

City of Monticello, Iowa

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Posted on March 2, 2023 at 3:00 p.m.

Monticello City Council Meeting March 6, 2023 @ 6:00 p.m.

Monticello Renaissance Center, 220 E. 1st Street, Monticello, Iowa

Mayor:	Dave Goedken	Staff:	
City Council:		City Administrator:	Russell Farnum
At Large:	Wayne Peach	City Clerk/Treas.:	Sally Hinrichsen
At Large:	Brenda Hanken	Police Chief:	Britt Smith
Ward #1:	Scott Brighton	City Engineer:	Patrick Schwickerath
Ward #2:	Candy Langerman	Public Works Dir.:	Nick Kahler
Ward #3:	Chris Lux	Water/Wastewater Sup.:	Jim Tjaden
Ward #4:	Tom Yeoman	Park & Rec Director:	Jacob Oswald
		Library Director:	Faith Brehm

- 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

February 20, 2023

Approval of Payroll

February 23, 2023

Approval of Bill List

Approval of Monticello Area Chamber of Commerce alcohol license transfer

Approval of Kardes Inc Class B Retail Alcohol License

Public Hearings:

1. **Public Hearing** on proposal to enter into a General Obligation Corporate Purpose Loan Agreement
2. **Resolution** taking additional action on proposal to enter into a General Obligation Corporate Purpose Loan Agreement and providing for the levy of taxes to pay the same

3. **Public Hearing** on Vacating a portion of the Cherry Street Right-of-Way
4. **Resolution** Vacating a portion of the Cherry Street Right-of-Way and transferring same to the adjacent property owner

Resolutions:

5. **Resolution** Approving revised Agreement for Communication Services Between Jones County, Jones County Sheriff, and City of Monticello
6. **Resolution** to approve the promotion of Officer Brian Tate to Sergeant
7. **Resolution** Authorizing the Park & Recreation Director to Make Immediate Payments Prior to Council Approval
8. **Resolution** Approving Petty Cash Limits for Aquatic Center, Library, Berndes Center, Youth & Adult Tournaments and City Hall
9. **Resolution** Approving Plat of Survey to Parcel 2023-09 for Property located at 21464 River Road
10. **Resolution** to re-schedule budget Public Hearing on the City of Monticello 2023/2024 Fiscal Year budget for April 3, 2023 at 6:00 p.m.

Motion:

11. **Motion** on request from Monticello Main Street to amend sign ordinance

Ordinances:

12. **Ordinance** Amending the Code of Ordinances of the City of Monticello, Iowa, by Adding New Section to Chapter 23, Park and Recreation Board Section 23.08 Accounting of Park and Recreation Checking Account

Reports / Potential Actions:

13. City Engineer
14. Mayor
15. City Administrator
16. City Clerk
17. Public Works Director
18. Police Chief
19. Water/Wastewater Superintendent
20. Park and Recreation Director
21. Library Director

Executive Session:

22. Closed Session To discuss strategy with counsel in matters involving litigation pursuant to Iowa Code Section 21.5(1)(c)

Work Session:

23. Work Session- budget

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.

Monticello City Council meetings are recorded, by attending and choosing to participate you give your consent to be recorded. If you prefer not to be recorded, you may submit comments in writing.

Meeting Instructions for the Public
Due to the Covid-19 Virus the public will be
admitted into this meeting with limited seating.

The meeting will continue to be broadcast on Mediacom (Local Access Channel) and will be accessible via Zoom via the following link.

City of Monticello is inviting you to a scheduled Zoom meeting.

Topic: March 6, 2023 Council Meeting

Time: Mar 6, 2023 06:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88960075234>

Meeting ID: 889 6007 5234

One tap mobile

+13092053325,,88960075234# US

+13126266799,,88960075234# US (Chicago)

Dial by your location

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 360 209 5623 US

Meeting ID: 889 6007 5234

Find your local number: <https://us02web.zoom.us/j/88960075234>

Regular Council Meeting
February 20, 2023 – 6:00 P.M.
Community Media Center

Mayor David Goedken called the meeting to order. Council present were: Chris Lux, Candy Langerman, Wayne Peach, Brenda Hanken, Scott Brighton and Tom Yeoman. Also present were City Administrator Russell Farnum, City Clerk Sally Hinrichsen, Police Chief Britt Smith, Park & Rec Director Jacob Oswald, Library Director Faith Brehm, Water /Wastewater Superintendent Jim Tjaden and Public Works Director Nic Kahler. The public was invited to attend the meeting in person, with limited seating or to participate in the meeting electronically via “Zoom Meetings” and were encouraged to communicate from Zoom Meeting via chat.

Yeoman moved to approve the agenda, Langerman seconded, roll call was unanimous.

Langerman moved to approve the consent agenda; Peach seconded, roll call was unanimous.

Mayor Goedken opened the public hearing to consider the Maximum Tax Dollars to be collected by the City from certain levies for the City’s proposed Fiscal Year 2023-2024 Budget. Staff received no written comments; however, the staff received several inquiries on the proposed max levy. Mary Phelan, 1040 Riverview Court, stated she values the services provided by taxes, but urged Council to sharpen their pencil and look for ways to cut the budget. Mayor closed the Public Hearing to consider the Maximum Tax Dollars to be collected by the City from certain levies for the City’s proposed Fiscal Year 2023-2024 Budget.

Farnum reviewed several aspects of the proposed budget and how the max levy is calculated. The City has kept the tax rate virtually the same since 2005, over 18 years, with a slow, steady growth in the taxable value. City used cash balances to lower the tax levy in past years. An efficiency implemented by the staff is the new phone system which is saving over \$1,000/month on phone service and more on long distant calls. As the State implemented rollbacks, starting in 2014, the reduction in property tax revenue was “made up” by the State through “backfill” payments. Recent State actions continue to decrease the taxable value of property, and the State is phasing out the rollback payments to local governments. State legislation has been introduced that would have the State absorb any Local Option Sales and Services Tax revenue, that was voted on and approved by the residents of Monticello to be used for property tax relief. If approved, this will reduce Monticello’s revenues by an additional \$400,000 to \$500,000 annually. City has seen increases in general expenses and property insurance is expected to increase 8% to 25% and they are also increasing the values of the buildings and equipment. Employee contracts expire in July and the City needs to raise wages 5% to 33% to stay competitive and retain current staff. Farnum reviewed the requests for additional staff in the water and sewer department, Public Works department and Park and Recreation department. Goedken suggested possibly cutting yard waste pickup service and residents would have to take to the yard waste site to dispose it. Audrey Savage, 717 West First Street, suggested Council look at proposed increases to staff; and if City really needs new staff? Savage suggested holding a volunteer day, which would lift the attitudes in the community. Yeoman moved to approve Resolution #2023-30

Regular Council Meeting
February 20, 2023

approval of FY 2024 Maximum Property Tax Dollars, Peach seconded, roll call unanimous, except Hanken who voted nay.

Brighton moved to approve Resolution #2023-31 Scheduling Public Hearing on the City of Monticello 2023/2024 Fiscal Year budget for March 20, 2023 at 6:00 p.m., Lux seconded. Roll call was unanimous.

Yeoman moved to approve Resolution #2023-32 Approving Christopher and Sarah Bone Tax Abatement Application related to Residential Improvements constructed at 903 Northridge Drive, Monticello, Iowa. Brighton seconded, roll call was unanimous.

Farnum stated the City has bonded every couple of years, doing a larger street project once, followed by several smaller projects in an attempt to keep the debt service levy fairly steady around 2.50/\$1000 taxable valuation. Goedken stated if City keeps the debt levy at 2.5, then the City will be going backward, as prices to do projects continue to increase, so less work is completed. Langerman moved to approve Resolution #2023-33 Approving engagement letter with Dorsey & Whitney LLP related to role as bond counsel for the General Obligation borrowing to fund certain capital projects. Lux seconded, roll call was unanimous.

Brighton moved to approve Resolution #2023-34 setting the date for a public hearing on proposal to enter into a General Obligation Corporate Purpose Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$2,500,000. Peach seconded, roll call was unanimous. Hearing will be held on March 6, 2023 at 6:00 P.M.

Langerman moved to approve Resolution #2023-35 Approving \$1,500.00 Credit against Carter Balentine's utility billing for the property located at 418 East First Street, Brighton seconded, roll call was unanimous.

Oswald reported they were looking to hire up to three seasonal staff, for May and June, which is the busiest time and then cut back to two seasonal staff for the rest of the summer season. They are looking at two working 32 to 40 hours per week and the other would work 20 to 30 hours per week. Yeoman moved to approve Resolution #2023-36 Approving the hiring of up to three Park and Recreation summer staff and setting wage, Lux seconded, roll call was unanimous, except Hanken who voted nay.

Goedken stated Oswald and Arduser tried to save tax dollars, however moving the location and material used for the ice-skating rink, did not provide a nice skating rink this year. Goedken was questioned why the rink was moved. The skaters liked the shelter, as there was less snow to be removed. They also questioned if other sports provide maintenance of their area, as they are expected to remove the snow before they can skate. It was stated the condition of the rink is dependent on the weather. This year, with temperatures fluctuating so much each week, it was not a good year for the rink.

Farnum reported working on budget, with Hinrichsen. Farnum continues to work on various other projects.

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Hinrichsen reported in calendar year 2022, City received 45 offset hits and collected \$8,786.34. So far in 2023, we have received 13 hits and will be collecting \$2,121.00.

Hinrichsen was invited by the League of Cities to a roundtable on City Finance Working Group. The group was put together to discuss pending legislation and the mechanics and impacts on city finance and possible solutions for the League to take back to the Legislators to consider prior to moving forward with the legislation. It was a very productive session.

Hinrichsen met with Farnum, Dorsey staff and Matt Stoffel with PFM on proposed bonding that was discussed earlier this evening.

Kahler stated they been busy with snow removal and preparing for the next storm coming this week.

Smith reported an officer was injured during an arrest early this morning.

Tjaden reported the well at sewer plant was leaking and needed to be pulled to fix the leak. They sent the copper-lead survey out and receive 2/3 of them back.

Oswald reported swimming lesson sign up, and baseball/softball registration has started.

Oswald reported the first session of volunteering training was held. Oswald, Brehm, Hinrichsen and Kegan Arduser are representing the City with Deb Bowman and Brian Wolken of Main Street also attending.

Brehm reported only two sessions left on their religion program.

Peach motioned to adjourn the meeting at 6:58 P.M. Council took a short break and then held a budget work session until 8:00 P.M., reviewing the proposed budgets.

David Goedken, Mayor

Sally Hinrichsen, City Clerk/Treasurer

PAYROLL - FEBRUARY 23, 2023

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
AMBULANCE	February 6 - 19, 2023				
Devin Arduser	\$ 276.00	\$ -	0.00	0.00	\$ 237.75
Brian Bronemann	994.65	-	0.00	0.00	801.92
Jacob Gravel	1,712.00	-	4.50	27.50	1,265.01
Mason Hanson	195.20	-	0.00	0.00	168.15
Ben Hein	652.25	-	0.00	0.00	558.37
Ron Herman, Jr.	644.00	-	0.00	0.00	544.02
Mary Intlekofer	2,006.90	54.90	0.00	68.25	1,403.93
Sonya Johnson	876.73	-	0.00	0.00	713.08
Nick Kahler	96.00	-	0.00	0.00	82.62
Trevor King	424.00	-	0.00	0.00	351.79
Lori Lynch	2,198.82	20.42	0.00	0.00	1,521.53
Coletta Matson	2,304.25	-	0.00	0.00	1,714.02
Chloe Mogensen	146.40	-	0.00	0.00	126.11
Mandy Norton	821.95	-	0.00	0.00	637.50
Kaleb Payne	1,907.10	35.10	12.00	12.00	1,507.76
Curtis Wyman	1,712.00	-	7.50	54.25	1,178.04
TOTAL AMBULANCE	\$ 16,968.25	\$ 110.42	24.00	162.00	\$ 12,811.60
CEMETERY	February 6 - 19, 2023				
Dan McDonald	\$ 1,947.24	\$ 159.24	0.00	0.38	\$ 1,430.94
TOTAL CEMETERY	\$ 1,947.24	\$ 159.24	0.00	0.38	\$ 1,430.94
CITY HALL	February 6 - 19, 2023				
Cheryl Clark	\$ 1,816.01	\$ -	0.00	18.75	\$ 1,248.61
Russ Farnum	3,961.54	-	0.00	0.00	2,651.33
Sally Hinrichsen	2,744.73	-	0.00	0.00	1,672.04
Nanci Tuel	1,618.40	-	0.00	0.00	1,071.56
TOTAL CITY HALL	\$ 10,140.68	\$ -	0.00	18.75	\$ 6,643.54
COUNCIL / MAYOR					
Scott Brighton	\$ 300.00	\$ -	0.00	0.00	\$ 276.78
Dave Goedken	500.00	-	0.00	0.00	461.30
Brenda Hanken	300.00	-	0.00	0.00	277.05
Candy Langerman	300.00	-	0.00	0.00	277.05
Chris Lux	300.00	-	0.00	0.00	276.78
Wayne Peach	300.00	-	0.00	0.00	237.05
Tom Yeoman	300.00	-	0.00	0.00	277.05
TOTAL COUNCIL / MAYOR	\$ 2,300.00	\$ -	0.00	0.00	\$ 2,083.06
LIBRARY	February 6 - 19, 2023				
Faith Brehm	\$ 1,615.38	\$ -	0.00	0.00	\$ 1,233.91
Molli Hunter	1,184.00	-	0.00	0.00	937.89
Penny Schmit	1,405.60	-	0.00	0.00	775.55
TOTAL LIBRARY	\$ 4,204.98	\$ -	0.00	0.00	\$ 2,947.35
MBC	February 6 - 19, 2023				
Keegan Arduser	\$ 1,384.62	\$ -	0.00	0.00	\$ 1,072.19
Jacob Oswald	2,193.88	-	0.00	0.00	1,668.50
TOTAL MBC	\$ 3,578.50	\$ -	0.00	0.00	\$ 2,740.69

PAYROLL - FEBRUARY 23, 2023

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
POLICE	February 6 - 19, 2023				
Peter Fleming	\$ 2,493.18	\$ -	0.00	0.25	\$ 1,749.88
Dawn Graver	2,540.80	-	0.00	0.00	1,851.92
Erik Honda	2,645.36	-	9.00	29.25	1,985.36
Blaine Kamp	2,583.84	-	0.00	19.00	1,953.04
Jordan Koos	2,583.84	-	0.00	26.00	1,794.40
Nicole Minnihan	26.00	-	0.00	0.00	24.01
Britt Smith	3,461.54	-	0.00	0.00	2,550.63
Madonna Staner	1,623.20	-	0.00	0.00	1,252.18
Brian Tate	2,625.84	-	0.00	17.25	1,904.23
TOTAL POLICE	\$ 20,583.60	\$ -	9.00	91.75	\$ 15,065.65
ROAD USE	February 6 - 19, 2023				
Zeb Bowser	\$ 2,098.11	\$ 310.11	0.00	11.00	\$ 1,491.69
Nick Kahler	2,238.39	-	0.00	0.00	1,546.97
TJ Nealson	1,881.90	153.90	7.50	36.75	1,438.49
Jasper Scott	1,955.63	167.63	0.00	0.13	1,384.51
TOTAL ROAD USE	\$ 8,174.03	\$ 631.64	7.50	47.88	\$ 5,861.66
SEWER	February 4 - 17, 2023				
Tim Schultz	\$ 2,446.38	\$ 410.38	0.00	20.63	\$ 1,783.77
Jim Tjaden	2,576.92	-	0.00	0.00	1,887.44
TOTAL SEWER	\$ 5,023.30	\$ 410.38	0.00	20.63	\$ 3,671.21
WATER	February 4 - 17, 2023				
Scott Hagen	\$ 1,848.00	\$ -	10.50	54.00	\$ 1,464.29
TOTAL WATER	\$ 1,848.00	\$ -	10.50	54.00	\$ 1,464.29
TOTAL - ALL DEPTS.	\$ 74,768.58	\$ 1,311.68	51.00	395.39	\$ 54,719.99

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
GENERAL					
POLICE DEPARTMENT					
INFRASTRUCTURE TECHNOLOGY	PD DATA PROCESSING		252.30		
MONTICELLO COMM SCHOOL DISTRICT	PD SUPPLIES		23.96		
	110 POLICE DEPARTMENT TOTAL		276.26		
AQUATIC CENTER					
MONTICELLO EXPRESS INC	POOL ADVERTISING		392.85		
	440 AQUATIC CENTER TOTAL		392.85		
CEMETERY					
DAN MCDONALD	CEMETERY SPRAYER TRAINING		55.00		
	450 CEMETERY TOTAL		55.00		
SOLDIER'S MEMORIAL BOARD					
CONTROL INSTALLATIONS OF IOWA	SLDR MEM BLDG REPAIR/MAINT		712.50		
MONTICELLO MEMORIAL BOARD	SLDR MEM OPERATING FEE		500.00		
	498 SOLDIER'S MEMORIAL BOARD TOTAL		1,212.50		
CLERK/CITY ADMIN					
MOLLI JENN HUNTER	JANITORIAL SERVICES		420.00		
	620 CLERK/CITY ADMIN TOTAL		420.00		
ATTORNEY					
LYNCH DALLAS, P.C.	ATTORNEY FEES		742.50		
	641 ATTORNEY TOTAL		742.50		
CITY HALL/GENERAL BLDGS					
CONTROL INSTALLATIONS OF IOWA	CH BLDG REPAIR/MAINT		1,425.00		
FP MAILING SOLUTIONS	CH CONTRACTS		78.17		
IMFOA	CH DUES - HINRICHSEN		100.00		
INFRASTRUCTURE TECHNOLOGY	CH MISC CONTRACT WORK		643.10		
MONTICELLO COMM SCHOOL DISTRICT	CH OFFICE SUPPLIES		143.79		
MONTICELLO EXPRESS INC	CH ADVERTISING		647.99		
	650 CITY HALL/GENERAL BLDGS TOTAL		3,038.05		
	001 GENERAL TOTAL		6,137.16		
MONTICELLO BERNDES CENTER					
PARKS					
BAKER PAPER CO INC	MBC BUILDING SUPPLIES		10.50		
MOLLI JENN HUNTER	JANITORIAL SERVICES		420.00		
INFRASTRUCTURE TECHNOLOGY	MBC OFFICE SUPPLIES		151.10		
JOHN DEERE FINANCIAL	MBC GROUNDS SUPPLIES		31.48		
WELLS FARGO VENDOR FINANCIAL	2020 TOOLCAT PAYMENT		1,048.95		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	430 PARKS TOTAL		1,662.03		
	005 MONTICELLO BERNDES CENTER TOTAL		1,662.03		
FIRE					
FIRE					
CNH CAPITAL	FIRE EQUIP REPAIR/MAINT		888.26		
MUNICIPAL EMERGENCY SERVICES	FIRE MINOR EQUIPMENT		1,960.35		
NEXT GENERATION PLBG & HTG LLC	FIRE BUILDING SUPPLIES		127.60		
	150 FIRE TOTAL		2,976.21		
	015 FIRE TOTAL		2,976.21		
AMBULANCE					
AMBULANCE					
BOUND TREE MEDICAL, LLC	AMB MEDICAL SUPPLIES		241.52		
INFRASTRUCTURE TECHNOLOGY	AMB DATA PROCESSING		101.70		
MONTICELLO COMM SCHOOL DISTRICT	AMB OFFICE SUPPLIES		23.97		
	160 AMBULANCE TOTAL		367.19		
	016 AMBULANCE TOTAL		367.19		
LIBRARY					
LIBRARY					
ADVANTAGE ARCHIVES LLC	LIB PROCESSING		285.60		
CONTROL INSTALLATIONS OF IOWA	LIB BLDG REPAIR/MAINT		712.50		
FAREWAY STORES #840-1	LIB PROGRAMS/PROMOTIONS		71.69		
MOLLI JENN HUNTER	JANITORIAL SERVICES		175.00		
INFRASTRUCTURE TECHNOLOGY	LIB DATA PROCESSING		180.00		
KOCH MATERIALS COMPANY	LIB OFFICE SUPPLIES		251.72		
MONTICELLO COMM SCHOOL DISTRICT	LIB OFFICE SUPPLIES		47.93		
	410 LIBRARY TOTAL		1,724.44		
	041 LIBRARY TOTAL		1,724.44		
AIRPORT					
AIRPORT					
MONTICELLO AVIATION INC	AIRPORT MANAGER		2,166.66		
	280 AIRPORT TOTAL		2,166.66		
	046 AIRPORT TOTAL		2,166.66		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
ROAD USE					
STREETS					
DAKOTA SUPPLY GROUP INC	RU STREET MAINTENANCE SUPPLIES		720.00		
INFRASTRUCTURE TECHNOLOGY	RU SUPPLIES		29.70		
JOHN DEERE FINANCIAL	RU EQUIP REPAIR/MAINT		380.51		
LAPORTE MOTOR SUPPLY	RU EQUIP REPAIR/MAINT		203.76		
LASLEY ELECTRIC LLC	RU LIGHT SYSTEMS & STRUCTURES		425.80		
WES LIGHTNER	RU STREET MAINTENANCE SUPPLIES		1,102.09		
THOMPSON TRUCK & TRAILER, INC.	RU EQUIP REPAIR/MAINT		144.38		

	210 STREETS TOTAL		3,006.24		
SNOW REMOVAL					
ACCENT CONSTRUCTION	RU SNOW REMOVAL		382.50		
BEHREND'S CRUSHED STONE	RU SNOW REMOVAL		544.80		
DAKOTA SUPPLY GROUP INC	RU SNOW REMOVAL		250.00		

	250 SNOW REMOVAL TOTAL		1,177.30		

	110 ROAD USE TOTAL		4,183.54		
PARK IMPROVEMENT					
CAPITAL PROJECTS					
MONTICELLO EXPRESS INC	MONTI IN MOTION CAR SHOW		119.00		

	750 CAPITAL PROJECTS TOTAL		119.00		

	313 PARK IMPROVEMENT TOTAL		119.00		
WATER					
WATER					
INFRASTRUCTURE TECHNOLOGY	WATER DATA PROCESSING		56.70		
JONES CO TREASURER	LIEN PAYMENT (TESSA BEYER)		198.95		
ERIN LABARGE	OVERPAYMENT REFUND- SOUTHWICK		342.26		
TESSA LEIBOLD	WATER MAIN BREAK - REPAIRS		1,000.00		
M TOWN TIRE & AUTO	WATER EQUIP REPAIR/MAINT		32.00		
MUNICIPAL SUPPLY INC	WATER SUPPLIES		750.00		
AL OBERBROECKLING	OVERPAYMENT REFUND - CAMP		357.66		

	810 WATER TOTAL		2,737.57		

	600 WATER TOTAL		2,737.57		
CUSTOMER DEPOSITS					
WATER					
CITY OF MONTICELLO	AITCHISON/ANN		200.00		

	810 WATER TOTAL		200.00		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	602 CUSTOMER DEPOSITS TOTAL		200.00		
SEWER					
SEWER					
ALTORFER INC.	SEWER EQUIP REPAIR/MAINT		622.49		
FAREWAY STORES #840-1	SEWER LAB SUPPLIES		11.37		
INFRASTRUCTURE TECHNOLOGY	SEWER DATA PROCESSING		22.20		
WHITE HAWK PLUMBING & HEATING	SEWER SYSTEM		4,105.25		
	815 SEWER TOTAL		4,761.31		
	610 SEWER TOTAL		4,761.31		
SANITATION					
SANITATION					
REPUBLIC SERVICES	RESIEENTIAL GARBAGE		24,143.16		
	840 SANITATION TOTAL		24,143.16		
	670 SANITATION TOTAL		24,143.16		
YARD WASTE SITE					
SANITATION					
ALLIANT ENERGY-IES	22411 BUSINESS HWY 151		33.92		
	840 SANITATION TOTAL		33.92		
	675 YARD WASTE SITE TOTAL		33.92		
	Accounts Payable Total		51,212.19		

CLAIMS REPORT CLAIMS FUND SUMMARY

FUND NAME	AMOUNT
001 GENERAL	6,137.16
005 MONTICELLO BERNDES CENTER	1,662.03
015 FIRE	2,976.21
016 AMBULANCE	367.19
041 LIBRARY	1,724.44
046 AIRPORT	2,166.66
110 ROAD USE	4,183.54
313 PARK IMPROVEMENT	119.00
600 WATER	2,737.57
602 CUSTOMER DEPOSITS	200.00
610 SEWER	4,761.31
670 SANITATION	24,143.16
675 YARD WASTE SITE	33.92

TOTAL FUNDS	51,212.19

City Council Meeting
Prep. Date: 03/02/2023
Preparer: Russell Farnum



Agenda Item: # 1 & 2
Agenda Date: 03/06/2023

Communication Page

Agenda Items Description: Public Hearing and Resolution taking additional action on proposal to enter into a General Obligation Corporate Purpose Loan Agreement and providing for the levy of taxes to pay the same

Type of Action Requested: Hold Public Hearing, Resolution

Attachments & Enclosures:

Resolution

Fiscal Impact:	
Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: At the February 6 City Council meeting, Council discussed issuance of the next General Obligation (“GO”) Bond, which will likely occur sometime in the coming 12-month period. The first payment on the GO Bond would then be in FY23/24. In order to issue said bond, the first payment will need to be included in the FY 23/24 budget, and the appropriate public hearing must be held prior to adoption of that budget.

Background: The bond discussed would be in the amount of about \$2 million dollars, but to be safe we are recommending a “Not to Exceed \$2.5 Million”, and would go toward the 6th Street Ditch, repainting the south Water Tower, and repairing Chestnut Street between 2nd and 3rd Streets. This bond will be issued as other bonds are getting paid off, the overall impact upon the property tax rate from issuing this bond will increase the debt levy from 2.36 to 2.63.

This action simply holds the public hearing and provides the action that will ultimately let the City issue the bond sometime in the coming fiscal year. It does not commit the Council to issuing the bond at all if the Council chooses not to proceed with the bond.

With an anticipated principal amount of \$1,875,000, the estimated amount for the first payment from the debt levy will be about \$49,750. The estimated first payments from the Water Fund and the TIF will be \$62,875 and \$69,250, respectively. These amounts will be included in the forthcoming budget.

Recommendation: A motion to approve is recommended.

MINUTES TO HOLD HEARING ON A
GENERAL OBLIGATION LOAN
AGREEMENT AND TO AUTHORIZE
PRELEVY

435926-35

Monticello, Iowa

March 6, 2023

The City Council of the City of Monticello, Iowa, met on March 6, 2023, at 6:00 o'clock p.m., at the Monticello Renaissance Center, 220 E. 1st Street, in the City.

The meeting was called to order by the Mayor, and the roll being called, the following named Council Members were present and absent:

Present: _____

Absent: _____.

This being the time and place specified for taking action on the proposal to enter into a General Obligation Corporate Purpose Loan Agreement in a principal amount not to exceed \$2,500,000, the City Clerk announced that no written objections had been placed on file. Whereupon, the Mayor called for any written or oral objections, and there being none, the Mayor closed the public hearing.

After due consideration and discussion, Council Member _____ introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member _____. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted as hereinafter set out.

RESOLUTION NO. _____

Resolution taking additional action on proposal to enter into a General Obligation Corporate Purpose Loan Agreement and providing for the levy of taxes to pay the same

WHEREAS, the City of Monticello (the “City”), in Jones County, State of Iowa, heretofore proposed to enter into a General Obligation Corporate Purpose Loan Agreement (the “Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$2,500,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the cost, to that extent, of (a) constructing street and storm water drainage improvements, including incidental water system, sanitary sewer system and utility relocation improvements; (b) acquiring and installing street lighting and signage improvements; and (c) undertaking water tower painting and maintenance, and pursuant to law and duly published notice of the proposed action has held a hearing thereon on March 6, 2023; and

WHEREAS, the City intends to enter into the Loan Agreement in the future and to issue General Obligation Corporate Purpose Bonds or Notes (the “Bonds”) in evidence of its obligations thereunder and anticipates that principal and interest will come due on the Bonds before July 1, 2024; and

WHEREAS, it is now necessary to make provision for the levy of a debt service property tax in the 2023-2024 fiscal year for the payment of such anticipated principal and interest;

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

Section 1. The City Council hereby determines to enter into the Loan Agreement in the future and orders that the Bonds be issued at such time, in evidence thereof. The City Council further declares that this resolution constitutes the “additional action” required by Section 384.24A of the Code of Iowa.

Section 2. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the City the following direct annual tax:

For collection in the fiscal year beginning July 1, 2023,
sufficient to produce the net annual sum of \$49,750.

provided, however, that at the time the Bonds are issued, the actual tax levy amounts required to pay the principal of and interest on the Bonds in each year shall be determined based upon the interest rate or rates at which the Bonds are issued, and this resolution shall be supplemented by a resolution of the City Council to provide for such actual and necessary tax levy amounts.

Section 3. A certified copy of this resolution shall be filed with the Jones County Auditor and said Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected,

the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever.

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

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

Passed and approved March 6, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk

••••

On motion and vote, the meeting adjourned.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk

ATTESTATION CERTIFICATE

STATE OF IOWA
COUNTY OF JONES
CITY OF MONTICELLO

SS:

I, the undersigned, City Clerk of the City of Monticello, do hereby certify that as such I have in my possession or have access to the complete corporate records of the City and of its City Council and officers and that I have carefully compared the transcript hereto attached with those corporate records and that the transcript hereto attached is a true, correct and complete copy of all the corporate records relating to a public hearing and additional action on the proposal to enter into a Loan Agreement and to issue General Obligation Corporate Purpose Bonds in evidence of the City's obligation under the Loan Agreement and the authorization of a debt service property tax levy for the payment of principal and interest thereunder and that the transcript hereto attached contains a true, correct and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time with respect thereto.

WITNESS MY HAND this _____ day of _____, 2023.

Sally Hinrichsen, City Clerk

COUNTY FILING CERTIFICATE

STATE OF IOWA

SS:

COUNTY OF JONES

I, the undersigned, County Auditor of Jones County, in the State of Iowa, do hereby certify that on the _____ day of _____, 2023, the City Clerk of the City of Monticello filed in my office a certified copy of a resolution of such City shown to have been adopted by the City Council on March 6, 2023, entitled: “Resolution taking additional action on proposal to enter into a General Obligation Corporate Purpose Loan Agreement and providing for the levy of taxes to pay the same,” and that I have duly placed the copy of the resolution on file in my records.

I further certify that the taxes provided for in that resolution will in due time, manner and season be entered on the State and County tax lists of this County for collection in the fiscal year beginning July 1, 2023, as provided in the resolution.

WITNESS MY HAND this _____ day of _____, 2023.

County Auditor

City Council Meeting
Prep. Date: 03/01/2023
Preparer: Russell Farnum



Agenda Item: # 3 & 4
Agenda Date: 03/06/2023

Communication Page

Agenda Items Description: Request to Vacate a Portion of Cherry Street

Type of Action Requested: Public Hearing and Resolution

Attachments & Enclosures:

Resolution Plat

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Terry Waugh owns the property at 303 E. 2nd Street. A large portion of the north end of the “lot” is actually platted as Cherry Street and is public right of way (owned by the City).

Waugh would like the City to vacate that portion of right of way, and deed it to him to add to his property. The total amount of land is just over 2,200 square feet, or 0.05 acre.

Prior to taking action on this request, the Council must hold a public hearing, and thereafter may take action to approve the attached Resolution.

Background: Cherry Street was originally platted to run straight easterly from Maple Street. When Railroad Addition re-platted this area, Cherry Street was jogged north, but the original right of way was not re-platted nor vacating, leaving this 37-ish foot wide portion that extends from Maple Street about 50 feet easterly. In fact, Waugh and the prior owner both openly used and improved the property as part of their yard for years.

There are no utilities in this portion of right-of-way, and it ends at the east line of Waugh’s property. Cherry Street actually jogs north, so vacating this area does not negatively impact the access to neighboring properties. The survey shows the requested vacation extending nearly to curb line on the south side of Cherry Street. Normally we would request some additional right of way remain to allow for sidewalk or future utility extensions, but the other lots to the east extend to the curb line also, prohibiting any potential future sidewalk or utilities in the terrace or “parkway” on that side of the street.

Chapter 137 of the Municipal Code sets forth the considerations for vacation of a public street, alley, or grounds. Paragraph 137.02 requires the Planning and Zoning Commission to review the request and

submit their report to the Council (Note: minutes of the P&Z meeting are attached and the P&Z meeting is summarized herein). Paragraph 137.04 states:

No street, alley, portion thereof, or any public grounds shall be vacated unless the Council finds that:

1. Public Use. The street, alley, portion thereof, or any public ground proposed to be vacated is not needed for the use of the public, and therefore, its maintenance at public expense is no longer justified.
2. Abutting Property. The proposed vacation will not deny owners of property abutting on the street or alley reasonable access to their property.

As outlined above, the land is not useful for utilities or sidewalks, and is not needed for access to other properties, therefore there is no public purpose in maintaining or ownership this land and right of way.

Pursuant to State law, the City Council cannot gift this land to anyone. But, because transferring the land to Waugh will add the property to the tax rolls, and the property is not needed for City purposes, a nominal fee of \$100 or \$1,000 is recommended. Council will need to provide direction on that amount.

For Council reference we have attached copies of the Municipal Code and State Code pertaining to vacating rights-of-way and other public lands.

Recommendation: There is no public purpose for the City to own this property. Vacating the right of way and deeding the property to Waugh will add it to the tax rolls and increase the value of this property.

The Planning and Zoning Board unanimously approved a motion to recommend the Council approve the request at their February 28 meeting.

The City of Monticello, Iowa

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

RESOLUTION #

Vacating a portion of the Cherry Street Right-of-Way and transferring same to the adjacent property owner

WHEREAS, The City of Monticello City Council scheduled a Public Hearing, published notice of same, and held the Public Hearing on the proposed vacation of a portion of the Cherry Street right-of-way deemed to be of no present or future value or use to the City of Monticello, and

WHEREAS, The Public Hearing notice did not result in any written comment or objection and no comment was received from the public at the Public Hearing, and

WHEREAS, The City of Monticello Planning and Zoning Board recommended the vacation of the proposed right-of-way, and

WHEREAS, The Council finds that the following right-of-way should be and is hereby vacated, to be transferred by way of this Resolution to the adjacent property owners consistent with the Iowa Code, to wit:

Part of Cherry Street lying North of Lot 479 of Railroad Addition to Monticello, Jones County, Iowa as recorded in the Office of the Jones County Recorder Book B, page 153

BEGINNING at the northeasterly corner of Lot 479 of Railroad Addition to Monticello, Jones County, Iowa;

Thence South 76-43'-30" West 47.65 feet along the North line and to the Northwesterly corner of said Lot 479;

Thence North 12-55'53" West 37.35 feet along the Easterly right of way line of Maple Street;

Thence North 66-35'-10" East 59.49 feet to the West line of Lot 11 of Turck's addition to Monticello as recorded in the Office of the Jones County Recorder Book B, page 161;

Thence South 00-04'-18" East 49.17 feet along the West line of said Lot 11 to the **POINT OF BEGINNING** containing a total of 2231.1 S.F. or 0.05 acres more or less; subject to easements, reservations, restrictions, and rights of way of record and not of record.

-and-

WHEREAS, The portion of Cherry Street vacated herein shall, by the approval of this Resolution, result in the transfer of ownership of said vacated alleyway to the owner of Lot 479 of Railroad Addition, Terry Waugh;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby vacate that portion of Cherry Street as described within the body of this Resolution, and

BE IT FURTHER RESOLVED that the property referenced shall be transferred by virtue of this document alone, without the preparation or issuance of a deed or other documentation, to the property owner identified herein, and/or their successors in interest if appropriate.

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 March, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

Patrick M. Courtney
Gregory J. Seyfer
Dean A. Spina
Joseph E. Schmall
William J. Nepl
Todd C. Jacobs
William T. McCartan
Maureen A. Gronstal
Vernon P. Squires
Timothy J. Hill
Paul D. Burns
Nancy A. Wood
Janice J. Kerkove
Kimberly H. Blankenship
Joseph W. Younker
Jessica A. Doro
Sherry L. Schulte
Natalie K. Clouse
John E. Bucheit
Desirée A. Kilburg
Andrew J. Seyfer
Kevin C. Rigdon



BRADLEY & RILEY PC
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319-861-8705

February 1, 2023

Russell Farnum
City Administrator, City of Monticello
200 East First Street
Monticello, Iowa 52310

Via Email to rfarnum@ci.monticello.ia.us; Original to Follow

Dear Mr. Farnum,

A few months ago, we spoke concerning a portion of Cherry Street right-of-way, owned by the City of Monticello but maintained by my client, Terry Waugh. In short, Terry owns the lot on the corner of Maple Street and 2nd Street, which is legally described as Lot 479 of Railroad Addition to Monticello, Jones County, Iowa. To the north of Terry's lot is a parcel of land lying south of Cherry Street (as it now exists) and east of Maple Street. Two surveyor's drawings are attached, depicting as Lot A the parcel owned by the City and discussed in this letter. Also attached is a legal description for Lot A.

For many years, the owner of Lot 479 has also maintained Lot A despite the City of Monticello being the owner of that parcel. This is evidenced, among other things, by a fence maintained by Terry for the benefit of Lot 479, but situated in part on Lot A. Given this background, my client formally requests that the City of Monticello vacate to Terry Waugh, Lot A in accordance with Iowa Code section 354.23.

BRADLEY & RILEY PC

February 1, 2023

Page 2

Please contact me if you have any questions or concerns regarding the contents of this letter.

Sincerely,

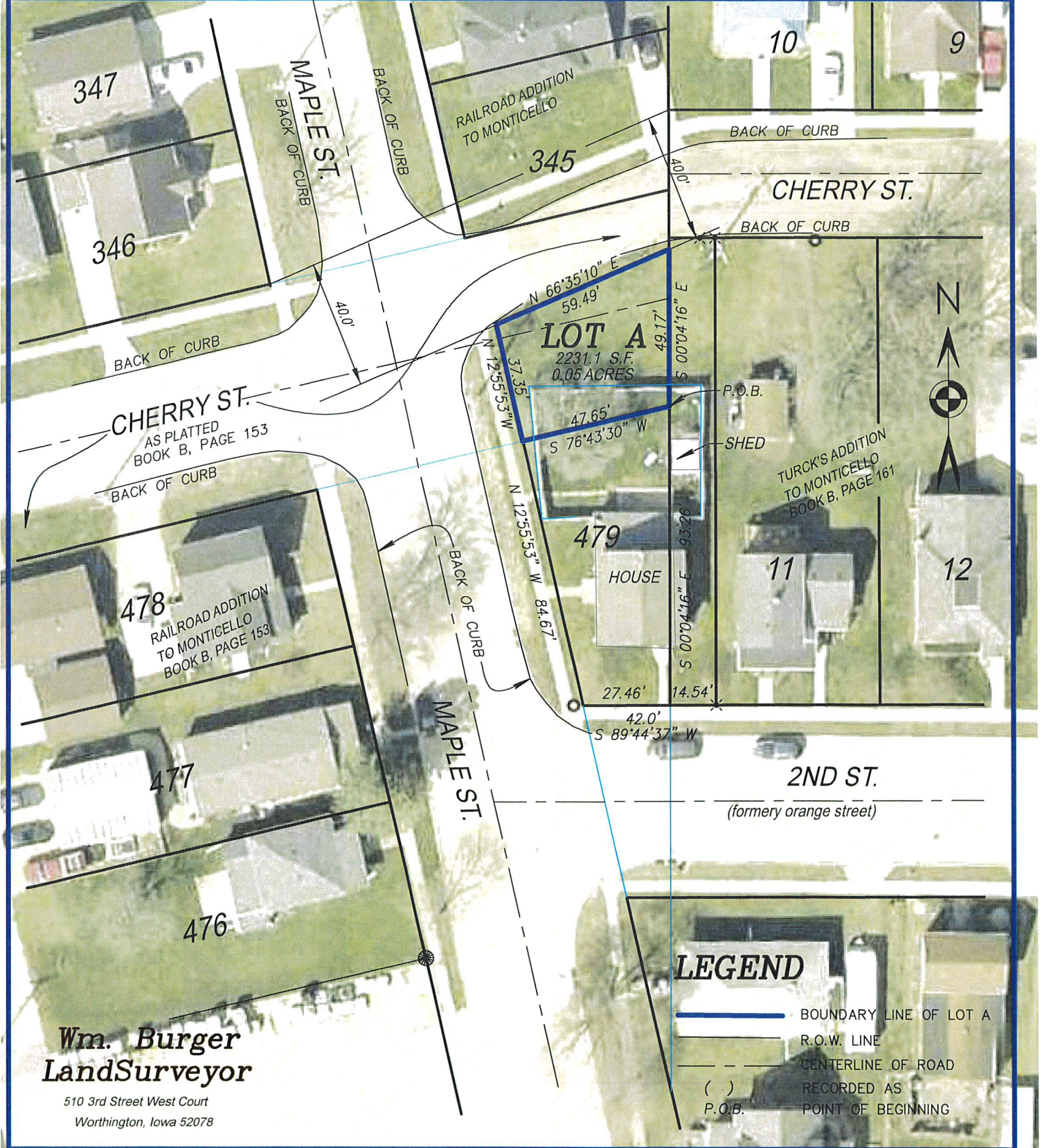
BRADLEY & RILEY PC

Casey Rigdon






Enclosures

EXHIBIT A

LOT A — AREA OF CHERRY STREET LYING NORTH OF LOT 479 OF RAILROAD ADDITION TO MONTICELLO, JONES COUNTY, IOWA TO BE VACATED



LEGEND

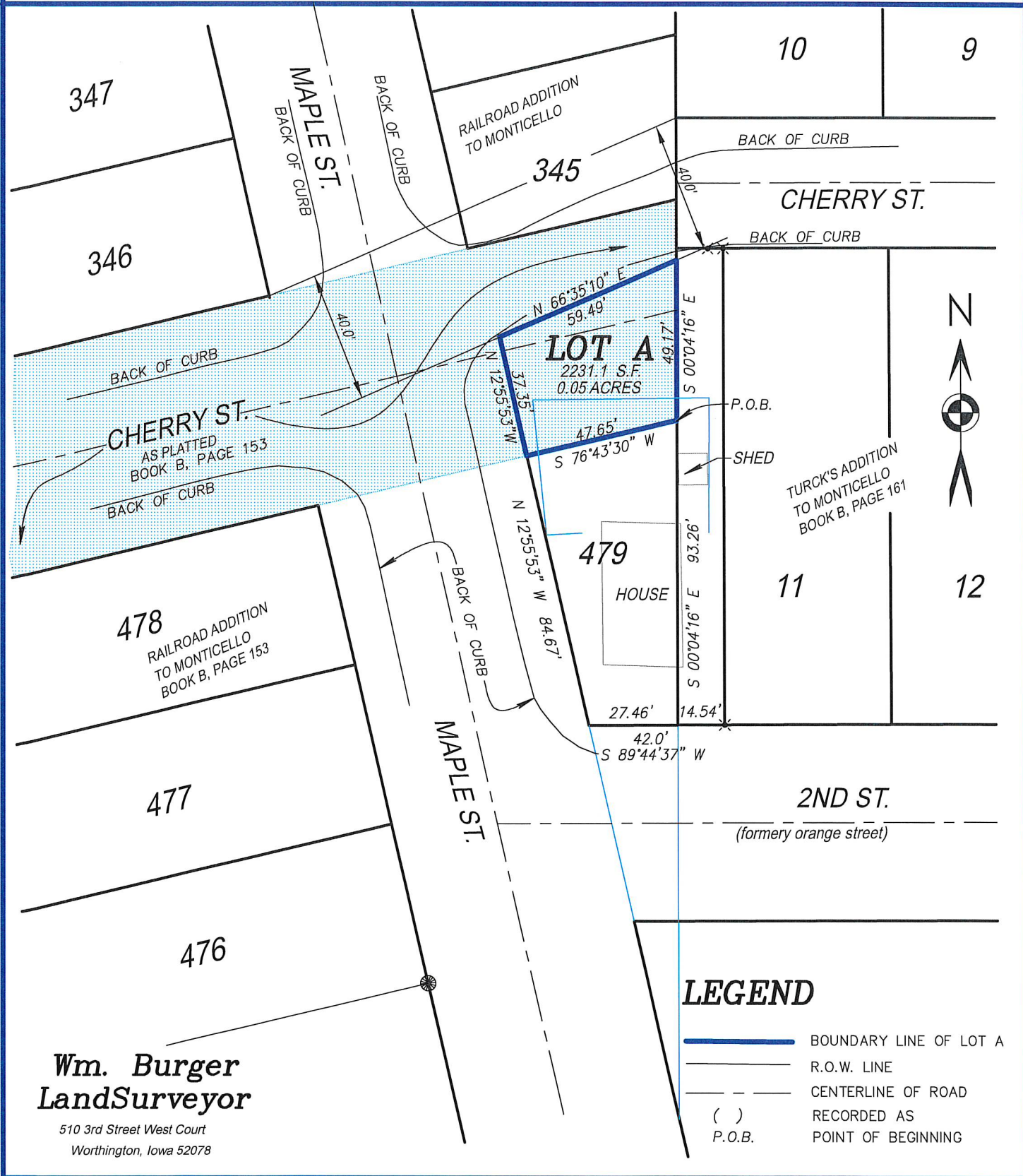
-  BOUNDARY LINE OF LOT A
-  R.O.W. LINE
-  CENTERLINE OF ROAD
-  () RECORDED AS
-  P.O.B. POINT OF BEGINNING

Wm. Burger
LandSurveyor

510 3rd Street West Court
Worthington, Iowa 52078

EXHIBIT A

LOT A – AREA OF CHERRY STREET LYING NORTH OF LOT 479 OF RAILROAD ADDITION TO MONTICELLO, JONES COUNTY, IOWA TO BE VACATED



LEGEND

- BOUNDARY LINE OF LOT A
- R.O.W. LINE
- - - CENTERLINE OF ROAD
- () RECORDED AS
- P.O.B. POINT OF BEGINNING

Wm. Burger
LandSurveyor

510 3rd Street West Court
Worthington, Iowa 52078

LEGAL DESCRIPTION

LOT A - part of Cherry Street lying North of Lot 479 of Railroad Addition to Monticello, Jones County, Iowa as recorded in the Office of the Jones County Recorder Book B, page 153

BEGINNING at the Northeasterly corner of Lot 479 of Railroad Addition to Monticello, Jones County, Iowa;

Thence South $76^{\circ}-43'-30''$ West 47.65 feet along the North line and to the Northwesterly corner of said Lot 479;

Thence North $12^{\circ}-55'-53''$ West 37.35 feet along the Easterly right of way line of Maple Street;

Thence North $66^{\circ}-35'-10''$ East 59.49 feet to the West line of Lot 11 of Turck's Addition to Monticello as recorded in the Office of the Jones County Recorder Book B, page 161;

Thence South $00^{\circ}-04'-16''$ East 49.17 feet along the West line of said Lot 11 to the **POINT OF BEGINNING** containing a total of 2231.1 S.F. or 0.05 acres more or less; **subject to easements, reservations, restrictions, and rights of way of record and not of record;**

Planning & Zoning Commission Meeting
Council Chambers
February 28, 2023
5:30 p.m.

Commissioner Trint Adams called the meeting to order at 5:30 p.m. The Pledge of Allegiance was recited by all. The following members were present: Trint Adams, Gary “Butch” Pratt, Joe Tuetken, Tom Osborne and Gaylen Kray. Also present were City Council Liaison Wayne Peach, Mayor Dave Goedken, Public Works Director Nick Kahler and Deputy City Clerk Cheryl Clark.

Pratt moved to approve the agenda; Osborne seconded. Ayes: All present. Carried.

Tuetken moved to approve the minutes of the January 24, 2023 meeting; Kray seconded. Ayes: All present. Carried.

Adams reported that Parcel 2023-09 was previously discussed, this is just the Final Plat. Motioned by Osborne, seconded by Pratt to recommend approval of Final Plat(s) for Parcel 2023-09 for property at 21464 River Road (Anthony Kraus). Ayes: All present. Carried.

Casey Rigdon with Bradley & Riley PC was present for Terry Waugh, regarding vacating a portion of Cherry Street located east of Maple Street. Lot A, north of Waugh’s property line, is actually platted as Cherry Street and is public right of way, owned by the City. Waugh owns the property at 303 East 2nd Street and has been maintaining Lot A. He is requesting that the City vacate that portion of right of way and deed it to him, to add to his property. Osborne stated that the 14’ strip of land to the east of the Waugh property has no value and hasn’t generated any property taxes. Rigdon stated that the 14’ strip is still in the name of James Skelley, who passed away in the ‘50s, and he is working to clear up that issue as well. Pratt questioned if there is a law saying if you’ve maintained a property for so long, it belongs to you and Goedken stated that adverse possession doesn’t apply to City-owned property. Osborne questioned Waugh’s intent with the property, as the fence doesn’t meet Code requirements, and Rigdon was unsure. Kray motioned to recommend approval of a petition to Vacate a portion of Cherry Street located east of Maple Street and deed it to Lot 479 (Terry Waugh). Pratt seconded. Ayes: All present. Carried.

Moved by Kray to adjourn at 5:39 p.m. Ayes: All present. Carried.

Trint Adams, Commissioner

Cheryl Clark, Deputy City Clerk

CHAPTER 137

VACATION AND DISPOSAL OF STREETS

- 137.01 Power to Vacate
- 137.02 Planning and Zoning Commission
- 137.03 Notice of Vacation Hearing

- 137.04 Findings Required
- 137.05 Disposal of Vacated Streets or Alleys
- 137.06 Disposal by Gift Limited

137.01 POWER TO VACATE.

When, in the judgment of the Council, it would be in the best interest of the City to vacate a street, alley, portion thereof, or any public grounds, the Council may do so by ordinance in accordance with the provisions of this chapter.

(Code of Iowa, Sec. 364.12[2a])

137.02 PLANNING AND ZONING COMMISSION.

Any proposal to vacate a street, alley, portion thereof, or any public grounds shall be referred by the Council to the Planning and Zoning Commission for its study and recommendation prior to further consideration by the Council. The Commission shall submit a written report including recommendations to the Council within 30 days after the date the proposed vacation is referred to the Commission.

(Code of Iowa, Sec. 392.1)

137.03 NOTICE OF VACATION HEARING.

The Council shall cause to be published a notice of public hearing of the time at which the proposal to vacate shall be considered.

137.04 FINDINGS REQUIRED.

No street, alley, portion thereof, or any public grounds shall be vacated unless the Council finds that:

1. Public Use. The street, alley, portion thereof, or any public ground proposed to be vacated is not needed for the use of the public, and therefore, its maintenance at public expense is no longer justified.
2. Abutting Property. The proposed vacation will not deny owners of property abutting on the street or alley reasonable access to their property.

137.05 DISPOSAL OF VACATED STREETS OR ALLEYS.

When in the judgment of the Council it would be in the best interest of the City to dispose of a vacated street or alley, portion thereof or public ground, the Council may do so in accordance with the provisions of Section 364.7, Code of Iowa.

(Code of Iowa, Sec. 364.7)

137.06 DISPOSAL BY GIFT LIMITED.

The City may not dispose of real property by gift except to a governmental body for a public purpose or to a fair.

(Code of Iowa, Sec. 174.15[2] & 364.7[3])

EDITOR'S NOTE			
The following ordinances, not codified herein and specifically saved from repeal, have been adopted vacating certain streets, alleys and/or public grounds and remain in full force and effect.			
ORDINANCE NO.	ADOPTED	ORDINANCE NO.	ADOPTED
EDITOR'S NOTE			
The following ordinances, not codified herein and specifically saved from repeal, have been adopted vacating certain streets, alleys and/or public grounds and remain in full force and effect.			
ORDINANCE NO.	ADOPTED	ORDINANCE NO.	ADOPTED
57	--		
75	--		
87	June 19, 1879		
99	March 14, 1881		
105	May 4, 1881		
107	March 8, 1882		
108	July 7, 1882		
214	May 1, 1900		

226	October 2, 1900		
237	April 2, 1901		
305	May 3, 1905		
459	April 9, 1914		
470	January 2, 1917		
490	May 4, 1925		
518	September 21, 1931		
151	November 3, 1947		
152	October 11, 1949		
246	January 19, 1981		
283	June 16, 1984		
290	April 15, 1985		
291	July 1, 1985		
307	May 27, 1987		
376	July 19, 1993		
377	December 13, 1993		

354.23 Vacation of streets or other public lands.

1. A city or a county may vacate part of an official plat that had been conveyed to the city or county or dedicated to the public which is deemed by the governing body to be of no benefit to the public.

2. The city or county shall vacate by resolution following a public hearing or by ordinance and the vacating instrument shall be recorded. The city or county may convey the vacated property by deed or may convey the property to adjoining proprietors through the vacation instrument. If the vacating instrument is used to convey property then the instrument shall include a list of adjoining proprietors to whom the vacated property is being conveyed along with the corresponding description of each parcel being conveyed. A recorded vacation instrument which conforms to [this section](#) is equivalent to a deed of conveyance and the instrument shall be filed and indexed as a conveyance by the recorder and auditor.

3. A vacation instrument recorded pursuant to [this section](#) shall not operate to annul any part of an official plat except as provided for in [section 354.22](#).

[90 Acts, ch 1236, §37](#)

[C91, §409A.23](#)

[C93, §354.23](#)

[2017 Acts, ch 54, §76](#)

City Council Meeting
Prep. Date: 2/28/2023
Preparer: Britt Smith



Agenda Item: # 5
Agenda Date: 3/6/2023

Communication Page

Agenda Items Description: **Resolution** to approve the Agreement for Communication Services with the Jones County Sheriff's Office

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

Attachments & Enclosures:

Proposed Resolution

Proposed Agreement

Fiscal Impact:

Budget Line Item:

Budget Summary:

Expenditure:

Revenue:

Synopsis: Approval of the Agreement for Communication Services Between the Jones County Sheriff and the City of Monticello

Background Information: We approved the FY '24 Communications Agreement back on January 2nd in the amount of \$28,278.36 which included the NetMotion user licenses to access our county wide records management system. This agreement has been modified and the NetMotion user licenses have been removed from the previously stated fee. The new rate of \$27,274 will be paid to Jones County, the NetMotion User licenses of \$1,004.36 will be paid directly to EnCompass, which is the County's IT provider. In the end, the overall amount remains the same, just with different recipients.

Staff Recommendation: I recommend that the Council approve the updated Agreement for Communication Services Between the Jones County Sheriff and the City of Monticello.

The City of Monticello, Iowa

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

RESOLUTION

Approving revised Agreement for Communication Services Between Jones County, Jones County Sheriff, and City of Monticello

WHEREAS, the City of Monticello, Iowa is an incorporated City within Jones County, Iowa, and

WHEREAS, the Monticello City Council has previously entered into agreements with Jones County and the Jones County Sheriff Department to provide communication services to the City and approved proposed Agreement for Communication Services Between Jones County, Jones County Sheriff, and City of Monticello, which included the NetMotion user licenses to access our county wide records management system on January 3, 2023, and

WHEREAS, the Agreement with the above entities has been modified and the NetMotion user licenses have been removed from the previously approved agreement, which lowered the amount from \$28,278.36 to \$27,274.00. The revised amount of \$27,274.00 will be paid to Jones County, and the NetMotion User licenses of \$1,004.36 will be paid directly to EnCompass, which is the County's IT provider, and

WHEREAS, the Agreement with the above entities is subject to renewal annually, with the agreement for FY '24 being presented for approval at the rate of \$27,274, an increase from the FY '23 rate of \$25,975, and

WHEREAS, the City Council finds that said agreement should be approved.

NOW THEREFORE, BE IT RESOLVED that this City Council of Monticello, Iowa does hereby approve the agreement for Communication Services previously mentioned herein, and does hereby authorize the Mayor to execute the same on behalf of the City Council.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal for the City of Monticello, Iowa to be affixed. Done this 6th day of March, 2023.

Dave Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer



Jones County Sheriff's Office
500 West Main Street
PO Box 167
Anamosa, Iowa 52205

Sheriff Greg A. Graver
Phone 319-462-4371
Civil 319-462-5305
Fax 319-462-4766
Jail 319-462-2720

AGREEMENT FOR COMMUNICATION SERVICES BETWEEN THE JONES COUNTY SHERIFF AND THE CITY OF MONTICELLO, IOWA

2023-2024

Prepared by Sheriff Greg A Graver
500 West Main Street
Po Box 167
Anamosa, Iowa 52205
319-462-4371

This agreement is entered into this ___ day of ___, 2023, by and between Jones County, hereinafter referred to as the County; The County Sheriff, hereinafter referred to as the Sheriff; and the City of Monticello hereinafter referred to as the City.

I

STATEMENT OF AGREEMENT. The County and its Sheriff agree to provide communication services and TAC 10 Data Management to the City and the City agrees to engage the County, through its Sheriff, to provide such services in accordance with and subject to the terms of this agreement.

II

LEGAL BASIS. This agreement is authorized by the provisions of Chapter 28E of the Code of Iowa.

III

COMMUNICATION SERVICES DEFINED. General Communication Services consist of 24-hour communication (365 days per year) for all E911 and dispatch calls and technical service to be provided for the City, City Police, Fire and Ambulance Departments and the City Residents.

TAC 10 DATA MANAGEMENT DEFINED. TAC 10 Data management consists of the custody, control and maintenance of a TAC 10 database for the collection, security and retrieval of TAC 10 captured data accumulated through local law enforcement who are parties to this agreement.

IV

DELIVERY OF SERVICES. Delivery of services shall be provided as follows:

1. **SERVICE AREA:** The Sheriff shall provide general communication services within the corporate limits of the City.
2. **ENFORCEMENT RESPONSIBILITIES:** The Sheriff shall provide communication services for the City. The Sheriff shall not be required to assume any other communication services or function not consistent with those customarily performed by the Sheriff and under the Charter of the County and Statutes of the State.
3. **DELIVERY OF SERVICE:** The Sheriff shall deliver 24-hour service of communication services. This agreement shall commence July 1, 2023 and shall terminate on June 30, 2024.
4. **SERVICE MANAGEMENT:** The planning, organization, scheduling, directions and supervision of the Sheriff's personnel and all other matters incident to the delivery of general communication services to the City shall be determined by the Sheriff. The Sheriff shall retain exclusive authority over the activities of the personnel working in the Dispatch Center.
5. **RESPONSIVENESS:** The Sheriff shall give prompt consideration to all requests of the City regarding the delivery of general communication services. The Sheriff shall make every effort to comply with these requests if they are consistent with good communication service practices.
6. The City shall fully assist in the migration and merger of all TAC 10 related data onto a County owned and controlled database.
7. The City shall fully assist the County, at the County's request, in the ongoing management of said software and data to ensure database and software compatibility.
8. The City shall be responsible for the purchase of any and all hardware and software required for TAC 10 data collection.
9. The County shall be responsible for the purchase of any and all hardware and software required for TAC 10 data storage.
10. The County shall host all the City's TAC 10 related software and data and agrees, to the best of its ability, to secure and manage said data on behalf of the City.

11. The County agrees to seek the counsel of the City regarding the management of said software and data; however, the County shall have ultimate authority and decision making power over the County database, software, data, and all policies related.

V

RESOURCES. Resources shall be provided as follows:

1. **COUNTY RESPONSIBILITY:** Unless specifically agreed to in another part of this agreement, the County shall furnish all labor, equipment, facilities and supplies required to provide communication and TAC 10 Data Management services to the City.

2. **INDIVIDUAL OWNERSHIP OF PROPERTY:** The County and City shall retain title to the property each may require to fulfill its obligation under this agreement and, upon termination of this agreement, each party may dispose of its property as it sees fit. All data that is integrated, merged or collected pursuant to this agreement shall remain the sole property of Jones County and shall not be disintegrated from County owned and controlled database.

3. In the event there are additional costs associated with the City's request to separate from the County controlled TAC 10 Data Management, the City shall be responsible for all costs, with no expense to the County.

VI

LIABILITY. Liability shall be assumed as follows:

1. **COUNTY:** The County shall assume liability for, defend against, indemnify and hold harmless the City from all costs or damages for injury to persons or property caused by the County in providing or failing to provide general communication services to the City, including attorney fees for defense against such claims.

2. **CITY:** The City shall assume liability for, defend against, indemnify and hold harmless the County from all costs and damages for injury to persons or property caused by the City, including attorney fees for defense against such claims.

VII

PERSONNEL.

1. **EMPLOYEE STATUS:** All persons employed by the Sheriff and providing general communication and TAC 10 Data Management services to the City shall be County Employees and shall not have any benefit, status or right of City employment.

2. PAYMENT: The City shall not be liable for direct payments of salaries, wages or other compensation to County Employees providing general communication and TAC 10 Data Management services to the City.

3. INDEMNITY: The City shall not be liable for or indemnity to any County Employee for injury or sickness arising out of his/her employment providing general communication and TAC 10 Data Management services to the City.

VIII

FEES. Fees and payments shall be as follows:

1. The total sum the City shall pay the County is \$27,274 for the period of July 1, 2023 through June 30, 2024 for general communication and TAC 10 Data Management services during the term of this agreement.
2. BILLING: The County shall receive from the City \$27,274 per year for Dispatch services. This payment shall be made by check payable to the Jones County Sheriff, and be delivered to the Sheriff's Office in Anamosa, Iowa 52205. Payments may be made during the term of this agreement as long as the entire balance is paid by May 15, 2024.
3. DELINQUENCY: In the event the County does not receive the entire balance due by May 15, 2024, a 5% penalty based on the delinquent amount will be added to the unpaid balance amount owed. If the City does not make full payment of the amount owed within 60 days of the expiration of this contract, the County will terminate this agreement and any current agreement until the balance due is paid in full. The City shall be liable for general communication and TAC 10 Data Management services rendered to the time of termination.

IX

TERM. This agreement shall take effect on July 1, 2023 and shall continue through June 30, 2024. This agreement shall automatically renew on an annual basis unless either the Sheriff, the County or the City provide written notice of termination to all other parties at least sixty days prior to termination of this agreement. This agreement can also be terminated at any time by mutual consent of all parties.

Dated this _____ day of _____, 2023

By: _____, Chairperson, Board of Supervisors, Jones County

Dated this _____ day of _____, 2023

By: _____, Mayor, City of Monticello

Dated this _____ day of _____, 2023

By: _____, Sheriff, Jones County

City Council Meeting
Prep. Date: 2/10/2023
Preparer: Britt Smith



Agenda Item: # 6
Agenda Date: 3/6/2023

Communication Page

Agenda Items Description: Resolution to approve the promotion of Officer Brian Tate to Sergeant.

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

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

Synopsis: Resolution to recognize the promotion of Officer Brian Tate to Sergeant.

Background Information: Since 2018 with the implementation of the School Resource Officer Position, the Monticello Police Department has not filled the position of Sergeant since being vacated by Dawn Graver. Dawn Graver had previously held the position, but upon her transition to SRO, I relieved her of the duties and assignments related to the Sergeant position and absorbed them into the Chief's position. I restructured tasks and duties as I could and assigned them to the existing patrol officer positions based upon their individual strengths and experience. While we had a clear chain of command, the responsibilities upon my absence were shared by SRO Graver and our most Senior Patrol Officer, Brian Tate.

Over the last 5 years that shared command between Graver and Tate has transitioned to predominantly Officer Tate. I have begun to task Officer Tate with more assignments which strengthened and grew his abilities to be a leader within the Department and within the Community. Over these last 5 years I have seen tremendous growth from Officer Tate. Officer Tate possesses an analytical skill set that allows me another trusted source to receive considerations from. I have evaluated his decision-making process and trust that his thought process and reasoning are well within my preferences and best interests of the community.

In addition to the operational necessities, promotions are also a necessary retention tool for departments. Promotions provide for new growth and experiences to help keep officers engaged in a Department and Community. Without those opportunities, good officers can easily find themselves looking for those opportunities elsewhere. I had been provided the opportunity of a promotion under previous administration, which gave me many of the skills necessary to be in the position I'm in today. With the investment we have made in Officer Tate we must capitalize on that by giving him the ability to elevate his career.

This increase in duties and responsibilities will increase the rate of pay \$1.32/hr. for Officer Tate which is established by the current employment agreement. This will increase the police officer wages line item \$1,552 for the remainder of the 22/23 Fiscal Year. This increase will be covered within our current budget and should not require any budget amendments.

The time is now to make a promotion to not only recognize his dedication and commitment, but to continue to build the leaders of tomorrow through succession planning. Brian Tate is committed to the Department, committed to the Community, trusted by me, and respected by the officers and will serve as an excellent Sergeant. I ask that the Monticello City Council recognize the value in my decision and approve the promotion.

Staff Recommendation: I recommend that the Council recognize the promotion of Officer Brian Tate to Sergeant and approve the wage as established by the current employment agreement of \$32.08/hr.

The City of Monticello, Iowa

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

RESOLUTION #

To Approve the Promotion of Officer Brian Tate to Sergeant and setting wage for Sergeant position

WHEREAS, The City of Monticello, Iowa is an incorporated city within Jones County, Iowa; and

WHEREAS, Police Chief Britt Smith recommends the City Council recognizes the promotion of Officer Brian Tate to Sergeant for the Monticello Police Department, and

WHEREAS, The Police Sergeant's wages are set by previously approved agreement, with merit increases to be considered annually and implemented by the Chief of Police, and

WHEREAS, The agreement sets the following wage of \$32.08 for the sergeant position, effective February 6, 2023.

NOW THEREFORE BE IT RESOLVED that the City Council of Monticello, Iowa does recognize the promotion of Officer Brian Tate to Sergeant and approve the wage as established by the current employment agreement of \$32.08/hr.

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 6th day of March 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
 Prep. Date: 3/2/2023
 Preparer: Jacob Oswald



Agenda Item: # 7, 8, & 12
 Agenda Date: 03/06/2023

Communication Page

Agenda Items Description: **Resolution** Authorizing the Park & Recreation Director to Make Immediate Payments Prior to Council Approval; **Resolution** Approving Petty Cash Limits for Aquatic Center, Library, Berndes Center, Youth & Adult Tournaments and City Hall and **Ordinance** Amending the Code of Ordinances of the City of Monticello, Iowa, by Adding New Section to Chapter 23, Park and Recreation Board Section 23.08 Accounting of Park and Recreation Checking Account

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

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis:

Authorize the Park and Recreation Director to make immediate payment via check prior to Council approval, as well as approving petty cash in the amounts of \$1,800 for the spring baseball and softball season and \$300 for the aquatic center.

Background Information:

The Park and Recreation Department will be responsible for payment of umpires during the upcoming spring and summer baseball and softball tournaments. Immediate payments are the standard for umpires, officials, and referees at most privately held events, high schools, colleges, etc. If not paid promptly we may not get these game officials to come back. Tournament registration fees collected will be placed into a checking account and be used to write checks for game officials. Tournaments types are not restricted to baseball and softball and may include other sports such as basketball, volleyball, etc.

The Park and Recreation Department would also request petty cash in the amount of \$1,800 to be used as start-up cash for concession stands during the baseball and softball season, as well as \$300 to be used in the same fashion for concessions and front desk operations at the aquatic center.

Finally, the Park and Recreation Department requests amending the code of ordinances by adding a new section to the Park and Recreation Board referencing accounting of a Park and Recreation checking account to be used for payment of umpires, referees and other game officials.

Staff Recommendation:

To approve the Park and Recreation Director to issue payment, without prior council approval, for umpires, referees, and/or other game officials.

To approve petty cash in the amounts of \$1,800 and \$300 for purposes of concession stand and front desk operations.

To approve amending the Code of Ordinances, adding a new section to the Park and Recreation Board referencing a Park and Recreation checking account.

The City of Monticello, Iowa

RESOLUTION #

**Authorizing the Director of Park & Recreation to Make
Immediate Payments Prior to Council Approval**

WHEREAS, the City of Monticello, Iowa is an incorporated City within Jones County, Iowa; and

WHEREAS, the City of Monticello, Iowa, is obligated to make immediate payments for expenses which, because of their nature, must be paid before Council can meet for approval, according to Monticello Code 23.08 (4) and

WHEREAS, immediate payments shall include payment of umpire, referee or other official fees, and other such expenses which if not paid promptly would result in loss of discount, penalty for late payment or additional interest cost. No check shall exceed \$1,000.00, and

WHEREAS, any such payments made shall be reported to the Council for review and approval with and in the same manner as other claims at the next meeting following such payment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MONTICELLO, IOWA, gives authorization to the Director of Park & Recreation to issue payment, without prior council approval, for the certain expenses cited in this resolution.

IN TESTIMONY WHEREOF, I subscribe my name and affix the Great Seal for the City of Monticello, Iowa on this 6th day of March, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

The City of Monticello, Iowa

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

RESOLUTION

Approving Petty Cash Limits for Aquatic Center, Library,
Berndes Center, Youth & Adult Tournaments 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, Sports Complex 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	\$ 300
Library	\$ 200
Berndes Center	\$ 100
Youth & Adult Tournaments	\$1,800
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 6th Day of March, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: 03/01/2023
Preparer: Russell Farnum



Agenda Item: # 9
Agenda Date: 03/06/2023

Communication Page

Agenda Items Description: Approving Plat of Survey to Parcels 2023-09 for Property located at 21464 River Road (Anthony Kraus)

Type of Action Requested: Resolution									
<p>Attachments & Enclosures:</p> <p>Resolution Plat</p>	<p>Fiscal Impact:</p> <table border="1" style="width: 100%;"> <tr> <td>Budget Line Item:</td> <td></td> </tr> <tr> <td>Budget Summary:</td> <td></td> </tr> <tr> <td>Expenditure:</td> <td></td> </tr> <tr> <td>Revenue:</td> <td></td> </tr> </table>	Budget Line Item:		Budget Summary:		Expenditure:		Revenue:	
Budget Line Item:									
Budget Summary:									
Expenditure:									
Revenue:									

Synopsis: In February/March 2022, the Council approved plats for parcels 2022-12 and 2022-13, so that this petitioner (Anthony Kraus) could purchase additional land from neighboring property owners. A condition of the approval of those plats was to subsequently combine the properties into one lot.

The smaller parcels have now been completed and this plat fulfills that condition of approval, combining the parcels into one property.

Background: Anthony Kraus owns the property at 21464 River Road. He purchased some land from a neighborhood to “fill in a notch” in the property (Parcel 2022-12), and it appears as though his garage is on other neighboring property that he purchased (Parcel 2022-13). The purchase increased the size of Kraus’s property without negatively impacting the neighboring properties.

The properties are outside of the City Limits, but the City has review of these plats through its extraterritorial jurisdiction.

The property is just east of Business 151, just north of the Maquoketa River. The property, and the two adjacent lots, are improved with single family homes. Land to the west includes Hillside Sports Bar. The river is to the south, and to the north lies Monti View mobile home park and storage. This proposal is very near the City Limits, but will have no impact upon the future development of the City.

Recommendation: This will have no impact upon the future growth or development of the City, as no new development is proposed. The Planning and Zoning Board reviewed this at their meeting of February 28 and recommended approval.

The City of Monticello, Iowa

RESOLUTION

Approving Plat of Survey to Parcel 2023-09 for Property located at 21464 River Road

WHEREAS, The Plat of Survey to Parcels 2023-09 for property located at 21464 River Road has been presented to the City Council for approval, same being located within the two-mile jurisdiction of the City limits of the City of Monticello, and

WHEREAS, The Plat was created to combine plats of parcel 2022-12 and 2022-13, which added land to the existing lot that contains the home and buildings on this site from surrounding property. The two adjacent lots, to the east are improved with single family homes. Land to the west includes Hillside Sports Bar, and

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

WHEREAS, The City Council finds that the Plat of Survey for property at 21646 River Road should be approved.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve the Plat of Survey for property at 21464 River Road,

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 March, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

INDEX LEGEND

LOCATION: N1/2 SE1/4 OF SECTION 22, T86N, R3W
 S1/2 NE1/4 OF SECTION 22, T86N, R3W
 REQUESTOR: ANTHONY KRAUS
 PROPRIETOR: ANTHONY G. KRAUS & MARSHA K. KRAUS
 SURVEYOR: BILL BURGER
 SURVEYOR COMPANY: WM. BURGER LANDSURVEYOR
 BILL BURGER, 510 3RD STREET WEST COURT,
 RETURN TO: WORTHINGTON, IA 52078 | (563) 855-2028

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

PLAT OF SURVEY

PARCEL 2023-09 COMPRISED OF PARCEL 2022-12, COMPRISED OF PARCEL 2022-13, AND PART OF LOT 5 OF THE NORTH HALF (N1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTH HALF (S1/2) OF THE NORTHEAST QUARTER (NE1/4), ALL IN SECTION TWENTY-TWO (22), TOWNSHIP EIGHTY-SIX NORTH (T86N), RANGE THREE WEST (R3W) OF THE FIFTH PRINCIPAL MERIDIAN, JONES COUNTY, IOWA

ACREAGE SUMMARY

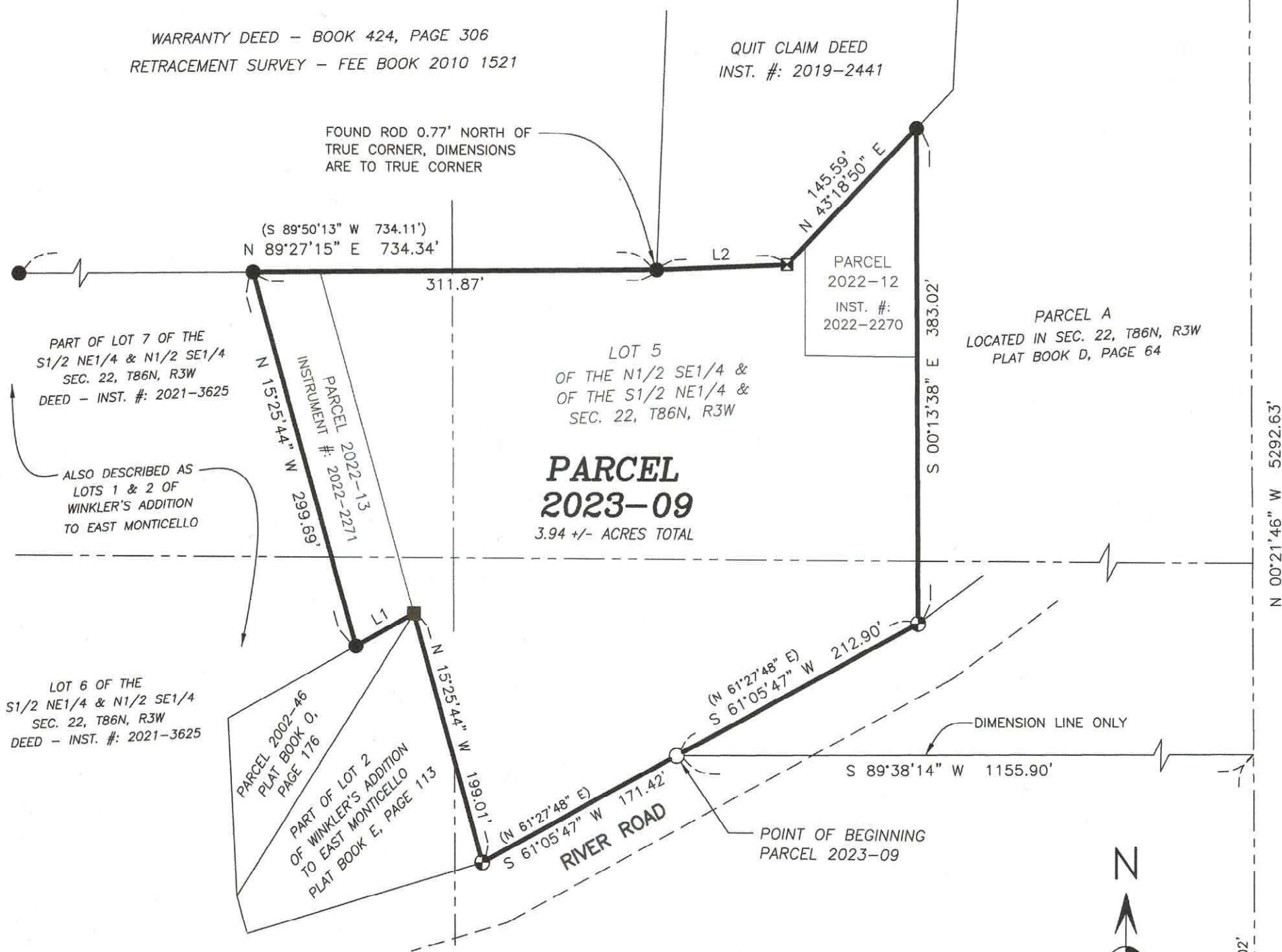
PARCEL	NW1/4 SE1/4 SEC. 22, T86N, R3W	NE1/4 SE1/4 SEC. 22, T86N, R3W	SW1/4 NE1/4 SEC. 22, T86N, R3W	SE1/4 NE1/4 SEC. 22, T86N, R3W
2023-09	0.14 +/-	1.19 +/-	0.63 +/-	1.98 +/-

WARRANTY DEED - BOOK 424, PAGE 306
 RETRACEMENT SURVEY - FEE BOOK 2010 1521

QUIT CLAIM DEED
 INST. #: 2019-2441

FOUND ROD 0.77' NORTH OF
 TRUE CORNER, DIMENSIONS
 ARE TO TRUE CORNER

NE CORNER
 SEC. 22, T86N, R3W
 FD. CONCRETE MONUMENT
 WITH REBAR

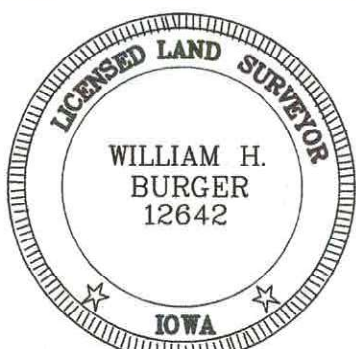


LEGEND

LINE	BEARING	DISTANCE
L1	S 60°29'06" W (S 87°23'48" W)	51.55'
L2	N 87°25'22" E (S 87°23'48" W)	100.83' (101.1')

- SET 1/2" IRON ROD W/ YELLOW CAP #12642
- FD. 1/2" IRON ROD W/ YELLOW CAP #12642
- ⊕ FD. NAIL ON TOP OF CORNER POST
- FD. 5/8" IRON ROD W/ NO CAP
- ⊠ FD. STEEL POST IN CONCRETE
- BOUNDARY LINE SURVEYED
- - - SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- - - R.O.W. LINE RECORDED AS

SE CORNER
 SEC. 22, T86N, R3W
 FD. CONCRETE MONUMENT
 WITH REBAR



DATE OF SURVEY: 9/10/2021

SCALE: 1" = 100'

SHEET 1 OF 3

PROPRIETORS: SEE INDEX LEGEND

I HEREBY CERTIFY THAT THIS LANDSURVEYING DOCUMENT WAS PREPARED AND RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA. MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024

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

William H. Burger 2/7/23
 WILLIAM H. BURGER #12642 DATE

City Council Meeting
 Prep. Date: 3/1/2023
 Preparer: Sally Hinrichsen



Agenda Item: # 10
 Agenda Date: 3/06/2023

Communication Page

Agenda Items Description: Resolution Re-scheduling Public Hearing on the City of Monticello 2023/2024 Fiscal Year budget

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: Scheduling Public Hearing on FY '24 Budget approval for April 3, 2023.

Background Information: Public hearing required prior to approval of annual budget. Notice will be published in the Express as required by the Iowa Code.

Council had set the budget hearing for March 20th, however with Senate File 181 (SF181) was signed into law by Governor Reynolds on February 20, 2023.

The signing of SF181 into law has affected the city budget process in a few ways. First is that the rollback on residential property is being lowered from 56.4919% to 54.6501%. This will result in a reduction in taxable valuation in the residential, commercial, industrial and railroad property classes. This means that the amount of property tax dollars that you can get at the same rate will be lower than under the previous taxable valuation.

SF181 also changes the submission deadlines for budgets to April 30 for this year only, in order to allow cities more time to complete their budget after the revised taxable valuation is reported. The budget must be submitted to the County Auditor by no later than April 30 2023.

The State of Iowa Department of Management Director stated the “best practice is to wait until after the revised taxable valuation has been submitted on March 9 to create and publish/post the notice of hearing for the full budget adoption”. In light of his recommendation and to save the cost of publication of the budget notice, staff decided to hold off on the publication and to reset the Budget Hearing for April, 2023

Staff Recommendation: Recommend that the Council approve the proposed resolution scheduling public hearing on the proposed FY '24 budget for April 3, 2023 at 6:00 p.m.

The City of Monticello, Iowa

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

RESOLUTION #

Re-Scheduling Public Hearing on the City of Monticello 2023/2024 Fiscal Year budget for April 3, 2023 at 6:00 p.m.

WHEREAS, The Iowa Code requires that that the City of Monticello hold a Public Hearing on the proposed budget for the coming fiscal year, prior to the final approval of same, and

WHEREAS, Senate File 181 (SF181) was signed into law by Governor Reynolds on February 20, 2023. The signing of SF181 into law has affected the city budget process in a few ways. First is that the rollback on residential property is being lowered from 56.4919% to 54.6501%. This will result in a reduction in taxable valuation in the residential, commercial, industrial and railroad property classes. This means that the amount of property tax dollars that you can get at the same rate will be lower than under the previous taxable valuation, and

WHEREAS, SF181 also changes the submission deadlines for budgets to April 30 for this year only, in order to allow cities more time to complete their budget after the revised taxable valuation is reported. The budget must be submitted to the County Auditor by no later than April 30 2023, and

WHEREAS, The State of Iowa Department of Management Director stated the “best practice is to wait until after the revised taxable valuation has been submitted on March 9 to create and publish/post the notice of hearing for the full budget adoption”. In light of his recommendation and to save the cost of publication of the budget notice, staff decided to hold off on the publication and to reset the Budget Hearing for April, 2023, and

WHEREAS, Notice of the Public Hearing must be published at least ten but no more than twenty days prior to the Public Hearing, and

WHEREAS, Notice shall be published in the Monticello Express on the 15th or 22nd day of March, 2023, scheduling Public Hearing for the 3rd day of April 2023 at 6:00 P.M. at the, City Council Chambers at the Mary Lovell LeVan Renaissance Center, Monticello, Iowa, and

WHEREAS, The City Clerk is instructed to see to the publication of the appropriate Notice in the Monticello Express, consistent with the above dates, so that the Public Hearing may be held as scheduled herein.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby schedule Public Hearing on the proposed 2023/2024 budget for the 20th day of March 2023 at 6:00 p.m. 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 6th day of March, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

ORDINANCE NO.

An Ordinance Amending the Code of Ordinances of the City of Monticello, Iowa, by Adding New Section to Chapter 23, Park and Recreation Board Section 23.08 Accounting of Park and Recreation Checking Account

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

Section 1: NEW SECTION. The Code of Ordinances of the City of Monticello, Iowa, is amended by adding the new Section 23.08, which is hereby adopted to read as follows:

23.08 ACCOUNTING. The accounting records of the Park and Recreation Checking Account shall consist of not less than the following:

1. Books of Original Entry. There shall be established and maintained books of original entry to provide a chronological record of cash received and disbursed.
2. Checks. Checks shall be prenumbered and signed by the Director of Park and Recreation or, in the Director of Park and Recreation's absence or inability to act, by the Park & Recreation Superintendent, following Council approval, except as provided by Subsection 4 hereof.
3. Budget Accounts. There shall be established such individual accounts to record receipts by source and expenditures by program and activity as will provide adequate information and control for budgeting purposes as planned and approved by the Council. Each individual account shall be maintained within its proper fund and so kept that receipts can be immediately and directly compared with revenue estimates and expenditures can be related to the authorizing appropriation. No expenditure shall be posted except to the appropriation for the function and purpose for which the expense was incurred.
4. Immediate Payment Authorized. The Council may by resolution authorize the Park and Recreation Director to issue checks for immediate payment of amounts due, which if not paid promptly would result in loss of discount, penalty for late payment or additional interest cost. Any such payments made shall be reported to the Council for review and approval with and in the same manner as other claims at the next meeting following such payment. The resolution authorizing immediate payment shall specify the type of payment so authorized and may include (but is not limited to) payment of umpire, referee and other officials.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

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

Passed by the Council the _____ day of _____, 2023, and approved this _____ day of _____, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

First Reading:

Second Reading:

Third Reading:

I certify that the foregoing was published as Ordinance # _____ on the _____ day of _____, 2023.

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: 3/2/2023
Preparer: Sally Hinrichsen



Agenda Item: # 13-21
Agenda Date: 3/06/2023

Communication Page

Agenda Items Description: Reports

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

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Reports / Potential Actions:

- 13. City Engineer
- 14. Mayor
- 15. City Administrator
- 16. City Clerk
- 17. Public Works Director
- 18. Police Chief
- 19. Water/Wastewater Superintendent
- 20. Park and Recreation Director
- 21. Library Director