

NOTICE AND CALL OF PUBLIC MEETING

GOVERNMENTAL BODY: THE CITY COUNCIL OF CRESCO, IOWA

DATE OF MEETING: JANUARY 4, 2016

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, BRENNO

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 December 21, 2015
4. Application for Tax Abatement under the Urban Revitalization Plan for Brincks Properties LLC
5. Application for Excavators License for MB Inc.
6. Approval of Displaying Winter Theme Flags for the Driftrunners' Snow Fest from January 21st through January 26, 2016

STAFF REPORTS: There may be action taken on each of the items listed below.

1. Public Works
2. Police
3. Administration
4. Committee Updates

BUSINESS: There may be action taken on each of the items listed below.

1. Lori Brockway from Upper Explorerland Regional Planning Commission Update on the Northeast Iowa Regional Housing Trust Fund and Other Programs
2. Resolution Endorsing the City of Cresco Energy/Sustainability Goals
3. Discussion on Code of Conduct and Laws of Interest
4. Appoint Council Members to Committees and Board Liaisons
5. Establish Written Policy for Recognition of Staff and Elected Officials

COMMENTS FROM AUDIENCE:

ADJOURN:

THIS NOTICE IS GIVEN AT THE DIRECTION OF THE MAYOR PURSUANT TO CHAPTER 28A, CODE OF IOWA AND THE LOCAL RULES OF SAID GOVERNMENTAL BODY. POSTED DECEMBER 30, 2015.

The Cresco City Council met December 21, 2015, at 7:00 pm at City Hall. Council Members Carman, Bouska, McGee, McCarville and Loveless were present. No council members were absent.

Carman made the motion to approve the consent agenda which included approval of the: agenda; claims; minutes of the December 7th and 16th meetings; Excavator's Licenses for Skyline Construction Inc, Mracek Plumbing, Heating & Electric LLC and Mehmert Tiling Inc; Tree Surgeon's Licenses for Tarzan Tree Service LLC and Walton Tree Service. McCarville seconded and it passed all ayes.

Public Works Director Rod Freidhof reported (a) been out rocking streets and alleys and have cut some trees down; (b) Drew is working on some water reports; (c) Michelle, Amy and I met with Russell Novak and John Nielson from Perry Novak Electric to discuss the solar project. We reevaluated the sites and made some minor adjustments. We both have some homework to do and hopefully will have something to report at a council meeting in January.

City Clerk Girolamo reported (a) busy with budget preparation; (b) working on 1099 forms; (c) Mediacom sent a certified letter notifying the City of a rate increase of \$2.59 from \$5.26 to \$7.85 for the Local Broadcast Channel Surcharge and a \$.13 increase for the Regional Sports Surcharge.

Bouska reported the Library Board is requesting \$2,000 increase from the Howard County Supervisors for next year's budget. The Library is planning some fun events for children in the upcoming months.

Bouska reported on the Housing Task Force meeting. The Lease Purchase Program has not been funded so that is on hold. However, the Northeast Iowa Regional Housing Trust Fund is still accepting applications. The Port-Outs are holding steady. These are people that come here to qualify for Federal benefits because our waiting list is much shorter than big cities like Chicago. After they qualify, then they move back to the big city and we continue to pay for their housing until they qualify there. This is all Federal money funding this program.

Bouska reported the City Energy Action Team had its final meeting as the grant has now expired. The members felt it was helpful so they are going to continue meeting quarterly to share information. After the banquet a few weeks ago, the Legislature is considering expanding the program because the participating cities were able to implement many cost saving projects as a result of the grant program.

Mayor Bohle opened bids for stump grinding for 2016. Four requests were mailed out and two bids were received. Wilson Custom Tree Service bid \$.98 per inch and Walton Tree Service bid \$.87 per inch. Loveless made the motion to accept the low bid from Walton Tree Service. Bouska seconded and it passed all ayes.

Hotel/Motel Tax received this quarter was \$6,671.14. One request for a tourism grant of \$1,000 was received. Carman made the motion to approve the Cresco Tourism Advisory Committee's recommendation to grant \$750 to the Driftrunners for the Charlie's Chili Feed/Dave Carmichael Memorial Ride. Loveless seconded and it passed all ayes.

Mayor asked if there were any comments from the audience. Jason Passmore elaborated on the Port-Outs that is administered by the Housing Authority Board through Upper Explorerland. Jason was appointed by the Council to represent Cresco on that Board and now he is the chairman. This is through the Section VIII Housing and allows people to move here and qualify. They must live here for a year and then they often return to the City and we fund their housing at the higher rates until they qualify in that City. This ties up our local monies as the housing expenses are much higher in the bigger cities. There are about 17 of these Port-Outs but there are about 400 units being served by this program.

The Housing Committee was hoping to work with Northeast Iowa Community Action but it did not get funded for building lease-out properties. The NEIRHT did get funding of \$228,000 from the State of Iowa and also receives \$5,000 from the City of Cresco and \$10,000 from Howard County and \$2,000 from another community. This is reinvesting in our tax base by helping low-to-moderate income families make improvements to their homes. Most of the projects are used on roof repairs. In the past five years, Howard County in total has invested \$75,000 and projects completed in Howard County total \$416,000. Due to the City's contributions, many of these projects are done in Cresco. The Housing Study shows that we need more decent rental properties and senior living properties such as condos.

They are looking at different grant opportunities. We will be applying for some grants especially for the 150th Celebration for next year. They helped in getting about \$14,000 in grants over the past year and will help in applying for grants this year. They had about 25 potential entrepreneurs or new businesses visiting their office for assistance this past year. They can help with business plans and can help with funding options. This last year they loaned out \$204,000 in revolving loan funds providing 11 new jobs and 15 jobs retained. This includes the Chamber revitalization fund which has almost \$700,000 loaned out currently. There is still about \$500,000 available to be loaned out from all the RLF accounts which are usually loaned out for about 4% interest. Two new businesses that just opened were Studio 9 and Outdoors and More. The Wrestling Hall of Fame is working on a grant application to install lights on the mural. He has been working with a potential new business for the old ALCO building which they hope to finalize paperwork in January.

Mayor Bohle and the Council thanked John Loveless for his 27 years of service on the City Council. Loveless reported it had been really good and he enjoyed working with all the different people during that time.

Carman moved to adjourn at 7:19 pm. McGee seconded and it passed all ayes. The next regular Cresco City Council meeting will be January 4, 2016 at 7:00 pm at Cresco City Hall.

Mayor Mark Bohle

City Clerk Michelle Girolamo

Following is a list of claims approved for payment:

21st CENT FOX	Movie rent	444.79
ADVANCED SYS	Maint	88.42
ALLIANT	Elect	545.98
ANDERLIK, KEITH	Park Bd	500.00
BAKER&TAYLOR	Lib bks,audio	815.58
BARTLETT ELECT	Rprs	840.16
BECKER, RYAN	Srvc	150.00
BILLMYER FURN	Supp	25.00
BC/BS	Insur	32,147.25
BLYTHE, JEFF	Park Bd	550.00
BROWN SUPP	Rprs	4,638.44
BUSS, CARMEN	Reimb	71.64
CARDMEMBER SERVIC	Supp	194.55
CITY OF CRESCO	Insur, util	2,755.51
CITY OF CRESCO	Equip replc	1,000.00
CPU	Supp	19.98
COURTNEY SRVCS	Srvc	90.00
CREATIVE PROD	Supp	217.58
CRESCO CHAMBER	Tourism grant	500.00
CIA	Srvc	1,278.00
CRESCO SHOPPER	Move ads	507.20
CRESCO TPD	Advert	95.63
CRESCO VET	K9 Supp	96.53
DATA TECH	Supp	166.25
DELUXE ECHOSTAR	Srvc	319.60
FAREWAY	Supp	40.31
FENCO	Supp	117.07
GALLS	Equip replc	562.16
H&S MOTORS	Supp	62.67
HACH	Supp	45.56
HAWKEYE REC	Elect	5,423.89
HAWKEYE SAN	Grbg/Rcyl	48,530.47
HOLSTROM JEWELERS	Supp	60.00
HYDRITE	Supp	3,928.10
IA ONE CALL	Srvc	28.80
KUBIK	Rprs	345.68
MEDIACOM	Phone	205.34
MEYER, CHARLIE	150thBandDep	600.00
MUNICIPAL PIPE	Equip	635.21
O'BRIEN, HOLLY	Park Bd	50.00
PAYROLL		66,059.93
PEPSI-COLA	Concessions	415.35
PETTY CASH	Supp	6.04
POSTMASTER	150thStamps	173.00
PUSH PEDAL PULL	Srvc	360.60
RILEY'S	Supp	72.46
ROGNE, MARSHALL	Park Bd	550.00
SKYLINE CONST	Pay#6GrangerRd	136,802.60
SONY	Movie rent	717.40
SPORTSMITH	Supp	193.71
STOREY KEN	supp	160.06
TECH	Trng	1,500.00
TREAS, ST OF IA	Sales tax	5,930.00
TUCHEK, MICHELE	Park Bd	600.00
TUPY, BARBARA	Park Bd	400.00
UNITYPOINT	Srvc	37.00
USA BLUE BOOK	Equip	787.59

WALTON, TIM	Srvc	1,452.48
WARNER BROS	Movie rent	147.75
WEBER PAPER	Supp	226.20
WHKS	EngrSrvc	226.56
WILLIAMSON, MITCH	Reimb	15.93
WILSON, MIKE	MovieSrvcFee	450.00
	GENERAL	116,081.18
	HOTEL/MOTEL	500.00
	NUISANCE HSE	175.00
	MEDIACOM	779.28
	DRUG DOG	96.53
	CRESCO COMM FIRE	5,514.44
	ROAD USE	12,025.25
	EMPLOYEE BEN	8,800.41
	FC TRUST	60.00
	STREET ASSESS	136,911.23
	150TH CELEBRAT	698.00
	WATER	21,017.10
	SEWER	21,153.75
	SEWER SINKING	1,500.00
	CAP IMPROVE	226.56
	YARDWASTE	439.28
	EXPENDITURES	325,978.01
	Revenues 12/08 to 12/21/15	343,579.26

APPLICATION FOR TAX ABATEMENT UNDER THE
URBAN REVITALIZATION PLAN FOR

CRESCO, IOWA

Date 12-20-15

Prior Approval for
Intended Improvements

Approval of Improvements
Completed

Address of Property: 315 - 2nd Ave SE Cresco Iowa 52136

Legal Description: LOTS 3,4,5,6 BLK 31 Cresco Plat

Title Holder or Contract Buyer: Brincks Properties LLC

Address of Owner (if different than above): Mark Brincks 104 N. Hill St Ossian Ia 52161

Phone Number (to be reached during the day): 563-419-5844

Existing Property Use: Residential Commercial Industrial Vacant

Proposed Property Use: Car Wash - Truck Wash - Pet wash

Nature of Improvements: New Construction Addition General Improvements

Specify: 26x36 Garage moved and remodeled

42x59 Car Wash new construction

Estimated or Actual Date of Completion: 12-1-15

Estimated or Actual Cost of Improvements: as per assessment

Tax Exemption Schedule is attached.

Signed: Mark Brinck

July 3, 2015

To Mayor Bohle and the Cresco City Council members,

To support the Drift Runners and Snow Fest in Cresco, the Chamber of Commerce Flag Committee would like permission to hang winter flags from the existing flag holders on both sides of North Elm Street in the business district only. We also have flags for businesses along Highway 9, but these will be displayed using a flag holder attached to each business's own building, NOT using existing flag holders on utility poles.

The Chamber Flag Committee will put all of the flags up on Wednesday January 21 and will remove them on Monday January 26, weather permitting.

Respectfully,

Barb Holstrom and the Cresco Chamber of Commerce Flag Committee

RESOLUTION NUMBER _____

**RESOLUTION ENDORSING THE CITY OF CRESCO
ENERGY/SUSTAINABILITY GOALS**

WHEREAS, the City of Cresco participated in the City Energy Management Program administered by the Iowa Economic Development Authority (IEDA); and

WHEREAS, the Cresco Energy Advisory Team (CEAT) was established and worked with the Regional Energy Manager (REM) to discuss and adopt energy goals for the City; and

WHEREAS, the City of Cresco wishes to improve its energy efficiency.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council Endorses the City of Cresco Energy/Sustainability Goals.

Council Person _____ moved the adoption of the foregoing Resolution and Council Person _____ seconded said Motion. Following discussion, a roll call vote was requested by Mayor and said roll call resulted as follows:

Ayes: _____
Nays: _____
Absent: _____

Thereupon, the Mayor declared said Resolution duly passed and announced that the City Council endorses the City of Cresco Energy/Sustainability Goals.

PASSED AND APPROVED THIS _____ DAY OF _____, 2016.

BY: _____
Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

CITY OF CRESCO ENERGY/SUSTAINABILITY GOALS

Finalized 18 December 2015
by the Cresco Energy Advisory Team

ENERGY:

1. Continue participation in the B3 Benchmarking project or, if it is terminated, continue to track energy usage manually. Review the results annually and present to the City Council.
2. Evaluate possible energy efficiency improvements based on utility tracking data, contractor and/or engineering input (where available), and estimated lifecycle costs and benefits.
3. Evaluate the financial impact of installing solar electric panels on at least one city building.
4. City Buildings: Require thermostat setbacks in any areas not used on a 24-hour basis.
5. Relative to 2013 (normalized for weather, if possible), reduce the city's electric and natural gas costs (excluding non-owned street lights and excluding rate increases) by:
 - a. 10% by the end of 2016
 - i. easy projects (5%)
 - ii. solar PPA (3%)
 - iii. North Elm Street lights (1% est'd)
 - iv. sump pump program (1% est'd)
 - b. 16% by end of 2019
 - i. VFDs plus Fitness Center HVAC re-do
 - c. 18% by end of 2020
 - i. Theatre plus behavior changes

Purchasing:

1. Implement a "lifecycle costs" analysis as a required part of major purchasing decisions.

Budgeting:

1. As part of the annual budget process, provide each department with information on its current and historical energy usage (including transportation fuel) and monitor programs to reduce energy usage.

Water/wastewater:

1. Discuss ways to encourage reduction in water consumption and/or usage of the wastewater plant, such as sump pump inspection.

Transportation:

1. Continue to monitor price effectiveness of alternative fuels.

Construction:

1. Evaluate the possibility of increased property tax rebates for new construction with HERS scores below 55.

Civic Engagement:

1. Utilize local media to report on city successes.
2. Support local initiatives to improve energy efficiency in the community.

Code of Conduct for members of the Cresco City Council

Adopted by the Cresco City Council

Roles, Responsibilities and Respect

This Code of Conduct is designed to describe the manner in which Council members should treat one another, city staff, constituents, and others they come into contact with in representing the City of Cresco.

The constant and consistent theme through all of the conduct guidelines is "respect." Council members experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Council members to do the right thing in even the most difficult situations.

All Council members:

All members of the City Council have equal votes. No Council member has more power than any other Council member, and all should be treated with equal respect. Council members must recognize that they act collectively as a governing body during properly noticed public meetings. Members must recognize that they do not have authority to make decisions or take individual actions on behalf of the City Council unless expressly directed to do so by the City Council.

All Council members should:

- Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration and courtesy to others.
- Prepare in advance of Council meetings and be familiar with issues on the agenda.
- Represent the City at ceremonial functions at the request of the Mayor.
- Be respectful of other people's time. Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community.
- Inspire public confidence in Cresco's government.
- Demonstrate honesty and integrity in every action and statement.
- Participate in scheduled activities to increase team effectiveness and review Council procedures, such as this Code of Conduct.

Policies & Protocol Related to Conduct

Ceremonial Events

Requests for a City representative at ceremonial events will be handled by City staff. The Mayor will serve as the designated City representative. If the Mayor is unavailable, then City staff will determine if event organizers would like another representative from the Council. If yes, then the Mayor will recommend which Council member should be

asked to serve as a substitute. Invitations received at City Hall are presumed to be for official City representation. Invitations addressed to Council members at their homes are presumed to be for unofficial, personal consideration.

Correspondence Signatures

Council members do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council meetings. City staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor unless the Mayor requests that they be signed by another Council member or City staff.

If correspondence is addressed only to one Council member, that Council member should check with staff on the best way to respond to the sender.

Endorsement of Candidates

Council members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention endorsements during Council meetings or other official City meetings.

Council Conduct with One Another

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may "agree to disagree" on contentious issues. Council members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the City Council, boards, commissions, committees, staff or the public.

IN PUBLIC MEETINGS

• Practice civility and decorum in discussions and debate

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Council members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

• Honor the role of the Chair in maintaining order

It is the responsibility of the Chair to keep the comments of Council members on track during public meetings. Council members should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

- **Avoid personal comments that could offend other Council members**

If a Council member is personally offended by the remarks of another Council member, the offended Council member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Council member to justify or apologize for the language used. The Chair will maintain control of this discussion.

- **Demonstrate effective problem-solving approaches**

Council members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

IN PRIVATE ENCOUNTERS

- **Continue respectful behavior in private**

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

- **Be aware of the insecurity of written notes, voicemail messages, and email**

Technology allows words written or said without much forethought to be distributed far and wide. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message was played on a speaker phone in a full office? What would happen if this e-mail message was forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

- **Even private conversations can have a public presence**

Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

Council Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff who implements and administers the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- **Treat all staff as professionals**

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

- **Limit contact to specific City staff**

Questions of City staff and/or requests for additional background information should be directed only to the City Clerk or Department Heads. The Office of the City Clerk should be copied on any request.

Requests for follow-up or directions to staff should be made only through the City Clerk. When in doubt about what staff contact is appropriate, Council members should ask the City Clerk for direction. Materials supplied to a Council member in response to a request will be made available to all members of the Council so that all have equal access to information.

- **Do not disrupt City staff from their jobs**

Council members should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

- **Never publicly criticize an individual employee**

Council members should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Clerk through private correspondence or conversation.

- **Do not get involved in administrative functions**

Council members must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.

- **Check with City staff on correspondence before taking action**

Before sending correspondence, Council members should check with City staff to see if an official City response has already been sent or is in progress.

- **Do not attend meetings with City staff unless requested by staff.**

Even if the Council member does not say anything, the Council member's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

- **Limit requests for staff support**

Requests for staff support – even in high priority or emergency situations -- should be made to the City Clerk who is responsible for allocating City resources in order to maintain a professional, well-run City government.

- **Do not solicit political support from staff**

Council members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

Council Conduct with the Public

IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Council members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- **Be welcoming to speakers and treat them with care and gentleness**

The way that Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity.

- **Be fair and equitable in allocating public hearing time to individual speakers**

The Chair will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated five-minutes with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Council requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Chair reopens the public hearing for a limited and specific purpose.

- **Give the appearance of active listening**

It is disconcerting to speakers to have Council members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom. There shall be no sidebar conversations.

- **Ask for clarification, but avoid debate and argument with the public**

Only the Chair or City Clerk – not individual Council members – can interrupt a speaker during a presentation. However, a Council member can ask the Chair for a point of order if the speaker is off the topic or exhibiting behavior or language the Council member finds disturbing.

If speakers become flustered or defensive by Council questions, it is the responsibility of the Chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Council members to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

- **No personal attacks of any kind, under any circumstance**

Council members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

- **Follow parliamentary procedure in conducting public meetings**

The City Clerk serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. The Chair, subject to the appeal of the full Council makes final rulings on parliamentary procedure.

IN UNOFFICIAL SETTINGS

- **Make no promises on behalf of the Council**

Council members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, remove a library book fine, plant new flowers in the median, etc.).

- **Make no personal comments about other Council members**

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Council members, their opinions and actions.

- **Remember that you are a highly visible member of the City**

Council members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Cresco. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Council members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

Council Conduct with Other Public Agencies

- **Be clear about representing the city or personal interests**

If a Council member appears before another governmental agency or organization to give a statement on an issue, the Council member must clearly state: 1) if his or her statement reflects personal opinion or is the official stance of the City; 2) whether this is the majority or minority opinion of the Council.

If the Council member is representing the City, the Council member must support and advocate the official City position on an issue, not a personal viewpoint.

- **Correspondence also should be equally clear about representation**

City letterhead may be used when the Council member is representing the City and the City's official position. A copy of official correspondence should be given to the City Clerk to be filed at City Hall as part of the permanent public record.

City letterhead is not be used for correspondence of Council members representing a personal point of view or a dissenting point of view from an official Council position.

Council Conduct with Boards and Commissions

The City has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

- **If attending a Board or Commission meeting, be careful to only express personal opinions**

Council members may attend any Board or Commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer – could be viewed as unfairly affecting the process. Any public comments by a Council member at a Board or Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council.

- **Limit contact with Board and Commission members to questions of clarification**

It is inappropriate for a Council member to contact a Board or Commission member to lobby on behalf of an individual, business, or developer. It is acceptable for Council members to contact Board or Commission members in order to clarify a position taken by the Board or Commission.

Council Conduct with the Media

Council members are frequently contacted by the media for background and quotes.

- **The best advice for dealing with the media is to never go "off the record"**

Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

- **The Mayor and City Clerk are the official spokespersons for the representative on City position.**

The Mayor and City Clerk are the designated representatives of the Council to present and speak on the official City position. If an individual Council member is contacted by the media, the Council member should be clear about whether their comments represent the official City position or a personal viewpoint.

- **Choose words carefully and cautiously**

Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

Sanctions

- **Public Disruption**

Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Council Chambers.

- **Inappropriate Staff Behavior**

Council members should refer to the City Clerk any City staff who does not follow proper conduct in their dealings with Council members, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions. (Please refer to the section on Council Conduct with City Staff for more details on interaction with Staff.)

- **Council members Behavior and Conduct**

City Council members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by Council, such as loss of committee assignment (Mayoral decision), or budget restriction. Council members should point out to the offending Council member infractions of the Code of Ethics or Code of Conduct.

It is the responsibility of the Council to initiate action if a Council member's behavior may warrant sanction. The alleged violation(s) can be brought up with the full Council in a public meeting.

If violation of the Code of Ethics or Code of Conduct is outside of the observed behaviors by the Mayor or Council members, the alleged violation should be referred to the City Clerk. The City Clerk should investigate the allegation and report the findings to the Council. It is the Council's responsibility to take the next appropriate action. These actions can include, but are not limited to: discussing and counseling the individual on the violations; recommending sanction(s).

A violation of this Code of Conduct shall not be considered a basis for challenging the validity of a Council decision.

LAWS OF INTEREST

GIFT LAW

Under Iowa law, you are not allowed to accept any gifts with a value of more than \$3 from:

- *People seeking to do business with the City
- *People engaged in activities regulated/controlled by the City
- *People who could financially be more affected than the general public by your performance or non-performance of a task.

CONFLICTS OF INTEREST

Conflict exists when a member has a personal interest in something up for consideration.

WHAT TO DO? State that you have a conflict of interest and don't participate in the vote. It's also a best practice (although not a law) to refrain from the debate as well.

OPEN MEETINGS LAWS

Unless specifically allowed to go into closed session, ALL Council meetings, committee meetings, etc. must be public. The most common specific reasons we have had to use go into closed session:

- *Discuss matters presently in litigation or likely to be in litigation
- *Discussing purchasing real estate
- *Personnel performance—must give the employee you are discussing the right to request a closed session. (This is true for committee meetings as well)

OPEN RECORDS

MOST records are open. Some common confidential records are: law enforcement information, some parts of a personnel record, some utility billing information, etc.

ELECTRONIC COMMUNICATION

You need to be very careful if you e-mail to not have it violate open meetings laws. Please do not e-mail a whole committee/whole council in such a way as to promote discussion via e-mail. E-mailing a date/time of meeting or e-mailing staff a question is fine, but you can't have "debate" via e-mail as it violates open meetings laws.

City of Cresco
Committee Members

	Current Members					To Be Updated January 4, 2016
Public Works Committee	McCarville	Loveless	Freidhof	Girolamo	Bohle	
Personnel Committee	Bouska	McGee	Bohle			
Fire Committee	McCarville	Carman	Bohle			
Tourism	Bouska	McGee				
CIDC	Bouska	(Loveless is the backup)				
Chamber	Carman					
HCED	McCarville					
Revolving Loan Fund	Girolamo					
IRP	McCarville	Bohle				

BOARD/COMMISSION REPRESENTATIVE

	Current Members	To Be Updated January 4, 2016
Park & Rec	Loveless	
Library	Bouska	
Theatre	Carman	
Airport	McCarville	Freidhof
Board of Adjustments	Freidhof	
Planning & Zoning	Freidhof	
Upper Explorerland Regional Housing Authority Board	Jason Passmore	
Cresco Broadband Telecommunications Commission (CBTC)	Loveless	(Dave Jones) NOT ACTIVE - SO NO MEMBERS ASSIGNED