

## OSCEOLA CITY COUNCIL

Tuesday, December 4, 2018

Regular Meeting

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

The City Council met on Tuesday, December 4, 2018 at 7:00 p.m. for a Regular scheduled meeting. The meeting was called to order by Mayor Thomas J. Kedley in honor of the former President George H.W. Bush . 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 Earnest Pettit - Officer. Rod Clark, Bill Trickey, Duayne Fletcher, Marvin McCann and others that didn't sign in.

Motion by Fotiadis and second by Hooper to approve the agenda with the moving of Mayors report before Opportunity for citizens to address the Council; Roll call vote: Page, aye; Hooper, aye; Walkup, aye; Gay, aye; Fotiadis, aye; Motion carried.

Mayor informed Council and public on the history of former President George H.W. Bush. Mayor also update council on renaming the Aquatic Center in honor of Fern Underwood and KCCI doing a story in her honor.

Bill Trickey with CCDC informed Council that 2019 would be 50 years the CCDC would be an organization. Rod Clark had concerns regarding the Downtown project and when that would take place and how the amending chapter 167 to the office street parking.

Motion by Fotiadis and second by Hooper to approve the second reading of the Amending Chapter 167.04 pertaining to Off Street Parking; roll call vote: Roll Call vote: Fotiadis, aye; Gay, nay; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Gay to open the public hearing for the issuance of \$679,220 General Obligation Urban Renewal Note; Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. Bill Trickey expressed his gratitude for the City's assistance to get some of these things done. Motion by Gay and second by Hooper to close the public hearing; Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Hooper to approve 2018-64 Approving and authorizing a Loan Agreement and providing for the issuance of a \$679,220 General Obligation Annual Appropriation Urban Renewal Note; Roll call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

### RESOLUTION NO. 2018-64

Approving and authorizing a Loan Agreement and providing for the issuance of a \$679,220 General Obligation Annual Appropriation Urban Renewal Note  
WHEREAS, Chapters 384 and 403 of the Code of Iowa authorize cities to enter into loan agreements and issue bonds or notes 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 has proposed to enter into a loan agreement (the "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 has published notice and held a hearing thereon, and no petition has been filed asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City; and WHEREAS, it is necessary at this time to authorize and approve the Loan Agreement

and to make provision for the issuance of a \$679,220 General Obligation Annual Appropriation Urban Renewal Note (the "Note") in evidence of the obligation of the City under the Loan Agreement; NOW, THEREFORE, Be It Resolved by the City Council of the City of Osceola, Iowa, as follows: Section 1. The City hereby determines to enter into the Loan Agreement with American State Bank, Osceola, Iowa, as lender (the "Lender"), providing for a loan to the City in the principal amount of \$679,220 for the purpose set forth in the preamble hereof. 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 2. The Note is hereby authorized to be issued in the principal amount of \$679,220, shall be dated as of the date of its delivery to the Lender, and shall be payable as to both principal and interest in the manner hereinafter specified. The City Clerk is hereby designated as the registrar and paying agent for the Note and may be hereinafter referred to as the "Registrar" or the "Paying Agent". Principal of the Note shall bear interest at the rate of 4.76% per annum. Payments of both principal of and interest on the Note, in the amount of \$84,843.98 each, shall be made on June 1 of each year, beginning June 1, 2019 and continuing to and including June 1, 2028.

Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of both principal of and interest on the Note shall be made to the registered owner appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the payment date and shall be paid by check or draft mailed to the registered owner at the address shown on such registration books; provided, however, that the final installment of principal and interest shall be payable only upon presentation and surrender of the Note to the Paying Agent.

The City reserves the right to prepay principal of the Note in whole or in part at any time prior to and in inverse order of maturity on terms of par and accrued interest. All principal so prepaid shall cease to bear interest on the prepayment date. The Note shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested by the official manual or facsimile signature of the City Clerk and shall be a fully registered Note without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Note shall cease to be such officer before the delivery of the Note, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. The Note shall be fully registered as to principal and interest in the name of the owner on the registration books of the City kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owner or its legal representatives or assigns. The Note shall be transferable only upon the registration books of the City upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner. The record and identity of any owners of the Note shall be kept confidential as provided by Section 22.7 of the Code of Iowa. Section 3. The Note shall be in substantially the following form:

(Form of Note)

UNITED STATES OF AMERICA  
STATE OF IOWA COUNTY OF CLARKE  
CITY OF OSCEOLA

GENERAL OBLIGATION ANNUAL APPROPRIATION URBAN RENEWAL NOTE  
\$679,220

MATURITY DATE NOTE DATE  
June 1, 2028 December 12, 2018

The City of Osceola (the "City"), in the County of Clarke, State of Iowa, for value received, promises to pay in the manner hereinafter provided to American State Bank Osceola, Iowa or registered assigns, the principal sum of SIX HUNDRED SEVENTY-NINE THOUSAND TWO HUNDRED TWENTY DOLLARS together with interest on the outstanding principal hereof from the date of this Note, or from the most recent payment date on which interest has been paid, except as the provisions hereinafter set forth with respect to prepayment prior to maturity may be or become applicable hereto. Both principal of and interest on this Note are payable to the registered owner appearing on the registration books of the City maintained by the City Clerk (hereinafter referred to as the "Registrar" or the "Paying Agent") at the close of business on the fifteenth day of the month next preceding the payment date in lawful money of the United States of America by check or draft mailed to the registered owner

at the address shown on such registration books; provided, however, that the final installment of principal and interest shall be payable only upon presentation and surrender of this Note to the Paying Agent. Principal of this Note shall bear interest at the rate of 4.76% per annum. Payments of both principal of and interest on this Note, in the amount of \$84,843.98 each, shall be made on June 1 of each year, beginning June 1, 2019 and continuing to and including June 1, 2028. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. This Note is issued by the City to evidence its obligation under a certain Loan Agreement, dated as of the date hereof (the "Loan Agreement") entered into by the City for the purpose of paying the cost, to that extent, of financing projects in the Osceola Urban Renewal Area. This Note is issued pursuant to and in strict compliance with the provisions of Chapters 384 and 403 of the Code of Iowa, 2017, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution adopted by the City Council on December 4, 2018, authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of this Note (the "Resolution"), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of this Note and the rights of the owner of this Note. The City reserves the right to prepay principal of this Note in whole or in part at any time prior to and in inverse order of maturity on terms of par and accrued interest. All principal so prepaid shall cease to bear interest on the prepayment date. This Note is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Note to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner. The City, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Registrar and the Paying Agent shall not be affected by any notice to the contrary. This Note is a general obligation of the City, payable from amounts on deposit in the City's Debt Service Fund and the Payment Fund created in the Resolution, and other revenues and funds, to the extent lawfully available for such purpose, but subject to non-appropriation in any fiscal year. This Note does 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 this Note and shall not constitute debt within the meaning of any constitutional or statutory debt limitation. This Note shall not directly or indirectly obligate the City to make any payments hereon during a fiscal year beyond the fiscal year for which funds have been appropriated 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 this Note during such fiscal year (a "non-appropriation"), the City's obligations under this Note 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 holder of this Note 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 any funds created under the Resolution) of any amounts of principal of and interest on this Note beyond those amounts for which an appropriation has previously been made, and the City shall not be liable to the holders of this Note for any remaining amounts due under this Note or for any costs, damages (including but not limited to consequential damages) or expenses incurred by the holders of this Note as a result of the exercise by the City of the foregoing right of non-appropriation. And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Note were and have been properly existent, had, done and performed in regular and due form and time; and that the total indebtedness of the City, including this Note, does not exceed any constitutional or statutory limitations. IN TESTIMONY WHEREOF, the City of Osceola, Iowa, by its City Council, has caused this Note to be executed by its Mayor and attested by its City Clerk on December 12, 2018. CITY OF OSCEOLA, IOWA By: (DO NOT SIGN) Mayor Attest: (DO NOT SIGN) City Clerk

ABBREVIATIONS The following abbreviations, when used in this Note, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM - as tenants in common UTMA  
(Custodian)

TEN ENT - as tenants by the entireties As Custodian for

TEN - as joint tenants with  
right of survivorship and  
not as tenants in common (Minor)  
under Uniform Transfers to Minors Act  
  
(State)

Additional abbreviations may also be used though not in the list above.

#### ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Note to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER  
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint \_\_\_\_\_, Attorney, to transfer this Note on the books kept for registration thereof with full power of substitution.

Dated:

Signature guaranteed:

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Note in every particular, without alteration or enlargement or any change whatever.

Section 4. The Note shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon shall be delivered to the Registrar for registration and delivery to the Lender, upon receipt of the loan proceeds, and all action heretofore taken in connection with the Loan Agreement is hereby ratified and confirmed in all respects. 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 Urban Renewal Note Payment Fund (the "Payment Fund"). There shall be deposited into the Payment Fund as and when received, the following: (a) any Debt Service Tax Revenues appropriated by the City Council for the payment of principal of and interest on the Note; and (b) any other amounts appropriated by the City Council from any other source for the payment of principal of and interest on the Note. Any funds deposited in the Payment Fund after appropriation by the City Council shall be used solely and only and are pledged to pay the principal of and interest on the Note when due, whether at maturity or upon optional redemption. Section 6. for the purpose of providing funds to pay the principal of and interest on the Note, but subject to the right of non-appropriation reserved in Section 8 hereof, there is hereby provided for each future fiscal year for which an appropriation by the City Council is made pursuant to Section 8 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 following amounts (or such lesser amounts as may be certified by the City pursuant to Section 8 hereof): For collection in the fiscal year beginning July 1, 2019, sufficient to produce the net annual sum of \$84,844; For collection in the fiscal year beginning July 1, 2020, sufficient to produce the net annual sum of \$84,844; For collection in the fiscal year beginning July 1, 2021, sufficient to produce the net annual sum of \$84,844; For collection in the fiscal year beginning July 1, 2022, sufficient to produce the net annual sum of \$84,844; For collection in the fiscal year beginning July 1, 2023, sufficient to produce the net annual sum of \$84,844; For collection in the fiscal year beginning July 1, 2024, sufficient to produce the net annual sum of \$84,844; For collection in the fiscal year beginning July 1, 2025, sufficient to produce the net annual sum of \$84,844; For collection in the fiscal year beginning July 1, 2026, sufficient to produce the net annual sum of \$84,844; For collection in the fiscal year beginning July 1, 2027, sufficient to produce the net annual sum of \$84,844.

Section 7. Pursuant to the provisions of Section 76.4 of the Code of Iowa, each year while the Note remains outstanding and unpaid, any funds of the City which may lawfully be applied for such purpose, including incremental property tax revenues as provided for in Section 403.19 of the Code of Iowa, may be appropriated, budgeted and, if received, used for the payment of the principal of and interest on the Note as the same become due, and if so appropriated, the taxes for any given fiscal year as provided for in Section 6 of this Resolution, shall be reduced by the amount of such alternate funds as have been appropriated for said purpose and evidenced in the City's budget. The City Council hereby declares and reaffirms its intention to use incremental property tax revenues, pursuant to Sections 403.12 and 403.19 of the Code of Iowa for the payment of principal of and interest on the Note. The proceeds of the Note will be used for projects which have been declared to be urban renewal projects of the City, undertaken pursuant to the urban renewal plan for the Osceola Urban Renewal Area and the provisions of Chapter 403 of the Code of Iowa.

Section 8. The principal of and interest on the Note are payable from funds on deposit in the Payment 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 Note. The City presently intends to appropriate sufficient funds for each fiscal year to pay the principal of and interest due on the Note 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 Note during such fiscal year. As part of the City's budget process, the City Administrator is instructed to include in the proposed budget, for consideration by the City Council, an amount necessary to make payments of principal of and interest due on the Note for 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 Note which is to be paid from Debt Service Tax Revenues for such fiscal year. Notwithstanding anything in this resolution to the contrary, the payments of principal and interest due on the Note 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 Note whether from Debt Service Tax Revenues, amounts on deposit in the Payment Fund, or any other source, and no provision of this resolution or the Note 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 Note or 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 Note 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 Note during such fiscal year (a "non-appropriation"), the City's obligation under the Note 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 holder of the Note 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 Payment Fund) of any amounts of principal of and interest on the Note beyond those amounts for which an appropriation has previously been made, and the City shall not be liable to the holders of the Note for any remaining amounts due under the Note or for any costs, damages (including but not limited to consequential damages) or expenses incurred by the holders of the Note as a result of the exercise by the City of the foregoing right of non-appropriation.

Section 9. It is the intention of the City that interest on the Note 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 Note 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 Note as a "Qualified Tax Exempt Obligation" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code. Section 10. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Motion by Gay and second by Hooper to open the public hearing Regarding Development Agreement with Clarke County Development Corporation; Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. Bill Trickey expressed his gratitude for the partnering with to get this project completed. Motion by Hooper and second by Walkup to close the public hearing; Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Hooper to approve RESOLUTION 2018-65 Approving Development Agreement with Clarke County Development Corporation, Authorizing Annual Appropriation Economic Development Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement;; Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

#### RESOLUTION 2018-65

Approving Development Agreement with Clarke County Development Corporation, Authorizing Annual Appropriation Economic Development Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement  
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, this Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa (the "Urban Renewal Tax Revenue Fund"), which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and  
WHEREAS, the Council has amended the Urban Renewal Plan for the Urban Renewal Area to establish a program under which property owners may receive economic development or incremental property tax rebate payments related to economic development projects (the "Development Agreement Program"); and  
WHEREAS, an agreement between the City and Clarke County Development Corporation (the "Corporation" or "CCDC") has been prepared (the "Agreement"), pursuant to which the Corporation would acquire certain property located in the Urban Renewal Area (the "CCDC Project") and the City would provide annual appropriation economic development tax increment payments in a total amount not exceeding \$915,000; and WHEREAS, this City Council, pursuant to Section 403.9 of the Code of Iowa, has published notice, has held a public hearing on the Agreement and has otherwise complied with statutory requirements for the approval of the Agreement; and  
WHEREAS, Chapter 15A of the Code of Iowa ("Chapter 15A") declares that economic development is a public purpose for which a City may provide grants, loans, tax incentives, guarantees and other financial assistance to or for the benefit of private persons; and WHEREAS, Chapter 15A requires that before public funds are used for grants, loans, tax incentives or other financial assistance, a City Council must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and WHEREAS, Chapter 15A requires that in determining whether funds should be spent, a City Council must consider any or all of a series of factors; NOW,  
THEREFORE, It Is Resolved by the City Council of the City of Osceola, Iowa, as follows: Section 1. Pursuant to the factors listed in Chapter 15A, the Council hereby finds that: (a) The CCDC Project will add diversity and generate new opportunities for the Osceola and Iowa economies; (b) the CCDC Project will generate public gains and benefits,

particularly in the development of property in the City's Industrial Park area, which are warranted in comparison to the amount of the proposed property tax incentives. Section 2. The Council further finds that the Agreement is in substantial compliance with the Development Agreement Program, and a public purpose will reasonably be accomplished by entering into the Agreement and providing the property tax payments to the Corporation. Section 3. The Agreement is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute and deliver the Agreement on behalf of the City, in substantially the form and content in which the Agreement has been presented to this City Council, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement. Section 4. All payments by the City under the Agreement shall be subject to annual appropriation by the City Council, in the manner set out in the Agreement. As provided and required by Chapter 403 of the Code of Iowa, the City's obligations under the Agreement shall be payable solely from a subfund which is hereby established, into which shall be paid that portion of the income and proceeds of the Urban Renewal Tax Revenue Fund attributable to property taxes derived from the property described as follows:

MISC Sec 23 SW SE

E Eddy Saylor Business Park Plat II LOT 18

E Eddy Saylor Business Park Plat I LOTS 4, 5 & 6

(the "CCDC Subfund")

Section 5. The City hereby pledges to the payment of the Agreement the CCDC Subfund and the taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Subfund, provided, however, that no payment will be made under the Agreement unless and until monies from the CCDC Subfund are appropriated for such purpose by the City Council. Section 6. After its adoption, a copy of this resolution shall be filed in the office of the County Auditor of Clarke County to evidence the continuing pledging of the CCDC Subfund and the portion of taxes to be paid into such Subfund and, pursuant to the direction of Section 403.19 of the Code of Iowa, the Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof.

Motion by Hooper and second by Fotiadis to approve 2018-66 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 Chapter 122 Title Peddlers, Solicitors, Transient Merchants. Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

**Resolution 2018-66 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 CHAPTER 122 TITLE PEDDLERS, SOLICITORS, TRANSIENT MERCHANTS. 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 December 18 at 7:00 PM to inform the public on the proposed amendments to the City of Osceola Code of Ordinances by amending Chapter 122 titled Title Peddlers, Solicitors, and Transient Merchants to include Mobile Food Units. 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.

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

Fotiadis thought the snow removal was great for how much snow we received. Gay had nothing to report. Walkup brought in cookies for national cookie day. Hooper had nothing to report. Page had nothing to report.

Motion by Fotiadis and second by Hooper to approve the consent agenda: Council Minutes; Liquor License: None; and Reservoir Project: \$340,027.00 for Thompson Easement; Village Note Reimbursement to CCDC \$74,220 and the following claims:

AGRILAND FS - MURRAY,Fuel ,2368.74; AGRIVISION,Supplies,842.58;ALLIANT ENERGY,Utilities,166.34;BARCO MUN. PRODUCTS,Supplies,1918.94;BUD JONES CONSTRUCTION,Services,7814;BUD JONES TRUCKING,Services,215.28; CARQUEST OF OSCEOLA,Supplies,285.04;CENTERPOINT ENERGY,Utilities,1050.25;CENTRAL PUMP & MOTOR, LLC,Services,525.2;CINTAS CORPORTATION,Services,39.43;CLARKE CO RECORDER,Services,235.4;CLARKE CO. LANDFILL COMM,Services,151.35; CR SERVICES,Services,2.5;CRESTON PUBLISHING COMPANY,Publication,715.31; D & D PEST CONTROL,Services,55;DUST PROS JANITORIAL,Services,1328.75; ECHO ELECTRIC SUPPLY,Supplies,817.56;ELECTRONIC ENGINEERING,Services,559.53;EQUIPMENT MANAGEMENT COMPANY,Services,1541;FLEETSIDE FORD,Services,245.63;G & L CLOTHING/COMMERCIAL,Supplies,84.51;GILBERTS TRUE VALUE HOME CENTER,Supplies,76.91;HACH COMPANY,Supplies,496.57;HARD ROCK CAR WASH,Services,150;HIGHWAY LUMBER,Supplies,34.97;IMWCA,Dues,2840; IOWA ONE CALL,Services,77.4;J P AUTO,Supplies,171.13;JETCO INC,Supplies,1718.5;JIM'S SANITATION& TRUCK REPAIR,Services,30441.6; KD TIRES, LLC,Services,636;KIRKHAM MICHAEL & ASSOCIATES,Services,7251.3;MARC ELCOCK,Services,2500;MARTIN MARIETTA MATERIALS,Services,293.32;MEDIACOM,Utilities,419.7;MIKE HENRY,Reimb,203.29;MURPHY TRACTOR AND EQUIPMENT CO.,Services,113.3; NORTHERN BALANCE & SCALE INC,Services,174;O'REILLY AUTOMOTIVE INC.,Supplies,36.62;OSCEOLA FARM & HOME - ALL,Supplies,1130.74;QUALITY GLASS CO.,Services,174.9;SHIELD TECHNOLOGY CORPORATION,Supplies,22446;SIRCHIE,Services,123.52;SNYDER PLUMBING,Supplies,2500;TRANS-IOWA EQUIPMENT, INC,Supplies,425;TRENTON DENNEY,Services,1290;TRUCK EQUIPMENT INC.,Services,34;ULINE,Supplies,72.09;US CELLULAR,Utilities,758.99;VEENSTRA & KIMM INC.,Services,127528.22;WILDER'S TRUCK SERVICE,Services,8; WINDSTREAM,Utilities,579.13;,,Grand Total ,225667.54;Check Number: 290915-290967 Fund Recap: 1,Genearl ,67434.59;32,Building ,7814; 110,Road Use ,13238.04;300,Airport Land ,7251.3;315,Streetscape ,1008.98; 331,Old Plant Sewer,120000;610,Sewer ,6080.63;,,225667.54;

Motion by Fotiadis and second by Walkup to enter into 14. Closed Session pursuant to Iowa Code 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; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried. Motion by Fotiadis and second by Walkup to exit the close session; Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Hooper to direct staff to investigate the alley needs for the downtown project if not needed then talk to the adjacent property owner; Roll Call vote: Fotiadis, aye; Gay, aye; Walkup, aye; Hooper, aye; Page, aye; motion carried.

There being no further business, motion by Fotiadis and second by Hooper to adjourn the meeting at 8:38 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