

OSKALOOSA CITY COUNCIL  
REGULAR MEETING  
June 20, 2022

The Oskaloosa City Council met in regular session on Monday, June 20, 2022 at 6:00 p.m. with Mayor Krutzfeldt presiding and the following members answering roll call: Almond, Burnett, Comfort, Drost, Hermsen and Ossian. Absent: Caligiuri.

Kelly Simmons, 420 11<sup>th</sup> Avenue West, commented regarding sidewalks on 11<sup>th</sup> Avenue West.

Mayor Krutzfeldt administered the oath of office to City Manager, Amal Eltahir.

Mayor Krutzfeldt recognized Jay Carolus, Reserve Firefighter, on his retirement from the city.

It was moved by Comfort, seconded by Almond, to approve the consent agenda:

1. June 20, 2022 Agenda
2. June 6, 2022 City Council Regular Meeting Minutes
3. Receive and file the following reports and communications from advisory and operating boards and commissions:
  - a. May 23, 2022 Oskaloosa Public Library Board of Trustees Meeting Minutes
  - b. May 9, 2022 Oskaloosa Water Board Regular Meeting Minutes
4. Receive and file financial reports for May 2022
5. Approval of FY2023 Retail Cigarette/Tobacco/Nicotine/Vapor Permits.

The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Comfort, seconded by Almond, to approve payment of \$2,240.00 Curtis Architecture & Design for work completed on the Façade Improvement Project Phase III. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Comfort, seconded by Almond, to approve Pay Application No. 1 in the amount of \$18,701.11 to Minturn, Inc. for work completed on the 3-Lane Conversion and Traffic Signal Installation Project. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Comfort, seconded by Almond, to appoint Tony Erwin and Tom Walling to the Oskaloosa Municipal Water Board of Trustees for terms ending June 30, 2028. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Comfort, seconded by Almond, to approve payment of \$920.00 to Bailey Office Outfitters for guest seating in the Police Chief's office. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Comfort, seconded by Almond, to approve and authorize submittal of a 28E agreement to Mahaska County regarding vehicle registration holds for delinquent parking tickets. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said motion approved.

Comfort introduced Resolution No. 22-06-76 entitled "RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT BETWEEN GARDEN & ASSOCIATES, LTD. AND THE CITY OF OSKALOOSA TO PROVIDE PROFESSIONAL SERVICES FOR THE 5<sup>TH</sup> AVENUE SANITARY SEWER IMPROVEMENTS PROJECT" and moved its approval. Almond seconded the motion. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Comfort introduced Resolution No. 22-06-77 entitled "RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AN AMENDED AND RESTATED 28E AGREEMENT BY AND BETWEEN THE CITY OF OSKALOOSA, IOWA AND FOREST CEMETERY ASSOCIATION REGARDING THE CONTINUED MAINTENANCE AND UPKEEP OF FOREST CEMETERY" and moved its approval. Almond seconded the motion. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Comfort introduced Resolution No. 22-06-78 entitled "RESOLUTION PROVIDING FOR THE FINANCIAL SUPPORT OF THE REGIONAL PLANNING AFFILIATION (RPA15)" and moved its approval. Almond seconded the motion. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Comfort introduced Resolution No. 22-06-79 entitled "RESOLUTION PROVIDING FOR THE FINANCIAL SUPPORT OF THE AREA 15 REGIONAL PLANNING COMMISSION" and moved its approval. Almond seconded the motion. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Comfort introduced Resolution No. 22-06-80 entitled "RESOLUTION SCHEDULING A TIME FOR HEARING FOR CONSIDERING THE MATTER OF LEVYING A SPECIAL ASSESSMENT AGAINST THE PROPERTY OWNED BY COREY JIMENEZ AND RHONDA SHEETS AT 713 3<sup>RD</sup> AVENUE EAST IN OSKALOOSA, IOWA FOR CLEAN UP TO ABATE A NUISANCE EXISTING PURSUANT TO OSKALOOSA MUNICIPAL CODE 8.08" and moved its approval. Almond seconded the motion. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

The Mayor announced this is the time and place for the public hearing levying a special assessment against the property owned by Jeffrey Gabel and Frederick Tillman at 1215 3<sup>rd</sup> Avenue West in Oskaloosa, Iowa, for clean up to abate a nuisance existing pursuant to Oskaloosa Municipal Code 8.08. There were no oral or written comments received. The Mayor declared said hearing closed.

Hermsen introduced Resolution No. 22-06-81 entitled "RESOLUTION LEVYING A SPECIAL ASSESSMENT AGAINST THE PROPERTY OWNED BY JEFFREY GABEL AND FREDERICK TILLMAN AT 1215 3<sup>RD</sup> AVENUE WEST IN OSKALOOSA, IOWA, FOR CLEAN UP TO ABATE A NUISANCE EXISTING PURSUANT TO OSKALOOSA MUNICIPAL CODE 8.08" and moved its approval. Drost seconded the motion. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

The Mayor announced this is the time and place for the public hearing approving the voluntary annexation of property owned by Jeffrey and Lori Smith and generally located at 2089 263<sup>rd</sup> Street. There were no oral or written comments received. The Mayor declared said hearing closed.

Drost introduced Resolution No. 22-06-82 entitled "RESOLUTION APPROVING THE VOLUNTARY ANNEXATION OF PROPERTY OWNED BY JEFFREY AND LORI SMITH AND GENERALLY LOCATED AT 2089 263<sup>RD</sup> STREET" and moved its approval. Hermsen seconded the motion. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Drost introduced Resolution No. 22-06-83 entitled "RESOLUTION CONFIRMING A CONTRACT WITH JOSIAH UPDEGRAFF TO COMPLETE THE IMPROVEMENTS FOR EDMUNDSON PARK – MASONRY WORK PROJECT" and moved its approval. Almond seconded the motion. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Comfort introduced "AN ORDINANCE AMENDING TITLE 15, 'BUILDINGS AND CONSTRUCTION', OF THE MUNICIPAL CODE OF THE CITY OF OSKALOOSA, IOWA" and moved its approval on the first reading. Hermsen seconded the motion. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

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

It was moved by Drost, seconded by Hermsen, to approve payment of \$14,339.98 to SVPA for services completed on the Early Childhood Education and Recreation Center. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Almond, seconded by Hermsen, to hold a closed session under Iowa Code Section 21.5.1.c. to discuss strategy with legal 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. Acting pursuant to the requirements of the Iowa Public Information Board, David Dixon, City Attorney, stated and indicated that the closed session that followed was to discuss strategy in a pending matter, acting pursuant to the contract existing between the parties. The roll was called and the vote was:

AYES: Almond, Burnett, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said motion approved.

The meeting adjourned to closed session at 6:27 p.m. Council reconvened to open session at 7:07 p.m.

It was moved by Drost, seconded by Almond that the meeting adjourn. Motion carried unanimously. The meeting adjourned at 7:08 p.m.

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David Krutzfeldt, Mayor

ATTEST:

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Amy Miller, City Clerk