

OSCEOLA CITY COUNCIL

Tuesday, December 20, 2022

Regular Meeting

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

<http://osceolaia.net/>

The City Council met on Tuesday, December 20, 2022 at 7:00 p.m. for a Regular scheduled meeting. The meeting was called to order by Mayor Thomas Kedley. With the following present: Council Members: George Fotiadis, Dan Hooper, and Thomas Bahls, Missy Cline and Doug Gay. City Staff present were Ty Wheeler—City- Administrator, Britanee Ward – City Clerk and Marty Duffus – Police Chief. All Council Meetings are streamed on the City's Website during Council meeting. The following were at the meeting: Colter Wright and Austin Taylor.

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

Mayor update Council on various meetings and projects he has been involved with.

Motion by Gay and second by Fotiadis to approve the following board appointment:

- a.) Appointment of Jose Vargas to the Osceola Library Board of Trustees to complete the unexpired term for Terry Jacobsen (term expires 12/30/2024).

Roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Bahls, aye; Cline, aye motion carried.

No one spoke during open forum.

Motion by Fotiadis and second by Gay to issues a municipal infraction to 525 S Lincoln for the Mini Pigs not being removed; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Bahls, aye; Cline, aye; motion carried.

Motion by Gay and second by Fotiadis to propose a meeting with Hometown Housing, USA for the end January 31st; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Bahls, aye; Cline, aye; motion carried.

Motion by Gay and second by Fotiadis to approve the second reading of Ordinance Amending Chapter 55 of the City of Osceola Code of Ordinances pertaining to Animal Protection and Control; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Bahls, aye; Cline, aye; motion carried.

Motion by Hooper and second by Fotiadis to approve the third reading of the Ordinance Vacating the Wilson Street ROW; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Bahls, aye; Cline, aye; motion carried.

Ordinance

AN ORDINANCE PROVIDING FOR THE VACATION AND CONVEYANCE OF PUBLIC ROW 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 hereby 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 Public ROW is hereby declared vacated: All of the Wilson Street ROW abutting and adjacent to Lots 1 & 4 in Block 3 of North East Osceola in the City of Osceola, IA. All of the Wilson Street ROW abutting and adjacent to Lot 5 in Block 3 of North East Osceola in the City of Osceola, IA.

All of the Wilson Street ROW abutting and adjacent to Lots 8 in Block 3 of North East Osceola in the City of Osceola, IA. All of the Wilson Street ROW abutting and adjacent to Lot 9 in Block 3 of North East Osceola in the City of Osceola, IA. All of the Wilson Street ROW abutting and adjacent to Lot 1 in Block 4 of North East Osceola in the City of Osceola, IA. All of the Wilson Street ROW abutting and adjacent to Lot 9 in Block 4 of North East Osceola in the City of Osceola, IA. All of the Wilson Street ROW abutting and adjacent to Lot 1 in Block 4 of North East Osceola in the City of Osceola, IA. All of the Wilson Street ROW abutting and adjacent to Lot 1 in Block 7 of North East Osceola in the City of Osceola, IA. All of the Wilson Street ROW abutting and adjacent to Lot 8 in Block 7 of North East Osceola in the City of Osceola, IA. All of the Wilson Street ROW abutting and adjacent to Lot 1 in Block 7 of North East Osceola in the City of Osceola, IA. All of the Wilson Street ROW abutting and adjacent to Lot 1 in Block 8 of North East Osceola in the City of Osceola, IA. All of the Wilson Street ROW abutting and adjacent to Lot 8 in Block 8 of North East Osceola in the City of Osceola, IA. 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 Fotiadis and second by Hooper to setting a public hearing for January 3rd for the ordinance change for prohibiting parking from 2 AM to 5 AM in the Central Business District; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Bahls, aye; Cline, aye; motion carried.

Motion by Gay and second by Hooper to approve the Federal AIP Preapplication for Federal Fiscal Year 2024; roll call vote: Fotiadis, aye; Gay, aye; Bahls, aye; Hooper, aye; Cline, aye; motion carried.

Motion by Hooper and second by Fotiadis to approve proposal of accruing sick time like vacation time; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Bahls, aye; Cline, aye; motion carried.

Ty Wheeler – City Administrator update Council on various projects.

Britanee Ward – City Clerk reporting on Golf Cart Permits online.

Council & Mayor wanted to Wish everyone Merry Christmas and Happy Holidays.

Motion by Hooper and second by Fotiadis to approve the consent agenda:

- a.) Bills & Claims; Bills & Claims paid per Chapter 7 in City Ordinance;
- b.) b. Council Minutes: December 5th
- c.) c. Liquor License: None
- d.) d. CDBG Drawdown 16 – 20-WS-036 - \$2,966.00
- e.) e. Pay Estimate 15 – Contract 2 – OLP Construction LLC - \$10,708.40
- f.) f. Resolution For Special Assessments of Nuisance Fees 2022-46
- g.) Change Order 5 – Contract 2 - \$55,893.67
- h.) Pay Estimate 20 – Contract 1 – Weiss Construction

Parcel #	Parcel Address	Case Date	Violation	Fee Amount
1111	120 W CASS	5/12/2022	Chapter 52 Mowing	\$100.00

1111	120 W CASS	5/12/2022	Chapter 52 Mowing	\$100.00
1111	120 W CASS	5/12/2022	Chapter 52 Mowing	\$150.00
1111	120 W CASS	5/12/2022	Chapter 52 Mowing	\$75.00
678	216 E CLAY	5/11/2022	Chapter 52 Mowing	\$75.00
678	216 E CLAY	5/11/2022	Chapter 52 Mowing	\$97.50
678	216 E CLAY	5/11/2022	Chapter 52 Mowing	\$100.00
678	216 E CLAY	5/11/2022	Chapter 52 Mowing	\$75.00
678	216 E CLAY	5/11/2022	Chapter 52 Mowing	\$100.00
678	216 E CLAY	5/11/2022	Chapter 52 Mowing	\$100.00
1617	217 S TEMPLE	5/12/2022	Chapter 52 Mowing	\$75.00
1617	217 S TEMPLE	5/12/2022	Chapter 52 Mowing	\$75.00
1617	217 S TEMPLE	5/12/2022	Chapter 52 Mowing	\$100.00
1617	217 S TEMPLE	5/12/2022	Chapter 52 Mowing	\$100.00
1617	217 S TEMPLE	5/12/2022	Chapter 52 Mowing	\$100.00
1617	217 S TEMPLE	5/12/2022	Chapter 52 Mowing	\$75.00
1617	217 S TEMPLE	5/12/2022	Chapter 52 Mowing	\$100.00
1617	217 S TEMPLE	5/12/2022	Chapter 52 Mowing	\$150.00
683	221 N PARK	7/26/2022	Chapter 52 Mowing	\$100.00
627	316 N ADAMS	5/11/2022	Chapter 52 Mowing	\$75.00
627	316 N ADAMS	5/11/2022	Chapter 52 Mowing	\$75.00
627	316 N ADAMS	5/11/2022	Chapter 52 Mowing	\$249.75
627	316 N ADAMS	5/11/2022	Chapter 52 Mowing	\$100.00
627	316 N ADAMS	5/11/2022	Chapter 52 Mowing	\$100.00
627	316 N ADAMS	5/11/2022	Chapter 52 Mowing	\$100.00
1707	317 E AYERS	5/11/2022	Chapter 52 Mowing	\$249.98
481	401 S MCPHERSON	6/15/2022	Chapter 52 Mowing	\$100.00
481	401 S MCPHERSON	6/15/2022	Chapter 52 Mowing	\$75.00
1595	402 W JEFFERSON	5/11/2022	Chapter 52 Mowing	\$112.50
1595	402 W Jefferson	5/11/2022	Chapter 52 Mowing	\$75.00

1595	402 W JEFFERSON	5/11/2022	Chapter 52 Mowing	\$75.00
1595	402 W JEFFERSON	5/11/2022	Chapter 52 Mowing	\$75.00
1595	402 W JEFFERSON	5/11/2022	Chapter 52 Mowing	\$100.00
1595	402 W JEFFERSON	5/11/2022	Chapter 52 Mowing	\$100.00
1595	402 W JEFFERSON	5/11/2022	Chapter 52 Mowing	\$100.00
1595	402 W JEFFERSON	5/11/2022	Chapter 52 Mowing	\$100.00
1596	403 W JEFFERSON	5/12/2022	Chapter 145 Dangerous Building	\$550.00
13990	530 N FILLMORE	5/27/2022	Chapter 52 Mowing	\$150.00
13990	530 N FILLMORE	5/27/2022	Chapter 52 Mowing	\$100.00
459	600 N FILLMORE	5/11/2022	Chapter 52 Mowing	\$75.00
459	600 N FILLMORE	5/11/2022	Chapter 52 Mowing	\$100.00
1457	620 W JEFFERSON	11/1/2022	Chapter 145 Dangerous Building	\$550.00

Grand Total in special assessments \$5,234.73

The following Claims were paid:

ACCESS SYSTEM ,Services, 166.9;ALLIANT ENERGY ,Utilities, 1650.71;AMAZON.COM CREDIT ,Supplies, 886.54;AMERICAN FENCE COMPANY OF IOWA ,Services, 285;AMERICAN STATE BANK ,Debt, 419528.4;ATLANTIC BOTTLING CO. ,Supplies, 80.31;Austin Taylor ,Services, 500;Ben Bishop ,Services, 500;BLACKBURN MFG. CO. ,Supplies, 129.81;Bobbie Fuller ,Services, 500;Bryant Schlitz ,Services, 500;Byron Jimmerson ,Services, 500;CANON FINANCIAL SERVICES INC ,Services, 62.67;CARD SERVICES - CITY CREDIT ,Supplies, 1335.73;CASEYS BUSINESS MASTERCARD ,Fuel, 2831.23;CENTRAL PUMP & MOTOR, LLC ,Services, 7048.72;CHESNUT LAWN & LANDSCAPE ,Services, 979;Chris Mann ,Services, 500;CINTAS-SERVICES (GF) ,Services, 19.09;Clarke Co Cattlemen ,Refund, 150;CLARKE COUNTY ANIMAL SHELTER ,Services, 6000; CLARKE ELECTRIC COOP ,Utilities, 7168.36;Clay Waugh ,Services, 500;COLE-PARMER ,Supplies, 209.66;COMMUNICATIONS SOLUTIONS ,Services, 3905.75;CREATIVE PRODUCT SOURCING, INC.-DARE ,Supplies, 276.43;CUSTOM CONCRETE TECHNOLOGIES ,Services, 35860;Dean Spalding ,Services, 500;DECATUR COUNTY SHERIFFS OFFICE ,Services, 42;DEMCO INC ,Supplies, 72.51;DIAMOND OIL CO ,Fuel, 907.47;DIRECTV ,Utilities, 347.55;DUST PROS JANITORIAL ,Services, 1329.25;Dustin Taylor ,Services, 500;Earnest Pettit ,Services, 500;ECOSYSTEMS INC ,Services, 5600;ELLIOTT OIL CO. ,Fuel, 586.94;FAREWAY STORES ,Supplies, 136.01;FLEETSIDE FORD ,Services, 191.23;GALLS PARENT HOLDINGS, LLC ,Supplies, 230.3;GILBERT HOME COMFORT ,Services, 80850;GILBERTS TRUE VALUE HOME CENTER ,Supplies, 100.16;GLOBAL PAYMENTS ,Services, 528;GOLDEN EAGLE DISTRIBUTING ,Supplies, 193;HACH COMPANY ,Supplies, 845;HENDERSON PRODUCTS INC ,Supplies, 449.75;HIGHWAY LUMBER ,Supplies, 264.9;HOTSYS CLEANING SYSTEMS ,Supplies, 70.2;Hunter Simpson ,Services, 500;HY-VEE - HANDWRITTEN CHECKS ,Supplies, 96.44;HY-VEE FOOD STORES ,Supplies, 5.34;IOWA DEPARTMENT OF REVENUE ,Tax, 6005.86;IOWA LEAGUE OF CITIES ,Services, 125;IOWA PUBLIC AIRPORT ASSO ,Services, 175;J P AUTO ,Supplies, 1101.84;James Robison ,Services, 300;KD TIRES, LLC ,Services, 145;Kennedi Wojtowicz ,Services, 300;KIMBALL MIDWEST ,Supplies, 188.67;KIRKHAM MICHAEL & ASSOCIATES ,Project, 9610.72;LINDA PERSELS ,Services, 1451.66;MARC ELCOCK ,Services, 2500; MEDIACOM ,Utilities, 1010.9;MID-IOWA SOLID WASTE EQUIPMENT CO., INC ,Supplies, 1473.42;MIDWEST OFFICE TECH. CO. ,Services, 702.31;Mike Spalding

,Services, 500;Misty Schlitz ,Services, 500;Nathan Edgar ,Services, 500;OLP CONSTRUCTION LLC ,Project, 10708.4;OSCEOLA FARM & HOME - ALL ,Supplies, 538;OSCEOLA SENTINEL-TRIBUNE ,Services, 51;PAYROC LLC ,Services, 205.44;PENWORTHY COMPANY ,Supplies, 177.69;Phillip Johnson ,Services, 500;QT POD ,Supplies, 246.56;RDG PLANNING & DESIGN ,Services, 3250;Richard Thomas ,Services, 500;SCHILDBERG CONST. CO. ,Supplies, 709.9; SIRWA ,Utilities, 58.25;SITLERS SUPPLIES INC ,Supplies, 556.47;SOLUTIONS ,Supplies, 827.83;SOUTHWEST DISTRIBUTING CO ,Supplies, 52.6;Tammy Thomas ,Services, 500;Travis Thompson ,Services, 300;TEESNAP ,Services, 539.42;U.S. POST OFFICE ,Services, 140;USA BLUEBOOK ,Supplies, 671.47;UTILITY EQUIPMENT CO. ,Supplies, 2192.09;VERIZON ,Communications, 400.18;Will Jensen ,Services, 500; WEISS CONSTRUCTION COMPANY LLC ,Project, 556367.5;WINDSTREAM ,Utilities, 1195.88;ZIEGLER INC ,Supplies, 189.81;ZIMCO SUPPLY CO. ,Supplies, 465.5;ZORO TOOLS, INC ,Supplies, 2420;Grand Total ,, 1197774.73;Check Numbers: 298434-298520 ,, ;EFT: 000677-000689 ,, ;Fund Recap: ,, ;1 ,General , 42133.33;32 ,UR Building Fund, 17040.75;33 ,Golf Course, 2644.77;110 ,Street , 37799.31;135 ,Urban Renewal Fund, 68000;200 ,Debt Service Fund, 419528.4;307 ,Airport Turnarounds 2022, 9610.72;317 ,Sewer Plant , 567075.9;610 ,Waste Water , 33941.55; ,Grand Total , 1197774.73;

Roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Bahls, aye; Cline, aye; motion carried

Motion by Fotiadis and second by Hooper to enter into Closed Session Pursuant to Iowa Code Chapter 21.5(1.C): 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; Hooper, aye; Bahls, aye; Cline, aye; motion carried. Motion by Fotiadis and second by Gay to exit close session; roll call vote: Fotiadis, aye; Bahls, aye; Gay, aye; Hooper, aye; Cline, aye; motion carried.

There was no action taken at this time regarding Consideration and Possible Action Regarding the sale of city owned property.

Motion by Fotiadis and second by Hooper to accept the sanitary sewer easement and dedication sanitary sewer system on the contingent the pump is replaced before City takes ownership; roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Bahls, aye; Cline, aye; motion carried.

There being no further business, motion by Gay and second by Hooper to adjourn the meeting at 8:04 PM. All voting aye, motion carried.

Thomas Kedley - Mayor

Attest:

Britanee Ward – City Clerk

Website: osceolaia.net