

City of Monticello, Iowa

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Posted on May 18, 2018 at 1:00 p.m.

Monticello City Council Regular Meeting May 21, 2018 @ 6:00 p.m.
Monticello Renaissance Center, 220 E. 1st Street, Monticello, Iowa

Mayor:	Brian Wolken	City Administrator:	Doug Herman
City Council:		Staff:	
At Large:	Dave Goedken	City Clerk/Treas.:	Sally Hinrichsen
At Large:	Gary "Butch" Pratt	Public Works Dir.:	Brant LaGrange
Ward #1:	Rob Paulson	City Engineer:	Patrick Schwickerath
Ward #2:	Johnny Russ, Mayor Pro Tem	Police Chief:	Britt Smith
Ward #3:	Chris Lux	Ambulance Dir.:	Dawn Brus
Ward #4:	Tom Yeoman		

- Call to Order – 6:00 P.M.
- Pledge of Allegiance
- Roll Call
- Agenda Addition/Agenda Approval

Open Forum: If you wish to address the City Council on subjects pertaining to today's meeting agenda please wait until that item on the agenda is reached. If you wish to address the City Council on an item not on the agenda, please approach the lectern and give your name and address for the public record before discussing your item.

Proclamation: Proclamation marking the 50th Anniversary of Home Rule in Iowa

Consent Agenda (These are routine items and will be enacted by one motion without separate discussion unless someone requests an item removed to be considered separately.)

Approval of Council Mtg. Minutes	May	07, 2018
Approval of Payroll	May	10, 2018
Approval of Bill List		
Approval of Treasurer's Report for April, 2018		
Approval of Monticello Golf Club Liquor Permit		
Approval of Great Jones County Fair Liquor Permit		

Public Hearings: None

Resolutions:

1. **Resolution** to approve the Plat of Survey of Parcel 2018-21 and Parcel 2018-22.
2. **Resolution** to approve the Plat of Survey of Parcel 2018-30, located within the two-mile jurisdiction to the City of Monticello.
3. **Resolution** to approve Brick Paver Policy.
4. **Resolution** to recognize past vacation of R.O.W. and to approve the execution and delivery of a Quit Claim Deed to adjacent property owner, the Vera Fae Schoon Estate.
5. **Resolution** approving time frame within which to apply for tax abatement under Chapter 10 of the Monticello Code of Ordinances.

6. **Resolution** to approve Agreement Re: Monticello Youth Baseball and Softball Programs use of School owned Property and Facilities.

Ordinances:

7. **Ordinance** to Re-Zone R & R Realty Property located at 324/326 W. 2nd Street, Monticello, from R-2 two-family residential to R-3 multi-family residential and condominium district. (3rd and final Reading)
8. **Ordinance** to amend Code of Ordinance pertaining to Urban Chickens.

Reports / Potential Action:

- Recycling and Sanitation Review
- Attached versus Detached Structures under the City Code
- 190th Road Maintenance Agreement Review
- Property Update, 103 W. 1st Street (Asbestos Inspection approved by IDNR)
- Storm Sewer / Wall Repairs adjacent to S. Cedar Street Ditch (Storm Sewer Repaired. Discussion related to wall repairs.
- Monticello / Paw Print on Residential sidewalks
- Pasker / Schneiderman Internet "Fiber" installation
- Side yard setback for Accessory Building on Corner Lot

Adjournment: Pursuant to §21.4(2) of the Code of Iowa, the City has the right to amend this agenda up until 24 hours before the posted meeting time.

THE CITY OF MONTICELLO, IOWA
Proclamation #18-03

Proclamation marking the 50th Anniversary of Home Rule in Iowa

**IN THE NAME AND BY THE AUTHORITY OF THE MAYOR OF THE CITY OF
MONTICELLO, IOWA, I DO HEREBY PROCLAIM AS FOLLOWS:**

WHEREAS, Home Rule is essential to effective and responsive municipal governance in Iowa and provides flexibility to make decisions at the local level, where decisions are made closest to the people they impact and can be tailored to fit local conditions, needs and concerns in order to better serve taxpayers; and

WHEREAS, the City of Monticello supports Home Rule and the powers it provides to make local decisions that best reflect the residents of our community; and

WHEREAS, the citizens of Iowa approved the adoption of Home Rule in the Constitution of Iowa on November 5, 1968; and

WHEREAS, this is the 50th year of municipal Home Rule in Iowa; and

WHEREAS, Home Rule continues to be vital to the health and prosperity of all cities in Iowa;

NOW, THEREFORE BE IT RESOLVED, that we, the City of Monticello Mayor and City Council do hereby recognize the 50th Anniversary of municipal Home Rule in Iowa and proudly support its continued authority.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal for the City of Monticello, Iowa to be affixed. Done this 7th day of May, 2018.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk

Regular Council Meeting – Official
May 7, 2018 - 6:00 P.M.
Community Media Center

Mayor Pro Tem Johnny Russ called the meeting to order. Council present: Dave Goedken and Gary "Butch" Pratt. Tom Yeoman joined meeting electronically. Also present were City Administrator Doug Herman, City Clerk Sally Hinrichsen, Public Works Director Brant LaGrange, Police Chief Britt Smith and City Engineer Patrick Schwickerath. Mayor Brian Wolken and Council members Rob Paulson and Chris Lux were absent.

Goedken moved to approve the agenda, Pratt seconded, roll call unanimous.

Wayne Peach, 108 Monk Ct, addressed the Council on several positives about Monticello.

Mayor Pro Tem Russ read Mayor's Proclamation proclaiming the week of May 13 - 19, 2018 as National Skilled Nursing Week in Monticello, Iowa.

Alliant Energy representative Emily Upah reviewed their Community Annual Partnership Assessment for Monticello and various programs available, such as their rebate program.

Pratt moved to approve the consent agenda, Goedken seconded, roll call unanimous.

Herman reviewed the bids for the Berndes Center HVAC. Herman and LaGrange met with Brian Kraus, who was the apparent low bidder, to review his bid to ensure that it was consistent with the bid specification as the Kraus bid was approximately \$7,500 lower than the next bid. Herman reported that Kraus would not be utilizing a twinning kit as noted in the bid but that his plan created a very similar result and that Kraus indicated he would utilize a twinning kit on the furnaces if required by the City. Kraus informed LaGrange and Herman that the furnaces previously had been twinned but that the twinning mechanism had not been used for some time. Herman suggested that the Kraus bid seemed to substantially meet the requirements of the bid specification. Herman explained that the Council could award the project to Kraus at this time or they could choose to hire an independent party to prepare a set of plans for the project and re-bid the project. Yeoman stated he was not comfortable proceeding with the low bid. Next Generation owner, Trint Adams, was in attendance and when asked about his bid he indicated that his cost of materials, with a small markup, as nearly equal to the Kraus bid. Pratt moved to table the Resolution to accept Berndes Center HVAC bids and to award contract, and to direct Herman to hire someone to draft new bid specs and go back out for bids, Goedken seconded, roll call unanimous.

Brenda Hanken, 291 N Pine, addressed Council with regard to the parameters previously approved by the Council related to police officer residency requirements. Goedken moved Ordinance #712 amending Chapter 35 Police Department, Monticello Code, by amending Provisions Pertaining to Police Chief Residency Requirements, removing residency requirements from the Code and requiring that any residency requirements be set forth within the

employment agreement, third and final reading and in title only, Pratt seconded, roll call unanimous.

Herman reported that the attorney for the 324/ 326 W 2nd Street property owner is drawing up an agreement related to shared components of the proposed condominium to be located at that address. Herman will have the proposed document available for Council review at the next City Council meeting. Goedken introduced and moved Ordinance # 714 amending Chapter 165, "ZONING REGULATIONS", of certain property located within City Limits of the City of Monticello, same being generally described as 324/326 W 2nd Street, Monticello, IA 52310, legally described as set forth below, and amending the Official Zoning Map, second reading and in title only, Pratt seconded, roll call unanimous.

Herman advised that he was continuing to work with the County towards an updated agreement related to shared roadway maintenance. No action was taken.

Council discussed potential timelines and plans associated with the Engineer's design of improvements for portions of N. Sycamore Street and N. Chestnut Streets. Council generally discussed whether both street projects should occur at the same time and timing in relation to the Fair. Herman, LaGrange, and Schwickerath will meet and come up with a more definite proposal for City Council consideration at one of next Council meetings. Herman suggested that the City Council would be wise to borrow all sums necessary as one bond issue to keep bonding costs down.

Herman reported that the IDNR approved the asbestos inspection for the property located at 103 W. 1st Street. The cost of the asbestos inspection will be reimbursed by the IDNR Brownfield program.

LaGrange reported that Eastern Iowa Excavating and Concrete planned to repair the storm sewer that caved in near the intersection of S. Cedar Street and S. Main Street this week.

Keith Tackett, 532 N Cedar, questioned where 6th Street ditch project stood. Herman stated that the City now had proposed easements and that an attorney on the City's behalf would be in touch. Tackett objected to making any payment related to the project and suggested that they would hire an attorney. Janice Tacket, from the back row of the chambers, strenuously objected to being asked to contribute towards the project, indicating that the entire community should cover the cost. Bud Coyle, 515 N Sycamore stated in 1963 very little water ran in the 6th Street ditch and felt the water flow increase was due to developments upstream.

No action was taken on the proposed Brick Paver policy to replace the colored strip in the downtown commercial district

Herman reported that LaGrange is working with ACE Concrete on sidewalk repairs throughout the community. Herman and LaGrange will work with residents on payment plans if and when appropriate.

Regular Council Meeting-Official
May 7, 2018

Herman reported that LaGrange had identified additional street repairs and would be adding those to previously bid projects. Herman also explained that there is money in the budget to cover these additional repairs.

Pratt moved to adjourn at 7:09 P.M.

Johnny Russ, Mayor Pro Tem

Sally Hinrichsen, City Clerk

PAYROLL - MAY 10, 2018

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
AMBULANCE	Apr. 23 - May 6, 2018				
Evan Barry	\$ 159.30	\$ -	0.00	0.00	\$ 136.66
Jeremy Bell	902.70	-	0.00	0.00	667.61
Brian Bronemann	200.16	-	0.00	0.00	170.72
Carter Bronemann	601.80	-	0.00	0.00	458.21
Dawn Brus	990.00	-	0.00	48.38	728.72
Jacob Gravel	141.60	-	0.00	0.00	71.48
Ben Hein	198.72	-	0.00	0.00	169.48
Mary Intlekofer	1,953.00	130.20	0.00	32.38	1,096.61
Brandon Kent	1,822.80	-	0.00	0.00	1,185.22
Matt Kunkle	434.00	-	0.00	0.00	344.33
Jim Luensman	217.00	-	0.00	0.00	179.11
Lori Lynch	1,822.80	-	0.00	0.00	1,206.86
Dave McNeill	252.64	-	0.00	0.00	214.75
Christopher Moore	2,010.49	271.69	0.00	75.00	1,408.99
Brian Rechkemmer	325.50	-	0.00	0.00	203.50
Shelly Searles	2,652.83	830.03	0.00	13.50	1,941.41
Brenda Surom	520.80	-	0.00	0.00	392.21
TOTAL AMBULANCE	\$ 15,206.14	\$ 1,231.92	0.00	169.26	\$ 10,575.87
CEMETERY	Apr. 21 - May 4, 2018				
Dan McDonald	\$ 1,572.01	\$ -	0.00	0.00	\$ 1,117.81
TOTAL CEMETERY	\$ 1,572.01	\$ -	0.00	0.00	\$ 1,117.81
CITY HALL	Apr. 22 - May 5, 2018				
Cheryl Clark	\$ 1,600.00	\$ -	0.00	0.00	\$ 1,058.98
Doug Herman	3,720.72	-	0.00	0.00	2,677.38
Sally Hinrichsen	3,315.45	-	0.00	0.00	2,308.70
Nanci Tuel	1,360.00	-	0.00	0.00	893.73
TOTAL CITY HALL	\$ 9,996.17	\$ -	0.00	0.00	\$ 6,938.79
FIRE					
Drew Haag	\$ 100.00	\$ -	0.00	0.00	\$ 92.35
Nick Kahler	60.00	-	0.00	0.00	51.47
Don McCarthy	125.00	-	0.00	0.00	107.24
Billy Norton	100.00	-	0.00	0.00	85.79
TOTAL FIRE	\$ 385.00	\$ -	0.00	0.00	\$ 336.85
LIBRARY	Apr. 23 - May 6, 2018				
Molli Hunter	\$ 295.38	\$ -	0.00	0.00	\$ 251.21
Penny Schmit	935.20	-	0.00	0.00	686.90
Madonna Thoma-Kremer	872.00	-	0.00	0.00	531.27
Michelle Turnis	1,517.58	-	0.00	0.00	961.94
TOTAL LIBRARY	\$ 3,620.16	\$ -	0.00	0.00	\$ 2,431.32
MBC	Apr. 23 - May 6, 2018				
Jacob Oswald	\$ 1,846.15	\$ -	0.00	0.00	\$ 1,386.83
Casey Reyner	1,538.46	-	0.00	0.00	1,074.89
TOTAL MBC	\$ 3,384.61	\$ -	0.00	0.00	\$ 2,461.72

PAYROLL - MAY 10, 2018

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
POLICE	Apr. 23 - May 6, 2018				
Peter Fleming	\$ 526.00	\$ -	0.00	0.00	\$ 406.33
Dawn Graver	2,174.76	-	0.00	0.00	1,508.44
Erik Honda	2,396.22	565.38	0.00	7.75	1,754.14
Jordan Koos	2,003.40	-	0.00	41.50	1,462.79
Britt Smith	2,443.56	-	0.00	0.00	1,786.45
Madonna Staner	1,414.40	-	0.00	0.00	1,069.37
Brian Tate	2,063.04	-	0.00	0.00	1,409.54
Robert Urbain	-	-	0.00	26.50	-
TOTAL POLICE	\$ 13,021.38	\$ 565.38	0.00	75.75	\$ 9,397.06
ROAD USE	Apr. 21 - May 4, 2018				
Billy Norton	\$ 1,572.00	\$ -	0.00	0.00	\$ 982.66
Wayne Yousse	2,068.18	-	0.00	16.00	1,477.62
TOTAL ROAD USE	\$ 3,640.18	\$ -	0.00	16.00	\$ 2,460.28
SANITATION	Apr. 21 - May 4, 2018				
Michael Boyson	\$ 1,536.00	\$ -	0.00	0.00	\$ 1,058.12
Nick Kahler	1,601.48	29.48	0.00	0.00	1,075.45
Brian Kramer	328.13	-	0.00	0.00	268.51
TOTAL SANITATION	\$ 3,465.61	\$ 29.48	0.00	0.00	\$ 2,402.08
SEWER	Apr. 21 - May 4, 2018				
Tim Schultz	\$ 1,632.00	\$ -	0.00	29.63	\$ 1,136.94
Jim Tjaden	1,900.00	-	0.00	0.00	1,364.47
TOTAL SEWER	\$ 3,532.00	\$ -	0.00	29.63	\$ 2,501.41
WATER	Apr. 21 - May 4, 2018				
Brant LaGrange	\$ 2,020.38	\$ -	0.00	0.00	\$ 1,424.05
Jay Yanda	1,820.00	-	0.00	0.00	1,305.40
TOTAL WATER	\$ 3,840.38	\$ -	0.00	0.00	\$ 2,729.45
TOTAL - ALL DEPTS.	\$ 61,663.64	\$ 1,826.78	0.00	290.64	\$ 43,352.64

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
ACCOUNTS PAYABLE CLAIMS				

	GENERAL			
	POLICE DEPARTMENT			
ELECTRONIC ENGINEERING CO	PD EQUIP REPAIR/MAINT	15.00		
INFRASTRUCTURE TECHNOLOGY	PD/AMB KEY FOB 20 PACK	61.00		
KONICA MINOLTA BUSINESS	PD OFFICE SUPPLIES	33.82		
KOOB AUTOMOTIVE & TOWING INC	PD VEHICLE OPERATING	51.59		
DAVID B MCNEILL	PD BUILDING SUPPLIES	18.60		
MEDICAL ASSOCIATES CLINIC PC	PD MMPI TEST - FLEMING	300.00		
TCM BANK NA	PD OFFICER TRAVEL	155.00		
TRI COUNTY PROPANE LLC	PD FUEL	124.58		
UNIFORM DEN INC	PD SUPPLIES	170.12		
		<u>929.71</u>		
	POLICE DEPARTMENT	929.71		
	STREETS			
STEVE MONK CONSTRUCTION, LTD.	FIRST & N CHESTNUT	1,665.00		
		<u>1,665.00</u>		
	STREETS	1,665.00		
	AQUATIC CENTER			
ARCH CHEMICALS, INC.	POOL CHEMICALS	3,900.00		
ROBERT P CLAUSSEN	POOL EQUIP REPAIR/MAINT	350.00		
JOHN DEERE FINANCIAL	POOL EQUIP REPAIR/MAINT	37.27		
MONTICELLO EXPRESS INC	POOL ADVERTISING	163.20		
MYERS-COX CO.	POOL CONCESSIONS	385.73		
		<u>4,836.20</u>		
	AQUATIC CENTER	4,836.20		
	CEMETERY			
IBEN CONSTRUCTION CO INC	CEM GRAVE OPENINGS- MAR & APR	375.00		
INNOVATIVE AG SERVICES CO	CEMETERY GROUNDS SUPPLIES	68.80		
JOHN DEERE FINANCIAL	CEMETERY GROUNDS SUPPLIES	67.04		
M TOWN TIRE & AUTO	CEMETERY EQUIP REPAIR/MAINT	55.00		
		<u>565.84</u>		
	CEMETERY	565.84		
	SOLDIER'S MEMORIAL BOARD			
MEDIACOM	SLDR MEM TELEPHONE	25.20		
SCHINDLER ELEVATOR CORP.	ELEVATOR MAINTENANCE	6.72		
		<u>31.92</u>		
	SOLDIER'S MEMORIAL BOARD	31.92		
	MAYOR AND CITY COUNCIL			

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
TCM BANK NA	MAYOR TRAVEL	115.64		
	MAYOR AND CITY COUNCIL	115.64		
	CLERK/CITY ADMIN			
JOHN MONK	JANITORIAL SERVICES	170.00		
	CLERK/CITY ADMIN	170.00		
	CITY HALL/GENERAL BLDGS			
AMSTERDAM PRINTING AND LITHO	CH OFFICE SUPPLIES	613.51		
IMFOA	CH EDUCATION - CLARK	185.00		
INFRASTRUCTURE TECHNOLOGY	CH MISC CONTRACT WORK	390.10		
KONICA MINOLTA BUSINESS	COPIER MAINTENANCE	309.13		
MEDIACOM	CH TELEPHONE	159.59		
MONTICELLO EXPRESS INC	CH ADVERTISING	465.48		
DENISE NEALSON	BUILDING PERMIT REFUND	200.00		
ORBIS MENASHA CORP	CH FRANCHISE FEE REFUND	6,527.02		
RADIO COMMUNICATIONS CO INC	CH WARNING SIREN REPAIRS	472.50		
SCHINDLER ELEVATOR CORP.	ELEVATOR MAINTENANCE	13.45		
TCM BANK NA	CH TRAVEL	115.63		
	CITY HALL/GENERAL BLDGS	9,451.41		
	GENERAL	17,765.72		
	MONTICELLO BERNDES CENTER			
	PARKS			
BOSS OFFICE SUPPLIES & SYS INC	MBC LEAGUE EXPENSES	12.38		
FAREWAY STORES #840-1	MBC CONCESSIONS	33.90		
HAPPY JOE'S PIZZA & ICE CREAM	MBC CONCESSIONS	51.00		
INFRASTRUCTURE TECHNOLOGY	MBC MERAKI INTERNET WIFI	1,743.68		
JOHN MONK	JANITORIAL SERVICES	240.00		
MONTICELLO EXPRESS INC	MBC ADVERTISING	152.99		
MONTICELLO SPORTS	MBC LEAGUE SUPPLIES	43.20		
NEXT GENERATION PLBG & HTG LLC	MBC BLDG REPAIR/MAINT	546.12		
PEPSI COLA BOTTLING CO	MBC CONCESSIONS	180.61		
TCM BANK NA	MBC LEAGUE EXPENSES	512.99		
	PARKS	3,516.87		
	MONTICELLO BERNDES CENTER	3,516.87		
	MONTICELLO TREES FOREVER			
	PUBLIC WORKS			
ALL AMERICAN LAWN & LANDSCAPE TREE BOARD TREES		3,339.00		

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
	PUBLIC WORKS	3,339.00		
	MONTICELLO TREES FOREVER	3,339.00		
	AMBULANCE			
	AMBULANCE			
AMERIGROUP IOWA INC	OVERPAYMENT REFUND - C CHAPMAN	103.98		
BOUND TREE MEDICAL, LLC	AMB MEDICAL SUPPLIES	204.68		
FREESE MOTORS INC	AMB VEHICLE REPAIR/MAINT	32.05		
INFRASTRUCTURE TECHNOLOGY	PD/AMB KEY FOB 20 PACK	61.00		
PATRICIA MCDONELL ESTATE	OVERPAYMENT REFUND	96.06		
DAVID B MCNEILL	AMB BUILDING SUPPLIES	18.60		
	AMBULANCE	516.37		
	AMBULANCE	516.37		
	LIBRARY IMPROVEMENT			
	LIBRARY			
MICRO MARKETING LLC	LIB IMP BOOKS	90.99		
RAYMOND GEDDES & CO., INC.	LIB IMP SUMMER READING	15.12		
TCM BANK NA	LIB IMP PROGRAMS/PROMOTIONS	9.99		
	LIBRARY	116.10		
	LIBRARY IMPROVEMENT	116.10		
	LIBRARY			
	LIBRARY			
BAKER & TAYLOR BOOKS	LIB BOOKS	537.21		
CENTER POINT PUBLISHING	LIB BOOKS	42.54		
CULLIGAN TOTAL WATER	LIB BUILDING SUPPLIES	12.41		
FAREWAY STORES #840-1	LIB PROGRAMS/PROMOTIONS	2.97		
KONICA MINOLTA BUSINESS	LIB OFFICE SUPPLIES	313.75		
MEDIACOM	LIB TELEPHONE	117.59		
MICRO MARKETING LLC	LIB BOOKS	212.93		
JOHN MONK	JANITORIAL SERVICES	220.00		
MONTICELLO EXPRESS INC	LIB ADVERTISING	240.60		
SCHINDLER ELEVATOR CORP.	ELEVATOR MAINTENANCE	6.73		
SWANK MOTION PICTURES LLC	LIB PROCESSING	107.00		
TCM BANK NA	LIB VIDEO/DVD RECORDINGS	480.52		

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
	LIBRARY	2,294.25		
	LIBRARY	2,294.25		
	ROAD USE			
	STREETS			
ACCENT CONSTRUCTION	RU STUMP CLEANUP	160.00		
CENTRAL IOWA DISTRIBUTING INC	RU STREET MAINTENANCE SUPPLIES	1,184.75		
JOHN DEERE FINANCIAL	RU OSHA SUPPLIES	37.03		
LAPORTE MOTOR SUPPLY	RU EQUIP REPAIR/MAINT	4.39		
KEITH H. LEE	RU SUPPLIES	118.92		
MONTICELLO MACHINE SHOP INC	RU STREET MAINTENANCE SUPPLIES	10.40		
L.L. PELLING CO	RU STREET MAINTENANCE SUPPLIES	583.10		
SUPERIOR WELDING SUPPLY CO	RU SUPPLIES	80.00		
TCM BANK NA	RU POSTAGE	11.43		
TRUCK COUNTRY OF IOWA, INC.	RU EQUIP REPAIR/MAINT	478.17		
	STREETS	2,668.19		
	ROAD USE	2,668.19		
	TRUST/SLAVKA GEHRET FUND			
	LIBRARY			
TCM BANK NA	LIB GEHRET PROGRAMMING	48.15		
	LIBRARY	48.15		
	TRUST/SLAVKA GEHRET FUND	48.15		
	MYSBA CAPITAL FUND			
	PARKS			
EASTERN IOWA SPORTS FACILITY	MYBSA SPORTS COMPLEX	5,664.70		
	PARKS	5,664.70		
	MYSBA CAPITAL FUND	5,664.70		
	BATY DISC GOLF COURSE			
	PARKS			
JOHN DEERE FINANCIAL	BATY DG GROUNDS SUPPLIES	62.58		
UNITED RENTALS (NORTH AMERICA)	BATY DG BLDG REPAIR/MAINT	755.24		

*** CITY OF MONTICELLO ***

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
	PARKS	817.82		
	BATY DISC GOLF COURSE	817.82		
	MARY MAXINE REDMOND TRUST			
	LIBRARY			
FAREWAY STORES #840-1	LIB REDMOND PROGRAMMING	28.35		
	LIBRARY	28.35		
	MARY MAXINE REDMOND TRUST	28.35		
	POCKET PARK			
	PARKS			
TCM BANK NA	POCKET PARK UMBRELLAS (3)	1,555.17		
	PARKS	1,555.17		
	POCKET PARK	1,555.17		
	WATER			
	WATER			
BOSS OFFICE SUPPLIES & SYS INC	WATER SUPPLIES	35.99		
HAWKINS WATER TREATMENT	WATER SUPPLIES	5.00		
HYGIENIC LABORATORY	WATER LAB TESTS	91.00		
IOWA ONE CALL	WATER SYSTEM	24.75		
JOHN DEERE FINANCIAL	WATER BLDG REPAIR/MAINT	7.37		
LAPORTE MOTOR SUPPLY	WATER SUPPLIES	4.74		
DAVID B MCNEILL	WATER BLDG REPAIR/MAINT	4.05		
MID-AMERICAN RESEARCH CHEMICAL	WATER SUPPLIES	133.73		
MIDLAND GIS SOLUTIONS	GIS WEBSITE HOSTING	1,800.00		
MONTICELLO EXPRESS INC	WATER ADVERTISING	189.04		
MUNICIPAL SUPPLY INC	WATER SYSTEM	1,950.00		
TCM BANK NA	WATER POSTAGE	28.95		
USA BLUE BOOK	WATER BLDG REPAIR/MAINT	56.68		
	WATER	4,331.30		
	WATER	4,331.30		
	SEWER			
	SEWER			

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
BOSS OFFICE SUPPLIES & SYS INC	SEWER SUPPLIES	35.99		
FAREWAY STORES #840-1	SEWER LAB SUPPLIES	14.85		
GIESE SHEET METAL CO. INC.	SEWER BLDG REPAIR/MAINT	3,854.00		
HYGIENIC LABORATORY	SEWER LAB TESTS	1,048.50		
IOWA ONE CALL	SEWER SYSTEM	24.75		
MIDLAND GIS SOLUTIONS	GIS WEBSITE HOSTING	1,800.00		
TCM BANK NA	SEWER POSTAGE	147.35		
TRI COUNTY PROPANE LLC	SEWER UTILITIES	781.11		
	SEWER	<u>7,706.55</u>		
	SEWER	<u>7,706.55</u>		
	SANITATION			
	SANITATION			
MONTICELLO EXPRESS INC	SANITATION ADVERTISING	624.00		
REPUBLIC SERVICES	DUMPSTER COLLECTIONS	8,209.55		
	SANITATION	<u>8,833.55</u>		
	SANITATION	<u>8,833.55</u>		
**** SCHED TOTAL ****		59,202.09		
***** REPORT TOTAL *****		<u>59,202.09</u>		

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS FUND SUMMARY**

FUND	FUND NAME	TOTAL	CHECK#	DATE
001	GENERAL	17,765.72		
005	MONTICELLO BERNDES CENTER	3,516.87		
014	MONTICELLO TREES FOREVER	3,339.00		
016	AMBULANCE	516.37		
030	LIBRARY IMPROVEMENT	116.10		
041	LIBRARY	2,294.25		
110	ROAD USE	2,668.19		
178	TRUST/SLAVKA GEHRET FUND	48.15		
333	MYSBA CAPITAL FUND	5,664.70		
338	BATY DISC GOLF COURSE	817.82		
339	MARY MAXINE REDMOND TRUST	28.35		
375	POCKET PARK	1,555.17		
600	WATER	4,331.30		
610	SEWER	7,706.55		
670	SANITATION	8,833.55		

5/11/2018

City of Monticello - Monthly Summary - April 1st thru 30th, 2018

Fund	Activity	Beginning Fund Balance	Revenue	Interest Earned	Transfers In	Expenses	Transfers Out	Ending Fund Balance	Cash on Hand	Clerk's Cash In Bank	Clerk's Cash In Bank	Investments	Investments	Ending Fund Balance	
GENERAL FUNDS:															
	General	488794.93	438390.51	1413.93		75757.80	190588.17	662253.40	610.00	620516.66	41126.74			662253.40	
	Soldiers Memorial Board	12540.25	500.00			150.00		12890.25						12890.25	
	Monticello Berndes Center	68117.19	4110.30	67.32	92000.00	12998.63		151296.18	100.00	143905.21	7290.97	6450.31		151296.18	
	Dare	5136.03	1575.00	5.06		106.00		6610.09		6610.09				6610.09	
	Insurance Fund	13849.46		14.24	10000.00	1758.37		22105.33		9812.56				22105.33	
	Monticello Trees Forever	36659.67	330.00	36.16				37025.83		37025.83				37025.83	
	Fire	221724.45	9703.50	229.54	71921.50	135722.89	40000.00	127856.10		190421.03				127856.10	
	Ambulance Operating	79196.27	20971.78	81.20	18666.67	34716.69	10000.00	74399.23		44091.46	30307.77			74399.23	
	Hotel/Motel Tax Fund	11354.18						11200.31		11200.31				11200.31	
	Earl F Lehmann Trust	237.44						237.44			237.44			237.44	
	Street Bond	750.00				250.00		500.00		500.00				500.00	
	Police Improvement	9413.83	117.00	9.48		7240.00		2300.31		-2765.37	5065.68			2300.31	
	Library Improvement	41817.46	50.00	42.73		1422.37		40487.82		12811.06	27676.76			40487.82	
	Library	9661.68	875.23	9.88	10000.00	10661.93	4000.00	5884.66	75.00	5797.83	11.83			5884.66	
	Equipment Set-A-Side	82743.50		84.86	20000.00			102828.36		28689.31	74139.05			102828.36	
	Super Mac	2657.40		1.59	10000.00			11145.38		9599.40	1545.98			11145.38	
	Airport	27265.13	753.24			3781.33		24257.04		24257.04				24257.04	
	Revolving Loan Fund	36283.96	75.00	37.23				36396.19		978.86	35417.31			36396.19	
SPECIAL REVENUE FUNDS:															
	Road Use Tax	643008.29	18461.24			25186.37		636283.16		256283.16	380000.00			636283.16	
	Employee Benefits	309543.12	140735.23	317.64		28508.72		422087.27		134692.85	287394.42			422087.27	
	TIF Tax Collections	566273.68	204609.81	455.89				761339.38		640298.30	121041.08			761339.38	
	Slavka Gehret Trust	204353.58		209.94		676.98		203886.54		-514.10	204400.64			203886.54	
	Police Forfeiture Acct	823.20		0.81				824.01		824.01				824.01	
DEBT SERVICE FUNDS:															
	Debt Service	255791.20	125056.81	252.73				381100.74		369876.62	11224.12			381100.74	
	TIF - Debt Payments	0.00						0.00						0.00	
PERMANENT FUNDS:															
	Park Improvements	16029.52	200.00	16.37				16245.89		2334.17	13911.72			16245.89	
	Library Capital Improvement	0.00			4000.00			4000.00		4000.00				4000.00	
	Ambulance Improvements	51694.39	2125.00	53.00				53872.39		8299.92	45572.47			53872.39	
	TIF Projects	5336.87						5336.87		5336.87				5336.87	
	Cemetery Improvements	69357.98	172.50	237.30				69767.78		2080.22	67687.56			69767.78	
	Cap Imp - FACC	12204.40		12.53				12216.93			12216.93			12216.93	
	Capital Improvements	-355293.54	4781.00			78311.62		-428824.16		-428824.16				-428824.16	
	Youth Baseball & Softball	-7977.44						-7977.44		-7977.44				-7977.44	
	Low Income Housing	14393.33		14.78				14408.11			14408.11			14408.11	
	MDC Funds	-7003.68			3000.00			-4003.68		-4003.68				-4003.68	
	Baty Disc Golf Course	19481.33		19.21	4800.00			24300.54		24131.71	168.83			24300.54	
	Mary Maxine Redmond Trust	8719.27		8.95		98.75		8629.47		277.96	8351.51			8629.47	
	Pocket Park	11652.81		11.77				11664.58		11664.58				11664.58	
ENTERPRISE FUNDS:															
	Cemetery Perpetual Care	161703.30	192.50					161895.80		3095.40	158800.40			161895.80	
	Charles S Bidwell Book Trust	84904.17		87.22		15.29		84976.10		217.34	84758.76			84976.10	
	Ioma Mary Baker Trust	40779.75		41.88				40821.63		402.50	40419.13			40821.63	
	Water Operating	72012.96	32729.74	72.92		19149.65		85665.97		77937.28	7728.69			85665.97	
	Customer Deposits	88870.70	810.00			400.00		89280.70		7708.14	81672.56			89280.70	
	Water Capital Improvements	1697.98	618.78	47.31				2364.07		1989.96	374.11			2364.07	
	Sewer Operating	66660.91	42609.37	67.82		24018.79		85193.31		58843.32	26475.99			85193.31	
	Sewer Capital Improvements	114050.69	1330.77	160.89				115542.35		114663.97	878.38			115542.35	
	Sanitation	97878.07	39372.82	100.55		38059.18		99292.26		1506.65	97785.61			99292.26	
	Sanitation Capital Improvements	57805.46	837.54	58.10				58702.10		17646.44	41055.66			58702.10	
	Storm Water fund	-18259.38	2466.31			157.00		-16950.05		-16950.05				-16950.05	
AGENCY FUNDS															
	Flex Spending	189.84	38.46					228.30		228.30				228.30	
	Enterprise Flex Spending	125.24	115.38					240.62		240.62				240.62	
INTERNAL REVENUE FUNDS:															
	Self Funded Insurance	0.00	2131.29			2131.29		0.00						0.00	
TOTAL OF ALL FUNDS															
		3725010.85	1096846.11	4282.83	244588.17	502936.33	244588.17	4323211.46	785.00	2180166.41	2129142.36	6677.38	6450.31	4323211.46	

Reviewed by

City of Monticello
 Cash On Hand By Bank
 For April 30, 2018

 5/11/2018

Bank	Amount	Interest rate	Maturity date	Length of investment	Purpose
F & M Bank					
Total by Bank	\$0.00				
Citizens State Bank					
Savings # 6025641	\$237.44	0.500	N/A		Earl F Lehmann Trust
Total by Bank	\$237.44				
Dutrac Credit Union					
Total by Bank	\$0.00				
Regions Banks					
Checking # 0002959379	\$6,439.94		N/A		Soldiers Memorial
CD #89100344	\$6,450.31	0.05	11/20/2017	212 days	Soldiers Memorial
Total by Bank	\$12,890.25				
Security State Bank					
Total by Bank	\$0.00				
Ohnward Bank & Trust					
General Ckg/Sweep #40002008	\$2,243,083.58	1.25	N/A		General Checking
Property Tax & Water #40001992	\$2,129,142.36	1.25	N/A		General Savings
Total by Bank	\$4,372,225.94				
Total Cash on Hand- All Banks	\$4,385,353.63				
Plus Petty Cash	\$785.00				Clerk's Office, Library, Aquatic Center and Berndes Center
Adjust Bank Error	\$0.00				
Plus Outstanding Credit Card Pymt	\$194.60				
Less Outstanding Checks	\$63,121.77				
Treasurer's Balance	\$4,323,211.46				

All of the accounts referenced above are "City" accounts, reported under the City Federal I.D. #. This is an all inclusive list of such accounts, including all Clerk's Office and Departmental Checking Accounts, same being subject to review during the annual City audit. In addition to the above accounts, the following component units, while legally separate entities from the City, are considered by the auditor to be "so intertwined with the City" that they are also subject to review during the City audit.

- Riverside Gardeners, Inc
- Monticello Firefighters Organization, Inc
- Monticello Emergency Medical Team
- Friends of the Monticello Public Library
- Monticello Youth Baseball & Softball Assn

City Council Meeting
Prep. Date: 05/03/18
Preparer: Doug Herman



Agenda Item: 147
Agenda Date: 05/07/2018

Communication Page

Agenda Items Description: Ordinance to approve the rezoning of 324/326 W. 2nd Street from R-2 two-family residential to R-3 Multi-family residential and condominium district. Resolution to approve Plat of Survey to Parcel 2018-21 and 2018-22

Type of Action Requested: Motion; Resolution; Ordinance; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Ordinance
Aerial (See Aerial attached to prior agenda item)
Proposed Resolution / Shared Exp. Agmt.
Plat of Survey to Parcel 2018-21 and 22

Fiscal Impact:

Budget Line Item:	n/a
Budget Summary:	n/a
Expenditure:	n/a
Revenue:	n/a

Synopsis: A Plat of Survey was prepared to create two lots out of one on which a duplex is currently located, with the intent of creating two zero lot line condominiums. Before considering the approval of the Plat of Survey the Council wanted to address the necessary change in zoning. Tonight is the third reading of the Ordinance and, therefore, if it is approved the Council may consider the Plat of Survey.

Background Information: This parcel currently contains a duplex, originally intended to be a "condominium". The prior owner, Ron Hunt, did not get the Condo set up before passing away and his son, Rob, is now moving that direction. Each of the two units is served by its own water service and the property shares a common 4" sewer service connection. The Condominium documents will make clear that the two units share the service line and maintenance thereof. The City would require two water service lines if two didn't exist, however, the one sewer line is not problematic so long as the owners of each unit know and understand that they are sharing a sewer line.

The proposed Ordinance changes the zoning from R-2, two family residential, to R-3 Multi-Family Residential and Condominium District. A duplex is correctly zoned as R-2 while a Condo is correctly zoned R-3.

The Plat of Survey is accompanied by an agreement that will be tied to the property. The agreement is referred to as a "Shared Garage Rood and Sewer Expense Agreement". I take no position on whether or not this agreement is appropriate and/or adequately protects the rights of future owners of this property or if the Assessor, will, based upon this agreement treat the property as two separate taxable single family residential units. The agreement speaks to a common garage roof and a common sewer service line. It does not address the roof over the primary structure or the driveway. To reiterate, I believe whether or not the "agreement" is satisfactory will be up to the property owners and the assessor.

Staff Recommendation: I recommend that the Council consider approval of the 3rd reading of the proposed Ordinance. I recommend that the Council approve of the Plat of Survey to Parcel 2018-21 and Parcel 2018-22, same having previously recommended by the P & Z subject to the approval of the change in zoning from R-2 to R-3.

Preparer: Doug Herman, Monticello City Admin. 200 E. 1st St., Monticello, IA 52310; 319.465.6435
Return to: Doug Herman, Monticello City Admin. 200 E. 1st St., Monticello, IA 52310

Amendment to Ordinance recorded as document _____, recorded date _____

ORDINANCE NO. _____

An Ordinance amending the Monticello Code of Ordinances, by amending Chapter 165 "ZONING REGULATIONS" of certain property located within the City Limits of the City of Monticello, same being generally described as 324/326 W. 2nd Street, Monticello, IA 52310, legally described as set forth below, and amending the Official Zoning Map.

Legal Description:

BE IT ENACTED by the City Council of the City of Monticello, Iowa:

A. Zoning Classification:

That the Zoning Classification for the above-described property shall be hereby amended from its' present designation of R-2, Two-Family Residential to R-3 Multi-Family Residential and Condominium District.

B. Repealer:

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

C. Severability:

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.

D. Effective Date

This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

1st reading passed by the Council on this

2nd reading passed by the Council on this

3rd reading passed by the Council on this

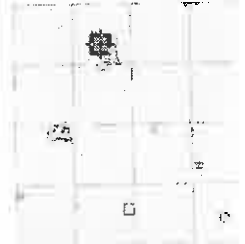
Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk



Overview



Legend

- Parcels
- Cartography
- Major Roads

Parcel ID	0221480004	Alternate ID	062900	Owner Address	R & R REALTY INC
Sec/Twp/Rng	n/a	Class	R		23360 FAIRVIEW RD
Property Address	324 W 2ND ST # 326	Acreage	n/a		ANAMOSA IA 52205
	MONTICELLO				
District	MONCO				
Brief Tax Description	R.R. ADD W 100' LOTS 402 & 403				
	(Note: Not to be used on legal documents)				

THIS MAP DOES NOT REPRESENT A SURVEY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA DELINEATED HEREIN, EITHER EXPRESSED OR IMPLIED BY JONES COUNTY OR ITS EMPLOYEES. THIS MAP IS COMPILED FROM OFFICIAL RECORDS, INCLUDING PLATS, SURVEYS, RECORDED DEEDS, AND CONTRACTS, AND ONLY CONTAINS INFORMATION REQUIRED FOR LOCAL GOVERNMENT PURPOSES. SEE THE RECORDED DOCUMENTS FOR MORE DETAILED LEGAL INFORMATION.

Date created: 4/10/2018
 Last Data Uploaded: 4/9/2018 5:30:26 PM

Developed by
 The Schneider Corporation

PREPARED BY: Michael A. Bowman, Attorney at Law, P.O. Box 351, Monticello, IA 52310, PH:319-465-5448
RETURN TO: Michael A. Bowman, Attorney at Law, P.O. Box 351, Monticello, IA 52310, PH:319-465-5448
TAX STATEMENT: No Change

SHARED GARAGE ROOF AND SEWER EXPENSE AGREEMENT

This document sets out an agreement between the parties concerning the care, maintenance, and replacement of a shared garage roof over their respective properties:

1. R & R Realty, Inc. was the owner of the following described property, located in Jones Count, Iowa, to-wit:

The West 100 feet of Lots 402 and 403 in Railroad Addition to Monticello, Iowa, according to the recorded dplatt thereof

2. That property was subdivided by R & R Realty, Inc. to reflect the construction of a duplex on said property. That plat of survey divided the property into Parcel 2018-21 and Parcel 2018-22 in the City of Monticello, Iowa

3. R & R Realty, Inc. remains the owner of Parcel 2018-21 and Lyle Smith and Judy Smith, husband and wife, are now the owners of Parcel 2018-22.

4. The parcels are separate and divided units in all respects except they share a common garage roof and a single sewer line.

5. The parties hereto agree to equally share the costs associated with the sewer line and the shared garage roof's repair, including but not limited to all maintenance, replacement and costs of insurance for the shared garage roof, regardless of the location of damage on the shared garage roof, except in the event of intentional or negligent acts of either party. In the event of intentional or negligent acts of a party hereto that results in damage to the shared garage roof, the acting or negligent party shall be solely responsible for such repairs or replacement. The parties will reach an agreement as to the replacement products to be purchased, as may be necessary. Sewer line expenses shall also be shared equally; each party shall be solely responsible for any damages to their respective property caused by sewer backup, except that should one party's negligence result in damage to the other owner's property, then such negligent party shall be responsible for damages caused by such negligence.

6. Each party is solely responsible for their respective lawn maintenance, snow removal, and homeowners insurance. In the event of insurance claims, each party will be responsible for their insurance deductible expense.

7. This agreement shall be binding on the parties, their heirs, assignees and successors-in-interest, and shall be deemed to run with the land.

Dated this ____ day of _____, 2018.

R & R Realty, Inc.

BY: _____

Lyle Smith

Judy Smith

STATE OF IOWA)
) ss.
JONES COUNTY)

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Lyle Smith and Judy Smith, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for said State

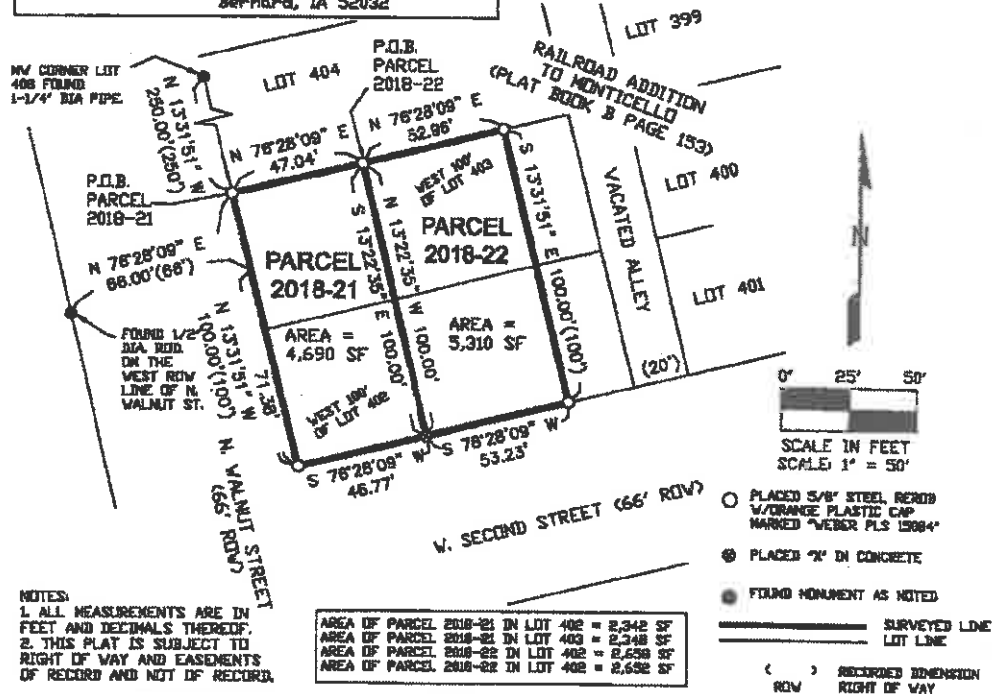
STATE OF IOWA)
) ss.
JONES COUNTY)

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared _____ and _____, to me personally known, who being by me duly sworn, did say that they are the President and Secretary of the corporation executing the within and foregoing instrument, that the instrument was signed on behalf of the corporation by authority of its Board of Directors; and that President and Secretary as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Notary Public in and for said State

Index Legend	
Location:	Parcel 2018-21 & 2018-22, City of Monticello
Requestor:	Rob Hunt
Proprietor:	R & R Realty, Inc
Surveyor:	Michael J. Weber
Surveyor Company:	Weber Surveying, LLC
& Return To:	26789 46th AVE, Bernard, IA 52032

**PLAT of SURVEY of
PARCEL 2018-21 and PARCEL 2018-22
in the City of Monticello, Iowa**



NOTES:
1. ALL MEASUREMENTS ARE IN FEET AND DECIMALS THEREOF.
2. THIS PLAT IS SUBJECT TO RIGHT OF WAY AND EASEMENTS OF RECORD AND NOT OF RECORD.

DESCRIPTION:

Parcel 2018-21 being part of the West 100' of Lot 402 and Lot 403 in Railroad Addition to Monticello, Iowa, as shown in Plat Book B page 153 of the Jones County Recorder's Office, more particularity described as follows: Commencing at the NW corner of said Lot 403 being the point of beginning; thence N 76°28'09" E, 47.04' along the North line of said Lot 403; thence S 13°22'35" E, 100.00' to the South line of said Lot 402; thence S 76°28'09" W, 46.77' along said South line to the SW corner of said Lot 402; thence N 13°31'51" W, 100.00' along the West line of said Lot 402 and Lot 403 to the point of beginning, containing 4,690 square feet and subject to easements of record and not of record.

Parcel 2018-22 being part of the West 100' of Lot 402 and Lot 403 in Railroad Addition to Monticello, Iowa, as shown in Plat Book B page 153 of the Jones County Recorder's Office, more particularity described as follows: Commencing at the NW corner of said Lot 403, thence N 76°28'09" E, 47.04' along the North line of said Lot 403 to the point of beginning; thence N 76°28'09" E, 52.96' along said North line to the NE corner of the West 100' of said Lot 403; thence S 13°31'51" E, 100.00' along the East line of the West 100' of said Lot 403 and Lot 402 to the South line of said Lot 402; thence S 76°28'09" W, 53.25' along said South line; thence N 13°22'35" W, 100.00' to the point of beginning, containing 5,310 square feet and subject to easements of record and not of record.



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A JULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Michael J. Weber February 20, 2018
MICHAEL J. WEBER (GATE)
LICENSE NUMBER 15984
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2019

SHEETS COVERED BY THIS SEAL: Sheet 1

WEBER SURVEYING, LLC
26789 46TH AVE
BERNARD, IA 52032
PH (563) 590-4993
mjweber1@bernardtel.com

DRAWN BY: M/JW
SURVEY DATE: 2/20/18
DWG: 18015

SHEET 1 OF 1

The City of Monticello, Iowa

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO, IOWA

RESOLUTION #18-__

Resolution Approving Plat of Survey to Parcels 2018-21 and 2018-22

WHEREAS, A Plat of Survey has been presented to Parcels 2018-21 and 2018-22 same being located within the jurisdiction of the City of Monticello, and

WHEREAS, Said Plat of Survey has been reviewed by the Planning & Zoning Board and recommended for approval, and

WHEREAS, The purpose of the Plat of Survey is to create two zero lot line condominium units, dividing an existing R-2 duplex, that has been re-zoned to R-3 Condominium District, on a common wall so that each unit may be individually owned, and

WHEREAS, The City Council has reviewed the Plat of Survey and finds that it should be approved.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve the Plat of Survey to Parcels 2018-19 and 2018-20.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto. Done this 21st day of May, 2018.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, Monticello City Clerk

City Council Meeting
Prep. Date: 05/17/18
Preparer: Doug Herman



Agenda Item: # 2
Agenda Date: 05/21/18

Agenda Item Description: Resolution to approve the Plat of Survey to Parcel 2018-30. (Located within the two-mile jurisdiction)

Type of Action Requested: Motion; Resolution; Ordinance; Report; Public Hearing

Attachments & Enclosures:

Final Plat and Aerial depiction
Proposed Resolution

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Property located within two-mile jurisdiction...maybe.

Background Information: Ron and Sue Schemmel have created a Parcel identified as being just within the City limits by Jones County. The parcel, a total of 2.71 acres is very much at the fringe of the two-mile jurisdiction and has been created for purposes of constructing a residential structure.

P & Z will review the proposed Final Plat at their meeting of May 21, 2018, just prior to the City Council meeting and I have no reason to think that they will not recommend its' approval.

Staff Recommendation: I recommend that the Council consider the approval of the Plat of Survey to Parcel 2018-30.

The City of Monticello, Iowa

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO, IOWA

RESOLUTION #18-__

Resolution Approving Plat of Survey to Parcel 2018-30

WHEREAS, The Plat of Survey has been presented to the City Council for approval, same being located within the two-mile jurisdiction of the City limits of the City of Monticello, and

WHEREAS, The City Planning and Zoning Board has reviewed the Plat of Survey and recommends that it be approved, and

WHEREAS, The City Council has reviewed the Plat of Survey and finds that it should be approved.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve the Plat of Survey to Parcel 2018-30.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto. Done this 21st day of May, 2018.

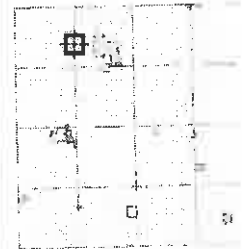
Brian Wolken, Mayor

Attest:

Sally Hinrichsen, Monticello City Clerk



Overview



Legend

- Corporate Limits
- Political Township
- Parcels
- Cartography
- Major Roads

Parcel ID	012440006	Alternate ID	088100	Owner Address	SCHEMME, GLADYS M
Sec/Twp/Rng	24-86-04	Class	A		19002 CO RD D62
Property Address	19204 COUNTY ROAD D62	Acres	34.51		MONTICELLO IA 52310-7694
	MONTICELLO				
District	CAGMO				
Brief Tax Description	24 86 4 NE SE EXC PARCEL 2004-96				
	(Note: Not to be used on legal documents)				

THIS MAP DOES NOT REPRESENT A SURVEY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA DELINEATED HEREIN, EITHER EXPRESSED OR IMPLIED BY JONES COUNTY OR ITS EMPLOYEES. THIS MAP IS COMPILED FROM OFFICIAL RECORDS, INCLUDING PLATS, SURVEYS, RECORDED DEEDS, AND CONTRACTS, AND ONLY CONTAINS INFORMATION REQUIRED FOR LOCAL GOVERNMENT PURPOSES. SEE THE RECORDED DOCUMENTS FOR MORE DETAILED LEGAL INFORMATION.

Date created: 5/17/2018
 Last Data Uploaded: 5/15/2018 5:37:14 PM

INDEX LEGEND	
LOCATION:	SECTION 24, T86N, R4W, NE OF SE
PROPRIETORS:	GLADYS M. SCHEMMELE
REQUESTOR:	RON & SUE SCHEMMELE
SURVEYOR:	BILL BURGER
SURVEYOR COMPANY:	WM. BURGER LANDSURVEYOR
RETURN TO:	BILL BURGER, 510 3RD STREET WEST COURT, WORTHINGTON, IA 52078 (563) 855-2028

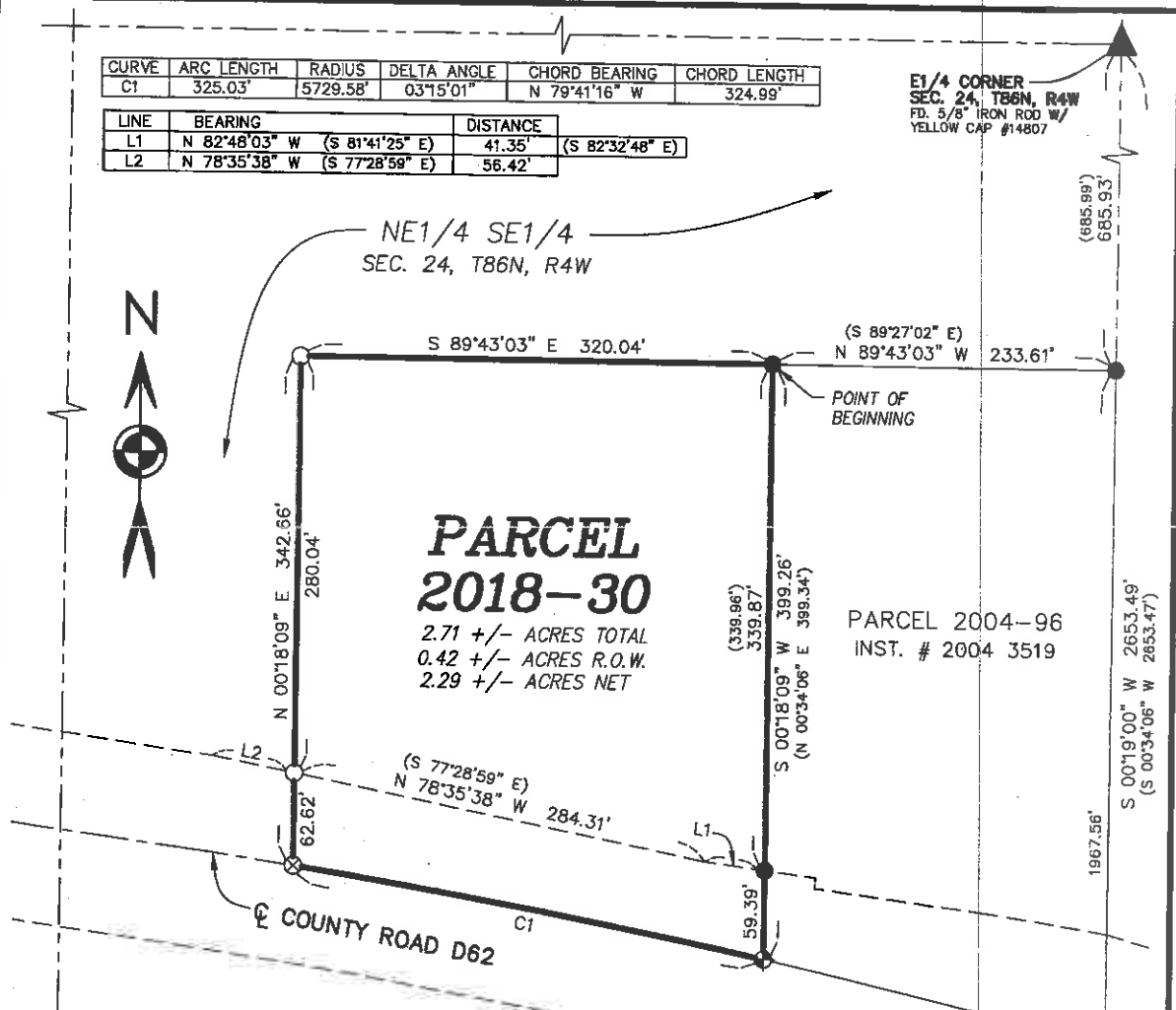
PREPARED BY BILL BURGER 510 3RD STREET WEST COURT, WORTHINGTON, IOWA 52078 (563) 855 2028

PLAT OF SURVEY **PARCEL 2018-30** PART OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP EIGHTY-SIX NORTH (T86N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, JONES COUNTY, IOWA

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	325.03'	5729.58'	03°15'01"	N 79°41'16" W	324.99'

LINE	BEARING	DISTANCE
L1	N 82°48'03" W (S 81°41'25" E)	41.35'
L2	N 78°35'38" W (S 77°28'59" E)	56.42'

E1/4 CORNER
SEC. 24, T86N, R4W
FD. 5/8" IRON ROD W/
YELLOW CAP #14807



LEGEND

- SET 1/2" IRON ROD W/ YELLOW CAP #12642
- SET CUT X
- ⊗ FD. 1/2" IRON ROD W/ YELLOW CAP #12642
- ⊕ FD. CUT X
- BOUNDARY LINE SURVEYED
- - - SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- - - R.O.W. LINE
- - - CENTERLINE OF ROAD
- () PREVIOUSLY RECORDED AS

SE CORNER
SEC. 24, T86N, R4W
FD. 5/8" IRON ROD
WITH NO CAP

	DATE OF SURVEY: 3/13/2018	SHEET 1 OF 2
	PROPRIETORS: SEE INDEX LEGEND	SCALE: 1" = 100'
	<p>I HEREBY CERTIFY THAT THIS LANDSURVEYING DOCUMENT WAS PREPARED AND RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA. MY LICENSE RENEWAL DATE IS DECEMBER 31, 2018</p> <p><i>William H. Burger</i> 4/5/18 WILLIAM H. BURGER #12642 DATE</p>	

Wm. Burger
LandSurveyor
510 3rd Street West Court
Worthington, Iowa 52078

City Council Meeting
Prep. Date: 05/17/18
Preparer: Doug Herman



Agenda Item: # 3
Agenda Date: 05/21/18

Agenda Item Description: Resolution to approve Brick Paver Policy.

Type of Action Requested: Motion; Resolution; Ordinance; Report; Public Hearing

Attachments & Enclosures:

Proposed Draft Policy
Proposed Resolution
Comm. Page from 4/2/2018

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: I prepared and delivered to the Council a draft brick paver policy a month or so ago. Action tonight would approve a policy.

Background Information: The Council may or may not be prepared to take action tonight, and if not, I merely need input so that I can get a policy in place that fits the Council's desires.

The draft policy has a number of ideas/questions in it. If the Council can reach consensus on Monday night with the draft in hand you can then proceed with a motion/second and potential approval.

I have included my communication page from 4/2/2018 for review as well.

Staff Recommendation: I recommend that the Council consider approval of the Brick Paver policy.

CITY OF MONTICELLO
POLICY Re: Downtown Brick Pavers

Subject: Required use of Brick Pavers in lieu of colored concrete strip in area immediately behind the curb in designated areas.

Effective Date: _____

PURPOSE:

The purpose of this Policy is to provide direction and to put on notice all owners of property potentially impacted or subject to this policy as a result of their ownership of property potentially impacted by this policy.

SCOPE:

This policy applies to all owners of property located on E. 1st Street between _____ and _____ streets and to all owners of property located on Cedar Street located between _____ and _____ streets.

PROCEDURE:

Partial or Total Sidewalk Removal: In the event any property subject to this policy chooses to or is otherwise required to remove any portion of the sidewalk abutting their property, for any reason, the property owner shall be required to remove and replace the entirety of the existing colored strip of concrete located between the back of curb and the non-colored sidewalk panels with brick pavers. This requirement shall apply whether any portion of the colored strip is removed by the owner.

1. **Brick Pavers:** The City of Monticello will provide necessary brick pavers at no cost to the contractor of owner's choice for installation. The installation shall follow the specification provided by the City. The owner shall obtain a permit from the City prior to the installation and the preparation work and final installation shall be subject to inspection and approval by the City of Monticello. In the event the City runs out of historic City of Monticello brick pavers the City will purchase and provide a substitute paver deemed by the City to be the closest possible match to the historic City of Monticello pavers.
2. **Additional Cost:** Due to the fact that the City is requiring the installation of pavers as noted above and the owner will incur expense associated therewith, the City will pay the owner the sum of \$_____ per lineal foot of sidewalk frontage in which the pavers have been installed upon their installation in a manner found to be consistent with the City specification.

3. **Downtown Loan:** The downtown loan fund will be made available to all property owners subject to this policy and sums may be borrowed from the City to cover the property owner's share of project costs at 0% for five (5) years after the completion of a promissory note and mortgage, with the mortgage to be recorded at the expense of the property owner. (Project Costs shall include removal costs, subgrade and other concrete preparation work, and costs associated with installation of both sidewalk repair and paver installation.)
4. **Adjacent Property Owner Paver Installation:** If and when a property owner's property is bounded on each side by a property that has installed brick pavers as contemplated herein said property owner, so bounded, shall have one year from the completion of the most recent neighboring property paver installation to see to the installation of pavers on their property frontage, regardless of a need on their part to otherwise repair or replace any portion of their sidewalk or colored sidewalk border.
5. **Replacement Sunset:** Upon the passage of five (5) years from the Council approval of this Policy the Council will inspect those areas covered by the requirements of this policy and determine how many of the covered sidewalks have not replaced the colored concrete strip with pavers as contemplated herein. It is anticipated that the property owners who have not yet converted their colored concrete strip frontage to pavers will be given a timeline within which to complete said work. It is also contemplated, but not mandated by this policy, that the Council may work with willing property owners on a bid package so that one contractor my bid on more than one frontage, potentially bringing down the overall project cost due to the additional quantities involved.
6. **Maintenance:** After installation the property owner shall be obligated to maintain the frontage with the historic brick pavers, or other brick pavers approved by the City. The City may choose to make available a "required" replacement paver to ensure a consistent look moving forward with the costs of said replacement pavers being the responsibility of the owner.

(Other: Should the City agree to collect and dispose of removed concrete? Only if the colored strip is removed or if all concrete is removed?)

This Policy was reviewed and approved by the City Council in session on the ____ day of _____, 20__ as Resolution # _____, same to take effect immediately.

Brian Wolken, Mayor

The City of Monticello, Iowa

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO, IOWA

RESOLUTION #18-___

Resolution to approve Downtown Brick Paver Policy

WHEREAS, In the 1990's the City of Monticello invested in a downtown streetscape that included a colored strip of concrete on the back of the curb in place of brick pavers as a cost savings measure, and

WHEREAS, Over the years the colored strip has faded and has, in many locations throughout the downtown, been removed and replaced with non-matching colored concrete, and

WHEREAS, The City authorized the installation of brick pavers in lieu of the colored strip in front of the Pocket Park and same have held up for two winters and have been well received by the public, and

WHEREAS, The City has undertaken various street repair projects that has created a stockpile of pavers and has more planned that will create an additional number of old City brick pavers that could be used to replace sections of the colored concrete and new pavers that are similar or that would emulate the old pavers can be purchased, and

WHEREAS, The City Council finds that the replacement of the colored concrete strip would be a significant improvement to the appearance of the downtown and should be required and promoted, and

WHEREAS, The City Council has reviewed the proposed "Brick Paver Policy" and finds that same should be approved and instituted immediately.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve the proposed downtown Brick Paver Policy and directs staff to implement said policy from this day forward.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto. Done this 2nd day of April, 2018.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, Monticello City Clerk

City Council Meeting
Prep. Date: 03/30/18
Preparer: Doug Herman



Agenda Item: #
Agenda Date: 04/02/18

Communication Page

Agenda Items Description: Resolution to approve plan to require Brick Paver placement in lieu of colored concrete strip in downtown commercial district and directing the City Administrator to draft a policy related thereto for further Council consideration.

Type of Action Requested: Motion; **Resolution;** Ordinance; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Resolution

Fiscal Impact:

Budget Line Item:

Budget Summary:

Expenditure:

Revenue:

Synopsis: There has been talk of replacing the colored strip of concrete adjacent to the curb downtown with pavers for some time. Proposed Resolution would set policy that replacement of colored concrete is required in place of colored concrete when removed.

Background Information: When the downtown streetscape was done in the 1990's the colored strip of concrete was installed as a cost savings measure, the first plan including the installation of pavers.

Over the years, with work done to brick streets, and with some brick intersections removed, the City has a certain quantity of bricks available for use by property owners to replace the colored strip of concrete. There are additional plans to remove bricks from the intersection of Grand and Washington this year and there will likely be additional bricks recovered from brick intersection/street work moving forward.

The bricks installed in place of the colored concrete adjacent to the Pocket Park were well received and have held up well so far. You can find numerous locations around downtown where the colored strip was removed for one reason or another and when it was put back it was not put back with the colored concrete, in many cases not even coming close to matching. (It really looks worse than if it were not put back in color at all.) If this strip is in brick they can be removed and replaced while maintaining the consistent look and will also carry forward the historical significance of the bricks in Monticello.

This issue has come to the forefront a bit due to the Brian Monk project and discussions related to replacement of the colored strip of concrete versus other alternatives. (Replace

colored strip with colored strip, replace with standard concrete (no color), replace with stamped concrete, or replace with pavers)

Some Council input has suggested support for brick pavers and that has been recommended by staff to Brian Monk, although the Council has not yet stated a policy on this front. If the Council wishes to see this occur, the Council next needs to consider the following policy terms or conditions:

1. Will City provide the bricks at no charge?
2. Will City assist with the costs of brick placement? (Pay so much a lineal foot?)
3. If a property owner is removing one section of colored concrete in their walk should that be a trigger to require the removal of the entirety of their colored strip for replacement with brick pavers?
4. Should the area to be replaced with pavers extend down S. Cedar and up N. Cedar or should the focus be on 1st Street?
5. Would City downtown loan be available to property owners who are incurring expense to replace sidewalk?

Brick Pavers of a similar nature can be bought, however, that would be additional expense. (Josh Iben wanted to do some research but thought \$7.00 sf would be about right) Josh also estimated that it would cost no more than \$400 to install a 100' strip of pavers, three wide. (The base would need to be installed correctly and could cause additional expense)

It is not believed that the colored strip is tied into the concrete sidewalk throughout town and if this is the case it should be possible to remove the colored strip without hurting the balance of the sidewalk. That removal would be followed by some excavation by a small mini ho bucket to remove base that is not up to par for paver placement.

Josh also recommended that the City require the use of clean rock as a base under all sidewalks as it can be installed in a manner that will significantly reduce movement of sidewalks during the freeze and thaw. (Preferred over road rock, sand, etc.)

Recommendation: I recommend that the Council approval of the proposed Resolution approving of the plan to require brick placement in lieu of the colored concrete strip and directing the City Administrator to draft a policy related thereto for further Council consideration.

City Council Meeting
Prep. Date: 04/10/18
Preparer: Doug Herman



Agenda Item: # 4
Agenda Date: 05/21/18

Communication Page

Agenda Items Description: Resolution to recognize past vacation of R.O.W. and to approve the execution and delivery of a Quit Claim Deed to adjacent property owner, the Vera Fae Schoon Estate.

Type of Action Requested: Motion; Resolution; Ordinance; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Resolution

Aerial of previously vacated ROW

Fiscal Impact:

Budget Line Item:

Budget Summary:

Expenditure:

Revenue:

Synopsis: The D62 Right-of-Way was vacated many years ago by the County and not transferred to the adjacent property owner, in this case the Schoon family. This action will, in essence, finalize the vacation/transfer process.

Background Information: When D62 saw improvements many years ago the new road involved the vacation of previously existing road ROW. While the County vacated a section of ROW adjacent to the Schoon property the vacated ROW was never transferred. This issue was discovered when the Schoon family hired a land surveyor to parcel off various portions of the Schoon property after Vera's death. The County Auditor has been working with the surveyor and/or the Schoon family to get me the correct legal description of the ROW that requires transfer. The proposed Resolution would authorize me to transfer the ROW by way of a Quit Claim Deed to the Vera Fae Schoon Estate. No public hearing is necessary as the ROW was vacated years ago and this step merely corrects a "gap" that was not completed in that process.

Recommendation: I recommend that the Council approve the proposed Resolution and authorize the City Admin. to prepare and issue the proposed deed to the Vera Fae Schoon Estate. (Property Owner to pay cost of deed recordation.)

The City of Monticello, Iowa

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO, IOWA

RESOLUTION #18-__

Resolution to recognize the past sale of excess right of way and to authorize the execution and delivery of Quit Claim Deed to adjacent property owner, the Vera Fae Schoon Estate

WHEREAS, On March 29, 1994 the Monticello City Council authorized, pursuant to Resolution 94-24, the sale of excess right of way within the corporate limits on County Rd. D62 to Lavern & Vera Schoon and to Thelma Spahr. Said resolution authorized the issuance of Quit Claim Deeds to said parties.

WHEREAS, The parcel described in Resolution 94-24, and described in Attachment A, and shown in the single-hatched area on the attached Excess ROW Plat for Proj. No. RS-4725, was inadvertently not issued to Lavern & Vera Schoon.

WHEREAS, this oversight was recently discovered by the heirs of Lavern & Vera Schoon and the Jones County Auditor, and the Schoon family has requested the City take action to issue a Quit Claim Deed to the Vera Fae Schoon Estate for said parcel described in Attachment A, and shown in the single-hatched area on the attached Excess ROW Plat for Proj. No. RS-4725.

WHEREAS, The City Administrator has verified that the current adjacent property owner is the Vera Fae Schoon Estate and that the family prefers that the excess right of way be transferred to said estate, and

WHEREAS, The City Council finds that the City should approve of the transfer of said excess right-of-way to the current adjacent property owner, the Vera Fae Schoon Estate.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby recognize the past action regarding the aforementioned excess right-of-way and authorizes the preparation, execution, and delivery of a Quit Claim Deed to the Vera Fae Schoon Estate as noted previously herein, to clear up any current or potential future title issues as a result of the prior action.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto. Done this ___ day of _____, 2018.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, Monticello City Clerk



Overview



Legend

-  Parcels
-  Cartography
-  Major Roads

Parcel ID	0228101004	Alternate ID	189200	Owner Address	SCHOON, VERA FAE
Sec/Twp/Rng	28-86-03	Class	A		17151 COUNTY RD D62
Property Address		Acreeage	1.33		MONTICELLO IA 52310
District	MONAG				
Brief Tax Description	28-86-03 NW NW EXC REIGER; & VAC ROW PARCEL E BK 360 PG 57 (Note: Not to be used on legal documents)				

THIS MAP DOES NOT REPRESENT A SURVEY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA DELINEATED HEREIN, EITHER EXPRESSED OR IMPLIED BY JONES COUNTY OR ITS EMPLOYEES. THIS MAP IS COMPILED FROM OFFICIAL RECORDS, INCLUDING PLATS, SURVEYS, RECORDED DEEDS, AND CONTRACTS, AND ONLY CONTAINS INFORMATION REQUIRED FOR LOCAL GOVERNMENT PURPOSES. SEE THE RECORDED DOCUMENTS FOR MORE DETAILED LEGAL INFORMATION.

Date created: 4/10/2018
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 Developed by
 The Schneider Corporation

City Council Meeting
Prep. Date: 05/17/18
Preparer: Doug Herman



Agenda Item: # 5
Agenda Date: 05/21/18

Communication Page

Agenda Items Description: Resolution approving time frame within which to apply for tax abatement under Chapter 10 of the Monticello Code of Ordinances.

Type of Action Requested: Motion; **Resolution;** Ordinance; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Resolution

Assessor Letter dated March 30, 2018

Assessor e-mail dated May 8, 2018

Fiscal Impact:

Budget Line Item:

Budget Summary:

Expenditure:

Revenue:

Synopsis: City Code provides for Tax Abatements under Chapter 10 on eligible residential and commercial improvements. The Code does not specify a time frame within which the application for exemption must be received.

Background Information: According to past practice, the Assessor has told me that an applicant may only receive the full five years of exemption under the Code if they have requested the abatement within one year of the completion of the improvement, basically a one year grace period. Thereafter, the exemption may be applied for but the applicant begins to lose years of eligibility.

We have two situations that have arisen that have brought this issue to the forefront:

1. Steve Koob built a new building a few years back. When we were going through the Annexation process I explained to him the tax savings he could receive under the abatement by annexing to the City. The annexation saw significant delays due to the fact that that the Yousse property had to be brought in for the Koob property to be brought in and that took some time. Due to the delays in annexation Koob did not pay City tax during those years but he also lost the potential tax abatement on the new improvement. He indicated to me that one of the reasons he signed on to the annexation application was the proposed abatement.
2. Lloyd Welter applied for the abatement when completing the condo units on Maple Street. While one set of units were deemed eligible the other set was not, as they were according to the Assessor not included within the "Horizontal Property Regime" documents, meaning that they were not "single family residential" and were therefore not eligible. I understand that corrective measures were later taken to add those three

units to the Horizontal Property Regime, however, it appears that no steps were taken to bring the Assessor into the fold at that time. Lloyd has recently been made aware that he was not receiving the abatement on all five of the units he continues to own and that is what we have determined.

The proposed Resolution approves of the full five year tax abatement on both the Koob and Welter property and directs me to amend the Code of Ordinances to provide for a one-year grace period moving forward. The proposed Ordinance will be drafted for consideration at the next Council meeting.

Recommendation: I recommend that the Council approve the proposed Resolution authorizing the Administrator to work with the Assessor on the necessary paperwork to allow for a five year tax abatement on the Koob and Welter properties as identified herein. (And direct Administrator to amend the Code to provide for a one year grace period in the future.)

The City of Monticello, Iowa

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO, IOWA

RESOLUTION #18-__

Resolution approving time frame within which to apply for Tax Abatement under Chapter 10 of the Monticello Code of Ordinances.

WHEREAS, The Chapter 10 of the Monticello Code of Ordinances provides for tax abatements on Commercial/Industrial improvements and Single Family Residential improvements, and

WHEREAS, The Code does not specify a time frame within which property owners must apply for the abatement to be considered eligible for the full five year abatement period, and

WHEREAS, The Jones County Assessor, and City staff, have traditionally allowed for a one year grace period during which a qualified applicant must apply for the abatement and be found eligible to avoid losing a portion of the abatement, and

WHEREAS, The Council has been presented with two circumstances where local residents believed they were going to receive the abatement provided by the Code but did not in fact receive same, to wit:

Steve Koob: Steve Koob signed a Voluntary Annexation Agreement in __ based upon his understanding that he would be eligible for and would receive a tax abatement as provided by the City Code for a period of five (5) years on the new commercial building on his property.

Lloyd Welter: Lloyd Welter applied for the tax abatement on five of six Condominium units owned by Lloyd Welter on N. Maple Street. Due to an apparent omission from the documents that created the Condominium Association known as the "Horizontal Property Regime" Mr. Welter was not allowed the abatement on three of the five units even though steps were later taken to add those three units to the Horizontal Property Regime.

-and-

WHEREAS, The Council finds, based upon the above information, that Mr. Koob and Mr. Welter should both be allowed to receive the full five (5) year abatement on their improvements assuming they meet other eligibility requirements, and

WHEREAS, The Council finds that the Code of Ordinances should be amended to make clear that the grace period during which application for abatement must be approved is one year, and if applications come in after one year that the remaining abatement period will be shortened by one year for each partial or full year that the Application is late.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve the full five year abatements as provided for within Chapter 10 of the Monticello Code for Steve Koob, commercial abatement, and Lloyd Welter, residential abatement, and directs the City Administrator to work with the property owners and the County Assessor to complete the necessary paperwork, and further directs the City Administrator to prepare a proposed amendment to Chapter 10 of the City Code to provide for a one year grace period for eligible owners to apply for abatement to maintain full eligibility for five (5) years.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto. Done this 21st Day of May, 2018.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, Monticello City Clerk

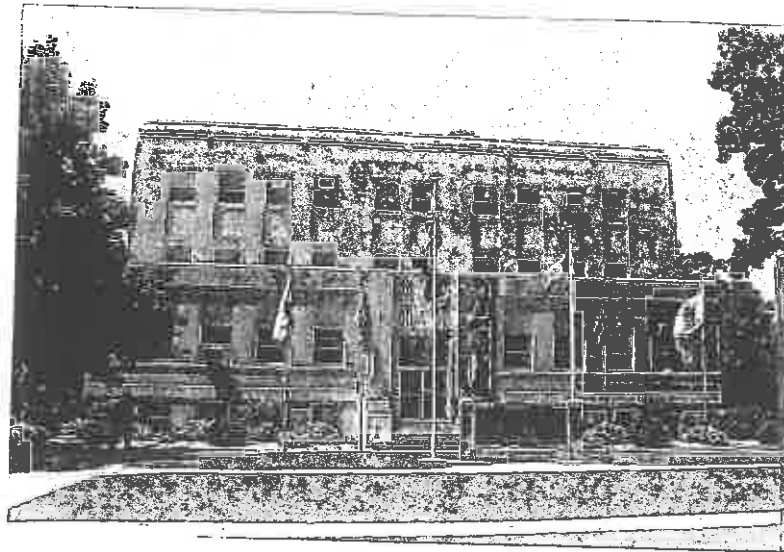
OFFICE OF THE COUNTY ASSESSOR

Arnie Andreesen
County Assessor

Jones County Courthouse

Anamosa, Iowa 52205

319-462-2671



Stan Capron
Deputy Assessor
Sarah Benter
Deputy
Jane Russell
Adm Asst

March 30, 2106

Maple Street Condos LLC
1052 S Main St
Monticello, Iowa 52310

Maple Street Condos LLC:

This is to inform you that the Urban Revitalization Tax Abatement has been approved for units located at 422 and 424 N Maple Street. Those abatements will be for the 2016 tax year with taxes payable in 2017 & 2018.

The abatements for the units located at 412, 414 and 416 have been disallowed. The application was for residential abatement on those units. Those units were not included in the horizontal regime to be made into condos. Therefore, they are not classified as residential property and are not eligible.

This does not stop you from applying next year for the abatement on the correct classification of the property. This would still give you the full five year abatement on the property.

If you have any questions, please contact our office.

Sincerely,

Arnie Andreesen
Jones County Assessor

Doug Herman

From: Sarah Benter, Jones County Assessor <sarah@co.jones.ia.us>
Sent: Tuesday, May 08, 2018 2:11 PM
To: Doug Herman
Subject: RE: Steve Koob property - 100 W. 11th Street, Monticello

Doug,

I tried calling but both numbers are coming up as unavailable – phones must be down?

I think that with this being the city's tax abatement if the council would pass a resolution our office would have to apply it. As long as the resolution is correct in describing the property and the details of the abatement we would put it on the property.

While you're working on resolutions could something be done about the grace period for tax abatements? It sounds like some cities have 1 year or 2 year grace periods. We have always followed the 1 year grace period but it would be nice to have something in writing, approved by the council, going forward if they're in favor of it. If they're not in favor then we need to stop allowing that.

Thank you,

Sarah

From: Doug Herman [mailto:dherman@ci.monticello.ia.us]
Sent: Tuesday, May 8, 2018 10:03 AM
To: Sarah Benter, Jones County Assessor <sarah@co.jones.ia.us>
Subject: RE: Steve Koob property - 100 W. 11th Street, Monticello

Sarah:

I have looked through our notes, and spoken with Sally, and we have no recollection of anything official at our end with regard to the one year grace period. The Koob case is unique in that the annexation agreement provided for the abatement but the annexation got held up for years as the property could not be annexed until the property across the street to the east (Yousse) was agreeable to annexation, which took a lot of time to get done.

If the City passed a Resolution approving an abatement application specifically acknowledging the prior completion of the Koob property, allowing for an abatement to be put in place moving forward due to the delay in annexation would that be acceptable to your office? I do not know what the Council will or won't do on Koob's request, just don't want to proceed unless we are on the same page.

Thanks

Doug

From: Sarah Benter, Jones County Assessor [mailto:sarah@co.jones.ia.us]
Sent: Thursday, May 03, 2018 2:46 PM
To: Doug Herman <dherman@ci.monticello.ia.us>
Subject: RE: Steve Koob property - 100 W. 11th Street, Monticello

Good afternoon Doug,

We are showing that the new building was started in 2010 and we have a new building value on the property for the 2011 tax year. Based on the valuation increase I would say we had the building at 100% complete for the 2011 year and the increases after that were due to equalization and the commercial revaluation we had done for 2014. I have it noted that they get a one year grace period to sign up and still receive the full 5 year abatement and after that point they lose a year of the abatement for every year they are late signing up. Based on the information I have I would say it is past the point of receiving any of the tax abatement as 2016 would have been the last year they could have received anything. However, it is ultimately the city's tax abatement and the one year grace period is just a note that was written on our copy of Chapter 10, Urban Revitalization. If you have anything more official documenting the one year grace period or something different than this would please send that to me so I can keep it on file? Thank you!

Let me know if you have any further questions,

Sarah Benter

Jones County Assessor
500 W Main St., Room 26
Anamosa, IA 52205
319-462-2671

From: Doug Herman [<mailto:dherman@ci.monticello.ia.us>]
Sent: Wednesday, May 2, 2018 2:41 PM
To: Sarah Benter, Jones County Assessor <sarah@co.jones.ia.us>
Subject: Steve Koob property - 100 W. 11th Street, Monticello

Sarah:

I have a question(s) related to the Steve Koob property located at 100 W. 11th Street. A few years ago Steve and the City entered into an Annexation Agreement. He was in the process of finishing up a building on his property and one of the benefits of annexation at that time was the potential for a five (5) year partial tax abatement on the new building. Due to the Yousse building across the road not being in the City and not having signed an Annexation agreement we could not annex the Koob property when planned, instead annexing it a few years later.

Can you tell me from your records when the Koob building, if it has as of yet, been deemed 100% complete? If the City Council approves a partial tax abatement for five (5) years based upon this improvement how would you handle/manage it? Would you find it to be eligible for all or any portion of the five year abatement?

Thanks for your input and if you need more details or have questions please feel free to shoot me an e-mail or call.

Douglas D. Herman

City Administrator
City of Monticello
200 E. 1st Street
Monticello, IA 52310
Phone: 319.465.3577
dherman@ci.monticello.ia.us

City Council Meeting
Prep. Date: 05/17/18
Preparer: Doug Herman



Agenda Item: # 6
Agenda Date: 05/21/18

Communication Page

Agenda Items Description: Resolution to approve Agreement Re: Monticello Youth Baseball and Softball Programs use of School owned Property and Facilities.

Type of Action Requested: Motion; Resolution; Ordinance; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Resolution
Proposed Agreement

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: City and MYBSA have agreement with regard to youth baseball and softball operations. Proposed Resolution approves agreement between City and School with regard to school owned facilities to be used by the MYBSA.

Background Information: While the MYBSA uses School property and facilities there has not been a formal agreement on that front, just an understanding. The proposed agreement clarifies, in writing what has largely been the past practice. The School basically grants permission, and some control if you will, to the City and their agent, the MYBSA, to utilize school property for specified purposes. This allows the City/MYBSA to manage scheduling and use of those fields, provides some detail with regard to shared maintenance and maintenance expense, and also provides a small amount of compensation to be paid by the MYBSA to the School when operating the concession stand during HS Varsity baseball games.

I have reviewed this agreement with the Superintendent and the School Board and expect it to be approved at their next meeting.

Recommendation: I recommend that the Council approve the proposed agreement, obviously being subject to subsequent approval by the School Board which, as noted, is anticipated.

The City of Monticello, Iowa

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO, IOWA

RESOLUTION #18-__

Approving Agreement Re: Monticello Youth Baseball and Softball Programs use of School Owned Property and Facilities

WHEREAS, The City of Monticello and the Monticello Youth Baseball Softball Association (MYBSA) have previously entered into an agreement and relationship associated with youth baseball and softball programming in Monticello, and

WHEREAS, Youth Baseball and Softball, as well as potential adult rec. league baseball and/or softball, plan to utilize various fields and facilities on Monticello Community School District property, and

WHEREAS, The City and its' agent, the MYBSA, have negotiated the terms of an agreement between the City and the School that allows City/MYBSA use and control to a great extent of those fields and facilities needed for the desired programming, with terms related to field maintenance and concession stand operation included, and

WHEREAS, The City Council finds that said agreement is appropriate, in the best interests of the City and should, therefore, be approved.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve of the proposed agreement between the City of Monticello and the Monticello Community School District Re: Monticello Youth Baseball and Softball use of School owned Property and Facilities, a copy of same being appended hereto, and authorizes the Mayor to execute the same on behalf of the City Council.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto. Done this 21st day of May, 2018.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, Monticello City Clerk

**Agreement Re:
Monticello Youth Baseball and Softball Programs
Use of School owned Property and Facilities**

COMES NOW the City of Monticello, Iowa, a Municipal Corporation (hereinafter “City”) and the Monticello Community School District (hereinafter “School”) and do hereby agree to the following terms and conditions related to the use of School owned property for purposes of Monticello youth baseball and softball.

GENERAL PURPOSE:

The purpose of this agreement is to set forth the understanding of the City and School with regard to the use by the City, and their agent, the Monticello Youth Baseball and Softball Association (MYBSA), of school facilities in association with the operation of youth baseball and softball leagues, tournaments, practices, and with regard to the Prep Diamond, City Rec. Dpt. Adult Softball leagues and potential practices.

PROPERTIES COVERED:

The following properties, including fields, concession stands as appropriate, related parking areas and other on-site infrastructure, are covered by and subject to the terms and provisions of this agreement.

1. Monticello Sport’s Complex (Three of the four fields located on the grounds of the Monticello High School, generally described as the Prep Diamond, and two little league fields commonly referred to as the East and West fields.
2. Two Fields located on the grounds of Carpenter Elementary School.
3. Softball Field located on the grounds of Shannon Elementary School.
4. Lions Field, located on City owned property near the High School Football Field.
5. Softball Fields, Varsity and Junior Varsity and Baseball Competition Diamond, and concession stand, located on grounds of Monticello High School. (The use of these covered diamonds shall be subject to event or use specific approval to be received from the School District Activity Director.)

OBLIGATIONS OF THE SCHOOL:

The School shall be responsible for mowing the outfield areas of the East, West, Prep and Shannon Diamonds at no cost to the City.

The School shall also be responsible for all mowing of the Carpenter Diamonds/Practice areas as well as the Varsity and JV softball fields and Varsity Baseball field.

The School shall be responsible for the payment of fees and expenses related to the use of electricity at the Shannon, Prep., and Varsity Softball and Baseball. (If and when they are allowed to be utilized for Youth Baseball and Softball purposes.)

OBLIGATIONS OF THE CITY:

The City, through their agent, the MYBSA, shall pay for and see to the application of fertilizer and weed control on the East, West, Prep and Shannon Diamonds and outfield areas.

The City's agent, MYBSA, will pay \$100 per varsity baseball night game(s), whether a single game or double header, during which the concession stand is open and operated by the MYBSA, to the Monticello Comm. School District Athletic Department.

CITY OF MONTICELLO MYBSA AGREEMENT:

The City and the School acknowledge the existence and their familiarity with the agreement entered with regard to youth baseball and softball by and between the City and the MYBSA. The City and School acknowledge the terms of that agreement and understand that the terms of that agreement will be honored by the School and same is incorporated by this reference as if set forth fully, verbatim, herein. (A copy of same has been appended hereto.)

ALTERATION, MODIFICATION, or CONSTRUCTION OF SCHOOL FACILITIES:

The City and School acknowledge and recognize that the School has been involved in an in depth facilities study and will be proceeding with a bond issue this year to seek funding to build a new middle school and current plans call for future bond issues to address needs moving forward. The parties agree that the School, in their sole discretion, may eliminate and/or relocate fields/facilities covered by this agreement if said elimination or relocation is tied to and/or associated with the construction of a new school building. The School agrees to give the City as much notice as possible of any planned field elimination or relocation.

TERM: The Term of this agreement shall be for three (3) year(s), commencing January 1, 2018 and ending December 31, 2020.

Signed and dated this _____ day of _____, 2018.

City of Monticello, Iowa

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk

Signed and dated this _____ day of _____, 2018.

Monticello Community School District

_____, Chair

_____, Secretary

City Council Meeting
Prep. Date: 05/18/18
Preparer: Doug Herman



Agenda Item: Reports
Agenda Date: 05/21/2018

Communication Page

Agenda Items Description: Misc. Reports

Type of Action Requested: Motion; Resolution; Ordinance; Reports; Public Hearing; Closed Session

Attachments & Enclosures:

Recycling / Sanitation Bid Analysis
Attached v. Detached Structures Analysis
S. Cedar St. repair pictures
Pasker e-mails
Side Yard Set Back Analysis

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

Reports / Potential Action:

- Recycling and Sanitation Review: See Attached Analysis of Bids Received
- Attached versus Detached Structures under the City Code: See Attached comments on this issue.
- 190th Road Maintenance Agreement Review: Please note e-mails sent to all of you on Friday. Also need to discuss position you as Council wish to take with regard to status of “current” agreement, potential property severances, future agreement/maintenance.
- Property Update, 103 W. 1st Street (Asbestos Inspection approved by IDNR) We can take a tour of the building after the meeting assuming enough daylight remains.
- Storm Sewer / Wall Repairs adjacent to S. Cedar Street Ditch (Storm Sewer Repaired. Discussion related to wall repairs.) See pictures attached hereto, also, if time, please drive by and take a look. I have had a couple comments indicating that they hope the wall goes back in stone as it was prior to the repair.
- Monticello / Paw Print on Residential sidewalks: Some of the paw prints have been put on driveways, as I understand it, and they would like permission to put the paw prints on residential sidewalks.
- Pasker / Schneiderman Internet “Fiber” installation: See attached e-mail from me to Jerry Pasker and his responses to me from May 1st. I have also attached a second set of e-mails with the latest e-mail being one from me to Jerry Pasker on the morning of May 18th.
- Side yard setback for Accessory Building on Corner Lot and side yard setback for corner lots in “old” parts of town. See Attached.

- The following is the information I shared with all of you at the last meeting, “190th Road Maintenance Agreement Update: I have attached my last correspondence with the County Engineer. It didn’t shed much light on the costs incurred by the County. I have also attached an unfinished draft of a summary of property valuation, taxes, and residents served by that section of 190th Street. I think a very fair argument could be made that because of the significant variation in valuation and tax dollars received by the County and the County residents living on that road versus city tax dollars received and City residents living on that road, that the County should be maintaining the road at their expense in its’ entirety. I suggest that the attached memo when completed be shared with the County Board of Supervisors with a request that they take over all responsibilities at their cost. I also think it may be appropriate to share the memo with a cover letter with all residents on that stretch of 190th Street.”
 - I sent you all e-mails this morning, May 18th, on this topic so that you were aware of recent e-mails between the County Engineer and me on this topic.

- Urban Chickens: The Code currently requires training before being granted a permit to raise urban chickens, reading: “The applicant shall successfully complete an approved class in raising chickens in an urban setting prior to being issued a permit. The Permitting Officer shall maintain a current list of such approved classes.”
 - An in person course was set up after the passage of the class but not enough interest was shown and the class was cancelled. We do not currently have a “current list of such approved classes” as noted above.
 - There are on line courses available and the purpose of this topic tonight is to determine if the Council is comfortable with the on-line option, if you want to make the decision on which classes are ok and/or are not on a case by case basis or if you wish to delegate that decision to the City Admin., City Clerk, etc.
 - We have a resident who has an on-line certification who would like to have urban chickens. I believe Sally will be getting a copy of the certification from this resident.

Summary Analysis of Recently Received Curbside Garbage and Recycling Collection

Proposed Recycling Rates

Year	Roling Rate 50 Gall Cart	Republic Rate 65 Gall Cart	Future (Roling) Increases
Year 1	\$5.25	\$4.00	Any increase in his costs.
Year 2	\$5.51	\$4.12	" "
Year 3	\$5.78	\$4.24	" "
Year 4	\$6.08	\$4.37	" "
Year 5	\$6.38	\$4.50	" "

At approx. 1575 recycling collection sites the first year monthly total would be:

Roling ¹	\$99,225 (with a 50 gallon cart) ²
Republic	\$75,600 (with a 65 gallon cart)

Proposed Term: Roling 5 years and Republic 7 years

Proposed Residential Sanitation Rates

Year	Roling Rate (One Bag)	Republic Rate 65 Gall Cart	Future (Roling) Increases	Roling Stickers after 1 st Bag	Republic Stickers after 65 Gall. Cart ³
Year 1	\$8.25	\$10.20	Any increase in his costs.	\$1.50	\$2.00
Year 2	\$8.66	\$10.51	" "	\$1.50	\$2.00
Year 3	\$9.10	\$10.82	" "	\$1.50	\$2.00
Year 4	\$9.55	\$11.15	" "	\$1.50	\$2.00
Year 5	\$10.03	\$11.48	" "	\$1.50	\$2.00

At approx. 1415 garbage collection sites the first year monthly total would be:

Roling ⁴	\$140,085.00
Republic	\$173,196.00

Proposed Term: Roling 5 years and Republic 7 years

¹ Assuming no "other" costs are passed on to the City. Roling told me when I called that his bid and annual increases are based upon current tipping fees and that he would pass on any increases in tipping fees to the City.

² I called Roling after receipt of their bid. He can provide 65 gallon cart, but would increase costs.

³ Republic Cart will hold approx. 5 "kitchen" size garbage bags and there will be no per bag fee. Republic reports selling very few stickers in other "carted" communities. Fee also includes one "large" item per month at no extra fee with certain exclusions. (Couch, Chair, carpet, etc.) Their opinion is that we could likely do away with City wide clean up days.

⁴ Assuming no "other" costs are passed on to the City.

Sanitation Examples, comparing Roling bid with one bag included and stickers for additional bags at \$1.50, versus Republic proposal to provide 65 gallon container with the likelihood that there will be no tags required or only required on a seldom basis.

If a Residential garbage customer puts out:⁵

- | | | |
|-------------------------|------------------|--------------------|
| 1. One bag per week: | Roling = \$8.25 | Republic = \$10.20 |
| 2. Two bags per week: | Roling = \$9.75 | Republic = \$10.20 |
| 3. Three bags per week: | Roling = \$11.25 | Republic = \$10.20 |
| 4. Four bags per week: | Roling = \$12.75 | Republic = \$10.20 |
| 5. Five bags per week: | Roling = \$14.25 | Republic = \$10.20 |
| 6. Six bags per week: | Roling = \$15.75 | Republic = \$12.20 |

You can see that the overall cost per customer/site gets close at 2 bags per week and at three bags per week the gross cost of the Republic service is less than the Roling service.

Major Differences: (not including rates)

Recycling:

Republic providing 65 gallon as opposed to 50 gallon carts.

Roling passing along any cost increases to the City.

Roling a 5% annual increase versus a 3% annual increase from Republic.

Roling a 5 year term as opposed to a 7 year term with Republic.

Sanitation:

Republic providing 65 gallon cart, with tags at \$2.00 / each but does not believe tags will be sold, while Roling not providing cart, with tags from second bag on at \$1.50 / each. If City does not want carts, then each collection point would receive three (3) bags per week or one 35 gallon garbage can for the base rate.

Republic to collect one bulky item per month from each stop at no additional charge, could do away with City Wide clean up; Roling not providing that service.

Roling passing along any increases in his tipping costs in addition to 5% increase. Republic not passing along said costs, and a 3% increase.

Republic offering a seven (7) year term and Roling a five (5) year term.

If we continue City Wide:

Roling	\$130/hour and we pay tipping fees.
Republic	\$150/hour and we pay tipping fees.

⁵ Assumes "Kitchen" size garbage bags

City Sanitation Service:

I need to spend some time on our Sanitation Budget and will try to do so before Monday. We are due for a new garbage truck at an approx. cost of \$175k to \$200k

In lieu of selling our newer truck we could convert it to a dump truck, which is needed, and save some money on the cost of a new dump truck. (Requires more analysis)

Until we change something with regard to yard waste, such as the acquisition of a yard waste site, we would need to keep one packer to transport the yard waste.

Depending where we get with this at the City Council meeting we may want to set up a committee of up to three Council members, myself, Brant, and the Mayor to work through all of this.

Roling's recycling contract technically done, but they will hold on until we tell them we make a decision, I believe.

We are down one staff person at the PW facility and if we do not continue with sanitation services we would not likely fill that position immediately. Filling it for other purposes will be up to the Council after further discussion of PW needs and goals.

Attached versus Detached Structure discussion and analysis:

The City Code has different sets of setbacks whether the proposed structure is attached or detached.

The City Code at 165.29 includes Bulk Requirements dealing with set-backs, lot size, minimum building sizes and other requirements. This analysis will focus on rules associated with R-1 Districts:

R-1: Single Family Residential

There are two sets of set-back charts/requirements, one for subdivisions, additions, or plats approved before June 24, 1996 and one for those approved after that date.

Question: If lots, in a plat created in 1950, are combined and resurveyed in 2018 do the pre or post 1996 rules apply. (The newly described property is a "plat of survey", not a subdivision, not an "addition" but may be a "plat" unless the Code is contemplating more of a "subdivision plat".

In Post 1996: R-1 Set-backs for single family residential:

Front yard:	30'
Rear yard:	35'
Side yard:	10'
Side/Street corner lot:	30'
Accessory Buildings	Cannot exceed 30% of rear lot area

In Pre 1996: R-1 Set-backs for single family residential:

Front yard:	25'
Rear yard:	25'
Side yard:	8'
Side/Street corner lot:	(no mention at 165.29)

There is also a provision, at 165.29(2) that states: "Construction within a premises shall be allowed to extend into the 25' front yard setback to the extent that existing adjacent premises extend within the 25' front yard setback but no further."

165.13 Accessory Buildings

2. No detached **accessory building or buildings** shall occupy more than thirty (30) percent of the area of a rear yard. **{Issue: Does the driveway serving the accessory building(s) part of the 30% calculation or are we just looking at the building(s) footprint?}**
3. Height...: No accessory building may exceed 25' in height to the peak.
 - A. If less than 15' them must meet a setback of at least 3' side and rear unless by an alleyway ROW in which case it shall be 5'
 - B. IF between 15' and 20' then must be set back 5'
 - C. If between 20' and 25' then must be set back 10'
 - D. No accessory building shall be erected in any front yard.

165.06 Definitions

1. **Accessory Building:** A building or use that not the principal building or use on the lot.
62. **Lot, Corner:** A lot abutting upon two (2) or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the Director of Public Works.

165.31 District R-1 Single Family Residential

5. **Off Street Parking**
 - A. one, two, multi, and group dwellings must have two off street parking spaces per dwelling unit
 - D. **Setback:** No parking shall be permitted within six (6) feet of an abutting lot in a residential district except as otherwise provided by this chapter (See 165.41)

165.41 Off Street Parking

5. **Improvement of Parking Areas**
 - A. Grades/Drainage required
 - B. Ingress / Egress shall be by way of a paved driveway, minimum width of 12' at throat.
 - C. (1) All open parking areas shall be surfaced with a permanent dust-free pavement.

165.44 Additional Requirements, Exceptions, Modifications, and Interpretations

3. (A) Front Yard requirements to not apply to bay windows or balconies that do not project more than 5' into the front yard.
4. (B) For corner lots platted of record before adoption of this Ordinance, the side yard setback requirement shall be fifty (50) percent of the front yard setback requirement, unless the house fronts on the longer street side of the lot, in which case the side yard setback requirement shall be equal to the front yard setback requirement.

Side Yard Setback on Corner Lot: A primary structure would need to be at least 25' off of the side street under 165.44(4)(B) if the primary structure fronts on the narrow side of the lot or 12.5' off the street if the primary structure fronts on the wider side of the lot. (However, old rules that pre-dated the current bulk requirements, allowed for a 15' setback.)

Issue: The above provision does not necessarily apply to an accessory building which could be built within 3' of lot line / side street ROW under 165.13 as there is no modification of the rule for a corner lot.

Rear Yd.

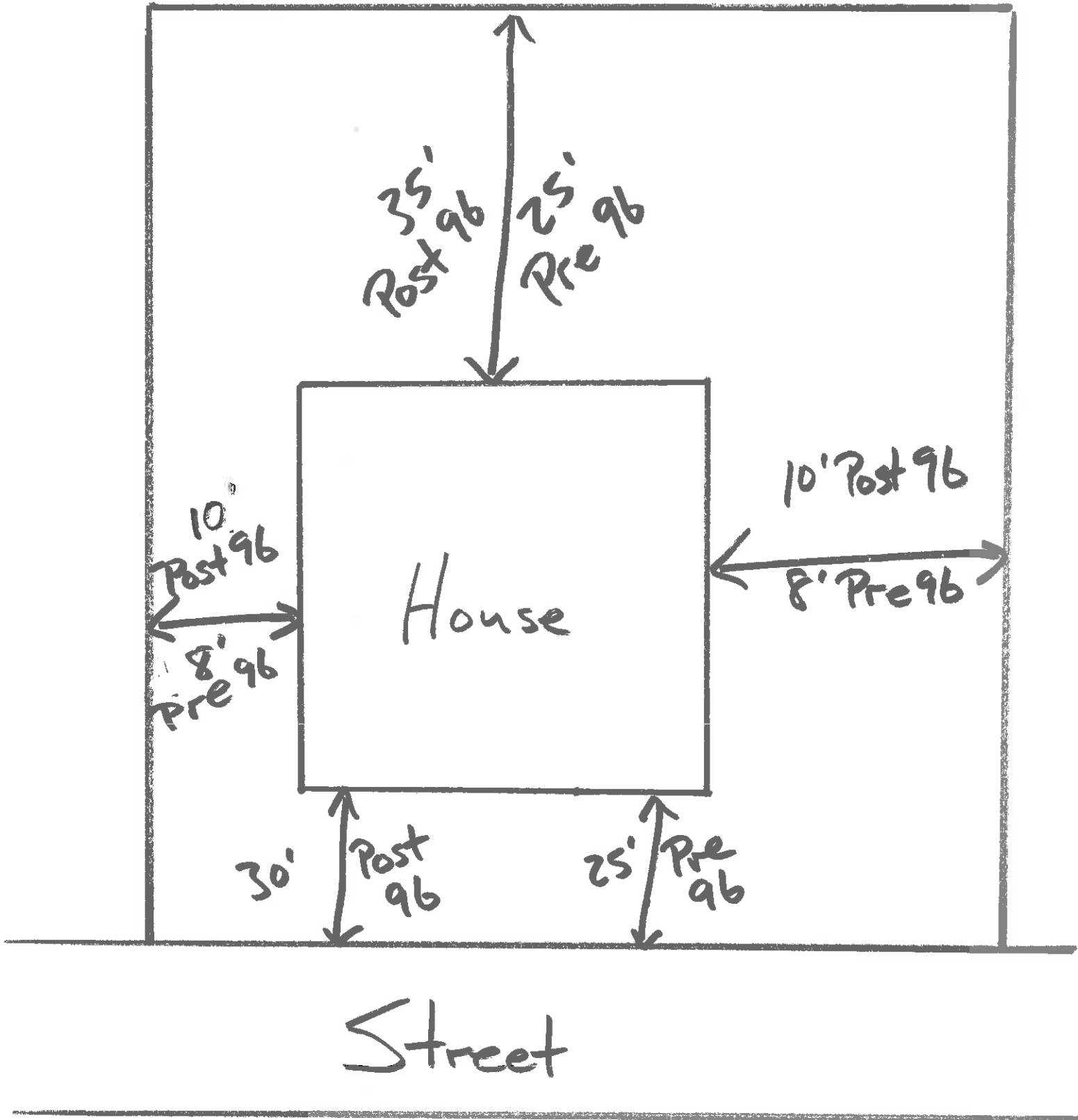
Side Yd

House

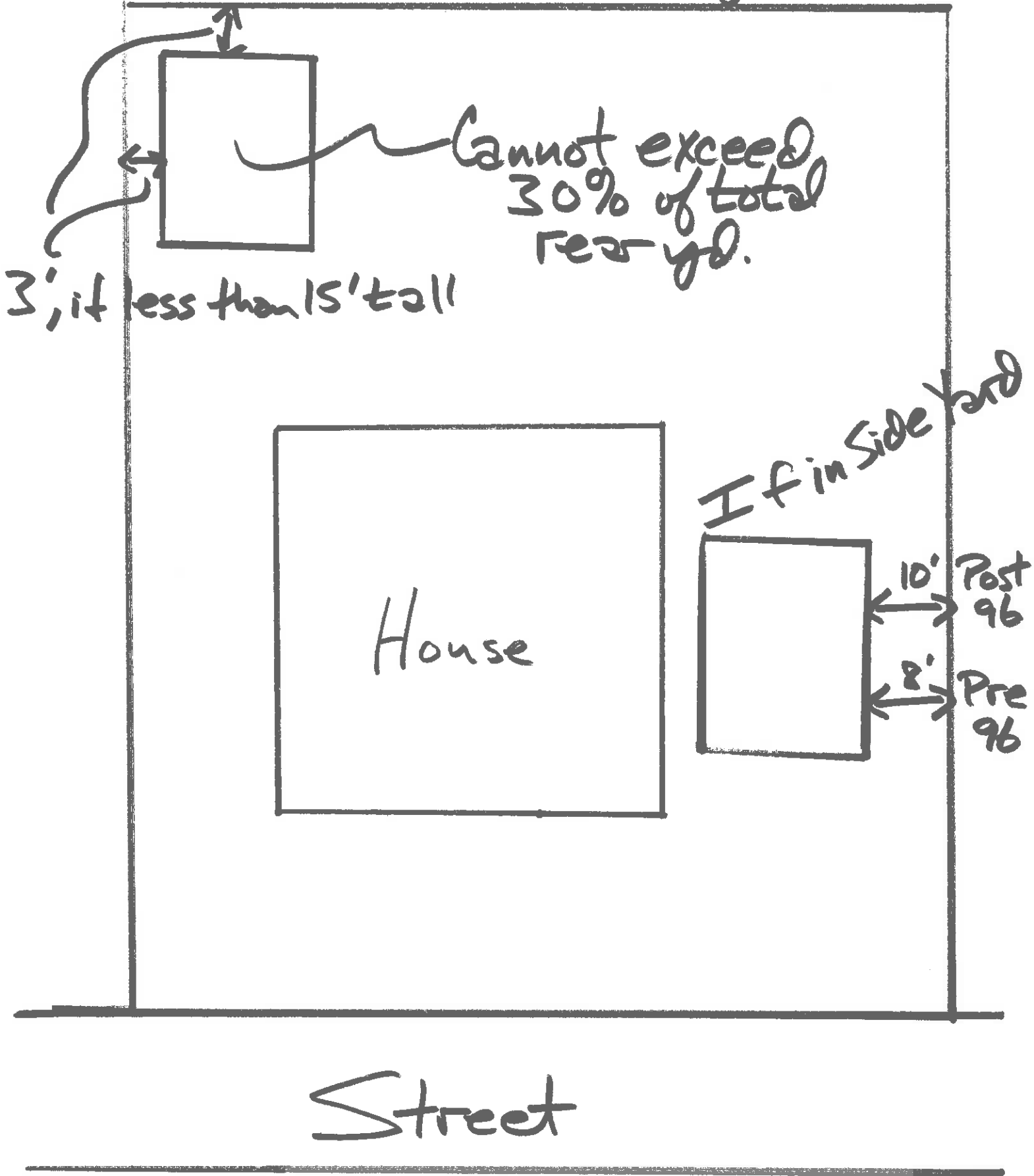
Side Yd

Front Yard

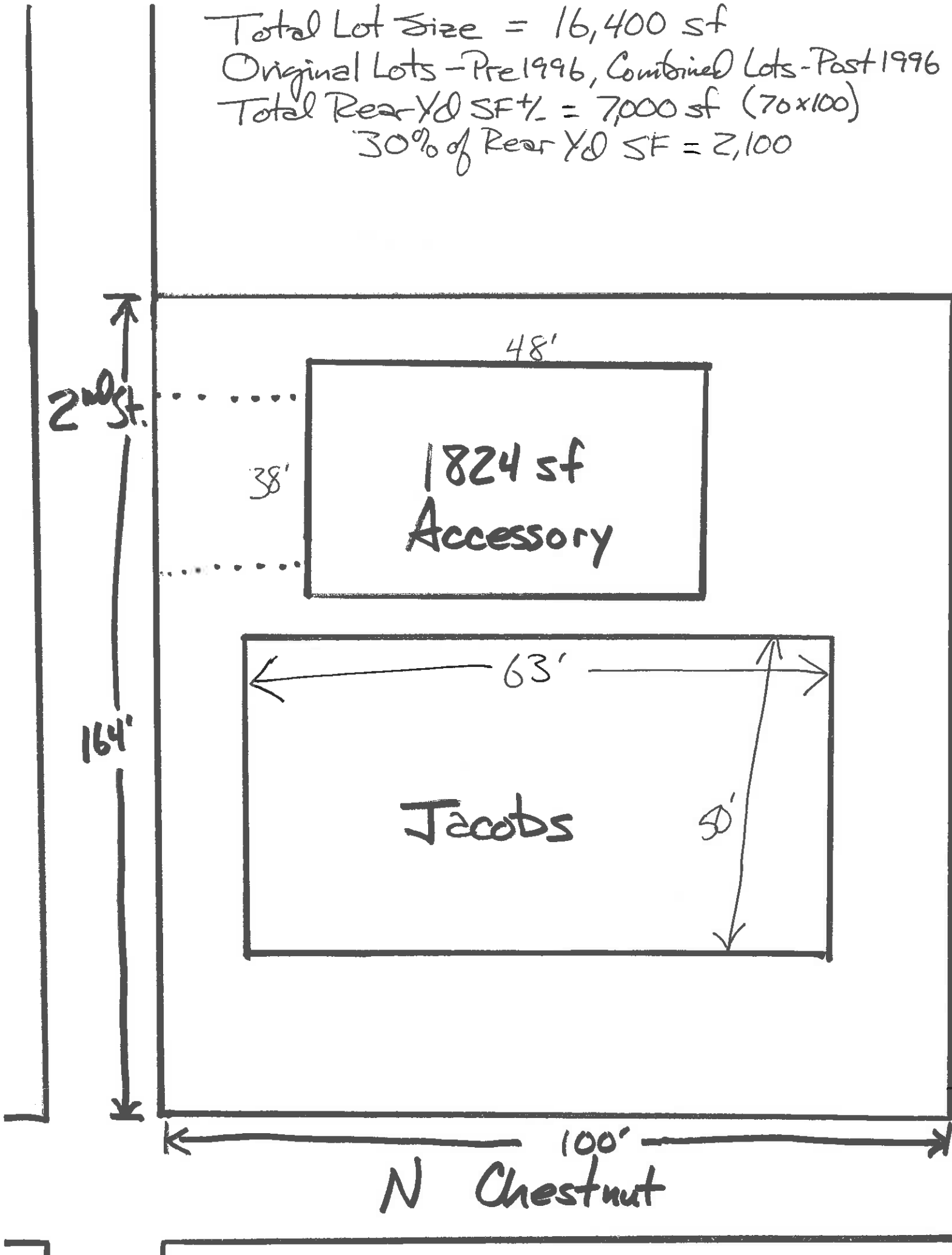
Street



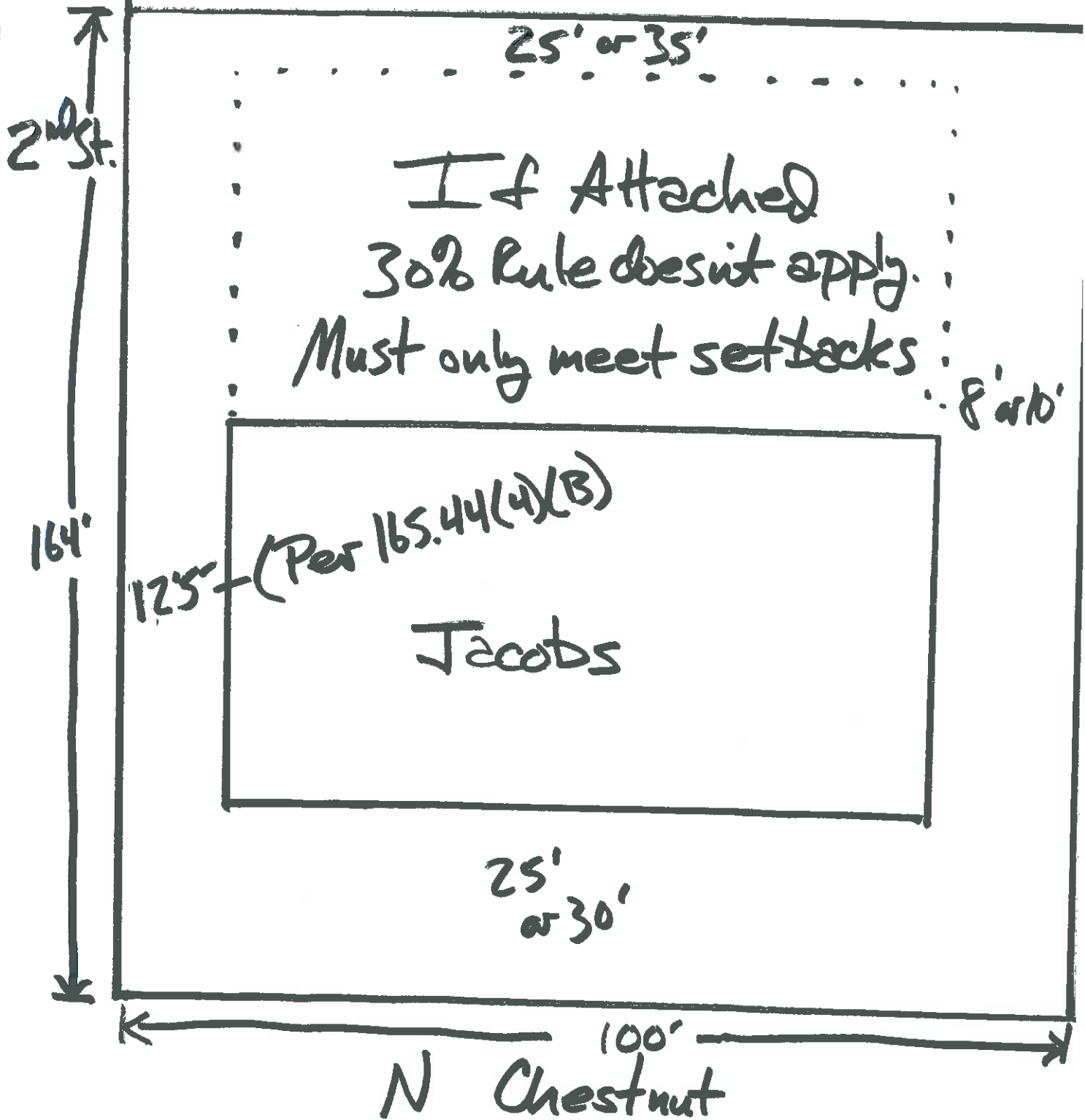
Accessory Bldg's

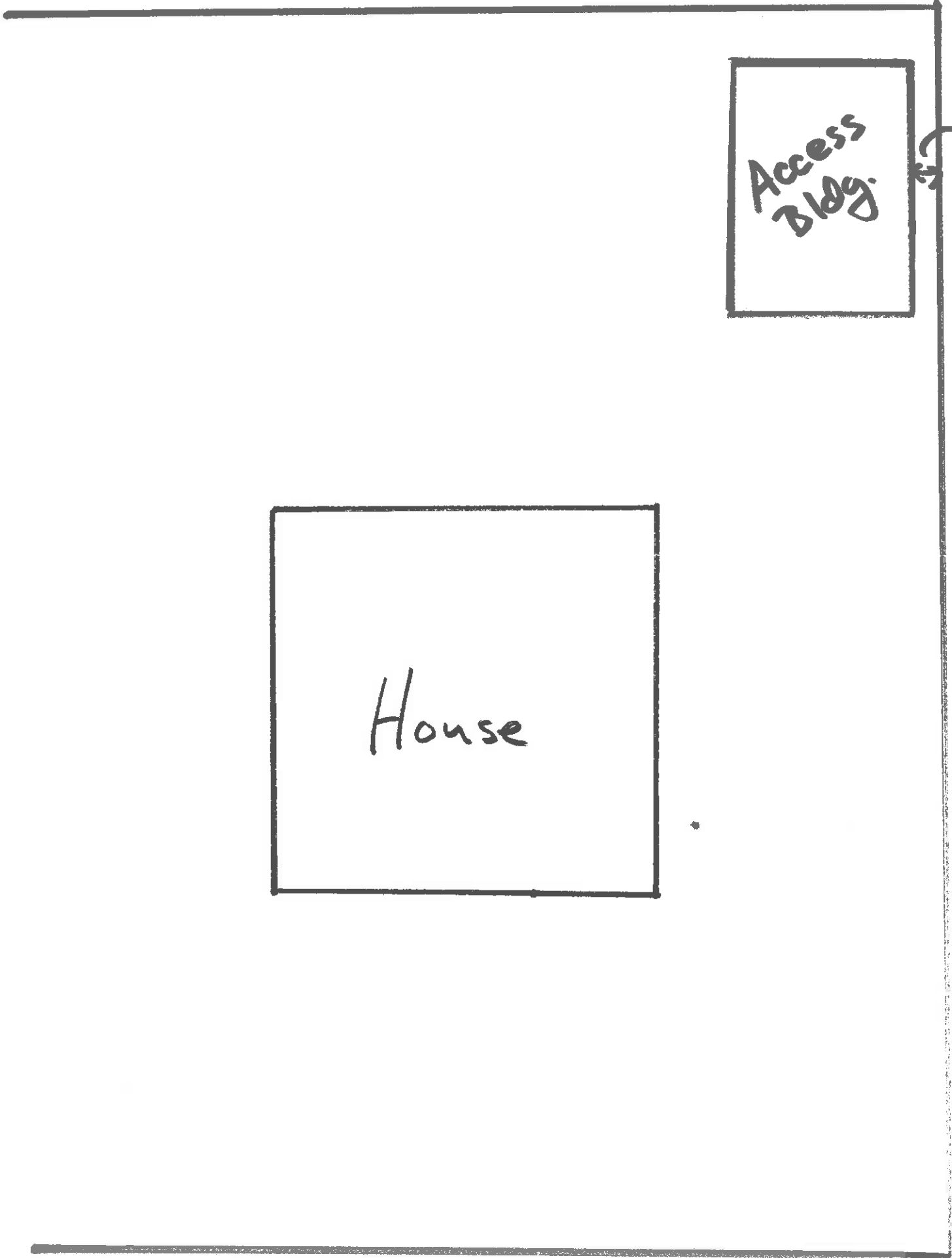


Total Lot Size = 16,400 sf
Original Lots - Pre 1996, Combined Lots - Post 1996
Total Rear Yd SF +/- = 7,000 sf (70x100)
30% of Rear Yd SF = 2,100



Total Lot Size = 16,400 sf
Original Lots - Pre 1996, Combined Lots - Post 1996
Total Rear Yd SF +/- = 7,000 sf (70x100)
30% of Rear Yd SF = 2,100





Access
Bldg.

3'

House

Street

Street

190th Maintenance Agreement Considerations

I think the following analysis is important and sheds some light on where the liability for the maintenance of 190th should lie. (Below based upon 2016 values and tax rates.)¹

Tax Parcels Located adjacent to 190th Street within the City limits:

Parcel #	Net Ass Value	Taxable Value	Total Tax ²	Tax Rate	City Tax Receipt 3.00375(rate)	County Tax Receipt 6.19253(rate)
0235300004	\$56,820	\$30,485	\$702	24.31938 ³	\$91.57	\$188.78
0234400004	\$52,110	\$27,996	\$644	24.31938	\$84.09	\$173.37
0603100003	\$256,000	\$139,216	\$3,110	24.31938	\$418.17	\$862.10
0603100008	\$64,060 ⁴	\$30,428	\$740	24.31938	\$91.40	\$188.43
0603100007	\$11,420	\$5,757	\$140	24.31938	\$17.29	\$35.65
0603400006	\$81,080	\$38,652	\$940	24.31938	\$116.10	\$239.35
Totals	\$521,490	\$272,534	\$6,276		\$818.62	\$1,687.68

Total Number of Residences Served by 190th Street located in the City limits: 1⁵

Tax Parcels Located adjacent to 190th Street outside the City limits:

Parcel #	Net Ass Value	Taxable Value	Total Tax	Tax Rate	City Tax Receipt	County Tax Receipt 8.79282(rate)
0235451010	\$54,640	\$30,604	\$742	24.27561	0	\$269.10
0235451009	\$236,340	\$127,475	\$2,976	24.27561	0	\$1,120.87
0235451008	\$157,320	\$82,072	\$1,992	24.27561	0	\$721.64
0235451007	\$2,410	\$1,297	\$28	24.27561	0	\$11.40
0235300017	\$491,850	\$263,726	\$6,216	24.27561	0	\$2,318.90
0235300018	\$341,680 ⁶	\$184,529	\$4,362	24.27561	0	\$1,622.53
0603200001	\$82,050	\$44,232	\$984	24.45009	0	\$388.92
0603200002	\$194,320	\$105,377	\$2,366	24.45009	0	\$926.56
0603200006	\$108,070	\$60,174	\$1,370	24.45009	0	\$529.10
0602100007	\$344,400	\$51,355	\$1,134	24.45009	0	\$451.56
0602100008	\$53,980	\$5,339	\$130	24.45009	0	\$46.95
0602100003	\$151,500	\$81,708	\$1,880	24.45009	0	\$718.44
0602200001	\$6,340	\$0	0	24.45009	0	\$0
0602200002	\$293,790	\$142,467	\$3,364	24.45009	0	\$1,252.69
0602200010	\$245,210	\$133,032	\$3,134	24.45009	0	\$1,169.73
0602200011	\$180,870	\$98,704	\$2,294	24.45009	0	\$867.89
0602200013	\$54,580	\$29,478	\$656	24.45009	0	\$259.19
0601100003	\$62,760	\$33,858	\$784	24.45009	0	\$297.71
0235476003	\$40,850	\$22,154	\$510	24.27561	0	\$194.80
0236300003	\$50,810	\$27,327	\$628	24.27561	0	\$240.28
0236300004	\$224,450 ⁷	\$121,401	\$2,842	24.27561	0	\$1,067.46
0235476002	\$6,740	\$3,624	\$84	24.27561	0	\$31.87
0602200007	\$1,120	\$598	\$14	24.45009	0	\$5.26
0601100004	\$73,720	\$39,691	\$884	24.45009	0	\$349.00
Totals	\$3,459,800	\$1,690,222	\$39,374			\$14,861.85

Total Number of Residences Served by 190th Street located outside the City limits: 12⁸

¹ Above tables do not show tax credits, however, they are accounted for in the Net Taxes due column.

² Total Taxes do not take into account additional tax credits that exist in some cases.

³ Tax Rate: School 13.21; City 3.00; County 6.19; Assessor .55; Area School 1.32; Ag Ext. .23; Bryc. & TB .003

⁴ Parcels 0603100008, 063100007, and 0603400006 are new and tax amounts are based upon estimates I received from the County Assessor on 5/4/2018.

⁵ A Ballou home is located on Parcel 0603100003 but fronts on and accesses the Amber Road

⁶ This Residential Property is located off of 190th, not directly adjacent to it, but is served by only 190th.

⁷ Also includes bare ag ground to the NE of Hwy 38

⁸ One of the above properties (First property, 0236300004, fronts on Hwy. 38

Summary:

Jurisdiction	"190th" Tax Receipts 17/18	Residences on "190th"
City of Monticello	\$818.62	0
Jones County	\$16,549.53	11

(Note: Overall tax receipts will be reduced by various credits, however, not significantly)





E-mail to Jerry Pasker from me dated May 1 at 8:58 a.m. with his responses dated May 1 at 10:52 a.m. in bold print.

Brock and Jerry:

Trying to come up with a ROW permit and more importantly terms that the Council will agree to. I have been getting questions related to future expansion plans and whether there are any next steps in the works and if not the potential time line for next steps. I believe those I have talked to find the project beneficial, they just find it less beneficial if it only benefits one neighborhood.

I can't possibly predict next steps or neighborhoods when this one has taken as long as it has. This many months in and we're still twiddling thumbs, it's frustrating, and there's just no way anyone can possibly predict anything future, especially when you throw in the x-factor that is the whim of city council. Our intention is to cover all of Monticello, and out in to surrounding areas as well. It will be dictated by customer demand, not by the whim of someone on council.

By definition, politics dictates that every single council person will want their areas they represent hooked up next.

Council hasn't dictated that Qwest go bury fiber to neighborhoods when Qwest has put fiber in the ground around Monticello to service a few large businesses. It hasn't dictated that the Cascade Telco bring service to neighborhoods when they buried fiber to a single address in Monticello. It doesn't dictate to Alliant that they run 3 phase power to certain areas that only has single phase service. They let these businesses operate. They need to give us the same courtesy.

Furthermore, until the state passed a law requiring that city services be installed in to newly annexed land, the city didn't even install it's own water and sewer utilities in to those areas freshly annexed that couldn't be economically serviced!

Economics dictates where private investment invests it's money. Even when it comes to government run sewer and water utilities. I sat on P&Z when the law was coming and the land grab for annexation was on. I saw it all first hand.

What we need is a blanket agreement with the city that protects what will eventually amount to millions of dollars of infrastructure investment in Monticello. We need an agreement that says we get to continue to use the right of ways that we invest infrastructure in for a long period of time (decades) moving forward. What we need is something that protects us from the whim of some future council that decides there should be a franchise fee in the future. Like what past councils have done to Alliant, and Mediacom and Black Hills Energy. None of them had franchise fees originally, they were all instituted years after all of these established companies had customers, and these companies decided it was easier to just let the council tax their customers than it was fight local politics.

We have had loose conversations in regard to a "franchise fee" like we collect from Mediacom, which would be a 3% fee on the charge for service. Other options include a flat fee per account per month. This becomes a bigger deal moving forward, assuming growth, as out of the gate it would not amount to much.

Not interested in a franchise fee. If the city wants to charge a one time right of way fee that's one thing. If City council wants to use this as a never ending revenue stream on top of current tax revenue this will generate, this will be the first and last neighborhood. The city will get property tax revenues from every foot of cable installed in the ground. Every home that has broadband fiber access sees its worth increase by at least a couple of thousand dollars. 100 homes in that neighborhood, plus taxation on the cable installed equals about another \$250,000 increase in taxable valuation. The city doesn't charge Qwest a franchise fee.

I know we approached this wrong when we jumped on burying this as fast as we did, but I'm wondering now if we should have started off asking for tax incentives first?

I have no issue showing up to a council meeting and explaining how franchisee fees and taxes will absolutely end this thing before it gets going. "Please, just vote no then, so you can go on record voting against a fiber to the home deployment in your town."

The agreement would include terms that require the temporary or potentially permanent relocation of your infrastructure for street repair, maintenance, reconstruction purposes. (I have never seen a situation where the infrastructure didn't remain in the ROW, but have seen temporary steps taken to move it out of the way during a reconstruction project.

Yup, that's standard, assumed/expected.

What about "one-call"? Who will be marking your lines and how will that work when "one-call" is utilized in that neighborhood, and others down the road.

We will be registered with Iowa One call. Either the same locate service that other utilities use, or we'd mark it ourselves. Maybe a mix of both as we grown from one neighborhood to more neighborhoods depending on costs. It's in our own best interest to register with One Call, and take care of this, because if it's not marked in 48 hours, we get our investment destroyed with no recourse on the person destroying it. No one is going to build out a fiber network just to not register with One Call and then not mark it. We're not going to commit to stating how we're going to operate these details, and lose flexibility because we told council one thing, but then conditions change and we end up doing something else. We need to get the current duct in the ground to a legal state, before we can even register with One Call.

Maintenance of hand holes if they sink/etc. and need attention.

That's our infrastructure investment. It's our responsibility to take care of that like it's Qwest's responsibility to take care of their hand holes, and Mediacom's responsibility to take care of their hand holes, and Alliant's responsibility to take care of their poles. If the agreement states that it's our property and our responsibility to take care of it, then that's fine, because that's how I'd expect it to be.

Seeding/etc. after construction. (You will need to work out whatever easements you may require with private property owners, the agreement with the City will pertain only to the City Roadway ROW.)

Isn't that covered in the construction permit each time there's construction? Again, not in our best interest to go rip up the grass and not put it back and alienate customers in a neighborhood where we want to do business... it just makes good sense to be a good neighbor..but that should be part of the construction permit the city issues.

Some of the above are long-term "agreement" provisions while others are short term construction / installation related provisions. Thoughts? I hope to have a final agreement/permit in the Council packet later this week for Council consideration on Monday May 7th.

Well I think we need to see the agreement first before we ask council to agree to it.

Doug Herman

Subject:

FW: Veloxium Fiber

Jerry:

May 18, 2018 E-mail, Herman → Pester

Based upon my comments, and your comments, I will not be proposing an agreement to the Council on Monday night. I will, however, share this e-mail with them so that they can see the basic elements of our discussion. If you would like to draft a proposed agreement based upon your desires and what you find to be important, fair, etc., please feel free to do so or have someone do so on your behalf.

Please feel free to be present on Monday night as well. Maybe a follow up discussion with the Council, based upon your concerns set forth below, will help move the ball forward.

I would say that I have not heard from one Council member that they were worried/concerned with how soon they would be served by the proposed fiber. Because the fiber project, if done right, sounds like a good thing for the community, I do think the Council would like to see more of a future plan. You are correct that other providers have been allowed, with appropriate permitting, to install a line from point A to point B to serve a customer without franchise fee/etc. While I am not locked in at all on a franchise fee, that is a topic or a question brought up by others, I do see your "plan" being different than the single customer type installation that others have done. You want to serve entire neighborhoods and the community...not a bad thing, just a larger scale project that may support more thought and planning up front than a project that involves three hand holes and one or two customers.

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