

**OSCEOLA CITY COUNCIL**

Thursday, November 8, 2018

Regular Meeting

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

The City Council met on Thursday, November 8, 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: Dave Walkup, Dan Hooper, Doug Gay, Dennis Page (Phone) and George Fotiadis. City Staff present were Ty Wheeler— City/Administrator/Clerk, Britanee Ward-Case – Accounting Manager/Assistant City Clerk and Curt Jacobsen – Sergeant. Ed Stoll, Ayden Wallace, Matt Stoll, Ashleigh Eckels, Laura Held, Matt Ritchey, Terry Wojtowia, Kevin Emanuel, Jerry Smith, Jasmin Walard, Josey Dunbar, Ty Lev, Jim Kimball, Sarah Saull and others that didn't sign in.

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

Ed Stoll wanted to let Council know that there is a private buyer/offer for the Country Club when they discuss it. Terry with Fleetside Ford wanted to Thank the City for their business in the last year. Dr. James Kimball wanted to express his feelings about moving City Hall offices to the Depot.

Mayor wanted to thank all voters who got out to Vote, the Historic Preservation is putting on a class on November 10<sup>th</sup>, update Council on the Wine Walk and Trunk Treat events, and wanted to let everyone know that they are expecting baby number 2.

Motion by Fotiadis and second by Gay to approve the special events permit for the Holiday Brilliance; Roll Call Vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Jim Kimball appeared before the City Council to present a conceptual plan calling for the City to assume ownership of the Country Club with financial assistance from the Clarke County Development Corporation. Kimball expressed his concern about the long term financial viability of the course. Matt Ritchey of the Country Club Board reported to the Council there had been a member meeting held on November 3rd, but at this time the members wanted to see a business plan for municipal and private ownership. Jerry Smith also appeared before the Council to express his concern with private ownership and advocated for municipal ownership. A very long discussion ensued regarding a private offer which had been made to acquire the course, with hesitations expressed by several council members questioning whether the City ought to be involved if a private offer has been made. Following further discussion the Council agreed that the matter of the private offer needed to be resolved by the Country Club Board, but the City could position itself with the CCDC to lock down funding for a possible future acquisition. Motion by Gay and second by Walkup to direct staff to approach the CCDC for a grant opportunity for the future acquisition of the Country Club. Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Gay to approve resolution 2018-48 A Resolution Approving, Accepting, And Authorizing Execution Of The Purchase Agreement, Surface And Overhead Avigation Easement Contracts, And Warranty Deed For Tracts T-1, E-10, E-11 For The Airport Land Acquisition Project; Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

**RESOLUTION 2018-48 A RESOLUTION APPROVING, ACCEPTING, AND AUTHORIZING EXECUTION OF THE PURCHASE AGREEMENT, SURFACE AND OVERHEAD AVIGATION EASEMENT CONTRACTS, AND WARRANTY DEED FOR TRACTS T-1, E-10, E-11 FOR THE AIRPORT LAND ACQUISITION PROJECT** WHEREAS, the City of Osceola has commenced land acquisition activities related to FAA AIP Project 319-0108-14; and, WHEREAS, the City of Osceola has reached an agreement with Mary Pedersen for the acquisition of Fee Tract #1 and Easement Tract #10 & 11, NOW, THEREFORE, BE IT RESOLVED by the Council for the City of Osceola that the Purchase Agreement, Surface And Overhead Avigation Easement

Contracts, And Warranty Deed For Tracts T-1, E-10, E-11 are hereby approved and accepted; AND FURTHERMORE, BE IT RESOLVED by the Council for the City of Osceola authorizes payment of \$150,600 to Mary Petersen.

Motion by Hooper and second by Gay to have the City Attorney define the terminology of storage; Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Walkup and second by Fotiadis Resolution 2018-48 To Fix A Time And A Date For A Public Hearing For The Proposed Amendment To The City Of Osceola Code Of Ordinance By Amending Provisions Pertaining Off Street Parking; Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Resolution 2018- 49 TO FIX A TIME AND A DATE FOR A PUBLIC HEARING FOR THE PROPOSED AMENDMENT TO THE CITY OF OSCEOLA CODE OF ORDINANCE BY AMENDING PROVISIONS PERTAINING OFF STREET PARKING 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 November 20th at 7:00 PM to inform the public on the proposed amendments to the City of Osceola Code of Ordinances by amending Chapter 167.04 titled Off Street Parking and Loading. A copy of the proposed amendments can be found at City Hall. 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 Gay And Second By Hooper To Approve 2018-50 APPROVING PLAT OF SURVEY FOR "PARCEL G" AND "PARCEL H" OF THE S19-T72N-R25W Of The 5<sup>th</sup> PM; Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Resolution 2018- 50 RESOLUTION APPROVING PLAT OF SURVEY FOR "PARCEL G" AND "PARCEL H" OF THE S19-T72N-R25W of the 5<sup>th</sup> PM WHEREAS, the Plat of Survey for "Parcel G" and "Parcel H" has been submitted; and, WHEREAS, the Planning and Zoning Commission for the City of Osceola has reviewed and recommended approval of the Plat of Survey for the "Parcel G" and "Parcel H"; and, NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Osceola hereby approves and accepts the Plat of Survey for "Parcel G" and "Parcel H"; AND FURTHERMORE, BE IT RESOLVED the City Council of the City of Osceola hereby directs the City Clerk to certify this resolution which shall be affixed to said plat to the County Recorder of Clarke County, Iowa.

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

#### ORDINANCE NO. 599

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 herby 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 adjourning 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 East/West Alley in Block 1 of East Osceola. 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 Walkup and second by Hooper to approve resolution 2018-51 Setting Public Hearing for to Fix a Date for a Public Hearing on GO Urban Renewal Loan Agreement in an amount not to exceed \$679,220.

RESOLUTION NO. 2018-51 Resolution to fix a date for a public hearing on General Obligation Urban Renewal Loan Agreement in an amount not to exceed \$679,220 WHEREAS, Chapters 384 and 403 of the Code of Iowa authorize cities to enter into loan agreements and issue bonds for the purpose of paying the cost of planning, undertaking and carrying out urban renewal projects under the authority of Chapter 403, provided notice is published, including notice of the right to petition for an election; and WHEREAS, the City Council (the "Council") of the City of Osceola, Iowa (the "City") has established the Osceola Urban Renewal Area, pursuant to Chapter 403 of the Code of Iowa, has approved an amendment to the urban renewal plan for that Area and has also approved urban renewal projects consisting of the payment of a portion of the outstanding debt of The Village day care center, in the amount of \$74,220, and a grant to Alliant Energy in the amount of not to exceed \$605,000, for the purpose of extending a natural gas line in the City's Industrial Park (the "Urban Renewal Projects"); and WHEREAS, the City proposes to enter into a loan agreement (the "Urban Renewal Loan Agreement") and issue bonds in a principal amount not to exceed \$679,220, pursuant to the provisions of Chapters 384 and 403 of the Code of Iowa, for the purpose of paying the costs, to that extent, of financing the Urban Renewal Projects; and WHEREAS, it is necessary to fix a date of meeting of the Council at which it is proposed to take action to enter into the Urban Renewal Loan Agreement and to give notice thereof; NOW, THEREFORE, Be It Resolved by the City Council of the City of Osceola, Iowa, as follows: Section 1. This Council shall meet on the 4th day of December, 2018, at the City Hall Council Chambers, at 7:00 o'clock p.m., at which time and place a hearing will be held on the proposal to enter into the Urban Renewal Loan Agreement. Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Urban Renewal Loan Agreement, including notice of the right to petition for an election, setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once and not less than 10 nor more than 20 days before the meeting, in a legal newspaper of general circulation in the City. Section 3. The Urban Renewal Loan Agreement notice shall be substantially as follows: NOTICE OF PUBLIC HEARING ON LOAN AGREEMENT IN A PRINCIPAL AMOUNT NOT TO EXCEED \$679,220 (GENERAL OBLIGATION URBAN RENEWAL PROJECTS) The City Council of the City of Osceola, Iowa, will meet on the 4th day of December, 2018, at the City Hall Council Chambers, at 7:00 o'clock p.m. for the purpose of holding a public hearing and taking action to enter into a loan agreement (the "Urban Renewal Loan Agreement") and issue general obligation annual appropriation bonds in a principal amount not to exceed \$679,220, for the purpose of financing projects in the Osceola Urban Renewal Area consisting of the payment of a portion of the outstanding debt of The Village day care center, in the amount of \$74,220, and a grant to Alliant Energy in the amount of not to exceed \$605,000, for the purpose of extending a natural gas line in the City's Industrial Park. The Urban Renewal Loan Agreement is proposed to be entered into pursuant to authority contained in Chapters 384 and 403 of the Code of Iowa and will constitute a general obligation of the City. At that time and place, oral or written objections or comments may be filed or made to the proposal to enter into the Urban Renewal Loan Agreement. After receiving objections and comments, the City Council may determine to enter into the Urban Renewal Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter. At any time before the date fixed for taking action to enter into the Urban Renewal Loan Agreement, a petition may be filed

with the City Clerk asking that the question of entering into the Urban Renewal Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa. By order of the City Council of the City of Osceola, Iowa. Ty Wheeler City Clerk

Motion by Fotiadis and second by Page to approve resolution 2018-52 approving Bond Purchase Agreement, authorizing and approving a Loan Agreement, providing for the issuance of General Obligation Annual Appropriation Water Bonds, Series 2018; Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

RESOLUTION NO. 2018-52 Resolution approving Bond Purchase Agreement, authorizing and approving a Loan Agreement, providing for the issuance of General Obligation Annual Appropriation Water Bonds, Series 2018, and providing for the levy of taxes (subject to non-appropriation) to pay the same WHEREAS, the City heretofore proposed to enter into a General Obligation Annual Appropriation Loan Agreement (the "Loan Agreement"), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$4,500,000 and has published notice of the proposed action for the purpose of paying the cost, to that extent, of acquiring real and personal property for a waterworks reservoir project to provide potable water to the residents of the City and paying certain costs of issuance related to the Bonds (the "Project"), and has held a hearing thereon on May 15, 2018; and WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of General Obligation Annual Appropriation Water Bonds, Series 2018 (the "Bonds") in evidence of the obligation of the City under the Loan Agreement, and the City Council has made provision for the approval of the P.O.S. and has authorized its use by D.A. Davidson & Co. (the "Underwriter") as the underwriter of the issuance of the Bonds; and WHEREAS, a certain bond purchase agreement (the "Bond Purchase Agreement") has been prepared to set forth the terms of the Bonds and the understanding between the City and the Underwriter, and it is now necessary for the City Council to approve the form of the Bond Purchase Agreement and make provision for its execution and delivery upon pricing of the Bonds; and WHEREAS, it is now necessary to authorize and approve the form of the Loan Agreement, the Bond Purchase Agreement and to make provision for the issuance of the Bonds; NOW, THEREFORE, Be It Resolved by the City Council of the City of Osceola, Iowa, as follows: Section 1. The City Council hereby approves the Bond Purchase Agreement in substantially the form as has been presented to the City Council. The Bonds are hereby authorized to be issued in evidence of the obligation of the City, in the total aggregate principal amount of not to exceed \$4,500,000, at the interest rates as approved by the Mayor and the City Clerk, to be dated the date of delivery, in the denomination of \$5,000 each, or any integral multiple thereof, maturing on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates, as set forth in the executed Bond Purchase Agreement. The Mayor and the City Clerk are hereby authorized to execute the Bond Purchase Agreement on behalf of the City and to deliver the same to the Underwriter upon pricing of the Bonds. Section 2. The City shall enter into the Loan Agreement with the Underwriter, in substantially the form as has been placed on file with the City Council, providing for a loan to the City in the principal amount of not to exceed \$4,500,000, for the purpose or purposes set forth in the preamble hereof. It is hereby determined that the Loan Agreement shall constitute a "loan agreement" as set forth in Section 384.24A of the Code of Iowa. The Mayor and City Clerk are hereby authorized and directed to sign the Loan Agreement on behalf of the City, and the Loan Agreement is hereby approved. Section 3. In order to finance a portion of the costs of the Project the Bonds be and the same are hereby authorized and ordered to be issued pursuant to this Resolution and the Mayor and the City Clerk are further authorized and directed to execute and deliver the Bonds as set forth herein, including the use of facsimile signatures; it is the intent hereof that the Bonds shall be issued in an aggregate principal amount not to exceed \$4,500,000 with a true interest cost not to exceed 5.0% but as shall bear interest at the rates, and shall mature on the dates and in the amounts and may be subject to mandatory sinking fund redemption on such dates and in such amounts as set forth in the Bond Purchase Agreement and as shall be finally determined by the City Administrator and the Underwriter at the time of marketing of the Bonds and reflected in the final forms of the Bonds. Section 4. The Bonds are general obligations of the City, payable from amounts on deposit in the City's Debt Service Fund and the Bond Fund created herein, and other revenues and funds, to the extent lawfully available for such purpose, but subject to non-appropriation in any fiscal year. The Bonds do not constitute a continuing obligation of the City in any fiscal year beyond the fiscal year for which funds have been appropriated

for the payment of the Bonds and, except to the extent of such an appropriation, shall not constitute debt within the meaning of any constitutional or statutory debt limitation. The Bonds shall not directly or indirectly obligate the City to make any payments thereon during a fiscal year beyond the fiscal year for which funds have been appropriated by the City Council. Section 5. A separate and special fund is hereby established and shall be maintained by the City and known as the City of Osceola, Iowa General Obligation Annual Appropriation Bonds, Series 2018 Bond Fund (the "Bond Fund"). There shall be deposited into the Bond Fund as and when received, the following: (a) any Local Option Sales Tax Revenues (the "LOST Revenues") collected and appropriated by the Issuer for the payment of principal of and interest on the Bonds; (b) any Debt Service Tax Revenues appropriated by the Issuer for the payment of principal of and interest on the Bonds; and (c) any other amounts appropriated by the Issuer from any other source for the payment of principal of and interest on the Bonds. Any funds deposited in the Bond Fund (when appropriated by the City Council) shall be used solely and only and are pledged to pay the principal of and interest on the Bonds when due, whether at maturity or upon mandatory or optional redemption. Section 5. For the purpose of providing funds to pay the principal of and interest on the Bonds, but subject to the right of non-appropriation reserved in Section 4 hereof, there is hereby provided for each future fiscal year for which an appropriation by the City Council is made pursuant to Section 6 hereof, a levy (a "Debt Service Levy") of a direct annual tax on all of the taxable property in the City, sufficient to produce funds ("Debt Service Tax Revenues") in the amounts (or such lesser amounts as may be certified by the City pursuant to Section 6 hereof) as shall be set forth in the Bond Purchase Agreement. Section 6. Notwithstanding the foregoing, if it is necessary to adjust the foregoing amounts, the City Council shall make any such adjustments by amendment to this resolution. A certified copy of this resolution as shall be ratified following the sale of the Bonds pursuant to the terms of the Bond Purchase Agreement and the forms, terms and provisions of the Bonds (and any such amendment) shall be filed with the County Auditor of Clarke County, and the County Auditor is hereby instructed to take such action as may be needed for each of the fiscal years as provided, upon certification by the City as provided in Section 4 hereof, to levy and assess the tax as set forth in the amended ratifying resolution with such amount in the years and amounts as determined based on pricing of the Bonds (as may be amended from time to time) sufficient to produce Debt Service Tax Revenues in an amount equal to the Debt Service Levy Amount (defined in Section 7) so certified, such levy and assessment to be in like manner as other taxes are levied and assessed, and such taxes so levied to be collected in like manner as other taxes of the City are collected and such taxes when collected to be transferred to the City for deposit into the Bond Fund to be used for the purpose of paying principal and interest on the Bonds, and for no other purpose whatsoever. Section 7. The principal of and interest on the Bonds are payable from funds on deposit in the Bond Fund to the extent appropriated therefor by the City Council and from other funds appropriated from time to time by the City Council for such purpose, all of which are pledged by the City to the payment of such principal and interest. The City Council is authorized, without further notice, hearing or other proceedings, to budget and appropriate Debt Service Tax Revenues annually to make the payments of the principal of and interest on the Bonds. The City presently intends to appropriate sufficient funds for each fiscal year to pay the principal of and interest due on the Bonds during such fiscal year; provided, however, that this expression of current intent does not create and shall not be construed as creating a general, legal or enforceable obligation of the City to appropriate such funds for any fiscal year, and the decision to appropriate such funds for a fiscal year shall be made in accordance with the City Council's normal procedures for making decisions, and the then current City Council shall have the final responsibility for making such decisions. On or before December 1 of each year the City Council by resolution shall determine whether or not to budget and appropriate funds for the next succeeding fiscal year to make the payments of principal of and interest due on the Bonds during such fiscal year. If the City Council determines to budget and appropriate funds for the foregoing purposes for such fiscal year, the City agrees to certify to the County Auditor of Clarke County the amount, if any (the "Debt Service Levy Amount"), of principal of and interest on the Bonds which is to be paid from Debt Service Tax Revenues for such fiscal year. In addition, if the City Council determines to budget and appropriate LOST Revenues for such purposes for such fiscal year, the City shall certify to the County Auditor of Clarke County an amount of indebtedness payable from the LOST Revenues so appropriated. Notwithstanding anything in this resolution to the contrary, the payments of principal and interest due on the Bonds shall not constitute a mandatory charge or a requirement in any ensuing fiscal year beyond the then-current fiscal year for which the City Council has appropriated

funds for the payment thereof and the City shall have no continuing obligation to appropriate money for the payment of interest and principal due on the Bonds whether from Debt Service Tax Revenues, amounts on deposit in the Bond Fund, or any other source, and no provision of this resolution or the Bonds shall be construed or interpreted as creating a continuing obligation of the City in any fiscal year beyond the fiscal year for which funds have been appropriated for the payment of the Bonds or, except to the extent of such an appropriation, a debt within the meaning of any constitutional or statutory debt limitation. The City's obligation to make payments of interest and principal in respect of the Bonds shall be subject at all times to non-appropriation by the City Council. In the event that the City Council does not budget and appropriate funds for any fiscal year in an amount sufficient to meet the payments of interest on and principal of the Bonds during such fiscal year (a "non-appropriation"), the City's obligation under the Bonds shall terminate and become null and void on the last day of the fiscal year for which the necessary funds were appropriated. The City shall give notice to the Underwriter of any non-appropriation. Upon the occurrence of any such non-appropriation, the City shall not be obligated to make payment from any source (including funds on deposit in the Bond Fund) of any amounts of principal of and interest on the Bonds beyond those amounts for which an appropriation has previously been made, and the City shall not be liable to the holders of the Bonds for any remaining amounts due under the Bonds or for any costs, damages (including but not limited to consequential damages) or expenses incurred by the holders of the Bonds as a result of the exercise by the City of the foregoing right of non-appropriation.

Section 8. The City hereby reaffirms its intent to use the LOST Revenues for the payment of the principal of the Bonds attributable to the costs of projects being financed by the Bonds and to the corresponding payment of such interest as will accrue with respect thereto.

Section 9. It is the intention of the City that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained. The City hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 10. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, it has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding. On the date of issuance and delivery of the Bonds, the City will execute and deliver a Continuing Disclosure Certificate pursuant to which the City will undertake to comply with the Rule. The City covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Agreement.

Section 11. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 12. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Motion by Fotiadis and second by Gay to approve resolution 2018-53 approving application(s) for tax abatement under the City-Wide urban revitalization plan; Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

**RESOLUTION NO. 2018-53 A RESOLUTION APPROVING APPLICATION(S) FOR TAX ABATEMENT UNDER THE CITY-WIDE URBAN REVITALIZATION PLAN**  
BE IT RESOLVED, that application from the following persons for the following projects be approved by the City Council of Osceola, Iowa and that they be forwarded to the County Assessor, for the physical review of the improvements, after the issuance of a building permit by the Zoning Administrator if required and not already secured.

Name	Property Address	Type of Improvement
Kading Properties	Lots 7,8, 11 Meadows Plat I Lots 1-37 Meadows Plat II	New Residential

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

Fotiadis wanted to congratulate the public offices that were elected. Gay express his thoughts on the Country Club. Walkup express his thoughts about the sidewalk crossing in other places. Hooper had some concerns about the roads out to the cemetery. Page wanted to congratulate Mayor Kedley on baby number 2 on its way.

Motion by Fotiadis and second by Hooper to approve the consent agenda: Council Minutes October 2<sup>nd</sup> & 16<sup>th</sup> ; Liquor License: Pilot Travel Center #131 (BC0029792) ; Osceola Country Club (LC0025429); AmericInn of Osceola (WBN000993); Approving resolution 2018-54 Assessment fees:

Name	Parcel	Property	Ordinance	Admin Fee	Fee	Total
BARTEL, ANJELICA JOSEPHINE; JOHANSON, MASON CARL & MIKAYLA RAINE	00267	420 1/2 Cass Lane	Mowing	\$ 5.00	\$ 250.00	\$ 255.00
Betty Davenport	01020	208 E Jefferson	Mowing	\$ 5.00	\$ 200.00	\$ 205.00
Carol Scott	01484	215 S Lake	Mowing	\$ 5.00	\$ 250.00	\$ 255.00
Carol Scott	01484	215 S Lake	Mowing	\$ 5.00	\$ 175.00	\$ 180.00
Carol Scott	01484	215 S Lake	Mowing	\$ 5.00	\$ 175.00	\$ 180.00
Carol Scott	01484	215 S Lake	Mowing	\$ 5.00	\$ 175.00	\$ 180.00
Donald Miler	01245	723 N Main	Clean-up	\$ 5.00	\$ 13,151.40	\$ 13,156.40
Jennefer Julson	00853	114 S Kossuth	Tree Removal	\$ 5.00	\$ 4,000.00	\$ 4,005.00
Juan Valle	01850	404 W McLane	Mowing	\$ 5.00	\$ 250.00	\$ 255.00
Juan Valle	01850	404 W McLane	Mowing	\$ 5.00	\$ 300.00	\$ 305.00
Juan Valle	01850	404 W McLane	Mowing	\$ 5.00	\$ 300.00	\$ 305.00
Juan Valle	01850	404 W McLane	Mowing	\$ 5.00	\$ 350.00	\$ 355.00
Juan Valle	01850	404 W McLane	Mowing	\$ 5.00	\$ 350.00	\$ 355.00
Karen Langille	01361	417 S Park	Mowing	\$ 5.00	\$ 200.00	\$ 205.00
Patrick Hall	00209	431 E Washington	House Clean-up	\$ 5.00	\$ 7,900.00	\$ 7,905.00
William & Marily Sergeant	01615	214 S Jackson	Clean-up	\$ 5.00	\$ 930.00	\$ 935.00

The following claims:

ACCESS SYSTEM,Services,118.76;AGRIVISION,Services,489.85;AIRPORT SIGNS & GRAPHICS,Supplies,89.22;Alejandro Davis,Services,81;ALLIANT ENERGY,Utilities,11557.01;AMANI FRY,Services,108;ANDREW CONSTRUCTION CO.,Services,23579.86;AUDITOR OF STATE,Services,625;BAKER & TAYLOR ENTERTAINMENT,Services,629.75;BANTA ABSTRACT COMPANY,Services,225;BASCOM TRUCK & AUTOMOTIVE,Services,234.6;BLUE TARP FINANCIAL, INC.,Services,39.99;CAPITAL CITY EQUIPMENT CO.,Ser,17.84;CAPITAL SANITARY SUPPLY CO.,Supplies,26.33;CARD SERVICE CENTER,Services,1841.97;CARQUEST OF OSCEOLA,Supplies,256.0;CASEY'S GENERAL STORES, INC.,Fuel,2820.94; CENTERPOINT ENERGY,Utilities,704.6;CHALLENGER TEAMWEAR,Supplies,1070.09;CHESNUT LAWN & LANDSCAPE,Services,1160;CLARKE CO RECORDER,Services,36;CLARKE CO. TREASURER,Services,6746.75;CLARKE COMMUNITY SCHOOLS,Services,885;CLARKE ELECTRIC COOP,Utilities,4947.75;CLEAR REFLECTIONS JANITORAL,Services,260;COMMUNICATIONS SOLUTIONS,Supplies,118.5;CONSUMER REPORTS,Supplies,29;CREATIVE PRODUCT SOURCING, INC.-DARE,Services,367.87;CRESTON PUBLISHING COMPANY,Publication,1110.94;D & D PEST CONTROL,Services,85;DES MOINES REGISTER,Services,674.7;DIAMOND OIL CO,Fuel,2054.04;DONNA PHILLIPS,Services,319.33;ECHO ELECTRIC sUPPLY,Supplies,2691.09;FALLER, KINCHELOE & CO,Services,750;FANI FRY,Services,108;FLEETSIDE FORD,Services,550.05;FRIDAY INS. CO.,Insurance,373;GILBERTS TRUE VALUE HOME CENTER,Supplies,570.02;HACH COMPANY,Services,707.02;HAZARD CONTROL TECHNOLOGIES,Services,842.73;HIGHWAY LUMBER,Supplies,2663.24;HY-VEE FOOD STORES,Supplies,428.34;IDEAL READY MIX CO.,Services,524.75;IMWCA,Dues,2840; INTERSTATE ALL BATTERY CENTER,Services,275.2;IOWA COMMUNICATIONS NETWORK,Services,2.15;IOWA WORKFORCE DEVELOPMENT,Services,300; J P AUTO,Supplies,413.74;JACKSON ELECTRIC,Services,7454.68;JIM'S SANITATION& TRUCK REPAIR,Services,30677.16;KD TIRES, LLC,Services,824;KIMBALL MIDWEST,Services,326.5;KIRKHAM MICHAEL & ASSOCIATES,Services,29005.2;LYLE PERSELS,Reimb,35.29;MARC ELCOCK,Services,2500;MASON FRY,Services,81;MEDIACOM,Utilities,737.64;Michael Galvez,Services,54;MIDWEST BREATHING AIR SYSTEMS,Services,174.75;MIDWEST OFFICE TECH. CO.,40; MOLLY MYERS NAUMANN,Reimb,475.15;MUNICIPAL EMERGENCY SERVICES,Services,1143.5;MURPHY LAW OFFICE,Services,399.4;NELSON TANNER FRY,Services,72;O'REILLY AUTOMOTIVE INC.,Supplies,24.36;OSCEOLA FARM & HOME - ALL,Supplies,401.73;PETTY CASH,Petty Cash,162.09;PROCTOR MECHANICAL CORPORATION,Supplies,1369.39;QT POD,Supplies,1425;RECORDED BOOKS,Supplies,260.2;RYCHNOVSKY LAWN & LANDSCAPE,Services,259;SCHILDBERG CONST. CO.,Services,5567.71;SITLERS SUPPLIES INC,Services,3712;SOLUTIONS,Supplies,2979.11;STAR EQUIPMENT LTD,Supplies,2993.95;STATE LIBRARY OF IOWA,Supplies,889;STOP STICK LTD,Supplies,474;TOM WERNER,Reimb,100.75; TRANS-IOWA EQUIPMENT, INC,Supplies,20179;TREASURER - IOWA STATE UNIVERSITY,Supplies,279;US CELLULAR,Utilities,758.99; USA BLUEBOOK,Supplies,51.83; VEENSTRA & KIMM INC.,Services,164428.8;WILDER'S TRUCK SERVICE,Services,61.77; WINDSTREAM,Utilities,927.81;WITMER ASSOCIATES, INC.,Services,39.96; ZIEGLER INC,Services,345.52;Grand Total ,359041.34;Check Numbers: 290735-2908271,General ,107454.52;32,Building ,6746.75;101,Insurance,3213;110,Road Use Tax,17287.29;300,Airport Land ,29005.2;307,Airport Hanger,4947.75;315,StreetScape ,2072;317,Sewer Plant ,156000;335,Old Plant Force Main,2362.45;610,Sewer Plant ,29952.38;GrandTotal ,359041.34;

There being no further business, motion by Hooper and second by Walkup to adjourn the meeting at 8:52 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