

## OSCEOLA CITY COUNCIL

Tuesday, April 16, 2019  
Regular Meeting

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

The City Council met on Tuesday April 16, 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, Dan Hooper, and Dennis Page. Doug Gay was absent. 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, Ed Stoll, Donnie McCuddin, Joseph Eshelman, and others that didn't sign in.

Motion by Fotiadis and second by Page to approve the agenda; Roll Call vote: Fotiadis, aye; Hooper, aye; Page, aye; motion carried.

No one spoke during open forum.

Mayor encourages everyone in Osceola to take pride in their properties.

Motion by Fotiadis and second by Hooper to approve the confidentiality agreement with Clarke Electric and CIPCO; Roll call vote: Fotiadis, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Page to approve resolution 2019-22 Setting Public Hearing for the sale of sealed bid on City Owned Property; roll call vote: Fotiadis, aye; Hooper, aye; Page, aye; motion carried.

Resolution 2019-22 TO FIX A TIME AND A DATE FOR A PUBLIC HEARING FOR THE SALE BY SEALED BID OF CITY OWNED REAL ESTATE. THE CITY COUNCIL OF THE CITY OF OSCEOLA, IA HEREBY RESOLVES that a Public Hearing will be held as part of the regularly scheduled City council meeting on Tuesday, May 7, 2019 at 7:00 pm for the purpose of taking public comment regarding the sale of Parcels 00616 314 E Ayers- minimum, Parcel 00693 214 N Adams, Parcel 00746 S Jackson, Parcel 00745 216 W Webster.

Motion by Fotiadis and second by Hooper to approve Resolution 2019-23 Setting Public Hearing for Sewer Rates; roll call vote: Fotiadis, aye; Hooper, aye; Page, aye; motion carried.

RESOLUTION 2019-23 A RESOLUTION SETTING A PUBLIC HEARING FOR SEWER RATES WHEREAS, the City of Osceola is currently subject to a compliance schedule from the Iowa Department of Natural Resources to perform certain updates to the waste water treatment plant; and, WHEREAS, these updates require the City of Osceola to review the current wastewater rate structure to ensure adequate funding; and, WHEREAS, the proposed rate adjustment schedule has been deemed necessary in order to the ongoing improvements; NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held in the council chambers on the 7th of May, 2019 at 7:00 PM, at which time and place the Council will consider comment regarding a proposed 15% increase to all classes of sewer rates; and, BE IT FURTHER RESOLVED that the clerk be authorized and directed to publish notice of such hearing one time not less than four (4) days nor more than twenty (20) days prior to the date herein established for hearing as provided by law.

Motion by Hooper and second by Page to proceed moving forward with 2019 GO Bond Issuances; Roll call vote: Fotiadis, aye; Hooper, aye; Page, aye; motion carried.

Motion by Page and second by Hooper to approve resolution 2019-24 setting Public Hearing proposed amendment to city ordinances pertaining to Site Plan reviews; Roll call vote: Fotiadis, aye, Hooper, aye; Page, aye; motion carried.

Resolution 2019-24 TO FIX A TIME AND A DATE FOR A PUBLIC HEARING FOR THE PROPOSED AMENDMENT TO THE CITY OF OSCEOLA CODE OF ORDINANCES PERTAINING TO SITE PLANS. 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 Tuesday, May 7, 2019 at 7:00 pm for the purpose of taking public comment regarding the proposed amendment to amend the City Code of Ordinances requiring that all site plans show the location and type of exterior lighting. 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 Hooper and second by Page to approve Resolution 2019-25 approving the revenue purpose statement for the use or expenditure of revenues from electric and natural gas franchise fees; roll call vote: Fotiadis, aye; Hooper, aye; Page, aye; motion carried.

RESOLUTION NO. 2019-25 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 a utility franchise fee for Interstate Power and Light Company (Alliant Energy) for the 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 establish a Revenue Purpose Statement outlining the purposes for which the City shall use the franchise fee revenues that will be received if the proposed ordinance is 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 are 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 establishes 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 quipping 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.2i. Economic development activities and projects. Section 2. That the City Clerk shall publish the Revenue Purpose Statement, and said Statement shall be published pursuant to Section 362.3 of the Iowa Code in a legal newspaper of general circulation in the City. 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. PASSED AND APPROVED by the City Council this 16th day of April, 2019.

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

Fotiadis expressed his gratitude for the street sweeper being out and working out getting the streets cleaned. Hooper had questions about developments progress and nuisances properties status. Page expressed his gratitude for the street sweeper and how nice the golf course was looking.

Motion by Fotiadis and second by Gay to approve the consent agenda: Council Minutes April 2<sup>nd</sup> ; Liquor License: Westside Taven (LC0044326): Reservoir Easement, Trent Denney, \$1,027.09 (2nd payment) the following claims:

A-1 Window Service ,Services, 60;Access System ,Services, 118.76;Agriland Fs - Murray ,Fuel , 1997.61;Agrivision ,Services, 3916.34;All Star Pro Golf ,Supplies, 242.16;Alliant Energy ,Utilities, 13326.79;Amazon.Com Credit ,Supplies, 482.93;Atlantic Bottling Co. ,Supplies, 468.37;Baker & Taylor Entertainment ,Services, 669.49;Banta Abstract Company ,Services, 300;Brodart Co ,Services, 125.4; Brown Supply Co. ,Supplies, 706.45;Chat Mobilit ,Utilities, 208.06;Clarke Electric Coop ,Utilities, 5859.63;Creative Product Source ,Supplies, 138.2;Creative Product Sourcing, Inc.-Dare ,Supplies, 58;Creston Publishing Company ,Publication, 84.9;D & D Pest Control ,Services, 30;Demco Inc ,Services, 482.01;Diamond Oil Co ,Fuel , 2028.83;Digital-Ally ,Services, 395;Directv ,Services, 154.81;Donna Phillips ,Services, 300;Dorsey & Whitney ,Services, 11000;Dust Pros Janitorial ,Services, 1630.75;Eddie Benda ,Reimb, 160.45;Elliott Oil Co. ,Fuel , 138.76;Fareway Stores ,Services, 7.99;Ferrellgas ,Utilities, 39; Friday Ins. Co. ,Insurance, 115888;Gilbert Home Comfort ,Services, 118.75;Gilberts True Value Home Center ,Services, 430.21;Hach Company ,Supplies, 554.91;Highway Lumber ,Supplies, 206.1;Hy-Vee Food Stores ,Supplies, 459.17;Ia Assn Of Mn. Utilities ,Dues, 371;Iacp Net ,Dues, 525;Invinci Graphics ,Services, 299.36;Iowa Communications Network ,Services, 13;Iowa Outdoors ,Services, 15;J P Auto ,Supplies, 620.07;Karl Chevrolet ,Services, 191.25;Kd Tires, Llc ,Services, 78;Keystone Laboratories, Inc ,Services, 2775.45;Krista Woodard ,Reimb, 111.88;Leslie Gardens ,Services, 1090;Mainstay Systems Inc. ,Services, 177;Marc Elcock ,Services, 2500;Mediacom ,Utilities, 654.04;Midlands Business Equip. ,Services, 380;Midwest Curb Grinding, Llc ,Services, 325;Midwest Office Tech. Co. ,Services, 241.66;Mti Distributing Inc ,Supplies, 458.61;Myron Corp ,Supplies, 175.01;Naomi Jones ,Sidewalk , 329; Nartec Inc ,Services, 518.4;North Central Laboratories Of Wisconsin ,Services, 128.36;O'halloran International Inc. ,Services, 3237.59;O'reilly Automotive Inc. ,Supplies, 4.85;Osceola Farm & Home - All ,Supplies, 856.69;Osceola Water Works ,Special Assessment, 214.42;Penworthy Company ,Services, 111.72;Quilting ,Services, 36.95;Reader's Digest ,Services, 29.98;Recorded Books ,Services, 256.2; Schildberg Const. Co. ,Services, 15349.57;Service Techs Inc ,Supplies, 12995.42;Sirwa ,Utilities, 48.55;Solutions ,Supplies, 1182.32;Sundown Equipment ,Services, 1116.99;The Library Store ,Supplies, 9.8;Usa Bluebook ,Supplies, 300.8;Verizon ,Utilities, 280.13;Windstream ,Utilities, 740.34;Zimco Supply Co. ,Supplies, 7973.48; ,Grand Total , 219510.72; 291563-291642 Fund Recap1 ,General , 44425.46;33 ,Golf Course, 14365.32;101 ,Insurance, 115888;110 ,Road Use Tax , 19459.27;134 ,Casino Revenue Fund , 11000;600 ,Water, 214.42;610 ,Waste Water , 14158.25; ,Grand Total , 219510.72;

Motion by Fotiadis and second by Hooper to enter into close session 14. Closed Session pursuant to 21.5.1.J- To discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. Roll call vote: Fotiadis, aye; Hooper, aye; Page, aye; motion carried. Motion by Fotiadis and second by Page to exit close session; roll call vote: Fotiadis, aye; Hooper, aye; Page, aye; motion carried.

There being no further business, motion by Hooper and second by Page to adjourn the meeting at 8:40 PM. All voting aye, motion carried.

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Thomas J. Kedley –Mayor

Attest:

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