

City of Monticello, Iowa

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Posted on June 29, 2023 at 5:00 p.m.

Amended and re-posted on June 30, 2023 at 9:00 a.m.

Monticello City Council Meeting July 3, 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	June	19, 2023
Approval of Payroll	June	29, 2023
Approval of Bill List		
Approval of VJ Bar & Grill LLC dba Whiskey River Pub & Grub alcohol license		
Approval of Chamber of Commerce alcohol license at Pocket Park on July 14 th		
Approval of Great Jones County Fair alcohol license and fireworks permit for fair		
Approval of appointment of Marv Kelchen as City Representative and acknowledge the re-appointment of Ben Hogan as County Representation on the Fire Board		

Public Hearings:

1. **Public Hearing** Public Hearing on proposed Sale/Swap of City owned property located north and adjacent to Riverside Gardens

2. **Motion** directing City staff on the proposed Sale/Swap of City owned property located north and adjacent to Riverside Gardens

Resolutions:

3. **Resolution** Approving Lynn Rollinger Tax Abatement Improvements Application related to Residential constructed at 203 East Second Street, Monticello, Iowa
4. **Resolution** Amending Resolution 2023-81 and Adopting FY '24 Salary for the Police Chief and Library Director and Wages for Library Staff
5. **Resolution** Related to the financing of a project proposed to be undertaken by the City of Monticello, Iowa; establishing compliance with reimbursement bond regulations under the Internal Revenue Code
6. **Resolution** Re-Appropriating funds necessary to meet the City's Obligation to Mike Beck Mike Beck Mike Beck and Ken McDermott, known as Royal Flush Truck Wash, Inc per Development Agreement, dated March 17, 2014, and as amended, dated June 3, 2019 and paying the City of Monticello for Royal Flush Truck Wash, Inc's delinquent Pre- Treatment Agreement fines prior to all future payments
7. **Resolution** Preliminarily approving proposed Development Agreement between the City of Monticello and Theisen's Real Estate LLC and scheduling a Public Hearing on the proposed agreement
8. **Resolution** Preliminarily approving Proposed Amendment to Monticello Urban Renewal Plan to include Theisen's Real Estate LLC Project, and to schedule a Public Hearing on the proposed Urban Renewal Plan amendment for the 7th day of August 2023 at 6:00 p.m.
9. **Resolution** Scheduling Public Hearing on the proposed Re-Zoning of property located at 217 South Maple Street from "School Owned" to C-1 General Commercial for August 7, 2023 at 6:00 p.m.
10. **Resolution** Preliminarily approving proposed Development Agreement between the City of Monticello and BR5 LLC and scheduling a Public Hearing on the proposed agreement
11. **Resolution** Preliminarily approving Proposed Amendment to Monticello Urban Renewal Plan to include BR5 LLC Project, and to schedule a Public Hearing on the proposed Urban Renewal Plan amendment for the 7th day of August 2023 at 6:00 p.m.

12. **Resolution** Scheduling Public Hearing on the proposed Re-Zoning of property described as Lot 2 of BR3 Subdivision from C-1 General Commercial to R-3 Multiple Family Residential for August 7, 2023 at 6:00 p.m.

Reports / Potential Actions:

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

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: July 3, 2023 Council Meeting

Time: Jul 3, 2023 06:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87962408930>

Meeting ID: 879 6240 8930

One tap mobile

+16465588656,,87962408930# US (New York)

+16469313860,,87962408930# US

Dial by your location

• +1 646 558 8656 US (New York)

- +1 646 931 3860 US
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +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
- +1 719 359 4580 US

Meeting ID: 879 6240 8930

Find your local number: <https://us02web.zoom.us/j/87962408930>

Regular Council Meeting
June 19, 2023 – 6:00 P.M.
Community Media Center

Mayor David Goedken called the meeting to order. Council present were: Brenda Hanken, Candy Langerman, Chris Lux, Wayne Peach, Scott Brighton and Tom Yeoman. Also present were City Administrator Russell Farnum, City Clerk Sally Hinrichsen, Water /Wastewater Superintendent Jim Tjaden, Public Works Director Nick Kahler, and Library Director Faith Brehm. Police Chief Britt Smith arrived during the meeting. 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.

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

Yeoman moved to approve Resolution #2023-87 Authorizing the City Clerk to make the Appropriate Transfers of Sums and Record the Same in the Appropriate Manner for FY 2023 for the City of Monticello. Lux seconded, roll call was unanimous.

Lux moved to approve Resolution #2023-88 Approving Ben & Rachel Bruggeman Tax Abatement Improvements Application related to Residential constructed at 306 Grandview Avenue, Monticello, Iowa. Hanken seconded, roll call was unanimous.

Farnum reported Police Chief Smith advised that there is no upfront cost to the City as the Iowa DOT makes the purchase and completes the installation of the devices. The City of Monticello would be expected to maintain the devices and any incidental costs associated with the repairs or use of the signs. These signs are similar to the speed feedback display signs the City already uses but would be permanently mounted on a sign pole at the two entrance points into Monticello along Iowa Highway 38. Hanken moved to approve Resolution #2023-89 approving an application to the Iowa Department of Transportation for two new Speed Feedback Display Signs. Brighton seconded, roll call was unanimous.

Farnum reported the bids for the new Waste Water Treatment Facility came in anywhere from \$5 to \$7 million over budget. Nick Eisenbacher, the engineer working on the project, feels that the pricing is a combination of poor bid timing, uncertainty of product delivery times and pricing over a longer-term project, and other factors. However, none of the bidders will explain their high bids until the City rejects the bids and starts over. Engineer Nick Eisenbacher recommended that the bids be rejected. Peach moved to approve Resolution #2023-90 Rejecting Bids For Monticello Wastewater Treatment Facility Improvements. Hanken seconded, roll call was unanimous.

Hanken questioned the cost to purchase the lot at 541 North Chestnut. Farnum advised the purchase price was \$20,000.00. Hanken questioned the additional cost of \$6,000 to demolish the structures. Goedken stated City needs to clean the lot, as buildings are filled with items. Farnum advised demolition is scheduled to begin mid-July. Langerman

Regular Council Meeting
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moved to approve Resolution #2023-91 To acknowledge receipt of quote and award project in relation to the demolition of the home located at 541 North Chestnut Street, Monticello, Iowa. Hanken seconded, roll call was unanimous

Farnum reported HDR Engineer Matthew Wilke noted a minor revision to the pay application changing the Silt Fence from 230 LF to 2279 LF and the payment from \$263,911.90 to \$267,805.00, due to the error in quantity of silt fencing. Yeoman moved to approve Resolution #2023-92 Approving Pay Request #2 related to the Monticello Airport Taxiway Connector project, to Boomerang in the amount of \$267,805.00. Brighton seconded, roll call was unanimous.

Farnum advised Boomerang Construction found that the communication cable at the airport does not have sufficient clearance for the storm sewer to pass under it at proper grade. Changing to an arch-shaped (instead of round) storm sewer pipe solves the problem. The change is an additional cost of the arch pipe in the amount of \$1,282. In addition, unstable soil conditions were found which required over-excavation and additional stabilization with crushed rock fill and geotextile fabric. This resulted in additional expenses of \$17,350.25. Langerman moved to approve Resolution #2023-93 Approving Change Order #3 in the increased amount of \$18,632.25, submitted by Boomerang related to the Monticello Airport Taxiway Connector Project, Peach seconded, roll call was unanimous.

Langerman stated it would not be a good precedence to set, then all groups will come and want the fees waived. Goedken questioned if the Council wanted peddlers selling along the parade route. Lux who is also on the 4th of July Parade Committee stated that crowd control is already an issue. Yeoman didn't feel the fee should be waived. Tom Osborne, 630 South Sycamore who is on the 4th of July Parade Committee, stated he doesn't feel we want to add more issues with traffic control. Mary Melchart, 1 Spring Farm Lane, stated that Dave McNeill will allow them to setup in the cubby hole, so they will not be in the sidewalk area. Smith arrived. Goedken advised that golf carts are selling food and water along the route. Smith advised that a transient merchant permit allows them to move around selling. Melchart questioned if she could give the water away and ask for a donation. Yeoman moved to not waive the Peddlers License Fee, as requested by the Jones Co Democrats to sell refreshments at the 4th of July Parade, Langerman seconded, roll call was unanimous.

Farnum reported the school has two proposals for the old middle school building and will hold a public hearing next week. Farnum is waiting for school to decide how they will proceed and he will work with that party.

Farnum is meeting with the ambulance staff on how to improve the service and move forward.

Farnum is working with engineer, financial consultant, and others on the wastewater facility project and funding.

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Farnum reached out to engineering regarding the silting concerns at Jacobs Park and options to clear the channel and will continue to look for options.

Farnum reported staff is having issues with accessing the video at the stop light at First Street and Main Street; and until General Traffic Control is able to resolve that situation, will hold off purchasing the same equipment to fix the stop light at Main Street and Oak Street.

Goedken reported that he is looking into the flag on Seventh Street.

Hinrichsen stated Farnum, Lux and herself received an email regarding updating Jones County Hazard Mitigation Plan and they are looking for input from the City on what items they want added, such as sirens, generators, and radios. Community meeting will begin after the first of the year.

Kahler reported all the trees have been removed on Cedar Street that were bid and will work with the contractor to remove other trees in the City. He received a quote to grind the stumps.

Smith reported the sidewalk inspection of Ward 1 was completed. There were six properties that had sidewalk that needed to be repaired or replaced, with the old Middle School being one of them.

Smith applied for a grant from Dubuque Racing Association to purchase 2 ballistic shields and 2 ballistic helmets.

Smith advised they will be accepting applications for police officer until the 23rd.

Brehm reported the summer reading program started 2 weeks ago and have over 200 signed up online and in person. Brehm updated Council on several programs that will be happening at the Library in June.

Peach moved to go into closed session pursuant to Iowa Code 21.5 (1)(i) to evaluate the performance of an individual in closed session as requested by that individual. Langerman seconded, roll call was unanimous.

Brighton moved to return to open session, Peach seconded, roll call was unanimous. No action was taken following the closed session.

Peach moved to adjourn at 7:30 P.M.

David Goedken, Mayor

Sally Hinrichsen, City Clerk/Treasurer

PAYROLL - JUNE 29, 2023

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
AMBULANCE	June 12 - 25, 2023				
Cody Falkers	\$ 351.00	\$ -	0.00	0.00	\$ 302.35
Mason Hansen	469.70	-	0.00	0.00	387.18
Lori Lynch	3,267.60	653.52	0.00	0.00	2,365.24
Coletta Matson	6,606.30	2,470.50	0.00	0.00	4,547.66
Chloe Mogensen	475.80	-	0.00	0.00	391.86
Kaleb Payne	3,457.35	280.80	0.00	0.00	2,760.67
Daniel Poirier	421.20	-	0.00	0.00	362.82
Curtis Wyman	3,284.90	706.20	0.00	40.00	2,337.53
TOTAL AMBULANCE	\$ 18,333.85	\$ 4,111.02	0.00	40.00	\$ 13,455.31
CEMETERY	June 12 - 25, 2023				
Sawyer Brokaw	\$ 1,267.50	\$ 67.50	0.00	0.00	\$ 1,090.81
Dan McDonald	1,913.83	117.34	0.00	0.00	1,447.13
Anthony Williams	915.00	-	0.00	0.00	790.66
TOTAL CEMETERY	\$ 4,096.33	\$ 184.84	0.00	0.00	\$ 3,328.60
CITY HALL	June 12 - 25, 2023				
Cheryl Clark	\$ 2,627.53	\$ -	5.25	4.00	\$ 1,894.19
Russ Farnum	4,061.54	-	0.00	0.00	2,736.99
Sally Hinrichsen	3,019.20	-	0.00	0.00	1,874.78
Nanci Tuel	1,648.75	30.35	0.00	0.00	1,290.60
TOTAL CITY HALL	\$ 11,357.02	\$ 30.35	5.25	4.00	\$ 7,796.56
LIBRARY	June 12 - 25, 2023				
Faith Brehm	\$ 1,615.38	\$ -	0.00	0.00	\$ 1,233.91
Sydney Freeze	200.00	-	0.00	0.00	184.70
Molli Hunter	1,184.00	-	0.00	0.00	937.89
Penny Schmit	1,405.61	-	0.00	0.00	1,009.39
TOTAL LIBRARY	\$ 4,404.99	\$ -	0.00	0.00	\$ 3,365.89
MBC	June 12 - 25, 2023				
Keegan Arduser	\$ 1,419.24	\$ -	0.00	0.00	\$ 1,104.16
Riley Manternach	1,177.50	-	0.00	0.00	988.20
Jacob Oswald	2,193.88	-	0.00	0.00	1,668.50
Peyton Schilling	712.50	-	0.00	0.00	657.99
Grahm Schneiter	500.00	-	0.00	0.00	461.75
TOTAL MBC	\$ 6,003.12	\$ -	0.00	0.00	\$ 4,880.60
POLICE	June 12 - 25, 2023				
Peter Fleming	\$ 2,600.73	\$ -	0.00	0.00	\$ 1,860.94
Dawn Graver	2,780.80	-	0.00	0.00	2,112.99
Erik Honda	3,566.05	-	0.00	0.00	2,782.62
Jordan Koos	3,450.70	-	0.00	0.00	2,529.13
Britt Smith	4,753.85	-	0.00	0.00	3,678.38
Madonna Staner	1,623.21	-	0.00	0.00	1,252.19
Brian Tate	4,224.65	-	0.00	0.00	3,309.39
TOTAL POLICE	\$ 22,999.99	\$ -	0.00	0.00	\$ 17,525.64
ROAD USE	June 12 - 25, 2023				

PAYROLL - JUNE 29, 2023

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
Zeb Bowser	\$ 2,011.50	\$ 217.91	0.00	0.00	\$ 1,433.96
Jacob Gravel	2,397.04	100.58	0.00	8.00	1,788.99
Nick Kahler	2,238.39	-	0.00	0.00	1,560.58
Jasper Scott	1,899.88	108.96	0.00	0.00	1,574.36
TOTAL ROAD USE	\$ 8,546.81	\$ 427.45	0.00	8.00	\$ 6,357.89
SEWER	June 10 - 23, 2023				
Sullivan Flynn	\$ 570.00	\$ -	0.00	0.00	\$ 526.46
Jim Tjaden	2,576.92	-	0.00	0.00	1,887.44
TOTAL SEWER	\$ 3,146.92	\$ -	0.00	0.00	\$ 2,413.90
SWIMMING POOL	June 9 - 22, 2023				
Lydia Ahlrichs	\$ 126.00	\$ -	0.00	0.00	\$ 116.36
Rylan Bertling	212.50	-	0.00	0.00	196.24
Allisen Capron	150.00	-	0.00	0.00	138.52
Malcolm Clark	167.50	-	0.00	0.00	154.68
Gabriella Donovan	422.50	-	0.00	# 0.00	390.17
Jill Flynn	1,000.00	-	0.00	0.00	923.50
Stella Flynn	107.50	-	0.00	0.00	99.27
Sullivan Flynn	33.00	-	0.00	0.00	30.44
Grant Gassman	279.00	-	0.00	0.00	257.65
Taylor Gassman	438.00	-	0.00	0.00	404.49
Ella Glawatz	120.00	-	0.00	0.00	110.82
Anicka Kahler	170.00	-	0.00	0.00	156.99
Lacie Koppes	817.75	-	0.00	0.00	755.19
Karle Kramer	609.75	-	0.00	0.00	555.40
Carter Kuehler	62.50	-	0.00	0.00	57.71
Carlos Lagunes-Torres	75.00	-	0.00	0.00	69.26
Lanie Luensman	630.75	-	0.00	0.00	582.49
Megan Mahoney	354.00	-	0.00	0.00	326.92
Jacob Miller	616.50	-	0.00	0.00	560.96
Adalyn Monk	162.50	-	0.00	0.00	150.06
Cole Nietert	279.00	-	0.00	0.00	257.65
Cord Nietert	342.00	-	0.00	0.00	315.84
Dylan Ponder	51.00	-	0.00	0.00	47.10
Ethan Ponder	351.00	-	0.00	0.00	324.15
Gage Rickels	65.00	-	0.00	0.00	60.03
Samantha Ruchti	127.50	-	0.00	0.00	117.74
Lake Schnoor	395.25	-	0.00	0.00	365.01
Mace Schnoor	486.00	-	0.00	0.00	448.82
Emma Schwendinger	1,321.25	-	0.00	0.00	1,134.00
Kendall Siebels	663.00	-	0.00	0.00	599.25
River Smith	810.00	-	0.00	0.00	707.71
Hayden Tomkins	252.00	-	0.00	0.00	232.73
Brock Westphal	375.00	-	0.00	0.00	346.31
Carter Willms	67.50	-	0.00	0.00	62.33
TOTAL SWIMMING POOL	\$ 12,140.25	\$ -	0.00	0.00	\$ 11,055.79
WATER	June 10 - 23, 2023				
Sullivan Flynn	\$ 570.00	\$ -	0.00	0.00	\$ 526.36

PAYROLL - JUNE 29, 2023

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
Scott Hagen	1,848.00	-	0.00	0.00	1,464.29
Josh Willms	2,035.81	-	0.00	0.00	1,681.93
TOTAL WATER	\$ 4,453.81	\$ -	0.00	0.00	\$ 3,672.58
TOTAL - ALL DEPTS.	\$ 95,483.09	\$ 4,753.66	5.25	52.00	\$ 73,852.76

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
GENERAL					
POLICE DEPARTMENT					
JACOB HEINSIUS	PD PEST CONTROL		42.50		
CUSTOM CAGE	PD CAPITAL EQUIPMENT		1,075.00		
IOWA STATE PRISON INDUSTRIES	PD MINOR EQUIPMENT		119.98		
JOHN DEERE FINANCIAL	PD EQUIP REPAIR/MAINT		4.89		
RADIO COMMUNICATIONS CO INC	PD EQUIP REPAIR/MAINT		22.90		

	110 POLICE DEPARTMENT TOTAL		1,265.27		
STREET LIGHTS					
ALLIANT ENERGY-IES	WELTER DRIVE STREETLIGHTS		170.11		

	230 STREET LIGHTS TOTAL		170.11		
AQUATIC CENTER					
DIAMOND PI COMPANY					
	POOL SWIM TEAM		49.00		
FAREWAY STORES #840-1	POOL CONCESSIONS		166.50		
JILL FLYNN	POOL CONCESSIONS		57.24		
HEIAR BROTHERS FENCING, INC.	POOL BLDG REPAIR/MAINT		207.22		
JOHN DEERE FINANCIAL	POOL BLDG REPAIR/MAINT		35.48		

	440 AQUATIC CENTER TOTAL		515.44		
CEMETERY					
GOETTSCH INC					
	CEM OVERPAYMENT - ROBINSON		275.00		
ROBBIN C HEINITZ	CEMETERY REFUND - H191 SPACE 4		160.00		
JOHN DEERE FINANCIAL	CEMETERY GROUNDS SUPPLIES		94.71		

	450 CEMETERY TOTAL		529.71		
SOLDIER'S MEMORIAL BOARD					
DIVISION OF LABOR - ELEVATOR					
	ELEVATOR PERMIT/INSPECTION		43.75		
MONTICELLO MEMORIAL BOARD	SLDR MEM OPERATING FEE		500.00		

	498 SOLDIER'S MEMORIAL BOARD TOTAL		543.75		
CLERK/CITY ADMIN					
MOLLI JENN HUNTER					
	JANITORIAL SERVICES		280.00		

	620 CLERK/CITY ADMIN TOTAL		280.00		
CITY HALL/GENERAL BLDGS					
BAKER PAPER CO INC					
	CH BUILDING SUPPLIES		96.27		
JACOB HEINSIUS	CH PEST CONTROL		70.00		
TERRA DENEMARK	CH AUDIT DEPOSIT REFUND		500.00		
DIVISION OF LABOR - ELEVATOR	ELEVATOR PERMIT/INSPECTION		87.50		
IOWA LEAGUE OF CITIES	CH DUES		2,622.00		
JOHN DEERE FINANCIAL	CH GROUNDS SUPPLIES		26.15		
SIMMERING-CORY IA CODIFICATION	CH PRO FEES		475.00		
U.S. POSTAL SERVICE(CMRS-FP)	CH POSTAGE		1,500.00		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	650 CITY HALL/GENERAL BLDGS TOTAL		5,376.92		
	001 GENERAL TOTAL		8,681.20		
MONTICELLO BERNDES CENTER					
PARKS					
JACOB HEINSIUS	MBC PEST CONTROL		70.00		
D&S PORTABLES, INC.	MBC PORT-A-POT RENTAL		475.00		
DIAMOND PI COMPANY	MBC CONCESSIONS		42.00		
MOLLI JENN HUNTER	JANITORIAL SERVICES		315.00		
LAPORTE MOTOR SUPPLY	MBC VEHICLE REPAIR/MAINT		30.80		
NEXT GENERATION PLBG & HTG LLC	MBC BUILDING SUPPLIES		60.00		
WELLS FARGO VENDOR FINANCIAL	2020 TOOLCAT PAYMENT		1,048.95		
	430 PARKS TOTAL		2,041.75		
	005 MONTICELLO BERNDES CENTER TOTAL		2,041.75		
FIRE					
FIRE					
JOHN DEERE FINANCIAL	FIRE SUPPLIES		10.99		
LAPORTE MOTOR SUPPLY	FIRE SUPPLIES		40.53		
DANIEL PIKE	POOL FILL REFUND		89.60		
	150 FIRE TOTAL		141.12		
	015 FIRE TOTAL		141.12		
AMBULANCE					
AMBULANCE					
JACOB HEINSIUS	AMB PEST CONTROL		42.50		
BOUND TREE MEDICAL, LLC	AMB MEDICAL SUPPLIES		38.29		
CR PHARMACY SERVICE INC	AMB MEDICAL SUPPLIES		175.00		
KLOCKE'S EMERGENCY VEHICLES	AMB VEHICLE OPERATING		795.90		
UNITY POINT HEALTH	AMB MEDICAL SUPPLIES		119.73		
	160 AMBULANCE TOTAL		1,171.42		
	016 AMBULANCE TOTAL		1,171.42		
LIBRARY IMPROVEMENT					
LIBRARY					
LYDIA R AHLRICH	LIB IMP SUMMER READING PROGRAM		40.00		
BAKER & TAYLOR BOOKS	LIB IMP BOOKS		226.94		
ELLA J GLAWATZ	LIB IMP SUMMER READING PROGRAM		40.00		
PLAYAWAY PRODUCTS LLC	LIB IMP BOOKS		770.30		
EMMA J SCHWENDINGER	LIB IMP SUMMER READING PROGRAM		40.00		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	410 LIBRARY TOTAL		1,117.24		
	030 LIBRARY IMPROVEMENT TOTAL		1,117.24		
LIBRARY					
LIBRARY					
BAKER PAPER CO INC	LIB BUILDING SUPPLIES		83.89		
DIVISION OF LABOR - ELEVATOR	ELEVATOR PERMIT/INSPECTION		43.75		
FAREWAY STORES #840-1	LIB PROGRAMS/PROMOTIONS		15.93		
MOLLI JENN HUNTER	JANITORIAL SERVICES		210.00		
MICRO MARKETING LLC	LIB BOOKS		136.43		
NEXT GENERATION PLBG & HTG LLC	LIB BLDG REPAIR/MAINT		6,590.16		
	410 LIBRARY TOTAL		7,080.16		
	041 LIBRARY TOTAL		7,080.16		
AIRPORT					
AIRPORT					
ALLIANT ENERGY-IES	20373 HWY 38 AIRPORT		584.96		
MONTECELLO AVIATION INC	AIRPORT MANAGER		2,333.33		
	280 AIRPORT TOTAL		2,918.29		
	046 AIRPORT TOTAL		2,918.29		
ROAD USE					
STREETS					
BRIAN CROWLEY	RU EQUIP REPAIR/MAINT		162.21		
W.W. GRAINGER, INC	RU STREET MAINTENANCE SUPPLIES		200.60		
JOHN DEERE FINANCIAL	RU STREET MAINTENANCE SUPPLIES		88.50		
LAPORTE MOTOR SUPPLY	RU EQUIP REPAIR/MAINT		57.10		
L.L. PELLING CO	RU STREET MAINTENANCE SUPPLIES		765.00		
	210 STREETS TOTAL		1,273.41		
	110 ROAD USE TOTAL		1,273.41		
BATY DISC GOLF COURSE					
PARKS					
D&S PORTABLES, INC.	BATY DG PORT-A-POT RENTAL		400.00		
	430 PARKS TOTAL		400.00		
	338 BATY DISC GOLF COURSE TOTAL		400.00		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
WATER					
WATER					
HAWKINS WATER TREATMENT	WATER SUPPLIES	735.00			
IOWA ONE CALL	WATER SYSTEM	37.90			
JOHN DEERE FINANCIAL	WATER SUPPLIES	30.38			
DANIEL PIKE	POOL FILL REFUND	28.29			
U.S. POSTAL SERVICE(CMRS-FP)	WATER POSTAGE	1,100.00			

	810 WATER TOTAL		1,931.57		

	600 WATER TOTAL		1,931.57		
CUSTOMER DEPOSITS					
WATER					
CITY OF MONTICELLO	TUETKEN/SAMANTHA	644.47			
TIMOTHY DECKER & ALEX CHAPMAN	WATER DEPOSIT REFUND	43.14			
KATHY HOLMES	WATER DEPOSIT REFUND	22.39			

	810 WATER TOTAL		710.00		

	602 CUSTOMER DEPOSITS TOTAL		710.00		
SEWER					
SEWER					
FAREWAY STORES #840-1	SEWER LAB SUPPLIES	15.96			
IOWA ONE CALL	SEWER SYSTEM	37.90			
JOHN DEERE FINANCIAL	SEWER SUPPLIES	69.95			
KROMMINGA MOTORS INC	SEWER SUPPLIES	11.25			
LAPORTE MOTOR SUPPLY	SEWER VEHICLE OPERATING	3.95			
DANIEL PIKE	POOL FILL REFUND	82.11			
U.S. POSTAL SERVICE(CMRS-FP)	SEWER POSTAGE	750.00			

	815 SEWER TOTAL		971.12		

	610 SEWER TOTAL		971.12		
SEWER CAPITAL IMPROVEMENT					
SEWER					
SNYDER & ASSOCIATES, INC	SEWER FACILITY IMPROVEMENTS	9,915.06			

	815 SEWER TOTAL		9,915.06		

	613 SEWER CAPITAL IMPROVEMENT TOTAL		9,915.06		
SANITATION					
SANITATION					
REPUBLIC SERVICES	RESIDENTIAL GARBAGE	37,655.12			
U.S. POSTAL SERVICE(CMRS-FP)	SANITATION POSTAGE	750.00			

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	840 SANITATION TOTAL		38,405.12		
	670 SANITATION TOTAL		38,405.12		
YARD WASTE SITE SANITATION RANDALL G THUMAN	YARD WASTE COMPOST		7,500.00		
	840 SANITATION TOTAL		7,500.00		
	675 YARD WASTE SITE TOTAL		7,500.00		
	Accounts Payable Total		84,257.46		

CLAIMS REPORT CLAIMS FUND SUMMARY

FUND	NAME	AMOUNT
001	GENERAL	8,681.20
005	MONTICELLO BERNDES CENTER	2,041.75
015	FIRE	141.12
016	AMBULANCE	1,171.42
030	LIBRARY IMPROVEMENT	1,117.24
041	LIBRARY	7,080.16
046	AIRPORT	2,918.29
110	ROAD USE	1,273.41
338	BATY DISC GOLF COURSE	400.00
600	WATER	1,931.57
602	CUSTOMER DEPOSITS	710.00
610	SEWER	971.12
613	SEWER CAPITAL IMPROVEMENT	9,915.06
670	SANITATION	38,405.12
675	YARD WASTE SITE	7,500.00

	TOTAL FUNDS	84,257.46

City Council Meeting
Prep. Date: 5/31/2023
Preparer: Jacob Oswald



Agenda Item: # 1 & 2
Agenda Date: 07/03/2023

Communication Page

Agenda Items Description: Public Hearing on proposed land swap between the City and Monticello Golf Club and providing staff direction on how to proceed.

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

Attachments & Enclosures:

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

Synopsis:

Public Hearing in regards to a land swap between the City and Monticello Golf Club.

Jacob will provide more details at the hearing.

Background Information:

The Park Board, at a recent meeting, discussed a land swap with the Monticello Golf Club. Currently, the Monticello Golf Club owns land north of Riverside Gardens, roughly 7.7 acres. The City owns land currently maintained by the golf course (portions of hole 1, 7, 8 and 9), roughly 9.8 acres.

This swap would allow an access point to the river on city property, and also allow for continued trail expansion similar to the 12-acre property located behind Dollar Fresh. The golf course would gain control of property that they already maintain

It is also recommended that the City cover fees associated to surveying and appropriate filing with the County.

Staff Recommendation:

To hold Public Hearing on proposed land swap between the City and Monticello Golf Club and providing staff direction on how to proceed



City Council Meeting
Prep. Date: 6/14/2023
Preparer: Sally Hinrichsen



Agenda Item: # 3
Agenda Date: 7/03/2023

Communication Page

Agenda Items Description: **Resolution** to approve standard Residential Tax Abatement related to property located at 203 East Second Street, Monticello

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

Attachments & Enclosures:

Proposed Resolution

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Abatement Application filed by Lynn Rollinger related to residential improvements constructed at 203 East Second Street, Monticello, Iowa

Background Information: This Resolution provides the tax abatement as set out in the Code for residential properties. The new value added by the improvement, up to \$75,000, is exempt from taxation for five years.

Staff Recommendation: Staff recommend that the Council approve the proposed resolution providing for the Standard Tax Abatement as set out above.

The City of Monticello, Iowa

RESOLUTION

Approving Lynn Rollinger Tax Abatement
Application related to Residential Improvements
constructed at 203 East Second Street, Monticello, Iowa

WHEREAS, Monticello has enacted an Urban Revitalization Tax Abatement program and codified same at Chapter 10 of the Monticello Code of Ordinances, and

WHEREAS, Lynn Rollinger has completed and filed an Application for Tax Abatement related to residential property located at 203 East Second Street, and

WHEREAS, The City Council finds that the information submitted therein is consistent with that required by the Monticello Code of Ordinances, and

WHEREAS, The Council further finds that the estimated completion date of the improvements is June 1, 2023, and finds, based thereon, that the Jones County Assessor will need to determine how many years of tax abatement remain on this property, being tied to the date on which the property was deemed to be 100% complete for taxation purposes.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve the Application for Tax Abatement filed by Lynn Rollinger as set forth above, consistent with Chapter 10 of the Monticello Code of Ordinances, said Application bearing the date of June 14, 2023 and being signed by Lynn Rollinger and further directs the Monticello City Clerk to file same with the Jones County Assessor as prescribed by law.

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 3rd day of July, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: 06/29/2023
Preparer: Russell Farnum



Agenda Item: # 5
Agenda Date: 07/03/2023

Communication Page

Agenda Items Description: Resolution Amending Resolution 2023-81 and Adopting FY'24 Salary for the Police Chief and Wages for Library Staff

<u>Type of Action Requested:</u> Resolution					
<u>Attachments & Enclosures:</u> Resolution	<u>Fiscal Impact:</u> Budget Line Item: <table border="1"><tr><td> </td></tr></table> Budget Summary: <table border="1"><tr><td> </td></tr></table> Expenditure: <table border="1"><tr><td> </td></tr></table> Revenue: <table border="1"><tr><td> </td></tr></table>				

Synopsis:

Resolution 2023-81 adopted wages for non-bargaining staff for FY '24. At the time of approval, the Police Chief's salary was undetermined, and due to miscommunication through the transition of Library Director, so was the Library Staff.

In addition, the Resolution contained some errors which need to be corrected. For some reason the final edits were not included in the version that was in the Council packet. This is my mistake, I apologize.

This action rectifies those issues and provides one Resolution establishing all salaries and wages for the fiscal year.

Background:

The Police Chief's salary for FY '24 is recommended at \$87,194.

The Library Staff wages are recommended at \$15.54 (Molli) and \$18.45 (Penny).

These amounts are provided for in the Fiscal Year 2024 budget.

The other changes to the Resolution include clarifying that longevity pay is to also apply to non-hourly (salaried) staff, and just general clean-up edits as outlined in the Resolution. Language to be deleted is shown in strikethrough, and language added is underlined.

Recommendation: A motion to approve is recommended.

The City of Monticello, Iowa

RESOLUTION #~~2023-81~~

Approving wages for non-bargaining staff for FY '24

WHEREAS, most hourly permanent employees were granted 3 years of wage increases and other benefits by Resolution 2023-68, and

WHEREAS, most part-time and seasonal employees were hired and granted wages by prior Resolutions of the Council, and

WHEREAS, Department Heads and several other employees or positions are not covered by the prior Resolutions and do not have negotiated employment agreements (City Clerk, Public Works Director, Water/Wastewater Director, Park and Rec. Director, Park and Recreation Superintendent, [Library Staff](#), Ambulance on-call personnel and volunteers), and

WHEREAS, Other employees or positions still need salaries set forth annually (City Administrator, Police Chief), and

WHEREAS, The City Council has historically approved wage or salary increases for those positions annually, and

WHEREAS, based upon the recommendation of the City Administrator the wages of On-Call Ambulance staff/volunteers are proposed to be set as follows (in accordance with Resolution 2023-68):

On-Call/Driver: \$8.00/Hour All employees regardless of Certification when **On-Call**
EMT: \$20.40/Hour **When On-A-Call/Treating or Transporting a Patient**
AEMT: \$22.40/Hour **When On-A-Call/Treating or Transporting a Patient**
Paramedic: \$25.40/Hour **When On-A-Call/Treating or Transporting a Patient**

WHEREAS, The Airport Manager is a “contract” position with the manager being paid an annual stipend by the City with the annual increase normally being based upon the recommendation of the Airport Commission, which met on September 6, 2022, and recommended a stipend of \$28,000 for FY’24, and

WHEREAS, the Council finds that the following positions: City Administrator, Public Works Director, Water/Wastewater Superintendent, City Clerk, **Lead Paramedic**, Park and Rec. Director, should receive a salary increase as stated below to take effect with the 1st pay period including July 1, 2023:

Russ Farnum (City Administrator)	\$96,500.00*
Nick Kahler (Director of Public Works)	\$62,854.00

Sally Hinrichsen (City Clerk)	\$77,072.00
Jacob Oswald (Park and Rec Director)	\$62,745.00
Kegan Arduser (Park and Rec Superintendent)	\$39,600.00
Faith Brehm (Library Director)	\$43,680.00
Jim Tjaden (Water/Wastewater Superintendent)	\$71,020.00
<u>Britt Smith (Police Chief)</u>	<u>\$87,194.00</u>

*Note: Russ Farnum will receive \$3,000/year for auto allowance, in addition to the amounts listed above.

~~WHEREAS, The Council gave special consideration to the current and future salary of Jim Tjaden with Resolution 2020-76, dated June 15th, 2020, as follows: Council further resolved to provide for an annual increase to the salary of Water / Wastewater Superintendent Jim Tjaden in the amount of \$3,000 per year over the next four years as well, the four additional increases to take effect with the pay period that includes July 1, 2021, July 1, 2022, July 1, 2023, and July 1, 2024.~~

WHEREAS, Library Staff are granted annual wages with the advice and consent of the Library Board, which approved 5% wage increases as part of the FY'24 budget, therefore the wages shall be as follows:

<u>Molli Hunter (Technology and Adult Services)</u>	<u>\$ 15.54 per hour</u>
<u>Penny Schmit (Youth Services and Outreach)</u>	<u>\$ 18.45 per hour</u>

WHEREAS, in Resolution 2023-68, the Council granted revisions to the Longevity Pay, which shall apply to all permanent, full-time staff as follows:

Longevity Pay:

- A. Longevity Pay, as outlined in the Employee Handbook, shall herein be modified and apply for all full-time **hourly** employees, for continuous service to the City, as follows:
 - i. 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.
 - ii. 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.
 - iii. 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.
 - iv. At the beginning of the 25th year of employment, employee will receive an additional \$1.00 per hour wage increase, in addition to any steps or other adjustments in effect at the time.

- B. Longevity Pay shall be subject to the same payroll deductions that are applied to regular wages.
- C. Longevity Pay shall not be retroactive. It shall be effective as of the date of this Resolution, moving forward, and

WHEREAS, in Resolution 2023-68, the Council granted revisions to the City contribution toward health insurance, which shall apply to all permanent, full-time staff as follows:

City Contributions toward Health Insurance:

- A. Beginning July 1, 2023, the City shall provide the following contribution toward employee health insurance coverage:
 - i. For Single coverage, the City shall pay the full premium;
 - ii. For Single + Spouse, or Single + Dependent coverage, the City shall pay the equivalent of:
 - a) the Single premium, plus
 - b) \$70.00, plus
 - c) \$250.00.
 - iii. For Family coverage, the City shall pay the equivalent of:
 - a) the Single premium, plus
 - b) \$70.00, plus
 - c) \$500.00.
- B. The difference between the City contribution and the cost of the selected contribution shall be the responsibility of the Employee.
- C. 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, and

WHEREAS, all of the above wage increases have been accounted for within the proposed FY '24 Budget,

NOW THEREFORE BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve of the wages and salary increases as set out above, all of said wages and salaries shall be retroactive if necessary in order to take effect and be applicable to the first payroll issued during the month of July, 2023.

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 5th day of July, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: 6/29/2023
Preparer: Sally Hinrichsen



Agenda Item: 5
Agenda Date: 7/3/2023

Communication Page

Agenda Items Description:

Resolution related to the financing of a project proposed to be undertaken by the City of Monticello, Iowa; establishing compliance with reimbursement bond regulations under the Internal Revenue Code

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

Attachments & Enclosures:

Resolutions

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Approving this resolution leaves the door open, if you will, for City to do General Obligation bonding, if needed.

Background Information: City staff has been working with City engineers on various projects and the estimated costs listed are high but City can only bond up to amounts for each project, which hopefully will be lower.

We may be bonding for various projects in the near future and could add the cost of this project to that bond.

Staff Recommendation: It is recommended to approve of the resolution.

The City of Monticello, Iowa

RESOLUTION

Related to the financing of a project proposed to be undertaken by the City of Monticello, Iowa; establishing compliance with reimbursement bond regulations under the Internal Revenue Code

BE IT RESOLVED by the City Council (the “Council”) of the City of Monticello, Iowa (the “City”), as follows:

Section 1. Recitals:

(a) The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse the City for project expenditures made by the City prior to the date of issuance.

(b) The Regulations generally require that the City make a prior declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing and that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within a certain period after the payment of the expenditure or the date the project is placed in service; and

(c) The City desires to comply with requirements of the Regulations with respect to the project hereinafter identified.

Section 2. Declaration of Intent:

(a) The City proposes to undertake the following project and to make original expenditures with respect thereto prior to the issuance of bonds, notes or other obligations (the “Bonds”) and reasonably expects to issue the Bonds for such project in the maximum principal amount shown below:

<u>Project</u>	<u>Maximum Amount of Bond Expected to be Issued</u>
North Chestnut Street Project	\$ 950,000.00
East First Street Project	\$1,000,000.00
Sixth Street Ditch Project	\$1,000,000.00
South Water Tower Painting Project	\$ 550,000.00

Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds or (ii) expenditures made not earlier than sixty days prior to the date of this Resolution or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the

Regulations, no expenditures for the project have heretofore been made by the City for which the City will seek reimbursement from the proceeds of the Bonds.

(b) This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. Budgetary Matters.

As of the date hereof, there are no City funds reserved, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the project, other than pursuant to the issuance of the Bonds. The City may choose to cover preliminary expenses related to this project from cash on hand, as a loan to the project, to be repaid from bond proceeds, as previously noted, or to be repaid from Tax Increment Financing funds on hand or yet to be collected. This resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Section 4. Reimbursement Allocations.

The City's financial officer shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Bonds, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the Bonds from any restriction under the bond resolution or other relevant legal documents for the Bonds, and under any applicable state statute, which would apply to the unspent proceeds of the Bonds.

Section 5. Repealer.

All resolutions, parts of resolutions, or actions of the Council in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved the 3rd day of July, 2023

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
 Prep. Date: 6/29/2023
 Preparer: Sally Hinrichsen



Agenda Item: # 6
 Agenda Date: 7/03/2023

Communication Page

Agenda Items Description Resolution Re-Appropriating funds necessary to meet the City’s Obligation to Mike Beck and Ken McDermott, known as Royal Flush Truck Wash, Inc per Development Agreement, dated March 17, 2014, and as amended, dated June 3, 2019 and paying the City of Monticello for Royal Flush Truck Wash, Inc’s delinquent Pre-Treatment Agreement fines prior to all future payments

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

Attachments & Enclosures:

Proposed Resolution

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: City has had ongoing issues with Royal Flush Truck Wash, Inc’s delinquent Pre-Treatment Agreement and have accumulated several fines owed to the City

Background Information: The City has a Pre-Treatment Agreement with Royal Flush Truck Wash to discharge waste to the City Sewers, that was executed on June 14, 2019. The City has worked with royal Flush Truck Wash to obtain compliance with the pre-treatment agreement, which throughout the past four years Royal Flush has failed to provide consistent compliance.

Royal Flush personnel, Iowa DNR staff and City staff met on June 22, 2022 and revised the pre-treatment agreement changing the ways levels are measured and other conditions as stated in the letter to Royal Flush Truck Wash.

City has only paid the first tax rebate in FY '23, as staff was advised they would pay the fines, once they received that payment, which the fines were never paid. As of May 31, 2023, Royal Flush Truck Wash fines total is \$40,000.00

This will be formal action to allow City staff to pay the fines to the City with TIF, instead of paying Royal Flush Truck Wash

Staff Recommendation: Staff recommend that the Council approve the proposed resolution

The City of Monticello, Iowa

RESOLUTION

Re-Appropriating funds necessary to meet the City's Obligation to Mike Beck and Ken McDermott, known as Royal Flush Truck Wash, Inc per Development Agreement, dated March 17, 2014, and as amended, dated June 3, 2019 and paying the City of Monticello for Royal Flush Truck Wash, Inc's delinquent Pre-Treatment Agreement fines prior to all future payments

WHEREAS, The Council approved a Development Agreement with Mike Beck and Ken McDermott, known as Royal Flush Truck Wash, Inc Resolution #17-35 dated March 17, 2014, and amended by Resolution #19-77, dated June 3, 2019 and by Resolution #2020-74, dated June 15, 2020, and

WHEREAS, The agreement provided for seven (7) Grant payments of \$20,000 each, in addition to property tax rebates on the improvements over a period of ten (10) years, at percentages set forth in the agreement, and

WHEREAS, The City, by way of Resolution #2022-129, appropriated \$75,932.14 to meet the City's obligations for fifth year grant payment, first water/sewer grant payment for FY '23 and third year of rebate payments for FY '24, and acknowledges the correction of the FY '23 total rebate by increasing the previously estimated sum of \$30,756 to the actual payment of \$30,878, and

WHEREAS, The City has a Pre-Treatment Agreement with Royal Flush Truck Wash to discharge waste to the City Sewers, that was executed on June 14, 2019. The City has worked with royal Flush Truck Wash to obtain compliance with the pre-treatment agreement, which throughout the past four years Royal Flush has failed to provide consistent compliance, and

WHEREAS, Royal Flush personnel, Iowa DNR staff and City staff met on June 22, 2022 and revised the pre-treatment agreement changing the ways levels are measured and other conditions as stated in the letter to Royal Flush Truck Wash and attached hereto as Exhibit A, and

WHEREAS, the City has only paid the first tax rebate in FY '23, as staff was advised they would pay the fines, once they received that payment, which the fines were never paid. As of May 31, 2023, Royal Flush Truck Wash fines total is \$40,000.00, and

WHEREAS, Prior to funding any future Development Agreement payments to Royal Flush Truck Wash, the City will first withhold from the Incremental Property Tax revenues payable, an amount equal to the total of all Municipal Infraction penalties and fines due to the City of Monticello, as were agreed to in Exhibit A, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally approves that prior to funding any future Development Agreement payments to Royal Flush Truck Wash, the City will first withhold from the Incremental Property Tax revenues payable, an amount equal to the total of all Municipal Infraction penalties and fines due to the City of Monticello, as were agreed to in Exhibit A and paying the balance, if any, to be paid to Royal Truck Flush Truck Wash for the remainder of the Developer's Agreement, including payments that were due in Fiscal Year 2023.

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 3rd day of July, 2023

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: 06/28/2023
Preparer: Russell Farnum



Agenda Item: # 7--9
Agenda Date: 07/03/2023

Communication Page

Agenda Items Description: Resolution Setting a public hearing, preliminarily approving a draft development agreement, and direct P&Z Board to consider rezoning property to "C-1" General Business (Middle School - Theisen's)

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

Synopsis:

The Monticello School District has entered into a purchase arrangement with Theisen Real Estate LLC, in order to redevelop the old Middle School site into a 35-40,000 square foot Theisen's Home Farm and Auto store.

To accomplish the project, Theisen's is asking for Tax Increment Financing incentives. In addition, they will need to rezone the property and provide site plans and other information for development of the property.

This is the first step toward approval of the project, which sets a public hearing on the draft Development Agreement, TIF amendment, and potentially the rezoning request, for the August 7 City Council meeting. In addition, it directs the Planning and Zoning Board to consider the rezoning request and make a recommendation on said request(s) to the City Council.

Background:

The draft agreement includes pretty basic terms, Theisen's will demo the existing building, grade out the site, and construct a new Theisen's Home Farm and Auto store. The new store will be between 35,000 and 40,000 square feet in size, and comparable to their Dyersville store. This is a \$3-4 Million new investment in Monticello, and Theisen's will almost double the number of employees working in Monticello. In addition, it frees up 6 other properties in downtown for new stores and development.

The City will reimburse Theisen's for the asbestos abatement (\$170,000) and provide a 10-year tax abatement at 100% (this would be about \$580,000). The net benefit to Theisen's is approximately \$750,000. The City would also agree to purchase the old "Family Foods" building at assessed value, if

Theisen's is not able to sell that building to a private party. While better off in private ownership to promote more retail investment downtown, the property is valuable to the City for central storage space and for downtown parking. This is a "backstop" provision as Theisen's already has multiple parties interested in their other properties.

The proposed C-1 General Business is appropriate, and pending final engineering, the conceptual site plan (attached) looks very workable. The P&Z Board will review these details further at their meeting in mid-July. And of course, the City Council will hold its own public hearing on the agreement as well as the proposed zoning on August 7.

Recommendation: A motion to approve is recommended.

The City of Monticello, Iowa

RESOLUTION

Preliminarily approving proposed Development Agreement between the City of Monticello and Theisen's Real Estate LLC and scheduling a Public Hearing on the proposed agreement.

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

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

WHEREAS, the City proposes to enter into a Development Agreement, the "Development Agreement", with Theisen's Real Estate LLC pertaining to redevelopment of the old Middle School property with a new 35,000-40,000 square foot Home Farm and Auto Store located at 217 South Maple Street, in the City of Monticello, County of Jones, State of Iowa, and

WHEREAS, the Development Agreement is proposed to include incentives that include Environmental Remediation and/or Demolition Grants that will not exceed \$170,000.00, Property Tax rebates payable over a period of years in an amount that will not exceed \$500,000.00 and Property Tax Rebate Grant under the authority of Chapter 403 of the Code of Iowa, and

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

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

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

Section 2. This City Council shall meet on the 7th day of August, 2023, at 6:00 o'clock p.m., at the regularly scheduled City Council Meeting, same to be held in Council Chambers at the Monticello Renaissance Center, Community Media Room, in the City, at which time and place proceedings will be instituted and action taken to consider the formal and final approve of the proposed Development Agreement, Amendment to the Urban Renewal Plan, and Rezoning of said property to "C-1" General Business.

Section 3. That the Planning and Zoning Board is directed to consider rezoning said property to "C-1" General Business, and make a recommendation to the City Council.

Section 4. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City, said notice shall be substantially consistent with the proposed Notice attached hereto, and

Section 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

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 3rd day of July, 2023.

Dave Goedken, Mayor

Sally Hinrichsen, City Clerk

The City of Monticello, Iowa

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

RESOLUTION #2023-_____

To Schedule Public Hearing on consideration of Development Agreement between the City of Monticello and Theisen's Real Estate LLC

WHEREAS, The City of Monticello is contemplating the entry into a development agreement with Theisen's Real Estate LLC pertaining to redevelopment of the old Middle School property with a new 35,000-40,000 square foot Home Farm and Auto Store, and

WHEREAS, A public hearing must be scheduled prior to the approval of a Development Agreement, and the Urban Renewal Plan Amendment, and

WHEREAS, Theisen's will need to re-zone the parcel from "School Owned" to "C-1" General Business, and

WHEREAS, prior to Council consideration of the proposed zoning change, a Public Hearing must be scheduled and held, and

WHEREAS, The Council finds that a public hearing should be scheduled on the proposed Development Agreement, Urban Renewal Plan Amendment, and Rezoning concurrently, which shall be held on the 7th day of August, 2023, at 6:00 p.m. with appropriate publication and mailing of notices.

NOW, THEREFORE, BE IT RESOLVED by the City Council in session this 3rd day of July, 2023, as follows:

1. That a Public Hearing is hereby scheduled for the 7th day of August, 2023 at 6:00 p.m. at the regularly scheduled City Council Meeting, same to be held in Council Chambers at the Monticello Renaissance Center, at which time the Council will consider the approval of the proposed Development Agreement, Amendment to the Urban Renewal Plan, and Rezoning of said property to "C-1" General Business.

2. That the Planning and Zoning Board is directed to consider rezoning said property to "C-1" General Business, and make a recommendation to the City Council.

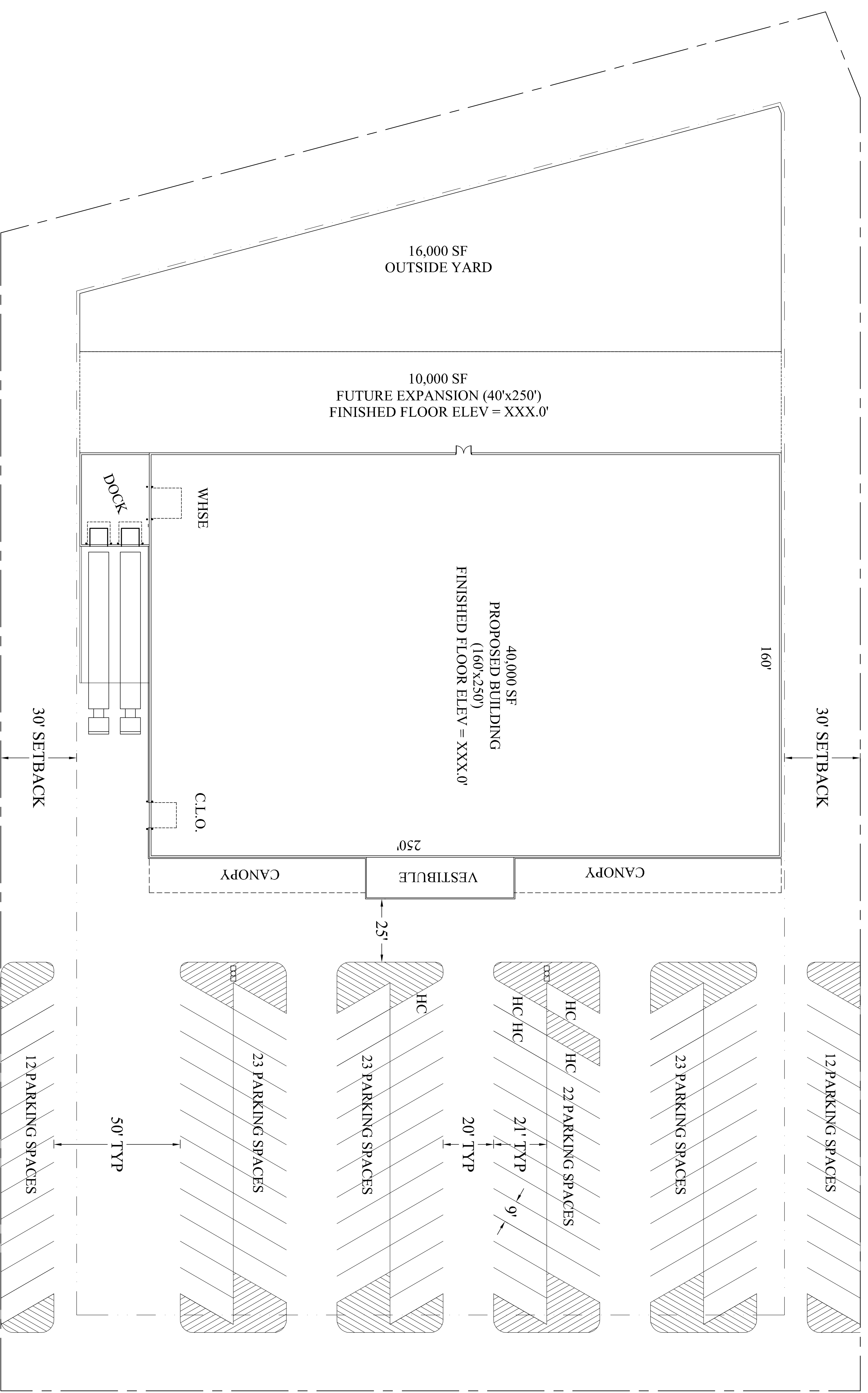
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto.
Done this 3rd day of July, 2023.

Dave Goedken, Mayor

Attest:

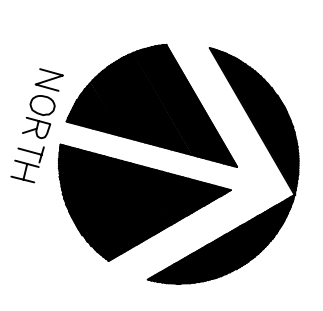
Sally Hinrichsen, City Clerk

THEISENS - PRELIM SITE PLAN
XXX DRIVE
ANY CITY, WI 5XXXX



PRELIMINARY SITE PLAN - OPTION 3 (160X250)

Scale: 1" = 20'-0" (24x36)
XXX PARKING STALLS (X HANDICAP, XXX STD)



No.	Revision/Date	Date

THEISENS ENGINEERING
4281 Glenview Rd
Bristol, WI 53513

THEISENS ENGINEERING
ANY CITY, WI

THEISENS ENGINEERING
4281 Glenview Rd
Bristol, WI 53513
C1



The City of Monticello, Iowa

RESOLUTION

Preliminarily approving Proposed Amendment to Monticello Urban Renewal Plan to include Theisen's Real Estate LLC Project, and to schedule a Public Hearing on the proposed Urban Renewal Plan amendment for the 7th day of August 2023 at 6:00 p.m.

WHEREAS, The City of Monticello is contemplating the entry into a development agreement with Theisen's Real Estate LLC in relation to the proposed redevelopment of the old Middle School property with a new 35,000-40,000 square foot Home Farm and Auto Store, located at 217 South Maple Street in the City of Monticello, County of Jones, State of Iowa, and

WHEREAS, The Council is concurrently considering amendments to the Urban Renewal Plan to provide for the granting of incentives to said Theisen's Real Estate LLC project, and

WHEREAS, A public hearing must also be scheduled to add the proposed project to the Urban Renewal Plan before the City may utilize TIF to pay for said obligations under the Development Agreement, and

WHEREAS, The Council finds that a Public Hearing should be set for 7th day of August, 2023 to amend the Monticello Urban Renewal Plan should the Development Agreement be approved.

NOW, THEREFORE, BE IT RESOLVED by the City Council does hereby schedule a Public Hearing for the 7th day of August 2023 at 6:00 p.m. at the regularly scheduled City Council Meeting, same to be held in Council Chambers at the Monticello Renaissance Center, at which time the Council will consider the approval of the amendment of the Monticello Urban Renewal Plan to allow for the use of tax increment to satisfy and/or pay the incentives as set forth within the Development Agreement.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto.
Done this 3rd day of July, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk

The City of Monticello, Iowa

RESOLUTION

Scheduling Public Hearing on the proposed Re-Zoning of property located at 217 South Maple Street from “School Owned” to C-1 General Commercial for August 7, 2023 at 6:00 p.m.

WHEREAS, A request to re-zone lot located at 217 South Maple Street from “School Owned” to C-1 General Commercial has been received by the City, and

WHEREAS, The Planning and Zoning Board will review and make their recommendation to the proposed change prior the proposed public hearing, and

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

WHEREAS, The Council finds that a public hearing on the requested re-zoning shall be scheduled for the 7th day of August, 2023 at 6:00 p.m. with appropriate publication and mailing of notice.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby schedule a Public Hearing on the proposed Re-Zoning of property located at 217 South Maple Street from “School Owned” to C-1 General Commercial for August 7, 2023 at 6:00 p.m., same to be held in the City Council Chambers at the Mary Lovell LeVan Renaissance Center in Monticello, Iowa.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto. Done this 3rd day of July, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: 06/29/2023
Preparer: Russell Farnum



Agenda Item: # 10 -12
Agenda Date: 07/03/2023

Communication Page

Agenda Items Description: Resolution Setting a public hearing, preliminarily approving a draft development agreement, and direct P&Z Board to consider rezoning property to “R-3” Multiple Family Residential from “C-1” General Business (BR5 Workforce Housing project)

<u>Type of Action Requested:</u> Resolution(s)	
<u>Attachments & Enclosures:</u> Resolution(s) Draft Development Agreement Site Plan and other information	<u>Fiscal Impact:</u> Budget Line Item: Budget Summary: Expenditure: Revenue:

Synopsis:

Brian Ridge, owner of BR3 development (which developed the Dollar Fresh project) is interested in constructing a 12-unit apartment building on the additional lot east of Dollar Fresh. The holding company for this project is now “BR5 LLC” instead of BR3. The proposal is to construct “workforce” housing through the Iowa Economic Development Workforce Housing Tax Credit program.

City Council already approved a Resolution of Support for this project in May, committing a minimum of \$12,000 toward the project. As noted at the time, BR5 would still negotiate a development agreement with the City pertaining to the details of the project, which is likely to also include a TIF subsidy. In addition, the property needs to be rezoned to R-3 to accommodate the construction of the proposed 12 multiple family apartments.

The draft agreement is attached. The accompanying Resolutions will preliminarily approve the draft Agreement, schedule the necessary Public Hearing for review (on August 7) and direct the Planning and Zoning Board to consider the inclusion of this project as part of the Urban Renewal Plan, and the rezoning of the property.

Background:

This property is a 1.25 acre lot located on East 1st Street, north of Locust. When BR3 submitted the Final Plat of BR3 subdivision for approval by the City, they reserved ownership of this additional lot for future development.

The engineering plans that were approved as part of this subdivision only addressed development of the Dollar Fresh site, which is on Lot 1 of the subdivision. Although some grading work and other

improvements were completed on Lot 2, there was neither a site plan nor civil engineering plans submitted for the subject property. Therefore, there is not sufficient information provided to address concerns such as flood plain, service locations, curb cut, building location, parking, or any other details at this time. The developer will have to provide that information as an engineered site plan prior to development. The State Workforce funding for this project is still unknown, but the Developer wants to proceed as he wants to construct the project anyway. Conceptual plans are attached for Council consideration.

The lot is split between C-1 General Commercial, and C-2 Central Commercial zoning. The developer will also have to re-zone to an appropriate Residential district as part of the development approvals for this project. As was noted in May, approval of the Development Agreement and submittal of the rezoning request, with appropriate engineering and other plans for the actual construction of the project would occur over the summer.



Proposed site outlined in green

The draft agreement would provide about \$260,000 in TIF incentives to the \$2 Million project, over a period of 12 years. Because this is a TIF-funded residential project, the draft agreement will also have provisions for an affordable-housing set aside. With a \$260,000 incentive, the affordable housing set aside will be \$109,200. This goes into the City's affordable housing fund, to support affordable housing projects elsewhere in the community. Bond counsel and the City Attorney will need to work on this language in the draft agreement, to assure compliance with State Code.

The proposed R-3 zoning seems appropriate, and pending final engineering, the conceptual site plan (attached) looks very workable. The P&Z Board will review these details further at their meeting in mid-July. Subsequently, the City Council will hold its own public hearing on the agreement as well as the proposed zoning on August 7.

Recommendation: Approval is recommended.

The City of Monticello, Iowa

RESOLUTION

Preliminarily approving proposed Development Agreement between the City of Monticello and BR5 LLC and scheduling a Public Hearing on the proposed agreement.

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

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

WHEREAS, the City proposes to enter into a Development Agreement, the “Development Agreement”, with BR5 LLC pertaining to construction of a 12-unit Workforce Housing apartment building located at and described as Lot 2 of BR3 Subdivision, in the City of Monticello, County of Jones, State of Iowa, and

WHEREAS, the Development Agreement is proposed to include incentives that include, Property Tax rebates payable over a period of years in an amount that will not exceed \$260,000.00 under the authority of Chapter 403 of the Code of Iowa, and

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

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

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

Section 2. This City Council shall meet on the 7th day of August, 2023, at 6:00 o’clock p.m., at the regularly scheduled City Council Meeting, same to be held in Council Chambers at the Monticello Renaissance Center, Community Media Room, in the City, at which

time and place proceedings will be instituted and action taken to consider the formal and final approve of the proposed Development Agreement, Amendment to the Urban Renewal Plan, and Rezoning of said property to “R-3” Multiple Family Residential.

Section 3. That the Planning and Zoning Board is directed to consider rezoning said property to “R-3” Multiple Family Residential, and make a recommendation to the City Council.

Section 4. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City, said notice shall be substantially consistent with the proposed Notice attached hereto, and

Section 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

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 3rd day of July, 2023.

Dave Goedken, Mayor

Sally Hinrichsen, City Clerk

DEVELOPMENT AGREEMENT

This Agreement is entered into between the City of Monticello, Iowa (the “City”) and BR5 LLC (the “Developer”) as of the ___ day of _____, 2023.

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

WHEREAS, the Developer owns certain real property which is situated within the Urban Renewal Area and more specifically described as Lot 2 of BR3 Subdivision (the “Property”), and the Developer will undertake the construction of a 12-unit Workforce Housing apartment building (the “Project”) on the Property; and

WHEREAS, the Developer has requested tax increment financing assistance with respect to the Project for Residential Development; and

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

1. That a public purpose will reasonably be accomplished by the provision of tax incentives, grants, and other financial assistance to BR5 LLC, including providing housing for the workforce which is necessary for the retention of existing and provision of new jobs, and an expansion of the tax base of the community, and
2. That the construction of 12 apartment units will provide new tax base to the community, even if a portion of those taxes are rebated for a period of time, and
3. That the residents that this will provide will work and buy goods in Monticello, providing local option sales tax proceeds, and helping sustain the local retail economy and industry, and
4. The Council has considered the overall impact the proposed development will have on the community, weighing the overall benefits of the business, and finds that the benefits to the Citizens, Local Businesses, and tax base of the City warrants and justifies the incentives and easily outweighs the amount of funds dispensed by way of and consistent with the terms of this Development Agreement.

WHEREAS, for these reasons, the City finds that Residential Development is a necessary component of a good overall economic development strategy; and

NOW THEREFORE, the parties hereto agree as follows:

A. Developer’s Covenants

1. The Developer agrees to petition to rezone the property to R-3 Multiple Family Residential, obtain appropriate permits and construct (or cause to be constructed) and maintain the Project on the Property, and to use the completed facilities for 12 units of workforce housing throughout the term of this Agreement.

2. The Developer agrees to make timely payment of all property taxes as they come due throughout the term of this Agreement with respect to the Property and to submit a receipt or cancelled check in evidence of each such payment.

3. **Minimum Assessment Agreement:** The Developer and City agree to enter into an “Assessment Agreement” in substantially the form attached hereto, marked Exhibit C, pursuant to §403.6 of the Iowa Code fixing the minimum assessed valuation of the Property, in contemplation of the value to be added by the proposed project, at not less than **one-million seven-hundred fifty thousand dollars (\$1,750,000)**, hereafter referenced as the “Minimum Assessed Valuation” as of the completion of the Project (the “First Valuation Date”). It is the stated intention of the Developer that the Minimum Assessed Valuation shall be established on the Jones County property tax rolls as of the First Valuation Date regardless of the then-current degree of completion or incompleteness of the Project. The Assessment Agreement shall remain in effect throughout the Term of this Agreement, as hereinafter defined.

B. City’s Covenants

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

This Agreement assumes that the taxable valuation of the completed Project will go on the property tax rolls as of **January 1, 2024**. Accordingly, the Rebate Payments will be made on **June 1 and December 1 of each fiscal year, beginning on December 1, 2025 and continuing to and including June 1, 2035.**

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

- FY 2025-2026: 100%
- FY 2026-2027: 100%
- FY 2027-2028: 100%
- FY 2028-2029: 100%
- FY 2029-2030: 80%

FY 2030-2031: 80%
FY 2031-2032: 80%
FY 2032-2033: 80%
FY 2033-2034: 80%
FY 2034-2035: 80%

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

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

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

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

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

3. Affordable Housing. Iowa Code requires that if tax increment revenues collected in an economic development urban renewal area are to be used to pay for public improvements related to housing and residential development, the project has to include assistance for low and moderate income family housing. Because the expected incentive for this project is \$260,000, at the 42% set aside requirement for Jones County, the City will also set aside \$109,200 of TIF funds from this project for affordable housing.

C. Administrative Provisions

1. This Agreement may not be amended or assigned by either party without the written consent of the other party.

2. This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.

3. This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with laws of the State of Iowa.

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

CITY OF MONTICELLO, IOWA

By _____
Dave Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk

_____, for BR5 LLC,
Its _____

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

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

(TBD) The northernmost 105 feet of the tract of land having PIN 0216300030 to the City of Monticello, County of Jones, State of Iowa.

The City of Monticello, Iowa

RESOLUTION

**Preliminarily approving Proposed Amendment to Monticello Urban
Renewal Plan to include BR5 LLC Project, and to schedule
a Public Hearing on the proposed Urban Renewal Plan
amendment for the 7th day of August 2023 at 6:00 p.m.**

WHEREAS, The City of Monticello is contemplating the entry into a development agreement with BR5 LLC pertaining to construction of a 12-unit Workforce Housing apartment building located at and describes as described as Lot 2 of BR3 Subdivision in the City of Monticello, County of Jones, State of Iowa, and

WHEREAS, The Council is concurrently considering amendments to the Urban Renewal Plan to provide for the granting of incentives to said BR5 LLC project, and

WHEREAS, A public hearing must also be scheduled to add the proposed project to the Urban Renewal Plan before the City may utilize TIF to pay for said obligations under the Development Agreement, and

WHEREAS, The Council finds that a Public Hearing should be set for 7th day of August, 2023 to amend the Monticello Urban Renewal Plan should the Development Agreement be approved.

NOW, THEREFORE, BE IT RESOLVED by the City Council does hereby schedule a Public Hearing for the 7th day of August 2023 at 6:00 p.m. at the regularly scheduled City Council Meeting, same to be held in Council Chambers at the Monticello Renaissance Center, at which time the Council will consider the approval of the amendment of the Monticello Urban Renewal Plan to allow for the use of tax increment to satisfy and/or pay the incentives as set forth within the Development Agreement.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto.
Done this 3rd day of July, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk

The City of Monticello, Iowa

RESOLUTION

Scheduling Public Hearing on the proposed Re-Zoning of property property described as Lot 2 of BR3 Subdivision from C-1 General Commercial to R-3 Multiple Family Residential, for August 7, 2023 at 6:00 p.m.

WHEREAS, A request to re-zone property described as Lot 2 of BR3 Subdivision from C-1 General Commercial to R-3 Multiple Family Residential has been received by the City, and

WHEREAS, The Planning and Zoning Board will review and make their recommendation to the proposed change prior the proposed public hearing, and

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

WHEREAS, The Council finds that a public hearing on the requested re-zoning shall be scheduled for the 7th day of August, 2023 at 6:00 p.m. with appropriate publication and mailing of notice.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby schedule a Public Hearing on the proposed Re-Zoning of property described as Lot 2 of BR3 Subdivision from C-1 General Commercial to R-3 Multiple Family Residential for August 7, 2023 at 6:00 p.m., same to be held in the City Council Chambers at the Mary Lovell LeVan Renaissance Center in Monticello, Iowa.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto. Done this 3rd day of July, 2023.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: 6/29/2023
Preparer: Sally Hinrichsen



Agenda Item: # 13-21
Agenda Date: 7/03/2023

Communication Page

Agenda Items Description: Reports

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

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Reports / Potential Actions:

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