

City of Monticello, Iowa

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Posted on February 01, 2019 at 5:00 p.m.

Monticello City Council Regular Meeting February 04, 2019 @ 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:	Brenda Hanken	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. Individuals are normally limited to speaking for no more than three (3) minutes on a topic and the Open Forum is by rule limited to a total of twenty (20) minutes.

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	January	21, 2019
Approval of Payroll	January	31, 2019
Approval of Bill List		

Public Hearings:

Motions: None

Resolutions:

1. **Resolution** scheduling Public Hearing on proposal to enter into a General Obligation Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$2,700,000.
2. **Resolution** to preliminarily approve Development Agreement, as Amended, between the City of Monticello and the Menasha Corporation a/k/a Orbis, and scheduling a Public Hearing on the proposed agreement.
3. **Resolution** scheduling Public Hearing on proposed amendment to Urban Renewal Plan.
4. **Resolution** scheduling Public Hearing on proposed plans, specifications, form of contract and estimate of cost for the N. Sycamore Street Reconstruction Project and the taking of bids therefor.

5. **Resolution** to accept bids related to N. Sycamore Street tree removal project and to award contract to lowest responsive, responsible bidder.

Ordinances:

6. **Ordinance** amending Chapter 81 related to ATV/UTV operation within the City limits.
(Second Reading)

Reports / Potential Action:

- City Park Water Fountain discussion
- Police Dpt. Calendar Year End Report
- Legal Action updates
- Engineer Report
- Administrator Report

Break

Budget Review

- Overall Budget Revenue and Expense Summary

Resolution (Depending upon Council comfort level with proposed Budget)

7. **Resolution** to schedule Public Hearing on FY '20 City of Monticello Budget for March 4th, 2019 at 6:00 p.m.

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.

Regular Council Meeting – Official
January 21, 2019 – 6:00 P.M.
Community Media Center

Mayor Brian Wolken called the meeting to order. Council present: Dave Goedken, Brenda Hanken, Rob Paulson, Johnny Russ, and Chris Lux. Also present were City Administrator Doug Herman, City Clerk Sally Hinrichsen, Police Chief Britt Smith, Public Works Director Brant Lagrange, and City Engineers Patrick Schwickerath & AJ Barry. Council member Tom Yeoman was absent.

Lux moved to approve the agenda, noting that the Carmen Jamison's name was misspelled in the minutes of the last meeting, Russ seconded, roll call unanimous.

During Open Forum, Lisa Folken, Kirkwood Community College, advised that Kirkwood Community College was having a Business Innovation course for High School students. Students will be presented with community projects or community problems to consider and will choose approximately four projects to work on for the community as part of this class.

Jan Hoag, Monticello Chamber of Commerce, announced that the City of Monticello received an award for the Ten-T-Hangar at their annual banquet.

Russ moved to approve the consent agenda, Paulson seconded, roll call unanimous.

Herman reported that the Senior Dining has requested a Monticello investment in the amount of \$3,700 for FY 2020, which is down from \$4,500 in FY 2019. Goedken moved to approve Resolution #19-06 Approving FY '20 Senior Dining Funding request in the amount of \$3,700, Russ seconded, roll call unanimous.

Herman reported that Jones County JETS has requested a Monticello investment in the amount of \$1,500, which is consistent with the City's investment since FY '10. Goedken moved to approve Resolution #19-07 to approve funding/investment in Jones County JETS Transportation System in the amount of \$1,500.00, Russ seconded, roll call unanimous.

Russ moved to approve Resolution #19-08 Approving Christine First Tax Abatement Application related to Residential Improvements constructed at 514 Locust Court, Monticello, Iowa, seconded by Paulson, roll call unanimous.

Herman reported that the Monticello Firefighter's Organization has requested a Monticello investment in the amount of \$2,600 for fireworks on July 4th, 2019. Goedken moved to approve Resolution #19-09 Approving investment in the Independence Day Fireworks festivities to be held on July 4, 2019, in the amount of \$2,600, Russ seconded, roll call unanimous.

Lux moved to approve Resolution #19-10 Designating the Monticello Express as the Official Publication Newspaper for City of Monticello, Russ seconded, roll call unanimous.

Herman reported that three bids were received to install 16 Cooper LTG Prevail LED street lamp fixtures on Welter Drive. Currently 13 of the 16 lamps are not working. Monti Plumbing, Heating, and Electric was the low bidder with a bid in the amount of \$8,640 which will be paid

from the general fund street lights budget. Herman also reported that Alliant estimated the rebate to install the LED lights would be \$175 per fixture or \$2,800. Goedken moved to approve Resolution #19-11 to approve hiring Monti Plumbing, Heating & Electric to install replacement heads on all Welter Drive light poles, Russ seconded, roll call unanimous.

Herman reported that the struggle with youth baseball and softball, from a Recreation standpoint, is that parents are beginning to pull their kids at younger ages from the REC program to play on travel teams. Last year, MYBSA Board voted to recommend this policy that would require kids to play on both the Rec League and Travel teams if they want to utilize any fields within the City for tournament team practices or games, similar to Manchester and Dyersville. Mike Hines and Bob Hines expressed their opinions that the requirement should not be imposed. Goedken moved to approve Resolution #19-12 approving a policy with regard to the use of City controlled Baseball and Softball Diamonds to youth travelling/tournament teams, Russ seconded, roll call unanimous. The Resolution rescinds the previously approved policy that required rec league participation as a condition to use of City controlled fields.

Smith reviewed the proposed ordinance authorizing Golf Cart /UTV operation within City Limits that was drafted after the County passed an ATV / UTV Ordinance in an effort to create some consistency between the Ordinances. Under the new ordinance, a 16 year old would be allowed to drive an ATV/UTV as long as they had a DNR certificate. To operate a golf cart in the City, the driver must be 18, and in both cases the driver must have a valid Driver's License. Bobby Krum, Amber, stated most cities in Jones County has agreed to follow the Jones County Ordinance and recommends Monticello does also, to keep the rules consistent across the County. Goedken moved Ordinance #724 amending Chapter 81 "Golf Carts and UTV's" by deleting the current Chapter in its' entirety and replacing it with the following provisions, said Chapter 81 as amended providing provisions related to the legal operation of "Golf Carts" and "Off-Highway Vehicles" within City Limits, first reading and in title only, Russ seconded, roll call unanimous.

Herman reported on the City Park Water Fountain located at the City Park. Fair Officials have suggested that the fountain is no longer used or working and should be removed. They have offered to remove it and to perform additional improvements at their cost. The Council seemed amenable to this request and the item will be on the next agenda for consideration.

Herman reported that he published notices of the suit against Al Hughes. While Hughes text Herman that he would be in to see him, he has not. Herman updated the Council on Dave Lumpa's suit against the City, explaining that a Motion to Dismiss has been filed as it appears that all of Lumpa's allegations against the City are related to past civil actions against Lumpa where he was assessed penalties by the Court.

Herman reported that Billy Norton has resigned and that the City will be seeking applications to fill his position very soon.

Schwickerath suggested that the Council allow the N. Sycamore contractor the option to complete the 1st block of Sycamore Street from 1st to 2nd Street, in 2020. This would allow additional flexibility and should result in lower bids. If, however, the contractor decides to work on that block they must finish it in 2019. He also asked if the Council was comfortable with the contractor working on that block, if they chose to do so, during the Fair. The Chief and the

Regular Council Meeting – Official
January 21, 2019

Council did not object to that being allowed. Schwickerath informed the Council that in the area of the downtown buildings they sometimes find unexpected things when excavating and wanted to make the Council aware of that possibility. Schwickerath also stated that the ADA requires a five foot by five foot passing lane at least every two-hundred feet on sidewalks. For that reason, there will be five foot by five foot sections on certain portions of the four foot wide sidewalks on the North Sycamore Street project.

Library Director, Michelle Turnis reviewed library activities and usage over the last year. Turnis also reviewed her proposed budget for FY 2020, noting that they are purchasing more books with donated funds and not the general budget. She explained that the Library will be undergoing an LED update. The Library Board is requesting that the Council approve of a \$122,500 appropriation for the FY '20 budget and that the Council release the remaining budgeted appropriation of \$2,500 from the current year budget. If the Council approves, the FY '19 and '20 budget appropriations will be identical.

Herman reviewed the Airport budget and will e-mail a complete summary of Revenues and Expenses to the City Council this week.

Herman stated that Ambulance Director Dawn Brus reported that they are have maintenance issues with the ambulance and that they discussed the potential purchase of a new ambulance. Herman suggested to Brus that she look into grants to help cover the cost and if grants were found that the budget could be amended.

Russ moved to adjourn at 7:51 P.M.

Brian Wolken, Mayor

Sally Hinrichsen, City Clerk

PAYROLL - JANUARY 31, 2019

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
AMBULANCE	Jan. 14 - 27, 2019				
Jeremy Bell	\$ 459.60	\$ -	0.00	0.00	\$ 356.93
Carter Bronemann	1,935.23	158.63	0.00	0.00	1,353.09
Dawn Brus	1,140.00	-	0.00	0.00	834.68
Mary Intlekofer	1,868.91	8.31	0.00	25.13	1,288.95
Brandon Kent	1,860.60	-	0.00	0.00	1,379.25
Jim Luensman	675.58	-	0.00	0.00	511.33
Lori Lynch	1,860.60	-	0.00	0.00	1,252.05
Shelly Searles	1,893.83	33.23	0.00	0.00	1,312.89
Brenda Surom	531.60	-	0.00	0.00	400.65
Chris Szymanowski	1,015.20	-	0.00	0.00	800.33
Chad Tatar	243.23	729.68	0.00	0.00	198.01
TOTAL AMBULANCE	\$ 13,484.38	\$ 929.85	0.00	25.13	\$ 9,688.16
CEMETERY	Jan. 12 - 25, 2019				
Dan McDonald	\$ 2,090.40	\$ 482.40	0.00	0.00	\$ 1,603.40
TOTAL CEMETERY	\$ 2,090.40	\$ 482.40	0.00	0.00	\$ 1,603.40
CITY HALL	Jan. 13 - 26, 2019				
Cheryl Clark	\$ 1,636.00	\$ -	0.00	17.38	\$ 1,117.14
Doug Herman	3,720.71	-	0.00	0.00	2,685.82
Sally Hinrichsen	2,427.38	-	0.00	0.00	1,624.60
Nanci Tuel	1,396.00	-	0.00	0.00	1,078.12
TOTAL CITY HALL	\$ 9,180.09	\$ -	0.00	17.38	\$ 6,505.68
LIBRARY	Jan. 14 - 27, 2019				
Molli Hunter	\$ 216.83	\$ -	0.00	0.00	\$ 185.61
Penny Schmit	1,000.01	-	0.00	0.00	734.69
Madonna Thoma-Kremer	920.01	-	0.00	0.00	759.76
Michelle Turnis	1,538.46	-	0.00	0.00	1,155.38
TOTAL LIBRARY	\$ 3,675.31	\$ -	0.00	0.00	\$ 2,835.44
MBC	Jan. 14 - 27, 2019				
Jacob Oswald	\$ 1,846.15	\$ -	0.00	0.00	\$ 1,390.97
Shannon Poe	1,538.46	-	0.00	0.00	1,100.90
TOTAL MBC	\$ 3,384.61	\$ -	0.00	0.00	\$ 2,491.87
POLICE	Jan. 14 - 27, 2019				
Peter Fleming	\$ 1,805.16	\$ -	0.00	0.00	\$ 1,295.49
Dawn Graver	2,012.80	-	0.00	0.00	1,479.05
Erik Honda	1,958.94	-	7.50	10.00	1,462.39
Jordan Koos	2,151.24	-	0.00	24.00	1,566.65
Britt Smith	3,506.51	-	0.00	0.00	2,683.71
Madonna Staner	1,450.40	-	0.00	0.00	1,097.50
Brian Tate	2,360.34	-	0.00	0.00	1,823.42
Robert Urbain	1,509.60	-	0.00	0.00	1,110.88
TOTAL POLICE	\$ 16,754.99	\$ -	7.50	34.00	\$ 12,519.09
ROAD USE	Jan. 12 - 25, 2019				
Billy Norton	\$ 3,366.76	\$ 1,115.56	0.00	0.00	\$ 2,659.74

PAYROLL - JANUARY 31, 2019

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
ROAD USE (cont.)					
Wayne Yousse	1,608.00	-	52.13	67.13	1,150.49
TOTAL ROAD USE	\$ 4,974.76	\$ 1,115.56	52.13	67.13	\$ 3,810.23
SANITATION	Jan. 12 - 25, 2019				
Michael Boyson	\$ 2,489.85	\$ 905.85	0.00	0.00	\$ 1,764.00
Nick Kahler	2,896.16	1,138.16	0.00	0.00	2,139.07
TOTAL SANITATION	\$ 5,386.01	\$ 2,044.01	0.00	0.00	\$ 3,903.07
SEWER	Jan. 12 - 25, 2019				
Tim Schultz	\$ 2,168.40	\$ 500.40	0.00	19.50	\$ 1,571.17
Jim Tjaden	1,936.00	-	0.00	0.00	1,408.40
TOTAL SEWER	\$ 4,104.40	\$ 500.40	0.00	19.50	\$ 2,979.57
WATER	Jan. 12 - 25, 2019				
Brant LaGrange	\$ 2,070.89	\$ -	0.00	0.00	\$ 1,460.70
TOTAL WATER	\$ 2,070.89	\$ -	0.00	0.00	\$ 1,460.70
TOTAL - ALL DEPTS.	\$ 65,105.84	\$ 5,072.22	59.63	163.14	\$ 47,797.21

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
ACCOUNTS PAYABLE CLAIMS				
	GENERAL			
	POLICE DEPARTMENT			
GLOBAL SOFTWARE	PD TAC 10 MAINTENANCE	6,043.00		
DAVID B MCNEILL	PD SUPPLIES	22.39		
		=====		
	POLICE DEPARTMENT	6,065.39		
	CEMETERY			
UNITY POINT CLINIC -	CEMETERY OSHA	2.89		
		=====		
	CEMETERY	2.89		
	CLERK/CITY ADMIN			
JOHN MONK	JANITORIAL SERVICES	398.00		
		=====		
	CLERK/CITY ADMIN	398.00		
	ENGINEER			
SNYDER & ASSOCIATES, INC	ENGINEERING FEES - OAK ST	593.00		
		=====		
	ENGINEER	593.00		
	ATTORNEY			
LYNCH DALLAS, P.C.	ATTORNEY FEES	66.00		
		=====		
	ATTORNEY	66.00		
	CITY HALL/GENERAL BLDGS			
DIAMOND PI COMPANY	CH MEETING EXPENSE	61.58		
MONTICELLO ROTARY CLUB	CH DUES - HERMAN	85.50		
ORBIS MENASHA CORP	CH FRANCHISE FEE REFUND	6,524.21		
		=====		
	CITY HALL/GENERAL BLDGS	6,671.29		
		=====		
	GENERAL	13,796.57		
	MONTICELLO BERNDES CENTER			
	PARKS			
BAKER PAPER CO INC	MBC BUILDING SUPPLIES	88.84		
FAREWAY STORES #840-1	MBC CONCESSIONS	56.37		

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
KARDES INC	MBC CONCESSIONS	41.94		
JOHN MONK	JANITORIAL SERVICES	255.00		
		=====		
	PARKS	442.15		
		=====		
	MONTICELLO BERNDES CENTER	442.15		
	AMBULANCE			
	AMBULANCE			
ALL SEASONS AUTO BODY INC	AMB VEHICLE REPAIR/MAINT	3,628.78		
CHOICE 1 HEALTH CARE	AMB MEDICAL SUPPLIES	149.70		
JOHN DEERE FINANCIAL	AMB EQUIP REPAIR/MAINT	43.42		
PHYSICIAN'S CLAIM COMPANY	AMB BILLING FEES	999.12		
STERICYCLE, INC.	AMB PHARMACEUTICAL DISPOSAL	79.35		
		=====		
	AMBULANCE	4,900.37		
		=====		
	AMBULANCE	4,900.37		
	LIBRARY IMPROVEMENT			
	LIBRARY			
DEMCO INC	LIB IMP SUMMER READING	449.27		
FAREWAY STORES #840-1	LIB IMP PROGRAMS/PROMOTIONS	74.88		
FORTRES GRAND CORPORATION	LIB IMP SOFTWARE	51.48		
		=====		
	LIBRARY	575.63		
		=====		
	LIBRARY IMPROVEMENT	575.63		
	LIBRARY			
	LIBRARY			
DEMCO INC	LIB POSTAGE	49.42		
FAREWAY STORES #840-1	LIB BLDG REPAIR/MAINT	6.99		
JOHN MONK	JANITORIAL SERVICES	285.00		
THE DES MOINES REGISTER	LIB SUBSCRIPTIONS	82.43		
		=====		
	LIBRARY	423.84		
		=====		
	LIBRARY	423.84		
	AIRPORT			
	AIRPORT			

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
BIECHLER ELECTRIC, INC.	AIRPORT EQUIP REPAIR/MAINT	112.50		
JOHN DEERE FINANCIAL	AIRPORT EQUIP REPAIR/MAINT	.05-		
MCALFEER WATER CONDITIONING INC	AIRPORT BUILDING SUPPLIES	35.00		
MONTICELLO AVIATION INC	AIRPORT MANAGER	2,000.00		
		=====		
	AIRPORT	2,147.45		
		=====		
	AIRPORT	2,147.45		
	ROAD USE			
	STREETS			
BRIAN CROWLEY	RU EQUIP REPAIR/MAINT	60.00		
JOHN DEERE FINANCIAL	RU EQUIP REPAIR/MAINT	379.62		
KROMMINGA MOTORS INC	RU EQUIP REPAIR/MAINT	17.60		
LAPORTE MOTOR SUPPLY	RU SUPPLIES	42.96		
DAVID B MCNEILL	RU DRILL BIT	31.77		
SNYDER & ASSOCIATES, INC	N SYCAMORE ST RECONSTRUCTION	38,618.30		
THOMPSON TRUCK & TRAILER, INC.	RU EQUIP REPAIR/MAINT	578.52		
UNITY POINT CLINIC -	RU OSHA	10.45		
		=====		
	STREETS	39,739.22		
	SNOW REMOVAL			
ALL SEASON'S TRUCKING INC	RU SNOW REMOVAL	2,418.90		
BEHREND'S CRUSHED STONE	RU SNOW REMOVAL	1,720.03		
SNOW-GO, INC.	RU SNOW REMOVAL	342.00		
		=====		
	SNOW REMOVAL	4,480.93		
		=====		
	ROAD USE	44,220.15		
	CAPITAL IMPROVEMENT			
	AIRPORT			
HDR ENGINEERING INC	CAP IMP - AIRPORT MASTER PLAN	6,626.00		
		=====		
	AIRPORT	6,626.00		
		=====		
	CAPITAL IMPROVEMENT	6,626.00		
	C.C. BIDWELL LIBRARY BOOK			
	LIBRARY			
CENTER POINT PUBLISHING	LIB BIDWELL BOOKS	44.34		

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
	LIBRARY	44.34		
	C.C. BIDWELL LIBRARY BOOK	44.34		
	TRUST/IOMA MARY BAKER			
	LIBRARY			
EMERY-PRATT	LIB BAKER BOOKS	51.57		
	LIBRARY	51.57		
	TRUST/IOMA MARY BAKER	51.57		
	WATER			
	WATER			
BEHRENS CRUSHED STONE	WATER SYSTEM	393.58		
IOWA ONE CALL	WATER SYSTEM	26.55		
J&R SUPPLY INC	WATER SYSTEM	3,520.00		
JOHN DEERE FINANCIAL	WATER SUPPLIES	13.95		
KROMMINGA MOTORS INC	WATER SYSTEM	557.50		
MUNICIPAL SUPPLY INC	WATER SYSTEM	280.70		
UNITY POINT CLINIC -	WATER OSHA	6.67		
	WATER	4,798.95		
	WATER	4,798.95		
	CUSTOMER DEPOSITS			
	WATER			
GABRIEL ACOSTA	WATER DEPOSIT REFUND	158.89		
CITY OF MONTICELLO	<i>Water Deposit Refunds</i>	798.33		
EDNA GADIANT	WATER DEPOSIT REFUND	2.76		
HUNTER LIETZ	WATER DEPOSIT REFUND	64.04		
PHIL & JESSICA PARSONS	WATER DEPOSIT REFUND	10.98		
	WATER	1,035.00		
	CUSTOMER DEPOSITS	1,035.00		
	SEWER			
	SEWER			
BARD MATERIALS	SEWER BLDG REPAIR/MAINT	113.50		

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
FAREWAY STORES #840-1	SEWER LAB SUPPLIES	11.88		
IOWA ONE CALL	SEWER SYSTEM	26.55		
LAPORTE MOTOR SUPPLY	SEWER EQUIP REPAIR/MAINT	169.89		
DAVID B MCNEILL	SEWER SUPPLIES	11.58		
SNYDER & ASSOCIATES, INC	SEWER ENGINEERING FEES	241.00		
UNITY POINT CLINIC -	SEWER OSHA	11.10		
USA BLUE BOOK	SEWER SUPPLIES	154.78		
		=====		
	SEWER	740.28		
		=====		
	SEWER	740.28		
		=====		
	SANITATION			
		=====		
	SANITATION			
REPUBLIC SERVICES	RESIDENTIAL RECYCLING	21,045.00		
UNITY POINT CLINIC -	SANITATION OSHA	8.89		
		=====		
	SANITATION	21,053.89		
		=====		
	SANITATION	21,053.89		
		=====		
**** SCHED TOTAL ****		100,856.19		
		=====		
***** REPORT TOTAL *****		100,856.19		
		=====		

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS FUND SUMMARY**

FUND	FUND NAME	TOTAL	CHECK#	DATE
001	GENERAL	13,796.57		
005	MONTICELLO BERNDES CENTER	442.15		
016	AMBULANCE	4,900.37		
030	LIBRARY IMPROVEMENT	575.63		
041	LIBRARY	423.84		
046	AIRPORT	2,147.45		
110	ROAD USE	44,220.15		
332	CAPITAL IMPROVEMENT	6,626.00		
502	C. C. BIDWELL LIBRARY BOOK	44.34		
503	TRUST/IOMA MARY BAKER	51.57		
600	WATER	4,798.95		
602	CUSTOMER DEPOSITS	1,035.00		
610	SEWER	740.28		
670	SANITATION	21,053.89		

City Council Meeting
Prep. Date: 1/31/19
Preparer: Doug Herman



Agenda Item: 1
Agenda Date: 02/04/2019

Communication Page

Agenda Items Description: Resolution setting the date for a public hearing on proposal to enter into a General Obligation Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$2,700,000.

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

Attachments & Enclosures:

Proposed Resolution
Engineer's Cost Estimates
PFM Financial Planning Documents

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

Synopsis: Prior to borrowing money the City Council must schedule and hold a public hearing; this resolution sets a Public Hearing on the proposed new debt.

Background Information: The City will need to borrow funds for the N. Sycamore reconstruction project in the projected amount of \$2.5 million. The Resolution will allow the City Council to increase that sum to \$2.7 million, however, that is not anticipated.

Project

Cost Estimate

1. N. Sycamore Street Reconstruction \$2,429,079.85 (Base)
\$ 95,000.00 (Bid Alternate)

The costs related to the bond issue are \$48,000 and will be paid out of the bond proceeds, leaving \$2,452,000 available for project construction. The Bid alternate includes approximately \$78,000 for street lights, \$7,480 for water main, and \$9,100 for additional curb and gutter. (The Water main and Curb and Gutter go together and involve the updating of a nearby small water main with a larger 8" main.) The Street Light cost would be covered by funds currently proposed in the City Budget. The bid documents provide that the City will provide the fixtures to the contractor and I am working on getting that price at this time. (The bid would merely include their installation, wiring, etc. The fixtures and bases would be provided by the City to avoid contractor mark up on those items and to ensure that we get the correct fixtures (size, look, etc.) ordered.)

The Resolution at this point is that we will borrow an amount not to exceed \$3,000,000. That number is high and we will fine tune our number as we go forward. The reason the number is high is that we need to be sure the number we publish exceeds the number we end up landing on or we would have to re-publish. The actual number will be much closer to \$2,500,000.

The PFM Documents lay out the schedule, show the amount and number of bonds (10 bonds payable from 2020 through 2029, callable in 2027. (Callable means we can pay the balance due at that time or thereafter.) The overall interest cost or "All-In True Interest Cost" is estimated to be just under 3.5%. The debt is proposed to be paid off over its' life with debt service (40%) and TIF (60%). To manage our debt service levy, the early payments, the first six, will be paid more from TIF and less from debt service and the last four will be paid much more from debt service than from TIF. (You can see this payment schedule on page 3 of the PFM Documents)

The debt service schedule and "plan" should put us in a position to maintain a consistent tax rate moving forward absent other unforeseen circumstances.

Staff Recommendation: I recommend that the Council approve the Proposed Resolution setting a Public Hearing on proposal to enter into a General Obligation Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$2,700,000 for February 19, 2019 at 6:00 p.m.

RESOLUTION NO. _____

Resolution setting the date for public hearing on proposal to enter into a General Obligation Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$2,700,000

WHEREAS, the City of Monticello (the "City"), in Jones County, State of Iowa, proposes to enter into a loan agreement (the "Loan Agreement"), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$2,700,000 for the purpose of paying the costs, to that extent, of constructing street, water system, sanitary sewer system, sidewalk and storm water drainage improvements and installing street lighting, signage and signalization (the "Project"), and it is necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Monticello, Iowa, as follows:

Section 1. This City Council shall meet on February 19, 2019, at the _____, Monticello, Iowa, at _____ o'clock ____m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement described in the preamble hereof.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than four (4) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,700,000

(GENERAL OBLIGATION)

The City Council of the City of Monticello, Iowa (the "City"), will meet on February 19, 2019, at the _____, Monticello, Iowa, at _____ o'clock ____m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$2,700,000 for the purpose of paying the costs, to that extent, of constructing street, water system, sanitary sewer system, sidewalk and storm water drainage improvements and installing street lighting, signage and signalization.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Monticello, Iowa.

Sally Hinrichsen
City Clerk

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the City declares (a) that it intends to undertake the Project which is reasonably estimated to cost approximately \$2,700,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the "Bonds"), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 4, 2019.

Mayor

Attest:

City Clerk

OPINION OF PROBABLE PROJECT COSTS

FINAL CHECK PLANS - 01/09/2018
 2018 N. SYCAMORE STREET RECONSTRUCTION
 CITY OF MONTICELLO
 MONTICELLO, IA
 118.0554.08



ITEM NO.	ITEM CODE	ITEM	QUANTITY	UNIT	UNIT PRICE	EXTENDED PRICE
1	2010-108-D-3	TOPSOIL, OFF-SITE	945	CY	\$ 30.00	\$ 28,350.00
2	2010-108-E-0	EXCAVATION, CLASS 10	4933	CY	\$ 15.00	\$ 73,995.00
3	2010-108-G-0	SUBGRADE PREPARATION	15828	SY	\$ 1.70	\$ 26,907.60
4	2010-108-H-0	SUBGRADE TREATMENT GEOGRID	15828	SY	\$ 6.50	\$ 102,882.00
5	2010-108-I-0	SUBBASE, 12" MODIFIED	15828	SY	\$ 9.00	\$ 142,452.00
6	2010-108-I-0	SUBBASE, 4" MODIFIED	2233	SY	\$ 5.00	\$ 11,165.00
7	2010-108-L-0	COMPACTION TESTING	1	LS	\$ 5,000.00	\$ 5,000.00
8	2010-108-M-0	SAMPLING AND TESTING FOR PETROLEUM CONTAMINATION	10	EA	\$ 1,000.00	\$ 10,000.00
9	2010-108-N-0	EXCAVATION AND DISPOSAL OF CONTAMINATED SOIL	771	CY	\$ 50.00	\$ 38,550.00
10	3010-108-C-0	TRENCH FOUNDATION	308	TON	\$ 30.00	\$ 9,240.00
11	3010-108-D-0	REPLACEMENT OF UNSUITABLE BACKFILL MATERIAL	1290	CY	\$ 25.00	\$ 32,250.00
12	3010-108-F-0	TRENCH COMPACTION TESTING	1	LS	\$ 8,000.00	\$ 8,000.00
13	4010-108-A-1	SANITARY SEWER GRAVITY MAIN, TRENCHED, PVC SDR 26, 3"	1584	LF	\$ 50.00	\$ 79,200.00
14	4010-108-A-1	SANITARY SEWER GRAVITY MAIN, TRENCHED, PVC SDR 26, 12"	1177	LF	\$ 60.00	\$ 70,620.00
15	4010-108-E-0	SANITARY SEWER SERVICE STUB, PVC SDR 23.5, 4"	1881	LF	\$ 65.00	\$ 122,265.00
16	4010-108-H-0	REMOVAL OF SANITARY SEWER, ALL TYPES AND SIZES	2317	LF	\$ 4.00	\$ 9,268.00
17	4010-108-K-2	SANITARY SEWER ABANDONMENT, FILL AND PLUG	242	LF	\$ 3.00	\$ 726.00
18	4020-108-A-1	STORM SEWER, TRENCHED, PVC OR HDPE, 12"	16	LF	\$ 40.00	\$ 640.00
19	4020-108-A-1	STORM SEWER, TRENCHED, RCP, 15"	104	LF	\$ 65.00	\$ 6,760.00
20	4020-108-A-1	STORM SEWER, TRENCHED, RCP, 18"	550	LF	\$ 70.00	\$ 38,500.00
21	4020-108-A-1	STORM SEWER, TRENCHED, RCP, 24"	98	LF	\$ 80.00	\$ 7,840.00
22	4020-108-C-0	REMOVAL OF STORM SEWER, ALL TYPES AND SIZES	53	LF	\$ 35.00	\$ 1,855.00
23	4040-108-A-0	SUBDRAIN, TYPE 1, (SMOOTH INTERIOR), 6"	5745	LF	\$ 8.00	\$ 45,960.00
24	4040-108-A-0	SUBDRAIN, TYPE 1, (SMOOTH INTERIOR), 8" UNSLOTTED	486	LF	\$ 12.00	\$ 5,832.00
25	4040-108-C-0	SUBDRAIN CLEANOUT, TYPE A-2, 6"	30	EA	\$ 550.00	\$ 16,500.00
26	4040-108-C-0	SUBDRAIN CLEANOUT, TYPE A-2, 8"	3	EA	\$ 650.00	\$ 1,950.00
27	4040-108-C-0	SUBDRAIN CLEANOUT, TYPE B, 24"	1	EA	\$ 1,100.00	\$ 1,100.00
28	4040-108-D-0	SUBDRAIN OUTLETS AND CONNECTIONS, 6"	13	EA	\$ 500.00	\$ 6,500.00
29	4040-108-D-0	SUBDRAIN OUTLETS AND CONNECTIONS, 8"	1	EA	\$ 500.00	\$ 500.00
30	4040-108-E-0	STORM SEWER SERVICE STUB, PVC, 2"	240	LF	\$ 18.00	\$ 4,320.00
31	4040-108-E-0	STORM SEWER SERVICE STUB, PVC, 4"	24	LF	\$ 20.00	\$ 480.00
32	5010-108-A-1	WATER MAIN, TRENCHED, PVC AWWA C900, 8"	2025	LF	\$ 50.00	\$ 101,250.00
33	5010-108-A-1	WATER MAIN, TRENCHED, DIP, 8" (w/ NITRILE GASKETS)	1040	LF	\$ 67.50	\$ 70,200.00
34	5010-108-C-2	FITTING, ALL FITTINGS, WATER MAIN	410	LB	\$ 10.00	\$ 4,100.00
35	5010-108-D-0	WATER SERVICE STUB, TYPE K COPPER, 1", SHORT SIDE (approx. 7ft)	33	EA	\$ 600.00	\$ 19,800.00
36	5010-108-D-0	WATER SERVICE STUB, TYPE K COPPER, 1", LONG SIDE (approx. 59ft)	33	EA	\$ 1,500.00	\$ 49,500.00
37	5010-108-F-1	WATER MAIN ABANDONMENT	3100	LF	\$ 2.50	\$ 7,750.00
38	5020-108-A-0	VALVE, GATE VALVE, 8"	11	EA	\$ 2,000.00	\$ 22,000.00
39	5020-108-B-0	TAPPING VALVE ASSEMBLY, 8"	1	EA	\$ 2,500.00	\$ 2,500.00
40	5020-108-C-0	FIRE HYDRANT ASSEMBLY	6	EA	\$ 3,200.00	\$ 19,200.00
41	5020-108-D-0	FLUSHING DEVICE (BLOWOFF), 8"	4	EA	\$ 500.00	\$ 2,000.00
42	5020-108-I-0	FIRE HYDRANT ASSEMBLY REMOVAL	3	EA	\$ 500.00	\$ 1,500.00
43	5020-108-K-0	VALVE BOX REMOVAL	7	EA	\$ 250.00	\$ 1,750.00
44	6010-108-A-0	MANHOLE, SW-301, 48"	10	EA	\$ 4,500.00	\$ 45,000.00
45	6010-108-B-0	INTAKE, SW-505	6	EA	\$ 3,500.00	\$ 21,000.00
46	6010-108-B-0	INTAKE, SW-506	2	EA	\$ 5,500.00	\$ 11,000.00
47	6010-108-C-0	DROP CONNECTION, SW-307	2	EA	\$ 500.00	\$ 1,000.00
48	6010-108-H-0	REMOVE MANHOLE	9	EA	\$ 600.00	\$ 5,400.00
49	6010-108-H-0	REMOVE INTAKE	2	EA	\$ 500.00	\$ 1,000.00
50	7010-108-A-0	PAVEMENT, PCC, 7"	13466	SY	\$ 40.00	\$ 538,640.00
51	7010-108-A-0	PAVEMENT, PCC, 10"	64	SY	\$ 48.00	\$ 3,072.00
52	7010-108-E-0	CURB AND GUTTER, 2.5' 7"	283	LF	\$ 45.00	\$ 12,735.00
53	7010-108-E-0	CURB AND GUTTER, 11.5' 7"	70	LF	\$ 150.00	\$ 10,500.00
54	7010-108-E-0	CURB AND GUTTER, 12.0' 7"	17	LF	\$ 175.00	\$ 2,975.00
55	7030-108-A-0	REMOVAL OF SIDEWALK	2334	SY	\$ 4.50	\$ 13,203.00
56	7030-108-A-0	REMOVAL OF DRIVEWAY	1202	SY	\$ 6.00	\$ 7,212.00
57	7030-108-E-0	SIDEWALK, PCC, 4"	2677	SY	\$ 35.00	\$ 93,695.00
58	7030-108-E-0	SIDEWALK, PCC, 3"	319	SY	\$ 75.00	\$ 23,250.00
59	7030-108-G-0	DETECTABLE WARNING, CAST IRON	400	SF	\$ 36.00	\$ 14,400.00
60	7030-108-H-1	DRIVEWAY, PAVED, PCC, 5"	2233	SY	\$ 30.00	\$ 66,990.00
61	7030-108-H-2	DRIVEWAY, GRANULAR	700	SY	\$ 10.00	\$ 7,000.00
62	7040-108-H-0	PAVEMENT REMOVAL	13942	SY	\$ 7.00	\$ 97,594.00
63	7060-108-A-0	BITUMINOUS SEAL COAT	560	SY	\$ 20.00	\$ 11,200.00
64	8020-108-B-0	PAINTED PAVEMENT MARKINGS, SOLVENT/WATERBORNE	6	STA	\$ 1,500.00	\$ 9,000.00
65	8030-108-A-0	TEMPORARY TRAFFIC CONTROL	1	LS	\$ 7,500.00	\$ 7,500.00
66	8940-108-A-0	SIGN PANELS	63	SF	\$ 15.00	\$ 945.00
67	8940-108-B-0	SIGN POSTS	240	LF	\$ 20.00	\$ 4,800.00
68	8040-108-D-0	REMOVAL AND REINSTALLATION OF SIGN	20	EA	\$ 150.00	\$ 3,000.00
69	9010-108-B-0	HYDRAULIC SEEDING, SEEDING, FERTILIZING, AND MULCHING (TYPE 4)	2	AC	\$ 1,500.00	\$ 3,420.00

70	9040-108-A-2	SWPPP MANAGEMENT	1	LS	\$ 6,500.00	\$ 6,500.00
71	9040-108-D-1	FILTER SOCK, 8"	100	LF	\$ 1.00	\$ 100.00
72	9040-108-D-2	FILTER SOCK, REMOVAL	100	LF	\$ 0.25	\$ 25.00
73	9040-108-T-1	INLET PROTECTION DEVICE	13	EA	\$ 25.00	\$ 325.00
74	9040-108-T-2	INLET PROTECTION DEVICE, MAINTENANCE	13	EA	\$ 15.00	\$ 195.00
75	9072-108-A-0	COMBINED CONCRETE SIDEWALK AND RETAINING WALL	10	CY	\$ 700.00	\$ 7,000.00
76	11020-108-A	MOBILIZATION	1	LS	\$ 125,000.00	\$ 125,000.00
77	11030-108-A-0	MAINTENANCE OF POSTAL SERVICE	1	LS	\$ 4,000.00	\$ 4,000.00
78	11030-108-B-0	MAINTENANCE OF SOLID WASTE COLLECTION	1	LS	\$ 4,000.00	\$ 4,000.00
79	11050-108-A-0	CONCRETE WASHOUT	1	LS	\$ 2,000.00	\$ 2,000.00
80	11060-108-A-0	MONITOR BUILDING FOUNDATION	1	LS	\$ 8,000.00	\$ 8,000.00
81	11065-108-A-0	ABANDONMENT OF WINDOW WELLS	6	EA	\$ 2,000.00	\$ 12,000.00
82	11070-108-A-0	BOX CULVERT PATCHING	2	EA	\$ 2,000.00	\$ 4,000.00
83	11075-108-A-0	CONNECTION INTO BOX CULVERT	2	EA	\$ 1,500.00	\$ 3,000.00
84	11085-108-G-0	LIME BACKFILL	2333	CY	\$ 11.25	\$ 26,246.25

BASE BID TOTAL: \$ 2,429,079.85
BASE BID TOTAL (Rounded): \$ 2,429,000.00

BID ALTERNATE

85A	11080-108-A-0	LIGHTING - BID ALTERNATE	1	LS	\$ 78,000.00	\$ 78,000.00
86A	5010-108-A-1	WATER MAIN, TRENCHED, PVC AWWA C900, 8" - BID ALTERNATE	136	LF	\$ 55.00	\$ 7,480.00
87A	7010-108-E-0	CURB AND GUTTER, 3.5', 7" - BID ALTERNATE	140	LF	\$ 65.00	\$ 9,100.00

BID ALTERNATE TOTAL: \$ 94,580.00
BID ALTERNATE (Rounded): \$ 95,000.00

BASE BID + BID ALTERNATE (Rounded): \$ 2,524,000.00



January 28, 2019

Memorandum

To: Doug Herman, City Administrator, City of Monticello

CC: John Danos, Dorsey & Whitney LLP

From: Matthew Stoffel, PFM Financial Advisors LLC

Re: Proposed Schedule for General Obligation Corporate Purpose Bonds, Series 2019

Below are the proposed dates for the upcoming General Obligation Corporate Purpose Bond issue for the City of Monticello:

- February 4, 2019: Set Public Hearings
- February 19, 2019: Hold Public Hearings (NTE \$2,700,000)
Authorize Pre-Levy (\$72,417)
- March 25, 2018 Send POS to City for distribution to City Council
- April 1, 2019 Council Approves POS, electronic bidding, set sale date
- April 15, 2019 Take Bids on Series 2019 & award sale
- May 6, 2019 Approve final documents & authorize issuance
- May 15, 2019 Closing

POS Schedule

March 7 – Project Manager Review

March 12 – City & Bond Counsel Review

March 19 – Comments due

March 25 – Send to City & City distributes to Council

April 1 – City approves POS

SALE DETAILS

DATE: January 28, 2019

ISSUER: City of Monticello, Iowa

BOND NAME: \$2,500,000* General Obligation Corporate Purpose Bonds, Series 2019

BOND ATTORNEY: Dorsey & Whitney

Individual: John Danos/ Emily Hammond/Cheryl Ritter

Sale Date: April 15, 2019

Closing Date: May 15, 2019

Bid Method: Sealed, Fax & Parity Internet Bidding System

Place: City Hall

Bid Opening: 10:00 AM CT

Bid Award: 6:00 PM CT

Bonds Dated: May 15, 2018

Maturity: June 1, as follows:

<u>Year</u>	<u>Amount*</u>	<u>Year</u>	<u>Amount*</u>
2020	\$215,000	2025	\$255,000
2021	225,000	2026	260,000
2022	230,000	2027	270,000
2023	240,000	2028	275,000
2024	245,000	2029	285,000

Principal
Adjustment *:

Preliminary; subject to change. The aggregate principal amount of the Bonds, and each scheduled maturity thereof, are subject to increase or decrease by the City or its designee after the determination of the successful bidder. The City may increase or decrease each maturity in increments of \$5,000 but the total amount to be issued will not exceed \$2,700,000. Interest rates specified by the successful bidder for each maturity will not change. Final adjustments shall be in the sole discretion of the City.

The dollar amount of the purchase price proposed by the successful bidder will be changed if the aggregate principal amount of the Bonds is adjusted as described above. Any change in the principal amount of any maturity of the Bonds will be made while maintaining, as closely as possible, the successful bidder's net compensation, calculated as a percentage of Bond principal. The successful bidder may not withdraw or modify its bid as a result of any post-bid adjustment. Any adjustment shall be conclusive, and shall be binding upon the successful bidder.

First Interest: December 1, 2019 and semiannually thereafter. Interest will be computed on the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to rules of the MSRB.

Record Date: Close of business on the 15th day of the month (whether or not a business day) of the immediately preceding month.

Cusip Numbers: The Issuer will assume no obligation for the assignment or printing of CUSIP numbers on the Bonds or for the correctness of any numbers printed thereon, but will permit such numbers to be printed at the expense of the purchaser, if the purchaser waives any delay in delivery occasioned thereby.

Call Feature: Bonds due after June 1, 2027 will be subject to call for prior redemption on said date or on any day thereafter upon terms of par plus accrued interest to date of call.

Issue Price: Establishment of Issue Price shall be based on Hold-the-Offering-Price Rule if competitive sale requirements are not satisfied.

Award: The Bonds will be awarded to the bidder offering the lowest true interest rate to be determined on a true interest cost basis (TIC). The Issuer's computation of the true interest cost of each bid, in accordance with customary practice, shall be conclusive.

Bid Parameters: Each bidder's proposal must conform to the following limitations:

1. Each annual maturity must bear a single rate of interest from the dated date of the Bonds to the date of maturity.
2. Rates of interest bid must be in multiples of one-eighth or one-twentieth of one percent.
3. The initial price to the public for each maturity must be 98% or greater.

Term Bond Option: Bidders shall have the option of designating the Bonds as serial bonds or term bonds, or both.

Final OS to Purchaser: TBD, NTE 20

Minimum Bid: \$2,480,000

Good Faith: \$25,000 - Required of the purchaser only

Registrar/
Paying Agent: Bankers Trust Company, N.A., Des Moines, Iowa

Book Entry Only: This offering will be issued as fully registered Bonds and, when issued, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York.

Tax Matters: The Bonds will be designated as qualified tax-exempt obligations. The Bonds will be federal tax-exempt and state taxable.

Municipal Advisor: PFM Financial Advisors LLC, Des Moines Office
Individual: Matthew Stoffel
Support Staff: Sue Brandt, Melissa Schenck

Schedule of Events:

February 4:	Set public hearing (NTE \$2,700,000)
February 19:	Hold public hearing (NTE \$2,700,000) Approve Pre-levy amount of \$72,417
March 4:	Approve FY 2020 budget with Series 2019
March 7:	POS to Matt for Review
March 21:	POS sent to City/BC for review
March 25:	POS sent to City for Council Packets
April 1:	Approve POS and electronic bidding
May 6:	Final documents authorized

Notes: The City will **NOT** request a rating.

SOURCES AND USES OF FUNDS

City of Monticello, Iowa
General Obligation Corporate Purpose Bonds, Series 2019

Sources:

Bond Proceeds:	
Par Amount	2,500,000.00
	<hr/>
	2,500,000.00

Uses:

Project Fund Deposits:	
Project Fund	2,452,000.00
	<hr/>
Delivery Date Expenses:	
Cost of Issuance	28,000.00
Underwriter's Discount	20,000.00
	<hr/>
	48,000.00
	<hr/>
	2,500,000.00

Note: 1/25/2019 MMD plus 60 bps Pricing (NR/BQ) plus 50 bps Timing

BOND SUMMARY STATISTICS

City of Monticello, Iowa
General Obligation Corporate Purpose Bonds, Series 2019

Dated Date	05/15/2019
Delivery Date	05/15/2019
Last Maturity	06/01/2029
Arbitrage Yield	3.087847%
True Interest Cost (TIC)	3.243326%
Net Interest Cost (NIC)	3.232327%
All-In TIC	3.463966%
Average Coupon	3.094264%
Average Life (years)	5.794
Duration of Issue (years)	5.241
Par Amount	2,500,000.00
Bond Proceeds	2,500,000.00
Total Interest	448,238.51
Net Interest	468,238.51
Total Debt Service	2,948,238.51
Maximum Annual Debt Service	297,380.00
Average Annual Debt Service	293,519.32
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	8.000000
	<hr/>
Total Underwriter's Discount	8.000000
Bid Price	99.200000

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Paid by TIF	1,500,000.00	100.000	3.023%	4.808	654.15
Paid by Debt Service Levy	1,000,000.00	100.000	3.165%	7.274	634.45
	<hr/>				
	2,500,000.00			5.794	1,288.60

	TIC	All-In TIC	Arbitrage Yield
Par Value	2,500,000.00	2,500,000.00	2,500,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount	-20,000.00	-20,000.00	
- Cost of Issuance Expense		-28,000.00	
- Other Amounts			
	<hr/>	<hr/>	<hr/>
Target Value	2,480,000.00	2,452,000.00	2,500,000.00
Target Date	05/15/2019	05/15/2019	05/15/2019
Yield	3.243326%	3.463966%	3.087847%

BOND PRICING

City of Monticello, Iowa
General Obligation Corporate Purpose Bonds, Series 2019

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Paid by Debt Service Levy:					
	06/01/2020	40,000	2.770%	2.770%	100.000
	06/01/2021	45,000	2.790%	2.790%	100.000
	06/01/2022	45,000	2.810%	2.810%	100.000
	06/01/2023	45,000	2.860%	2.860%	100.000
	06/01/2024	45,000	2.920%	2.920%	100.000
	06/01/2025	45,000	2.980%	2.980%	100.000
	06/01/2026	170,000	3.050%	3.050%	100.000
	06/01/2027	180,000	3.140%	3.140%	100.000
	06/01/2028	190,000	3.230%	3.230%	100.000
	06/01/2029	195,000	3.330%	3.330%	100.000
		<u>1,000,000</u>			
Paid by TIF:					
	06/01/2020	175,000	2.770%	2.770%	100.000
	06/01/2021	180,000	2.790%	2.790%	100.000
	06/01/2022	185,000	2.810%	2.810%	100.000
	06/01/2023	195,000	2.860%	2.860%	100.000
	06/01/2024	200,000	2.920%	2.920%	100.000
	06/01/2025	210,000	2.980%	2.980%	100.000
	06/01/2026	90,000	3.050%	3.050%	100.000
	06/01/2027	90,000	3.140%	3.140%	100.000
	06/01/2028	85,000	3.230%	3.230%	100.000
	06/01/2029	90,000	3.330%	3.330%	100.000
		<u>1,500,000</u>			
		<u>2,500,000</u>			

Dated Date	05/15/2019	
Delivery Date	05/15/2019	
First Coupon	12/01/2019	
Par Amount	2,500,000.00	
Original Issue Discount		
Production	2,500,000.00	100.000000%
Underwriter's Discount	-20,000.00	-0.800000%
Purchase Price	2,480,000.00	99.200000%
Accrued Interest		
Net Proceeds	2,480,000.00	

BOND DEBT SERVICE

City of Monticello, Iowa
General Obligation Corporate Purpose Bonds, Series 2019

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
12/01/2019			40,884.51	40,884.51	
06/01/2020	215,000	2.770%	37,547.00	252,547.00	293,431.51
12/01/2020			34,569.25	34,569.25	
06/01/2021	225,000	2.790%	34,569.25	259,569.25	294,138.50
12/01/2021			31,430.50	31,430.50	
06/01/2022	230,000	2.810%	31,430.50	261,430.50	292,861.00
12/01/2022			28,199.00	28,199.00	
06/01/2023	240,000	2.860%	28,199.00	268,199.00	296,398.00
12/01/2023			24,767.00	24,767.00	
06/01/2024	245,000	2.920%	24,767.00	269,767.00	294,534.00
12/01/2024			21,190.00	21,190.00	
06/01/2025	255,000	2.980%	21,190.00	276,190.00	297,380.00
12/01/2025			17,390.50	17,390.50	
06/01/2026	260,000	3.050%	17,390.50	277,390.50	294,781.00
12/01/2026			13,425.50	13,425.50	
06/01/2027	270,000	3.140%	13,425.50	283,425.50	296,851.00
12/01/2027			9,186.50	9,186.50	
06/01/2028	275,000	3.230%	9,186.50	284,186.50	293,373.00
12/01/2028			4,745.25	4,745.25	
06/01/2029	285,000	3.330%	4,745.25	289,745.25	294,490.50
	2,500,000		448,238.51	2,948,238.51	2,948,238.51

DETAILED BOND DEBT SERVICE

City of Monticello, Iowa
 General Obligation Corporate Purpose Bonds, Series 2019

Paid by Debt Service Levy (DS LEVY)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
12/01/2019			16,898.19	16,898.19	
06/01/2020	40,000	2.770%	15,518.75	55,518.75	72,416.94
12/01/2020			14,964.75	14,964.75	
06/01/2021	45,000	2.790%	14,964.75	59,964.75	74,929.50
12/01/2021			14,337.00	14,337.00	
06/01/2022	45,000	2.810%	14,337.00	59,337.00	73,674.00
12/01/2022			13,704.75	13,704.75	
06/01/2023	45,000	2.860%	13,704.75	58,704.75	72,409.50
12/01/2023			13,061.25	13,061.25	
06/01/2024	45,000	2.920%	13,061.25	58,061.25	71,122.50
12/01/2024			12,404.25	12,404.25	
06/01/2025	45,000	2.980%	12,404.25	57,404.25	69,808.50
12/01/2025			11,733.75	11,733.75	
06/01/2026	170,000	3.050%	11,733.75	181,733.75	193,467.50
12/01/2026			9,141.25	9,141.25	
06/01/2027	180,000	3.140%	9,141.25	189,141.25	198,282.50
12/01/2027			6,315.25	6,315.25	
06/01/2028	190,000	3.230%	6,315.25	196,315.25	202,630.50
12/01/2028			3,246.75	3,246.75	
06/01/2029	195,000	3.330%	3,246.75	198,246.75	201,493.50
	1,000,000		230,234.94	1,230,234.94	1,230,234.94

DETAILED BOND DEBT SERVICE

City of Monticello, Iowa
 General Obligation Corporate Purpose Bonds, Series 2019

Paid by TIF (TIF)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
12/01/2019			23,986.32	23,986.32	
06/01/2020	175,000	2.770%	22,028.25	197,028.25	221,014.57
12/01/2020			19,604.50	19,604.50	
06/01/2021	180,000	2.790%	19,604.50	199,604.50	219,209.00
12/01/2021			17,093.50	17,093.50	
06/01/2022	185,000	2.810%	17,093.50	202,093.50	219,187.00
12/01/2022			14,494.25	14,494.25	
06/01/2023	195,000	2.860%	14,494.25	209,494.25	223,988.50
12/01/2023			11,705.75	11,705.75	
06/01/2024	200,000	2.920%	11,705.75	211,705.75	223,411.50
12/01/2024			8,785.75	8,785.75	
06/01/2025	210,000	2.980%	8,785.75	218,785.75	227,571.50
12/01/2025			5,656.75	5,656.75	
06/01/2026	90,000	3.050%	5,656.75	95,656.75	101,313.50
12/01/2026			4,284.25	4,284.25	
06/01/2027	90,000	3.140%	4,284.25	94,284.25	98,568.50
12/01/2027			2,871.25	2,871.25	
06/01/2028	85,000	3.230%	2,871.25	87,871.25	90,742.50
12/01/2028			1,498.50	1,498.50	
06/01/2029	90,000	3.330%	1,498.50	91,498.50	92,997.00
	1,500,000		218,003.57	1,718,003.57	1,718,003.57

AGGREGATE DEBT SERVICE

City of Monticello, Iowa
General Obligation Corporate Purpose Bonds, Series 2019

Date	General Obligation Corporate Purpose Bonds, Series 2019	Aggregate Debt Service
12/01/2019	40,884.51	40,884.51
06/01/2020	252,547.00	252,547.00
12/01/2020	34,569.25	34,569.25
06/01/2021	259,569.25	259,569.25
12/01/2021	31,430.50	31,430.50
06/01/2022	261,430.50	261,430.50
12/01/2022	28,199.00	28,199.00
06/01/2023	268,199.00	268,199.00
12/01/2023	24,767.00	24,767.00
06/01/2024	269,767.00	269,767.00
12/01/2024	21,190.00	21,190.00
06/01/2025	276,190.00	276,190.00
12/01/2025	17,390.50	17,390.50
06/01/2026	277,390.50	277,390.50
12/01/2026	13,425.50	13,425.50
06/01/2027	283,425.50	283,425.50
12/01/2027	9,186.50	9,186.50
06/01/2028	284,186.50	284,186.50
12/01/2028	4,745.25	4,745.25
06/01/2029	289,745.25	289,745.25
	2,948,238.51	2,948,238.51

UNDERWRITER'S DISCOUNT

City of Monticello, Iowa
General Obligation Corporate Purpose Bonds, Series 2019

Underwriter's Discount	\$/1000	Amount
Other Underwriter's Discount	8.00	20,000.00
	8.00	20,000.00

City Council Meeting
Prep. Date: 02/01/19
Preparer: Doug Herman



Agenda Item: 2
Agenda Date: 02/04/2019

Agenda Items Description: Resolution to preliminarily approve Development Agreement, as Amended, between the City of Monticello and the Menasha Corporation, a/k/a Orbis, and scheduling a Public Hearing on the proposed agreement.

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

Attachments & Enclosures:

Proposed Resolution
Proposed Agreement
Supporting "Boomerang" Invoice

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: The Proposed Agreement provides for the payment of four TIF grant payments to Orbis over four years to reimburse them if you will for water main and infrastructure installation and the granting of easements to the City.

Background Information: During the Orbis warehouse addition project it became apparent that the City Water Main system could use additional capacity and flow, resulting in a study of volume and pressure in that area that led to the decision to add new water main between 11th Street and Plastic Lane. This additional main was important to the Orbis project from a sprinkler system standpoint and will also be beneficial to other industrial users and properties in that area in general.

Orbis acquired property over which to install the new main, said property also having a City sewer main running through it even though it appeared that the City did not have a formal, written easement for that main. Orbis has requested grant payments from the City to cover the cost of main construction including materials but not including land acquisition or project design. In return Orbis will dedicate the main to the City and will grant easements to the City to access both the water main and sewer main for maintenance, repair and replacement as well as necessary easements for storm water flow from Plastic Lane to 11th Street.

After the approval of the Agreement, the City will need to begin the process of modifying the Urban Renewal Area to include the "new" Orbis Parcel which will require its' own Public Hearing. I plan to be ready to move on that by our February 18th meeting.

Staff Recommendation: I recommend that the Council preliminarily approve the proposed Development Agreement and set the final approval for consideration after a Public Hearing on March 4, 2019 at 6:00 p.m.

RESOLUTION NO. 19-__

To fix a date of meeting at which it is proposed to approve a Development Agreement, as Amended, with Orbis Manufacturing, a subsidiary of Menasha Corporation, (Hereinafter referred to as Orbis) including tax increment grant payments in an amount not to exceed \$79,342

WHEREAS, the City of Monticello, Iowa (the “City”), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Monticello Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, this City Council has adopted an ordinance providing for the division of taxes levied on taxable property in various Urban Renewal Areas pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City proposes to enter into a Development Agreement, as Amended, the “Development Agreement”, with Orbis (the “Developer”) having previously entered into a Development Agreement with Orbis on or about the ___ day of _____, 2017 with respect to construction of a warehouse addition totaling approximately 100,000 sf, and

WHEREAS, the Development Agreement as Amended would provide additional financial incentives to the Developer in the form of TIF Grants, payable over a period of years in the total amount of \$79,342 under the authority of Chapter 403 of the Code of Iowa, and

WHEREAS, it is necessary to set a date for a public hearing on the Proposed Development Agreement, as Amended, pursuant to Section 403.9 of the Code of Iowa;

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Monticello, Iowa, as follows:

Section 1. The City Council, by the approval of this Resolution, shall be deemed to have preliminarily approved the proposed Developer’s Agreement and incentives offered therein, subject to the completion of those tasks and obligations of the Developer set forth therein, and further subject to public comment and input yet to be received by the City Council and to future formal approvals related to the addition or inclusion of the Orbis property within an Urban Renewal Area and of this proposed project, as amended, within the Urban Renewal Plan.

Section 2. This City Council shall meet on the 4th day of March, 2019, at 6:00 o’clock p.m., at the Monticello Renaissance Center, Community Media Room, in the City, at which time and place proceedings will be instituted and action taken to consider the formal and final approve of the proposed Development Agreement.

Section 3. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City. Said notice shall be in substantially the following form:

**NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT AGREEMENT WITH
Orbis Manufacturing, a subsidiary of Menasha Corporation**

The City Council of the City of Monticello, Iowa, will meet at the Monticello Renaissance Center, Community Media Room, Monticello, Iowa, on the 4th day of March, 2019, at 6:00 o'clock p.m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement, as Amended, between the City and Orbis Mfg., a subsidiary of Menasha Corporation, with respect to the installation of a water main and related infrastructure located generally between 11th Street and Plastic Lane, the agreement providing for the payment of TIF Grants over a period of four (4) years in the total amount of \$79,342 as authorized by Chapter 403 of the Code of Iowa.

The Agreement to make said grant payments from incremental property tax payments will not be a general obligation of the City, but will be payable solely and only from incremental property tax revenues generated within the Monticello Urban Renewal Area.

At the meeting, the City Council will receive oral or written objections from any resident or property owner of the City. Thereafter, the Council may, at the meeting or at an adjournment thereof, take additional action to approve the Development Agreement, as Amended, as written, as further amended, or may abandon the proposal.

This notice is given by order of the City Council of Monticello, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Sally Hinrichsen
City Clerk

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved February 04, 2019.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk

DEVELOPMENT AGREEMENT
City of Monticello and Orbis Manufacturing
As Amended

This Agreement is entered into between the City of Monticello, Iowa (the “City”) and Orbis Manufacturing, a subsidiary of Menasha Corporation (“Developer”) as of the _____ day of _____, 2019.

WHEREAS, the City previously established the Monticello Urban Renewal Area (the “Urban Renewal Area”), and has adopted a tax increment ordinance for the Urban Renewal Area; and

WHEREAS, the Developer and the City previously entered into a Development Agreement, wherein the City provided certain incentives to Orbis in relation to the construction of an addition to their current manufacturing facility of approximately 100,000 sf to be used primarily for warehousing, and

WHEREAS, during the course of the project the Developer and the City worked jointly together on the installation of additional City Water Main to serve not only Orbis but other Manufacturing facilities and City water customers in general. (The “Project”) The newly installed water main created a loop, connecting two water mains between 11th Street and Plastic Lane on property acquired by Orbis during the course of this project, the newly acquired property providing a location for the water main, storm water management, and an access to the Orbis Property from 11th Street. The City also has a sanitary sewer main on the recently acquired Orbis property, and

WHEREAS, Orbis and the City agreed that Orbis contractors would install the main after a review of the plans and specs related thereto by the City Engineer and City Staff and that the City would then, at the conclusion of the project, accept the dedication of the Water Main with Orbis providing permanent easements that will allow access to both the newly installed Water Main and previously installed Sewer Main for maintenance, repair, and replacement including drainage-way easements, allowing for the continued management of storm water over and through the Orbis Property, and

WHEREAS, Orbis has, since the execution of the original Development Agreement, acquired additional parcels of property, not all of which are in the Urban Renewal Area, over which some of the Water Main improvements are located, and also owns additional adjacent property (abandoned RR ROW) to the property described within the original Development Agreement, all of said parcels being described as set forth within Exhibit A attached hereto.

WHEREAS, Developer has requested tax increment financing assistance with respect to the Project and the City Council finds that the benefits of the project to the community are significant and that the use of incentives, including TIF, are appropriate; and

WHEREAS, Chapter 15A of the Code of Iowa authorizes cities to provide grants, loans, guarantees, tax incentives and other financial assistance to or for the benefit of private persons; and the City Council specifically finds as follows:

1. That a significant warehouse addition to the Orbis Mfg. facility demonstrates a major commitment by Menasha to the Monticello Community and provides a high level of confidence that Orbis will continue to provide employment opportunities for residents of Monticello, Jones County, and surrounding areas.
2. The Council has considered the overall impact the proposed development will have on the community, weighing the overall benefits of the business, including the receipt of property taxes, potential new jobs, and the future longevity of Orbis in Monticello, and finds that the benefits to the Citizens, Local Businesses, and tax base of the City warrants the granting of incentives to promote the proposed improvement.
3. That the extension of additional water main, "The Project" was necessary for the Orbis Warehouse project and provides additional significant benefits to the area and the community in general, and the granting of easements to the City to repair, maintain and replace the new main, the previously existing sewer main for which the City may not have had previously established easement rights, and drainage way rights are all beneficial to the community.
4. This agreement is not being used to attract a business presently located within the state to relocate to another portion of the state, rather, it is promoting the growth of an existing Monticello, Iowa based business in Monticello, creating future property tax growth, employment opportunities, and a certainty to Orbis' future in Monticello.

NOW THEREFORE, the parties hereto agree as follows:

A. Urban Renewal Area and Urban Renewal Plan Amendments

1. The Parties acknowledge that all terms of this agreement are contingent upon the approval of Amendments to the City of Monticello Urban Renewal Area and Urban Renewal Plan and that the City will, upon the approval of this Agreement, begin to take steps to pursue the amendment to both the Urban Renewal Area and Urban Renewal Plan and that in the event either the Area or the Plan are not amended so that the terms and provisions hereof may be implemented, that all of said terms and conditions are of no force and effect.

B. Developer’s Covenants

1. The Developer agrees to finalize the construction of the project on the property of the owner, to agree to execute documents dedicating the Water Main infrastructure to the City of Monticello and to the granting of all necessary easements as set forth previously herein to the City of Monticello.
2. The Developer agrees to pour a concrete approach to the access road from 11th Street to Orbis from 11th Street on the north to the right of way on the south and to permanently maintain said approach with PCC pavement in good condition.

C. City’s Covenants

1. **Grant Payments.** The City further agrees to make a series of economic development grants. (The “Grant Payments”) The Grant Payments shall be made to the Developer as follows:

- a. **Grant Payments related to Water Main Installation:** The City will provide a grant, payable in four installments to reimburse the Developer for the actual cost of Water Main installation, not covering costs of engineering or design or costs of property acquisition, as follows:

- a. July 15, 2020: \$20,000
- b. July 15, 2021: \$20,000
- c. July 15, 2022: \$20,000
- d. July 15, 2023: \$19,342

- b. Grant Payments will not be made in any amount until the Water Main has been formally dedicated and accepted and easements, in a form agreeable to the City, have been fully executed and recorded.

2. **Security and Debt Certification.** The Total Payments shall not constitute general obligations of the City, but shall be made solely and only from incremental property taxes received by the City from the Jones County Treasurer which are attributable to the Property in the case of the Rebate Payments.

Each Payment shall be subject to annual appropriation by the City Council. Prior to December 1 of each year during the term of this Agreement, the City Council shall consider the question of obligating for appropriation to the funding of the Payments due in the following fiscal year, an amount of tax increment revenues to be collected in the following fiscal year equal to or less than the most recent Developer’s Estimate factored by the Annual Percentage to be in effect in the next succeeding fiscal year (the “Appropriated Amount”).

If in any given fiscal year the City Council determines to not obligate the then-considered Appropriated Amount, the City will be under no obligation to fund the Payments scheduled to become due in the following fiscal year, and the Developer will have no rights whatsoever to compel the City to make such Payments or to seek damages relative thereto. A determination by the City Council to not obligate funds for any particular fiscal year's obligation shall not render this Agreement null and void and the Developer may make future requests for appropriation.

In any given fiscal year, if the City Council determines to obligate the then-considered Appropriated Amount, then the City Clerk will certify by December 1 of each such year to the Jones County Auditor an amount equal to the most recently obligated Appropriated Amount.

It is the intention and desire of the City Council, at the passage of this Developer's Agreement, that funds will be annually appropriated as contemplated herein absent a finding by the City Council that severe hardship to the City would be suffered if appropriated.

D. Administrative Provisions

1. This Agreement may not be amended or assigned by either party without the written consent of the other party.
2. This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.
3. This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with laws of the State of Iowa.

The City and the Developer have caused this Agreement to be signed, and the City's seal to be affixed, in their names and on their behalf by their duly authorized officers, all as of the day and date written above.

City of Monticello, Iowa

By _____
Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk

**Orbis Manufacturing, a Subsidiary of
Menasha Corporation**

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Orbis Manufacturing property located at 206 Plastic Lane, Monticello, Iowa legally described as follows:



Project: Orbis – New Warehouse

Purchase Order: #4500905246

Description: 12" watermain from tie in on Plastic Lane to tie in on 11th Street

Item:	org qty:	unit price:	total:	new qty:	new total:
12" watermain	1019 LF	\$42.00	\$42,798.00	1326	\$55,692.00
12" fire hydrant assembly	0	\$4,550.00	\$0.00	3	\$13,650.00
12" tapping valve, tee, and tap	0	\$6,800.00	\$0.00	1	\$6,800.00
8" valves on upper tie in	0	\$1,600.00	\$0.00	2	\$3,200.00
		Total:	\$42,798.00	Total:	\$79,342.00

City Council Meeting
Prep. Date: 02/01/19
Preparer: Doug Herman



Agenda Item: 3
Agenda Date: 02/04/2019

Agenda Items Description: Resolution Scheduling Public Hearing on proposed Amendments to the Monticello Urban Renewal Plan.

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

Attachments & Enclosures:

Proposed Resolution
Attached Plan Amendment

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

Synopsis: The proposed Resolution schedules a Public Hearing on proposed amendments to Monticello Urban Renewal Plan.

Background Information: The proposed amendment to the Urban Renewal Plan provides that the N. Sycamore Street Reconstruction Project is an eligible project for the use of incremental property taxes, or TIF. The project debt has been set up in such a fashion as to have 60% of the total payments covered by TIF and 40% covered by Debt Service. The use of TIF allows us to keep the project debt on a ten (10) year payback as opposed to a fifteen (15) year payback, lower interest rates, reduced debt service levy that will allow us to maintain a consistent tax rate, and an overall estimated savings of \$500,000 in interest costs over the life of the bonds.

Staff Recommendation: I recommend that the Council approve the proposed resolution scheduling Public Hearing on the proposed Urban Renewal Area amendment for March 4, 2019 at 6:00 p.m.

The City of Monticello, Iowa

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO, IOWA
RESOLUTION #19-___

Scheduling Public Hearing on proposed Amendments to the Monticello Urban Renewal Plan.

WHEREAS, The City of Monticello has previously created the Monticello Urban Renewal Area, as subsequently amended, hereinafter referenced as the "Urban Renewal Area", and

WHEREAS, The Council, being duly advised, has determined it appropriate to amend the Urban Renewal Plan to include the N. Sycamore Street Reconstruction project, as more fully described within Exhibit A, and

WHEREAS, The Council desires to consider all input before making a final decision on the proposed amendment to the Urban Renewal Plan, and

WHEREAS, A Public Hearing must be scheduled to allow for public input on the proposed amendment.

NOW, THEREFORE, BE IT RESOLVED by the City Council in session this 4th day of February, 2019 as follows:

1. That a Public Hearing is hereby scheduled for the 4th day of March, 2019 at 6:00 p.m. at the regularly scheduled City Council Meeting, same to be held in Council Chambers at the Monticello Renaissance Center.
2. The City Clerk shall publish notice of said hearing, same to be in the form of the notice attached hereto, and identified as "Exhibit B", in the Monticello Express not less than four nor more than twenty days prior to the date set for hearing.
3. City Administrator, Doug Herman, is designated as the City's representative in connection with the consultation process per Iowa Code section 403.5.
4. The proposed Urban Renewal Plan Amendment is hereby submitted to the City of Monticello Planning and Zoning Board for review and recommendation, as required by Iowa Code Section 403.5.

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 4th day of February, 2019.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk

Exhibit A

CITY OF MONTICELLO, IOWA

URBAN RENEWAL PLAN AMENDMENT
MONTICELLO URBAN RENEWAL AREA

February/March, 2019

The Urban Renewal Plan (the “Plan”) for the Monticello Urban Renewal Area (the “Area”) is being amended for the purpose of identifying a new urban renewal and economic development project to be undertaken therein.

1) Identification of Project.

By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following project description:

Name of Project: N. Sycamore Street Reconstruction Project (the “N. Sycamore Street Project”)

Name of Urban Renewal Area: Monticello Urban Renewal Area

Year of Establishment of Urban Renewal Area: October 19, 1992

Date of Council Approval of Project: _____

Location and Description of Parking Lot Project: The project is generally described as the total reconstruction of N. Sycamore Street from its intersection with 1st Street to just past its intersection with 7th Street more specifically described as follows: All labor, materials and equipment necessary for the reconstruction of N. Sycamore Street, generally including street, water system, sanitary sewer system, sidewalk and storm water drainage improvements and the installation of street lighting, signage and signalization, if necessary, with similar reconstruction work on a portion of the side streets off of N. Sycamore Street, including 2nd, 3rd, 4th, 5th, 6th, and 7th Streets.

The areas to be reconstructed are partially in the Commercial District and expected to promote additional improvements in those area and said street is also a main traffic and parking area for the Great Jones County Fair, the biggest economic impact to the City on an annual basis, and part of the 4th of July Parade Route, another event that brings many people to the community. The project is also located in one of the older parts of the community and the Council finds that the reconstruction of the street and related improvements will more likely than not bring about a certain amount of urban revitalization in that part of town, similar to improvements and revitalization seen by the City along 2nd Street when 2nd Street was reconstructed a few years ago.

Description of Properties to be Acquired in Connection with Project: The City will not be acquiring any property as part of this project.

Description of Use of TIF: The City Council will be bonding for the majority of project costs in an amount not to exceed \$2,700,000 and will be paying for other costs of the project out of non-bonded cash on hand, whether from the Road Use Budget or the City General Fund in an amount not to exceed \$100,000. It is the intent of the City that 60% of said project costs will be repaid with incremental property tax revenues. It is anticipated that the City's use of incremental property tax revenues for the N. Sycamore Street Project will not exceed \$1,680,000.

2) Required Financial Information. The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the City:	<u>\$12,282,292¹</u>
Outstanding general obligation debt of the City:	<u>\$ 2,390,000²</u>
Proposed debt to be incurred in connection with This February/March, 2019 Amendment	<u>\$ 2,700,000³</u>

¹ This number represents the Constitutional Debt limit entering FY '20

² This number represents the Total G.O. Debt entering FY '20, not including TIF Rebate agreements, most of which are subject to Annual Appropriation. The approx. total of TIF Rebate obligations, whether subject to annual appropriation or not total \$616,239

³ This represents the maximum that may be borrowed with the Council intending to borrow \$2.5 million

Exhibit B

**NOTICE OF PUBLIC HEARING ON PROPOSED URBAN RENEWAL PLAN
AMENDMENT**

Notice Is Hereby Given: That at 6:00 o'clock p.m. on the 4th day of March, 2019, at the Mary Lovell LeVan, Monticello Renaissance Center, Community Media Center, 220 East First Street, Monticello, Iowa, there will be conducted a public hearing on the question of whether or not the City Council should amend the Urban Renewal Plan for the Monticello Urban Renewal Area pursuant to Chapter 403, Code of Iowa, a copy of said amendment being on file for public inspection in the office of the City Clerk. The proposed amendment to the Urban Renewal Plan provides that the City of Monticello will cover up to sixty (60) percent of the N. Sycamore Street Reconstruction Project with incremental property tax revenues (TIF). At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Sally Hinrichsen
City Clerk

City Council Meeting
 Prep. Date: 01/31/19
 Preparer: Doug Herman



Agenda Item: 4
 Agenda Date: 02/04/2019

Communication Page

Agenda Items Description Resolution Scheduling Public Hearing on proposed plans, specifications, form of contract and estimate of cost for the 2019 N. Sycamore Street Reconstruction Project and the taking of bids therefor.

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

Attachments & Enclosures:

Proposed Resolution

Fiscal Impact:

Budget Line Item:	
Budget Summary:	N. Sycamore Street Project
Expenditure:	
Revenue:	

Synopsis: Resolution to direct prep. and filing of documents by City Engineer with City Clerk related to N. Sycamore Street project.

Background Information: The proposed Resolution orders Snyder and Associates to file detailed plans and specifications, notice of hearing, notice to bidders, and form of contract with the City Clerk. While this is already underway and planned, we need to have this Resolution in the project files.

The Resolution also delegates to the City Clerk the responsibility of receiving bids on or before March 12, 2019 with the bids to be opened at 2:00 p.m. on that date. A public hearing to consider the bids is, by the approval of the Resolution, scheduled for March 18th at 6:00 p.m.

Staff Recommendation: I recommend that the Council approve the proposed Resolution.

RESOLUTION NO. 19-__

Scheduling Public Hearing on proposed plans, specifications, form of contract and estimate of cost for the 2019 N. Sycamore Street Reconstruction Project, and the taking of bids therefor

WHEREAS, the City Council (the “Council”) of the City of Monticello, Iowa (the “City”), has determined that it is necessary and desirable that a public improvement be constructed as described in the proposed plans and specifications and form of contract prepared by Snyder & Associates, Inc., the Project Engineers for such public improvement, which may be hereafter referred to as the “2019 N. Sycamore Street Reconstruction Project” (and is sometimes hereinafter referred to as the “Project”), which proposed plans, specifications and form of contract and estimate of cost are on file with the City Clerk; and

WHEREAS, it is necessary to fix a time and place of public hearing on the proposed plans, specifications and form of contract and estimate of cost for the Project and to advertise for sealed bids for the Project;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Monticello, Iowa, as follows:

Section 1. The detailed plans and specifications, notice of hearing and notice to bidders, form of contract and estimate of cost referred to in the preamble hereof are hereby approved.

Section 2. The Project is necessary and desirable for the City, and it is in the best interests of the City to proceed toward the construction of the Project.

Section 3. The amount of the bid security to accompany each bid is hereby fixed at 5% of the total amount of the proposal.

Section 4. The City Council hereby delegates to the City Clerk the duty of receiving, opening and announcing the results of all bids for the construction of the Project, on the 12th day of March, 2019, at 2:00 o’clock p.m., at the Monticello Renaissance Center, Monticello, Iowa. The 18th day of March, 2019, at 6:00 o’clock p.m., at the Monticello Renaissance Center, Monticello, Iowa, is hereby fixed as the time and place of hearing on the proposed plans, specifications, form of contract and estimate of cost for the Project and also as the time and place of considering bids received by the City Clerk in connection therewith.

Section 5. The City Clerk is hereby authorized and directed to give notice of the hearing and taking of bids by publication of such notice in a newspaper of general circulation in the City, which publication shall be made not less than 4 nor more than 20 days prior to the date for receipt of bids and the time of the said hearing. The said notice shall be in the form substantially as attached to this resolution.

Section 6. All provisions set out in the following form of notice are hereby recognized and prescribed by this Council and all resolutions or orders or parts thereof, to the extent the same may be in conflict herewith, are hereby repealed.

Passed and approved February 4, 2018.



Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk

NOTICE OF HEARING AND LETTING

NOTICE OF PUBLIC HEARING ON PROPOSED PLANS AND SPECIFICATIONS, PROPOSED FORM OF CONTRACT AND ESTIMATE OF COSTS FOR 2019 N. Sycamore Street Reconstruction Project AND THE TAKING OF BIDS FOR SUCH CONSTRUCTION.

NOTICE IS HEREBY GIVEN that the Council of the City of Monticello in Jones County, Iowa will meet in the Monticello Renaissance Center, 220 East First Street, Monticello, Iowa 52310, on the 18th day of March, 2019 at 6:00 P.M. and will hold a public hearing on the proposed plans, specifications, form of contract and estimated cost for the construction of the 2019 N. Sycamore Street Reconstruction Project. At said public hearing, any interested person may appear and state or file objections to the proposed plans, specifications, form of contract or estimated cost for this project, and the City Council will consider all objections to said items and hear interested persons. Thereafter, the City Council will enter its decision on the plans, specifications, form of contract and estimated cost by resolution.

NOTICE IS ALSO HEREBY GIVEN that sealed bid proposals will be received by the City of Monticello in Jones County, Iowa, City Hall, 220 East First Street, Monticello, Iowa 52310, until 2:00 P.M. on the 12th day of March, 2019 relating to the supplying of all labor, equipment, tools and materials necessary for the construction of said projects and work incidental thereto as hereinafter generally described and as detailed in the proposed plans and specifications and form of contract for said 2019 N. Sycamore Street Reconstruction Project now on file in the office of the City Clerk, and will be opened, announced and tabulated at that time.

The City Council will consider said proposals and take appropriate action thereon at the City Council meeting on the 18th day of March, 2019 at 6:00 P.M. or adjournment thereof.

The work generally includes furnishing all labor, materials, and equipment necessary for the reconstruction of N. Sycamore Street, generally including street, water system, sanitary sewer system, sidewalk and storm water drainage improvements and installing street lighting, signage and signalization, if necessary, from its' intersection with E. 1st Street on the south to just past the intersection of N. Sycamore Street with E. 7th Street to the north, including similar reconstruction work on a portion of the side streets off of N. Sycamore Street, including 2nd, 3rd, 4th, 5th, 6th, and 7th Streets.

NOTE: PROJECT IS EXEMPT FROM SALES TAX. THE CITY WILL PROVIDE A "SALES TAX EXEMPTION CERTIFICATE" AND THE COST OF SALES TAX, INCLUDING LOCAL OPTION TAX, SHALL NOT BE INCLUDED IN THE BID.

All work and materials are to be in strict compliance with plans and specifications prepared by the Engineer and Project Manager, Snyder & Associates, Inc. of Cedar Rapids, Iowa, which together with the proposed form of contract have heretofore been tentatively approved by the City Council of Monticello for the sole purpose of enabling the immediate solicitation of bids as required by law, and are now on file for public examination in the Office of the City Clerk of Monticello and are by this reference made a part hereof as though fully set out and hereby incorporated herein.

All proposals and bids in connection therewith shall be submitted to the City Clerk on or before the time and date specified above. All proposals shall be made on official Bid proposal forms furnished by the Engineer, and must be enclosed in a separate sealed envelope and plainly identified and addressed to Monticello City Clerk, 200 East First Street, Monticello, Iowa 52310.

Each proposal shall be accompanied by a bid bond or cashier's or certified check or credit union certified share draft in a separate sealed envelope in the amount equal to five percent (5%) of the total amount of the proposal. If a bid bond is submitted, it must be on the form provided with the Contract Documents. The certified or cashier's check shall be drawn on a bank in Iowa or a bank chartered under the laws of the United States of America; the certified share draft shall be drawn on a credit union in Iowa or credit union chartered under laws of the United States of America; and such check or draft shall be made payable to the Treasurer of the City of Monticello. The bid bond, cashier's check, certified check or certified share draft are provided as security to the City that if the Bidder is awarded a contract by resolution of the City Council, the Bidder will enter into a contract in the form provided by the City at the prices bid and furnish the required performance and payment bond.

The certified or cashier's check or certified share draft may be cashed, or the bid bond forfeited, and the proceeds retained as liquidated damages, and not as a penalty, if the Bidder fails to execute the contract or furnish an acceptable performance and payment bond on the forms provided in the Contract Documents or provide a certificate of insurance within ten (10) days after the acceptance of his proposal by resolution of the City Council. No Bidder may withdraw a proposal within forty-five (45) days after the date set for opening bids without consent of the City Council.

Preference shall be given to domestic construction materials by the contractor, subcontractors, materialmen, and suppliers in performance of the contract and, further, by virtue of statutory authority, preference will be given to products and provisions grown and coal produced within the State of Iowa, and to Iowa domestic labor, to the extent lawfully required under Iowa statutes.

The contract will be awarded to the lowest responsive responsible bidder. The successful Bidder shall furnish to the City a performance bond in an amount equal to one hundred percent (100%) of the contract price, guaranteeing faithful performance of the contract and guaranteeing the completed project against defective workmanship and materials for a period of four (4) years from and after completion and acceptance by the City. The successful Bidder shall also provide a payment bond in an amount equal to one hundred percent (100%) of the contract price guaranteeing payment of all persons supplying labor and materials, or both, in the execution of the work provided for in the contract.

Payment to the Contractor will be made in cash from funds as may be legally used for such purposes.

Payment to the Contractor will be made in monthly estimates and one final payment. Monthly estimates will be equivalent to ninety-five percent (95%) of the contract value of the work completed during the preceding calendar month. Estimates will be prepared ten days prior to the first Monday of each month by the Contractor, subject to review and approval of the Engineer, who will certify each approved estimate to the City Council on or before the Thursday preceding the first Monday of the month. Such monthly payments

shall in no way be construed as an act of acceptance for any part of the work partially or totally completed.

Final payment to the Contractor shall be made not earlier than 30 (thirty) days after final acceptance of the work by the City and receipt of all documents required in the Supplemental General Conditions contained in the contract documents. No such partial or final payment will be due until the Contractor has certified that the materials, labor and services involved in each instance have been paid for in accordance with the requirements stated in the specifications.

The work under the contract shall commence on or after the date specified in a written "Notice to Proceed". The early start date for this project shall be July 5th, 2016. Substantial completion is the stage in the progress of the Work when the Work or designated portion thereof is sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the Work for its intended use. The date of Substantial Completion of the Project or portion thereof designated above is hereby established as November 18th, 2016. The substantial completion dates listed above are also the date of commencement of applicable warranties required by the Contract Documents. All bid items must be complete by the dates listed above. Liquidated damages in the amount of \$500.00 per calendar day will be assessed for each calendar day that the Project is not deemed substantially complete after the end of the Contract Period.

"Bidder's Proposals", plans and specifications, and Contract Documents may be obtained from Snyder & Associates, Inc., 5005 Bowling Street SW, Suite A, Cedar Rapids, Iowa, 52404 upon payment of a \$100.00 deposit. Deposits shall be refundable upon return of the contract documents in a reusable condition within 10 days after the award of the project.

The City Council hereby reserves the right to reject any and all bids and to waive informalities and irregularities and award a contract as deemed to be in the best interest of the City.

Published upon order of the City Council.

CITY OF MONTICELLO, IOWA

BY _____
Brian Wolken, Mayor

ATTEST

Sally Hinrichsen, City Clerk

....

On motion and vote, the meeting adjourned.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: 02/01/19
Preparer: Doug Herman



Agenda Item: 5
Agenda Date: 2/04/19

Communication Page

Agenda Items Description: Resolution to accept bids related to N. Sycamore Street Tree Removal project.

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

Attachments & Enclosures:

Proposed Resolution
Bid Tabulation

Fiscal Impact:

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

Synopsis: This Resolution accepts bids received related to the removal of trees on N. Sycamore Street in advance of street reconstruction project and awards the project to the low bidder.

Background Information: The City Council, at the advice and direction of the City Engineer, plans to remove 64 trees located within the N. Sycamore Street Reconstruction project scope in advance of the reconstruction project commencement. Three bids were received after publication. (See attached Bid Tabulation) The low bidder was Randy Muller Tree Service out of Monticello in the amount of \$36,250. The bid specs. require the removal of the trees and disposal of all waste by the contractor. Trees to be cut to 2' or less from the surrounding grade. The successful N. Sycamore Street bidder will be responsible for the removal of the stumps and grubbing.

The N. Sycamore Street Reconstruction bids are not due until March 12th to be considered for approval on March 18th. Because we don't want to remove 64 trees until we are certain that the N. Sycamore Street project is moving forward the Resolution associated with this approval has been drafted to provide that the contractor awarded this bid will not proceed until notified by City staff to proceed. It is my understanding based upon a conversation between Randy and Brant that he is agreeable to this arrangement.

Staff Recommendation: I recommend that the Council approve the proposed Resolution awarding the bid for tree removal along N. Sycamore Street to Randy Muller Tree Service.

The City of Monticello, Iowa

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

RESOLUTION #19-__

Resolution Accepting bids for Tree Removal within the N. Sycamore Street Reconstruction Project Scope and awarding bid to Randy Muller Tree Service

WHEREAS, The City of Monticello Public Works Dpt. sought bids related to tree removal with the N. Sycamore Street project scope, same to occur in the late winter or early spring of 2019, and

WHEREAS, Three bids were received, as follows:

<u>Bidder</u>	<u>Tree Removal</u>	
Randy Muller Tree Service	\$36,250	
Bowser/Ehrisman	\$43,825	
Wiezurek Timber Co.	\$49,775	- and -

WHEREAS, The Council has reviewed the bids and finds it appropriate to accept the bids and to award the Tree Removal projects to the low bidder, Randy Muller Tree Service, and

WHEREAS, The tree removal process is necessary to allow for the N. Sycamore Street Reconstruction project and as bids have not yet been received for that project the awarding of a bid herein must be subject to the N. Sycamore Street project moving forward and to that end, the Council finds that Randy Muller Tree Service should be notified that they have been awarded the project but that Muller Tree Service may not proceed until being given permission to proceed by the City of Monticello Public Works Director, said permission to be given in consultation with the City Administrator and City Council after the receipt of bids on the N. Sycamore Street Reconstruction Project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby accept the bids and does hereby award the Tree Removal project to Randy Muller Tree Service, subject to his subsequent receipt of permission and direction to proceed by Monticello Public Works Director Brant LaGrange.

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 4th Day of February, 2019.

Attest:

Brian Wolken, Mayor

Sally Hinrichsen, Monticello City Clerk

2019 N. SYCAMORE ST. TREE REMOVAL BIDDER SHEET

Project Date:	Start: February 5, 2019	Bids Due:	Feb 1, 2019 Noon
	Finished: April 1, 2019		

Contractor/Name	Date/Time Packet Received	Contact Phone or Email	Date Packet Submitted	Lump Sum Bid
Randy Muller tree Serv.	1-22-2019	465-4746 01 480-1821	1-29-2019 12:19 pm	\$36,250.00
Zach Bowser		(319) 241-4152		
Bruce Ehrisman		(319) 480-3006	2-1-2019 11:08 am	\$43825.00
(James?) Wiezorek Timber Co.	Emailed 1/29/19 (563) 590-3267	wiezorektimberco@ hotmail.com	1-1-2019	\$19,775.00 w/ stumps add'l \$12447.00

City Council Meeting
Prep. Date: 01/31/19
Preparer: Doug Herman



Agenda Item: 6
Agenda Date: 02/04/19

Communication Page

Agenda Items Description: Ordinance authorizing Golf Cart / UTV operation within City Limits. (2nd Reading)

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

Attachments & Enclosures:

Proposed Ordinance
Letter of explanation from Chief Smith

Fiscal Impact:

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

Synopsis: Council approved Golf Cart / UTV Ordinance in the past. This Ordinance replaces that Ordinance taking into account provisions of the new County UTV Ordinance.

Background Information: Chief Smith has prepared a cover letter and a draft ordinance to modify our Code in a fashion he feels comfortable with and in a fashion that will make enforcement easier and more consistent taking into account the recently approved County ordinance.

Please review the attached.

Staff Recommendation: I recommend that the Council introduce and approve the 2nd reading of the proposed Ordinance to replace Chapter 81 as proposed.

Ordinance _____

An Ordinance amending the Code of Ordinances of the City of Monticello, Iowa, by amending Chapter 81 "Golf Carts and UTV's" by deleting the current Chapter in its' entirety and replacing it with the following provisions, said Chapter 81 as amended providing provisions related to the legal operation of "Golf Carts" and "Off-Highway Vehicles" within the City Limits.

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

SECTION 1: CHAPTER 81 of the Monticello Code of Ordinances shall by the approval of this Ordinance be deleted in its' entirety, retitled "Permitted Vehicles", and replaced with the following terms and provisions:

81.01 Purpose: The purpose of this chapter is to approve the operation of Golf Carts and Off-Highway Vehicles, referred to as "Permitted Vehicles" within the City limits under certain limited circumstances.

81.02 Definitions:

- A. Alcoholic Beverage means any beverage containing more than one-half of one percent of alcohol by volume including alcoholic liquor, wine, and beer.
- B. All-Terrain Vehicle as defined by Iowa Code Section 321I.1 means a motorized vehicle with not less than three and not more than six non-highway tires that is limited in engine displacement to less than one thousand two hundred cubic centimeters and in total dry weight to less than one thousand two hundred pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.
- C. Golf Cart means motorized flotation-tire vehicle equipped with four low-pressure tires, is limited in engine displacement to less than 500 cubic centimeters but a minimum of 200 cubic centimeters, or electric powered, and in total dry weight of not more than 1000 pounds, with seats of a bench design not intended to be straddled by the operator and a steering wheel for control.
- D. Off-Highway Vehicles (O.H.V.s) means All-Terrain Vehicles and Off-Road Utility Vehicles, either collectively or individually.
- E. Off-Road Utility Vehicle as defined by Iowa Code Section 321I.1 means a motorized vehicle with not less than four and not more than eight non-highway tires or rubberized tracks that have a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control.

"Off-Road Utility Vehicle" includes the following vehicles:

- 1. "Off-Road Utility Vehicle - type 1" means an Off-Road Utility Vehicle with a total dry weight of one thousand two hundred pounds or less and a width of fifty inches or less.
- 2. "Off-Road Utility Vehicle - type 2" means an Off-Road Utility Vehicle, other than a type 1 Off-Road Utility Vehicle, with a total dry weight of two thousand pounds or less, and a width of sixty-five inches or less.

3. "Off-Road Utility Vehicle - type 3" means an Off-Road Utility Vehicle with a total dry weight of more than two thousand pounds or a width of more than sixty-five inches, or both.

- F. Roadway as defined by Iowa Code Section 321I.1 means that portion of a highway improved, designed, or ordinarily used for vehicular travel

81.03 Operation of Permitted Vehicles: Permitted Vehicles may be operated upon the streets of the City except as prohibited in Section 77.03 of this chapter.

81.04 Golf Cart Operation: Golf Carts may be operated on roadways within the City limits of the City of Monticello consistent with and subject to the following regulations, as allowed by Chapter 321.247 of the Iowa Code.

- A. Golf Carts shall only be allowed to operate within the city limits from sunrise to sunset if the following equipment is installed and operable on said vehicle:
 1. Adequate Brakes.
 2. Slow Moving Vehicle Sign.
 3. A Bicycle Safety Flag mounted at a flag height of 5' from the surface of the Roadway.
 4. Clearly audible horn device.
- B. Persons shall not operate a Golf Cart on the City Streets under the age of 18.

81.05 Annual Inspection: Before any Golf Cart may be legally operated on the City Streets as allowed previously herein, the Golf Cart must pass an inspection to be performed by the Monticello Police Department, said inspection to verify that the vehicle is equipped as required herein. There shall be an inspection fee paid at the time of the inspection to the Monticello Police Dpt. in the amount of \$20.00. Upon passing the inspection, a permit and registration decal will be issued by the Police Department. The Identification number shall be prominently displayed on the rear of the Golf Cart located in the middle of the slow-moving vehicle sign as directed by the Monticello Police Department

81.06 Operating a Golf Cart Without Valid Permit: If a person is found to be operating a Golf Cart without a Police Department issued permit or is operating a Golf Cart after having their privilege to do so suspended under the terms of this Chapter, they shall be subject to a Civil Penalty in the amount of \$300.00, and shall be prohibited from obtaining a permit for a period of 12 months following the date of violation, or conviction, if a hearing is requested and held, whichever is later.

81.07 Off-Highway Vehicle Operation: Off-Highway Vehicles may be operated on roadways within the City limits of the City of Monticello consistent with and subject to the following regulations:

- A. Off-Highway Vehicles shall be equipped with a lighted headlight and taillight for operation from sunset to sunrise.
- B. Operational brakes
- C. Properly functioning unaltered factory exhaust muffler as defined in Iowa Code Section 321i.12.
- D. No person shall operate an Off-Highway Vehicle under the Age of 16.

- i. Persons less than 18 years of age must possess a valid safety certificate as proof of successful completion of an Iowa Department of Natural Resources approved A.T.V. Education Course.

81.08 Registration Requirement and Other Conditions: Individuals who operate Off-Highway Vehicles on roadways in Monticello must register the Off-Highway Vehicle with the Iowa Department of Natural Resources through a county recorder's office. The following conditions apply:

- A. The owner of each Off-Highway Vehicle shall be required to provide proof of ownership including but not limited to bill of sale, Iowa Department of Natural Resources registration or registration from the appropriate out-of-state authority, and Proof of Liability Insurance.
- B. Off-Highway Vehicles registered in Iowa are required to display their current registration decal and carry their certificate on board.
- C. Off-Highway Vehicles registered in another state are required to also display a valid Iowa Department of Natural Resources User Permit in addition to displaying their current registration decal and carrying their certificate on board.

81.09 Golf Cart and Off-Highway Vehicle Regulations: The following regulations shall apply to the operation of both Golf Carts and Off-Highway Vehicles on roadways within the city limits of Monticello:

- A. Golf Carts or Off-Highway Vehicles shall not be operated upon any City street which is a primary road extension through the City but shall be allowed to cross a City street which is a primary road extension through the City. Primary road extensions shall include all sections of City Streets identified as Highway 38, Oak Street from its' intersection with South Main Street to the Southern City Limits, Main Street from its' intersection with Oak Street through and including its' intersection with 1st Street, 1st Street from its' intersection with Main Street through and including its' intersection with Cedar Street, Cedar Street from its' intersection with First Street to the Northern City Limits.
- B. At a rate of speed not to exceed thirty-five (35) miles per hour.
- C. In a careless, reckless, or negligent manner so as to:
 1. Endanger any person;
 2. Cause injury or damage to person or property; or,
 3. Create unnecessary skidding or sliding or cause any wheel or wheels to unnecessarily lose contact with the ground.
- D. Without wearing a properly adjusted and fastened seatbelt if the vehicle is so equipped from the manufacturer.
- E. Possess in the passenger area of the permitted vehicle an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage.
- F. While driving impaired from an intoxicating beverage and/or narcotic and/or habit-forming drug.
- G. With more persons on the vehicle than it was designed to carry.
- H. Without a valid driver's license.

- I. No person shall operate in any area unless the trail or area is designated by signs as open to Golf Carts or Off-Highway Vehicle operation.

81.10 Liability Insurance Requirements: At minimum a policy with bodily injury at \$500,000 per person, \$500,000 per incident and property damage of \$100,000 or combined single limits (bodily injury and property damage) or \$500,000 or equivalent is required for the operation of a Golf Cart or Off-Highway Vehicle. Upon request the operator is required to show proof of financial liability meeting the minimum requirements listed above. A proof of financial liability coverage card may be produced in paper or electronic format.

81.11 Suspension of Privilege: If, over the course of a twelve month period, an operator of a Golf Cart or Off-Highway Vehicle is cited for two or more violations of the provisions of this Chapter of the Monticello Code of Ordinances, including a violation of Chapter 60-80 of the Monticello Code while operating a Golf Cart or Off-Highway Vehicle, their privilege to operate a permitted vehicle under the terms and provisions of this chapter shall be suspended for a period of twelve (12) months.

81.12 Exempt Vehicles: Registration shall not be required for the following:

- A. All-Terrain Vehicles and/or Off-Road Utility Vehicles used exclusively as farm implements in a farming operation as defined by the Iowa Code Section 352.2. Additionally, farm exempt vehicles that are used in a manner not consistent with the farm exemption, Iowa Code Sections 352.2 and 321.234A, are subject to the requirements of this ordinance including registration requirements and proof of including proof of liability insurance.
- B. All-Terrain Vehicles and/or Off-Road Utility Vehicles owned by the United States, this State or another State or by a governmental subdivision thereof and used for enforcement, search and rescue or official purposes but not for recreational or commercial purposes.
- C. All-Terrain Vehicles used in accordance with Iowa Code Section 321.234A(1)(a).

81.13 Penalties: Violation of the ordinance shall constitute a simple misdemeanor punishable by a fine of \$100 to \$750.00 plus the applicable court surcharge and costs and/or up to 30 days in jail as set forth in Iowa Code Section 903.1(1)(a). Any amendments to the Simple Misdemeanor penalties of Iowa Code Section 903.1(1)(a) shall be automatically incorporated into this section without the need of amending this ordinance.

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

SECTION 3. Repealer: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Effective Date: The ordinance shall become effective upon its passage and publication pursuant to Iowa Code Section 331.302(8).

Brian Wolken, Mayor

ATTEST:

Sally Hinrichsen, City Clerk

I certify that a summary of the foregoing was published as Ordinance No. _____ on the _____ day of _____, 2019.

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: 02/01/19
Preparer: Doug Herman



Agenda Item: Reports
Agenda Date: 02/04/2019

Communication Page

Agenda Items Description: Misc. Reports

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

Attachments & Enclosures:

<i>P.D. Report</i>

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

Reports / Potential Action:

- City Park Water Fountain: I left this on the agenda as a report item to determine whether or not anyone has received any feedback since last meeting's discussions.
- Police Dpt. Calendar Year End Report: See Attached
- City of Monticello v. Allen Hughes update. Al has now offered to sign the Deed he has refused to sign for approximately one year with the condition that the lawsuit that the City filed to force his signature be dismissed. I estimate that we have incurred approx. \$500 in fees at this time and a great number of hours on my part to get the suit filed. If we dismiss the suit we get the deed but lose the money expended to date and my time. Al has not filed an answer to the suit at this time. If he doesn't file by mid-week I will send him a ten (10) day notice to file an answer or to risk default. If he still fails to file an answer I will then seek a default judgment. While this will take some time it will take little to no more expense. How would you like to proceed?
- Dave Lumpa v. City of Monticello update. Prior to the trial I received notice that the Court dismissed Dave's action as he did not state a cause of action for which relief could be granted. In essence, as I explained before, he is upset that he was ordered to pay penalties after prior civil infraction suits were brought against him and, after gambling winnings were confiscated by the State to pay the outstanding judgment he filed suit against the City. The Judge correctly noted that all of his complaints were already dealt with by the Court or should have been presented to the Court in the prior actions. Dave was ordered to pay Court Costs. The City will unfortunately pay a deductible to the Insurance Company towards the fees the insurance company paid a lawyer to defend this totally frivolous matter.
- Engineer Report
- Administrator Report



201 E. South Street
Monticello, IA 52310
(319) 465-3526
Fax (319) 465-4681

From the Office of:

Chief of Police

Britt D. Smith

2018 Year End Report

2018 was a busy and productive year for the Monticello Police Department. We suffered a significant set back with the injury of Officer Bob Urbain in October of 2017 that rendered him on restricted duty for 2018. This required us to rely on our part-time work force to fill many vacancies that I was unable to fill. Thankfully we were able to bring on a new part-time officer, Peter Fleming, in April of 2018 that was able to fill a large chunk of the vacancies in our schedule. We were able to remain productive with our enforcement and our investigations and successfully cleared a number of higher profile burglaries that had plagued the community. Officers responded to just under 3,000 calls for service in 2018 and no formal complaints made against officers. The following year end report will serve as a summary of some basic statistics, notable activity within the department, and an update on some common staffing and equipment questions.

The following are some General Statistics for 2018:

Total Calls for Service:	2,887
Total Traffic Stops:	668
Total Traffic Citations:	221
Total Arrests:	86
Assaults	14
Warrants	11
Drug	7
Alcohol	20
Theft	12
Traffic	7
Total Accidents:	104
Total EMS Assists:	289

Officers continue to support the operations of the Monticello Ambulance Service by responding to most all Ambulance Calls for Service in and around the Monticello area. Many times, officers are able to begin providing support or are needed to drive the ambulance so both medics are able to treat the patient when serious accidents or cardiac events occur. This saves time waiting for additional staffing and increases their chances

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of survival. We also assist with lifting and loading patients that may not be easily accomplished if EMS is alone.

Total Nuisance Warnings: 128

Primarily accomplished by Officer Bob Urbain.

Officers had a productive year for investigations, these are a few of the highlights:

- Keleher Jewelry Burglary: Suspect Apprehended through a multijurisdictional investigation.
- Laundry Mat Burglary: Suspect Apprehended through a in house investigation
- Storage Shed Burglaries: Suspect Apprehended through an in-house investigation
- Prescription Drug Fraud from the Prescription Shop. Suspect was identified and apprehended filling fraudulent prescriptions at pharmacies across the state of Iowa.
- Storage Shed burglary theft from a motor vehicle was solved using fingerprints recovered from the vehicle and analyzed through IAFIS.
- Stolen Vehicle Recovery
- Hit and Run accident at Kardes 151, thorough investigation led to identification and location of individual responsible for thousands of dollars of damage.
- Thorough Arson Investigation led to the identification and successful interview of an individual with a subsequent conviction.

School Resource Officer (SRO)

In early 2018 Superintendent Dr. Brian Jaegar and I began discussions on improving school safety and student relations. The concept of introducing a school resource officer was explored and after discussions with district personnel it was decided to attempt to implement the program. With unanimous support from both City and District Leaders the program was put into effect on October 9th, 2018 just weeks into the new school year. This initiative has proven to be very productive and influential within the district in the first 3 months of implementation.

Notable Projects

In May the police department completed a merger of our records management systems with the Jones County Sheriff's Office and the Anamosa Police Department. This combined system will allow officers to see and review records from all agencies to increase our overall awareness when responding to incidents involving people from other jurisdictions. This merger also allows the dispatchers and the officers to communicate through the computer system with dispatchers creating and assigning calls for service. Officers are now able to complete all of their required documentation directly from their computers in the patrol cars, reducing the need for significant time spent in the office.

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Personnel

The department currently operates with a full-time staff of 7 officers and 1 administrative assistant. This includes the Chief of Police and School Resource Officer. The schedule is broken down into 6 shifts which include 2-day shift officers who work opposite schedules, 2-night shift officers that work opposite schedules and 2 Float/Overlap Shift Officers who cover vacancies within the 4 primary shifts. The Current staff scheduling is as follows:

Chief: 8:00am-5:00pm Monday – Friday Open Shift Fill-in Chief Britt Smith
Shift 1: 6:00am-6:00pm Sun., Mon., Tues., Alt. Sat.: Officer Brian Tate
Shift 2: 6:00am-6:00pm Wed., Thurs., Fri., Alt. Sat.: Officer Peter Fleming
Shift 3: 6:00pm-6:00am Sun., Mon., Tues., Alt. Sat.: Officer Jordan Koos
Shift 4: 6:00pm-6:00am Wed., Thurs., Fri., Alt. Sat.: Officer Erik Honda
Shift 5: 4pm-2:00am Mon., Tues., Weds., Thurs., Alt. Mon./Fri. VACANT
SRO: 7:30am-3:30pm Monday – Friday School Year
Administrative Assistant: 7:30am-4:30pm Monday-Friday Madonna Staner

With Officer Urbain on light duty for 2018 I assigned him to Code Enforcement duties. These consisted of nuisance enforcement and various code compliance issues. Officer Urbain would identify an issue and work with the home owner to resolve the issue in a timely manner to obtain compliance. Officer Urbain worked a total of 128 different nuisance or code violations throughout the community.

Full-Time Staff Changes

Officer Peter Fleming began his law enforcement career with the Dubuque Police Department in 2017 before joining the Monticello Police Department in April of 2018 as a Part-Time Police Officer. Peter was promoted to Full-Time. Officer Peter Fleming is currently assigned to day shift and works Wednesday, Thursday, Friday, and alternating Saturdays from 6:00am to 6:00pm. Peter has his bachelor of arts degree in psychology from the University of Dubuque.

Part-Time Staff Changes

Officer Michelle Gehl who was hired as a Part-Time officer in 2015 resigned in July after taking a new position with the Jones County Sheriff's Office. This leaves us with 2 remaining part-time officers; Travis McNally of Anamosa PD and John Klein from Jones County Conservation.

Training and Education

Continuing Education and additional training are an important yearly objective. Officers are required to attend annual training in a variety of areas. Most refresher or recertification training, such as firearms, mental health, defensive tactics, taser, and vehicle operations are done in-house. Specialized training such as instructor level

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courses are also attended and training is brought back to the agency. Officer Erik Honda attended Defensive Tactics Instructor School in April. In October I attended Field Force and Command Training which will be taught to officers when working with and dealing with large crowds or events. Officer Dawn Graver attended certification in Non-Violent Crisis Intervention which is helpful in educational settings.

Officer Jordan Koos attended a weapons armorer course and is certified to perform the annual required inspections of all departmental firearms. In October I also began my 22-week advanced Police School of Staff and Command Training. This course has included instruction in the areas of: Leadership, Statistics, HR Functions, Recruitment and Retention, Legal Compliance, Liability, Employee Evaluations, Aspects of Discipline, Resource Allocation, Project Management, and Decision Making and Problem Solving. This course concludes on March 24th, 2019. Madonna Staner also attended training in March on the National Incident Based Reporting System, which is a Federal Requirement that all incidents are submitted to the FBI to be entered into the Uniform Crime Reports.

In addition to the training received, officers also provided training to a number of schools and businesses such as bank robbery training, and active shooter training for all school district staff. We also attended numerous civic organization meetings and presented on various topics of interest.

Special Services

Jones County Emergency Response Team (JCERT)

The Police Department continues to participate in the multi-jurisdictional tactical team that is comprised of officers from the Jones County Sheriff's Office, Anamosa Police Department, and the Cascade Police Department. Officer Jordan Koos and Officer Erik Honda take part in the additional training and serve as members of the team.

Salvage Vehicle Inspection Program:

As part of a program developed by the Iowa Department of Transportation select officers across the state were trained in conducting salvage vehicle inspections to combat vehicle theft and fraud. Our agency participated in the program and we conducted numerous vehicle examinations which assisted in generating a revenue stream. For each inspection, the Iowa Department of Transportation issued payment in the amount of \$30.00 to the participating agency.

The Police Department has a Prescription Take Back drop box located within the entry way of the Emergency Response Center that is available for citizens to drop off unwanted prescription or over the counter medications in lieu of disposal in the landfill or being accessible for theft and abuse. In 2018 the Department collected nearly 67 pounds of unwanted prescription medication.

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Grants

In January I applied for a Grant with the Alliant Energy Community Foundation and we received funding to purchase an AED and place it in the entry way of the Berndes Center.

The Police Department participates in a special Traffic Enforcement Program (sSTEP) annually and received funding through the grant program to purchase an LED speed display sign that can be installed throughout the community. This sign has a built-in radar and displays the on-coming vehicle speed in an effort to make drivers more aware of their speeds in problematic areas. The sign also records the vehicle speeds and will generate a report for the use of the department to determine when and where speed enforcement is necessary within the community.

Vehicle Fleet

Many times, the question is brought up, "how many vehicles does the Department have?" For some of you that have been involved on the Council for several years may be well versed, but for some, I will provide a brief refresher on our current fleet, the assignment and mileage:

2011 Chevrolet Silverado Serves as our special services vehicle and is routinely utilized when deploying traffic signs and road barricades for special events, hauling large or contaminated cargo, and as an undercover operations vehicle. This vehicle is utilized by the School Resource Officer as transportation throughout the various school district buildings. This vehicle has approximately 57,000 miles

2015 Ford Explorer This serves as my primary patrol vehicle and by extra duty or overlapping coverage officers, when applicable. This vehicle is equipped with the Propane Conversion kit. This vehicle has approximately 64,000 miles.

2017 Ford Explorer This Serves as the primary night shift patrol vehicle and is in operation 12 hours per day and 7 days per week. This vehicle is operated by Officer Jordan Koos and Officer Erik Honda. This vehicle has approximately 26,000 miles

2018 Ford Explorer This serves as the primary day shift patrol vehicle and is in operation 12 hours per day 7 days per week. This vehicle is operated by Officer Brian Tate and Officer Peter Fleming. This vehicle has approximately 7,000 miles

As always, we look forward to another successful year in 2019 and I encourage you to make a point to stop and check out our operations. If you have any questions, feel free to contact me, 319-465-8027.



Britt D. Smith