

## OSCEOLA CITY COUNCIL

Tuesday, November 21, 2023

Regular Meeting

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

\*<http://osceolaia.net/>\*

The City Council met on Tuesday, November 21, 2023 at 7:00 p.m. for a Regular scheduled meeting. The meeting was called to order by Mayor-Pro Tem George Fotiadis. Thomas J. Kedley was absent. With the following present: Council Members: Dan Hooper, Doug Gay and Jose Vargas. Thomas Bahls arrived at 7:04 PM. City Staff present were Ty Wheeler–City- Administrator, Britanee Ward – City Clerk, and Curt Jacobsen - Captain. All Council Meetings are streamed on the City's Website during Council meeting. The following were at the meeting: Colter Wright and Sonya Hicks.

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

George Fotiadis expressed to Council the article in a magazine about our Osceola Amtrak.

No one spoke during open forum.

Motion by Hooper and second by Vargas to approve the the special events permit for Christmas in the Park presented by the Osceola Chamber Main Street; roll call vote; Gay, aye; Hooper, aye; Vargas, aye; Fotiadis, aye; motion carried.

Thomas Bahls arrived at 7:04 PM.

Motion by Gay and second by Bahls to approve resolution 2023-52 making award of contractor for the CDBG COVID 19 Façade Grant (20-CVN-019) to Barry Larson & Sone Amount bid of \$742,000. Roll call vote: Gay, aye; Hooper, aye; Bahls, aye; Vargas, aye; Fotiadis, aye; motion carried.

Bids for the Project are:

Christner Contracting Inc - \$804,012.00

Barry Larson & Sons - \$742,000.00

### **Resolution 2023-52:**

RESOLUTION MAKING AWARD OF CONTRACT FOR THE CDBG COVID 19 FAÇADE GRANT PROJECT (20-CVN-016) BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OSCEOLA, IOWA: Section 1. That the following bid for the construction of certain public improvements described as the CDBG Covid 19 Façade Grant Project (20-CVN-016), described in the plans and specifications heretofore adopted by this Council on October 17, 2023, be and is hereby accepted, the same being the lowest responsive, responsible bid received for said work, as follows: Contractor: Barry Larson & Son Amount of bid: \$742,000 Section 2. That said bid is subject to review and approval of an executed contract and bond by the City Council.

Motion by Hooper and second by Bahls to approve the third reading of the Ordinance Amending Chapters 41 and 55.14 of the City of Osceola Code of Ordinance pertaining to Slaughtering and Displaying of Dead Animals. Roll call vote: Gay, aye; Hooper, aye; Bahls, aye; Vargas, aye; Fotiadis, aye; motion carried.

Ordinance 662:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OSCEOLA, IOWA, BY AMENDING PROVISIONS PERTAINING TO SLAUGHTERING AND DISPLAYING OF DEAD ANIMALS Be It Enacted by the City Council of the City of Osceola, Iowa: SECTION 1. NEW SECTION. Chapter 40 of the Code of Ordinances of the City of Osceola, Iowa, is amended by adding new Section 40.06, entitled SLAUGHTERING RESTRICTED, which hereby adopted to read as follows: 40.06 SLAUGHTERING RESTRICTED. No person shall slaughter any livestock in open

view within a residential area. 1. Admitted violations imposed by this Code of Ordinances may be charged upon a simple notice of a fine payable at the office of the Police Department. The simple notice of a fine shall be in the amount of fifty dollars (\$50) for all first violations, one hundred dollars (\$100) for all second violations and one hundred fifty (\$150) for all subsequent violations thereafter. 2. This section shall not apply to any commercial, industrial, or agricultural use in compliance with the city's zoning regulation or otherwise regulated by the USDA. SECTION 2. NEW SECTION. Chapter 55 of the Code of Ordinances of the City of Osceola, Iowa, is amended by adding new Section 55.23, entitled DISPLAYING OF DEAD ANIMALS, which hereby adopted to read as follows: 55.23 DISPLAYING DEAD ANIMALS. No person shall display a dead animal in public view. 1. Admitted violations imposed by this Code of Ordinances may be charged upon a simple notice of a fine payable at the office of the Police Department. The simple notice of a fine shall be in the amount of fifty dollars (\$50) for all first violations, one hundred dollars (\$100) for all second violations and one hundred fifty (\$150) for all subsequent violations thereafter. 2. This section shall not apply to the routine cleaning and handling of game or fish game, or the processing or preparation of any variety of meat for the purposes of grilling, roasting, smoking, cooking, or proper storage. SECTION 3. EVERABILITY 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 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Motion by Bahls and second by Vargas to approve the sewer credit of \$79.01 for 403 East Vine; roll call vote: Gay, aye; Hooper, nay; Bahls, aye; Vargas, aye; Fotiadis, aye; motion carried.

Ty Wheeler – City Administrator update Council on various projects.

Britanee Ward – City Clerk had nothing to report at this time.

Curt Jacobsen – Captain had nothing to report at this time.

Gay had nothing to report. Hooper wished everyone a good Thanksgiving. Bahls wanted to thank Denney Construction for their work on the demo of 101-103 West Washington and thank the staff for the work on the approaches at the Golf course. Vargas wanted to congratulate everyone at the election and thank everyone who voted.

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

- a. Bills & Claims; Bills & Claims paid per Chapter 7 in City Ordinance;
- b. Council Minutes: November 14<sup>th</sup>
- c. Liquor License: Osceola Travel Plaza BP; Casey's General Store #3212 (LE00002275); Pilot Travel Center #131;
- d. FY 2023 Annual UR Report and Appropriation Resolution

The following Claims were paid:

CASEYS BUSINESS MASTERCARD ,CITY: FUEL,3400.38;  
641 TECH ,LIBRARY: SERVICES,60;  
ACCESS SYSTEM ,LIBRARY: SERVICES,161.81;  
AHLERS & COONEY PC ,CITY: SERVICES,85.5;  
BAKER & TAYLOR ENTERTAINMENT ,LIBRARY: SUPPLIES,31.35;  
BAUER BUILT ,FIRE: SUPPLIES,738.38;  
BOB'S CUSTOM TROPHIES ,CITY: SUPPLIES,77.95;  
BOOK SYSTEM INC ,LIBRARY: SUPPLIES,1630;  
CANON FINANCIAL SERVICES INC ,FIRE: SERVICES,62.67;  
CARD SERVICES - CITY CREDIT ,CITY: SERVICES,1244.23;  
CINTAS CORPORTATION (PW) ,STREET: SUPPLIES,40.47;  
CULLIGAN ,LIBRARY: SUPPLIES,18.48;  
DES MOINES REGISTER ,PD; SERVICES,2782.05;  
DIRECTV ,AIRPORT: UTILITIES,179.13;  
ECHO ELECTRIC SUPPLY ,CITY: SUPPLIES,2803.8;  
ELLIOTT OIL CO. ,FIRE: FUEL,663.71;  
GILBERTS TRUE VALUE HOME CENTER ,STREET: SUPPLIES,48.42;  
HALLETT MATERIALS ,P&R: SUPPLIES,9042.78;

HIGHWAY LUMBER ,P&R: SUPPLIES,2681.98;  
IDEAL READY MIX CO. ,GOLF COURSE: SERVICES,15326;  
INTERNATIONAL ASSOC OF CHIEFS OF POLICE ,PD: SERVICES,190;  
INTERSTATE POWERSYSTEMS ,WWTP: SERVICES,1806.42;  
IOWA DEPARTMENT OF REVENUE ,CITY: SALES TAX,6556.5;  
J P AUTO ,P&R: SUPPLIES,353.08;  
KIRKHAM MICHAEL & ASSOCIATES ,AIRPORT: SERVICES,16692.32;  
MEDIACOM ,LIBRARY: UTILITIES,382.04;  
MID AMERICA BOOKS ,LIBRARY: SUPPLIES,178.6;  
MITCHELL'S MOBILE REPAIR ,PD: SERVICES,175;  
NORTH CENTRAL LABORATORIES OF WISCONSIN ,WWTP: SUPPLIES,137.48;  
NORTHERN BALANCE & SCALE INC ,WWTP: SUPPLIES,552;  
OSCEOLA FARM & HOME ,STREET: SUPPLIES,10.99;  
OVERDRIVE INC ,LIBRARY: SERVICES,1437.15;  
RUETER'S RED POWER ,P&R: SERVICES,3804.13;  
RUSTY'S AUTO SALES & SER ,CITY: SERVICES,1032.27;  
RYCHNOVSKY LAWN & LANDSCAPE ,P&R: SERVICES,9550;  
STATE LIBRARY OF IOWA ,LIBRARY: SERVICES,142;  
TRUCK EQUIPMENT INC. ,STREET: SUPPLIES,3316.82;  
US CELLULAR ,LIBRARY: UTILITIES,235.92;  
USA BLUEBOOK ,WWTP: SUPPLIES,175.96;  
VEENSTRA & KIMM INC. ,SEWER: SERVICES,19852.13;  
VERIZON ,FIRE: UTILITIES,82.84;  
WATER ENVIRONMENT FED ,WWTP: DUES,95;  
WILDER'S TRUCK SERVICE ,WWTP: SERVICES,130;  
WINDSTREAM ,DEPOT: UTILITIES,1089.09;  
WTR SOLUTIONS LLC ,P&R: SUPPLIES,17053;  
LINDA PERSELS ,AIRPORT: SERVICES,1451.66;  
MARC ELCOCK ,CITY: SERVICES,2500;  
,Grand Total ,130061.49;  
Check Number: 300188-300235 ,,;  
EFTS: 000951 ,,;  
Fund Recap: ,,;  
1 ,General ,41428.01;  
13 ,Capital Equipment Fund ,19669.78;  
32 ,UR Building Fund ,4501.96;  
33 ,Golf Course ,15824.32;  
110 ,Road Use Tax ,3416.7;  
307 ,Airport Turnarounds ,16692.32;  
313 ,High School Building Trades ,5091.98;  
315 ,Streetscape/Design ,1905;  
317 ,Sewer Plant ,11470.57;  
502 ,Police Forfeiture ,196.95;  
610 ,Sewer Plant ,9863.9;  
,Grand Total ,130061.49;  
Roll call vote: Fotiadis, aye; Gay, aye; Hooper, aye; Bahls, aye; Vargas, aye; motion carried.

Motion by Vargas and second by Bahls to enter Closed Session 21.5.j: To discuss the purchase or sale of 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: Gay, aye; Hooper, aye; Bahls, aye; Vargas, aye; Fotiadis, aye; motion carried. Motion by Gay and second by Hooper to exit close session roll call vote: Gay, aye; Hooper, aye; Bahls, aye; Vargas, aye; Fotiadis, aye; motion carried.

Motion by Hooper and second by Bahls to set a public hearing for the disposal of City owned property to the Osceola Chamber Main Street for December 5, 2023; roll call vote: Gay, aye; Hooper, aye; Bahls, aye; Vargas, aye; Fotiadis, aye; motion carried.

There being no further business, motion by Hooper and second by Bahls to adjourn the meeting at 7:57 PM. All voting aye, motion carried.

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George Fotiadis – Mayor Pro-tem

Attest:

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Britanee Ward – City Clerk

Website: [osceolaia.net](http://osceolaia.net)

UNOFFICIAL