

OSCEOLA CITY COUNCIL

Tuesday, January 19, 2018

Regular Meeting

*You may view all Resolutions at City Hall or at City's Website. *

The City Council met on Tuesday, January 19, 2018 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: Douglas Gay, Dave Walkup, Dan Hooper, Dennis Page (Phone) and George Fotiadis. City Staff present were Ty Wheeler— City/Administrator/Clerk, Britanee Ward – Accounting Manager/Assistant City Clerk and Marty Duffus – Police Chief. Also present were: Derek Lumsden, Rod Clark, Leonard Martin, Jodi Martin, Bill Trickey, Ed Stoll, Robert Johnson, Matt Stoll, Robert Lewis, and others that didn't sign in.

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

Bill Trickey presented a check to Council for \$25,000 for demolition program.

Mayor CCDC and Chamber's Annual Dinner was a great success. Street Department is doing a wonderful job with the snow removal.

Robert Johnson presented to Council the Senior Center financial reports. Motion by Fotiadis and second by Walkup to grant a donation of \$3000.00 to the Osceola Senior Center and waive the sewer charges for the Senior Center, Roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Hooper and second by Gay to approve the special events permit for West Lake Ice Out; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Hooper and second by Fotiadis to open public hearing regarding the Ordinance Amending Provisions Pertaining to Interference with Official Acts; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. There was no public comment regarding the matter. Motion by Fotiadis and second by Gay 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 Gay to approve the first reading of the Ordinance Amending Provisions Pertaining to Interference with Official Acts; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Gay to open public hearing for the Ordinance Amending Provisions Pertaining to Fireworks; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. Leonard Martin expressed his concerns regarding the safety of firing fireworks in City limits and close to cars/houses. No one else spoke during open forum. Motion by Gay and second by Hooper 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 Gay to approve the first reading of the Ordinance Amending Provisions Pertaining to Fireworks; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Gay to open public hearing for the Ordinance Amending Provisions Pertaining to Cigarette and Tobacco Permits; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. There no written/oral public comments. Motion by Gay and second by Hooper 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 Hooper to approve the first reading of for the Ordinance Amending Provisions Pertaining to Cigarette and Tobacco Permits; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Gay to open public hearing regarding the Ordinance Amending Provisions Pertaining to All-Terrain Vehicles; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. There were no written/oral comments during public hearing. Motion by Gay and second by Hooper 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 Gay to approve the first reading of the Ordinance Amending Provisions Pertaining to All-Terrain Vehicles; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Hooper and second by Gay to approve the third reading of the Ordinance amending Chapters 105 & 106 of the Code of Ordinances pertaining to Solid Waste;

Ordinance No. 583 AN ORDINANCE AMENDING CHAPTERS 105 AND 106 OF THE CODE OF ORDINANCES OF THE CITY OF OSCEOLA, IOWA, BY AMENDING PROVISIONS PERTAINING TO THE DISPOSAL OF SOLID WASTE BE IT ENACTED by the City Council of the City of Osceola, Iowa: SECTION 1. SECTION MODIFIED. Section 105.10 subsection 1.A of the Code of Ordinances of the City of Osceola, Iowa is repealed and the following adopted in lieu thereof: A. Residential. Each Dwelling Unit of a Residential Premises shall be provided with one (1) 96 gallon solid waste receptacle and one (1) 96 gallon recycling receptacle. SECTION 2. SECTION MODIFIED. Section 105.11 of the Code of Ordinances of the City of Osceola, Iowa is hereby amended with the following addition of subsection 5: 5. Admitted violations imposed by this Code of Ordinances may be charged upon a simple notice of a fine payable at the office of the Police Department. The simple notice of a fine shall be in the amount of fifty dollars (\$50) for all first violations, one hundred dollars (\$100) for all second violations and one hundred fifty (\$150) for all subsequent violations thereafter. SECTION 3. SECTION MODIFIED. Section 105.16 of the Code of Ordinances of the City of Osceola, Iowa is repealed and the following adopted in lieu thereof: 105.16 SANITARY DISPOSAL PROJECT DESIGNATED. The sanitary landfill facilities operated by the South Central Iowa Landfill Agency are hereby designated as the official "Public Sanitary Disposal Project" for the disposal of solid waste produced or originating within the City. SECTION 4. SECTION MODIFIED. Chapter 106 of the Code of Ordinances of the City of Osceola, Iowa is hereby amended with the following addition: 106.09 SUSPENSION OF SERVICE. The owner of any one or two family premises served may apply for a temporary suspension of solid waste service. Said application shall state the effective date and end date of the service suspension, reason for the suspension, and shall be subject to City Council approval. SECTION 5. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional. SECTION 6. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Motion by Fotiadis and Second By Gay To Approve Resolution 2018-05 To Fix A Time And A Date For A Public Hearing Regarding The Proposed Vacation Of The North/South Alley In Block 6 Of Webster's 2nd Addition. Roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Resolution 2018-05

TO FIX A TIME AND A DATE FOR A PUBLIC HEARING REGARDING THE PROPOSED VACATION OF THE NORTH/SOUTH ALLEY IN BLOCK 6 OF WEBSTER'S 2ND ADDITION.

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 February 6, 2018 at 7:00 PM to discuss the proposed vacation of the North/South Alley in Block 6 of Webster's 2nd Addition.

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 Gay to approve resolution 2018-06 approving purchase of real estate; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

A RESOLUTION APPROVING PURCHASE OF REAL ESTATE

Resolution 2018-6

WHEREAS the Board of Trustees of Osceola Water Works has ratified the contract for the purchase of the following described real estate in Clarke County, Iowa, to wit:

The south-half of the Northwest Quarter (S1/2nw1/4) and the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) and the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) of Section 27, Township 73 North, Range 26 West of the 5th P.M., Clarke County, Iowa, and that part of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 27 lying West of the Centerline of the public road as now located through the Northeast Quarter (NE1/4) of Section 27, Township 73 North, Range 26 West, of the 5th P.M., Clarke County, Iowa.

Subject to approval by the Osceola City Council; and

WHEREAS the purchase of the above described real estate should be approved;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Osceola, Clarke County, Iowa, that:

The purchase by the City of Osceola of the above described real estate is approved subject to the following terms and conditions:

1. The City of Osceola shall only use the above-described real estate for the Clarke County Water Supply Project;
2. The City of Osceola shall not sell or otherwise transfer the above-described real estate without first offering to sell the real estate to the Clarke County Reservoir Commission and Osceola Water Works upon the same terms and conditions as offered by a bona fide purchaser and receiving written consent to sell from both entities; and
3. The City of Osceola agrees that these covenants and restrictions shall run with the land.

The City administrator is hereby direct to take all actions necessary to complete the purchase of this real estate.

Motion by Hooper and second by Fotiadis to approve proposal from Thiele Geotech Inc. from Urbandale, Iowa for \$13,615.00; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Hooper and second by Fotiadis to approve of the Underwriting Engagement Letter with D.A. Davidson; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Ty Wheeler – City Administrator/Clerk updated Council ongoing projects.

Fotiadis had questions regarding the Kading Properties house being built. Hooper had concerns regarding snow on sidewalks. Gay, Walkup and Page had nothing to report.

Motion by Fotiadis and second by Gay to approve the consent agenda: Council Minutes January 2nd ; Liquor License: None and the claims to be paid:

Agriland Fs - Murray, Services , 995.13 ; Alliant Energy, Utilities, 8734.67 ; Baker & Taylor Entertainment, Services , 108.61 ;Birds & Blooms, Supplies, 14.98 ;Blakely Tree Service, Services , 1562.5 ;Capital City Equipment Co., Services , 75.98 ;Carpenter Uniform& Promotional, Services , 342.24 ;Carquest Of Osceola, Supplies, 9.29 ;Casey's General Stores, Inc., Fuel , 2252.55 ;Chat Mobility, Utilities, 395.43 ;Chesnut Lawn & Landscape, Services , 25 ;Clarke Co Recorder, Services , 92 ; Clarke Co. Landfill Comm, Services , 116.12 ;Clarke Electric Coop, Utilities, 5142.96 ; Corey Clark, Reimb, 80 ;Country Gardens, Supplies, 9.99 ;Country Living, Supplies, 32.07 ;Creston Publishing Company, Publication , 301.74 ;D & D Pest Control, Services , 30 ;Datamaxx Applied Technologies Inc., Services , 666 ;Demco Inc, Services , 146.88 ;Directv, Utilities, 139.97 ;Donna Phillips,

Services , 300 ;Dust Pros Janitorial, Services , 1302.6 ;Echo Electric Supply, Services , 127.08 ;Elliott Oil Co., Fuel , 303.35 ;Ferrellgas, Fuel , 606.23 ;Fleetside Ford, Services , 1043.56 ;Gilberts True Value Home Center, Supplies, 13.45 ;Goldak, Services , 22.03 ;Good Housekeeping, Supplies, 37.42 ;Hawkeye Truck Equipment, Supplies, 360 ;Highway Lumber, Supplies, 95.74 ;Hy-Vee Food Stores, Supplies, 348.41 ;Iacp, Dues, 150 ;Imwca, Insurance , 10195 ;International Code Council, Dues, 209 ;Interstate All Battery Center, Services , 206.4 ;J P Auto, Supplies, 7.48 ;J P Auto - Street, Supplies, 5.16 ;J P Auto - Waste Water, Supplies, 478.12 ;Kd Tires, Llc, Services , 285.65 ;Kirkham Michael & Associates, Services , 10359 ;Koch Brothers, Inc, Services , 31.15 ;Lacal Equipment Inc., Supplies, 1282.42 ;Leslie Gardens, Services , 185 ;Lyle Persels, Reimb, 49.79 ;Mainstay Systems Inc., Services , 177 ;Marc Elcock, Services , 3094 ;Mediacom, Utilities, 273.51 ;Mid-Iowa Heating & Air Conditioning, Services , 812 ;Mid-States Org. Crime, Services , 150 ;Midwest Office Tech. Co., Services , 8783.74 ;Mother Earth News, Supplies, 17 ;Mutual Of Omaha Bank Atiracredit, Supplies, 859.59 ;O'reilly Automotive Inc., Services , 41.96 ;Osceola Chamber Mainstreet, Services , 15000 ;Osceola Farm & Home - All, Supplies, 208.85 ;Petty Cash, Petty Cash, 145.52 ;Rusty's Auto Sales & Ser, Services , 223.42 ;Savage Excavating, Services , 14170 ;Sirwa, Utilities, 48.3 ;Solutions, Supplies, 284.92 ;Spoke Communications, Llc, Services , 170 ;Stalker Chevrolet, Services , 563.12 ;Time Magazine, Supplies, 34.95 ;Verizon, Utilities, 280.13 ;Wash & Weigh, Services , 47.5 ;Williams Machine Shop, Inc., Services , 475 ;Windstream, Utilities, 1195.17 ;, Grand Total , 98333.83 ;Checks: 289112-289181;Fund Recap: 1, General , 45172.56 ;32, Building , 14170 ;101, Insurance , 10195 ;110, Road Use , 8036.87 ;300, Airport Project, 10359 ;610, Sewer , 10400.4 ;, Grand Total , 98333.83 ;

There being no further business, motion by Fotiadis and second by Hooper to adjourn the meeting at 8:17 PM. All voting aye, motion carried.

Thomas J. Kedley – Mayor

Attest:

Britanee Ward – Accounting Manager/ Assistant City Clerk

Website: osceolaia.net

2017 W2 Wages:

ADDISON MARK, \$ 5890.5, ALLEN MICHAEL, \$ 63786.33, BENDA EDDIE, \$ 44630.01, BISHOP NOAH, \$ 2795.63, CARTWRIGHT JAMES, \$ 300, CLARK COREY, \$ 446.07, CLARK COREY, \$ 47927.57, COE JARROD, \$ 2046.87, COE JUDY, \$ 34655.46, COOPER DANIEL, \$ 46022.88, CRAWFORD GABRIEL, \$ 2471.89, CRAWFORD CADY, \$ 2957.51, DECKER LEIA, \$ 3600.64, DOUGLAS BRETT, \$ 27771.48, DUFFUS MARTIN, \$ 72590.39, DUFFUS ROBIN, \$ 43378.46, ELLIS SANDRA, \$ 1739.25, FARLOW JACOB, \$ 45150.37, FITZPATRICK ADAM, \$ 52657.26, FOTIADIS GEORGE, \$ 1350, FRY AMANUEL, \$ 2296.88, FRY DALTON, \$ 846.39, FRY FANUEL, \$ 2502.51, FRY MICHAEL, \$ 2846.71, FRY MICHAEL, \$ 51549.16, FRY NELSON, \$ 481.82, FRY NELSON TANNER, \$ 1951.25, GAY DOUGLAS, \$ 1200, GILBERT SAVANNAH, \$ 3290.01, GIZA JEFFEREY, \$ 9875, GRAFF MYRON, \$ 15050.92, HARMSSEN ZACH, \$ 7765, HARMSSEN MITCHELL, \$ 45843.58, HENRY MICHAEL, \$ 1960.61, HENRY MICHAEL, \$ 25126.8, HEWITT CULLEN, \$ 10015, HILL MADYSON, \$ 2043.13, HOAG LANEY, \$ 1190.01, HOCHSTEIN SHERYL, \$ 102.5, HOLLINGER KAHLAN, \$ 2948.76, HOOPER DAN, \$ 1250, HURLEY ROBERT, \$ 257.35, HURLEY ROBERT, \$ 53401.53, JACOBSEN CURTUS, \$ 58550.65, JASS TAYLOR, \$ 2708.14, JIMMERSON BYRON, \$ 2097.86, KEDLEY THOMAS, \$ 3600, KELLER BRYCE, \$ 3386.25, KELLER MACKENZIE, \$ 3548.14, KENT CODY, \$ 1098.02, KJELLENSEN JACK, \$ 1684.4, LANE CHANDLER, \$ 2165.65, LUST TIMOTHY, \$ 7065, MAHER JESSE, \$ 703.42, MANN CHRISTOPHER, \$ 300, MASON JOYCE, \$ 7133.47, MAY ARIELLA, \$ 3276.88, MAY DOUGLAS, \$ 3905, MAYHEW COLEEN, \$ 3919.51, MCCUDDIN DONALD, \$ 2349.49, MCCUDDIN DONALD, \$ 62725.08, MCDONOUGH LONNA, \$ 12403.09, MOORE HANNAH, \$ 927.5, MOORE GARRETT, \$ 761.25, NOLD ELIZABETH, \$ 11609.31, OLSEN TANNER, \$ 1076.25, OLSON MEREDYTH, \$ 1623.15, PAGE DENNIS, \$ 1250, PETTIT EARNEST, \$ 1000.32, PETTIT EARNEST, \$ 57118.59, POLLARD HALEY, \$ 1194.4, POLLARD HANNAH, \$ 1185.65, POTTER GARRY, \$ 54014.27, REECE COEL, \$ 2095.63, RIDDLE TIMOTHY, \$ 58535.36, RUMLEY TYSON, \$ 50537, SANDEL MATT, \$ 148.69, SCANLAN DIEDRA, \$ 19584.84, SCHILTZ BRYANT, \$ 1295.81, SELSOR SHANE, \$ 47575.28, SICKELS SYDNEY, \$ 1251.27, SIMPSON HUNTER, \$ 5365, SMITH KACIE, \$ 1325.65, SMITH ZACHARY, \$ 1640.64, SMITH MICHAEL, \$ 55912.78, SNYDER LEVI, \$ 1207.51, STUVA BELINDA, \$ 4621.51, SWEENEY DYLAN, \$ 7410, SWEENEY DALTON, \$ 3370, TAYLOR AUSTIN, \$ 1292.46, TAYLOR SHANE, \$ 40620.05, THOMAS BRYCE, \$ 1654.89, THOMAS RICHARD, \$ 55179.68, TIDMAN ROBERT, \$ 27300.84, TIMMONS MATTHEW, \$ 951.95, VAN LOON DUSTAN, \$ 5390, WALKER JERALD, \$ 55149.04, WALKUP DAVID, \$ 1300, WALSH JOHN, \$ 45385.63, WARD BRITANEE, \$ 44499.18, WERNER THOMAS, \$ 50471.94, WHEELER WILLIAM, \$ 88690.54, WILSON KYLE, \$ 651.47, WOODARD KRISTA, \$ 23217.27