

OSCEOLA CITY COUNCIL

Tuesday, September 16, 2025

Regular Meeting

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

<http://osceolaia.net/>

The City Council met on Tuesday, September 16, 2025 at 7:00 p.m. for a Regular scheduled meeting. The meeting was called to order by Mayor Thomas Kedley at 7:00 PM. With the following present: Council Members: George Fotiadis, Sonya Hick Thomas Bahls, and Luci Sullivan. Jose Vargas was absent. City Staff present were Ty Wheeler–City- Administrator, Britanee Case – City Clerk, Marty Duffus – Police Chief and Shane Selsor. All Council Meetings are streamed on the City's Website during Council meeting. The following were at the meeting: Floyd Tabor.

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

Floyd Tabor update council on the Kimball's bench out at the airport.

Mayor update on various projects/activities.

Motion by Fotiadis and second by Sullivan to approve the special events permit for downtown spooktacular; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried.

Motion by Fotiadis and second by Sullivan scheduling Trick or Treat for October 31st from 6:30 PM to 8:00 PM; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried.

Motion by Fotiadis and second by Bahls to approve resolution 2025-41 setting public hearing for October 7th conveyance of easement to Alliant Energy; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried.

Resolution 2025-41:

TO FIX A TIME AND A DATE FOR A PUBLIC HEARING REGARDING THE CONVEYANCE OF AN EASEMENT TO ALLIANT ENERGY. 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 October 7, 2025 at 7:00 PM for the proposed conveyance of a perpetual easement to Alliant Energy. 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 Bahls to approve the draft of Agreement with Clarke Community School District and SWCC for the Buildings Trades Program; roll call vote: Fotiadis, aye; Sullivan, aye; Hicks, aye; Bahls, aye; motion carried.

Motion by Fotiadis and second by Sullivan to move forward with asbestos abatement at 216 S Fillmore; roll call vote: Fotiadis, aye; Sullivan, aye; Hicks, aye; Bahls, aye; motion carried.

Motion by Fotiadis and Sullivan to open public hearing of the North/South Alley abutting and Adjacent to 216 E McKinley. Roll call vote; Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried. There was no comments during open hearing. Motion by Fotiadis and second by Hicks to close public hearing; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried.

Motion by Fotiadis and second by Sullivan for the first reading of the North/South Alley abutting and Adjacent to 216 E McKinley. Roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried.

Motion by Fotiadis and second by Bahls to open public hearing Regarding City Code of Ordinance 62.13 titled Engine Brakes and Compression Brakes. There was no comments during public hearing. Motion by Fotiadis and second by Bahls to close the public hearing; roll call vote: Fotiadis, aye; Bahls, aye; Hicks, aye; Sullivan, aye; motion carried.

Motion by Fotiadis and second by Sullivan to approve the first reading Regarding City Code of Ordinance 62.13 titled Engine Brakes and Compression Brakes; roll call vote; Fotiadis, aye; Sullivan, aye; Hicks, aye; Bahls, aye; motion carried.

Motion by Fotiadis and second by Hicks to open public hearing for the Ordinance Amending the City of Osceola Code of Ordinances Pertaining to Liquor Licenses and Wine and Beer Permits; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried. There was no public comments during public hearing. Motion by Fotiadis and second by Sullivan to close the public hearing; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried.

Motion by Fotiadis and second by Bahls to approve the first reading of the Ordinance Amending the City of Osceola Code of Ordinances Pertaining to Liquor Licenses and Wine and Beer Permits. Roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried. Motion by Bahls and second by Fotiadis to waive the second and third reading of the Ordinance Amending the City of Osceola Code of Ordinances Pertaining to Liquor Licenses and Wine and Beer Permits. Roll Call vote; Fotiadis, aye; Bahls, aye; Sullivan, aye; Hicks, aye; motion carried.

Ordinance 685:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OSCEOLA, IOWA, BY AMENDING PROVISIONS PERTAINING TO LIQUOR LICENSES AND WINE AND BEER PERMITS Be It Enacted by the City Council of the City of Osceola, Iowa: SECTION 1. SUBSECTION MODIFIED. Subsection 8 of Section 120.05 of the Code of Ordinances of the City of Osceola, Iowa, is repealed and the following adopted in lieu thereof: 8. Keep on premises covered by a retail alcohol license any alcoholic liquor in any container except the original package purchased from the Iowa Department of Revenue and except mixed drinks or cocktails mixed on the premises for immediate consumption. However, mixed drinks or cocktails that are mixed on the premises and are not for immediate consumption may be consumed on the licensed premises, subject to Section 123.49, Subsection 2, Paragraph D, Subparagraphs (2), (3), and (4) of the Code of Iowa. (Code of Iowa, Sec. 123.49(2)(d)(2), (3), and (4)) SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Motion by Fotiadis and second by Bahls to open public hearing regarding the Ordinance Amending the City of Osceola Code of Ordinances Pertaining to Cigarette and Tobacco Permits; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried. There was no comments during public hearing. Motion by Fotiadis and second by Bahls to close the public hearing; roll call vote: Fotiadis, aye; Sullivan, aye; Hicks, aye; Bahls, aye; motion carried.

Motion by Fotiadis and second by Bahls to approve the first reading the Ordinance Amending the City of Osceola Code of Ordinances Pertaining to Cigarette and Tobacco Permits; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried. Motion by Bahls and second by Fotiadis to waive the second and third reading or the Ordinance Amending the City of Osceola Code of Ordinances Pertaining to Cigarette and Tobacco Permits; roll call vote: Fotiadis, aye; Bahls, aye; Sullivan, aye; Hicks, aye; motion carried.

Ordinance 686:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OSCEOLA, IOWA, BY AMENDING PROVISIONS PERTAINING TO CIGARETTE

AND TOBACCO PERMITS Be It Enacted by the City Council of the City of Osceola, Iowa: SECTION 1. CHAPTER MODIFIED. Chapter 121 of the Code of Ordinances of the City of Osceola, Iowa, is repealed and the following adopted in lieu thereof:

CHAPTER 121 CIGARETTE AND TOBACCO PERMITS

121.01 Definitions 121.07 Expiration 121.02 Permit Required 121.08 Refunds
121.03 Application 121.09 Persons Under Legal Age 121.04 City Approval 121.10 Self-Service Sales Prohibited 121.05 Fees 121.11 Permit Revocation 121.06 Issuance

121.01 DEFINITIONS. For use in this chapter the following terms are defined:

(Code of Iowa, Sec. 453A.1) 1. "Alternative nicotine product" means a product, not consisting of or containing tobacco, that provides for the ingestion into the body of nicotine, whether by chewing, absorbing, dissolving, inhaling, snorting, or sniffing, or by any other means. "Alternative nicotine product" does not include cigarettes, tobacco products, or vapor products, or a product that is regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act. 2. "Cigarette" means any roll for smoking made wholly or in part of tobacco, or any substitute for tobacco, irrespective of size or shape and irrespective of tobacco or any substitute for tobacco being flavored, adulterated, or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material. However, cigarettes shall not be construed to include cigars. 3. "Department" means the State Department of Revenue. 4. "Place of business" means any place where cigarettes, tobacco products, alternative nicotine products, or vapor products are sold, stored, or kept for the purpose of sale or consumption by a retailer. 5. "Retailer" means every person who sells, distributes, or offers for sale for consumption, or possesses for the purpose of sale for consumption, cigarettes, alternative nicotine products, or vapor products, irrespective of the quantity or amount or the number of sales, or who engages in the business of selling tobacco, tobacco products, alternative nicotine products, or vapor products to ultimate consumers. 6. "Self-service display" means any manner of product display, placement, or storage from which a person purchasing the product may take possession of the product, prior to purchase, without assistance from the retailer or employee of the retailer, in removing the product from a restricted access location. 7. "Tobacco products" means the following: cigars; little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts or refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or for both chewing and smoking, but does not mean cigarettes. 8. "Vapor product" means any noncombustible product, which may or may not contain nicotine, that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from a solution or other substance. "Vapor product" includes an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, and any cartridge or other container of a solution or other substance, which may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Vapor product" does not include a product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act. 121.02 PERMIT REQUIRED.

1. Retail Cigarette Permits. It is unlawful for any person, other than a holder of a retail permit, to sell cigarettes, alternative nicotine products, or vapor products at retail and no retailer shall distribute, sell, or solicit the sale of any cigarettes, alternative nicotine products, or vapor products within the City without a valid permit for each place of business. The permit shall, at all times, be publicly displayed at the place of business so as to be easily seen by the public and the persons authorized to inspect the place of business. (Code of Iowa, Sec. 453A.13(1)) 2. Retail Tobacco Permits. It is unlawful for any person to engage in the business of a retailer of tobacco, tobacco products, alternative nicotine products, or vapor products at any place of business without first having received a permit as a retailer for each place of business owned or operated by the retailer. (Code of Iowa, Sec. 453A.47A(1)) A retailer who holds a retail cigarette permit is not required to also obtain a retail tobacco permit. However, if a retailer only holds a retail cigarette permit and that permit is suspended, revoked, or expired, the retailer shall not sell any tobacco, tobacco products, alternative nicotine products, or vapor products, during such time. (Code of Iowa, Sec. 453A.47A(4))

121.03 APPLICATION. A retailer shall submit to the department an application on forms furnished by the department, accompanied by the required fees and adequate bond as provided in Section 453A.14, of the Code of Iowa. Applications, any supporting

documentation, and the associated fees shall be submitted electronically to the department. (Code of Iowa, Sec. 453A.13(5))

121.04 CITY APPROVAL. The City may approve retail permit applications for applicants with a place of business within the City limits. The City shall use the electronic portal of the department to process retail permit applications. Upon approval of a retail permit application by the City the department shall issue the permit to the applicant on behalf of the City. (Code of Iowa, Sec. 453A.13(2))

121.05 FEES. The fee for a retail cigarette or tobacco permit shall be as follows: (Code of Iowa, Sec. 453A.13(3)(b) and 453A.47A(7))

FOR PERMITS GRANTED DURING:	FEE:
July, August, or September	\$ 75.00
October, November, or December	\$ 56.25
January, February, or March	\$ 37.50
April, May, or June	\$ 18.75

121.06 ISSUANCE. Each permit issued shall describe clearly the place of business for which it is issued and shall be nonassignable. (Code of Iowa, Sec. 453A.13(9))

121.07 EXPIRATION. All permits shall expire on June 30 of each year. A permit shall not be granted or issued until the applicant has paid the fees to the department for the next period ending on June 30. (Code of Iowa, Sec. 453A.13(3)(a))

121.08 REFUNDS. A retailer may surrender an unrevoked permit and receive a refund from the City, except during April, May, or June, in accordance with the schedule of refunds as provided in Section 453A.13 or 453A.47A of the Code of Iowa. (Code of Iowa, 453A.13(4) and 453A.47A(8))

121.09 PERSONS UNDER LEGAL AGE. A person shall not sell, give, or otherwise supply any tobacco, tobacco products, alternative nicotine products, vapor products, or cigarettes to any person under 21 years of age. The provision of this section includes prohibiting a person under 21 years of age from purchasing tobacco, tobacco products, alternative nicotine products, vapor products, and cigarettes from a vending machine. If a retailer or employee of a retailer violates the provisions of this section, the Council shall, after written notice and hearing, and in addition to the other penalties fixed for such violation, assess the following:

1. For a first violation, the retailer shall be assessed a civil penalty in the amount of \$300.00. Failure to pay the civil penalty as ordered under this subsection shall result in automatic suspension of the permit for a period of 14 days.
2. For a second violation within a period of two years, the retailer shall be assessed a civil penalty in the amount of \$1,500.00 or the retailer's permit shall be suspended for a period of 30 days. The retailer may select its preference in the penalty to be applied under this subsection.
3. For a third violation within a period of three years, the retailer shall be assessed a civil penalty in the amount of \$1,500.00 and the retailer's permit shall be suspended for a period of 30 days.
4. For a fourth violation within a period of three years, the retailer shall be assessed a civil penalty in the amount of \$1,500.00 and the retailer's permit shall be suspended for a period of 60 days.
5. For a fifth violation within a period of four years, the retailer's permit shall be revoked. The Clerk shall give 10 days' written notice to the retailer by mailing a copy of the notice to the place of business as it appears on the application for a permit. The notice shall state the reason for the contemplated action and the time and place at which the retailer may appear and be heard. (Code of Iowa, Sec. 453A.2, 453A.22, and 453A.36(6))

121.10 SELF-SERVICE SALES PROHIBITED. Except for the sale of cigarettes through a cigarette vending machine as provided in Section 453A.36(6) of the Code of Iowa, a retailer shall not sell or offer for sale tobacco, tobacco products, alternative nicotine products, vapor products, or cigarettes through the use of a self-service display. (Code of Iowa, Sec. 453A.36A)

121.11 PERMIT REVOCATION. Following a written notice and an opportunity for a hearing, as provided by the Code of Iowa, the Council may also revoke a permit issued pursuant to this chapter for a violation of Division I of Chapter 453A of the Code of Iowa or any rule adopted thereunder. If a permit is revoked, a new permit shall not be issued to the permit holder for any place of business, or to any other person for the place of business at which the violation occurred, until one year has expired from the date of revocation, unless good cause to the contrary is shown to the Council. The Clerk shall report the revocation or suspension of a retail permit to the department within 30 days of the revocation or suspension. (Code of Iowa, Sec. 453A.22)

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Motion by Fotiadis and second by Sullivan to open public hearing regarding Amending the City of Osceola Code of Ordinances Pertaining to Conflict of Interest. Roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; Motion carried. There was no written comments during public hearing. Motion by Fotiadis and second by Hicks to close the

public hearing; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried.

Motion by Fotiadis and second by Bahls to approve the first reading of Amending the City of Osceola Code of Ordinances Pertaining to Conflict of Interest. Roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried. Motion by Sullivan and second by Fotiadis to waive the second and third reading; roll call vote; Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried.

Ordinance 687:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OSCEOLA, IOWA, BY AMENDING PROVISIONS PERTAINING TO CONFLICT OF INTEREST Be It Enacted by the City Council of the City of Osceola, Iowa:

SECTION 1. SUBSECTION MODIFIED. Subsection 1 of Section 5.07 of the Code of Ordinances of the City of Osceola, Iowa, is repealed and the following adopted in lieu thereof: 1. Compensation of Officers. The payment of lawful compensation of a City officer, volunteer firefighter as defined in Section 85.61 of the Code of Iowa, emergency medical care provider as defined in Section 147A.1 of the Code of Iowa, or employee holding more than one City office or position, the holding of which is not incompatible with another public office or is not prohibited by law. This subsection shall not be construed to prohibit nominal stipends, compensation, incentives, or benefits for volunteer firefighters or emergency medical care providers.

(Code of Iowa, Sec. 362.5(3)(a)) SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Motion by Fotiadis and second by Bahls to open public hearing regarding the Ordinance Amending the City of Osceola Code of Ordinances Pertaining to Public Hearing Requirements; roll call vote; Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried. There was no comments during public hearing. Motion by Fotiadis and second by Bahls to close the public hearing; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried.

Motion by Fotiadis and second by Hicks to approve the first reading the Ordinance Amending the City of Osceola Code of Ordinances Pertaining to Public Hearing Requirements; roll call vote: Fotiadis, aye; Sullivan, aye; Hicks, aye; Bahls, aye; motion carried. Motion by Sullivan and second by Hicks to waive the second and third reading of ordinance amendment; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried.

Ordinance 688

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OSCEOLA, IOWA, BY AMENDING PROVISIONS PERTAINING TO PUBLIC HEARING REQUIREMENTS Be It Enacted by the City Council of the City of Osceola, Iowa: SECTION 1. SUBPARAGRAPH MODIFIED. Subparagraph (1) of Paragraph D of Subsection 4 of Section 7.05 of the Code of Ordinances of the City of Osceola, Iowa, is repealed and the following is adopted in lieu thereof: (1) Notice of the public hearing shall be published not less than four or more than 20 days in a newspaper published at least once weekly and having general circulation in the City. However, if the City has a population of 200 or less, publication may be made by posting in three public places in the City. (Code of Iowa, Sec, 24.2A(4)(b)(2)) SECTION 2. SUBSECTION MODIFIED. Subsection 6 of Section 7.05 of the Code of Ordinances of the City of Osceola, Iowa, is repealed and the following is adopted in lieu thereof: 6. Notice of Hearing. Following, and not until completion of requirements, of Subsection 4 of this section, the Council shall set a time and place for public hearing on the budget to be held before April 30 and shall publish notice of the hearing not less than four or more than 20 days before the hearing. A summary of the proposed budget and a description of the procedure for protesting the City budget under Section 384.19 of the Code of Iowa, in the form prescribed by the Director of the Department of Management, shall be included in the notice. Proof of publication of the notice under this subsection must be filed with the

County Auditor. (Code of Iowa, Sec. 384.16(3)) SECTION 3. 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 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Motion by Fotiadis and second by Hicks to open public hearing regarding Amending the City of Osceola Code of Ordinances Pertaining to Public Hearing Requirements- Zoning. Roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried. There was no comments during public notice. Motion by Fotiadis and second by Sullivan to close public hearing; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried.

Motion by Fotiadis and second by Sullivan to approve the first reading of Amending the City of Osceola Code of Ordinances Pertaining to Public Hearing Requirements- Zoning; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried. Motion by Sullivan and second by Bahls to waive the second and third reading of the ordinance amendment; roll call vote: Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried.

Ordinance 689

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OSCEOLA, IOWA, BY AMENDING PROVISIONS PERTAINING TO PUBLIC HEARING REQUIREMENTS – ZONING Be It Enacted by the City Council of the City of Osceola, Iowa: SECTION 1. SUBPARAGRAPH MODIFIED. Subparagraph D of Subsection 3 of Section 167.08 of the Code of Ordinances of the City of Osceola, Iowa, is repealed and the following adopted in lieu thereof: D. Public hearings shall be held by the Planning and Zoning Commission and the Council; notice of time and place of such hearing shall be published not less than four or more than 20 days preceding said hearing and at least once in one or more newspapers of general circulation in the City. The Clerk shall notify all abutting or opposite property owners separated by public right-of-way, as listed by the developer in the original application, of the time, date and subject matter of the hearing. SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Motion by Fotiadis and second by Sullivan to open public hearing the Ordinance Amending the City of Osceola Code of Ordinances Pertaining to False Representation of Service Animal; roll call vote; Fotiadis, aye; Sullivan, aye; Hicks, aye; Bahls, aye; motion carried. There was no comments during public hearing. Motin by Fotiadis and second by Sullivan to close the public hearing; roll call vote; Fotiadis, aye; Sullivan, aye; Bahls, aye; Hicks, aye; motion carried.

Motion by Fotiadis and second by Bahls to approve the first reading of the Ordinance Amending the City of Osceola Code of Ordinances Pertaining to False Representation of Service Animal; roll call vote: Fotiadis, aye; Sullivan, aye; Hicks, aye; Bahls, aye; motion carried. Motion by Hicks and second by Bahls to waive the second and third reading of the Ordinance; roll call vote: Fotiadis, aye; Hicks, aye; Bahls, aye; Sullivan, aye; Motion carried.

Ordinance 690

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OSCEOLA, IOWA, BY ADDING A NEW SECTION PROHIBITING FALSE REPRESENTATION OF SERVICE ANIMAL Be It Enacted by the City Council of the City of Osceola, Iowa: SECTION 1. NEW SECTION. The Code of Ordinances of the City of Osceola, Iowa, is amended by adding a new Section 55.24, entitled FALSE REPRESENTATION OF SERVICE ANIMAL, which is hereby adopted to read as follows: 55.24 FALSE REPRESENTATION OF SERVICE ANIMAL. A person commits the offense of intentional misrepresentation of an animal as a service animal or a

service-animal in- training if, for the purpose of obtaining any of the rights or privileges set forth in State or federal law, the person intentionally misrepresents an animal in one's possession as one's service animal or service-animal-in-training or a person with a disability's service animal or service-animal-in-training whom the person is assisting by controlling. (Code of Iowa, Section 216C.11(3)(B)) SECTION 2. 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 3. 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 – Report on various projects updates.

Britanee Ward – City Clerk had nothing to report.

Marty Duffus – Police Chief had nothing to report at this time.

Had nothing to report at this time.

Motion by Bahls and second by Hicks to approve the Consent Agenda:

- a. Bills & Claims; Bills & Claims paid per Chapter 7 in City Ordinance
- b. Council Minutes: September 3rd
- c. Liquor License: None
- d. Pay Estimate 9, Central Business District, \$334,525.31

The Following Claims:

Name ,Invoice Desc, Check Amount;
ABDO LLP ,CITY: SERVICES, 1666; ACCESS SYSTEM ,LIBRARY: SERVICES, 343.16;ACE HARDWARE #697 ,GOLF COURSE; SUPPLIES, 72.71;
AGRILAND FS - MURRAY ,CEMETERY: FUEL, 4290.65;ALLIANT ENERGY ,STREET: UTILITIES, 13898.68;AMAZON CAPITAL SERVICES ,CITY: SUPPLIES, 62;BEARING HEADQUARTERS CO ,WWTP: SUPPLIES, 841.01;BLAKELY TREE SERVICE ,CITY: SERVICES, 2260;BUD JONES CONSTRUCTION ,GOLF COURSE: SERVICES, 6530;CARD SERVICE CENTER ,CITY: SUPPLIES/SERVICES, 1653.73; CARRICO AQUATIC RESOURCES INC ,POOL: SERVICES, 667.09;CHALLENGER TEAMWEAR ,P&R: SUPPLIES, 189.15;CHEM-SULT INC. ,WWTP: SUPPLIES, 3665;CHESNUT LAWN & LANDSCAPE ,P&R: SERVICES, 1580;CINTAS CORPORTATION (PW) ,CEMETERY: SERVICES, 475.91;CINTAS-SERVICES (GOLF) ,GOLF COURSE: SERVICES, 85.42;CITY ,FLEX, 147.42;
CITY OF OSCEOLA ,GOLF COURSE: TOURNY, 2880;CLARKE COUNTY ANIMAL SHELTER ,CITY: SERVICES, 2000;CLARKE ELECTRIC COOP ,WWTP: UTILITIES, 12629.31;CORE-MARK US LLC ,POOL: SUPPLIES, 143.4;DES MOINES REGISTER ,LIBRARY: SERVICES, 54.99;DIRECTV ,AIRPORT: UTILITIES, 184.43;DON'S JONS ,P&R: SERVICES, 190;DUST PROS JANITORIAL ,CITY: SERVICES, 2017.5;ECHO ELECTRIC SUPPLY ,CITY: SUPPLIES, 85.65;ELECTRIC PUMP ,WWTP: SUPPLIES, 1242.25;FAREWAY STORES - HANDWRITTEN ,GOLF COURSE: SUPPLIES, 552.48;FLEETSIDE FORD ,POLICE: SERVICES, 150.7;GALLS LLC ,POLICE: SUPPLIES, 141.79;GLOBAL PAYMENTS ,CITY: SERVICES, 325.68;GLOBAL PAYMENTS ,POOL: SERVICES, 190.28;GOLF CARS OF IOWA ,GOLF COURSE: SERVICES, 1500;HIGHWAY LUMBER ,AIRPORT: SUPPLIES, 73.48;HY-VEE FOOD STORES ,WWTP: SUPPLIES, 15.96; INFOMAX OFFICE SYSTEMS ,CITY: SERVICES, 64.85;IOWA DEPARTMENT OF REVENUE ,CITY: SALES TAX, 8101.63;IOWA LAW ENFORCEMENT ACADEMY ,POLICE: SERVICES, 50;J P AUTO ,WWTP: SUPPLIES, 214.58;JOHN TERPKOSH ,SERVICES, 160;KD TIRES LLC ,STREET: SUPPLIES, 3400;LINDA PERSELS ,AIRPORT: SERVICES, 1451.66;LYLE PERSELS ,AIRPORT: SUPPLIES, 19.89; MEDIACOM ,GOLF COURSE: UTILITIES, 757.32;MICROBAC LABORATORIES INC ,WWTP: SERVICES, 3106.25;MIDWEST OFFICE TECH. CO. ,POLICE: SERVICES, 216.36;NEW COOPERATIVE INC ,WWTP: SUPPLIES, 63.54;NORTH CENTRAL LABORATORIES OF WISCONSIN ,WWTP: SUPPLIES, 804.98;

O'REILLY AUTOMOTIVE INC. ,POLICE: SUPPLIES, 147.02;OSCEOLA FARM & HOME ,STREET: SUPPLIES, 323.86;OSCEOLA WATER WORKS ,CITY: UTILITIES, 90.13;PAYROC LLC ,CITY: SERVICES, 34.94;REYNOLDSON VAN WERDEN & RENOLDSON L.L.P. ,CITY: SERVICES, 4452;ROBBINS LAWN SERVICE LLC ,AIRPORT: SERVICES, 1113.08;RYCHNOVSKY LAWN & LANDSCAPE ,P&R: SERVICES, 2610;SCHILDBERG CONST. CO. ,STREET: SUPPLIES, 3936.42;SERVICE TECHS INC ,P&R: SUPPLIES, 55.96;SIRWA ,AIRPORT: UTILITIES, 85;SOLUTIONS ,POLICE: SERVICES, 4360.97;SPORT WADE INC. ,GOLF COURSE: SUPPLIES, 1024.6;THE BULLPEN ,P&R: SUPPLIES, 40;TK CONCRETE ,CITY: PROJECT, 334525.31;US CELLULAR ,LIBRARY: UTILITIES, 148.95;WASH & WEIGH ,CITY: SERVICES, 475;WINDSTREAM ,AIRPORT: UTILITIES, 1161.92;WINDSTREAM - FIBER ,GOLF COURSE: UTILITIES, 364.9; ,Grand Total, 436166.95;EFTS: 01582-01588 ,, ;Health Insurance EFTS 1783 ,, ;Check Number: 303565-303625 ,, ;Fund Recap: ,, ;1 ,General, 30485.15; 33 ,Golf Course, 14848.2;110 ,Road Use Tax , 19642.1;309 ,Youth Tennis, 160; 313 ,Trade House , 2345.65;315 ,Downtown Project, 334525.31;610 ,Waste Water, 34013.12;800 ,Health Insurance , 147.42; ,Grand Total, 436166.95;

Roll call vote: Fotiadis, aye; Bahls, aye; Sullivan, aye; Hicks, aye; motion carried.

Aug-25

General, 169247.5; UR Building Fund, 53685.76; Golf Course,111852.45
Road Use Tax , 61925.72; LOST Reservoir , 102171.69; Hotel/Motel Tax , 24966.88;
Urban Renewal Fund, 21011.81; TIF LMI SET-ASIDE, 7259.84; CDBG CVD Façade, 4457; Sewer Plant, 528481.63;; Sewer , 221300.54; Self Insurance , 84352.82;
Grand Total , 1390713.64;

There being no further business, motion by Bahls and second by Hicks to adjourn the meeting at 8:36 PM. All voting aye, motion carried.

Thomas J. Kedley – Mayor

Attest:

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