

NOTICE AND CALL OF PUBLIC MEETING

GOVERNMENTAL BODY: THE CITY COUNCIL OF CRESCO, IOWA
DATE OF MEETING: MAY 15, 2023
TIME AND PLACE OF MEETING: 5:30 P.M. CITY HALL, 130 N PARK PLACE

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: KRIENER, McCONNELL, FORTUNE, BOUSKA, CARMAN

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 May 1, 2023
4. Approval of Tree Surgeon License for Rogne Spray LLC
5. Approval of Owner-Occupied Housing Contractor Request for Payment #1 (Final) for \$8,500.00 for Jeremy Powers – Restyling Specialists
6. Approval of Parade Permit for Portions of 3rd St East, 1st Ave East, Beadle Park, North Elm St, North Park Pl, and 2nd Ave East for a Eucharistic Procession on June 10, 2023

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

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

COMMENTS FROM AUDIENCE: *(This portion of the agenda is for comments that are not related to one of the items listed on the agenda. Comments can only be received. No formal action by the Council can be taken. Those making public comments will be asked to state their name and address, and to speak from the podium.)*

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

1. Bill Murphy to Update on Firefighter Retirements
2. Oath of Office for Second Assistant Fire Chief William Murphy
3. Approval of Flammable Liquid Permit for Donaldson Company Inc for Aboveground Storage Tank
4. First Reading of the Summary of Proposed Ordinance No. 506 Amending Chapter 138 of the Code of Ordinances of the City of Cresco, Iowa, Pertaining to Street Grades
5. Resolution Waiving the Second and Third Readings and Considerations of Ordinance No. 506
6. Approval of Ordinance No. 506 Establishing Grade Elevations on Certain Described Streets in the City of Cresco, Iowa, for the “7th Street West Reconstruction Project”

7. **Third Reading of Proposed Ordinance 503 which Amends Chapter 92 Sections 02 and 03 of the Code of Ordinances of the City of Cresco, Iowa, Pertaining to Water Rates**
8. **Approval of Ordinance No. 503 Pertaining to Water Rates**
9. **Third Reading of Proposed Ordinance 504 which Amends Chapter 99.02 of the Code of Ordinances of the City of Cresco, Iowa, Pertaining to Sewer Service Charges**
10. **Approval of Ordinance No. 504 Pertaining to Sewer Service Charges**
11. **Resolution to Record the Release of Reversionary Right to a Portion of the Property Pursuant to the Development Agreement with BDM Developers LLC**
12. **Resolution Approving Electronic Bidding Procedures and Distribution of Preliminary Official Statement**
13. **Discuss Date Restrictions for Supervised Display of Fireworks**

ADJOURN:

THIS NOTICE IS GIVEN AT THE DIRECTION OF THE MAYOR PURSUANT TO CHAPTER 21, CODE OF IOWA AND THE LOCAL RULES OF SAID GOVERNMENTAL BODY. POSTED MAY 12, 2023.

Mayor Brenno called the Cresco City Council meeting to order on May 1, 2023, at 5:30 pm. Council Members Carman, Bouska, Fortune, McConnell, and Kriener were present. No council members were absent.

Mayor Brenno revised the agenda by moving items #13 and 14 to be done before item #6. McConnell made the motion to approve the consent agenda which included approval of the: revised agenda; claims; minutes from April 17, 2023; minutes from April 24, 2023 special meeting; street closing/parade permit for portions of 1st Ave East, 6th St East, 2nd Ave East, 8th St East, Schroder Dr, Canterbury St, and York St for a fundraiser for CureGRIN Foundation on June 4, 2023; Tree Surgeon License for Tree Doctor Services. Bouska seconded and it passed all ayes.

Public Works Director Widell reported: (a) small water tower inspection is complete; (b) will be flushing water hydrants May 3-5; (c) great turnout for the Arbor Day celebration and planting of a tree for John Schmauss and his 30 years of service. We will be planting 55 boulevard trees that were paid for by a grant from Alliant Energy.

Police Chief Ruroden had nothing to report.

Deputy Clerk Hill reported LTD Broadband has rebranded to GigFire.

City Clerk Elton reported the Governor, Speaker of the House and Senate Majority Leader have issued a joint statement that they have come to an agreement on a proposal for property tax legislation. This will consolidate levies, limit assessment growth, give a single date for bond referendums and require taxpayer statement mailings. More information will be provided when available.

Carman reported that the Chamber is hosting several Family Fun Nights coming up: May 17th at the Fitness Center with laser tag; June 7th will be an outdoor movie at East Park; August 8th will be National Night Out with the Circus at the fairgrounds. Sleepy Hollow's open house is rescheduled to May 19th from 4 pm - 8 pm.

Fortune reported on the Johnny Cash Tribute event at the Theatre. There were 240 tickets sold generating a profit of \$1,289.53. There were people as far away as Story City, Iowa and these events support the local businesses as well as the Theatre. The next event is an Elvis Tribute on May 5th with other events scheduled throughout the summer.

Mayor Brenno asked for comments from the audience and there were none.

Kriener made the motion to approve the resolution ratifying, confirming, and approving the change in deadline for submission of bids and posting of revised notice to bidders for the 7th Street West Reconstruction. McConnell seconded and it passed all ayes.

Mayor Brenno opened the public hearing on the matter of adoption of plans, specifications, form of contract and estimate of costs for the 7th Street West Reconstruction. There were no oral or written comments and the public hearing was closed.

McConnell made the motion to approve the resolution adopting plans, specifications, form of contract and estimate of cost for the 7th Street West Reconstruction. Kriener seconded and it passed all ayes.

Scott Huneke from WHKS reported that two bids were received for the 7th Street West Reconstruction Project. Skyline Construction of Decorah, Iowa for \$3,737,857.35 with alternate bid \$3,889,107.35 and Generation X Construction of Rushford, Minnesota for \$3,401,312.00 and alternate bid \$3,564,162.00. The alternate bid was included after comments from the public at an informational meeting requested the Council consider eight inches of concrete instead of the proposed six inches. The Engineer's recommendation was to award the contract to the low bid from Generation X for the base bid. Traffic counts and analysis of the area show that the six-inch concrete is sufficient for the roadway and volume of traffic. Kriener made the motion to approve

the Resolution Making Award of Contract for the 7th Street West Reconstruction to Generation X Construction, LLC for \$3,401,312.00. Bouska seconded and it passed all ayes.

McConnell made the motion to approve a Resolution Approving the Contract and Bond for the Downtown Crosswalk Reconstruction for Wicks Construction. Kriener seconded and it passed all ayes.

Airport Commission President Jerry Ferrie reported the annual grant applications are due May 24, 2023 from the Iowa DOT. The Airport Commission recommends applying for a grant for doing an asphalt overlay of the entire runway. The Commission and Engineers recommend doing it all at one time for an estimated cost of \$500,000, which is less than doing it in phases over several years. The grant application requires the City to commit to a 20% local match to resurface the runway. The Airport Trust should have enough cash available to pay the local match. Award of the grant would be late summer of 2023 and work could possibly be done later this fall or next year.

Carman made the motion to approve the resolution authorizing submission of application for Iowa Department of Transportation Airport Funding and certifying eligibility requirements. McConnell seconded and it passed all ayes.

Mayor Brenno performed the first reading of the summary of proposed Ordinance No. 505 amending Chapter 138 of the Code of Ordinances of the City of Cresco, Iowa, pertaining to sidewalk grades. Bouska made the motion to approve the first reading. Carman seconded and it passed all ayes.

Bouska made the motion to approve the resolution waiving the second and third reading and consideration of Ordinance No. 505 pertaining to sidewalk grades. Carman seconded and it passed all ayes.

Carman made the motion to approve Ordinance No. 505 establishing grade elevations on certain described sidewalks in the City of Cresco, Iowa, for the Downtown Crosswalk Reconstruction Project. Kriener seconded and it passed all ayes.

Mayor Brenno opened the public hearing for proposed Ordinance No. 503 to amend Chapter 92 Sections 02 and 03 in the Code of Ordinances of the City of Cresco, Iowa, pertaining to water rates. There were no written or oral comments and the public hearing was closed. The Mayor performed the second reading of Ordinance No. 503. Bouska made the motion to approve the second reading. Carman seconded and it passed all ayes.

Mayor Brenno opened the public hearing for proposed Ordinance No. 504 to amend Chapter 99.02 in the Code of Ordinances of the City of Cresco, Iowa, pertaining to sewer service charges. There were no written or oral comments and the public hearing was closed. The Mayor performed the second reading of Ordinance No. 504. Carman made the motion to approve the second reading. Bouska seconded and it passed all ayes.

City Clerk Elton discussed project funding and upcoming bond procedures. The original "Not to Exceed" resolution was for \$4,600,000.00 and, due to bids coming in higher than estimated, the cost for upcoming projects will exceed that. Some engineering costs have been paid already with the intention to reimburse the funds when the bond proceeds were received. Council all agreed to use reserve balances to pay the amount over the NTE amount and not borrow any additional funds.

Carman moved to adjourn at 6:25 pm. Kriener seconded and it passed all ayes. The next regular Cresco City Council meeting will be May 15, 2023, at 5:30 pm at Cresco City Hall.

Mayor David J. Brenno

City Clerk Michelle Elton

Following is a list of claims approved for payment:

PAYROLL CHECKS		78,910.92	PARAMOUNT	Movie	85.89
AHLERS&COONEY	Atfny	1,098.00	POSTMASTER	Postage	663.11
ALLIANT	Elect	10,058.35	RELIANCE LIFE	Ins	168.00
ANDERSON,WILMARTH	Atfny	864.00	SANDRY FIRE	Equip	9,166.35
BLACK HILLS	Gas	6,010.96	SOLAR PRO	Solar	4,748.10
BODENSTEINER	Parts	382.18	SOLUTIONS	Srvc	36.25
BRENNAN, TERRI	DpAp	80.00	SPAHN&ROSE	Supp	93.82
CARRICO	Chems	933.34	STEW HANSEN DODGE	Durango	38,597.00
CIT SEWER	Srvc	19,533.20	TEAM LAB	Supp	12.50
CITY OF CRESCO	Util	1,650.92	TRUCK COUNTRY	Supp	451.79
CPU	Supp	80.98	VERIZON WIRELESS	Wireless	382.96
CR SHOPPER	Ads	398.90	WHKS	Engr	22,090.00
CR TPD	Notices	311.51	WILSON THEATER	Movie	150.00
CULLIGAN	Srvc	91.90	WINDRIDGE	Equip	18,995.00
CUST ALARM	Srvc	401.28	WINDSTREAM	Phone	1,107.29
DAKOTA SUPPLY	Supp	911.64	ZARNOTH	Parts	588.00
DC COMM	Phone	23.64			
DELUXE ECHOSTAR	Movie	80.00			
DRIFTRUNNERS	Tourism	3,500.00	<u>BY FUND:</u>		
ELECTRIC PUMP	Rprs	1,648.49	GENERAL		117,451.40
EMPL BENE SYS	Fees	248.00	LOST PROJECT		22,495.00
FT ATK NURSERY	Trees	3,440.00	NUISANCE HOUSE		120.00
FROST, TROY	DpAp	0.47	FIRE STATION BLDG		564.55
GALLS	Unif	143.09	CRESCO COMM FIRE		2,440.48
GILLETTE PEPSI	Conces	899.85	ROAD USE TAX		15,919.87
HAWKINS	Chems	441.91	EMPLOYEE BENEFITS		286.00
HEWETT	Conces	279.75	FIRE EQUIP		7,759.60
HOLTEN, BRENT	Esmnt	1.00	DNTWN CROSSWALK		6,890.00
IA DEPT INSP	Lic	150.00	WATER		14,368.74
IA ONE CALL	OneCalls	38.70	WATER DEPOSIT		160.47
IA ST UNIV	Trng	544.00	SEWER OPERATIONS		33,145.77
LICKTEIG LAWN	Supp	870.72	CAPITAL IMPROVE		15,995.66
MACQUEEN EQUIP	Parts	1,450.68	YARDWASTE		473.15
MEHMERT TILING	Srvc	1,165.75			
MERRITT, ROSS	Esmnt	1.00	TOTAL EXPENDITURES		238,070.69
NESS, MIKE	SpcEvt	4,009.50	Revenues 4/18-5/1/23		170,393.96
OBIEGLO, CONRAD	DpAp	80.00			

\$ 50.00

No. 274

Tree Surgeon License

May 15, 2023

To Whom It May Concern:

That in consideration of FIFTY DOLLARS

License is hereby granted to Rogne Spray LLC for the purpose

Of tree trimming in the municipality of CRESCO, IOWA, County of HOWARD.

This License to be in force from May 15, 2023, to December 31, 2023

PROVIDED that said Tree Surgeon attentively observes all limitations and restrictions to be found in Chapter 125 Code of Ordinances, City of Cresco, Iowa, relating to Tree Surgeon's License made by the Council of said municipality.

City Clerk

PAY REQUEST

TO: City of Cresco

DATE: 5/5/2023

PROJECT: Peterson Project (309 - 3rd St. SW)

PAY REQUEST NUMBER: 1 (FINAL)

CONTRACT BREAKDOWN	ORIGINAL CONTRACT AMOUNT	CHANGE ORDERS	ADJUSTED CONTRACT AMOUNT	% COMP.	VALUE OF WORK COMPLETED
Cement Slope	\$3,500.00	CO #1 -- Delete (\$3,500.00)	\$ 0.00	---	\$ 0.00
Replacement Windows	4,000.00			100%	4,000.00
Window Removal	2,500.00	CO #2 -- Delete removal of windows in small bedroom and basement window -- (\$1,000.00)	1,500.00	100%	1,500.00
Lead Hazard Reduction	2,000.00			100%	2,000.00
		CO #2 -- Repair/Replace Rotted Corner Soffit - \$1,000.00	1,000.00	100%	1,000.00
TOTAL	\$12,000.00				\$8,500.00

Net Contract Amount to Date \$ 8,500.00

Total Value of Work Completed \$ 8,500.00

Final - 0 % Retained (10% / Final-0%) \$ 0.00

Value of Work Completed Less Retained \$ 8,500.00

Less Total Previously Certified \$ 0.00

AMOUNT DUE THIS REQUEST \$ 8,500.00

x Diane Peterson
 OWNER: Diane Peterson

Jeremy Powers
 CONTRACTOR: Jeremy Powers -- Restyling Specialists

Anne Anderson
 APPROVED: Program Inspector

Michelle Egan
 APPROVED: City of Cresco

(CITY: Please hold check until authorization received from Melanie to release. Thank you!)

STREET CLOSING/PARADE PERMIT

Application Date: 5-10-23 Name: Father Jacob Rouse Organization: Notre Dame Parish

Mail to Address: 116 3rd Street E. Cresco, IA 52136

Phone Number: _____

List Streets to Close or Parade Route: 3rd St. E - 1st Avenue
Elm Street - Beadle Park - Elm Street -
No. Park - 2nd Avenue

Reason for Closure: Eucharistic Procession - a public religious
procession. No need for streets to be closed, we will use

Event Date: Saturday, June 10 Time: (from) 5:00 pm (to) 6:00 pm the sidewalks

Signature of Applicant: [Signature] we will be
stopping briefly

INCLUDE A MAP MARKING THE STREET OR STREETS YOU WISH TO HAVE CLOSED AND THE INDEMNITY AND HOLD HARMLESS AGREEMENT in Beadle Park.

PARADE REGULATIONS ARE LISTED BELOW.

60.08 PARADES REGULATED. No person shall conduct or cause any parade on any street except as provided herein:

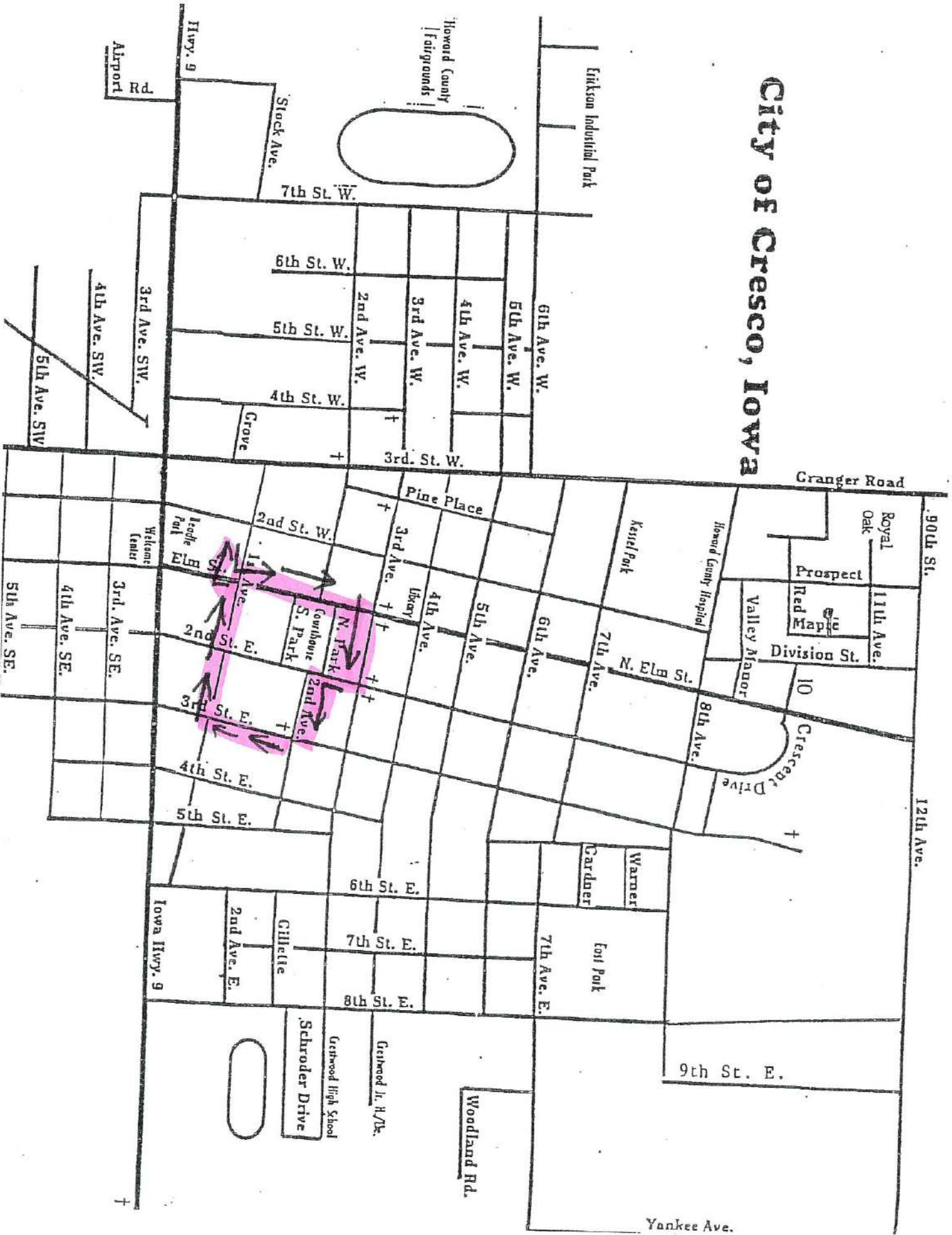
1. "Parade" Defined. "Parade" means any march or procession of persons or vehicles organized for marching or moving on the streets in an organized fashion or manner or any march or procession of persons or vehicles represented or advertised to the public as a parade.
2. Permit Required. No parade shall be conducted without first obtaining a written permit from the City Council. Such permit shall state the time and date for the parade to be held and the streets or general route therefor. Such written permit granted to the person organizing or sponsoring the parade shall be permission for all participants therein to parade when such participants have been invited by the permittee to participate therein. No fee shall be required for such permit. Permit forms are available at City Hall.
3. Parade Not a Street Obstruction. Any parade for which a permit has been issued as herein required, and the persons lawfully participating therein, shall not be deemed an obstruction of the streets notwithstanding the provisions of any other ordinance to the contrary.
4. Control by Police and Firefighters. Persons participating in any parade shall at all times be subject to the lawful orders and directions in the performance of their duties of law enforcement personnel and members of the Fire Department.

City Council
Date Approved: _____

Signature: _____

CC: Ambulance _____, Police Dept. _____, Fire Dept. _____, Street Dept. _____

CITY OF CRESCO, IOWA



**CITY OF CRESCO
CASH & INVESTMENT BY FUND
AS OF APRIL 30, 2023**

	CASH BALANCE	MONEY MKT BALANCE	CD BALANCE	OTHER BANK BALANCE	FUND BALANCE	
001	General Fund	14,192.45	629,400.00	1,015,000.00	-	1,658,592.45
001	General Fund - Theatre	-	-	-	7,209.40	7,209.40
001	General Fund - Credit Card Processing	-	-	-	3,500.00	3,500.00
001	General Fund - RAGBRAI	-	-	9,072.76	-	9,072.76
002	General Fund-Hotel/Motel	243.74	25,100.00	15,000.00	-	40,343.74
022	Local Option Tax Project	2,537.73	755,300.00	1,290,000.00	-	2,047,837.73
060	EV Charging Station	275.52	7,300.00	-	-	7,575.52
065	Nuisance House Fund	226.64	7,800.00	-	-	8,026.64
078	Fire Station Building	83.63	4,500.00	-	-	4,583.63
087	Equipment Replace	316.99	9,100.00	-	-	9,416.99
090	Office/Computer Equip.	252.44	13,000.00	10,000.00	-	23,252.44
091	Street Equipment Trust	546.03	75,300.00	50,000.00	-	125,846.03
092	Theatre Trust	290.53	6,700.00	55,000.00	-	61,990.53
094	Airport Trust	254.90	13,800.00	75,000.00	-	89,054.90
098	Cresco Community Fire	306.40	43,900.00	50,000.00	-	94,206.40
110	Road Use Tax Fund	250.96	78,500.00	650,000.00	-	728,750.96
112	Employee Benefits Trust	812.74	267,200.00	700,000.00	-	968,012.74
119	Emergency Fund	260.40	18,000.00	18,000.00	-	36,260.40
160	CIDC/CityRevol.Loan-bus.	417.96	17,200.00	120,000.00	-	137,617.96
177	Police Forfeiture Fund	240.13	-	-	-	240.13
182	Rehab Housing	425.87	38,500.00	-	-	38,925.87
183	Equip.Repair-Fitness Ctr	555.95	113,500.00	55,000.00	-	169,055.95
184	City Park Trust	211.44	2,500.00	15,000.00	-	17,711.44
185	Recreation Supply	254.30	3,700.00	5,000.00	-	8,954.30
186	Park Tree Trust	261.63	9,200.00	-	-	9,461.63
188	Fire Equipment Trust	261.99	16,900.00	60,000.00	-	77,161.99
189	Library Trust	255.49	19,000.00	90,000.00	-	109,255.49
200	Debt Service Fund	520.04	174,600.00	220,000.00	-	395,120.04
322	Scene Shop Project Fund	310.30	28,700.00	-	-	29,010.30
323	ARPA Grant Project	177.29	9,500.00	435,000.00	-	444,677.29
324	Downtown Crosswalk Project	296.47	4,400.00	-	-	4,696.47
600	Water Utility Fund	2,585.09	159,800.00	270,000.00	-	432,385.09
601	Water Deposit Trust	563.05	8,600.00	25,000.00	-	34,163.05
602	Water Utility Replacement	480.33	92,200.00	440,000.00	-	532,680.33
610	MSSU Revenue	4,470.57	203,400.00	450,000.00	-	657,870.57
612	MSSU Operation/Maint	291.96	-	-	-	291.96
613	MSSU Replacement	545.32	107,400.00	1,130,000.00	-	1,237,945.32
614	MSSU Rev.Bond Int	200.54	-	63,000.00	-	63,200.54
620	Cap Imp Water, Sewer, Storm	409.75	10,200.00	30,000.00	-	40,609.75
670	Yard Waste Fund	331.27	22,100.00	70,000.00	-	92,431.27
820	Health Ins Partial Self Fund	-	-	100,000.00	50,539.25	150,539.25
Totals		34,917.84	2,996,300.00	7,515,072.76	61,248.65	10,607,539.25
		0%	28%	71%	1%	10,607,539.25

Checking - Cresco Bank & Trust (operating)
 Checking - CB&T (credit cards)
 Theatre Checking (CB&T)

0.10% 34,917.84
 0.00% 3,500.00
 0.00% 7,209.40

Money Market - Cresco Bank & Trust
 MMKT Hlth Ins Partial Self Funded

3.54% 2,996,300.00
 2.77% 50,539.25

CD RAGBRAI - 3 yr - matures 9/14/23 (CUSB)
 CD Safe-T-Fund -1 yr - matures 11/17/23
 CD - 6 mth - matures 5/18/23 (CB&T)
 CD - 1 year - matures 10/5/23 (CUSB)

4.00% 9,072.76
 3.95% 100,000.00
 3.95% 3,406,000.00
 3.00% 4,000,000.00

Exercised one-time Rate Increase April 2023 from .85% to 4%

\$10,607,539.25

CITY OF CRESCO
 REVENUE REPORT
 CALENDAR 4/2023, FISCAL 10/2023

ACCOUNT NUMBER	ACCOUNT TITLE	MTD BALANCE	YTD BALANCE	BUDGET	% RECEIVED
	GENERAL TOTAL	725,771.47	2,819,739.39	3,459,195.00	81.51
	HOTEL/MOTEL TAX TOTAL	.00	18,619.50	30,000.00	62.07
	LOST PROJECT TOTAL	42,166.36	563,743.93	655,000.00	86.07
	EV CHARGING STATION TOTAL	30.66	21,539.56	41,200.00	52.28
	NUISANCE HOUSE TOTAL	18.68	5,098.94	12,000.00	42.49
	FIRE STATION BUILDING TOTAL	10.78	13,996.19	13,900.00	100.69
	EQUIPMENT REPLACEMENT TOTAL	7,271.80	11,651.81	4,100.00	284.19
	OFFICE EQUIPMENT TOTAL	180.73	488.07	100.00	488.07
	STREET TRUST TOTAL	9,842.83	50,834.26	79,700.00	63.78
	THEATRE TRUST FUND TOTAL	689.20	12,776.63	74,300.00	17.20
	AIRPORT TRUST FUND TOTAL	706.20	109,768.04	123,250.00	89.06
	CRESCO COMMUNITY FIRE TOTAL	9,110.62	91,310.27	90,500.00	100.90
	ROAD USE TAX TOTAL	43,553.87	426,751.49	570,000.00	74.87
	EMPLOYEE BENEFITS TOTAL	251,267.23	628,358.29	645,900.00	97.28
	EMERGENCY FUND TOTAL	14,791.57	36,260.40	41,500.00	87.37
	LOCAL OPTION SALES TAX TOTAL	36,226.97	595,561.50	710,000.00	83.88
	REVOLVING LOAN TOTAL	2,657.86	29,570.73	50,500.00	58.56
	REHAB HOUSE TOTAL	92.21	3,431.16	104,000.00	3.30
	FITNESS CENTER TRUST TOTAL	4,797.85	138,575.43	126,400.00	109.63
	PARK TRUST TOTAL	5.99	141,725.51	142,300.00	99.60
	RECREATION SUPPLY TOTAL	8.86	101.37	10,000.00	1.01
	PARK TREE TRUST TOTAL	22.04	4,829.37	5,000.00	96.59
	FIRE EQUIPMENT TOTAL	8,781.43	14,550.98	12,000.00	121.26
	LIBRARY TRUST TOTAL	1,665.19	25,566.20	19,900.00	128.47
	DEBT SERVICE TOTAL	117,146.42	336,581.71	353,500.00	95.21
	SCENE SHOP PROJECT TOTAL	15,193.74	15,331.06	54,000.00	28.39
	WATER TOWER REHAB PROJECT TOTAL	22.75	281,569.56	278,600.00	101.07
	DOWNTOWN CROSSWALKS TOTAL	11,810.54	46,907.24	615,000.00	7.63
	WATER TOTAL	52,444.96	563,052.97	616,100.00	91.39
	WATER DEPOSIT TOTAL	880.00	9,060.00	13,000.00	69.69
	WATER EQUIPMENT REPLACE TOTAL	4,953.49	148,436.93	156,300.00	94.97
	SEWER TOTAL	74,438.01	906,198.57	1,021,300.00	88.73
	SEWER OPERATIONS TOTAL	117,500.00	783,900.00	1,041,800.00	75.24
	SEWER REPLACEMENT PROJ TOTAL	12,224.36	107,911.91	93,000.00	116.03
	SEWER SINKING TOTAL	.00	29,198.09	29,000.00	100.68
	PROPRIETARY CAP IMPROVE TOTAL	7,076.83	68,338.95	81,200.00	84.16
	YARDWASTE TOTAL	3,906.31	33,994.57	39,100.00	86.94
	SELF INSURANCE TOTAL	4,459.55	42,345.47	.00	.00
	TOTAL REVENUE BY FUND	1,581,727.36	9,137,676.05	11,412,645.00	80.07

CITY OF CRESCO
 BUDGET REPORT (Expenses)
 CALENDAR 4/2023, FISCAL 10/2023

ACCOUNT NUMBER	ACCOUNT TITLE	MDT BALANCE	YTD BALANCE	BUDGET	% SPENT
	GENERAL TOTAL	257,516.29	2,775,999.97	3,679,700.00	75.44
	HOTEL/MOTEL TAX TOTAL	.00	15,930.62	30,000.00	53.10
	LOST PROJECT TOTAL	24,500.00	243,111.41	609,500.00	39.89
	EV CHARGING STATION TOTAL	20.63	13,964.04	31,200.00	44.76
	NUISANCE HOUSE TOTAL	.00	4,194.16	12,000.00	34.95
	FIRE STATION BUILDING TOTAL	1,213.35	13,276.49	15,300.00	86.77
	EQUIPMENT REPLACEMENT TOTAL	.00	36,487.35	39,000.00	93.56
	OFFICE EQUIPMENT TOTAL	.00	3,373.75	11,000.00	30.67
	STREET TRUST TOTAL	18,153.38	36,995.51	77,200.00	47.92
	THEATRE TRUST FUND TOTAL	.00	15,906.74	133,300.00	11.93
	AIRPORT TRUST FUND TOTAL	.00	108,817.64	119,500.00	91.06
	CRESCO COMMUNITY FIRE TOTAL	2,665.41	64,918.53	95,500.00	67.98
	ROAD USE TAX TOTAL	44,964.90	407,974.87	576,400.00	70.78
	EMPLOYEE BENEFITS TOTAL	46,610.23	481,751.64	655,900.00	73.45
	EMERGENCY FUND TOTAL	.00	.00	41,500.00	.00
	LOCAL OPTION SALES TAX TOTAL	36,226.97	595,561.50	710,000.00	83.88
	REVOLVING LOAN TOTAL	.00	.00	50,000.00	.00
	REHAB HOUSE TOTAL	.00	24,933.74	104,000.00	23.97
	FITNESS CENTER TRUST TOTAL	.00	5,094.92	115,000.00	4.43
	PARK TRUST TOTAL	.00	127,382.70	141,000.00	90.34
	RECREATION SUPPLY TOTAL	.00	3,580.50	10,000.00	35.81
	PARK TREE TRUST TOTAL	.00	.00	1,800.00	.00
	FIRE EQUIPMENT TOTAL	.00	.00	10,000.00	.00
	LIBRARY TRUST TOTAL	66.00	906.00	7,000.00	12.94
	DEBT SERVICE TOTAL	.00	30,717.50	340,500.00	9.02
	SCENE SHOP PROJECT TOTAL	.00	.00	54,000.00	.00
	WATER TOWER REHAB PROJECT TOTA	23.76	7,291.32	450,000.00	1.62
	DOWNTOWN CROSSWALKS TOTAL	11,789.20	55,953.22	600,000.00	9.33
	WATER TOTAL	31,182.03	544,010.75	667,200.00	81.54
	WATER DEPOSIT TOTAL	348.90	8,338.10	13,000.00	64.14
	WATER EQUIPMENT REPLACE TOTAL	896.64	58,393.74	137,100.00	42.59
	SEWER TOTAL	117,500.00	903,900.00	1,161,800.00	77.80
	SEWER OPERATIONS TOTAL	117,404.43	784,027.51	1,041,400.00	75.29
	SEWER REPLACEMENT PROJ TOTAL	1,259.50	59,485.55	147,000.00	40.47
	SEWER SINKING TOTAL	.00	2,143.75	28,900.00	7.42
	PROPRIETARY CAP IMPROVE TOTAL	49,132.52	173,821.23	151,900.00	114.43
	YARDWASTE TOTAL	1,071.96	34,206.44	38,900.00	87.93
	SELF INSURANCE TOTAL	5,807.71	25,088.33	.00	.00
	TOTAL EXPENSES BY FUND	768,353.81	7,667,539.52	12,107,500.00	63.33

OATH OF OFFICE

I, William Murphy, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability, discharge all the duties of the office of Second Assistant Fire Chief in Cresco, as now or hereafter required by law.

SIGNED by me this 15th day of May 2023.

William Murphy

SUBSCRIBED AND SWORN to before me on this 15th day of May 2023.

David J. Brenno, Mayor

FLAMMABLE LIQUID PERMIT

Name Donaldson Company Inc

Address 111 Donaldson Court

Size of tank (in gallons) 8,000

Material composition of tank Steel Fire Guard UL 2085 Tank

Contents of tank Ethanol 180 Proof

Reason the tank is needed Support Production of Ultra

Length of time tank will remain at site, if temporary NA

Description of the location at which tank will be placed
Along Side of existing building (see attached drawing)

Person responsible for installation of the tank and removal if temporary
NA

Map showing the distance from the tank to buildings and lot lines.

Permit will be granted only if the aboveground storage tank complies with all applicable Local, State and Federal requirements and does not constitute an unacceptable risk to the Public Health, Safety and Welfare.

Neal Stapelkamp Neal Stapelkamp
Fire Chief

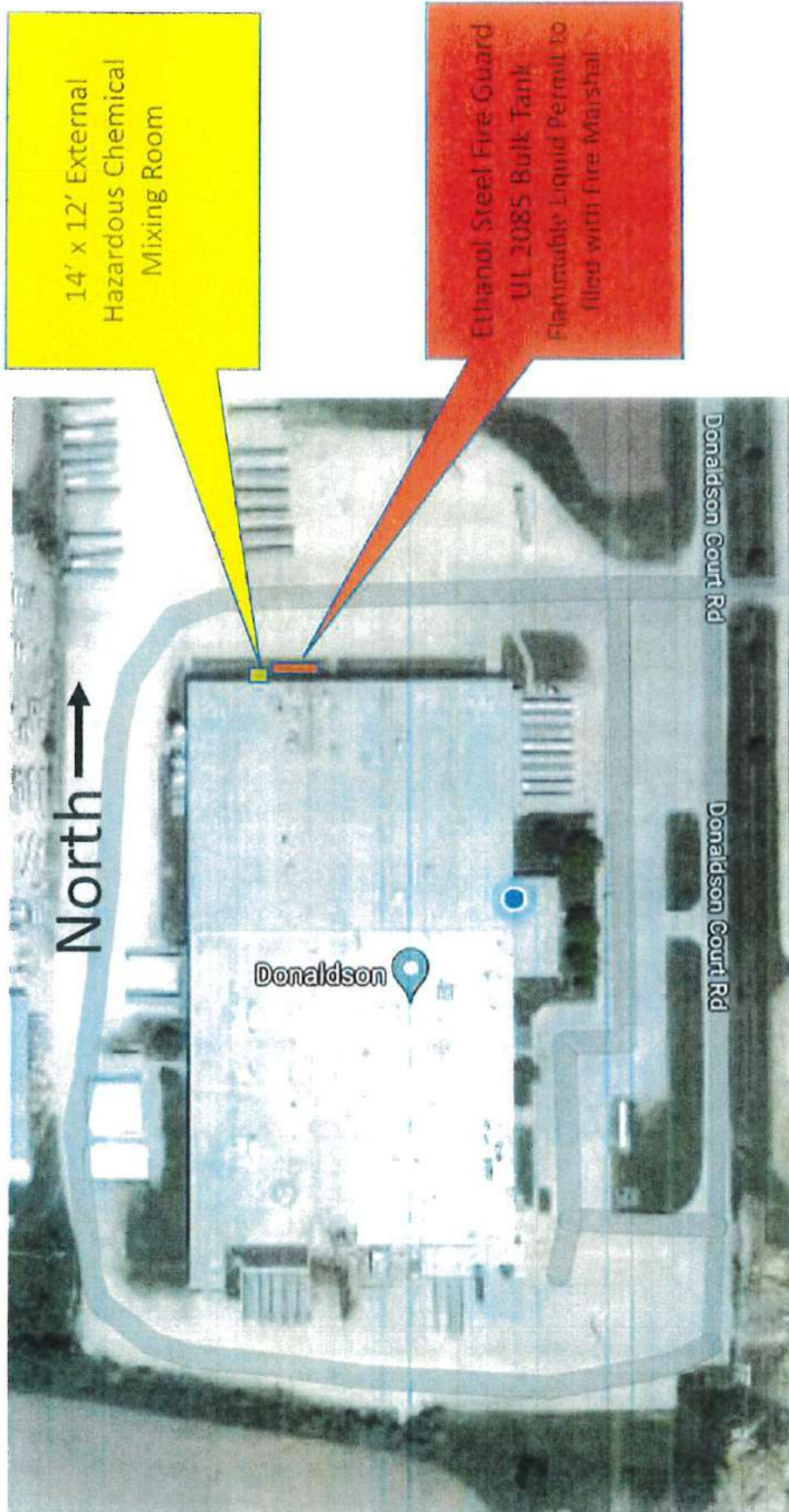
Motion made by _____ to grant a permit to the above application for an aboveground storage tank.

Motion seconded by _____
Ayes _____

Nays _____

Date _____

Site Layout



ORDINANCE NUMBER 506

AN ORDINANCE ESTABLISHING GRADE ELEVATIONS ON CERTAIN DESCRIBED STREETS IN THE CITY OF CRESCO, IOWA, FOR THE "7TH STREET WEST RECONSTRUCTION PROJECT"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRESCO, IOWA that CHAPTER 138 of the Code of Ordinances of the City of Cresco, Iowa be amended to establish street grade elevations on 7th Street West, from Highway 9 to 4th Avenue.

SECTION I. The new grades and elevations of 7th Street West, from Highway 9 to 4th Avenue, are hereby established about the datum plane as follows:

99+50.00'	BEG	C/L	1285.651'		
99+77.00'	PVI	C/L	1285.111'		
100+00.00'	PVI	C/L	1285.686'		
100+23.00'	PVI	C/L	1284.996'	Abbreviations:	
100+65.00'	BVC	C/L	1284.156'		
102+25.00'	VPI	C/L	1280.956'	BEG	Begin Paving
103+85.00'	EVC	C/L	1284.156'	BVC	Begin Vertical Curve
106+96.98'	BVC	C/L	1290.396'	C/L	Paving Centerline
107+96.98'	VPI	C/L	1292.396'	END	End Paving
108+96.98'	EVC	C/L	1292.896'	EVC	End Vertical Curve
110+37.50'	BVC	C/L	1293.598'	PVI	Point of Vertical Intersect
110+75.00'	VPI	C/L	1293.786'	VPI	Vertical Point of Intersection
111+12.50'	EVC	C/L	1293.598'		
111+37.50'	BVC	C/L	1293.473'		
111+75.00'	VPI	C/L	1293.286'		
112+12.50'	EVC	C/L	1293.580'		
113+12.50'	BVC	C/L	1294.366'		
113+50.00'	VPI	C/L	1294.661'		
113+87.50'	EVC	C/L	1294.473'		
120+40.00'	END	C/L	1291.211'		

SECTION II. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Mayor David J. Brenno

ATTEST: City Clerk Michelle Elton

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

I certify that a summary of the foregoing was published as Ordinance No. 506 on the _____ day of _____, 2023.

ATTEST: _____
City Clerk Michelle Elton

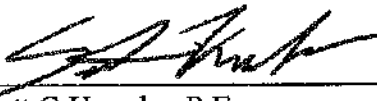
CERTIFICATE

RE: 7th Street West Reconstruction

I, Scott G Huneke, P.E., of the firm of WHKS & Co., Consulting Engineers of Rochester, Minnesota, retained by the City of Cresco, State of Iowa, in connection with the proposed construction of certain sidewalk, street, water, storm sewer and other public improvements in the City, designated above do hereby certify that street grades have been established on all streets or portions thereof proposed to be improved, covered under the resolution ordering construction and Notice of Hearing and Letting or Notice to Bidders, as required by Iowa Code Section 384.39.

I do further certify that a copy of the grade ordinance or ordinances, as the case may be, covering all of the streets proposed to be improved, is attached hereto and made a part of this certificate by reference, that the street grades set out in the plans and specifications for the improvement project are consistent therewith so that the proposed improvements, when completed, will be constructed to grade.

Done and certified to this 5th day of May, 2023.



Scott G Huneke, P.E.

RESOLUTION NO. _____

RESOLUTION WAIVING THE SECOND AND THIRD READINGS AND
CONSIDERATIONS OF ORDINANCE NUMBER 506

WHEREAS, the City Council of the City of Cresco, Iowa, desires to pass Ordinance Number 506 which amends Ordinance Chapter 138 pertaining to Street Grade Elevations.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Cresco, Iowa, that the second and third readings and consideration of Ordinance Number 506, be waived according to Section 380.3 of the Code of Iowa and that Ordinance Number 506 be read and considered at the City Council meeting held May 15, 2023, in the City Council Chambers at City Hall.

Council Member _____ moved the adoption of the foregoing resolution and
Council Member _____ seconded said motion.

Thereupon the Mayor called for a roll call vote and the following council members voted in favor of the foregoing resolution:

The following council members voted against the adoption of the foregoing resolution:

The Mayor thereupon declared Resolution No. 506 passed and adopted by at least 3/4ths affirmative vote by the council members and Ordinance Number 506 is ready to be discussed and considered.

PASSED AND APPROVED, this _____ day of _____, 2023.

Mayor David J. Brenno

ATTEST: _____
City Clerk Michelle Elton

ORDINANCE NO. 503

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, 2023:

- A. First 7,000 gallons used per month @ \$6.00 per 1,000 gallons. (Minimum bill is \$9.00 based on 1,500 gallons.)
- B. Next 60,000 gallons used per month @ \$5.47 per 1,000 gallons.
- C. All over 67,000 gallons used per month @ \$5.01 per 1,000 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:

(Code of Iowa, Section 384.84)

1. Effective July 1, 2023:

- A. First 7,000 gallons used per month @ \$12.00 per 1,000 gallons. (Minimum Bill is \$18.00 based on 1,500 gallons.)
- B. Next 60,000 gallons used per month @ \$10.94 per 1,000 gallons.
- C. All over 67,000 gallons used per month @ \$10.02 per 1,000 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 _____, 2023.

Mayor David J. Brenno

ATTEST:

City Clerk Michelle Elton

1st Reading 4/17/23

2nd Reading 5/1/23

3rd Reading _____

I certify that the foregoing was published as Ordinance No. 503 on the _____ day of _____, 2023.

City Clerk Michelle Elton

ORDINANCE NO. 504

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, are 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, 2023:
A. \$10.04 per 1,000 gallons within City limits. (Minimum bill is \$15.06 based on 1,500 gallons.)
B. \$20.08 per 1,000 gallons outside City limits. (Minimum bill is \$30.12 based on 1,500 gallons.)
C. \$9.23 per 1,000 gallons for high volume users that are subject to Industrial Sewer Rental Agreements with the City.
D. \$7.20 per pound per day BOD5 x 30-day average BOD5 (ppd) for users subject to Industrial Sewer Rental Agreements with the City (where BOD5 refers to biochemical oxygen demand).

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 _____, 2023.

Mayor David J. Brenno

ATTEST:

City Clerk Michelle Elton

1st Reading 4/17/2023 2nd Reading 5/1/23 3rd Reading _____
I certify that the foregoing was published as Ordinance No. 504 on the _____ day of _____, 2023.

City Clerk Michelle Elton

RESOLUTION NUMBER _____

RESOLUTION TO RECORD THE RELEASE OF REVERSIONARY RIGHT
TO A PORTION OF THE PROPERTY PURSUANT TO THE DEVELOPMENT
AGREEMENT WITH BDM DEVELOPERS LLC

WHEREAS, the City of Cresco executed an agreement with BDM Developers, LLC, and secured with a reversionary right at the Howard County Recorder's Office Book 2020 page 123 on January 23, 2020; and

WHEREAS, pursuant to the terms and conditions of the Agreement, the Reversionary Right was to be released by the City with respect to each lot of the Development Property on which the Developer completed the construction of certain Minimum Improvements.

THEREFORE, be it resolved that the Reversionary Right be released and the Mayor and City Clerk are authorized to sign the release and record it at the Howard County Recorder's Office.

Council member _____ moved the adoption of the foregoing Resolution to record the RELEASE OF REVERSIONARY RIGHT to a portion of the property pursuant to the development agreement with BDM Developers LLC. Council member _____ seconded said motion. A roll call vote was requested by the Mayor and said roll call vote resulted as follows:

Ayes: _____
Nays: _____
Absent: _____

Thereupon, the Mayor declared said Resolution duly passed and announced that the Release of Reversionary Right to a portion of the property pursuant to the development agreement with between the City of Cresco and BDM Developers, LLC is approved and that the Mayor and City Clerk are authorized to execute the Release on behalf of the City of Cresco.

PASSED AND APPROVED THIS _____ DAY OF _____.

BY: _____
Mayor David J Brenno

ATTEST: _____
City Clerk Michelle Elton

RELEASE OF REVERSIONARY RIGHT

The City of Cresco, Iowa (City) and BDM Developers, LLC (Developer) did on or about December 2, 2019 make, execute and deliver, each to the other, a Purchase, Sale and Development Agreement (Agreement), wherein and whereby the City sold to Developer, in accordance with the terms of the Agreement, certain real property located within the City and legally described in the Agreement (the Development Property); and

Whereas, pursuant to the terms of the Agreement and as noted on the Deed recorded January 23, 2020 in Book 2020 at Page 123 of the records of the Howard County Recorder, the City retained a Reversionary Right in the Development Property; and

Whereas, pursuant to the terms and conditions of the Agreement, the Reversionary Right was to be released by the City with respect to each lot of the Development Property on which the Developer completed the construction of certain Minimum Improvements (as defined in the Agreement); and

Whereas, the Developer has completed the construction of the required Minimum Improvements on the following portion of the Development Property in accordance with the terms and conditions of the Agreement with respect to such portion of the Development Property:

Lots One (1) of C, Two (2) of C and Three (3) of C, Phase Two (2) of Willow Avenue Homes Townhouse Development of Cresco, Iowa, located upon Lot C, East Half (E ½) of the Northeast Quarter (NE ¼) of Section 27, Township 99 North, Range 11, West of the 5th P.M. in Howard County, Iowa, as shown on Plats recorded in Field Notes Book P, Page 327 and in Field Notes Book Q, Page 153, and subject to Declarations of Easements, Restrictions, Covenants and Conditions, as shown in Book 2021, Page 1139, all in the Howard County Recorder's Office

Now, therefore, the City does hereby acknowledge that the above-described portion of the Development Property is hereby released from the Reversionary Right.

May 15, 2023

The City Council of the City of Cresco, State of Iowa, met in _____ session,
in the Council Chambers, City Hall, 130 N. Park Place, Cresco, Iowa, at _____ M.,
on the above date. There were present Mayor _____, in the chair, and the following
named Council Members:

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following resolution entitled "RESOLUTION APPROVING ELECTRONIC BIDDING PROCEDURES AND DISTRIBUTION OF PRELIMINARY OFFICIAL STATEMENT", and moved that the resolution be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

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

**RESOLUTION APPROVING ELECTRONIC BIDDING
PROCEDURES AND DISTRIBUTION OF PRELIMINARY
OFFICIAL STATEMENT**

WHEREAS, in conjunction with its Financial Advisor, Piper Sandler & Co., the City has caused a Preliminary Official Statement to be prepared outlining the details of the proposed sale of the Notes; and

WHEREAS, the Council has received information from its Financial Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Council deems it in the best interests of the City and the residents thereof to receive bids to purchase such Notes by means of both sealed and electronic internet communication.

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

Section 1. That the Preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Mayor and Clerk, upon the advice of bond counsel and the City's Financial Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Notes for sale.

Section 2. That the receipt of electronic bids by facsimile machine and through the PARITY® Competitive Bidding System described in the Preliminary Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the

competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

PASSED AND APPROVED this 15th day of May, 2023.

Mayor

ATTEST:

City Clerk

Display Fireworks

The past few years, the Council, Fire Department, and Police department have been concerned that Permits for Display Fireworks all had different proposed dates.

This is an excerpt from the Minutes from the June 21, 2021 Council Meeting:

"The Fireworks Ordinance was reviewed and discussed. Display Fireworks are not addressed in the City Code nor the State Code. Council decided that each year in May, the Council will choose one or two nights that Display Fireworks will be allowed to be discharged. This year the Display Fireworks permits will be allowed on the date applied for until 11 pm."

And an excerpt from the Minutes from June 20, 2022:

"Council discussed dates that display fireworks should be allowed. Council was in favor of allowing them during the weekend of July 4th but were worried about allowing them a week or two later. This year they agreed to allow the July 9th request but would not allow them on the 16th. The Council will set dates each year for the dates allowed based on the day of the week that the 4th falls on. Display fireworks require a permit approved by the Fire Chief and Council and shall be handled by a competent operator as defined in City Code. Reminder that consumer fireworks are only allowed to be discharged within city limits on July 3rd from 9 am to 10 pm and July 4th between 9 am and 11 pm."

Does the Council want to limit the dates to one weekend around the 4th? July 4th is a Tuesday this year. We have not received any applications yet, but there are usually 3-4 each year.