

OSKALOOSA CITY COUNCIL  
REGULAR MEETING  
August 16, 2021

The Oskaloosa City Council met in regular session on Monday, August 16, 2021 at 6:00 p.m. with Mayor Krutzfeldt presiding and the following members answering roll call: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates. Absent: None.

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

1. August 16, 2021 Agenda
2. August 2, 2021 City Council Regular Meeting Minutes
3. Receive and file the following reports and communications from advisory and operating boards and commissions:
  - a. July 27, 2021 Board of Adjustment Regular Meeting Minutes
  - b. July 26, 2021 Oskaloosa Public Library Board of Trustees Meeting Minutes
  - c. August 3, 2021 Planning & Zoning Commission Regular Meeting Minutes
  - d. June 14, 2021 Oskaloosa Water Board Regular Meeting Minutes
  - e. June 30, 2021 Oskaloosa Water Board Special Meeting Minutes
  - f. July 12, 2021 Oskaloosa Water Board Regular Meeting Minutes
4. Receive and file financial reports for July 2021
5. Approval of a liquor license application:
  - a. A renewal application for a Class C Liquor License with Sunday Sales for Mahaska Bowling and Recreation Center Inc dba Statesmen Lanes and Community Events Center, 1700 A Avenue East.

The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Moore, seconded by Ottosson to approve an amendment to the Capital Improvement Plan for the purchase of a vehicle for the Code Enforcement Officer up to \$25,000. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates

NAYS: None

Whereupon the Mayor declared said motion approved.

Moore introduced Resolution No. 21-08-117 entitled "RESOLUTION ADOPTING SUPPLEMENT TO THE OSKALOOSA MUNICIPAL CODE OF ORDINANCES THROUGH ORDINANCE NO. 1442" and moved its approval. Ottosson seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Moore introduced Resolution No. 21-08-118 entitled "RESOLUTION ADOPTING THE CITY OF OSKALOOSA REVISED POSITION DESCRIPTION" and moved its approval. Ottosson seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates  
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Moore introduced Resolution No. 21-08-119 entitled "RESOLUTION FIXING DATE FOR PUBLIC HEARING ON THE PROPOSITION OF ENTERING INTO A LEASE AGREEMENT FOR COPY MACHINES" and moved its approval. Ottosson seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates  
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Moore introduced Resolution No. 21-08-120 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. Ottosson seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates  
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Moore introduced Resolution No. 21-08-121 entitled "RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING TO AMEND THE ZONING ORDINANCE OF THE CITY OF OSKALOOSA, IOWA, BY REZONING PROPERTY LOCATED AT 703 SOUTH MARKET STREET FROM UC (MIXED USE URBAN CORRIDOR DISTRICT) AND R-2 (URBAN FAMILY RESIDENTIAL DISTRICT) TO UC (MIXED USE URBAN CORRIDOR DISTRICT)" and moved its approval. Ottosson seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates  
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Jeffrey Swanson, Oskaloosa Fire Department, presented the 2021 2<sup>nd</sup> Quarter Code Enforcement report.

The Mayor announced this is the time and place for the public hearing on authorizing the vacation and sale of the 647 foot by 16.5 foot section of the east-west alley adjacent to 401 South 11<sup>th</sup> Street. There were no oral or written comments received. The Mayor declared said hearing closed.

Walling introduced Resolution No. 21-08-122 entitled "RESOLUTION AUTHORIZING THE VACATION AND SALE OF THE 647 FOOT BY 16.5 FOOT SECTION OF THE EAST-WEST ALLEY ADJACENT TO 401 SOUTH 11<sup>TH</sup> STREET" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

The Mayor announced this is the time and place for the public hearing on levying a special assessment against private property for sidewalk replacement by the city of Oskaloosa, Iowa, in accordance with Section 12.12 of the city code of the city of Oskaloosa, Iowa. There were no oral or written comments received. The Mayor declared said hearing closed.

Yates introduced Resolution No. 21-08-123 entitled "RESOLUTION LEVYING A SPECIAL ASSESSMENT AGAINST PRIVATE PROPERTY FOR SIDEWALK REPLACEMENT BY THE CITY OF OSKALOOSA, IOWA, IN ACCORDANCE WITH SECTION 12.12 OF THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA" and moved its approval. Ottosson seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

The Mayor announced this is the time and place for the public hearing on 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. There were no oral or written comments received. The Mayor declared said hearing closed.

Moore introduced Resolution No. 21-08-124 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. Drost seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

The Mayor announced this is the time and place for the public hearing on amending the current budget for fiscal year ending June 30, 2022. There were no oral or written comments received. The Mayor declared said hearing closed.

Ottosson introduced Resolution No. 21-08-125 entitled "RESOLUTION AMENDING THE CURRENT BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2022" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates  
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Walling introduced Resolution No. 21-08-126 entitled "RESOLUTION APPROVING THE SITE PLAN FOR THE DEVELOPMENT OF A DRIVE-THRU RESTAURANT AT 703 SOUTH MARKET STREET" and moved its approval. Yates seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates  
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Walling introduced Resolution No. 21-08-127 entitled "RESOLUTION TO AUTHORIZE ENTERING INTO AN AGREEMENT FOR CONSULTING SERVICES BETWEEN RDG SCHUTTE WILSCAM BIRGE, INC. (D/B/A RDG PLANNING & DESIGN) AND THE CITY OF OSKALOOSA FOR THE COMPREHENSIVE PLAN AND ZONING CODE UPDATE PROJECT" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates  
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Drost introduced Resolution No. 21-08-128 entitled "RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH BIRD RIDES, INC. FOR USE OF PUBLIC RIGHTS OF WAY" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates  
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Moore introduced "AN ORDINANCE AMENDING OSKALOOSA MUNICIPAL CODE SECTION 5.04.360, 'PUBLIC CONSUMPTION OR INTOXICATION PROHIBITED', AND AMENDING SECTION 5.04.370, 'OPEN CONTAINER IN PUBLIC PLACE PROHIBITED'" and moved its approval on the second reading. Drost seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates  
NAYS: None

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

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

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates  
NAYS: None

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

It was moved by Yates, seconded by Moore to approve Pay Application No. 15 in the amount of \$1,805,177.96 to Graphite Construction Group for work completed on the Early Childhood Education and Recreation Center. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates  
NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Caligiuri, seconded by Ottosson 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. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates  
NAYS: None

Whereupon the Mayor declared said motion approved.

The meeting adjourned to closed session at 7:04 p.m. and reconvened to open session at 7:29 p.m.

Ottosson introduced Resolution No. 21-08-129 entitled "APPROVING CHAPTER 28E AGREEMENT BETWEEN THE CITY OF OSKALOOSA, IOWA AND THE MAHASKA COUNTY EMERGENCY MANAGEMENT COMMISSION" and moved its approval. Drost seconded the motion. The roll was called and the vote was:

AYES: Burnett, Caligiuri, Drost, Moore, Ottosson, Walling and Yates  
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

It was moved by Drost, seconded by Yates that the meeting adjourn. Motion carried unanimously. The meeting adjourned at 7:31 p.m.

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David Krutzfeldt, Mayor

ATTEST:

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Pamela Nimtz, Deputy City Clerk