

## OSCEOLA CITY COUNCIL

Tuesday, May 7, 2019

Regular Meeting

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

The City Council met on Tuesday May 7, 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, Doug Gay, and Dennis Page. 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 Karla Bassett, Courtney White, Jennifer Welcher, Paula Campbell, Donnie McCuddin, Makenzie McCuddin, Lauren Gray, Hunter Housberg, Becky Housberg, Damon Boyd, Cindy Saucedo, Ethan Uglacer, Gracee Courtney, Kelsey Saucedo, Linda West, Leslie Halternman-West, Riley Elsbury, Caden Earis, Erika Arellano, Jerry Yonker, Oswaldo Torres, Max Torres, Branden Blevens, Tyler Davenport, Anne Yonker and others that didn't sign in.

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

Jerry Yonker at 511 East Ayers expressed his concerns regarding about getting stop signs on Osceola and Kossuth Street. Jennifer Welcher expressed her concerns regarding the dogs next to her place of business on Jackson.

Mayor presented two proclamations for National Hospital week and National Police week during May 12-18. He also reminds residents to take pride in their property.

Motion by Fotiadis and second by Gay to open public hearing for the appointment to fill the Ward 3 City Council Vacancy; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried. Ty and Thomas informed the public that they would like to appoint Damon Boyd to fill the vacancy. There was no public comment during open forum. Motion by Gay and second by Page to close public hearing; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Hooper to approve Resolution 2019-26 the appointment of Damon Boyd to fill vacancy of Ward 3; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; motion carried.

Resolution 2019-26 A RESOLUTION APPOINTING DAMON BOYD TO FILL 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, WHEREAS, the City Council and Mayor have considered interested candidates for the position and desire to appoint Damon Boyd of 221 W Fayette to fill the Ward 3 City Council vacancy. THE CITY COUNCIL OF THE CITY OF OSCEOLA, IA HEREBY RESOLVES that: Section 1. The City Council of the City of Osceola shall hereby appoint Damon Boyd to serve as Ward 3 City Council Member. Section 2. The Mayor is hereby authorized to administer the oath of office to Mr. Damon Boyd immediately upon the passage of this resolution.

Mayor Kedley gave the Oath of Office to Damon Boyd.

Motion by Fotiadis and second by Gay to open public hearing for regarding the sale of City Owned Property; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried. No one spoke during open forum. 314 E Ayers Parcel 00616 Alan C Torres- \$3200; Ron Utley- \$2002: Parcel 00746 N Jackson; Darrell Perry- \$2001: 216 W Webster Parcel 00745; Darrell Perry- 2001: 214 N Adams, No Bids Received Motion by Gay and second by Page to close the public hearing; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Gay and second by Page to approve resolution 2019-27 Regarding the sale of the following City owned parcels:

- a. Parcels 00616, 314 E Ayers
- b. Parcel 00693, 214 N Adams
- c. Parcel 00746, S Jackson
- d. 00745, 216 W Webster

Roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Resolution 2019-27 RESOLUTION AUTHORIZING SALE OF CITY OWNED REAL ESTATE. WHEREAS, the City Council of the City of Osceola owns four parcels of property; and, WHEREAS, the City Council desires to dispose of the property; and, WHEREAS, the City Council passed a resolution scheduling a public hearing for May 7, 2019 where public could comment on the proposed sale of property; and, WHEREAS, the City Council authorized the sale of property through the sealed bid process; and, WHEREAS, the City Council received the following bids for each property:

314 E Ayers Parcel 00616  
Alan C Torres- \$3200  
Ron Utley- \$2002

Parcel 00746 N Jackson  
Darrell Perry- \$2001

216 W Webster Parcel 00745  
Darrell Perry- 2001

214 N Adams  
No Bids Received

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OSCEOLA that the following bids be accepted:

314 E Ayers Parcel 00616  
Alan C Torres- \$3200

Parcel 00746 N Jackson  
Darrell Perry- \$2001

216 W Webster Parcel 00745  
Darrell Perry- 2001

FURTHERMORE, BE IT RESOLVED the city clerk is hereby directed to convey each property by Quit Claim Deed upon receipt of payment; and FURTHERMORE, BE IT RESOLVED the city clerk is hereby authorized to pay Clarke County \$1600 for 314 E Ayers Street in exchange for abating all back taxes.

Motion by Fotiadis and second by Page to open public hearing regarding the Proposed amendment to Chapter 99.03 regarding waste water rates and charges; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried. There was no public comment during open forum. Motion by Fotiadis and second by Gay to close the public hearing, roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by George Fotiadis and second by Gay to approve the first reading of ordinance regarding Waste Water rates; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Gay to approve resolution 2019-28 Setting public hearing for the natural gas and electric franchise fee; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Resolution 2019-28

TO FIX A TIME AND A DATE FOR A PUBLIC HEARING FOR THE NATURAL GAS AND ELECTRIC FRANCHISE FEE. 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 May 21, 2019 at 7:00 PM to inform the public on the proposed Natural Gas and Electric Franchise Fee. 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 Page to open public hearing for the Proposed amendment to the Site Plan ordinance pertaining to exterior lighting; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried. There were no public comments during the public hearing. Motion by Fotiadis and second by Page to close the public hearing; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Hooper to approve the first reading of the amendment to Chapter 167.01 titled "Site Plan Requirements; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Hooper to approve resolution 2019-29 Resolution to fix a date for a public hearing on a general obligation corporate purpose and refunding loan agreement in a principal amount not to exceed \$2,000,000; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

RESOLUTION NO. 2019-29 Resolution to fix a date for a public hearing on a general obligation corporate purpose and refunding loan agreement in a principal amount not to exceed \$2,000,000 WHEREAS, the City of Osceola (the "City"), in Clarke County, State of Iowa, proposes to enter into a General Obligation Corporate Purpose and Refunding Loan Agreement (the "Loan Agreement") in a principal amount not to exceed \$2,000,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the cost, to that extent, of constructing sidewalk and landfill improvements, demolishing blighted properties, acquiring a snow plow for the street department, acquiring a records management and dispatch system for the police department and refunding the outstanding balances of the City's General Obligation Street Improvements Note, dated October 14, 2016, and General Obligation Urban Renewal Note, dated December 1, 2017, and it is necessary to fix a date of meeting of the City Council at which it is proposed to hold a hearing on the proposal to enter into the Loan Agreement and to give notice thereof as required by such law; NOW, THEREFORE, Be It Resolved by the City Council of the City of Osceola, Iowa, as follows: Section 1. The City Council shall meet on the 21st day of May, 2019, at the City Hall Council Chambers, Osceola, Iowa, at 7:00 o'clock p.m., at which time and place a hearing will be held on the proposal to enter into the Loan Agreement as set out in the preamble hereof. Section 2. the City Clerk is hereby directed to give notice of the proposed hearing, setting forth the amount and purpose thereof, 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. The notice shall be in substantially the following form: NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO ENTER INTO A GENERAL OBLIGATION CORPORATE PURPOSE AND REFUNDING LOAN AGREEMENT IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000 The City Council of the City of Osceola, Iowa, will meet on the 21st day of May, 2019, at the City Hall Council Chambers, Osceola, Iowa, at 7:00 o'clock p.m., for the purpose of holding a public hearing on a proposal to enter into a general obligation loan agreement (the "Loan Agreement") in a principal amount not to exceed \$2,000,000, for the purpose of paying the cost, to that extent, of constructing sidewalk and landfill improvements, demolishing blighted properties, acquiring a snow plow for the street department, acquiring a records management and dispatch system for the police department and refunding the outstanding balances of the City's General Obligation Street Improvements Note, dated October 14, 2016, and General Obligation Urban Renewal Note, dated December 1, 2017. The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City. At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City Council may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter. By order of the City Council of the City of Osceola, Iowa. Ty Wheeler

City Clerk Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Motion by Fotiadis and second by Gay to approve the Minimum fund balance policy; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Hooper and second by Page to accept the Wellmark Foundation Grant, Execute forthcoming grant agreements, and the submission of the certifications of matching funds showing a \$50,000 local match for the City. Roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Boyd to set public hearing for Budget Amendment for Fiscal year 2019 for May 21<sup>st</sup>. Roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Gay to approve resolution 2019-30 to set public hearing for USDA Fire Department Grant; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Resolution 2019- 30 TO FIX A TIME AND A DATE FOR A PUBLIC HEARING FOR THE USDA FIRE DEPARTMENT GRANT. 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 21, 2019 at 7:00 pm for the purpose of taking public comment regarding the proposed grant application for a USDA grant for the Quick Attack fire truck project.

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

Fotiadis support for the sidewalk program. Gay expressed his concerns about stop signs. Boyd had nothing to report at this time. Hooper had concerns regarding some dead trees and police department having an unmarked car. Page had some concern regarding grass being blown into the road.

Motion by Hooper and second by Gay to approve the consent agenda: Council Minutes April 16<sup>th</sup> ; Liquor License: Playa Margaritas Mexican Restaurant (LC0038462); The Broken Spoke (LC0040058) and the following claims:

ACCO ,Supplies, 100;AGRILAND FS - MURRAY ,Services, 627.98;Alejardo Davis ,Services, 54;ALLIANT ENERGY ,Utilities, 10100.65;AMANI FRY ,Services, 108; ATLANTIC BOTTLING CO. ,Supplies, 261.03;B M SALES ,Supplies, 270; BASCOM TRUCK & AUTOMOTIVE ,Supplies, 581.4;BAUER BUILT ,Supplies, 303.14;BOYT HARNESS COMPANY ,Services, 10000;BSN SPORTS INC ,Supplies, 90.74;BUD JONES CONSTRUCTION ,Services, 392.67;BUD JONES TRUCKING ,Services, 1507.8;CAPITAL SANITARY SUPPLY CO. ,Supplies, 661.29;CARD SERVICE CENTER ,Services, 302.38;CARQUEST OF OSCEOLA ,Supplies, 215.78;CASEYS BUSINESS MASTERCARD ,Fuel, 3204.92;CENTERPOINT ENERGY ,Utilities, 2303.99;CHAT MOBILITY ,Utilities, 103.66;CINTAS CORPORTATION ,Supplies, 41.41;CLARKE CO. LANDFILL COMM ,Services, 17116.96;CLARKE COUNTY ANIMAL SHELTER ,Services, 6000;Cole McCann ,Services, 107.6;Community Health Centers ,Reimb, 1683.25;CR SERVICES ,Services , 115.15;CRESTON PUBLISHING COMPANY ,Publications, 566.04;D & D PEST CONTROL ,Services, 55;D&R FEED INC. ,Supplies, 58.8;DANNCO INC. ,Services, 410.3; David Lynn ,Reimb, 214;Denis Kale ,Reimb, 1037.9;Dennis Page ,Reimb, 214;DIAMOND OIL CO ,Fuel , 1044.91;EAST SIDE AUTO ,Services, 563.79;ED FICKES ,Services, 1250;ELECTRONIC ENGINEERING ,Services, 203.95;EMC INS. CASUALTY CO. ,Insurance , 250;FANI FRY ,Services, 108;FLEETSIDE FORD ,Services, 53.92;GALLS/ QUARTERMASTER LLC ,Supplies, 1288.92;Gene McKnight ,Reimb, 214;GILBERTS TRUE VALUE HOME CENTER ,Supplies, 424.71;GOLF CARS OF IOWA ,Services, 900;HACH COMPANY ,Supplies, 329.63;HARD ROCK CAR WASH ,Services, 120;HIGHWAY LUMBER ,Supplies, 28.75;IOWA ONE CALL ,Services, 50.4;IOWA WORKFORCE DEVELOPMENT ,Services, 755.77;J P AUTO ,Services, 335.16;Jack Chestnut ,Reimb, 214;Jim Kimball ,Reimb, 214;JIM'S SANITATION& TRUCK REPAIR ,Services, 30622.8;KC Kilkenny ,Reimb, 32.1; KD TIRES, LLC ,Services, 735;KIRKHAM MICHAEL & ASSOCIATES ,Services, 1500;MARC ELCOCK ,Services, 2500;MEDIACOM ,Utilities, 481.41;MICHAEL GALVEZ ,Services, 36;MIDWEST OFFICE TECH. CO. ,Services, 201.88;MIDWEST RIGHT OF WAY SERVICES ,Services, 297.5;NELSON TANNER FRY ,Services, 108;O'REILLY AUTOMOTIVE INC. ,Supplies, 24.47;OSCEOLA FARM & HOME - ALL ,Supplies, 1318.32;OSCEOLA SENTINEL-TRIBUNE ,Services, 46;PAGE PORTABLES LLC ,Services, 700;PIONEER MANUFACTURING COMPANY ,Services, 159.6;SCHILDBERG CONST. CO. ,Services, 5986.45;SERVICE TECHS INC ,Services, 462.32;SICOG ,Services, 2500;SOLUTIONS ,Supplies, 1664.41;TECHNICAL SERVICES ,Services, 131.91;TRENTON DENNEY ,Services, 940;TYLER TECHNOLOGIES, INC. ,Services, 10572.6;US CELLULAR ,Utilities, 780.07;VEENSTRA & KIMM INC. ,Services, 3249.75;VERONICA HULLINGER SIGNS ,Services, 759.3;WASH & WEIGH ,Services, 95;WILDER'S TRUCK SERVICE ,Services,

1108.15;WINDSTREAM ,Utilities, 911.46;ZIEGLER INC ,Services, 361.06;ZIMCO SUPPLY CO. ,Supplies, 215; ,Grand Total , 135660.31;Check Numbers: 291657-291741 ,, ;Fund Recap: ,, ;1 ,General, 99402.48;33 ,Golf Course , 6131.05;101 ,Insurance , 1005.77;110 ,Road Use Tax , 8887.31;135 ,Urban Renewal , 10000;300 ,Airport Land Acquisition , 1797.5;610 ,Waste Water , 8436.2; ,Grand Total , 135660.31;

#### Chapter 7 claims:

Payroll ,01.04.19,24695.93;Payroll ,01.11.19,26620.9;Payroll ,01.18.19,21502.77;Payroll ,01.25.19,30892.19;Payroll ,02.01.19,23461.98;Payroll ,02.08.19,21795.11;Payroll ,02.15.19,22521.47;Payroll ,02.22.19,29533.28;Payroll ,03.01.19,24139.06;Payroll ,03.08.19,23579.76;Payroll ,03.15.19,24415.01;Payroll ,03.22.19,23635.37;Payroll ,03.29.19,25487.59;Linda Persels ,Airport ,1416.25;Linda Persels ,Airport 191365,1416.25;Linda Persels ,Airport 291501,1416.25;Met Life ,Insurance 2912229,2205.97;Met Life ,Insurance 291379,2111.66;Met Life ,Insurance 291502,2914.37;Mutual of Omaha,Insurance 291217,505.48;Mutual of Omaha,Insurance 291362,505.48;Mutual of Omaha,Insurance 291370,471.48;Mutual of Omaha,Insurance 291493,631.85;Mutual of Omaha,Insurance 291503,471.48;SISCO Flex,Insurance EFT,967.6;SISCO Flex,Insurance 291219,967.6;SISCO Flex,Insurance EFT,1278.25;Treasurer st of iowa ,Jan EFT,6490;Treasurer st of iowa ,Feb EFT,5710;Treasurer st of iowa ,March EFT,6976;IPERS,Jan EFT,23507.5;IPERS,Feb EFT,22162.12;IPERS,March EFT,27306.31;AFLAC,Jan EFT,287.52; AFLAC,Feb EFT,287.52;AFLAC,March EFT,291.15;Collection Service Center,Jan EFT,553.84;Collection Service Center,Feb EFT,553.84;Collection Service Center,March EFT,692.3;EFTPS,Jan EFT,34936.06;EFTPS,Feb EFT,32030.09;EFTPS,March EFT,39475.1;George Fotitadis,Payroll 291216,92.35;George Fotitadis,Payroll 291361,92.35;George Fotitadis,Payroll 291492,92.35;Teamster ,Insurance 291221,155;Teamster ,Insurance 291364,155;Teamster ,Insurance 291495,155;Wellmark ,Insurance 291222,2152;Wellmark ,Insurance EFT,36601.14;Wellmark ,Insurance EFT,2152;Wellmark ,Insurance EFT,2690;City of Murray,Services 291225,2865.57;City of Murray,Services 291367,2178.44;City of Murray,Services 291497,2440.2;City of Woodburn,Services 291226,955.19;City of Woodburn,Services 291369,726.15;City of Woodburn,Services 291498,813.43;Clarke Co Reservoir ,LOST 291227,83726.29;Clarke Co Reservoir ,LOST 291369,68086.44;Clarke Co Reservoir ,LOST 291499,63934.8;Imagetek ,Services EFT,235;Imagetek ,Services EFT,235;State of Iowa,Service/ SALES TAX EFT,4139;State of Iowa,Services,3658;State of Iowa ,Services Sales tax,3358;ASB,Debt 291224,9551.9;ASB,Debt 291366,7261.47;ASB,Debt 291496,8134.32;FNB,Debt EFT,9551.9;FNB,Debt EFT,7261.47;FNB,Debt EFT,8134.32;Osceola Water Works,Special Assessments 291230,95.93;Bud Jones Construction ,Services 291231,20546.14;Byron Jimmerson,Fire 191372,160;Byrce Thomas,Fire 291373,80;Chris Mann,Fire 291374,80;Hunter Simpson,Fire 291375,80;Dustin Crum ,Fire 291376,80;Donald Cully,Airport Project 291377,25000;Kyle Halls ,Airport Project 291378,10400;Norman & Beverly Skinner ,Airport Project 291380,12200;Mutual of Omaha - CC,Services - EFT,1497.93; IA Dept of Inspections,Golf Course 291500,150; ,Grand Total ,942773.82;Fund Recap: 1,General,278194.4;101,LOST,215747.53;110,Road Use Tax ,56614.12;112,Employee Benefits,236043.54;200,Debt Services,49895.38;300,Airport Land,47600;600,Water,95.93;610,Sewer ,57038.61; ,Grand Total ,942773.82;

There being no further business, motion by Page and second by Gay to adjourn the meeting at 8:39 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