

OSKALOOSA CITY COUNCIL
REGULAR MEETING
August 15, 2022

The Oskaloosa City Council met in regular session on Monday, August 15, 2022 at 6:00 p.m. with Mayor Krutzfeldt presiding and the following members answering roll call: Almond, Burnett, Caligiuri, Comfort, Drost, Hermsen and Ossian. Absent: None.

Mayor Krutzfeldt recognized Gary Kutcher, Police Officer, on his retirement from the city.

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

1. August 15, 2022 Agenda
2. August 1, 2022 City Council Regular Meeting Minutes
3. Receive and file the following reports and communications from advisory and operating boards and commissions:
 - a. July 5, 2022 Oskaloosa Airport Commission Meeting Minutes
 - b. July 25, 2022 Oskaloosa Public Library Board of Trustees Meeting Minutes
4. Receive and file financial reports for July 2022
5. Approval of liquor license applications:
 - a. Renewal application for a Class C Beer Permit with Sunday Sales for Danlee Corp dba Jiffy, 315 A Avenue East.
 - b. Renewal application for a Class C Liquor License with Sunday Sales for Aerie No. 276, Fraternal Order of Eagles dba Oskaloosa Eagles Aerie 276, 215 High Avenue East.

The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Caligiuri, seconded by Hermsen to approve Pay Application No. 11 in the amount of \$32,315.24 to Christner Contracting, Inc., \$684.57 to Area 15 Regional Planning Commission, and \$2,240.00 to Curtis Architecture & Design for work completed on the Façade Improvement Project Phase III. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Caligiuri, seconded by Hermsen to approve Pay Application No. 12 in the amount of \$231,176.93 to Drish Construction, Inc. for work completed on the

5th Avenue West and South F Street Sewer and Water Improvements Project. The roll was called and the vote was:

AYES: Almond, Burnett, Caligiuri, Comfort, Drost, Hermsen and Ossian
NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Caligiuri, seconded by Hermsen to appoint Brant Bollman to the Library Board of Trustees for a term ending June 30, 2023. The roll was called and the vote was:

AYES: Almond, Burnett, Caligiuri, Comfort, Drost, Hermsen and Ossian
NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Caligiuri, seconded by Hermsen to authorize a petition for title to abandoned property located at 410 South 4th Street. The roll was called and the vote was:

AYES: Almond, Burnett, Caligiuri, Comfort, Drost, Hermsen and Ossian
NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Caligiuri, seconded by Hermsen to authorize a petition for title to abandoned property located at 807 2nd Avenue West. The roll was called and the vote was:

AYES: Almond, Burnett, Caligiuri, Comfort, Drost, Hermsen and Ossian
NAYS: None

Whereupon the Mayor declared said motion approved.

Caligiuri introduced Resolution No. 22-08-96 entitled "RESOLUTION APPROVING THE FINAL PLAT FOR THE PEAR TREE ESTATES SUBDIVISION" and moved its approval. Hermsen seconded the motion. The roll was called and the vote was:

AYES: Almond, Burnett, Caligiuri, Comfort, Drost, Hermsen and Ossian
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 22-08-97 entitled "RESOLUTION SCHEDULING A TIME FOR HEARING FOR CONSIDERING THE MATTER OF LEVYING A SPECIAL ASSESSMENT AGAINST PRIVATE PROPERTY FOR SIDEWALK REPLACEMENT BY THE CITY IN ACCORDANCE WITH SECTION 12.12 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. Hermsen seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 22-08-98 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. Hermsen seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced “AN ORDINANCE TO AMEND CHAPTER 10.24 OF THE MUNICIPAL CODE OF THE CITY OF OSKALOOSA, IOWA” and moved its approval on the third reading. Hermsen seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said ordinance duly adopted. The ordinance was assigned No. 1452.

The Mayor announced this is the time and place for the public hearing levying a special assessment against the property owned by MJD Enterprises LLC at 511 South 1st Street 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.

Comfort introduced Resolution No. 22-08-99 entitled “RESOLUTION LEVYING A SPECIAL ASSESSMENT AGAINST THE PROPERTY OWNED BY MJD ENTERPRISES LLC AT 511 SOUTH 1ST IN OSKALOOSA, IOWA, FOR CLEAN UP TO ABATE A NUISANCE EXISTING PURSUANT TO OSKALOOSA MUNICIPAL CODE 8.08” and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Almond, Burnett, Caligiuri, 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 to authorize the vacation and sale of the 120 foot by 16.5 foot section of the east-west alley adjacent to 408 South B Street. There were no oral or written comments received. The Mayor declared said hearing closed.

Drost introduced Resolution No. 22-08-100 entitled "RESOLUTION AUTHORIZING THE VACATION AND SALE OF THE 120 FOOT BY 16.5 FOOT SECTION OF THE EAST-WEST ALLEY ADJACENT TO 408 SOUTH B STREET" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Almond, Burnett, Caligiuri, 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 to authorize the vacation and sale of the 60 foot by 16.5 foot section of the east-west alley adjacent to 804 5th Avenue East. There were no oral or written comments received. The Mayor declared said hearing closed.

Almond introduced Resolution No. 22-08-101 entitled "RESOLUTION AUTHORIZING THE VACATION AND SALE OF THE 60 FOOT BY 16.5 FOOT SECTION OF THE EAST-WEST ALLEY ADJACENT TO 804 5TH AVENUE EAST" and moved its approval. Hermsen seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 22-08-102 entitled "RESOLUTION APPROVING THE SITE PLAN FOR THE DEVELOPMENT OF A DRIVE-THRU RESTAURANT AT 208 A AVENUE WEST" and moved its approval. Drost seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

It was moved by Hermsen, seconded by Almond 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 and legal counsel for the city of Oskaloosa, Iowa, 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, Caligiuri, Comfort, Drost, Hermsen and Ossian

NAYS: None

Whereupon the Mayor declared said motion approved.

The meeting adjourned to closed session at 6:20 p.m. and reconvened to open session at 7:40 p.m.

It was moved by Comfort, seconded by Caligiuri that the meeting adjourn. Motion carried unanimously. The meeting adjourned at 7:40 p.m.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk