

OSCEOLA CITY COUNCIL

Tuesday, March 19, 2019

Regular Meeting

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

The City Council met on Tuesday March 19, 2019 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, Dan Hooper, and Dennis Page (Phone). City Staff present were Ty Wheeler–City/Administrator/Clerk, Britanee Ward-Case – Accounting Manager/Assistant City Clerk and Marty Duffus – City Police Chief. Also in attendance was Rod Clark, Alex Stiles, Kaden Hansen, John Hune, Donnie McCuddin, Bill Trickey, Cassidy Wardson 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; Hooper, aye; Page, aye; motion carried.

Bill Trickey updates Council various programs with the CCDC.

Mayor authorized the Oath of Office to the Osceola Fire Department to Raul Romero and Travis Thompson. Mayor wanted to Thank Dave Walkup for his years of service within the Community. Mayor would like to see Council adopt the Iowa Rental code and work on sidewalk program.

Motion by Fotiadis and second by Gay to open public hearing for the project description, scope, and anticipated environmental impacts of the Waste Water Treatment Plant project; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried. No one spoke during open forum. Motion by Gay and second by Hooper to close the public hearing; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Hooper to authorize the execution of the Iowa State Revolving Fund Environment Information Document pending the clarification of the outflows going into White breast Creek; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Hooper to approve the second reading of the Ordinance Adopting Chapter 29 of the City of Osceola Code of Ordinances titled "Golf Course Management Commission"; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried. Motion by Page and second by Fotiadis waive third reading; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried.

ORDINANCE NO. 603 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OSCEOLA, IOWA, ADOPTING CHAPTER 29 TITLED "GOLF COURSE MANAGEMENT COMMISSION" BE IT ENACTED by the City Council of the City of Osceola, Iowa: SECTION 1. SECTION ADOPTED. Chapter 29 is hereby adopted as follows: 29.01 GOLF COURSE COMMISSION. The Golf Course Management Commission is hereby created to advise the City Council on matters pertaining to the administration and control of the City's golf course, clubhouse, equipment, personnel, and related facilities. 29.02 COMMISSION ORGANIZATION. The Commission shall consist of five (5) members. It is required that a Commission member reside within the City limits. The Mayor, subject to Council approval, shall appoint the initial three (3) members: one (1) for initial three-year terms, one (1) for initial two-year terms; and one (1) for an initial one-year term. Thereafter, the Mayor shall appoint three (3) Commission members for overlapping three (3) year terms, subject to City Council approval. Vacancies shall be filled in the same manner as the original appointment. The Clarke County Development Corporation shall appoint one (1) member to the Commission whose term shall be three (3) year term subject to City Council Approval. The Park and Recreation Board shall appoint one (1) member currently serving on the Park and Recreation Board to also serve on the Commission. 29.03 DUTIES OF THE COMMISSION. The Commission shall be required to perform the following duties: 1. Finance. Subject to the approval of the City Council, the Commission shall have authority over expenditures for salaries, supplies, contracts, and

capital outlays set forth in the annual budget approved by the Council and subject to the terms of this chapter.

2.Future Development. The Commission shall plan for the future development of the golf course.

3.Budget. The Commission shall prepare and submit annual budgets to the Council, and more often if ordered by the City Council.

4.Disbursements. The Commission shall review and recommend payment of all bills as required by law. The City Council shall approval final payment of all expenditures.

5.Lease the clubhouse to a manager or other suitable person for a term not to exceed one year subject to City Council Approval. However, no lease may contain an automatic renewal provisions. Further, all leases shall contain provisions requiring proof of indemnity, liability, and dram shop insurance, indemnifying and holding harmless the Commission, its members, and the City against claims, in such adequate amounts to protect the City as the Commission may determine.

29.04AUTHORITY OF COMMISSION WITHOUT COUNCIL REVIEW AND APPROVAL. Subject to the other provisions of this chapter, so long as financial obligations incurred remain within limits established by the annual budget previously approved by the Council, or the required procedures to amend said budget have been fulfilled, the Commission shall have the authority without Council review and approval, to:

- 1.Establish and collect annual pass fees, green fees, and other charges related to golf course operations.
- 2.Establish policies and fee schedules for clubhouse event space rentals and golf cart storage.
- 3.Elect a Chair and Vice-Chair of the Commission.
- 4.Adopt bylaws establishing rules for meetings of the Commission.
- 5.Adopt rules and regulations for use of the golf course.
- 6.Schedule dates and times for tournaments or other similar activities to be held on the golf course and/or in the golf course facilities.

Any other actions of the Commission require Council review and approval. The Commission may take action subject to later Council review and approval.

29.05COMMUNICATION WITH COUNCIL. The Commission shall file copies of its minutes with the Clerk and shall meet with the Council from time to time as it deems advisable or upon Council request.

26.06COURSE OPEN TO PUBLIC; RULES PUBLISHED. The golf course shall be operated as a public course open to anyone, upon payment of a reasonable green fee, who is willing to abide by the rules of the course. In this regard, no distinction shall be made in user fees, rules, or regulations between those who are or are not annual pass holding members. All rules and regulations for use of the course shall be posted at the clubhouse or otherwise publicized in a manner to provide adequate notice to the using public.

29.07USE OF REVENUES. All revenues from the golf course and gifts to the golf course shall be used only for operating expenses, debts, obligations, capital improvements, or other expenditures for recreational purposes which are related to the golf course. Such expenditures may include reasonable charges from other City departments for expenses directly attributable to irrigation of the golf course or for other expenses related to the golf course.

29.08ARBITRATION OVER DISPUTED CHARGES. In the event that the Commission and any other City department disagree about the reasonableness of proposed charges to the course by a City department, the matter shall be submitted to binding arbitration by the City Council.

29.09COMPENSATION. The Golf Course Commission member shall serve without compensation but may receive their actual expenses.

SECTION 2. REPEAL. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. 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 4. 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 Hooper to approve the following people to the Golf Course Management Commission: Walker Adams, Brad Lampe, Laurie Held, Mel Miller, and Jim Kimball; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Hooper to approve the second reading of the Proposed Amendment to the City of Osceola Code of Ordinances pertaining to commercial vehicle parking; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried.

Motion by Page and second by Hooper to waive the third reading: Roll call vote: Fotiadis, nay; Gay, nay; Hooper, aye; Page, aye; motion carried.

Motion by Page and second by Hooper to approve the Tentative Agreement with the Teamsters for FY 2020 and 2021 contract year; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Gay to approve the sewer adjustment for Alley Bowl at 125 north Main for the amount of \$63.98; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried.

Motion by Gay and second by Hooper to approve the sewer adjustment for Fleetside Ford at 1120 Jefferys Drive for the amount of \$238.05; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Gay to approve resolution 2019-20 pertaining to Ward 3 City Council Vacancy; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried.

Resolution 2019-20

A RESOLUTION PERTAINING TO THE WARD 3 CITY COUNCIL VACANCY WHEREAS, David Walkup submitted a written notice of resignation from the City Council effective March 10, 2019; and, WHEREAS, the current City Council Ward 3 term shall expire on December 31, 2019; and, WHEREAS, the City Council has determined it to be most practical to fill the Ward 3 vacancy by appointment due to the limited amount of time left in the term, THE CITY COUNCIL OF THE CITY OF OSCEOLA, IA HEREBY RESOLVES that: Section 1. The Ward 3 City Council Vacancy shall be filled by appointment on May 7, 2019 during the regular City Council meeting. Section 2. The City Clerk is hereby directed to give notice of the appointment, 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. Section 3. All qualified and interested candidates for the appointment shall be directed to the Mayor for review.

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

Fotiadis wonder about the Sidewalk program. Gay had concerns about the sidewalk program and rental code. Hooper wanted to Thank City Administrator and Mayor on the work with the Sidewalk program. Page concern about fixed income individuals.

Motion by Hooper and second by Fotiadis to approve the consent agenda: Council Minutes March 5th ; Liquor License: Honey Hill Event Center (LC0044115) Wage Adjustment Office AJ Pettry 1 year anniversary \$22.43 the following claims:

ACCESS SYSTEM, Services, 118.76 ;ALLIANT ENERGY, Utilities, 11459.78 ; AMAZON.COM CREDIT, Supplies, 280.7 ;BAKER & TAYLOR ENTERTAINMENT, Services, 1570.28 ;BOOKLIST, Supplies, 169.5 ;CAPITAL CITY EQUIPMENT CO., Supplies, 278.75 ;CASEYS BUSINESS MASTERCARD, Fuel, 2213.23 ;CENTER POINT LARGE PRINT, Supplies, 140.22 ;CHAT MOBILITY, Utilities, 208.06 ;CHESNUT LAWN & LANDSCAPE, Services, 75 ;CITY OF OSCEOLA, Supplies, 100 ;CLARKE ELECTRIC COOP, Utilities, 5577.27 ;D & D PEST CONTROL, Services, 30 ;DIAMOND OIL CO, Fuel, 965.87 ;DIRECTV, Services, 154.81 ;DONNA PHILLIPS, Services, 240 ;DUANE M PHILLIPS, Airport Project, 24500 ;DUST PROS JANITORIAL, Services, 1185 ;ELLIOTT OIL CO., Fuel, 218.94 ;FAREWAY STORES, Supplies, 17.94 ;FIRE SERVICE TRAINING BUREAU, Services, 665 ;FRIDAY INS. CO., Insurance, 3687 ;GALLS/ QUARTERMASTER LLC, Supplies, 780.18 ;GILBERTS TRUE VALUE HOME CENTER, Supplies, 102.4 ;GOLDEN HORSE LTD, Supplies, 13.86 ;GRIMES ASPHALT & PAVING CORPORATION, Services, 2639.68 ;HACH COMPANY, Supplies, 443.08 ;HUNTER SIMPSON, Services, 110 ;HY-VEE FOOD STORES, Services, 137.76 ;INVINCI GRAPHICS, Services, 174 ;J P AUTO, Supplies, 137.43 ;KEYSTONE LABORATORIS, INC, Services, 2472.12 ;LACAL EQUIPMENT INC., Supplies, 585.24 ;LYLE PERSELS, Reimb, 139.72 ; MARC ELCOCK, Services, 2500 ;MEDIACOM, Utilities, 302.98 ;MICHAEL FREDERICK, Supplies, 22 ;MIDWEST ALARM SERVICES, Services, 369.15 ;MIDWEST BREATHING AIR SYSTEMS, Services, 178.75 ;MIDWEST OFFICE TECH. CO., Services, 263.89 ;MUNICIPAL EMERGENCY SERVICES, Services, 2503.24 ;OSCEOLA FARM & HOME - ALL, Supplies, 5.16 ;OUR IOWA MAGAZINE, Supplies, 19.98 ;PENGUIN RANDOM HOUSE LLC, Supplies, 33.75 ;RACO MANUFACTURING & ENGINEERING CO, Supplies, 600 ;SCHILDBERG CONST. CO., Supplies, 500.68 ;SCHOLASTIC LIBRARY PUBLISHING, Supplies, 151.6 ;SERVICE TECHS INC, Services, 25705.86 ;SIRWA, Utilities, 46.5 ;SMART APPLE MEDIA, Supplies, 179.7 ;SOLUTIONS, Supplies, 9405.77 ;SPOKE COMMUNICATIONS, LLC, Services, 220 ;TIME MAGAZINE, Supplies, 34.95 ;USA BLUEBOOK, Supplies, 83.45 ;VERIZON, Utilities, 280.07 ;WILDER'S TRUCK SERVICE, Services, 827.77 ;WINDSTREAM, Utilities, 843.64 ;ZIEGLER INC, Services, 256.41 ;, Grand Total , 106926.88 ;Check

Numbers: 291433-291491;Fund Recap::1, General , 48990.81 ;33, Golf Course, 100 ;101, Insurance, 3687 ;110, Road Use Tax , 4516.75 ;300, Airport Land Acquisition , 24500 ;610, Sewer , 25132.32 ; , Grand Total , 106926.88 ;

There being no further business, motion by Page and second by Hooper to adjourn the meeting at 7:58 PM. All voting aye, motion carried.

Thomas J. Kedley –Mayor

Attest:

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

UNOFFICIAL