

OSKALOOSA CITY COUNCIL
REGULAR MEETING
November 3, 2014

The Oskaloosa City Council met in regular session on Monday, November 3, 2014, at 6:00 p.m. with Mayor Krutzfeldt presiding and the following members answering roll call: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates.

It was moved by Caligiuri, seconded by Moore to approve the consent agenda with Item J removed:

1. October 20, 2014 City Council Regular Meeting Minutes
2. November 3, 2014 Agenda
3. Receive and file the following reports and communications from advisory and operating boards and commission:
 - a. October 15, 2014 Historic Preservation Commission Minutes
 - b. October 8, 2014 Airport Commission Minutes
4. Claims for October 2014
5. Renewal application for a Class C Liquor License with Catering Privileges and Outdoor Service from SPSZ, LLC dba On the Green, 2214 South 11th Street.
6. Renewal application for a Class E Liquor License with Carryout Beer and Wine from Kabal Chauchan dba Cork & Bottle, 309 A Avenue West.

The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said motion approved.

Caligiuri introduced Resolution No. 14-11-90 entitled "RESOLUTION APPROVING TAX INCREMENT FINANCE ASKING FOR FISCAL YEAR 2015-2016" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 14-11-91 entitled "RESOLUTION APPROVING THE 2014 FISCAL YEAR FINANCIAL REPORT" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

It was moved by Caligiuri, seconded by Moore to approve Pay Request No. 2 in the amount of \$64,131.60 to Norris Asphalt Paving Co. for work completed on the South 11th Street Pavement Rehabilitation Project. The roll was called and the vote was:

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

Whereupon the Mayor declared said motion approved.

Caligiuri introduced "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA, SECTION 13.08.140, BY ADDING NEW SANITARY SEWER CONNECTION CHARGES FOR THE WEST AREA SANITARY SEWER IMPROVEMENTS" and moved its approval on the second reading. Moore seconded the motion. The roll was called and the vote was:

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

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

Caligiuri introduced Resolution No. 14-11-92 entitled "A RESOLUTION APPROVING AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE NECESSARY DOCUMENTS FOR THE PURPOSE OF RETAINING PRIVATE MOWING AND TRIMMING SERVICES FOR CITY FACILITIES AND PROPERTY" and moved its approval. Yates seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg and Yates
NAYS: Walling

Whereupon the Mayor declared said resolution duly adopted.

The Mayor announced there were vacancies on the Airport Commission, Building Code Board of Appeals, Board of Adjustment, Historic Preservation Commission, Housing Trust Fund Committee, the Mahaska County Solid Waste Management Commission and the Ad Hoc Recycling Committee.

Richard Atterbury, Martens & Company, CPA, LLP, presented the Fiscal Year 2014 Audit Report.

It was moved by Ver Steeg, seconded by Caligiuri to receive and file the audit report, authorize payment of \$8,750 to Martens & Company, CPA, LLP and \$625 to the Auditor of the State. The roll was called and the vote was:

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

Whereupon the Mayor declared said motion approved.

The Mayor announced this was the time and place for the public hearing on levying a special assessment against private property for cutting and removal of weeds and citizens would now have the opportunity to comment. A written comment was received from Randy and JoAnn Plate and Randy and JoAnn Plate, 411 North G Street, commented. The Mayor declared said hearing closed.

Ver Steeg introduced Resolution No. 14-11-93 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 with the assessment for Randy and JoAnn Plate removed. Jimenez seconded the motion. The roll was called and the vote was:

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

Whereupon the Mayor declared said resolution duly adopted.

Van Zetten introduced Resolution No. 14-11-94 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 with the assessment for Randy and JoAnn Plate reduced to \$50.00. Yates seconded the motion. The roll was called and the vote was:

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

Whereupon the Mayor declared said resolution duly adopted.

The Mayor announced this was the time and place for the public hearing on amending the Oskaloosa Municipal Code regarding accessory building standards and citizens would now have the opportunity to comment. Joe Crookham, 815 Woodland, commented. No written comments were received. The Mayor declared said hearing closed.

It was moved by Jimenez, seconded by Ver Steeg to deny the ordinance amending Title 17 – “Zoning,” Chapter 17.04 – “Definitions,” and Chapter 17.24 – “Supplemental Site Development Regulations,” of the City of Oskaloosa Zoning Ordinance regarding accessory building standards. The roll was called and the vote was:

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

Whereupon the Mayor declared said motion approved.

The Mayor announced this was the time and place for the public hearing on vacation and sale of the north-south public alley adjacent to 1002 North 2nd Street and citizens would now have the opportunity to comment. There were no oral or written comments received. The Mayor declared said hearing closed.

Caligiuri introduced “AN ORDINANCE VACATING THE NORTH-SOUTH PUBLIC ALLEY ADJACENT TO 1002 NORTH 2ND STREET, AND THE SALE OF SAID PUBLIC ALLEY RIGHT-OF-WAY” and moved its approval on the first reading. Yates seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Van Zetten, Ver Steeg, Walling and Yates
NAYS: Jimenez

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 a revenue purpose statement for the use or expenditure of fee revenues from proposed natural gas and electric franchise fees and citizens would now have the opportunity to comment. There were no oral or written comments received. The Mayor declared said hearing closed.

Van Zetten introduced a resolution approving and adopting a revenue purpose statement for the use or expenditure of fee revenues from proposed natural gas and electric franchise fees and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, and Yates

NAYS: Jimenez, Van Zetten, Ver Steeg and Walling

Whereupon the Mayor declared said resolution defeated.

Van Zetten introduced Resolution No. 14-11-95 entitled "A RESOLUTION APPROVING AND ADOPTING A REVENUE PURPOSE STATEMENT FOR THE USE OR EXPENDITURE OF FEE REVENUES FROM PROPOSED NATURAL GAS AND ELECTRIC FRANCHISE FEES" and moved its approval to only include (e) Public safety, including the equipping of fire, police, emergency services, sanitation, street, and civil defense departments, (f) The establishment, construction, reconstruction, repair, equipping, remodeling, and extension of public works, public utilities, and public transportation systems, and (g) The construction, reconstruction or repair of streets, highways, bridges, sidewalks, pedestrian underpasses and overpasses, street lighting fixtures, and public grounds and the acquisition of real estate needed for such purposes. Ver Steeg seconded the motion. The roll was called and the vote was:

AYES: Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates

NAYS: Caligiuri

Whereupon the Mayor declared said resolution duly adopted.

The Mayor announced this was the time and place for the public hearing to consider an ordinance amending the natural gas franchise agreement with MidAmerican Energy Company. Joe Crookham, 815 Woodland; Andrew Jensen, Executive Director of the Mahaska Community Development Group; and Mark Willett, Clow Valve Company, commented. No written comments were received. The Mayor declared said hearing closed.

It was moved by Van Zetten, seconded by Jimenez to deny the ordinance amending the city's natural gas franchise agreement with MidAmerican Energy Company, and increasing the existing gas franchise fees by an additional 2% of the company's gross revenues for all service classes. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Van Zetten, Ver Steeg and Walling

NAYS: Moore and Yates

Whereupon the Mayor declared said motion approved.

The Mayor announced this was the time and place for the public hearing to consider an ordinance amending the electric franchise agreement with MidAmerican Energy Company. There were no oral or written comments received. The Mayor

declared said hearing closed.

It was moved by Van Zetten, seconded by Jimenez to deny the ordinance amending the city's electric franchise agreement with MidAmerican Energy Company, and increasing the existing electric franchise fees by an additional 2% of the company's gross revenues for all service classes. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Van Zetten, Ver Steeg and Walling

NAYS: Moore and Yates

Whereupon the Mayor declared said motion approved.

Caligiuri introduced "AN ORDINANCE AMENDING THE OSKALOOSA, IOWA CITY CODE BY AMENDING THE PROVISIONS OF SECTION 10.48.360 TO DELETE CURRENT SUBSECTIONS ONE AND TWO, AND THE NUMERICAL DESIGNATION OF CURRENT SUBSECTION THREE AND AMENDING SECTION 10.48.320 TO COMPORT THEREWITH" and moved its approval on the first reading. Moore seconded the motion. It was moved by Caligiuri, seconded by Van Zetten to waive the rules requiring three separate readings of an ordinance. The roll was called for suspension of the rules and the vote was:

AYES: Caligiuri and Van Zetten

NAYS: Jimenez, Moore, Ver Steeg, Walling and Yates

Whereupon the Mayor declared said motion defeated. The roll was called on the first reading of the ordinance and the vote was:

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

NAYS: Ver Steeg

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

City Manager Michael Schrock reported on the downtown two hour parking survey and gave an update on the Grant Neighborhood Park.

It was moved by Caligiuri, seconded by Ver Steeg that the meeting adjourn. Motion carried unanimously. The meeting adjourned at 7:50 p.m.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk