

City of Monticello, Iowa

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Posted on April 27, 2023 at 2:00 p.m.

Monticello City Council Meeting May 1, 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	April	17, 2023
Approval of Payroll	April	20, 2023
Approval of Bill List		

Resolutions:

1. **Resolution** to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the Water Treatment Plant Replacement Project and the taking of bids therefor
2. **Resolution** to approve the 28E Agreement with the Monticello Community School District for the School Resource Officer Position

3. **Resolution** Approving the hiring of Public Works employee and setting wage
4. **Resolution** approving final plat of Welter's 2nd Addition
5. **Resolution** Approving Monticello Area Chamber of Commerce Investment Agreement
6. **Resolution** to request Abatement of accrued Property Taxes on property owned by the City of Monticello for public purposes within the city limits of the City of Monticello
7. **Resolution** Approving contracting with LL Pelling Co. to complete various sealcoating projects
8. **Resolution** Approving Employment Agreement for Police, Public Works, Water and Sewer, Administration and Emergency Services Departments

Motions:

9. **Motion** to approve Jellystone Monticello Fireworks permit
10. **Discussion and Possible Motion** on Sale of 541 North Chestnut Street property

Ordinances:

11. **Ordinance #761** Amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to "Zoning Regulations" (3rd and final reading)
12. **Ordinance #762** Amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 3 "Ward and Precinct Boundaries" (3rd and final reading)
13. **Ordinance #763** Amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 2 "Charter" (3rd and final reading)
14. **Ordinance #764** Amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 15 "Mayor", Section 15.05 Voting (3rd and final reading)
15. **Ordinance #765** Amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 17 "City Council", Section 17.01 Number and Term of Council (3rd and final reading)

16. Ordinance #766 Amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 106 “Collection of Solid Waste”, Section 106.08 Collection Fees (3rd and final reading)

Reports / Potential Actions:

- 17. City Engineer
- 18. Mayor
- 19. City Administrator
- 20. City Clerk
- 21. Public Works Director
- 22. Police Chief
- 23. Water/Wastewater Superintendent
- 24. Park and Recreation Director
- 25. Library Director

Work Session:

- 26. Work Session on budget amendments for FY 2023

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.

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: May 1, 2023 Council Meeting

Time: May 1, 2023 06:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89567155481>

Meeting ID: 895 6715 5481

One tap mobile

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Dial by your location

+1 305 224 1968 US
+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)
+1 719 359 4580 US
+1 253 205 0468 US
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 360 209 5623 US
+1 386 347 5053 US
+1 507 473 4847 US
+1 564 217 2000 US
+1 669 444 9171 US
+1 669 900 9128 US (San Jose)
+1 689 278 1000 US

Meeting ID: 895 6715 5481

Find your local number: <https://us02web.zoom.us/j/89567155481>

Regular Council Meeting
April 17, 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, Library Director Faith Brehm, Water /Wastewater Superintendent Jim Tjaden, Park and Rec Director Jacob Oswald, Police Chief Britt Smith and Public Works Director Nick Kahler. The public was invited to attend the meeting in person, or to participate in the meeting electronically via “Zoom Meetings” or “Facebook” and were encouraged to communicate from the chat or message.

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

Open Forum: Bud Coyle, 515 North Sycamore thanked Nick Kahler and his department for removing the rocks in the Sixth Street ditch near his barn. Coyle also questioned the grass burning along the river and if it was on City property. Oswald stated it was a controlled burn that they have done the past several years and it encroaches on the Golf Course property, but hard to stop it. Goedken questioned if they should be burning as it kills the trees in the area also.

Goedken wanted to thank the Fire Department, who helped to clear the streets after the storm a few weeks ago.

Hanken questioned the cost of microwaves purchased for the Berndes Center and what they are used for. Oswald stated they were purchased locally and will be used to heat frozen items, like pretzels. Hanken also questioned the bill for the Austin Smith playground. Oswald stated it was for a light pole. Smith advised the Austin Smith Foundation will be reimbursing the City of the cost. Langerman moved to approve the consent agenda; Brighton seconded, roll call was unanimous.

Goedken advised his reasoning for vetoing the budget resolution from the April 3rd Council meeting. Council discussed the proposed budget and possible options to cut the budget, and equipment budgeted to be purchased that could be delayed until next year. Peach stated if Council changes the budget, the mayor has 14 days to veto that resolution and Council may not have enough time to approve prior to the budget filing deadline. After a lengthy discussion, Langerman moved to override the Mayor’s veto of Resolution #2023-48 Adoption of Budget and Certification of City Taxes for Fiscal Year July 1, 2023 through June 30, 2024, with the tax levy rate of 15.80145, Peach seconded, roll call unanimous, except Hanken who voted nay as the budget was not lowered.

Hanken moved to approve Resolution #2023-55 reporting all employees’ wages for calendar year ending December 31, 2022, Lux seconded, roll call was unanimous.

Peach moved to approve Resolution #2023-56 Authorizing the City Clerk to make the Appropriate Transfers of not to Exceed Sums and Record the Same in the Appropriate Manner for FY 2024 for the City of Monticello. Brighton seconded, roll call was unanimous, except Hanken who voted nay.

Regular Council Meeting
April 17, 2023

Yeoman moved to approve Resolution #2023-57 Designating City Depositories, Brighton seconded, roll call unanimous.

Langerman moved to approve Resolution #2023-58 Scheduling Public Hearing on the City of Monticello FY 2022/2023 Budget Amendments for May 15, 2023. Lux seconded, roll call was unanimous.

Oswald stated the MYBSA program is being turned back over to the City and the 28E Agreement is now between the City and School. Yeoman moved to approve Resolution #2023-59 To approve 28E Agreement between the Monticello Community School and the City, related to the Monticello Youth Baseball and Softball Programs. Peach seconded, roll call was unanimous.

Oswald reported Bud Johnson agreed to sell the groomer and trailer to the City over a three-year period, for a total of \$12,000. Brighton moved to approve Resolution #2023-60 To approve purchase of a baseball/softball field groomer and trailer from MinnTex. Peach seconded, roll call was unanimous.

Yeoman moved to approve Ordinance #761 Amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to “Zoning Regulations”, second reading in title only. Peach seconded. Roll call was unanimous.

Mayor advised the next four ordinances are to amend the City Code after the results of the special election held on March 7, 2023. Peach moved to approve Ordinance #762 Amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 3 “Ward and Precinct Boundaries”, second reading in title only, Langerman seconded. Roll call was unanimous.

Hanken moved to approve Ordinance #763 Amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 2 “Charter”, second reading in title only, Langerman seconded. Roll call was unanimous.

Brighton moved to approve Ordinance #764 Amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 15 “Mayor”, Section 15.05 Voting, second reading in title only, Hanken seconded. Roll call was unanimous.

Hanken moved to approve Ordinance #765 Amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 17 “City Council”, Section 17.01 Number and Term of Council, second reading in title only, Langerman seconded. Roll call was unanimous.

Staff advised Iowa Code 384.84 requires utility rates to be set by ordinance and State Auditor has asked that the rates be set by ordinance and not resolution. There is no change to the rates from what was previously approved by the Council. Langerman moved to approve Ordinance #766 Amending the Code of Ordinances of the City of

Regular Council Meeting
April 17, 2023

Monticello, Iowa, by amending provisions pertaining to Chapter 106 “Collection of Solid Waste”, Section 106.08 Collection Fees, second reading in title only, Brighton seconded. Roll call was unanimous.

Goedken stated another employee left and he feels there are some issues that need to be addressed. Council needs to look at what needs to be done to make City a better place to work.

Farnum reported on Thursday April 13, 2023, he was notified that the USDA officially authorized the City to go to bid on the Waterwater Treatment Facility. This will be on the May 1st agenda to begin the process to bid the project.

Hinrichsen reported Jellystone Monticello General manager reached out to request a permit for fireworks. Paperwork has not been received, so will be on next agenda.

Tjaden reported Josh Willms started today.

Brehm reported the two public computers at the Library quit working and were replaced. Library received a STEM cell grant and 6 to 7 kits for preschool to kindergarten kids were purchased. She also thanked everyone that donated during their giving day.

Peach moved to adjourn at 7:01 P.M.

David Goedken, Mayor

Sally Hinrichsen, City Clerk/Treasurer

PAYROLL - APRIL 20, 2023

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
AMBULANCE	April 3 - 16, 2023				
Jacob Gravel	\$ 1,712.00	\$ -	0.00	38.75	\$ 1,265.01
Mason Hanson	427.00	-	0.00	0.00	354.41
Mary Intlekofer	1,952.00	-	0.00	52.25	1,365.76
Lori Lynch	2,750.23	571.83	0.00	0.00	1,861.76
Coletta Matson	1,952.00	-	0.00	9.00	1,469.06
Kaleb Payne	1,872.00	-	1.50	9.25	1,482.69
Curtis Wyman	1,840.40	128.40	15.00	65.50	1,267.31
TOTAL AMBULANCE	\$ 12,505.63	\$ 700.23	16.50	174.75	\$ 9,066.00
CEMETERY	April 3 - 16, 2023				
Dan McDonald	\$ 1,913.73	\$ 125.72	0.00	0.38	\$ 1,407.65
TOTAL CEMETERY	\$ 1,913.73	\$ 125.72	0.00	0.38	\$ 1,407.65
CITY HALL	April 3 - 16, 2023				
Cheryl Clark	\$ 1,824.51	\$ 8.51	0.00	22.50	\$ 1,254.54
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	\$ 10,149.18	\$ 8.51	0.00	22.50	\$ 6,649.47
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
Tom Yeoman	300.00	-	0.00	0.00	277.05
TOTAL COUNCIL / MAYOR	\$ 2,000.00	\$ -	0.00	0.00	\$ 1,846.01
LIBRARY	April 3 - 16, 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	April 3 - 16, 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
POLICE	April 3 - 16, 2023				
Peter Fleming	\$ 2,434.86	\$ -	0.00	0.25	\$ 1,714.80
Dawn Graver	2,548.74	-	0.00	0.00	1,857.45
Erik Honda	2,583.84	-	0.00	25.25	1,942.65
Blaine Kamp	2,583.84	-	0.00	19.00	1,953.04
Jordan Koos	2,583.84	-	0.00	21.50	1,794.40
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	3,143.97	342.09	0.00	17.25	2,264.54

PAYROLL - APRIL 20, 2023

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
TOTAL POLICE	\$ 20,963.83	\$ 342.09	0.00	83.25	\$ 15,329.69
ROAD USE	April 3 - 16, 2023				
Zeb Bowser	\$ 1,788.00	\$ -	3.00	16.25	\$ 1,276.24
Nick Kahler	2,238.39	-	0.00	0.00	1,546.97
TJ Nealson	1,782.00	-	0.00	0.00	1,381.25
Jasper Scott	1,788.00	-	0.00	0.13	1,248.75
TOTAL ROAD USE	<u>\$ 7,596.39</u>	<u>\$ -</u>	<u>3.00</u>	<u>16.38</u>	<u>\$ 5,453.21</u>
SEWER	March 18 - 31, 2023				
Jim Tjaden	\$ 3,865.38	-	0.00	0.00	\$ 2,969.77
TOTAL SEWER	<u>\$ 3,865.38</u>	<u>\$ -</u>	<u>0.00</u>	<u>0.00</u>	<u>\$ 2,969.77</u>
WATER	March 18 - 31, 2023				
Scott Hagen	\$ 1,848.00	\$ -	0.00	54.00	\$ 1,464.29
TOTAL WATER	<u>\$ 1,848.00</u>	<u>\$ -</u>	<u>0.00</u>	<u>54.00</u>	<u>\$ 1,464.29</u>
TOTAL - ALL DEPTS.	\$ 68,625.62	\$ 1,176.55	19.50	351.26	\$ 49,874.13

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
GENERAL					
POLICE DEPARTMENT					
AARON'S AUTOMOTIVE LLC	PD VEHICLE OPERATING	58.56			
DIGITAL ALLY, INC.	PD EQUIP REPAIR/MAINT	145.00			
INFRASTRUCTURE TECHNOLOGY	PD SUPPLIES	51.75			
JORDAN KOOS	PD CRISIS INTERVENTION TRAININ	57.55			
LYNCH DALLAS, P.C.	PD ATTORNEY FEES	214.50			
MCALEER WATER CONDITIONING INC	PD SOFTENER SALT	26.40			
MONTICELLO COMM SCHOOL DISTRICT	PD FUEL	1,247.44			

	110 POLICE DEPARTMENT TOTAL		1,801.20		
STREET LIGHTS					
ALLIANT ENERGY-IES	WELTER DRIVE STREETLIGHTS	158.23			

	230 STREET LIGHTS TOTAL		158.23		
CEMETERY					
JOHN DEERE FINANCIAL	CEMETERY GROUNDS SUPPLIES	152.44			
MONTICELLO COMM SCHOOL DISTRICT	CEMETERY FUEL	194.39			
TRI COUNTY PROPANE LLC	CEMETERY UTILITIES	250.12			

	450 CEMETERY TOTAL		596.95		
ATTORNEY					
LYNCH DALLAS, P.C.	ATTORNEY FEES	1,287.00			

	641 ATTORNEY TOTAL		1,287.00		
CITY HALL/GENERAL BLDGS					
JONES COUNTY ABSTRACT & TITLE	541 N CHESTNUT ST	350.00			
KOCH BROTHERS, INC.	CH COPIER MAINTENANCE	277.78			
ORBIS MENASHA CORP	CH FRANCHISE FEE REFUND	5,059.30			

	650 CITY HALL/GENERAL BLDGS TOTAL		5,687.08		

	001 GENERAL TOTAL		9,530.46		
MONTICELLO BERNDES CENTER					
PARKS					
BRIAN CHANNEL	MBC DAMAGE DEPOSIT REFUND	200.00			
FREESE MOTORS INC	MBC VEHICLE RENTAL	169.10			
JOHN DEERE FINANCIAL	MBC GROUNDS SUPPLIES	9.79			
MONTICELLO COMM SCHOOL DISTRICT	MBC FUEL	71.64			
MONTICELLO SPORTS	MBC CLOTHING ALLOWANCE	80.00			
TESSA REYNOLDS	MBC DAMAGE DEPOSIT REFUND	200.00			
WELLS FARGO VENDOR FINANCIAL	2020 TOOLCAT PAYMENT	1,048.95			

	430 PARKS TOTAL		1,779.48		

	005 MONTICELLO BERNDES CENTER TOTAL		1,779.48		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
DARE POLICE DEPARTMENT MONTICELLO SPORTS	DARE SHIRTS	182.00			
	110 POLICE DEPARTMENT TOTAL	182.00			
	008 DARE TOTAL	182.00			
MONTICELLO TREES FOREVER PUBLIC WORKS ALL AMERICAN LAWN & LANDSCAPE	TREES	3,250.00			
	299 PUBLIC WORKS TOTAL	3,250.00			
	014 MONTICELLO TREES FOREVER TOTAL	3,250.00			
FIRE FIRE BODENSTEINER IMPLEMENT CO	FIRE BLOWER	260.99			
FIRE SERVICE TRAINING BUREAU	FIRE TRAINING	275.00			
JOHN DEERE FINANCIAL	FIRE EQUIP REPAIR/MAINT	29.02			
LAPORTE MOTOR SUPPLY	FIRE EQUIP REPAIR/MAINT	9.12			
MONTICELLO COMM SCHOOL DISTRCT	FIRE FUEL	337.24			
	150 FIRE TOTAL	911.37			
	015 FIRE TOTAL	911.37			
AMBULANCE AMBULANCE AARON'S AUTOMOTIVE LLC	AMB VEHICLE OPERATING	746.00			
BOUND TREE MEDICAL, LLC	AMB MEDICAL SUPPLIES	166.07			
FRESE MOTORS INC	AMB VEHICLE OPERATING	285.68			
LORRAINE HAAG	AMB OVERPAYMENT REFUND	866.00			
IOWA DEPT OF HUMAN SERVICES	AMB REFUND	1,949.26			
MCALEER WATER CONDITIONING INC	AMB SOFTENER SALT	26.40			
MONTICELLO COMM SCHOOL DISTRCT	AMB FUEL	925.59			
PHYSICIAN'S CLAIM COMPANY	AMB BILLING FEES	5,524.53			
UNITY POINT HEALTH	AMB MEDICAL SUPPLIES	39.97			
	160 AMBULANCE TOTAL	10,529.50			
	016 AMBULANCE TOTAL	10,529.50			
LIBRARY IMPROVEMENT LIBRARY MONTICELLO CHAMBER OF COMMERCE LIB IMP SUMMER READING PROGRAM		60.00			

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	410 LIBRARY TOTAL		60.00		
	030 LIBRARY IMPROVEMENT TOTAL		60.00		
LIBRARY					
LIBRARY					
BAKER & TAYLOR BOOKS	LIB BOOKS		302.07		
MICRO MARKETING LLC	LIB BOOKS		24.00		
ROUTE 3 PRESS	LIB BOOKS		9.00		
	410 LIBRARY TOTAL		335.07		
	041 LIBRARY TOTAL		335.07		
AIRPORT					
AIRPORT					
ALLIANT ENERGY-IES	20373 HWY 38 AIRPORT		555.58		
INSURANCE ASSOCIATES, INC.	AIRPORT INSURANCE		2,599.00		
MONTICELLO AVIATION INC	AIRPORT MANAGER		2,166.66		
MONTICELLO COMM SCHOOL DISTRCT	AIRPORT FUEL		86.64		
	280 AIRPORT TOTAL		5,407.88		
	046 AIRPORT TOTAL		5,407.88		
ROAD USE					
STREETS					
W.W. GRAINGER, INC	RU EQUIP REPAIR/MAINT		408.32		
JOHN DEERE FINANCIAL	RU EQUIP REPAIR/MAINT		49.34		
MONTICELLO COMM SCHOOL DISTRCT	RU FUEL		892.93		
L.L. PELLING CO	RU STREET MAINTENANCE SUPPLIES		737.00		
	210 STREETS TOTAL		2,087.59		
	110 ROAD USE TOTAL		2,087.59		
AMBULANCE IMPROVEMENT					
AMBULANCE					
BOUND TREE MEDICAL, LLC	AMB IMP CAPITAL EQUIPMENT		3,345.49		
	160 AMBULANCE TOTAL		3,345.49		
	319 AMBULANCE IMPROVEMENT TOTAL		3,345.49		
CAPITAL IMPROVEMENT					
CAPITAL PROJECTS					
HDR ENGINEERING INC	CAP IMP 2021 TAXIWAY/APRON		653.00		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	750 CAPITAL PROJECTS TOTAL		653.00		
	332 CAPITAL IMPROVEMENT TOTAL		653.00		
TRUST/IOMA MARY BAKER LIBRARY					
CENTER POINT PUBLISHING	LIB BAKER BOOKS		46.74		
	410 LIBRARY TOTAL		46.74		
	503 TRUST/IOMA MARY BAKER TOTAL		46.74		
WATER					
WATER					
HAWKINS WATER TREATMENT	WATER SUPPLIES		10.00		
MONTICELLO COMM SCHOOL DISTRCT	WATER FUEL		256.96		
MUNICIPAL SUPPLY INC	WATER SUPPLIES		354.07		
	810 WATER TOTAL		621.03		
	600 WATER TOTAL		621.03		
CUSTOMER DEPOSITS					
WATER					
CITY OF MONTICELLO	LONEY/ERIC		539.94		
MEGAN KNATZ	WATER DEPOSIT REFUND		98.92		
JAKE PERRY & VERONICA WATSON	WATER DEPOSIT REFUND		46.14		
	810 WATER TOTAL		685.00		
	602 CUSTOMER DEPOSITS TOTAL		685.00		
SEWER					
SEWER					
AMERICAN BANKERS INSURANCE CO	SEWER FLOOD INSURANCE		1,068.00		
FAREWAY STORES #840-1	SEWER LAB SUPPLIES		11.97		
HACH COMPANY	SEWER LAB SUPPLIES		1,361.95		
LUBRICATION ENGINEERS INC	SEWER SUPPLIES		32.15		
MONTICELLO COMM SCHOOL DISTRCT	SEWER FUEL		256.97		
TRI COUNTY PROPANE LLC	SEWER UTILITIES		3,204.02		
JOSHUA WILLMS	SEWER SUPPLIES		11.76		
	815 SEWER TOTAL		5,946.82		
	610 SEWER TOTAL		5,946.82		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
SEWER CAPITAL IMPROVEMENT SEWER LYNCH DALLAS, P.C.	SEWER FACILITY IMPROVEMENTS		165.00		
	815 SEWER TOTAL		----- 165.00		
	613 SEWER CAPITAL IMPROVEMENT TOTAL		----- 165.00		
SANITATION SANITATION JONES COUNTY SOLID WASTE	4TH QTR '23 ASSESSMENT		5,050.00		
	840 SANITATION TOTAL		----- 5,050.00		
	670 SANITATION TOTAL		----- 5,050.00		
	Accounts Payable Total		=====		
			50,586.43		

**CLAIMS REPORT
CLAIMS FUND SUMMARY**

FUND NAME	AMOUNT
001 GENERAL	9,530.46
005 MONTICELLO BERNDEN CENTER	1,779.48
008 DARE	182.00
014 MONTICELLO TREES FOREVER	3,250.00
015 FIRE	911.37
016 AMBULANCE	10,529.50
030 LIBRARY IMPROVEMENT	60.00
041 LIBRARY	335.07
046 AIRPORT	5,407.88
110 ROAD USE	2,087.59
319 AMBULANCE IMPROVEMENT	3,345.49
332 CAPITAL IMPROVEMENT	653.00
503 TRUST/IOMA MARY BAKER	46.74
600 WATER	621.03
602 CUSTOMER DEPOSITS	685.00
610 SEWER	5,946.82
613 SEWER CAPITAL IMPROVEMENT	165.00
670 SANITATION	5,050.00

TOTAL FUNDS	50,586.43

City Council Meeting
Prep. Date: 04/26/2023
Preparer: Russell Farnum



Agenda Item: # 1
Agenda Date: 05/01/2023

Communication Page

Agenda Items Description: Resolution setting the date for the hearing and letting and approving the form of notice of hearing on proposed plans, specifications, proposed form of contract and estimated cost and notice to bidders for the new Waste Water Treatment Plant

Type of Action Requested: Resolution									
<p>Attachments & Enclosures:</p> <p>Resolution Plans and Specs *</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: This is the initial action to “go to bid” on the new Waste Water Treatment Plant (“WWTP”).

Background: The City has worked 3 years in the preparation of engineering, financing and preparing the items necessary to go to bid on the construction of the DNR-mandated new WWTP. From here, the anticipated schedule is as follows:

- Tuesday May 2nd – Notice to bidders will be posted to the City website and a copy is emailed to mbiplanroom-dsm@mbionline.com
- On May 10th the Notice of Hearing will be published in the Express
- Monday May 15th - Public hearing on plans, specification, form of contract and estimate of cost for the Wastewater Treatment Plant Improvements
- Thursday May 18th – Pre-bid meeting at the WWTP
- Thursday June 1st is the Bid Opening (Virtual)
- Bid tab, Engineer’s recommendation and the Attorneys recommendation is sent to USDA for review.
- June 5th Council meeting – Provide Council with an update on the bid results
- June 19th Council Meeting – Consideration of Bid for Wastewater Treatment Plant Improvements & Resolution awarding contract for Wastewater Treatment Plant Improvements (pending USDA approval)
- July – Approval of the contract, performance and payment bonds. (Timing will depend on how fast everything is signed and provided to the City.)

The Project includes the following Work: The Wastewater Treatment Plant project includes, but is not limited to, furnishing all labor, material and equipment necessary for construction and installation of: submersible pumps in the raw influent lift station, screening wash and compactor, replacing grit

classifier equipment, cast-in place tanks for an activated sludge treatment system, various in tank equipment for the active sludge treatment system, non-contact ultraviolet disinfection system, precast effluent reuse lift station and submersible pumps, precast effluent pump station and submersible pumps, precast manholes, new precast controls building, rotary sludge dewatering press, precast building and storage area for sludge handling, non-potable water storage tank, non-potable water booster pump station, water main extension, non-potable water main, force main, gravity sewer main, aeration blowers, demolition of existing tanks and buildings, sludge removal, site work, paving, electrical, mechanical, plumbing and other miscellaneous items.

Recommendation: A motion to approve is recommended.

PROCEEDINGS TO SET DATE FOR
HEARING AND LETTING

435926-33 (NHL)

Monticello, Iowa

May 1, 2023

The City Council of the City of Monticello, Iowa, met at the Monticello Renaissance Center, 220 East First Street, Monticello, Iowa, on May 1, 2023, at 6:00 o'clock p.m.

The Mayor presided and the roll being called, the following named Council Members were present and absent:

Present: _____

Absent: _____.

The City Council took up and considered the proposed Wastewater Treatment Facility Improvements Project. Council Member _____ introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member _____. After due consideration thereof by the Council, the Mayor put the question upon the adoption of the said resolution and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the said motion duly carried and the said resolution adopted, as follows:

RESOLUTION NO. _____

Resolution to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the Wastewater Treatment Facility Improvements Project, and the taking of bids therefor

WHEREAS, it has been proposed that the City Council of the City of Monticello, Iowa (the “City”), undertake the authorization of a public improvement to be constructed as described in the proposed plans and specifications and form of contract prepared by Snyder & Associates, Inc. (the “Project Engineers”), which may be hereafter referred to as the “Wastewater Treatment Facility Improvements Project” (and is sometimes hereinafter referred to as the “Project”), which proposed plans, specifications, notice of hearing and letting, and form of contract and estimate of cost (the “Contract Documents”) are on file with the City Clerk; and

WHEREAS, it is necessary to fix a time and place of a public hearing on the Contract Documents and to advertise for sealed bids for the Project;

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

Section 1. The Contract Documents referred to in the preamble hereof are hereby approved in their preliminary form.

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

Section 3. May 15, 2023, at 6:00 p.m., at the Community Media Center, Monticello, Iowa, is hereby fixed as the time and place of hearing on the Contract Documents.

Section 4. The City Clerk is hereby authorized and directed to publish notice (the “Notice of Hearing”) of the hearing on the Contract Documents for the Project in a newspaper of general circulation in the City, which publication shall be made at least once, not less than four (4) and not more than twenty (20) days prior to the date of the said hearing. The Notice of Hearing shall be in substantially the following form:

(Form of Notice of Hearing)

NOTICE OF PUBLIC HEARING ON PROPOSED PLANS AND SPECIFICATIONS,
FORM OF CONTRACT AND ESTIMATE OF COST FOR THE
WASTEWATER TREATMENT FACILITY IMPROVEMENTS PROJECT

Notice Is Hereby Given: That at 6:00 p.m., at the Community Media Center, Monticello, Iowa, on May 15, 2023, the City Council of the City of Monticello, Iowa (the “City”) will hold a public hearing on the proposed plans and specifications, form of contract and estimate of cost (the “Contract Documents”) for the proposed Wastewater Treatment Facility Improvements Project (the “Project”).

The Project is located at 1105 E. 1st Street, Monticello, IA.

The Project includes the following work: The Wastewater Treatment Facility Improvements project includes, but is not limited to, furnishing all labor, material and equipment necessary for construction and installation of: submersible pumps in the raw influent lift station, screening wash and compactor, replacing grit classifier equipment, cast-in place tanks for an activated sludge treatment system, various in tank equipment for the active sludge treatment system, non-contact ultraviolet disinfection system, precast effluent reuse lift station and submersible pumps, precast effluent pump station and submersible pumps, precast manholes, new precast controls building, rotary sludge dewatering press, precast building and storage area for sludge handling, non-potable water storage tank, non-potable water booster pump station, water main extension, non-potable water main, force main, gravity sewer main, aeration blowers, demolition of existing tanks and buildings, sludge removal, site work, paving, electrical, mechanical, plumbing and other miscellaneous items.

A copy of the proposed Contract Documents is on file for public inspection in the office of the City Clerk.

At said hearing any interested person may file written objections or present oral comments with respect to the subject matter of the hearing.

Sally Hinrichsen
City Clerk

Section 5. The City Council hereby delegates to the Engineer the duty of receiving electronic bids for the construction of the Project before 10:00 a.m., on June 1, 2023, via the QuestCDN Virtubid system. At such time, and via a telephonic bid opening conference accessed by calling 1-515-598-4967 and dialing the conference ID:180605988#, the City Council hereby delegates to the City Clerk and/or the Project Engineers the duty of opening and announcing the results of the bids received. June 19, 2023, at 6:00 p.m. at the Community Media Center, in the City, is hereby fixed as the time and place that the Council will consider the bids received in connection therewith.

Section 6. The amount of the bid security to accompany each bid is hereby fixed at 10% of the total amount of the bid.

Section 7. The City Clerk and/or the Project Engineers are hereby directed to give notice of the bid letting for the Project by posting notice (the "Notice to Bidders") at least once, not less than thirteen (13) and not more than forty-five (45) days prior to the date set for receipt of bids, in each of the following three places: (i) in a relevant contractor plan room service with statewide circulation; (ii) in a relevant construction lead generating service with statewide circulation; and (iii) on an internet site sponsored by either the City or a statewide association that represents the City. The Notice to Bidders shall be in substantially the following form:

(Form of Notice to Bidders)

ADVERTISEMENT FOR BIDS

CITY OF MONTICELLO
WASTEWATER TREATMENT FACILITY IMPROVEMENTS - MONTICELLO, IA

Electronic bids for the work comprising each improvement as stated below must be filed before 10:00 A.M. local time on June 1, 2023. Bids shall be submitted electronically via the QuestCDN VirtuBid system. No alternate electronic bid submittals or paper bids will be accepted. Bids will not be able to be electronically submitted after the deadline. Refer to Instruction to Bidders for additional information.

Electronic proposals will be opened and bids tabulated at 10:00 A.M. on June 1, 2023. The bid opening will be conducted virtually via teleconference. At the time for opening of bids you may enter the virtual bid opening meeting by call 1-515-598-4967 and dialing the conference ID:180605988#. The bid results will be read aloud remotely during the remote meeting. Results will be considered by the City of Monticello City Council at its meeting at 6:00 p.m. at the Community Media Center in Monticello, Iowa on June 19, 2023.

The Project includes the following Work: The Wastewater Treatment Plant Improvements project includes, but is not limited to, furnishing all labor, material and equipment necessary for construction and installation of: submersible pumps in the raw influent lift station, screening wash and compactor, replacing grit classifier equipment, cast-in place tanks for an activated sludge treatment system, various in tank equipment for the active sludge treatment system, non-contact ultraviolet disinfection system, precast effluent reuse lift station and submersible pumps, precast effluent pump station and submersible pumps, precast manholes, new precast controls building, rotary sludge dewatering press, precast building and storage area for sludge handling, non-potable water storage tank, non-potable water booster pump station, water main extension, non-potable water main, force main, gravity sewer main, aeration blowers, demolition of existing tanks and buildings, sludge removal, site work, paving, electrical, mechanical, plumbing and other miscellaneous items.

Bids will be received for a single prime Contract. Bids shall be on a lump sum price (Base Bid and Alternatives) basis as indicated in the Bid Form.

The Issuing Office for the Bidding Documents is: Snyder & Associates, Inc., 5005 Bowling St. SW, Suite A, Cedar Rapids, IA 52404, Engineer: Nick Eisenbacher, PE 319.362.9394, neisenbacher@snyder-associates.com. Prospective Bidders may examine the Bidding Documents at the Issuing Office on Mondays through Fridays between the hours of 8:00 AM - 5:00 PM, and may obtain copies of the Bidding Documents from the Issuing Office as described below. Electronic contract documents are available at no cost by clicking on the "Bids" link at www.snyder-associates.com and choosing the Wastewater Treatment Plant Improvements on the left. Project information, engineer's cost opinion, and planholder information is also available at no cost at this website. Downloads require the user to register for a free membership at QuestCDN.com. Downloading electronic contract documents is strongly encourage, but hard

copies of the project documents may be obtained from Snyder & Associates, Inc. 5005 Bowling St. SW – Suite A, Cedar Rapids, IA 52404 at no cost. Those wanting to obtain hard copies must make an appointment to pick up the documents by calling 319-362-9394. No drop-ins will be allowed.

Printed copies of the Bidding Documents may be obtained from the Issuing Office, during the hours indicated above, upon payment of a deposit of \$ 100.00 for each set. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including Addenda if any, obtained from sources other than the Issuing Office.

A Bid must be accompanied by Bid security made payable to Owner in an amount of ten (10) percent of Bidder's maximum Bid price and in the form of a certified check or a Bid bond (on the form included in the Bidding Documents) issued by a surety meeting the requirements of Paragraphs 6.01 and 6.02 of the General Conditions.

The Contract Times will commence to run on the thirtieth day after the Effective Date of the Contract or, if a Notice to Proceed is given, on the day indicated in the Notice to Proceed.

The Work will be substantially completed within 730 calendar days after the date when the Contract Times commence to run as provided in Paragraph 4.01 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions within 550 calendar days after the date when the Contract Times commence to run.

Contractor shall pay Owner \$3,000.00 for each day that expires after the time (as duly adjusted pursuant to the Contract) until the Work is substantially complete.

After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Time (as duly adjusted pursuant to the Contract) for completion and readiness for final payment, Contractor shall pay Owner \$3,000.00 for each day that expires after such time until the Work is completed and ready for final payment.

Liquidated damages for failing to timely attain Substantial Completion and final completion are not additive and will not be imposed concurrently.

To the extent allowed by Federal law and regulation, by virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within the state of Iowa.

Bid security shall be furnished in accordance with the Instructions to Bidders.

Pre-bid Conference: A pre-bid conference for the Project will be held on Thursday, May 18, 2023 at 10:00 A.M. at Wastewater Treatment Plant at 1105 E. 1st., Monticello, IA 52310. Attendance at the pre-bid conference is encouraged but not required.

American Iron and Steel: Section 746 of Title VII of the Consolidated Appropriations Act of 2017 (Division A - Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2017) and subsequent statutes mandating domestic preference applies an American Iron and Steel requirement to this project. All listed iron and steel products used in this project must be produced in the United States. The term "iron and steel products"

means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials. The de minimis and minor components waivers under section 746 Division A Title III of the United States Department of Agriculture (USDA) Water and Waste Disposal Program (WWD) administered by the Rural Utilities Service (RUS) and the National Product Waiver (of AIS) for Pig Iron and Direct reduced iron apply to this contract.

Owner: City of Monticello

By: Russ Farnum; City Administrator

Date: May 2, 2023

Section 8. All provisions set out in the attached forms of notice are hereby recognized and prescribed by the City Council and all resolutions or orders or parts thereof, to the extent the same may be in conflict herewith, are hereby repealed.

Passed and approved May 1, 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, Iowa, do hereby certify that the transcript hereto attached is a true, correct and complete copy of all the records of the City relating to fixing a time and place of hearing on the proposed plans, specifications and form of contract, and estimated cost for the construction of the Wastewater Treatment Facility Improvements Project and directing publication of a Notice of Hearing announcing the time and place fixed therefor; and fixing a time and place for the taking of bids for the construction of the Project and directing posting of a Notice to Bidders announcing the time and place fixed therefor.

WITNESS MY HAND this ____ day of _____, 2023.

Sally Hinrichsen, City Clerk

NOTICE OF HEARING PUBLICATION CERTIFICATE:

STATE OF IOWA
COUNTY OF JONES
CITY OF MONTICELLO

SS:

I, the undersigned, City Clerk of the City of Monticello, Iowa, do hereby certify that pursuant to the resolution of its City Council fixing a date of hearing on the proposed plans and specifications, form of contract and estimated cost for the Wastewater Treatment Facility Improvements Project, the Notice of Hearing, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this ____ day of _____, 2023.

Sally Hinrichsen, City Clerk

(Attach here publisher's affidavit of publication of Notice of Hearing.)

(PLEASE NOTE: Do not date and return this certificate until you have received the publisher's affidavit and have verified that the Notice of Hearing was published on the date indicated in the affidavit, but please return all other completed pages to us as soon as they are available.)

NOTICE TO BIDDERS POSTING CERTIFICATE – CONTRACTOR PLAN ROOM/LEAD GENERATING SERVICE:

STATE OF IOWA
COUNTY OF JONES
CITY OF MONTICELLO

SS:

I, the undersigned, City Clerk of the City of Monticello, Iowa, do hereby certify that pursuant to the resolution of its City Council setting the date of the bid letting for the Wastewater Treatment Facility Improvements Project, the Notice to Bidders, of which the printed slip attached to the affidavit hereto attached is a true and complete copy, was posted on the date and in the relevant contractor plan room service/construction lead generating service specified in such affidavit, which contractor plan room service/construction lead generating service has a statewide circulation.

WITNESS MY HAND this ____ day of _____, 2023.

Sally Hinrichsen, City Clerk

(Attach here the affidavit of posting of the Notice to Bidders from the contractor plan room service/construction lead generating service.)

(PLEASE NOTE: Do not date and return this certificate until you have received the affidavit of posting from the contractor plan room service/construction lead generating service and have verified that the Notice to Bidders was posted on the date indicated in the affidavit, but please return all other completed pages to us as soon as they are available.)

NOTICE TO BIDDERS POSTING CERTIFICATE – SPONSORED INTERNET SITE:

STATE OF IOWA
COUNTY OF JONES
CITY OF MONTICELLO

SS:

I, the undersigned, City Clerk of the City of Monticello, Iowa, do hereby certify that pursuant to the resolution of its City Council setting the date of the bid letting for the Wastewater Treatment Facility Improvements Project, the Notice to Bidders provided for therein was posted on the City's website on _____, 2023.

WITNESS MY HAND this ____ day of _____, 2023.

Sally Hinrichsen, City Clerk

(Attach here a screenshot of the Notice to Bidders from the City's website, showing the date of posting)

City Council Meeting
Prep. Date: 4/25/2023
Preparer: Britt Smith



Agenda Item: # 2
Agenda Date: 05/01/2023

Communication Page

Agenda Items Description: **Resolution** to approve the 28E Agreement with the Monticello Community School District for the School Resource Officer Position.

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

Attachments & Enclosures:

SRO Wage/Benefit Calculations

Proposed 28E Agreement

Fiscal Impact:

Budget Line Item:

Budget Summary:

Expenditure:

Revenue:

Synopsis: Approval of the updated 28E Agreement with the Monticello Community School District for the School Resource Officer for the periods of August 2023 through June 2025 (School Years '23/'24. And '24/'25)

Background Information: In October of 2018 the Monticello Police Department collaborated with the Monticello Community School District to create and implement a School Resource Officer Position. This position involved dedicating a Full-Time Police Officer to the School District during the 172-day school year at 40 hours per week. The entire cost of the position including the hourly rate and all benefits were totaled and split 60/40 with the school, with the school paying for 60% of the employee costs. The remainder of the time the Officer would be assigned to the Police Department (During the Summer Months and No-School Days) to provide an addition to the workforce to the department to cover vacation requests, special events, code enforcement and to supplement the schedule during periods of high call volumes. Additionally, within the agreement we have the ability to recall the School Resource Officer during the school year and utilize them for significant events or investigations that occur within the community that need supplemental staffing.

We are just wrapping up our 5th year with the program and are presenting an extension to the current agreement that would cover 2 more years until Dawn Gravers retirement from the Department. The new 2-year agreement was drafted consistent with the conditions of the previous agreements that reflect the cost share of the position. Once the numbers were presented to the District, Dr. Brian Jaeger, expressed concerns over the costs and requested that we review the wage and benefit figures to determine if any cost saving measures were available. In reviewing the figures, insurance was a significant expense to the overall cost of the position. I met with Dawn and discussed her insurance needs and it was determined that she does not utilize the City's single insurance coverage that is provided. I reviewed with our provider to determine if employees are able to opt out of receiving insurance coverage. After consulting with them, due to the City's size of under 50 employees, we have the ability to permit an employee to opt out of insurance if desired. It is cautioned that allowing

employees to opt out of insurance, specifically younger employees, can have a negative impact on the City's overall premium rate. In this instance, it will not have a negative effect on the rates so it is encouraged to reduce this overall expense and allow Dawn to opt out. This provided a savings of nearly \$10,000 each year to the overall cost. Once the new FY 2024 calculations were made this savings brought the overall employee expense down to an amount equivalent to the FY 2022 amount. For FY 2025 we additionally withdrew the insurance costs from the overall cost and a reduced increase to the Police Officers wage agreement was established specific to the SRO position. In the end, both Dawn and the District are in agreeance with these figures.

FY 2022	August, 2021-May, 2022
District (60%)	\$49,985.37

FY 2023	August, 2022-May, 2023
District (60%)	\$53,052.48

These cost share figures are based upon the SRO Wage/Benefit Calculations that I prepared to obtain true cost figures for the position, which account for cost sharing of IPERS, Medicare, Social Security, Unemployment, Dental, Vision, Life, and Disability insurance.

This agreement has been unanimously approved by the Monticello School Board at the April 24th Board Meeting.

Staff Recommendation: I recommend that the Council approve the 28E agreement as presented with the Monticello Community School District.

THE CITY OF MONTICELLO, IOWA

RESOLUTION

To approve 28E Agreement between the School
and the City for a School Resource Officer

WHEREAS, The City of Monticello approved a 28E Agreement with the Monticello School Board with Resolution #18-117 on October 1, 2018, creating School Resource Officer (SRO) position, and

WHEREAS, The Monticello School Board has recently approved the proposed 28E agreement setting forth the terms associated with the SRO and setting forth the responsibilities of the City and the School in regard thereto, and

WHEREAS, The City finds the agreement to be acceptable and in the best interests of the City.

NOW THEREFORE BE IT RESOLVED by the City of Monticello, through its' City Council in session this 1st day of May, 2023 that the proposed 28E Agreement between the City of Monticello and the Monticello Community School District for School Resource Officer Program is hereby approved and the Mayor is hereby directed to execute the 28E Agreement 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 1st day of May 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

**28E AGREEMENT BETWEEN THE
CITY OF MONTICELLO, IOWA
and
THE MONTICELLO COMMUNITY SCHOOL DISTRICT
FOR SCHOOL RESOURCE OFFICER PROGRAM**

This agreement made and entered into this 24th day of April, 2023, by and between the MONTICELLO COMMUNITY SCHOOL DISTRICT (hereinafter referred to as "District") and the CITY OF MONTICELLO, IOWA POLICE DEPARTMENT (hereinafter referred to as "City")

This agreement is entered into pursuant to the provisions of Chapter 28E, Code of Iowa.

After execution of this agreement by the District and the City, it shall be filed in the office of the Secretary of State.

It is understood that this agreement is between two public agencies and that a separate legal or administrative entity will not be created under this agreement. The Chief of Police shall be the administrator of this agreement.

ARTICLE I

General

The parties share a mutual concern to maintain an atmosphere in the Monticello Community School District where school staff and students feel free from intimidation. A School Resource Officer program (hereinafter referred to as "SRO") would present a cooperative approach towards addressing this concern.

SRO programs are recognized nationally as programs that effectively establish positive working relationships between the schools and the police department. The SRO will assist school administrators by taking immediate action when police intervention is warranted. Additionally, the SRO will provide guidance and support in assisting school staff, students and parents with a variety of non-emergency police related matters.

ARTICLE II

SELECTION

1. The SRO will be a certified police officer.
2. The Chief of Police or his designee shall select the police officer for assignment as SRO in consultation with the District Superintendent.

SUPERVISION

1. The Chief of Police or his designee shall supervise the SRO.
2. The Chief of Police, in consultation with the District Principals, will complete performance evaluations for the SRO at the completion of each school year.

REGULAR DUTY HOURS

1. Generally, the SRO shall be on District property from 7:30 am until 3:30 pm working with administrators and students on a flexible and as-needed basis during the 172-day school calendar year.
2. A request for the SRO attendance at District Board Meetings, District Planning Sessions, or Extracurricular School related events both during the District Calendar year and during the School "offseason" shall be made sufficiently in advance.

3. If at the direction of the Chief of Police the SRO will be reassigned for an extended period of time, the monthly invoicing rate may be adjusted as agreed upon by the District Superintendent and the Chief of Police.
4. The SRO may be temporarily reassigned by the police department during school holidays and vacations and/or during times of police emergency.
5. In the event school is suspended for more than 10 consecutive in-person school days, the school district shall be relieved of obligation of compensation for the duration of the period of suspension at a per diem rate (based on 175 school days).

EQUIPMENT OF SCHOOL RESOURCE OFFICER

1. All equipment purchased by the City for the SRO to perform his/her duty shall be property of the City.
2. All equipment purchased by the District for the SRO to perform his/her duty shall be property of the District.

ARTICLE III

DUTIES AN RESPONSIBILITIES OF SRO

1. Immediately reports to the Chief of Police, through the chain of command, all serious or unusual occurrences.
2. Take law enforcement action to protect against unwanted intruders. Identify and prevent delinquent behavior, including substance abuse. Make arrests only when necessary to protect students, staff and school property.
3. Patrol district property for suspicious activity, or unauthorized persons.
4. Conduct building security assessments for all district schools, guard, check and secure doors, rooms, buildings and equipment.
5. Work closely with district administrators and staff on safety protocols and regulations.
6. Maintain all State and Departmental required certifications as a Police Officer and the required educational certificates to provide the directed instruction within the district.
7. Coordinate security for crowd and vehicle control at extra-curricular activities and special events.
8. Enforce State and Local Laws as well as district rules and regulations.
9. Respond to calls as requested by other law enforcement officers.
10. Provide in-service training to help administrators be better prepared to deal with security-related matters.
11. Provide classroom presentations on crime prevention, concepts and structure of the law, de-escalation techniques, and substance abuse education.
12. Provide instructions and directions to others as it pertains to law enforcement matters and emergency situations.
13. Perform other duties as assigned by appropriate supervisory personnel and school administrators.
14. Support the supervision of students with appropriate referrals to District personnel.
15. Provide informal consultation with students and staff
16. Perform all duties at the designated district locations in uniform and armed.
17. The SRO WILL NOT act as a district disciplinarian on acts or incidents that are not deemed to be criminal in nature.

**ARTICLE IV
DUTIES AND RESPONSIBILITIES OF THE DISTRICT**

The District shall provide the SRO the following materials and facilities which are deemed necessary to the performance of the SRO's duties:

1. Access to an appropriate office setup, which includes file storage and a workspace for use when documentation, interviews, student/parent meetings occur.
2. Access to District Internet service
3. Training on school specific protocols.

**ARTICLE V
EMPLOYMENT STATUS**

The School Resource Officer shall remain an employee of the City of Monticello and shall not be an employee of the District. The District and the City acknowledge that the School Resource Officer shall remain responsive to the chain of command of the Monticello Police Department.

**ARTICLE VI
FINANCING**

The District shall pay 60% of the complete cost of one Certified Full-Time Police Officer for the City of Monticello. The City shall pay the remainder of the complete cost of one certified Full-Time Police Officer.

FY 2024	August, 2023-May, 2024
District	\$49,985.37

FY 2025	August, 2024-May, 2025
District	\$53,052.48

The City and the District shall share in any funds received by either of them from sources other than the City and District, including without limitation state and federal grants, which are designed for the SRO program. These funds will be used to lower the annual complete cost of the SRO.

The City will invoice the District 1/12th of the Districts share of the wages each month.

**ARTICLE VII
TERMINATION AGREEMENT**

The terms of this agreement shall begin on August 23rd, 2023. This agreement may be renewed by mutual agreement. This agreement may be terminated by either party upon a one-year written notification to the other party. By mutual agreement the notification period may be less than one year.

**ARTICLE VIII
MODIFICATION**

This agreement may only be modified by written mutual agreement to amend.

**ARTICLE IX
INDEMNIFICATION**

The District agrees to indemnify, defend, and hold harmless the City, its officers, agents, and employees, against any and all claims, suits, actions, debts, damages, costs, charges and expenses, against any and all claims, suits, actions, debts, damages, costs, charges, and expenses, including court costs and attorney's fees, and against all liability for property damage and personal injury, including death resulting directly or indirectly therefrom, arising from any acts or omissions of the District, either active or passive, or those of its agents, employees, assigns, or any other person acting on its behalf in the performance of its obligations, duties, and responsibilities imposed under this agreement.

The City agrees to indemnify, defend, and hold harmless the District, its officers, agents, and employees, against any and all claims, suits, actions, debts, damages, costs, charges and expenses, against any and all claims, suits, actions, debts, damages, costs, charges, and expenses, including court costs and attorney's fees, and against all liability for property damage and personal injury, including death resulting directly or indirectly therefrom, arising from any acts or omissions of the City, either active or passive, or those of its agents, employees, assigns, or any other person acting on its behalf in the performance of its obligations, duties, and responsibilities imposed under this agreement.

**ARTICLE X
TERM**

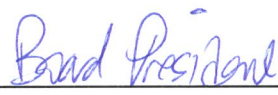
The term of this agreement shall begin on August 23, 2023 and expire on June 30th, 2025

**ARTICLE XI
SIGNATURES**

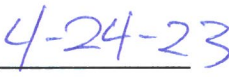
Representatives of the Monticello Community School District and the City of Monticello sign this Agreement by the authority of a resolution adopted by the Monticello School Board and the Monticello City Council.



School Board President



Title



Date

City Representative

Title

Date

City Council Meeting
Prep. Date: April 26, 2023
Preparer: Nick Kahler



Agenda Item: 3
Agenda Date: May 1, 2023

Communication Page

Agenda Items Description: Approval of hiring a new Public Works Employee

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: TJ Neelson left to go back to his old job

Background Information: TJ decided that he missed trucking and that working at a municipality was not for him. Jake Gravel had applied for the Water Dept job that Jim had open a few weeks ago. Jake has worked for a municipality before so he knows, for the most part, how things work. He has a CDL and plow experience. With his experience I would start Jake off at the rate of \$22.35/hr which is what the other public works employees are currently at.

Staff Recommendation: I recommend the approval of hiring a new Public Works employee

The City of Monticello, Iowa

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

RESOLUTION #

Approve the hiring of Public Works employee and setting wage

WHEREAS, The Public Works position has been open since the resignation of Theron Neelson, and

WHEREAS, City had recently advertising in Monticello Express for another position within the City and a candidate that had applied was well qualified for this position and currently an employee of the City, and

WHEREAS, The City Administrator and Public Works Director recommends hiring a Public Works employee, and

WHEREAS, The Council finds it appropriate to follow the recommendation of the City Administrator and Director of Public Works, and further finds that the wage of \$22.35 per hour is fair and reasonable and should, therefore, be approved.

NOW, THEREFORE, The Council hereby authorizes the hiring of Public Works employee with a starting wage of \$22.35.

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 1st day of May 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: 04/26/2023
Preparer: Russell Farnum



Agenda Item: # 4
Agenda Date: 05/01/2023

Communication Page

Agenda Items Description: Resolution approving Final Plat, Welter’s Second Addition

Type of Action Requested: Resolution

Attachments & Enclosures:

Plat

<u>Fiscal Impact:</u>	
Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Welters have submitted a final plat to resubdivide Lot 11 of their subdivision on the south end of the City. The resubdivision is logical and approval is recommended.

Background: In 2008, the City approved a preliminary plat for Welters Subdivision. In 2009, the City approved the Final Plat of the First Addition. Since that time the infrastructure to service the subdivision has been installed and many of the lots have been sold and built upon.

The large lot in the northwest corner of the property (“Lot 9” on the Preliminary Plat and “Lot 11” on the Final Plat) is just over 15 acres in size. Welters have experienced very little interest in a lot of that size. The northeast corner of Lot 11 was platted off last year for Oak Street Furniture’s expansion, and there is another purchaser for the 7.5 acres shown on the proposed plat as “Lot 1”. In addition, there has apparently been interest in smaller lots along Welter Drive, which would be accomplished with this proposed plat.

Each of the four lots on the proposed plat have direct access to, and frontage on, a public street. Each has access to water and sanitary sewer, and each lot has appropriate side-lot drainage and utility easements to provide appropriate infrastructure to the lots.

As a result, no new streets, water or sewer mains are necessary to service the four lots as shown on the plat. The plat appears to be correct in form and documentation.

The Planning and Zoning Board reviewed this at their regular meeting of April 25, and recommended approval by a 3-0 vote.

Recommendation: This plat will create four desirable and highly buildable business lots for the City. A motion to approve is recommended.

The City of Monticello, Iowa

RESOLUTION

Approving Final Plat of Welter's 2nd Addition

WHEREAS, The Final Plat of Welter's 2nd Addition has been presented to the City Council for approval, same being located within the City Limits of the City of Monticello, and

WHEREAS, The Final Plat was created to subdivide the large lot in the northwest corner of the property ("Lot 9" on the Preliminary Plat and "Lot 11" on the Final Plat) which is just over 15 acres in size. Welters have experienced very little interest in a lot of that size. The northeast corner of Lot 11 was platted off last year for Oak Street Furniture's expansion, and there is another purchaser for the 7.5 acres shown on the proposed plat as "Lot 1", and

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

WHEREAS, The City Council finds that the Final Plat of Welter's 2nd Addition should be approved.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve the Final Plat of Welter's 2nd Addition.

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 1st day of May, 2023.

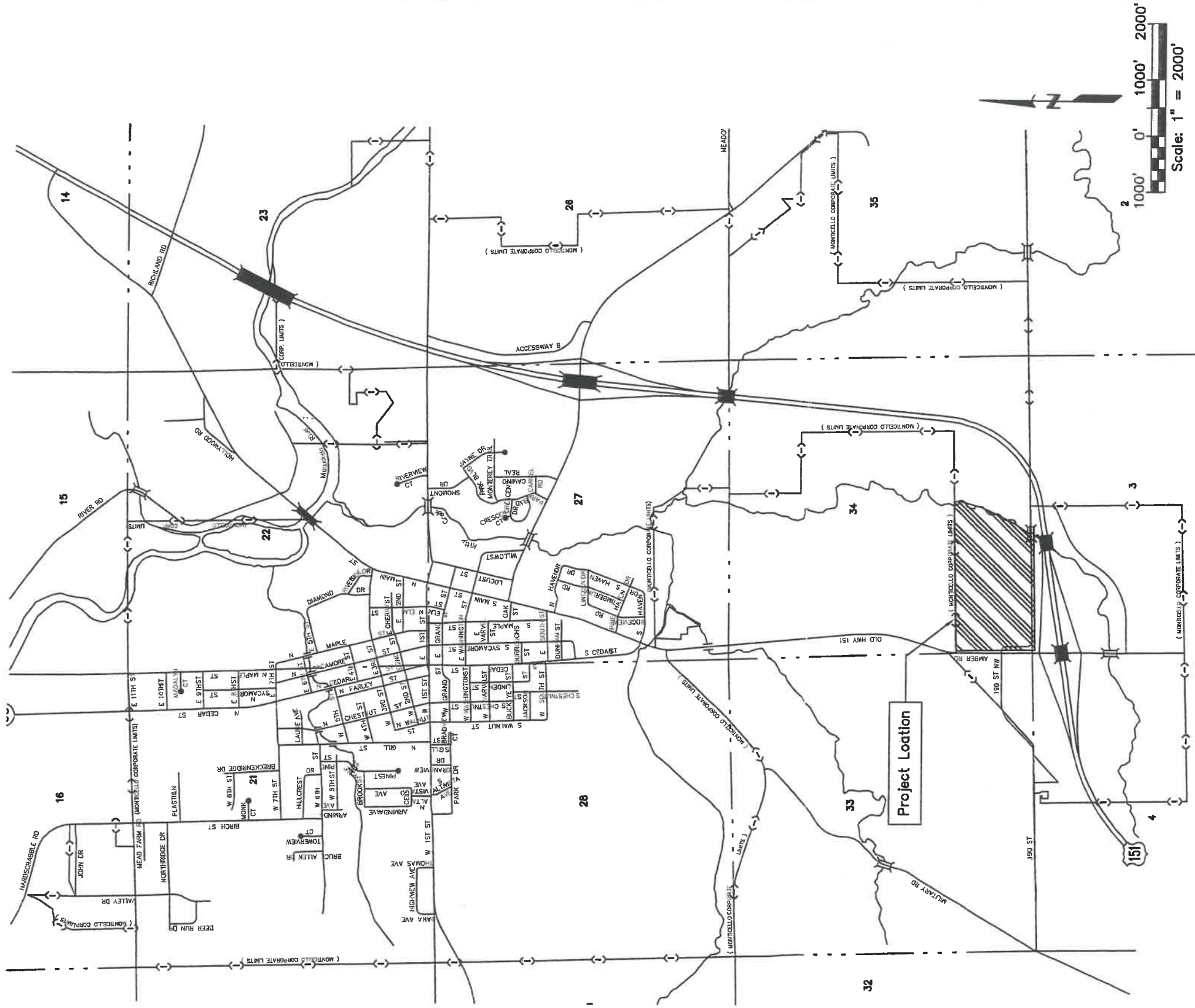
David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

PRELIMINARY PLAT
WELTER'S FIRST ADDITION - CITY OF MONTICELLO

JANUARY 2008



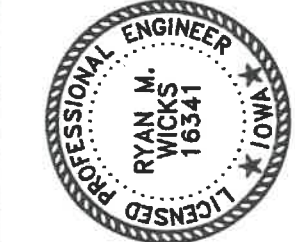
CITY OF MONTICELLO
 THIS DOCUMENT HAS BEEN REVIEWED
 BY THE JURISDICTION.
 CITY ADMINISTRATOR _____ DATE _____

OWNER/DEVELOPER
 Welter Enterprises General
 Partnership, c/o Ronald J. Welter
 1052 South Main Street
 Monticello, Iowa 52310
 Contact Individual: Lloyd Welter
 Ph.# (319) 465-4061

CURRENT ZONING DESCRIPTIONS
 LIGHT MANUFACTURING M-1 (LOTS 3 & 4)
 HIGHWAY COMMERCIAL C-3 (LOTS 1, 2, 5-10)

PROPOSED ZONING DESCRIPTIONS
 LIGHT MANUFACTURING M-1 (LOTS 3-6)
 HIGHWAY COMMERCIAL C-3 (LOTS 1, 2, 7-10)

PARCELS DEDICATED TO PUBLIC
 PARCEL A - 190TH STREET
 PARCEL B - DETENTION BASIN



I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.
 Ryan M. Wicks, P.E.
 License Number 16341
 My license renewal date is December 31, 2009.
 Pages or sheets covered by this seal: All

Ryan M. Wicks 1/15/2008
 _____ Date

TEKIPPE ENGINEERING, P.C.
 www.tekippe.com
 128 South Vine Street
 West Union, IA 52175
 PH. (563) 422-5131
 FAX (563) 422-5884

1919 210th Street
 P.O. Box 357
 Manchester, IA 52057
 PH. (563) 927-2060
 FAX (563) 927-3603

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 DATE SUBMITTED: 1/15/2008 REVISION:
 Project No. 07631.MS Sheet 1 of 3

PRELIMINARY PLAT
WELTER'S FIRST ADDITION - CITY OF MONTICELLO

LEGAL DESCRIPTION

Welter's First Addition to the City of Monticello, located in the South Half of Section 34, Township 86 North, Range 3 West and in the Northwest Quarter of Section 3, Township 85 North, Range 3 West of the 5th P.M, City of Monticello, Jones County Iowa, and more particularly described as follows:

Commencing at the Southwest Corner of said Section 34;

Thence **North 89°09'33" East, 44.44 feet** along the South Line of said Section to the East Right-of-Way of Amber Road and the Point of Beginning;

Thence **North 00°22'12" West, 1,123.93 feet** along said Right-of-Way;

Thence **North 02°15'15" West, 207.98 feet** along said Right-of-Way to the North Line of the South Half of the Southwest Quarter;

Thence **North 89°07'40" East, 2,579.05 feet** along said Quarter-Quarter Section Line to the Northeast Corner of the Southeast Quarter of the Southwest Quarter;

Thence **North 89°07'40" East, 89.05 feet** along the North Line of the Southwest Quarter of the Southeast Quarter to the Northwest Corner of Parcel B, as recorded in Book 2001, Page 2311, Jones County Recorder's Office, Anamosa, Iowa;

Thence **South 00°52'04" East, 116.73 feet**;

Thence **South 16°26'52" West, 382.28 feet**;

Thence **South 26°45'25" West, 653.65 feet**;

Thence **South 36°50'00" West, 284.77 feet** all along the Westerly Line of Said Parcel B;

Thence **South 00°50'45" East, 93.85 feet** along the West Line of said Parcel B and its extension to the South Right-of-Way Line of 190th Street;

Thence **South 89°09'33" West, 856.77 feet** along said Right-of-Way to the West Line of the Fractional Northeast Quarter of the Northwest Quarter of Section 3, Township 85 North, Range 3 West;

Thence **North 00°50'27" West, 2.00 feet** along said Quarter-Quarter Section Line;

Thence **South 89°09'33" West, 1,225.40 feet** all along said Right-of-Way to the East Right-of-Way of Amber Road;

Thence **North 00°22'13" West, 45.00 feet** to the North Line of said Section 3, Township 85 North, Range 3 West and the Point of Beginning.

Containing **72.08 Acres**, subject to easements of record.

LEGEND

- Existing Sanitary Sewer
- Proposed Sanitary Sewer
- Existing Water
- Proposed Water
- Building Setback Line
- Permanent Easement Line
- Temporary Easement Line
- Existing Wire Fence
- Existing Chain Link Fence
- Existing Wood Fence
- Buried Telephone Line
- Buried Electrical Line
- Existing Gas Line
- Approximate 100 yr Flood Plain Limits
- Existing Storm Sewer
- Proposed Storm Sewer
- Telephone Ped
- Fire Hydrant (Existing, Proposed)
- Water Valve (Existing, Proposed)
- Existing Manhole (Sanitary, Storm)
- Power Pole w/Line Directions
- Power Pole w/Transformer & Light
- Power Pole w/Transformer
- Power Pole w/Street Light
- Street Light
- Benchmark
- Shrub/Bush
- Land Corner
- Fd. 1/2" Rebar w/RPC LS 7060
- Fd Cut 'X' in P.C.C
- 1/2" Rebar w/RPC LS 7060 to be Set Within One Year of Recording Date..
- Section Line
- 1/4 Section Line
- 1/4-1/4 Section Line
- Subdivision Boundary
- Lot Lines

SETBACK REQUIREMENTS

(M-1 & C-3)

Front Yard - 30'

Side Yard - 10'

Rear Yard - 40'

NRCS SOIL TYPES

Ossian Silt Loam - 50.5% General Area

Lawler Silt Loam - 49.5% General Area

WATER MAIN NOTES

10" Diameter Main, PVC (DR-18) Material

Fire Hydrant Spaced Approximately 500'±

SANITARY SEWER MAIN NOTES

Maximum Manhole Spacing Allowed by State

Minimum Manhole Depth to be Approximately 9.5'

SUBDIVISION STATISTICS

Total Area - 72.08 Acres

Including 5.24 Acres 190th Street NW

Right-of-Way and 6.67 Acres of Detention Area

Total Public Use Area (Lot A & B) - 11.91 Acres

Total No. of Non-Buildable Lots - 2

Max. Lot Area - 19.03 Acres

Min. Lot Area - 3.02 Acres

Ave. Lot Area - 6.69 Acres

PROPOSED STREET NOTES

A. 190th Street Construction to be 8" Thick PCC

Pavement

B. 190th Street to be 43.0' Wide w/ Curb &

Gutter

C. Street grades to range from 0.50% to 4.0%

DETENTION BASIN NOTES

A. Estimated Required Storage = 239,000 cu. ft.

B. Based on Area Shown, Depth of Basin Including Freeboard is

Estimated at 5.5'

C. Estimated Developed Impervious Area is Estimated to be

75-80%

D. Detention Calculations Based off the Difference b/t 100 yr.

Developed Area vs 5 yr Undeveloped Area

CURVE	CURVE TABLE		
	ARC LENGTH	RADIUS	DELTA
C1	145.56'	350.00'	23°49'42"
C2	116.89'	350.00'	19°08'09"
C3	133.98'	350.00'	21°55'56"
C4	153.98'	350.00'	25°12'24"
C5	393.15'	250.00'	90°06'10"
			CHORD LENGTH
			144.51'
			116.35'
			133.16'
			152.74'
			353.87'

OTHER NOTES

To date, gas, electric, and cable utilities have all been contacted.

TeKIPPE ENGINEERING, P.C.
www.tekippe.com

128 South Vine Street
West Union, IA 52175
P.O. Box 357
Manchester, IA 52057
PH. (563) 422-5131
FAX (563) 422-5884

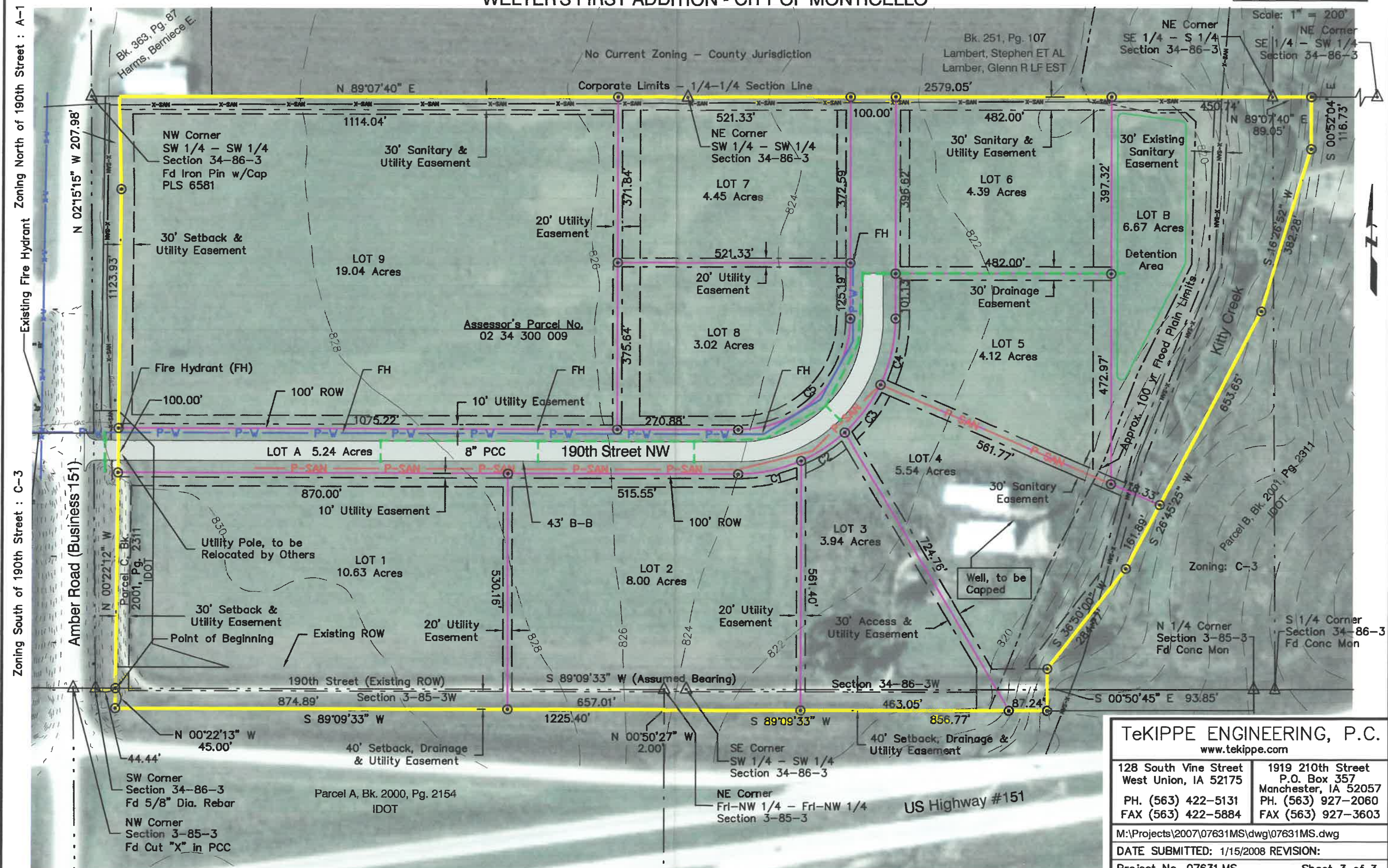
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DATE SUBMITTED: 1/15/2008 REVISION:

Project No. 07631.MS

Sheet 2 of 3

PRELIMINARY PLAT
WELTER'S FIRST ADDITION - CITY OF MONTICELLO



TeKIPPE ENGINEERING, P.C.
 www.tekippe.com

128 South Vine Street West Union, IA 52175	1919 210th Street P.O. Box 357 Manchester, IA 52057
PH. (563) 422-5131	PH. (563) 927-2060
FAX (563) 422-5884	FAX (563) 927-3603

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 DATE SUBMITTED: 1/15/2008 REVISION:
 Project No. 07631.MS Sheet 3 of 3

Marie Krutzfield, Recorder
Jones County, Iowa

Prepared by: TeKIPPE ENGINEERING, P.C., 1919 - 210th Street, P.O. Box 357, Manchester, Iowa 52057, Ph. (563)927-2060

Project No. 07631.LS

Page BD-1

	<p>I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa. The unadjusted error of closure does not exceed 1:10,000 for the subdivision boundary and does not exceed 1:5,000 for any individual lot.</p> <p><i>Lyle G. TeKippe</i> Lyle G. TeKippe License Number 7060 My license renewal date is December 31, 2010. Pages covered by this seal: BD-1 Through BD-2</p> <p style="text-align: right;">6-5-09 Date</p>
--	---

State of Iowa)
County of Delaware) ss.

Subscribed and sworn to before me by Lyle G. TeKippe this 5th day of JUNE, 2009.

RYAN M. WICKS
Iowa Notarial Seal
Commission Number: 723753
My Commission Expires: 08-04-2009

Ryan M. Wicks
Notary Public

SURVEY AND PLAT OF:

Boundary Description:

Welter's First Addition to the City of Monticello in the Southwest Quarter of the Southwest Quarter, in the Southeast Quarter of the Southwest Quarter, and in the Southwest Quarter of the Southeast Quarter of Section 34, Township 86 North, Range 3 West and in the Northwest Quarter of the Northwest Quarter and in the Northeast Quarter of the Northwest Quarter, Section 3, Township 85 North, Range 3 West of the 5th P.M., Jones County, Iowa, and more particularly described as follows:

Commencing at the Northwest Corner of the Southwest Quarter of the Southwest Quarter of said Section 34;

Thence **North 88°-36'-29" East, 63.55 feet** along the North Line of the South Half of said Southwest Quarter to the Point of Beginning;

Thence continuing **North 88°-36'-29" East, 2578.62 feet** along said Line to the Northwest Corner of the Southwest Quarter of the Southeast Quarter of said Section;

Thence **North 88°-35'-49" East, 89.16 feet** to the Northwest Corner of Parcel 2006-03, recorded in Book Q, Page 236, on file at the Jones County Recorder's office in Anamosa, Iowa;

Thence **South 01°-22'-10" East, 116.69 feet;**

Thence **South 15°-54'-04" West, 382.24 feet;**

Thence **South 26°-14'-26" West, 653.74 feet;**

Thence **South 36°-18'-16" West, 284.77 feet,** all along the West Line of said Parcel 2006-03;

Thence **South 01°-22'-34" East, 46.85 feet** to the North Line of the Northeast Quarter of the Northwest Quarter of said Section 3;

Thence continuing **South 01°-22'-34" East, 44.99 feet,** both along the West Line of said Parcel 2006-03 to the South Line of Parcel 2008-29, recorded in Book S, Page 233, on file at the Jones County Recorder's office in Anamosa, Iowa, and the North Right-of-Way Line of US Highway 151;

Thence **South 88°-37'-27" West (Record Bearing), 1998.73 feet** along the South Line of said Parcel 2008-29;

Thence **North 30°-33'-36" West, 168.01 feet** along the Easterly Line of an Acquisition Plat Document Number 2008 2234, recorded in Plat Book S, Page 234 to the West Line of Parcel C, recorded in Book 2001, Page 2311, both on file at the Jones County Recorder's office in Anamosa, Iowa;

Thence **North 00°-53'-58" West, 1022.56 feet** along said West Line of Parcel C and the Easterly Line of Parcel O and the East Right-of-Way Line of Amber Road (Business 151);

Thence **North 02°-45'-06" West, 208.17 feet** along said East Right-of-Way Line to the Point of Beginning, containing **76.371 acres,** subject to easements of record.
(See plat attached to this original survey description.)

PREPARED BY: Michael A. Bowman, Shimanek, Shimanek & Bowman, 114 S. Cedar St., Monticello, IA 52310, PH: 319-465-5448

**OWNER'S ACKNOWLEDGMENT
AND
DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT Welter Enterprises, LLC, an Iowa Limited Liability Company, in fee of all the land which is included in Welter's First Addition to the City of Monticello, Jones County, Iowa, has caused a survey and subdivision of said land to be made, the lots and roadway to be marked, named and numbered as shown by a plat dated June 5, 2009, with certificate of Lyle G. Tekippe, Land Surveyor, attached thereto, to the end that the same may be recorded and thereafter designated and known as Welter's First Addition to Monticello, Jones County, Iowa.

And Welter Enterprises, LLC, an Iowa Limited Liability Company, hereby acknowledges the subdivision of land shown on said plat to be by our free consent and in accordance with our desire; and do hereby set apart and dedicate to the public use, as public roadway and utility easements, respectively forever; all land designated as roadways and utility easements, including Welter Drive, utility easements, drainage easements, and all easements as disclosed on said plat.

Witness our hands this 21 day of July, 2009.

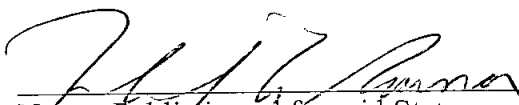
Welter Enterprises, LLC
An Iowa Limited Liability Company

David J. Welter
Manager

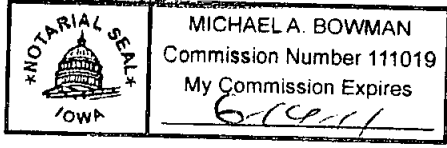
Don Welter
Manager

STATE OF IOWA)
) ss.
JONES COUNTY)

On this 21 day of July, 2008, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared David O. Welter and Ken Welter, to me personally known, who being by me duly sworn, did say that they are the managers of said Welter Enterprises, LLC, executing the within and foregoing instrument, that the instrument was signed on behalf of said Welter Enterprises, LLC, by authority of its managers; and that said managers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of said Welter Enterprises, LLC, by it and by them voluntarily executed.



Notary Public in and for said State



SHIMANEK, SHIMANEK & BOWMAN, L.L.C.

Attorneys at Law

Monticello, Iowa 52310-0351

C.F. Shimanek (1910-1994)

Robert F. Shimanek

Michael A. Bowman

Kristofer J. Lyons*

**Also licensed in Minnesota*

114 South Cedar Street
Post Office Box 351
Telephone 319-465-5448
Fax 319-465-6170

July 27, 2009

To Whom It May Concern:

I have examined title to the following described property:

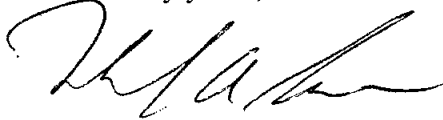
See attached EXHIBIT A

as disclosed by an abstract of title from Root Title to July 3, 2009., last certified by Jennifer L. Houska, Asst. Vice President of Jones County Abstract Company, dated July 7, 2009, containing entries no. 1 to 55, inclusive.

TITLE

I find marketable title in fee simple and free from objections, except as are hereinafter mentioned, to be in Welter Enterprises, LLC (a/k/a Welter Enterprises, L.L.C.) an Iowa Limited Liability Company, subject to easements and restrictions of record.

Sincerely yours,



Michael A. Bowman, #TGD1918
Shimanek, Shimanek & Bowman

MAB/cap

EXHIBIT A

Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of SECTION 34, TOWNSHIP 86, NORTH, RANGE 3, West of the 5th P.M., AND part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of SECTION 3, TOWNSHIP 85, NORTH, RANGE 3, West of the 5th P.M., described as:

Commencing at the Northwest Corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 34;

Thence N88°36'29"E, 63.55 feet along the North Line of the S $\frac{1}{2}$ of said SW $\frac{1}{4}$ to the Point of Beginning;

Thence continuing N88°36'29"E, 2578.62 feet along said Line to the Northwest Corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section;

Thence N88°35'49"E, 89.16 feet to the Northwest Corner of Parcel 2006-03, recorded in Book Q, Page 236, on file at the Jones County Recorder's Office in Anamosa, Iowa;

Thence S01°22'10"E, 116.69 feet;

Thence S15°54'04"W, 382.24 feet;

Thence S26°14'26"W, 653.74 feet;

Thence S36°18'16"W, 284.77 feet, all along the West Line of said Parcel 2006-03;

Thence S01°22'34"E, 46.85 feet to the North Line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 3;

Thence continuing S01°22'34"E, 44.99 feet, both along the West Line of said Parcel 2006-03 to the South Line of Parcel 2008-29, recorded in Book S, Page 233, on file at the Jones County Recorder's Office in Anamosa, Iowa, and the North Right-of-Way Line of US Highway 151;

Thence S88°37'27"W (Record Bearing), 1998.73 feet along the South Line of said Parcel 2008-29;

Thence N30°33'36"W, 168.01 feet along the Easterly Line of an Acquisition Plat Document Number 2008 2234, recorded in Plat Book S, Page 234 to the West Line of Parcel C, recorded in Book 2001, Page 2311, both on file at the Jones County Recorder's Office in Anamosa, Iowa;

Thence N00°53'58"W, 1022.56 feet along said West Line of Parcel C and the Easterly Line of Parcel O and the East Right-of-Way Line of Amber Road (Business 151);

Thence N02°45'06"W, 208.17 feet along said East Right-of-Way Line to the Point of Beginning, containing 76.371 acres, subject to easements of record.

The City of Monticello, Iowa

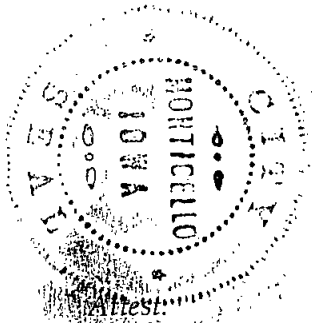
IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO, IOWA

RESOLUTION #09-86

Approving Final Plat of Welter's First Addition to the City of Monticello, with improvements to be accepted upon final construction and completion.

- WHEREAS,** The City of Monticello, Iowa is an incorporated city within Jones County, Iowa; and
- WHEREAS,** The Planning & Zoning Commission previously reviewed and recommended to the City Council that the Preliminary Plat of Welter's First Addition be approved, and
- WHEREAS,** The City Council previously approved the Preliminary Plat of Welter's First Addition by Resolution #08-12, on February 4, 2008, and
- WHEREAS,** The Developer has constructed the Subdivision and improvements consistent with the approved Construction Plans for Public Improvements under the supervision and observation of the City Engineer, Snyder and Associates, and
- WHEREAS,** The public improvements have been largely completed, including the roadway, sewer and water mains, and detention basin, with curb and gutter installation and lighting presently incomplete, and
- WHEREAS,** The City and the Developer previously entered into a developer's agreement, whereby the City is sharing with the developer in the infrastructure costs, the City having paid 50% of its' obligation to date, with the balance to be paid in up to two installments, of 30% and 20%, with the final 20% to be paid upon final acceptance of the public improvements, and
- WHEREAS,** The Planning and Zoning Commission found that the funds held by the City, not yet paid to the developer, offer the City adequate protection to ensure that the remaining public improvements will be completed, and in any event same must be completed prior to final acceptance by the City of the public improvements to be dedicated to the City, and based thereon passed a Resolution at their meeting of June 23, 2009, recommending to the City Council that said Final Plat be approved.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby approve the Final Plat of Welter's First Addition to the City of Monticello with the public improvements to be accepted upon certification by the City Engineer that same have been finally and completely constructed.



IN THE 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 July, 2009.

Don Ho Miyagawa
Don "Ho" Miyagawa, Mayor

Sally Hinrichsen
Sally Hinrichsen, City Clerk

JONES COUNTY TREASURER

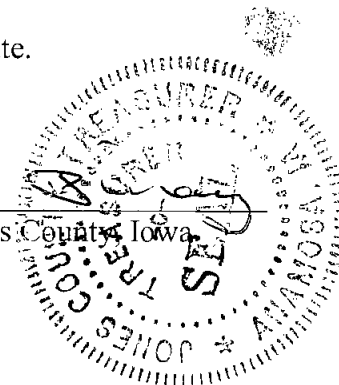
July 28, 2009

I, the undersigned, Treasurer of Jones County, Iowa do hereby certify that all taxes and special assessments levied against:

See EXHIBIT A attached hereto for legal description

have been paid and said real estate is free and clear of all taxes as of this date.

Cathy Z
County Treasurer Jones County Iowa



CAPTION

Exhibit A

Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of SECTION 34, TOWNSHIP 86, NORTH, RANGE 3, West of the 5th P.M., AND part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of SECTION 3, TOWNSHIP 85, NORTH, RANGE 3, West of the 5th P.M., described as:

Commencing at the Northwest Corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 34;

Thence N88°36'29"E, 63.55 feet along the North Line of the S $\frac{1}{2}$ of said SW $\frac{1}{4}$ to the Point of Beginning;

Thence continuing N88°36'29"E, 2578.62 feet along said Line to the Northwest Corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section;

Thence N88°35'49"E, 89.16 feet to the Northwest Corner of Parcel 2006-03, recorded in Book Q, Page 236, on file at the Jones County Recorder's Office in Anamosa, Iowa;

Thence S01°22'10"E, 116.69 feet;

Thence S15°54'04"W, 382.24 feet;

Thence S26°14'26"W, 653.74 feet;

Thence S36°18'16"W, 284.77 feet, all along the West Line of said Parcel 2006-03;

Thence S01°22'34"E, 46.85 feet to the North Line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 3;

Thence continuing S01°22'34"E, 44.99 feet, both along the West Line of said Parcel 2006-03 to the South Line of Parcel 2008-29, recorded in Book S, Page 233, on file at the Jones County Recorder's Office in Anamosa, Iowa, and the North Right-of-Way Line of US Highway 151;

Thence S88°37'27"W (Record Bearing), 1998.73 feet along the South Line of said Parcel 2008-29;

Thence N30°33'36"W, 168.01 feet along the Easterly Line of an Acquisition Plat Document Number 2008 2234, recorded in Plat Book S, Page 234 to the West Line of Parcel C, recorded in Book 2001, Page 2311, both on file at the Jones County Recorder's Office in Anamosa, Iowa;

Thence N00°53'58"W, 1022.56 feet along said West Line of Parcel C and the Easterly Line of Parcel O and the East Right-of-Way Line of Amber Road (Business 151);

Thence N02°45'06"W, 208.17 feet along said East Right-of-Way Line to the Point of Beginning, containing 76.371 acres, subject to easements of record.

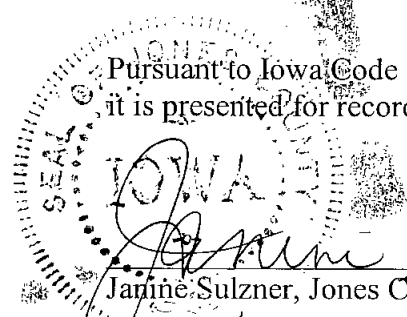
Approval of Subdivision Plat Name

Pursuant to Iowa Code section 354.6, subsection 2, the Jones County Auditor has approved the subdivision name of

WELTER'S FIRST ADDITION
CITY OF MONTICELLO

for a subdivision prepared for Welter Enterprises, LLC and located in the Southwest ¼ and Southeast ¼ of Section 34, Township 86 North, Range 3 West of the 5th P.M., and in the Northwest ¼ of Section 3, Township 85 North, Range 3 West of the 5th P.M., in the City of Monticello, Jones County, Iowa.

Pursuant to Iowa Code section 354.11, this approval shall accompany said plat at the time it is presented for recording.



Janine Sulzner

Janine Sulzner, Jones County Auditor

7/28/09
Date

City Council Meeting
 Prep. Date: 04/26/2023
 Preparer: Russell Farnum



Agenda Item: # 5
 Agenda Date: 05/01/2023

Communication Page

Agenda Items Description: Resolution Approving Funding Agreement with the Monticello Area Chamber of Commerce

<u>Type of Action Requested:</u> Resolution	
<u>Attachments & Enclosures:</u> Draft Agreement	<u>Fiscal Impact:</u> Budget Line Item: Budget Summary: Expenditure: Revenue:

Synopsis: At the November 7, 2022 City Council meeting, the Council agreed to provide funding to MACC in the amount of \$10,000, for celebration activities related to their Centennial, and to promote tourism in Monticello.

Since that time the City Administrator and Chamber Director have worked out the attached agreement, which the Chamber Board approved at their December 14 Board meeting.

The agreement outlines the public purpose of the funding and the uses to which it will be dedicated. It also requires at least one report be provided by the Chamber on the use of the funding and the results of their activities. The agreement follows the format and requirements of all of the other funding agreements the City has approved.

Background: The Chamber is a membership-driven organization that supports the business community. The Chamber operates on a minimal budget of just over \$50,000 per year, with dues generating about \$35,000 per year. The remaining budget is offset by sponsorships, special events and fundraising. The Chamber currently has over 150 businesses and local not-for-profits as members.

The attached request outlines multiple activities and sponsorships for MACC’s 100th Anniversary Celebration that the City is asked to help fund, including:

100 th Anniversary Concert and Dinner	\$ 2,000
Monti-opoly Game Sponsorship	2,000
<u>100-year Commemorative Plaques</u>	<u>800</u>
Total Anniversary Funding	\$ 4,800

The following expenses would be covered by the City in the Chamber's effort to increase tourism in Monticello:

Website Update and Modifications	\$ 2500
Visitor Guide Advertising	\$ 1880
Community Calendar web site and data application	2500
<u>Social Media Targeted Advertising</u>	<u>1000</u>
Total for Tourism and Promotion	\$ 7880

These are estimated amounts, and obviously total more than \$10,000. The City is only be asked to participate up to \$10,000. The Chamber will use its funds and sponsorships for the remaining amounts.

The Mission of MACC is:

To provide the leadership to promote Monticello and the surrounding area MACC members. MACC will serve as a catalyst for the development of business and industry in the area and shall gather and disseminate information to its members and other interested parties.

While the City does pay a small amount to Jones County Tourism, that organization does not provide the tourism impact that the Chamber hopes to have. Further, JCT's focus is County-wide, and while they do bring in visitors, there is little done to keep them in Monticello, or to encourage them to explore the area more. The Chamber wishes to capitalize on visitors that are already here (campers, climbers, trail riders, canoeists, etc.) and provide information on food and other things to do that will keep our visitors here longer, increase their spending in local businesses, and encourage more return trips.

The Council discussed this proposal at the November 7 meeting and agreed to provide this funding, which will be provided by a combination of hotel/motel revenues and general fund revenues. Council should note that a future budget amendment will be necessary to provide the funding at the time it is requested by the MACC.

Recommendation: Approval is recommended.

The City of Monticello, Iowa

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

RESOLUTION #

Approving Monticello Area Chamber of Commerce Investment Agreement

WHEREAS, the City of Monticello has been a member with the Monticello Area Chamber of Commerce for a number of years, and

WHEREAS, the annual investment amount requested by Monticello Area Chamber of Commerce is \$10,000 and was approved by The City Council on November 7, 2022 with Resolution #2022-143 with an agreement being prepared, and

WHEREAS, the Council finds the public purpose of the Chamber of Commerce's plan to hold a large community event for their 100th Anniversary would be beneficial to the community. In addition, the Chamber has added a new goal of promoting a stronger tourism base within the Monticello area, and

WHEREAS, the Council finds that the relationship by and between Monticello Area Chamber of Commerce and the City of Monticello is mutually beneficial and that the City should invest in the Monticello Area Chamber of Commerce, and

WHEREAS, the Council has reviewed the agreement with Chamber of Commerce setting out the terms, a copy of same being appended hereto, and

NOW, THEREFORE, BE IT RESOLVED, by the City of Monticello Council does hereby approve of the investment agreement related to the request from the Monticello Area Chamber of Commerce in the amount of \$10,000 for FY '24.

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 1st day of May, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

AGREEMENT

This Agreement (“Agreement”) is made as of the date of last signature below between the **CITY OF MONTICELLO, IOWA** (“CITY”), an Iowa Municipal Corporation, and **MONTICELLO AREA CHAMBER OF COMMERCE** (“ORGANIZATION”), an Iowa Non-Profit Corporation.

RECITALS

WHEREAS, the Organization has made a request of the City for funding; and

WHEREAS, the City, when expending City funds, must consider and find that the use of said funds for the requested purpose has a beneficial public purpose; and

WHEREAS, the Organization is a domestic non-profit corporation pursuant to applicable laws of the State of Iowa and a 501(c)(6) organization pursuant to applicable regulations of the Internal Revenue Service; and

WHEREAS, any agreement by the City to support the Organization must be reduced to writing, approved by Resolution of the Council, and recorded in the City Council minutes with the minutes and the Resolution clearly setting forth the public purpose of the expenditure; and

WHEREAS, the ORGANIZATION proposes to use the requested funds for the following public purpose(s) / qualifying expenses: (Consider and describe services provided directly to the City and/or services/benefits to the “Public” in general.)

The Monticello Area Chamber of Commerce is requesting city funding to be used for the following two initiatives 1) to grow Monticello’s regional tourism focus and 2) to build community events to celebrate MACC’s 100th year as a non-profit organization.

WHEREAS, the City Council hereby finds that the ORGANIZATION will use the funds requested for a valid public purpose as set forth above and should, therefore, be approved in the amount of \$ 10,000.00.

AGREEMENT

NOW THEREFORE, in consideration of identified Public Purpose(s) set forth above to be provided and/or performed by the ORGANIZATION and other good and valuable consideration, the CITY and the ORGANIZATION do hereby agree as follows:

1. **FINANCIAL CONTRIBUTION.** The CITY agrees to invest \$10,000.00 in the ORGANIZATION to be used by the ORGANIZATION for the public purposes identified above.

2. **MANNER OF PAYMENT.** The CITY’S investment to the ORGANIZATION shall be paid as follows for the proposed qualifying expenses: Payment in full will be made no

later than July 31, 2023. The City shall determine the source of the money but in general it intends to appropriate the funding from the General Fund and the Hotel/Motel fund, upon Council approval of this agreement.

3. **PROOF OF QUALIFYING EXPENSES.** At least once during the term of this Agreement, ORGANIZATION agrees to submit to the CITY one or more reports, summarizing the activities and functions undertaken and detailing the qualifying expenses to the CITY; said report(s) to provide sufficient detail for the City Council to find that the public purpose is being met by said qualifying expenses.

4. **REPAYMENT of INVESTMENT.** The ORGANIZATION agrees to repay to the CITY any and all investment made by the CITY to the ORGANIZATION in the event the ORGANIZATION does not satisfy the obligations of this agreement within one (1) year of the date of this agreement. In such event, the ORGANIZATION shall remit payment to the CITY within sixty (60) days of receiving the CITY'S written demand for repayment.

5. **GENERAL PROVISIONS.** In the performance of this Agreement time shall be of the essence. Failure to promptly assert rights herein shall not, however, be a waiver of such rights or a waiver of any existing or subsequent default. This Agreement shall apply to and bind the successors in interest of the ORGANIZATION. This Agreement contains the entire agreement of the parties and shall not be amended, except by a written instrument duly signed by the CITY and ORGANIZATION. Paragraph headings are for convenience of reference and shall not limit or affect the meaning of this Agreement. Words and phrases herein shall be construed as in the singular or plural number, and as masculine, feminine, or neuter gender according to the context.

6. **NOTICE.** Any notice under this Agreement shall be in writing and be deemed served when it is delivered by personal delivery, email, or mailed by certified mail, addressed to the parties at the addresses given below.

7. **APPROVAL.** This Agreement is expressly contingent upon approval hereof by the City Council.

8. **COUNTERPARTS.** This Agreement may be executed in several counterparts, each of which, when so executed and delivered, shall be deemed an original and all of which, when taken together, shall constitute one and the same instrument, even though all parties are not signatories to the original or the same counterpart. Furthermore, the parties may execute and deliver this Agreement by electronic means, such as .pdf or a similar format. ORGANIZATION and CITY agree delivery of the Agreement by electronic means shall have the same force and effect as delivery of original signatures and that each of the parties may use such electronic signatures as evidence of the execution and delivery of the Agreement by all parties to the same extent as an original signature.

9. **EXECUTION.** When and if executed by both ORGANIZATION and CITY, this Agreement shall become a binding contract.

ORGANIZATION
an Iowa Non-Profit Corporation

CITY OF MONTICELLO, IOWA,
an Iowa Municipal Corporation

Dated this ____ day of _____ 2022.

Dated this ____ day of _____ 2023.

By: _____

By: _____

David Goedken, Mayor

(Print Name), (Print Title)

Attest: _____

Sally Hinrichsen, City Clerk

Address:
Monticello Area Chamber of Commerce, Inc
204 East First Street
Monticello, IA 52310

Address: Monticello City Hall
200 East First Street
Monticello, IA 52310

Telephone: (319) 465-5626

Telephone: (319) 465-3577

City Council Meeting
Prep. Date: 4/26/2023
Preparer: Sally Hinrichsen



Agenda Item: #6
Agenda Date: 5/01/2023

Communication Page

Agenda Items Description: Resolution to request abatement of accrued and future taxes on City owned Property utilized for public purposes within the City limits of the City of Monticello

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: Taxes accrued on 541 North Chestnut Street.

Background Information: City recently purchased the house located at 541 North Chestnut Street from Marc Bradley and by agreement was not paid accrued taxes. By State Code the City can request that the County abate the taxes and the County really has no choice but to do so.

Parcel 0221432002 (541 North Chestnut Street)

The proposed resolution will result in the abatement of any and all accrued and accruing taxes.

Staff Recommendation: Staff recommends that the City request that the County officially abate any and all taxes past due and/or accrued on the above referenced property as provided by the Iowa Code.

Iowa Code 445.63 Abatement of taxes.

When taxes are owing against a parcel owned or claimed by the state or a political subdivision of this state and the taxes were owing before the parcel was acquired by the state or a political subdivision of this state, the county treasurer shall give notice to the appropriate governing body which shall pay the amount of the taxes due. **If the governing body fails to immediately pay the taxes due, the board of supervisors shall abate all of the taxes.**

The City of Monticello, Iowa

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

RESOLUTION

Resolution to request Abatement of accrued Property Taxes on property owned by the City of Monticello for public purposes within the city limits of the City of Monticello.

WHEREAS, The City of Monticello recently purchased the property located at 541 North Chestnut Street, same being described by the following Tax Parcel ID: 0221432002, and

WHEREAS, The Residential Purchase Agreement with the property owner relieved him of responsibility for all accrued taxes and the City did not, therefore, collect sums from the property owner to pay previously accrued property taxes, and

WHEREAS, The Council finds it appropriate, under the circumstances, to request the abatement of all accrued and accruing taxes related to said parcel, whether past due or accrued and not yet due, and to so inform the County Treasurer so that the County Board of Supervisors can take action to formally abate said taxes as required by §445.63 of the Iowa Code.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby direct the City Clerk to inform the County Treasurer of the decision of the City Council to request the abatement of the taxes accrued and accruing on the above-described tax parcel consistent with §445.63 of the Iowa Code.

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 1st day of May 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: April 25, 2023
Preparer: Nick Kahler



Agenda Item: 7
Agenda Date: May 1, 2023

Communication Page

Agenda Items Description: Approving contracting with LL Pelling Co. to complete various sealcoating projects

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

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

Synopsis: Sealcoat bid for 2023

Background Information: We are on the 4th year of a 5-year rotation. This section is going to be mainly around West 6th, North Gill, Birch area. Schoon addition, Altavista, and Grandview will also be done with this.

Staff Recommendation: I recommend the approval of the LL Pelling sealcoat bid

The City of Monticello, Iowa

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

RESOLUTION

Approving contracting with LL Pelling Co. to complete various sealcoating projects

WHEREAS, The City of Monticello sought a proposal from LL Pelling Co to sealcoat various locations in the community, and

WHEREAS, The Public Works Department has identified a number of locations that are in need of sealcoating maintenance work, and

WHEREAS, The Council finds the hiring of LL Pelling Co. to perform the sealcoating projects proposed to be appropriate, with the proposed estimated cost being \$72,509.75 and directs the PW Director to accept the proposals of LL Pelling Co and to schedule these projects for completion, and,

WHEREAS, The proposal notes that the final cost of all work and materials will be based on actual quantities, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve contracting with LL Pelling Co. to complete sealcoating projects and authorizes the PW Director to accept the proposals of LL Pelling Co. on behalf of the City.

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 1st day of May, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

PROPOSAL

City of Monticello
 Attn. Nick
 200 E 1st St
 Monticello, Iowa 52310

Phone: Nick 319-821-4433



WWW.LLPELLING.COM

1425 W. Penn Street P.O. Box 230 North Liberty, Iowa 52317 (319) 626-4600 FAX (319) 626-4605

Email: nkahler@ci-monticello-ia.us

WE PROPOSE TO DO THE FOLLOWING WORK AND/OR FURNISH THE MATERIALS AT THE UNIT PRICE QUOTED BELOW:

Page 2

Street	From	To	L (ft)	W (ft)	TYPE OF WORK (SY)		Total
					Type A	Type B	
Chestnut	6th	5th	A			-	\$ -
			B	451	29		1,453
Chestnut	5th	4th	A			-	\$ -
			B	372	29		1,199
4th	Gill	Chestnut	A			-	\$ -
			B	379	25		1,053
4th	Chestnut	Alley	A			-	\$ -
			B	244	25		678
Chestnut	2nd Thru Intersection	1st	A			-	\$ -
			B	269	34		1,016
Thomas	1st	Highview	A			-	\$ -
			B	260	22		636
Dana	Highview	1st	A			-	\$ -
			B	280	22		684
Park	1st	Park Concrete	A			-	\$ -
			B	281	14		437
Alta Vista	Park	1st	A	274	18	548	\$ 2,109.80
			B	274	18		548

Summary of Work	Unit of Measure	Quantity	Unit Cost	Total
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Date: 11/30/2022

Authorized
Signature

Greg Eganhouse

Note: This proposal may be withdrawn if not accepted within _____ days.

All work & materials will be according to specifications submitted or per standard practices. Any alteration or deviation from the above specifications involving extra cost will become an extra charge over and above the estimate. Items bid per Unit of Measure are based on estimated quantities, and payment will be based on actual quantities placed. Payment is due upon receipt of invoice. 1 3/4% Service Fee will be charged on all past due accounts (21% per annum). Any expense incurred to collect past due accounts, including attorney fees, will be reimbursed by owner.

Acceptance of Proposal The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be due upon receipt of invoice. I will retain the white copy for my records and return the yellow copy for authorization to schedule work.

Signature _____ Date _____

Signature _____ Date _____

“Committed to Excellence since 1948”

PROPOSAL

City of Monticello
 Attn. Nick
 200 E 1st St
 Monticello, Iowa 52310



WWW.LLPELLING.COM

1425 W. Penn Street P.O. Box 230 North Liberty, Iowa 52317

(319) 626-4600 FAX (319) 626-4605

WE PROPOSE TO DO THE FOLLOWING WORK AND/OR FURNISH THE MATERIALS AT THE UNIT PRICE QUOTED BELOW:

Page 3

Street	From	To	L (ft)	W (ft)	TYPE OF WORK (SY)		Total
					Type A	Type B	
Grandview	1st	Park	A			-	\$ -
			B	255	30		850
Gill	6th	7th	A			-	\$ -
			B	634	36		2,536
6th	Chestnut	Gill	A			-	\$ -
			B	179	30		597
6th	Gill	Hillcrest	A			-	\$ -
			B	472	30		1,573
Arminda	6th	5th	A			-	\$ -
			B	207	25		575
Arminda	5th	Dead End	A	46	24	123	\$ 473.55
			B	46	24		123
6th	Concrete	Asphalt	A			-	\$ -
			B	996	22		2,435
6th	Concrete	Asphalt	A			-	\$ -
			B	76	13		110
Birch	6th	Hillcrest	A			-	\$ -
			B	248	30		827
Summary of Work			Unit of Measure	Quantity	Unit Cost	Total	

Date: 11/30/2022

Authorized
Signature

Greg Eganhouse

Note: This proposal may be withdrawn if not accepted within _____ days.

All work & materials will be according to specifications submitted or per standard practices. Any alteration or deviation from the above specifications involving extra cost will become an extra charge over and above the estimate. Items bid per Unit of Measure are based on estimated quantities, and payment will be based on actual quantities placed. Payment is due upon receipt of invoice. 1 3/4% Service Fee will be charged on all past due accounts (21% per annum). Any expense incurred to collect past due accounts, including attorney fees, will be reimbursed by owner.

Acceptance of Proposal The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be due upon receipt of invoice. I will retain the white copy for my records and return the yellow copy for authorization to schedule work.

Signature _____ Date _____

Signature _____ Date _____

“Committed to Excellence since 1948”

PROPOSAL

City of Monticello
 Attn. Nick
 200 E 1st St
 Monticello, Iowa 52310



WWW.LLPELLING.COM

1425 W. Penn Street P.O. Box 230 North Liberty, Iowa 52317

(319) 626-4600 FAX (319) 626-4605

WE PROPOSE TO DO THE FOLLOWING WORK AND/OR FURNISH THE MATERIALS AT THE UNIT PRICE QUOTED BELOW:

Page 4

Street	From	To	L (ft)	W (ft)	TYPE OF WORK (SY)		Total
					Type A	Type B	
Birch	Hillcrest	7th	A	334	30	-	\$ -
						B	1,113
Highview	Thomas	Dana	A	834	22	-	\$ -
						B	2,039
			A			-	\$ -
						B	-
			A			-	\$ -
						B	-
			A			-	\$ -
						B	-
			A			-	\$ -
						B	-
			A			-	\$ -
						B	-
			A			-	\$ -
						B	-
			A			-	\$ -
						B	-

Summary of Work	Unit of Measure	Quantity	Unit Cost	Total
Type A Work	Square Yd	671	\$ 3.85	\$ 2,583.35
Type B Work	Square Yd	20,482	\$ 2.70	\$ 55,301.40
Cold Mix Patching	per ton	45.00	\$ 285.00	\$ 12,825.00
3/4" Road Stone Base Material	per ton	60.00	\$ 30.00	\$ 1,800.00
				\$ 72,509.75

NOTES: Billing on final units completed.

Date: 11/30/2022

Authorized
Signature

Greg Eganhouse

Note: This proposal may be withdrawn if not accepted within _____ days.

All work & materials will be according to specifications submitted or per standard practices. Any alteration or deviation from the above specifications involving extra cost will become an extra charge over and above the estimate. Items bid per Unit of Measure are based on estimated quantities, and payment will be based on actual quantities placed. Payment is due upon receipt of invoice. 1 3/4% Service Fee will be charged on all past due accounts (21% per annum). Any expense incurred to collect past due accounts, including attorney fees, will be reimbursed by owner.

Acceptance of Proposal The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be due upon receipt of invoice. I will retain the white copy for my records and return the yellow copy for authorization to schedule work.

Signature _____ Date _____

Signature _____ Date _____

“Committed to Excellence since 1948”

City Council Meeting
Prep. Date: 03/28/2023
Preparer: Russell Farnum



Agenda Item: # 8
Agenda Date: 05/01/2023

Communication Page

Agenda Items Description: Approving Employment Agreement for Police, Public Works, Water and Sewer, Administration and Emergency Services

Type of Action Requested: Resolution

Attachments & Enclosures:

Draft Agreement

<u>Fiscal Impact:</u>	
Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: The contracts of both Police Officers and the hourly employees (formerly) covered by the IOUE union expire on June 30. This new Employment Agreement would replace the current contracts and establish the wage scales for the next three years.

Background: In 2022, the IUOE employees voted to eliminate their union representation. Shortly thereafter, some representatives City Administrator to discuss their desired changes and updates to the forthcoming agreement. The City Administrator forwarded those concerns, with additional data and ideas, to the Compensation Committee. The Compensation Committee met on November 21, and January 17, providing the City Administrator with direction on wage scales and other benefits.

Based upon that direction, the City Administrator has prepared the attached Employment Agreement. This includes competitive wage scales, updated longevity pay, and increased City participation in the Single+ and Family coverage for insurance. These additions will help retain existing employees and help recruit new employees when necessary.

The additional wages and benefits are already reflected in the recently adopted FY24 budget.

Recommendation: Approval is recommended.

The City of Monticello, Iowa

RESOLUTION

Approving Employment Agreement for Police, Public Works, Water and Sewer, Administration and Emergency Services Departments

WHEREAS, The City of Monticello, through the City Administrator, has been negotiating and drafting an agreement, setting out various terms of employment, between the City and employees of the Police, Public Works, Water and Sewer, Administration and Emergency Services Departments, and

WHEREAS, The City Council Wage/Salary Committee comprised of Wayne Peach, Candy Langerman, Brenda Hanken and David Goedken met with the City Administrator Russell Farnum and City Clerk Sally Hinrichsen to discuss the current wages and benefits of the City staff, and

WHEREAS, The Council has been made aware of the terms and provisions of the proposed agreement including proposed wages for the employees covering the next three fiscal years and finds same to be appropriate and agreeable, and

WHEREAS, The Council finds that the above recommended salaries for FY '24 and the balance of the proposed Employment Agreement are appropriate and should be approved.

NOW, THEREFORE, BE IT RESOLVED that the Employment Agreement between the City of Monticello and the Police, Public Works, Water and Sewer, Administration and Emergency Services Departments, 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 1st day of May, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

CITY OF MONTICELLO

AND

MONTICELLO CITY HOURLY EMPLOYEES
Police – EMS – Public Works – Water & Sewer – Administration

Agreement and Wage Chart

July 1, 2023 through June 30, 2026

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City Contributions to Health Insurance	
ARTICLE 4	5
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Wage Scale	

AGREEMENT

The purpose of this document is to set out the agreed wage schedule by and between the City of Monticello and all Full-time and Part Time Monticello Hourly Employees including the Police Department Officers and the Department's Administrative Assistant, EMS Lead Paramedic, Paramedics, Advanced EMT's (AEMT) and EMT's, Public Works employees, Water and Sewer employees, and City Hall Administrative staff. Nothing herein shall, however, create a right to employment and all employees who are covered by the terms of this documents are now and shall remain employees at will.

For the purposes of this Agreement, all terms and requirements of the City of Monticello Employee Handbook, adopted August 1, 2022, (the "Employee Handbook") shall apply unless specifically provided herein.

This Agreement is executed by the City of Monticello, hereinafter referred to as "employer", and Monticello employees noted above, hereinafter referred to as "employees".

ARTICLE 1 **Wages**

Section 1. The City shall pay wages as shown on Exhibit A attached hereto and made a part of this contract by this reference

Section 2. Wage increases as noted within Exhibit A hereto shall take effect with the payroll period that includes July 1st.

Section 3. The Employer shall have the right to place new employees at a starting wage at any point in the wage scale, taking account the new employee's years of experience.

ARTICLE 2
Longevity Pay

Section 1. Longevity pay, as outlined in the Employee Handbook, shall herein be modified and apply for all employees covered by this Agreement, for continuous service to the City, as follows:

a. At the beginning of the 10th year of employment, employee will receive an additional \$ 0.25 per hour wage increase, in addition to any steps or other adjustments in effect at the time.

b. At the beginning of the 15th year of employment, employee will receive an additional \$ 0.50 per hour wage increase, in addition to any steps or other adjustments in effect at the time.

c. At the beginning of the 20th year of employment, employee will receive an additional \$ 0.75 per hour wage increase, in addition to any steps or other adjustments in effect at the time.

Section 2. Longevity Pay shall be subject to the same payroll deductions that are applied to regular wages.

Section 3. Longevity Pay shall not be retroactive. It shall be effective as of the date of this Agreement, moving forward.

ARTICLE 3
City Contributions toward Health Insurance

Section 1. Beginning July 1, 2023, the City shall provide the following contribution toward employee health insurance coverage:

- a. For Single coverage, the City shall pay the full premium;
- b. For Single + Spouse, or Single + Dependent coverage, the City shall pay the equivalent of:
 - 1) the Single premium, plus
 - 2) \$70.00, plus
 - 3) \$250.00.
- c. For Family coverage, the City shall pay the equivalent of:
 - 1) the Single premium, plus
 - 2.) \$70.00, plus
 - 3.) \$500.00.

Section 2. The difference between the City contribution and the cost of the selected contribution shall be the responsibility of the Employee.

Section 3. The City has the right to change insurance plans to provide coverage and deductibles similar to, but not necessarily identical to, the coverage outlined in the Employee Handbook.

ARTICLE 4
Effective Period

Section 1. This agreement shall be effective July 1, 2023 and shall continue through June 30, 2026.

Section 2. During the effective period of this agreement no amendments shall be made to this agreement without the written agreement of the Employer and at least 2/3rds of the full-time employees. This agreement shall be effective as to every subsequently hired employee during the term hereof.

Exhibit A
Wage Scales

(Attached)

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representative this ___ day of _____, 2023.

CITY OF MONTICELLO, IOWA

**CITY OF MONTICELLO, IOWA
EMPLOYEES**

Mayor Dave Goedken

Attest:

Sally Hinrichsen, City Clerk

	FY23/24 (Starting July 1, 2023)						
	Years Completed with City*						
Department/Position	Starting	Post Prob	Year 1	Year 2	Year 3	Year 4	Year 5
Water/Wastewater							
Licensed Operator	24.7	25.25	25.8	26.35	26.9	27.45	28
Operator **	21.54	22.09	22.64	23.19	23.74	24.29	24.84
Public Works							
Public Works Worker	20.79	21.34	21.89	22.44	22.99	23.54	24.09
Cemetery Sexton	20.79	21.34	21.89	22.44	22.99	23.54	24.09
City Clerk's Office							
Payroll/Utility Billing	21.85	22.4	22.95	23.5	24.05	24.6	25.15
Account Clerk	18.96	19.51	20.06	20.61	21.16	21.71	22.26
Ambulance							
Lead Paramedic							29.23
Paramedic	25.4	26.4	26.4	26.4	26.4	26.4	26.4
AEMT	22.4	23.4	23.4	23.4	23.4	23.4	23.4
EMT	20.4	21.4	21.4	21.4	21.4	21.4	21.4
Police Department							
Non-Certified	24.4	24.9	25.4				
Police Officer	28.49	28.49	29.88	31.28	32.11	33.50	33.79
School Resource Officer		^^^ Also Cert P/T					33.79
Sergeant							36.29
Admin Assistant							20.99
*May be adjusted based upon experience							
** \$1/hr increase for each grade license (in both water and wastewater, not just one) achieved after hire							
*** FY 25/26 SRO pay to be determined depending upon School and City's continued funding agreement							
^^^Certified Part-Time Officers shall be placed at starting step in the range							

	FY24/25 (Starting July 1, 2024)						
	Years Completed with City*						
Position	Starting	Post Prob	Year 1	Year 2	Year 3	Year 4	Year 5
Water/Wastewater							
Licensed Operator	27	27.55	28.1	28.65	29.2	29.75	30.3
Operator **	23.28	23.83	24.38	24.93	25.48	26.03	26.58
Public Works							
Public Works Worker	22.53	23.08	23.63	24.18	24.73	25.28	25.83
Cemetery Sexton	22.53	23.08	23.63	24.18	24.73	25.28	25.83
City Clerk's Office							
Payroll/Utility Billing	24.3	24.85	25.4	25.95	26.5	27.05	27.6
Account Clerk	23.16	23.71	24.26	24.81	25.36	25.91	26.46
Ambulance							
Lead Paramedic							30.55
Paramedic	26.72	27.72	27.72	27.72	27.72	27.72	27.72
AEMT	23.57	24.57	24.57	24.57	24.57	24.57	24.57
EMT	20.42	21.42	21.42	21.42	21.42	21.42	21.42
Police Department							
Non-Certified	27.08	27.64	28.19				
Police Officer	31.80	31.80	33.28	34.77	35.64	37.12	37.43
School Resource Officer							35.82
Sergeant		^^^ Also Cert P/T					39.93
Admin Assistant							22.74
*May be adjusted based upon experience							
** \$1/hr increase for each grade license (in both water and wastewater, not just one) achieved after hire							
*** FY 25/26 SRO pay to be determined depending upon School and City's continued funding agreement							
^^^Certified Part-Time Officers shall be placed at starting step in the range							

	FY25/26 (Starting July 1, 2025)							
	Years Completed with City*							
Position	Starting	Post Prob	Year 1	Year 2	Year 3	Year 4	Year 5	
Water/Wastewater								
Licensed Operator	28.35	28.93	29.51	30.08	30.66	31.24	31.82	
Operator **	23.99	24.57	25.56	26.13	26.71	27.29	27.87	
Public Works								
Public Works Worker	23.66	24.23	24.81	25.39	25.97	26.54	27.12	
Cemetery Sexton	23.66	24.23	24.81	25.39	25.97	26.54	27.12	
City Clerk's Office								
Payroll/Utility Billing	25.52	26.09	26.67	27.25	27.83	28.40	28.98	
Account Clerk	24.32	24.90	25.47	26.05	26.63	27.21	27.78	
Ambulance								
Lead Paramedic							31.94	
Paramedic	28.11	29.11	29.11	29.11	29.11	29.11	29.11	
AEMT	24.79	25.79	25.79	25.79	25.79	25.79	25.79	
EMT	21.49	22.49	22.49	22.49	22.49	22.49	22.49	
Police Department								
Non-Certified	28.37	28.95	29.53					
Police Officer	32.75	32.75	34.28	35.80	36.71	38.23	38.54	
School Resource Officer							*** TBD	
Sergeant		^^^ Also Cert P/T						41.04
Admin Assistant							23.82	
*May be adjusted based upon experience								
** \$1/hr increase for each grade license (in both water and wastewater, not just one) achieved after hire								
*** FY 25/26 SRO pay to be determined depending upon School and City's continued funding agreement								
^^^Certified Part-Time Officers shall be placed at starting step in the range								

City Council Meeting
Prep. Date: 4/12/2023
Preparer: Sally Hinrichsen



Agenda Item: # 9
Agenda Date: 5/01/2023

Communication Page

Agenda Items Description: Motion to approve Four Points RV Resorts of IA, LLC (Jellystone Park Monticello) fireworks display request

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

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: City received a request for Fireworks Display permit for Four Points RV Resorts of IA, LLC (Jellystone Park Monticello)

Background Information: City approved the annexation of Four Points RV Resorts of IA, LLC (Jellystone Park Monticello) property into the City.

Julie Renkert, General Manager Jellystone Monticello is applying for fireworks permit to hold fireworks displays at Jellystone. The same person, as last year, will be handling the displays. this to add the City as an additional insured on their liability insurance, as required and to fill out the City's , application.

They would like fireworks permit for the following days: May 28th, July 2nd, September 23rd and 30th and October 7th, 2023.

Staff Recommendation: It is recommended that the Council consider the firework display permit request for Jellystone Monticello.

City of Monticello
Application for Fireworks Display Permit

Applicant: Four Points RV Resort of IA d/b/a Jellystone Monticello

Address: 22128 Hwy 38 N Phone: 337-761-9157

Date of Application: 4-18-23 Date of fireworks display: May 28, July 2, Sept. 3, Sept. 23, Sept. 30, Oct. 7

Display start time: After dark Display end time: done by 11:00pm

Organization of sponsoring display: Jellystone Monticello

Address: 22128 Hwy 38 N Phone # of contact person: Julie Renkert 563-590-0734

Location of fireworks display: 22128 Hwy 38 N Monticello IA

Name and address of property owner: Sean Vidrine

112 State St Lake Charles LA 70605

Expected number of attendees at proposed event: varies by date

Name of competent operator who will be handling the fireworks display: Josh Von Sprecken

Address: 1329d 21st Ave Anamosa, IA Phone: 319-480-3742

Signatures

Julie Renkert 4-18-23
Applicant Date

President of sponsoring organization Date

X [Signature] 04-19-23
Property owner at display location Date

[Signature] 4/18/23
Competent fireworks operator Date

Attachments

Certificates of insurance from the competent fireworks operator, the sponsoring organization or applicant and the owner of the property where fireworks display will be conducted. Said certificates of insurance shall list City of Monticello as a primary additional insured on the respective general liability policies. Each certificate of insurance shall display minimum liability limits of \$500,000 per person /\$1,000,000 per occurrence of Personal Injury and \$1,000,000 of Property Damage.



EOP NUMBER C141988

EVIDENCE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)

05/23/2022

THIS EVIDENCE OF PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THIS EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

AGENCY K&K INSURANCE GROUP, INC. P.O BOX 2338 FORT WAYNE, IN 46801	PHONE (A/C, No, Ext): 877-355-0315	COMPANY National Casualty Company		
FAX (A/C, No): 260-459-5990	E-MAIL ADDRESS:	LOAN NUMBER	POLICY NUMBER KKO0000026611600 PKG	
CODE:	SUB CODE:	EFFECTIVE DATE 5/20/2022 12:01 AM	EXPIRATION DATE 5/20/2023 12:01 AM	<input type="checkbox"/> CONTINUED UNTIL TERMINATED IF CHECKED
AGENCY CUSTOMER ID: INSURED FOUR POINTS RV RESORTS OF IA, LLC DBA : MONTICELLO JELLYSTONE PARK 921 RYAN ST, SUITE NE LAKE CHARLES, LA 70601	THIS REPLACES PRIOR EVIDENCE DATED:			

PROPERTY INFORMATION

LOCATION/DESCRIPTION LOC 001 : 22128 HIGHWAY 38 MONTICELLO IA, 52310
THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

COVERAGE INFORMATIONPERILS INSURED BASIC BROAD SPECIAL

COVERAGE / PERILS / FORMS	AMOUNT OF INSURANCE	DEDUCTIBLE
PROPERTY - LOC 1, BLDGS 1-11 SCH/RC/ACV/AA/80% CO-INS/\$1,000 W/H DED.	\$1,113,696	\$1,000
BPP - LOC 1/RC/AA/80% CO-INS/\$1,000 W/H DED	\$118,000	\$1,000

REMARKS (including Special Conditions)

RE: LOC 1: 22128 HWY 38, MONTICELLO, IA 52310

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

ADDITIONAL INTEREST

NAME AND ADDRESS CITIZENS COMMUNITY FEDERAL NA ISAOA 219 FAIRFAX STREET ALTOONA WI 54720	ADDITIONAL INSURED	LENDER'S LOSS PAYABLE	<input checked="" type="checkbox"/> LOSS PAYEE
	<input checked="" type="checkbox"/> MORTGAGEE		
	LOAN #		
AUTHORIZED REPRESENTATIVE <i>Scott Paulson</i>			

Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: VON SPRECKEN, JOSHUA

Business Name:

License/Permit Number: 5-IA-105-54-4F-00550

License/Permit Type: 54-USER OF EXPLOSIVES

Expiration: June 1, 2024

Case Note: Not Valid for the Sale or Other Disposition of Explosives.

City Council Meeting
Prep. Date: 04/27/2023
Preparer: Russell Farnum



Agenda Item: #10
Agenda Date: 05/01/2023

Communication Page

Agenda Items Description: Discussion and Possible Motion of sale of 541 North Chestnut Street property

<u>Type of Action Requested:</u> Motion	
<u>Attachments & Enclosures:</u>	<u>Fiscal Impact:</u>
	Budget Line Item:
	Budget Summary:
	Expenditure:
	Revenue:

Synopsis: The City has purchased the nuisance property at 541 North Chestnut. Interested buyers have reached out to Chief Smith about purchasing the land. Staff needs Council direction on how to proceed with re-selling the lot.

Background: The City purchased this property to eliminate a nuisance/blight and resell the property to the benefit of the neighborhood. Staff needs Council direction on the implementation of that goal.

Options include: 1) sell the property as-is with the requirement that the buildings be cleared and a new home be built on the property; 2) clear the property, and re-sell a vacant lot with requirements that a new home be built on the property; 3) take proposals and see what interest there may be in the property, and what terms may be considered.

Staff prefers Option 3, as the Chief has already discussed the property with interested parties that will do the demolition on their own. Staff believes that a private party could do the project faster and more efficiently than the City. The risk is that the City is limited in its powers to assure something gets done in a timely manner.

Despite that shortcoming, there is no harm in taking proposals and seeing what interest there is in the property. The Council is not obligated to approve any of the proposals, and may negotiate the preferred proposal to obtain the best result for the community.

In order to take proposals, if that is Council direction, the property would be advertised and proposals received for review at the first Council meeting in June. At that same night, a public hearing on sale of

the property could occur, then if the Council picked a winning proposal, Staff could proceed with completing the sale of the property.

If no acceptable proposals are received, the Council could negotiate with a party that made a proposal, or could reject the proposals and proceed with clearing the property at City expense.

Recommendation: The City Administrator and Police Chief prefer Option 3. Council discussion and direction is welcome.

City Council Meeting
Prep. Date: 03/28/2023
Preparer: Russell Farnum



Agenda Item: #11
Agenda Date: 05/01/2023

Communication Page

Agenda Items Description: Ordinance Amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to “Zoning Regulations”

Type of Action Requested: Public Hearing and Ordinance

Attachments & Enclosures:
Ordinance

<u>Fiscal Impact:</u>	
Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: The City had entered into a pre-annexation agreement with Horsfield regarding the property at 200 W. 11th Street, which provided for “M-1” Light Industrial zoning (among other considerations) upon annexation. Later the property was annexed with a number of other properties, all of which were zoned “C-1” General Business in a blanket statement. This property, therefore, is currently zoned C-1, when it was intended, and used for, industrial purposes.

Since this mistake was on the part of the City, staff brought forward this request to correct the mistake.

At the April 3 meeting, Council must first hold a public hearing on this rezoning request, followed by possible action on the request by approval of the accompanying ordinance.

Background: Since Horsfield’s concrete business was bought out, the concrete plant at the subject property has been dismantled, and the property is for sale. In response to inquiries about the property, the Public Works Director and City Administrator were surprised to find the lot was actually zoned C-1, General Business, rather than M-1 Industrial.

In researching the history of the property and trying to figure out why it was zoned C-1, we found that in May, 2009, the City approved a pre-annexation agreement with Horsfield that provided for M-1 zoning upon annexation. In addition, the City would extend water and sewer to the property, and other considerations.

But the property was not annexed until 2016, by Resolution 16-88. It was simultaneously annexed with multiple other business properties, all of which were zoned “C-1” General Business by Ordinance No. 692. That action seems to be simply an oversight, with the M-1 zoning for this parcel a forgotten detail at that time. The pre-annexation agreement, annexation and zoning actions are all attached for review.

The property should have been zoned “M-1” in accordance with the pre-annexation agreement. The property is surrounded by M-1 zoned properties, or properties that used for industrial purposes, save for an unincorporated parcel to the west which is still farmed. The Comprehensive Plan calls for this area to be developed with Industrial land uses.

The proposed zoning is compatible with the existing land uses, it follows the Plan, and it corrects a prior mistake on the part of the City. For these reasons, rezoning the property to M-1 Light Industrial is recommended.

The Planning and Zoning Board reviewed this at their meeting of March 28, and unanimously recommended approval of rezoning the property to M-1 Industrial.

Recommendation: After the hearing, a motion to approve this Ordinance on third and final reading is recommended.

ORDINANCE NO. 761

An Ordinance amending the Monticello Code of Ordinances, by amending Chapter 165 “ZONING REGULATIONS” of certain property located within the City Limits of the City of Monticello, same being generally described as 200 W. 11th Street, Monticello, IA 52310, legally described as set forth below, and amending the Official Zoning Map.

Legal Description: That part of the W ½ SE ¼ of Section 16, Township 86, North, Range 3, West of the 5th P.M., described more particularly as follows: Commencing 759.5 feet East of the Southwest Corner of said SE ¼; thence North 656.5 feet; thence East 263.2 feet to the West right-of-way line of the C. M. St. P. Railway Company; thence South 11°46’ East 670.6 feet; thence West 400 feet to the point of beginning, containing 5.3 acres, more or less, Subject to the rights of the public in all highways.

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

A. Zoning Classification:

That the Zoning Classification for the above-described property shall be hereby amended from its’ present designation of C-1 General Commercial to M-1 Light Manufacturing.

B. Repealer:

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

C. Severability:

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

D. Effective Date

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

1st reading passed by the Council on this 3rd day of April, 2023

2nd reading passed by the Council on this 17th day of April, 2023

3rd reading passed by the Council on this ___th day of May, 2023

Dave Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

I, Sally Hinrichsen, Monticello City Clerk, do hereby certify that the above and foregoing Ordinance # ___ was published in the Monticello Express on the ___th of May, 2023.

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: 3/22/2023
Preparer: Sally Hinrichsen



Agenda Item: # 12-15
Agenda Date: 05/01/2023

Communication Page

Agenda Items Description:

- 12. Ordinance** amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 3 “Ward and Precinct Boundaries”;
- 13. Ordinance** amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 2 “Charter”.
- 14. Ordinance** amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 15 “Mayor”, Section 15.05 Voting
- 15. Ordinance** amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 17 “City Council”, Section 17.01 Number and Term of Council

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

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: The Special Election that was held on March 7, 2023, changed the representation plan for the City. The Ward and Precinct Boundaries and other provisions of the Municipal Code must be changed to reflect that election outcome.

Background Information:

City of Monticello, Iowa, received a petition requesting a special election, on November 7, 2022. The petition stated the purpose of the special election is to vote on the following public measure: Change City Council Representation to IC 372.13(11) (b) (1). Election at large without ward.

Section 372.13(11) of the Code of Iowa provides that upon receipt of a petition meeting the requirements of section 362.4 of the Code of Iowa, the Council shall submit the question at a special election to vote upon the proposition of changing City Council representation to election at large, in accordance with the provisions of said statute.

Council called a special City election on Tuesday, the 7th day of March, 2023, at which election there shall be submitted to the registered voters of said City the following question, to-wit:

Shall the City of Monticello change from its current Council ward and at-large representation plan to an at-large council representation plan for all council members without ward residency requirements? (If this measure is passed by a majority of votes cast, all of the City's councilpersons will be elected at-large at the November, 2023 general election, taking office January, 2024. The three highest votes getters will serve

four-year terms, the next three highest vote getters will serve two-year terms. Thereafter all councilpersons will serve four-year terms.)

The County Auditor sent the abstract of votes for the special election held on March 7, 2023 advising the measure was approved by the voters and will go into effect in January 2024.

The following sections of the City Code need to be amended, with the effective date of January 1, 2024:

12. Repeals and replaces Chapter 3 of the Code of Ordinances of the City of Monticello, Iowa Provisions pertaining to Ward and Precinct Boundaries – This ordinance repeals Chapter 3 entirely and is replaced with only the Precinct Boundaries. I discussed the precinct boundaries with the Secretary of State’s Office and Jones County Auditor did also. There is no requirement that City update our precincts. We can continue with four precincts and consolidate them during the next decennial census. However, Iowa Code Section 49.8 does allow some exceptions to change precincts for various circumstances.
13. Amending Section 2.04 of the Code of Ordinances of the City of Monticello, Iowa provisions pertaining to “Charter” – This ordinance changes the City’s Charter effective January 1, 2024 related to the number and term of Council.
14. Amending Section 15.05 of the Code of Ordinances of the City of Monticello, Iowa provisions pertaining to “Mayor”. This ordinance changes city government composed of a Mayor and a Council consisting of six Council members elected at large
15. Amending Section 17.01 of the Code of Ordinances of the City of Monticello, Iowa provisions pertaining to “City Council”. This ordinance changes the make-up of the Council with six Council Members elected at large, elected for overlapping terms of four years

Staff Recommendation: It is recommended that the third and final reading ordinances be adopted individually.

ORDINANCE NO. 762

An ordinance amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 3 Ward and Precinct Boundaries

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

SECTION 1. SECTION MODIFIED. Chapter 3, of the Code of Ordinances of the City of Monticello, is repealed and the following new Chapter 3 is adopted in lieu thereof:

CHAPTER 3 PRECINCT BOUNDARIES

3.01 PRECINCT BOUNDARIES. The City is divided into four (4) precincts described as follows:

1. First Precinct. The First Precinct includes the part of the City lying within the area bounded as follows:

Beginning at the most northerly point of District 1 (corner of N Cedar St and E 3rd St), thence southerly 0.08 miles along N Cedar St, thence easterly 0.06 miles along E 2nd St, thence southerly 0.09 miles along N Sycamore St, thence easterly 0.07 miles along E 1st St, thence southerly 0.13 miles along S Maple St, thence westerly 0.14 miles along E Washington St, thence southerly 0.61 miles along S Cedar St, thence southerly 0.44 miles along S Main St, thence northerly 0.48 miles along Unnamed Boundary, thence westerly 1.06 miles along County Road E16, thence northerly 0.92 miles along Unnamed Boundary, thence easterly 0.83 miles along W 1st St, thence northerly 0.13 miles along N Walnut St, thence easterly 0.18 miles along W 3rd St to the aforementioned point of beginning.

2. Second Precinct. The Second Precinct includes the part of the City lying within the area bounded as follows:

Beginning at the most northerly point of District 2, thence easterly 0.17 miles along Hardscrabble Road, thence southeasterly 0.15 miles along Unnamed Boundary, thence southerly 0.22 miles along Hardscrabble Road, thence easterly 0.14 miles along W 11th St, thence easterly 0.30 miles along Unnamed Boundary, thence easterly 0.08 miles along W 11th St, thence easterly 0.30 miles along Unnamed Boundary, thence easterly 0.02 miles along W 11th St, thence southerly 0.50 miles along N Cedar St, thence westerly 0.09 miles along W 7th St, thence

southerly 0.39 miles along N Chestnut St, thence westerly 0.05 miles along W 3rd St, thence southerly 0.13 miles along N Walnut St, thence westerly 0.83 miles along W 1st St, thence northerly 1.67 miles along Unnamed Boundary to the aforementioned point of beginning.

3. Third Precinct. The Third Precinct includes the part of the City lying within the area bounded as follows:

Beginning at the most northerly point of District 3, thence southerly 0.21 miles along Unnamed Boundary, thence southerly 0.02 miles along E 11th St, thence southeasterly 0.75 miles along Unnamed Boundary, thence southerly 0.10 miles along River Road, thence southerly 0.35 miles along Unnamed Boundary, thence southwestly 0.25 miles along N Main St, thence easterly 0.16 miles along Unnamed Boundary, thence northerly 0.01 miles along Unnamed Line, thence easterly 0.77 miles along Unnamed Boundary, thence southerly 0.17 miles along Sewer Plant Road, thence westerly 0.48 miles along E 1st St, thence westerly 0.21 miles along E 1st St, thence northerly 0.09 miles along N Sycamore St, thence westerly 0.06 miles along E 2nd St, thence northerly 0.08 miles along N Cedar St, thence westerly 0.13 miles along W 3rd St, thence northerly 0.39 miles along N Chestnut St, thence easterly 0.09 miles along W 7th St, thence northerly 0.50 miles along N Cedar St, thence northerly 0.18 miles along State Hwy 38, thence easterly 0.14 miles along Unnamed Boundary to the aforementioned point of beginning.

4. Fourth Precinct. The Fourth Precinct includes the part of the City lying within the area bounded as follows:

Beginning at the most northerly point of District 4 (corner of E 1st St and S Maple St), thence easterly 0.14 miles along E 1st St, thence easterly 0.58 miles along E 1st St, thence southeasterly 0.47 miles along Unnamed Boundary, thence southerly 0.19 miles along Unnamed Ramp, thence southeasterly 1.42 miles along Unnamed Boundary, thence southeasterly 0.13 miles along State Hwy 38, thence southerly 0.97 miles along Unnamed Boundary, thence westerly 0.23 miles along 190th St, thence westerly 0.23 miles along Unnamed Boundary, thence westerly 0.06 miles along 190th St, thence westerly 1.09 miles along Unnamed Boundary, thence westerly 0.56 miles along 190th St, thence westerly 2.35 miles along Unnamed Boundary, thence easterly 0.03 miles along 190th St, thence northeasterly 0.84 miles along Unnamed Boundary, thence southerly 0.07 miles along S Main St, thence northerly 2.29 miles along Unnamed Boundary, thence northerly 0.15 miles along S Main St, thence northerly 0.61 miles along S Cedar St, thence easterly 0.14 miles along E Washington St, thence northerly 0.13 miles along S Maple St to the aforementioned point of beginning.

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 on January 1, 2024, after its final passage, approval and publication as provided by law.

1st reading passed by the Council on this 3rd day of April, 2023
2nd reading passed by the Council on this 17th day of April, 2023
3rd reading passed by the Council on this ____ day of _____, 2023

David Goedken, Mayor

ATTEST:

Sally Hinrichsen, City Clerk

I certify that the foregoing was published as Ordinance No. 762 the ____ day of _____, 2023.

Sally Hinrichsen, City Clerk

ORDINANCE NO. 763

**An Ordinance amending the Code of Ordinances of the City of Monticello,
Iowa, by amending provisions pertaining to “Charter”**

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

SECTION 1. Chapter 2, of the Code of Ordinances of the City of Monticello, is repealed and the following new Chapter 2 is adopted in lieu thereof:

CHAPTER 2
CHARTER

2.01 TITLE. This chapter may be cited as the charter of the City of Monticello, Iowa.

2.02 FORM OF GOVERNMENT. The form of government of the City is the Mayor-Council form of government.

(Code of Iowa, Sec. 372.4)

2.03 POWERS AND DUTIES OF CITY OFFICERS. The Council and Mayor and other City officers have such powers and shall perform such duties as are authorized or required by State law and by the ordinances, resolutions, rules, and regulations of the City.

2.04 NUMBER AND TERM OF COUNCIL. The Council consists of six Council members elected at large, elected for overlapping terms of four years.

(Code of Iowa, Sec. 376.2)

2.05 TERM OF MAYOR. The Mayor is elected for a term of two years.

(Code of Iowa, Sec. 376.2)

2.06 COPIES ON FILE. The Clerk shall keep an official copy of the charter on file with the official records of the Clerk and the Secretary of State, and shall keep copies of the charter available at the Clerk's office for public inspection.

(Code of Iowa, Sec. 372.1)

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 beginning with the term of office which begins January 2024 and after its final adoption and publication as provided by law.

1st reading passed by the Council on this 3rd day of April, 2023

2nd reading passed by the Council on this 17th day of April, 2023

3rd reading passed by the Council on this ____ day of _____, 2023

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

I, Sally Hinrichsen, Monticello City Clerk, do hereby certify that the above and foregoing Ordinance #763 was published in the Monticello Express on the ____ day of _____, 2023.

Sally Hinrichsen, City Clerk

ORDINANCE NO. 764

An Ordinance amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 15 “Mayor”, Section 15.05 Voting

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

SECTION 1. SECTION MODIFIED. Section 15.05 of the Code of Ordinances of the City of Monticello, Iowa, is repealed and the following adopted in lieu thereof:

15.05 VOTING. So long as the City is governed by the Mayor-Council form of government composed of a Mayor and a Council consisting of six Council members elected at large, the Mayor may vote to break a tie vote on motions not involving ordinances, resolutions or appointments made by the Council alone.

(Code of Iowa, Sec. 372.4)

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 beginning with the term of office which begins January 2024 and after its final adoption and publication as provided by law.

1st reading passed by the Council on this 3rd day of April, 2023

2nd reading passed by the Council on this 17th day of April, 2023

3rd reading passed by the Council on this ____ day of _____, 2023

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk

I, Sally Hinrichsen, Monticello City Clerk, do hereby certify that the above and foregoing Ordinance #764 was published in the Monticello Express on the ____ day of _____, 2023.

Sally Hinrichsen, City Clerk

ORDINANCE NO. 765

An Ordinance amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to Chapter 17 “City Council”, Section 17.01 Number and Term of Council

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

SECTION 1. SECTION MODIFIED. Section 17.01 of the Code of Ordinances of the City of Monticello, Iowa, is repealed and the following adopted in lieu thereof:

17.01 NUMBER AND TERM OF COUNCIL. The Council consists of six Council Members elected at large, elected for overlapping terms of four years.

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 beginning with the term of office which begins January 2024 and after its final adoption and publication as provided by law.

1st reading passed by the Council on this 3rd day of April, 2023
2nd reading passed by the Council on this 17th day of April, 2023
3rd reading passed by the Council on this ____ day of _____, 2023

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk

I, Sally Hinrichsen, Monticello City Clerk, do hereby certify that the above and foregoing Ordinance #765 was published in the Monticello Express on the ____ day of _____, 2023.

Sally Hinrichsen, City Clerk

City Council Meeting
 Prep. Date: 3/28/2023
 Preparer: Sally Hinrichsen



Agenda Item: #16
 Agenda Date: 05/01/2023

Communication Page

Agenda Items Description: An ordinance amending certain provisions of Chapter 106, “Collection of Solid Waste”, Section 106.08 Collection Fees of the City of Monticello, Iowa Code of Ordinances.

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

Attachments & Enclosures:

Ordinance
Copy of Iowa Code 384.84

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Annually the City has been written up in the annual audit, since Council set sanitation rates by resolution and not by ordinance.

Background Information:

City Council approved resolution setting sanitation rates in November 2015. City has annually had this finding in our audit report since then.

From the June 30, 2020 audit report:

Findings Related to Required Statutory Reporting:

Utility Rate – The City’s solid waste rate was not established by ordinance.

Recommendation – The City should establish the solid waste rate by ordinance, as required by Chapter 384.84 of the Code of Iowa.

Response – Chapter 384.84 provides that “rates must be established by ordinance of the Council...” Chapter 106 of the Monticello Code of Ordinances provides for Sanitation Rates, indicating at 106.08(1) that “The fee for solid waste shall be established, from time to time, by separate resolution of the Council.” While the position taken by the Auditor is understood, it is a very tightly construed reading of the Iowa Code, a more broad interpretation of the Iowa Code suggesting that the current City Code and City practice with regard to the setting of specific rates by Resolution, as authorized by the Ordinance, meets the obligations imposed by Chapter 384.84. The City will consult with legal counsel on this issue and will consider amendments to the City Code as deemed appropriate.

Conclusion – Response acknowledged. The City should establish solid waste rates as required by Chapter 384.4 of the Code of Iowa.

The only way to get this finding removed from our annual audit report is to set the sanitation rates by ordinance.

There is no change in what was already approved, except setting the same rates by Ordinance.

Staff Recommendation: It is recommended the ordinance third and final reading be approved.

ORDINANCE NO. 766

An ordinance amending certain provisions of Chapter 106, "Collection of Solid Waste", of the City of Monticello, Iowa Code of Ordinances

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

SECTION 1. SECTION MODIFIED. Chapter 106, Section 08, paragraphs 1 thru 2, of the Code of Ordinances of the City of Monticello, is repealed and the following adopted in lieu thereof:

106.08 COLLECTION FEES. The collection and disposal of solid waste as provided by this chapter are declared to be beneficial to the property served or eligible to be served and there shall be levied and collected fees at the following monthly rates within the City. Sales tax shall be in addition to the amounts shown, in accordance with State law.

(Code of Iowa, Sec. 384.84)

1. One-family dwellings, two-family dwellings with separate water meters, and apartments with separate meters.
 - A. Rates for collections during the month of July, which will appear on the September 1 billing, through and including collections during the month of June, which will appear on the August 1 billing:
 - (1) Rates in effect from September 1, 2022 until the August 1, 2023 billing: \$19.70 per month.
 - (2) Rates in effect from September 1, 2023 until the August 1, 2024 billing: \$20.29 per month.
 - (3) Rates in effect from September 1, 2024 until the August 1, 2025 billing: \$20.90 per month.
 - (4) Rates in effect from September 1, 2025 until the August 1, 2026 billing: \$21.53 per month.
 - B. Rates will increase by 3% each year thereafter, commencing with the billing related to collections that occur in the month of July of each successive year.
2. Multi-family dwelling and/or apartments, in which water is furnished by owner through a central water meter and charged to the owner of the property. If the complex does not utilize dumpsters for the collection of garbage created at their facility:
 - A. Rates for collections during the month of July, which will appear on the September 1 billing, through and including collections during the month of June, which will appear on the August 1 billing:

(1) Rates in effect from September 1, 2022 until the August 1, 2023 billing: \$19.70 per month.

(2) Rates in effect from September 1, 2023 until the August 1, 2024 billing: \$20.29 per month.

(3) Rates in effect from September 1, 2024 until the August 1, 2025 billing: \$20.90 per month.

(4) Rates in effect from September 1, 2025 until the August 1, 2026 billing: \$21.53 per month.

B. Rates will increase by 3% each year thereafter, commencing with the billing related to collections that occur in the month of July of each successive year.

3. Multi-Family Dwelling or Personal Residence with Dumpster. Regardless of the foregoing fees, any multi-family dwelling or apartment or person located within the City limits using large dump container (dumpster) for solid waste collection and disposal shall pay fees calculated in accordance with the following:

A. Rates for collections during the month of January, which will appear on the March 1 billing, through and including collections during the month of December, which will appear on the February 1 billing, shall be as set out below for the years indicated:

(1) 1/1/2023 through 12/31/2023: \$8.23 per yard, per collection

(2) 1/1/2024 through 12/31/2024: \$8.48 per yard, per collection

(3) 1/1/2025 through 12/31/2025: \$8.73 per yard, per collection

(4) 1/1/2026 through 12/31/2026 \$8.99 per yard, per collection

B. Rates will increase by 3% each year thereafter, commencing with the billing related to collections that occur in the month of January of each successive year.

In addition to the above fees related to trash collection, Multi-Family or Single-Family residences that utilize a dumpster shall be assessed a monthly recycling fee of \$4.75 per month per unit.

However, owners of apartment complexes of five units or more that have commercial dumpster recycling collection at their facility at least every other week will not be assessed the individual per unit recycling fee of \$4.75 per unit commencing with the month following written notification to the City, and verification by the City, that said complex is served by said recycling collection.

4. Commercial and Industrial Zoned Properties. Commercial and industrial enterprises shall pay the following minimum monthly rates.
 - A. Rates for collections during the month of January, which will appear on the March 1 billing, through and including collections during the month of December, which will appear on the February 1 billing, shall be as set out below for the years indicated:
 - (1) 1/1/2023 through 12/31/2023: \$8.23 per yard, per collection
 - (2) 1/1/2024 through 12/31/2024: \$8.48 per yard, per collection
 - (3) 1/1/2025 through 12/31/2025: \$8.73 per yard, per collection
 - (4) 1/1/2026 through 12/31/2026 \$8.99 per yard, per collection
 - B. Rates will increase by 3% each year thereafter, commencing with the billing related to collections that occur in the month of January of each successive year.
5. Properties Located outside the Monticello City Limits. Regardless of the foregoing fees, any commercial, industrial, multi-family dwelling or apartment or person located outside the City limits using a large dump container (dumpster) for solid waste collection and disposal shall pay exactly twice the rate as in town collection.
6. Additional Fees.
 - A. Residential Garbage Collection: The City Contractor will be providing every Residential property a 65-gallon cart in which to place their garbage. Any bags placed next to the Cart will require a \$2.00 per bag sticker to be purchased at City Hall. Each residential property will be allowed to place one bulky item per month out next to their container so long as the large item is pre-scheduled for collection with City Hall.
 - B. Dumpster Collection: The City Contractor may charge in excess of the fees provided in their agreement with the City for overloaded dumpsters or for those circumstances where items are left outside of and/or stacked adjacent to a dumpster. These charges will be being based upon estimated additional yards of waste, with those additional fees invoiced to the City by the Contractor and invoiced by the City to the Customer at the current per yard rate equal.
7. Payment of Bills. All fees are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 92.04 of this Code of Ordinances. Solid waste collection service may be discontinued in accordance with the provisions contained in Section 92.05 if the combined service account becomes delinquent, and the provisions contained in Section 92.08 relating to lien notices shall also apply in the event of a delinquent account.

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 take effect with the September 1, 2023 billing, after its final passage, approval and publication as provided by law. The existing Chapter 106, and the sanitation rates shall remain in effect through the August 1, 2023 billing.

1st reading passed by the Council on this 3rd day of April, 2023

2nd reading passed by the Council on this 17th day of April, 2023

3rd reading passed by the Council on this ____ day of _____, 2023

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

I certify that the foregoing was published as Ordinance No. 766 the ____ day of _____, 2023.

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: 4/26/2023
Preparer: Sally Hinrichsen



Agenda Item: # 17-25
Agenda Date: 5/01/2023

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:

- 17. City Engineer
- 18. Mayor
- 19. City Administrator
- 20. City Clerk
- 21. Public Works Director
- 22. Police Chief
- 23. Water/Wastewater Superintendent
- 24. Park and Recreation Director
- 25. Library Director