

OSCEOLA CITY COUNCIL

Tuesday, July 2, 2024
Regular Meeting

*You may view all Resolutions at City Hall or at City’s Website. *
<http://osceolaia.net/>

The City Council met on Tuesday, July 2, 2024 at 7:15 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, Thomas Bahls. Sonya Hicks and Jose Vargas. City Staff present were Ty Wheeler–City- Administrator, Britanee Ward – City Clerk, Marty Duffus – Police Chief. All Council Meetings are streamed on the City’s Website during Council meeting. The following were at the meeting: None.

Motion by Hooper and second by Fotiadis to approve the agenda as written: roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried.

Mayor and Council wanted to wish everyone a happy fourth of July.

Mayor update Council on meetings and events he has attended to.

No one spoke during open forum.

There was no action taking at this time regarding noise and commercial vehicles.

Motion by Bahls and second by Vargas to approve the one bid from Andrew Construction for \$148,450.00 for the fiscal year 2025 SOS Sidewalk Project; roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried.

Motion by Hooper and second by Vargas to approve the resolution 2024-25 tax abatement for 816 S Kossuth; roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried.

Resolution 2024-25:

A RESOLUTION APPROVING APPLICATION(S) FOR TAX ABATEMENT UNDER THE CITY-WIDE URBAN REVITILZATION PLAN BE IT RESOLVED, that application from the following persons for the following projects be approved by the City Council of Osceola, Iowa and that they be forwarded to the County Assessor, for the physical review of the improvements, after the issuance of a building permit by the Zoning Administrator if required and not already secured.

Name Property	Address	Type of Improvement
Roy and Connie Oppedal	816 S Kossuth St	New Construction

Motion by Fotiadis and second by Bahls to open public hearing regarding the Sale of 102 E Shaw Street. Roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried. There was no public comments during the public hearing. Motion by Hooper and second Vargas to close public hearing; roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried.

Motion by Vargas and second by Fotiadis to approve resolution 2024-26 authorizing the sale of 102 E Shaw; roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye motion carried.

Resolution 2024-26:

RESOLUTION AUTHORIZING SALE OF CITY OWNED REAL ESTATE
WHEREAS, the City Council of the City of Osceola owns 102 E Shaw St; and,
WHEREAS, the City Council partnered with Clarke Community School District and Southwestern Community College for the construction of a single-family residential dwelling; and, WHEREAS, the City Council acted as the fiscal agent for the project; and, WHEREAS, the single-family dwelling was completed and passed relevant

building inspections; and, WHEREAS, the total cost of the project was \$259,237.82; and, WHEREAS, an open house was held and the City received an offer of \$265,000; and WHEREAS, it is the desire of the City Council to dispose of the property at the offered amount; NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OSCEOLA that the sale of 102 E Shaw to Lisa and Michael Greco for \$265,000 is hereby approved. FURTHERMORE, BE IT RESOLVED the city clerk and Mayor are hereby authorized to execute all documents related this transaction.

Motion by Fotiadis and second by Vargas to open Public Hearing for the Vacation of a Portion of the E Webster Street ROW. Roll call vote;: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried. There was no public comment. Motion by Bahls and second by Hicks to close the public hearing, roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried.

Motion by Hooper and second by Vargas to have the property surveyed (E Webster Street ROW); roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried.

Motion by Fotiadis and second by Hooper to open public hearing regarding the vacation of Alley in Block 2 of the McDonald's Addition. Roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried. There was no public comment during public hearing. Motion by Fotiadis and second by Hooper to close the public hearing. Roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried.

Motion by Fotiadis and second by Hooper to approve the first reading of Alley in Block 2 of the McDonald's Addition. Roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried. Motion by Bahls and second by Hicks to waive the second and third reading Alley in Block 2 of the McDonald's Addition; roll call vote: Fotiadis, aye; Bahls, aye; Hooper, nay; Hicks, aye; Vargas, aye; motion carried.

Ordinance 669:

AN ORDINANCE PROVIDING FOR THE VACATION AND CONVEYANCE OF AN ALLEY 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 alley is hereby declared vacated: All of the North/South Alley in Block 2 of the McDonald's Addition

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 open public hearing regarding Amendment to Chapter 167 Pertaining to Site Plan Requirements. Roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried. There was no public comments. Motion by Fotiadis and second by Hooper to close the public hearing roll call vote; Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried.

Motion by Fotiadis and second by Hooper to approve the first reading of Amendment to Chapter 167 Pertaining to Site Plan Requirement; roll call vote: Fotiadis, aye; Hooper,

aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried. Motion by Bahls and second by Hicks to waive the second and third reading; roll call vote: Fotiadis, nay; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, nay; motion died.

Motion by Fotiadis and second by Hooper to open public hearing regarding the Amendment to City of Osceola Code of Ordinances Permitting Modular Can and Bottle Recycling as a Conditional Use in the B-1, B-2, B-3, I-1, and I-2 Zoning Districts. Roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried. There was no public comment. Motion by Fotiadis and second by Hicks to close the public hearing.

Motion by Fotiadis and second by Hooper to approve the first reading the Amendment to City of Osceola Code of Ordinances Permitting Modular Can and Bottle Recycling as a Conditional Use in the B-1, B-2, B-3, I-1, and I-2 Zoning Districts. Roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried. Motion by Bahls and second by Fotiadis to waive the second and third reading of the Amendment to City of Osceola Code of Ordinances Permitting Modular Can and Bottle Recycling as a Conditional Use in the B-1, B-2, B-3, I-1, and I-2 Zoning Districts, roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried.

Ordinance 670

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OSCEOLA, IOWA, PERTAINING TO ADDING MODULAR CAN AND BOTTLE RECYCLING AS A CONDITIONAL USE IN THE B-1, B-2, B-3, I-1, AND I-2 ZONING DISTRICTS BE IT ENACTED by the City Council of the City of Osceola, Iowa: SECTION 1. SECTION AMENDED. Chapter 166.08 (2) is hereby amended by adding a new subsection L:K. Modular Can and Bottle Recycling L. All other uses of a similar character as may be determined by the Board of Adjustment. SECTION 2. SECTION AMENDED. Chapter 166.09 (2) is hereby amended by adding a new subsection N:M. Modular Can and Bottle Recycling N. All other uses of a similar character as may be determined by the Board of Adjustment. SECTION 3. SECTION AMENDED. Chapter 166.10 (2) is hereby amended by adding a new subsection D: C. Modular Can and Bottle Recycling D. All other uses of a similar character as may be determined by the Board of Adjustment. SECTION 4. SECTION AMENDED. Chapter 166.12 (2) is hereby amended by adding a new subsection H: G. Modular Can and Bottle Recycling H. All other uses of a similar character as may be determined by the Board of Adjustment. SECTION 5. SECTION AMENDED. Chapter 166.13 (2) is hereby amended by adding a new subsections G and H: G. Modular Can and Bottle Recycling H. All other uses of a similar character as may be determined by the Board of Adjustment. SECTION 6. REPEAL. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. SECTION 7. SEVERABILITY 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 8. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Ty Wheeler – City Administrator update Council on various projects.

Britanee Ward – City Clerk presented Council the Golf Course numbers.

Curtus Jacobsen – Police Sergeant had nothing to report at this time.

Council had nothing to report at this time.

Motion by Bahls and second by Hooper to approve the Consent Agenda

- a. Bills & Claims; Bills & Claims paid per Chapter 7 in City Ordinance;
- b. Council Minutes: June 18th
- c. Liquor License: Family Dollar 32924-LG0000564; Lucky Wife Slushies (2 – Block Party 08/02 & Latino Festival 09/07)
- d. Tobacco Permit: Osceola Liquor, LLC of 715 W McLane (new owner)

The following Claims were paid:

Name ,Invoice Desc,Check Amount;

AFLAC ,Employee Deductions,262.8;AGRILAND FS - MURRAY ,P&R:
SUPPLIES,873.35;AHLERS & COONEY PC ,CITY: SERVICES,1621.5;ALLIANT
ENERGY ,CITY: UTILITIES,4343.88;AMANDA GROSZKRUGER
,REFUND,80;AMAZON CAPITAL SERVICES ,GOLF COURSE: SUPPLIES,235.36;
AMERICAN RED CROSS ,POOL: SUPPLIES,322;AT & T ,POLICE:
UTILITIES,1160.9;ATLANTIC BOTTLING CO. ,POOL: SUPPLIES,1269.98;BANTA
ABSTRACT COMPANY ,CITY: SERVICES,550;BARCO PRODUCTS ,P&R:
SUPPLIES,460.24;BLAKELY TREE SERVICE ,P&R: SERVICES,1416;BSN SPORTS
INC ,P&R: SUPPLIES,353;CARD SERVICE CENTER ,FIRE: SUPPLIES,1524.77;
CHESNUT LAWN & LANDSCAPE ,STREET: SERVICES,4555;CINTAS
CORPORTATION (PW) ,GOLF & POOL: SUPPLIES,542.67;CINTAS-SERVICES
(GOLF) ,GOLF COURSE: SERVICES,59.47;CITY OF MURRAY ,CITY:
SERVICES,2968.6;CITY OF WOODBURN ,CITY: SERVICES,989.53;CLARKE CO.
LANDFILL COMM ,CITY: SERVICES,36151.37;CLARKE COUNTY ANIMAL
SHELTER ,CITY: SERVICES,2000;COLLECTION SERVICE CENTER ,CHILD
SUPPORT,1781;CONSTRUCTION & AGGREGATE PRODUCTS ,WWTP:
SUPPLIES,1688;CONWAY SHIELD ,FIRE: SUPPLIES,565.5;CORE-MARK
MIDCONTINENT INC. ,POOL: SUPPLIES,2588.4;COUNTRY CONCRETE
,CEMETERY: SERVICES,10094;CRESTON PUBLISHING COMPANY ,CITY:
SERVICES,642.85;CULLIGAN ,POLICE: SERVICES,91;D & D PEST CONTROL
,CITY: SERVICES,80;DECATUR COUNTY SHERIFFS OFFICE ,POLICE:
SERVICES,36;DENNEY CONSTRUCTION INC. ,CITY : SERVICES,585;
DESIGN FARM ,CITY: SERVICES,5000;DIAMOND VOGEL PAINT CEN. ,STREET:
SUPPLIES,759;DMACC ,WWTP: SERVICES,625;DON'S JONS ,P&R:
SERVICES,370;DUST PROS JANITORIAL ,CITY: SERVICES,1400;DUTREY
ELECTRIC ,POOL: SERVICES,223.56;ECOSYSTEMS INC ,WWTP:
SERVICES,6375;EFTPS ,FEDERAL WITHHOLDING,42559.17;FAREWAY STORES
,GOLF COURSE: SUPPLIES,450.8;FAREWAY STORES ,POLICE:
SUPPLIES,827.01;FISCHER BROS LLC ,POOL: SERVICES,1874.4;GAUGE
GASKILL ,SERVICES,390;GAUGE MONGAR ,SERVICES,35;GILBERT HOME
COMFORT ,POOL: SERVICES,30323;GILBERTS TRUE VALUE HOME CENTER
,POOL: SUPPLIES,438.2;GOLF CARS OF IOWA ,GOLF COURSE: SERVICES,1625;
GRADY MONGAR ,SERVICES,35;HAAS ALERT ,FIRE: SERVICES,1706.2;
HIGHWAY LUMBER ,STREET: SUPPLIES,8.78;HY-VEE FOOD STORES ,P&R:
SUPPLIES,143.79;IDEAL READY MIX CO. ,CEMETERY: SUPPLIES,8919.2;
ILYANNA LONG ,SERVICES,390;MWCA ,CITY: INSURANCE,8262;INTERNAL
REVENUE SERVICE ,CITY: SERVICES,131.25;INTERNATIONAL CODE
COUNCIL ,CITY: SERVICES,160;IOWA BEVERAGE ,GOLF COURSE:
SUPPLIES,712.65;IPERS ,IPERS - MONTHLY CONTRIB,26689.96;J P AUTO
,WWTP: SUPPLIES,1568.78;JEFF EHRHARDT ,P&R: SERVICES,1300;
JIM'S SANITATION& TRUCK REPAIR ,CITY: SERVICES,36883.58;JOSIAH
DELAFWENTE ,SERVICES,260;KD TIRES LLC ,WWTP: SERVICES,25;
KIRKHAM MICHAEL & ASSOCIATES ,AIRPORT: SERVICES,526.19;LOGAN
CONTRACTORS SUPPLY ,STREET: SUPPLIES,459.18;LYLE PERSELS ,AIRPORT:
SUPPLIES,20.85;MAINSTAY SYSTEMS OF IOWA LLC ,POLICE: SERVICES,177;
MARC ELCOCK ,CITY: SERVICES,1500;MATTHEW MAGALLOH
,SERVICES,395;MEDIACOM ,DEPOT; UTILITIES,639.23;MENARDS ,P&R:
SUPPLIES,603.9;MET LIFE ,CITY: INSURANCE,3883.39;MID-AMERICA ,POOL:
SERVICES,105480;MIDWEST OFFICE TECH. CO. ,POLICE: SERVICES,218.83;
MUNICIPAL EMERGENCY SERVICES ,FIRE: SUPPLIES,65;MUTUAL OF
OMAHA ,CITY PORTION LIFE INSURANCE,572.67;NATIONAL ASSOCIATION
OF CHIEFS OF POLICE ,POLICE: SERVICES,110;NOLAN REDMAN
,SERVICES,285;NORTH CENTRAL LABORATORIES OF WISCONSIN ,WWTP:
SUPPLIES,746.93;OSCEOLA FARM & HOME ,POOL: SUPPLIES,1867;OSCEOLA
MASONIC LODGE ,P&R: SERVICES,540;OSCEOLA WATER WORKS ,CITY:
UTILITIES,3495.46;POOL TECH ,POOL: SUPPLIES,451.93;REAMS SPRINKLER
SUPPLY ,GOLF COURSE: SUPPLIES,173.27;RELIANT FIRE APPARATUS INC.
,FIRE: SUPPLIES,1079.38;REYNOLDSON VAN WERDEN & RENOLDSON L.L.P.
,CITY: SERVICES,160;ROOF GERDES ERLBACHER PLC ,CITY:
SERVICES,9550;RUSTY'S AUTO SALES & SER ,STREET: SERVICES,373.62;
RYCHNOVSKY LAWN & LANDSCAPE ,POOL: SERVICES,266.25;SCHILDBERG
CONST. CO. ,STREET: SUPPLIES,911.42;SERVICE TECHS INC ,P&R:

SUPPLIES,28562.19;SOLUTIONS ,POOL: SUPPLIES,1355.44;SPOKE COMMUNICATIONS LLC ,CITY: SERVICES,300;SUMMIT FIRE PROTECTION ,DEPOT; SERVICES,441;THE LIFEGUARD STORE ,POOL: SUPPLIES,216.75;TREASURER ST. OF IOWA ,STATE INCOME TAX,6826; URIJAH FRY ,SERVICES,445;US CELLULAR ,CITY: UTILITIES,1073.47;VEENSTRA & KIMM INC. ,CITY: SERVICES,99881.16; VIVIAN HAWXBY ,SERVICES,590;WASH & WEIGH ,CITY: SERVICES,1170; WATERLOO TENT & TARP COMPANY INC ,POOL: SUPPLIES,629.29; WELLMARK - CITY OF OSCEOLA ,CITY: INSURANCE,67544.25;WILDER'S TRUCK SERVICE ,WWTP: SERVICES,3.9;WINDSTREAM ,WWTP: UTILITIES,496.89;ZIEGLER INC ,STREET: SUPPLIES,41.38; ,Grand Total ,604491.72;EFT: 001152-0011554 ,,;Check Number: 301283-301388 ,,;
Fund Recap: ,,;1 ,General ,170368.33;33 ,Golf Coruse,42676.7;101 ,Insurance,8262; 110 ,Road Use Tax ,11651.2;112 ,Employee Benefits,28796.33;116 ,Hotel/Motel ,105480;125 ,CCLC Post Control ,36151.37;307 ,Airport Turnaround ,526.19; 313 ,High School Building Trades,776.7;315 ,Downtown Project,21569; 317 ,Sewer Plant ,26972.66;321 ,Recirculation ,51102.5;500 ,Cemetery Savings Fund ,8919.2;610 ,Waste Water,23564.04;800 ,Health Insurance,67675.5; ,Grand Total ,604491.72;

There being no further business, motion by Bahls and second by Hooper to adjourn the meeting at 8:16 PM. All voting aye, motion carried.

Thomas J. Kedley - Mayor

Attest:

Britanee Ward- Case – City Clerk
Website: osceolaia.net

UNOFFICIAL