

NOTICE AND CALL OF PUBLIC MEETING

GOVERNMENTAL BODY: THE CITY COUNCIL OF CRESCO, IOWA
DATE OF MEETING: DECEMBER 7, 2015
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 November 16, 2015
4. Approval of Minutes from November 18, 2015 Solar Workshop
5. Approval of Minutes from November 23, 2015 Special Meeting
6. Approval of Class C Liquor License (LC) (Commercial) with Outdoor Service and Sunday Sales to Howard County Agricultural Society d/b/a Mighty Howard County Fair – Howard County Expo
7. Approval of Class C Liquor License (LC) (Commercial) with Sunday Sales to Big Daddy Hideaway Corp. d/b/a Hideaway Lounge
8. Approval of Class C Liquor License (LC) (Commercial) with Sunday Sales to Wayne Smith d/b/a South Side Bar & Grill (formerly known as The Pitt Stop)
9. Approval of Request for Designated Snowmobile Trail from Drifrunners Inc for December 15, 2015 – April 1, 2016
10. Approval of Application for Tax Abatement under the Urban Revitalization Plan for David and Pamela Daley
11. Approval of Pay Request #6 – Final from Skyline Construction, Inc. for the 3rd Street West (Granger Road) Reconstruction Project for \$136,802.60

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. Request to Designate the Bike Trail as Tobacco Free
2. Motion to Approve Airport Commission Recommendation to Reappoint Joseph Lawrence to the Airport Commission for a Six Year Term from January 1, 2016 through December 31, 2021
3. Discuss Theatre Parking Lot Overlay
4. Discuss Potential Solar Project
5. Resolution Authorizing the Mayor to Enter into an Agreement with Paulson Law Office, Ltd. to Provide Legal and Consulting Services

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 DECEMBER 4, 2015.

Tobacco Free Trails – There has been a request that the City of Cresco pass a resolution designating the bike trails to be tobacco free. There is a flyer from Helping Services enclosed discussing this issue and also listing the cities that have implemented similar resolutions. NOTE: the sample includes parks and parking lots as well. Riceville passed the resolution just like the sample is written. Calmar only lists trails. If we do anything, we need to decide whether it only pertains to the trails or all of our property. I am not sure about trying to enforce these laws whenever someone calls us to complain about a smoker either in the park or on the trail. This was presented to the Howard County Conservation Board which I think voted it down but I am not certain.

Airport Commission – we advertised but no one contacted us regarding the position except Joe who is willing to serve for another term.

Theatre Parking Lot – Please drive by the Theatre parking lot and look at the condition as well as the 4 trees in the middle of the parking lot. We received a couple of quotes on overlaying the whole parking lot (see map) for about \$51,000. We think that if we are going to do this then we should remove the ash trees in the parking lot immediately. We would also remove the curb so then it would all be one level and make snow removal much easier. We are thinking maybe we amend the budget and do this before June 30, 2016 since the 150th celebration will be right there. We have about \$30,000 of extra Road Use Tax revenue this year because of the increase in gas tax that we have not used yet.

Solar Project – If we are going to proceed with the solar project, we are at the point of hiring legal counsel to advise us. Amy interviewed a couple of attorneys that work with solar and PPA's and recommended Paulson. Rod, Amy & Michelle conducted a conference call with him and we all agree that he seems to be the most qualified and felt very comfortable about working with him.

Have a good weekend.

Michelle

The Cresco City Council met November 16, 2015, 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 November 2, 2015 meeting and solar public input meeting; pay request #2 from Mehmert Tiling for the Highway 9 Watermain Replacement Project for \$94,555.15. Bouska seconded and it passed all ayes.

Public Works Director Rod Freidhof reported (a) all departments are getting ready for winter; (b) Water Department fixed a watermain break last week on 11th Avenue; (c) Sewer finished hauling sludge.

Police Chief Tim Ruroden reported the new squad car is in and they are installing the new equipment.

City Clerk Girolamo reported (a) Fire Department has two new members, Travis Weinacht and Annette Trachta. They are ordering the turn-out gear that will be paid by the FEMA grant; (b) the Firefighters Pancake Supper was another success but attendance was lower than previous years; (c) the annual Chamber and CIDC Banquet had 110 people attend and the auction raised \$4,165 for the City of Cresco for the 150th Celebration.

Bouska reported the CIDC meeting was cancelled due to the annual banquet. The Library Board meeting was short with most of the discussion centered on clean-up problems with the restrooms.

McCarville reported the 150th Celebration had a meeting. Things are coming together and they are working hard. The entertainment has been booked.

Bill Caffrey reported his annual update on the parks, recreation and fitness center. He showed projects completed and potential projects for the future. Eagle Scout projects by Casey Ollendieck installing bean bag boards and Adam Jensen installing a grill at Kessel Lodge were completed this year. Many other projects were completed and equipment purchased using money from Local Option Sales Tax and Trust money received from fundraisers and donations.

Mayor Bohle welcomed the Boy Scouts that were attending the Council meeting.

McCarville made the motion to approve the Park Board recommendation to appoint Holly O'Brien to the Park Board to fill a position from November 17, 2015 through December 31, 2016. Loveless seconded and it passed all ayes.

Bouska made the motion to approve the Park Board recommendation to re-appoint Michele Tuchek to the Park Board for a three year term from January 1, 2016 through December 31, 2018. Carman seconded and it passed all ayes.

WHKS submitted a Notification of Project Completion for the 3rd Street West Reconstruction Project. There are a few warranty issues to be repaired in the spring. Bouska made the motion to approve the Resolution Accepting Work for the 3rd Street West (Granger Road) Reconstruction Project. McGee seconded and it passed all ayes.

McGee made the motion to approve the Resolution Ordering Preparation of Final Plat and Schedule of Assessments. Bouska seconded and it passed all ayes. The next step in the process is that WHKS will prepare the final plat and schedule of assessments. The assessments will be the same for each property owner as the preliminary since the final project cost was much higher than estimated at the time of the preliminary schedule. The maximum that can be assessed was set by the preliminary schedule. Within 10 days of receiving the final plat, the Council will need to approve it by resolution. It will then be certified and filed with the County Treasurer, published twice and letters sent to each owner. They will have 30 days to pay the assessment after which the unpaid portions will be assessed to their property taxes and paid over 10 years with interest at 4.375%.

Carman made the motion to approve the Resolution Accepting the Annual Financial Report of the City of Cresco, Iowa for the Fiscal Year 2014-2015 and Directing the Clerk to File the Report with the Iowa Auditor of State. Loveless seconded and it passed all ayes.

Freidhof reported that a contractor had been approached by a business owner that may replace their sidewalk downtown. They do not care for the colored concrete that has already been installed and requested permission to do something different. The design and color had been decided upon by the Retail Committee in July 2014 and the Council had made a motion to require the colored cement to be installed when replacing the existing pink brick-stamped concrete for all sidewalks on North Elm Street between 1st Avenue and 3rd Avenue. Council decided that for consistency they had to stick to the decision made in July 2014 requiring them to use the same color and design.

Girolamo reported results of the election as submitted by the Howard County Supervisor's Abstract of Votes. Cresco Mayor: Mark Bohle 399 votes; Troy Cleveland 272 votes; Scattering 2 votes. Mark Bohle is duly elected for the office of Cresco Mayor for the term of 2 years. Cresco Council Member-at-Large: David Brenno 467 votes; John Loveless 203 votes. David Brenno is duly elected for the office of Cresco Council Member-at-Large for a term of 4 years. Cresco Council Member, 1st Ward: Teresa McGee 122 votes; Corey Baldwin 76 votes. Teresa McGee is duly elected for the office of Cresco Council Member, 1st Ward for a term of 4 years. Cresco Council Member, 3rd Ward: Jan Carman 188 votes; Scattering 5 votes. Jan Carman is duly elected for the office of Cresco Council Member, 3rd Ward for a term of 4 years. Each took the Oath of Office for terms beginning January 1, 2016.

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

Carman moved to adjourn at 7:28 pm. McCarville seconded and it passed all ayes. The next regular Cresco City Council meeting will be December 7, 2015 at 7:00 pm at Cresco City Hall.

Mayor Mark Bohle

City Clerk Michelle Girolamo

Following is a list of claims approved for payment:

21st CENT FOX	Movie rent	500.00
BAKER&TAYLOR	Lib bks/audio	1,389.39
BARTLETT ELECT	Srvc call	371.00
BC/BS	Insur	31,256.60
BOB'S ELECT	Supp	422.13
BROWN	Supp	537.57
BRUENING ROCK	Sand	4,191.13
BUSS, CARMEN	Reimb mileage	226.55
CARD CENTER	Trng,fees,supp	982.64
CARDMEMBER	Lib DVDs/books	85.55
CARQUEST	Supp	200.98
CHIEF/LAW ENFO	Equip	956.36
CITY LAUNDERING	Srvc	167.25
CITY OF CRESCO	Util, insur	2,696.73
CPU	Supp	24.49
CRESCO CHAMBER	Tour grant	1,500.00
CRESCO INSUR	Insur	738.00
CRESCO SHOPPER	Advert	392.10
CRESCO TPD	Advert	80.00
CRESCO VET CLINIC	Srvc	33.25
CROELL REDI-MIX	Concrete	382.00
DALCO	Supp	244.86
DEMCO	Supp	186.06
DIGITAL ALLY	Supp	30.00
FAREWAY	Concessions	20.24
FENCL OIL	Fee	75.00
FLEET SAFETY	Equip	291.35
FOLEY'S CONST	Rprs	181.00
GALLS	Equip	100.99
H & S MOTORS	Rprs	221.12
HACH CO	Supp	446.55
HANSON TIRE	Supp	808.15
HAWKEYE REC	Elect	5,644.81
HAWKEYE SAN	Grbg/Rcyl	45,450.91
HEARTLAND THEAT	Srvc,supp	1,650.00
HOWARD CO	City elections	4,172.81
HOWARD CO	Shared LEC	4,982.47
IA FIN AUTHORITY	Interest	8,802.50
IOWA ONE	Srvc	24.30
IOWA SPORTS	Supp	869.00
JOHN DEERE FIN	Supp,tools	1,317.48
KARR TUCKPOINT	Srvc	9,878.00
K & H COOP OIL	Fee	72.00
KWIK TRIP	Gas	3,168.59
LIONSGATE	Movie rent	500.00
MARCO	Srvc	67.50
MEHMERT TILING	PayReq#2	94,555.15
NE IA MOTORS	Srvc	437.00
O'HENRY'S	Supp	15.00
PAYROLL		60,921.36
PECINOVSKY,CLAIR	Reimb mins	19.99
PETTY CASH	Postage	34.26
POSTMASTER	Postage	75.00
POWERPLAN	Equip	705.42
PRINT SHOP PLUS	Supp	33.15
RILEY'S	Supp	207.43
RUPPERT	Supp	472.17

SAFETY KLEEN	Supp	187.74
SPARKLE WASH	Srvc	90.00
STATE HYG LAB	Analys	109.00
STOREY KEN	Supp	645.30
TREAS ST OF IA	Sales Tax	6,533.00
UNITYPT CLINIC	Srvc	37.00
WEBER PAPER	Supp	292.98
WELLS FARGO	Fee	400.00
WILTGEN CONST	Rock	996.30
WINDSTREAM	Phone	140.58

GENERAL	124,407.45
HOTEL/MOTEL	1,500.00
LOST PROJ	10,105.88
MEDIACOM	594.21
DRUG DOG	119.67
CRESCO COMM FIRE	664.77
ROAD USE	15,203.94
EMPLOYEE BEN	8,735.41
RECREATION SUPP	869.00
DEBT SERVICE	1,257.50
WATER	15,104.40
WATER EQUIP REPLC	575.07
SEWER	20,491.63
SEWER SINKING FD	7,945.00
CAP IMPROVE	94,573.13
YARDWASTE	1,100.18

EXPENDITURES	303,247.24
Revenues 11/3 -11/16/15	267,604.74

The Cresco City Council attended a workshop at 12:00 noon on November 18, 2015 at Luther College in Decorah, IA. Council members Bouska, McCarville and McGee were present. Loveless and Carman did not attend. Mayor Bohle, Public Works Director Freidhof and City Clerk Girolamo also attended.

The workshop explained how non-taxable entities can utilize third party power purchase agreements for solar photovoltaic systems. Topics discussed included locating third party investors, negotiating a power purchase agreement, utility policies, time critical factors, and project timelines. The workshop was hosted by Luther's Center for Sustainable Communities and the Winneshiek Energy District.

The workshop ended at 4:00 pm. The next regular Cresco City Council meeting will be at 7:00 pm on December 7, 2015 at Cresco City Hall.

Mayor Mark Bohle

City Clerk Michelle Girolamo

The Cresco City Council met in special session on November 23, 2015, at 1:00 pm at City Hall. Council Members Carman, Bouska, McGee, McCarville and Loveless were present. No council members were absent.

Bouska made the motion to approve the Resolution Adopting and Levying Final Schedule of Assessments, and Providing for the Payment Thereof. McGee seconded and it passed all ayes.

The final assessments for the 3rd Street West (Granger Road) Reconstruction will be the same for each property owner as the preliminary since the final project cost was much higher than estimated at the time of the preliminary schedule. They will be certified and filed with the County Treasurer, published twice and letters sent to each owner. They will have 30 days to pay the assessment after which the unpaid portions will be assessed to their property taxes and paid over 10 years with interest at 4.375%.

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

Carman moved to adjourn at 1:02 pm. McGee seconded and it passed all ayes. The next regular Cresco City Council meeting will be December 7, 2015 at 7:00 pm at Cresco City Hall.

Mayor Mark Bohle

City Clerk Michelle Girolamo

Applicant License Application (LC0035094)

Name of Applicant:	<u>Howard County Agricultural Society</u>		
Name of Business (DBA):	<u>Mighty Howard County Fair -- Howard County Expo</u>		
Address of Premises:	<u>314 West 7th Street Fairgrounds</u>		
City	<u>Cresco</u>	County:	<u>Howard</u> Zip: <u>52136</u>
Business	<u>(563) 547-5231</u>		
Mailing	<u>P.O. Box 83</u>		
City	<u>Cresco</u>	State	<u>IA</u> Zip: <u>52136</u>

Contact Person

Name	<u>Thomas Barnes</u>		
Phone:	<u>(563) 547-4996</u>	Email	<u>tbarnes@mhcfair.com</u>

Classification Class C Liquor License (LC) (Commercial)

Term:12 months

Effective Date: 01/01/2016

Expiration Date: 12/31/2016

Privileges:

Class C Liquor License (LC) (Commercial)

Outdoor Service

Sunday Sales

Status of Business

BusinessType:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>58737</u>	Federal Employer ID	<u>04-0320324</u>

Ownership

Don Ferrie

First Name: Don **Last Name:** Ferrie
City: Cresco **State:** Iowa **Zip:** 52136
Position: President
% of Ownership: 0.00% **U.S. Citizen:** Yes

Brad Holten

First Name: Brad **Last Name:** Holten
City: Cresco **State:** Iowa **Zip:** 52136
Position: Vice President
% of Ownership: 0.00% **U.S. Citizen:** Yes

Thomas Barnes

First Name: Thomas **Last Name:** Barnes
City: Cresco **State:** Iowa **Zip:** 52136

Position: Executive Secretary

% of Ownership: 0.00%

U.S. Citizen: Yes

Kristi Burnikel

First Name: Kristi

Last Name: Burnikel

City: Cresco

State: Iowa

Zip: 52136

Position: Treasurer

% of Ownership: 0.00%

U.S. Citizen: Yes

Insurance Company Information

Insurance Company: <u>National Casualty Company</u>	
Policy Effective Date: <u>01/01/2016</u>	Policy Expiration <u>01/01/2017</u>
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date:

Applicant License Application (LC0021677)

Name of Applicant:	<u>Big Daddy Hideaway Corp.</u>		
Name of Business (DBA):	<u>Hideaway Lounge</u>		
Address of Premises:	<u>212 S Elm St</u>		
City	<u>Cresco</u>	County:	<u>Howard</u> Zip: <u>5213600</u>
Business	<u>(563) 547-3422</u>		
Mailing	<u>212 South Elm Street</u>		
City	<u>Cresco</u>	State	<u>IA</u> Zip: <u>521360000</u>

Contact Person

Name	<u>Wayne Lepa</u>		
Phone:	<u>(563) 547-3422</u>	Email	<u>bigdaddyhideaway@hotmail.com</u>

Classification Class C Liquor License (LC) (Commercial)

Term:12 months

Effective Date: 01/12/2016

Expiration Date: 01/11/2017

Privileges:

Class C Liquor License (LC) (Commercial)

Sunday Sales

Status of Business

Business Type:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>118658</u>	Federal Employer ID	<u>42-1304744</u>

Ownership

Wayne Lepa

First Name: Wayne **Last Name:** Lepa

City: Cresco **State:** Iowa **Zip:** 52136

Position: Owner

% of Ownership: 100.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company:	<u>Illinois Casualty Co</u>		
Policy Effective Date:	<u>01/12/2016</u>	Policy Expiration	<u>01/11/2017</u>
Bond Effective		Dram Cancel Date:	
Outdoor Service Effective		Outdoor Service Expiration	
Temp Transfer Effective		Temp Transfer Expiration Date:	

Applicant License Application (LC0041343)

Name of Applicant:	<u>Wayne E Smith</u>		
Name of Business (DBA):	<u>South Side Bar & Grill</u>		
Address of Premises:	<u>107 2nd Ave SW</u>		
City	<u>Cresco</u>	County:	<u>Howard</u> Zip: <u>52136</u>
Business	<u>(563) 547-4242</u>		
Mailing	<u>513 2nd St SW</u>		
City	<u>Cresco</u>	State	<u>IA</u> Zip: <u>52136</u>

Contact Person

Name	<u>Wayne E Smith</u>		
Phone:	<u>(563) 380-1534</u>	Email	<u>wayne.e.smith17@gmail.com</u>

Classification Class C Liquor License (LC) (Commercial)

Term: 12 months

Effective Date: 01/01/2016

Expiration Date: 12/31/2016

Privileges:

Class C Liquor License (LC) (Commercial)

Sunday Sales

Status of Business

BusinessType:	<u>Limited Liability Company</u>		
Corporate ID Number:	<u>499817</u>	Federal Employer ID	

Ownership

Wayne Smith

First Name: Wayne

Last Name: Smith

City:

State: Iowa

Zip: 52101

Position: Owner/Operator

% of Ownership: 100.00%

U.S. Citizen: Yes

Insurance Company Information

Insurance Company:	<u>Tokio Marine Specialty Insurance Company</u>		
Policy Effective Date:		Policy Expiration	
Bond Effective		Dram Cancel Date:	
Outdoor Service Effective		Outdoor Service Expiration	
Temp Transfer Effective		Temp Transfer Expiration Date:	

Street Closing /Parade Permit

12/4/15

Date: ~~11/13/13~~

Name: Driftrunners Inc

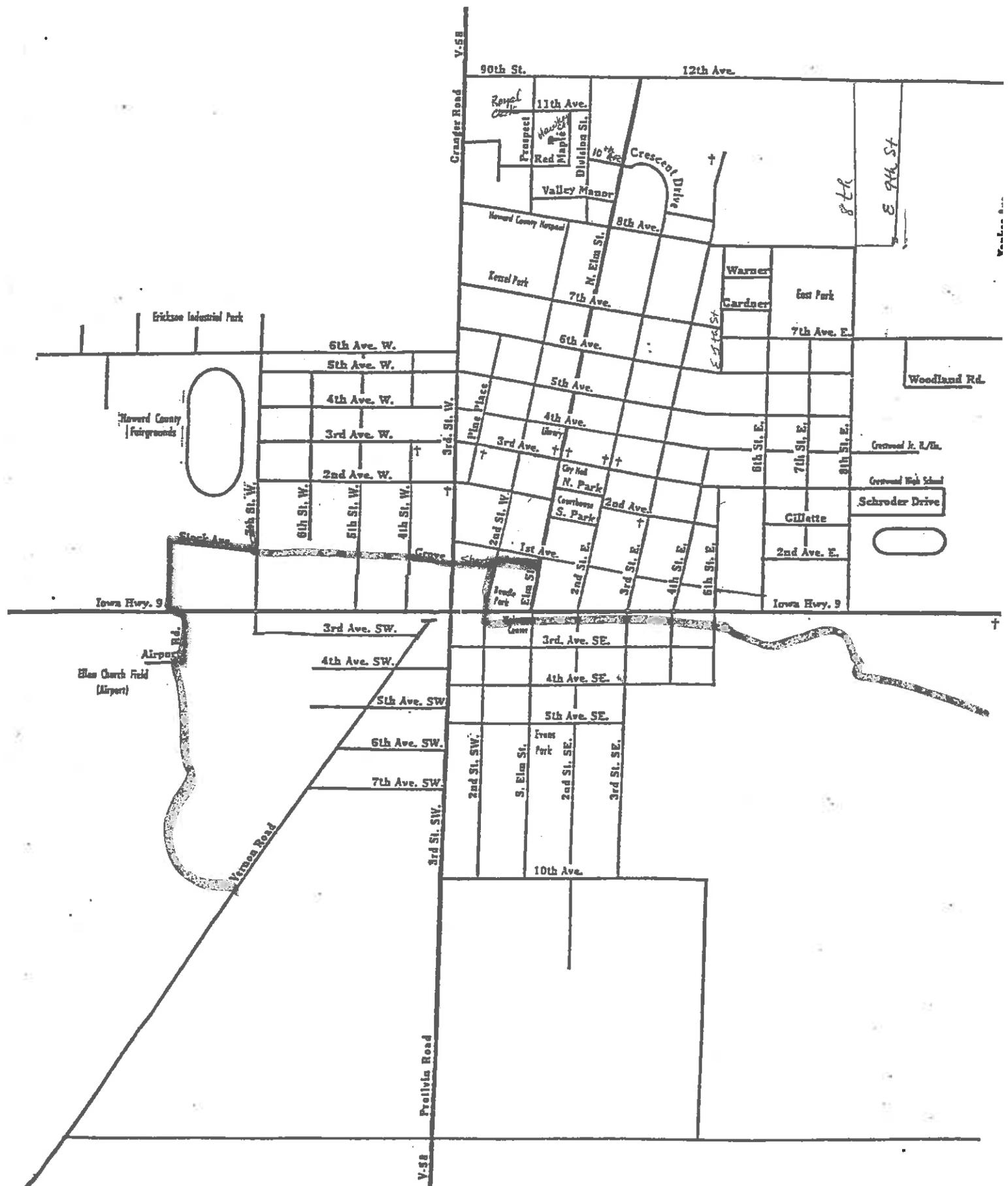
for Designated Snowmobile Trail:

Permission ~~To Close~~: From Bike Trail to Grove Ave on 4th St. W, then Grove Ave to 3rd St. W, then Short Ave to 2nd St SW, then 2nd St SW south to alley behind Goschs & Lindstrom, then the alley east to Super 8 Motel. Plus from 7th St W on Stock Ave to Hwy 9, then south on the Airport Road to the Airport and south till Veron Road.

Reason for ~~Closure~~: Snowmobile Trail in Cresco. The roads would not be closed to cars or trucks, just use for main route though Cresco.

December 15, 2015 to April 1, 2016

City of Cresco, Iowa



APPLICATION FOR TAX ABATEMENT UNDER THE
URBAN REVITALIZATION PLAN FOR

CRESCO, IOWA

Date 11-16-15

Prior Approval for
Intended Improvements

Approval of Improvements
Completed

Address of Property: 757 2nd St. East

Legal Description: lot 28 and the North 12 ft. of lot 27, in Block 3
of Waverly Addition to Cresco, Howard County, Iowa

Title Holder or Contract Buyer: David and Pamela Daley

Address of Owner (if different than above): _____

Phone Number (to be reached during the day): 319-240-2316

Existing Property Use: Residential Commercial Industrial Vacant

Proposed Property Use: same

Nature of Improvements: New Construction Addition General Improvements

Specify: Added 2 car garage, 14x22' Room, and another
16'x24' addition, updated house wiring, heating system
and insulation; new siding and new roof.

Estimated or Actual Date of Completion: October 15, 2015

Estimated or Actual Cost of Improvements: _____

Tax Exemption Schedule is attached.

Signed: Jane Daley