

OSKALOOSA CITY COUNCIL
REGULAR MEETING
August 4, 2014

The Oskaloosa City Council met in regular session on Monday, August 4, 2014, at 6:00 p.m. with Mayor Krutzfeldt presiding and the following members answering roll call: Caligiuri, Jimenez, Moore, Ver Steeg and Walling. Absent: Van Zetten and Yates.

Hannah DeGeest, 816 Woodland Road, and Natalie Spray, 2660 205th Street, gave a quarterly update on Blue Zones.

It was moved by Caligiuri, seconded by Moore to approve the consent agenda:

1. July 21, 2014 City Council Regular Meeting Minutes
2. August 4, 2014 Agenda
3. Receive and file the following reports and communications from advisory and operating boards and commission:
 - a. June 18, 2014 Water Board Minutes
 - b. July 1, 2014 Airport Commission Minutes
 - c. July 22, 2014 Board of Adjustment Minutes
4. Claims for July 2014.
5. Application for a Class C Liquor License with Sunday Sales for Oskaloosa Entertainment Inc., dba Hot Shotz Bar & Grill, 507 High Avenue West.

The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg and Walling
NAYS: None

Whereupon the Mayor declared said motion approved.

Caligiuri introduced Resolution No. 14-08-59 entitled "RESOLUTION SCHEDULING A TIME FOR HEARING FOR CONSIDERING THE MATTER OF LEVYING A SPECIAL ASSESSMENT AGAINST PRIVATE PROPERTY FOR CITY CLEAN UP OF A PREMISES AND DIRECTING NOTICE TO THE OWNER TO BE ASSESSED" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg and Walling
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 14-08-60 entitled "RESOLUTION SCHEDULING A TIME FOR HEARING FOR CONSIDERING THE MATTER OF LEVYING A SPECIAL ASSESSMENT AGAINST PRIVATE PROPERTY FOR WEED CUTTING BY THE CITY IN ACCORDANCE WITH SECTION 8.20 OF THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA, AND DIRECTING NOTICE TO THE OWNER OF THE PROPERTY TO BE ASSESSED" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg and Walling
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 14-08-61 entitled "A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER A PROPOSED ORDINANCE AMENDING THE CITY'S GAS AND ELECTRIC FRANCHISE AGREEMENT WITH MIDAMERICAN ENERGY COMPANY, AND INCREASING THE EXISTING GAS AND ELECTRIC FRANCHISE FEE TO 5% OF THE COMPANY'S GROSS REVENUES FOR RESIDENTIAL, COMMERCIAL, AND PUBLIC AUTHORITY USERS, AND 3.5% OF THE COMPANY'S GROSS REVENUES FOR INDUSTRIAL USERS; INCLUDING THE CITY'S REVENUE PURPOSE STATEMENT FOR USE OF FRANCHISE FEE REVENUES" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg and Walling

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 14-08-62 entitled "RESOLUTION APPROVING THE DISPOSAL OF SURPLUS CITY-OWNED EQUIPMENT" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg and Walling

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

It was moved by Caligiuri, seconded by Moore to authorize the Mayor to draft a letter of support for the High Avenue East housing project. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg and Walling

NAYS: None

Whereupon the Mayor declared said motion approved.

The Mayor announced there are vacancies on the Building Code Board of Appeals, Library Board of Trustees (rural representative), Planning and Zoning Commission, Board of Adjustment and Water Board.

The Mayor announced this was the time and place for the public hearing on the vacation and sale of the north-south public alley adjacent to 211 North J Street and that citizens would now have an opportunity to comment. Terry Wolfswinkel, 211 North J, commented. There were no written comments received. The Mayor declared said hearing closed.

Ver Steeg introduced "AN ORDINANCE VACATING THE NORTH-SOUTH PUBLIC ALLEY ADJACENT TO 211 NORTH J STREET, AND THE SALE OF SAID PUBLIC ALLEY RIGHT-OF-WAY" and moved its approval on the first reading. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore and Ver Steeg

NAYS: Jimenez and Walling

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

The Mayor announced this was the time and place for the public hearing on the vacation and sale of the north-south alley adjacent to 1210 A Avenue East and that citizens would now have an opportunity to comment. Bill and Carrie Bainbridge, owners of CB Liquor, commented. There were no written comments received. The Mayor declared said hearing closed.

Action on an ordinance vacating the north-south public alley adjacent to 1210 A Avenue East died for lack of a motion.

The Mayor announced this was the time and place for the public hearing on levying a special assessment against private property for weed cutting and that citizens would now have an opportunity to comment. There were no oral or written comments received. The Mayor declared said hearing closed.

Jimenez introduced Resolution No. 14-08-63 entitled "RESOLUTION LEVYING A SPECIAL ASSESSMENT AGAINST PRIVATE PROPERTY FOR CUTTING AND REMOVAL OF WEEDS BY THE CITY OF OSKALOOSA, IOWA, IN ACCORDANCE WITH TITLE 8, CHAPTER 8.20 OF THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg and Walling

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

The Mayor announced this was the time and place for the public hearing on the plans, specifications, form of contract and estimated cost for the South 11th Street Pavement Rehabilitation Project and that citizens would now have an opportunity to comment. There were no oral or written comments received. The Mayor declared said hearing closed.

Caligiuri introduced Resolution No. 14-08-64 entitled "RESOLUTION TO APPROVE FINAL PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COST FOR THE SOUTH 11TH STREET PAVEMENT REHABILITATION PROJECT" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg and Walling

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 14-08-65 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OSKALOOSA APPROVING THE BID PROCESS; ACCEPTING THE LOWEST RESPONSIBLE BID; AWARDED CONSTRUCTION TO NORRIS ASPHALT PAVING CO. FOR AN AMOUNT NOT TO EXCEED \$696,087.00; AND APPROVING A CONSTRUCTION CONTINGENCY NOT TO EXCEED \$69,600.00 FOR THE SOUTH 11TH STREET PAVEMENT REHABILITATION PROJECT" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg and Walling
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced "AN ORDINANCE AMENDING THE OSKALOOSA, IOWA CITY CODE BY DELETING THE CURRENT SECTION 6.04.090 IN ITS ENTIRETY AND INSERTING IN LIEU THEREOF AN AMENDED SECTION 6.04.090" and moved its approval on the second reading. Ver Steeg seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg and Walling
NAYS: None

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

Ver Steeg introduced "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA, BY AMENDING PROVISIONS PERTAINING TO SECTION 10.48.030 – "ANGLE PARKING" BY ALLOWING ANGLE PARKING ON A PORTION OF NORTH K STREET" and moved its approval on the second reading. Moore seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg and Walling
NAYS: None

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

It was moved by Caligiuri, seconded by Moore 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, Jimenez, Moore, Ver Steeg and Walling
NAYS: None

Whereupon the Mayor declared said motion approved.

Todd Roach, Hawkeye Real Estate, addressed City Council regarding the High Avenue East housing project.

City Council adjourned to closed session at 6:45 p.m. and reconvened in open session at 6:48 p.m.

It was moved by Caligiuri, seconded by Moore to approve a remediation agreement between the city of Oskaloosa and Russ Parker where upon satisfactory completion of the work in accordance with all other City ordinances City shall pay to Owner the sum of \$4,000 to reimburse Owner for costs of labor for remediation and for new trusses required. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg and Walling
NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Moore, seconded by Jimenez that the meeting adjourn. Motion carried unanimously. The meeting adjourned at 6:55 p.m.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk