

NOTICE AND CALL OF PUBLIC MEETING

GOVERNMENTAL BODY: THE CITY COUNCIL OF CRESCO, IOWA

DATE OF MEETING: DECEMBER 3, 2012

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 19, 2012
4. Application for Tax Abatement under the Urban Revitalization Plan for Jordan & Patricia Guyer
5. Approval of Tree Surgeon License for Tarzan Tree Service LLC
6. Approval of Tree Surgeon License for Walton Tree Services
7. Approval of Class C Liquor License (LC) (Commercial) with Sunday Sales to Big Daddy Hideaway Corp d/b/a Hideaway Lounge

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. Resolution Approving Loan Agreement for Loan of Funds by the CIDC and the City of Cresco to Peter Olsgard Sr., Lillian Olsgard, and Peter Olsgard Jr.
2. Motion to Change Procedure for Applying Water Deposits to Bills Instead of Mailing Checks
3. Resolution Establishing a Fund within the City's Accounts – Fund 198 – Cresco Community Fire Department Fund
4. Resolution Establishing a Fund within the City's Accounts – Fund 178 – Fire Station Building Fund
5. Resolution Fixing Date for a Meeting on the Authorization of a Loan Agreement and the Issuance of not to Exceed \$1,670,000 General Obligation Capital Loan Notes, Series 2013, of the City of Cresco, State of Iowa, and Providing for Publication of Notice Thereof
6. Resolution Fixing Date for a Meeting on the Authorization of a Loan Agreement and the Issuance of not to Exceed \$130,000 General Obligation Capital Loan Notes, Series 2013, (for a General Corporate Purpose) of the City of Cresco, State of Iowa, and Providing for Publication of Notice Thereof

COMMENTS FROM AUDIENCE:

CLOSED SESSION pursuant to Iowa Code 21.5 (c)
OPEN SESSION

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 NOVEMBER 30, 2012.

(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: December 3, 2012.
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 \$1,670,000 General Obligation Capital Loan Notes, Series 2013.

- Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder.

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.

Michelle Hinlart
City Clerk, City of Cresco, State of Iowa

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

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Date of Meeting: December 3, 2012.
Time of Meeting: 7:00 o'clock P.M.
Place of Meeting: Council Chambers, City Hall, 130 N. Park Place, Cresco, Iowa.

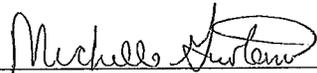
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Not To Exceed \$130,000 General Obligation Capital Loan Notes, Series 2013.

- Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder.

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

Police Move – Tim may discuss the enclosed letter he presented to the Sheriff. We will discuss this further during budget talks. I wanted you aware of this in case a supervisor or someone from the County questions you on it. We have discussed issues with staff at City Hall and feel it could be done with minimal impact on the City Hall staff.

Revolving Loan Fund – Olsgard – Please read Jason’s summary enclosed.

Water Deposits – We collect \$80 deposits for new accounts (\$100 for commercial) which we hold for three years. After 3 years of good credit, we refund the deposit. Currently we write a check for this refund. We are proposing applying the deposit to their account instead of issuing checks. Currently we have to create a vendor for each person and write the check. This would eliminate the creation of all those vendors that are used only once and reduce the staff time associated quarterly with these refunds.

New Funds – New funds are needed so that Fire Department ending fund balances will carry forward each year and are accounted for separately from other City funds. This is due to the combining of rural & city.

Public Hearings – We need to set public hearings for the bonds for December 17th. This is for the \$450,000 new projects and the \$1,210,000 refinancing.

Closed Session – Please bring your documents from the Attorney.

Michelle

The Cresco City Council met November 19, 2012, at 7:00 pm at City Hall. Council members Carman, Bouska, McGee, McCarville and Loveless were present. No council members were absent.

Bouska moved to approve the consent agenda which included approval of the: agenda; claims; and minutes of the November 5, 2012 meeting. McGee seconded and it passed all ayes.

Public Works Director Rod Freidhof reported: (a) Work platform is done and street department is using it; (b) Sewer department is busy with extra testing due to the CFT issue; (c) we had another watermain break last week; (d) received a letter from Attorney Braun regarding the street shop roof so council will discuss during a closed session at the next meeting.

Police Chief Tim Ruroden thanked Jeff Wilson for a plaque he made in memory of Grando. The prospective puppy they tested last week will not work. However, there may be a canine unit available in a few weeks for about \$8,500. The Police Department is still collecting donations for the purchase of a drug dog.

City Clerk Michelle Girolamo reported (a) Howard County Board of Health sent a letter to the Mayor and Council requesting that the City continue to add fluoride to the water; (b) all townships have signed the 28E agreement for the rural fire department so it has been filed with the State; (c) the housing rehab project has enough funds left for two more houses west of the Granger Road and north of Highway 9 so applications are being accepted again; (d) department heads have been working on their budgets and turning them in.

Bill Angerman from WHKS & Co. presented the engineer's report for the East Industrial Park Study. Three areas were identified for potential growth. Two of the areas could be serviced with gravity lines for the sewer. The best potential area is along Highway 9 and north as this area could have sewer installed and use the existing Webster lift station until extensive growth will require a new force main to be installed.

Bill Angerman presented the report on the Water Storage Study. We have enough capacity with the big water tower and two wells. The small water tower can be used as storage in case of an emergency and will also be utilized when the big tower is out of service for maintenance. Recommendations included: removing the reservoir and the waterworks building; install emergency backup generator connections for well #4; continue water tower and well inspection and maintenance programs; and prepare emergency response plans in case of emergencies. An altitude valve could be installed on the small tower so it could be utilized when the water usage increases and gets closer to 500,000 gallons per day.

Freidhof reported that Rod, Michelle and Bill met with Cresco Food Technologies and came up with timelines for improvements and developing a Plan of Action in response to the DNR notice. We are requesting an extension from December 1st to December 31st to file the Plan of Action.

Jeff Wilson presented a plaque in memory of the big oak tree that was hit by lightning and noting the replacement tree donated by Don and Rosie Gooder. He also gave out sample wooden nickels from the wood of that tree and suggested they could be sold to raise money for the City's tree fund.

McCarville made the motion to deny the request for a credit on the sewer charges by the Cresco Postmaster for excessive water used for watering new sod. Bouska seconded and it passed all ayes.

Bohle read the summarized Ordinance #441 pertaining to fees for recyclables and non-recyclable waste. Carman made the motion to approve the third reading of Ordinance #441. Bouska seconded and it passed all ayes. McGee made the motion to approve Ordinance #441. Loveless seconded and it passed all ayes.

Bohle performed the third reading of Ordinance #442 adopting an Amended Official Zoning Map. McGee made the motion to approve the third reading of Ordinance #442.

Loveless seconded and it passed all ayes. Bouska made the motion to approve Ordinance #442. McCarville seconded and it passed all ayes.

Loveless made the motion to approve a resolution authorizing the Mayor and City Clerk to enter into an agreement for an extension of the lease with Northland Agency on Aging, Inc. McGee seconded and it passed all ayes.

Bouska made the motion to approve a resolution accepting the Annual Urban Renewal Report of the City of Cresco for fiscal year 2011-2012 and directing the City Clerk to file the report with the State of Iowa Department of Management. Carman seconded and it passed all ayes.

Loveless made the motion to allow a temporary landing spot for the helicopter for Regional Health Services. Carman seconded and it passed all ayes.

Loveless made the motion to approve a resolution pledging local match and support of the airport state funding application for tree trimming and authorizing the Mayor and City Clerk to sign agreement. McGee seconded and it passed all ayes.

McGee made the motion to accept the quote from Wilson Custom Tree Service to trim trees to comply with airport fly zone requirements. The quote was for \$3,910 with an option to remove one tree for an additional \$375. No other quotes were received for the project. Carman seconded and it passed all ayes.

Girolamo presented a list of potential projects to bond for in conjunction with refinancing of the existing loan. Projects include: Fire pumper truck; fire station overhead doors and concrete apron; Fitness Center security system and concrete parking lot; resurface tennis courts; watermain loop on 5th Ave; replace valves and hydrants on Vernon Road; remove reservoir and waterworks building; relocate water salesman; garage for water department. Total estimated cost of projects is \$450,000.

Mayor asked if there were any comments from the audience. Jeff Wilson questioned whether the City would be interested in selling the waterworks building and lot instead of demolishing the building. Council said they would most likely demolish the building because of the poor condition and the estimate for the roof is \$59,000 but many decisions still need to be made. Jason Passmore thanked everyone who attended the Chamber banquet and for donating items. There were 160 people attending and raised \$3,900 for the statue and Kessel sign. Santa Parade will be Friday at 4:00. Jingle in Your Pocket has started and the banks are huge sponsors in the \$6,000 drawing give aways. Two more applications for revolving loan funds will hopefully be submitted at the next council meeting.

Carman moved to adjourn at 8:05 pm. McGee seconded and it passed all ayes. The next regular Cresco City Council meeting will be at 7:00 pm on December 3, 2012 at Cresco City Hall.

Mayor Mark Bohle

City Clerk Michelle Girolamo

Following is a list of claims approved for payment:		
ADVANCED SYS	MAINT	62.94
AHLERS&COONEY	LEGAL	324.00
ALLIANT	ELECT	12,924.80
BACKFLOW	TESTING	210.00
BAKER & TAYLOR	BOOKS	949.31
BARBARA MCCOY	DEP REF	80.00
BC / BS	INSUR	24,733.44
BOB'S ELECT	SRVC	4,783.17
BODENSTEINER	SRVC	80.33
BROWN	SUPP PARTS	208.02
BRUENING RECY	SRVC	15.00
BRUENING	SAND/ROCK	3,216.32
CARMEN BUSS	MILEAGE	119.90
CARQUEST	RPRS	166.46
CITY OF CRES	INSUR	3,061.03
CITY OF CRES	UTIL, REFS	119.94
CPU	SUPP	59.99
CRES CHAMBER	TOURISM	2,000.00
CRES FIRE FIGHT	DONATION	150.00
CRES SHOPPER	ADVERT	381.80
CRES TPD	ADVERT	489.50
DAKOTA	SUPP	1,448.84
DENNIS RUFFRIDGE	DEP REF	80.00
DURACO	PATCHER	44,250.00
ELAINE MURRAY	DEP REF	80.00
EMORY WESTCOTT	MILEAGE	133.82
FAREWAY	BLDG SUPP	3.29
FENCO	RPRS	368.14
FOLLETT	MAINT	180.00
GROUP SRVC	FEE	348.50
H & S MOTORS	SRVC	38.81
HACH	SUPP	255.14
HARLAND TECH	MAINT	2,758.00
HAWKEYE REC	ELECT	5,722.79
HAWKEYE SAN	SRVC	98.61
HIGHSMITH	SUPP	62.50
HOLSTROM JEWELERS	SUPP	42.00
HO CO RECORDER	FEE	37.00
IA DNR	TRNG	30.00
IA FIN AUTH	INTER	13,519.53
IA ONE	SRVC	36.90
IA RURAL WAT	DUES	300.00
IA SPORTS	SUPP	601.13
JANNA VAALEMOEN	DEP REF	80.00
JEANIE BYRNES	DEP REF	80.00
JIM'S AUTO	SUPP	142.36
JOE BRUNS	DEP REF	30.00
JOHANNA GAMEZ	MILGE	22.00
JOHN DALY	GARB REF	6.29
JULIE MADSEN	DEP REF	80.00
K & H ENER	SRVC	72.00
KEYSTONE LAB	ANALYS	552.25
KIM STEVEN	DEP REF	80.00
KWIK TRIP	GAS	5,101.59
KYLE BALIK	DEP REF	80.00
ALICE JOHNSON	DEP REF	80.00
MARK HENRY	DEP REF	80.00
MARLENE LEWIS	DEP REF	80.00
MATT PARROTT	SUPP	133.25
MERCHANT SRVC	FEE	55.11
METTLER-TOLEDO	SRVC	223.50
MICHAEL BORN	TRNG	22.61
MICHELLE GIROLAMO	MILGE	68.27
NAT ELEVATOR	SRVC	58.00
NORMAN SCHUCHHARDT	DEP REF	80.00
NE IA TELEPHONE	MAINT	297.50
O'HENRY'S	SUPP	297.27

PAYROLL		60,087.79
PETTY CASH	POSTAGE	20.00
POOL TECH	SUPP	407.50
POSTMASTER	POSTAGE	75.00
POWERPLAN	SUPP	128.87
KIP&BETH POWERS	DEP REF	100.00
REGIONAL HEALTH	TESTING	27.00
RICOH	COPIES	51.26
RILEY'S	SUPP	326.89
ROBERT MALLI	DEP REF	15.00
RUPPERT'S	SUPP	308.95
RYAN BECKER	SRVC	157.50
SAFETY KLEEN	SUPP	174.86
SANDRY FIRE	RPRS	109.50
SPORTSMITH	SUPP	200.32
ST. LUKE'S CTR	TESTING	111.00
STATE HYGIENIC	ANALYS	62.00
TASC	FEE	301.20
TINA BROWN	DEP REF	80.00
TRAFFIC & TRANS	SUPP	36.12
U.S. CELLULAR	PHONE	129.46
ULINE	SUPP	211.83
UNIFORM & ACCESS	SUPP	47.97
VON BOKERN	SRVC	900.00
WAYNE CHUMBLER	DEP REF	80.00
WEBER PAPER	SUPP	94.34
WELLS FARGO	FEES	37,656.25
WHKS	ENGRNG	12,769.60
WILMA MOHS	DEP REF	80.00
WILSON TREE	SRVC	420.75
ZARNOTH BRUSH	SUPP	390.60
	General Fund	44,762.46
	Hotel/Motel Tax	2,000.00
	Road Use Tax	13,410.37
	Emp Benefits	25,470.61
	Local Option Tax	60,484.25
	Urban Renewal TIF	324.00
	Cresco Telecom	254.56
	Fire Equip Trust	150.00
	Debt Service	39,726.25
	Smart Planning	15.68
	Water Utility	22,700.92
	Water Dep	1,425.00
	Water Utility Repl	3,750.00
	MSSU Operation	20,790.94
	MSSU Rev Bond	11,449.53
	Water & Sewer	30.76
	Yard Waste	1,149.18
	EXPENDITURES	247,894.51
	Revenues 11/06 to 11/19/12	219,517.29

APPLICATION FOR TAX ABATEMENT UNDER THE
URBAN REVITALIZATION PLAN FOR

CRESCO, IOWA

Date 11-20-12

Prior Approval for
Intended Improvements

Approval of Improvements
Completed

Address of Property: 830 Yankee Ave, Cresco

Legal Description: Lot B of 1 in Lot 1, N 1253.5' of parcel A,
except the W 175.37', E 1/2, NE 1/4, 23-99N-11W of 5th 2m.

Title Holder or Contract Buyer: Jordan + Patricia Guyer

Address of Owner (if different than above): _____

Phone Number (to be reached during the day): 563-380-3880

Existing Property Use: Residential Commercial Industrial Vacant

Proposed Property Use: _____

Nature of Improvements: New Construction Addition General Improvements

Specify: New Home

Estimated or Actual Date of Completion: 11-23-12

Estimated or Actual Cost of Improvements: \$ 250,000

Tax Exemption Schedule is attached.

Signed: Jordan + Patricia Guyer

License Application (LC0021677)

Applicant

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>52136000</u>	
Business Phone:	<u>(563) 547-3422</u>		
Mailing Address:	<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 Address:	

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

Term: 12 months

Effective Date: 01/12/2013

Expiration Date: 01/11/2014

Privileges:

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

Status of Business

BusinessType:	<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

Insurance Company Information

Insurance Company:	<u>Illinois Casualty Co</u>		
Policy Effective Date:	<u>01/12/2013</u>	Policy Expiration Date:	<u>01/11/2014</u>
Bond Effective Continuously:		Dram Cancel Date:	
Outdoor Service Effective Date:		Outdoor Service Expiration Date:	
Temp Transfer Effective Date:		Temp Transfer Expiration Date:	

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Cresco Police Department

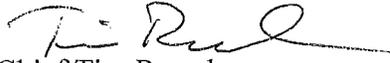
Tim S. Ruroden, Chief of Police

Law Enforcement Center
124 S Park Place
Cresco, IA 52136
Phone: 563-547-2424
Fax: 563-547-9215

Sheriff Mike Miner,

I am writing this letter as a courtesy to inform you that I am looking at the possibility of relocating our offices to the lower level of City Hall. I am in the process of getting some quotes on materials and technical services that would be needed to make the move. I believe that the move could be a positive change for both entities, freeing up space in the LEC and utilizing space in a city owned building. This move would provide more elbow room for both agencies and possibly dispel any rumors of misconduct or improprieties by personnel. From across the street, I do not feel that this should impede the ability of both agencies to work together and fulfill the obligations to the citizens of Howard County and Cresco. I know that this is budget proposal time and I will be meeting soon with the City Council to discuss the costs involved with this. If this is approved by Council, I would expect us to be relocated to City Hall by the end of this fiscal year. Feel free to share this letter with the Board of Supervisors to make any adjustments that you feel are needed.

Respectfully,


Chief Tim Ruroden

11/28/2012

RESOLUTION NO. 121201

RESOLUTION APPROVING LOAN AGREEMENT FOR LOAN OF FUNDS BY THE
CRESCO INDUSTRIAL DEVELOPMENT CORPORATION AND THE CITY OF CRESCO
TO PETER OLSGARD, SR., LILLIAN OLSGARD, AND PETER OLSGARD, JR.

WHEREAS, the City of Cresco, has established an Economic Development Revolving Loan Fund; and

WHEREAS, said revolving loan fund is carried out under the terms prescribed in a written agreement between the Cresco Industrial Development Corporation and the City of Cresco, Iowa; and

WHEREAS, a loan application has been received from Peter Olsgard Sr., Lillian Olsgard and Peter Olsgard, Jr. for a loan of fifty thousand dollars (\$50,000) at 3.5% over seven years for operating capital to purchase equipment and remodeling a building for their Buyers Market Auto Sales and their Olsgard Silo Bagging businesses; and

WHEREAS, the Cresco Industrial Development Corporation and the City, through their Loan Committee, have reviewed the loan application and have recommended to the City Council in favor of such loan.

THEREFORE, Council Person _____ moved the adoption of the Resolution as follows:

- A. The loan application of Northeast Iowa Service, LLC is hereby approved.
- B. The City Council of the City of Cresco hereby authorizes the release of funds in the amount of \$50,000 to Peter Olsgard Sr., Lillian Olsgard and Peter Olsgard, Jr. upon the execution of the proper loan agreements, promissory note and any other accompanying documents. The Mayor, City Clerk and the Cresco Industrial Development Corporation are authorized to sign and execute any necessary loan agreements or other documents that may be required to accomplish the said loan.

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

Ayes: _____

Nays: _____

Absent: _____

Thereupon, the Mayor declared said Resolution duly passed and announced that the agreement dated _____ between the City of Cresco and Peter Olsgard Sr., Lillian Olsgard and Peter Olsgard, Jr. is approved and that the Mayor and City Clerk are authorized to execute the agreement on behalf of the City of Cresco.

PASSED AND APPROVED THIS 3RD DAY OF DECEMBER, 2012.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

CIDC/CITY OF CRESCO RLF LOAN REVIEW BOARD
REVOLVING LOAN FUND REQUEST

November 26, 2012 RLF Minute Summary

- Present: Donna Thomas (CIDC President), Andy Ludeking (CIDC 2nd Vice-President), Roxann Svoboda (CIDC Past-President), Scott Thomson (C US Bank/CIDC Treasurer), Harold Noe (Cresco Bank & Trust), Mark Bohle (City of Cresco Mayor), Steve McCarville (City of Cresco Councilperson)
- Absent: None
- Attendees: Peter & Lillian Olsgard, John Olsgard, Peter Olsgard Jr., Michelle Girolamo (City Clerk), Jason Passmore (HCBT)
- Applicant: Buyers Market Auto Sales and Olsgard Silo Bagging
Cresco, IA
- Summary: Peter Olsgard Jr., owner of Buyers Market Auto Sales and his parents Peter & Lillian Olsgard, owners of Olsgard Silo Bagging are seeking a loan for \$50,000 to go towards the purchase and remodel of the old furniture/grocery store at 120 2nd St. W, Cresco. Peter & Lillian are working with Gary Gassett of C US Bank, the primary financial agent, and along with their son Peter Jr., look to purchase the building and respective property, and complete significant remodeling/repair to the building to create two separate businesses under one roof. The project involves an expansion of both their current businesses with additional room to grow. The expansions will result in a net addition of approximately eight new employees over the next two years. The amount being requested is at or below the new limits set of \$50,000 and 30% of project value. The loan application and attachments were reviewed and the proposed securities of the personal guarantees from Peter & Lillian Olsgard and Peter Olsgard Jr., and second position on the commercial building behind C US Bank were clarified. The proposed interest rate was discussed and agreed upon at 3.5% while the proposed term length was acceptable at 7 years.
- Motion: Moved by Svoboda, Second by Noe
- To recommend to the City of Cresco the approval of a \$50,000 loan to Peter & Lillian Olsgard and Peter Olsgard Jr. at a 3.5% interest rate fully amortized over 7 years with ACH monthly payments, securities in the form of personal guarantees and a second position on the commercial building.
- Unanimously Approved (Thomson and Ludeking abstained)

December 3, 2012 – City of Cresco Council Meeting

RESOLUTION NUMBER 12/202

**RESOLUTION ESTABLISHING A FUND WITHIN THE CITY'S ACCOUNTS
FUND 198 – CRESCO COMMUNITY FIRE DEPARTMENT FUND**

WHEREAS, the City of Cresco and the Cresco Community Fire Protective District (Rural Fire Department) have signed a 28E Agreement to create the Cresco Community Fire Department; and

WHEREAS, the City and Rural Fire Departments will contribute equal amounts to fund the operating expenses of the Cresco Community Fire Department; and

WHEREAS, the City of Cresco promotes the transparency of its funds and accounting so it will establish a Special Revenue Fund to track the revenues, expenditures and cash balances.

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

FUND 198 – CRESCO COMMUNITY FIRE DEPARTMENT 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 beginning July 1, 2013.

PASSED AND APPROVED THIS 3RD DAY OF DECEMBER, 2012.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

RESOLUTION NUMBER 121203

**RESOLUTION ESTABLISHING A FUND WITHIN THE CITY'S ACCOUNTS
FUND 178 – FIRE STATION BUILDING FUND**

WHEREAS, the City of Cresco and the Cresco Community Fire Protective District (Rural Fire Department) have signed a 28E Agreement to create the Cresco Community Fire Department; and

WHEREAS, the City of Cresco will retain ownership and operation of the fire station building located in the City of Cresco. Operating costs such as water, sewer, electricity, heat and other utilities shall be paid by the City; and

WHEREAS, the Rural Fire Department will pay rent to the City for the use of the building; and

WHEREAS, the City of Cresco promotes the transparency of its funds and accounting so it will establish a Special Revenue Fund to track the revenues, expenditures and cash balances.

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

FUND 178 – FIRE STATION BUILDING 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 beginning July 1, 2013.

PASSED AND APPROVED THIS 3RD DAY OF DECEMBER, 2012.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$1,670,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2013, OF THE CITY OF CRESCO, STATE OF IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$1,670,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2013, OF THE CITY OF CRESCO, STATE OF IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Cresco, State of Iowa, should provide for the authorization of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, Series 2013, to the amount of not to exceed \$1,670,000, as authorized by Sections 384.24, 384.24A and 384.25, Code of Iowa, as amended, for the purpose of providing funds to pay costs of carrying out an essential corporate purpose project as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, Series 2013, issued to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the City Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the Loan Agreement and Notes

and to receive oral and/or written objections from any resident or property owner of the City to such action;

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

Section 1. That this Council meet in the Council Chambers, City Hall, 130 N. Park Place, Cresco, Iowa, at 7:00 o'clock 10 .M., on the 17th day of December, 2012, for the purpose of taking action on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$1,670,000 General Obligation Capital Loan Notes, Series 2013, to evidence the obligations of the City thereunder for an essential corporate purpose of the City, the proceeds of which will be used to pay costs of:

- a. the settlement, adjustment, renewing, or extension of any part of all of the legal indebtedness of a city;
- b. the equipping of the fire department;
- c. the rehabilitation and improvement of parks already owned, including equipment, and improvements commonly found in city parks;
- d. the acquisition, construction, reconstruction, improvement, repair, and equipping of waterworks, water mains, and extensions, and real and personal property, useful for providing potable water to residents of a city.

Section 2. To the extent any of the projects or activities described in this resolution may be reasonably construed to be included in more than one classification under Division III of Chapter 384 of the City Code of Iowa, the Council hereby elects the "essential corporate purpose" classification and procedure with respect to each such project or activity, pursuant to Section 384.28 of the City Code of Iowa.

Section 3. The Clerk is authorized and directed to proceed on behalf of the City with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, Series 2013, evidencing the City's obligations to a principal amount of not to exceed \$1,670,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the City and acceptable to the Council.

Section 4. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English

language, published at least once weekly, and having general circulation in the City. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 5. The notice of the proposed action shall be in substantially the following form:

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$130,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2013, (FOR A GENERAL CORPORATE PURPOSE) OF THE CITY OF CRESCO, STATE OF IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$130,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2013, (FOR A GENERAL CORPORATE PURPOSE) OF THE CITY OF CRESCO, STATE OF IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Cresco, State of Iowa, should provide for the authorization of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, Series 2013, to the amount of not to exceed \$130,000, as authorized by Sections 384.24, 384.24A, 384.25 and 384.26, Code of Iowa, as amended, for the purpose of providing funds to pay costs of carrying out a general corporate purpose project as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, the City has a population of 5,000 or less and the amount of the proposed note issue is not more than \$400,000; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, Series 2013, issued to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the City Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the Loan Agreement and Notes and the right to petition for an election;

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

Section 1. That this Council meet in the Council Chambers, City Hall, 130 N. Park Place, Cresco, Iowa, at 7:00 o'clock P.M., on the 17th day of December, 2012, for the purpose of taking action on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$130,000 General Obligation Capital Loan Notes, Series 2013, the proceeds of which will be used to pay costs of:

a. the acquisition, construction, reconstruction, enlargement, improvement, and equipping of public buildings and property, including recreation grounds, recreation buildings, and recreation centers;

b. the acquisition, construction, reconstruction, enlargement, improvement, and equipping of public buildings and property including fire stations and garages

and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Clerk is authorized and directed to proceed on behalf of the City with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, Series 2013, evidencing the City's obligations to a principal amount of not to exceed \$130,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the City and acceptable to the Council.

Section 3. That the Clerk is hereby directed to cause at least one publication to be made of a notice of meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten (10) nor more than twenty (20) clear days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action shall be in substantially the following form: