

NOTICE AND CALL OF PUBLIC MEETING

GOVERNMENTAL BODY: THE CITY COUNCIL OF CRESCO, IOWA

DATE OF MEETING: AUGUST 19, 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 August 5, 2013
4. Approval of Class C Liquor License (LC) (Commercial) with Sunday Sales to Chris Ator d/b/a Cresco Lanes Sports Bar & Grill
5. Approval of Special Class C Liquor License (BW) (Beer/Wine) on September 20, 2013 with Outdoor Service to Cresco Chamber of Commerce d/b/a Norman Borlaug Harvest Fest
6. Parade Permit on September 21, 2013 for Parade Route on 6th Ave W, 6th Ave E and North Elm Street
7. Street Closing Permit for North Elm Street from 1st Ave to Highway 9 for Norman Borlaug Harvest Fest September 20–22, 2013
8. Street Closing Permit for Southside Parking Lot for Norman Borlaug Harvest Fest September 18–22, 2013
9. Street Closing Permit for 1st Ave W from North Elm Street to Dollar General for Norman Borlaug Harvest Fest on September 21, 2013
10. Street Closing Permit for Alley North of Farm Bureau Financial Services on September 18, 2013
11. Application for Tax Abatement under the Urban Revitalization Plan for Gary and Sara Gooder

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. Public Hearing on Gift of Real Estate to Howard County, Iowa for the Old City Hall Located at 227 N Elm
2. Possible Resolution for Gift of Real Estate to Howard County, Iowa
3. Maria Larsen Representing the Cresco Business Committee to Discuss Signage
4. Tony Halverson to Discuss Fence Permit Application for 119 South Park Place

5. Second Reading of Proposed Ordinance 446 Adopting the “Code of Ordinances of the City of Cresco, Iowa”
6. Request for Sewer Adjustment for Water not Entering the Sanitary Sewer System from Jackie Barthelme
7. Recommendation of the Cresco Library Board of Trustees and Cresco Library Foundation to Reappoint Mark Grinhaug for a Term of Five Years Expiring 6/30/2018
8. Recommendation of the Cresco Library Board of Trustees and Cresco Library Foundation to Appoint Sharron Meyer for a Term of Five Years Expiring 6/30/2018
9. Recommendation of the Cresco Library Board of Trustees and Cresco Library Foundation to Reappoint Helen Schmauss for a Term of Five Years Expiring 6/30/2018
10. Recommendation of the Cresco Library Board of Trustees and Cresco Library Foundation to Reappoint Jan Dybevik for a Term of Five Years Expiring 6/30/2018
11. Set Public Hearing to Amend Section 105.05(5)(C) in the City of Cresco Code of Ordinances Pertaining to Recreational Fires
12. Don Gooder to Discuss Options for the Waterworks 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 AUGUST 15, 2013.

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of the City of Cresco, Iowa will meet in regular session in the City Council Chambers at City Hall in the City of Cresco, Iowa on the 19th day of August, 2013, at 7:00 PM for the purpose of conducting a public hearing, discussion and passage of a resolution, which resolution authorizes the Mayor and City Clerk of the City of Cresco, Iowa to make a gift of the real estate described as:

The North Half of Lots 1 and 2 and the West 26 1/2 feet of the North Half of Lot 3, Block 11, Original Plat of Cresco, Howard County, Iowa, known locally as the "old city hall building" and located at 227 N. Elm St. Cresco IA

to Howard County, Iowa, pursuant to the provisions of Iowa Code Section 364.7.

Public Hearing – Gift of Old City Hall – I think the reason why the City is in this position needs to be conveyed prior to accepting public comments. The public has been only been hearing part of the story and the real issue has been lost.

It needs to be pointed out that the only reason we rented it in the first place was to give them one year to get their finances in order to purchase the building. We charged a minimal rent of \$50 per month starting in April 2010 and they have requested extensions since then. By law, we can't keep renting the building for less than fair market value. At a public council worksession it was consensus that instead of raising the rent to FMV that the City should sell it because "cities cannot gift real property except to a governmental body for a public purpose". The only way to determine FMV would be to have a public auction because the last appraisal was for \$169,500 and everyone thought that was too high. The decision of Council is now to decide whether to gift the building to Howard County for a public purpose or whether to try to sell by a public auction.

The public hearing will be opened and written and oral comments will be heard. A reasonable time limit for each person to talk should be set if there will be a lot of comments. Each person should come to the podium and state their name so that comments can be heard on the television broadcast. There is a resolution included in the packet that can be passed immediately following the public hearing or can be acted upon at the next meeting if public comments cause Council Members to feel they need more time to think or research information.

Fence Permit – Tony Halverson has considered the offer of the City to rent his parking lot for \$500 per year but has declined the offer. He still wants the City to approve his fence permit whether it is on the property line or set back three feet. The City Council would have to give written permission to put it on the property line since the City is the adjacent property owner.

Sewer Credit Request – the excess water did not enter the sanitary sewer so a credit of \$45.90 is requested for her extra sewer charges

Library Board – 5 board members were up for election. We advertised and left it open for more than 3 months. Only one person applied and it was Sharron Meyer who is a new one being recommended to replace Denise Sheehy who did not want to serve another term. These appointments and reappointments would keep the Board gender-based at 5 females and 4 males.

Fire Pit Request – Council needs to set a date for a public hearing to amend the Code of Ordinances to change the ordinance that would require fire pits to be at least 25 feet from a neighbor's structure or dwelling. This will allow the disputed fire ring in Bentley's backyard to remain near the alley and not be moved closer to the neighbor's house. Enclosed is a copy of the proposed Ordinance 447.

Waterworks Building – Don Gooder would like to discuss other options for the Waterworks building rather than tearing it down. I have the quote we received on 12/19/11 to repair the roof for \$58,900 with an additional \$2,150 if part of the roof deck needs replacing. We have a quote from Balk's (Skyline) to tear it down for \$10,000 but it will probably need to be done this year.

Michelle

The Cresco City Council met August 5, 2013, at 7:00 pm at City Hall. Council members Carman, Bouska, McGee, McCarville and Loveless were present. No Council members were absent.

McGee made the motion to approve the consent agenda which included approval of the: agenda; claims; minutes of the July 15, 2013 meeting; Class C Beer Permit (BC) with Sunday sales to Kwik Trip Inc. dba Kwik Star #428; pay request #2 to Skyline Construction Inc. for \$34,381.71 for the watermain looping project. Bouska seconded and it passed all ayes.

Public Works Director Rod Freidhof reported: (a) Riehle Decorating will start water proofing the Theatre outer walls as well as fixing an interior wall damaged by the leaking roof; (b) storm sewer project near A&W will start this week and is in conjunction with the Winneshiek Co-op drainage project. The City's cost will be about \$11,500; (c) Street Department is continuing chip sealing of streets; (d) Water Department will be moving into the new building soon; (e) watermain break near the fairgrounds will be fixed tomorrow; (f) Sewer Department is working on manhole rehab; (g) working on an agreement with the Liquor Store to purchase a small piece of land to install the generator on at the lift station; (h) started installing the generator at the Southside Lift Station.

Police Chief Tim Ruroden presented his monthly report. He invited everyone to come to the National Night Out sponsored by the Cresco Police Department on August 6th. The meeting with the Personnel Committee went well and they will look at utilizing some Reserve Officers.

City Clerk Michelle Girolamo acknowledged appreciation to Jan Daly for the donation of a framed picture of the fire station and fire trucks given in memory of Jim Daly for his 18 years as a Councilman and his many years as a volunteer fireman. The accounting software has all been converted. The audit went good and the audit report will be presented in a few months. The City Election will be November 5, 2013 with the following positions up for election: Mayor (Mark Bohle); Council – Ward 2 (Amy Bouska); Council – At Large (Steve McCarville). Forms are available at City Hall and must be submitted with at least 25 signatures by September 19, 2013.

Mayor Bohle opened the Public Hearing on the adoption of the proposed "Code of Ordinances of the City of Cresco, Iowa". There were no oral or written comments and the public hearing was closed. Bohle performed the first reading of proposed Ordinance 446. McCarville made the motion to approve the first reading. Loveless seconded and it passed all ayes.

Loveless made the motion to approve a resolution Naming Depositories. The Depositories named and maximum balances were Cresco Bank & Trust \$15,000,000 and C US Bank \$25,000. Bouska seconded and it passed all ayes.

Tony Halverson submitted a request to place a fence on the property line in the parking lot on the east and south side of Sandy's Café. The City of Cresco is the adjacent property owner so would have to grant written permission for the fence to be erected on the property line. When asked what type of fence it would be he said it would be farm gates. Halverson had concerns with liability of people using his property especially when the street closings allowed large parties near his building. Patty Shaver of Howard County Abstract office voiced concerns about the security of her building during these dances as well. She was also concerned with more gates near the alley and the problem of the flow of traffic on the south side of the buildings. Council did not grant permission for a fence made of gates to be erected in the parking lot and will work with Mr. Halverson to see if there are other options for the parking lot.

Mayor Bohle opened the discussion regarding a fire pit issue brought up at the last Council meeting. He suggested that the ordinance could be amended to read that fire pits would need to be 25 feet away from any neighbor's structure or dwelling. This would allow a homeowner to have the fire pit closer to their own structure if desired which would solve the issue in question. Council Member Amy Bouska spoke vehemently against the proposal and

cited studies that show particulates from fires can cause lung cancer. She believes that recreational fires should be banned from the City of Cresco. Bohle and McCarville felt the majority of the Cresco residents were in favor of allowing sensible recreational fires. After a lengthy discussion, Loveless made the motion to proceed with amending the Ordinance to make the distance 25 feet from a neighbor's structure or dwelling. McCarville seconded the motion. Carman, McGee, McCarville and Loveless voted aye. Bouska voted nay. The motion passed by majority vote.

Mayor Bohle opened discussion regarding "Communities of Distinction TV". After doing more research and asking other communities it has been decided not to participate in this featured television segment. The cost of \$19,800 was too much and the networks and airtimes did not seem to be enticing. The Chamber is working on a local promotional video.

Bouska made the motion to approve a resolution fixing the date for a public Hearing on August 19, 2013 at 7:00 pm for a gift of real estate to Howard County, Iowa for the old City Hall located at 227 North Elm Street. Loveless seconded the motion. Loveless, Bouska and McCarville voted aye. McGee and Carman voted nay. The motion passed by majority vote.

Mayor asked if there were any comments from the audience. Jeff Henderson commended the businesses for raising a lot of money for benefits during their street dances. He feels the good far outweighs the inconveniences. He also felt that Cresco residents should be allowed the ability to have a small fire in their backyard. There were no other comments from the audience.

Carman moved to adjourn at 7:53 pm. McGee seconded and it passed all ayes. The next regular Cresco City Council meeting will be at 7:00 pm on August 19, 2013 at Cresco City Hall.

Mayor Mark Bohle

City Clerk Michelle Girolamo

Following is a list of claims approved for payment:

ALLIANT ENERGY	Electricity	18,110.81
BANCARD	Supply; Training	983.99
BLACK HILLS	Natural Gas	1,305.54
BLAZEK	Repairs	8,933.00
BC/BS	Health ins	330.00
BODENSTEINER	Repair	190.32
BOHLMANN	Supply	65.29
BROWN SUPPLY	Supplies	208.78
CAMPSITE RV	LP	735.77
CARQUEST	Supplies	47.78
CITY LAUNDERING	Uniforms	388.56
CITY OF CRESCO	Utilities	1,030.88
CREATIVE PRODUCT	Supply	237.56
CRESCO HEATING	Repair	214.30
CRESCO INS AGENCY	Ins	124.00
CRESCO SMALL ENGINE	Repair	46.63
CRESCO TPD	Notices	148.50
CROELL REDI-MIX	Concrete	2,282.00
CULLIGAN	Salt	27.69
DAKOTA SUPPLY GROUP	Meters	994.00
DALCO	Supplies	862.59
DEANS BODY SHOP	Repair	1,275.33
ELECTRIC PUMP	Service	2,419.00
ELECTRICAL ENGINEERING	Service	619.71
FENCL OIL	LP gas	248.12
FOLEY'S CONSTRUCTION	Repair	153.75
GALLS	Uniforms	289.18
GODMAN, DAVID	Reimb Supply	69.96
GOSCH'S, INC	Supplies	3.75
GRUBE CONSTRUCTION	Roof Repair	213.00
HACH CO	Supplies	83.79
HANSON TIRE SERVICE	Repair	364.00
HAWKEYE SANITATION	Garbage	46,268.58
HOVDEN OIL	Oil	591.80
IOWA DOT	Oil	1,428.00
IROC WEB DESIGN	Service	80.00
JOHN DEERE FINANCIAL	Supplies	1,063.97
KEYSTONE LAB	Analysis	509.95
KIRKHAM MICHAEL	Airport plan	6,500.00
KWIK TRIP	Gas	5,553.24
MALLI CONST	Water Bldg	7,000.00
MATT PARROTT	Supply	187.96
MEHMERT TILING	Storm Sewer	19,520.10
MERCHANT SERVICES	CC Fees	182.65
MIDWEST CLEANING	Equipment	3,295.00
MIDWEST RADAR & EQUIP	Service	320.00
MODERN MARKETING	Supply	102.63
NE IA TASK FORCE	Dues	525.00
O'HENRY'S	Resale	205.80
PAYROLL		126,717.86
POOL TECH	Chemicals	913.55
POSTMASTER	Postage	470.68
PRINCIPAL LIFE INS	Life Ins	82.94
PUSH PEDAL PULL	Repair	474.36
RACOM	Service	189.00

REGIONAL HEALTH	Service	27.00
SAFETY KLEEN	Supply	176.12
SAM'S DISCOVER	Resale	5,130.74
SCHMAUSS, TOM	Instructor	200.00
SIGNS & DESIGNS	Signs	127.50
SKYLINE	Construction	34,381.71
SLIFKA CONSTRUCTION	Plumbing	99.66
SPAHN & ROSE	Repair	86.60
SPORTSMITH	Parts	104.94
STATE HYGIENIC LAB	Analysis	124.00
STOREY KENWORTHY	Supply	141.38
TARZAN TREE SRVC	Stump Grinding	336.00
THORNTON'S FEED	Lime	312.00
TREAS, STATE OF IA	Sales Tax	5,660.56
TRUCK COUNTRY	Repair	1,708.83
UNIFORM & ACCESS	Lights	777.94
WINDRIDGE	Repair	67.58
WINDSTREAM	Telephone	1,066.31
ZEE MEDICAL	Supply	367.30

GENERAL FUND	159,096.60
LOCAL OPTION TAX	6,207.86
FIRE STATION BLDG	185.76
MEDIACOM	604.84
STREET TRUST	7.00
DRUG DOG	150.00
CRESCO COMM FIRE	2,304.35
ROAD USE	25,228.56
EMPLOYEE BENEFITS	305.06
WATER MAIN LOOP	34,381.71
WATER	25,786.66
WATER EQUIP REPL	8,101.60
SEWER	32,103.12
CAP IMPROVE	19,637.79
YARDWASTE	1,985.91
TOTAL EXPENDITURES	316,086.82
Revenues 7/16 to 8/5/13	138,896.89

License Application ()

Applicant

Name of Applicant:	<u>Chris Ator</u>		
Name of Business (DBA):	<u>Cresco Lanes Sports Bar & Grill</u>		
Address of Premises:	<u>308 3RD ST SW</u>		
City: <u>Cresco</u>	County: <u>Howard</u>	Zip: <u>52136</u>	
Business Phone:	<u>(563) 547-3680</u>		
Mailing Address:	<u>308 3RD ST SW</u>		
City: <u>Cresco</u>	State: <u>IA</u>	Zip: <u>52136</u>	

Contact Person

Name:	<u>Chris Ator</u>		
Phone:	<u>(641) 330-0667</u>	Email Address:	<u>chrisator@yahoo.com</u>

Classification: Class C Liquor License (LC) (Commercial)

Term: 12 months

Effective Date: 08/19/2013

Expiration Date: 01/01/1900

Privileges:

Class C Liquor License (LC) (Commercial)
Sunday Sales

Status of Business

Business Type:	<u>Sole Proprietorship</u>		
Corporate ID Number:		Federal Employer ID #	

Ownership

Christopher Ator

First Name: Christopher

Last Name: Ator

City:

State: Iowa

Zip: 52136

Position Owner

% of Ownership 100.00 %

U.S. Citizen

Insurance Company Information

Insurance Company:	<u>Illinois Casualty Co</u>		
Policy Effective Date:	<u>08/19/2013</u>	Policy Expiration Date:	<u>08/18/2014</u>
Bond Effective Continuously:		Dram Cancel Date:	<u>09/03/2013</u>
Outdoor Service Effective Date:		Outdoor Service Expiration Date:	
Temp Transfer Effective Date:		Temp Transfer Expiration Date:	

License Application ()

Applicant

Name of Applicant:	<u>Cresco Chamber of Commerce</u>		
Name of Business (DBA):	<u>Norman Borlaug Harvest Fest</u>		
Address of Premises:	<u>102 2nd Ave SE (parking lot)</u>		
City: <u>Cresco</u>	County: <u>Howard</u>	Zip: <u>52136</u>	
Business Phone:	<u>(563) 547-3434</u>		
Mailing Address:	<u>101 2nd Ave. SW</u>		
City: <u>Cresco</u>	State: <u>IA</u>	Zip: <u>52136</u>	

Contact Person

Name:	<u>Anna Schmauss</u>		
Phone:	<u>(563) 547-3434</u>	Email Address:	<u>anna.schmauss@cedausa.com</u>

Classification: Special Class C Liquor License (BW) (Beer/Wine)

Term: 5 days

Effective Date: 09/20/2013

Expiration Date: 01/01/1900

Privileges:

Outdoor Service
Special Class C Liquor License (BW) (Beer/Wine)

Status of Business

Business Type:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>56431</u>	Federal Employer ID #	<u>420201448</u>

Ownership

Anna Schmauss

First Name: Anna

Last Name: Schmauss

City: Cresco

State: Iowa

Zip: 52136

Position Events Coordinator

% of Ownership 0.00 %

U.S. Citizen

Insurance Company Information

Insurance Company:	<u>Illinois Casualty Co</u>		
Policy Effective Date:	<u>09/20/2013</u>	Policy Expiration Date:	<u>09/24/2013</u>
Bond Effective Continuously:		Dram Cancel Date:	
Outdoor Service Effective Date:		Outdoor Service Expiration Date:	
Temp Transfer Effective Date:		Temp Transfer Expiration Date:	

STREET CLOSING/PARADE PERMIT

DATE 7-15-13

NAME Cretico Area Chamber of Commerct

PERMISSION TO CLOSE: 6th Ave W, 6th Ave E, North Elm
Starting at fairgrounds ending at 1st Ave

REASON FOR CLOSURE: Parade

DATE: Sept. 21st, 2013

TIME: (from) 2:30pm (to) 6pm

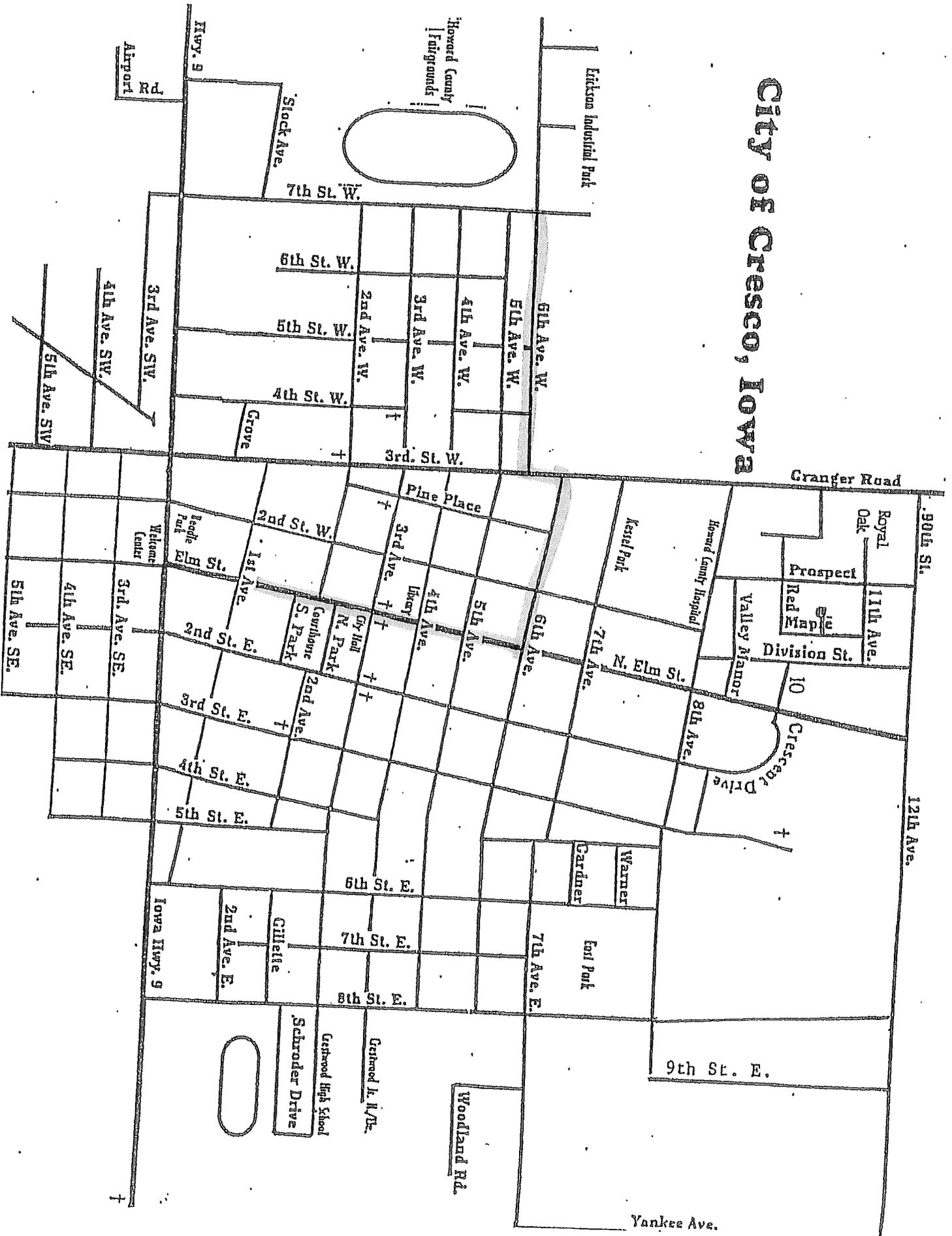
APPROVED: _____ SIGNATURE _____

PLEASE INCLUDE A MAP MARKING THE STREET OR STREETS YOU WISH TO HAVE CLOSED. PARADE REGULATIONS ARE LISTED BELOW.

60.09 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. (Ord. 289)
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 Fire Fighters. 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 OF CRESCO, IOWA



Hwy. 9
Airport Rd.

Howard County
Fairgrounds

Erickson Industrial Park

7th St. W.

6th St. W.

5th St. W.

4th St. W.

3rd St. W.

2nd St. W.

1st St. W.

Pine Place

3rd Ave. W.

4th Ave. W.

5th Ave. W.

6th Ave. W.

7th Ave. W.

8th Ave. W.

Kessel Park

Howard County Hospital

Prospect

Red Maple

Division St.

N. Elm St.

10
Crescent Drive

90th St.

Royal Oak

11th Ave.

12th Ave.

12th Ave.

3rd Ave. SW.

4th Ave. SW.

5th Ave. SW.

Welcome Center

Beagle Park

2nd St. E.

3rd St. E.

4th St. E.

5th St. E.

3rd Ave. SE.

4th Ave. SE.

5th Ave. SE.

Iowa Hwy. 9

2nd Ave. E.

Gillette

7th St. E.

8th St. E.

Getwood h. h./Dr.

Getwood High School

Schroeder Drive

Woodland Rd.

9th St. E.

Yankee Ave.

STREET CLOSING/PARADE PERMIT

DATE 8-14-13
NAME Cresco Area Chamber of Commerce
PERMISSION TO CLOSE: See attachment

REASON FOR CLOSURE: Norman Borlaug Harvest Fest

DATE: Sept 20-22, 2013
TIME: (from) See attachment (to) _____

APPROVED: _____ SIGNATURE _____

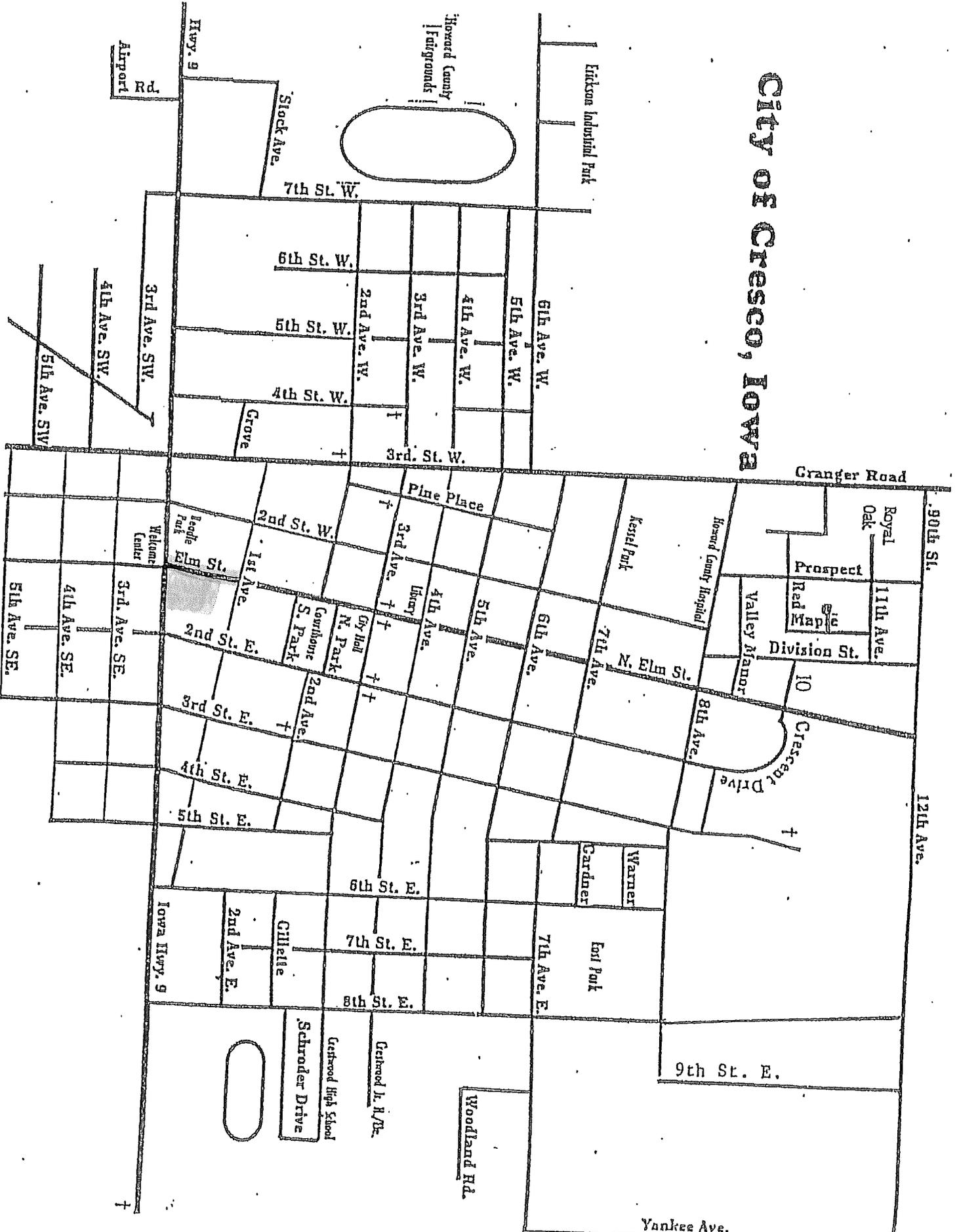
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1. North Elm Street (1st Ave. to Hwy 9)
Friday, September 20th, 8am – Sunday September 22nd, 2pm
- ~~2. Southside parking lot (along Hwy 9)
Wednesday, September 18th, 5pm – Sunday, September 22nd 4pm
(Elm to Ace Hardware – Harvest Fest tent)~~ *See other permit*
3. 1st Ave. West (North Elm Street to Dollar General)
Saturday, September 21st 7am-6pm

CITY OF CRESCO, IOWA



Hwy. 9
Airport Rd.

Howard County
Fairgrounds

Erickson Industrial Park

7th St. W.

6th St. W.

5th St. W.

4th St. W.

2nd Ave. W.

3rd Ave. W.

4th Ave. W.

5th Ave. W.

6th Ave. W.

3rd Ave. SW

4th Ave. SW

5th Ave. SW

Granger Road

9th St.

Royal Oak
11th Ave.

Prospect
Maple
Division St.

Valley Manor

Howard County Hospital

Kessel Park

7th Ave.

6th Ave.

5th Ave.

Pine Place

3rd Ave.

2nd St. W.

1st Ave.

Elm St.

2nd St. W.

3rd Ave. SE

4th Ave. SE

5th Ave. SE

10

Crescent Drive

12th Ave.

Gardner
Warner

7th Ave. E.

East Park

6th St. E.

7th St. E.

8th St. E.

2nd Ave. E.

Chillette

Iowa Hwy. 9

Getreed Jr. H. H.

Getreed High School

Schroder Drive

Woodland Rd.

9th St. E.

Yankee Ave.

STREET CLOSING/PARADE PERMIT

DATE 8/16/13

NAME Cresco Area Chamber of Commerce

PERMISSION TO CLOSE: Parking lot (south side) along Hwy 9. Wednesday night install tent, open for access Thursday, fully close Friday.

REASON FOR CLOSURE: Norman Borlaug Harvest Fest

DATE: 9/18/13 (late afternoon/pm) to 9/22/13

TIME: (from) approx 4pm (to) 4pm

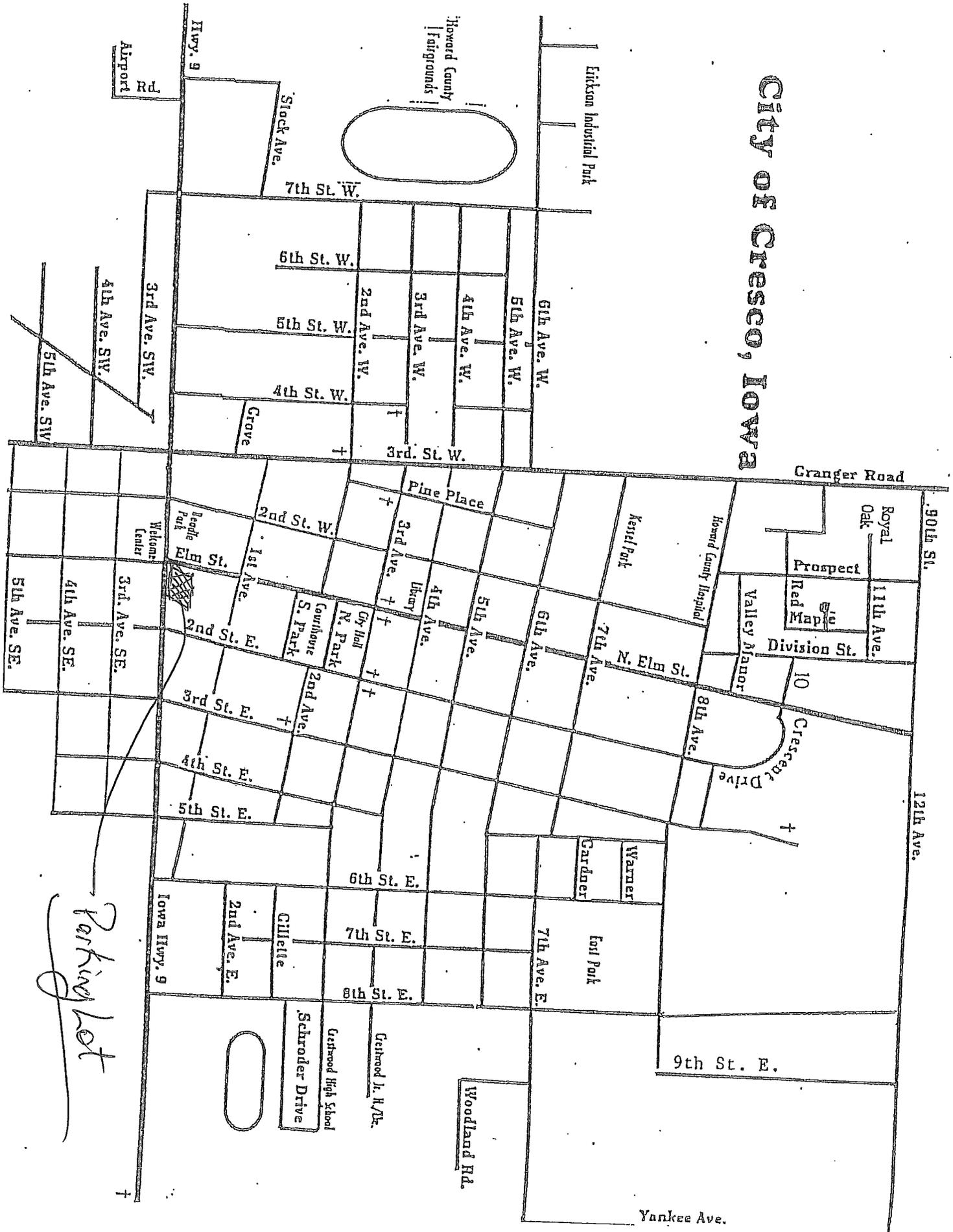
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3. Parade Not A Street Obstruction. Any parade for which a permit has been issued as herein required, and the persons lawfully participating therein, shall not be deemed an obstruction of the streets notwithstanding the provisions of any other ordinance to the contrary.
4. Control By Police and Fire Fighters. 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 OF CRESCO, IOWA



Erickson Industrial Park

Howard County
Fairgrounds

Airport Rd.

Hwy. 9

Stack Ave.

7th St. W.

6th St. W.

5th St. W.

4th St. W.

3rd St. W.

Pine Place

2nd St. W.

Elm St.

1st Ave.

2nd St. E.

3rd St. E.

4th St. E.

5th St. E.

6th St. E.

7th St. E.

8th St. E.

Iowa Hwy. 9

2nd Ave. E.

Gillette

Schroder Drive
Gettwood High School

Gettwood Jr. H./Ch.

Woodland Rd.

7th Ave. E.

Cardner
Warner

Fox Park

9th St. E.

Yankee Ave.

12th Ave.

90th St.

Granger Road

Royal
Oak

Prospect

Maple
Red

Division St.

10

Crescent Drive

Howard County Hospital

Kensel Park

N. Elm St.

6th Ave.

5th Ave.

4th Ave.

Library

3rd Ave.

Gry Hall
N. Park

Courthouse
S. Park

2nd Ave.

Welmont
Center

3rd Ave. SE.

4th Ave. SE.

5th Ave. SE.

3rd Ave. SW.

4th Ave. SW.

5th Ave. SW.

Parking Lot

STREET CLOSING/PARADE PERMIT

DATE 9-18-2013

NAME Farm Bureau Financial Services

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 BBQ

DATE: 9-18-2013

TIME: (from) 10:00 am (to) 3:00 pm

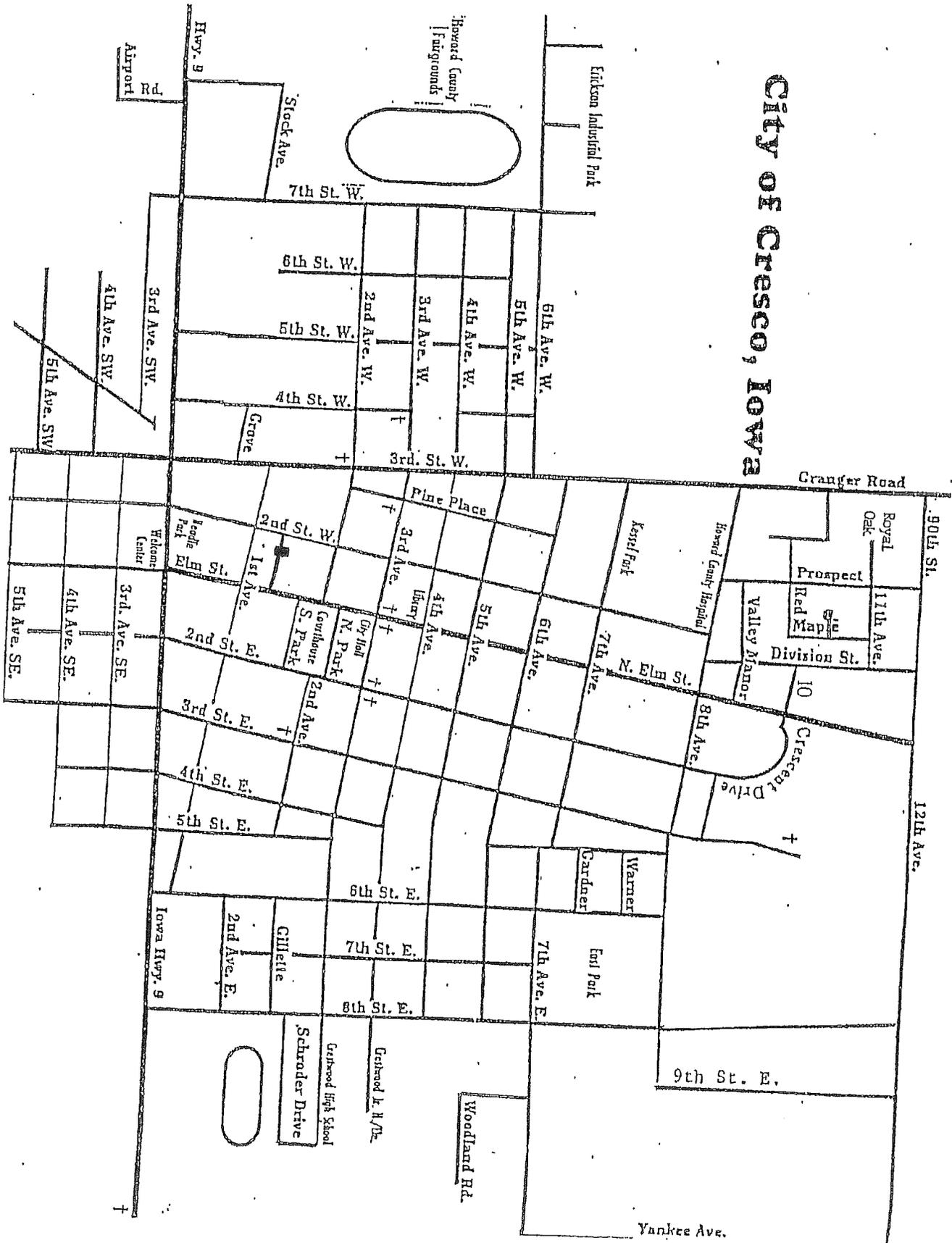
APPROVED: _____ SIGNATURE _____

PLEASE INCLUDE A MAP MARKING THE STREET OR STREETS YOU WISH TO HAVE CLOSED. PARADE REGULATIONS ARE LISTED BELOW.

60.09 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. (Ord. 289)
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 Fire Fighters. 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 OF CRESCO, IOWA



APPLICATION FOR TAX ABATEMENT UNDER THE
URBAN REVITALIZATION PLAN FOR

CRESCO, IOWA

Date 8-9-13

Prior Approval for Intended Improvements _____ Approval of Improvements Completed _____

Address of Property: 715 2nd Ave SW Cresco, IA

Legal Description: E 287.1' W 76.1' N 297' NW NE

Title Holder or Contract Buyer: GARY + SARA GOODER

Address of Owner (if different than above): 1324 3rd St SW Cresco

Phone Number (to be reached during the day): 563-547-3247

Existing Property Use: _____ Residential _____ Commercial Industrial _____ Vacant

Proposed Property Use: Inventory Storage

Nature of Improvements: _____ New Construction Addition _____ General Improvements

Specify: 75' x 100' steel frame construction
added to west end of existing building

Estimated or Actual Date of Completion: est. 10-1-13

Estimated or Actual Cost of Improvements: \$100,000

Tax Exemption Schedule is attached.

Signed: 

RESOLUTION NO. _____

RESOLUTION APPROVING GIFT OF REAL ESTATE TO HOWARD COUNTY, IOWA

WHEREAS, the City of Cresco, Iowa is the owner of the following described real estate: The North Half of Lots 1 and 2 and the West 26 ½ feet of the North Half of Lot 3, Block 11, Original Plat of the City of Cresco, Howard County, Iowa (locally known as "Old City Hall" and located at 227 North Elm St. Cresco, Iowa);

WHEREAS, a public hearing was held on August 19, 2013 to determine whether the above-referenced real estate should be gifted to Howard County, Iowa pursuant to Iowa Code Chapter 364.7;

WHEREAS, following a public hearing and discussion it was determined by the City Council that the above-referenced real estate should be conveyed by gift to Howard County, Iowa as allowed by Iowa Code Chapter 364.7.

Council Person _____ moved the adoption of the foregoing Resolution and Council Person _____ seconded said Motion. Thereupon the Mayor called for a roll call vote and the following Council Persons voted in favor of the foregoing resolution: _____ and the following Council persons voted against the Resolution: _____

The Mayor thereupon declared the Resolution duly passed and adopted this ____ day of _____, 2013, and the above-referenced real estate shall be conveyed by gift to Howard County, Iowa. The Cresco City Attorney shall prepare a Quit Claim Deed to convey the real estate to Howard County, Iowa.

CITY OF CRESCO, IOWA

BY: _____
Mark Bohle MAYOR

ATTEST: _____
Michelle Girolamo, CITY CLERK

STATE OF IOWA, COUNTY OF HOWARD, ss:

On this ____ day of _____, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Mark Bohle and Michelle Girolamo, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged to me that she executed the same as her voluntary act and deed.

Notary Public in and for said County and State
My commission expires: _____

ORDINANCE NO. 446

AN ORDINANCE ADOPTING THE "CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA"

BE IT ORDAINED by the City Council of the City of Cresco, Iowa, that:

SECTION 1. Pursuant to published notice and following public hearing on the 5th day of August, 2013, so required by Sections 362.3 and 380.8, Code of Iowa, there is hereby adopted by the City of Cresco, Iowa, the "CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA."

SECTION 2. All of the provisions of the "CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA," shall be in force and effect on and after the effective date of this ordinance.

SECTION 3. All ordinances or parts thereof in force on the effective date of this ordinance are hereby repealed from and after the effective date of this ordinance, except as hereinafter provided.

SECTION 4. The repeal provided for in the preceding section of this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money by the City or authorizing the issuance of any bonds of said City or any evidence of said City's indebtedness or any contract or obligation assumed by said City; nor shall said repeal affect the administrative ordinances or resolutions of the Council not in conflict or inconsistent with the provisions of "THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA"; nor shall it affect the following ordinances specifically saved from repeal:

URBAN RENEWAL AREAS

ORDINANCE NO.	ADOPTED	NAME OF AREA
257	12-23-94	Industrial Parks Urban Renewal Area
357	10-21-02	Commercial Urban Renewal Area
381	9-8-04	Cresco Urban Renewal Area

URBAN REVITALIZATION AREAS

ORDINANCE NO.	ADOPTED	NAME OF AREA
375	5-17-04	Evans Home Assisted Living Urban Revitalization Area
412	11-3-08	Cresco Urban Revitalization Area
439	11-7-11	Amendment No. 1 to Cresco Urban Revitalization Area

STREET AND ALLEY VACATION ORDINANCES

ORDINANCE NO.	ADOPTED	ORDINANCE NO.	ADOPTED
51	October 14, 1901	--	June 6, 1939
172	June 5, 1912	--	May 7, 1945
174	August 19, 1912	--	May 4, 1953
195	November 22, 1915	107	February 9, 1955
196	June 27, 1916	114	November 7, 1955
--	October 10, 1921	130-1963	May 6, 1963
--	September 3, 1934	141	April 3, 1972
--	April 5, 1937	153	May 28, 1974
--	May 1, 1937	117B	
--	December 6, 1937	206	December, 1986

STREET GRADES

ORDINANCE NO.	ADOPTED	ORDINANCE NO.	ADOPTED
	April 25, 1921	143	July 17, 1972
	November 9, 1922	165A	August 16, 1976
	October 9, 1923	168	June 20, 1977
	October 5, 1926	192	April 18, 1983
	August 1, 1927	193	June 4, 1983
	December 12, 1928	194	August 15, 1983
	September 2, 1929	212	June 6, 1988
	May 19, 1931	217	August 7, 1989
	August 1, 1932	258	May 1, 1995
	September 4, 1951	274	November 6, 1995
116	June 15, 1964	372	April 5, 2004
122	July 26, 1967	436	November 7, 2011
138	August 23, 1971	437	November 7, 2011

nor shall it affect any other right or franchise conferred by any ordinance or resolution of the Council or any other person or corporation; nor shall it affect any ordinance naming, establishing, relocating or vacating any street or public way, whether temporary or permanent; nor shall it affect any ordinance amending the official zoning map, establishing building lines, establishing and changing grades, or dedicating property for public use; nor shall it affect any prosecution, suit or other proceeding pending or any judgment rendered on or prior to the effective date of this ordinance.

SECTION 5. The following ordinances, passed subsequent to the preparation of this code but prior to adoption of this code, are hereby adopted and made a part of this code. These are ordinances _____, _____, _____, _____. Said ordinances shall be codified and incorporated in published copies of this code as supplements thereto following adoption of this ordinance.

3111001

To the City Council members:

This is a note to request an adjustment to my sewer charge on my current August bill, as I inadvertently left on the hose in the back yard filling ~~water~~ the pond in July. Please take my request into consideration as this was in the back yard and this error did not affect my sewer usage.

Thank you kindly.

Regards,



Jackie Barthelme
136 6th ST East
Cresco, IA 52136

Current Sewer charge	69.01
average sewer bill for last 6 months	<u>23.11</u>
possible credit	<u><u>45.90</u></u>

Rec'd
8/7/13

ORDINANCE NO. 447

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

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

SECTION 1. Section 105.05(5)(C) of the Code of Ordinances of the City of Cresco, Iowa, is repealed and the following adopted in lieu thereof:

105.05(5)(C) RECREATIONAL FIRES. Recreational fires shall be located at least 25 feet from any neighbor's structure or dwelling.

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 _____, 2013.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

First Reading: _____

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 447 on the _____ day of _____, 2013.

City Clerk Michelle Girolamo

105.05 OPEN BURNING RESTRICTED. No person shall allow, cause or permit open burning of combustible materials where the products of combustion are emitted into the open air without passing through a chimney or stack, except that open burning is permitted in the following circumstances:

(IAC, 567-23.2[455B] and 567-100.2)

1. Disaster Rubbish. The open burning of rubbish, including landscape waste, for the duration of the community disaster period in cases where an officially declared emergency condition exists, provided that the burning of any structures or demolished structures is conducted in accordance with 40 CFR Section 61.145.

(IAC, 567-23.2[3a])

2. Trees and Tree Trimmings. The open burning of trees and tree trimmings at a City-operated burning site, provided such burning is conducted in compliance with the rules established by the State Department of Natural Resources.

(IAC, 567-23.2[3b])

3. Flare Stacks. The open burning or flaring of waste gases, provided such open burning or flaring is conducted in compliance with applicable rules of the State Department of Natural Resources.

(IAC, 567-23.2[3c])

4. Landscape Waste. No landscape waste shall be burned within the City of Cresco, except in an officially declared emergency condition as described in subsection 1 above.

5. Recreational Fires. Open fires for cooking, heating, recreation, and ceremonies, provided they comply with the limits for emission of visible air contaminants established by the State Department of Natural Resources and the following regulations.

A. Recreational fires shall be confined to a fire pit or fire ring.

B. Recreational fires shall not exceed 3 feet in width and fueled 12 inches in height.

* C. Recreational fires shall be located at least 25 feet from any structure or dwelling.

D. Recreational fires shall be constantly attended and monitored by a person who shall take responsibility for the fire and shall have a garden hose connected to a water supply or other approved fire extinguishing equipment readily available.

E. Recreational fires shall be completely extinguished by 1:00 a.m.

F. Police officers or the Fire Chief shall be authorized to order any recreational fires to be extinguished if smoke emissions cause serious annoyance or disturbance or a disturbance of the peace.

G. Only logs, sticks or twigs, and dry seasoned wood shall be burned in recreational fires. No landscape waste, garbage, refuse, paper products, treated lumber or other items shall be burned.