimates for Abatement/ Reimbursement* |                      |               |                    |                         |
|---|----------------------|---------------|--------------------|-------------------------|
| Type                                    | Assessed Value Added | Tax Abatement | City Reimbursement | Total Five Year Savings |
| Remodel                                 | \$10,000             | \$1,100       | \$0                | \$1,100                 |
| Remodel                                 | \$25,000             | \$2,750       | \$0                | \$2,750                 |
| Remodel                                 | \$75,000             | \$8,272       | \$0                | \$8,272                 |
| New Construction                        | \$250,000            | \$8,272       | \$7,940            | \$16,212                |
| New Construction                        | \$350,000            | \$8,272       | \$12,477           | \$20,749                |
| New Construction                        | \$450,000            | \$8,272       | \$17,014           | \$25,286                |

\*Estimates based on 2016 County/City Tax Rates, Actuals Will Vary

Name of Applicant: McClain Holdings, LLC

Address of Property: 700 3rd Street SW/  
302 7th Avenue SW  
Parcel #1820478012





Legal Description of Property: Lots 21 & 22, Block 2, Jamisons Addition to Oelwein

Address of Applicant (if different from above): 19194 110th Street, Westgate, Iowa 50681

Phone Number (to be reached during day): 319-240-0464

Email contact: \_\_\_\_\_

Type of Property:  Single-family Residential  Commercial or multi-residential

Type of Project:  New Construction  Improvements

Specify details of construction or improvements: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Estimated or Actual Date of Completion: \_\_\_\_\_

Date 12/07/2021

Michael McClam  
Signature of Applicant

|   |  |
|---|--|
| CITY COUNCIL ACTION:  |  |
| Application: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved |  |
| (Reason if disapproved) _____   |  |
| City Clerk _____  | Date _____                             |
| ASSESSOR ACTION:  |  |
| Application: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved |  |
| Present Assessed Value \$ _____   | Assessed Value w/Improvements \$ _____ |
| Assessor _____  | Date _____                             |



Application for Tax Abatement

Under The Urban Revitalization Plan For The City Of Oelwein, Iowa Residential Revitalization Area

All real estate assessed as residential property; assessed as commercial property, if the commercial property consists of three or more separate living quarters with at least 75% of the space used for residential purposes; or assessed as multi-residential property, is eligible to receive a partial exemption from taxation on the actual value added by new construction or improvements. The exemption is for a period of five years and is applicable to the first \$75,000 of value added.

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| Estimates for Abatement/ Reimbursement* |                      |               |                    |                         |
|---|----------------------|---------------|--------------------|-------------------------|
| Type                                    | Assessed Value Added | Tax Abatement | City Reimbursement | Total Five Year Savings |
| Remodel                                 | \$10,000             | \$1,100       | \$0                | \$1,100                 |
| Remodel                                 | \$25,000             | \$2,750       | \$0                | \$2,750                 |
| Remodel                                 | \$75,000             | \$8,272       | \$0                | \$8,272                 |
| New Construction                        | \$250,000            | \$8,272       | \$7,940            | \$16,212                |
| New Construction                        | \$350,000            | \$8,272       | \$12,477           | \$20,749                |
| New Construction                        | \$450,000            | \$8,272       | \$17,014           | \$25,286                |

\*Estimates based on 2016 County/City Tax Rates, Actuals Will Vary

Name of Applicant: Nicole Ehlers

Address of Property: 2638 South Frederick Avenue



Legal Description of Property: 2638 South Frederick Ave Oelwein IA

Address of Applicant (if different from above): \_\_\_\_\_

Phone Number (to be reached during day): 319 404 0945

Email contact: nicky1105@gmail.com

Type of Property:  Single-family Residential  Commercial or multi-residential

Type of Project:  New Construction

Improvements

Specify details of construction or improvements: 3 stall garage addition  
Added family room and laundry room.

Estimated or Actual Date of Completion: 10/2021

Date 12/14/2021

Nicole Ehlers  
Signature of Applicant

CITY COUNCIL ACTION:

Application:  Approved  Disapproved

(Reason if disapproved) \_\_\_\_\_

City Clerk \_\_\_\_\_ Date \_\_\_\_\_

ASSESSOR ACTION:

Application:  Approved  Disapproved

Present Assessed Value \$ \_\_\_\_\_ Assessed Value w/Improvements \$ \_\_\_\_\_

Assessor \_\_\_\_\_ Date \_\_\_\_\_



Application for Tax Abatement

Under The Urban Revitalization Plan For The City Of Oelwein, Iowa Residential Revitalization Area

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| Estimates for Abatement/ Reimbursement* |                      |               |                    |                         |
|---|----------------------|---------------|--------------------|-------------------------|
| Type                                    | Assessed Value Added | Tax Abatement | City Reimbursement | Total Five Year Savings |
| Remodel                                 | \$10,000             | \$1,100       | \$0                | \$1,100                 |
| Remodel                                 | \$25,000             | \$2,750       | \$0                | \$2,750                 |
| Remodel                                 | \$75,000             | \$8,272       | \$0                | \$8,272                 |
| New Construction                        | \$250,000            | \$8,272       | \$7,940            | \$16,212                |
| New Construction                        | \$350,000            | \$8,272       | \$12,477           | \$20,749                |
| New Construction                        | \$450,000            | \$8,272       | \$17,014           | \$25,286                |

\*Estimates based on 2016 County/City Tax Rates, Actuals Will Vary

Name of Applicant: Ronald F Short

Address of Property: 930 1st Ave SE



Legal Description of Property: LOTS 24 & 25 Schaums 2ND ADD

Address of Applicant (if different from above): \_\_\_\_\_

Phone Number (to be reached during day): 319 238 1644

Email contact: \_\_\_\_\_

Type of Property:  Single-family Residential  Commercial or multi-residential

Type of Project:  New Construction

Improvements

Specify details of construction or improvements: REPLACEMENT OF DOORS WITH Thermal UPGRADE - 10 JULY OF 2020  
PLEASE SEE ATTACHED LIST.

Estimated or Actual Date of Completion: 1 May 2021

Date 11/24/21

Ronald F. Short  
Signature of Applicant

CITY COUNCIL ACTION:

Application:  Approved  Disapproved

(Reason if disapproved) \_\_\_\_\_

City Clerk \_\_\_\_\_ Date \_\_\_\_\_

ASSESSOR ACTION:

Application:  Approved  Disapproved

Present Assessed Value \$ \_\_\_\_\_ Assessed Value w/Improvements \$ \_\_\_\_\_

Assessor \_\_\_\_\_ Date \_\_\_\_\_

PREPARED BY: RONALD E SHORT

DATE: 16 NOV 21

PROJECT TITLE: 930 1ST AVE SE IMPROVEMENTS

MARCH 10 2021  
REMOVAL OF WINDOWS +  
SIDING INSTALLATION OF FRAMING  
TRUCK AND WINDOW + SIDING.

1 MAY 2021  
GRADING OF GRAVEL DRIVE  
AND INSTALLATION OF POURED  
CONCRETE FROM CURB TO  
DETACHED GARAGE

ALL WORK DONE BY  
MILLER CONSTRUCTION.

MINUTES TO SET DATE FOR HEARING  
ON PROPOSAL TO ENTER INTO A  
LOAN AGREEMENT

421044-44

Oelwein, Iowa

January 10, 2022

The City Council of the City of Oelwein, Iowa, met on January 10, 2022, at \_\_\_\_\_ o'clock  
\_\_m., at the \_\_\_\_\_, Oelwein, Iowa.

The Mayor presided and the roll was called showing the following members of the City  
Council present and absent:

Present:

\_\_\_\_\_

Absent: \_\_\_\_\_.

Council Member \_\_\_\_\_ introduced the resolution hereinafter next  
set out and moved its adoption, seconded by Council Member \_\_\_\_\_;  
and after due consideration thereof by the City Council, the Mayor put the question upon the  
adoption of the said resolution and the roll being called, the following named Council Members  
voted:

Ayes:

\_\_\_\_\_

Nays: \_\_\_\_\_.

Whereupon, the Mayor declared the resolution duly adopted as hereinafter set out.

• • • •

At the conclusion of the meeting and upon motion and vote, the City Council adjourned.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

RESOLUTION NO. \_\_\_\_\_

Resolution setting the date for a public hearing on proposal to enter into a General Obligation Corporate Purpose and Refunding Loan Agreement and to borrow money thereunder

WHEREAS, the City of Oelwein (the “City”), in Fayette County, State of Iowa, previously issued its \$3,455,000 Urban Renewal General Obligation Certificates of Participation, Series 2014, dated May 1, 2014 (the “2014 Certificates”) a portion of which currently remain outstanding maturing on such dates and in such amounts and bearing interest at such rates as follows as follows:

|             | Principal     | Interest    |             | Principal     | Interest    |
|-------------|---------------|-------------|-------------|---------------|-------------|
| <u>Year</u> | <u>Amount</u> | <u>Rate</u> | <u>Year</u> | <u>Amount</u> | <u>Rate</u> |
| 2022        | \$165,000     | 3.000%      | 2028        | \$400,000     | 3.750%      |
| 2023        | \$170,000     | 3.000%      | 2030        | \$425,000     | 4.000%      |
| 2024        | \$175,000     | 3.000%      | 2033        | \$700,000     | 4.000%      |
| 2026        | \$370,000     | 3.250%      |             |               |             |

;and

WHEREAS, pursuant to the resolution (the “2014 Resolution”) authorizing the issuance of the 2014 Certificates, the City reserved the right to call the 2014 Certificates for optional early redemption on any date on or after June 1, 2022, subject to the provisions of the 2014 Resolution; and

WHEREAS, the City proposes to enter into a loan agreement (the “Essential Purpose Loan Agreement”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$3,500,000 for the purpose of paying the costs, to that extent, of (1) constructing street, sanitary sewer system, storm water drainage, water system and sidewalk improvements; (2) acquiring and installing street lighting, signage and signalization improvements; (3) acquisition and demolition of dangerous, dilapidated and/or abandoned properties; (4) acquiring vehicles and equipment for the municipal fire department (the “Essential Purpose Projects”); and (5) current refunding the 2014 Certificates, and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Essential Purpose Loan Agreement and to give notice thereof as required by such law; and

WHEREAS, the City also proposes to enter into a loan agreement (the “Aquatic Center Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$275,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the costs, to that extent, of undertaking improvements to the municipal aquatic center (the “Aquatic Center Project”), and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Aquatic Center Loan Agreement and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal; and

WHEREAS, the City also proposes to enter into a loan agreement (the “Recreation Trails Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$275,000



pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the costs, to that extent, of undertaking improvements to municipal recreation trails (the “Recreation Trails Project”), and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Recreation Trails Loan Agreement and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal; and

WHEREAS, the City also proposes to enter into a loan agreement (the “City Hall Loan Agreement” and together with the Essential Purpose Loan Agreement, the Aquatic Center Loan Agreement, and the Recreation Trails Loan Agreement, the “Loan Agreements”) and to borrow money thereunder in a principal amount not to exceed \$375,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the costs, to that extent, of undertaking improvements to City Hall (the “City Hall Project” and together with the Essential Purpose Projects, the Aquatic Center Project, and the Recreation Trails Project, the “Projects”), and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the City Hall Loan Agreement and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Oelwein, Iowa, as follows:

Section 1. This City Council shall meet on January 24, 2022, at the \_\_\_\_\_, Oelwein, Iowa, at \_\_\_\_ o’clock \_\_\_\_ .m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement described in the preamble hereof.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Essential Purpose Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than four (4) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO  
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY  
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$3,500,000

(GENERAL OBLIGATION)

The City Council of the City of Oelwein, Iowa (the “City”), will meet on January 24, 2022, at the \_\_\_\_\_, Oelwein, Iowa, at \_\_\_\_\_ o’clock \_\_\_\_m., for the purpose of instituting proceedings and taking action on a proposal to enter into a Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$3,500,000 for the purpose of paying the costs, to that extent, of (1) constructing street, sanitary sewer system, storm water drainage, water system and sidewalk improvements; (2) acquiring and installing street lighting, signage and signalization improvements; (3) acquisition and demolition of dangerous, dilapidated and/or abandoned properties; (4) acquiring vehicles and equipment for the municipal fire department; and (5) current refunding the Urban Renewal General Obligation Certificates of Participation, Series 2014, dated May 1, 2014.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Oelwein, Iowa.

Dylan Mulfinger  
City Clerk

Section 3. The City Clerk is hereby directed to give notice of the proposed action on the Aquatic Center Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than ten (10) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO  
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY  
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$275,000

(GENERAL OBLIGATION)

The City Council of the City of Oelwein, Iowa (the “City”), will meet on January 24, 2022, at the \_\_\_\_\_, Oelwein, Iowa, at \_\_\_\_\_ o’clock \_\_\_\_m., for the purpose of instituting proceedings and taking action on a proposal to enter into a Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$275,000 for the purpose of paying the costs, to that extent, of undertaking improvements to the municipal aquatic center.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa.

By order of the City Council of the City of Oelwein, Iowa.

Dylan Mulfinger  
City Clerk

Section 4. The City Clerk is hereby directed to give notice of the proposed action on the Recreation Trails Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than ten (10) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO  
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY  
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$275,000

(GENERAL OBLIGATION)

The City Council of the City of Oelwein, Iowa (the “City”), will meet on January 24, 2022, at the \_\_\_\_\_, Oelwein, Iowa, at \_\_\_\_\_ o’clock \_\_\_\_m., for the purpose of instituting proceedings and taking action on a proposal to enter into a Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$275,000 for the purpose of paying the costs, to that extent, of undertaking improvements to municipal recreation trails.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa.

By order of the City Council of the City of Oelwein, Iowa.

Dylan Mulfinger  
City Clerk

Section 5. The City Clerk is hereby directed to give notice of the proposed action on the City Hall Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than ten (10) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO  
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY  
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$375,000

(GENERAL OBLIGATION)

The City Council of the City of Oelwein, Iowa (the “City”), will meet on January 24, 2022, at the \_\_\_\_\_, Oelwein, Iowa, at \_\_\_\_\_ o’clock \_\_\_\_m., for the purpose of instituting proceedings and taking action on a proposal to enter into a Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$375,000 for the purpose of paying the costs, to that extent, of undertaking improvements to City Hall.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa.

By order of the City Council of the City of Oelwein, Iowa.

Dylan Mulfinger  
City Clerk



Section 6. Pursuant to Section 1.150-2 of the Income Tax Regulations (the “Regulations”) of the Internal Revenue Service, the City declares (a) that it intends to undertake the Projects which are reasonably estimated to cost approximately \$1,885,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the “Bonds”), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for such Projects have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 7. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved January 10, 2022.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**ATTESTATION CERTIFICATE**

STATE OF IOWA  
COUNTY OF FAYETTE                   SS:  
CITY OF OELWEIN

I, the undersigned, City Clerk of the City of Oelwein, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council relating to fixing a date for additional action on the City’s proposal to enter into certain loan agreements, as referred to therein.

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
City Clerk

**ORGANIZATION CERTIFICATE**

STATE OF IOWA  
COUNTY OF FAYETTE                    SS:  
CITY OF OELWEIN

I, the undersigned City Clerk, do hereby certify that the City of Oelwein is organized and operating under the provisions of Title IX of the Code of Iowa and not under any special charter and that the City is operating under the Mayor-Council form of government and that there is not pending or threatened any question or litigation whatsoever touching the incorporation of the City, the inclusion of any territory within its limits or the incumbency in office of any of the officials hereinafter named.

And I do further certify that the following named parties are officials of the City as indicated:

- \_\_\_\_\_, Mayor
- \_\_\_\_\_, City Administrator/Clerk
- \_\_\_\_\_, Council Member/Mayor Pro Tem
- \_\_\_\_\_, Council Member
- \_\_\_\_\_, Council Member
- \_\_\_\_\_, Council Member
- \_\_\_\_\_, Council Member
- \_\_\_\_\_, Council Member

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
City Clerk

**PUBLICATION CERTIFICATE**

**(PLEASE NOTE: Do not date and return this certificate until you have received the publisher’s affidavits and have verified that the notices were published on the date indicated in the affidavits but please return all other completed pages to us as soon as they are available.)**

STATE OF IOWA  
COUNTY OF FAYETTE  
CITY OF OELWEIN

SS:

I, the undersigned, City Clerk of the City of Oelwein, do hereby certify that pursuant to the resolution of the City Council fixing a date of meeting at which it is proposed to take action to enter into certain loan agreements, the notices, of which the printed slips attached to the publisher’s affidavits hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavits, which newspaper has a general circulation in the City.

WITNESS MY HAND this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
City Clerk

**(Attach here the publisher’s original affidavits with clippings of the notices, as published.)**

January 4, 2022

**Via Email**

Dylan Mulfinger  
City Administrator/City Hall  
Oelwein, Iowa

Re: General Obligation Corporate Purpose and Refunding Loan Agreements  
Our File No. 421044-44

Dear Dylan:

We have prepared and attach proceedings to be used at the January 10, 2022 City Council meeting to enable the City Council to set January 24, 2022 as the date for the hearings on the General Obligation Corporate Purpose and Refunding Loan Agreements (the “Loan Agreements”).

The documents attached include the following items:

1. Resolution fixing the date, time and place of the meeting at which it is proposed to hold the hearing and take action to enter into the Loan Agreements.

The forms of notice of hearing are set out in Sections 2, 3, 4, and 5 of the resolution. Please print extra copies for delivery to the publisher. Please insert the time and place of the hearing in both the resolution and the notices.

2. Attestation Certificate with respect to the validity of the transcript.

3. Organization Certificate.

4. Publication Certificate with respect to publication of the notices, to which must be attached the publisher’s affidavits of publication with the clippings of the notices as published.

The notice of hearing on the Essential Purpose Loan Agreement must be published at least once, not less than four (4) and not more than twenty (20) days before the January 24, 2022 meeting date set for the hearing, in a legal newspaper which has a general circulation in Oelwein. **The last date on which this notice can be effectively published is January 20, 2022.**

The notices of hearing on the Aquatic Center Loan Agreement, Recreation Trails Loan Agreement and the City Hall Loan Agreement must be published at least once, **not less than ten (10) and not more than twenty (20) days** before the January 24, 2022 meeting date set for the hearing, in a legal newspaper which has a general circulation in Oelwein. **The last date on which each of these notices can be effectively published is January 14, 2022.**

Page 2

Please scan and email a copy of the published notices to [lemke.susan@dorsey.com](mailto:lemke.susan@dorsey.com) as soon as they appear in the newspaper.

As soon as possible after the City Council meeting, please return one fully executed copy of these proceedings. If you have any questions, please contact Erin Regan, Cheryl Ritter or me.

Best regards,

John Danos

Attachments

cc: Barbara Rigdon  
Kaylonna McKee  
Speer Financial, Inc.  
Diana VanVleet



To: Council  
 From: Dylan Mulfinger  
 Subject: 2022 Bond Sale  
 Date: 10/25/2021

| Item                | Price       |
|---------------------|-------------|
| Streets             | \$500,000   |
| Parks<br>(Aquatics) | \$250,000   |
| Trail               | \$250,000   |
| City Hall           | \$350,000   |
| Demolition          | \$150,000   |
| Fire                | \$300,000   |
|                     |             |
| Total               | \$1,800,000 |

**Streets**

Council is focused on improving streets in the city of Oelwein. This amount of dollars will ensure a proper street project can be completed. Council will be able to leverage \$800,000 in Cares Act money to also do streets. With both being available council can plan for a large project in 2022 and complete the project in 2023.

**Parks (Aquatics)**

The pool needs a sand filter upgrade. Performing this upgrade requires the city to no longer dump run off pool water into the creek. Initial estimates for both projects are around \$250,000 total. The pool is a service to the community and requires continual investment.

**Trails**

To finalize the trail, plan the city must bond for the last match portion of the \$1,000,000 local trust dollars. These remaining dollars will ensure that the trail is on path to be finished completing the horseshoe around town. These dollars will tackle the largest portion which will be going from Levin Park to City Park. Finishing the trail in town will set the city up for regional trail connections.

**City Hall**

The final touches are needed for City Hall. A plan is being drafted and will be presented to council late fall. This last improvement takes care of the front entrance, the front office area, and a refresh of the rest of City Hall. This takes the total project to less than \$500,000 compared to the original project of \$900,000.



### **Demolition**

The City is committed to removing blighted properties. This funding will ensure council can actively go after homes that need demolished. The City will not be able to acquire 40 properties at once, so this money will have to be spent over time. The City will have two years to use up this money. Council should not leave out the idea of using this money to fund housing projects should demolitions not be available.

### **Fire**

The city is in a great position to buy a new ladder truck. This will ensure that volunteers can safely access buildings and have new approaches to fighting fire. If the volunteers are able to raise additional dollars for this truck, the bond money will be used to replace the aging and heat hating garage doors that are currently in the building.

Council provided direction on October 11 that Dylan should prepare for alternatives that provide more road funding. The City can allocate any funds after the bond is secured toward road funds. The City Administrator anticipates a lower cost for the fire truck which will allocate more road funding. The City continues to apply for grants for the trails and will help lower the burden on the bond. All of these items were selected by staff based on goals and initiative of the council.



**CONTRACT AMENDMENT**

**THIS CONTRACT AMENDMENT** dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

**BETWEEN:**

Jeremy P. Logan

**OF THE FIRST PART**

**- AND -**

City of Oelwein

**OF THE SECOND PART**

**Background**

- A. Jeremy P. Logan and City of Oelwein (the "Parties") entered into the contract (the "Contract") dated December 13, 2013, for the purpose of Employment.
- B. The Parties desire to amend the Contract on the terms and conditions set forth in this Contract Amendment (the "Agreement").
- C. This Agreement is the first amendment to the Contract.
- D. References in this Agreement to the Contract are to the Contract as previously amended or varied.

**IN CONSIDERATION OF** the Parties agreeing to amend their obligations in the existing Contract, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to keep, perform, and fulfill the promises, conditions and agreements below:

**Amendments**

- 1. The Contract is amended as follows:
  - a. Section 9(I) will be amended to read: A supplemental pay benefit shall be paid to

Jeremy P. Logan pursuant to the following schedule:

Longevity Pay: For purposes of this agreement, longevity shall be calculated as cumulative time served with this agency as Chief of Police. Jeremy P. Logan was first appointed as Chief of Police on February 21, 2002. The longevity scale/pay steps utilized will be that which was approved by the Oelwein City Council on September 27, 2021 and effective January 1, 2022.

The longevity percentage increase is incorporated into the employee's salary by adding the longevity percentage increase into the employee's salary at the time of the anniversary date. This new salary rate will be effective and paid the first pay period following entitlement based on the employee's individual anniversary date.

b. The following provision is hereby added immediately after Section 9(L):

M. The City of Oelwein is desirous to have Jeremy P. Logan also serve as the Public Safety Director/Chief. This additional role will be responsible for management of the Oelwein Fire Department and Staff. As compensation for serving in this capacity, the City of Oelwein agrees to:

1) For each year that Jeremy P. Logan serves in this position, the City of Oelwein agrees to pay for and provide Jeremy P. Logan, upon retirement, a year of couple's or comparable health insurance. December 1st will be considered the anniversary date for this position. Similar to MFPRSI service credits, six months and one day of service in the position will be classified as a year. This calculation will only come into consideration for the last year of being in this position. Upon retirement, Jeremy P. Logan will pay to the City of Oelwein, by the 15<sup>th</sup> of each month, the employee's share of the monthly premium. Failure to pay the employee's share of the premium, for two consecutive months, will terminate this benefit.

2) Annually, the City Administrator conducts performance evaluations of department heads. Each year, if this employee receives an evaluation that reflects satisfactory performance in the management of the fire department, the employee will receive a one-time salary benchmark compensation of \$3,000. This payment will be made in the pay period that encompasses the date of April 1st. While it is noted that this position is starting within a performance year, due to the significant amount of work that will need to be performed in the first initial months, compensation will still be provided, but at a lower rate. The initial evaluation will occur in mid-March of 2022 with a one-time salary benchmark compensation of \$2,000.

**No Other Change**

2. Except as otherwise expressly provided in this Agreement, all of the terms and conditions of the Contract remain unchanged and in full force and effect.

**Miscellaneous Terms**

- 3. Capitalized terms not otherwise defined in this Agreement will have the meanings ascribed to them in the Contract. Headings are inserted for the convenience of the parties only and are not to be considered when interpreting this Agreement. Words in the singular mean and include the plural and vice versa. Words in the masculine include the feminine and vice versa. No regard for gender is intended by the language in this Agreement.

**Governing Law**

- 4. Subject to the terms of the Contract, it is the intention of the Parties that this Agreement, and all suits and special proceedings under this Agreement, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of Iowa, without regard to the jurisdiction in which any action or special proceeding may be instituted.

**IN WITNESS WHEREOF** the Parties have duly affixed their signatures under hand and seal on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
WITNESS: \_\_\_\_\_

\_\_\_\_\_  
Jeremy P. Logan

City of Oelwein

\_\_\_\_\_  
WITNESS: \_\_\_\_\_

Per: \_\_\_\_\_  
(Seal)



AECOM 319-232-6531 tel  
 501 Sycamore Street 319-232-0271 fax  
 Suite 222  
 Waterloo, Iowa 50703  
 www.aecom.com

Item 13.

**DESIGN SERVICES  
 REHABILITATE RUNWAY PAVEMENTS  
 OELWEIN MUNICIPAL AIRPORT  
 OELWEIN, IOWA  
 FAA POTENTIAL AIP NO. 3-19-0067-012**

**Project Description:** See Attached Exhibit A, Scope of Services.

**Scope of Services:** See Attached Exhibit A, Scope of Services.

**Compensation**

Compensation for services for the design phase of the project shall be a lump sum fee in the amount of Fifty-Four Thousand Dollars (\$54,000.00). See attached Exhibit B, Consultant Cost Summary.


**General Conditions**

Except as specifically amended by this Individual Project Agreement, Services shall be provided in accordance with the Consultant Services Agreement for the Oelwein Municipal Airport, entered between AECOM Technical Services, Inc. (ATS), and the City of Oelwein (Client), dated \_\_\_\_\_.

APPROVED:  
 CITY OF OELWEIN, IOWA

APPROVED:  
 AECOM TECHNICAL SERVICES, INC.

By \_\_\_\_\_

By   
 Douglas W. Schindel, P.E.  
 Associate Vice President

Date \_\_\_\_\_

Date January 6, 2022



**EXHIBIT A  
SCOPE OF SERVICES**

**REHABILITATE RUNWAY PAVEMENTS  
OELWEIN MUNICIPAL AIRPORT  
OELWEIN, IOWA  
FAA POTENTIAL AIP 3-19-0067-012**

**I. PROJECT DESCRIPTION**

The project is described as the pavement rehabilitation of Runway 13/31, connecting taxiway to the terminal apron and terminal apron concrete pavements at the Oelwein Municipal Airport, Oelwein, Iowa. The project includes rehabilitation of these pavements to include joint and crack sealing, spall repairs, and partial or full concrete panel replacements of these concrete pavements. The final project will be designed around the maximum anticipated federal funding amount of \$415,000.00.

**II. GENERAL PROJECT SCOPE**

The work to be performed by ATS shall encompass and include detailed work, services, materials, equipment and supplies necessary to provide preliminary design, final plans, project specifications, construction cost estimates and bidding services. Construction-phase services will be determined after the project has been bid and prior to issuance of a federal grant. Work shall be divided into the following tasks:

**A. Design Phase**

1. **Design Conference.** This task consists of a pre-design conference called by the City of Oelwein (hereinafter referred to as Client) and held between the Client, the Consultant, the FAA, and any other participating or regulatory governmental agency. The purpose of this conference is to define project requirements, finances, schedules, phasing and other pertinent data that affects the scope of work, design standards, presentation of preliminary and final plans and documents. The requirements set forth in this design conference, including design schedule, will be confirmed in writing by the Consultant to the Client, with copies to each participating unit of government.
2. **Data Collection and Review.** This task consists of the collection of existing data applicable to this project and related to the proposed work site. The Airport Master Plan, record drawings of completed projects, and utility information will be compiled as background information for the project.
3. **Subsurface Investigation.** Subsurface Investigation is not part of this agreement.
4. **Field Investigation.** This task consists of a field investigation to collect pavement distresses. Field investigation will identify pavement distress types, limits and location on existing base mapping. No additional topographic survey will be completed for the preparation of the plans for the project.

5. **Preparation of Design Plans.** This task consists of the preparation of the final design plans for this project. The final plans will set forth in detail the requirements of the preliminary design phase, together with the common practice of design and ethical practice of professional engineers. Plans will be prepared in compliance with current Central Region Federal Aviation Administration requirements in effect at the time the plans are prepared. This task includes the preparation of the following:
  - Title Sheet
  - Legend and General Notes
  - Schedule of Drawings
  - Schedule of Quantities
  - General Project Layout
  - Safety and Sequencing Plans
  - Existing Conditions, Pavement Distresses
  - Pavement Repair Details
6. **Final Project Specifications.** This task consists of the preparation of specifications for the project. The specifications will be in compliance with current Central Region Federal Aviation Administration requirements in effect at the time the specifications are prepared.
7. **Construction Safety and Phasing Plan.** This task consists of the preparation of a separate Construction Safety and Phasing Plan (CSPP) in accordance with AIP Sponsor Guide Section 960 and Advisory Circular 150/5370-2F. The draft CSPP will be submitted to FAA for review. A final CSPP will be prepared and submitted that will address comments received. The final CSPP will be included in the project manual.
8. **Airspace Submittal.** This task consists of preparation and submittal of FAA 7460-1 forms electronically through the FAA's OEAAA website for temporary construction items, including contractor's staging area, access routes and construction equipment. Air space forms will be submitted during design phase of project once element locations are defined for FAA determinations to be received prior to anticipated construction start.
9. **Estimate of Probable Construction Cost.** This task consists of the preparation of a detailed estimate of construction costs based upon the detailed plans and specifications. This statement of probable construction cost prepared by the Consultant represents the Consultant's best judgment as a design professional at the time the estimate is drawn. It is recognized, however, that neither the Consultant nor the Client has any control over the cost of labor, materials or equipment; over the contractor's method of determining bid prices; or over competitive bidding or market conditions. Accordingly, the Consultant cannot and does not guarantee that bids will not vary from any statement of Probable Construction Cost or other cost estimates prepared by the Consultant.
10. **Engineering Report.** This task consists of the preparation of an engineering report that relates to the Client and participating governmental agencies, the

fundamental considerations and concepts used in design of the project. Deviation in design and construction standards will be included in the engineering report.

11. **Design Submittals.** This task will involve preparation of the design submittals for this project. A 90% design document including plans, specifications and design report will be submitted for FAA and City review prior to March 16, 2022. The Construction Safety and Phasing Plan (CSPP) will be submitted prior to the 90% design submittal.
12. **Quality Review.** This task consists of the quality review of work elements on the project. During the course of this project, quality reviews will be conducted by senior technical personnel that are not directly involved in the project.
13. **Conferences and Meetings.** This task consists of conferences and meetings in addition to the design conference and the stakeholder meetings that will be attended by the Consultant for the purpose of coordination, information exchange and general understanding of the status and direction of the project.
14. **DBE Program.** This task consists of assisting the Sponsor in preparation of an update to DBE program for this project.
15. **Grant Application.** This task consists of assisting the Sponsor in preparation of grant application.
16. **Bid Assistance.** This task consists of assisting the Client in advertising for and receiving bids, analyzing the bids received and preparing a recommendation to the Client for award of contract.
17. **Pre-Bid Conference.** This task consists of attending and conducting a Pre-Bid Conference at the project site for prospective bidders.
18. **Bid Document Interpretation.** This task consists of answering bid document interpretation questions from bidders, preparing, and issuing any required addenda.
19. **Project Administration.** This task consists of office administration and coordination of the project. Interoffice meetings, general day-to-day administrative responsibilities, and typing of interoffice memoranda and minutes of meetings are included in this task. Prepare up to ten sets of contract documents for distribution to Client, FAA, plan rooms, suppliers and potential bidders. This task also includes providing one electronic copy of the plans and specifications that can be viewed in and printed from Adobe Acrobat.

## **B. Schedule of Submittals**

The following submittals are anticipated for the project:

1. The 90 percent design documents, including plans, specifications and design report, will be submitted for FAA and City review prior to March 16, 2022.

2. The Construction Safety and Phasing Plan (CSPP) will be submitted for FAA and City review prior to the 90 percent design submittal.
3. Final bid documents will be submitted prior to March 28, 2022.
4. The FAA Grant Application will be submitted prior to April 26, 2022.

L:\Secure\_DCS\Administration\AGREE\PROF\Oelwein Rehab Runway Pavements.doc



**Rehabilitate Runway Pavements**

**Oelwein Municipal Airport  
Oelwein, Iowa**

**FAA AIP 3-19-0067-0012**

**Engineering Services**

**Consultant Cost Summary**

I. Direct Labor Cost

| <u>Category</u>      | <u>Hours</u> | <u>Rate/Hour</u> | <u>Amount</u>     |             |
|----------------------|--------------|------------------|-------------------|-------------|
| Senior Professional  | 40           | \$96.75          | \$3,870.00        |             |
| Project Professional | 88           | \$72.40          | \$6,371.20        |             |
| Staff Professional   | 60           | \$52.70          | \$3,162.00        |             |
| Professional         | 48           | \$31.90          | \$1,531.20        |             |
| CADD Operator II     | 0            | \$37.45          | \$0.00            |             |
| CADD Operator I      | 82           | \$24.00          | \$1,968.00        |             |
| Senior Technician    | 0            | \$43.60          | \$0.00            |             |
| Technician           | 0            | \$30.35          | \$0.00            |             |
| Project Support      | 76           | \$36.55          | <u>\$2,777.80</u> | \$19,680.20 |
|                      | 394          |                  |                   |             |

II. Payroll Burden and Overhead Costs 130.70% \$25,722.02

III. Direct Project Expenses

| <u>Category</u>      | <u>Units</u> | <u>Rate/Unit</u> | <u>Amount</u> |            |
|----------------------|--------------|------------------|---------------|------------|
| Mileage              | 1500         | 0.560            | 840.00        |            |
| Per Diem             | 0            | 50.00            | 0.00          |            |
| Lodging              | 0            | 90.00            | 0.00          |            |
| B/W Copies           | 5,000        | 0.06             | 300.00        |            |
| Color Copies         | 500          | 0.22             | 110.00        |            |
| Plan Copier          | 100          | 0.50             | 50.00         |            |
| EDM Equipment        | 0            | 12.50            | 0.00          |            |
| GPS Equipment        | 0            | 25.00            | 0.00          |            |
| Miscellaneous, Other |              |                  | <u>500.00</u> | \$1,800.00 |

IV. AECOM Estimated Actual Costs \$47,202.22  
Rounded \$47,200.00

V. Subcontract Expense \$0.00

VI. Estimated Actual Costs \$47,200.00

VII. Fixed Fee (15% of Items I & II) Rounded \$6,800.00

VIII. Maximum Amount Payable \$54,000.00







## Committee, Boards, and Commissions Appointments

### Airport Liaison

Councilperson Payne

### Northeast Iowa Regional League

Mayor DeVore, Mulfinger Alternate

### Capital Improvement Program Committee

Chair Weber, \_\_\_\_\_, \_\_\_\_\_

### OCAD Liaison

Mayor DeVore, Mulfinger Alternate

### County Conference Board

Mayor DeVore, Alternate Mayor Pro Tem Fisk

### Ordinance Review Committee

Council as a whole

### Fayette County Emergency Management

Councilperson \_\_\_\_\_

### Park and Rec Liaison

Councilperson \_\_\_\_\_

### Fayette County Solid Waste Commission

Mayor DeVore, Mulfinger Alternate

### Planning, Finance, and Economic Development

\_\_\_\_\_, \_\_\_\_\_, Seeders

### Housing

Fisk, \_\_\_\_\_

### Public Safety

Chair Weber, \_\_\_\_\_, \_\_\_\_\_

### Library liaison

Councilperson Payne

### Upper Explorerland Regional Planning Board

Mayor DeVore, Mulfinger Alternate



To: Mayor and City Council

From: Dylan Mulfinger

Subject: Administrator's Council Agenda Memo

Date: 1/10/2022

#### Consent Agenda

1. Consideration of a motion to approve the minutes of the December 20, 2021 Council meeting
2. Consideration of a motion to approve ownership updates for PMA Petroleum, LLC. doing business as Super Mart
3. Consideration of a motion to approve liquor license renewal for Clete and Connie's
4. Consideration of a motion to approve wine permit renewal for Farmer's Daughter's Quilt. LLC.

#### Ordinances

5. Consideration of an Ordinance Amending Section 3-5, Section 3-73, Section 5-2 through Section 11, Section 5-21, Section 11-10, and Section 16-80 to modify Fire Department and Public Safety Chief - Third and Final Reading
  1. Council directed the City Administrator to update city code to reflect changes to a public safety chief. The following changes clean up city code and allow for a public safety chief. The City Administrator recommends approving the third and final reading.

#### Resolutions

6. A consideration to adopt the Non-Discrimination Resolution
  1. This policy is required now that the city has receive federal funds for the fire truck. This policy ensures that no community member will be discriminated against by the city. This resolution sets up the policy and the process for filing a complaint. The City Administrator recommends approving the resolution.
7. A consideration to adopt the Non-Discrimination Against those with Disabilities Resolution
  1. This policy is also required because of the funds received for the fire truck through the federal grant. This policy ensures that the city will not discriminate against persons with disabilities. This policy allows for the city to make reasonable accommodations to ensure all who want to participate are not turned away because of a disability. The City Administrator recommends approving the resolution.
8. A consideration to adopt the Policy and Procedures for those with Limited English Proficiency Resolution



1. This policy is for the federal grant we received. This will ensure that anyone coming into city hall will be accommodated within reason. The City will work with members of the public where English is a second language. The City Administrator recommends approving the resolution.
9. Consideration of a Resolution to approve the 2022 Housing Tax Abatement Applications
  1. Each year the city provides opportunity for a residential tax abatement. This year the city has the lowest number of properties in the five-year program. This is the last year of the program, so the city will have to work on a new one to attract new homes. The City Administrator recommends approving the resolution.
10. Consideration of a Resolution to set a public hearing on January 24th at 6:00 PM at City Hall to on proposal to enter into a General Obligation Corporate Purpose and Refunding Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$4,500,000
  1. This is setting the city up to bond for projects that were discussed in 2021. This process will allow the city to take on debt for projects. This is a new bond and a refinance of 2014 bond that paid for the police station. The City has the debt capacity and the ability to pay off this debt. The City Administrator recommends approving the resolution.

#### Motions

11. Consideration of a motion to amend the employment contract of Public Safety Chief, Jeremy Logan
  1. Council discussed this during the police department budget. This will allow the city to continue to move forward with a Public Safety Chief. The funding for this is available, and this provides an appropriate incentive for the new position. The public safety program will be reviewed each year. The City Administrator recommends approving the motion.
12. Consideration of a motion to set a public hearing on CDBG-CV Plaza Improvement Project for January 24th at 6:00PM at Oelwein City Hall
  1. This public hearing is for the plaza project. We are required by the CDBG grant process to have a public hearing. The city is looking to obtain through this program \$500,000 and tear down the plaza and add onto the park. Tearing down the plaza is the start is the downtown flood mitigation efforts and the bridge replacement on West Charles. The City Administrator recommends approving the motion.
13. Consideration of a motion to approve a task order with AECOM in the amount of \$54,000 for Rehabilitation of Runway Pavements
  1. The City is ready to do a project at the airport to reserve and rehabilitate the runway and taxiway. This is being funded by federal entitlement funds that the airport receives each year, and the local match will come from the city's general fund. The city has been reimbursed for expense this year through CARES Act grants, and this will more than cover the



city's match for this project. The City Administrator recommends approving the motion.

14. Consideration of a motion to dispose of 777 - 1996 Special Ops Fire Vehicle

1. Through a careful evaluation of equipment, this truck is no longer needed. This truck has gone on 1 fire call in two years. The City will sell this truck to the volunteers and they will market it to raise funds for their programs. The City Administrator recommends approving the motion.

Oelwein Civil Service Commission

Meeting Minutes

December 17, 2021

Meeting called to order at 4:10 p.m.

In attendance was Member Robin Eick and Member Tim Gilson. Also in attendance, Chief Jeremy Logan.

The Oelwein Civil Service Commission received an oral report from Chief Jeremy Logan on the recent police officer applicant process. Chief Logan verified that the below named subjects have successfully passed the written and physical agility exams, received agreeable remarks during their interview and that at the time it was conducted, passed the background examination.

Motion by Gilson, seconded by Eick with all in favor to: hereby certify the following name(s) as being eligible for consideration for hire:

- 1) Mathew Schuler DOB/05/11/1994
- 2) William Ward DOB/05/18/1971

Fire Department

The commission received a report from Chief Logan on the council's decision to eliminate the sole full-time firefighter position with the City of Oelwein.

Motion by Gilson, seconded by Eick with all in favor to certify the elimination of the full-time firefighter position with the City of Oelwein and subsequently removing the fire department from Civil Service guidelines as there will no longer be full-time fire personnel.

Meeting adjourned at 4:40 p.m.





# Library Report to the City Council – January 2022



## Open Sunday

Beginning January 9, the library will be open on Sundays from 2:00 – 5:30.

Sunday hours will be in effect until the end of March.



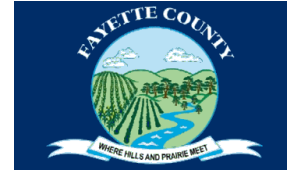
**ANNIE'S PROJECT**  
EMPOWERING WOMEN IN AGRICULTURE

The library director will be serving on the Annie's Project Steering Committee. An Annie's Project course for risk management education for farm women has been scheduled to be offered in Oelwein in 2022 for farm women in Fayette, Buchanan, and Bremer counties. Iowa State University Extension is coordinating the program. Annie's Project programs have been presented in 33 states with a mission to empower farm women to be better business partners by strengthening their roles in modern farm enterprises. The courses foster problem solving, record keeping, and decision making skills in farm women. Sponsored by Farm Credit Services of America and United States Department of Agriculture.

Book Club  
January 25  
2:00



## County Appropriation



The Fayette County Library

Association will be meeting with the County Supervisors via Zoom on January 10 at 10:30. FCLA directors will discuss with the supervisors the Fayette County appropriation to the 11 city libraries. This funding is for library services provided to the rural patrons of Fayette County.



The library will be offering the Ancestry database for doing genealogical research at the library. This was made possible by a generous donation to the library to fund this specific project.

## Iowa Library Online Conference

Iowa librarians can attend the annual ILOC on January 20 by attending online sessions via Zoom. The "Yes!" breakout sessions for this year are:

- Community Mapping
- Policies of Yes
- Library Food Pantry
- Memory Kits
- Libraries in the Park
- You Can STEAM
- Quick Picks: Serendipitous Discovery
- Partnering with the Iowa Dept. of Health