

OSCEOLA CITY COUNCIL

Tuesday, April 3, 2018

Regular Meeting

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

The City Council met on Tuesday, April 3, 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, Dan Hooper, Dave Walkup, 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, Ed Stoll, Matt Stoll, Calhoun Lundquist, Ryan Lundquist, Molly Sickels, Aaron Sickels, Farron Reicks, Donnie McCuddin, Jenna Crawford, Michael Keller, Brain Crawford, Molly Crawford, Bralan Lopez, and others 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.

Calhoun Lundquist presented to Council a presentation of adding signs to the underpasses to let the public know that two cars can fit in the underpass. Molly Sickels and Jenna Crawford also presented a presentation regarding trying to improving houses looks from the outside. Bill Trickey updates Council on the economic dashboard presented by CCDC. Citizen on North Clark Street thank the City for not only the new road but for maintaining it afterwards.

Mayor Report: presented to City of Osceola hats to Bill Trickey and Derek Lumsden for working with the City. Mayor informed Council that the Fire Chief has walked away from the fire department.

Motion by Fotiadis and second by Hooper to approve the second reading of the Ordinance amending provisions pertaining to the Sanitary Sewer System and Sewer Rates and Charges; 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 second reading of the Ordinance repealing Chapter 124 of the City of Osceola Code of Ordinances titled "Taxicabs"; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

There was discussion regarding the Code of Ordinance 69.07 (6) regulating parking near an intersection; there was no action taking at this time.

Motion by Hooper and second by Fotiadis to approve resolution 2018-20 fixing date for public hearing prior to project approval to consider a public improvement project which may require acquisition of agricultural land; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

RESOLUTION NO. 2018-20 RESOLUTION FIXING DATE FOR PUBLIC HEARING PRIOR TO PROJECT APPROVAL TO CONSIDER A PUBLIC IMPROVEMENT PROJECT WHICH MAY REQUIRE ACQUISITION OF AGRICULTURAL LAND.
WHEREAS, Chapter 6B, Code of Iowa, requires a governmental body which proposes to acquire agricultural land under power of eminent domain for a public improvement project to hold a public hearing prior to final adoption of the Resolution to fund final site specific design, or final location of a public improvement, or to acquire land by use of eminent domain, or if the location is changed or expanded after a decision has been made to proceed with a public improvement, at which interested parties may express their views regarding the project and regarding the proposed acquisition of property, and WHEREAS the City Council of the City of Osceola, Iowa has before it consideration of a proposed public improvement project which may require acquisition of agricultural land, and WHEREAS the City Council of the City of Osceola, Iowa has not made a decision to fund any final site-specific design nor has it selected a final route or location.
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OSCEOLA, IOWA: Section 1. That the City Council of the City of Osceola, Iowa shall

conduct a public hearing in the City Council Chambers at City Hall, 115 N Fillmore St, Osceola, IA 50213 at 7:00 P.M. on May 15, 2018, for the purpose of receiving comments from members of the public and any person with an interest in real estate which may be acquired by use of powers of eminent domain or otherwise on the question of whether to proceed with the following described project and authorize the use of powers of eminent domain in connection therewith, to wit: Construction of improvements necessary to meet FAA design and safety standards at the Osceola Municipal Airport, Osceola, Clarke County, Iowa, FAA AIP Project # 3-19-0108-014. Section 2. The City Administrator or his designee is hereby directed to mail notice of said hearing to the record owners and contract purchasers of record at least thirty days prior to hearing and not more than fourteen nor less than seven days prior to mailing said notice to search the records of the Clarke County Auditor to ascertain the names of the owners of record and contract purchasers. The City Administrator or his designee is also hereby directed to publish notice as required by law not less than four nor more than twenty days prior to the date set for hearing. Section 3. The notices hereby ordered shall be in substantially the form attached hereto.

Motion by Hooper and second by Fotiadis to approve resolution 2018-21 intent for Autumn Ridge Development; roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

RESOLUTION 2018-21 Expressing intent to enter into Development Agreement with Autumn Ridge Development, L.C. 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, Autumn Ridge Development, L.C. (the "Developer") has proposed to construct a residential development (the "Project") on certain property located within the Urban Renewal Area (the "Property") and has asked the City for tax increment financing assistance related to the installation of necessary infrastructure improvements; and WHEREAS, before the City can take action to approve such assistance, the City will need to amend the Urban Renewal Plan and adopt tax increment ordinances; and WHEREAS, the Developer has requested that the City provide an expression of the City Council's intent with respect to providing assistance for the Project; and WHEREAS, the Developer is willing to make the following commitments: a. Provide additional details about the Project, as well as a legal description of the Property; b. Construct 9 duplexes and 16 single family dwellings on the Property, with a minimum valuation of \$5,580,000; c. Design and construct all public infrastructure to meet all applicable City specifications; d. Dedicate all public infrastructure to the City, upon approval by the City; e. Conform to all City subdivision regulations; f. Grant such easements to the City as will be necessary for future maintenance of the utility infrastructure NOW, THEREFORE, It Is Resolved by the City Council of the City of Osceola, Iowa, as follows: Section 1. In exchange for the Developer's commitments set out above, the City Council hereby expresses its intent, as follows: a. To initiate the process that is required to amend the Urban Renewal Plan and to adopt the necessary tax increment ordinances; b. To enter into a development agreement with the Developer that provides for the payment by the City to the Developer of urban renewal tax increment grants payable from funds generated by the Project, for a period of up to ten years, or until a total of \$430,000 has been paid, to be calculated after the City retains the amount required by state law each year that must be devoted to housing assistance for low and moderate income families; c. To work in good faith with the Developer to obtain rezoning for the Property to R-2 PUD; d. To use its best efforts to produce the maximum amount of tax increment revenue from the Property over the shortest period of time. Section 2. All resolutions or parts thereof in conflict herewith are hereby repealed.

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

Fotiadis had concerns regarding water levels. Gay had questions for animals at large. Walkup, Hooper and Page had nothing to report at this time.

Motion by Hooper and second by Gay to approve the consent agenda: Council Minutes March 20th ; Liquor License: Alley Bowl (BB0033158); Timber Ridge Country Market (WBN001062) and the following claims:

A-1 Window Service,Services,60; Agrivision,Supplies,1.7; Alliant Energy,Utilities,2680.03; Aquatic Control,Services,438.05; Axon Enterprise Inc,Services,224; Barco Mun. Products,Supplies,337.38; Batteries Included,Supplies,210; Bobs Auto Supply,Supplies,541.61; Card Service Center,Services,38.51; Centerpoint Energy,Utilities,2776.77; Clarke Co. Landfill Comm,Services,516.68; Clarke County Animal Shelter,Services,4000; Clarke County Sheriff,Services,73; Creston Publishing Company,Publication ,1374.91; D & D Pest Control,Services,55; Dannco Inc.,Services,308.65; Darren Horton,Reimb,255; Darron Toney,Services,590; Dash,Services,40.45; Diamond Oil Co,Fuel,1257.23; Environmental Resource Assoc,Services,873.4; Fareway Stores,Supplies,9.76; Ferrellgas,Utilities,39.2; Fleetside Ford,Services,2316.71; Food And Consumer Safety Bureau,Services,67.5; Galls/ Quartermaster Llc,Supplies,990.11; Gene & Nelson's Appliance Inc.,Services,55.92; Gilberts True Value Home Center,Supplies,59.21; Hach Company,Supplies,364.1; Highway Lumber,Supplies,83.38; Hy-Vee Food Stores,Supplies,291.49; Iowa Concrete Leveling,Services,4650; J P Auto,Supplies,294.59; Jim's Sanitation& Truck Repair,Services,30568.44; Kd Tires, Llc,Services,135; Kirkham Michael & Associates,Services,5179.5; Marc Elcock,Services,3172; Mediacom,Utilities,69.95; Midwest Breathing Air Systems,Services,174.75; Mutual Of Omaha Bank Atiracredit,Services,1576.75; North Central Laboratories Of Wisconsin,Services,128.04; Osceola Farm & Home - All,Supplies,122.68; Osceola Vision Center,Services,163; Petty Cash,Petty Cash ,169.04; Schildberg Const. Co.,Services,5292.62; Spoke Communications, Llc,Services,170; Susteen, Inc,Services,1495; Swcc,Services,480; Teledyne Isco, Inc,Services,160; Ty Wheeler,Reimb,173; Unified Contracting Services,Services,1598; Us Cellular,Utilities,674.93; Usa Bluebook,Services,145.84; Van Meter & Associates, Inc,Services,165; Van-Wall Equipment Inc.,Services,24000; Veenstra & Kimm Inc.,Services,57813.39; Wash & Weigh,Services,47.5; Windstream,Utilities,772.19; ,Grand Total ,160320.96; Check Numbers: 289501-289560; Fund Recap: 1,General ,77298.98; 110,Road Use Tax ,12332.44; 300,Airport Land,5179.5; 315,Streetscape ,8545.79; 317,Sewer Plant ,48000; 610,Waste Water,8964.25; ,Grand Total ,160320.96;

Payroll ,January,21777.24; Payroll ,January,20955.73;Payroll ,January,19195.45; Payroll ,January,28740.57;Payroll ,February ,19886.12;Payroll ,February ,19845.46; Payroll ,February,19777.73;Payroll ,February,27727.81;Payroll ,March ,21859.58; Payroll ,March,20140.91;Payroll ,March,19913.94;Arnold Pettry,March 289419,620.73; Linda Persels ,Feb 289358,1416.25;Met Life ,Jan 289194,2047.85;Mutual of Omaha,Jan 289184,569.28;Kemper Benefits,Jan 289192,1231.69;Kemper Benefits,Feb 289357,1231.69;Treasurer st of iowa ,Jan Withholdings,5768;IPERS,Jan Withholdings,20157.37;AFLAC,Jan ithholdings,497.1;Collection Service Center,Jan Withholdings,553.84;Treasurer st of iowa ,Feb Withholdings,5508;IPERS,Feb Withholdings,18970.57;AFLAC,Feb Withholdings,497.1;Collection Service Center,Feb Withholdings,553.84;EFTPS,Jan Withholdings,32245.66;EFTPS,Feb Withholdings,28264.95;George Fotitadis,01/13 289183,92.35;George Fotitadis,Feb 289348,92.35;Teamster ,Jan 289186,147;Teamster ,Feb 289349,147;United Healthcare,Jan 289187,2041.47;United Healthcare,Feb 289350,2084.2;City of Murray,Jan 289189,2911.72;City of Murray,Feb 289354,2382.58;City of Woodburn,Jan 289190,970.57;City of Woodburn,Feb 289355,794.19;Mutual of Omaha,Feb 289352,569.28;United Healthcare,Jan 289195,34891.51;Met Life ,Feb 289359,2047.85;Mutual of Omaha,Feb 289360,339.15;United Healthcare,Feb 289361,34891.51;Clarke Co Reservoir ,Jan 289191,74489.26;Linda Persels,Jan 289193,1416.25;Imagetek ,Jan Service,235;Imagetek ,Feb Service,235;State of Iowa,Sales Tax,3406;State of Iowa,Sales Tax,3808;,,Grand Total ,527946.7 Fund Recap: 1,General,281485.42; 110,Rod Use Tax ,44879.26;112,Employee Benefits,81945.48;115,Lost,74489.26;610,Sewer ,45147.28;,,Grand Total ,527946.7;

There being no further business, motion by Hooper and second by Fotiadis to adjourn the meeting at 8:36 PM. All voting aye, motion carried.

Thomas J. Kedley – Mayor

Attest:

Britanee Ward – Accounting Manager/ Assistant City Clerk
Website: osceolaia.net