

THEATRE and CHAMPLIN HALL COMMISSION

TO: CRESCO CITY COUNCIL

RE: Appointment/Reappointment

We, the Theatre and Champlin Hall Commission of the City of Cresco, recommend that the City Council

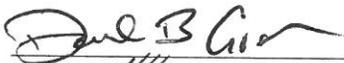
1. _____ Appoint (Name) _____

(To replace _____)

2. Reappoint (Name) Christine Minear

to the Theatre & Champlin Hall Commission.

Term to run from 2015 to expire 2018

	Signed	Date
Chairman	<u></u>	<u>5-11-15</u>
	<u></u>	<u>5-11-15</u>
	<u>Shilee How</u>	<u>5-11-15</u>
	<u>James N. Buckley</u>	<u>5/11/15</u>
	<u>Hayes Kelso</u>	<u>5/11/15</u>
	_____	_____
	_____	_____

THEATRE and CHAMPLIN HALL COMMISSION

TO: CRESCO CITY COUNCIL

RE: Appointment/Reappointment

We, the Theatre and Champlin Hall Commission of the City of Cresco, recommend that the City Council

1. _____ Appoint (Name) _____

(To replace _____)

2. Reappoint (Name) Alex Fortune

to the Theatre & Champlin Hall Commission.

Term to run from 2015 to expire 2018

	Signed	Date
Chairman	<u><i>Doris Ann</i></u>	<u>5-11-15</u>
	<u><i>Gayle Kelm</i></u>	<u>5/11/2015</u>
	<u><i>Shirley How</i></u>	<u>5-11-15</u>
	<u><i>Bruce M. Brubaker</i></u>	<u>5/11/15</u>
	_____	_____
	_____	_____
	_____	_____

THEATRE AND CHAMPLIN HALL COMMISSION

TO: CRESCO CITY COUNCIL

RE: Appointment/Reappointment

We, the Theatre & Champlin Hall Commission of the City of Cresco, recommend that the City Council

1. X Appoint (Name) Robert Ringen
(To replace Bruce Buckley)
2. _____ Reappoint (Name) _____

to the Theatre & Champlin Hall Commission.

Term to run from 2015 to expire 2018

	Signed	Date
Chairman	<u>[Signature]</u>	<u>5-11-15</u>
	<u>[Signature]</u>	<u>5/11/2015</u>
	<u>[Signature]</u>	<u>5/11/15</u>
	<u>[Signature]</u>	<u>5/11/15</u>
	<u>[Signature]</u>	<u>5/11/15</u>
	_____	_____
	_____	_____

ORDINANCE NO. 454

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA, BY AMENDING PROVISIONS PERTAINING TO WATER RATES

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

SECTION 1. Chapter 92, Section 02, of the Code of Ordinances of the City of Cresco, Iowa, is repealed and the following adopted in lieu thereof:

92.02 RATES FOR SERVICE. Water service shall be furnished at the following monthly rates within the City:

(Code of Iowa, Section 384.84)

1. Effective July 1, 2015:

- A. First 7,000 gallons used per month @ \$4.24 per 1000 gallons. (Minimum bill is \$6.36 based on 1,500 gallons.)
- B. Next 60,000 gallons used per month @ \$3.89 per 1000 gallons.
- C. All over 67,000 gallons used per month @ \$3.55 per 1000 gallons.

SECTION 2. Chapter 92, Section 03, of the Code of Ordinances of the City of Cresco, Iowa, is repealed and the following adopted in lieu thereof:

92.03 RATES OUTSIDE THE CITY: Water service shall be provided at the following monthly rates, based upon water used and furnished, outside the City limits and such rates shall apply to all cases except where there was in existence a pre-existing written contract:

(Code of Iowa, Section 384.84)

1. Effective July 1, 2015:

- A. First 7,000 gallons used per month @ \$8.48 per 1000 gallons. (Minimum Bill is \$12.72 based on 1,500 gallons.)
- B. Next 60,000 gallons used per month @ \$7.77 per 1000 gallons.
- C. All over 67,000 gallons used per month @ \$7.10 per 1000 gallons.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED THIS _____ DAY OF _____, 2015.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

1st Reading _____

2nd Reading _____

3rd Reading _____

I certify that the foregoing was published as Ordinance No. 454 on the _____ day of _____, 2015.

City Clerk Michelle Girolamo

ORDINANCE NO. 455

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA, BY AMENDING PROVISIONS PERTAINING TO SEWER SERVICE CHARGES

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

SECTION 1. Chapter 99, Section 02, of the Code of Ordinances of the City of Cresco, Iowa, is repealed and the following adopted in lieu thereof:

99.02 RATES FOR SERVICE. Each customer shall pay a sewer service charge for the use of and for the service supplied by the municipal sanitary sewer system based upon the amount and rate of water consumed. Sewer service shall be furnished at the following monthly rates: (Code of Iowa, Section 384.84)

1. Effective July 1, 2015:

- A. \$7.60 per 1,000 gallons within City limits. (Minimum bill is \$11.40 based on 1,500 gallons.)
- B. \$15.20 per 1,000 gallons outside City limits. (Minimum bill is \$22.80 based on 1,500 gallons.)
- C. \$2.50 per month for Capital Improvement fund for the extension and maintenance of the sewer, storm sewer and water lines.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED THIS ____ DAY OF _____, 2015.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

1st Reading _____ 2nd Reading _____ 3rd Reading _____

I certify that the foregoing was published as Ordinance No. 455 on the ____ day of _____, 2015.

City Clerk Michelle Girolamo

RESOLUTION NUMBER _____

**RESOLUTION ESTABLISHING A FUND WITHIN THE CITY'S ACCOUNTS
FUND 320 – 150TH CELEBRATION FUND**

WHEREAS, the City of Cresco will be celebrating its 150th Birthday on July 22-24, 2016 by hosting a city-wide celebration; and

WHEREAS, the Mission Statement of the Cresco's 150th Celebration Executive Committee is: To organize a community event celebrating Cresco's 150th Birthday by providing opportunities to remember the past, celebrate the present, and embrace the future; and

WHEREAS, the City of Cresco, Iowa, would like to track funds received and expended with regards to this project; and

WHEREAS, the City of Cresco, Iowa, promotes the transparency of its funds and accounting.

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

FUND 320– 150TH CELEBRATION FUND

BE IT FURTHER RESOLVED, by the City Council of the City of Cresco, Iowa, that the City Clerk be directed by the Mayor and the City Council to establish said fund and correct the books accordingly.

PASSED AND APPROVED THIS 18TH DAY OF MAY, 2015.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

RESOLUTION NO. _____

RESOLUTION ALLOWING FOR THE TRANSFER OF FUNDS FROM
_____ FUND # _____
TO THE 150TH CELEBRATION FUND #320

WHEREAS, the City of Cresco will be celebrating its 150th Birthday on July 22-24, 2016 by hosting a city-wide celebration; and

WHEREAS, the Mission Statement of the Cresco's 150th Celebration Executive Committee is: To organize a community event celebrating Cresco's 150th Birthday by providing opportunities to remember the past, celebrate the present, and embrace the future; and

WHEREAS, the City of Cresco established Fund #320 to track funds related to this project; and

WHEREAS, the City of Cresco has committed \$ _____ for the project to be funded out of Fund # _____; and

WHEREAS, the project will occur over three fiscal years and there needs to be some money for initial expenses.

BE IT RESOLVED, by the City Council of the City of Cresco, Iowa, that the amount of \$ _____ be transferred to the 150th Celebration Fund #320 for project expenses.

BE IT ALSO RESOLVED, that the City Clerk be directed by the Mayor and the City Council to make the above referenced changes and correct the books accordingly.

PASSED AND APPROVED THIS _____ DAY OF _____, 2015.

Mayor Mark Bohle

Attest: _____
City Clerk Michelle Girolamo

RESOLUTION NUMBER _____

**RESOLUTION ESTABLISHING A SESQUICENTENNIAL CELEBRATION
CHECKING ACCOUNT AND AUTHORIZING SIGNERS**

WHEREAS, the City of Cresco strives to maintain transparency as well as ensuring proper accounting safeguards, and

WHEREAS, the City of Cresco will be celebrating its 150th Birthday on July 22-24, 2016 by hosting a city-wide celebration; and

WHEREAS, the Executive Committee established sub-committees to organize and oversee the celebration. City Clerk Michelle Girolamo was named the Chairperson with Cresco Bank & Trust President Donna Thomas and C Us Bank President Scott Thomson as members of the Finance Committee; and

WHEREAS, funds will need to be raised and administered before, during and after the event. These funds will be accounted through the City of Cresco's accounting system and financial statements will be presented to the Council and the Executive Committee. The funds will be deposited into a new checking account named the City of Cresco Sesquicentennial Checking Account. One signature will be required on the checks and invoices will be maintained for supporting documentation of all disbursements; and

WHEREAS, the checks will not be written until after Council has approved the list of claims whenever feasible, but there may be occasions that immediate payment is necessary. In this case, at least two of the Finance Committee members need to approve the expenditure before issuing the check. These payments will be included in the list of claims at the next council meeting.

BE IT RESOLVED, by the City Council of the City of Cresco, Iowa, that a Sesquicentennial Checking account be established at Cresco Bank & Trust with authorized signors being Michelle Girolamo, Donna Thomas and Scott Thomson.

BE IT FURTHER RESOLVED, by the City Council of the City of Cresco, Iowa, that the City Clerk be directed by the Mayor and the City Council to establish said checking account and correct the books accordingly.

PASSED AND APPROVED THIS 18TH DAY OF MAY, 2015.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

SUMMARY OF ORDINANCE 456

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA, BY ADDING NEW CHAPTER 93 PERTAINING TO BENEFITED WATER SERVICE AREA NO. 1

Below is a summary of ORDINANCE 456. A full copy of said Ordinance may be obtained between 8 am and 4:30 pm weekdays at City Hall, 130 North Park Place, Cresco, IA 52136 or on the City's website at www.cityofcresco.com.

CHAPTER 93

BENEFITED WATER SERVICE AREA NO. 1

The purpose of this chapter is to establish a Benefited Service Area No. 1 described as Lot 1, Cresco Industrial Park Addition to the City of Cresco, Howard County, Iowa. The lots will be served by connection to the City water utility. The original cost of extending the City water utility to the properties in Service Area 1 is \$26,926 and the area serviced contains approximately 491 square feet. The water connection fee shall be \$54.80 per square foot. This water connection fee shall be in addition to any fees for connection required under City policy.

VIOLATION. In the event a connection is made to a City water utility serving Service Area No. 1 without permit or without payment of the connection fee set forth in this chapter, the City shall disconnect such service from the City water utility until such time as the property owner has received a permit for the connection and paid the required connection fee.

If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

The foregoing added Sections 93.01 to and including 93.05 shall be in full force and effect from and after the date of passage and publication as provided by law.

Passed and adopted this _____ day of _____ 2015.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

1st Reading _____ 2nd Reading _____ 3rd Reading _____

I certify that the foregoing was published as a Summary of Ordinance No. 456 on the _____ day of _____, 2015.

City Clerk Michelle Girolamo

ORDINANCE NO. _____

NUISANCE ABATEMENT PROCEDURE

AN ORDINANCE AMENDING CHAPTER 50, NUISANCE ABATEMENT PROCEDURE OF THE CODE OF ORDINANCES, CITY OF CRESCO, BY AMENDING SECTION 50.02

BE IT ENACTED BY THE COUNCIL OF THE CITY OF CRESCO AS FOLLOWS:

CHAPTER 50, NUISANCE ABATEMENT PROCEDURE, OF THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA, IS HEREBY AMENDED BY AMENDING SECTION 50.02 AS FOLLOWS:

The existing section 50.02 is hereby repealed and the following adopted in lieu thereof:

SECTION 50.02 NUISANCES ENUMERATED. The following subsections include, but do not limit, the conditions which are deemed to be nuisances in the City:

1. **Offensive Smells.** Erecting, continuing or using any building or other place for the exercise of any individual practice, trade, employment or manufacture, which, by occasioning noxious exhalations, unreasonably offensive smells or other annoyances, becomes injurious or dangerous to the health, comfort or property of individuals or the public.
2. **Filth or Noisome Substance.** Causing or suffering any offal, filth or noisome substance to be collected or to remain in any place to the prejudice of others.
3. **Impeding Passage of Navigable River.** Obstructing or impeding without legal authority the passage of any navigable river, harbor or collection of water.
4. **Water Pollution.** Corrupting or rendering unwholesome or impure the water of any river, stream or pond, or unlawfully diverting the same from its natural course or state, to the injury or prejudice of others.
5. **Stagnant Water.** Artificially creating, maintaining, causing or allowing to exist any stagnant water standing on any property, including any container or material kept in such a condition that water can accumulate and stagnate therein.

6. Blocking Public and Private Ways. Obstructing or encumbering, by fences, building or otherwise, the public roads, private ways, streets, alleys, commons, landing places or burying grounds.
7. Billboards. Billboards, signboards and advertising signs, whether erected and constructed on public or private property, which so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard or alley or of a railroad or street railway track as to render dangerous the use thereof. (See also Section 62.06).
8. Storing Flammable Junk. Depositing or storing of flammable junk, such as old rags, rope, cordage, rubber, bones and paper, within the fire limits of the City, unless in a building of fireproof construction. (See also Chapter 51).
9. Outdoor Storage. Storage of the following items in outdoor areas or in partially enclosed sheds, lean-tos or other structures not entirely enclosed by structural walls, roof and properly functioning doors: building materials not part of an active building project; auto parts; miscellaneous steel, plastic, rubber or metal parts or junk; tires; packing boxes; wooden pallets; tree limbs; brush piles; discarded lumber, not including neatly stacked and cut firewood; broken or unused furniture and appliances; any upholstered or finished furniture intended for indoor usage such as couches, beds, mattresses, desks, chairs, shelving or wooden tables; other broken or unused furnishings or equipment including carpeting, appliances and other typical items intended for indoor usage; plastic tarps; trash bags containing leaves, debris, garbage or other items; trash and garbage not properly contained within a trash disposal container; or any other discarded or miscellaneous item or items not normally required in the day to day use of the exterior area of the property, when stored continuously in excess of 7 days on any portion of any property outside of a totally enclosed structure located on the property.
10. Attractive Nuisances. Any attractive nuisance dangerous to children in the form of abandoned vehicles, abandoned or broken equipment, including abandoned refrigerators, hazardous pools, ponds, excavations, materials, including building material, debris or neglected machinery.
11. Air Pollution. Emission of dense smoke, noxious fumes or fly ash.
12. Weeds or Brush. Dense growth of all weeds, vines, brush or other vegetation in the City so as to constitute a health, safety or fire hazard. (See also Chapter 52).
13. Diseased Trees. Trees infected with Dutch Elm disease, Emerald Ash Borer or other infectious disease or pest as identified by the city arborist or

street department supervisor; or any dead, diseased or damaged trees or plant material which may harbor serious insect or disease pest or disease injurious to other trees or plant material, or any healthy tree in such a state of deterioration that any part of such tree is likely to fall and damage property or cause injury to persons.

14. Airport Air Space. Any object or structure hereafter erected within one thousand (1,000) feet of the limits of any municipal or regularly established airport or landing place, which may endanger or obstruct aerial navigation including take-off and landing, unless such object or structure constitutes a proper use or enjoyment of the land on which the same is located. (See also Chapter 175).
15. Houses of Ill Fame. Houses of ill fame, kept for the purpose of prostitution or lewdness; gambling houses; places resorted to by persons participating in criminal activity prohibited by the Code of Iowa or any federal regulation or law or places resorted to by persons using controlled substances, as defined by the Code of Iowa or any federal regulation or law, in violation of law, or houses where drunkenness, quarreling, fighting or breaches of the peace are carried on or permitted to the disturbance of others.
16. Unoccupied Buildings. Any building or portion of a building which is unsecured or abandoned and a nuisance.
17. Structural Maintenance. All structures, both commercial and residential, including detached accessory structures, shall be free of significant structural defects. The term "free from significant structural defects" means:
 - a. Roofing materials are made up of consistent materials and consistent coloration throughout the roof area. All chimneys, smoke stacks or similar appurtenances shall be maintained in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.
 - b. Drainage gutters and downspouts are securely attached to the structure.
 - c. All exterior trim and exterior exposed surfaces, including siding materials, must be sound, in good condition and securely attached to the structure.
 - d. Exterior walls must be free of holes and made of a consistent material, such that patches or repairs consisting of dissimilar material or colors compared to the prevailing surface material of the exterior walls are not present.
 - e. The foundation is free from cracks, breaks and holes so as to prevent the entry of animals.

- f. Windows and doors, including outer screen or storm windows and doors, must be intact, containing no holes, and squarely hung. The windows shall have intact glass or normal window material that allows the entry of light. No windows, doors or building exteriors shall be covered with, but not limited to, aluminum foil, cardboard, plywood or plastic, except during construction or pending repairs not exceeding thirty (30) days. Windows may be covered with plastic only during the winter months for insulation purposes.
 - g. All ingress/egress steps and porches of the structure must be of a secure and safe design shall be maintained in an intact manner, with no loose boards or surface materials.
 - h. Exterior wall surfaces are properly painted and/or maintained with appropriate exterior wall materials, including wood, vinyl, painted/colored steel or similar metal siding materials, stucco or exterior insulation finish system materials, brick or similar masonry materials, that are in all cases intact, not in a condition of deterioration, are of uniform coloration and are not patched with dissimilar material. Plastic wrap or building wrap material shall not be considered to be an acceptable siding material. No flaking or chipped paint or outer loose material which dominates or detracts from the exterior appearance of the structure. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Oxidation stains shall be removed from exterior surfaces.
 - i. All fencing, including gates, shall be maintained in good condition and free from damage, breaks, holes or missing structural members. All fencing shall be made of consistent materials and coloration.
 - j. Detached accessory structures, including garages and storage sheds, must conform to the standards outlined above. No plastic or building wrap material or tarps shall be used to substitute for doorways or windows.
18. Fences. Any wall, fence or hedge in such condition as to constitute a hazard to persons or property or which obstructs or impedes the free passage through or on adjacent streets, alleys or sidewalks.
19. Discarded Material. Any discarded or unused material on real property that is not consistent with the condition and visual appearance of surrounding adjacent real properties. Types of unacceptable material include those items enumerated in other subsections of this chapter and also include household fixtures, cans, containers, appliances, dirt and gravel piles, rock piles, eroded soil areas, pits, holes and excavations.
20. Vermin. Creating, maintaining, causing or allowing to exist conditions which are conducive to the harborage or breeding of vermin; or allowing to exist infestations of vermin, such as rats, mice, skunks, snakes, starlings, pigeons, wasps, cockroaches or flies.

21. Construction Projects. Construction projects that are on-going for more than twelve months. Scattered building or repair materials shall not be permitted.

All other provisions of Chapter 50, being Sections 50.01 to and including 50.07 shall remain the same, unchanged and in full force and effect. The foregoing amended section 50.02 shall be in full force and effect from and after the date of passage and publication of this ordinance as provided by law.

Passed and adopted this ____ day of _____, 2015.

CITY OF CRESCO

MARK BOHLE, MAYOR

ATTEST:

MICHELLE GIROLAMO, CITY CLERK

First Reading: _____

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. ____ on the _____ day of _____, 2015.

Michelle Girolamo, City Clerk