

OSCEOLA CITY COUNCIL

Tuesday February 18, 2020

Regular Meeting

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

The City Council met on Tuesday, February 18, 2020 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, Dennis Page (Phone), and Damon Boyd. Doug Gay was absent. City Staff present were Ty Wheeler– City/Administrator/Clerk, Britanee Ward-Case – Accounting Manager/Assistant City Clerk, and Marty Duffus – Police Chief. Also, in attendance was Tyra Audlehelm, Ed Stoll, Paula McClaffin and others who didn't sign in.

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

No one spoke during open forum.

Mayor Thomas Kedley wanted to thank everyone for working on the Fiscal Year budget 2020-2021 keeping it tax neutral.

Motion by Fotiadis and second by Page to approve resolution 2020-07 setting public hearing for The Sale By Sealed Bid Of City Owned Real Estate (217 South Delaware); roll call vote: Fotiadis, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Resolution 2020-07 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, March 3, 2020 at 7:00 pm for the purpose of taking public comment regarding the sale of 217 S Delaware.

Motion by Fotiadis and second by Boyd to open public hearing the proposed amendments to Chapter 136 titled Sidewalk Regulations; roll call vote: Fotiadis, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried. There were no written comments regarding the proposed change. Paula McClaffin expressed that she would be happy to pay for heated sidewalks. No one else spoke during public hearing, motion by Boyd and second by Fotiadis to close the public hearing; roll call vote: Fotiadis, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Boyd to approve the first reading of amending Chapter 136 titled Sidewalk Regulations; roll call vote: Fotiadis, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Boyd to open public hearing regarding on not to exceed \$3.2 million sewer revenue refunding bonds; roll call vote: Fotiadis, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried. There were no written or oral comments during public hearing. Motion by Boyd and second by Hooper to close public hearing; roll call vote: Fotiadis, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Hooper to approve resolution 2020-08 Expressing intent to enter into Sewer Revenue Refunding Loan Agreement; roll call vote: Fotiadis, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

RESOLUTION NO. 2020-08 Expressing intent to enter into Sewer Revenue Refunding Loan Agreement WHEREAS, the City of Osceola (the "City"), in Clarke County, State of Iowa, has proposed to enter into a Sewer Revenue Refunding Loan Agreement (the "Loan Agreement") in a principal amount not to exceed \$3,200,000 pursuant to the provisions of Section 384.24A, related to refunding the outstanding balance of the City's Sewer Revenue Improvement and Refunding Bonds, Series 2012, and has published notice of the proposed action and has held a hearing thereon, and WHEREAS, the City intends to enter into the Loan Agreement in the future; NOW, THEREFORE, Be It

Resolved by the City Council of the City of Osceola, Iowa, as follows: Section 1. The City Council declares its intent to enter into the Loan Agreement and also declares that this resolution constitutes the “additional action” required by Section 384.24A of the Code of Iowa, with respect to the Loan Agreement. Section 2. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Motion by Fotiadis and second by Boyd to approve resolution 2020-09 setting public hearing on a general obligation loan agreement in a principal amount not to exceed \$340,000; roll call vote: Fotiadis, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

RESOLUTION NO. 2020-09

Resolution to fix a date for a public hearing on a general obligation loan agreement in a principal amount not to exceed \$340,000 WHEREAS, the City of Osceola (the “City”), in Clarke County, State of Iowa, proposes to enter into a General Obligation Corporate Purpose Loan Agreement (the “Loan Agreement”) in a principal amount not to exceed \$340,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the cost, to that extent, of street improvements and the acquisition of equipment for the fire department (the “Projects”), 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 3rd day of March, 2020, 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 LOAN AGREEMENT IN A PRINCIPAL AMOUNT NOT TO EXCEED \$340,000 The City Council of the City of Osceola, Iowa, will meet on the 3rd day of March, 2020, 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 loan agreement (the “Loan Agreement”) in a principal amount not to exceed \$340,000, for the purpose of paying the cost, to that extent, of street improvements and acquisition of equipment for the fire department. 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 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. Pursuant to Section 1.150-2 of the Income Tax Regulations (the “Regulations”) of the Internal Revenue Service, the City declares (a) that it intends to undertake the Projects, which are reasonably estimated to cost approximately \$340,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the “Bonds”), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Projects have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the Projects out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Motion by Fotiadis and second by Boyd to approve the R-O-W survey and design prefer the City does the R-O-W acquisition (as long as it doesn’t affect anything else); roll call vote: Fotiadis, aye; Boyd, aye; Hooper, nay; Page, aye motion carried.

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

Council had nothing to report at this time.

Motion by Fotiadis and second by Boyd to approve the consent agenda: Council Minutes February 4th ; Liquor License: Las Botas Mexican Grill (New; Pending Dram Shop) ; d. Wage Adjustment, Officer Tyson Rumley, 5-year anniversary, \$25.34 to \$26.61; Cody Robinson, WW Grade I certification, \$18.50 to \$18.74; CCRC Bond Proceeds Transfer: \$211,080

and the following claims:

A-1 WINDOW SERVICE, Services , 60 ; AGRILAND FS - MURRAY, Services , 1196.6 ; AGRIVISION, Supplies, 247.86 ; ALLIANT ENERGY, Utilities, 4094.62 ; ARROW ENERGY, Utilities, 20304.47 ; BARCO MUN. PRODUCTS, Services , 140.67 ; BLACKSTRAP, INC, Services , 1727.63 ; BOB BARKER COMPANY INC., Services , 101.36 ; BUD JONES CONSTRUCTION, Services , 25525.43 ; CANON FINANCIAL SERVICES INC, Services , 87.51 ; CAPITAL CITY EQUIPMENT CO., Services , 754.12 ; CARD SERVICES - CITY CREDIT, Supplies, 1147.02 ; CARROT-TOP INDUSTRIES INC, Supplies, 2046.1 ; CASEYS BUSINESS MASTERCARD, Fuel, 2817.17 ; CENTRAL PUMP & MOTOR, LLC, Services , 727.2 ; CHAT MOBILITY, Utilities, 176.02 ; CHESNUT LAWN & LANDSCAPE, Services , 1135 ; CLARKE CO AUDITOR, Services , 6191.58 ; CLARKE CO RECORDER, Services , 27 ; CLARKE CO. RESERVOIR COMM., Services , 211080 ; CLARKE COUNTY SHERIFF, Services , 35 ; CLARKE ELECTRIC COOP, Utilities, 4816.04 ; CODY ROBINSON, Reimb, 90 ; DEPT. OF NAT. RESOURCES, Dues, 130 ; DIAMOND OIL CO, Fuel, 633.34 ; DIRECTV, Services , 162.24 ; DIVERSIFIED METAL FABRICATORS, Services , 500 ; DORSEY & WHITNEY, Services , 6000 ; DUST PROS JANITORIAL, Services , 1378 ; ECOSYSTEMS INC, Services , 6300 ; ELECTRONIC ENGINEERING, Services , 1821.34 ; ELLIOTT OIL CO., Fuel, 476.26 ; FBI-LEEDA, Services , 50 ; FIRE SERVICE TRAINING BUREAU, Services , 650 ; FLEETSIDE FORD, Services , 250.83 ; GILBERTS TRUE VALUE HOME CENTER, Supplies, 276.78 ; HACH COMPANY, Services , 243.53 ; HIGHWAY LUMBER, Supplies, 1847.58 ; HOSTIOWA.NET, Services , 852 ; IA ASSN OF MN. UTILITIES, Dues, 400 ; IACP, Dues, 190 ; IMFOA, Dues, 20 ; INTERNATIONAL CODE COUNCIL, Supplies, 60.5 ; IOWA DEPT. OF REVENUE, Services , 4462 ; OWA FIREFIGHTERS ASSOCIATION, Services , 390 ; OWA NARCOTICS OFFICERS ASSOC, Services , 500 ; IOWA ONE CALL, Services , 61.2 ; IOWA PUBLIC AIRPORT ASSO, Services , 175 ; J P AUTO, Supplies, 257.16 ; JORDAN'S TREE SERVICE, Services , 1350 ; KD TIRES, LLC, Services , 90 ; KIRKHAM MICHAEL & ASSOCIATES, Services , 1000 ; MARC ELCOCK, Services , 2500 ; MEDIACOM, Utilities, 398.29 ; MIDWEST OFFICE TECH. CO., Services , 81.54 ; NORTHLAND PRODUCTS COMPANY, Services , 558.5 ; O'REILLY AUTOMOTIVE INC., Supplies, 31.34 ; OSCEOLA FARM & HOME - ALL, Supplies, 382.56 ; PETERBILT OF DES MOINES, Supplies, 385.55 ; POWERPLAN, Supplies, 172.82 ; SENIOR CITIZEN SOC. CEN., Services , 3000 ; SIRWA, Utilities, 45.78 ; SOLUTIONS, Supplies, 10410.12 ; SPOKE COMMUNICATIONS, LLC, Services , 220 ; SPRAYER SPECIALTIES INC., Services , 119.32 ; SWCC, Services , 50 ; TRUCK EQUIPMENT INC., Services , 502.65 ; VERIZON, Utilities, 280.09 ; WASH & WEIGH, Services , 47.5 ; WATCHGUARD, Supplies, 6672.7 ; WINDSTREAM, Utilities, 819.88 ;, Grand Total , 341734.8 ; EFT 0043-0046 ; Check Numbers: 293167-293234, ; Fund Recap: ,1, General , 68849.62 ; 33, Golf Course, 3248.73 ; 110, Road Use tax , 9369.88 ; 300, Airport Land Acquisition , 1000 ; 311, Resviour , 211080 ; 502, Police Forferiture , 371.98 ; 610, Sewer , 47814.59 ;, Grand Total , 341734.8 ;

Motion by Fotiadis and second by Boyd to enter into Closed Session Pursuant to Iowa Code Section 21.5.1(j)- To discuss the purchase 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 the property; roll call vote; Fotiadis, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried. Motion by Fotiadis and second by Body to exit close session; roll call vote: Fotiadis, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

Motion by Fotiadis and second by Boyd to authorize an offer up to \$50,000 for the acquisition of 801 East McLane subject to a closing date of no later than May 1st, removal of all tenants by seller prior to conveyance, and 100% grant funding for the acquisition by the CCDC. Roll call vote: Fotiadis, aye; Boyd, aye; Hooper, aye; Page, aye; motion carried.

There being no further business, motion by Hooper and second by Boyd to adjourn the meeting at 8:11 PM. All voting aye, motion carried.

Thomas J. Kedley –Mayor

Attest:

Britanee Ward-Case – Accounting Manager/ Assistant City Clerk

UNOFFICIAL