

City of Monticello, Iowa

www.ci.monticello.ia.us

Posted on June 14, 2019 at 7:30 p.m.

Re-Posted on June 15, 2019 at 1:30 p.m.

Monticello City Council Regular Meeting June 17, 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.:	Nick Kahler
Ward #1:	Rob Paulson	City Engineer:	Patrick Schwickerath
Ward #2:	Candy Langerman	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	June	03, 2019
Approval of Payroll	June	06, 2019
Approval of Bill List		
Approval of Treasurer's Report May, 2019		
Approval of Cigarette Sales Permit Renewals		
Casey's; Dollar General; Fareway; Great Pastimes; Karde's 151; Karde's Convenience Store (a/k/a Karde's 38); Is What It Is		
Approval of Re-Appointment of Nick Sauser to Fire Board		
Approval of Appointment of Dave Lubben to Fire Board (Lovell Representative)		

Motions:

1. **Motion** to approve use of Back Office Area for "locked" Jones County Economic Development Office.

Resolutions:

2. **Resolution** to approve Three Year Annual Contribution to Main Street Iowa program, Select City Representative for Main Street Iowa Board, and to authorize the Mayor to execute Application, and agreement to have Director in place by November 1, 2019 should the City be selected as a Main Street Iowa Community.

3. **Resolution** to schedule a Public Hearing on re-zoning request of Tom Yeoman, related to the proposed re-zoning of property located at 215 W. 7th Street from M-1 Light Manufacturing to R-3 Condominium District.
4. **Resolution** to schedule a Public Hearing on re-zoning request of Dean Stevens, related to the proposed re-zoning of property located at 853 S. Main Street from M-1 Light Manufacturing to R-3 Condominium District
5. **Resolution** to approve the preparation of bid specifications and seeking bids related to mowing at Baty Disc Golf Course and Northridge Retention Area.
6. **Resolution** to approve Petty Cash Limits for Aquatic Center, Library, Berndes Center, and City Hall.
7. **Resolution** scheduling Public Hearing and preliminarily approving Proposed Development Agreement and Amendment to Monticello Urban Renewal Plan related to Mercy Care Monticello project.
8. **Resolution** scheduling Public Hearing and preliminarily approving Proposed Development Agreement and Amendment to Monticello Urban Renewal Plan related to Theisens Garden Center project.
9. **Resolution** to approve payment to Boomerang in relation to installation of Water Main as part of Orbis Mfg. building addition project. (Previously approved for payment and added to the Urban Renewal Plan to be paid from TIF)
10. **Resolution** to approve pay increase for Nick Kahler.
11. **Resolution** approving non-bargaining wages for FY '20
12. **Resolution** appointing Lynch Dallas, P.C. as the Monticello City Attorney

Ordinances:

13. **Ordinance** to re-zone property located near 5 Spring Farm Lane (Tax Parcel 0227426003) from R-1 to R-3 Condominium District. (Second Reading)

Reports / Potential Action:

- Engineer Report
- Administrator Report
 - Compost Site Update / Ownership / Fill-Grading
 - Additional 7th Street Reconstruction Work
 - 6th Street Ditch Project Discussion
 - Diamond Drive (City Lot)
 - Zimmerman Lot
 - City Fountain
 - Monti in Motion
 - FAA Property Buyout Discussion
 - Home Base Iowa Recognition Event
 - Sidewalk/Curb/Gutter near 9th and Maple
 - Police Department Report
 - Wage/Benefit Review Committee
 - Dispatch Agreement with Jones County

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
June 3, 2019 – 6:00 P.M.
Community Media Center

Council Member Dave Goedken called the meeting to order. Council present: Dave Goedken, Brenda Hanken, Candy Langerman, Rob Paulsen and Chris Lux. Council member Tom Yeoman joined meeting electronically. Also present were City Administrator Doug Herman, City Clerk Sally Hinrichsen, Public Works Director Nick Kahler, Police Chief Britt Smith and City Engineer Patrick Schwickerath.

Langerman moved to approve the agenda, with addition of Next Generation invoice for Aquatic Center startup \$5,104.53 and Unity Point request for cost share of storm water improvements. Lux seconded, roll call unanimous.

During Open Forum, Gerry Muller, 323 N Sycamore St, reported that he contacted Kelchen boy about submitting a bid to mow the Cemetery.

Goedken want to thank the Public Works Department for the great job of mowing and cleaning the cemetery prior to Memorial Day. Goedken was contacted by a priest from Cedar Rapids, who was amazed on the number of decorations on the graves and the detailed monuments. He stated it was a beautiful cemetery.

Lux moved to approve the consent agenda, Langerman seconded, roll call unanimous.

Goedken opened the Public Hearing on proposed re-zoning request for property located near 5 Spring Farm Lane from R-1 Single Family Residential to R-3 Condominium District. Staff reported receiving a petition pursuant to Iowa Code of more than 20% of the qualifying neighbors requesting the rezoning not be effective except with a favorable vote of at least $\frac{3}{4}$ of all members of the Council; letter from Matthew and Jaclyn Mayo, 11 Spring Farm Lane stating why they object to the rezoning of 5 Spring Farm Lane and a memo signed by six neighbors along Spring Farm Lane stating their opposition to the rezoning of 5 Spring Farm Lane. Matt Mayo, 11 Spring Farm Lane read wife letter from him & his wife stating their objects to the rezoning of 5 Spring Farm Lane. Herman reported P & Z Board reviewed the request and recommended that the proposed rezoning be approved to R-3 for the specific purpose of building a two unit condominium. Herman stated there may be an issue with the septic system and he contacted Paula Hart with Jones County Environmental Health. Herman stated spot zoning is not illegal and referred to the Comprehensive Plan which has Spring Farm Lane as a medium land use, which allows 2-unit condos. Mitch Monk, 5 Spring Farm Lane, stated he talked to County and was advised that if the City was okay with a septic system being installed, the County would probably approve it. Monk also talked to a plumber on the various septic systems and options. Herman advised Council could approve rezoning subject to certain conditions that were set out in a Conditional Rezoning Agreement. Nick Ruden, 9 Spring Farm Lane stated if approved he wanted the condo to stay single family units and he was not interested in hooking to City sewer. Mary Melchart, 1 Spring Farm Lane stated the development was a nice area by the school and did not want to see that change. She voiced concerns related to the drainage and if there was an issue who would be liable to remedy. She did not want to stop progress but want Council to be reasonable and rational. Herman stated the property owners would need to remedy any drainage issues. Jaclyn Mayo, 11 Spring Farm Lane stated the condo was being built where the septic systems exist. She voiced concerns on the condos

becoming rental property and decreasing her property valuations. Kendi Monk, 5 Spring Farm Lane, stated a concern of the neighbors is water issues and stated they have never had a water issue. Dave Melchart, 1 Spring Farm Lane inquired from Monks if their intention was to stay in neighborhood or it is as rumored that they purchased property and plan to build a house there. Mitch Monk stated they purchased the property as an investment and they may build in the future and was not sure if they would sell or continue to own their home. Council discussed possible conditions to the rezoning if approved, such as: at least one unit must be owner occupied, no septic system discharge aboveground or no regular above ground discharge, only 2-unit condo allowed, and County approved septic tank system. Goedken moved to close the public hearing. Council discussed tabling ordinance or approving first reading with conditions. Goedken introduced and moved Ordinance #725 amending Chapter 165 "Zoning Regulations" and amending the Official Zoning map, first reading and in title only; with the following conditions to be spelled out in a Conditional Rezoning Agreement: at least one unit must be owner occupied, no regular aboveground discharge from septic system, and only 2-unit condo allowed. Herman was directed to prepare the Conditional Rezoning Agreement for the proposed rezoning for the next meeting. Langerman seconded, roll call unanimous.

Goedken opened the public hearing on proposed Development Agreement between City of Monticello and Mike Beck, a/k/a Beck Construction related to the proposed truck wash facility. Herman reported the P & Z Board reviewed and had no negative comments or recommendations. No public comments were received, and staff reported no oral or written comments were received. Herman reported neither the school nor Jones County made any formal objections to the proposed amendment. Herman reviewed the proposed development agreement terms, and the rebate, land purchase grant, sanitary sewer composite sampler grant and water and sewer grant payments, which are subject to annual appropriations. Herman stated Water/Wastewater Superintendent will be in charge to regularly check the sanitary sewer composite sampler and to notify developer if reaching the pretreatment agreement limits approved by DNR. Goedken moved to close the public hearing. Langerman moved to approve Resolution #19-77 to approve Development Agreement between the City of Monticello and Mike Beck a/k/a Beck Construction, Lux seconded, roll call unanimous.

Goedken opened the public hearing on proposed amendment to the Monticello Urban Renewal Plan to include incentives associated with the Livestock Truck Wash Facility with Mike Beck, a/k/a Beck Construction. Herman reported the P & Z Board reviewed and made no recommendation. No public comments were received, and staff reported no oral or written comments were received. Goedken moved to close the public hearing. Lux moved to approve Resolution #19-78 approving 2019 Amendment Number 3 to the City of Monticello Urban Renewal Area, Langerman seconded, roll call unanimous.

Doug Laird, Unity Point Health requested City share in the cost for storm water drainage issue by Clinic on Oak Street. Water comes under Hwy 38/Oak Street and flows to Kitty Creek, which has cut a canal through their property. Proposed plan include some cleaning/rip rap and then to transfer water in culverts to a point past the clinic. Craig Kramer, Kramer Funeral Home stated kids cross this area daily from school. When questioned, Schwickerath stated as long as the pipe being buried is the same size as the pipe under the road it should work. The estimated cost is \$30,316.00. Goedken moved to approve Resolution #19-79 to approve cost share in a not to exceed amount of \$15,000.00, related to storm water improvements to be installed behind Unity Point and authorizing Mayor to sign the agreement, Lux seconded, roll call unanimous.

Melissa Ehrisman, with WIN (Women In Networking) requested formal approval to hold "Monti Days" event in downtown Monticello on Saturday August 24, 2019 from 8 a.m. to 11 p.m. They would like to close First Street from Cedar Street to Main Street and Police Chief will work with them to get the paperwork completed. Kaitlyn Hunt, with WIN stated they intend to contact all businesses along First Street. Smith suggested they contact Be Fitness, as they are sponsoring a fun run the week before. Goedken moved to approve Resolution #19-80 to approve request of WIN Group to hold "Monti Days" event in downtown Monticello on Saturday August 24th from 8 a.m. to 11 p.m. (Includes First Street closure between Cedar Street and Main Street), subject to DOT Road closure approval. Paulson seconded. Roll call unanimous.

Herman reported the payment to Anderson Ladd related to the Berndes Center flooring is due tied to the second border color ordered by the City. Langerman moved to approve Resolution #19-81 to approve additional payment to Anderson Ladd, Inc related to the Berndes Center floor project, Lux seconded, roll call unanimous.

Yeoman left the meeting.

Schwickerath reviewed the proposed pay request for Horsfield Construction related to the North Sycamore Street Project. He reported that the project is on schedule and plan to have water, sewer and storm sewer installed before the fair. Goedken moved to approve Resolution #19-82 Approving Pay Request #2 from Horsfield Construction related to North Sycamore Street Reconstruction Project in the amount of \$274,824.93, Lux seconded, roll call unanimous.

Schwickerath reviewed the proposed Change Order #2 for Horsfield Construction related to the North Sycamore Street Project for work performed on stairway found in ROW and under sidewalk adjacent to Strittmatter Law Office and purchase of modified Fernco Couplings for 10" clay tile connections. Goedken moved to approve Resolution #19-83 Approving Change Order #2 submitted by Horsfield Construction, Inc related to North Sycamore Street Reconstruction Project in the amount of \$2,313.38, Langerman seconded, roll call unanimous.

Herman reported receiving a request from Tyler and Dr. Jayme Freye to delay installation of sidewalk along Northridge Drive, along the north side of their corner lot. Freye reported there was a fire hydrant where the sidewalk should be placed. Upon review and discussion, Lux moved to table the request from Tyler and Dr. Jayme Freye to delay installation of sidewalk along Northridge Drive, along the north side of their corner lot, Langerman seconded, roll call unanimous.

Herman reported working with Claussen Supply to draw up drawing for the HVAC units at the Berndes Center who is a plumbing supplier for most of the plumbers in town. Plumbers were invite to meet to review the plans with Claussen representative and Herman prior to bidding. Two bids were received, both of which was more than twice the price as bid last year. Upon reviewing the bids, Goedken moved to reject all bids related to the HVAC for the Berndes Center, Lux seconded, roll call unanimous.

Herman reported the compost site rezoning was approved by the County Supervisors. Herman talked to Brian Monk about some possible grading at the site to fill in a few depressions. Herman also stated the camera system would need some type of closure and he is looking into this.

Regular Council Meeting – Official
June 3, 2019

Herman reported receiving only 3 responses back from the property owners along 7th Street; all of which agreed to the improvements. Council discussed how to proceed and asked Schwickerath to check with Horsfield to see if they would honor the unit priced to do the water, sewer and storm sewer at this time. If Horsfield agreeable, then City could proceed with those improvements and blacktop the areas of the street until assessment process could be completed.

Herman stated Josh Iben assured him that the fountain would be completed prior to July 4th.

Herman reviewed the sidewalk/ curb and gutter near Welter's condos on 9th Street and Maple Street. Herman stated Welter has installed the sidewalk along the condos. Herman suggested installing curb and gutter in this area and to require the property owner on both sides to install sidewalk.

Herman reported the Park Board will be meeting next week and will discuss and make a recommendation to the Council regarding the mowing ideas and options.

Langerman move to adjourn at 8:44 P.M.

Dave Goedken, Councilmember

Sally Hinrichsen, City Clerk

PAYROLL - JUNE 6, 2019

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
AMBULANCE	May 20 - June 2, 2019				
Evan Barry	\$ 383.00	\$ -	0.00	0.00	\$ 321.62
Carter Bronemann	634.50	-	0.00	0.00	462.80
Dawn Brus	1,035.00	-	0.00	0.00	761.60
Johnathan Geiger	3.00	-	0.00	0.00	2.57
Drew Haag	281.80	-	0.00	0.00	238.05
Ben Hein	45.12	-	0.00	0.00	38.60
Mary Intlekofer	1,860.60	-	0.00	0.13	1,252.50
Brandon Kent	2,170.70	66.45	0.00	0.00	1,406.02
Jim Luensman	775.25	332.25	0.00	0.00	580.45
Lori Lynch	2,071.03	33.23	0.00	0.00	1,378.02
Dave McNeill	286.56	-	0.00	0.00	242.12
Mandy Norton	147.64	-	0.00	0.00	126.30
Shelly Searles	2,037.80	-	0.00	0.00	1,399.52
Jeffrey Silver	1,269.00	-	0.00	0.00	965.63
Sabrina Strella	4.00	-	0.00	0.00	3.42
Brenda Surom	531.60	-	0.00	0.00	400.65
Chris Szymanowski	2,199.60	761.40	0.00	0.00	1,435.56
Jenna Weih	363.00	-	0.00	0.00	303.45
TOTAL AMBULANCE	\$ 16,099.20	\$ 1,193.33	0.00	0.13	\$ 11,318.88
CEMETERY	May 18 - 31, 2019				
Dan McDonald	\$ 1,698.46	\$ 90.45	0.00	0.00	\$ 1,208.36
TOTAL CEMETERY	\$ 1,698.46	\$ 90.45	0.00	0.00	\$ 1,208.36
CITY HALL	May 19 - June 1, 2019				
Cheryl Clark	\$ 1,636.00	\$ -	1.50	5.50	\$ 1,085.72
Doug Herman	3,720.71	-	0.00	0.00	2,685.82
Sally Hinrichsen	3,398.33	-	0.00	0.00	2,372.76
Nanci Tuel	1,396.00	-	0.00	0.00	896.77
TOTAL CITY HALL	\$ 10,151.04	\$ -	1.50	5.50	\$ 7,041.07
FIRE					
Drew Haag	\$ 100.00	\$ -	0.00	0.00	\$ 85.54
Nick Kahler	60.00	-	0.00	0.00	51.32
Don McCarthy	125.00	-	0.00	0.00	106.93
Billy Norton	100.00	-	0.00	0.00	85.54
TOTAL FIRE	\$ 385.00	\$ -	0.00	0.00	\$ 329.33
LIBRARY	May 20 - June 2, 2019				
Molli Hunter	\$ 254.44	\$ -	0.00	0.00	\$ 216.97
Penny Schmit	1,000.01	-	0.00	0.00	734.69
Madonna Thoma-Kremer	920.01	-	0.00	0.00	740.44
Michelle Turnis	1,538.46	-	0.00	0.00	949.55
TOTAL LIBRARY	\$ 3,712.92	\$ -	0.00	0.00	\$ 2,641.65
MBC	May 20 - June 2, 2019				
Jacob Oswald	\$ 1,846.15	\$ -	0.00	0.00	\$ 1,390.97
Shannon Poe	1,538.46	-	0.00	0.00	1,049.52
TOTAL MBC	\$ 3,384.61	\$ -	0.00	0.00	\$ 2,440.49

PAYROLL - JUNE 6, 2019

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
POLICE	May 20 - June 2, 2019				
Peter Fleming	\$ 1,805.16	\$ -	0.00	20.50	\$ 1,295.49
Dawn Graver	2,013.55	-	0.00	0.00	1,442.30
Erik Honda	1,922.86	-	18.00	20.00	1,437.55
John Klein	257.88	-	0.00	0.00	218.59
Jordan Koos	2,145.24	-	0.00	24.00	1,563.75
Britt Smith	2,504.65	-	0.00	0.00	1,834.15
Madonna Staner	1,450.40	-	0.00	0.00	1,097.50
Brian Tate	2,410.56	-	0.00	0.00	1,606.88
Robert Urbain	2,012.80	-	0.00	0.00	1,453.07
TOTAL POLICE	\$ 16,523.10	\$ -	18.00	64.50	\$ 11,949.28
ROAD USE	May 18 - 31, 2019				
Zeb Bowser	\$ 1,705.99	\$ 97.99	0.00	0.00	\$ 1,230.68
Eric Jungling	1,522.14	14.14	0.00	0.00	1,090.54
TOTAL ROAD USE	\$ 3,228.13	\$ 112.13	0.00	0.00	\$ 2,321.22
SANITATION	May 18 - 31, 2019				
Michael Boyson	\$ 1,673.10	\$ 89.10	0.00	0.00	\$ 1,155.68
Nick Kahler	1,988.68	300.68	0.00	0.00	1,396.97
TOTAL SANITATION	\$ 3,661.78	\$ 389.78	0.00	0.00	\$ 2,552.65
SEWER	May 18 - 31, 2019				
Tim Schultz	\$ 1,769.64	\$ 101.64	0.00	26.25	\$ 1,221.45
Jim Tjaden	2,162.88	226.88	0.00	0.00	1,548.88
TOTAL SEWER	\$ 3,932.52	\$ 328.52	0.00	26.25	\$ 2,770.33
SWIMMING POOL	May 17 - 30, 2019				
Sophia Ahlrichs	\$ 75.00	\$ -	0.00	0.00	\$ 69.26
Sydney Ballou	32.80	-	0.00	0.00	30.29
Mya Boffeli	64.88	-	0.00	0.00	59.92
Aubree Fairley	34.85	-	0.00	0.00	32.18
Corinne Gadiant	32.44	-	0.00	0.00	29.96
Madeline Stadtmueller	51.25	-	0.00	0.00	47.33
Ian Temple	18.00	-	0.00	0.00	16.62
TOTAL SWIMMING POOL	\$ 309.22	\$ -	0.00	0.00	\$ 285.56
WATER	May 18 - 31, 2019				
Daniel Pike	\$ 1,638.15	\$ 30.15	0.00	12.50	\$ 1,186.58
TOTAL WATER	\$ 1,638.15	\$ 30.15	0.00	12.50	\$ 1,186.58
TOTAL - ALL DEPTS.	\$ 64,724.13	\$ 2,144.36	19.50	108.88	\$ 46,045.40

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

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

	GENERAL			
	POLICE DEPARTMENT			
BAKER PAPER CO INC	PD BUILDING SUPPLIES	29.47		
BOSS OFFICE SUPPLIES & SYS INC	PD SUPPLIES	47.02		
PETER FLEMING	PD CELL PHONE STIPEND	140.00		
DAWN GRAVER	PD CELL PHONE STIPEND	240.00		
ERIK HONDA	PD CELL PHONE STIPEND	240.00		
IOWA DEPT OF PUBLIC SAFETY	PD IOWA SYSTEM	300.00		
JOHN DEERE FINANCIAL	PD BLDG REPAIR/MAINT	9.48		
KONICA MINOLTA BUSINESS	PD OFFICE SUPPLIES	37.04		
KOOB AUTOMOTIVE & TOWING INC	PD VEHICLE OPERATING	72.60		
JORDAN KOOS	PD CELL PHONE STIPEND	240.00		
MONTICELLO COMM SCHOOL DISTRICT	PD FUEL	1,186.54		
MONTICELLO EXPRESS INC	PD ATV DECALS	62.50		
OHWARD BANK & TRUST	PD POSTAGE	13.35		
BRITT SMITH	PD CELL PHONE STIPEND	600.00		
BRIAN TATE	PD CELL PHONE STIPEND	240.00		
TCM BANK NA	PD SUPPLIES	337.76		
U.S. CELLULAR	PD CELL PHONES	165.37		
UNIFORM DEN INC	PD SUPPLIES	202.00		
		=====		
	POLICE DEPARTMENT	4,163.13		
	STREET LIGHTS			
ALLIANT ENERGY-IES	416 E SECOND STREETLIGHTS	166.07		
THEODORE KRAUS	STREETLIGHT REPAIR/MAINT	78.76		
		=====		
	STREET LIGHTS	244.83		
	AQUATIC CENTER			
CARRICO AQUATIC RESOURCES INC	POOL EQUIP REPAIR/MAINT	734.57		
ROBERT P CLAUSSEN	POOL BLDG REPAIR/MAINT	280.00		
ELSMORE SPORTS INC	POOL SWIM TEAM	29.80		
FAREWAY STORES #840-1	POOL CONCESSIONS	332.59		
JOHN DEERE FINANCIAL	POOL BUILDING SUPPLIES	8.68		
MONTICELLO SPORTS	POOL SWIM TEAM	265.00		
MYERS-COX CO.	POOL CONCESSIONS	1,361.02		
TCM BANK NA	POOL MINOR EQUIPMENT	259.84		
		=====		
	AQUATIC CENTER	3,271.50		
	CEMETERY			
JOHN DEERE FINANCIAL	CEMETERY EQUIP REPAIR/MAINT	1,258.47		
MONTICELLO COMM SCHOOL DISTRICT	CEMETERY FUEL	253.87		

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
	CEMETERY	1,512.34		
	SOLDIER'S MEMORIAL BOARD			
MEDIACOM	SLDR MEM TELEPHONE	25.43		
	SOLDIER'S MEMORIAL BOARD	25.43		
	ENGINEER			
SNYDER & ASSOCIATES, INC	ENGINEERING FEES	2,460.75		
	ENGINEER	2,460.75		
	ATTORNEY			
LEXISNEXIS	ATTORNEY RESEARCH	74.00		
	ATTORNEY	74.00		
	CITY HALL/GENERAL BLDGS			
GEORGETOWN ENTERPRISES	DIGITAL SIGN LAND LEASE	600.00		
INFRASTRUCTURE TECHNOLOGY	CH MISC CONTRACT WORK	331.50		
IOWA INTERACTIVE LLC	ACH RETURN FEE	5.00		
BRIAN KRAMER	CH NUISANCES - 250 N ELM ST	45.00		
MEDIACOM	CH TELEPHONE	161.06		
MONK ENTERPRISES LLC	CH MEETING	121.15		
MONTICELLO EXPRESS INC	CH ADVERTISING	509.27		
OHNWARD BANK & TRUST	CH POSTAGE	2.96		
SECRETARY OF STATE OF IOWA	CH NOTARY FEE - CLARK	60.00		
SNYDER & ASSOCIATES, INC	NUISANCES - COMPADRES BLDG	1,489.62		
TCM BANK NA	CH CONFERENCE - HERMAN	255.00		
	CITY HALL/GENERAL BLDGS	3,580.56		
	GENERAL	15,332.54		
	MONTICELLO BERNDES CENTER			
	PARKS			
ALLIANT ENERGY-IES	MBC ELECTRIC	925.24		
BAKER PAPER CO INC	MBC BUILDING SUPPLIES	310.58		
DENNIS J GRAY	MBC BLDG REPAIR/MAINT	85.00		
JOHN DEERE FINANCIAL	MBC GROUNDS SUPPLIES	7.98		
JONES COUNTY SOLID WASTE	MBC STAGE DISPOSAL	58.30		
MONTICELLO COMM SCHOOL DISTRCT	MBC FUEL	118.00		
DENISE MULLER	MBC DAMAGE DEPOSIT REFUND	200.00		
MICHELLE PERRY	MBC BASEBALL REFUND	25.00		
SUPERIOR APPLIANCE, INC.	MBC REFRIGERATOR	599.00		
TCM BANK NA	MBC OFFICE SUPPLIES	9.99		

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
WELTER STORAGE EQUIP CO., INC.	MBC OFFICE SUPPLIES	75.00		
	PARKS	2,414.09		
	MONTICELLO BERNDES CENTER	2,414.09		
	FIRE			
	FIRE			
DONALD MCCARTHY	FIRE PRINTER	320.99		
MONTICELLO COMM SCHOOL DISTRICT	FIRE FUEL	111.25		
MUNICIPAL EMERGENCY SERVICES	FIRE BOOTS	338.00		
	FIRE	770.24		
	FIRE	770.24		
	AMBULANCE			
	AMBULANCE			
AIRGAS USA, LLC	AMB MEDICAL SUPPLIES	301.06		
BAKER PAPER CO INC	AMB BUILDING SUPPLIES	29.48		
BOUND TREE MEDICAL, LLC	AMB MEDICAL SUPPLIES	267.89		
MONTICELLO COMM SCHOOL DISTRICT	AMB FUEL	554.21		
MONTICELLO SPORTS	AMB UNIFORM SHIRTS	64.00		
PHYSICIAN'S CLAIM COMPANY	AMB BILLING FEES	3,453.04		
TCM BANK NA	AMB BACKGROUND CHECK	15.00		
U.S. CELLULAR	AMB CELL PHONES	68.04		
	AMBULANCE	4,752.72		
	AMBULANCE	4,752.72		
	HOTEL/MOTEL TAX			
	HOTEL/MOTEL			
WINDSTREAM IOWA-COMM. INC.	HOTEL/MOTEL PHONE	27.93-		
	HOTEL/MOTEL	27.93-		
	HOTEL/MOTEL TAX	27.93-		
	LIBRARY IMPROVEMENT			
	LIBRARY			
JOHN DEERE FINANCIAL	LIB IMP OFFICE SUPPLIES	4.32		

ACCOUNTS PAYABLE ACTIVITY CLAIMS REPORT

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
MICRO MARKETING LLC	LIB IMP BOOKS	274.52		
MONTICELLO EXPRESS INC	LIB IMP SUMMER READING PROGRAM	4.60		
TCM BANK NA	LIB IMP VIDEO/DVD RECORDINGS	523.01		
		=====		
	LIBRARY	806.45		
		=====		
	LIBRARY IMPROVEMENT	806.45		
	LIBRARY			
	LIBRARY			
CULLIGAN TOTAL WATER	LIB BUILDING SUPPLIES	5.50		
EMMAUS BIBLE COLLEGE	LIB BOOKS	10.00		
FAREWAY STORES #840-1	LIB BUILDING SUPPLIES	11.98		
JOHN DEERE FINANCIAL	LIB OFFICE SUPPLIES	6.78		
MEDIACOM	LIB TELEPHONE	118.68		
OHNWARD BANK & TRUST	LIB PETTY CASH - POSTAGE	75.00		
TCM BANK NA	LIB BOOKS	864.67		
		=====		
	LIBRARY	1,092.61		
		=====		
	LIBRARY	1,092.61		
	AIRPORT			
	AIRPORT			
JOHN DEERE FINANCIAL	AIRPORT EQUIP REPAIR/MAINT	718.19		
MONTICELLO AVIATION INC	AIRPORT EQUIP REPAIR/MAINT	86.97		
		=====		
	AIRPORT	805.16		
		=====		
	AIRPORT	805.16		
	ROAD USE			
	STREETS			
ALLIANT ENERGY-IES	STOP SIGNS - N MAIN ST	63.22		
DIAMOND VOGEL PAINT CENTER 227	RU STREET MAINTENANCE SUPPLIES	1,426.76		
JOHN DEERE FINANCIAL	RU BOOTS - BOWSER	265.68		
LINDA KAHLER	RU CLOTHING - JUNGLING	60.00		
KIMBALL MIDWEST	RU SUPPLIES	99.75		
LAPORTE MOTOR SUPPLY	RU SUPPLIES	39.78		
MONTICELLO COMM SCHOOL DISTRCT	RU FUEL	562.22		
L.L. PELLING CO	RU STREET MAINTENANCE SUPPLIES	612.00		
SNYDER & ASSOCIATES, INC	N SYCAMORE ST RECONSTRUCTION	13,989.32		

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
	STREETS	17,118.73		
	ROAD USE	17,118.73		
	TRUST/SLAVKA GEHRET FUND			
	LIBRARY			
BAKER & TAYLOR BOOKS	LIB GEHRET BOOKS	93.90		
OVERDRIVE	LIB GEHRET BOOKS	22.30		
TCM BANK NA	LIB GEHRET PROGRAMMING	174.00		
	LIBRARY	290.20		
	TRUST/SLAVKA GEHRET FUND	290.20		
	TIF PROJECT			
	STREETS			
J&R SUPPLY INC	N SYCAMORE ST PROJECT	161.94		
	STREETS	161.94		
	TIF PROJECT	161.94		
	CAPITAL IMPROVEMENT			
	STREETS			
J&R SUPPLY INC	N SYCAMORE ST PROJECT	107.96		
	STREETS	107.96		
	AIRPORT			
HDR ENGINEERING INC	CAP IMP - AIRPORT MASTER PLAN	4,969.00		
	AIRPORT	4,969.00		
	CAPITAL PROJECTS			
BARNHART CONSTRUCTION CO LLC	CH HAIL DAMAGE REPAIRS	35,507.00		
	CAPITAL PROJECTS	35,507.00		
	CAPITAL IMPROVEMENT	40,583.96		

BATY DISC GOLF COURSE

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
	PARKS			
D&S PORTABLES, INC.	BATY DG PORT-A-POT RENTAL	272.00		
MONTICELLO COMM SCHOOL DISTRICT	BATY DG FUEL	79.00		
		=====		
	PARKS	351.00		
		=====		
	BATY DISC GOLF COURSE	351.00		
	TRUST/IOMA MARY BAKER			
	LIBRARY			
TCM BANK NA	LIB BAKER BOOKS	13.65		
		=====		
	LIBRARY	13.65		
		=====		
	TRUST/IOMA MARY BAKER	13.65		
	WATER			
	WATER			
ALL SEASONS AUTO BODY INC	WATER VEHICLE REPAIR/MAINT	1,738.59		
BEHREND'S CRUSHED STONE	WATER SYSTEM	445.05		
HYGIENIC LABORATORY	WATER LAB TESTS	104.00		
SCOT MCELMEEL	WATER BLDG REPAIR/MAINT	1,784.74		
MERCY MEDICAL CENTER	WATER OSHA - PIKE	29.00		
MONTICELLO COMM SCHOOL DISTRICT	WATER FUEL	204.08		
MUNICIPAL SUPPLY INC	WATER SYSTEM	131.35		
ROGER STEPHEN	OVERPAYMENT REFUND	21.39		
TCM BANK NA	WATER POSTAGE	190.24		
U.S. CELLULAR	WATER CELL PHONE	42.47		
		=====		
	WATER	4,690.91		
		=====		
	WATER	4,690.91		
	CUSTOMER DEPOSITS			
	WATER			
CITY OF MONTICELLO	PARROW/TASHEMA	201.57		
TASHEMA PARROW	WATER DEPOSIT REFUND	58.43		
		=====		
	WATER	260.00		
		=====		
	CUSTOMER DEPOSITS	260.00		

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
	SEWER			
ALL SEASONS AUTO BODY INC	SEWER VEHICLE REPAIR/MAINT	1,738.59		
ALLIANT ENERGY-IES	1105 E FIRST ST	3,105.58		
BAKER PAPER CO INC	SEWER LAB SUPPLIES	62.17		
TRACY L CHAPPELL	SEWER BLDG REPAIR/MAINT	2,715.90		
HYGIENIC LABORATORY	SEWER LAB TESTS	1,546.00		
JOHN DEERE FINANCIAL	SEWER EQUIP REPAIR/MAINT	155.57		
M TOWN TIRE & AUTO	SEWER EQUIP REPAIR/MAINT	30.00		
MERCY MEDICAL CENTER	SEWER OSHA - PIKE	29.00		
MONTICELLO COMM SCHOOL DISTRCT	SEWER FUEL	204.11		
SNYDER & ASSOCIATES, INC	SEWER ENGINEERING FEES	574.25		
TCM BANK NA	SEWER POSTAGE	809.79		
TRI COUNTY PROPANE LLC	SEWER UTILITIES	324.48		
WINDSTREAM IOWA-COMM. INC.	SEWER PHONE	54.36		
		=====		
	SEWER	11,349.80		
		=====		
	SEWER	11,349.80		
		=====		
	SANITATION			
	SANITATION			
JONES COUNTY 911 SERVICE BOARD	YARD WASTE FACILITY SIGNAGE	60.00		
JONES COUNTY SOLID WASTE	SANITATION LOAD TICKETS	235.40		
MERCY MEDICAL CENTER	SANITATION OSHA - BOYSEN	58.00		
MONTICELLO COMM SCHOOL DISTRCT	SANITATION FUEL	123.79		
REPUBLIC SERVICES	DUMPSTER COLLECTIONS	9,844.18		
SNYDER & ASSOCIATES, INC	SANITATION YARD WASTE SITE	1,408.25		
		=====		
	SANITATION	11,729.62		
		=====		
	SANITATION	11,729.62		
		=====		
**** SCHED TOTAL ****		112,495.69		
		=====		
***** REPORT TOTAL *****		112,495.69		
		=====		

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS FUND SUMMARY**

FUND	FUND NAME	TOTAL	CHECK#	DATE
001	GENERAL	15,332.54		
005	MONTICELLO BERNDES CENTER	2,414.09		
015	FIRE	770.24		
016	AMBULANCE	4,752.72		
018	HOTEL/MOTEL TAX	27.93-		
030	LIBRARY IMPROVEMENT	806.45		
041	LIBRARY	1,092.61		
046	AIRPORT	805.16		
110	ROAD USE	17,118.73		
178	TRUST/SLAVKA GEHRET FUND	290.20		
325	TIF PROJECT	161.94		
332	CAPITAL IMPROVEMENT	40,583.96		
338	BATY DISC GOLF COURSE	351.00		
503	TRUST/IOMA MARY BAKER	13.65		
600	WATER	4,690.91		
602	CUSTOMER DEPOSITS	260.00		
610	SEWER	11,349.80		
670	SANITATION	11,729.62		

City of Monticello - Monthly Summary - May 1st thru 31st, 2019

Reviewed by:  6/13/2019

Fund	Activity	Beginning Fund Balance	Revenue	Interest Earned	Transfers In	Expenses	Transfers Out	Ending Fund Balance	Cash on Hand	Clerk's Cash In Bank	Clerk's Cash In Bank	Clerk's Cash In Bank	Investments	Investments	Ending Fund Balance
GENERAL FUNDS:															
	General	803584.01	113304.30	5286.22		106896.79	295576.00	519701.74	610.00	-231682.04	750748.78	5.00			519701.74
	Soldiers Memorial Board	12524.53	75.00			300.95		12298.58							12298.58
	Monticello Bernades Center	20589.37	3283.50	47.95	133000.00	36931.44		119989.38	100.00	112401.69	7487.69	5844.53	6454.05		119989.38
	Dare	6896.77		16.09				6912.86		6912.86					6912.86
	Insurance Fund	20303.50		49.54	10000.00	488.52		29884.52		19689.08	10175.44				29884.52
	Monticello Trees Forever	34988.84	40.00	81.95				34998.81		34998.81					34998.81
	Fire	291447.58	8220.00	331.33	32968.00	6859.33		326107.58		82593.70	93513.88		150000.00		326107.58
	Ambulance Operating	43729.68	26944.45	102.46	18750.00	36327.18	100000.00	43199.41		12065.03	31134.38				43199.41
	Hotel/Motel Tax Fund	16070.19		37.84		44.01		16063.82		16063.82					16063.82
	Earl F Lehmann Trust	237.80						237.80			237.80				237.80
	Street Bond	1000.00						1000.00		1000.00					1000.00
	Police Improvement	176.40	7.00	0.41				183.81		183.81					183.81
	Library Improvement	44752.39	643.51	104.82		503.23		44997.49		16555.25	28442.24				44997.49
	Library	-1595.33	998.70		22500.00	9200.82		12702.55	75.00	12627.55					12702.55
	Equipment Set-A-Side	98866.84		231.58	10000.00			109098.42		12914.45	96183.97				109098.42
	Super Mac	476.06		1.11	10000.00	1456.58		9020.59		9020.59					9020.59
	Airport	-13588.52	18851.71			7284.42		-2021.23		-2021.23					-2021.23
	Revolving Loan Fund	28012.52	75.00	65.60				28153.12		12316.86	15836.26				28153.12
SPECIAL REVENUE FUNDS:															
	Road Use Tax	467849.92	45763.53			-9381.43		522994.88		21820.28	501174.60				522994.88
	Employee Benefits	444238.89	25503.17	1050.18		31812.77		438979.47		109917.33	329062.14				438979.47
	TIF Tax Collections	788277.55	50664.96	1874.89				840817.40		463322.46	377494.94				840817.40
	Slavka Gehret Trust	204601.87		26.77		789.28		203839.36		290.14	103549.22		100000.00		203839.36
	Police Forfeiture Acct	839.22		1.93				841.15		841.15					841.15
DEBT SERVICE FUNDS:															
	TIF - Debt Payments	394224.51	22929.90	923.45				418077.86		223218.82	194859.04				418077.86
PERMANENT FUNDS:															
	Park Improvements	-37041.91	1244.00		80822.49	19940.39		25084.19		25084.19					25084.19
	Library Capital Improvements	4082.08	1118.54	9.56		3500.00		1710.18		1710.18					1710.18
	Ambulance Improvements	67470.36	2071.50	159.33				69701.19		4453.35	65247.84				69701.19
	TIF Projects	19337.13	1531740.33			126491.80		1424585.66		924585.66	500000.00				1424585.66
	Cemetery Improvements	44471.67	7.00	135.36				44614.03		4477.51	40136.52				44614.03
	Cap Imp - FACC	12445.85		18.64				0.00							0.00
	Youth Baseball & Softball	105869.56	1021482.22	1247.52		111086.75		1017312.55		517312.55	500000.00				1017312.55
	Low Income Housing	14761.65		34.57				14796.22		14796.22					14796.22
	MDC Funds	-4003.88						-4003.68		-4003.68					-4003.68
	Baty Disc Golf Course	15065.07		34.46		331.98		14787.55		14594.26	173.29				14787.55
	Mary Maxine Redmond Trust	8378.46		19.61				8398.07		427.46	7970.61				8398.07
	Pocket Park	14288.04		33.46		560.50		13761.00		13761.00					13761.00
PERMANENT FUNDS:															
	Cemetery Perpetual Care	164124.80	250.00					164374.80		1888.00	12486.80		150000.00		164374.80
	Charles S Bidwell Book Trust	84214.66		80.27		386.50		83908.43		250.74	33657.69		50000.00		83908.43
	Iona Mary Baker Trust	40549.26		95.00		40544.26		40644.26		-7.15	40651.41				40644.26
ENTERPRISE FUNDS:															
	Water Operating	28498.41	34088.62	68.49		16385.48		46270.04		38251.64	8018.40				46270.04
	Customer Deposits	89545.70	1680.00			250.00		90975.70		9403.14	81572.56				90975.70
	Water Capital Improvements	356.61	418.29	108.95				883.85		-602.57	1486.42				883.85
	Sewer Operating	145079.31	45963.54	344.09		33763.22		157623.72		56858.58	100765.14				157623.72
	Sewer Capital Improvements	102872.64	418.28	351.93		5478.00		98164.85		45727.27	52437.58				98164.85
	Sanitation	16175.15	41839.20	37.22		46282.04		11789.53		11789.53					11789.53
	Sanitation Capital Improvements	63185.94		147.13				63333.07		21169.80	42163.27				63333.07
	Storm Water fund	-27402.21	2492.40			227.89		-25137.70		-25137.70					-25137.70
	Self Funded Insurance	0.00	3370.30			3370.30		0.00							0.00
AGENCY FUNDS															
	Flex Spending	210.03	38.46					248.49		248.49					248.49
	Enterprise Flex Spending	185.81	115.38					301.19		301.19					301.19
TOTAL OF ALL FUNDS															
		4681024.93	3005642.79	13159.51	318040.49	587660.72	318040.49	7102166.56	785.00	2597613.85	4041226.33	6087.33	456454.05	0.00	7102166.56

City of Monticello
 Bank Reconciliation Report
 For the Month of May 2019

Bank Balance	\$2,632,169.38	
General Checking	\$4,041,226.33	
Property Tax & Water	\$5,844.53	
Soldiers Memorial Ckg	\$237.80	
Earl F Lehmann Trust	\$5.00	
DuTrac Savings		\$6,679,483.04
Plus (Minus) Adjustment:		
Bank Charge/Error	\$0.00	
Total Adjustment		\$0.00
Plus Outstanding Credit Card Pymt:		
Credit Card Payments	\$0.00	
Total Outstanding Credit Card Pymts		\$0.00
Less Outstanding Checks:		
Financial/Payroll	\$34,555.53	
Soldiers Memorial		
Total Outstanding Checks		\$34,555.53
Plus Investments:		
Time Certificates	\$456,454.05	
Petty Cash	\$785.00	
Total Investments		\$457,239.05
Treasurer's Balance		\$7,102,166.56

Prepared By: Sally Hinrichsen
 Sally Hinrichsen, City Clerk

Reviewed by: [Signature]
 Doug Herman, City Administrator
 6/13/2019

TREASURER'S REPORT
CALENDAR 5/2019, FISCAL 11/2019

ACCOUNT TITLE	LAST MONTH END BALANCE	RECEIVED	DISBURSED	CHANGE IN LIABILITY	ENDING BALANCE
001 GENERAL	803,584.01	118,590.52	402,472.79	.00	519,708.74
003 SOLDIER MEMORIAL FUND	12,524.53	75.00	300.95	.00	12,298.58
005 MONTICELLO BERNDES CENT	20,589.37	136,331.45	36,931.44	.00	119,989.38
008 DARE	6,896.77	16.09	.00	.00	6,912.86
010 INSURANCE	20,303.50	10,049.54	488.52	.00	29,864.52
014 MONTICELLO TREES FOREVE	34,988.84	121.95	111.98	.00	34,998.81
015 FIRE	291,447.58	41,519.33	6,859.33	.00	326,107.58
016 AMBULANCE	43,729.68	45,796.91	46,327.18	.00	43,199.41
018 HOTEL/MOTEL TAX	16,070.19	37.64	44.01	.00	16,063.82
022 EARL F LEHMANN TRUST	237.80	.00	.00	.00	237.80
023 TRUST FUND/STREET BOND	1,000.00	.00	.00	.00	1,000.00
026 POLICE IMPROVEMENT	176.40	7.41	.00	.00	183.81
030 LIBRARY IMPROVEMENT	44,752.39	748.33	503.23	.00	44,997.49
041 LIBRARY	1,595.33-	23,498.70	9,200.82	.00	12,702.55
042 SPORTS COMPLEX	.00	.00	.00	.00	.00
044 EQUIPMENT SET-A-SIDE	98,866.84	10,231.58	.00	.00	109,098.42
045 SUPER MAC FUND	476.06	10,001.11	1,456.58	.00	9,020.59
046 AIRPORT	13,588.52-	18,851.71	7,284.42	.00	2,021.23-
050 REVOLVING LOAN FUND	28,012.52	140.60	.00	.00	28,153.12
110 ROAD USE	467,849.92	45,763.53	9,381.43-	.00	522,994.88
112 EMPLOYEE BENEFITS	444,238.89	26,553.35	31,812.77	.00	438,979.47
125 TIF -SPECIAL REVENUE	788,277.55	52,539.85	.00	.00	840,817.40
178 TRUST/SLAVKA GEHRET FUN	204,601.87	26.77	789.28	.00	203,839.36
180 POLICE FORFEITURE	839.22	1.93	.00	.00	841.15
200 DEBT SERVICE	394,224.51	23,853.35	.00	.00	418,077.86
225 TIF - DEBT	.00	.00	.00	.00	.00
300 REVOLVING LOAN FUND	.00	.00	.00	.00	.00
313 PARK IMPROVEMENT	37,041.91-	82,066.49	19,940.39	.00	25,084.19
316 LIB CAPITAL IMPROVEMENT	4,082.08	1,128.10	3,500.00	.00	1,710.18
319 AMBULANCE IMPROVEMENT	67,470.36	2,230.83	.00	.00	69,701.19
325 TIF PROJECT	19,337.13	1,531,740.33	126,491.80	.00	1,424,585.66
326 TRUST/CEMETERY IMPROVEM	44,471.67	142.36	.00	.00	44,607.03
328 FAMILY AQUATIC CENTER C	12,445.85	18.64	12,464.49	.00	.00
332 CAPITAL IMPROVEMENT	105,669.56	1,022,729.74	111,086.75	.00	1,017,312.55
333 MYSBA CAPITAL FUND	.00	.00	.00	.00	.00
336 LOW INCOME HOUSING FUND	14,761.65	34.57	.00	.00	14,796.22
337 MDC FUNDS	4,003.68-	.00	.00	.00	4,003.68-
338 BATY DISC GOLF COURSE	15,065.07	34.46	331.98	.00	14,767.55
339 MARY MAXINE REDMOND TRU	8,378.46	19.61	.00	.00	8,398.07
375 POCKET PARK	14,288.04	33.46	560.50	.00	13,761.00
500 TRUST/CEMETERY PERPETUA	164,124.80	250.00	.00	.00	164,374.80
502 C.C. BIDWELL LIBRARY BO	84,214.66	80.27	386.50	.00	83,908.43
503 TRUST/IOMA MARY BAKER	40,549.26	95.00	.00	.00	40,644.26
600 WATER	28,498.41	34,157.11	16,385.48	.00	46,270.04
601 WATER BOND SINKING	.00	.00	.00	.00	.00
602 CUSTOMER DEPOSITS	89,545.70	1,680.00	250.00	.00	90,975.70
603 WATER IMPROVEMENT	.00	.00	.00	.00	.00
604 WATER CAPITAL IMPROVEME	356.61	527.24	.00	.00	883.85
610 SEWER	145,079.31	46,307.63	33,763.22	.00	157,623.72
611 SEWER RESERVE	.00	.00	.00	.00	.00
612 SEWER SINKING	.00	.00	.00	.00	.00
613 SEWER CAPITAL IMPROVEME	102,872.64	770.21	5,478.00	.00	98,164.85
614 SEWER IMPROVEMENT	.00	.00	.00	.00	.00

TREASURER'S REPORT
CALENDAR 5/2019, FISCAL 11/2019

ACCOUNT TITLE	LAST MONTH END BALANCE	RECEIVED	DISBURSED	CHANGE IN LIABILITY	ENDING BALANCE
670 SANITATION	16,175.15	41,876.42	46,262.04	.00	11,789.53
671 SANITATION CAPITAL IMPR	63,185.94	147.13	.00	.00	63,333.07
740 STORM WATER	27,402.21-	2,492.40	227.89	.00	25,137.70-
820 INTERNAL REV SELF FUNDE	.00	3,370.30	3,370.30	.00	.00
950 FLEX SPENDING FUND	210.03	38.46	.00	.00	248.49
951 ENTERPRISE FLEX SPENDIN	185.81	115.38	.00	.00	301.19
Report Total	4,681,024.98	3,336,842.79	915,701.21	.00	7,102,166.56

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item: # 1
Agenda Date: 06/17/19

Communication Page

Agenda Items Description: Motion to approve use of Back Office area for “locked” Jones County Economic Development Office space.

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

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

Synopsis: Jones County Economic Development had been renting space in Anamosa with the Chamber and Jones County Tourism. The Chamber has moved from that location and the rent/utilities due from JCEDC will go up. Cost per month with internet is approx. \$390 per month at this time.

Background Information: The back room where JCEDC would be located is currently a storage area. We would need to move necessary storage around, cleaning supplies/ etc. under the cabinets in the small room with sink/ microwave off the lobby, and behind Council Chambers. All doable. City Hall would then become Derek’s home base. Hopefully the City of Anamosa could find him space to use when in Anamosa as we have been doing with the small conference room.

Recommendation: I recommend that the Council approve the use of the back office space by JCEDC with no rent or utilities.

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item: # **Z**
Agenda Date: 06/17/19

Communication Page

Agenda Items Description: Resolution to approve Three Year Annual Contribution to Main Street Iowa program, Select City Representative for Main Street Iowa Board, and to authorize the Mayor to execute Application, and agreement to have Director in place by November 1, 2019 should the City be selected as a Main Street Iowa Community.

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

Attachments & Enclosures:

Resolution

Resolution 19- 70

Fiscal Impact:

Budget Line Item:

Budget Summary:

Expenditure:

Revenue:

Hotel/Motel Tax & G.F.

\$20,000-\$30,000

Synopsis: Work on the Main Street Application continues and to move it towards finalization there needs to be a bit more certainty in the City contribution along with some authorities given to the Mayor, and a Board member appointed to represent the City.

Background Information: The City Council previously approved a Resolution of support for the Main Street program. (See Attached) The committee has been working on the Application and seeking support of local business and industry, that effort continuing at this time with many more pledges anticipated in the next weeks. To date there have been approximately 45 pledges made totaling roughly \$8,000 per year with many more pledge cards expected. The Council needs to confirm an annual commitment pledge for three years. The pledge will not be paid unless we are successful in the Application. The Council also needs to authorize the Mayor to execute the Application when complete and finally the Council needs to identify and appoint a person, either elected official or otherwise, to serve on the Main Street Board.

FY '20 Budget has \$20,100 in Hotel/Motel tax revenues budgeted and \$38,650 in Hotel/Motel tax expenses. (See attached for detail. Note that \$10,000 going to Trail Set Aside and \$12,000, approximately, to Parks/Tourism/Econ. Development that has not yet been directly appropriated.) The current Hotel/Motel tax fund balance is right at \$16,000. I would suggest that the Council utilize Hotel/Motel tax funds to the extent possible and to fund the balance of the program with an annual appropriation from the General Fund.

Recommendation: I recommend that the Council approve of a specific pledge amount for three years (\$20,000 to \$30,000 range) to the Main Street Iowa program, that the Mayor be authorized to execute the Application, and that the Council appoint a person to represent the City on the Main Street Iowa Board.

BUDGET WORKSHEET
CALENDAR 6/2019, FISCAL 12/2019

ACCOUNT NUMBER ACCOUNT TITLE	2 YRS AGO EXP	LYR EXPENSE	CURRENT BUDGET	EXPENDED YTD	NEW BUDGET
018-699-6310 REP/MAINT ON BLDG	.00	.00	.00	.00	.00
018-699-6350 DIGITAL SIGN REPAIR/MAINT	4,756.45	.00	500.00	.00	500.00
018-699-6371 UTILITY SERVICES	2,709.02	2,525.97	2,700.00	1,499.79	2,700.00
018-699-6402 ADS AND LEGAL PUBLICATIONS	.00	.00	.00	.00	.00
018-699-6408 DIGITAL SIGN INSURANCE	225.00	228.00	250.00	258.00	250.00
018-699-6416 DIGITAL SIGN LEASE	.00	.00	500.00	.00	500.00
018-699-6421 TRADE SHOWS COSTS	.00	.00	.00	.00	700.00
018-699-6480 COUNTY CONTRIBUTIONS/DONATION	.00	.00	.00	.00	12,000.00
018-699-6513 DOT SIGNAGE GRANT FUNDS	.00	.00	.00	.00	.00
018-699-6750 PARK/TOURISM/ECONOMIC DEV	.00	9,189.00	12,050.00	12,050.00	12,000.00
<hr/>					
HOTEL/MOTEL TOTAL	7,690.47	11,942.97	16,000.00	13,807.79	28,650.00
<hr/>					
018-910-6910 TFR TO PARK IMP/TRAIL SETASIDE	.00	.00	.00	.00	10,000.00
<hr/>					
TRANSFERS/APPROPRIATIONS TOTA	.00	.00	.00	.00	10,000.00
<hr/>					
HOTEL/MOTEL TAX TOTAL	7,690.47	11,942.97	16,000.00	13,807.79	38,650.00
<hr/>					

The City of Monticello, Iowa

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

RESOLUTION #19-__

Resolution Pledging Financial Support to the Main Street Monticello Program, authorizing the Mayor to execute the Main Street Monticello Application and appointing person to represent City of Monticello on Main Street Iowa Board of Directors

Whereas, Main Street Iowa has been created to assist communities to develop a public-private effort to revitalize their historic commercial "Main Street" districts, and

Whereas, the Iowa Economic Development Authority will be selecting up to two Iowa cities to participate in the Main Street Iowa program, and

Whereas, the Council previously approved the submission of an Application to be accepted into the Main Street Program and to financially support the program, and

Whereas, the Council has determined it to be appropriate and in the best interests of the City to pledge support to the program for a period of three years in the amount of \$_____ per year, to be paid from the Hotel/Motel Tax fund and the General Fund in amounts to be determined at a later date, to authorize the Mayor to execute the Main Street Monticello Application on behalf of the City Council and to appoint _____ to be the City of Monticello representative on the Main Street Monticello Board of Directors.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Monticello does hereby agree to pledge the sum of \$_____ per year to the Main Street Monticello program for three years, authorize the Mayor to sign the application to participate in the Main Street Iowa program on behalf of the City Council, and appoints _____ to serve as the City representative on the Main Street Iowa Board of Directors.

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 17th day of June, 2019.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, Monticello City Clerk

The City of Monticello, Iowa

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

RESOLUTION #19-70

Resolution authorizing participation in the Main Street Iowa program, acknowledging City understanding that it will be expected to participate in the development of the program and to financially support the program, and that a City official will be appointed to represent the City on the local Main Street governing board of directors.

Whereas, Main Street Iowa has been created to assist communities to develop a public-private effort to revitalize their historic commercial "Main Street" districts, and

Whereas, the Iowa Economic Development Authority will be selecting up to two Iowa cities to participate in the Main Street Iowa program, and

Whereas, the Council finds that participation in the program would be in the best interests of the Community with the downtown district being an important and vital component of the community, and

Whereas, the Council endorses the goal of economic revitalization of the Main Street district within the context of the historic preservation and rehabilitation of its historic buildings and supports the Main Street Approach® as developed by Main Street America, and

Whereas, the Council supports the finalization and submission of the Main Street Application and agrees and acknowledges that the City will participate in the development and financial support of the local Main Street program.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Monticello does hereby agree to and authorize the submission of an application to participate in the Main Street Iowa program, acknowledges its understanding that the City will be expected to participate in the development of the program and to financially support the program, and that a City official will be appointed to represent the City on the local Main Street governing board of directors.

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 6th Day of May, 2019.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, Monticello City Clerk

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item: # 3
Agenda Date: 06/17/2019

Communication Page

Agenda Items Description: Resolution scheduling a Public Hearing on proposed rezoning of property located at 215 W. 7th Street, from M-1 Light Manufacturing to R-3 Condominium Development.

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

Attachments & Enclosures:

Resolution
Aerial

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Tom Yeoman proposes to re-zone old manufacturing site from M-1 Light Industrial to R-3 Condominium Development.

Background Information: P & Z has reviewed the proposed Re-Zoning and finds it to be an appropriate use of the land, consistent with the Comprehensive Plan, and generally beneficial to the community. Based thereon they have recommended that the property be so re-zoned.

Recommendation: I recommend that the Council schedule a Public Hearing on the proposed re-zoning for July 1, 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 the proposed Re-Zoning of property located at 215 W. 7th Street from M-1 Light Manufacturing to R-3 Condominium Development for July 1, 2019 at 6:00 p.m.

WHEREAS, A request to re-zone a parcel of ground from R-1 to R-3 Condo Development has been received by the City, and

WHEREAS, The Planning and Zoning Board has recommended that the City Council agree to the proposed change, and

WHEREAS, Before the Council can agree to the proposed change a Public Hearing must be scheduled and held, and

WHEREAS, The Council finds that a public hearing on the requested re-zoning shall be scheduled for the 1st day of July, 2019 at 6:00 p.m. with appropriate publication and mailing of notice.

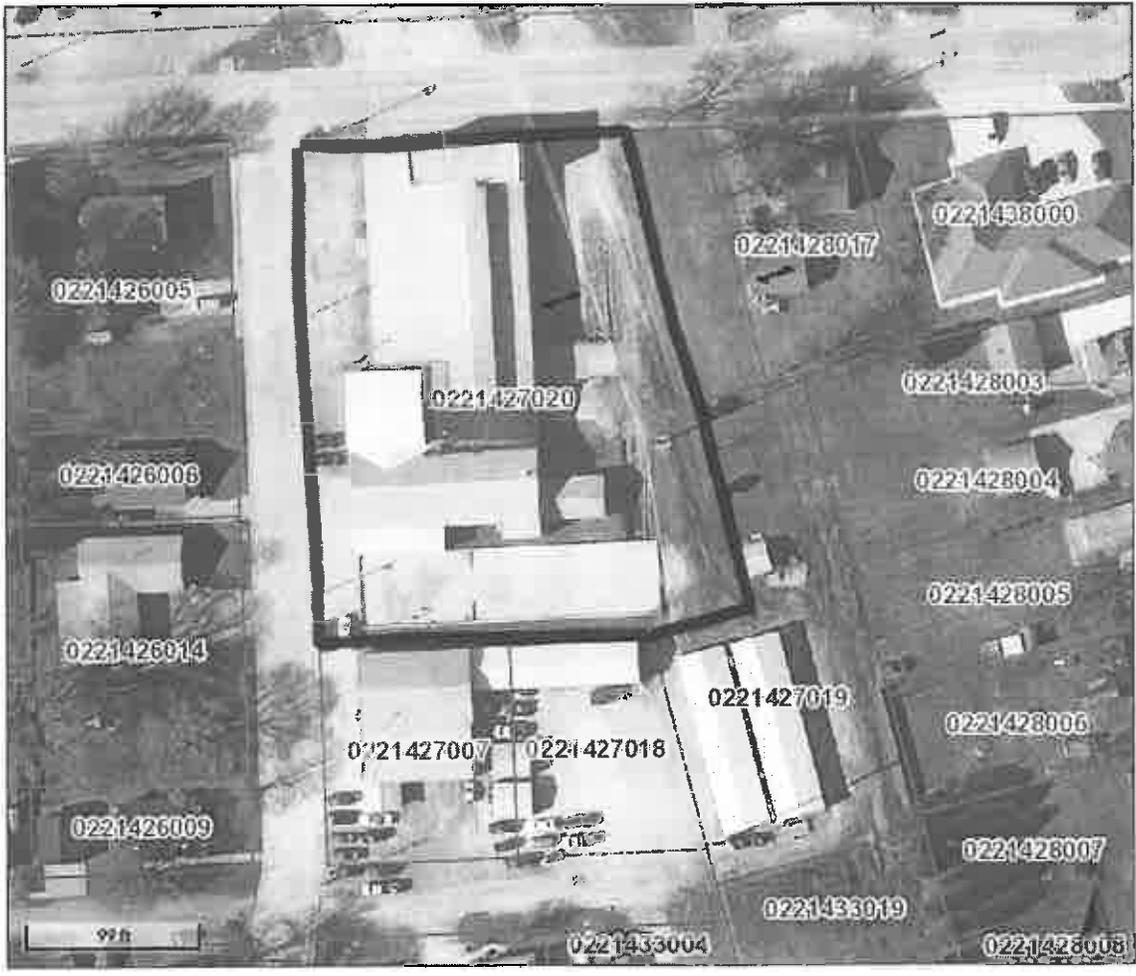
NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby schedule a Public Hearing on the proposed Re-Zoning of property located at 215 W. 7th Street from M-1 Light Manufacturing to R-3 Condominium Development for July 1, 2019 at 6:00 p.m., same to be held in the City Council Chambers at the Mary Lovell LeVan Renaissance Center in Monticello, Iowa.

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 17th day of June, 2019.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk



- Legend**
-  Parcels
 -  Cartography
 -  Major Roads

Parcel ID	0221427020	Alternate ID	155700	Owner Address	YEOMAN, THOMAS W & DIANE R
Sec/Twp/Rng	n/a	Class	I		PO BOX 30
Property Address	215 W 7TH ST MONTICELLO	Acreage	n/a		MONTICELLO IA 52310-0030
District	MONCO				
Brief Tax Description	WELCHS ADD LOTS 1 THRU 11 & PARCEL 94-18 IN ABAN RR ROW (Note: Not to be used on legal documents)				

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

Date created: 6/12/2019
 Last Data Uploaded: 6/11/2019 5:29:05 PM

Developed by  **Schneider**
 GEOSPATIAL

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item: # 4
Agenda Date: 06/17/2019

Communication Page

Agenda Items Description: Resolution scheduling a Public Hearing on proposed Re-Zoning of lot located at 853 S. Main Street from R-1 Single Family Residential to R-3 Condominium Development for purposes of one two unit condominium unit.

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

Attachments & Enclosures:

Resolution
Aerial

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Dean Stevens proposes to re-zone lot on S. Main from R-1 Single Family Residential to R-3 Condominium Development.

Background Information: P & Z has reviewed the proposed Re-Zoning and finds it to be an appropriate use of the land, consistent with the Comprehensive Plan, and generally beneficial to the community. Based thereon they have recommended that the property be so re-zoned. (This lot was previously home to a single family residence on a slab that burned down within the last year.) A three unit Condo could be made to fit but Dean has proposed a two unit Condo to provide greater yard space.

Recommendation: I recommend that the Council schedule a Public Hearing on the proposed re-zoning for July 1, 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 the proposed Re-Zoning of property located at 853 S. Main Street from R-1 Single Family Residential to R-3 Condominium Development for July 1, 2019 at 6:00 p.m.

WHEREAS, A request to re-zone a parcel of ground from R-1 to R-3 Condo Development has been received by the City, and

WHEREAS, The Planning and Zoning Board has recommended that the City Council agree to the proposed change, and

WHEREAS, Before the Council can agree to the proposed change a Public Hearing must be scheduled and held, and

WHEREAS, The Council finds that a public hearing on the requested re-zoning shall be scheduled for the 1st day of July, 2019 at 6:00 p.m. with appropriate publication and mailing of notice.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby schedule a Public Hearing on the proposed Re-Zoning of property located at 853 S. Main Street from R-1 Single Family Residential to R-3 Condominium Development for July 1, 2019 at 6:00 p.m., same to be held in the City Council Chambers at the Mary Lovell LeVan Renaissance Center in Monticello, Iowa.

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 17th day of June, 2019.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk



- Legend**
- Parcels
 - Cartography
 - Major Roads

Parcel ID	0227303008	Alternate ID	142400	Owner Address	DEAN STEVENS CONSTRUCTION LTD
Sec/Twp/Rng	27-86-03	Class	R		22577 CAMPFIRE RD
Property Address	853 S MAIN ST	Acreage	0.449		MONTICELLO IA 52310
	MONTICELLO				
District	MONCO				
Brief Tax Description	27 86 03 PT NW SW BEG 502' S OF LOT 131 ELY 120' SELY 148' SWLY TO HWY #151 NELY TO BEG.				
	(Note: Not to be used on legal documents)				

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

Date created: 6/14/2019
 Last Data Uploaded: 6/14/2019 5:30:28 PM

Developed by **Schneider**
 GEOSPATIAL

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item: # 5
Agenda Date: 06/17/2019

Communication Page

Agenda Items Description: Resolution to approve the preparation of bid specifications and seeking bids related to mowing at Baty Disc Golf Course and Northridge Retention Area

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

Attachments & Enclosures:

Resolution

Fiscal Impact:

Budget Line Item:

Budget Summary:

Expenditure:

Revenue:

Synopsis: Park and Rec. mowing discussion has led to suggestion to seek bids related to mowing of disc golf course and Northridge Retention area prior to making a decision on purchasing a replacement lawn mower or additional lawn mower.

Background Information: Park and Rec. Dpt. has been investigating and considering taking on additional mowing responsibilities. During these discussions concerns have been raised with regard to the "cost" of our staff (Whether the Director, Superintendent, or part-time employees) along with costs of equipment purchase, maintenance, etc. would make this a wise decision. Other factors include available time of staff that are already being paid (Director and Superintendent), meaning do they have hours here and there between things that could be utilized mowing and maintaining parks or not? At this week's Park Board meeting Jacob suggested that we could utilize part time help to mow during summer months that he felt would definitely reduce costs.

In conversation with the Mayor, and some Council, it seems that there is a desire to seek bids on areas currently being mowed by Park and Rec. including the Disc Golf Course and Northridge Retention to get a feel for where the market is before choosing to keep mowing those areas or to add other areas. Those factors also weigh into any decision to purchase a new or used mower.

If the Council wishes to go this direction I will work on drafting specifications with the assistance of the Mayor and any others with good ideas on what we should request from bidders. (Regularity of mowing and determining when to mow, allowable length of grass, weed whipping?, bagging, etc.)

Recommendation: I recommend that the Council consider whether or not to move forward with seeking bids on the mowing of the Disc Golf Course and Northridge Retention.

The City of Monticello, Iowa

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

RESOLUTION #19-___

Resolution to approve the preparation of bid specifications and seeking bids related to mowing at Baty Disc Golf Course and Northridge Retention Area.

Whereas, The Monticello City Council has determined it appropriate to see to the preparation of bid specifications and to seek bids to hire out the mowing, weed whipping, and potential other related maintenance of the Baty Disc Golf Course and Northridge Retention Basin, and

Whereas, The Monticello Parks and Recreation Dpt. is currently caring for said areas, with most other City mowing being handled by an outside contractor, and

Whereas, The Council has discussed with the Park and Recreation Director whether or not it makes sense for that Department to continue to mow and care for those areas or to hire a contractor to perform that service with differing opinions amongst City Council, Park Board Members, and Park and Recreation Director and Superintendent, and

Whereas, In analyzing the benefits and negatives of having Park and Recreation employees mow or otherwise maintain parks the Council finds that it would be beneficial to review bids related to the Baty Disc Golf Course and Northridge Retention Basin, and finds that the City Administrator should work with staff and others to draft specifications and to publish and/or otherwise distribute those specifications so that bids may be considered.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Monticello does hereby direct the City Administrator, in concert with others, to prepare bid specs. to be published and distributed related to the mowing, weed whipping, and other related maintenance of the Baty Disc Golf Course and Northridge Retention Basin as noted previously herein, to be received by no later than the end of July for consideration at the 1st Council meeting in August.

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 17th Day of June, 2019.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, Monticello City Clerk

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item: 6
Agenda Date: 06/17/2019

Agenda Items Description: Resolution to approve to approve Petty Cash Limits for Aquatic Center, Library, Berndes Center, and City Hall

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

Attachments & Enclosures:

Proposed Resolution

Fiscal Impact:

Budget Line Item:

Budget Summary:

Expenditure:

Revenue:

Synopsis: The State Auditor in preparing our Annual Audit recommended that the Council pass a Resolution specifically approving the petty cash to be held by those departments holding petty cash.

Background Information: The Departments utilizing petty cash include the Aquatic Center, Library, Berndes Center, and City Hall. The Aquatic Center needs start up cash for pool, concessions, etc. and requests \$200.00 be approved. City Hall needs petty cash to make change and to cover bad checks. (basically, when we deposit a check we are given credit for it and when it bounces, instead of our account being debited we use petty cash to cover the bad check. When the check is made good our Petty Cash is reimbursed. (Sally can answer your questions as to why it is handled this way.) City Hall requests Petty Cash of \$750.00 (The bad checks can add up from time to time and occasionally they are not quickly paid.) The library receives cash for fines, photocopies, and other misc. items. I will know their requested amount by Monday. The Berndes Center also accepts cash from walk ins, registrants, and concessions/pop machine and needs cash on hand to make change. I will verify the amount requested by Parks and Rec. for the Berndes Center on Monday.

Staff Recommendation: I recommend that the Council approve the proposed Resolution setting Petty Cash limits.

The City of Monticello, Iowa

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

RESOLUTION #19-____

Resolution to approve Petty Cash Limits for Aquatic Center, Library, Berndes Center, and City Hall

Whereas, The Monticello City Council has determined it appropriate to set appropriate petty cash limits for those departments that need cash on a day-to-day basis, including the Aquatic Center, Library, Berndes Center, and City Hall, and

Whereas, The Council, with the input and advice of the departments, finds that the Petty Cash limits should be as follows:

Aquatic Center	\$200
Library	\$____
Berndes Center	\$____
City Hall	\$750

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Monticello does hereby set Petty Cash limits for the above departments as set forth within the body of this Resolution, the limits set forth herein to remain in effect until such time that the City Council changes said limits by subsequent Resolution.

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 17th Day of June, 2019.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, Monticello City Clerk

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item: 7
Agenda Date: 06/17/2019

Agenda Items Description: Resolution scheduling Public Hearing on Proposed Development Agreement and Amendment to Monticello Urban Renewal Plan related to Mercy Care Monticello project.

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

Attachments & Enclosures:

Proposed Resolution
Proposed Agreement
Mercy Care e-mail attached

Aerial

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

Synopsis: The Proposed Agreement provides for the payment of two TIF grant payments of \$20,000 each, to Mercy Care over two years to reimburse them, if you will, for a portion of the land acquisition (two acres) costs and tax rebates consistent with other agreements.

Background Information: Mercy Care, after taking over Dr. First's practice has decided to build a new facility near Kirkwood if the City agreed to incentives similar to incentives offered other developers in the area. Based thereon I have put together a draft Developer Agreement for your review and request that you schedule the consideration of the Development Agreement for consideration after a public hearing on July 15th. Also set for that day would be a Public Hearing on the amendment of the Monticello Urban Renewal Area to provide for incentives related to this project.

Incentives include \$20,000 per acre times two acres totaling \$40,000, with \$20,000 paid upon completion and issuance of an occupancy permit and \$20,000 payable on the one year anniversary of that payment.

Tax rebates would be consistent with rebates offered other developers at the following percentages over a ten (10) year period. (Year 1, 100% moving to the following percentages over the next nine years: 85%, 80%, 75%, 70%, 65%, 60%, 60%, 60%)

Staff Recommendation: I recommend that the Council preliminarily approve the proposed development agreement and set the final approval for consideration after a Public Hearing scheduled for July 15, 2019 at 6:00 p.m. and that the amendment of the City Urban Renewal Plan be set for public hearing on that same date and time.

The City of Monticello, Iowa

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

RESOLUTION #19-

Scheduling Public Hearing and preliminarily approving Proposed Development Agreement and Amendment to Monticello Urban Renewal Plan related to Mercy Care Monticello Project

WHEREAS, The City of Monticello is contemplating the entry into a development agreement with Mercy Care Monticello in relation to the proposed construction of a new Medical Clinic on Lot 10, Welter Commercial Park, and

WHEREAS, The Council is concurrently considering amendments to the Urban Renewal Plan to provide for the granting of incentives to said Mercy Care project, and

WHEREAS, A public hearing must be scheduled prior to the final approval of a Development Agreement for the public to offer input on said Development Agreement and a Public Hearing must also be scheduled to add the proposed project to the Urban Renewal Plan before the City may utilize TIF to pay for said obligations under the Development Agreement, and

WHEREAS, The Council finds that the Development Agreement as drafted should be preliminarily approved and scheduled for Public Hearing after which it may be amended, approved as drafted, or denied, and that a Public Hearing should also be set for the same date and time to amend the Monticello Urban Renewal Plan should the Development Agreement be approved.

NOW, THEREFORE, BE IT RESOLVED by the City Council does hereby schedule a Public Hearing for the 15th day of July, 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, at which time the Council will consider the approval of the proposed Development Agreement and the amendment of the Monticello Urban Renewal Plan to allow for the use of tax increment to satisfy and/or pay the incentives as set forth within the Development Agreement.

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 17th day of June, 2019.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk

DRAFT

DEVELOPMENT AGREEMENT

This Agreement is entered into between the City of Monticello, Iowa (the “City”) and Mercy Care Monticello (“Developer”) as of the _____ day of _____, 2019.

WHEREAS, the City has 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 intends to acquire certain real property which is situated within the Urban Renewal Area and more specifically described on Exhibit A hereto (the “Property”), and the Developer will undertake the construction of a 3,500 square foot medical center at an approximate cost of \$1,000,000 including land, site improvements, furnishings, and equipment on the property (the “Project”); and

WHEREAS, the 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 substantial and that the use of incentives, including TIF, to entice the construction of the project, 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 public purpose will reasonably be accomplished by the dispensing or use of proposed grant funds. That the Community of Monticello requires medical services for its current and future population, and a newly constructed modern facility will continue to meet the communities needs for many years to come and is important to the future success of the City of Monticello.
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 taxes, and finds that the benefits to the Citizens, Local Businesses, and tax base of the City warrant the incentives, including grants, and easily outweigh the amount of funds dispensed by way of and consistent with the terms of this Development Agreement.

NOW THEREFORE, the parties hereto agree as follows:

A. Developer’s Covenants

1. The Developer agrees to acquire the Property and to construct the project on the property.

2. The Developer agrees to make timely payment of all property taxes as they come due throughout the term of this Agreement with respect to the Property and to submit proof of payment to the City Clerk when requested.
3. The Developer agrees to continue to operate the project as a medical clinic.

B. City's Covenants

1. **Rebate Payments.** In recognition of the Developer's obligations set out above, the City agrees to make 20 semi-annual economic development tax increment payments (the "Rebate Payments") to the Developer, pursuant to Chapters 15A and 403 of the Code of Iowa and as described below.

This Agreement assumes that the taxable valuation of the completed Project will go on the property tax rolls as of January 1, 2020. Based thereon, the first tax payment based upon 100% valuation would be made in September, 2021. Accordingly, the Rebate Payments will be made on or about the 1st of December and the 1st of June each fiscal year, beginning on December 1, 2021 and continuing to and including June 1, 2031 or until such earlier time as the aggregate amount of Total Payments (as hereinafter defined) made under this Agreement equals \$_____.

Each Rebate Payment shall be in an amount which represents a percentage (the "Annual Percentage") of the Incremental Property Tax Revenues available to the City with respect to the Property during the 6 months immediately preceding each Payment date reduced by the Repayment Deduction (as hereinafter set forth). Incremental Property Tax Revenues are produced by multiplying the consolidated property tax levy (city, county, school, etc.) times the incremental valuation of the Property, then subtracting debt service levies of all taxing jurisdictions, subtracting the school district physical plant and equipment levy and subtracting any other levies which may be exempted from such calculation by action of the Iowa General Assembly. The Annual Percentages shall be as follows:

- FY 21-22: 100%
- FY 22-23: 90%
- FY 23-24: 85%
- FY 24-25: 80%
- FY 25-26: 75%
- FY 26-27: 70%
- FY 27-28: 65%
- FY 28-29: 60%
- FY 29-30: 60%
- FY 30-31: 60%

2. **Grant Payments.** The City further agrees to make a series of economic development grants. (The "Grant Payments") The Grant Payments and the Rebate Payments are collectively referred to as the Total Payments. The Grant Payments shall be made to the Developer as follows:

a. **Grant Payments related to Land Purchase:** The City will provide a grant, payable in two equal installments, equal to \$20,000 per acre of property used for purposes of the project. This project will involve the use of 2.0 acres, therefore, the “Land Purchase” grant will total \$40,000, and will be paid as follows:

1). Upon completion of construction and the issuance of an occupancy permit from the City with respect to the completed Project a Grant Payment in the amount of \$20,000.

2). At the one year anniversary of the issuance of the occupancy permit, so long as the Project is still in service as a Medical Center a Grant Payment in the amount of \$20,000.

3. **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, and the Monticello Urban Renewal Area with respect to the Grant 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 Payments 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 of severe hardship to the City.

C. **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

Mercy Care Monticello, ____

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Certain real property in the City of Monticello, County of Jones, State of Iowa more particularly described as follows:

LOT 10 of WELTER'S FIRST ADDITION to the City of Monticello, Iowa.

(Description above requires verification before finalization)



- Legend**
-  Parcels
 -  Cartography
 -  Major Roads

Parcel ID	0234376002	Alternate ID	n/a	Owner Address	WELTER ENTERPRISES LLC
Sec/Twp/Rng	n/a	Class	A		16561 COUNTY RD E16
Property Address	225 WELTER DR	Acreeage	2		MONTICELLO IA 52310
	MONTICELLO				
District	MONAG				
Brief Tax Description	34-86-03 WELTERS 1ST ADD LOT 10				
	(Note: Not to be used on legal documents)				

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

Date created: 6/14/2019
 Last Data Uploaded: 6/14/2019 5:30:28 PM

Developed by  **Schneider**
 GEOSPATIAL

Doug Herman

From: DeWolf, Gregory B. <gdewolf@mercyare.org>
Sent: Wednesday, June 12, 2019 4:34 PM
To: Doug Herman
Cc: Schlarmann, Sue
Subject: MercyCare Monticello Clinic

Doug –

Sue Schlarmann reached out to me regarding information need for the upcoming Monticello city council meeting and indicated you needed some information from Mercy. Based on what she sent me, I believe this is what you require:

 Mercy Care Management, Inc. has approved the purchase of a 2-acre lot located at Lot 10, Welters First Addition, Monticello, IA to build a new medical office building for MercyCare Monticello, pending approval of an incentive agreement with the City of Monticello consistent with other new building agreements approved by the City of Monticello. It is anticipated that the building will be approximately 3,500 square feet and the estimated building cost is \$1,000,000. This estimate includes the construction costs, architecture and engineering fees, FF&E, IT requirements, new radiology equipment and contingency funds.

Let me know if you need additional information or have any questions. Thanks.

Gregory B. DeWolf
Vice President of Clinic Operations | Mercy Medical Center
701 10th Street SE | Cedar Rapids, IA 52403
Office: (319) 369-4507 | Cell: (319) 533-0767
E-Mail: gdewolf@mercyare.org | www.mercyare.org

Confidentiality Notice: This message and any attachments may contain confidential and privileged information that is protected by law. The information contained herein is transmitted for the sole use of the intended recipient(s). If you are not the intended recipient or designated agent of the recipient of such information, you are hereby notified that any use, dissemination, copying or retention of this email or the information contained herein is strictly prohibited and may subject you to penalties under federal and/or state law. If you received this email in error, please notify the sender immediately and permanently delete this email.

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item: 8
Agenda Date: 06/17/2019

Agenda Items Description: Resolution scheduling Public Hearing and preliminarily approving Proposed Development Agreement and Amendment to Monticello Urban Renewal Plan related to Theisens Garden Center improvements.

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

Attachments & Enclosures:

Proposed Resolution
Proposed Agreement
Theisen's Project Cost Breakdown / E-mail

Arenal

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

Synopsis: The Proposed Agreement is unique as compared to other agreements the City has approved in the past based upon the fact that the improvements are proposed to be made to an existing building that sat empty for a number of years.

Background Information: Theisens has already spent a good sum and made a great commitment to the City of Monticello and this long vacant facility. Their use of the facility has expanded and they are hoping to continue that expansion moving forward. I have attached an e-mail from Chris Theisen and a spreadsheet breaking down the improvements proposed by Theisens. As you can see, Theisens spent approximately \$71,800 on the building in 2018 and proposes, with City involvement, to spend an additional \$58,500 in 2019. (Note, we are half way into 2019 and it took me a while to get this proposed agreement together for your review. Improvements may have changed in time or scope since I last communicated with Chris Theisen, however, we can clear any of those issues up before the Public Hearing I propose to be set for July 15th.)

There are a number of ways to get where Theisens would like to see us go, and I have tried to keep the proposed agreement relatively simple. In essence, recognizing their commitment to Monticello, their purchase and re-use of a long vacant building and already significant investment, the agreement proposes to rebate 50% of all property tax payments paid by Theisens starting with the first tax installment paid by Theisens after the completion of approved and agreed upon improvements by Theisens, until such time that the tax rebates equal the expenses incurred by Theisens in making the agreed upon improvements. For example, looking at the proposed 2019 list, if Theisens moves forward with Furnace Upgrades \$6,400, Building Exterior Painting \$13,000, Downspout improvements \$1,000, Interior Finishes \$6,800, etc., the City would reimburse 50% of all taxes paid until such time as those rebates equaled the cost of those agreed upon improvements. I have also proposed that Theisens be given a TIF Grant equal to the amount of the N. Sycamore Street assessment. The assessment would be paid by Theisens and thereafter a grant equal to the payment would be made to Theisens. The reason

for the grant payment to offset that cost is to recognize that Theisens has already spent a significant sum on the building and generated a notable increase in sales taxes and increased employment at their locations. (This grant payment in a way replaces land acquisition grant payments made to developers that start from scratch on developable ground. Infill and renovation of a large facility like this is equally important if not more important than new development.)

Staff Recommendation: I recommend that the Council preliminarily approve the proposed development agreement and set the final approval for consideration after a Public Hearing scheduled for July 15, 2019 at 6:00 p.m. and that the amendment of the City Urban Renewal Plan be set for public hearing on that same date and time.

DRAFT

DEVELOPMENT AGREEMENT

This Agreement is entered into between the City of Monticello, Iowa (the “City”) and Theisens (“Developer”) as of the _____ day of _____, 2019.

WHEREAS, the City has 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 owns certain real property which is situated within the Urban Renewal Area and more specifically described on Exhibit A hereto (the “Property”), and the Developer has undertaken and plans to undertake additional investment in the property moving forward to utilize the space as a retail space to supplement the primary business location of the Developer, and

WHEREAS, the property when acquired by the Developer had been vacant for a number of years, been unsuccessfully marketed, and was fast becoming an eyesore, and

WHEREAS, the developer's purchase of the property and investment to date has been of significant benefit to the Community from many standpoints including but not limited to aesthetics, property tax valuation, sales tax, and jobs, and

WHEREAS, the 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 substantial and that the use of incentives, including TIF, to entice the continued renovation of the project, 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 public purpose will reasonably be accomplished by the dispensing or use of proposed grant funds. That the Community of Monticello benefits from the renovation of vacant and dilapidated structures in the downtown area and the improvements to the structure and lot will fit both urban renewal and economic development goals and purposes.
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 taxes, jobs, improved aesthetics, and overall benefit to the downtown traffic flow and

finds that the benefits to the Citizens, Local Businesses, and tax base of the City warrant the incentives, including grants, and easily outweigh the amount of funds dispensed by way of and consistent with the terms of this Development Agreement.

NOW THEREFORE, the parties hereto agree as follows:

A. Developer's Covenants

1. The Developer agrees to make the following renovations to the Property:
 - a. Continued HVAC Improvements
 - b. Exterior Building Painting and improvements
 - c. Interior Renovations
2. The Developer agrees to make timely payment of all property taxes as they come due throughout the term of this Agreement with respect to the Property and to submit proof of payment to the City Clerk when requested.
3. The Developer agrees to continue to operate the project as part of their day to day business operations being open for public retail shopping at least 8 months out of every twelve months. (8 months between January 1 and December 31)

B. City's Covenants

1. **Rebate Payments.** In recognition of the Developer's obligations set out above, the City agrees to Rebate a portion of the taxes paid by the Developer (the "Rebate Payments") pursuant to Chapters 15A and 403 of the Code of Iowa, to the Developer, over a period of years in an amount to be determined based upon the actual cost of the agreed upon improvements set forth herein, as more fully explained below.

Improvements. The City agrees to rebate up to 75% of each tax installment made by the Developer, semi-annually, on or about the 1st of December and 1st of June of each Fiscal Year, until the amount rebated equals the cost of the following improvements with not to exceed values as shown below:

- a. Continued HVAC Improvements at a cost not to exceed \$10,000
- b. Exterior Building Painting and improvements at a cost not to exceed \$15,000
- c. Interior Renovations at a cost not to exceed \$10,000

Pursuant to the above terms, the maximum rebate to the Developer, if improvements noted above are completed to the City's satisfaction, will be \$35,000.

The first Rebate Payment will be made on or about December 1, 2021 based upon the September, 2021 tax payments and payments consistent herewith will continue until the

maximum agreed upon amount has been paid or through December 2030, whichever occurs first.

All improvements, to qualify for the tax rebate, must be pre-approved by the Monticello City Council. (A description of the proposed improvements and cost must be approved by the Council in advance of the work and expenditure by the Developer.)

2. **Grant Payments.** The City further agrees to make one grant payment to the Developer, in recognition of prior and planned improvements in the amount of \$10,000, that will offset sidewalk, driveway, and parking lot improvement expenses. This payment shall be made on or about December 1, 2020, and will only be made if the Developer continues to operate a satellite retail location out of this location.
3. **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, and the Monticello Urban Renewal Area with respect to the Grant 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. (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 Payments 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 of severe hardship to the City.

C. 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

Theisens

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Certain real property in the City of Monticello, County of Jones, State of Iowa more particularly described as follows:

LOT 10 of WELTER'S FIRST ADDITION to the City of Monticello, Iowa.

(Description above requires verification before finalization)

Doug Herman

From: Chris Theisen <chris@theisens.com>
Sent: Monday, January 28, 2019 3:56 PM
To: Doug Herman
Cc: 05-Mgr; Brannon Dixon; Scott Buse
Subject: Monticello Pop Up Store
Attachments: City of Mont-Building Improvement 2018-19.xls

Douglas Herman,
In regards to the continued use of our property at 120 N. Sycamore here are our thoughts for you to consider with a development agreement with the city.

In 2018 we already invested @ \$71,800 per the attached excel document.

For 2019 we are looking at projects that could add up to > \$58,000 if we do them all. The number of projects would depend on the cities participation in an agreement. I don't know how long it will take the City to consider this agreement but want you to be aware of the following. We need to get the floor tile & asbestos mastic removal done before we open up for the spring season. This means it should be done by early March. Today we notified EMSI they had this work so a their notice requires 2 weeks. The earliest they could start is Feb 12. Likely a final development agreement will not be approved by then, but we would want you to consider it as part of the overall spend for 2019.

April- July 2019 compared to same time frame 2017- For the 16 weeks we expect an additional \$225K in sales and hire an additional 4-5 people during this time frame to staff the additional building and the outside greenhouse. This will be through Lawn and Garden Plants, Soils, Patio Furniture, Grills, Power Equipment and Mowers, etc. We are expanding the selling space inside the building over what it was in 2018.

Oct-Dec 2019 compared to previous year. Expect to do an additional \$125K in sales during the holiday season in toys, holiday lighting, gifts, cold weather apparel and snow movement. We will hire 3-4 additional associates to staff the building during this time frame.

Total Incremental Sales \$350K expected for 2019.
Additional 1,440 associate hours utilized at \$10 per hour. \$14,440 additional payroll

Is there anything else I can provide you to before you begin to formulate your thoughts on an agreement?

Thank You,
Chris Theisen
Chief Facility Officer
Co-Chair Board of Dir
Theisen Supply Inc.
6201 Chavenelle Road
Dubuque, Iowa 52002
Phone: (563) 556-4738 ext 212
visit us at www.theisens.com



Monticello Building Improvements

2018	Theisen Improvements
\$19,000	Parking lot resurfacing
\$7,100	Automatic doors at entrance
\$2,500	OH door install
\$12,500	LED lighting upgrade inside & out-Total & J&B Electrical
\$2,500	Demo of wall & ceiling
\$1,500	Floor tile replacement
\$13,000	Sprinkler system upgrade
\$2,300	Internal plumbing upgrades
\$6,600	White Hawk heating system upgrade
\$1,000	Landfill dumping fees
\$1,500	Camera & Security System
\$2,300	Exterior Concrete
<u>\$71,800</u>	Total Investment without city

2019	Theisen Proposed Improvements
\$10,000	*Sycamore sidewalk reconstruction estimate < \$10,000
\$6,400	*White Hawk HVAC upgrade for 2 additional furnaces
\$13,000	*Painting 3 sides of building exterior
\$19,000	*EMSI-Floor tile & asbestos mastic removal
\$1,000	*Downspouts reworked on Sycamore req'd by city
\$1,000	Pref Glass-Replace 4 windows on the front of the store
\$1,300	Additional Theisen signage on Sycamore
\$4,300	Interior drywall fix & painting of the perimeter
\$1,000	Break room & bathroom cleanup
\$1,500	Interior floor concrete patching
<u>\$58,500</u>	Total Investment for 2019 with City Cooperation

The City of Monticello, Iowa

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

RESOLUTION #19-_____

Scheduling Public Hearing and preliminarily approving Proposed Development Agreement and Amendment to Monticello Urban Renewal Plan related to Theisens Garden Center Improvements

WHEREAS, The City of Monticello is contemplating the entry into a development agreement with Theisen's in relation to proposed improvements to the Theisens Garden Center building located at 120 N. Sycamore Street, and

WHEREAS, The Council is concurrently considering amendments to the Urban Renewal Plan to provide for the granting of incentives to Theisens, and

WHEREAS, A public hearing must be scheduled prior to the final approval of a Development Agreement for the public to offer input on said Development Agreement and a Public Hearing must also be scheduled to add the proposed project to the Urban Renewal Plan before the City may utilize TIF to pay for said obligations under the Development Agreement, and

WHEREAS, The Council finds that the Development Agreement as drafted should be preliminarily approved and scheduled for Public Hearing after which it may be amended, approved as drafted, or denied, and that a Public Hearing should also be set for the same date and time to amend the Monticello Urban Renewal Plan should the Development Agreement be approved.

NOW, THEREFORE, BE IT RESOLVED by the City Council does hereby schedule a Public Hearing for the 15th day of July, 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, at which time the Council will consider the approval of the proposed Development Agreement and the amendment of the Monticello Urban Renewal Plan to allow for the use of tax increment to satisfy and/or pay the incentives as set forth within the Development Agreement.

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 17th day of June, 2019.

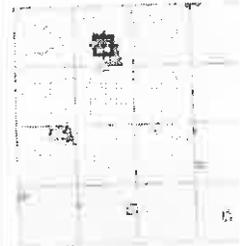
Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk



Overview



Legend

-  Parcels
-  Cartography
-  Major Roads

Parcel ID	0222358003	Alternate ID	099400	Owner Address	STP HOLDINGS LLC
Sec/Twp/Rng	n/a	Class	C		6201 CHAVENELLE RD
Property Address	120 N SYCAMORE ST	Acreege	n/a		DUBUQUE IA 52002
	MONTICELLO				
District	MONCO				
Brief Tax Description	R.R. ADD LOTS 463 & 464,465,466				
	(Note: Not to be used on legal documents)				

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

Date created: 6/14/2019
 Last Data Uploaded: 6/14/2019 5:30:28 PM

Developed by  **Schneider**
 GEOSPATIAL

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item: 9
Agenda Date: 06/17/2019

Agenda Items Description: Resolution to approve payment to Boomerang in relation to installation of Water Main as part of Orbis Mfg. building addition project. (Previously approved for payment and added to the Urban Renewal Plan to be paid from TIF)

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

Attachments & Enclosures:

Proposed Resolution

Invoice (Coming Monday)

Prior Resolution 19-53

Fiscal Impact:

Budget Line Item:

Budget Summary:

Expenditure:

Revenue:

Synopsis: The Council previously approved payment of Orbis Water Main installation costs. That payment amount started around \$70,000 payable over four years but was later proposed to be closer to \$60,000 if paid all at once early in FY '20. Pay request is now nearer \$50,000 so long as paid and received by July 5th.

Background Information: The City agreed to pay Orbis the total sum of \$79,342 over four years in reimbursement of expenses incurred by Orbis to install a new water main between 11th Street and their facility. That amount was reduced to approximately \$53,000 if paid in early FY '20. That number is now closer to \$50,000 if paid by July 5th. (I will have invoice by meeting time.)

The Council agreed to move forward with the single payment at a prior Council meeting. The attached Resolution would authorize the City to make that payment to Boomerang (Orbis contractor) at Orbis' request. I met with Doug Wortman, Orbis, today and he advised that the invoice would be coming my direction by Monday and requested that the payment be made directly to their contractor. He will sign off on that payment having been made consistent with the Development Agreement.

Staff Recommendation: I recommend that the Council approve payment of the sum shown on the invoice to be received on Monday to Boomerang (Approximate amount of \$50,000) as previously agreed to by the City Council.

The City of Monticello, Iowa

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

Approving Payment to Boomerang in relation to installation of Water Main as part of Orbis Mfg. building addition project

WHEREAS, The City of Monticello previously agreed to grant incentives to Orbis Mfg. related to the construction of a significant addition to their manufacturing facility, and

WHEREAS, One of the incentives provided that the City would pay a portion of the costs related to the installation of a water main to serve Orbis and nearby properties, said payment to be made over four years in the total amount of \$79,342 or by way of one payment, if FY '20 in the amount of \$53,000, and

WHEREAS, Orbis has submitted an invoice to the City in the amount of \$_____ (Approx. \$50,000, invoice coming Monday) and requests that the City pay said sum in full by no later than July 5, 2019 in full satisfaction of the City's agreed upon obligations, and

WHEREAS, The Council finds that said payment is less than the sum previously approved and that said payment should therefore be approved.

NOW, THEREFORE, BE IT RESOLVED by the City Council does hereby approve payment of the invoice submitted by Orbis Mfg. in the amount of \$_____ in full satisfaction of the City's obligations under a previously approved amendment to an earlier approved Development Agreement between the City of Monticello and Orbis Mfg., the City Administrator being directed to receive a receipt and acknowledgement from Orbis that said payment fully satisfies the obligation of the City as approved by prior Resolution No. 19-53

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 17th day of June, 2019.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk

The City of Monticello, Iowa

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO, IOWA
RESOLUTION #19-53

Approving 2019 Amendment Number 2 to the City of Monticello Urban Renewal Area and 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 and desirable to amend the Urban Renewal Area to include all Orbis property, including additional parcels purchased by Orbis during the course of their project, and

WHEREAS, The Council also finds it appropriate to amend the Urban Renewal Plan to provide additional incentives to Orbis to reimburse them a portion of the overall costs associated with the installation of a new water main on recently acquired property, the water main to serve both Orbis and the Industrial Park in general, 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 amendments, and the public hearing was previously scheduled with appropriate notice published in the Monticello Express for tonight, and

WHEREAS, The City of Monticello Planning & Zoning Board previously reviewed the proposed amendments and voiced no objections, and

WHEREAS, The City Administrator invited the School Superintendent and the County Auditor to a meeting to discuss the proposed amendments as required by the Code, and

WHEREAS, No objections have been received by the County, the School, or anyone else to the proposed amendments.

NOW, THEREFORE, BE IT RESOLVED by the City Council in session this 15th day of April, 2019, that the proposed amendment to the Monticello Urban Renewal Area and Plan, 2019 Plan Amendment #2, adding parcels of property owned by Orbis not previously included in the Urban Renewal Area and approving an amendment to the plan to provide additional incentives to Orbis to cover a portion of the costs associated with the installation of a Water Main on Orbis property, in the amount of \$53,000 if a one-time payment is accepted in calendar year 2019 or in the total amount of \$79,342 if paid in four annual installments commencing July, 2020, is hereby approved.

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 15th day of April, 2019.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item: 10
Agenda Date: 06/17/2019

Agenda Items Description: Resolution to approve pay increase for Nick Kahler.

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

Attachments & Enclosures:

Proposed Resolution

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Nick Kahler was put into the interim P.W. Director position while the Mayor, Council and City Admin. considered the best approach to future staffing. Nick has been in the position for over 90 days, a probationary period of sorts, and at this time a raise in pay to appropriately recognize the additional obligations he has taken on is appropriate.

Background Information: Nick has been carrying the title "Interim PW Director" for approximately ninety (90) days. When put into that position Nick was given a raise of \$1.00 per hour, from \$20.10 to \$21.10 per hour. Calculated on an hourly basis Nick's "salary" totals \$43,880. When Diz ended his time with the City he was being paid \$58,465.51. Brant was hired at \$50,000 and was earning \$53,843.25 when he left. One change that has occurred since Brant's departure was the appointment of Jim as Superintendent of Water and Wastewater along with a relatively significant increase in pay and a movement into a salaried position as opposed to an hourly position.

I have spoken with Nick in regard to potential increases moving forward that would put him into a supervisory salaried position. We discussed a July 1 pay period increase to \$47,500, July 1, 2020 increase to \$50,000, and July 1, 2021 increase to ~~\$52,500~~ assuming performance evaluations justify increases. There continues to be a need to work through job descriptions and responsibilities, however, with Jim's appointment it would seem to make sense for Nick to be the Streets or Public Works Superintendent as opposed to Director, unless the Council wishes to separate Water / Wastewater from Public Works. I do not get too hung up on titles, just want the title to accurately reflect the position and duties. We will clearly have two salaried public works employees, Jim and Nick, each independently reporting to me, not each other. I also think that moving Nick into the Superintendent type position puts him with the workers on a more regular basis, supervising, directing, and overseeing, being very hands on. Moving forward in that manner, with the changes we have made to garbage and potential changes to yard waste, will allow us to move forward in my opinion without adding another body to that department. Nick has been working with me on building permits and issues related thereto and

will continue to have some level of involvement in those activities. I believe, after looking hard at my day to day duties and speaking with Chief Smith, that what we really need is a Code Enforcement / Zoning Official. Most day-to-day issues that come up unexpectedly have to deal with nuisance issues, set back issues, building permit issues, and miscellaneous complaints. (You would be surprised by the regularity of complaints and time eating issues that come up every day unexpectedly.) With this position we could consider moving towards a building code of sorts, rental property codes should you desire to do so, while recognizing that we may still need to contract with a building inspector as needed to enforce the regulations. This position may put someone in place to step into my position when it becomes vacant down the road, or at least create some continuity at that time. Being freed of some of the day to day items mentioned above would free me up to stay on top of Development Agreements, City Econ. Development, Grant Writing, Human Relations Dpt. items such as job description development, policy handbook upgrades, insurance review and potential bidding, etc. There are so many grants and programs available that we are missing out on due to a lack of time on my part to pursue them. I really believe that I could bring in grant proceeds that may nearly if not totally offset the wage paid to the Code Enforcement / Zoning Official once that person was on a solid footing.

Nick has also requested that the Council consider granting him additional health insurance benefits. I am going to suggest that his benefit request be considered by a committee of three Council members and the Mayor to put together a recommendation to the Council.

Staff Recommendation: I recommend that the Council approve a wage increase for Nick Kahler in an amount deemed appropriate by the Council.

The City of Monticello, Iowa

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

RESOLUTION #19 - ____

Approving wage increase for Nick Kahler

WHEREAS, Approximately ninety (90) days ago Nick Kahler was put into an interim Public Works Director position and given a raise of \$1.00 per hour, and

WHEREAS, On the advice of the City Administrator the Council finds that the interim tag should be removed from Nick Kahler's position and that he should be considered the Monticello Superintendent of Streets (Public Works?) and receive a pay increase in accordance with the additional obligations he has taken on in this new role, and

WHEREAS, The recommendation of the City Administrator is that Nick Kahler's wage be increased in steps, with the first increase to take effect with the first payroll including July 1, 2019 based upon the annual salary of \$47,500, increased with the first payroll including July 1, 2020 to \$50,000, and increased with the first payroll including July 1, 2021 to \$52,500, all increases being tied to acceptable performance evaluations, and

WHEREAS, The Position will be a salaried, supervisory level position, with a job description to be fully developed in the coming weeks, and

WHEREAS, The Council will give consideration to additional requests for benefits made by Nick Kahler and take action on those requests at a subsequent meeting.

NOW THEREFORE BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve of the proposed wage increase effective with the payroll including July 1, 2019 in the amount of \$47,500, and recognizes the agreement to provide future wage increases as set forth herein if performance evaluations support said increases.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal for the City of Monticello, Iowa to be affixed. Done this 17th ay of June, 2019.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item: # 11
Agenda Date: 06/17/19

Communication Page

Agenda Items Description: Resolution approving wages for non-bargaining staff for FY '20

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

Attachments & Enclosures:

Proposed Resolution

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Certain staff not covered by the Collective Bargaining Agreement have wages addressed by separate Resolution annually.

Background Information:

THIS PAGE TO BE SUPPLEMENTED BEFORE THE MEETING

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

The City of Monticello, Iowa

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

RESOLUTION #19 - ___

Approving wages for non-bargaining staff for FY '20

WHEREAS, Most City employees are covered by the negotiated Collective Bargaining Agreement with their wage, and annual increases, being set out therein, while other employees have negotiated their wages as part of an Employment Agreement (City Administrator, Police Chief and Police Department Officers), and

WHEREAS, Other City employees or positions are not covered by the collective bargaining agreement and do not have negotiated employment agreements (City Clerk, Park and Rec. Director, Park and Recreation Superintendent, Ambulance Volunteers, Police Secretary / Local Access Coordinator), and

WHEREAS, Those employees covered by the Collective Bargaining Agreement are scheduled to receive wage increases in the approximate amount of \$.60/hour increase, and

WHEREAS, The Police Department Officers are set to get raises in the coming year in the approximate amount of 2.5%, said increase being “approximate” because the wage increases are so much per hour, not a specific percentage, and depending upon the actual hourly wage of the employee the overall increase, from a percentage standpoint, will vary to some extent same having been previously negotiated, FY '18 being the third year of a four (4) year agreement, and

WHEREAS, The Airport Manager is a “contract” position with the manager being paid an annual stipend by the City with the annual increase normally being based upon the recommendation of the Airport Commission, and

WHEREAS, The City Council has historically approved wage increases in amounts that are substantially similar to those employees covered by the Collective Bargaining Agreement, and

WHEREAS, based upon the recommendation of our Ambulance Director the wages of Ambulance Volunteers, will remain unchanged in the following amounts:

Fee to be paid for 6-hour On-Call shift:	\$12.00 (unchanged)
Ambulance driver:	\$ 7.66 / Hour (unchanged)
EMT-B or EMT-I:	\$10.56 / Hour (unchanged)
Paramedic:	\$12.67 / Hour (unchanged)
Paramedic Specialist:	\$13.72 / Hour (unchanged),

-and-

WHEREAS, the Council finds that the following positions, City Clerk, Park and Rec. Director, Park and Recreation Superintendent, Police Chief, Police Secretary/Local Access Coordinator, and Ambulance Director should receive a salary increase of 2.5% to take effect with the 1st pay period including July 1, 2019, with the understanding that the Council may hereafter consider additional increases after the meeting of the Salary Committee, and

WHEREAS, all of the above wage increases have been accounted for within the proposed FY '19 Budget, and

NOW THEREFORE BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve of the wages and salary increases as set out above, all of said wages to take effect and be applicable to the first payroll issued during the month of July, 2019.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal for the City of Monticello, Iowa to be affixed. Done this 17th day of June, 2019.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item: 12
Agenda Date: 06/17/2019

Agenda Items Description: Resolution appointing Lynch Dallas, P.C. as Monticello City Attorney.

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

Attachments & Enclosures:

Proposed Resolution
Lynch Dallas Materials

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

Synopsis: The City Council was previously approached with a request to appoint Lynch Dallas as Monticello City Attorney. The proposed Resolution would do just that.

Background Information: The previously appointed Monticello City Attorney has not been utilized by the City for legal purposes with any regularity for a number of years. When the City appointed the current City Attorney she was part of a Marion firm that also included the Marion City Attorney. Since that time she has moved to NE Iowa, continuing to practice, and her prior partner has retired from his role as Marion City Attorney. In no way has the current City Attorney negatively impacted the City or the Administrator's opinion of her, she is a good person, a good attorney, and was always available when needed. The reason for the proposed change is that the City has utilized Lynch Dallas for a few matters over the last few years and has determined that having a firm, with a number of attorneys spending a lot of time on municipal law and issues, is a very good benefit. While Municipal Law is a specialty of sorts, there are arguably specialties within that specialty, and having a firm with a number of attorneys allows us to benefit from those specialties. The City has been well represented by Lynch Dallas Attorney Pat O'Connell on a few employment related matters and the undersigned has met and observed many of the other attorneys with the firm over the years at City conferences where Lynch Dallas regularly actively participates in giving presentations on important municipal issues.

Representatives of Lynch Dallas will be on hand to answer any questions. We will hold a short informal gathering / meet and greet in the Council Chambers after the meeting has been adjourned.

Staff Recommendation: I recommend that the Council approve the appointment of Lynch Dallas as Monticello City Attorney, effective upon approval of the Resolution.

The City of Monticello, Iowa

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

RESOLUTION #19 - ____

Appointing Lunch Dallas, P.C. as the Monticello City Attorney

WHEREAS, The City Council has been presented with the recommendation of the Monticello City Administrator to appoint Lynch Dallas P.C. as the Monticello City Attorney based upon the size of the firm and the diversity of specialty areas within the firm, and

WHEREAS, The City of Monticello does not utilize a City Attorney on a regular basis but has on a few occasions utilized the services of Lynch Dallas and has been very satisfied with their expertise and representation, and

WHEREAS, The City Attorney currently appointed by the City Council has been the City Attorney for a number of years and has been seldom used through no fault of her own and not based upon any issues with regard to representation she has provided the City, and

WHEREAS, The current City Attorney when appointed practiced out of the Marion area and now practices primarily out of McGregor, Iowa and her partner, prior Marion City Attorney, has retired from that position, and

WHEREAS, The firm of Lynch Dallas is very active in the area of Municipal law and regularly and actively participates in City conferences and provides quality presentations to City officials, displaying their commitment to municipal law and issues and strong handle on the same, and

WHEREAS, The City Council finds it appropriate and in the best interests of the City to appoint Lynch Dallas as the Monticello City Attorney from this date forward unless and until further action of the Council dictates otherwise.

NOW THEREFORE BE IT RESOLVED that the City Council of Monticello, Iowa does hereby appoint the law firm of Lynch Dallas to be the City Attorney for the City of Monticello from this date forward unless and until further action of the Council dictates otherwise.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal for the City of Monticello, Iowa to be affixed. Done this 17th day of June, 2019.

Attest:

Brian Wolken, Mayor

Sally Hinrichsen, City Clerk

**PROPOSAL FOR
CITY ATTORNEY LEGAL SERVICES
FOR THE CITY OF MONTICELLO, IOWA**

Submitted to:

Doug Herman, City Administrator
City of Monticello
200 East First Street
Monticello, IA 52310

Proposed By:



Patrick J. O'Connell
on behalf of
Lynch Dallas, P.C.
526 Second Avenue SE
Cedar Rapids, Iowa 52401
Telephone: 319.365.9101, Extension 131
Facsimile: 319.365.9512
Email: poconnell@lynchdallas.com
Website: www.lynchdallas.com

TABLE OF CONTENTS

Profile and Qualifications	1
References.....	2
Scope of Work	3
System of Proposed Compensation	5
Proposed Rates.....	5
Reimbursement of Expenses.....	5
About Lynch Dallas, P.C.	5
Our Commitment	6
Our Approach.....	6
Our Timeliness.....	7
Our People	7
Attorneys.....	7
Our Representative Public Sector Clients.....	8
Our Availability	8
Addenda	
Addendum A – Lynch Dallas P.C. Law Firm Brochure	
Addendum B – Public Sector Practice Chart	
Addendum C – Sample Weekly Report	

Profile and Qualifications

- a. **Lynch Dallas, P.C.:** Our firm is comprised of seventeen (17) attorneys, eleven (11)¹ of whom comprise the firm's Public Sector Group, which services cities. To ensure consistency, Patrick J. O'Connell will be the primary contact between the City and Lynch Dallas, but all twelve of our Public Sector attorneys will be available to work for the City of Monticello. For more details regarding our Public Sector Group, please see the below section titled "Our People;" the enclosed brochure (Addendum A); and our website www.lynchdallas.com. The firm also has a very seasoned group of seventeen (17) support staff. We are proud of the fact that seven (7) members of our staff have been with the firm at least fifteen (15) years.

- b. **Licensure:** All of our attorneys are licensed to practice law in the state of Iowa. All of our key professional staff members are supervised by licensed attorneys at all times when working on client matters.

- c. **Location of the Office/Travel Issues/Conflicts of Interest:** Our firm is located at 526 Second Avenue SE, Cedar Rapids, Iowa. It is approximately a 45-minute drive for our attorneys to reach City Hall in Monticello. We are frequently in Cascade, so the drive to Monticello is convenient for us. All of our attorneys are accustomed to driving to service clients and do so regularly. We charge half of our windshield time to and from the City. It is our practice to keep costs down by using teleconference, Skype, and email to avoid unnecessary driving time when appropriate. We do not anticipate many conflicts of interest; due to the fact we are not aware of any business relationships we have with businesses or individuals in Monticello.

¹ Our firm has recently added three additional attorneys who will be starting work in summer of 2019, all of whom will be available to work for Monticello.

- d. **References:** The following public officials know us well and have had recent experience with my work product and practices:

City of Clinton (City Attorneys)

Matt Brooke, City Administrator

Lisa Frederick, City Clerk

Anita Dalton, Finance Director

Jason Craft, City Engineer

City Hall

611 South 3rd Street

P.O. Box 2958

Clinton, Iowa 52733-2958

mattbrooke@cityofclintoniowa.us

(563) 242-2144

City of Maquoketa (City Attorneys)

Gerald Smith, City Administrator

Judy Carr, City Clerk

City Hall

201 East Pleasant Street

Maquoketa, IA 52060

563-652-2484

gsmith@maquoketaia.com

jcarr@maquoketaia.com

City of Burlington (City Attorneys)

Jim Ferneau, City Manager

Stephanie Stuecker, Director of Administrative Services

Eric Tysland, Parks and Development Director

City Hall

400 Washington Street

Burlington, Iowa 52601

ferneauj@burlingtoniowa.org

stueckers@burlingtoniowa.org

(319) 753-8120

City of Cedar Rapids (Outside Labor and Employment Counsel)

James Flitz, City Attorney; Elizabeth Jacobi, Assistant City Attorney

Jeff Pomeranz, City Manager

City Hall

101 First Street SE

Cedar Rapids, IA 52401

319-286-5080

citymanager@cedar-rapids.org

e.jacobi@cedar-rapids.org

j.flitz@cedar-rapids.org

City of Cascade (City Attorneys)
Deanna McCusker, City Administrator
City Hall
320 1st Avenue West
Cascade, Iowa 52033
563-852-3114
cascadecity@netins.net

City of Marshalltown (Outside Counsel)
Jessica Kinser, City Administrator
City Hall
24 North Center Street
Marshalltown, Iowa 50158
641-754-5799
jkinser@marshalltown-ia.gov

City of West Burlington (City Attorney)
Dan Gifford, City Administrator
City Hall
122 Broadway
West Burlington, Iowa 52655
(319) 752-5451
giffordd@westburlington.org

Scope of Work

Please see our Public Sector Practice Areas Chart (Addendum B) for practice areas for each of our Public Sector attorneys. We have experience with a wide array of municipal issues. We can provide at least the following assistance to the City of Monticello:

- Annexation and the related Procedural Requirements
- ADA Advice, Interactive Process
- 28E and Other Sharing Agreements
- Parliamentary Procedure and Robert's Rules of Order
- Alternative Dispute Resolution
- Building and Construction Contracts
- Building Codes
- Business and Commercial Litigation
- Civil Rights and Other Litigation Defense
- Compliance with State and Federal Laws and Regulations
- Condemnation
- Drug/Alcohol Testing Policies and Related Issues
- Drafting and Interpreting Ordinances, Resolutions and Various Contractual Agreements

- Easement Drafting and Review
- Eminent Domain
- Employee Benefits
- Employee Evaluation, Discipline and Termination
- Employee Leave Issues
- Employment Policies and Procedures
- Environmental Issues
- FMLA Advice and Compliance
- Insurance Litigation and Insurance Coverage Disputes
- Labor and Employment Litigation
- Labor Relations, Collective Bargaining and Arbitration
- Media Relations
- Municipal Code Enforcement
- Nuisance Abatement Procedures, including Prosecution of Municipal Infractions and Petitions under Iowa Code 657A.10A
- Open Meetings, Freedom of Information Act and Open Records Issues
- Policy Development and Review
- Premises Liability and Chapter 671 Immunity Issues
- Prosecution of Municipal Code Violations
- Real Estate Transactions
- Unemployment Fact-Finding and Appeals
- Utility Issues
- Workers' Compensation
- Zoning Ordinances and Variances

As active city attorneys, general counsel, and advisors in other Iowa cities, Lynch Dallas regularly handles the matters listed above, especially the common daily issues which come before the city council and/or the city staff, such as ordinance review and drafting, nuisance abatement, contract drafting and review, buying and selling property, collective bargaining and labor relations, platting and easements, open records requests, employment issues, prosecuting and defending lawsuits, parliamentary procedure, and routine advice to City staff.

Lynch Dallas is also uniquely qualified to defend the City in most legal matters, and to proactively advise the City as to how to avoid litigation. As panel counsel for Iowa Communities Assurance Pool ("ICAP"), EMC Insurance Companies, and other municipal insurers, we have a great deal of experience with handling municipal liability issues across the state. In that capacity, we have represented over forty (40) eastern Iowa cities and counties.

System of Proposed Compensation

Lynch Dallas, P.C. proposes the following system of compensation. We propose to perform all work which the City assigns to Lynch Dallas on an hourly basis under the fee schedule below.

If we are required to travel to Monticello, we will bill one-half the regular rate for travel time. Regardless of whether attorney time is incurred for driving, we will bill standard federal mileage rate as determined by the IRS. Our policy is to minimize travel costs by efficient use of teleconference, Skype, and email. Consistent with our existing practice, we will bill the City monthly for all work performed in the previous month.

Proposed Rates

<u>Producer</u>	<u>Rate</u>
Shareholders/Senior Associate Attorneys (five or more years' experience)	\$165/hour
Junior Associate Attorneys (less than five years of experience)	\$145/hour
Legal Assistants	\$100/hour

Reimbursement of Expenses

Filing Fees	Actual Cost
Postage	Actual Cost
Mileage	Federal Rate (IRS)
Online Legal Research (Westlaw)	\$40.00/search
Black & White Copies	\$0.15/page
Color Copies	\$0.60/page
Long Distance Faxes	\$1.00 first page + \$0.50/additional page

About Lynch Dallas, P.C.

Lynch Dallas, P.C. is an AV-rated general practice law firm located in Cedar Rapids, Iowa. The firm was founded in 1926. Our Public Sector Group works with cities, counties, school districts and other public entities of all sizes across the entire state of Iowa on a wide variety of legal issues.

It is our understanding, based upon information provided by the City Manager that the City of Monticello is in need of a law firm to provide municipal city attorney services. Lynch Dallas currently serves as full time contract city attorneys for the cities of Bellevue, Burlington, Cascade, Clinton, Elkader, Independence, Maquoketa, Middletown, Mount Pleasant, New London, Preston, Shellsburg, Tipton, Wellman, and West Burlington. We also currently work as general counsel (i.e., for a wide variety of matters such as collective bargaining, human resources support, investigations, litigation, or other matters as directed) for the cities of Marion, North Liberty, Cedar Rapids, Coralville, Fort Madison, Creston, Lee County, Des Moines County, Fayette County, West Liberty, and Marshalltown. Since

Lynch Dallas, P.C. has a regional public sector practice, we are accustomed to being on the road many days each month for client meetings, collective bargaining sessions, council meetings and work sessions, court hearings and trials, and other scheduled events. We also use technology to correspond remotely when the circumstances so require.

Lynch Dallas also represents private sector clients from small businesses to large publicly traded corporations like Collins Aerospace (formerly Rockwell Collins), Aegon/Transamerica Life and Toyota Motor Company. Many of the issues facing these companies mirror those we handle daily for our public sector clients.

Addendum B shows a chart of the areas of expertise of each member of our group. Please also see, Addendum A, our firm's Public Sector Group brochure.

Our Commitment

We require the highest quality work product from all of our attorneys and staff. We believe in building lasting relationships with clients, based on confidence in our abilities and in our responsiveness. We understand that time is often of the essence when representing cities, particularly when a problem presents not only legal issues, but also political ramifications. Our business day is defined by client needs, not by the hour of the day. We believe in a collaborative approach and take pride in our responsiveness. We also value creative problem solving to achieve successful results. Finally, we always strive to deliver high quality at a reasonable cost.

Our Approach

While one attorney will serve as the primary contact (i.e responsible for communicating the weekly report), the concept we propose would be to provide a legal department for the City on a contract basis. Lynch Dallas believes that competence and responsiveness are the primary goals when serving its clients and, because our firm's attorneys possess knowledge and experience in many different fields of law, it makes sense to involve them in specific matters uniquely applicable to their knowledge and abilities. Please see City-County Public Practice Chart enclosed.

When given an assignment or a request for advice by the City, the primary attorney evaluates the issue and either responds personally or involves other attorneys with specialized knowledge or experience relevant to the particular area of concern. We believe this team approach most effectively provides clients with well-reasoned, experienced and up-to-date advice in the most timely and cost-effective manner possible. This also allows the City's business to move forward on many fronts simultaneously. Over time, the City staff will likely reach out directly to particular attorneys in the firm with whom they are working on particular matters.

As part of this team approach, we will occasionally bring multiple attorneys to City events and meetings to become acquainted with City officials and staff. Whether an additional attorney attends a meeting as part of our firm's own training efforts, or to ensure that the

attorney who will be doing work behind-the-scenes is fully immersed in the project, *the City will never pay for more than one attorney's attendance at a meeting*. The only exception to this policy is when a City explicitly authorizes payment for the services of more than one attorney at a given meeting or event. We often split the billing between two attorneys, so that the City pays only one rate for a given meeting or task.

For this type of team approach to work it is critical that both the City Administrator and our attorneys maintain a firm grasp of who is working on which projects and the status of the various projects. As part of the services Lynch Dallas, P.C. provides to city clients, we make a practice of providing a detailed weekly status report. The City Administrator will receive this report each weekend and can then share this report with the City Council and the Mayor, as necessary. Please see Addendum C as an example of this method of communication.

Our Timeliness

Because of the firm's size and breadth of skill sets, we can respond on short notice and within tight timelines that are customary for clients in the public sector. We are also able to provide greater specialization and expertise than many smaller law firms. When a client approaches our law firm seeking advice, it is likely our attorneys have previously handled a similar issue. Phone calls and emails are returned on a timely basis – often within a few hours and nearly always within 24 hours. Due to the fact we represent public entities all over the state of Iowa, we find that email and conference calls are efficient means of communicating with our clients and we find our clients are very comfortable with these arrangements for most daily issues. Our law firm has invested heavily in technology (e.g., video conferencing, Skype, smart phones, remote workstations, etc.). Due to the nature of our work, many of our attorneys travel thousands of miles each year attending to the needs of our clients. We are willing to do whatever it takes on a moment's notice to ensure that our clients are satisfied and well represented.

Our People

Brief biographies for each of our attorneys who would serve the City of Monticello, as discussed above, are outlined in the Public Sector Group Brochure, Addendum A. Together, this group of attorneys has over one hundred years' collective experience working for public sector clients.

The attorneys in our Public Sector Group are members of the Iowa Municipal Attorneys' Association and many other city-related organizations. We regularly speak at legal seminars on municipal affairs, such as those sponsored by the Iowa League of Cities. We are well versed in new developments in municipal law.

Our Representative Public Sector Clients

Sample representative public sector clients include, but are not limited to, the following:

City of Bellevue, City of Bloomfield, City of Burlington,* City of Clinton,* City of Cedar Rapids, City of Creston, City of Coralville, City of Elkader,* City of Fort Madison, City of Independence, City of Maquoketa,* City of Marion, City of Marshalltown, City of Middletown,* City of Mount Pleasant, City of New London, City of North Liberty, City of Preston,* City of Shellsburg,* City of Tipton,* City of Washington, City of West Burlington,* City of Woodbine, Fayette County, Lee County (and most of its affiliated boards and commissions), Lee County Public Safety Answering Point, Black Hawk County, Winneshiek County, Armstrong-Ringsted Community School District, Atlantic Community School District, Belle Plaine Community School District, Bellevue Community School District, Benton Community School District, Carroll Community School District, Cedar Rapids Community School District, Center Point-Urbana Community School District, Central DeWitt Community School District, Estherville Lincoln Central Community School District, Fort Madison Community School District, Glenwood Community School District, H-L-V Community School District, Independence Community School District, Keokuk Community School District, Lewis Central Community School District, Maquoketa Valley Community School District, Marion Independent School District, Mediapolis Community School District, Midland Community School District, Monticello Community School District, Mount Vernon Community School District, North Scott Community School District, Pekin Community School District, Waterloo Community School District and Great River Regional Waste Authority.

*Designates cities for which Lynch Dallas provides comprehensive city attorney services.

Our Availability

Lynch Dallas, P.C.'s office is located at 526 Second Avenue SE, Cedar Rapids, Iowa. Our office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday, although we can readily be reached after hours in most cases. All of the attorneys in our Public Sector Group are willing to make their cell phone numbers available to select City staff.

CONTRACT FOR MUNICIPAL ATTORNEY SERVICES

IT IS AGREED between the City of Monticello, Iowa (“the City”) and Lynch Dallas, P.C. (“Attorneys”):

1. **EMPLOYMENT.** The City employs Lynch Dallas to represent the City for such municipal services as the City may determine beginning July 1, 2019 and continuing in perpetuity unless cancelled by either party in accordance with this contract. The scope of employment shall encompass all legal work directed by the City Council or its designee(s). Said work may encompass, but may not be limited to:

- 28E and Other Sharing Agreements
- Advice on Parliamentary Procedure and Robert’s Rules of Order
- Alternative Dispute Resolution
- Advice to City Administrator
- Building and Construction Contracts
- Building Codes
- Civil Litigation Advice
- Civil Service Advice
- Compliance with State and Federal Laws and Regulations
- Drug/Alcohol Testing Issues
- Drafting and Interpreting Ordinances, Resolutions, and Various Contractual Agreements
- Eminent Domain
- Employee Benefits
- Employee Evaluation, Discipline, and Termination
- Employment Policies and Procedures
- Environmental Issues
- Insurance Litigation and Insurance Coverage Disputes
- Labor and Employment Litigation
- Labor Relations, Collective Bargaining, and Arbitration
- Media Relations
- Municipal Code Enforcement
- Negotiation and Drafting of Easements
- Open Meetings, Freedom of Information Act, and Open Records Issues
- Planning and Zoning Issues and Hearings
- Prosecution of City Ordinance Violations, Include Trials
- Policy Development and Review
- Premises Liability and Chapter 670 Immunity Issues
- Real Estate Transactions
- Unemployment Fact-finding and Appeals
- Utility Issues
- Workers’ Compensation Advice until a Contested Case is Filed
- Zoning Ordinances and Variances

2. **EXPENSES.** In addition to payment for fees, the City shall reimburse Attorneys for reasonable expenses incurred on behalf of the City, including but not limited to photocopies, postage, computer-aided legal research, federal mileage rate for travel, cost of securing records or documents, photographs, hospital records, medical reports, medical examinations, filing fees, court costs, depositions, expert witness fees, and other reasonable expenses incurred by Attorneys for the City. In the case of very large expenses, the City may need to pay said expenses directly. Any unpaid expense will be billed periodically by Attorneys and will be paid by City upon billing. Any unused expense money advanced to Attorneys by the City shall be refunded to the City.

Reimbursement of Expenses

Filing Fees	Actual Cost
Postage	Actual Cost
Mileage	Federal Rate (IRS)
(LexisNexis®)	\$40.00/search (not to exceed one charge per research project)
Black & White Copies	\$0.15/page
Color Copies	\$0.60/page

3. **RECONCILIATION OF FEES OWED ON RETAINER.** All fees accrued as of the date of execution of this agreement for on-retainer matters due and owing following the application of any retainer payments held in trust shall be remitted by the City within two monthly billing cycles.

4. **FEES.** The City shall pay Attorneys for fees at the following hourly rates:

Shareholders/Senior Associates (5 years or more experience)	\$165.00
Associates	\$145.00
Legal Assistants	\$100.00

The City shall be billed at one-half the usual hourly rate for travel time, plus reimbursement of Attorneys for mileage traveled in their representation of the City, as set forth in Paragraph 3, above. Unless agreed, the City shall pay for only one attorney at meetings, or a combined fee and mileage equal to the rate of one attorney, regardless of whether one or more attorneys is present.

5. **BILLING.** The City shall be billed monthly for fees and expenses incurred in the previous month. Attorneys shall bill in increments of .1 (one-tenth) of an hour, and each entry shall be separately accounted and described. It is the City's responsibility to ask questions if a bill requires clarification. Bills shall be paid within thirty (30) days of receipt.

6. **PLACE OF PAYMENT.** All sums due shall be paid at Attorneys' office, Lynch Dallas, P.C., P.O. Box 2457, 526 Second Avenue SE, Cedar Rapids, Iowa 52406-2457.

7. COMMUNICATION BY ATTORNEYS. Consistent with the City's desire to balance the efficient control of legal expenses with the need for the City's politically elected to leaders to be kept aware of important developments, Attorneys shall use reasonable best efforts to ensure the City staff and the City Council are appropriately informed of ongoing matters and questions are answered promptly.

8. CONTINUING AGREEMENT. This agreement shall continue year to year without action of the parties. However, either party may at any time, with written notice to the other party, discontinue this agreement with one-hundred and twenty (120) days' written notice.

Dated the _____ day of _____, 2019.

CITY OF MONTICELLO, IOWA

LYNCH DALLAS, P.C.

By: _____

Brian Wolken, Mayor

By: _____

By: Patrick J. O'Connell, Shareholder

Attest:

Sally Hinrichsen, City Clerk

(SAMPLE) CITY OF MONTICELLO
MUNICIPAL ATTORNEY PROJECT STATUS
05.08.2019

New

<u>Matter</u>	<u>Status</u>	<u>Attorney(s) Responsible</u>
Threat of Lawsuit by Owner of 123 Main St	Reviewing Demand letter; Drafting response; Waiting for feedback from City Administrator per email sent 4/9/19	Pat
Municipal Infraction against J. Doe	Draft being prepared; File by 4/30/19	Greg
Termination of Employee in Public Works Department	Due process/FMLA issues being researched	Ben

Pending

<u>Matter</u>	<u>Status</u>	<u>Attorney(s) Responsible</u>
Municipal Prosecutions	Preparing for traffic violation prosecutions and nuisance hearings 5/15	Ben
Collective bargaining	Next bargaining session 2/12/20	Holly

Finished

<u>Matter</u>	<u>Status</u>	<u>Attorney(s) Responsible</u>
Question re: deposits	Pat emailed advice 4/8/19	Pat
Bid Question	Holly emailed advice 3/29/19	Holly

LYNCH DALLAS, P.C.'S CITY/COUNTY PUBLIC PRACTICE EXPERIENCE

X = Area of Experience

	Patrick O'Connell	Steven Leidinger	Wilford Stone	Amy Reasner	Brett Nitzschke	Emily Ellingson	Holly Corkery	Kyle Sounhein	Gregory Usher	Nathan Kooker	Ben Roberson
28E and Other Sharing Agreements	X	X			X	X	X			X	
Alternative Dispute Resolution	X	X	X	X	X	X	X				X
Annexation	X	X						X			
Building and Construction Contracts	X	X			X	X	X	X	X		X
Building Codes	X	X						X			
Civil Rights Defense	X		X	X	X	X	X		X	X	X
Civil Service Issues, Hearings, and Appeals	X			X	X		X			X	
Compliance with State and Federal Laws and Regulations	X	X			X	X	X	X		X	X
Drafting and Interpreting Ordinances, Resolutions, and Various Contractual Agreements	X	X			X	X	X	X	X	X	X
Drug/Alcohol Testing Policies and Related Issues	X		X	X	X	X	X			X	
Eminent Domain/Condemnation	X	X					X				
Employee Benefits	X				X	X	X			X	
Employee Evaluation, Discipline, and Termination	X		X	X	X	X	X			X	X
Employee Leave, FMLA	X		X	X	X	X	X				X
Employment Policies and Procedures	X		X	X	X	X	X		X	X	X
Environmental Issues	X				X						
Insurance Litigation & Insurance Coverage Disputes	X	X	X	X		X	X	X	X	X	X
Labor and Employment Litigation	X		X	X	X	X	X		X	X	
Labor Relations, Collective Bargaining, & Arbitration	X		X	X	X	X	X				
Media Relations	X			X	X	X	X				
Municipal Code Enforcement	X	X				X	X	X	X		
Negotiation and Drafting of Easements	X	X						X			
Nuisance Abatement Procedures	X	X				X	X	X	X		
Open Meetings, Freedom of Information Act and Open Records Issues	X	X	X		X	X	X		X	X	X
Parliamentary Procedure & Robert's Rules of Order	X	X			X	X					
Planning and Zoning Issues and Hearings	X	X					X	X			
Policy Development and Review	X	X			X	X	X		X		
Premises Liability & Chapter 670 Immunity Issues	X	X	X	X			X		X		
Real Estate Transactions	X	X						X			
Subdivision/Development		X						X			
Unemployment Fact-Finding and Appeals	X		X	X	X	X	X			X	
Utility Issues	X	X								X	
Workers' Compensation	X				X		X				X

Experience & Capabilities

In our capacities as city attorneys or as special legal counsel, Lynch Dallas handles a variety of legal issues typically faced by cities and counties, including, but not limited to:

- Labor Relations, Collective Bargaining, and Arbitration
- 28E and Other Sharing Agreements
- Alternative Dispute Resolution
- Building and Construction Contracts
- Building Codes
- Litigation
- Civil Service Matters
- Compliance with State and Federal Laws and Regulations
- Drug/Alcohol Testing
- Drafting and Interpreting Ordinances and Resolutions
- Annexation
- Eminent Domain
- Employee Benefits and Workers' Compensation
- Employee Evaluation, Discipline, and Termination
- Employment Policies and Procedures
- Environmental Matters
- Insurance Litigation and Insurance Coverage Disputes
- Labor and Employment Litigation
- Media Relations
- Municipal Code Enforcement and Nuisance Abatement
- Open Meetings, Freedom of Information Act, and Open Records
- Planning and Zoning
- Policy Development and Review
- Premises Liability and Chapter 671 Immunity Issues
- Real Estate Transactions and Contract Review
- Unemployment Fact-finding and Appeals
- Utility Matters

Advertising Material

This brochure does not imply that these attorneys have limited their practices or are certified specialists in the fields specified herein. You are urged to make your own investigation and evaluation.

The determination of the need for legal services and the choice of a lawyer are extremely important decisions and should not be based solely upon advertisements or self-proclaimed expertise.

Memberships and offices in legal fraternities and legal societies, technical and professional licenses, and memberships in scientific, technical and professional associations and societies of law or field of practice do not mean that a lawyer is a specialist or expert in a field of law, nor do they mean that such lawyer is necessarily any more expert or competent than any other lawyer. All potential clients are urged to make their own independent investigation and evaluation of any lawyer being considered.

LYNCH DALLAS, P.C.
1576 Second Avenue SE
P.O. Box 2457
Cedar Rapids, Iowa 52402-2457

Phone: 319-385-9100
Toll Free: 877-996-9100
Fax: 319-345-9312
Email: city@lynchdallas.com
county@lynchdallas.com
Website: www.lynchdallas.com



LYNCH DALLAS, P.C.
ATTORNEYS AT LAW



ESTABLISHED 1926

ATTORNEYS AT LAW

Lynch Dallas, P.C.
Cedar Rapids, Iowa

www.lynchdallas.com

Providing Legal Services to
Cities and Counties Across Iowa

Representing Cities and Counties

Lynch Dallas, P.C. is a Cedar Rapids, Iowa, law firm, with broad experience counseling and representing public sector clients, including cities and counties across Iowa in virtually all legal matters. We serve as city attorneys, special legal counsel on particular matters, and insurance appointed defense counsel.

We frequently serve as chief labor negotiators at the bargaining table, and also as outside counselors in negotiations, helping to form bargaining positions, draft contract language, and provide strategic advice.

We also represent public employers in employment litigation and handle cases on virtually every aspect of the employment relationship, including litigation before the Iowa Civil Rights Commission, Local Civil Service Commissions, the Equal Employment Opportunity Commission and in state and federal courts.

Representative Clients

- City of Burlington*
- City of Cascade*
- City of Cedar Rapids
- City of Clinton*
- City of Coralville
- City of Creston
- City of Elkader*
- City of Fort Madison
- City of Independence*
- City of Jesup
- City of Keokuk*
- City of North Liberty
- City of Marion
- City of Maquoketa*
- City of Marshalltown
- City of Middletown*
- City of Monticello
- City of Mount Pleasant
- City of New London*
- City of Tipton*
- City of Washington
- City of Wellman*
- City of West Burlington*
- City of West Liberty
- Clinton County
- Clinton County Assessor
- Des Moines County
- Fayette County
- Lee County
- Lee County PSAP

* Designates cities for which Lynch Dallas, P.C. serves as City Attorney



Patrick J. O'Connell University of Iowa College of Law (1995). Mr. O'Connell is a former Marine Judge Advocate and an experienced trial attorney. Mr. O'Connell works extensively with cities and counties on a variety of issues, including litigation defense, collective bargaining, interest and grievance arbitration, civil service appeals, employee discipline, 28E agreements, zoning issues, nuisance abatement, condemnation, contract drafting, ordinance drafting, prosecution of city code violations, state and federal appeals, policy manuals, workers' compensation and commonly faced by city and county governments. Mr. O'Connell recently won a high profile officer-involved shooting case on behalf of a city. Email: joconnel@lynchdallas.com



Steven C. Leidinger Ohio State University College of Law (2006). Mr. Leidinger practices in the areas of municipal law, insurance defense, real estate, land use and development, and transactional matters. Mr. Leidinger has considerable experience in zoning, subdivision, code enforcement, nuisance abatement, litigation defense, real estate transactions, intergovernmental agreements, public improvements, contract review, policy development, and general liability matters. Email: sleidinger@lynchdallas.com



Holly A. Corkery University of Iowa College of Law (2012). Ms. Corkery has experience working with cities and counties on a variety of employment and labor issues, including employee discipline, social media issues, policy manuals, and employee leave issues. She recently represented the City of Burlington on a public records case before the PIB. Ms. Corkery also represents cities and counties in open records and open meetings matters, construction disputes, prosecutions, and general litigation matters. Email: hcorkery@lynchdallas.com



Wilford H. (Bill) Stone University of Iowa College of Law (1984); Georgetown University Law Center (L.L.M., Labor Law 1987). Mr. Stone has considerable experience defending public employers on alleged defamation and other tort claims, and alleged excessive force and unreasonable search and seizure by police officers and police departments. Email: wstone@lynchdallas.com



Amy L. Reasner University of Iowa College of Law (2001). Ms. Reasner has extensive experience in investigating and litigating employment discrimination, harassment, retaliation, and FMLA cases in both state and federal court. She successfully defended the City of Marion at the Iowa Supreme Court in a disability discrimination case involving a firefighter. *Deeds v. City of Marion, Iowa (2018)*. Finally, Ms. Reasner is a former CERG News Radio anchor and reporter, which makes her effective in assisting clients when working with the media during controversial cases. Email: areasner@lynchdallas.com



Brett S. Nitzschke University of Iowa College of Law (1988). Mr. Nitzschke has represented a variety of Iowa cities, counties, and school districts on a wide range of legal matters, including employee personnel issues, open meetings and open records issues, collective bargaining, grievance and arbitration issues, contracts, and building and construction issues. He successfully defended the Atlantic Community School District at the Iowa Supreme Court in a lawsuit brought by the ACLU against the District seeking the release of employee disciplinary information. *ACLU Foundation of Iowa v. Atlantic Community School District (Iowa 2012)*. Email: bnitzsch@lynchdallas.com



Emily K. Ellingson University of Iowa College of Law (2009). Ms. Ellingson works on a variety of legal matters with public sector clients, including collective bargaining, open meetings and public records, drafting policies and procedures, employee discipline and termination, employee benefits compliance, ADA accommodations/interactive processes, FMLA matters, wage and hour issues, internal investigations, and general civil litigation. Email: ee Ellingson@lynchdallas.com



Kyle A. Sounhein Drake University Law School (2008). Mr. Sounhein's public sector practice includes real estate transactions, zoning, litigation defense, land use and development, and other transactional matters. Email: ksounhein@lynchdallas.com



Gregory T. Usher University of Iowa College of Law (2015). Mr. Usher has experience working with cities and counties on a wide range of general matters including employment and labor issues, ordinance drafting/enforcement, prosecutions, contract drafting/review, litigation defense and general liability matters. Email: gusher@lynchdallas.com



Benjamin W. Roberson University of Iowa College of Law (2016). Mr. Roberson has experience working with public entities on employment disputes, including FLSA and discrimination claims; workers' compensation, collective bargaining; nuisance abatement; and zoning violations. Email: broberson@lynchdallas.com

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item: # 13
Agenda Date: 06/17/2019

Communication Page

Agenda Items Description: Public Hearing on proposed rezoning of property located on Meade Farm Lane, known as Parcel 0227426003, from R-1 Single Family Residential to R-3 Condominium Development. Ordinance to re-zone property from R-1 to R-3 Condominium Development. (2nd Reading)

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

Attachments & Enclosures:

Ordinance

Fiscal Impact:

Budget Line Item:

Budget Summary:

Expenditure:

Revenue:

Synopsis: Mitch and Kendy Monk request the re-zoning of a lot on Spring Farm Lane from R-1 to R-3 to allow for the construction of a two unit Condominium.

Background Information: Mitch and Kendi live at 5 Spring Farm Lane. They own a lot located generally to the west of their home, between their home and Spring Farm Lane. It is on this lot that they would like to build a two unit condominium similar to the floor plan and pictorial representation attached. This area is a bit unique as Spring Farm Lane, which generally runs north/south, was extended in an easterly direction some years ago to provide separate street frontage for 9 and 11 Spring Farm Lane when CJ Matthiessen wanted to build a house on Jack Fraser property which would have otherwise not had frontage. So, even though the structure proposed by the Monk's would basically be in their front yard, their existing house has frontage on the Easterly section of Spring Farm Lane and the construction would, therefore, appear to be legal under the Code.

The Council held a public hearing at the last Council meeting. Significant input was received. Mitch has been waiting on the County to visit the property and give advice or approval of a septic system set up. That visit may happen on Monday. Mitch also unexpectedly has an important medical appointment out of State that will take him out of town for a few days.

Recommendation: Due to the fact that the septic has not yet been addressed and Mitch is unavailable for the meeting I propose that the 2nd reading be approved with the understanding that the third reading will not be approved unless everything the Council requested at the last meeting is in hand and in order.

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

Amendment to Ordinance recorded as document _____, recorded date _____

ORDINANCE NO. ____

An ordinance amending the Monticello Code of Ordinances, by amending Chapter 165 "ZONING REGULATIONS" and amending the Official Zoning Map.

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

SECTION 1. The property identified locally as Tax Parcel 0227426003, located immediately in front of property known by 5 Spring Farm Lane, and legally described as follows, is hereby rezoned from R-1 (Single Family Residential) to R-3 (Condominium Development) for purposes of one two unit Condominium.

Legal Description

That part of Lot 1 of "Fraser Place" commencing at the Southeast corner of said Lot 1 thence West 180 feet to the point of beginning, thence North 90 feet; thence West to the West line of Lot 1; thence Southerly along the West line of said Lot 1 to the Southwest corner of said Lot 1; thence East along the South line of said Lot 1 to the point of beginning and including the right of easement to use the existing road with others on the Westerly side of Lot 1 and Lot 2 of "Fraser Place" aforesaid, including the right of easement to use the existing driveway with others on the Southerly side of Lot 1, SUBJECT to all easements of record, all in Jones County, Iowa

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

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

Passed and approved by the City Council in session this ____ day of _____, 2019.

Brian Wolken, Mayor

ATTEST:

Sally Hinrichsen, City Clerk

I certify that the foregoing document was published as Ordinance No. on the day of
_____.

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: 06/14/19
Preparer: Doug Herman



Agenda Item:
Agenda Date: 06/17/2019

Communication Page

Agenda Items Description: City Administrator Report

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

Attachments & Enclosures:

P.D. Report

Fiscal Impact:

Budget Line Item:

n/a

Budget Summary:

n/a

Expenditure:

n/a

Revenue:

n/a

THIS PAGE TO BE SUPPLEMENTED

Engineer Report

Administrator Report:

1. Compost Site Update / Ownership / Fill-Grading: A relatively significant amount of material was taken to the Compost Site by Horsfield and B & J Excavating is using the material to fill some voids on the property, creating additional level space that can be utilized in the future and eliminating water holes that could be home to mosquitos/etc. They will be removing scrubby trees and preparing the site for use. I am waiting on an updated fencing quote, have a camera quote, and will seek a second lighting quote early next week.
2. Additional 7th Street Reconstruction Work: A number of property owners have voluntarily agreed to assessments if the City were to move forward with the completion of 7th Street reconstruction between Cedar and Maple. Because there are a number of hold outs the Council will need to go through the Assessment process to assess all benefited property owners. Based upon discussions at the last meeting I have asked Snyder to design the infrastructure improvements to that we may move forward with those this year with paving to potentially be completed this fall, next spring at the latest.
3. 6th Street Ditch Project Discussion: I e-mailed all of you a letter from Steve Intlekofer to folks with property along the 6th Street Ditch between Chestnut and 6th. As in the past, Steve's letter contains a number of inaccuracies and is intended to work people up, to not find a solution. A few of the inaccuracies:
 - The work session on the 6th Street Ditch was on the Agenda and open to the public.
 - The suggested assessments at \$5,000 per "property", specifically with regard to the Stutt lot, was not correct. The discussion was that the assessment amount would be the

same per primary structure and/or vacant lot. The Stutt house based upon those discussions would be looking at a \$5,000 assessment not a \$10,000 assessment.

- Steve continues to suggest that I am the cause of all the woes of the 6th Street Ditch due to the placement of concrete fill by me in the ditch some years ago. Here are the facts:
 - I bought two very run down homes on N. Cedar St., 522 and 516, and spent a lot of time and money repairing and renovating both. In one case the driveway was in very bad shape and was removed and replaced by Adam Intlekofer. At least some of the concrete from the driveway removal, the “smaller pieces” that I could manually manipulate, were placed along the 6th Street Ditch Bank nearest the back of the home to shore up the bank that had washed out, cutting in towards the foundation of the garage. The placement of this concrete debris, with dirt added over top in some cases, did not impede the flow of the ditch, it merely repaired a wash out that had been created in the back yard based upon years of poor maintenance.
 - The culverts under Hwy. 38 have been partially filled in for many, many years, well before I ever owned property on N. Cedar Street
 - The 6th Street Ditch behind the homes I owned, when I owned them, was well taken care of. Trees were not allowed to grow in the ditch and it was regularly weed whipped and maintained. It has been let go by subsequent owners.
 - I also had Adam Intlekofer, to the best of my memory, pour a concrete drive in front of and next to 516 N. Cedar. Prior to that driveway being poured there was not a concrete driveway as best as I recall.
4. Diamond Drive (City Lot): After City Council discussion with regard to the potential sale of this lot for construction, at least one adjacent property owner has expressed interest in purchasing the lot. She indicated that the neighboring property owner was also interested in purchasing a portion of the property.
 5. Zimmerman Lot: Norm Zimmerman is waiting on Title Opinion from Mike Bowman on the Chestnut lot. I hope to hear that it is complete on Monday. (Mike has been on vacation.)
 6. City Fountain: Work is progressing, looks good so far. Additional grants are being pursued for Phase 2.
 7. Monti in Motion: 111 registered vehicles, all in all a good day.
 8. FAA Property Buyout Discussion: Continuing to work with Mike First on his property and potential purchase of property from City Airport, not in the way of current or future improvements, for a building site.
 9. Home Base Iowa Recognition Event: I will have a handout Monday night on this event.
 10. Sidewalk/Curb/Gutter near 9th and Maple: Letter has been sent to property owners for feedback. Will look for update to you on July 1st agenda.
 11. Police Department Report: See attached.
 12. Wage/Benefit Review Committee: I would like to set up a committee of three Council members and the Mayor to meet with me, Britt, Nick Kahler, and Jim Tjaden to discuss wage and benefit requests. Potentially Thursday night around 5:00 would work well for me.
 13. Dispatch Agreement with Jones County: The Mayor, a couple Council members and me will be meeting with County representatives on Tuesday to discuss the agreement that has not been paid by the City going on year 2. The reason for the non-payment is that the Chief and Council had questions related to the basis of the fee and requested increase that have gone unanswered for over one year.



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

From the Office of:

Chief of Police

Britt D. Smith

POLICE DEPARTMENT ACTIVITY

For the month of:

May 2019

Total Calls for Service: 297 (1204 for 2019)

Two Methamphetamine labs was located and processed. Charges are pending.

Traffic Stops: 99

Citations: 30

Parking Citations: 1

Arrests: 11

Accidents Investigated: 5

EMS Assists: 25

Nuisance Warnings: 8

Use of Force: 2

Officer Fleming responded to a complaint of a suspicious person. Upon arrival he found a male subject laying in the street. When he made contact with the individual who was high on illegal narcotics he attempted to fight Officer Fleming. Officer Fleming deployed the Taser which was initially successful. The subject then ripped the taser probes out of his clothing and fled on foot where he was physically taken into custody with the assistance of a Jones County Deputy.

Officer Fleming responded to a complaint of an individual harassing construction workers. Upon arrival he located several construction workers and an individual whom he did not know, later discovered to be Billy Hughes. When Officer Fleming approached Hughes and advised him he could not be there any longer, he spit on him and said "fuck you". Despite orders to stop Hughes threw his bag and took his wooden cane like a baseball bat appearing to prepare to swing it at him. Officer Fleming deployed his taser and took him into custody.

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

Public Complaints: 0

Information:

On May 13th, a dog residing at 341 East 3rd Street attacked a walker unprovoked. The dog was not current on vaccinations and was quarantined at the Monticello Vet Clinic for 7 days. The injury was relatively minor but did break the skin. The dog was deemed vicious and the owners were provided with the requirements necessary to retain the dog.

I completed a grant application with the federal office of Community Oriented Policing requesting assistance in funding a safety and security improvement for the Monticello Community School District. The grant application total was \$50,539 and would increase the security camera coverage for Shannon and Carpenter, along with a audio/visual alarm system for the High School industrial tech classrooms.

As always, if you have any questions feel free to contact me.

Britt