

NOTICE AND CALL OF PUBLIC MEETING

GOVERNMENTAL BODY: THE CITY COUNCIL OF CRESCO, IOWA

DATE OF MEETING: JUNE 2, 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 May 19, 2014
4. Approval of Tree Surgeon License for Total Tree Care LLC
5. Approval of Cigarette/Tobacco Permit Applications for:
 - i. Casey's Marketing dba Casey's General Store #2511;
 - ii. Fareway Stores Inc. dba Fareway Store #815;
 - iii. JAGDAMBE, LLC dba Cresco Mart;
 - iv. Ron B. Rear & Evelyn L. Kingsley dba Cresco Liquor Store;
 - v. Big Daddy Hideaway Corp. dba Hideaway Lounge;
 - vi. Kwik Trip, Inc. dba Kwik Star #428;
 - vii. Thomas J. Kleve & Mary F. Kleve dba Kleve's Pub
6. Approval of Parade Permit to Display Race Cars in A&W Parking Lot on June 8, 2014 and Parade Cars to the Race Track at the Fairgrounds

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. Public Hearing on the Authorization of a Loan Agreement and the Issuance of Notes to Evidence the Obligation of the City Thereunder
2. Resolution Instituting Proceedings to Take Additional Action for the Authorization of a Loan Agreement and the Issuance of not to Exceed \$3,000,000 General Obligation Capital Loan Notes, Series 2014
3. Resolution Directing Sale of \$3,000,000 (Dollar Amount Subject to Change) General Obligation Capital Loan Notes, Series 2014
4. Jami Schwickerath Requesting Funds for the Cresco Jaycees 4th of July Fireworks
5. Discussion Regarding Post Office Boxes (CBU's) Downtown
6. Recommendation to City Council by the Planning & Zoning Commission to re-appoint Kevin Weinacht to the Commission for a 5 year term ending April, 2019
7. Recommendation to City Council by the Planning & Zoning Commission to re-appoint Willard Balk to the Commission for a 5 year term ending April, 2019

8. Third Reading of Proposed Ordinance 450 to Amend Chapter 92 of the Code of Ordinances of the City of Cresco, Iowa, Pertaining to Water Rates
9. Approval of Ordinance 450 Amending Chapter 92 Pertaining to Water Rates
10. Third Reading of Proposed Ordinance 451 to Amend Chapter 99 of the Code of Ordinances of the City of Cresco, Iowa, Pertaining to Sewer Service Charges
11. Approval of Ordinance 451 Amending Chapter 99 Pertaining to Sewer Service Charges
12. Third Reading of Proposed Ordinance 452 to Amend Chapter 151 of the Code of Ordinances of the City of Cresco, Iowa, Pertaining to Trees
13. Approval of Ordinance 452 Amending Chapter 151 Pertaining to Trees
14. Approval of Resolution Establishing a Fund within the City's Accounts for Fund 177 – Police Forfeitures Fund
15. Approval of Write-off of Uncollectible Accounts (None for FY 2014)
16. Discussion Regarding Sidewalk Replacements

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 MAY 30, 2014.

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of the City of Cresco, State of Iowa.
Date of Meeting: June 2, 2014.
Time of Meeting: 1:00 o'clock P.M. (City Officials)
7:00 o'clock P.M. (City Council)
Place of Meeting: Council Chambers, City Hall, 130 N. Park Place, Cresco, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

\$3,000,000 (Dollar Amount Subject to Change) General Obligation Capital
Loan Notes, Series 2014.

- Receipt of bids.
- Resolution directing sale.

Such additional matters as are set forth on the additional 3 page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.



City Clerk, City of Cresco, State of Iowa

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of the City of Cresco, State of Iowa.
Date of Meeting: June 2, 2014.
Time of Meeting: 7.00 o'clock P.M.
Place of Meeting: Council Chambers, City Hall, 130 N. Park Place, Cresco, Iowa.

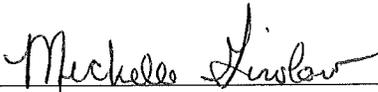
PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

Not to Exceed \$3,000,000 General Obligation Capital Loan Notes, Series 2014.

- Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder.
- Resolution instituting proceedings to take additional action.

Such additional matters as are set forth on the additional 3 page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.



City Clerk, City of Cresco, State of Iowa

Public Hearing – To hear comments or objections to borrowing the \$3 million for the Granger Road Project. We will then do a resolution to proceed. Then we will hear the amount of the bids for the loan and vote on accepting the lowest bid.

Fireworks – The Jaycees (Jami Schwickerath) has done a request for funds from the Tourism grant for fireworks for the 4th of July. Please read the enclosed grant request. It was received late because the Jaycees had decided not to do fireworks this year since they did not have any money for them. Apparently some citizens think they should do them. Decorah will be having fireworks after the races and therefore Cresco was anticipating a smaller crowd this year. This would be an exception to our policy to allow an organization to apply after the deadline for tourism grants. I discussed this with a County Supervisor and they have not decided if they will fund this project but if they do, it would be 50% or less and dependent on whether the City approved the request. FYI the Tourism fund balance is just over \$10,000 currently.

CBU's – committee met last week and walked around town picking potential locations on the side streets to get them off the main sidewalk on Elm Street. The Retail Committee may be able to pay for a couple of cement pads that are needed and are requesting the City to do the work for the cement pads.

P&Z Commission Appointment – we had one male apply for the P&Z. Rod contacted the other members and they unanimously decided to re-appoint the existing members after considering qualifications and experience. The board is not gender balanced but no females applied.

Ordinances – final readings and then approval of adoption of three ordinances

New Fund - the money collected at the time of arrests is confiscated and sometimes returned to the police department. This must be used for certain things and must be tracked. Revenue and expenses may span more than one fiscal year so the easiest way to track this would be to have a separate fund so all revenues and expenses can easily be traced and the balance maintained.

Write-Offs – there are no uncollectible accounts to be written off this year. We are assessing 7 properties for outstanding bills for a total of about \$2,500.

Sidewalk Replacement – A resident gave Rod a stack of pictures of sidewalks that need to be looked at to see if they are in need of repairs. Council needs to decide if they want letters sent to all property owners requiring them to be fixed. A deadline will need to be established and what if the property owner requests permission to remove their sidewalk instead of fixing it? If we will not allow it to be removed, then how do we justify all the places in town that do not have sidewalks? If their sidewalk is not repaired by the deadline, the City will have to hire it done and then bill the homeowner and wait for payment. What money do we use to fund the payment of all the sidewalk repairs?

Michelle Girolamo

The Cresco City Council met May 19, 2014, 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 May 5 and 12, 2014 meetings; tax abatement under the Urban Revitalization Plan for Cresco, Iowa for Tim and Delrae Wolter; street closing for alley south of the Library for a Dancing Horse Exhibition for the Library's 100th Celebration Event on July 22, 2014; parade permit for KISS Country ATV/UTV ride on August 15-16, 2014 from Fairgrounds to 90th Street for portions of 6th Ave W, North Elm Street and 12th Ave. Bouska seconded and it passed all ayes.

Public Works Director Rod Freidhof reported: (a) attended Howard County's pre-construction meeting for the road project between Cresco and Lime Springs. Construction schedule to begin May 15 and end about October 1, 2014; (b) Cresco's pre-construction meeting is May 20th for the Granger Road Project. Construction is scheduled to begin June 1 and end October 31, 2014; (c) Tim Wolter, Kevin McGee, Drew Zahasky and Rod prepared the pads for the concrete for the Fit for Life equipment on the bike trail. Mehmert Tiling supplied a load of rock. Hopefully the concrete will be poured this week. Pat Boyle will have volunteers assemble the machines so they can be placed after the cement cures; (d) old Waterworks site will be completed as soon as the weather cooperates. The Farmers Market is still interested in using the site. Council will need to discuss some issues and they requested permission to build a small building so Council will discuss this later; (e) Street Department is still sweeping and filling holes. They are also working on an intake box where the storm sewer collapsed and also working on another storm sewer on the North side; (f) Water Department has been listening to valves and hydrants trying to locate a watermain leak; (g) Sewer Department is hauling sludge. An EPA audit was performed May 5th – 8th as a result of being placed on the watch list after violations in 2013. Samples were taken from the sewer plant and Cresco Food Technologies and also visited Featherlite. He reported that the Wastewater Treatment Staff, Michelle and Rod were very cooperative and supplied him with a great deal of information and data concerning his visit. He left a notice of potential permit violations and Rod responded in writing. The EPA will have a full report in three months; (h) Emerald Ash Borer meeting was last week. If the City wanted to treat trees, it would need to be done before June 1st. We could treat the trees in Beadle Park for about \$3,000 to \$5,000 and would need to be done every other year. Some recommend waiting until it is identified because it usually does not travel more than 15 miles in one year. Council decided to wait and not treat the trees this year and will analyze it next spring again. If citizens want to treat trees in their boulevard, please inform City Hall that you are treating them. The Mayor read a thank you from the Howard County Extension for supporting their meeting last week.

Police Lieutenant David Godman reported that they have been busy. Eddie Eagle program is going really good. National Night Out is cooperating with Kiwanis to plan a circus the same day. The State has passed a Social Host Ordinance.

City Clerk Michelle Girolamo reported: (a) Tom Larkin will present a short video message on June 11 from 1:00-2:00 at City Hall regarding Senator Harkin's legacy in Howard County and the City; (b) Salt bid from the State of Iowa increased 20% for next year; (c) Library will be closed May 24th for painting; (d) Riehle Decorating will be here this week to repair the Theatre wall; (e) budget was right on as of April 30, 2014 but the last two months will be close so hopefully we stay under budget; (f) IPERS audit May 20, Workers Comp Audit this week, Preliminary Audit June 11-13 and the Final Audit July 21-25.

Mayor Bohle opened the public hearing for Budget Amendment #3 for Fiscal Year ending June 30, 2014. There were no oral or written comments. The public hearing was closed. Bouska made the motion to approve the resolution amending the current budget. McGee seconded and it passed all ayes.

Paul Lovell presented a transcript on behalf of himself and several other business owners. He had concerns regarding the location and appearance of the centralized box units (CBU's). Another concern was the lack of communication between the City Council, US Postal Service and downtown business owners. He presented a recommendation : 1) that an advisory committee be formed to cooperatively develop a plan to maximize efficiency without harming downtown aesthetics; 2) to remove the CBU's south of the 200 block of North Elm Street; 3) to temporarily allow the CBU's to remain on the 200 block until a final plan is developed; 4) for the Postmaster and City Council to form a committee to improve efficiency of residential delivery. Council disagreed with the fourth proposal stating that the City does not want to be involved in telling the United States Post Office how to operate their business. Mary Stivers, Cresco Postmaster, apologized for the lack of communication. Thomas Allen, Manager of Post Office Operations out of Des Moines, acknowledged the lack of communication problem. He emphasized the security of having a locked CBU for the mail instead of open mailboxes for business mail. Jim Holstrom addressed some issues that Mr. Allen had brought up and also reiterated the fact that the CBU's should be relocated so they are not on the main sidewalk downtown. It was determined that the USPS will work with the business owners in relocating the CBU's. Paul Lovell will organize the advisory committee and Jan Carman volunteered to represent the City Council. The advisory committee will include postal workers and will hopefully work out a compromise.

Mayor Bohle opened the public hearing to add to Chapter 138 Street Grades in the City of Cresco Code of Ordinances, pertaining to grade elevations on certain streets for the 3rd Street West Reconstruction Project. There were no oral or written comments. The public hearing was closed. Bohle performed the first reading of the summary of proposed Ordinance 453. Bouska made the motion to approve the first reading of Ordinance 453. McCarville seconded and it passed all ayes. McCarville made the motion to approve the resolution waiving the 2nd and 3rd readings and considerations of Ordinance 453. Bouska seconded and it passed all ayes. Carman made the motion to approve Ordinance 453 pertaining to grade elevations. McGee seconded and it passed all ayes.

Mark Brinks proposed to Council that he would do all of the prep work to concrete a portion of the alley exiting from his new truck wash he will be building if the City would pay \$7,240 for the concrete. Concerns were expressed regarding the electric poles along the alley and Mr. Brinks assured Council he was working with Alliant Energy. Carman made the motion to approve the City's payment of \$7,240 for the concrete pursuant to a written agreement. McCarville seconded and it passed all ayes.

Mayor Bohle performed the second reading of proposed Ordinance 450 pertaining to water rates. Loveless made the motion to approve the second reading. Bouska seconded and it passed all ayes.

Mayor Bohle performed the second reading of proposed Ordinance 451 pertaining to sewer service charges. Loveless made the motion to approve the second reading. McGee seconded and it passed all ayes.

Mayor Bohle performed the second reading of proposed Ordinance 452 pertaining to trees. Bouska made the motion to approve the second reading. Carman seconded and it passed all ayes.

Bouska made the motion to approve a resolution approving the Contract and Bond for the Granger Road Project with Skyline Construction Inc. Loveless seconded and it passed all ayes.

Bouska made the motion to approve a resolution authorizing the Mayor to enter into a Financial Services Agreement with Piper Jaffray & Co. McGee seconded and it passed all ayes.

Carman made the motion to approve a resolution authorizing the Mayor to enter into a Form of Letter Amendment Agreement to serve as Dissemination Agent for Secondary Market Disclosures with Piper Jaffray & Co. McGee seconded and it passed all ayes.

Bouska made the motion to approve the resolution fixing date for a Meeting on the authorization of a loan agreement and the issuance of not to exceed \$3,000,000 General Obligation Capital Loan Notes, Series 2014, of the city of Cresco, State of Iowa, and providing for publication of notice thereof. The public hearing will be June 2, 2014. Loveless seconded and it passed all ayes.

Carman made the motion to approve the resolution directing the advertisement for sale of \$3,000,000 (dollar amount subject to change) General Obligation Capital Loan Notes, Series 2014, and approving electronic bidding procedures and official statement. McGee seconded and it passed all ayes.

Mayor asked if there were any comments from the audience and there were none.

Carman moved to adjourn at 8:00 pm. McGee seconded and it passed all ayes. The next regular Cresco City Council meeting will be at 7:00 pm on June 2, 2014 at Cresco City Hall.

Mayor Mark Bohle

City Clerk Michelle Girolamo

Following is a list of claims approved for payment:

| | | |
|--------------------|------------------|-----------|
| ADVANCED SYS | Maint | 70.49 |
| ALLIANT | Elect | 645.10 |
| BAKER&TAYLOR | Books | 1,141.28 |
| BARCO | Equip | 142.54 |
| BLACK HILLS | Nat gas | 256.60 |
| BC / BS | Insur | 23,964.71 |
| BOB'S ELECT | Supp | 81.72 |
| BODENSTEINER | Supp | 226.12 |
| BROWN SUPP | Tools | 67.00 |
| BRUENING | Rock, sand, srvc | 853.45 |
| CARDMEMBER | Supp | 433.21 |
| CITY OF CRESCO | Insur,util | 2,866.03 |
| COURTNEY LAWN SNOW | Srvc | 760.00 |
| CRESCO SHOPPER | Publ | 161.70 |
| CRESCO TPD | Advert | 85.00 |
| FAREWAY | Supp | 23.53 |
| FENCO | Equip | 89.63 |
| FLR SANDERS | Srvc | 1,680.00 |
| GALLS | Unif | 402.78 |
| GILLUND ENTERPR | Supp | 91.68 |
| GOSCH'S | Equip | 158.40 |
| GROUP SERVC | Fee | 328.00 |
| H & S MOTORS | Rprs | 515.70 |
| HAWKEYE REC | Elect | 7,059.39 |
| HAWKEYE SAN | Garb/rcyl | 44,060.93 |
| HEALTHY CONTRI | Fee | 19.60 |
| HOLSTROM JEWELERS | Supp | 48.00 |
| HOW CO EMERG MGT | Assessment | 17,406.00 |
| IA DEPT OF TRAN | Oil | 762.00 |
| IA FINANCE AUTH | Loan pymts | 74,439.75 |
| IA ONE CALL | Srvc | 36.90 |
| IROC WEB DESIGN | Fee | 35.00 |
| K & H COOP | LP gas | 673.55 |
| K & W COATINGS | Srvc | 1,500.00 |
| KUBIK | Rprs | 92.23 |
| LIFELOC TECH | Equip | 445.61 |
| MERIT CONTRACT | Rprs | 4,635.00 |
| NE IA TELEPHONE | Srvc | 640.00 |
| PAYROLL | | 58,748.43 |
| PECINOVSKY, CLAIR | Phone | 19.40 |
| PETTY CASH | Supp | 114.27 |
| PLUNKETT'S PEST | Srvc | 308.26 |
| POST-BULLETIN | Periodical | 199.00 |
| POSTMASTER | Postage | 75.00 |
| PRINT SHOP | Supp | 58.00 |
| REGIONAL HEALTH | Srvc | 135.00 |
| RICOH | Supp | 51.18 |
| RILEY'S | Supp | 192.29 |
| RUPPERT | Supp | 509.28 |
| SCHOLBROCK | Cement | 3,122.00 |
| SEC OF STATE | Fee | 30.00 |
| STATE HYGIENIC | Analys | 124.00 |
| STOREY KEN | Supp | 148.48 |
| TSI TENNIS SERV | Srvc | 16,990.00 |
| U.S. CELL | Phone | 187.83 |

| | | |
|-----------------|-------------------------|------------|
| UNITYPOINT CLIN | Srvc | 185.00 |
| USA BLUE BOOK | Equip | 114.42 |
| WELLS FARGO | Loan pymts | 347,936.25 |
| WHKS | Engr srvcs | 40,000.00 |
| WINDSTREAM | Phone | 119.62 |
| | GENERAL | 104,246.04 |
| | LOST | 4,880.30 |
| | FIRE STATION | 466.66 |
| | MEDIACOM | 529.80 |
| | EQUIPMENT REPLAC | 20,112.00 |
| | DRUG DOG | 67.69 |
| | ROAD USE TAX | 10,121.75 |
| | EMPLOYEE BENEFITS | 17,349.05 |
| | RECREATION | 1,680.00 |
| | DEBT SERVICE FUND | 362,092.50 |
| | STREET ASSESS | 40,000.00 |
| | WATER | 13,569.01 |
| | WATER EQUIP REPLAC | 1,500.00 |
| | SEWER | 18,815.43 |
| | SEWER SINKING | 60,283.50 |
| | PROPRIETARY CAP | 45.65 |
| | YARDWASTE | 506.96 |
| | EXPENDITURES | 656,266.34 |
| | Revenues 5/6 to 5/19/14 | 195,696.80 |

STREET CLOSING/PARADE PERMIT

Application Date: 5-19-14 Name: Wayne Mashell A&W/6TS

Mail to Address: 628 2nd Ave SW Cresco IA 52136

Permission to Close: A&W is sponsoring that evening races & are displaying the race cars at our restaurant parking lot.

Reason for Closure: Around 4:00 we would like to parade cars from our lot to the race track on 7th St west

Event Date: 6-8-14 Time: (from) _____ (to) _____

Signature: Wayne Mashell

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. _____

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$3,000,000 General Obligation Capital Loan Notes, Series 2014, in order to provide funds to pay costs of the opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds; the construction, reconstruction, and repairing of any street improvements; the acquisition, installation, and repair of sidewalks, storm sewers, sanitary sewers, water service lines and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes, an essential corporate purpose, and that notice of the proposed action by the Council to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes, had been published pursuant to the provisions of Sections 384.24, 384.24A and 384.25 of the City Code of Iowa, as amended.

The Mayor then asked the Clerk whether any written objections had been filed by any city resident or property owner to the proposal. The Clerk advised the Mayor and the Council that _____ written objections had been filed. The Mayor then called for oral objections to the proposal and _____ were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$3,000,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ o'clock _____.M. on the _____ day of _____, 2014, at this place.

Council Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE AUTHORIZATION OF A
LOAN AGREEMENT AND THE ISSUANCE OF NOT TO
EXCEED \$3,000,000 GENERAL OBLIGATION CAPITAL
LOAN NOTES, SERIES 2014

WHEREAS, pursuant to notice published as required by law, this Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$3,000,000 General Obligation Capital Loan Notes, Series 2014, for the purpose of paying costs of the opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds; the construction, reconstruction, and repairing of any street improvements; the acquisition, installation, and repair of sidewalks, storm sewers, sanitary sewers, water service lines and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes, and has considered the extent of objections received from residents or property owners as to the proposal and, accordingly the following action is now considered to be in the best interests of the City and residents thereof:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRESCO, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization of a Loan Agreement and issuance in the manner required by law of not to exceed \$3,000,000 General Obligation Capital Loan Notes, Series 2014, to evidence the obligation thereof for the foregoing purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above loan agreement. The amounts so advanced shall be reimbursed from the proceeds of the Loan Agreement not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the loan amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 2nd day of June, 2014.

Mayor

ATTEST:

City Clerk

Council Member _____ introduced the following Resolution entitled "RESOLUTION DIRECTING SALE OF \$ _____ GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014," and moved its adoption. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION DIRECTING SALE OF \$ _____ GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014

WHEREAS, pursuant to notice as required by law, bids have been received at public sale for the notes described as follows and the best bid received is determined to be the following:

\$ _____ GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014:

Bidder: _____ of _____

the terms of said bid being:

Purchase Price: \$ _____

True Interest Rate: _____ %

Net Interest Cost: \$ _____

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRESCO, STATE OF IOWA:

Section 1. That the bid for the notes as above set out is hereby determined to be the best and most favorable bid received and, the notes are hereby awarded based on the bid.

Section 2. That the statement of information for bidders and the form of contract for the sale of the notes are hereby approved and the Mayor and Clerk are authorized to execute the same on behalf of the City.

PASSED AND APPROVED this 2nd day of June, 2014.

Mayor

ATTEST:

City Clerk

Sue Murphy

From: cityofcresco11@gmail.com
Sent: Tuesday, May 20, 2014 8:02 AM
To: deputyclerk@iowatelecom.net
Subject: Grant Info - Application

Project: Independence Day fireworks

Date: May 20, 2014

Organization/Agency Requesting Funding: Cresco Jaycees

Contact Person and Title: Jami Schwickerath

Address: PO box 52, Cresco Iowa

Phone: 507-259-3549

Email: Jam_i3@yahoo.com

Amount Requested: \$3000

Total Cost of the Project: \$5000- we are seeking match dollars from the Board of Supervisors

Event Date (if applicable): July 4, 2014

Project Completion Date: July 4, 2014

Q: Describe the project. Will the project occur if not funded by the tourism grant?

A: For 32 years, the Jaycees have provided fireworks for the Fourth of July celebration in Cresco. We were going to do them this year as a budget simply does not support it, however feedback from city personnel as well as several businesspeople indicates that we need to continue them. We been directed to apply for this grant as well as match money from the Board of Supervisors to allow it to happen since our budget simply cannot find it independently. We have tried different fundraisers to make money, but we are not being profitable and thus we do not have the extra money required to pay for fireworks. In regards to why we are applying so late, we were not going to them but much feedback from the community indicated that we needed to go forth and apply as well as ask for match money from the Board of Supervisors as the community wants fireworks on the third.

Q: How does this project promote Cresco tourism and how does it increase lodging use within the community?

A: By doing the Independence Day celebration starting at 5:30 and ending with fireworks at dark, we are able to attract persons to our event after work and before they had out of town for the weekend. This allows them to spend money locally getting food and other items they may need for the weekend. It also allows for those that plan to stay here or come to town to watch the fireworks stays in the hotel. We average 1000 -1500 people in the stands that night and for the fireworks, the parking lot and grounds have many others. The fireworks is a big prayers and draw from people from Elma, LimeSprings and Protivin along with Cresco to watch them.

PLANNING AND ZONING COMMISSION

TO: CRESCO CITY COUNCIL

RE: Appointment/Reappointment

We, the Planning and Zoning commission of the City of Cresco, recommend that the City Council

1. _____ Appoint (Name) _____

(To replace _____)

2. Reappoint (Name) Kevin Weinacht

to the Planning and Zoning Commission.

Term to run from May 1st 2014 to expire April 30th 2019

| | Signed | Date |
|----------|-------------------------|----------------|
| Chairman | <u>[Signature]</u> | <u>4-28-14</u> |
| | <u>Derald E. Wilson</u> | <u>4-28-14</u> |
| | <u>Bruce Kingley</u> | <u>4-28-14</u> |
| | <u>[Signature]</u> | <u>4-28-14</u> |
| | <u>William M. Holte</u> | <u>4-28-14</u> |
| | _____ | _____ |
| | _____ | _____ |

PLANNING AND ZONING COMMISSION

TO: CRESCO CITY COUNCIL

RE: Appointment/Reappointment

We, the Planning and Zoning commission of the City of Cresco, recommend that the City Council

1. _____ Appoint (Name) _____
(To replace _____)

2. Reappoint (Name) Wilford Ball

to the Planning and Zoning Commission.

Term to run from May 1st 2014 to expire April 30th 2019

| | Signed | Date |
|----------|--------------------|----------------|
| Chairman | <u>[Signature]</u> | <u>4-28-14</u> |
| | _____ | _____ |
| | _____ | _____ |

ORDINANCE NO. 450

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA, BY AMENDING PROVISIONS PERTAINING TO WATER RATES

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

SECTION 1. Chapter 92, Section 02, of the Code of Ordinances of the City of Cresco, Iowa, is repealed and the following adopted in lieu thereof:

92.02 RATES FOR SERVICE. Water service shall be furnished at the following monthly rates within the City:

(Code of Iowa, Section 384.84)

1. Effective July 1, 2014:

- A. First 7,000 gallons used per month @ \$4.04 per 1000 gallons. (Minimum bill is \$6.06 based on 1,500 gallons.)
- B. Next 60,000 gallons used per month @ \$3.70 per 1000 gallons.
- C. All over 67,000 gallons used per month @ \$3.38 per 1000 gallons.

SECTION 2. Chapter 92, Section 03, of the Code of Ordinances of the City of Cresco, Iowa, is repealed and the following adopted in lieu thereof:

92.03 RATES OUTSIDE THE CITY: Water service shall be provided at the following monthly rates, based upon water used and furnished, outside the City limits and such rates shall apply to all cases except where there was in existence a pre-existing written contract:

(Code of Iowa, Section 384.84)

1. Effective July 1, 2014:

- A. First 7,000 gallons used per month @ \$8.08 per 1000 gallons. (Minimum Bill is \$12.12 based on 1,500 gallons.)
- B. Next 60,000 gallons used per month @ \$7.40 per 1000 gallons.
- C. All over 67,000 gallons used per month @ \$6.76 per 1000 gallons.

SECTION 3. SEVERABILITY CLAUSE. 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.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED THIS ____ DAY OF _____, 2014.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

1st Reading _____ 2nd Reading _____ 3rd Reading _____

I certify that the foregoing was published as Ordinance No. 450 on the ____ day of _____, 2014.

City Clerk Michelle Girolamo

ORDINANCE NO. 451

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA, BY AMENDING PROVISIONS PERTAINING TO SEWER SERVICE CHARGES

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

SECTION 1. Chapter 99, Section 02, of the Code of Ordinances of the City of Cresco, Iowa, is repealed and the following adopted in lieu thereof:

99.02 RATES FOR SERVICE. Each customer shall pay a sewer service charge for the use of and for the service supplied by the municipal sanitary sewer system based upon the amount and rate of water consumed. Sewer service shall be furnished at the following monthly rates: (Code of Iowa, Section 384.84)

- 1. Effective July 1, 2014:
 - A. \$7.50 per 1,000 gallons within City limits. (Minimum bill is \$11.25 based on 1,500 gallons.)
 - B. \$15.00 per 1,000 gallons outside City limits. (Minimum bill is \$22.50 based on 1,500 gallons.)
 - C. \$2.00 per month for Capital Improvement fund for the extension and maintenance of the sewer, storm sewer and water lines.

SECTION 2. SEVERABILITY CLAUSE. 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.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED THIS _____ DAY OF _____, 2014.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

1st Reading _____ 2nd Reading _____ 3rd Reading _____

I certify that the foregoing was published as Ordinance No. 451 on the _____ day of _____, 2014.

City Clerk Michelle Girolamo

ORDINANCE NO. 452

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE
CITY OF CRESCO, IOWA, BY AMENDING
PROVISIONS PERTAINING TO TREES

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

SECTION 1. Chapter 151, Section 02, Section 05, Section 06, Section 07 and Section 08 of the Code of Ordinances of the City of Cresco, Iowa, is repealed and the following adopted in lieu thereof:

151.02 PERMITS FOR PLANTING TREES IN BOULEVARDS. A permit must be secured at the office of the Director of Public Works before planting any tree in any in any boulevard within the corporate limits of the City. Trees are to be purchased and planted by the property owner of the land abutting the boulevard, or by a person retained by the property owner. Varieties of trees approved are those trees of the hard wood variety, having good appearance, adaptability to the climate, being long lived and generally free from injurious insects and diseases. Following are listed the approved varieties:

Crabapple
Japanese Lilac
Serviceberry
Oak (Red, White)
Hackberry
Linden
Elm (Disease Resistant)
Cork

151.05 REMOVAL OF BOULEVARD TREES.

1. The City will remove trees that are determined by the Director of Public Works to be diseased, dangerous or a public nuisance.
2. Ordinary removal by the City will leave the stump in the ground, cut off at about boulevard level, then ground to below the surface of the boulevard.
3. Removal of any boulevard tree is to be approved by the Director of Public Works before starting removal.
4. Upon approval to remove a nuisance tree from the boulevard, the property owner may hire a licensed tree surgeon to remove this tree if the property owner takes full responsibility for the hauling, chipping, stump removal, replacement of the tree, and replacement of the lawn. Any income from the sale of the tree would then go to the property owner instead of the City.

151.06 REMOVAL OF TREES ON PRIVATE PROPERTY

1. A property owner may remove a tree that is on personal property as long as the property owner does the actual work. Otherwise, the property owner must hire a licensed tree surgeon to remove the tree.

151.07 ABUSE OR MUTILATION OF TREES. No person shall willfully damage, injure, mar, deface or destroy any tree on any boulevard in the City.

151.08 DISEASE CONTROL. Any dead, diseased, or damaged tree or shrub that may harbor serious insect or disease pests or disease injurious to other trees is hereby declared to be a nuisance.

SECTION 2. SEVERABILITY CLAUSE. 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.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED THIS _____ DAY OF _____, 2014.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

1st Reading _____ 2nd Reading _____ 3rd Reading _____

I certify that the foregoing was published as Ordinance No. 452 on the _____ day of _____, 2014.

City Clerk Michelle Girolamo

RESOLUTION NUMBER _____

**RESOLUTION ESTABLISHING A FUND WITHIN THE CITY'S ACCOUNTS
FUND 177 – POLICE FORFEITURES FUND**

WHEREAS, the City of Cresco will receive revenue from the State of Iowa and other agencies from property seized in arrest warrants that is known as police forfeitures; and

WHEREAS, the City of Cresco can use these funds to purchase approved law enforcement equipment and supplies; and

WHEREAS, the City of Cresco, Iowa, would like to track funds received and expended with regards to police forfeitures; and

WHEREAS, the City of Cresco, Iowa, promotes the transparency of its funds and accounting.

THEREFORE, BE IT RESOLVED, by the City Council of the City of Cresco, Iowa, that the following fund be established:

FUND 177– POLICE FORFEITURES FUND

BE IT FURTHER RESOLVED, by the City Council of the City of Cresco, Iowa, that the City Clerk be directed by the Mayor and the City Council to establish said fund and correct the books accordingly.

PASSED AND APPROVED THIS 2ND DAY OF JUNE, 2014.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo