

## **NOTICE AND CALL OF PUBLIC MEETING**

GOVERNMENTAL BODY: THE CITY COUNCIL OF CRESCO, IOWA

DATE OF MEETING: MAY 7, 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 April 16, 2012
4. Approval of Class C Beer Permit (Carryout Beer) with Class B Wine Permit (Carryout Wine) and Class E Liquor License (LE) to Fareway Stores Inc d/b/a Fareway Stores Inc #815
5. Application for Tax Abatement under the Urban Revitalization Plan for Judy Strike
6. Application for Tax Abatement under the Urban Revitalization Plan for Thomas and Michele Tucheck

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. Brad Crawford, of NE Iowa RC&D, Presentation on the Turkey River Watershed Project
2. Dusty Burnikel Discussion on Tree Trimming
3. Set Public Hearing for the Budget Amendment #3 for Fiscal Year Ending June 30, 2012
4. Motion to Accept Recommendation of Board of Adjustments to Appoint Dennis Cauwels to the Board of Adjustments to Finish a Term Ending June 30, 2013
5. Motion to Accept Recommendation of Board of Adjustments to Reappoint Dan Ollendick to the Board of Adjustments for a 5 Year Term Ending June 30, 2017
6. Resolution Allowing Partial Tax Exemption under Cresco Urban Revitalization Area for Shawn and Cathy Saltou
7. Discussion on the Code of Ordinance Updates

COMMENTS FROM AUDIENCE:

ADJOURN:

THIS NOTICE IS GIVEN AT THE DIRECTION OF THE MAYOR PURSUANT TO CHAPTER 28A, CODE OF IOWA AND THE LOCAL RULES OF SAID GOVERNMENTAL BODY. POSTED MAY 2, 2012.

1. Turkey River Watershed Project – Brad Crawford from Northeast Iowa RC&D will be here to do a presentation on the Turkey River Watershed project. Please see Rod's note and enclosures. Any changes to the 28E Agreement need to be communicated as soon as possible so all entities can get the final 28E Agreement signed.
2. Dusty Burnikel – Dusty and his dad, Don, have approached Rod and some council members regarding our policy for tree trimming. Specifically, he thinks we should be going out for bids every year for tree trimming. We have discussed this several times but they want to bring it to the Council again. The Street Department trims and cuts down all trees that they can do safely. If there is a danger of one falling on electrical lines or a house or if the tree is too big for our equipment then we hire Tim Walton to trim the tree or cut it down. Over the past 6 years the average paid to Tim for tree trimming services is only \$1,638 per year. We do not go out for bids because the dollar amount is relatively small and we don't bid out every expense item. There have been no issues and no complaints with the service we receive from Tim and we feel the prices charged are reasonable so we don't feel there is a need to bid the service out every year. Please note that we did pay Dusty \$1,175 for tree trimming caused by the 2009 wind storm and that the Park Board also hired him to trim trees in the park in 2010 for \$2,520.
3. Budget Amendment – Please set the public hearing for May 21, 2012 to amend the budget. This is the last date that we can amend the current year's budget. Please see attached description of items that have come up after the initial budget was done.
4. 1<sup>st</sup> Ave Assessment Project – I have mailed out letters to the residents and their 30 days to pay their assessment will end on May 25<sup>th</sup> to avoid interest and being assessed to their property taxes. We have received payments from two property owners with two more saying they will be in next week. I expect a few more in by the deadline.
5. Airport – Runway repairs is a special grant so will need to be done by early June. The grant application for the long-term plan will be submitted soon. Dan Drtina graciously seeded down some of the farmland that was too close to the runway that had been farmed for years.
6. Health Insurance – Renewal rates were up by 14.09% over last year's premiums so Group Services helped us find a comparable plan which caused the premiums to only increase by 3.5% for family and 4.9% for single premiums. Our self-insured risk has increased by \$1,000 per person so we have increased the funding of the Safe-T-Fund. Based on our past claims, we thought this would be a good risk to take to save over \$18,000 in premiums.
7. Theatre – Concession stand has been ordered and should be installed in early June. Sidewalk was supposed to be started this week but weather has not cooperated. Commission is updating the Theatre Lease Agreement and should be ready to be approved at this meeting or the next.

8. Grant Services – I was persuaded to watch a sales pitch on a webinar. It is for a firm that you pay \$3,000 per year with a 3 year contract. Their website allows you to do searches on available Federal grants and Foundation grants. I asked about Iowa grants and he assured me they would be available soon as well. If you wanted them to review a grant application it would cost an additional \$3,000 per application. I don't feel the service is worth the cost but I told them I would pass it on to Council. He would do additional webinars showing their services if any of you want to see it.

If you have any questions, please let me know.

Michelle Girolamo

The Cresco City Council met April 16, 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; minutes of the April 2, 2012 meeting; tree surgeon's license for Drew Stevenson d/b/a Total Tree Care, LLC; class C beer permit (BC) with class B wine permit (carryout wine) and Sunday sales to Jvostana Patel d/b/a JAGDAMBE LLC; class C liquor license (LC) (commercial) with catering privilege and out door service and Sunday sales to M&M Lounge, LLC d/b/a M&M Lounge; premise change and ownership change for M&M Lounge, LLC; tax abatement under the Urban Revitalization Plan for Allan & Julie Daskam; pay request #5-final for \$16,217.75 for Skyline Construction for 1<sup>st</sup> Avenue Project. McGee seconded and it passed all ayes.

Public Works Director Rod Freidhof reported: (a) Fort Atkinson won the bid for trees this year and planting will begin the week of April 23<sup>rd</sup>. Arbor Day is April 27<sup>th</sup> and a Red Oak will be planted in East Park in memory of Bill Gosch; (b) very busy with junk and nuisance house complaints; (c) pre-construction meeting was held for the 2<sup>nd</sup> Avenue watermain replacement and street project. Construction should begin the last week of April with water and storm sewer slated to be completed by June 15<sup>th</sup> and the entire project completed by August 3<sup>rd</sup>; (d) Rick Bollman informed us that the inspection will be done on the street shop within two weeks; (e) Street: swept the whole town twice but with bad wind they may need to do it again and yardwaste pickup started today; (f) Water: will flush hydrants May 9<sup>th</sup>-11<sup>th</sup>; (g) Sewer: hauling sludge.

Police Chief Tim Ruroden reported one of the police cars scheduled to be replaced in July went down with engine problems so they have started removing the equipment from that car.

City Clerk Michelle Girolamo reported: (a) the Financial Statements were in the council packet and an analysis of each fund is written on them explaining budget differences; (b) health insurance premiums increased by 14% so we are analyzing some alternatives; (c) the partial self-funding has saved the City \$129, 266 over the past three years; (d) Blue Cross/Blue Shield of Iowa is launching a new program called Healthways Prime that will reimburse members for fitness club dues. The Fitness Center has enrolled in this program hoping that this will help a lot of local people with their dues once the program is implemented; (e) Pat Ahern spent several hours cleaning at Champlin Hall so it is now ready to be rented out; (f) Northeast Iowa Regional Housing Trust Fund is accepting applications for housing rehab. There are flyers on our website, bulletin board and in the newspaper; (g) the airport is having concrete work done on the south apron to finish the airport grant; (h) Mediacom has contacted the City to switch phones and internet service but consensus was that it would not be worth the hassle but work with Windstream for better deals; (i) Nicole Konkel was hired as the new billing clerk to replace Irene when she retires.

Mayor Bohle called a Public Meeting for resolutions in connection with the Cresco, Iowa, 1<sup>st</sup> Avenue East Reconstruction Project. Loveless made the motion to approve a Resolution Accepting Work. Bouska seconded and it passed all ayes. McCarville made the motion to approve the Resolution Ordering Preparation of Final Plat and Schedule of Assessments. Carman seconded and it passed all ayes. Loveless made the motion to approve the Resolution Adopting & Levying Final Schedule of Assessments. Bouska seconded and it passed all ayes.

Neil Shaffer updated Council on the Silvercreek Watershed Project. He explained where they are in the process and have developed a plan. It has been submitted and they are awaiting approval and Federal or State funding. Included in the plan would be some urban projects

including rain gardens within the City. He requested letters of support from Council to be submitted that may help get funding for the project.

Jason Passmore and Maria Larson discussed “Yield to Pedestrians in Crosswalk” signs on behalf of the Membership Committee. They had a sample of the sign which will be donated if we purchase additional signs. The Committee felt that five signs were necessary so they requested the City to purchase four signs for \$225 each for about \$1,000 total cost. The business owners will be responsible for putting the signs out in the morning and removing them at night. Loveless made the motion to purchase four pedestrian signs. Bouska seconded and it passed all ayes.

Bouska made the motion to approve the resolution designating a handicap parking space in front of Dollar General. McCarville seconded and it passed all ayes. Bouska also requested that the curb be painted yellow so no parking will be allowed directly in front of the steps of City Hall.

The Airport Commission is applying for a \$10,000 grant for runway repairs that would require a match of 30% or \$4,286. Loveless made the motion to approve the resolution pledging local match and support of the Airport State Funding Application for the Runway Repairs Project. Carman seconded and it passed all ayes.

The Airport Commission is applying for a grant to write a Long-Term Plan for the Airport. This will aid in planning for future development and grant applications. The estimated cost of the plan is \$50,000 and the grant would be for 85% of the cost. Loveless made the motion to approve the resolution pledging local match and support of the Airport State Funding Application for the Long-Term Planning Project. McCarville seconded and it passed all ayes.

Girolamo discussed the process of updating the Code of Ordinances. Consensus of Council was to eliminate Chapter 27 City Administrator from the updated Code of Ordinances.

Freidhof discussed bids received for roof repairs on the Scene Shop and to the high roof on the Theatre. A month ago it cost \$1,900 to repair one section on the Theatre upper roof. We have a quote of almost \$14,000 to replace the upper roof on the Theatre or \$5,420 to repair identified issues. Quotes were also received to replace the roof on the Scene Shop of \$14,000 and \$17,990. Consensus was to repair the Theatre roof and to get additional quotes for replacement of the Scene Shop roof.

The results of the Industrial Park Feasibility Study that Bill Angerman presented last meeting were discussed. Consensus was to investigate different locations for expansions and hire WHKS to prepare a feasibility study for areas to the north and east of the City. A worksession will be scheduled to discuss looping watermains.

Mayor asked if there were any comments from the audience. Jason Passmore thanked everyone who attended the annual banquet last week. A ribbon cutting ceremony will be April 17<sup>th</sup> at Billmyer Furniture and Flooring. He invited everyone to the Administrative Professionals Day luncheon on April 25<sup>th</sup>.

Carman moved to adjourn at 8:12 pm. Bouska seconded and it passed all ayes. The next regular Cresco City Council meeting will be May 7, 2012, at 7:00 pm at Cresco City Hall.

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Mayor Mark Bohle

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City Clerk Michelle Girolamo

Following is a list of claims approved for payment:		
ADVANCED SYS	MAINT	56.20
ALBERT LOPEZ	TRANSLAT	83.75
ALLIANT	ELECT	490.90
AM RED CROSS	FEE	300.00
BAKER & TAYLOR	BOOKS	930.29
BC/BS	INSUR	25,517.79
BOB'S ELECT	REPAIRS	485.09
BOOK PAGE	PERIODICAL	30.00
BROWN SUPP	SUPP	359.88
BRUENING	ROCK	1,126.53
CARQUEST	REPAIRS	375.31
CASEY, JOSEPH	REFUND	4.44
CASPER P&H	REPAIRS	581.11
CITY OF CRES	UTIL, REF	315.29
CITY OF CRES	INSUR	2,822.94
COURTNEY LAWN	SRVC	20.00
CRES SHOPPER	ADVERT	810.30
DAKOTA SUPP	SUPP	89.17
DANKO EMRG	EQUIP	4,838.27
EMBLEM ENTER	UNFM	198.28
FAREWAY	SUPPLIES	28.75
FENCO	REPAIRS	173.38
FRON, ALLEN	REFUND	37.46
GOSCH'S	REPAIRS	284.25
GROUP SRVCS	FEE	348.50
GURNEY	EQUIP	2,234.48
HACH	SUPP	235.60
HANSON TIRE	REPAIRS	34.38
HAWKEYE REC	ELECT	6,687.32
HAWKEYE	SRVC	98.61
HOVEY OIL	SUPP	691.22
HC	SHARED LEC	11,758.73
IKON	COPIES	112.12
IA DNR	TRAINING	60.00
IA DIV OF LABOR	SRVC	25.00
IA ONE	SRVC	48.60
IA PRISON	SUPP	145.20
JIM'S AUTO	SUPP	17.45
KATELIN BINA	REFUND	47.11
KUBIK	MAINT	309.36
KWIK TRIP	GAS	3,848.21
LOUIE BALK	SRVC	2,142.39
MANNING ENVIRO	SUPP	28.99
MARCO	SRVC	725.00
MCMASTER-CARR	SUPP	164.62
MERCHANT SRVCS	FEE	50.65
MITCHELL CO INSP	SRVC	406.00
MVTL	ANAYLSIS	417.60
NE IA SRVC	REPAIRS	187.11
PAYROLL		62,238.55
PETTY CASH	POSTAGE	140.69
PLUNKETT'S	SRVC	414.96
POPULAR SUBSCR	SUBS	45.09
POSTMASTER	POSTAGE	75.00
PRINT SHOP	SUPP	553.00
RILEY'S	SUPP	7.90
RUPPERT	SUPP	425.02
SANDRA EVANS	REFUND	344.79
SCHOLBROCK	SRVC	750.00
SCHUMACHER ELEV	MAIN	132.52

SCHWICKERT'S	RPRS	1,900.00
SIMMERING-CORY	REHAB HSG	4,340.00
STATE HYG LAB	ANALY	150.00
STOREY KEN	SUPP	847.02
LIFEGUARD STORE	UNFM	815.55
TPD	PUBLI	713.75
TREAS ST IA	SALES TAX	5,759.28
TYLER TECH	MAIN	9,412.04
U.S. CELLULAR	PHONE	332.69
VSETECKA ESTATE, WILMA	REFUND	13.22
WEBER PAPER	SUPP	147.41
WILLOW COURTYARD	REFUND	1,114.07
WILSON TREE	SRVC	1,524.65
WINDRIDGE	SRVC	489.84
ZEE MEDICAL	SUPP	209.57
ZIMMER & FRANCESCON	EQUIP	5,857.13
	GENERAL FUND	59,995.37
	ROAD USE TAX	15,539.92
	EMP BENEFITS	30,226.81
	LOCAL OPT TAX	4,049.21
	CRESCO TELECOM	569.57
	REHAB/HOUSING	4,359.11
	WATER UTILITY	19,702.89
	WATER DEPOSITS	320
	WATER UTILITY	32.76
	MSSU REV	72.88
	MSSU OPERATION	25,226.40
	MSSU REPL	5,857.13
	WATER & SEWER C.I.	1,712.39
	YARD WASTE	1,872.93
	EXPENDITURES	169,537.37
	Revenues 04/03 to 04/16/12	832,222.49

# License Application ( LE0001674 )

## Applicant

Name of Applicant:	<u>Fareway Stores, Inc.</u>		
Name of Business (DBA):	<u>Fareway Stores, Inc. #815</u>		
Address of Premises:	<u>112 South Elm Street</u>		
City: <u>Cresco</u>	County: <u>Howard</u>	Zip: <u>52136</u>	
Business Phone:	<u>(563) 547-5252</u>		
Mailing Address:	<u>2300 E. 8th Street</u>		
City: <u>Boone</u>	State: <u>IA</u>	Zip: <u>50036</u>	

## Contact Person

Name:	<u>Tracey Wilson</u>	ext	<u>196</u>
Phone:	<u>(515) 432-2623</u>	Email Address:	<u>twilson@farewaystores.com</u>

Classification: Class E Liquor License (LE)

Term: 12 months

Effective Date: 06/21/2012

Expiration Date: 06/20/2013

Privileges:

Class B Wine Permit (Carryout Wine)

Class C Beer Permit (Carryout Beer)

Class E Liquor License (LE)

## Status of Business

BusinessType:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>253</u>	Federal Employer ID #	<u>42-0240920</u>

## Ownership

**Fred E. Vitt Trust**

First Name: Fred E.

Last Name: Vitt Trust

City: Boone

State: Iowa

Zip: 50036

Position Trust

% of Ownership 10.85 %

U.S. Citizen

**Frederick Greiner**

First Name: Frederick

Last Name: Greiner

City: Boone

State: Iowa

Zip: 50036

Position President

% of Ownership 0.00 %

U.S. Citizen

**Paul S. Beckwith Trust**

First Name: Paul S.

Last Name: Beckwith Trust

City: Boone

State: Iowa

Zip: 50036

Position Trust

% of Ownership 55.78 %

U.S. Citizen

**Various Individuals & Trust ea**

First Name: Various Individuals & Trus

Last Name: each holding less than 5%

City: Unknown

State: Iowa

Zip: 55555

Position Stockholders

% of Ownership 33.37 %

U.S. Citizen

***Insurance Company Information***

Insurance Company: Merchants Bonding Company

Policy Effective Date: 06/21/2012

Policy Expiration Date: 01/01/1900

Bond Effective Continuously: 2

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

APPLICATION FOR TAX ABATEMENT UNDER THE  
URBAN REVITALIZATION PLAN FOR

CRESCO, IOWA

Date April 11, 2012

Prior Approval for  
Intended Improvements

Approval of Improvements  
Completed

Address of Property: 227 4th Avenue West

Legal Description: Lot 2, Block 2, Cresco Plat

Title Holder or Contract Buyer: Judy Strike

Address of Owner (if different than above): 315 Pine Place, Cresco, IA

Phone Number (to be reached during the day): 563-547-2071

Existing Property Use:  Residential  Commercial  Industrial  Vacant

Proposed Property Use: New 3-car garage in back of lot to replace current one-car garage

Nature of Improvements:  New Construction  Addition  General Improvements

Specify: New 3-car garage, two stalls to be used by owner and one stall to be used by tenant at 227 4th Avenue West. Current garage to be moved to owner's rental property at 330 4th Avenue West (W 50' Lots 4, 5, and 6, Block 12, Baldwin's Addition)

This will add additional garage space.

Estimated or Actual Date of Completion: \_\_\_\_\_

Estimated completion of new 3-car garage: August 1, 2012

Estimated or Actual Cost of Improvements: New 3-car: \$30,000

Tax Exemption Schedule is attached.

Signed: \_\_\_\_\_

Judy Strike

APPLICATION FOR TAX ABATEMENT UNDER THE  
URBAN REVITALIZATION PLAN FOR

CRESCO, IOWA

Date 4-30-12

Prior Approval for  
Intended Improvements \_\_\_\_\_

Approval of Improvements  
Completed \_\_\_\_\_

Address of Property: 820 Yankee Ave, Cresco

Legal Description: See attached

Title Holder or Contract Buyer: Thomas J + Michele R Tuckek

Address of Owner (if different than above): \_\_\_\_\_

Phone Number (to be reached during the day): 563-382-8421 (Tom work)

Existing Property Use:  Residential \_\_\_\_\_ Commercial \_\_\_\_\_ Industrial \_\_\_\_\_ Vacant

Proposed Property Use: home

Nature of Improvements:  New Construction \_\_\_\_\_ Addition \_\_\_\_\_ General Improvements

Specify: \_\_\_\_\_

Estimated or Actual Date of Completion: 4-27-12

Estimated or Actual Cost of Improvements: 500,000.-

Tax Exemption Schedule is attached.

Signed: Michele Tuckek

Mayor and Council:

Turkey River Watershed Management Authority

I attended a meeting on Thursday April 26th, 2012 at Upper Iowa University on this subject. I'm not going to go into a whole bunch of details because we do have a representative from Northeast Iowa RC&D on the agenda to discuss this with you all.

I do feel though that this might be our one last chance to get some funding for the sinkhole on the west side of town, it does flow to the Turkey River Watershed.

With that being said attached you will find some information and a copy of the 28E agreement the City would need to sign to participate in this Management Authority. If we as a City decide to join we will also need to appoint someone to serve on the Board of Directors for the watershed. Please look the 28E agreement over and see if there are any changes you'd like to make to this document, you will notice there is an escape clause if we would want to get out at any time.

Thanks  
Rod

## **Turkey River Watershed Management Authority: 28E Agreement**

THIS AGREEMENT is voluntarily entered into by all parties/participants on the attached signature pages and presented to the Iowa Secretary of State on this \_\_\_\_ day of \_\_\_\_\_, 2012.

WHEREAS, the purpose of this Agreement is to allow the participants to make efficient use of their powers in securing funding for and cooperating to achieve the goals outlined in Paragraph 2 of this document. This 28E agreement shall be liberally construed to that end;

WHEREAS, this document is authorized by Iowa Code Chapter 28E (2011) and Iowa Code Chapter 466B (2011) to promote the most efficient use of material and human resources for the public good and for that purpose all cities, counties, soil and water conservation districts, and other governmental entities in the watershed are invited to become a participant in this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants hereafter set forth, the participants agree as follows:

### **1. CREATION OF THE AUTHORITY.**

Upon the effective date identified in Paragraph 3, there is hereby created a public agency to be known as the "Turkey River Watershed Management Authority" (the "Authority"). The agency shall be a political subdivision of the State of Iowa and a legal entity separate and distinct from the corporate existence of any participating parties and shall be subject to the control and supervision of any party or their officers and directors only to the extent provided herein.

### **2. PURPOSE AND FUNCTIONS.**

The purpose of the Authority shall be to perform the following duties:

- a. Assess and reduce the flood risks in the watershed;
- b. Assess and improve water quality in the watershed;
- c. Monitor the federal flood risk planning and activities;
- d. Educate residents of the watershed regarding flood risks and water quality; and
- e. Allocate moneys made available for purposes of water quality and flood mitigation.

\*The Authority may make and enter into contracts and agreements and execute instruments necessary or incidental to the performance of the duties of the Authority but shall not under any circumstances acquire property by eminent domain.

### **3. EFFECTIVE DATE.**

The effective date of this Agreement shall be the first day after the date on which all of the following conditions precedent have been satisfied:

- a. The governing bodies of all participants have adopted resolutions approving this Agreement and said resolutions become effective.
- b. This Agreement has been authorized and signed by the necessary representative or representatives from each participant and said signature page has been attached to this Agreement.
- c. This agreement has been filed with the Iowa Secretary of State.

### **4. DURATION.**

The duration of this Agreement and of the Authority shall be perpetual unless this Agreement is amended or terminated per the provisions of this agreement.

### **5. GOVERNING BODY.**

The Authority shall be governed by a board of directors. Members of the board of directors shall be divided among the political subdivisions which comprise the Authority and shall be appointed by the respective political subdivision's elected legislative body. The board of directors shall meet at least one time per calendar year but may draft a bylaw which allows for meeting more frequently. The board shall be subject to the Iowa Open Meetings and Open Records Laws and shall make the necessary provisions to conform to the requirements of the law. Board members shall receive no compensation for serving in such a capacity but may be reimbursed for actual expenses incurred by their respective governing body or by the Authority subject to the existence and availability of funds.

Each participating political subdivision shall have one representative on the board of directors. The directors shall have staggered terms of four years with the initial terms being shortened and lengthened as necessary to achieve staggered terms. A person appointed to fill a vacancy shall be appointed in the same manner as the original appointment for the duration of the unexpired term. A director is eligible for reappointment.

A director may be removed after missing three consecutive regular meetings of the board. If a director is removed a successor shall be appointed for the duration of the unexpired term of the removed director in the same manner as the original appointment. The appointing body may at any time remove a director appointed by it for misfeasance, nonfeasance, or malfeasance in office or for any of the reasons outlined in Iowa Code Section 66.

The board of directors shall adopt bylaws and shall elect one director as chairperson and one director as vice chairperson, each for a term of two years, and shall appoint a secretary who need not be a director. The board may create any committees necessary to achieve the purposes and functions of this agreement. Further duties shall be set forth in the bylaws.

A majority of the membership of the board of directors shall constitute a quorum of the board for the purpose of holding a meeting of the board. The affirmative vote of a majority of the quorum shall be necessary for any action taken by the Authority unless the board adopts a bylaw requiring a greater number of affirmative votes. A vacancy in the membership of the board shall not impair the rights of a quorum to exercise all the rights and perform all the duties of the Authority.

#### **6. MAP OF AREA AND BOUNDARIES OF THE AUTHORITY.**

Pursuant to the requirements of Iowa law, this Agreement includes a map showing the area and boundaries of the Authority. The map is attached to this Agreement and marked as Exhibit A.

#### **7. COORDINATION WITH OTHER ENTITIES.**

The Authority may choose to coordinate all of its activities with the Department of Natural Resources, the Department of Agriculture, and Land Stewardship, Councils of Governments, Public Drinking Water Utilities, Soil and Water Conservation Districts, and any other local, state, or federal entities.

#### **8. CONTRIBUTIONS TO THE AUTHORITY AND BUDGET.**

Members of the Authority may, if deemed necessary and appropriate, contribute through an equitable formula, appropriations from their respective budgets for the operation and administration of the Authority. Such a formula shall be presented and passed by Resolution by all parties bound by this Agreement. These appropriations may be utilized for but not limited to the employment of staff, marketing, grant writing fees, and administrative fees to Fiscal Agents. Any such contributions from the governing bodies of this Agreement shall be binding to fulfill.

#### **9. GRANTS AND FISCAL AGENTS.**

The Authority shall have full authority to apply for and receive grants or endorse a participant to do the same for facilities construction and programming, but neither the Authority nor the participants in this Agreement shall be obligated to contribute or expend non-grant monies beyond amounts included in an approved budget. The Authority may enter into agreements with grant writers and Fiscal Agents to both write grants and administrate dollars which may be received either by the Authority or a party to this Agreement for projects approved by the Authority.

## **10. FISCAL RESTRICTIONS.**

The Authority shall have no power to impose any tax of any nature, nor pledge the credit of any of parties to this Agreement, nor incur any debt or other financial obligation the payment of which has not been provided for in the current or an approved future budget.

## **11. REPORTS AND AUDITS.**

Between January 1 and January 15 of each year the Authority shall prepare and deliver to each participant an annual report which summarizes the programs and activities conducted or expected to be conducted by the Authority during the previous, current, and ensuing fiscal year. In the event that the Authority establishes a financial budget, the Authority shall also comply with the audit provisions under Iowa Code Section 11.6 and shall furnish copies of the audit report to each participant.

## **12. CONFLICTS OF INTEREST.**

The Agency and its Committee shall be subject to all laws of the State of Iowa relating to conflicts of interest and gifts which are applicable to municipalities and municipal officers generally.

## **13. VOLUNTARY TERMINATION.**

Membership in this Agreement may be terminated voluntarily by any party to the Agreement. A party wishing to voluntarily terminate their membership shall provide written notice of intent to terminate membership to all other parties to the Agreement. The termination shall be effective twenty (20) days from the date that written notice is provided to other members. A party may withdraw written notice before the 20 day period expires and may reapply for membership to the board of directors after the 20 day period has expired. The board of directors may waive the 20 day period for good cause shown. Termination, whether voluntary or involuntary, in no way relieves a participant from any continuing obligations that may have been imposed on said participant by entry into the Authority. The board of directors shall determine whether a participant that has been terminated from the Authority has any continuing obligations and if so the amount or requirement of said continuing obligation.

The remaining parties may choose to amend this agreement by removing all references to a party that voluntarily terminates its membership in this agreement and continue this Agreement under all the terms and conditions as previously set.

## **14. INVOLUNTARY TERMINATION.**

In the event that either a party to this Agreement fails to timely perform a duty imposed upon it under this Agreement, the Authority may cause a notice to be served on the entity by certified

mail which specifies the particulars of the alleged default and demands performance. If the party fails to cure its default within twenty (20) days after the date of mailing of the notice, the Authority may exercise all rights and remedies it may have at law or in equity including serving judgment for any damages incurred and/or a decree of specific performance of this agreement. A default shall not cause a termination of this Agreement. In the event the Authority fails to perform a duty or observe a requirement imposed by this Agreement, a party may pursue the same remedies against the Authority, if the Authority fails to cure such default within the time set forth above following notice of the default, the party shall be entitled to the same remedies as were given to the Authority. Termination, whether voluntary or involuntary, in no way relieves a participant from any continuing obligations that may have been imposed on said participant by entry into the Authority. The board of directors shall determine whether a participant that has been terminated from the Authority has any continuing obligations and if so the amount or requirement of said continuing obligation.

#### **15. DISSOLUTION OF AGENCY.**

The board of directors may choose to terminate the Authority under the rules and bylaws prescribed by the board. Upon termination, the Authority shall dissolve and the affairs of the Authority shall be wound up as herein provided. The winding up of the affairs of the Authority and the distribution of its assets shall be conducted by the board of directors as follows:

- a. General Funds. Any balance of a fund created by the mechanism described in this Agreement, shall be returned to the party per the same formula which created the fund.
- b. Unexpended Grants and Gifts. To the extent the Authority may possess funds received from contributions towards a specific project and such funds have not been expended, such funds shall be returned to the donors to the extent possible. If any grants create a legal obligation the board of directors shall determine the liability of each member and former member of the Authority.
- c. If the Authority should own any facility and this Authority is terminated, such facility may be donated and turned over to a non-profit or governmental entity or sold and proceeds divided equitably between the parties involved in this Agreement.

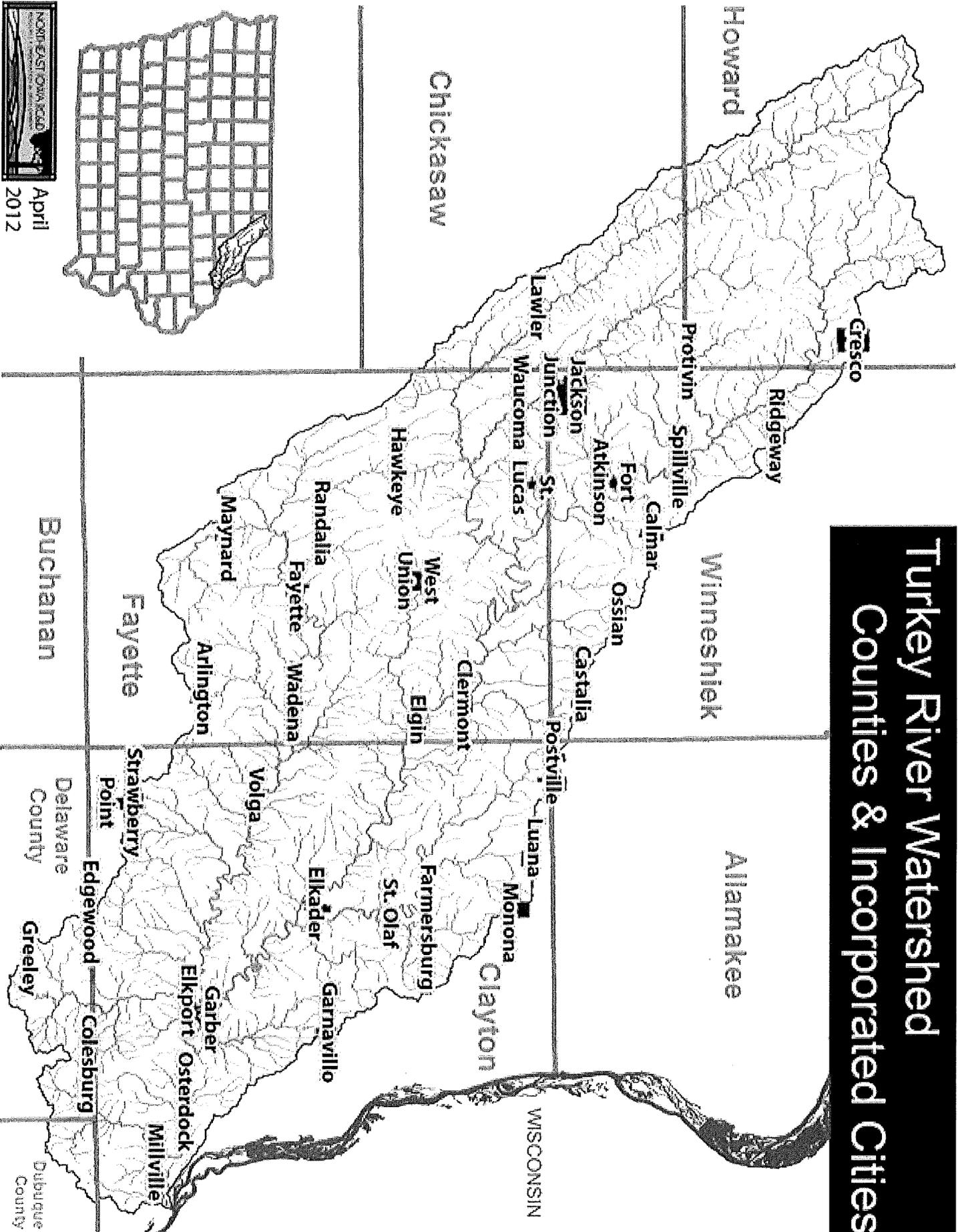
#### **16. AMENDMENTS.**

This Agreement may be amended only by a written document approved by the resolution of all parties signed by their representative to the board of directors.

#### **17. APPLICABLE LAWS.**

This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Iowa. This Agreement is made pursuant to statutory authority granted to the parties pursuant to Iowa Code Sections 28E, 466B, and other relevant federal or state law.

# Turkey River Watershed Counties & Incorporated Cities



April  
2012

**HF 2459**

**Watershed  
Legislation:**

**Watershed Planning Advisory Council  
Watershed Demonstration Pilot Projects  
Watershed Management Authorities**

**Legislative Guide  
May 2010**

**Rebuild Iowa Office  
Wallace State Office Building  
529 East 9<sup>th</sup> St  
Des Moines, IA 50319  
515-242-5004  
[www.rio.iowa.gov](http://www.rio.iowa.gov)**

## Watershed Legislation

HF 2459 was signed into law on April 7, 2010. This bill adds several provisions to Iowa Code Chapter 466B, the Surface Water Protection and Flood Mitigation Act. The bill:

1. Establishes a Watershed Planning Advisory Council to develop annual recommendations for improving water quality and mitigating floods.
2. Directs several state agencies to seek funding to plan and implement a watershed demonstration pilot.
3. Outlines the process for Watershed Management Authorities to be created using 28E agreements to reduce flood risk and improve water quality, monitor federal flood risk planning and activities, and educate residents of the watershed regarding flood risks and water quality.

This document provides an overview of the three bill components identified above.

## Watershed Planning Advisory Council

**Background:** The Watershed Planning Advisory Council is comprised of stakeholders that recommended legislation passed in 2008 that created this chapter of the Code, and thereby the Water Resources Coordinating Council (WRCC). Flood mitigation was added to the purview of the WRCC in 2009. The 2010 legislation adds drainage district representation to the 2008 stakeholder group.

The 21-member Watershed Planning Advisory Council was created to develop annual recommendations related to improving water quality in Iowa. Recommendations will be submitted to the Governor, General Assembly, Iowa Department of Agriculture and Land Stewardship, Department of Natural Resources, and the WRCC.

The report, submitted by December 1 of each year, will include recommendations regarding the following:

Improving water quality and optimizing the costs of voluntarily achieving and maintaining water quality standards.

Creating economic incentives for voluntary non-point source load reductions, point source discharge reductions beyond those required by the federal Water Pollution Control Act,

Implementation of pollution prevention programs, wetland restoration and creation, and the development of emerging pollution control technologies.

Facilitating the implementation of total maximum daily loads, urban storm water control programs, and non-point source management practices required or authorized under the federal Water Pollution Control Act. This is not intended to replace the

requirement to develop a total maximum daily load for waters that do not meet water quality standards as required by section 303(d) of the federal Water Pollution Control Act or to delay implementation of a total maximum daily load that has been approved by the department and the director.

Providing incentives, methods, and practices for the development of new and more accurate and reliable pollution control quantification protocols and procedures, including, but not limited to, development of policy based on information and data that is publicly available and that can be verified and evaluated.

Providing greater flexibility for broader public involvement through community-based, non-regulatory, and performance-driven watershed management planning.

Assigning responsibility for monitoring flood risk, flood mitigation, and coordination with federal agencies.

Involving cities, counties, and other local and regional public and private entities in watershed improvement including, but not limited to, incentives for participation in a watershed management authority created under this chapter.

The Advisory Council may consult with councils of governments or other organizations in the development of its recommendations. The Advisory Council shall meet a minimum of once a year and may appoint a task force to assist in completing its duties. The voting members of the Advisory Council shall designate a voting member as chairperson each year.

Voting members of the Advisory Council shall include one representative selected from the following organizations:

- Iowa Association of Municipal Utilities
- Iowa League of Cities
- Iowa Association of Business and Industry
- Iowa Water Pollution Control Association
- Iowa Rural Water Association
- Growing Green Communities
- Iowa Environmental Council
- Iowa Farm Bureau Federation
- Iowa Corn Growers Association
- Iowa Soybean Association
- Iowa Pork Producers Council

The Soil and Water Conservation Districts of Iowa  
Department of Agriculture and Land Stewardship  
Department of Natural Resources  
Iowa Drainage District Association  
Iowa Conservation Alliance (two representatives  
selected)

Nonvoting members include:

Two members of the Senate - one appointed by the  
Majority Leader and one by the Minority Leader  
Two members of the House of Representatives -  
one appointed by the Majority Leader and one by  
the Minority Leader

### **Watershed Demonstration Pilot Projects**

The second major section of the bill directs the Department of Natural Resources and the Department of Agriculture and Land Stewardship in collaboration with the U.S. Department of Agriculture's Natural Resources Conservation Service, the Iowa Flood Center at the University of Iowa, and the Water Resources Coordinating Council to seek funding to plan, implement and monitor one or more watershed demonstration pilot projects for urban and rural areas involving a 12-digit hydrologic unit code (HUC-12) subwatershed. The pilot projects shall include the following features:

1. Maximize soil water holding capacity from precipitation;
2. Minimize severe scour erosion and sand deposition during floods;
3. Manage water runoff in uplands under saturated soil moisture conditions; and
4. Reduce and mitigate structural and nonstructural flood damage.

### **Watershed Management Authorities**

The third element of the bill defines how a Watershed Management Authority may be created by two or more political subdivisions by using a Chapter 28E Agreement and can work within a United States geological survey hydrologic unit code (HUC) 8 watershed.

**Watershed:** A geographic area of land, water, plants and animals within the confines of a drainage divide. Watershed boundaries define the aerial extent of surface water drainage to a point and always follow the highest ridgeline around the stream channels and meet at the lowest point of the land where water flows out of the watershed.

**Hydrologic Unit:** Watersheds in the United States were delineated by the U.S. Geological Survey using a national standard hierarchical system based on surface hydrologic features and are classified into the following types of hydrologic units:

- First-field (region)
- Second-field (sub-region)
- Third-field (accounting unit)
- Fourth-field (cataloguing unit)
- Fifth-field (watershed)
- Sixth-field (sub-watershed)

**Hydrologic Unit Code:** Each hydrologic unit is identified by a unique code, thus called a hydrologic unit code (HUC) consisting of two to twelve digits based on the six levels of classification described above:

- 2-digit HUC - Region
- 4-digit HUC - Subregion
- 6-digit HUC - Accounting Unit
- 8-digit HUC - Cataloguing Unit
- 10-digit HUC - Watershed

It is important to note, however, that participation by a political subdivision is optional; there is no requirement to participate in a watershed management authority or be a party to a chapter 28E agreement under this subchapter. Within 30 days prior to organization of an authority, all political subdivisions located in the same (HUC) 8 watershed must be notified and provided the opportunity to participate. Participating political subdivisions must be located in the same HUC 8 watershed. The chapter 28E agreement shall include a map showing the area and boundaries of the authority. A political subdivision may participate in more than one authority created pursuant to this subchapter.

These Authorities are governed by a board of directors to accomplish the following:

- Assess and reduce flood risk;
- Assess and improve water quality;
- Monitor federal flood risk planning and activities;
- Educate residents of the watershed regarding flood risks and water quality; and
- Allocate moneys made available to the Authority for purposes of water quality and flood mitigation.

The Authority may enter into and execute contracts and agreements necessary to carry out their duties. They shall not acquire property by eminent domain. They may coordinate activities with the Department of Natural Resources, the Department of Agriculture and Land Stewardship, Councils of Governments, public drinking water utilities, and Soil and Water Conservation Districts.

### **Board of Directors**

An Authority shall be governed by a board of directors. Members of the board shall be divided among the political subdivisions comprising the authority and shall be appointed by the respective political subdivision's elected legislative body.

A board shall consist of one representative of each participating political subdivision unless an applicable Chapter 28E Agreement provides an alternative board composition method. For example, members might decide that a political subdivision with either a greater population or covering a greater land area should have more representatives on the board.

The directors shall serve staggered terms of four years. The initial board shall determine, by lot, the initial terms to be shortened and lengthened, as necessary, to achieve staggered terms. A person appointed to fill a vacancy shall be appointed in the same manner as the original appointment for the duration of the unexpired term. A director is eligible for reappointment. This subsection shall not apply if a chapter 28E agreement under this subchapter provides an alternative for the length of term, appointment, and reappointment of directors.

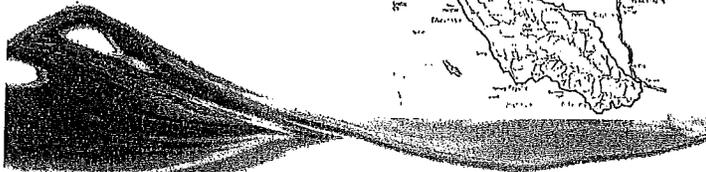
A board may provide procedures for the removal of a director who fails to attend three consecutive regular meetings of the board. If a director is removed, a successor shall be appointed for the duration of the unexpired term of the removed director in the same manner as the original appointment. The appointing body may at any time remove a director appointed by it for misfeasance, nonfeasance, or malfeasance in office.

A board shall adopt bylaws and shall elect one director as chairperson and one director as vice chairperson, each for a term of two years, and shall appoint a secretary who need not be a director.

A majority of the membership of a board of directors shall constitute a quorum for the purpose of holding a meeting of the board. The affirmative vote of a majority of a quorum shall be necessary for any action taken by an authority unless the authority's bylaws specify those particular actions of the authority requiring a greater number of affirmative votes. A vacancy in the membership of the board shall not impair the rights of a quorum to exercise all the rights and perform all the duties of the authority.

## Turkey River Watershed Management Authority

Gary Bowden  
Chairman  
Clayton County Board of Supervisors



Lora L. Friest  
Executive Director  
Lora.Friest@northeastlowarc.org

Brad Crawford  
Turkey River Watershed Coordinator  
Brad.Crawford@northeastlowarc.org

Northeast Iowa RC&D  
Postville, Iowa 563-864-7112

## Turkey River Watershed



## HF 2459 Watershed Legislation April 7, 2010

*Provisions added to the Iowa Code 466B, the Surface Water Protection and Flood Mitigation Act*

1. (State) Watershed Planning Advisory Committee
2. Watershed Management Authorities
3. Watershed Demonstration Pilot Projects (through the Iowa Flood Center)

According to the Rebuild Iowa Office  
Wallace State Office Building



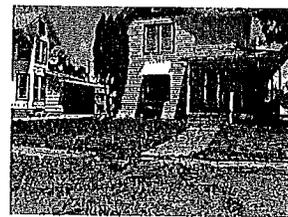
## Why Create a Watershed Management Authority?

- Water management problems are greater than one community or city can handle.
- Local citizens, county boards or cities request them.
- They allow for uniform, effective actions or controls, to correct and prevent problems.



## What is a Watershed Management Authority?

- A *formal* partnership between local, special-purpose unit of government.
- Works to solve and prevent water-related problems.
- Boundaries are defined by the watershed rather than political subdivision.

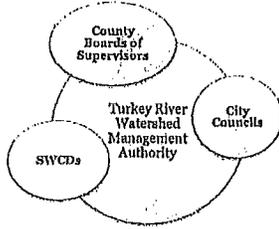


## Why Create a TRW Management Authority?

- State & federal money available for work in WMAs.
- Iowa Legislature passed legislation to encourage the formation of WMAs.
- Iowa Economic Development Authority selected 6 watersheds, including the Turkey River Watershed as pilots for Iowa - WMA development.

### Iowa Code Chapter 466B, Subchapter III

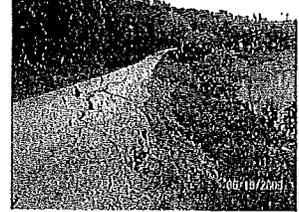
- Iowa Watershed Management Authorities **MUST...**
  - **Invite all** cities, counties and SWCDs to participate.
  - Be created pursuant to a chapter **28e agreement** between a minimum of two political subdivisions from the same watershed.
  - Be governed by a **Board of Directors** made up of appointed representatives of the participating political subdivisions.



### Iowa Code Chapter 466B, Subchapter III

Watershed Management Authorities **MAY...**

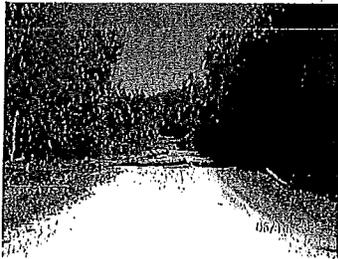
- Assess flood risk.
- Assess water quality.
- Assess options for reducing flood risk and improving water quality.
- Monitor federal flood risk and improving water quality.
- Educate residents of the watershed area regarding water quality and flood risks.



### Iowa Code Chapter 466B, Subchapter III

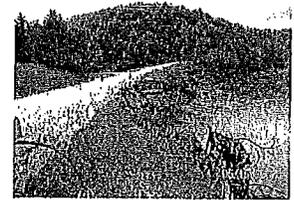
Watershed Management Authorities **MAY...**

- Allocate moneys made available to the authority for water quality and flood mitigation.
- Make and enter into contracts and agreements.
- Coordinate activities with DNR, IDALS, the COG, public drinking water utilities and SWCDs.



### Iowa Code Chapter 466B, Subchapter III

- Watershed Management Authorities...
  - Entities can be involved in more than one WMA.
  - **Cannot** acquire property by eminent domain.
  - Political subdivisions **are not required** to participate.



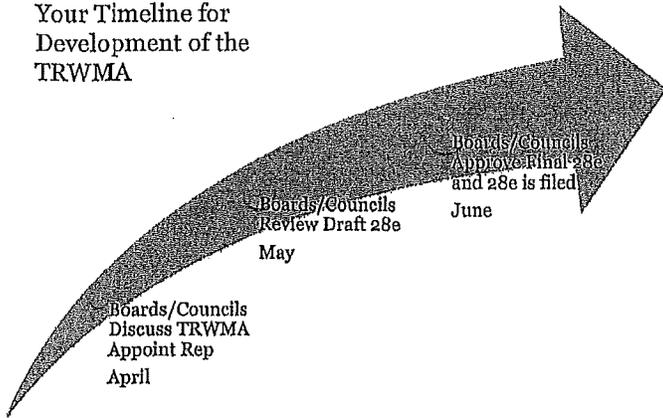
### Iowa Code Chapter 466B, Subchapter III

- The Authority must be governed by a Board of Directors
  - Members of the board will be divided among the political subdivisions.
  - Each Board Director must be appointed by their respective political subdivisions (*elected* legislative body).
  - One representative from each participating political subdivision *unless* the 28e agreement provides an alternative composition method.
  - Board shall adopt bylaws, elect a chairperson, vice chairperson and appoint a secretary.

### Turkey River Watershed Management Authority

- Initiated by Clayton County Board of Supervisors on behalf of the Turkey River Watershed.
- Complements ongoing efforts of the Turkey River Watershed Alliance.
- No upfront cost to join the Authority.
- Once TRWMA is formed it can apply to the Iowa Economic Development Authority for funding to develop a TRWMA Plan.
- Once the TRWMA has a Plan they can apply to the Iowa Economic Development Authority for funding to implement that plan.
- Future costs will be determined by the TRWMA Board.

## Your Timeline for Development of the TRWMA



## Upcoming Meetings

April 26, 1–3 pm

May 31, 1–3 pm

## Looking Ahead

- Inform your Boards and be ready to make a decision regarding participation.
- Appoint a Representative.
- Meetings will be the last Thursday of the month.
- Be prepared to review the 28e with your Boards in May and sign it in June.



## Turkey River Watershed Alliance

- Formed in 2010.
- An *informal collaborative* of nearly twenty private and public organizations including four SWCDs, four counties, Iowa DNR and Iowa NRCS.
- Initiated by Northeast Iowa RC&D with a grant from the McKnight Foundation.
- Goal: to conduct research and gather information that will allow the SWCDs to secure grants and funding to implement sub-watershed projects that will improve water quality and reduce flooding in the Turkey River Watershed.



## Turkey River Watershed Alliance

- **Monitor 49 sites** in the watershed monthly.
- Conduct GIS and hydrologic analysis of the TRW.
- Partner with entities from outside the watershed to complete events and promote conservation education in the watershed.
- Will continue to work as partners in and with the TRWMA either as members or as technical support.
- They have more information available at [www.turkeyriver.org](http://www.turkeyriver.org).

**TurkeyRiver.org**

HOME WATER QUALITY MONITORING WATERSHED PROJECTS WATER QUALITY MONITORING PHOTO GALLERY

**WATER TRAIL**  
Turkey River Water Trail

**TURKEY RIVER NEWS**

**Turkey River Watershed Management Authority Formational Meeting - March 29th**

Thursday March 29th, 6:30 to 8:00 pm at the Pacific Valley Community Center (Gardner) The Turkey River Watershed Management Authority (TRWMA) was formed to provide a Turkey River Watershed Management Authority. This is a great honor and a great first step in providing support to the residents of Turkey River.

**RECENT POSTS**

Turkey River Watershed Management Authority Formational Meeting - March 29th

## Input on Board Structure

- Is there an optimum size for the TRWMA Board?
- How do we allow participation for all without compromising functionality? Is a rotation needed? Do you form with authority to change the make-up of the Board? Do you meet with all annually and have an executive committee?
- How does the Board interact with and get input from the "Boots-on-the-Ground," partners, researchers?
- Should the TRWMA have a Technical Advisory Committee?
- How often should the Board meet?
- Length of Board terms?

## Looking Ahead

- Inform your Boards in April and be ready to make a decision regarding participation.
- Appoint a Representative.
- Meetings will be the last Thursday of the month.
- Be prepared to review and comment on the Draft 28e with your Boards in May and sign on in June.



Vendor Management - (View)

File Edit Options Help



Vendor Set **01-ACCOUNTS PAYABLE**

Name **TIMOTHY P. WALTON**

Vendor **241100** Next Vendor #

Status **Active**

General | Other | Detail | Checks | Information | Comments | Purchase Orders

Post Date **7/01/2005** Thru **99/99/9999** Balance Range: 999,999,999.99- to 999,999,999.99 , Post D Filter

On Hold	Type	ID	Description	Gross	Balance	PO	Check	Pay Date
<input type="checkbox"/>	INV	200606250800	TRIM & REMOVE TREES	\$850.00	\$0.00		044863	06/26/2006
<input type="checkbox"/>	INV	237835	TREE REMOVAL	\$1,425.00	\$0.00		048496	05/21/2007
<input type="checkbox"/>	INV	202870	TREE TRIMMING & REMOVAL	\$1,225.00	\$0.00		052367	05/05/2008
<input type="checkbox"/>	INV	200806273021	TREE TRIMMING	\$950.00	\$0.00		053094	06/30/2008
<input type="checkbox"/>	INV	200906173948	TREE TRIMMING & TREE REMOVAL	\$1,250.00	\$0.00		056794	06/15/2009
<input type="checkbox"/>	INV	200909014177	TREE TRIMMING-STORM	\$1,550.00	\$0.00		057708	09/09/2009
<input type="checkbox"/>	INV	4267963	TREE TRIMMING	\$500.00	\$0.00		060055	05/03/2010
<input type="checkbox"/>	INV	426817	TREE TRIMMING	\$925.00	\$0.00		060961	08/16/2010
<input type="checkbox"/>	INV	48818	TRIM TREES	\$1,150.00	\$0.00		063359	06/20/2011
<input type="checkbox"/>	INV	506044	RELOCATE 2ND AVE TREES	\$180.00	\$0.00		064606	12/05/2011
<input type="checkbox"/>	INV	880342	TREE TRIMMING 2011	\$850.00	\$0.00		064751	12/19/2011

Edit This Record

Clear

View cresco1

FYE June 30, 2006 850  
 2007 1,425  
 2008 2,175  
 2009 1,250  
 2010 2,050  
 2011 2,075  


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 Thru 4/30 2012 1,030

9,825 average \$1,638 per year

↑ including 2009 Storms of \$1,550

**Vendor Management - (View)**

File Edit Options Help



Vendor Set **01-ACCOUNTS PAYABLE**

Name **DUSTY'S TOTAL TREE SERVICE**

Vendor **059600** **Next Vendor #**

Status **Active**

General | Other | Detail | Checks | Information | Comments | Purchase Orders

Post Date **7/01/2005** Thru **99/99/9999** Balance Range: 999,999,999.99- to 999,999,999.99 , Post D **Filter**

On Hold	Type	ID	Description	Gross	Balance	PO	Check	Pay Date
<input type="checkbox"/>	INV	5	STUMP GRINDING (7)	\$450.00	\$0.00		054437	11/04/2008
<input type="checkbox"/>	INV	18	TREE REMOVAL-STORM DAMAGE	\$1,175.00	\$0.00		057286	08/03/2009
<input type="checkbox"/>	INV	201004064731	STUMP GRINDING	\$466.29	\$0.00		059817	04/05/2010
<input checked="" type="checkbox"/>	INV	1	STUMP GRINDING	\$266.31	\$0.00		060134	05/17/2010
<input type="checkbox"/>	INV	11	STUMP GRINDING	\$913.77	\$0.00		060647	07/12/2010
<input type="checkbox"/>	INV	8	TRIM TREES @ EAST PARK	\$2,520.00	\$0.00		060647	07/12/2010
<input type="checkbox"/>	INV	628818	STUMP GRINDING	\$844.47	\$0.00		061336	10/04/2010

2009 Storm \$1,175

7/12/10 Park Trimming \$2,520

Edit This Record

Clear

View cresco1

City of Cresco

Proposed Budget Amendment #3 Descriptions

For Fiscal Year 2011/2012

Revenue Fund	Fund Description	Reason	Revenue	Expense	Fund Description	Expense Fund	Line Item Changes
		Split Audios from Books for Library reporting		1,350	General - Library	001	
		Split Audios from Books for Library reporting		(1,350)	General - Library	001	
		Loan Servicing Fees under budgeted		1,300	MSSU Rev Bond	614	
		Loan Principal Pmts over budgeted		(1,300)	MSSU Rev Bond	614	
		<b>TOTALS</b>	<b>0</b>	<b>0</b>			
187	Equip Replacement	TR for van replacement from general PWD	4,000		General	001	Transfers
		TR for van replacement from street		1,000	Street	110	
		TR for van replacement from water		1,000	Water	600	
		TR for van replacement from sewer		1,000	Sewer	612	
001	General Fund-police	TR for police retirement	1,500	1,500	Retirement Fund	197	
001	General Fund-Airport	TR local match for airport runway repair grant	5,000	5,000	Local Opt Tax - Airport	122	
165	Nuisance House Fund	TR nuisance house balance to new fund	10,000	10,000	General	001	
316	2nd Ave Project	TR GO Bond from sewer project to 2nd Ave	10,000	10,000	Sewer Project	306	
		<b>TOTALS</b>	<b>30,500</b>	<b>30,500</b>			
	Increased Expense	Police Wages (new chief)		1,500	General Fund - Police	001	Adjustments to Budget - Expenses
		Airport runway repairs		15,000	General Fund - Airport	001	
		Tourism Grants-Payout prior year's awards		8,000	Hotel/Motel Tax	002	
		Sirens - update to narrow band		10,000	Emergency	119	
		Pledge to NE IA Regional Housing Trust		5,000	Local Opt Tax - Housing	122	
		Legal Fees for Urban Revitalization Amendment		1,700	Local Opt Tax - Econ Dev	122	
		Scene Shop roof replacement		16,000	Local Opt Tax - Theatre	122	
		Theatre upper roof repairs		6,000	Local Opt Tax - Theatre	122	
		Fire truck - new pumper down payment		35,000	Local Opt Tax - Fire	122	
		TIF Refund of school PPEL pmts rec'vd in error		4,750	TIF	127	
		TIF Gehling Amendment & Min Assessments		3,000	TIF	127	
		Pool Pack and Pool Lift (total cost \$23,000)		5,000	Fit Center Trust	183	
		Billing Clerk Wages & benefits (retirement)		6,500	Water	600	
		Watermain on Yankee (City portion)		5,000	Water Utility Repair	602	
		Engineering - Water Storage Study Report		5,000	Water Utility Repair	602	
		Engineering - Watermain Looping (5th Ave/Campsife)		25,000	Water Utility Repair	602	
		Inspect small Water tower & big meters purch		3,000	Water Utility Repair	602	
		<b>TOTALS</b>		<b>155,450</b>			
	Increased Revenue	Sale of Big Meters	2,500				Adjustments to Budget - Revenues
001	General Fund - Airport	Grant proceeds for runway repair	10,000				
		<b>TOTALS</b>	<b>12,500</b>				
		<b>Total Revenue over (under) Exp</b>					<b>(142,950)</b>

BOARD OF ADJUSTMENT

TO: CRESCO CITY COUNCIL

RE: Appointment/Reappointment

We, the Board of Adjustment for the City of Cresco, recommend that the City Council

1.  Appoint (Name) Dennis Caswells

(To replace William Ferree)

2.  Reappoint (Name) Dan Ollerick

to the Board of Adjustment.

Term to run from July 1 2012 to expire June 30 2017 for Dan Ollerick  
May 1 2012 June 30 2013 for Dennis Caswells

Chairman

Signed

Date

[Signature]

4/24/12

Brian Bolk

4/24/12

[Signature]

4/24/12

James W. Dohy

4/24/12

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION ALLOWING PARTIAL TAX EXEMPTION  
UNDER CRESCO URBAN REVITALIZATION AREA  
(Shawn & Cathy Saltou)**

WHEREAS, the City of Cresco has previously designated an area of the City as a revitalization area called the Cresco Urban Revitalization Area; and

WHEREAS, Iowa Code Section 404.4 provides that an application can be filed within two assessment years after the first assessment year if the City provides authority for such action by resolution; and

WHEREAS, the Application (attached hereto) by Shawn & Cathy Saltou, contains, but is not limited to the following information:

The nature of improvement, its cost, the actual date of completion, and the exemption which has been elected; and

WHEREAS, the improvement project was completed by December 31, 2011 and so January 1, 2012 was the first exemption year; and

WHEREAS, the initial Application was not filed by February 1, 2012, but was filed within two years of the original February 1, 2012 filing deadline.

NOW, THEREFORE, BE IT RESOLVED that the Application for exemption is approved for the remaining number of years available in the exemption, which remaining years is four years instead of five years (Years 2-5):

<u>Date of Assessment</u>	<u>Year</u>	<u>Eligible</u>	<u>Percentage</u>	<u>Date taxes to be paid</u>	<u>Comments</u>
1/1/2012	1	\$0	75%	9/2013 and 3/2014	Not Eligible (Application filed late)
1/1/2013	2	\$75,000	75%	9/2014 and 3/2015	
1/1/2014	3	\$75,000	50%	9/2015 and 3/2016	
1/1/2015	4	\$75,000	25%	9/2016 and 3/2017	
1/1/2016	5	\$75,000	25%	9/2017 and 3/2018	

Dated this 7<sup>th</sup> day of May, 2012.

ATTEST:

\_\_\_\_\_  
Mark Bohle, Mayor

\_\_\_\_\_  
Michelle Girolamo, City Clerk

April 12, 2012

Dear Cresco City Council:

We are requesting the Council to grant us permission to apply for the Urban Revitalization Tax Abatement program for our house located at 1154 Cambridge Street. The house was built in 2011.

In discussing this with City Clerk, Michelle Girolamo, we understand that it is too late to apply for the 1<sup>st</sup> year abatement but would like to be granted permission to apply for the 2<sup>nd</sup> through 5<sup>th</sup> year tax abatements.

We appreciate you reviewing this application and look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Saltou". The signature is stylized with a large initial "S" and a prominent "A" at the end.

Shawn Saltou