

OSCEOLA CITY COUNCIL

Tuesday, February 20, 2018

Regular Meeting

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

The City Council met on Tuesday, February 2, 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, Bill Trickey, Donnie McCuddin, Rod Clark, Matt Stoll, Melanie Halls and others that didn't sign in.

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

Bill Trickey updates Council on businesses employer numbers. No one else spoke during open forum.

Mayor made council aware of the snow ordinances and the parking on the street.

Motion by Hooper and second by Gay to approve the following appointments to the Library Board: Carrie Danley, Linda Emary, Terry Jacobsen. 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 special events permit for Clarke County EMS Night; 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 sewer adjustment for 401 West Clay; 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 sewer adjustment for 431 E Clay; 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 second reading of the Ordinance Vacating 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.

Motion by Page and second by Hooper to waive the third reading of the Ordinance Vacating the North/South alley in Block 6 of Webster's 2nd Addition; roll call vote: Fotiadis, aye; Gay, nay; Walkup, aye; Hooper, aye; Page, aye; motion carried.

ORDINANCE NO. 588 AN ORDINANCE PROVIDING FOR THE VACATION AND CONVEYANCE OF AN ALLEY IN THE CITY OF OSCEOLA, IOWA. BE IT ORDAINED by the City council of Osceola, Iowa: SECTION I. PURPOSE. The purpose of this Ordinance is to vacate and convey the described alley and thereby relieve the City of Osceola, Iowa, of the responsibility of its maintenance and supervision, and to promote the orderly development of Osceola, Iowa. SECTION II. FACTS FOUND The Council of the City of Osceola, Iowa hereby makes the following findings: a. The described street is not needed for the use of the public. b. The street is presently not open and it would be better used if vacated and conveyed to the adjoining landowners. c. The vacation of said street will not deny owners of property abutting on the street reasonable access to their property. d. The City Council has published notice of the intended vacation once in a newspaper published in and having general circulation in the City and said publication appearing not less than four nor more than twenty days before the date set for the hearing. e. The abutting landowners have petitioned the City Council to vacate and convey said area f. There have been no objections filed in City Hall or with any city personnel. g. The City will retain a utility easement. SECTION III. VACATION The following described alley is hereby declared vacated: All the North/South Alley in Block 6 of Webster's 2nd Addition. SECTION IV. CONVEYANCE This Ordinance hereby

authorizes conveyance of said property to the adjoining proprietors by Quit Claim Deed. Any and all Quit Claim Deeds executed by the said Mayor and City Clerk subsequent to the effective date of this date of this Ordinance, conveying, or purporting to convey, all or any portion of the alley vacated herein, shall be conclusively presumed to be a conveyance to an eligible purchaser of the named grantee to so purchase said land and shall not be subject to attack nor contesting.

Motion by Hooper and second by Fotiadis to approve the development agreement with CCDC for the housing program(Resolution 2018-11); roll call vote; Fotiadis, aye; Gay, aye; Walkup, abstain; Hooper, aye; Page, aye; motion carried.

RESOLUTION 2018-11 Approving Development Agreement with Clarke County Development Corporation, Authorizing Annual Appropriation Economic Development Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement WHEREAS, the City of Osceola, Iowa (the "City"), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Osceola Urban Renewal Area (the "Urban Renewal Area"); and WHEREAS, this Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa (the "Urban Renewal Tax Revenue Fund"), which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and WHEREAS, the Council has amended the Urban Renewal Plan for the Urban Renewal Area to establish a program under which property owners may receive economic development or incremental property tax rebate payments related to economic development projects (the "Development Agreement Program"); and WHEREAS, an agreement between the City and Clarke County Development Corporation (the "Corporation") has been prepared (the "Agreement"), pursuant to which the Corporation would provide certain property that is located in the Urban Renewal Area to developers who would construct housing units on that property, and the City would provide annual appropriation economic development tax increment payments in a total amount not exceeding \$92,147.80; and WHEREAS, Chapter 15A of the Code of Iowa ("Chapter 15A") declares that economic development is a public purpose for which a City may provide grants, loans, tax incentives, guarantees and other financial assistance to or for the benefit of private persons; and WHEREAS, Chapter 15A requires that before public funds are used for grants, loans, tax incentives or other financial assistance, a City Council must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and WHEREAS, Chapter 15A requires that in determining whether funds should be spent, a City Council must consider any or all of a series of factors; NOW, THEREFORE, It Is Resolved by the City Council of the City of Osceola, Iowa, as follows: Section 1. Pursuant to the factors listed in Chapter 15A, the Council hereby finds that: The Corporation Housing Project will add diversity and generate new opportunities for the Osceola and Iowa economies; (b) The Corporation Housing Project will generate public gains and benefits, particularly in the improvement of residential housing opportunities, which are warranted in comparison to the amount of the proposed property tax incentives. Section 2. The Council further finds that the Agreement is in substantial compliance with the Development Agreement Program, and a public purpose will reasonably be accomplished by entering into the Agreement and providing the property tax payments to the Corporation. Section 3. The Agreement is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute and deliver the Agreement on behalf of the City, in substantially the form and content in which the Agreement has been presented to this City Council, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement. Section 4. All payments by the City under the Agreement shall be subject to annual appropriation by the City Council, in the manner set out in the Agreement. As provided and required by Chapter 403 of the Code of Iowa, the City's obligations under the Agreement shall be payable solely from that portion of the income and proceeds of the Urban Renewal Tax Revenue Fund that will be generated by the following described property:

Lot 10 NW SE Misc Section 20

Lot 1, Plat #2, LK SHORE MNR #2

N ½ Lots 8, 9, 10 and S ½ E-W Alley adjacent & E ½ N-S Alley adjacent to Lot 8
 S ½ Lots 8, 9, 10 and N ½ Grace Street adjacent & E ½ of N-S Alley adjacent to Lot 8
 (the “Corporation Housing Subfund”) Section 5. The City hereby pledges to the payment
 of the Agreement the Corporation Housing Subfund and the taxes referred to in
 Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Subfund,
 provided, however, that no payment will be made under the Agreement unless and until
 monies from the Subfund are appropriated for such purpose by the City Council.
 Section 6. After its adoption, a copy of this resolution shall be filed in the office of
 the County Auditor of Clarke County to evidence the continuing pledging of the
 Corporation Housing Subfund and the portion of taxes to be paid into such Subfund and,
 pursuant to the direction of Section 403.19 of the Code of Iowa, the Auditor shall allocate
 the taxes in accordance therewith and in accordance with the tax allocation ordinance
 referred to in the preamble hereof. Section 7. All resolutions or parts thereof in conflict
 herewith are hereby repealed. Passed and approved this 20TH day of February, 2018.

Ty Wheeler – City Administrator/Clerk update council on upcoming and ongoing projects.

Fotiadis had nothing to report. Gay had nothing to report. Walkup expressed his concerns regarding various items. Hooper had questions on getting our downtown project out to the a wider public audience. Page had nothing to report.

Motion by Fotiads and second by Hooper to approve the consent agenda: Council Minutes; Liquor License: Casey’s General Stores (LE_v_77216); Honey Hill Event Center (New)(LCV77354); Osceola Travel Plaza (BC0027308)(Ownership); Dollar General (Ownership/renewal) (BC0029832); Approve **Resolution 2018-10** Special Assessments;

Resolution 2018-10

RESOLUTION ASSESSING FEES

THE CITY COUNCIL OF THE CITY OF OSCEOLA HEREBY RESOLVES the following fees be assessed and be collected in the same manner as general property taxes:

Name	Parcel	Property		Ordinance	Total
Regalado-Romero Eleno	00846	100 N Kossuth	Mowing	Chapter 52 Weeds and Grass	\$ 200.00
Laurie & Richard Spencer	01376	110 E McLane	Clean up	Chapter 51 Junk and Junk Vehicles	\$ 585.00
Jesus Flores	00817	114 N Adams	Mowing	Chapter 52 Weeds and Grass	\$ 198.75
Jesus Flores	00817	114 N Adams	Mowing	Chapter 52 Weeds and Grass	\$ 198.75
Marian Fry	01111	120 W Cass	Clean Up	Chapter 51 Junk and Junk Vehicles	\$ 150.00
Michael Bachman	00860	121 S Adams	Mowing	Chapter 52 Weeds and Grass	\$ 198.75
Richard Jones	01582	121 S Temple	Mowing	Chapter 52 Weeds and Grass	\$ 180.00
Richard Jones	01582	121 S Temple	Mowing	Chapter 52 Weeds and Grass	\$ 175.00
Electric Brownlee	00675	200 N Kossuth	Mowing	Chapter 52 Weeds and Grass	\$ 180.00
Electric Brownlee	00675	200 N Kossuth	Mowing	Chapter 52 Weeds and Grass	\$ 198.75
Martha Constrera	01658	208 N Lincoln	Mowing	Chapter 52 Weeds and Grass	\$ 180.00
Kathleen Hockel	00693	214 N Adams	Mowing	Chapter 52 Weeds and Grass	\$ 198.75
Kathleen Hockel	00693	214 N Adams	Mowing	Chapter 52 Weeds and Grass	\$ 198.75

Kira Henderson	00728	214 W Clay	Mowing	Chapter 52 Weeds and Grass	\$ 180.00
Carol Scott	01484	215 Lake St	Mowing	Chapter 52 Weeds and Grass	\$ 198.75
Carol Scott	01484	215 S Lake	Mowing	Chapter 52 Weeds and Grass	\$ 198.75
Carol Scott	01484	215 S Lake	Mowing	Chapter 52 Weeds and Grass	\$ 200.00
Enrique Guzman	01656	217 N Delaware	Mowing	Chapter 52 Weeds and Grass	\$ 180.00
Family Patterson	00682	229 N Park	Mowing	Chapter 52 Weeds and Grass	\$ 198.75
Jerry Banks	00616	314 E Ayers	Mowing	Chapter 52 Weeds and Grass	\$ 180.00
Casey Kastler	00849	320 E Washington	Mowing	Chapter 52 Weeds and Grass	\$ 180.00
Casey Kastler	00849	320 E Washington	Clean Up	Chapter 51 Junk and Junk Vehicles	\$ 250.00
Londa Swaim	01595	402 W Jefferson	Mowing	Chapter 52 Weeds and Grass	\$ 180.00
Juan Valle	01850	404 McLane	Mowing	Chapter 52 Weeds and Grass	\$ 305.00
Juan Valle	01850	404 W McLANE	Mowing	Chapter 52 Weeds and Grass	\$ 273.75
Juan Valle	01850	404 W McLANE	Mowing	Chapter 52 Weeds and Grass	\$ 305.00
Juan Valle	01850	404 w McLane	Mowing	Chapter 52 Weeds and Grass	\$ 300.00
Karen Langille	01361	417 S Park	Mowing	Chapter 52 Weeds and Grass	\$ 255.00
Karen Langille	01361	417 S Park	Mowing	Chapter 52 Weeds and Grass	\$ 200.00
Karen Langille	01361	417 S Park	Clean up	Chapter 51 Junk and Junk Vehicles	\$ 150.00
Christopher McKnight	01368	430 S Adams	Mowing	Chapter 52 Weeds and Grass	\$ 175.00
Patrick Hall	00209	431 E Washington	House Clean	Chapter 51 Junk and Junk Vehicles	\$ 7,900.00
Associated Home Service	01171	603 E Clay	Mowing	Chapter 52 Weeds and Grass	\$ 273.75
Associated Home Service	01171	603 E Clay	Mowing	Chapter 52 Weeds and Grass	\$ 505.00
Associated Home Service	01171	603 E Clay	Mowing	Chapter 52 Weeds and Grass	\$ 305.00
Associated Home Service	01171	603 E Clay	Mowing	Chapter 52 Weeds and Grass	\$ 300.00
Associated Home Service	01171	603 E Clay	Mowing	Chapter 52 Weeds and Grass	\$ 250.00
Associated Home Services	01171	603 E Clay	Mowing	Chapter 52 Weeds and Grass	\$ 200.00
Connie Kastler	13162	931 W Cass	Fridge	Chapter 51 Junk and Junk Vehicles	\$ 25.00

Taxi Cab Renewal – 8 ; and the claims to be paid:

Agriland Fs - Murray, Fuel, 2076.98 ; Alliant Energy, Utilities , 810.47 ;Baker & Taylor Entertainment, Supplies, 500.22 ;Capital City Qipment Co., Supplies, 552.46 ;Centerpoint Energy, Utilities , 3338.14 ; Central Pump & Motor, Llc, Services, 2925.73 ;Chat Mobility, Utilities , 295.16 ;Chem-Sult Inc., Services, 845.08 ;Chesnut Lawn & Landscape, Services, 25 ;Clarke County Veterans Affair, Services, 100 ;Clarke Electric Coop, Utilities , 5047.34 ;Country Extra, Supplies, 14.98 ;D & D Pest Control, Services, 30 ;Diamond Oil Co, Fuel, 1127.21 ;Directv, Services, 147.39 ;Dmacc, Dues, 550 ;Donna Phillips, Services, 240 ;Dust Pros Janitorial, Services, 1370.25 ;Electrical Engineering, Services, 73.39 ;Feld Fire, Supplies, 40 ;Fleetside Ford, Services, 523.2 ;Gale Cengage Learning, Supplies, 92.96 ;Gardening Made Easy, Supplies, 33.73 ;Gilberts True Value Home Center, Supplies, 201.16 ;Hach Company, Supplies, 453.23 ;Hawkeye Truck Equipment, Services, 925 ;Highway Lumber, Supplies, 1303.42 ;Hostiowa.Net, Services, 612 ;Hy-Vee Food Stores, Supplies, 177.94 ;Ja Dept Natural Resource, Dues, 350 ;Iaweaa, Dues, 110 ;

International Code Council, Dues, 199 ;Invinci Graphics, Supplies, 90 ;Iowa Communications Network, Services, 4.3 ;Iowa Dare Association, Dues, 100 ;Iowa One Call, Services, 21.6 ;J P Auto, Supplies, 155.87 ;Jetco Inc, Services, 479.65 ;Keystone Laboratories, Inc, Services, 2791.31 ;Marc Elcock, Services, 3081 ;Mediacom, Utilities , 298.77 ;Micro Marketing Llc, Services, 105.94 ;Midamerica Books, Services, 59.85 ;Midwest Office Tech. Co., Services, 176.3 ;O'reilly Automotive Inc., Supplies, 110.24 ;Osceola Farm & Home - All, Supplies, 140.21 ;Popular Mechanics, Supplies, 36.38 ;Progressive Structures Llc, Project, 89234.45 ;Quilting, Services, 22.95 ;Raco Manufacturing & Engineering Co, Service, 600 ;Randy Wishon, Services, 175 ;Rdj Specialties Inc, Services, 393.72 ;Recorded Books, Supplies, 272.2 ;Schildberg Const. Co., Services, 747.82 ;Scholastic Library Publishing, Supplies, 162.72 ;Simmering-Cory| Iowa Codification, Services, 1535 ;Sirwa, Utilities , 75.4 ;Sitlers Supplies Inc, Supplies, 281.2 ; Solutions, Supplies, 212.59 ;Star Equipment Ltd, Services, 45.9 ;Successful Farming, Supplies, 25.95 ;Tyco Integrated Security, Supplies, 387.95 ;Underground Storage Tank Section, Services, 130 ; Verizon, Utilities , 280.11 ;Wilder's Truck Service, Services, 96.49 ;Windstream, Utilities , 1099.22 ;Ziegler Inc, Supplies, 163.59 ;, Grand Total , 128685.15 ;Check Numbers:289281-289347funds Recap1, Genearl , 17504.9 ;110, Road Use , 2838.26 ;335, Old Plant , 89234.45 ;610, Sewer , 19107.54 ;, Grand Total , 128685.15 ;

There being no further business, motion by Fotiadis and second by Hooper to adjourn the meeting at 7:36 PM. All voting aye, motion carried.

Thomas J. Kedley – Mayor

Attest:

Britanee Ward – Accounting Manager/ Assistant City Clerk

Website: osceolaia.net