

NOTICE AND CALL OF PUBLIC MEETING

GOVERNMENTAL BODY: THE CITY COUNCIL OF CRESCO, IOWA

DATE OF MEETING: AUGUST 4, 2014

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 July 21, 2014
4. Approval of Street Closing Permit for portion of Alley North of Farm Bureau Financial Services building on September 17, 2014 for Customer Appreciation
5. Approval of Class C Beer Permit (BC) with Sunday Sales to Kwik Trip, Inc d/b/a Kwik Star #428

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

1. Public Works
2. Police
3. Administration
4. Committee Updates

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

1. Resolution to install Four-Way Stop Signs at the Intersection of 1st Avenue and North Elm Street
2. Resolution Authorizing the Mayor and City Clerk to Sign Contracts and Agreements on behalf of the Cresco Theatre and Opera House
3. Resolution Naming Depositories
4. Acceptance of Retirement Letter from Water Superintendent Tim Courtney

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 JULY 31, 2014.

Notes for August 4, 2014 Meeting

Four –Way Stop Sign – This resolution is to approve installing 4-way stop signs at the intersection of North Elm Street and 1st Avenue (corner by Aspensons & CUSB).

Contracts & Agreements - This resolution is to authorize the Mayor and the City Clerk to sign contracts and agreements on behalf of the Cresco Theatre and Opera House. There are several contracts required to book the movies to be shown.

Depositories – This resolution is required to be on file naming our financial institutions that we deposit our funds into. A maximum amount is set by the Council. It is set high enough to cover our average balance plus extra for any possible bond proceeds.

Retirement – Tim Courtney will be missed from the Water Department. We appreciate his dedication to his job for the past 35 years. We thank him for all his time and effort in keeping the department flowing. We have enjoyed working with him and wish him all the best in his next endeavor.

The Cresco City Council met July 21, 2014, at 7:00 pm at City Hall. Council Members Bouska, McGee, McCarville and Loveless were present. Council member Carman was absent.

Bouska made the motion to approve the consent agenda which included approval of the: agenda; claims; minutes of the July 7, 2014 meeting and July 7, 2014 worksession. McGee seconded and it passed all ayes.

Public Works Director Rod Freidhof reported: (a) two broken watermains were fixed last week; (b) a hole in the Theatre parking lot was discovered that looks like a 50 foot deep well was abandoned so we will contact the DNR to see what we can do; (c) Granger Road project encountered rock which has slowed progress and will be additional expense for the rock clause. In about 3 weeks they hope to have two crews working on the project and we are still hoping they will meet the October 31, 2014 deadline; (d) next week the County's project should get started. This will detour traffic away from 3rd Street. We are negotiating to purchase some of the millings from Bruenings.

Police Chief Tim Ruroden reported that he is accepting applications for a Full-Time Police Officer until July 31st.

City Clerk Michelle Girolamo reported: (a) Auditors are here this week; (b) starting to work on reports that need to be filed annually; (c) working on the first budget amendment; (d) Lynn Johnson will not be meeting with the Airport Commission this week but should be in Cresco in the next couple of weeks; (e) Mediacom is raising rates by \$2.50 per month for seasonal cable services.

David Gosch, President of the Theatre Commission, updated Council on the theatre. The lease expires August 20, 2014 and then the Theatre Commission will do some maintenance and cleaning and will reopen on September 5th or 12th. They will be advertising for a manager to operate the Cresco Theatre and Opera House. A letter to Editor will be published this week.

Bouska made the motion to approve the resolution proclaiming August 5, 2014 National Night Out. Loveless seconded and it passed all ayes.

The City received four quotes for sandblasting and painting the clarifiers at the WWTP: Champion Coatings \$58,500; Mongan Painting & Sandblasting \$78,750; Terry & Sons \$88,454, TMI Coatings \$88,640. Loveless made the motion to award the contract to Champion Coatings Inc. Bouska seconded and it passed all ayes.

Loveless made the motion to approve the resolution authorizing the Mayor and City Clerk to enter into an Industrial Sewer Rental Agreement with Cresco Food Technologies LLC. Bouska seconded and it passed all ayes.

Bouska made the motion to approve the resolution authorizing the Mayor to enter into a Business Associate Agreement with Group Services. McGee seconded and it passed all ayes.

Loveless made the motion to approve the resolution authorizing the Mayor to enter into an agreement with PJ Greufe & Associates, LLC for human resources consulting services. Bouska seconded and it passed all ayes.

The Iowa Department of Transportation performed a speed study on 2nd Avenue SE (State Highway 9) following a request and petition from citizens of Cresco. Two speed zones will be moved less than half a block and the third change will move the 55 mph zone to the east side of NAPA. McGee made the motion to approve the recommendation by the Iowa DOT to change speed limits on 2nd Avenue SE. McCarville seconded and it passed all ayes.

The Cresco Business Committee recommended installing four-way stop signs at the intersection of 1st Avenue and North Elm Street. Consensus was to go ahead and plan to install stop signs at that intersection. Concern was expressed about the off-setting

intersection at North and South Park Place and 2nd Avenue. The City will look into options to make these intersections safer.

Bouska made the motion to approve the resolution to remove two hour parking limits on North Elm Street. Loveless seconded and it passed all ayes.

Flags on North Elm Street were discussed. The City was never notified by the Cresco Business Committee that "Sale" flags would be put up on North Elm Street. The City will be notified in advance of putting up the flags and a calendar will be developed. The City will retain the right to restrict the type of flags flown on their light poles and will also limit the time that they are flown to 3-5 days per event.

An application from the Cresco Business Committee for a 2nd Quarter tourism grant to purchase flags was inadvertently omitted. Council discussed the application but decided to include it with the 3rd Quarter tourism grant applications and have it go through the Tourism Committee's rating procedures.

Guidelines for replacing sidewalks on North Elm Street were discussed. After a lengthy discussion, consensus was to require colored cement with a design be installed where the existing pink brick-stamped concrete is now for all sidewalks on North Elm Street from 1st Avenue to 3rd Avenue. Business owners will be encouraged to replace the cement within 5 years. The Cresco Business Committee will work with the City Clerk in determining an estimated cost and a letter will be sent to all affected business owners encouraging them to replace it soon since much of the border is in poor condition and to keep the look more uniform downtown. The City will need to replace crosswalks in the next few years and will tie it into the downtown theme. The City also anticipates repairing alleys and parking lots downtown in the near future as well. The formula for the color and design will be maintained at City Hall and the Chamber Office and local contractors will also have copies.

Mayor Bohle welcomed the Boy Scout Troop in attendance.

Mayor asked if there were any comments from the audience. Mike McGuire inquired about marking the no parking spots near the intersection of North Park Place and Elm Street as people are ignoring the yellow painted curb. Options were discussed and it will be looked into.

McGee moved to adjourn at 8:03 pm. Bouska seconded and it passed all ayes. The next regular Cresco City Council meeting will be at 7:00 pm on August 4, 2014 at Cresco City Hall.

Mayor Mark Bohle

City Clerk Michelle Girolamo

Following is a list of claims approved for payment:

ALLIANT	Elect	687.13
BAKER&TAYLOR	Books	147.66
BECKER, RYAN	Srvc	180.00
BERGAN, MIKE	Ref Grb	3.96
BLACK HILLS	Nat gas	1,625.16
BLACKBURN, JOAN	Reimb A&C	101.50
BC / BS	Insur	24,591.60
BROWN SUPP	Supp	96.00
CAMPSITE RV	LP gas	181.55
CANOE RIDGE KENNELS	Srvc	90.75
CITY LAUNDERING	Srvc	121.02
CITY OF CRESCO	Insur, util	2,858.10
CRESCO SMALL ENG	Supp	211.86
DALCO	Supp	547.45
DEMCO	Supp	270.17
DEPT OF TREAS	Insur fee	34.00
DUNEMAN, RONALD	Ref util	24.01
ELWOOD, O'DONOH...	Atty	2,466.46
FAREWAY	Supp	8.47
FENCL OIL	LP gas	347.66
FOLEY'S CONSTR	Equip	2,797.60
GAMETRUCK MNPLS	Tour grant	1,100.00
GEERTS, LEON	Ref util	104.12
GOSCH'S	Srvc	319.17
GROUP SERVC	Fee	328.00
GRUBE LAWN GARD	Supp	29.40
HAWKEYE REC	Elect	7,501.54
HAWKEYE SAN	Grb /rcyl	45,564.04
HOW CO AGRIC	Tour grant	2,300.00
IA CODIFICATION	Srvc	152.00
IA ONE CALL	Srvc	56.70
KEYSTONE LAB	Analys	350.00
KWIK TRIP	Gas	142.91
M.T.S.	Srvc	900.00
MIDWEST FAM BRDCAST	Advert	975.00
MOORE MEDICAL	Supp	68.69
MUNICIPAL MGT	Srvc	800.00
NESS PUMPING	Srvc	694.00
O'HENRY'S	Supp	971.38
OVERDRIVE	Supp	648.12
PAYROLL		67,009.08
PETTY CASH	Postage	81.83
POSTMASTER	Postage	80.00
RICOH	Copies	33.41
RILEY'S	Supp	161.36
RIVER CITY PAV	Cold mix	450.56
RUFFRIDGE-JOHNSON	Equip	312.48
SHERWIN-WILLIAMS	Supp	23.44
SLIFKA, HUNTER	Srvc	200.00
SPORTSMITH	Supp	797.34
STATE HYGIENIC LAB	Analys	143.00
STOREY KEN	Supp	895.42
SVP-CO.COM	Equip	2,903.86
TREAS, ST OF IOWA	Sales Tax	4,816.00
TROUTEN, DARLENE	Ref Grb	3.27

U.S. CELL	Phone	188.85
USA BLUE BOOK	Supp	318.01
VOBR, MICHELLE	Srvc	200.00
WEBER PAPER	Supp	172.91
WEILAND, ANITA	Ref Grb	6.64
WELLS FARGO	Fee	750.00
WINDRIDGE IMPL	Supp	178.88
WINDSTREAM	Phone	121.79
WINNESHIEK COOP	Supp	30.40
	TOTAL CLAIMS	180,275.71
	GENERAL	97,238.82
	HOTEL/MOTEL	3,400.00
	LOST	1,268.37
	NUISANCE HOUSE	478.96
	FIRE STATION	29.40
	MEDIACOM	3,388.88
	DRUG DOG	2,786.40
	CRESCO COMM FIRE	536.74
	ROAD USE TAX	11,613.29
	EMPLOYEE BENEFITS	18,106.07
	FC TRUST	2,797.60
	DEBT SERVICE	750.00
	WATER	16,036.55
	SEWER	21,661.61
	PROPRIETARY CAP	91.89
	YARDWASTE	91.13
	EXPENDITURES	180,275.71
	Revenues 7/8 to 7/21/14	3,145,248.94

STREET CLOSING/PARADE PERMIT

Application Date: 7-21-14 Name: Farm Bureau Financial Services

Mail to Address: 124 1st Ave W Cresco IA 52136

Permission to Close: Alley directly north of FB building

Section needed is width of FB building. We

would use street dept cones to block off section needed

Reason for Closure: Farm Bureau Financial Services

Customer Appreciation

Event Date: 9-17-2014 Time: (from) 11- (to) 1-

Signature: Arnold C. Kruen

INCLUDE A MAP MARKING THE STREET OR STREETS YOU WISH TO HAVE CLOSED AND THE INDEMNITY AND HOLD HARMLESS AGREEMENT

PARADE REGULATIONS ARE LISTED BELOW.

60.08 PARADES REGULATED. No person shall conduct or cause any parade on any street except as provided herein:

1. "Parade" Defined. "Parade" means any march or procession of persons or vehicles organized for marching or moving on the streets in an organized fashion or manner or any march or procession of persons or vehicles represented or advertised to the public as a parade.
2. Permit Required. No parade shall be conducted without first obtaining a written permit from the City Council. Such permit shall state the time and date for the parade to be held and the streets or general route therefor. Such written permit granted to the person organizing or sponsoring the parade shall be permission for all participants therein to parade when such participants have been invited by the permittee to participate therein. No fee shall be required for such permit. Permit forms are available at City Hall.
3. Parade Not a Street Obstruction. Any parade for which a permit has been issued as herein required, and the persons lawfully participating therein, shall not be deemed an obstruction of the streets notwithstanding the provisions of any other ordinance to the contrary.
4. Control by Police and Firefighters. Persons participating in any parade shall at all times be subject to the lawful orders and directions in the performance of their duties of law enforcement personnel and members of the Fire Department.

City Council
Date Approved: _____ Signature: _____

CC: Ambulance _____, Police Dept. _____, Fire Dept. _____, Street Dept. _____

Preparer: Joseph P. Braun, Elwood, O'Donohoe, Braun & White 217 N. Elm St. Cresco, IA (563)547-3321

INDEMNITY AND HOLD HARMLESS AGREEMENT

This agreement is made by and among the City of Cresco, Iowa, (herein designated City), and Farm Bureau, (herein designated Indemnifying Party) upon the following terms and conditions:

1. The parties understand and agree that Indemnifying Party will be conducting a(n) Customer Appreciation on or about the 17 day(s) of September, 2014, and as part of that event has requested to close alley section behind FB Building on City property (the Permitted Purpose).
2. City hereby consents to Indemnifying Party conducting the Permitted Purpose on City property during the date(s) of the 17 day of September, 2014
3. In consideration of the Permitted Purpose, and other good and valuable consideration, Indemnifying Party agrees to release and hold harmless City and its agents, principals, employees, assigns, successors, contractors and related parties from any and all claims, demands, causes of action, suits, damages or liability whatsoever, from any source, known or unknown, associated with the set-up, take-down, operation, use, maintenance, or any related activity of, or incident to, the Permitted Purpose.
4. Indemnifying Party agrees to indemnify and save harmless City from and against any and all causes of action, claims, demands, liabilities, loss, damage or expense of whatsoever kind and nature, including counselor attorney fees, which City shall or may at any time sustain or incur by reason of any litigation, investigation or other expenditure, from any source or action, incident to or in any related to the Permitted Purpose.
5. In the event that any portion or part of this agreement is adjudged by a court of competent jurisdiction to be invalid or unenforceable, the remaining parts or portions of this agreement shall remain in full force and effect.
6. This agreement constitutes the complete agreement between the parties and no other or different agreements, amendments, additions, subtractions or alterations shall be of any force or effect unless reduced in writing and signed by them.

Dated this 21st day of July, 2014.

INDEMNIFYING PARTY

By: [Signature]

Title: Agent

Dated this _____ day of _____, 20 ____.

CITY OF CRESCO

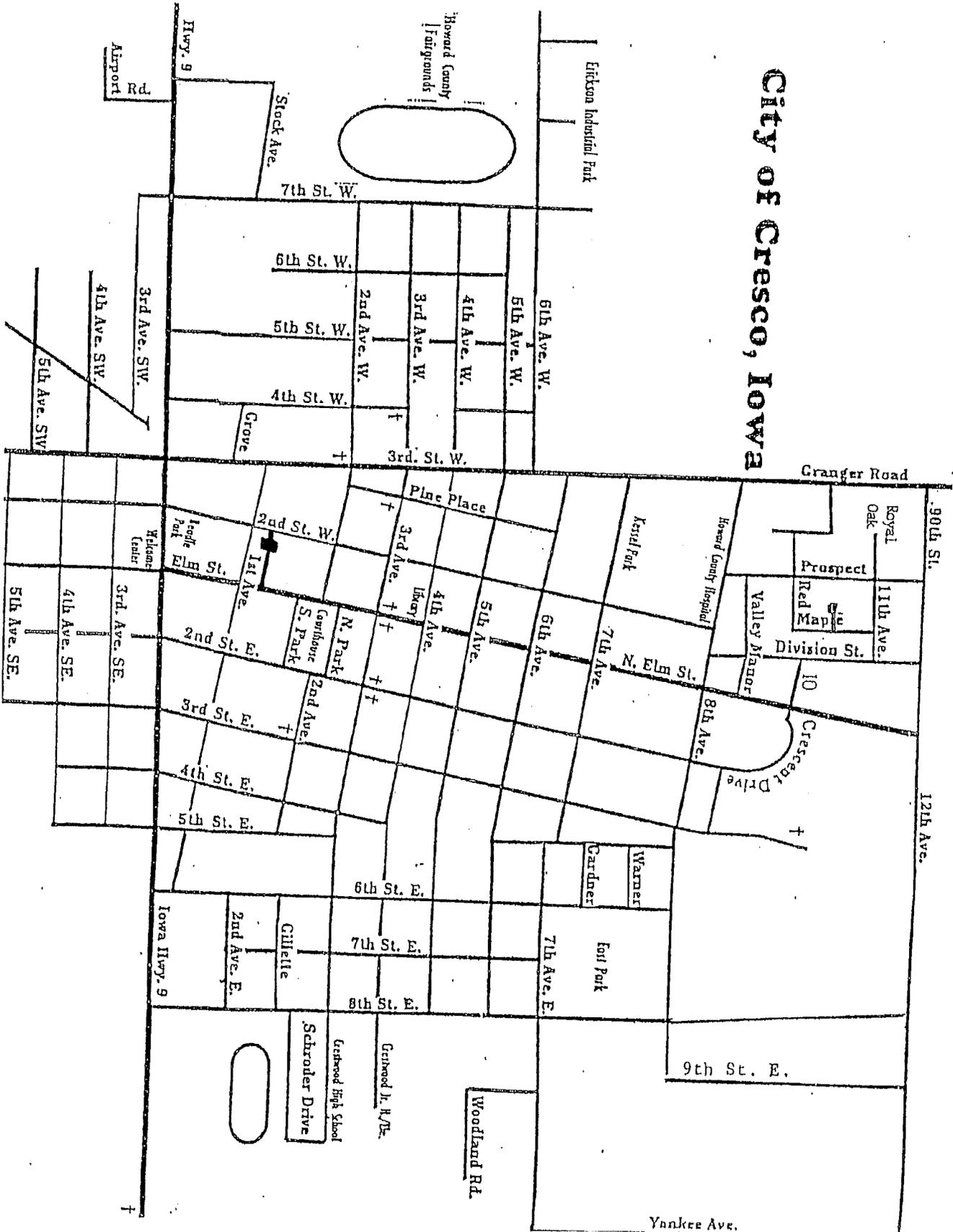
By: _____

Mark Bohle, Mayor

ATTEST:

Michelle Girolamo, City Clerk

CITY OF CRESCO, IOWA



90th St.

12th Ave.

Yankee Ave.

Cranger Road

Crescent Drive

Howard County Hospital

Kessel Park

N. Elm St.

Warner

Gardner

Foul Park

Woodland Rd.

Centered High School

Schroder Drive

Gilllette

Iowa Hwy. 9

Airport Rd.

4th Ave. SW

5th Ave. SW

3rd Ave. SW

4th Ave. SE

5th Ave. SE

3rd Ave. SE

4th St. E.

5th St. E.

3rd St. E.

2nd St. E.

1st Ave.

2nd St. W.

3rd St. W.

4th St. W.

5th St. W.

6th St. W.

7th St. W.

Stock Ave.

Howard County Fairgrounds

Erickson Industrial Park

+

+

+

+

License Application (BC0027781)

Applicant

Name of Applicant:	<u>Kwik Trip, Inc.</u>		
Name of Business (DBA):	<u>Kwik Star #428</u>		
Address of Premises:	<u>330 2nd Ave SE</u>		
City: <u>Cresco</u>	County: <u>Howard</u>	Zip: <u>52136</u>	
Business Phone:	<u>(563) 547-5507</u>		
Mailing Address:	<u>1626 Oak St</u>		
City:	State: <u>WI</u>	Zip: <u>54603</u>	

Contact Person

Name:	<u>Deanna Hafner</u>		
Phone:	<u>(608) 793-6262</u>	Email Address:	<u>dhafner@kwiktrip.com</u>

Classification: Class C Beer Permit (BC)

Term: 12 months

Effective Date: 10/01/2014

Expiration Date: 09/30/2015

Privileges:

Class C Beer Permit (BC)

Sunday Sales

Status of Business

BusinessType:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>106706</u>	Federal Employer ID #	<u>39-1036365</u>

Ownership

Donald Zietlow

First Name: Donald

Last Name: Zietlow

City:

State: Wisconsin

Zip: 54650

Position Owner

% of Ownership 100.00 %

U.S. Citizen

Steven Zietlow

First Name: Steven

Last Name: Zietlow

City:

State: Wisconsin

Zip: 54601

Position Director

% of Ownership 0.00 %

U.S. Citizen

Insurance Company Information

Insurance Company: First Western Insurance

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

RESOLUTION NUMBER _____

RESOLUTION TO INSTALL FOUR-WAY STOP SIGNS AT THE
INTERSECTION OF 1ST AVENUE AND NORTH ELM STREET

Council member _____ moved the adoption of the foregoing Resolution
Installing Four-Way Stop Signs at the Intersection of 1st Avenue and North Elm Street in
accordance with Chapter 65 Stop and Yield Regulations of the Code of Ordinances, City
of Cresco.

Council member _____ seconded said motion. A roll call vote was requested
by the Mayor and said roll call vote resulted as follows:

Ayes: _____

Nays: _____

Absent: _____

PASSED AND APPROVED THIS _____ DAY OF _____, 2014.

BY: _____
Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

RESOLUTION NUMBER _____

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO
SIGN CONTRACTS AND AGREEMENTS ON BEHALF OF THE CRESCO
THEATRE AND OPERA HOUSE**

WHEREAS, the City Council of the City of Cresco, Iowa acknowledges the operation of the Cresco Theatre and Opera House will be under the direction of the Cresco Theatre Commission effective August 21, 2014, and

WHEREAS, the Cresco Theatre Commission will be operating a motion picture theatre and live presentations, and

WHEREAS, the City Council acknowledges that the operation of the Cresco Theatre and Opera House requires contracts and agreements, and

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Clerk are authorized and directed to sign contracts and agreements on behalf of the Cresco Theatre Commission for the Cresco Theatre and Opera House located at 115 2nd Avenue West, Cresco, Iowa.

Council Person _____ moved the adoption of the foregoing Resolution and Council Person _____ seconded said Motion. Following discussion, a roll call vote was requested by Mayor and said roll call resulted as follows:

Ayes: _____

Nays: _____

Absent: _____

Thereupon, the Mayor declared said Resolution duly passed and announced that the Mayor and City Clerk are authorized to sign contracts and agreements on behalf of the Cresco Theatre Commission and the City of Cresco.

PASSED AND APPROVED THIS 4th DAY OF AUGUST, 2014.

BY: _____
Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

RESOLUTION NO. _____

RESOLUTION NAMING DEPOSITORIES

WHEREAS, the City of Cresco deposits funds in accordance with all applicable provisions of Iowa Code Chapter 12C as amended, and

WHEREAS, the City of Cresco uses the current depository resolution and additional written guidelines for investing its public funds, and

WHEREAS, the following financial institutions are in compliance with the above provisions of the Iowa Code.

NOW THEREFORE BE IT RESOLVED by the City of Cresco Council that the following financial institutions are hereby authorized to accept deposits of the City of Cresco in amounts not to exceed the maximum approved for each respective financial institution as set out below.

<u>Depository Name</u>	<u>Maximum Balance</u>
Cresco Bank & Trust Cresco, Iowa	\$15,000,000
C Us Bank Cresco, Iowa	\$25,000

PASSED AND ADOPTED THIS 4TH DAY OF AUGUST, 2014.

Mayor Mark Bohle

Attest: _____
City Clerk Michelle Girolamo

July 28, 2014

Dear Mayor Bohle and Cresco City Council:

This letter is to inform you that I will be retiring on December 31, 2014. I will be using my accumulated vacation from October through December but I have agreed to work my weekend shifts during this time period.

The City of Cresco has been a good place to work for the past 35 ½ years. I appreciate the opportunity to have worked with a dedicated group of individuals.

Sincerely,

A handwritten signature in black ink that reads "Tim Courtney". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Tim Courtney