

## OSCEOLA CITY COUNCIL

Tuesday, August 20, 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, August 20, 2024 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, 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: Ed Stoll and Rod Clark were present.

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 update council on status of the second tech house, school starting, and the new CCDC Director Andrew Clark.

No one spoke during open forum.

Motion by Fotiadis and second by Hicks to approve the special events permit for the Latino Festival; roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried.

Motion by Fotiadis and second by Bahls to open public hearing regarding the sale to City Owned Real Estate; roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried. There was no written or verbal comments. Motion by Hooper and second by Fotiadis 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 resolution 2024-32 authorizing the sale of City owned property; roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried.

### **Resolution 2024-32:**

RESOLUTION AUTHORIZING SALE OF CITY OWNED REAL ESTATE.

WHEREAS, the City Council of the City of Osceola owns two parcels of property; and, WHEREAS, the City Council desires to dispose of the property; and, WHEREAS, the City Council scheduled a public hearing for August 20, 2024 where public could comment on the proposed sale of property; and, WHEREAS, the City Council authorized the sale of property through the sealed bid process; and, WHEREAS, the City Council received the following bids for each property:

500 S Fillmore

Clayton Andrew- \$3,851

Kimberly Bethards- \$2,300

101 S Delaware

Clayton Andrew- \$2,651

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OSCEOLA that the following bids be accepted: 500 S Fillmore

Clayton Andrew- \$3,851; 101 S Delaware Clayton Andrew- \$2,651

FURTHERMORE, BE IT RESOLVED the city clerk hereby directed to convey each property by Quit Claim Deed upon receipt of payment.

Motion by Fotiadis and second by Hooper to approve resolution 2024-33 approving Tax Abatement for 2128 Catawba Pt; roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried.

### **Resolution 2024-33:**

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
Travis & Jessica Djuren	2128 Catawba Pt	New Construction

Motion by Fotiadis and second by Bahls to approve the first reading of Vacating a portion of the 600 Block of E Webster Street, Roll call vote; Fotiadis, aye; Bahls, aye; Hooper, aye; Hicks, aye; Vargas, aye; motion carried.

Motion by Bahls and second by Hooper to approve resolution 2024-33 setting public hearing regarding the state code changes: Adult Establishment, Electronic Meeting, Operating Budget Preparation, Publication of Minutes, Pedestrian right-of-way, and Bond Requirement; roll call vote: Fotiadis, aye; Bahls, aye; Hooper, aye; Hicks, aye; Vargas, aye; motion carried.

Resolution 2024-33:

TO FIX A TIME AND A DATE FOR A PUBLIC HEARING REGARDING THE STATE CODE CHANGES: THE CITY COUNCIL OF THE CITY OF OSCEOLA, IA HEREBY RESOLVES that: Section 1. A Public Hearing will be held as part of the regularly scheduled City Council meeting on September 3, 2024 at 7:00 PM to consider a proposed amendment to Chapter 50.14 of the City of Osceola Code of Ordinances titled "Adult Establishments". Section 2. A Public Hearing will be held as part of the regularly scheduled City Council meeting on September 3, 2024 at 7:00 PM to consider a proposed amendment to Chapter 50.06 of the City of Osceola Code of Ordinances titled "Meetings". Section 3. A Public Hearing will be held as part of the regularly scheduled City Council meeting on September 3, 2024 at 7:00 PM to consider a proposed amendment to Chapter 7.05 subsection 4 of the City of Osceola Code of Ordinances titled "Annual Statement". Section 4. A Public Hearing will be held as part of the regularly scheduled City Council meeting on September 3, 2024 at 7:00 PM to consider a proposed amendment to Chapter 18.03 of the City of Osceola Code of Ordinances titled "Publication of Minutes". Section 5. A Public Hearing will be held as part of the regularly scheduled City Council meeting on September 3, 2024 at 7:00 PM to consider a proposed amendment to Chapter 60.02 and 60.05 of the City of Osceola Code of Ordinances pertaining to Pedestrians' Right-Of-Way. Section 6. A Public Hearing will be held as part of the regularly scheduled City Council meeting on September 3, 2024 at 7:00 PM to consider a proposed amendment to Chapter 50.02 of the City of Osceola Code of Ordinances pertaining to Bond Requirements. Section 7. The City Clerk is hereby directed to give notice of the proposed hearing, setting forth the purpose, 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.

Motion by Fotiadis and second by Vargas to approver resolution 2024-34 setting public hearing regarding proposed amendment pertaining to noise and parking; roll call vote: Fotiadis, aye; Hooper, aye; Bahls, aye; Hicks, aye; Vargas, aye; motion carried.

**Resolution 2024-34:**

TO FIX A TIME AND A DATE FOR A PUBLIC HEARING FOR THE PROPOSED AMENDMENTS PERTAINING TO NOISE AND PARKING. THE CITY COUNCIL OF THE CITY OF OSCEOLA, IA HEREBY RESOLVES that: Section 1. A Public Hearing will be held as part of the regularly scheduled City Council meeting on September 3, 2024 at 7:00 PM to inform the public on the proposed amendments to Chapter 40.03 pertaining to noise and Chapter 69 pertaining to parking in the 200 and 300 Blocks of Wildflower. Section 2. The City Clerk is hereby directed to give notice of the proposed hearing, setting forth the purpose, 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.

Motion by Fotiadis and second by Hicks to approve resolution 2024-35 setting public hearing regarding the amendment to Chapter 99 pertaining sewer use charges; roll call vote: Fotiadis, aye; Hooper, aye; Hicks, aye; Bahls, aye; Vargas, aye motion carried.

**Resolution 2024-35:**

TO FIX A TIME AND A DATE FOR A PUBLIC HEARING REGARDING THE AMENDMENTS TO CHAPTER 99 OF THE CITY OF OSCEOLA CODE OF ORDINANCES TITLED SEWER USE CHARGES. THE CITY COUNCIL OF THE CITY OF OSCEOLA, IA HEREBY RESOLVES that: Section 1. A Public Hearing will be held as part of the regularly scheduled City Council meeting on September 3, 2024 at 7:00 PM to consider a proposed amendment to Chapter 99.03 of the City of Osceola Code of Ordinances titled "Rates and Charges". Section 3. The City Clerk is hereby directed to give notice of the proposed hearing, setting forth the purpose, 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.

Ty Wheeler – City Administrator – Report on various projects updates.

Britanee Ward – City Clerk had nothing to report.

Marty Duffus – Police Chief – had nothing to report.

Council had nothing to report at this time.

Motion by Fotiadis and second by Vargas to approve the Consent Agenda:

- a. Bills & Claims; Bills & Claims paid per Chapter 7 in City Ordinance, FY 2024 Transfers;
- b. Council Minutes: August 6th
- c. Liquor License: La Corona Inc.
- d. Change Order CDBG Façade – Lana Nails \$9,724
- e. Change Order CDBG Façade – Iron Horse \$1,240
- f. Pay Estimate #7 CDBG Façade – \$67,233.40
- g. Pay Estimate #38 Contract 1 – PWC Weiss Construction \$888,687.52

The following Claims were paid:

Name ,Invoice Desc,Check Amount;

641 TECH ,LIBRARY: SERVICES,70; ACCESS SYSTEM ,LIBRARY: SERVICES,198.73;ALL STAR PRO GOLF ,GOLF COURSE: SUPPLIES,1323.29; ALLIANT ENERGY ,STREET: UTILITIES,13139.85;AMAZON CAPITAL SERVICES ,CITY: SERVICES,480.99;ANDREW CONSTRUCTION CO. ,STREET: SERVICES,45024.49;ARBOREAL LOCOMOTION LLC ,STREET: SERVICES,1500; B M SALES ,P&R: SUPPLIES,252;BARRY LARSON & SON GENERAL CONTRACTORS INC ,CITY: PROJECT,67233.4;BONNIES BARRICARDS INC ,STREET: SUPPLIES,859.6;BOOK SYSTEM INC ,LIBRARY: SUPPLIES,1630; BSN SPORTS INC ,P&R: SUPPLIES,2632;BUD JONES CONSTRUCTION ,WWTP: SUPPLIES,15963.14;CANON FINANCIAL SERVICES INC ,FIRE: SERVICES,62.67; CARD SERVICES - CITY CREDIT ,CITY: SERVICES,3723.67;CARRICO AQUATIC RESOURCES INC ,POOL: SUPPLIES,570.74;CASEYS BUSINESS MASTERCARD ,CITY: FUEL,3408.09;CENTRAL PUMP & MOTOR LLC ,WWTP: SUPPLIES,1272.6;CHALLENGER TEAMWEAR ,P&R: SUPPLIES,277.53; CHEM-SULT INC. ,WWTP: SUPPLIES,1424;CHESNUT LAWN & LANDSCAPE ,STREET: SERVICES,4758;CINTAS CORPORTATION (PW) ,WWTP: SUPPLIES,124.45;CINTAS-SERVICES (GOLF) ,GOLF COURSE: SERVICES,59.54; CLARKE CO RECORDER ,CITY: SERVICES,153;CLARKE ELECTRIC COOP ,AIRPORT: UTILITIES,15587.85;CORE-MARK US LLC ,GOLF COURSE: SUPPLIES,1785.22;COUNTRY CONCRETE ,STREET: SERVICES,13726; CRESTON PUBLISHING COMPANY ,LIBRARY: PUBLICATION,58; DANIELS LAND SURVEYING ,CITY: SERVICES,515;DECATUR COUNTY ENVIRONMENTAL HEALTH ,POOL: SERVICES,396;DEPT OF INSPECTIONS

APPEALS & LICENSING ,AIRPORT: SERVICES,20;DES MOINES REGISTER  
 ,LIBRARY: SERVICES,70;DIRECTV ,AIRPORT: UTILITIES,364.51;  
 DUST PROS JANITORIAL ,CITY: SERVICES,1807.5;ECOSYSTEMS INC ,WWTP:  
 SUPPLIES,6800;ELLIOTT OIL CO. ,FIRE; FUEL,376.09;FAREWAY STORES ,GOLF  
 COURSE: SUPPLIES,644.29;FAREWAY STORES ,GOLF COURSE:  
 UPPLIES,649.1;FAREWAY STORES ,GOLF COURSE: SUPPLIES,256.37;  
 FLEETSIDE FORD ,WWTP: SUPPLIES,78.95; FRANKS DESIGN GROUP PC  
 ,CITY: SERVICES,36267.63;FRIDAY INS. CO. ,CITY: SERVICES,345;  
 GILBERTS TRUE VALUE HOME CENTER ,FIRE: SUPPLIES,148.34;  
 GLOBAL PAYMENTS ,POLICE: SERVICES,71.29;GLOBAL PAYMENTS ,CITY:  
 SERVICES,133.89;GLOBAL PAYMENTS ,CITY: SERVICES,101.28;  
 GOLDEN EAGLE DISTRIBUTING ,GOLF COURSE: SUPPLIES,317.45;GOLDEN  
 EAGLE DISTRIBUTING ,GOLF COURSE: SUPPLIES,296.55;GOF CARS OF IOWA  
 ,GOLF COURSE: SERVICES,1625;GVC INDUSTRIES LLC ,FIRE:  
 SERVICES,4523.58;HIGHWAY LUMBER ,WWTP: SUPPLIES,260.87;  
 HOSTIOWA.NET ,CITY: SERVICES,1356;HY-VEE FOOD STORES ,FIRE:  
 SUPPLIES,758.83;IDEAL READY MIX CO. ,STREET: SERVICES,54443.89;  
 IDEXX DISTRIBUTION INC ,WWTP: SUPPLIES,1561.98;IOWA BEVERAGE  
 ,GOLF COURSE: SUPPLIES,503.75;IOWA DEPARTMENT OF NATURAL  
 RESOURCES ,WWTP: SERVICES,1275;IOWA DEPARTMENT OF REVENUE  
 ,CITY: SERVICES,7025.56;IOWA DEPARTMENT OF REVENUE ,CITY:  
 SERVICES,1193.58;IOWA PARKS & REC. ASSOC. ,P&R: SUPPLIES,360;  
 J P AUTO ,FIRE: SUPPLIES,75.98;JOHNSON BROTHERS OF IOWA ,GOLF  
 COURSE: SUPPLIES,165.6;JOHNSON BROTHERS OF IOWA ,GOLF COURSE:  
 SUPPLIES,43.45;JUNIOR LIBRARY GUILD ,LIBRARY: SUPPLIES,850.62;  
 LINDA PERSELS ,AIRPORT: SERVICES,1451.66;LOGAN CONTRACTORS  
 SUPPLY ,STREET: SUPPLIES,4068.8;MARC ELCOCK ,CITY: SERVICES,1500;  
 MARIA GARCIA ,SERVICES,150;MAYS BODY SHOP ,POLICE: SERVICES,400;  
 MEDIACOM ,P&R: UTILITIES,677.41;MENARDS ,WWTP: SUPPLIES,292.88;  
 MICROBAC LABORATORIES INC ,WWTP: SERVICES,4023.23;MIDWEST  
 OFFICE TECH. CO. ,POLICE: SERVICES,45.82;NORTH CENTRAL  
 LABORATORIES OF WISCONSIN ,WWTP: SUPPLIES,1239.04;O'REILLY  
 AUTOMOTIVE INC. ,POLICE: SUPPLIES,10.68;OSCEOLA CHAMBER  
 MAINSTREET ,CITY: SERVICES,220;OSCEOLA FARM & HOME ,FIRE:  
 SUPPLIES,619.17;OSCEOLA SINCLAIR SERVICE ,POLICE: SERVICES,54.65;  
 OSCEOLA WATER WORKS ,WATER: SERVICES,2284.64;PAYROC LLC ,CITY:  
 SERVICES,32.9;PENWORTHY COMPANY ,LIBRARY: SUPPLIES,160.76;  
 PEPSICO BEVERAGE SALES LLC ,GOLF COURSE: SUPPLIES,609.76;PETROTEK  
 CORPO ,SEWER: SERVICES,4850;PODIUM INK ,P&R: SUPPLIES,645;RELIANT  
 FIRE APPARATUS INC. ,FIRE: SERVICES,659.13;ROBBINS LAWN SERVICE  
 LLC ,AIRPORT; SERVICES,1113.08;SCHILDBERG CONST. CO. ,STREET&  
 WWTP: SUPPLIES,1961.14;SERVICE TECHS INC ,P&R: SUPPLIES,799.9;  
 SICOG ,CITY: SERVICES,200;SIRWA ,AIRPORT: UTILITIES,59;  
 SOLUTIONS ,WWTP: SUPPLIES,13.97;SYMMETRY ENERGY SOLUTIONS ,CITY:  
 UTILITIES,1117.98;TAMMY MARTIN ,REFUND,150;THE LIFEGUARD STORE  
 ,POOL: SUPPLIES,106.25;TIMBER RIDGE COUNTRY MARKET ,GOLF COURSE:  
 SUPPLIES,21.6;TRAFFIC AND TRANSPORTATION ,STREET: SUPPLIES,1300;  
 US CELLULAR ,LIBRARY: UTILITIES,162.45;USA BLUEBOOK ,WWTP:  
 SUPPLIES,394.19;UTILITY EQUIPMENT CO. ,WWTP: SUPPLIES,1867.47;  
 VERIZON ,FIRE: UTILITIES,82.86;ATER ENVIRONMENT FED ,WWTP:  
 SERVICES,95;WEISS CONSTRUCTION COMPANY LLC ,WWTP:  
 PROJECT,888687.52;WINDSTREAM ,DEPOT: UTILITIES,1129.83;  
 ,Grand Total ,1246239.55;EFT Number: 001197-001209 ,;;  
 Check Number: 301477-301666 ,;;Fund Recap: ,;;1 ,General ,42027.67;  
 33 ,Golf Course,10661.62;101 ,Insurance,345;110 ,Road Use Tax ,133058.56;  
 312 ,CDBG façade,103501.03;317 ,Sewer Project,888687.52;321 ,,4850;  
 600 ,Water,2284.64;610 ,Waste Water,60823.51; ,Grand Total ,1246239.55;

June 2024 Revenues:

1 ,General, 218431.85; 13 , Capital Equipment , 0;14 ,Workforce House Incentive , 0;31  
 ,Franchise, 0;32 ,UR Building Fund, 0;33 ,Golf Course, 0;34 ,Dog Park / Christmas Décor,

43702.35;35 ,Parks Projects, 0;101 ,Liability Insurance, 1868.54;102 ,Emergency Property Tax , 564.48;110 ,Road Use Tax , 86337.85;112 ,Employee Benefits, 3010.46;  
115 ,LOST Reservoir , 88990.59;116 ,Hotel/Motel Tax , 0;125 ,CCLC Post Closure, 0;  
134 ,Casino Revenue Fund , 19790.66;135 ,Urban Renewal Fund, 0;136 ,TIF LMI SET-ASIDE, 0;200 ,Debt , 8375.65;201 ,Debt Service Reserve , 0;300 ,Airport Land Acquisition , 0;301 ,Terminal Area Paving , 0;302 ,GAVI Terminal , 0;303 ,FY 2014 Airport Hanger, 0;304 ,Airport Joint & Crack , 0;306 ,Terminal Area Pavement , 0;307 ,Airport Turnarounds 2022, 60013.16;310 ,CDBG Façade Project, 0;312 ,CDBG CVD Façade, 0;313 ,High School Trades, 0;315 ,StreetScape & Trail Plan , 0;317 ,Sewer Plant, 7366.14;318 ,CDBG 20-SW-036, 0;319 ,Storm Water Project , 0;326 ,Depot Restoration Phase 2 , 0;327 ,Friends of the Depot , 0;350 ,ARAP Monies, 0;500 ,Cemetery Savings Fund, 0;501 ,Perpetual Care , 0;502 ,Police Forfeiture , 3528.29;504 ,Airport EAA Chapter 1143, 0;505 ,Expandable Library , 3444;600 ,Water , 20;610 ,Sewer , 536467.68;611 ,Sewer Sinking Fund, -166956.18;613 ,Sewer Rehab , 0; 614 ,Sewer Reserve, 0;800 ,Self Insurance , 66290.29; ,Grand Total , 981245.81;

July 2024 Revenues:

1, General, 134442.97; 13, Capital Equipment , 0; 14, Workforce House Incentive , 0;  
31, Franchise, 56334.73; 32, UR Building Fund, 0; 33, Golf Course, 38206.11; 34, Dog Park / Christmas Décor, 0; 35, Parks Projects, 0; 101, Liability Insurance, 1877.96;  
102, Emergency Property Tax , 567.33; 110, Road Use Tax , 66454.13 112, Employee Benefits, 3025.66; 115, LOST Reservoir , 119392.38; 116, Hotel/Motel Tax , 54995.2;  
125, CCLC Post Closure, 0; 134, Casino Revenue Fund , 19141.7; 135, Urban Renewal Fund, 0; 136, TIF LMI SET-ASIDE, 0; 200, Debt , 8417.92; 201, Debt Service Reserve , 0; 300, Airport Land Acquisition , 0; 301, Terminal Area Paving , 0; 302, GAVI Terminal , 0; 303, FY 2014 Airport Hanger, 0; 304, Airport Joint & Crack , 0; 306, Terminal Area Pavement , 0; 307, Airport Turnarounds 2022, 0; 310, CDBG Façade Project, 0; 312, CDBG CVD Façade, 0; 313, High School Trades, 0; 315, StreetScape & Trail Plan , 0; 317, Sewer Plant, 5616.49; 318, CDBG 20-SW-036, 0; 319, Storm Water Project , 0; 320, Recirculation , 6338.46; 326, Depot Restoration Phase 2 , 0; 327, Friends of the Depot , 0; 350, ARAP Monies, ; 500, Cemetery Savings Fund, 0; 501, Perpetual Care , 0; 502, Police Forfeiture , 0; 504, Airport EAA Chapter 1143, 0; 505, Expandable Library , 320.76; 600, Water , 2284.64; 610, Sewer , 0; 611, Sewer Sinking Fund, 0; 613, Sewer Rehab , 0; 614, Sewer Reserve, 0; 800, Self Insurance , 73074.17; , Grand Total , 590490.61;

There being no further business, motion by Hooper and second by Hicks to adjourn the meeting at 8:12 PM. All voting aye, motion carried.

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Thomas J. Kedley - Mayor

Attest:

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