

## OSCEOLA CITY COUNCIL

Tuesday, May 2, 2017

Regular Meeting

The City Council met on Tuesday, May 2, 2017 at 7:00 p.m. for a Regular scheduled meeting. The meeting was called to order by Mayor Thomas J. Kedley. With the following present: Council Members: George Fotiadis, Doug Gay, Dave Walkup, Dan Hooper and Dennis Page. City Staff present were Ty Wheeler–City/Administrator/Clerk, Britanee Ward – Accounting Manager/Assistant City Clerk and Marty Duffus – Police Chief. Also present were: Rod Clark, Gary Kimes, Bill Trickey, Michael Wik, Missy Cline, Janet Walkup, Rachel Kerr, Ryan Cline, Mary Burkheimer and others that didn't sign in.

Motion by Fotiadis and second by Walkup to approve the agenda; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Michael Wik with Anchor Motors expressed his concerns regarding the driveway approaches to Anchor Motors. Bill Trickey informed Council that East Lake received a grant for their camp ground.

Mayors report: Quality of health for Clarke County has moved down the rate 92, pictures for the Council Members and Mayor, Operation Recreation update, Spirit of Osceola to Aaron and Gina Sickels.

Motion by Hooper and second by Page to send the petition to rezone the north half of Country Club Manor from R-2 to R-1; roll call vote: Fotiadis, aye; Gay, aye; Walkup, abstain; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Gay to open the public hearing for the proposal to vacate the alleys in Block 1 of the Brady's Addition; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. There were no written or verbal comments regarding the vacation. Motion by Hooper and second by Page to close the public hearing; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Page to approve the first reading for the proposal to vacate the alleys in Block 1 of the Brady's Addition; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Hooper and second by Walkup to open public hearing regarding the proposal to rezone 2315 N Main from I-1 Light Industrial to B-2 Highway Commercial; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. Mary Burkheimer with Seventh Day had questions regarding the rezoning and building development. No one else spoke. Motion by Gay and second by Walkup to close the public hearing; Roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Walkup to approve the first reading of the rezoning of 2315 N Main from I-1 Light Industrial to B-2 Highway Commercial; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, Nay; Page, aye; motion carried.

Motion by Fotiadis and second by Page to open the public hearing regarding the Amendment to the Comprehensive Plan Pertaining to a Recreation Center; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. Bill Trickey expressed his gratitude for Council for their use of the Comprehensive plan as a guide when budgeting for Fiscal years. No else spoke. Motion by Hooper and second by Walkup to close the public hearing; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion By Page And Second By To Approve Resolution 2017-22 A Resolution Approving And Adopting An Amendment To The City Of Osceola Comprehensive Plan: Quest For 2022; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. \*To view the full resolution you may visit City Website or City Hall\*

**Resolution No. 2017-22** A RESOLUTION APPROVING AND ADOPTING AN AMENDMENT TO THE CITY OF OSCEOLA COMPREHENSIVE PLAN: QUEST FOR 2022 WHEREAS, on July 2, 2013, the City of Osceola adopted the Comprehensive Plan: Quest for 2022; and WHEREAS, the city's Comprehensive Plan should be reviewed and updated periodically; and WHEREAS, the an amendment has been proposed pertaining to the construction and operation of a recreation center; and WHEREAS, the Planning and Zoning Commission held a public meeting on April 12, 2017 and did recommend adoption of the amendment pertaining to a recreation center; NOW, THEREFORE, BE IT RESOLVED BY THE OSCEOLA CITY COUNCIL that this Council approve and adopt the following comprehensive plan amendment: 1) Page 77- In the Issues & Corresponding Opportunities table, the fourth row deals with the rec center. The "Corresponding Opportunities" box is changed to state the City should instruct the Park Board to develop a feasible plan for the construction and operation of a recreation center that will meet recreation programming needs. 2) On page 87 under the heading "Community Center and Recreation Center", the second paragraph is amended to state the City should construct a recreation center that includes space to accommodate youth and adult programing, community fitness space, and Park and Rec administrative space. 3) On page 88, Objective 4.2 is eliminated. A new goal (Goal 6) is adopted with the medium/long term goal of constructing a recreation center. The corresponding objectives include space to accommodate Park and Rec programming needs and that the project should not overextend the city in terms of resource allocation. BE IT FURTHER RESOLVED that the background information and all other exhibits, tables and text are adopted and approved to the extent that the information included therein relates to the Plan's Goals and Objectives.

Motion by Fotiadis and second by Hooper to send the following: South Half of the N/S Alley in Block 13 of West Osceola vacation to Planning and Zoning; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion By Hooper And Second By Walk Up To Approve Resolution 2017-23 A Resolution Approving And Adopting A Revenue Purpose Statement For The Use Or Expenditure Of Revenues From Electric And Natural Gas Franchise Fees and Resolution and Resolution 2017-24 To Fix A Time And A Date For A Public Hearing For The Natural Gas And Electric Franchise Fee; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. \*To view the full Resolution you may visit City Website or City Hall\*

**RESOLUTION NO. 2017-23** A RESOLUTION APPROVING AND ADOPTING A REVENUE PURPOSE STATEMENT FOR THE USE OR EXPENDITURE OF REVENUES FROM ELECTRIC AND NATURAL GAS FRANCHISE FEES WHEREAS, the City Council of the City of Osceola, Iowa, has chosen to establish utility franchise fees for Interstate Power and Light Company (Alliant Energy) for the sale and distribution of electric energy and natural gas within the city limits of the City; and WHEREAS, pursuant to the provisions of Section 364.2, subsection (4)(f) of the Code of Iowa, the City shall prepare a Revenue Purpose Statement outlining the purposes for which the City shall use the franchise fee revenues that will be received if the proposed ordinances are adopted. NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OSCEOLA, IOWA: SECTION 1. That the Revenue Purpose Statement for the use or expenditure of electric and natural gas franchise fee revenues for the City of Osceola, Iowa is hereby approved and adopted as follows: REVENUE PURPOSE STATEMENT Pursuant to the provisions of Section 364.2 subsection (4)(f) of the Code of Iowa, the City of Osceola hereby prepares the following purposes allowed under Iowa Code for which franchise fee revenues from its electric and natural gas franchises may be used or expended: a. Inspecting, supervising, and otherwise regulating each franchise approved by the City. b. The repair, remediation, restoration, cleanup, replacement, and improvement of existing public improvements and other publicly owned property, buildings, and facilities. c. Projects designed to prevent or mitigate future disasters as defined in Iowa Code Section 29c.2. d. Energy conservation measures for low-income homeowners, low-income energy assistance programs, and weatherization programs. e. Public safety including the equipping of fire, police, emergency services, sanitation, street, and civil defense departments. f. The establishment, construction, reconstruction, repair, equipping, remodeling, and extension of public works, public utilities, and public transportation systems.g. The construction,

reconstruction, or repair of streets, highways, bridges, sidewalks, pedestrian underpasses and overpasses, street lighting fixtures, public grounds, and the acquisition of real estate needed for such purposes. h. Property tax abatements, building permit fee abatements and abatement of other fees for property damaged by a disaster, as defined in Iowa Code Section No. 29C.2 i. Economic development activities and projects. Section 2. That the City Clerk shall publish or post the Revenue Purpose Statement, pursuant to Section 362.3 of the Iowa Code. Section 3. That all resolutions or parts of resolutions in conflict herewith are repealed, and the same are hereby repealed to the extent of such conflict.

**Resolution 2017- 24** TO FIX A TIME AND A DATE FOR A PUBLIC HEARING FOR THE NATURAL GAS AND ELECTRIC FRANCHISE FEE. THE CITY COUNCIL OF THE CITY OF OSCEOLA, IA HEREBY RESOLVES that: Section 1. A Public Hearing will be held as part of the regularly scheduled City Council meeting on May 16, 2017 at 7:00 PM to inform the public on the proposed Natural Gas and Electric Franchise Fee. Section 2. The City Clerk is hereby directed to give notice of the proposed hearing, setting forth the purpose, the time when and place where the hearing will be held, by publication at least once and not less than 4 nor more than 20 days before the date of the hearing, in a legal newspaper which has a general circulation in the City.

Motion By Fotiadis And Second By Hooper To Approve Resolution 2017-25 Approving Sanitary Sewer Easements For Cdbg Wastewater System Improvements – Old Plant Pump Station And Force Main Project And Authorizing Payment Therefore; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. \*To view full Resolution you may visit City Website or City Hall\*

**RESOLUTION NO. 2017-25** APPROVING SANITARY SEWER EASEMENTS FOR CDBG WASTEWATER SYSTEM IMPROVEMENTS – OLD PLANT PUMP STATION AND FORCE MAIN PROJECT AND AUTHORIZING PAYMENT THEREFORE WHEREAS, The City Council, City of Osceola, Iowa, contracted with Veenstra & Kimm, Inc., West Des Moines, Iowa, for professional engineering services for design and easement acquisition services for the CDBG Wastewater System Improvements – Old Plant Pump Station and Force Main project; and, WHEREAS, Veenstra & Kimm, Inc., West Des Moines, Iowa, has completed the design and easement acquisition services for said project in a manner as required by state law; and, WHEREAS, The City of Osceola has adopted a resolution of necessity to order construction and set the date for a public hearing and bid letting for said project; and, WHEREAS, The Sanitary Sewer Easements (Easements) are necessary to complete construction of said project and for future maintenance of said project; and, WHEREAS, The Easements provide for compensation and other considerations to the property owners and represent a fair market value for the easements as described; and, WHEREAS, The City Council, City of Osceola, Iowa, does believe it is in the best interest of the City of Osceola, Iowa, to approve and accept the Easements for the CDBG Wastewater System Improvements – Old Plant Pump Station and Force Main project as acquired by Veenstra & Kimm, Inc. NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OSCEOLA, IOWA, that the Sanitary Sewer Easements identified as Easement No. 5 for the CDBG Wastewater System Improvements – Old Plant Pump Station and Force Main project are hereby approved and accepted by the City Council; and, BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to make full payment for the Easements based on the compensation terms of each individual Easement document and to record the easements with Clarke County Recorder.

Motion By Fotiadis And Second By Hooper To Approve Resolution 2017-26 To Fix A Time And A Date For A Public Hearing For The Proposed Amendment To Chapter 69 Titled Parking Regulations; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. \*To view full resolution you may visit City Website or City Hall\*

**Resolution 2017- 26** TO FIX A TIME AND A DATE FOR A PUBLIC HEARING FOR THE PROPOSED AMENDMENT TO CHAPTER 69 TITLED PARKING REGULATIONS. THE CITY COUNCIL OF THE CITY OF OSCEOLA, IA HEREBY RESOLVES that: Section 1. A Public Hearing will be held as part of the regularly scheduled City Council meeting on May 16, 2017 at 7:00 PM to inform the public on the proposed amendments to Chapter 69 titled Parking Regulations. Section 2. The City Clerk

is hereby directed to give notice of the proposed hearing, setting forth the purpose, the time when and place where the hearing will be held, by publication at least once and not less than 4 nor more than 20 days before the date of the hearing, in a legal newspaper which has a general circulation in the City.

Ty Wheeler – City administrator/clerk updated council on various activities and projects within the city.

Fotiadis had concerns regarding the Marina. Gay had concerns regarding Eisenhower Road. Walkup brought up the City Administrator Evaluation for the next meeting. Hooper reported back the Art Galley over the weekend. Page had nothing to report.

Motion by Fotiadis and second by Hooper to approve the consent agenda: Council Minutes: April 18<sup>th</sup> ; Liquor License: and following claims: Check Numbers: 287737-287806

A-1 Window Service,Services,60; Ad-Vance Chemical Co. Ltd,Services,811.9; Alliant Energy,Utilities ,292.84; Bobs Auto Supply,Supplies,45.6; Brenda Sall,Reimb,350; Bsn Sports Inc,Supplies,911.55; Capital City Equipment Co.,Supplies,152.82; Card Service Center,Services,39.04; Carpenter Uniform& Promotional,Supplies,549.37; Carquest Of Osceola,Supplies,5.79; Centerpoint Energy, Utilities ,1527.44; Central Salt, Llc,Services,19189.63; Challenger Teamwear,Supplies,5004.88; Cintas corpotation,Services,26.71; Clarke Co Recorder,Services,156; Clarke County Animal Shelter,Services,2000; Creston Publishing Company,Publication,392.27; Cross Dillon Tire,Supplies,1125; D & D Pest Control,Services,55; Dash,Supplies,70.9; Diamond Oil Co,Fuel,608.36; Don's Jons,Services,280; Dust Pros Janitorial,Services,1421.55; Ed Fickes,Services,1470; Electronic Engineering,Services,100.95; Erica Cosner,Reimb,100; Esther Malson,Services,80; Feld Fire,Services,306; G & L Clothing/Commercial,Supplies,382.35; Gatekeeper Security & Locks,Services,81; Grimes Asphalt & Paving Corporation,Services,1026.38; Hach Company,Services,128.12; Highway Lumber,Supplies,86.89; Hy-Vee Food Stores,Supplies,118.76; Invinci Graphics,Supplies,356; Iowa Environmental Ser.,Services,275; Iowa State University,Services,50; J P Auto,Supplies,19.19; J P Auto - Street,Supplies,66.83; Jetco Inc,Services,1657; Jim's Sanitation& Truck Repair,Services,29541.3; Kd Tires, Llc,Services,95; Kephart Carpentry,Services,1560.41; Keystone Laboratories, Inc,Services,2583.59; Knox Company,Supplies,977; Lacey Howe,Reimb,250; Lawson Products Inc.,Supplies,267.8; M & M Ag Service,Services,77.5; Marc Elcock,Services,4017; Mediacom, Utilities ,69.95; Mid-Iowa Solid Waste Equipment Co., Inc,Services,75; Mutual Of Omaha Bank Atiracredit,Services,1763.65; O'reilly Automotive Inc.,Supplies,103.36; Osceola Farm & Home,Supplies,740.22; Osceola Farm & Home - Street,Supplies,35.65; Osceola Farm & Home - Wwtp,Supplies,65.94; Petty Cash Library, Petty Cash,157.84; Pioneer Manufacturing Company,Supplies,575; Schildberg Const. Co.,Services,108.54; Service Techs Inc,Services,565.62; Sirchie,Services,310.94; Tom & John's Auto - Tom,Supplies,384.86; Tyler Technologies, Inc.,Services,9657.76; Us Cellular, Utilities ,333.54; Vanwall Equipment,Services,23.24; Veenstra & Kimm Inc.,Services,7612.23; Windstream, Utilities ,557.38; ZIEGLER INC,Services,203.77; ZIMCO SUPPLY CO.,Supplies,2164; ,Grand Total ,106632.51; Fund Recaps: 1,General ,71242.52; 110,Road Use Tax ,23045.28; 331,Old Plant Sewer,2900; 336,2014-19 CIP Services ,2274.23; 610,Sewer Plant ,7170.48; ,Grand Total ,106632.51; Roll call vote: Fotiadis, aye; Walkup, aye; Gay, aye; Page, aye; Hooper, aye; motion carried.

There being no further business, motion by Fotiadis and second by Page to adjourn the meeting at 8:30 PM. All voting aye, motion carried.

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Thomas J. Kedley – Mayor

Attest:

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Britanee Ward – Accounting Manager/ Assistant City Clerk