

NOTICE AND CALL OF PUBLIC MEETING

GOVERNMENTAL BODY: THE CITY COUNCIL OF CRESCO, IOWA

DATE OF MEETING: JULY 1, 2013

TIME AND PLACE OF MEETING: 7:00 P.M. AT CRESCO CITY HALL

PUBLIC NOTICE IS HEREBY GIVEN THAT THE ABOVE MENTIONED GOVERNMENTAL BODY WILL MEET AT THE DATE, TIME AND PLACE SET OUT ABOVE. THE TENTATIVE AGENDA FOR SAID MEETING IS AS FOLLOWS:

ROLL CALL: CARMAN, BOUSKA, McGEE, McCARVILLE, LOVELESS

ACT ON THE CONSENT AGENDA: All items listed under the consent agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time council votes on the motion.

1. Approval of the Agenda
2. Approval of the Claims
3. Approval of Minutes from June 17, 2013
4. Approval of Pay Request #3 for the Airport Layout Plan for \$7,500 from Kirkham Michael

STAFF REPORTS: There may be action taken on each of the items listed below.

1. Public Works
2. Police
3. Administration

BUSINESS: There may be action taken on each of the items listed below.

1. Jacob Buss to Report on Eagle Scout Project at the Library
2. Bob Carroll to Discuss Storm Water
3. Troy Cleveland to Discuss Business Owners/Employees Parking on Elm Street
4. Awarding of Hotel/Motel Tax Grant for Tourism Projects
5. Third Reading of Proposed Ordinance 445 Chapter 74 Regarding Golf Carts
6. Approval of Ordinance 445 Chapter 74 Regarding Golf Carts
7. Approval of Waiving Sign Permit Fees for an Eagle Scout Project at the Cresco Public Library
8. Discussion on Old City Hall Building

COMMENTS FROM AUDIENCE:

ADJOURN:

THIS NOTICE IS GIVEN AT THE DIRECTION OF THE MAYOR PURSUANT TO CHAPTER 28A, CODE OF IOWA AND THE LOCAL RULES OF SAID GOVERNMENTAL BODY. POSTED JUNE 27, 2013.

The Cresco City Council met June 17, 2013, at 7:00 pm at City Hall. Council members Carman, Bouska, McGee, McCarville and Loveless were present. No Council members were absent.

Carman made the motion to approve the consent agenda which included approval of the: agenda; claims; minutes of the June 3, 2013 meeting; street closing for portion of North Elm Street on July 19, 2013 for Ridiculous Day; street closing for portion of North Elm Street on September 21, 2013 for annual Car Show; tax abatement under the Urban Revitalization Plan for Brady and Tami Foster; permit for supervised display of fireworks on July 3, 2013 for the Cresco Jaycees; pay request #1 for \$77,558.62 to Skyline Construction for the Watermain Looping Project. Loveless seconded and it passed all ayes.

Public Works Director Rod Freidhof reported: (a) started painting streets today; (b) finishing up alleys and catching up on projects; (c) will start chip sealing this week; (d) Water and Sewer are busy with projects around the City; (e) new water shed is just about done; (f) generators for the East and South Lift Stations arrived and will be installed. Working with Attorney Braun to purchase a small portion of land from the Liquor Store to put the generator on; (g) H&S Motors is frustrated with the debris and sediment left after heavy rains. Winn Coop is going to address some issues on their property that should help cure the situation; (h) Windridge Implement will be doing an addition and offered to supply the fill and excavator cost if the City would purchase the pipe for storm water for a cost of about \$16,000 to extend it to Fenco.

Police Chief Tim Ruroden reported that officers are dealing with some investigations and preparing for the Fair next week. Thor has been busy on investigations and attended Woofstock. They have been working on the basement in preparation for their move to City Hall.

City Clerk Michelle Girolamo reported (a) Iowa League of Cities conference is September 25-27th if anyone is interested in attending; (b) SRF is refinancing our loans which will save the City about \$25,000; (c) last week we converted part of our accounting system to Data Technologies so we are busy with that.

Mayor Bohle opened the Public Hearing on the proposed Ordinance 445 adding Chapter 74 regarding Golf Carts. There were no oral or written comments so the public hearing was closed. Mayor performed the second reading of the summary of Ordinance 445. Loveless made the motion to approve the second reading. Bouska seconded and it passed all ayes.

Connie Kuennen, from RHS Public Health, presented a Walkability Study that she conducted. A group of seventeen, including some 11th grade students, walked and rated the sidewalks. North Elm Street was rated the best with the Malek Addition having the lowest rating because there were no sidewalks in that area. The percentage of students has dropped from 42% in 1969 to 16% of students walking or riding bike to school. Hopefully by doing the study, it could help get some grant funding for installing and maintaining sidewalks.

Roxanne Wellborn reported that a meeting was held to discuss an option of having a Sunday Farmers Market in addition to the other Farmers Market held on Tuesdays and Thursdays. They would like to have it in Beadle Park and/or the Southside Parking Lot. This would allow for better exposure and atmosphere to draw people. This is in the early discussion stages and they were hoping to bring in more varieties of vendors. Council recommended that they bring this to the Park Board as they have the control over the parks.

Bids were opened for a contract to concrete the Kessel driveway. A portion will be funded by Regional Health Services and the rest by the City of Cresco. Bids were: L&S Masonry \$20,761; Midwest Concrete \$19,578; Mudslingers Construction \$17,900; Scholbrock Masonry \$17,470. McCarville made the motion to accept the low bid from Scholbrock Masonry for \$17,470. Loveless seconded and it passed all ayes.

Bids were opened for excavating for the City of Cresco. Mehmert Tiling bid \$85.01/hour for rubber tired backhoe; \$150.01/hour for excavator; \$35/hour for standby machine operator.

Louie Balk Lime & Ready Mix bid \$85; \$140; \$34.50 respectively. McCarville made the motion to approve the low bid from Louie Balk Lime & Ready Mix. Bouska seconded and it passed all ayes.

Loveless made the motion to approve the recommendation to reappoint David Gosch to the Theatre and Champlin Hall Commission for a three year term expiring 6/30/2016. McGee seconded and it passed all ayes.

Loveless made the motion to approve a resolution committing \$20,000 of Fund 188 for Fire Department turnout gear and \$30,000 of Fund 188 for Fire Department airpack replacements and the entire balance in Fund 181 for the operation and maintenance of the local cable channel. Carman seconded and it passed all ayes.

Bouska made the motion to approve the resolution allowing for the transfer of funds from 2nd Avenue Project Fund #316 to a new Street Assessment Project Fund #319. McGee seconded and it passed all ayes.

Mayor Bohle reminded Council that \$10,000 had been budgeted to repair the East Hangar at the Airport this fiscal year and another \$5,000 budgeted for next year. The Airport Commission has been getting estimates for a new door, steel, raising the roof and other repairs which will cost about \$18,000-\$20,000. Consensus of Council was to allow the Airport Commission to carryover this year's \$10,000 instead of rushing and doing part of it in this fiscal year.

The Mayor and Police Chief received a letter from the Sheriff asking if the City of Cresco is planning to participate in the possible building of a new Howard County Sheriff's Office and Jail in Cresco. Consensus was to evaluate the effectiveness of having the City Police located in City Hall before deciding whether to be involved in the new building. The police will be moving July 1st and the City needs time to evaluate how it works having them in different buildings before making any decisions.

Freidhof reported that the DNR inspected the City of Cresco sewer plant in April and also inspected Cresco Food Technologies. They found an issue involving land application without the proper permit. The DNR has given them three options: (1) install a wastewater pretreatment system; (2) to haul their sludge to Waterloo, Cedar Rapids or Dubuque; (3) apply for a permit to land apply the high strength wastewater. In May there were some issues again with BOD violations which CFT blames on problems with their sampler. The City is requiring them to update their sampler to avoid sampling errors in the future. CFT inquired about the possibility of the City increasing the BOD capacity at the sewer plant which would involve a costly improvement to the sewer plant. Jason Passmore discussed the importance of keeping industries in town and Council and staff agreed. He believes pretreatment is a viable option that should be investigated further. The staff will continue to investigate options to try to work out a solution that would allow CFT to continue their business in town.

Mayor asked if there were any comments from the audience and there were none. The Mayor recognized the Boy Scouts that were in attendance at the meeting observing the process of City government.

Carman moved to adjourn at 7:50 pm. McGee seconded and it passed all ayes. The next regular Cresco City Council meeting will be at 7:00 pm on July 1, 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
AHLERS&COONEY	FEES	4,141.87
BAKER&TAYLOR	BKS&AUD	2,403.49
BRIAN BALK	BD ADJ13	80.00
WILLARD BALK	PL & ZON 13	40.00
TOM BARNES	PL & ZON 13	20.00
CHARLES BETTS	DEP REF	6.35
BITUMINOUS	OIL	16,661.55
BC / BS	INSUR	25,132.82
BODENSTEINER	SUPP	160.38
BROWN	SUPP	380.80
BRUENING	ROCK,CHIPS	9,370.91
CARQUEST	EQUIP	34.72
DENNIS CAUWELS	BD ADJ13	60.00
CITY LAUNDERING	SRVC	87.76
CITY OF CRES	POSTAGE	89.31
CITY OF CRES	DEP REFS	1,756.48
CITY OF CRES	INSUR,UTIL	3,068.41
CBS	SUPP	424.80
CRES FIRE SAFETY	SRVC	287.50
CRES SHOPPER	ADVERT	278.80
CRES SMALL ENG	RPRS	124.31
CRES TPD	ADVERT	120.00
DAKOTA	SUPP	460.97
DIAMOND VOG	PAINT	2,426.40
ELECTRONIC ENGR	SUPP	616.00
SANDRA EVANS	DEP REF	10.49
FAREWAY	SUPP	17.94
FENCO	SRVC	125.04
FISKS FARM&HOME	SUPP	142.59
GALLS	UNIFRM	165.46
GROUP SRVC	FEES	676.50
H & S	SUPP	58.31
HANSON	TIRES	221.35
HAWKEYE REC	ELECT	6,132.82
HAWKEYE SAN	CITY CLEAN	3,514.13
ED HEIBERGER	BOOK	23.98
JEFF HENDERSON	BD ADJ13	20.00
ALISON HOLTEN	PL & ZON 13	40.00
HOVEY OIL	SUPP	213.76
HOW CO	SHARED LEC	17,376.11
TAPPI HUGHES	DEP REF	42.24
HYDRITE	SUPP	723.29
IA DEPT TRANS	OIL	595.00
IA DIV LABOR	SRVC	125.00
IA ONE	SRVC	56.70
IA SPORTS	SUPP	299.66
JIM'S AUTO	OIL	21.14
K & H	LP	90.17
KEYSTONE LABS	ANALYS	1,160.05
BRUCE KINGSLEY	PL & ZON 13	40.00
KUBIK	EQUIP	8,830.04
DAWN MACKENBURG	DEP REF	42.79
ANDREW MARR	DEP REF	56.94
MCMASTER-CARR	SUPP	30.94
NICOLE MCNABB	DEP REF	5.27
MERCHANT SRVCS	FEES	76.75
MIDLAND SCIENT	ANALYS	620.30
MIDWEST FIRE	SRVC	1,140.00
KEN MOELLERS	LEASE	125.00
MUDSLINGERS	SRVC,SUPP	1,600.00
RONALD NISBIT	DEP REF	80.00
NE IA MOTORS	SRVC	16.25
NE IA TELE	SRVR	401.00
DANIEL OLLENDICK	BD ADJ13	105.00
PAYROLL		63,848.85
PEPSI-COLA	CONCESSIONS	634.31
PETTY CASH	POSTAGE	77.71
PHIL'S LAWN	SRVC	35.00
POPULAR SUBSCR	PERIODIC	2,200.00
POSTMASTER	POSTAGE	120.00
RACOM	SUPP	905.46
RICOH	COPIES	49.77
RILEY'S	SUPP	248.99

BRUCE RING	DEP REF	12.95
RUPPERT'S	SUPP	484.52
SANDRY FIRE	EQUIP	3,603.00
SCHUMACHER ELEV	MAINT	134.77
SIGNS&DESIGNS	SRVC	70.00
SKYLINE	WTR LOOPPAYREQ	81,012.25
SPAHN & ROSE	BLDG	22,867.07
STAR EQUIP	EQUIP	2,318.00
STATE HYGIENIC	ANALYS	62.00
STOREY KEN	SUPP	125.58
ART SVESTKA	BD ADJ13	100.00
TELEDYNE ISCO	SUPP	269.85
U.S. CELL	PHONE	122.40
WALL STREET JRNL	SUBSCRIPT	269.90
TIM WALTON	SRVC	775.00
KEVIN WEINACHT	PL & ZON 13	65.00
RUSSELL WILLIAMS	DEP REF	36.28
GERALD WILSON	PL & ZON 13	20.00
WINDRIDGE IMP	SRVC	1,659.46
ZARNOTH BRUSH	SUPP	1,164.50
ZEE MEDICAL	SUPP	36.55
	General Fund	62,192.97
	Road Use Tax	12,056.66
	Emp Benefits	30,577.94
	Local Option Tax	28,819.31
	Cresco Telecom	254.55
	City Park Trust	156.75
	Equip Rpl	6,487.78
	Fire Equip Trust	3,000.00
	Library Trust	4,415.02
	Drug Dog	190.46
	Street 2nd Ave Proj	4,141.87
	Watermain Looping	77,558.62
	Water Utility	16,123.37
	Water Dep	2,020.00
	Water Util Rplc	24,235.96
	MSSU Operation	22,618.27
	Water & Sewer	8.30
	Yard Waste	1,706.84
	EXPENDITURES	296,647.75
	Revenues 06/4 to 06/17/13	210,606.52

PROJECT STATUS REPORT: Limited Airport Layout Plan

REPORT NO: 3

CLIENT NAME: City of Cresco, Iowa

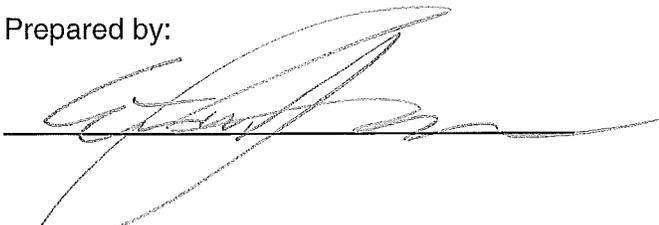
KM PROJECT NO: 1302237

PERIOD OF REPORT: May 2013

- 1) **Tasks Completed During Period**
 - Continued Data Collection / Existing Facilities Inventory
 - Initiate Topographic Survey (WHKS)
- 2) **Tasks Scheduled for Next Period**
 - Initiate Airport User Interviews
 - Continue Data Collection / Existing Facilities Inventory
- 3) **Actions Needed to Maintain Project Schedule**
 - None
- 4) **Documentation of Changes/Modifications**
 - None
- 5) **Attachments**
 - None

For clarifications or additional detail, please contact our office at your convenience.

Prepared by:



Copy to: Kay Thede, Iowa Department of Transportation Office of Aviation

Cresco Tourism Advisory Committee
Travel & Tourism grant recommendations
21 June 2013 meeting summary

2nd Quarter 2013 Travel & Tourism Dollars

Available funds this Qtr: \$3,183.84

Funds requested: \$5,600.00

- I. Members present: Amy Bouska, Teresa McGee, Linda Thompson.
Members absent: Bootie Kapler, Zahid Ali.
HCBT present: Anna Schmauss, Spiff Slifka, and Jason Passmore.

II. Recommendations

1. National Night Out (NNO)
 - a. requesting \$1,100.00
 - b. National Night Out looks to expand their event from last year offering more activities and reaching out to neighboring cities to be involved. With Cresco being the only city in our area to host this event the potential to draw more people to town is greater.
 - c. **Committee recommends awarding \$1,100.00**
2. Recreation Brochure
 - a. requesting \$500.00
 - b. This highly requested and out of stock brochure showcases most of our outdoor activities and is used in recruitment packets for businesses as well as promotes our quality of life as we market what a great place Cresco and Howard County is to visit and vacation. Committee believes this project meets the definition of tourism.
 - c. **Committee recommends awarding \$500.00.**
3. Iowa Wrestling Hall of Fame expansion project
 - a. requesting \$1,000.00
 - b. Although the expansion project is complete, the IWHOF is a tourism draw in our area year round and especially during their March Border Battle and April Induction Ceremonies. Due to limited funds, committee recommends partial award.
 - c. **Committee recommends awarding \$583.84.**
4. Cresco Farmers Market
 - a. requesting \$500.00
 - b. Committee is pleased to see the Cresco Farmers Market expanding and offering more to venders and vendees. Hosting the only **Sunday** Farmers Market, this venue should be a tourism draw as well as a Market draw.
 - c. **Committee recommends awarding \$500.00.**

5. Fine Arts Show

- a. requesting \$500.00
- b. The Fine Arts Show is a long standing event in our community and a tourism draw. Committee would like to see the Council expand on their application as to how they fundraise for this event.
- c. **Committee recommends awarding \$500.00.**

6. Norman Borlaug Harvest Fest

- a. requesting \$2,000.00
- b. Committee scores this application favorably and high for tourism, but due to limited funding recommends re-applying next quarter. It was acknowledged that the Fest will take place at the same time as advisory recommendations and Council approval, but invoices will be processing so committee felt this application would still be timely.
- c. **Committee recommends awarding \$0.00**

III. Regular Business

- a. Joie Lukes, manager of the *Super 8* has not made a meeting, is not interested and has been taken off the Advisory Committee.
- b. The Advisory Committee reached out to Connie Knowles-Ashley, proprietor of Connie's Century Corner B&B and asked her to be a part of this committee. She indicated favorable interest and will confirm her decision as the committee follows up.

Tourism Advisory Committee Evaluation

Application	Time Sensitive or Need	Application meets Tourism Definition	Lodging	Qtr 2 Funds recommendation
National Night Out	H	M	L	\$1,100.00
Recreation Brochure	H	H	H	\$500.00
Hall of Fame expansion	L	H/M	M/L	\$583.84
Sunday Farmers Market	H	M	L	\$500.00
Fine Arts Show	H	H	M	\$500.00
Norman Borlaug Harvest Fest	M/L	H	H/M	\$0.00
Total				\$3,183.84

H=high, M=medium, L=low

ORDINANCE NO. 445

Below is a summary of ORDINANCE 445. A full copy of said Ordinance may be obtained between 8 am and 4:30 pm weekdays at City Hall, 130 North Park Place, Cresco, IA 52136 or on the City's website at www.cityofcresco.com.

BE IT ENACTED by the City Council of the City of Cresco, Iowa, as follows:

THE CODE OF ORDINANCES OF CRESCO, IOWA IS HEREBY AMENDED BY ADDING A NEW CHAPTER 74, REGULATION OF GOLF CARTS AS FOLLOWS:

CHAPTER 74

GOLF CARTS

The purpose of this chapter is to permit the operation of golf carts on certain streets in the City, as authorized by Section 321.247 of the Code of Iowa, as amended. Golf carts may be operated by persons possessing a valid Iowa operator's license and at least 18 years of age except as prohibited in Section 74.09 of this chapter. Golf carts shall be equipped with required equipment and shall be operated only between sunrise and sunset. Golf carts must be inspected and a permit purchased from the City of Cresco Police Department and pay an annual fee of \$25.

74.11 VIOLATION AND PENALTY:

1. A violation of this ordinance shall be considered a municipal infraction as defined at Chapter 4.01 of this Code of Ordinances and shall be punishable as provided in Chapter 4.03 of this Code of Ordinances.
2. For a first offense, the civil penalty shall be \$100.00 and revocation of the City of Cresco permit for a period of 60 days.
3. For a second offense the civil penalty shall be \$200.00 and revocation of the City of Cresco permit for a period of 730 days.
4. For a third or subsequent offense the civil penalty shall be \$300.00 and permanent revocation of the City of Cresco permit.
5. To all of the above civil penalties court costs shall be added pursuant to the Iowa Code.

If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

The foregoing added Sections 74.01 to and including 74.12 shall be in full force and effect from and after the date of passage and publication as provided by law.

Passed and adopted this _____ day of _____ 2013.

Old City Hall Building

The Council needs to decide what they want to do with the old City Hall building at 227 N Elm Street that the County Store has been renting since April 2010. At a worksession on May 15, 2013, it was decided that the City Council would prefer to sell the building rather than continue renting it. Assuming that is still the consensus, now we have a couple of options of selling the building.

Section 364.7(3) of the Iowa Code provides that "A city may not dispose of real property by gift except to a governmental body for a public purpose." Iowa Supreme Court has ruled in cases that a city that sold property for less than its fair market value had gifted part of the value of the property to the buyer. Arriving at FMV would be to do an appraisal and advertise it for sale at that minimum price. Another alternative is for the City to advertise for sealed bids or auction the property after public notice, under the condition that it will accept only the highest bid.

It appears that we have two options available for the Council to decide which is best for the City's taxpayers. I am going to try to point out pros and cons of each of the options. I am sure there will be many more that I don't think of that you can also discuss at the meeting.

Option 1 – Advertise for a public sale in which a sealed bid must be submitted prior to the meeting and then an auction at the meeting. Only bidders allowed will be ones that submitted a sealed bid.

Pro – Establishes Fair Market Value

- City receives money for the building
- Building may be assessed for property taxes depending on the buyer
- Gives others in the community a chance to purchase the building
- Follows same procedure as was used in selling other real property in the past

Con – County Store may be put out of business if the building is sold for more than they can afford to pay despite receiving several testimonials as to the important impact it makes on the community and employees

Option 2 – Gift the building to Howard County (possibly ask them to reimburse us for some expenses incurred such as legal and public notice fees)

Pro – would help keep the County Store in their location if that is what the Howard County Supervisors decide to do with the building

Con – City receives no money for the sale of the building

- Building will not be assessed property taxes
- Clarifying the "public purpose" that the County will be using the building for
- Future building maintenance costs will be borne by Howard County
- Some residents may feel that they were not given a chance to purchase the building
- May set a precedent for other non-profit organizations expecting property to be "gifted" to them through the City and County as well

I think this should be discussed during the Council meeting but a decision does not need to be made this night if you are not comfortable. No matter which option is chosen, we will need to do some legal resolutions and public hearings before anything can happen.