

OSKALOOSA CITY COUNCIL
REGULAR MEETING
February 19, 2013

The Oskaloosa City Council met in regular session on Tuesday, February 19, 2013, at 6:00 p.m. with Mayor Krutzfeldt presiding and the following members answering roll call: Caligiuri, Moore, Van Zetten, Walling and Yates. Absent: Jimenez and Ver Steeg.

Susan Leonard, 328 North 3rd Street, commented regarding parking on C Avenue East.

It was moved by Yates, seconded by Caligiuri to approve the following consent agenda items:

1. February 4, 2013 Regular City Council Meeting Minutes
2. February 19, 2013 Agenda
3. Receive and file the following reports and communications from advisory and operating boards and commissions:
 - a. January 21, 2013 Water Board Special Meeting Minutes
 - b. January 28, 2013 Water Board Special Meeting Minutes
 - c. February 14, 2013 Water Board Meeting Minutes
 - d. January 14, 2013 Library Board Minutes
 - e. February 8, 2013 Enterprise Zone Commission Minutes
 - f. February 11, 2013 Planning and Zoning Commission Minutes
 - g. February 7, 2013 Housing Trust Fund Committee Minutes
4. Renewal application for a Class C Liquor License from Harry L. Anderson Post #34 American Legion, 302 High Avenue East.
5. FY 2013 Cigarette Permits.

The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates
NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Yates, seconded by Caligiuri to authorize the Mayor to sign and submit the 2012 Trolley Place Housing Enterprise Zone report to the State of Iowa. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates
NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Yates, seconded by Caligiuri to appoint Sandra Rowe to the Oskaloosa Municipal Housing Agency for a two year term that ends February 28, 2015. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates
NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Yates, seconded by Caligiuri to approve the request from the Oskaloosa Area Chamber & Development Group for closure of streets for the 2013 Oskaloosa Chamber events as follows:

Friday After Five: Closure of South 1st Street between High Avenue East and 1st Avenue East on May 31, June 7, June 14, June 21 and June 28, 2013; from 3:30 p.m. to 9:00 p.m.

Art on the Square: Closure of South 1st Street between High Avenue East and 1st Avenue East on Saturday, June 8, 2013 from 6:00 a.m. to 6:00 p.m.

Sweet Corn Serenade: Closure of South 1st Street between High Avenue East and 1st Avenue East, 1st Avenue East from South Market to South 1st Street and High Avenue East between South 1st Street and South Market Street on Thursday, August 1, 2013 from 6:00 a.m. to 10:00 p.m.; and closure of 1st Avenue East at South 1st Street from 4:30 p.m. Wednesday, July 31, 2013 to 10:00 p.m. Thursday, August 1, 2013.

Lighted Christmas Parade: Closure of High Avenue East, 1st Avenue East and 2nd Avenue East from South 3rd Street to South 11th Street for parade lineup on one side of the street to allow for emergency traffic; closure of three blocks of South 1st Street and South 3rd Street from A Avenue East to 2nd Avenue East, and four blocks of South 2nd Street from A Avenue East to 3rd Avenue East; and South Market Street from A Avenue to 3rd Avenue East (with IDOT approval) from approximately 6:45 p.m. to 8:30 p.m. on Thursday, December 5, 2013.

The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said motion approved.

Yates introduced Resolution No. 13-02-09 entitled "RESOLUTION SETTING DATE FOR A PUBLIC HEARING TO AMEND THE ZONING ORDINANCE OF THE CITY OF OSKALOOSA, IOWA BY CHANGING THE ZONING OF CERTAIN PROPERTY LOCATED AT 805 SOUTH 6TH STREET AND 819 SOUTH 6TH STREET FROM URBAN-FAMILY RESIDENTIAL (R-2) DISTRICT TO URBAN-FAMILY RESIDENTIAL WITH CONDITIONAL PLANNED USE OVERLAY (R-2/CP) DISTRICT" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Yates introduced "AN ORDINANCE REVISING USER CHARGES IN THE CITY OF OSKALOOSA, IOWA, TO PROVIDE FUNDS NEEDED TO PAY FOR EXPENSES ASSOCIATED WITH THE CITY'S WASTEWATER TREATMENT WORKS" and moved

its approval on the third reading. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said ordinance duly adopted. The ordinance was assigned No. 1333.

Moore introduced "AN ORDINANCE ESTABLISHING A "NO PARKING ZONE" ALONG THE SOUTH SIDE OF C AVENUE EAST BETWEEN NORTH MARKET STREET AND NORTH 4TH STREET, PROHIBITING THE PARKING OF MOTOR VEHICLES OR OTHER TYPE OF VEHICLES WITHIN SAID NO PARKING ZONE; AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF" and moved its approval on the second reading. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said ordinance approved on the second reading.

Moore introduced "AN ORDINANCE TO REMOVE THE EXISTING "NO PARKING ZONE" ALONG THE EAST SIDE OF SOUTH M STREET FROM 3RD AVENUE WEST TO 600 FEET SOUTH OF 3RD AVENUE WEST" and moved its approval on the second reading. Yates seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said ordinance approved on the second reading.

Caligiuri introduced "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA BY CHANGING THE ZONING OF CERTAIN PROPERTY LOCATED AT 206 ROCK ISLAND AVENUE FROM LI, LIMITED INDUSTRIAL DISTRICT, TO UC, MIXED USE URBAN CORRIDOR DISTRICT" and moved its approval on the second reading. Moore seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said ordinance approved on the second reading.

Yates introduced Resolution No. 13-02-10 entitled "RESOLUTION AMENDING RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AND DISBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF OSKALOOSA, IOWA, IOWA FINANCE AUTHORITY, IOWA DEPARTMENT OF NATURAL RESOURCES AND NORWEST BANK IOWA, N.A. AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF \$1,515,000 SEWER REVENUE CAPITAL LOAN NOTES, SERIES 1994, OF THE CITY OF OSKALOOSA, IOWA, UNDER THE PROVISIONS OF THE CODE OF IOWA, AND PROVIDING FOR A METHOD OF PAYMENT OF SAID NOTES" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Moore introduced Resolution No. 13-02-11 entitled "RESOLUTION AMENDING RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AND DISBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF OSKALOOSA, IOWA, IOWA FINANCE AUTHORITY, IOWA DEPARTMENT OF NATURAL RESOURCES AND NORWEST BANK IOWA, N.A. AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF \$2,671,000 SEWER REVENUE CAPITAL LOAN NOTES, SERIES 1996, OF THE CITY OF OSKALOOSA, IOWA, UNDER THE PROVISIONS OF THE CODE OF IOWA, AND PROVIDING FOR A METHOD OF PAYMENT OF SAID NOTES" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Moore introduced Resolution No. 13-02-12 entitled "RESOLUTION AMENDING RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AND DISBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF OSKALOOSA, IOWA, IOWA FINANCE AUTHORITY, IOWA DEPARTMENT OF NATURAL RESOURCES AND WELLS FARGO BANK IOWA, N.A. AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF \$4,017,000 SEWER REVENUE CAPITAL LOAN NOTES, SERIES 2002, OF THE CITY OF OSKALOOSA, IOWA, UNDER THE PROVISIONS OF THE CODE OF IOWA, AND PROVIDING FOR A METHOD OF PAYMENT OF SAID NOTES" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 13-02-13 entitled "RESOLUTION APPROVING THE 28E AGREEMENT BETWEEN THE CITY OF OSKALOOSA AND THE IOWA DEPARTMENT OF TRANSPORTATION JOINT CONSTRUCTION OF SANITARY SEWER INFRASTRUCTURE" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Walling introduced Resolution No. 13-02-14 entitled "RESOLUTION APPROVING AN ENGINEERING SERVICES AGREEMENT WITH GARDEN & ASSOCIATES, LTD FOR THE WEST AREA SANITARY SEWER IMPROVEMENTS - 2013" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Yates introduced Resolution No. 13-02-15 entitled "RESOLUTION FOR PRELIMINARY APPROVAL OF PLANS, SPECIFICATIONS, AND ESTIMATED COST; SETTING DATE OF PUBLIC HEARING ON PLANS, SPECIFICATIONS, AND ESTIMATED COST; AND ORDERING THE ADVERTISEMENT FOR BIDS ON THE EAST MALL PARKING IMPROVEMENT PROJECT" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 13-02-16 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OSKALOOSA TO ADOPT THE CITY OF OSKALOOSA SAFE ROUTES TO SCHOOL PLAN" with revisions #1-7 and moved its approval. Yates seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 13-02-17 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER ALL NECESSARY DOCUMENTS IN CONNECTION WITH THE GRANT APPLICATION FOR FUNDS UNDER THE SAFE ROUTES TO SCHOOL PROGRAM" and moved its approval. Yates seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Yates introduced Resolution No. 13-02-18 entitled "A RESOLUTION APPROVING THE EXECUTION OF A CONTRACT WITH THE AREA 15 REGIONAL PLANNING COMMISSION FOR SERVICES REQUIRED FOR THE GRANT APPLICATION OF FUNDS UNDER THE SAFE ROUTES TO SCHOOL PROGRAM" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

City Manager Michael Schrock gave a presentation on the FY 2013 Budget Amendment and FY 2014 Budget.

It was moved by Walling, seconded by Caligiuri to hold a closed session under Iowa Code Section 21.5.1.c. to discuss strategy with counsel on a matter presently in litigation or in which litigation is imminent where disclosure would be likely to prejudice or disadvantage the city's position. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Walling and Yates

NAYS: None

Whereupon the Mayor declared said motion approved.

Van Zetten excused himself from the meeting.

The meeting adjourned to closed session at 7:30 p.m. and reconvened to open session at 8:00 p.m.

It was moved by Moore, seconded by Caligiuri to approve a settlement agreement between the City of Oskaloosa, Iowa and Clabaugh Enterprises, Inc. and Larry Clabaugh. The roll was called and the vote was:

AYES: Caligiuri, Moore, Walling and Yates

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Caligiuri, seconded by Moore that the meeting adjourn. Motion carried unanimously. The meeting adjourned at 8:06 p.m.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk