

The Cresco City Council met August 19, 2013, at 7:00 pm at City Hall. Council members Carman, Bouska, McGee, McCarville and Loveless were present. No Council members were absent.

McCarville made the motion to approve the consent agenda which included approval of the: agenda; claims; minutes of the August 5, 2013 meeting; Class C Liquor License (LC) with Sunday sales to Chris Ator dba Cresco Lanes Sports Bar & Grill; Special Class C Liquor License (BW) (beer/wine) on September 20, 2013 with outdoor service to Cresco Chamber of Commerce dba Norman Borlaug Harvest Fest; parade permit for September 21, 2013; street closing permit for N Elm ST from 1st Ave to Hwy 9 September 20-22, 2013; street closing permit for Southside Parking Lot September 18-22, 2013; street closing permit for 1st Ave W from N Elm ST to Dollar General on September 21, 2013; street closing permit for alley north of Farm Bureau Financial Services on September 18, 2013; tax abatement under the Urban Revitalization Plan for Gary and Sara Gooder. Bouska seconded and it passed all ayes.

Public Works Director Rod Freidhof reported: (a) Street Department will finish chip sealing this week, start trimming trees, hauling in sand and preparing for winter; (b) Water Department is building shelving and will move in the next few weeks; (c) Sewer Department is getting ready to haul sludge. Property was purchased from the Liquor Store for \$2,000 plus costs to set the generator on; (d) WHKS will do a walk-through on the watermain looping project; (e) Riehle Decorating applied waterproofing to the Theatre outer walls that was budgeted for \$15,000. They are now fixing an interior wall damaged by the leaking roof or walls that will cost an estimated \$20,000 additional that was not budgeted. The rooftop air conditioners are over 30 years old, flooring needs to be replaced and the west handicap ramp railing all need to be addressed in the next few years.

Police Chief Tim Ruroden reported that National Night Out went great with a good turnout and a lot of organizations that helped put it on. He thanked the Red Cross, Girl Scouts, Boy Scouts, Sherriff's Department, Ambulance Service and Fire Department. Due to speeding complaints on 12th Avenue, a speed trailer will be set up to try to address the problem.

City Clerk Michelle Girolamo reported that the July financial statements were enclosed in the packet. They are working on a budget amendment and the Street Finance Report. The Cresco Theatre is purchasing chairs from the Hancher Auditorium at the University of Iowa for less than \$4 per seat. Marla Johnson is looking for volunteers to help remove the chairs and load them in a truck on August 25th. We are getting almost 500 seats which will replace all existing chairs in the theatre.

Mayor Bohle explained the purpose of a public hearing for gifting the old City Hall building to Howard County. In April 2010, the City agreed to rent to the County Store for a year at a minimal \$50 per month just to cover the insurance. This would give the County Store time to get their finances in order so that they could purchase the building. Each year since, they have asked for an extension. By law, the City is not allowed to lease for less than fair market value nor sell it for less than FMV so the City had to make a decision whether to raise the rent or to sell the building. At a worksession, Council decided to sell the building. The last appraisal was in 2009 for \$169,500 which everyone knew was too high so the only option was to sell it by auction and therefore establishing FMV. In the meantime, a Board Member of the County Store/Howard County Supervisor suggested the City gift it to the County which could then gift it to the County Store. The Mayor stressed that the Council appreciates the benefits of the County Store and is supporting the County Store. If it is determined that Howard County cannot gift it to the County Store then the building may revert back to the City for a public auction. The decision tonight is whether to gift the building to Howard County or to have a public auction.

Mayor Bohle opened the Public Hearing on the gift of real estate to Howard County, Iowa for the old City Hall located at 227 N Elm. There was one written comment that the Mayor

read and a comment from a phone message. Seven people addressed Council regarding the benefits that the County Store does for the community. The public hearing was closed. Attorney Braun reiterated that a City can only make a gift of real estate to another governmental agency for a public purpose. He could draft the deed and purchase agreement stating that it is subject to the ability of Howard County to be able to gift it to the County Store to be operated as the County Store. Loveless made the motion to approve a resolution to gift real estate to Howard County, Iowa with the stipulation that the County is able to gift it to the County Store. Bouska seconded the motion. Bouska stated that she spoke to most business owners on the north half of downtown and the majority wanted it to go to the County Store. Some did speak fervently that it should be put to auction and let the market decide. Many also voiced concerns of the fire hazard and requested that the County Store be cleaned up. Loveless, Bouska and McCarville voted aye. McGee and Carman voted nay. The motion passed by majority vote.

Maria Larson, representing the Cresco Business Committee, addressed Council with concerns about bike riding on the sidewalks downtown despite the no bike signs. They were wondering if it could be enforced by the police more and perhaps be patrolled by bike. Also, people are still parking in the yellow no parking zones. Chief Ruroden asked that people call the police so they could come and ticket illegal parking. Maria suggested possibly putting bike racks in the no parking zone. She also commented that speeding was an issue on Elm Street too. When asked about the bike patrol, Ruroden explained that the bike is used mainly for special events and safety classes at the schools. She thanked Council again for the pedestrian signs on Elm Street and said they receive many positive comments. She also voiced displeasure about the Amish not cleaning up after their horses.

Tony Halverson again requested a permit to erect a fence in the parking lot on the east and south sides of Sandy's Café. He rejected an offer from the City and CUSB to rent it for \$1,000. If the City would approve a fence permit, it would require the fence to be set back at least 3 feet and be a white vinyl clad fence to match other fences in the downtown area.

Mayor Bohle performed the second reading of a summary of proposed Ordinance 446 adopting the "Code of Ordinances of the City of Cresco, Iowa". Bouska made the motion to approve the second reading. Loveless seconded and it passed all eyes.

Loveless made the motion to allow a sewer adjustment for water not entering the sanitary sewer system from Jackie Barthelme. McGee seconded the motion. Bouska brought up the fact that this credit request was unusual because the outside hose was left on by mistake after filling a pond. It was pointed out that past requests for credits were not granted for people filling swimming pools or excessively watering their yards. Past credits were only granted for broken pipes or vandalism for water not entering the sewer. Carman, Bouska, McGee, McCarville and Loveless voted nay. The motion was unanimously rejected.

McGee made the motion to approve the recommendation of the Cresco Library Board and Cresco Library Foundation to re-appoint Mark Grinhaus for a term expiring 6/30/18. Carman seconded and it passed all eyes.

Loveless made the motion to approve the recommendation of the Cresco Library Board and Cresco Library Foundation to appoint Sharron Meyer for a term expiring 6/30/18. Bouska seconded and it passed all eyes.

Carman made the motion to approve the recommendation of the Cresco Library Board and Cresco Library Foundation to re-appoint Helen Schmauss for a term expiring 6/30/18. McGee seconded and it passed all eyes.

Bouska made the motion to approve the recommendation of the Cresco Library Board and Cresco Library Foundation to re-appoint Jan Dybevik for a term expiring 6/30/18. Carman seconded and it passed all eyes.

Loveless made the motion to set a public Hearing on September 4, 2013 at 7:00 pm to amend Section 105.05(5)(C) in City of Cresco Code of Ordinances pertaining to recreational fires. McCarville seconded the motion. Carman, McGee, McCarville and Loveless voted aye. Bouska voted nay. Motion passed by majority vote.

Don Gooder requested the Council to give him time to meet with Scott Flag from the DNR to discuss the possibility of getting a Derelict Building Grant and to research possible uses of the Waterworks building before it is demolished. The Council agreed that he should report back no later than the second September meeting with a proposal. McCarville pointed out that the City cannot afford to save every old building and that the train is a prime example of getting funds to fix it up but then the maintenance expense down the road is left to the City and the taxpayers to maintain it. The Mayor reminded them that a proposal to repair the roof was almost \$60,000 two years ago. The inside needs a lot of work and there is no functional use for the building right now.

Mayor asked if there were any comments from the audience. Bouska thanked the Boy Scouts for attending. There were no other comments from the audience.

Carman moved to adjourn at 7:55 pm. McCarville seconded and it passed all ayes. The next regular Cresco City Council meeting will be at 7:00 pm on Wednesday September 4, 2013 at Cresco City Hall.

Mayor Mark Bohle

City Clerk Michelle Girolamo

Following is a list of claims approved for payment:

| | | |
|-------------------|------------|-----------|
| ADVANCED SYS | Maint | 62.94 |
| ALLIANT | Elect | 1,066.88 |
| BAKER&TAYLOR | Books | 1,645.42 |
| BITUMINOUS | Supp | 16,813.90 |
| BLACK HILLS | Nat Gas | 2.20 |
| BC / BS | Insur | 25,132.82 |
| BOB'S ELECT | Supp | 214.93 |
| BROWN SUPP | Supp | 45.00 |
| BRUENING ROCK | Rock | 2,644.19 |
| CARDMEMBER | Supp | 463.16 |
| CARQUEST | Supp | 104.36 |
| CITY LAUNDERING | Srvc | 87.76 |
| CITY OF CRES | Insur,Util | 3,074.01 |
| CRES CHAMBER | Tourism | 1,500.00 |
| CRES FINE ARTS | Tourism | 500.00 |
| CRES FIRE SAFETY | Srvc | 238.80 |
| CRES HEATING&VENT | Rprs | 366.45 |
| CRES INS AGENCY | Insur | 235.00 |
| CRES SHOPPER | Supp | 194.41 |
| CRES SMALL ENG | Supp | 50.00 |
| CRES TIMES PLAIN | Advrt | 310.12 |
| CROELL | Supp | 784.50 |
| DATA TECH | Srvc | 13,396.29 |
| DEMCO | Supp | 222.80 |
| FENCO | Supp | 69.36 |
| FOLLETT SOFTWARE | Srvc | 219.66 |
| GALLS | Uniform | 66.98 |
| GILLUND ENTERPR | Supp | 91.68 |
| GOSCH'S | Rprs | 241.45 |
| GROUP SRVC | Fee | 338.25 |
| HAWK ALARM SYS | Fee | 288.00 |
| HAWKEYE REC | Elect | 7,223.55 |
| HAWKEYE SAN | Grit | 158.61 |
| HENRY'S PAINTING | Srvc | 1,104.03 |
| HOGAN HANSEN | Audit | 8,500.00 |
| HOVEY OIL | Gas | 360.00 |
| IA DEPT OF NAT | Fee | 1,275.00 |
| IA DEPT OF TRANSP | Supp | 1,434.00 |
| IA DIVIS OF LABOR | Srvc | 25.00 |
| IA LEAGUE OF CIT | Training | 555.00 |
| IA ONE | Srvc | 43.20 |
| IA SPORTS SUPP | Supp | 50.06 |
| JOHNSON ACCTG | Srvc | 537.00 |
| KCZQ-FM | Advrt | 100.00 |
| KEYSTONE LAB | Analys | 1,513.65 |
| KWIK TRIP | Gas | 161.66 |
| LIFEGUARD STR | Supp | 630.12 |
| NE IA MOTORS | Srvc | 109.95 |
| O'HENRY'S | Supp | 4.00 |
| PANOS FARM | Rprs | 2,607.87 |
| PAYROLL | | 62,518.39 |
| PECINOVSKY,CLAIR | Phone | 18.59 |
| PEPSI-COLA | Concession | 220.09 |
| PETROLEUM MRKTRS | Insur | 750.00 |
| PETTY CASH | Postage | 132.03 |
| PHIL'S LAWN | Supp | 78.00 |
| POOL TECH | Supp | 722.32 |
| POSTMASTER | Postage | 125.00 |
| R.S. TECHNOLOG | Supp | 300.00 |

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|-------------------|--------------|----------|
| RACOM | Srvc | 881.00 |
| RICOH | Copies/lease | 535.36 |
| RILEY'S | Supp | 515.74 |
| RUPPERT | Supp | 458.46 |
| SCHMAUSS, JOHN | Uniform | 112.25 |
| SCHUMACHER ELEV | Maint | 134.77 |
| SOBOLIK, DICK | Maint | 800.00 |
| TASC | Fee | 210.80 |
| TUPY CONSTRUCT | Rprs | 500.00 |
| UNITYPOINT CLINIC | Srvc | 37.00 |
| WILDFLOWER ART | Supp | 53.38 |
| WINDRIDGE IMPL | Equip | 4,028.00 |
| WINDSTREAM | Phone | 111.43 |
| ZEE MEDICAL | Supp | 43.33 |

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| General Fund | 62,120.44 |
| Hotel/Motel | 2,000.00 |
| Local Option Tax | 18,420.39 |
| Mediacom | 620.85 |
| Office Equip | 13,396.29 |
| Drug Dog | 786.00 |
| Cresco Comm Fire | 525.89 |
| Road Use | 15,761.64 |
| Emp Benefits | 19,279.80 |
| Water Utility | 12,198.54 |
| Water Util Rplc | 705.51 |
| Sewer Opera | 22,985.45 |
| Cap Improv | 67.36 |
| Yardwaste | 1,281.80 |

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| EXPENDITURES | 170,149.96 |
| Revenues 8/6 to 8/19/13 | 171,028.95 |