

## OSCEOLA CITY COUNCIL

Tuesday, January 6, 2026

Regular Meeting

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

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

The City Council met on Tuesday, January 6, 2026 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 Hicks Dan Hooper, Luci Sullivan, and Mel Miller. City Staff present were Ty Wheeler–City- Administrator, Britanee Case – 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: Andrew Clark, Mason McCoy, Janene Nelson, Colter Wright, John Boynton, Trent Rhoads, Phillip Perry, Doug Barns, Brain Crawford and others that did not sign in.

Oath of offices to Thomas Kedley, Dan Hooper and Mel miller were given prior to January 1, 2026.

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

Mayor update on various projects/activities.

Motion by Fotiadis and second by Hooper to amend the ordinance proposal for Chapter 166.10 Titled B-3 Interstate Commercial Regarding the Auto Body Repair use as permitted use in that zoning section; roll call vote: Fotiadis, aye; Sullivan, nay; Hooper, aye; Hicks, aye; Miller, aye; motion carried.

Motion by Fotiadis and second by hooper to approve the first reading of Chapter 166.10 Titled B-3 Interstate Commercial Regarding the Auto Body Repair use with the amendment; roll call vote: Fotiadis, aye; Sullivan, nay; Hooper, aye; Hicks, aye; Miller, aye; motion carried.

Motion by Fotiadis and second by Hicks to approve the third reading of the Ordinance Rezoning Parcels in Block 1 and Block 6 of E Osceola; roll call vote: Fotiadis, aye; Sullivan, aye; Hooper, aye; Hicks, aye; Miller, aye; motion carried.

### **Ordinance 694:**

#### AN ORDINANCE CHANGING THE ZONING OF CERTAIN PROPERTY

Be It Enacted by the City Council of Osceola, Iowa: Section I. The Properties Identified below shall be rezoned from R-2 One-Two Family to R-3 Multifamily: South ½ of Lot 5 and N ½ of E Webster Street Adjacent to Block 1 in East Osceola, Lot 6, 7, 8 in Block 1 of East Osceola, N ½ of E Webster Street Adjacent to Lot 6 in Block 1 East Osceola,

All of E Webster Street Adjacent to Lots 1, 2 in Block 6 of East Osceola, Lots 1, 2, 7, 8, and Vacated Alley in Block 6 of East Osceola. Section II. 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 III. When Effective This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Motion by Miller and second by Fotiadis to approve resolution 2026-01 Approving The Subsequent Agreement Regarding Future Payments; roll call vote: Fotiadis, aye; Sullivan, aye; Hooper, aye; Hicks, aye; Miller, aye; motion carried.

### **Resolution 2026-01:**

A RESOLUTION APPROVING THE SUBSEQUENT AGREEMENT REGARDING FUTURE PAYMENTS WHEREAS, the City of Osceola, Iowa (the "City"), previously entered into agreements governing the receipt and administration of certain "Future Payments" derived from casino revenues; and WHEREAS, the City, Osceola Water Works Board of Trustees, Clarke County Development Corporation, and the Clarke County Reservoir Commission have negotiated a document entitled "Subsequent Agreement Regarding Future Payments" (the "Subsequent Agreement"); and WHEREAS, the Subsequent Agreement provides for the redirection of Future Payments following the retirement of the Land Acquisition Bond, effective February 1, 2026, and clarifies the administration and use of such payments consistent with prior agreements; and

WHEREAS, the City Council has reviewed the Subsequent Agreement and finds that approval of the agreement is in the best interests of the City of Osceola and consistent with prior Council actions. NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OSCEOLA, IOWA, THAT: 1. The Subsequent Agreement Regarding Future Payments, in substantially the form presented to the City Council, is hereby approved. 2. The Mayor is hereby authorized and directed to execute the Subsequent Agreement on behalf of the City of Osceola, Iowa, and the City Clerk is authorized to attest to the execution thereof. 3. City staff are authorized to take any further action necessary to carry out the intent of this Resolution.

Motion by Fotiadis and second by Sullivan to approve the special events permit for the Sip+Shop event; roll call vote: Fotiadis, aye; Sullivan, aye; Hooper, aye; Hicks, aye; Miller, aye; motion carried.

Motion by Fotiadis and second by Miller to approve resolution 2026-02: Setting Date for Public Hearing on Urban Renewal Plan Amendment for the Osceola Urban Renewal Area; roll call vote: Fotiadis, aye; Sullivan, aye; Hooper, aye; Hicks, aye; Miller, aye; motion carried.

**Resolution 2026-02:**

Resolution Setting Date for Public Hearing on Urban Renewal Plan Amendment for the Osceola Urban Renewal Area WHEREAS, the City Council of the City of Osceola, Iowa by resolution previously established the Osceola Urban Renewal Area (the “Urban Renewal Area”) and adopted an urban renewal plan (the “Plan”) for the governance of initiatives and projects therein; and WHEREAS, an amendment (the “Amendment”) to the Plan has been prepared which authorizes the undertaking of an urban renewal project in the Urban Renewal Area consisting of providing tax increment financing support to James Rutherford (the “Developer”) in connection with the renovation by the Developer of an existing building in the City’s downtown, and it is now necessary that a date be set for a public hearing on the Amendment; NOW, THEREFORE, Be It Resolved by the City Council of the City of Osceola, Iowa, as follows: Section 1. This City Council will meet at the Osceola City Hall Council Chambers, Osceola, Iowa, on February 3, 2026, at 7:00 p.m., at which time and place it will hold a public hearing on the proposed amendment. Section 2. The City Clerk shall publish notice of said hearing, the same being in the form attached hereto, which publication shall be made in a legal newspaper of general circulation in the City, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for hearing. Section 3. Pursuant to Section 403.5 of the Code of Iowa, the City Administrator is hereby designated as the City’s representative in connection with the consultation process which is required under that section of the urban renewal law. It is hereby directed that representatives of Clarke County and the Clarke Community School District be invited to participate in the consultation.

Motion by Fotiadis and second by Hicks to approve resolution 2026-03 Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with James Rutherford, Including Annual Appropriation Tax Increment Payments; roll call vote: Fotiadis, aye; Sullivan, aye; Hooper, aye; Hicks, aye; Miller, aye; motion carried.

**Resolution 2026-03:**

Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with James Rutherford, Including Annual Appropriation Tax Increment Payments WHEREAS, the City of Osceola, Iowa (the “City”), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Osceola Urban Renewal Area (the “Urban Renewal Area”); and WHEREAS, this City Council has adopted certain ordinances providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal of and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and WHEREAS, the City proposes to enter into an agreement (the “Development Agreement”) with James Rutherford (the “Developer”) in connection with the renovation by the Developer of an existing building in the City’s downtown; and WHEREAS, under the Development Agreement, the City would provide financial incentives to the Developer in the form of annual appropriation incremental property tax payments (the “Payments”) in an amount not to exceed \$50,000 under the authority of Section 403.9(1) of the Code of Iowa; and WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa; NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Osceola, Iowa, as follows: Section 1. This Council shall meet on February 3, 2026, at 7:00 p.m., at the Osceola City Hall Council Chambers, in the City, at which time and place proceedings will be instituted and action

taken to approve the Development Agreement and to authorize the Payments. Section 2. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City. Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

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.

Council had nothing to report at this time.

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. Council Minutes: December 16th
- c. Liquor License: None

The following claims:

Name ,Invoice Desc, Check Amount;

ACCESS SYSTEM ,CITY: UTILITIES, 929.14; ACCO ,POOL: SUPPLIES, 232.79;  
ACE HARDWARE #697 ,STREET DEPT: SUPPLIES, 212.57; AFLAC ,Employee Deductions,  
28.92; AFLAC ,Employee Deductions, 28.92; ALLIANT ENERGY ,CITY: UTILITIES,  
5937.16; AMAZON CAPITAL SERVICES ,CITY: SUPPLIES, 195.62; ASA KENOYER ,SERVICES,  
95; BANTA ABSTRACT COMPANY ,CITY: SERVICES, 250; BARTS TIRE & AUTO ,FIRE DEPT:  
SERVICES, 431.95; BUD JONES CONSTRUCTION ,WWTP: SERVICES, 189.15; CARD SERVICE  
CENTER ,FIRE: SUPPLIES/SERVICES, 1010.08; CARD SERVICES - CITY CREDIT ,WWTP:  
SUPPLIES/SERVICES, 170.86; CASEYS BUSINESS MASTERCARD ,CITY: FUEL,  
2633.72; CENTRAL IA HOSPITAL CORP ,MED, 56.6; CHARITON MONUMENT CO. INC.  
,CEMETARY: SUPPLIES, 247.5; CHEM-SULT INC. ,WWTP: SUPPLIES, 2848; CINTAS  
CORPORATION (PW) ,CEMETERY: SERVICES, 193.5; CITY OF MURRAY ,CITY: SERVICES,  
2545.51; CITY OF WOODBURN ,CITY: SERVICES, 848.5; CLARKE CO RECORDER ,CITY:  
SERVICES, 64; CLARKE CO. HOSPITAL ,MED, 297.39; CLARKE COUNTY ANIMAL SHELTER  
,CITY: SERVICES, 2000; CODY ROBINSON ,MED, 50; CODY ROBINSON ,MED, 100;  
COLLECTION SERVICE CENTER ,CHILD SUPPORT, 572.66; COMMUNICATIONS SOLUTIONS  
,CITY: SERVICES, 710; CORNING RENTAL ,CITY: SERVICES, 2598; CRESTON PUBLISHING  
COMPANY ,CITY: SERVICES, 1101.73; D & D PEST CONTROL ,CITY: SERVICES, 80; DAIDA  
,CITY: SERVICES, 374.58; DARRON TONEY ,MED, 25; DARRON TONEY ,MED, 50; DUST PROS  
JANITORIAL ,WWTP: SERVICES, 350; EFTPS ,FEDERAL WITHHOLDING, 19612.38; EFTPS  
,FEDERAL WITHHOLDING, 22803.89; ELECTRIC PUMP ,WWTP: SUPPLIES, 3578.51; ELLIOTT OIL  
CO. ,FIRE DEPT: SERVICES, 134.01; FAREWAY STORES ,POLICE DEPT: SUPPLIES, 53.34; FIRE  
SERVICE TRAINING BUREAU ,FIRE DEPT: SERVICES, 150; FLEETSIDE FORD ,POLICE DEPT:  
SERVICES, 152.92; GALLS LLC ,POLICE DEPT: SUPPLIES, 630.97; GLOBE LIFE LIBERTY  
NATIONAL DIVISION ,LIFE INSURANCE PRETAX, 679.08; GPM ,WWTP: SUPPLIES,  
443; GREATER REGIONAL MED ,MED, 21.06; GREATER REGIONAL MED CNTR ,MED,  
479.2; HARD ROCK CAR WASH ,POLICE DEPT: SERVICES, 200; HIGHWAY LUMBER ,CITY:  
SUPPLIES, 2832.27; HY-VEE FOOD STORES ,FIRE DEPT: SUPPLIES, 591.05; IMWCA ,CITY:  
SERVICES, 3221; INFOMAX OFFICE SYSTEMS ,CITY: SUPPLIES, 79.99; INTERSTATE ALL  
BATTERY CENTER ,WWTP: SERVICES, 46.68; IOWA ONE CALL ,CITY: SERVICES, 51.3; IPERS  
,IPERS - MONTHLY CONTRIB, 28522.6; J P AUTO ,FIRE DEPT: SUPPLIES, 971.64; JIM'S  
SANITATION & TRUCK REPAIR ,CITY: SERVICES, 39155.24; KD TIRES LLC ,STREET DEPT:  
SERVICES, 300; LABCORP HOLDINGS ,MED, 7.19; MAINSTAY SYSTEMS OF IOWA LLC ,POLICE  
DEPT: SERVICES, 177; MCFARLAND CLINIC ,MED, 2.08; MEDIACOM ,CITY: UTILITIES,  
317.65; MES (MUNICIPAL EMERGENCY SERVICES) ,FIRE DEPT: SUPPLIES, 2360.05; METRO  
ANESTHESIA LLP ,MED, 196.8; MICHAEL CODY SMITH ,MED, 18.16; MIDWEST OFFICE TECH.  
CO. ,WWTP: SUPPLIES, 228.7; MOTOROLA SOLUTIONS ,POLICE DEPT: SUPPLIES,  
3510; MUTUAL OF OMAHA ,CITY PORTION LIFE INSURANCE, 581.83; NORTH CENTRAL  
LABORATORIES OF WISCONSIN ,WWTP: SUPPLIES, 848.38; O'REILLY AUTOMOTIVE INC.  
,WWTP: SUPPLIES, 11; OSCEOLA FARM & HOME ,FIRE DEPT: SUPPLIES, 171.83;  
OSCEOLA WATER WORKS ,CITY: UTILITIES, 2803.13; PITNEY BOWES ,CITY: POSTAGE,  
91.29; REGIONAL MEDICAL ,MED, 3.96; ROOF GERDES ERLBACHER PLC ,CITY: AUDITORS,  
10450; SHANE TAYLOR ,MED, 5.08; SHANE TAYLOR ,MED, 50; SHAWN HANDSAKER ,MED,  
2.08; SITLERS SUPPLIES INC ,GOLF COURSE: SUPPLIES, 734; SOLUTIONS ,WWTP: SUPPLIES,  
389.42; SPOKE COMMUNICATIONS LLC ,CITY: SERVICES, 300; SPORT WADE INC. ,WWTP:  
SUPPLIES, 341.85; THOMAS WERNER ,MED, 565.72; TORI VIRCHOW ,MED, 30.5; TREASURER ST.  
OF IOWA ,STATE INCOME TAX, 4349.58; TYSON RUMLEY ,MED, 9.62; ULINE ,WWTP:  
SERVICES, 128.39; UNITYPOINT AT HOME ,MED, 46.22; UNIV OF IA PAYMENT ,MED, 1817.77;  
US CELLULAR ,CITY: UTILITIES, 1009.76; UTILITY EQUIPMENT CO. ,WWTP: SUPPLIES,  
1537.41; VEENSTRA & KIMM INC. ,CITY: SERVICES, 74686.7; VERIZON ,FIRE DEPT: UTILITIES,  
0.08; WINDSTREAM ,WWTP LIFT STATION: UTILITIES, 1775.67; ZIEGLER INC ,STREET DEPT:  
SUPPLIES, 688.96; ,Grand Total , 262416.84; EFT: 1680-1700 ,, ; Check Number: 304112-304174 ,,  
; Health Check: 1908-1927 ,, ; Fund Recap ,, ; 1 ,General , 111260.17; 33 ,Golf Course, 6935.27; 101  
,Insurance, 3221; 110 ,Road Use Tax, 8064.14; 112 ,Employee Benefits, 26526.31; 313 ,Trade House,

5430.27;315 ,Downtown Project, 31919;317 ,Sewer Plant, 36080.7;610 ,Waste Water, 29145.55;800 ,Health Insurance, 3834.43; ,Grand Total , 262416.84;

Roll call vote: Fotiadis, aye; Sullivan, aye; Hooper, nay; Hicks, aye; Miller, aye; motion carried.

Motion by Fotiadis and second by Closed Session Pursuant to Iowa Code Chapter 21.5.j- 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; Sullivan, aye; Hooper, aye; Hicks, aye; Miller, aye; motion carried. Motion by Fotiadis and second by Hicks to exit out of close session.

There was no action item at this time.

There being no further business, motion by Fotiadis and second by Hicks to adjourn the meeting at 8:02 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](http://osceolaia.net)

UNOFFICIAL

**OSCEOLA CITY COUNCIL**

Tuesday, January 6, 2026

Work Session Meeting

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

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

The City Council met on Tuesday, January 6, 2026 at 6:00 p.m. for a work session meeting. The meeting was called to order by Mayor Thomas J. Kedley. With the following present: Council Members: George Fotiadis, Sonya Hicks, Dan Hooper, Luci Sullivan and Mel Miller. City Staff present were Ty Wheeler–City- Administrator, Britanee Ward – City Clerk, and Marty Duffus – Police Chief.

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

Discussion with Southern Tire Mart Representatives: John Boynton, Doug Barns, Trent Rhoads, Perry Phillips. They presented to Council story of Southern Tire Mart and what they plan to bring to the community.

There was no action during the work session.

There being no further business, motion by Fotiadis and second by Hooper to adjourn the meeting at 6:45 PM. All voting aye, motion carried.

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Thomas J. Kedley - Mayor

Attest:

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Britanee Ward – City Clerk  
Website: [osceolaia.net](http://osceolaia.net)

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