

OSCEOLA CITY COUNCIL

Tuesday, August 20, 2019

Regular Meeting

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

The City Council met on Wednesday, August 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, Damon Boyd, Dennis Page and Doug Gay (via phone). City Staff present were Ty Wheeler– City/Administrator/Clerk, Britanee Ward-Case – Accounting Manager/Assistant City Clerk, and Curt Jacobsen - Sergeant. Also in attendance was Bill Trickey, Rod Clark and others didn't sign in.

Motion by Hooper and second by Boyd to approve the agenda; roll call vote; Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Mayor Kedley – Phase 1 of the crossing on Highway 34 and Kossuth had a ribbon cutting was referring to that crossing as the “ Henry Crossing”. Wanted to present a Sprit of Osceola to Steve Goodrich for the hard work he has done along Lincoln Street.

Motion by Fotiadis and second by Page to approve the FAA Grant Agreement for Osceola Municipal Airport Land Acquisition for \$309,586.00; roll call vote; Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Hooper approve Phase 1 Archaeological survey for the Clay Street Park project; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Hooper and second by Fotiadis to approve resolution 2019-50 placing traffic control devices; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

RESOLUTION 2019-50 A RESOLUTION TO PLACE TRAFFIC CONTROL DEVICES WHEREAS, Chapter 61.01 states the City Council shall establish by resolution, and cause to placed and maintained, appropriate traffic control; and, WHEREAS, currently there is no stop sign or traffic control device at the intersection of the north/south and east/west alley in Block 12 of Original Osceola; and, WHEREAS, the City Council has determined additional traffic control devices be placed at these intersection; NOW, THEREFORE, BE IT RESOLVED the Council for the City of Osceola hereby calls for stop signs to be placed and maintained at all four corners of the intersection of the north/south and east/west alley in Block 12 of Original Osceola.

Motion by Boyd and second by Hooper to approve 2019-51 setting public hearing for city owned property; roll call vote: Fotiadis, aye; Boyd, aye; Gay, aye; Hooper, aye; Page, aye; motion carried.

Resolution 2019-51 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, October 1, 2019 at 7:00 pm for the purpose of taking public comment regarding the sale of 214 N Adams, 331 N Temple, 217 S Delaware, and 121 S Temple.

Motion by Hooper and second by Page to have the property owner at 121 South Adams to be present at the meeting along with the procedure of moving forward with the house; roll call vote: Fotiadis, aye; Gay, nay; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Hooper and second by Fotiadis to approve the request to use the aquatic center parking lot for student parking during the construction with a hold harmless agreement; roll call vote; Fotiadis, aye; Gay, aye; Hooper, aye; Page, aye; Boyd, aye; motion carried.

Motion by Fotiadis and second by Boyd to approve Ordinance 610 Providing for the Division of Taxes Levied on Taxable Property in the Autumn Ridge Urban Renewal

Area, Pursuant to Section 403.19 of the Code of Iowa; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

ORDINANCE NO. 610 An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Autumn Ridge Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa BE IT ENACTED by the City Council of the City of Osceola, Iowa: Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the Autumn Ridge Urban Renewal Area, each year by and for the benefit of the state, county, city, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the City of Osceola to finance projects in the Autumn Ridge Urban Renewal Area. Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings: "County" shall mean Clarke County, Iowa. "Urban Renewal Area" shall mean the taxable property included in the Autumn Ridge Urban Renewal Area, which is identified below, such property having been identified in the Urban Renewal Plan approved by the City Council by resolution adopted on April 2, 2019: Lots 1-13, West Ridge Townhome Subdivision, City of Osceola, Clarke County, Iowa Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area each year by and for the benefit of the State of Iowa, the County, the City and any school district or other taxing district in which taxable property in the Urban Renewal Area is located, shall be divided as follows: (a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which there is certified to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area. (b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the City to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the City to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, to the extent authorized in Section 403.19 (2) of the Code of Iowa, taxes for the instructional support program levy of a school district imposed pursuant to Section 257.19 of the Code of Iowa, to the extent authorized in Section 403.19(2) of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property. (c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the City for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the County to finance or refinance in whole or in part projects in the Urban Renewal Area. (d) as used in this

section, the word “taxes” includes, but is not limited to, all levies on an ad valorem basis upon land or real property. Section 4.Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional. Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication, as provided by law.

Ty Wheeler – City Administrator/Clerk update Council on various projects.

Fotiadis had questions about the easements and pipe in Harkin Hills. Gay and Boyd had nothing to report. Hooper had concerns regarding trash cans and grass clippings. Page had questions about another dangerous building update.

Motion by Hooper and second by Page to approve the consent agenda: Council Minutes August 6th ; Liquor License: none. EFT Payment Reservoir Hofbauer \$621,758.00;

and the following claims:

Access System, Services, 122.86 ; Alliant Energy, Utilities, 4283.24 ; Amazon.Com Credit, Supplies, 315.7 ; American Patchwork & Quilting, Subscription , 29.97 ; Ardent Lighting Llc, Services, 1383.1 ; Austin Taylor, Reimb, 66.5 ; Baker & Taylor Entertainment, Supplies, 858.55 ; Baker & Taylor Inc., Supplies, 1328.71 ; Better Homes & Gardens, Subscription , 38.01 ; Bsn Sports Inc, Supplies, 80.2 ; Caseys Business Mastercard, Fuel, 2499.19 ; Cengage Learning, Supplies, 92.96 ; Chat Mobility, Utilities, 104.4 ; Cintas Corpotation, Services, 34.58 ; Clarke Co Hospital, Services, 123.07 ; Clarke Co Recorder, Services, 35 ; Clarke Co. Landfill Comm, Services, 120.04 ; Clarke County Animal Shelter, Services, 6000 ; Clarke County Health, Services, 77 ; Clarke Electric Coop, Services, 4948.65 ; Cr Services, Services, 119.32 ; Culligan, Services, 19 ; D&R Feed Inc., Supplies, 137.2 ; Demco Inc, Services, 293.17 ; Diamond Oil Co, Fuel, 1102.19 ; Diana Sagastizado , Reimb, 90.19 ; Directv, Services, 154.81 ; Donna Phillips, Services, 240 ; Dust Pros Janitorial, Services, 1672.85 ; Elliott Oil Co., Fuel, 273.84 ; Follett Software Company, Services, 1042.5 ; Galls/ Quartermaster Llc, Services, 228.49 ; Gilberts True Value Home Center, Supplies, 276.07 ; Golden Eagle Distributing, Supplies, 894.87 ; Golf Cars Of Iowa, Services, 944 ; Good Old Days, Subscription , 29.97 ; Gpm, Services, 462 ; Grit, Subscription , 18.95 ; Hach Company, Supplies, 145.59 ; Highway Lumber, Supplies, 23.07 ; Hostiowa.Net, Services, 1044 ; Hy-Vee Food Stores, Supplies, 1426.59 ; Ideal Ready Mix Co., Services, 955.13 ; International Code Council, Services, 135 ; Invinci Graphics, Services, 4790.98 ; Iowa Beverage, Supplies, 158.1 ; Iowa Communications Network, Services, 2.15 ; J P Auto, Supplies, 46.92 ; Kd Tires, Llc, Services, 35 ; Keystone Laboratories, Inc, Services, 2372.13 ; Liberty Lock And Key, Services, 266.5 ; Luce Const. Llc, Services, 3800 ; Lyle Persels, Reimb, 55 ; Marc Elcock, Services, 2500 ; Mrtin Bros, Services, 276.62 ; Mediacom, Utilities, 838.78 ; Mid America Books, Services, 133.65 ; Midwest Office Tech. Co., Services, 191.25 ; Municipal Emergency Services, Services, 5577.53 ; National Geographic, Subscription , 71.02 ; National Geographic Kids, Subscription , 77.7 ; Northland Products Company, Services, 70.25 ; Osceola Farm & Home - All, Supplies, 777.83 ; Overdrive, Supplies, 978.35 ; Page Portables Llc, Services, 420 ; Pioneer Manufacturing Company, Services, 484 ; Raco Manufacturing & Engineering Co, Services, 495 ; Schildberg Const. Co., Services, 1827.63 ; Scholastic Library Publishing, Subscription , 4.24 ; Service Techs Inc, Services, 202.55 ; Sirwa, Utilities, 100.65 ; Solutions, Supplies, 300.47 ; State Library Of Iowa, Services, 381.74 ; Taste Of Home, Subscription , 33.98 ; The Lifeguard Store, Services, 79.45 ; Trenton Denney, Services, 2275 ; Verizon, Utilities, 280.17 ; Wash & Weigh, Services, 47.5 ; Windstream, Utilities, 712.32 ; Zimco Supply Co., Supplies, 200.79 ; , Grand Total , 65135.78 ; Check Numbers: 292242-292319, , ; Eft's: 3 Fund Recap:; 1, General, 42877.02 ; 33, Golf Course, 7641.03 ; 110, Road Use Tax , 2028.14 ; 610, Sewer , 12589.59 ; , Grand Total , 65135.78 ;

Motion by Fotiadis and second by Boyd to enter into close session Pursuant to Chapter 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 the property or reduce the price the governmental body would receive for that property; roll call vote: Fotiadis; aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried. Motion by Fotiadis and second by Page to exit close session roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Boyd to pursue further development agreements between: HGI Lakeside Casino, Clarke County Development Corporation and RTC Ventures; roll call vote: Fotiadis, aye; Gay, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

There being no further business, motion by Fotiadis and second by Hooper to adjourn the meeting at 8:26 PM. All voting aye, motion carried.

Thomas J. Kedley –Mayor

Attest:

Britanee Ward-Case – Accounting Manager/ Assistant City Clerk
Website: osceolaia.net
(Published in the Osceola Sentinel-Tribune on 08/15/2019 for \$137.38.)

UNOFFICIAL