

City of Monticello, Iowa

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Posted on February 1, 2024 at 1:00 p.m.

Monticello City Council Meeting February 5, 2024 at 6:00 p.m.

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

Mayor:	Wayne Peach	Staff:	
City Council:		City Administrator:	Russell Farnum
At Large:	Josh Brenneman	City Clerk/Treas.:	Sally Hinrichsen
At Large:	Scott Brighton	Police Chief:	Britt Smith
At Large:	Jake Ellwood	Library Director:	Faith Brehm
At Large:	Dave Goedken	Public Works Dir.:	Nick Kahler
At Large:	Candy Langerman	Water/Wastewater Sup.:	Jim Tjaden
At Large:	Mary Phelan	Park & Rec Director:	Jacob Oswald
		Ambulance Director:	Lori Lynch
		City Engineer:	Patrick Schwickerath

- **Call to Order – 6:00 P.M.**
- Pledge of Allegiance
- Roll Call
- Agenda Addition/Agenda Approval

Open Forum: If you wish to address the City Council on subjects pertaining to today's meeting agenda please wait until that item on the agenda is reached. If you wish to address the City Council on an item not on the agenda, please approach the lectern and give your name and address for the public record before discussing your item. Individuals are normally limited to speaking for no more than three (3) minutes on a topic and the Open Forum is by rule limited to a total of twenty (20) minutes.

Consent Agenda (These are routine items and will be enacted by one motion without separate discussion unless someone requests an item removed to be considered separately.)

Approval of Council Mtg. Minutes	January	16, 2024
Approval of Council Work Session Minutes	January	29, 2024
Approval of Payroll	January	25, 2024
Approval of Bill List		
Approval of Alcohol license for Glass Tap LLC		
Approval of Alcohol license for Legacy Lanes		
Approval of Alcohol license for Dollar General		
Approval of Volunteer Fire Department Roster		

Public Hearings:

1. **Public Hearing** regarding Easement for 250 South Cedar Street
2. **Resolution** approving easement for 250 South Cedar Street

3. **Public Hearing** on proposed plans, specifications, form of contract and estimate of cost for the Monticello South Water Tower Repainting Maintenance Project
4. **Resolution** Approving the proposed plans, specifications, form of contract and estimate of cost for the Monticello South Water Tower Repainting Maintenance Project
5. **Public Hearing** on Preliminary resolution of Necessity pursuant to Section 384.42 of the Iowa Code covering the 2024 N. Chestnut Street Reconstruction Project
6. **Resolution** of Necessity for the 2024 N. Chestnut Street Reconstruction Project
7. **Motion** directing City Clerk to file certified copies of the Resolution of Necessity and Preliminary Plat and Schedule of Assessments with the County Treasurer of Jones County, and to adopt **Resolution** Ordering Preparation of Detailed Plans, Specifications, Notice of Hearing, Notice to Bidders and Form of Contract

Resolutions:

8. **Resolution** approving contract and performance and/or payment bonds for the Wastewater Treatment Facility Improvements Project
9. **Resolution** Approving and Levying an Assessment for 231 North Cedar Street for Sidewalk Repairs
10. **Resolution** Approving and Levying an Assessment for 345 East Third Street for Sidewalk Repairs
11. **Resolution** Approval of Plat for Parcel 2024-11 (Gary Hughes)
12. **Resolution** Approval of Plat for Brad Stephen 3rd Addition
13. **Resolution** Rescinding Resolution #2024-12 Scheduling Public Hearing on City of Monticello 2023/2024 Fiscal Year budget amendments for February 19, 2024 at 6:00 p.m.
14. **Resolution** approving the hiring a Monticello Ambulance On-Call Advanced EMT and setting wage
15. **Resolution** Appointing Commissioners to the Eastern Iowa Regional Housing Authority From the City of Monticello, Iowa

16. Resolution rejecting a REAP Grant Award for Trail Property Acquisition
17. Resolution approving a REAP Grant Award and authorizing the Mayor to execute the REAP grant agreement

Discussion and Possible Motions:

18. **Consideration and Possible Action** on a Request by John LaCock for tree removal expenses for 50/50 Storm Water money (6th St. Ditch)
19. **Discussion and Possible Motion** on grant policy

Ordinances:

20. **Ordinance #772** Amending the Code of Ordinances of the City of Monticello, Iowa, by Adding a New Section Authorizing Use of the State Income Setoff Program” (3rd and final reading)

Reports / Potential Actions:

21. City Engineer
22. Mayor
 - a. Life Cycles of an Organization
23. City Administrator
24. Library Director
25. Ambulance Director
26. City Clerk
27. Public Works Director
28. Police Chief
29. Water/Wastewater Superintendent
30. Park and Recreation Director

Work Sessions:

31. Work Session - FY 2024-2025 budget
 - a. Fire, Ambulance, Police

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: February 5, 2024 Council Meeting

Time: Feb 5, 2024 06:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89320693611>

Meeting ID: 893 2069 3611

One tap mobile

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+16465588656,,89320693611# US (New York)

Dial by your location

- +1 312 626 6799 US (Chicago)
- +1 646 558 8656 US (New York)
- +1 646 931 3860 US
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 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
- +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

Meeting ID: 893 2069 3611

Find your local number: <https://us02web.zoom.us/j/89320693611>

“This institution is an equal opportunity provider and employer.”

Regular Council Meeting
January 16, 2024, 6:00 P.M.
Community Media Center

Mayor Wayne Peach called the meeting to order. Council present were: Josh Brenneman, Jake Ellwood, Dave Goedken, Candy Langerman and Mary Phelan. Also present were City Administrator Russell Farnum, City Clerk Sally Hinrichsen, Public Works Director Nick Kahler, Library Director Faith Brehm, Ambulance Director Lori Lynch, Water/Wastewater Superintendent Jim Tjaden, Police Chief Britt Smith, Park & Rec Director Jacob Oswald and City Engineer Patrick Schwickerath. Council member Scott Brighton was absent. 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.

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

Ellwood moved to approve the consent agenda; Phelan seconded. Ellwood questioned where the loader was paid. Kaler stated being it will be used at the Yard Waste site a portion was paid out of sanitation. Brenneman questioned what the \$4,815.80 for holiday lights was. Oswald stated Monticello Main Street reimbursed the City for the lights. Roll call was unanimous.

Mayor Peach proclaimed January as Human Trafficking Prevention and Awareness month .

Goedken moved to approve Resolution #2024-13 Approving Kevin and Alison Bergman Tax Abatement Application related to Residential Improvements constructed at 1000 Northridge Drive, Monticello, Iowa, Brenneman seconded, roll call was unanimous.

Tjaden advised the Council that water tower control malfunctioned and they had to run the well pumps manually until they could find a temporary controller. Tjaden received two quotes for the controller and recommended Electric Pump bid in the amount of \$142,010.00. Langerman moved to approve Resolution #2024-14 Approving Purchase of a Water Treatment Plant Control Upgrade from Electric Pump from Des Moines, Iowa, Goedken seconded. Roll call was unanimous.

Farnum stated the USDA has approved the increased funding for the Waste Water Treatment Facility project and authorized the City to accept the bid of \$23,448,000.00 from Bill Bruce Builders for the project and issue the contract. Farnum reviewed the various funding sources, costs and reserves listed on the USDA amendment to Letter of Conditions. Farnum stated the USDA grant would be used after the loan funds are used. The local banks were contacted and agreed to interim financing the project until the USDA loans begin. The City can pay off the USDA loan early if funds are available. Langerman moved to approve Resolution #2024-15 awarding contract for the Wastewater Treatment Facility Improvements Project, Brenneman seconded, roll call was unanimous.

Regular Council Meeting
January 16, 2024

Phelan stated she read the bid document for the water tower painting project and questioned the tank being out of service during the project and how that would affect the City. Schwickerath stated the north water tower will be full and should have no huge impact. Goedken questioned if the amount of corrosion was normal for the age of the tower. Schwickerath advised yes that it is a very corrosive environment. Farnum stated that was why they looked at it now. Langerman moved to approve Resolution #2024-16 to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the Monticello South Water Tower Repainting Maintenance Project, and the taking of bids therefor. Brenneman seconded, roll call was unanimous. Public hearing will be on February 5, 2024 at 6 P.M.

Schwickerath advised that he prepared the plans and specifications for the North Chestnut Street Reconstruction Project and the Preliminary Special Assessment Schedule as directed by the Council. He and Farnum will be meeting with property owners on Thursday to review the plans. Schwickerath advised the bid calls for a concrete street with bid alternative to put brick pavers back between 2nd and 3rd Streets and the other bid alternative is for the decorative lighting. Schwickerath reviewed how assessment projects were done in past years. Langerman moved to approve Resolution #2024-17 Preliminary resolution pursuant to Section 384.42 of the Iowa Code covering the 2024 N. Chestnut Street Reconstruction Project, Ellwood seconded, roll call was unanimous. Public hearing will be on February 5, 2024 at 6 P.M.

Goedken moved to approve Resolution #2024-18 to Adopt the Preliminary Assessment Plat and Schedule and Estimate of Project Costs and Scheduling a Public Hearing on the Proposed Resolution of Necessity, Brenneman seconded, roll call was unanimous. Public hearing will be on February 5, 2024 at 6 P.M.

Goedken moved Ordinance #772 Amending the Code of Ordinances of the City of Monticello, Iowa, by Adding a New Section Authorizing Use of the State Income Setoff Program”, second reading in title only. Ellwood seconded. Roll call was unanimous.

Kahler stated the snow was piled in various area after the snow storm, due to the tractor and snow blower breaking down at the same time. They are continuing to clean up the piles and plow the streets. Kahler is working to get the streetlight on First Street working.

Oswald advised youth basketball started this week and soccer clinic started tonight. Chamber Director asked him to invite everyone to the Chamber after hours at the Innovation Lab on Thursday. He reported the bounce house has been a huge hit and there are 5 more days scheduled thru March.

Brehm gave some library facts from the State Library. She reported the Master Crafter series and trivia night will be starting and the food pantry will be here on January 29th.

Council held work sessions on budget amendments, cash policy, grant policy, use of ARPA money and budget work sessions and schedule. No action was taken.

Regular Council Meeting
January 16, 2024

Phelan moved to adjourn the meeting at 8:11 P.M.

Wayne Peach, Mayor

Sally Hinrichsen, City Clerk/Treasurer

Special Council Work Session
January 29, 2024, 6:00 P.M.
Community Media Center

Mayor Wayne Peach called the meeting to order. Council present were: Josh Brenneman, Jake Ellwood, Dave Goedken, Candy Langerman and Mary Phelan. Also, present were City Administrator Russell Farnum and City Clerk Sally Hinrichsen. Council member Scott Brighton was absent.

Brenneman moved to approve the agenda, Phelan seconded, roll call was unanimous.

Council held a budget work session related to the following items: REAP Grant, proposed budget amendment #1 for Fiscal Year 2023/2024 and Fiscal Year 2024/2025 proposed budgets for Administration and TIF. No action was taken.

Ellwood moved to adjourn the meeting at 7:56 P.M.

Wayne Peach, Mayor

Sally Hinrichsen, City Clerk/Treasurer

PAYROLL - JANUARY 25, 2024

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DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
AMBULANCE					
January 8 - 21, 2024					
Jamie Coleman	\$ 3,717.93	\$ 1,685.93	0.00	30.38	\$ 2,779.12
Jordan Fullerton	812.80	-	0.00	0.00	691.26
Mason Hanson	594.00	-	0.00	0.00	482.97
Jayna Koffron	1,792.00	-	0.75	45.75	1,363.54
Lori Lynch	3,173.85	-	0.00	0.00	2,134.76
Coletta Matson	2,112.00	-	0.00	36.00	1,414.49
Chloe Mogensen	277.20	-	0.00	0.00	238.78
Cory Reyner	512.00	-	0.00	0.00	440.64
Hunter Schmidt	355.60	-	0.00	0.00	306.31
Reggie Welter	848.00	-	0.00	0.00	696.02
Curtis Wyman	1,872.00	-	3.75	182.25	1,295.05
TOTAL AMBULANCE	\$ 16,067.38	\$ 1,685.93	4.50	294.38	\$ 11,842.94
CEMETERY					
January 8 - 21, 2024					
Sawyer Brokaw	\$ 45.00	\$ -	0.00	0.00	\$ 41.56
Dan McDonald	2,465.15	497.95	0.00	0.00	1,882.90
TOTAL CEMETERY	\$ 2,510.15	\$ 497.95	0.00	0.00	\$ 1,924.46
CITY HALL					
January 8 - 21, 2024					
Cheryl Clark	\$ 2,101.81	\$ 9.81	0.00	30.75	\$ 1,445.07
Russ Farnum	3,961.54	-	0.00	0.00	2,568.76
Sally Hinrichsen	3,044.31	-	0.00	0.00	1,858.63
Nanci Tuel	1,858.06	17.26	0.00	0.00	1,328.31
TOTAL CITY HALL	\$ 10,965.72	\$ 27.07	0.00	30.75	\$ 7,200.77
COUNCIL / MAYOR					
Josh Brenneman	\$ 300.00	\$ -	0.00	0.00	\$ 276.78
Scott Brighton	300.00	-	0.00	0.00	276.78
Jake Ellwood	300.00	-	0.00	0.00	277.05
Dave Goedken	300.00	-	0.00	0.00	276.78
Candy Langerman	300.00	-	0.00	0.00	277.05
Wayne Peach	500.00	-	0.00	0.00	421.75
Mary Phelan	300.00	-	0.00	0.00	277.05
TOTAL COUNCIL / MAYOR	\$ 2,300.00	\$ -	0.00	0.00	\$ 2,083.24
LIBRARY					
January 8 - 21, 2024					
Faith Brehm	\$ 1,680.00	\$ -	0.00	0.00	\$ 1,284.55
Molli Hunter	1,243.20	-	0.00	0.00	987.78
Penny Schmit	1,476.01	-	0.00	0.00	1,172.55
TOTAL LIBRARY	\$ 4,399.21	\$ -	0.00	0.00	\$ 3,444.88
MBC					
January 8 - 21, 2024					
Grace Dupuy	\$ 1,576.92	\$ -	0.00	0.00	\$ 1,212.70
Jacob Oswald	2,413.27	-	0.00	0.00	1,830.60
TOTAL MBC	\$ 3,990.19	\$ -	0.00	0.00	\$ 3,043.30
POLICE					
January 8 - 21, 2024					
Zach Buehler	\$ 385.32	\$ -	0.00	0.00	\$ 331.91
Dawn Graver	2,783.20	-	0.00	0.00	2,030.05

PAYROLL - JANUARY 25, 2024

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DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
Erik Honda	2,838.36	-	0.00	25.50	2,129.31
Jordan Koos	2,859.36	-	0.00	48.00	1,950.76
Cole Millard	1,952.00	-	0.00	0.00	1,207.34
Britt Smith	3,393.62	-	0.00	0.00	2,486.05
Madonna Staner	1,679.21	-	0.00	0.00	1,300.77
Brian Tate	3,099.56	-	0.00	40.00	2,239.15
TOTAL POLICE	\$ 18,990.63	\$ -	0.00	113.50	\$ 13,675.34
ROAD USE	January 8 - 21, 2024				
Zeb Bowser	\$ 2,396.96	\$ 469.76	24.00	32.50	\$ 1,798.45
Jacob Gravel	1,927.20	-	38.25	54.00	1,423.05
Nick Kahler	2,457.46	-	0.00	0.00	1,760.05
Jasper Scott	1,927.20	-	0.00	0.00	1,449.86
TOTAL ROAD USE	\$ 8,708.82	\$ 469.76	62.25	86.50	\$ 6,431.41
SEWER	January 6 - 19, 2024				
Jim Tjaden	\$ 2,791.54	\$ -	0.00	0.00	\$ 2,046.20
TOTAL SEWER	\$ 2,791.54	\$ -	0.00	0.00	\$ 2,046.20
WATER	January 6 - 19, 2024				
Scott Hagen	\$ 1,987.20	\$ -	15.75	31.75	\$ 1,571.22
Josh Willms	1,987.20	-	10.88	50.25	1,268.74
TOTAL WATER	\$ 3,974.40	\$ -	26.63	82.00	\$ 2,839.96
TOTAL - ALL DEPTS.	\$ 74,698.04	\$ 2,680.71	93.38	607.13	\$ 54,532.50

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
GENERAL					
POLICE DEPARTMENT					
AARON'S AUTOMOTIVE LLC	PD VEHICLE OPERATING	671.01			
AT&T MOBILITY	PD CELL PHONES	177.05			
JACOB HEINSIUS	PD PEST CONTROL	42.50			
INFRASTRUCTURE TECHNOLOGY	PD COMPUTER SUPPORT FEES	98.32			
IOWA STATE PRISON INDUSTRIES	PD MINOR EQUIPMENT	230.00			
MPH INDUSTRIES, INC	PD EQUIP REPAIR/MAINT	332.95			
TAC 10, INC.	PD TAC10 MAINTENANCE	9,910.00			

	110 POLICE DEPARTMENT TOTAL		11,461.83		
STREET LIGHTS					
MCALLISTER ELECTRICAL SERVICES	RU STREETLIGHT REPAIRS	80.00			

	230 STREET LIGHTS TOTAL		80.00		
AQUATIC CENTER					
INFRASTRUCTURE TECHNOLOGY	POOL OFFICE SUPPLIES	8.98			

	440 AQUATIC CENTER TOTAL		8.98		
CEMETERY					
IBEN CONSTRUCTION CO INC	CEM GRAVE OPENINGS - OCT-DEC	750.00			
JOHN DEERE FINANCIAL	CEMETERY BOOTS - MCDONALD	202.70			
TRI COUNTY PROPANE LLC	CEMETERY UTILITIES	322.00			

	450 CEMETERY TOTAL		1,274.70		
ATTORNEY					
LYNCH DALLAS, P.C.	ATTORNEY FEES	412.50			

	641 ATTORNEY TOTAL		412.50		
CITY HALL/GENERAL BLDGS					
JACOB HEINSIUS	CH PEST CONTROL	70.00			
FAREWAY STORES #840-1	CH BUILDING SUPPLIES	8.96			
INFRASTRUCTURE TECHNOLOGY	CH SONIC WALL	5,533.70			
INTL INST OF MUNICIPAL CLERKS	CH DUES - HINRICHSN	185.00			
KOCH BROTHERS, INC.	CH COPIER MAINTENANCE	249.47			
LIMESTONE BLUFFS R C & D	MAQUOKETA RIVER WATERSHED	6,060.00			
MONTICELLO ROTARY CLUB	CH DUES - FARNUM	160.00			
ORBIS MENASHA CORP	CH FRANCHISE FEE REFUND	6,706.72			
LADCO	CH BLDG REPAIR/MAINT	788.25			

	650 CITY HALL/GENERAL BLDGS TOTAL		19,762.10		

	001 GENERAL TOTAL		33,000.11		
MONTICELLO BERNDES CENTER					
PARKS					
BAKER PAPER CO INC	MBC BUILDING SUPPLIES	129.80			
JACOB HEINSIUS	MBC PEST CONTROL	70.00			

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
INFRASTRUCTURE TECHNOLOGY	MBC OFFICE SUPPLIES	112.44			
INSURANCE ASSOCIATES, INC.	MBC PROPERTY INSURANCE	100.00			
NEXT GENERATION PLBG & HTG LLC	MBC BLDG REPAIR/MAINT	109.08			
SPAHN & ROSE LUMBER CO INC	MBC BLDG REPAIR/MAINT	79.99			
WELLS FARGO VENDOR FINANCIAL	2020 TOOLCAT PAYMENT	1,048.95			
	430 PARKS TOTAL		1,650.26		
	005 MONTICELLO BERNDES CENTER TOTAL		1,650.26		
FIRE					
FIRE					
AT&T MOBILITY	FIRE TABLET	41.27			
BEN BOLLWITT	FIRE COMPUTER SUPPORT FEES	128.54			
INFRASTRUCTURE TECHNOLOGY	FIRE COMPUTER SUPPORT FEES	9.00			
JOHN DEERE FINANCIAL	FIRE SUPPLIES	25.46			
DAVID B MCNEILL	FIRE SUPPLIES	55.79			
MUNICIPAL EMERGENCY SERVICES	FIRE MINOR EQUIPMENT	670.83			
MARK SCHMITZ	FIRE SUPPLIES	95.00			
	150 FIRE TOTAL		1,025.89		
	015 FIRE TOTAL		1,025.89		
AMBULANCE					
AMBULANCE					
AARON'S AUTOMOTIVE LLC	AMB VEHICLE OPERATING	615.38			
AT&T MOBILITY	AMB CELL PHONES	66.96			
JACOB HEINSIUS	AMB PEST CONTROL	42.50			
BOUND TREE MEDICAL, LLC	AMB MEDICAL SUPPLIES	64.47			
INFRASTRUCTURE TECHNOLOGY	AMB DATA PROCESSING	25.48			
IOWA DEPT OF HUMAN SERVICES	AMB REFUND	1,756.76			
PHYSICIAN'S CLAIM COMPANY	AMB BILLING FEES	5,964.25			
QUADMED INC	AMB MEDICAL SUPPLIES	1,450.00			
ZOLL MEDICAL CORPORATION	AMB MEDICAL SUPPLIES	154.00			
	160 AMBULANCE TOTAL		10,139.80		
	016 AMBULANCE TOTAL		10,139.80		
LIBRARY					
LIBRARY					
BAKER & TAYLOR BOOKS	LIB BOOKS	205.36			
MCALLISTER ELECTRICAL SERVICES	LIB MAJOR BLDG REPAIRS	1,148.60			
MICRO MARKETING LLC	LIB AUDIO RECORDINGS	85.38			
LADCO	LIB BLDG REPAIR/MAINT	936.65			
	410 LIBRARY TOTAL		2,375.99		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	041 LIBRARY TOTAL		2,375.99		
SUPER MAC FUND SUPER MAC FUND DB ACOUSTICS INC	SUPER MAC EQUIP REPAIR/MAINT		280.00		
	499 SUPER MAC FUND TOTAL		280.00		
	045 SUPER MAC FUND TOTAL		280.00		
AIRPORT AIRPORT INSURANCE ASSOCIATES, INC. MONTICELLO AVIATION INC	AIRPORT PROPERTY INSURANCE AIRPORT MANAGER		1,147.00 2,333.33		
	280 AIRPORT TOTAL		3,480.33		
	046 AIRPORT TOTAL		3,480.33		
ROAD USE STREETS AT&T MOBILITY BRIAN CROWLEY INFRASTRUCTURE TECHNOLOGY INSURANCE ASSOCIATES, INC. JOHN DEERE FINANCIAL KROMMINGA MOTORS INC LAPORTE MOTOR SUPPLY SPAHN & ROSE LUMBER CO INC THOMPSON TRUCK & TRAILER, INC.	RU INTERNET FOR TRAFFIC LIGHTS RU EQUIP REPAIR/MAINT RU UTILITIES RU PROPERTY INSURANCE RU BOOTS - MCDONALD RU EQUIP REPAIR/MAINT RU EQUIP REPAIR/MAINT RU BLDG REPAIR/MAINT RU EQUIP REPAIR/MAINT		129.81 594.92 11.48 599.00 194.93 124.06 196.16 763.60 93.81		
	210 STREETS TOTAL		2,707.77		
SNOW REMOVAL ACCENT CONSTRUCTION ALL SEASON'S TRUCKING INC BEHREND'S CRUSHED STONE	RU SNOW REMOVAL RU SNOW REMOVAL RU SNOW REMOVAL		4,400.00 5,650.86 1,080.75		
	250 SNOW REMOVAL TOTAL		11,131.61		
	110 ROAD USE TOTAL		13,839.38		
ROAD USE SETASIDE STREETS HENDERSON PRODUCTS INC.	RU DUMP TRUCK		109,117.00		
	210 STREETS TOTAL		109,117.00		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	111 ROAD USE SETASIDE TOTAL		109,117.00		
CAPITAL IMPROVEMENT					
CAPITAL PROJECTS					
LYNCH DALLAS, P.C.	AIRPORT LAND/HOUSE		1,203.80		
SNYDER & ASSOCIATES, INC	EAST FIRST STREET PROJECT		9,150.00		
	750 CAPITAL PROJECTS TOTAL		10,353.80		
	332 CAPITAL IMPROVEMENT TOTAL		10,353.80		
C.C. BIDWELL LIBRARY BOOK					
LIBRARY					
BAKER & TAYLOR BOOKS	LIB BIDWELL BOOKS		134.00		
	410 LIBRARY TOTAL		134.00		
	502 C.C. BIDWELL LIBRARY BOOK TOTAL		134.00		
TRUST/IOMA MARY BAKER					
LIBRARY					
CENTER POINT PUBLISHING	LIB BAKER BOOKS		75.95		
	410 LIBRARY TOTAL		75.95		
	503 TRUST/IOMA MARY BAKER TOTAL		75.95		
WATER					
WATER					
AT&T MOBILITY	WATER CELL PHONE & TABLET		41.27		
DAKOTA SUPPLY GROUP INC	WATER SYSTEM		1,090.26		
INFRASTRUCTURE TECHNOLOGY	WATER DATA PROCESSING		20.48		
IOWA ONE CALL	WATER SYSTEM		64.90		
JOHN DEERE FINANCIAL	WATER VEHICLE OPERATING		34.70		
THEODORE KRAUS	WATER SYSTEM		1,109.55		
HD SUPPLY, INC	WATER LAB SUPPLIES		332.08		
	810 WATER TOTAL		2,693.24		
	600 WATER TOTAL		2,693.24		
CUSTOMER DEPOSITS					
WATER					
JEREMY BOGE	WATER DEPOSIT REFUND		31.68		
CITY OF MONTICELLO	MARTIN/TOM		611.76		
EVANS REAL ESTATE HOLDINGS	WATER DEPOSIT REFUND		92.19		
MCKENZIE MYSAK	WATER DEPOSIT REFUND		64.37		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	810 WATER TOTAL		800.00		
	602 CUSTOMER DEPOSITS TOTAL		800.00		
SEWER					
SEWER					
FAREWAY STORES #840-1	SEWER LAB SUPPLIES		20.95		
INFRASTRUCTURE TECHNOLOGY	SEWER DATA PROCESSING		8.98		
IOWA ONE CALL	SEWER SYSTEM		64.90		
JOHN DEERE FINANCIAL	SEWER SUPPLIES		143.01		
MERCY PHYSICIAN ASSOCIATES	SEWER OSHA - TJADEN		101.00		
JASON PAULSEN	SEWER EQUIP REPAIR/MAINT		770.51		
SPAHN & ROSE LUMBER CO INC	SEWER SUPPLIES		32.91		
TRI COUNTY PROPANE LLC	SEWER UTILITIES		700.14		
HD SUPPLY, INC	SEWER LAB SUPPLIES		138.76		
	815 SEWER TOTAL		1,981.16		
	610 SEWER TOTAL		1,981.16		
SANITATION					
SANITATION					
JONES COUNTY SOLID WASTE	3RD QTR '24 ASSESSMENT		5,050.00		
REPUBLIC SERVICES	RESIDENTIAL GARBAGE		24,868.78		
	840 SANITATION TOTAL		29,918.78		
	670 SANITATION TOTAL		29,918.78		
YARD WASTE SITE					
SANITATION					
ALLIANT ENERGY-IES	22411 BUSINESS HWY 151		35.76		
	840 SANITATION TOTAL		35.76		
	675 YARD WASTE SITE TOTAL		35.76		
	Accounts Payable Total		220,901.45		

**CLAIMS REPORT
CLAIMS FUND SUMMARY**

FUND NAME	AMOUNT
001 GENERAL	33,000.11
005 MONTICELLO BERNDEN CENTER	1,650.26
015 FIRE	1,025.89
016 AMBULANCE	10,139.80
041 LIBRARY	2,375.99
045 SUPER MAC FUND	280.00
046 AIRPORT	3,480.33
110 ROAD USE	13,839.38
111 ROAD USE SETASIDE	109,117.00
332 CAPITAL IMPROVEMENT	10,353.80
502 C.C. BIDWELL LIBRARY BOOK	134.00
503 TRUST/IOMA MARY BAKER	75.95
600 WATER	2,693.24
602 CUSTOMER DEPOSITS	800.00
610 SEWER	1,981.16
670 SANITATION	29,918.78
675 YARD WASTE SITE	35.76
<hr style="border-top: 1px dashed black;"/>	
TOTAL FUNDS	220,901.45

City of Monticello
2024 Monticello Volunteer Fire Department Roster

Joe Bayne - Fire Chief

Billy Norton - Assistant Chief

Johnny Russ - Training Officer

Joe Bayne

Reece Norton

Jr. Firefighters

Mike Bader

Shannon Poe

Ethan Ponder

Billy Norton

Matt Johnson

Gavin Kahler

Josh Kray

Ron Herman

Natalie Henderson

Nick Kahler

Ben Hein

Izzy Taylor

Dave Husmann

Cory Reyner

Johnathan (John) Snyder

Sam Hunt

Brian Hinrichs

Ben Bollwitt

Drew Haag

Preston Taylor

Tommy Norton

Zebulyn Bowser

Chris Hinrichs

Courtney McCarthy

Josh Kelchen

Greg Kraus

Alex Green

Tiler Streets

Kody Miles

Rob Jones

Jackson Snyder

Kyle Stadtmueller

Brian Wolken

Spencer Pins

Devin Arduser

Clayton Kraus

Johnny Russ

City Council Meeting
Prep. Date: 1/29/2024
Preparer: Russell Farnum



Agenda Item: # 1 & 2
Agenda Date: 2/5/2024

Communication Page

<u>Agenda Items Description:</u> Discussion of Sale of City Owned Property behind 230 S. Cedar St.	
<u>Type of Action Requested:</u>	
<u>Attachments & Enclosures:</u>	<u>Fiscal Impact:</u> Budget Line Item: <input type="text"/> Budget Summary: <input type="text"/> Expenditure: <input type="text"/> Revenue: <input type="text"/>

Synopsis: Danelle and Juneau Johnson have inquired about possibly buying some City property behind their home. This area is part of the old railroad right of way and is currently used as an alley, but has a large yard area behind their garage. Please note, Johnson’s already own “their half” of the old railroad right of way.

Before having the land surveyed and investing a lot of time and money in their request, we agreed it would be best to get a reading from the Council to judge whether the Council is even willing to sell that land.

Background: Danelle and Juneau Johnson own the home at 230 S. Cedar Street. The property is improved with a large detached garage in the back yard, The City owns the property behind their garage, which already appears to be partially on City land.

The Johnson’s would like to add onto the garage to add more storage space. The addition would be about 10 or 12 feet wide and 16 feet long, and would be located 3-4 feet south of the corner of the existing garage (because that is where the LP tank is now). A very rough diagram is on the following page.

There is a storm sewer in that area, which the City could keep an easement over and still sell the land to Johnson’s. The City would want to maintain enough land to keep the alleyway open for a connection through, and at least maintain an easement over the storm sewer.

PW Director Nick Kahler staked out the location of the storm pipe this week, and the Johnson’s are considering what they would like to do. The center of the storm pipe is (about) 13’ from the south corner of the garage, and about 21 feet from the north corner of the garage.

Further updates may be provided prior to, or at, the meeting. Council direction is requested.

The City of Monticello, Iowa

RESOLUTION

Approving Easement Agreement between the City of Monticello and Juneau Johnson, and his successors in interest, on City of Monticello property, west of Cedar Street between Washington and Grand Streets

WHEREAS, Juneau Johnson own residential property adjacent to the City owned alley west of Cedar Street between Washington and Grand Streets, and

WHEREAS, A portion of the Johnson's garage extends from their property into the grounds of the City of Monticello, and

WHEREAS, The garage is located approximately nine feet onto land owned by the City of Monticello and is not believed to cause interference at any point in the future, and

WHEREAS, The Council previously scheduled a Public Hearing for tonight's meeting on the proposed Easement Agreement, and

WHEREAS, The Council reviewed the desired easement and does not object to the issuing an easement to Johnson and his successors, and

WHEREAS, The Council finds that the issuance of an easement is a transfer of a property interest, that the City cannot transfer a property interest without adequate compensation, and that adequate compensation for this easement is the sum of \$10.00 in addition to reimbursement related to the costs to publish notice of the Public Hearing held tonight as well as all costs related to the recordation of the Easement Agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve of the Easement Agreement and finds that the sum of \$10.00 plus publication and recording costs is adequate consideration for this permanent easement agreement and does hereby authorize the Mayor to execute same 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 5th day of February, 2024.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

Prepared by: Douglas D. Herman, Lynch Dallas, P.C., PO Box 2457, Cedar Rapids, IA 52406; Telephone: 319-365-9101

Return to: Douglas D. Herman, Lynch Dallas, P.C., PO Box 2457, Cedar Rapids, IA 52406; Telephone: 319-365-9101

PERMANENT EASEMENT

KNOW ALL BY THESE PRESENTS:

THIS AGREEMENT, made this _____ day of _____, 2024, by and between the City of Monticello, Iowa, a municipal corporation, within Jones County, Iowa, and which represents that it is the sole owner of real estate described below as Grantor, and Juneau Johnson, who represents that he is the sole owner of real estate described below, as Grantee;

WITNESSETH: The Grantor, in consideration of the sum of ten dollars (\$10.00), receipt of which is hereby acknowledged, does hereby grant, bargain and convey to the Grantee, and all successors and assigns, the perpetual right to maintain a detached accessory structure (garage) extending approximately nine feet onto land owned by the Grantor, generally described as follows:

Beginning at a point at the northwest corner of the east half of the abandoned railroad right of way adjacent to the south 72 feet of Lots 519 and 520 of Railroad Addition, lying north of the south 50 feet of Lot 520, then extending south/southwesterly approximately 43 feet, thence easterly approximately 9 feet, to the west line of the Grantee's property, inclusive of the accessory structure (garage) located thereon;

subject to the other considerations, conditions and restrictions outlined below;

1. The Grantee shall have the right of ingress and egress to and from said land to survey, erect, construct, maintain, inspect, rebuild and repair said detached accessory structure, together with the right to replace, renew and relocate upon, under and across the real estate, all components and appurtenances thereto, and the right to remove any and all of said installations or appurtenances. In exercising its rights of ingress and egress, the Grantee shall,

whenever practicable, use existing driveways, and shall repair any damage caused by its use thereof.

- 2. Grantee shall not be allowed to use said real estate, nor any adjacent land owned by the Grantor, for parking, storage, or any use other than the accessory structure herein described.
- 3. These restrictions shall not be construed to restrict any addition or alteration to the accessory structure that may be planned, proposed, or constructed on the Grantee's own property, provided same are constructed in accordance with the codes and ordinances of the City of Monticello.

The Grantee shall also assume liability for damage and personal injuries associated with construction, use, repair or maintenance of the Easement, and shall hold the Grantors harmless there from and shall indemnify the Grantor therefore in the event of loss.

This easement conveyance shall run with the land and shall be binding upon the Grantors, their heirs, successors or assigns.

The Grantee shall have and hold this easement together with all appurtenances and immunities thereto belonging or appealing forever.

GRANTOR:

ATTEST:

Mayor

Sally Hinrichsen, City Clerk

STATE OF IOWA)
) ss
COUNTY OF JONES)

On this _____ day of _____, 2024, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared _____ and Sally Hinrichsen, Mayor and City Clerk, respectively, of said corporation; that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of the City Council of Monticello; and that said City Council, as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntary executed.

Notary Public

GRANTEE:

Juneau Johnson

STATE OF IOWA)
)
COUNTY OF LINN) ss

On this _____ day of _____, 2024, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Juneau Johnson, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that he executed the same as their voluntary act and deed.

Notary Public

City Council Meeting
Prep. Date: 01/30/2024
Preparer: Russell Farnum



Agenda Item: # 3 & 4
Agenda Date: 02/05/2024

Communication Page

Agenda Items Description: Public Hearing on South Water Tower Painting and Maintenance Project form of contract and estimate of cost

Type of Action Requested: Hold Public Hearing

Attachments & Enclosures:

Notice to Bidders
Estimate of Costs

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

Synopsis: In order to go to bid on this capital project, the Council must hold a public hearing on the bid documents. Said are attached with the notice to bidders and other information.

Bids for this project will be due on February 14. Council will review the bids at the February 19 Council meeting, and if appropriate take the following actions:

- Resolution approving the proposed specifications, proposed form of contract and engineers' opinion of probable cost.
- Consideration of Bids for the South Water Tower Repainting and Maintenance project
- Resolution awarding contract for the South Water Tower Repainting and Maintenance project

Recommendation: Council need only hold a hearing at this time.

The City of Monticello, Iowa

RESOLUTION

Approving the proposed plans, specifications, form of contract and estimate of cost for the Monticello South Water Tower Repainting Maintenance Project

WHEREAS, the City Council (the “Council”) of the City of Monticello, Iowa (the “City”), has determined that it is necessary and desirable that a public improvement be constructed as described in the proposed plans and specifications and form of contract prepared by Snyder & Associates, Inc., the Project Engineers for such public improvement, which may be hereafter referred to as the Monticello South Water Tower Repainting Maintenance Project, which proposed plans, specifications and form of contract and estimate of cost were previously placed on file with the City Clerk; and

WHEREAS, public hearing on the proposed plans, specifications and form of contract and estimate of cost for the Project was scheduled for tonight, and

WHEREAS, the Mayor opened the Public Hearing and after the receipt of public comment, if any, closed the Public Hearing, and

WHEREAS, at the close of the Public Hearing the Council considered the plans and specifications, form of contract and cost estimate previously prepared by the City Engineer and placed on file with the City Clerk and finds by the passage of this Resolution that same should be approved.

NOW, THEREFORE, Be It Resolved by the City Council of the City of Monticello, Iowa that the detailed plans and specifications, form of contract and estimate of cost referred to in the preamble hereof are hereby approved and sealed bids must be filed before February 14th, 2024 at 1:30 P.M. local time.

PASSED AND APPROVED this 5th day of February, 2024.

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 5th day of February, 2024

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

NOTICE TO BIDDERS
JURISDICTION OF CITY OF MONTICELLO, IOWA PUBLIC IMPROVEMENT PROJECT

Notice is hereby given that a public hearing will be held by the City of Monticello, Iowa on the proposed contract documents (plans, specifications, and form of contract) and estimated cost for the improvement at its meeting at 6:00 P.M. on 5th day of February, 2024, in said Monticello City Hall for the Monticello South Water Tower Repainting Maintenance Project.

Sealed bids for the work comprising each improvement as stated below must be filed before 1:30 P.M. according to the clock the office of Monticello City Clerk on Wednesday, February 14th, 2024, in the office of the Monticello City Clerk, Monticello City Hall, 200 East First Street, Monticello, Iowa. Bids received after the deadline for submission of bids as stated herein shall not be considered and shall be returned to the late bidder unopened.

Sealed proposals will be opened and bids tabulated at 1:30 P.M. on Wednesday, February 14th, 2024, in the Monticello City Hall for consideration by the Monticello City Council at its meeting on Monday, February 19th, 2024.

Work on the improvement shall be commenced immediately upon approval of the contract by the Council, and be completed as stated below.

The contract documents may be examined at the office of the City Clerk, Monticello City Hall. Hard copies of the project documents may be obtained from Snyder & Associates, Inc. 900 Bell Dr SW, Cedar Rapids, IA 52404 upon receipt of a \$50.00 deposit. Electronic contract documents are available at no cost by clicking on the "Bids" link at www.snyder-associates.com and choosing the Monticello South Water Tower Repainting Maintenance Project 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.

By virtue of statutory authority, preference will be given to products and provisions grown and coal produced within the State of Iowa, and to Iowa domestic labor, to the extent lawfully required under Iowa statutes.

In accordance with Iowa statutes, a resident bidder shall be allowed a preference as against a nonresident bidder from a state or foreign country if that state or foreign country gives or requires any preference to bidders from that state or foreign country, including but not limited to any preference to bidders, the imposition of any type of labor force preference, or any other form of preferential treatment to bidders or laborers from that state or foreign country. The preference allowed shall be equal to the preference given or required by the state or foreign country in which the nonresident bidder is a resident. In the instance of a resident labor force preference, a nonresident bidder shall apply the same resident labor force preference to a public improvement in this state as would be required in the construction of a public improvement by the state or foreign country in which the nonresident bidder is a resident.

General Nature of the Public Improvement

The Monticello South Water Tower Repainting Maintenance Project includes, removal of existing interior and exterior coatings, repainting the interior and exterior of the 500,000 gallon, elevated water tower, adding a new mesh screen to the overflow outlet, and replacing the tower logo. Tank repairs may be added to the project as determined to be necessary by the City of Monticello and their Engineer.

Each bidder shall accompany its bid with bid security as defined in Iowa Code Section 26.8, as security that the successful bidder will enter into a contract for the work bid upon and will furnish after the award of contract a corporate surety bond, in a form acceptable to the Jurisdiction, for the faithful performance of the contract, in an amount equal to 100% of the amount of the contract. The bidder's security shall be in the amount fixed in the Instruction to Bidders and shall be in the form of a cashier's check or a certified check drawn on an FDIC insured bank in Iowa or on an FDIC insured bank chartered under the laws of the United States; or a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States; or a bid bond on the form provided in the contract documents with corporate surety satisfactory to the Jurisdiction. The bid shall contain no condition except as provided in the specifications.

The *City Council, City of Monticello, Iowa* reserves the right to defer acceptance of any bid for a period of sixty (60) calendar days after receipt of bids and no bid may be withdrawn during this period.

Each successful bidder will be required to furnish a corporate surety bond in an amount equal to 100% of its contract price. Said bond shall be issued by a responsible surety approved by the *City Council, City of Monticello, Iowa* and shall guarantee the faithful performance of the contract and the terms and conditions therein contained and shall guarantee the prompt payment of all material and labor, and protect and save harmless *City of Monticello, Iowa* from claims and damages of any kind caused by the operations of the contract and shall also guarantee the maintenance of the improvement caused by failures in materials and construction for a period of two years from and after acceptance of the contract. The guaranteed maintenance period for new paving shall be four years.

The *City Council, City of Monticello, Iowa*, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Contractor shall fully complete the project in (no later than) *October 11, 2024*. Should the contractor fail to complete the work in this timeframe, liquidated damages of *\$500* per calendar day will be assessed for work not completed within the designated contract term.

The *City Council, City of Monticello, Iowa* does hereby reserve the right to reject any or all bids, to waive informalities, and to enter into such contract, or contracts, as it shall deem to be in the best interest of the jurisdiction.

This Notice is given by authority of the *City of Monticello, Iowa*

City of Monticello, Iowa



January 10, 2023

City of Monticello
Mayor and City Council
200 East 1st St
Monticello, IA 52310

RE: SOUTH WATER TOWER REPAINTING AND MAINTENANCE PROJECT FILING
OF SPECIFICATIONS

Dear Mayor and City Council:

Enclosed for filing is one set of project documents for the South Water Tower Repainting and Maintenance Project. The project documents contain the contract documents, specifications, and opinion of probable cost.

The opinion of probable construction cost is \$360,000 for the total project base bid and \$365,000 for total project base bid plus bid alternate A. Bid alternate A includes painting a second logo on the tower.

We are recommending setting the time and date for receipt of bids for 1:30 PM on Wednesday, February 14th, 2024; and setting the date and time for the public hearing for Monday, February 5th, 2024 and award of contract for Monday, February 19th, 2024.

Please feel free to contact me with any questions or comments.

Respectfully,

SNYDER & ASSOCIATES, INC.

A handwritten signature in blue ink that reads 'Patrick Williams'.

Patrick Williams
Project Engineer

City Council Meeting
Prep. Date: 01/29/2024
Preparer: Russell Farnum



Agenda Item: # 5-7
Agenda Date: 02/05/2024

Communication Page

Agenda Items Description: Public Hearing 2024 N. Chestnut Street Reconstruction Project Special Assessments

Type of Action Requested: Hold Public Hearing, Approve Resolution of Necessity

Attachments & Enclosures:

Draft Special Assessment Plat Resolution

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

Synopsis: The 2024 N. Chestnut Street Reconstruction Project includes several improvements for which the city has traditionally levied Special Assessments on the adjacent property owners.

The improvements that are subject to special assessments include replacement of curb and gutter, replacement of sidewalks, and the replacement of driveways.

The 2024 N. Chestnut Street Reconstruction Project impacts 12 properties that would be subject to special assessments. The impacted owners and estimated amounts are shown in the attached Preliminary Assessment Draft.

In order to provide for this special assessment, the Council must take several actions. First is adopting a Preliminary Resolution of Necessity, and scheduling a public hearing on the proposed special assessments. These were completed at the January 16 Council meeting. Now the public hearing must be held and the Final Resolution of Necessity approved.

Background:

Over the past decades, the City has done a major street reconstruction project every 2-3 years, the most recent being North Sycamore Street. The current project is a single block of Chestnut Street between 2nd and 3rd streets. At the January 16 City Council meeting, the Council adopted the appropriate resolutions and took the necessary steps to schedule a public hearing on February 5. Staff has delivered the appropriate notice requirements and mailings.

The City Administrator and City Engineer also invited the impacted owners to review the plans and discuss the project and the special assessments at an open house on January 18. Several impacted property owners were in attendance.

In order to continue the process to levy special assessments and eventually award the bid for this construction project, the Council must follow the remaining procedures outlined below:

Special Assessments

- Public Hearing on the Resolution of Necessity and Order Detailed Plans & Specifications (02/05/24)
 - Open the Hearing
 - Close the Hearing
 - Council then can proceed to vote on the Resolution of Necessity (passage requires $\frac{3}{4}$ of Council Members, i.e. 5 for Monticello, IA)
- The Resolution and the Preliminary Plat and Schedule must be certified to the County Treasurer (02/12/24)
- Final plans and specs are prepared after the Resolution of Necessity
 - File final project documents with the City Clerk (02/19/24)
- Contractor bid prep time begins
 - Letting (i.e. open bids) – 03/27/24
 - Anticipated Award Contract - 04/01/24

Recommendation: Hold public hearing and approval of the Resolution of Necessity is recommended.

MINUTES OF MEETING FOR HEARING
ON RESOLUTION OF NECESSITY

Monticello, Iowa

February 5, 2024

A meeting of the City Council of the City of Monticello, Iowa, was held at 6:00 o'clock p.m. on February 5, 2024, at the Monticello Renaissance Center, Community Media Room, 220 East First Street, in the City. The Mayor presided and the roll was called, showing members present and absent, as follows:

Present: _____

Absent: _____

The Mayor announced that this was the time and place set for hearing upon the proposed Resolution of Necessity covering the 2024 N. Chestnut Street Reconstruction Project. All written objections heretofore filed and all written or oral objections filed or made during the hearing were considered by the Council.

Written objections were filed by the following: _____

Oral objections were made by the following: _____

The Mayor then declared that a motion would be in order for adoption of the Resolution of Necessity.

It was moved by Council Member _____ and seconded by Council Member _____ that the Resolution of Necessity for the 2024 N. Chestnut Street Reconstruction Project be adopted in the form hereinafter set out.

After due consideration thereof by the Council, the Mayor put the question to a vote, and upon a roll call vote the following named Council Members voted:

Ayes: _____

Nays: _____

Whereupon, the Mayor declared the said motion duly carried and the Resolution of Necessity was finally adopted.

RESOLUTION NO. _____

Resolution of Necessity
2024 N. Chestnut Street Reconstruction Project

WHEREAS, the City Council of the City of Monticello, Iowa, has adopted a preliminary resolution in accordance with Section 384.42 of the Code of Iowa, covering the 2024 N. Chestnut Street Reconstruction Project (the “Project”); and

WHEREAS, pursuant thereto, the Project Engineers have prepared preliminary plans and specifications, an estimated total cost of the work and a plat and schedule, including the valuation of each lot as determined by this Council, and the same have been duly adopted and are now on file with the City Clerk;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Monticello, Iowa:

Section 1. It is hereby found and determined to be necessary and in the best interest of the City and its inhabitants to proceed with the Project, and to assess a portion of the cost to the property benefitted thereby.

Section 2. The Project shall consist of the reconstruction and surfacing of streets, including the construction of curb and gutter improvements, storm sewer and drainage improvements, water system extensions, improvements and connections, sanitary sewer system extensions, improvements and connections, sidewalk and driveway approach reconstructions, pedestrian ramps, lighting, and other work incidental thereto on and along certain streets in the City of Monticello, Iowa, as follows:

2024 N. Chestnut Street, said additional work to potentially include all the improvements noted in Section 1 of this Resolution.

Section 3. The assessable portion of the 2024 N. Chestnut Street Reconstruction Project shall consist of 100% of the curb and gutter improvements, 100% of the cost of reconstruction driveway approaches and driveways where applicable, and 100% of the cost of 4 foot wide sidewalk replacement (although 5’ wide sidewalk will be constructed), and 100% of the cost of replacement courtesy walks between the sidewalk and curb. It is considered that all properties abutting the above described segments of streets to be improved will be specially benefited from this improvement and should be specially assessed.

The City Council will consider the granting of a credit against proposed assessments if the property owner to be assessed provides evidence found sufficient by the Council that sidewalks or driveway approaches have been replaced within the past ten (10) years and remain in good condition.

Section 4. Unless a property owner filed objections with the City Clerk at the time of the hearing on this resolution of necessity, the property owner shall be deemed to have waived all objections pertaining to the regularity of the proceedings and the legality of using the special assessment procedure.

Section 5. 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 5th day of February, 2024.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

It was moved by Council Member _____ and seconded by Council Member _____ that the City Clerk be directed to file certified copies of the Resolution of Necessity and Preliminary Plat and Schedule of Assessments with the County Treasurer of Jones County, and that the resolution hereinafter set out ordering the preparation of the detailed plans and specifications and the preparation of the notice of hearing and notice to bidders and form of contract covering the 2024 N Chestnut Street Reconstruction Project be adopted.

Whereupon, the Mayor put the question upon the motion, 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.

Ordering Preparation of Detailed Plans, Specifications, Notice of Hearing,
Notice to Bidders and Form of Contract

WHEREAS, this Council has adopted a final Resolution of Necessity in connection with the 2024 N. Chestnut Street Reconstruction Project (the “Project”); and

WHEREAS, detailed plans and specifications, notice of hearing and notice to bidders and form of contract should now be prepared and filed with the City Clerk;

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

Section 1. The Project Engineers are hereby instructed to prepare and file with the City Clerk detailed plans and specifications covering the Project, including a notice of hearing and notice to bidders and form of contract.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved on this 5th day of February, 2024.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

••••

There being no further business to come before the meeting, it was upon motion adjourned.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

STATE OF IOWA)
COUNTY OF JONES)§
CITY OF MONTICELLO)

I, the undersigned City Clerk of the aforementioned City, do hereby certify that the above and foregoing is a true and correct copy of the minutes of a meeting of the Council of said City, held as therein shown, insofar as such minutes pertain to the 2024 N. Chestnut Street Reconstruction Project, including a true and correct copy of each of the resolutions referred to in such minutes.

WITNESS MY HAND and the seal of the City hereto affixed this ____ day of _____, 2024.

Sally Hinrichsen, City Clerk

(Seal)

STATE OF IOWA)
)§
COUNTY OF JONES)

I, the undersigned, County Treasurer of Jones County, Iowa, do hereby certify that the City Clerk of Monticello, Iowa, did file on the _____ day of _____, 2024, in my office, copies of the final Resolution of Necessity, Preliminary Plat and Schedule of Assessments in connection with the 2024 N. Chestnut Street Reconstruction Project.

WITNESS MY HAND and the seal of said County hereto affixed this _____ day of _____, 2024.

County Treasurer

(Seal)

STATE OF IOWA)
COUNTY OF JONES)§
CITY OF MONTICELLO)

I, the undersigned City Clerk of the aforementioned City, do hereby certify that, pursuant to Section 384.62 of the Code of Iowa, no requests for deferment of special assessment payments with respect to the 2024 N. Chestnut Street Reconstruction Project were filed at the hearing on the Resolution of Necessity or within 10 days thereafter, except as follows:

Name	Assessment Number	Amount of Assessment
None		

WITNESS MY HAND and the seal of said City hereto affixed this _____ day of _____, 2024.

Sally Hinrichsen, City Clerk/Treasurer

(Seal)


(Please attach hereto copies of written requests for deferment.)

(NOT TO BE EXECUTED UNTIL 10 DAYS AFTER THE DATE OF HEARING ON RESOLUTION OF NECESSITY.)

PRELIMINARY ASSESSMENT PLAT AND SCHEDULE

**N. CHESTNUT STREET RECONSTRUCTION
CITY OF MONTICELLO, IOWA**

January 16, 2024

	<p>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.</p> <p><u>Colton J. Ingels</u> 1/11/24 Colton J. Ingels, P.E. Date</p> <p>License Number P27862 My License Renewal Date is December 31, 2024</p> <p>Pages or sheets covered by this seal: ALL</p> <p>_____ _____ _____</p>
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Prepared by:
SNYDER & ASSOCIATES, INC.
900 Bell Drive SW
Cedar Rapids, Iowa 52404
(319) 362-9394

Table of Contents

<u>Plat and Schedule</u>	<u>Page</u>
1. Instructions for Using Schedule	1
2. Project Description	1
3. Benefited Property	1
4. Assessment Amount	1
5. Assessment Methodology	2-3
6. Assessment Schedule	4
7. Assessment Plat	5

**Preliminary Assessment Plat and Schedule
N. CHESTNUT STREET RECONSTRUCTION
MONTICELLO, IOWA**

INSTRUCTIONS FOR USING SCHEDULE

To find the preliminary assessment against any given property, first, locate the property on the plat that is bound in this booklet and note the assessment number for that property. Then locate the assessment number that is listed in numerical order on the preliminary assessment schedule.

PROJECT DESCRIPTION

This project consists of; 25-foot wide and 7-inch thick PCC pavement with curb and gutter along North Chestnut Street from West 2nd Street to West 3rd Street and driveway replacement and sidewalk installation and/or replacement along North Chestnut Street, West 2nd Street, and West 3rd Street. New subdrain installation along North Chestnut Street from 1st Street to 3rd Street. Existing sidewalks and driveways removal and/or replacement as necessary to match new finished grade elevations. New water main and fire hydrant installation along North Chestnut Street. Water service installation to the right-of-way line or the curb stop location. New ADA-compliant sidewalk ramp installation within the project limits. Intersections with cross streets will be reconstructed as necessary to conform to the proposed alignment and grade of North Chestnut Street.

In addition to items included in the preliminary assessment for each property, specific owners participated in additional publicly funded private improvements within the assessment boundary. The private improvement assessments include private sidewalk replacement and private stair installation.

Pavement with PCC curb and gutter

STREET	FROM	TO
North Chestnut Street	2 nd Street	3 rd Street

BENEFITED PROPERTY

A portion of the cost of construction for the street improvements will be assessed against private property within the assessment district in accordance with the special benefits conferred on the property. The assessment district is made up of lots or portions of lots that are within the boundaries established by the Monticello City Council and is generally described as:

All properties adjacent to the proposed curb for the project are considered benefited properties.

A general description of the private property that will be assessed for the street improvements is as follows:

Please refer to the Assessment Schedule for detail on the private property parcel information.

ASSESSMENT AMOUNT

The assessment amount will be 100% of the cost of the curb and gutter, 100% of the cost of the driveway entrances, 100% of the cost of a standard 4-foot wide sidewalk, not the 5-foot wide sidewalk to be installed on this project, 100% of the cost of the stairs, and 100% of the cost of the private stairs.

ASSESSMENT METHODOLOGY

- Curb and gutter assessments being made on all abutting properties to North Chestnut Street, West 2nd Street, and/or West 3rd Street within the assessment boundaries will be based on a frontage foot method or the affected frontage that is abutting this Project.
- Driveway assessments being made on all improved driveways abutting properties to North Chestnut Street within the assessment boundaries will be based on the area needed to tie in the proposed driveway to the existing driveway within City design standards.
- Sidewalk and private sidewalk assessments being made on all abutting properties to North Chestnut Street, West 2nd Street, and/or West 3rd Street within the assessment boundaries will be based on 4-foot of the width of new sidewalk to be installed adjacent to the properties within the project limits.
- Stairs and private stairs assessments being made on all abutting properties to North Chestnut Street within the assessment boundaries will be based on the total cost to construct the steps.
- The cost for curb and gutter to be assessed will be \$40.00 per foot of affected frontage to the new curb and gutter.
- The cost for driveway entrances to be assessed will be \$7.80 per square foot of 6” PCC that is abutting North Chestnut Street.
- The cost for the sidewalk and private sidewalk to be assessed will be \$6.75 per square foot of 4” PCC that is abutting North Chestnut Street.
- The cost for stairs to be assessed will be a \$15,000.00 lump sum for stairs within the project ROW area.
- The cost for private stairs to be assessed will be a \$3,000.00 lump sum for stairs outside of the project ROW area within the assessment boundaries.
- This methodology is an attempt to assign an assessed cost that is equal to each benefited property.
- The estimated individual and total amount to be assessed is determined by the following procedure:

$$\text{Amount to be assessed} = (\text{AF} \times \$40.00) + (\text{DE} \times \$7.80) + (\text{SW} \times \$6.75) + (\text{PW} \times \$6.75) + (\text{ST} \times \$15,000.00) + (\text{PS} \times \$3,000.00)$$

Where, AF = Assessed Frontage of benefited property
 DE = Driveway Entrance area in square feet
 SW = Sidewalk area in square feet
 PW = Private Sidewalk in square feet
 ST = Stairs as a lump sum
 PS = Private Stairs as a lump sum

Total lineal footage for curb and gutter being assessed = 867.8 LF

Total square footage for driveway entrances being assessed = 709 SF

Total square footage for sidewalk being assessed = 1,192.1 SF

Total square footage for private sidewalk being assessed = 118.8 SF

Total for stairs being assessed = 1 LS

Total for private stairs being assessed = 1 LS

Total assessment cost = \$ 67,090.99

**Preliminary Assessment Schedule
N. Chestnut St. Reconstruction
Prepared By: Snyder and Associates, Inc. (Proj. # - 123.0484.08)
City of Monticello, Iowa
1/16/2024**

PARCEL ASSESS. NUMBER	PARCEL ID	OWNER/DEED HOLDER	PARCEL DESCRIPTION	ASSESSED VALUE	VALUE FIXED BY COUNCIL	FRONTAGE L.F.	AFFECTED FRONTAGE L.F.	DRIVEWAY ENTRANCE S.F.	SIDEWALK S.F.	PRIVATE SIDEWALK S.F.	STAIRS L.S.	PRIVATE STAIRS L.S.	PRELIMINARY ASSESSMENT AMOUNTS				% OF EPC
													PRIVATE IMPROVEMENT ASSESSMENT SUBTOTAL (PIAS)	TOTAL COST (INCLUDES PIAS)	ASSESSMENT	DEFICIENCY	
1	0221483005	Church, First Congregational 123 N Chestnut St Monticello IA 52310	R.R. ADD E 100' LOTS 425 & 426	\$ 865,300	\$ 865,300	29.7	29.7	0.0	50.8	0.0	0	0	\$ -	\$ 1,530.90	\$ 1,530.90	\$ 0.00	0.267%
2	0221480012	Jacobs Family Trust 205 N Chestnut St Monticello IA 52310	R.R. ADD LOTS 400 & 401; E 22' LOTS 402 & 403; & ALL ADJ VAC ALLEY	\$ 447,470	\$ 447,470	122.8	122.8	0.0	161.2	118.8	0	1	\$ 3,801.90	\$ 9,802.00	\$ 9,802.00	\$ 0.00	1.706%
3	0221480008	Eggers, Erich J & Lisamarie 215 N Chestnut St Monticello IA 52310	R.R. ADD LOT 399; S 1/2 LOT 398; E 15' LOT 404; E 15' S 1/2 LOT 405; & ALL ADJ VAC ALLEY	\$ 254,240	\$ 254,240	75.0	75.0	228.2	30.4	0.0	0	0	\$ -	\$ 4,985.16	\$ 4,985.16	\$ 0.00	0.868%
4	0221480007	Tuetken, Joseph R 221 N Chestnut St Monticello IA 52310	R. R. ADD LOT 397 & N 1/2 LOT 398; S 1/2 LOT 396; & E 1/2 ADJ VAC ALLEY	\$ 202,360	\$ 202,360	100.0	100.0	226.0	50.0	0.0	1	0	\$ -	\$ 21,100.51	\$ 21,100.51	\$ 0.00	3.674%
5	0221480006	Martin, Michael D & Susan M 316 W Grand St Monticello IA 52310	R.R. ADD LOT 395; N 1/2 LOT 396; & E 1/2 ADJ VAC ALLEY	\$ 151,070	\$ 151,070	79.5	79.5	0.0	316.8	0.0	0	0	\$ -	\$ 5,318.40	\$ 5,318.40	\$ 0.00	0.926%
6	0221476025	Batman, Michael B & Wigginton, Lisa A 125 N Main St Monticello IA 52310	R.R. ADD LOTS 279-281 & E 9.5' LOTS 268-270	\$ 208,020	\$ 208,020	16.5	16.5	0.0	48.0	0.0	0	0	\$ -	\$ 984.00	\$ 984.00	\$ 0.00	0.171%
7	0221477005	Mcquillen, Elizabeth A & Logan 302 N Chestnut St Monticello IA 52310	R.R. ADD LOT 282	\$ 198,810	\$ 198,810	24.2	24.2	0.0	38.1	0.0	0	0	\$ -	\$ 1,225.18	\$ 1,225.18	\$ 0.00	0.213%
8	0221481001	Zimmerman Buildings Inc 19243 Stone Bridge Rd Monticello IA 52310	R.R. ADD LOT 394 & N 41' LOT 393	\$ 184,620	\$ 184,620	95.7	95.7	0.0	180.6	0.0	0	0	\$ -	\$ 5,047.05	\$ 5,047.05	\$ 0.00	0.879%
9	0221481002	Zimmerman Buildings Inc 19243 Stone Bridge Rd Monticello IA 52310	R.R. ADD LOT 392 & S 9' LOT 393 & LOT 383	\$ 29,050	\$ 29,050	59.0	59.0	254.8	44.0	0.0	0	0	\$ -	\$ 4,644.45	\$ 4,644.45	\$ 0.00	0.809%
10	0221481003	Bartz, Robert A III & Graziano, Angel 216 Chestnut St Monticello IA 52310	R.R. ADD LOTS 384, 385, 390 & 391	\$ 194,690	\$ 194,690	100.0	100.0	0.0	100.6	0.0	0	0	\$ -	\$ 4,679.05	\$ 4,679.05	\$ 0.00	0.815%
11	0221481004	Adams, Michael L & Lisa A 218 W 2nd St Monticello IA 52310	R.R. ADD LOTS 388 & 389	\$ 243,690	\$ 243,690	129.2	129.2	0.0	125.2	0.0	0	0	\$ -	\$ 6,013.10	\$ 6,013.10	\$ 0.00	1.047%
12	0221484001	Erickson, Dalton R & Lambert, Lauren A 120 N Chestnut St Monticello IA 52310	R.R. ADD LOT 433	\$ 158,770	\$ 158,770	36.2	36.2	0.0	46.4	0.0	0	0	\$ -	\$ 1,761.20	\$ 1,761.20	\$ 0.00	0.307%
				TOTALS		867.8	867.8	709.0	1,192.1	118.8	1	1	\$ 3,801.90	\$ 67,091.00	\$ 67,091.00	\$ 0.00	11.680%

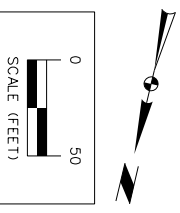
PRELIMINARY ASSESSMENT PLAT FOR N. CHESTNUT STREET RECONSTRUCTION



LEGEND
 21 ASSESSMENT
 PARCEL NUMBER

 ASSESSMENT
 BOUNDARY

 PROPERTY
 OWNER
 BOUNDARY



N. CHESTNUT STREET RECONSTRUCTION
PRELIMINARY ASSESSMENT PLAT
MONTICELLO, IOWA

SNYDER & ASSOCIATES, INC.
 900 BELL DRIVE S.W.
 CEDAR RAPIDS, IA 52404
 319-362-9394 | www.snyder-associates.com

PRELIMINARY ASSESSMENT		1/16/24	CJI
MARK	REVISION	DATE	BY
Engineer: CJI	Checked By: PDS	Scale: 1"= 50'	
Technician: CJN	Date: 1/16/24	Field Bk:	Pg:
Project No: 123.0484.08		Sheet 5	

SNYDER & ASSOCIATES

Project No: 123.0484.08
 Sheet 5

OPINION OF PROBABLE PROJECT COSTS



N. CHESTNUT STREET RECONSTRUCTION
 FROM W. 2ND STREET TO W. 3RD STREET
 MONTICELLO, IOWA
 123.0484.08

ITEM #	ITEM CODE	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENDED PRICE
1	2010-A	CLEARING AND GRUBBING	29.0	UNIT	\$ 70.00	\$ 2,030.00
2	2010-D-3	TOPSOIL, OFF-SITE	421	CY	\$ 40.00	\$ 16,830.24
3	2010-E	EXCAVATION, CLASS 10	1963	CY	\$ 13.00	\$ 25,519.00
4	2010-G	SUBGRADE PREPARATION	2235	SY	\$ 1.75	\$ 3,911.98
5	2010-H	GRANULAR STABILIZATION	186	CY	\$ 45.00	\$ 8,382.81
6	2010-I	SUBGRADE TREATMENT, GEOGRID	2235	SY	\$ 6.30	\$ 14,083.13
7	2010-J	SUBBASE, MODIFIED, 12"	2235	SY	\$ 13.00	\$ 29,060.42
8	2010-J	SUBBASE, SPECIAL BACKFILL, 4"	407	SY	\$ 6.50	\$ 2,646.30
9	2010-K-1	REMOVAL OF STRUCTURE, RETAINING WALL	2	EA	\$ 5,000.00	\$ 10,000.00
10	2010-M	COMPACTION TESTING	1	LS	\$ 2,000.00	\$ 2,000.00
11	3010-B	ROCK EXCAVATION	11	CY	\$ 80.00	\$ 880.00
12	3010-C	TRENCH FOUNDATION	28.0	TON	\$ 50.00	\$ 1,400.00
13	3010-D	REPLACEMENT OF UNSUITABLE BACKFILL MATERIAL	443	CY	\$ 15.00	\$ 6,645.00
14	3010-F	TRENCH COMPACTION TESTING	1	LS	\$ 2,600.00	\$ 2,600.00
15	4040-A	SUBDRAIN, TYPE 1, SMOOTH INTERIOR, 6"	1450	LF	\$ 12.50	\$ 18,125.00
16	4040-C-1	SUBDRAIN CLEANOUT, TYPE A-2, 6"	16	EA	\$ 600.00	\$ 9,600.00
17	4040-D-1	SUBDRAIN OUTLETS AND CONNECTIONS, CONNECT TO EXISTING INTAKE, 6"	1	EA	\$ 300.00	\$ 300.00
18	4040-E	STORM SEWER SERVICE STUB, PVC, 4"	3	EA	\$ 400.00	\$ 1,200.00
19	5010-A-1	WATER MAIN, TRENCHED, PVC AWWA C900, 8"	598	LF	\$ 80.00	\$ 47,840.00
20	5010-A-2	WATER MAIN, TRENCHLESS, PVC AWWA C900, 8"	60	LF	\$ 220.00	\$ 13,200.00
21	5010-C	FITTING, 11.25 DEGREE BEND, 8"	2	EA	\$ 700.00	\$ 1,400.00
22	5010-C	FITTING, 45 DEGREE BEND, 8"	6	EA	\$ 750.00	\$ 4,500.00
23	5010-C	FITTING, 90 DEGREE BEND, 8"	1	EA	\$ 800.00	\$ 800.00
24	5010-C	FITTING, TEE, 8"X8"	1	EA	\$ 1,000.00	\$ 1,000.00
25	5010-C	FITTING, CROSS, 8"X8"	1	EA	\$ 1,000.00	\$ 1,000.00
26	5010-C	FITTING, CAP, 8"	1	EA	\$ 500.00	\$ 500.00
27	5010-C	FITTING, REDUCER	4	EA	\$ 650.00	\$ 2,600.00
28	5010-E-1	WATER SERVICE STUB, TYPE K COPPER, 1", SHORT SIDE (approx. 7ft)	3	EA	\$ 1,300.00	\$ 3,900.00
29	5010-E-2	WATER SERVICE STUB, TYPE K COPPER, 1", LONG SIDE (approx. 44ft)	2	EA	\$ 2,000.00	\$ 4,000.00
30	5010-G	WATER MAIN ABANDONMENT, FILL AND PLUG, 6"	549	LF	\$ 6.00	\$ 3,295.36
31	5010-H	WATER MAIN REMOVAL, 6"	80	LF	\$ 25.00	\$ 2,000.00
32	5020-A	VALVE, GATE, 8"	4	EA	\$ 2,500.00	\$ 10,000.00
33	5020-C	FIRE HYDRANT ASSEMBLY	2	EA	\$ 5,000.00	\$ 10,000.00
34	5020-E	FLUSHING DEVICE (BLOWOFF), 2"	2	EA	\$ 1,600.00	\$ 3,200.00
35	5020-J	FIRE HYDRANT ASSEMBLY REMOVAL	1	EA	\$ 750.00	\$ 750.00
36	5020-K	VALVE REMOVAL	1	EA	\$ 600.00	\$ 600.00
37	7010-A	PAVEMENT, PCC, 7"	2008	SY	\$ 50.00	\$ 100,391.70
38	7010-E	CURB AND GUTTER, 2.0', 7"	87	LF	\$ 30.00	\$ 2,610.00
39	7010-E	CURB AND GUTTER, 3.0', 7"	63	LF	\$ 40.00	\$ 2,520.00
40	7030-A-1	REMOVAL OF SIDEWALK	253	SY	\$ 10.00	\$ 2,527.71
41	7030-A-3	REMOVAL OF DRIVEWAY	50	SY	\$ 15.00	\$ 757.34
42	7030-E	SIDEWALK, PCC, 4"	232	SY	\$ 50.00	\$ 11,578.78
43	7030-E	SIDEWALK, PCC, 6"	97	SY	\$ 60.00	\$ 5,806.14
44	7030-G	DETECTABLE WARNING	125	SF	\$ 50.00	\$ 6,250.00
45	7030-H-1	DRIVEWAY, PAVED, PCC, 6"	79	SY	\$ 70.00	\$ 5,514.49
46	7040-A	FULL DEPTH PATCHES, HMA, 6"	235	SY	\$ 200.00	\$ 47,000.00
47	7040-H	PAVEMENT REMOVAL	610	SY	\$ 10.00	\$ 6,104.68
48	7040-999-A	REMOVAL AND SALVAGING BRICK PAVERS	14302	SF	\$ 1.10	\$ 15,732.20
49	8030-A	TEMPORARY TRAFFIC CONTROL	1	LS	\$ 5,000.00	\$ 5,000.00
50	9010-B	HYDRAULIC SEEDING, SEEDING, FERTILIZING, AND MULCHING, TYPE 1	0.40	AC	\$ 7,500.00	\$ 3,009.22
51	9040-A-2	SWPPP MANAGEMENT	1	LS	\$ 3,000.00	\$ 3,000.00
52	9040-D-1	FILTER SOCK, 12"	1117	LF	\$ 4.00	\$ 4,468.00
53	9040-D-2	FILTER SOCKS, REMOVAL	1117	LF	\$ 1.00	\$ 1,117.00
54	9040-T-1	INLET PROTECTION DEVICE, SURFACE-APPLIED	1	EA	\$ 100.00	\$ 100.00
55	9040-T-2	INLET PROTECTION DEVICE, MAINTENANCE	1	EA	\$ 30.00	\$ 30.00
56	9070-A	MODULAR BLOCK RETAINING WALL	178	SF	\$ 35.00	\$ 6,237.81
57	9071-A	SEGMENTAL BLOCK RETAINING WALL	382	SF	\$ 45.00	\$ 17,190.00
58	9080-A	CONCRETE STEPS, TYPE A	1	LS	\$ 3,000.00	\$ 3,000.00
59	9080-999-A	CONCRETE STEPS, PER PLAN	1	LS	\$ 15,000.00	\$ 15,000.00
60	9080-B	HANDRAIL, ALUMINUM	34	LF	\$ 200.00	\$ 6,800.00
61	11020-A	MOBILIZATION	1	LS	\$ 35,000.00	\$ 35,000.00

OPINION OF PROBABLE PROJECT COSTS



N. CHESTNUT STREET RECONSTRUCTION
 FROM W. 2ND STREET TO W. 3RD STREET
 MONTICELLO, IOWA
 123.0484.08

ITEM #	ITEM CODE	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENDED PRICE
62	11030-A	MAINTENANCE OF POSTAL SERVICE	1	LS	\$ 600.00	\$ 600.00
63	11030-B	MAINTENANCE OF SOLID WASTE COLLECTION	1	LS	\$ 750.00	\$ 750.00
64	11050-A	CONCRETE WASHOUT	1	LS	\$ 500.00	\$ 500.00
BID ALTERNATE 1						
65A	2010-J	SUBBASE, MODIFIED, 12" - BID ALTERNATE 1	-689	SY	\$ 13.00	\$ (8,957.00)
66A	2010-J	SUBBASE, MODIFIED, 15" - BID ALTERNATE 1	689	SY	\$ 16.00	\$ 11,024.00
67A	7010-A	PAVEMENT, PCC, 7" - BID ALTERNATE 1	-906	SY	\$ 50.00	\$ (45,300.00)
68A	7010-E	CURB AND GUTTER, 3.0', 7" - BID ALTERNATE 1	652	LF	\$ 40.00	\$ 26,080.00
69A	7010-999-A	INSTALLATION OF SALVAGED BRICK PAVERS - BID ALTERNATE 1	6201	SF	\$ 14.60	\$ 90,534.60
BID ALTERNATE 2						
70A	0000-999-A	STREET LIGHTING - BID ALTERNATE 2	1	LS	\$ 135,000.00	\$ 135,000.00
BASE BID TOTAL:						\$ 574,394.31
BID ALTERNATE 1 TOTAL:						\$ 73,381.60
BASE BID PLUS BID ALTERNATE 1:						\$ 647,775.91
BID ALTERNATE 2 TOTAL:						\$ 135,000.00
BASE BID PLUS BID ALTERNATES 1 & 2:						\$ 782,775.91

City Council Meeting
Prep. Date: 01/18/2024
Preparer: Sally Hinrichsen



Agenda Item: # 8
Agenda Date: 02/05/2024

Communication Page

Agenda Items Description: approving contract and performance and/or payment bonds for the Wastewater Treatment Facility Improvements Project

Type of Action Requested: Resolution	
Attachments & Enclosures: Resolution	Fiscal Impact: Budget Line Item: Budget Summary: Expenditure: Revenue:

Synopsis: The USDA has approved the increased funding for the Waste Water Treatment Facility project and has authorized the City to accept the bid of \$23,448,000 from Bill Bruce Builders for the project and issue the contract.

Background:

The City cannot award the bid prior to USDA concurrence. The USDA has updated the underwriting for the whole project for the increased costs, and has authorized the City to proceed with approval of the bid from Bill Bruce Builders in the amount of \$23,448,000.

On January 16, 2024 , the City Council award the bids on this project, to Bill Bruce Builders in the amount of \$23,448,000.

The Engineer has worked with the Contractor to get contract and performance and/or payment bonds for the Wastewater Treatment Facility Improvements Project. These documents were sent to the City Attorney for review.

Recommendation: Council approval is recommended.

MINUTES OF MEETING TO APPROVE
CONTRACT AND BONDS

435926-33

Monticello, Iowa

February 5, 2024

The City Council of the City of Monticello, Iowa, met on February 5, 2024 at 6:00 p.m., at the City Hall, Monticello, Iowa, pursuant to the rules of the Council.

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

Present: _____

Absent: _____.

After due consideration and discussion, Council Member _____ introduced and moved the adoption of the resolution next hereinafter set out, the same being a resolution approving an executed contract and performance and/or payment bonds for the Wastewater Treatment Facility Improvements Project. The motion was seconded by Council Member _____ and passed with record vote as follows:

Ayes: _____

Nays: _____.

Thereupon, the resolution was declared adopted, as follows:

RESOLUTION NO. _____

Resolution approving contract and performance and/or payment bonds for the Wastewater Treatment Facility Improvements Project

WHEREAS, the City Council of the City of Monticello, Iowa, has heretofore awarded a contract for the Wastewater Treatment Facility Improvements Project and fixed the amount of the performance and/or payment bonds to be furnished by such contractor, and instructed and authorized the Mayor and City Clerk to execute the said contract on behalf of the City, subject to the approval of the Council; and

WHEREAS, the said contract has been duly signed by the contractor and by the Mayor and City Clerk, and upon examination by this Council the same appears to be in proper form; and

WHEREAS, the contractor has filed satisfactory performance and/or payment bonds in the required amount;

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

Section 1. The aforementioned contract and performance and/or payment bonds are hereby approved and declared to be binding upon the parties thereto.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved February 5, 2024.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk

• • • •

There being no further business to come before the meeting, it was upon motion adjourned.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk

ATTESTATION CERTIFICATE:

STATE OF IOWA
JONES COUNTY
CITY OF MONTICELLO

SS:

I, the undersigned, City Clerk of the City of Monticello, Iowa, hereby certify that the attached is a true, correct and complete copy of the proceedings related to the approval of the executed contract and performance and/or payment bonds for the Wastewater Treatment Facility Improvements Project, including a true, correct and complete copy of the resolution referred to in such minutes.

WITNESS MY HAND this ____ day of _____, 2024.

Sally Hinrichsen, City Clerk

City Council Meeting
 Prep. Date 1/29/2024
 Preparer: Sally Hinrichsen



Agenda Item: # 9
 Agenda Date: 2/5/2024

Communication Page

Agenda Items Description: Resolution approving and Levying an Assessment for 231 North Cedar Street Sidewalk Repairs

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: Resolution will approve placing an assessment on 231 North Cedar Street for sidewalk repairs made by the city.

Background Information:

On May 7, 2023, City of Monticello hire Steve Monk Construction to repair the sidewalk at 231 North Cedar Street. The property owner and/or his family were making payments to pay off this bill. However, after receiving \$93.21 in payments, they stopped making payments. After numerous phone calls, letters and talking to them in person, they failed to make any additional payments. Iowa Code allows if any amount to be assessed (lien) against a property exceeds \$500.00, a city may permit the assessment to be paid in up to ten (10) annual installments, in the same manner and with the same interest rates provided for assessments against benefitted property in Iowa Code 384.

Council will need to determine the interest rate to be set for this assessment. The interest rate could be zero up to 9%, which is the maximum amount allowed under Iowa Code 74A.4.

Council approved an interest rate of 2.5% for the Special Assessments on North Sycamore Street Project.

Council approved an interest rate of 4% for previous other special assessments similar to this.

Staff Recommendation: It is recommended Council approves the proposed resolution levying the assessment and determine the rate for interest

The City of Monticello, Iowa

RESOLUTION

Approving and Levying an Assessment for 231 North Cedar Street for Sidewalk Repairs

WHEREAS, the City, in compliance with Chapter 364 of the Code of Iowa, hired Steve Monk Construction, Ltd to repair sidewalk for the property located at 231 Cedar Street after due, sufficient and legal notice, and has incurred expense associated therewith that has not, after demand, been satisfied by property owners, and

WHEREAS, the repair costs are reasonable and proper, and same reimburse the City for actual expenditures of the City associated with the Sidewalk repairs, and

WHEREAS, notice of the City's intent to impose a lien on the account holder's property, was mailed to the Owners as identified below more than thirty days ago, and said account remains past due and unsatisfied.

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

Section 1. The assessment upon 231 North Cedar Street in the following amounts are hereby confirmed and levied:

Name & Address of	Notice mailed to	Amount Due
Delinquent Bill:	Property Owner:	
Shane Mull	Shane Mull	\$ 546.79
231 N Cedar Street	231 N Cedar Street	<u>10.00</u> (Filing Fee)
Monticello, IA 52310	Monticello, IA 52310	\$ 556.79
TOTAL DUE		<u>\$ 556.79</u>

Section 2. The assessment, which exceeds Five Hundred Dollars (\$500.00), is hereby to be divided into 10 equal installments, as near as may be.

Section 3. All unpaid installments shall bear interest at the rate of 4% per annum, within 30 days after the filing Assessment with the County Treasurer,

Section 4. The first installment of the unpaid assessments shall be due and payable at the office of the County Treasurer of Jones County on the first day of July 2024, and shall

become delinquent from October 1, 2024, and then bear the same interest with the same penalties as ordinary taxes.

Section 5. Succeeding installments shall become due and payable in like manner on the first day of July in each of the years 2025 to 2033, inclusive.

Section 6. All unpaid installments of any assessment may be paid in full on any date, in which case interest shall be computed on the outstanding balance to the first day of December following the date of such payment; and additional annual installments may be paid after the current installment has been paid before December 1 without interest.

The property owner may elect to pay one half or all of the next annual installment of principal and interest of the special assessment prior to the delinquency date of the installment.

Section 7. The City Clerk is hereby authorized and directed to certify and file the assessment, herein referred to, with the County Treasurer of Jones County.

Section 8. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved this 5th day of February, 2024.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date 1/29/2024
Preparer: Sally Hinrichsen



Agenda Item: # 10
Agenda Date: 2/5/2024

Communication Page

Agenda Items Description: Resolution approving and Levying an Assessment for 345 East Third Street Sidewalk Repairs

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: Resolution will approve placing an assessment on 345 East Third Street for sidewalk repairs made by the city.

Background Information:

On November 21, 2023, City of Monticello hire Steve Monk Construction to repair the sidewalk at 345 East Third Street. The property owner and/or his family were sent notice to pay but failed to make a payment or to reach out to make arrangements to pay off this bill. Iowa Code allows if any amount to be assessed (lien) against a property exceeds \$500.00, a city may permit the assessment to be paid in up to ten (10) annual installments, in the same manner and with the same interest rates provided for assessments against benefitted property in Iowa Code 384.

Council will need to determine the interest rate to be set for this assessment. The interest rate could be zero up to 9%, which is the maximum amount allowed under Iowa Code 74A.4.

Council approved an interest rate of 2.5% for the Special Assessments on North Sycamore Street Project.

Council approved an interest rate of 4% for previous other special assessments similar to this.

Staff Recommendation: It is recommended Council approves the proposed resolution levying the assessment and determine the rate for interest

The City of Monticello, Iowa

RESOLUTION

Approving and Levying an Assessment for 345 East Third Street for Sidewalk Repairs

WHEREAS, the City, in compliance with Chapter 364 of the Code of Iowa, hired Steve Monk Construction, Ltd to repair sidewalk for the property located at 345 East Third Street after due, sufficient and legal notice, and has incurred expense associated therewith that has not, after demand, been satisfied by property owners, and

WHEREAS, the repair costs are reasonable and proper, and same reimburse the City for actual expenditures of the City associated with the Sidewalk repairs, and

WHEREAS, notice of the City's intent to impose a lien on the account holder's property, was mailed to the Owners as identified below more than thirty days ago, and said account remains past due and unsatisfied.

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

Section 1. The assessment upon 345 East Third Street in the following amounts are hereby confirmed and levied:

Name & Address of	Notice mailed to	Amount Due
Delinquent Bill:	Property Owner:	
Jason Eby	Jason Eby	\$ 638.70
345 East Third Street	345 East Third Street	<u>10.00</u> (Filing Fee)
Monticello, IA 52310	Monticello, IA 52310	\$ 638.70
TOTAL DUE		<u>\$ 638.70</u>

Section 2. The assessment, which exceeds Five Hundred Dollars (\$500.00), is hereby to be divided into 10 equal installments, as near as may be.

Section 3. All unpaid installments shall bear interest at the rate of 4% per annum, within 30 days after the filing Assessment with the County Treasurer,

Section 4. The first installment of the unpaid assessments shall be due and payable at the office of the County Treasurer of Jones County on the first day of July 2024, and shall

become delinquent from October 1, 2024, and then bear the same interest with the same penalties as ordinary taxes.

Section 5. Succeeding installments shall become due and payable in like manner on the first day of July in each of the years 2025 to 2033, inclusive.

Section 6. All unpaid installments of any assessment may be paid in full on any date, in which case interest shall be computed on the outstanding balance to the first day of December following the date of such payment; and additional annual installments may be paid after the current installment has been paid before December 1 without interest.

The property owner may elect to pay one half or all of the next annual installment of principal and interest of the special assessment prior to the delinquency date of the installment.

Section 7. The City Clerk is hereby authorized and directed to certify and file the assessment, herein referred to, with the County Treasurer of Jones County.

Section 8. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved this 5th day of February, 2024.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: 01/30/2024
Preparer: Russell Farnum



Agenda Item: 11
Agenda Date: 02/05/2024

Communication Page

Agenda Items Description: Resolution approving Plat of Parcel 2024-11

Type of Action Requested: Resolution

Attachments & Enclosures:

Resolution
Plat

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

Synopsis: Gary Hughes is purchasing a property that includes two mobile homes from Don “Red” Hughes. This property was subject to a pre-annexation agreement and is zoned C-1, General Business. The proposed new lot contains the vacant northern half of the large lot on which Hughes Garage is located, plus an existing 20’ wide lot to the far north end of the property, combining the two into one parcel of 1.44 acres. The proposed subdivision is logical and approval is recommended.

Background: In 2012 the City annexed this area and provided utilities. Since that time the infrastructure to service the subdivision has been installed and the buildings have been hooked up to City water and sewer. The Hughes Garage property was substantially cleaned up.

As a result, no new streets, water or sewer mains are necessary to service the new lot as shown on the plat. The plat appears to be correct in form and documentation. It will eliminate a 20’ wide nonconforming lot and combine it into a larger, conforming parcel.

The two existing mobile homes on the property are already non-conforming but are allowed to continue in accordance with the pre-annexation agreement. A copy of that is included in the packet for reference.

The Planning and Zoning Board reviewed this request at their regular meeting of January 23, 2024, and unanimously recommended approval.

Recommendation: This plat will create a conforming lot, although the nonconforming mobile homes are allowed to remain. Approval is recommended.

The City of Monticello, Iowa

RESOLUTION #

Approving Plat of Survey to Parcel 2024-11

WHEREAS, The Plat of Survey to Parcel 2024-11 has been presented to the City Council for approval, same being located within the City Limits of the City of Monticello, and

WHEREAS, The Plat of Survey was created to combine the vacant northern half of the large lot on which Hughes Garage is located, plus an existing 20' wide lot to the far north end of the property, combining the two into one parcel of 1.44 acres, and

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

WHEREAS, The City Council finds that the Plat of Survey to Parcels 2024-11 should be approved.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve the Plat of Survey to Parcel 2024-11.

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 5th day of February, 2024.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

INDEX LEGEND

LOCATION: PART OF THE SE1/4 SW1/4 OF SEC. 16, T86N, R3W
 PROPRIETORS: CONTRACT HOLDER: HUGHES ISLAND LLC
 DEED HOLDER: DONALD M. HUGHES
 REQUESTOR: GARY HUGHES
 SURVEYOR: BILL BURGER
 SURVEYOR COMPANY: WM. BURGER LANDSURVEYOR
 RETURN TO: BILL BURGER, 510 3RD STREET WEST COURT,
 WORTHINGTON, IA 52078 | (563) 855-2028

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

PLAT OF SURVEY

PARCEL 2024-11 PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION SIXTEEN (16), TOWNSHIP EIGHTY-SIX NORTH (T86N), RANGE THREE WEST (R3W) OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF MONTICELLO, JONES COUNTY, IOWA

LEGEND

- SET 1/2" IRON ROD W/ YELLOW CAP #12642
- FD. 1/2" IRON ROD W/ YELLOW CAP #12642
- ⊕ FD. 1" GAS PIPE W/ YELLOW CAP #2435
- BOUNDARY LINE SURVEYED
- - - SECTION LINE AND OR 1/4 OR 1/4 1/4 SEC. LINE
- - - R.O.W. LINE
- - - CENTER LINE
- () RECORDED AS

LOT 1 - YEOMAN'S INDUSTRIAL PARK 1ST ADDITION

N1/4 CORNER SEC. 16, T86N, R3W
 FD. 5/8" IRON ROD W/ ORANGE MARRED CAP

SW CORNER LOT 1 - YEOMAN'S INDUSTRIAL PARK 1ST ADDITION

(N 90°00'00" W 420.00')
 (N 89°51'20" W 426.82')
 N 89°18'53" E 426.60'

354.47'
 DEED - BOOK 253, PAGE 105

NOTE: THIS PLAT IS SUBJECT TO ANY LEASES, EASEMENTS, RESERVATIONS RESTRICTIONS, AND RIGHTS OF WAY OF RECORD AND NOT OF RECORD

PARCEL 2024-11

1.44 +/- ACRES TOTAL
 0.10 +/- ACRES R.O.W.
 1.34 +/- ACRES NET

PARCEL 2019-73
 INST. # 2019-2971
 (NORTH)
 N 00°39'10" W 165.16'

PART OF LOT 10 INDUSTRIAL PARK 3RD ADDITION MONTICELLO, IOWA

360.62'
 S 89°03'53" W 375.00'

DEED - BOOK 113, PAGE 444

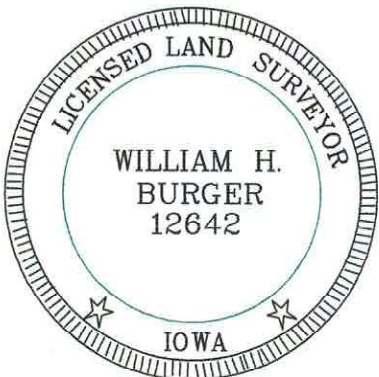


LINE	BEARING	DISTANCE
L1	S 00°28'18" W (N 01°22'40" E)	20.04' (20.00')
L2	S 89°09'26" W (S 90°00'00" E)	51.19'
L3	N 09°51'07" W	38.84'

S1/4 CORNER SEC. 16, T86N, R3W
 FD. 5/8" IRON ROD W/ ORANGE MARRED CAP

HARDSCRABBLE ROAD

N 00°28'16" E 5315.23'
 (N 01°19'55" E 5314.88')



DATE OF SURVEY: 12/14/2023

SCALE: 1" = 50'

SHEET 1 OF 3

PROPRIETORS: SEE INDEX LEGEND

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

William H. Burger 1/16/24
 WILLIAM H. BURGER #12642 DATE

Wm. Burger
LandSurveyor

510 3rd Street West Court
 Worthington, Iowa 52078

LEGAL DESCRIPTION

PARCEL 2024-11 – Part of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section Sixteen (16), Township Eighty-six North (T86N), Range Three West (R3W) of the Fifth Principal Meridian, in the City of Monticello, Jones County, Iowa; containing a total of 1.44 acres more or less, including 0.10 acres more or less of public road right of way, **subject to easements, reservations, restrictions, and rights of way of record and not of record** and more particularly described by metes and bounds as follows:

COMMENCING at the South Quarter (S1/4) corner of Section Sixteen (16), Township Eighty-six North (T86N), Range Three West (R3W) of the Fifth Principal Meridian, Jones County, Iowa;

Thence North 00°-28'-16" East 302.00 feet along the East line of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of said Section Sixteen (16) to the **POINT OF BEGINNING**, corner also being the Southeaster corner of a parcel described by deed recorded in Book 253, Page 105 in the Office of the Jones County Recorder;

Thence South 89°-09'-26" West 51.19 feet along the South line of said parcel to the Northeast corner of a plot of land described by deed recorded in Book 113, Page 444 in the Office of the Jones County Recorder;

Thence South 00°-42'-10" East 143.17 feet along the East line of said plot of land described by deed in Book 113, Page 444;

Thence South 89°-03'-53" West 375.00 feet to the West line of said plot of land described by deed recorded in Book 113, Page 444, corner also being the Southeast corner of Parcel 2019-73 as recorded in Instrument #: 2019-2971 in the Office of the Jones County Recorder;

Thence North 00°-39'-10" West 165.16 feet along the West line of said plot of land described by deed recorded in Book 113, Page 444 and along the West line and to the Northwest corner of said parcel described by deed recorded in Book 253, Page 105, corner also being the Southwest corner of Lot 1 of Yeoman' s Industrial Park First Addition as recorded in Plat Book K, Page 61 in the Office of the Jones County Recorder;

Thence North 89°-18'-53" East 426.60 feet along the Northerly line and to the Northeasterly corner of said parcel described by deed recorded in Book 253, Page 105, corner also being the Southeast corner of said Lot 1;

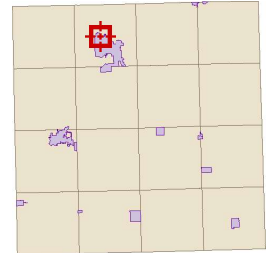
Thence South 00°-28'-16" West 20.04 feet along the East line of said Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) to the **POINT OF BEGINNING**, containing a total of 1.44 acres more or less, including 0.10 acres more or less of public road right of way, **subject to easements, reservations, restrictions, and rights of way of record and not of record.**

The East line of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section Sixteen (16), Township Eighty-six North (T86N), Range Three West (R3W) of the Fifth Principal Meridian of Jones County, Iowa is assumed to bear North 00°-28'-16" East.

	<p><u>SURVEYORS CERTIFICATE</u></p> <p>I hereby certify that this land survey document was prepared and related survey work was performed by me or under my direct personal supervision, and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa;</p> <p>My license renewal date is December 31, 2024</p> <p><i>William H. Burger</i> 1/16/24 William H. Burger Date Reg. No. 12642</p> <p>Sheet No. <u>2</u> covered by this seal</p>
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Overview



Legend

Parcels

-  Structures on Leased Land
-  Parcels
-  Cartography
-  Lot Lines
-  Major Roads
-  Road Centerline

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

Date created: 1/16/2024

Last Data Uploaded: 1/15/2024 5:19:21 PM

Developed by  **Schneider**
GEOSPATIAL

INDEX LEGEND

LOCATION: PART OF THE SE1/4 SW1/4 OF SEC. 16, T86N, R3W
 PROPRIETORS: CONTRACT HOLDER: HUGHES ISLAND LLC
 DEED HOLDER: DONALD M. HUGHES
 REQUESTOR: GARY HUGHES
 SURVEYOR: BILL BURGER
 SURVEYOR COMPANY: WM. BURGER LANDSURVEYOR
 RETURN TO: BILL BURGER, 510 3RD STREET WEST COURT,
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PREPARED BY BILL BURGER 510 3RD STREET WEST COURT, WORTHINGTON, IOWA 52078 (563) 855 2028

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LOT 1 - YEOMAN'S
 INDUSTRIAL PARK
 1ST ADDITION

SW CORNER
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(NORTH)

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 S 89°03'53" W 375.00'

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S 00°42'10" E 143.17'
 (SOUTH)

(N 01°22'40" E 302.00')

N 00°28'16" E 5315.23'
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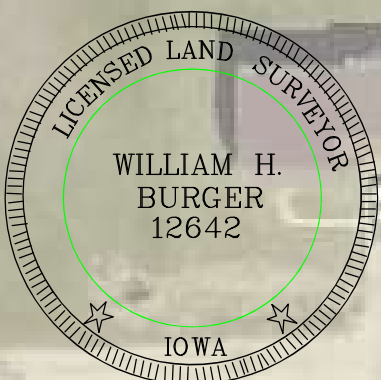
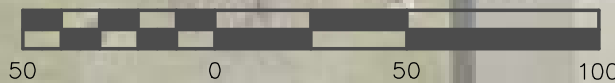
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 FD. 5/8" IRON ROD W/
 ORANGE MARRED CAP

PART OF LOT 10
 INDUSTRIAL PARK 3RD ADDITION
 MONTICELLO, IOWA



LINE	BEARING	DISTANCE
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DATE OF SURVEY: 12/14/2023

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SHEET 1 OF 3

PROPRIETORS: SEE INDEX LEGEND

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 UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY
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 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024

Wm. Burger
LandSurveyor

510 3rd Street West Court
 Worthington, Iowa 52078

NO. OF SHEETS COVERED BY THIS SEAL: 1

WILLIAM H. BURGER

#12642

DATE

PREANNEXATION AGREEMENT

This Preannexation Agreement is entered into by and between the City of Monticello, a municipal corporation (hereinafter referred to as “City”) and Donald M. Hughes (hereinafter collectively referred to as “Owner”).

WITNESSETH:

WHEREAS, Owner owns property legally described as set out on Exhibit “A”, attached hereto, hereinafter referred to as “Subject Property”; and

WHEREAS, The Subject Property is presently located entirely within Jones County, Iowa, and outside the corporate limits of any other city; and

WHEREAS, Subject Property is presently contiguous with the corporate boundaries of the City of Monticello, and

WHEREAS, Owner and City have agreed to the Annexation of the Subject Property to the City of Monticello.

NOW, THEREFORE, in furtherance of the above desires and objectives, the parties agree as follows:

- (1) That the owner will by virtue of entry into this Preannexation agreement voluntarily consent to the annexation of Subject Property.
- (2) The Subject Property will, upon annexation, be zoned “C-1” Commercial, pursuant to the Code of Ordinances, City of Monticello; and

- (3) The Owner will, by June 1, 2015, connect all structures to both City water and sewer. At that time, the use of all private wells, including sand point wells, if any, and all septic systems, of any kind and nature, shall be discontinued with the understanding that water and sewer will be metered and paid for at the Water and Sewer Rates as are set out within the City Ordinances in effect at the present and as may be changed from time to time by action of the City Council. One water and one sewer line will be required for the Hughes Garage Lot and one water and one sewer line will be required for the lot adjacent to and just to the north of the Hughes Garage lot, the "2nd Lot", with the understanding that there will be a water shut off for each trailer, home, or other independent unit with water service on the 2nd lot.
- (4) All wells and septic tank systems shall be abandoned, simultaneous with the city water and sewer connections. Well pumps shall be pulled and appropriate steps taken to plug and seal the well(s). Septic tanks shall be removed, or appropriately breached and filled. The process of connecting to water and sewer and abandoning wells and septic systems shall be subject to the inspection and review of the City of Monticello.
- (5) The closure of septic tank(s) contemplated herein and the capping of well(s) and the costs of connection to the City Sewer and Water Mains shall be the sole responsibility of the Owner. Owner will not be assessed costs related to the original installation of water and sewer mains to which owner will be connecting, but will, however, pay the normal, usual, and customary costs of connecting to City sewer and water.
- (6) The City and Owner agree that Owner shall be given until June 1, 2015 to come into compliance with the City Code requirements in place at the present time or as may be amended from time to time with regard to the storage of "Junk Vehicles" and other nuisance ordinances related to the storage or maintenance of Junk Vehicles and related parts or other junk equipment on the grounds of the subject property, and owners property adjacent to subject property.
- (7) The City and Owner agree that the continued use of that portion of the property presently used for residential purposes shall be allowed to continue as a permitted non-conforming use with the understanding that the non-conforming use cannot be expanded in any fashion and that the homes located on the property cannot be replaced if moved or removed, destroyed by fire, storm, or other disaster, or damaged in an any manner that results in a determination by an insurance adjuster or licensed building inspector that the total damage exceeds one-half of the assessed property value of said structure, i.e. "substantially damaged". However, if the home in which Owner's mother currently resides is so damaged or destroyed while she is still residing there it may be restored or replaced,

and, in that event, it may remain thereafter if and/or until it is again substantially damaged or destroyed at which time it could only be repaired or replaced if Owner's mother continued to reside there.

- (8) The Owner agrees that it cannot, subsequent to the entry herein, withdraw the consent set out herein to the voluntary annexation of the subject property.

WHEREAS, Based upon the agreements set forth herein, the owner will, simultaneous with the entry into this agreement, execute an Application for Voluntary Annexation of the Subject Property subject to the conditions set forth in this Pre-annexation Agreement. The failure of either party hereto to comply with the terms or conditions set forth herein are enforceable by any appropriate legal means. All provisions set forth above shall survive the annexation of Subject Property and shall be binding on the parties thereafter as applicable.

This Agreement shall be binding on and shall inure to the benefit of all successors, assigns and grantees of the City and Owner(s).

“OWNER”

By: _____
Donald M. Hughes

STATE OF IOWA)
)§
COUNTY OF JONES)

On this ___ day of _____, 2012, before me, the undersigned, Notary Public in and for said county and state, personally appeared Donald M. Hughes, known to me to be the identical person named herein, who swore and affirmed that he executed the above and foregoing at his sole discretion, as an expression of his voluntary act and deed.

Notary Public, State of Iowa

“CITY”

CITY OF MONTICELLO

ATTEST:

By: _____
Dena Himes, Mayor

Sally Hinrichsen, City Clerk

STATE OF IOWA)
)§
COUNTY OF JONES)

On this ___ day of _____, 2012, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Dena Himes and Sally Hinrichsen, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Monticello, Iowa; that the seal affixed to foregoing instrument was signed and sealed on behalf of the corporation by authority of its City Council and that the Mayor and City Clerk as such officers acknowledged the execution of said instrument to be the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public, State of Iowa

Exhibit "A"

Legal Description

A PLOT OF LAND CONTAINING 3 ACRES, MORE OR LESS, LOCATED IN SECTIONS 16 and 21, TOWNSHIP 86, NORTH, RANGE 3, West of the 5th P.M., Jones County, Iowa, described as follows: STARTING at a point 46 feet South and 45 feet West of the Northeast corner of the NW $\frac{1}{4}$ of Section 21, Township 86, North, Range 3, West of the 5th P.M.; thence West 375 feet; thence North 348 feet; thence East 375 feet; thence South 348 feet to the point of commencement. SUBJECT TO easement for ingress and egress over the South 14 feet thereof, reserved to George Mead and Louise Mead, their heirs or assigns.

Commencing at the Southwest corner of Section 16, Township 86, North, Range 3, West of the 5th P.M., thence South 90°00'00" East 2607.89 feet, thence North 01°22'40" East 302.00 feet to the point of beginning of the premises herein described; thence continuing North 01°22'40" East 20.00 feet, thence North 90°00'00" West 420.00 feet, thence South 01°22'40" West 20.00 feet, thence South 90°00'00" East 420.00 feet to the point of beginning.

SUBJECT TO the rights of the public in all highways and to all easements of record.

City Council Meeting
Prep. Date: 01/18/24
Preparer: Russell Farnum



Agenda Item: # 12
Agenda Date: 02/05/24

Communication Page

Agenda Items Description: Resolution Approving Preliminary and Final Plat of Brad Stephen's Third Addition

Type of Action Requested: Resolution

Attachments & Enclosures:

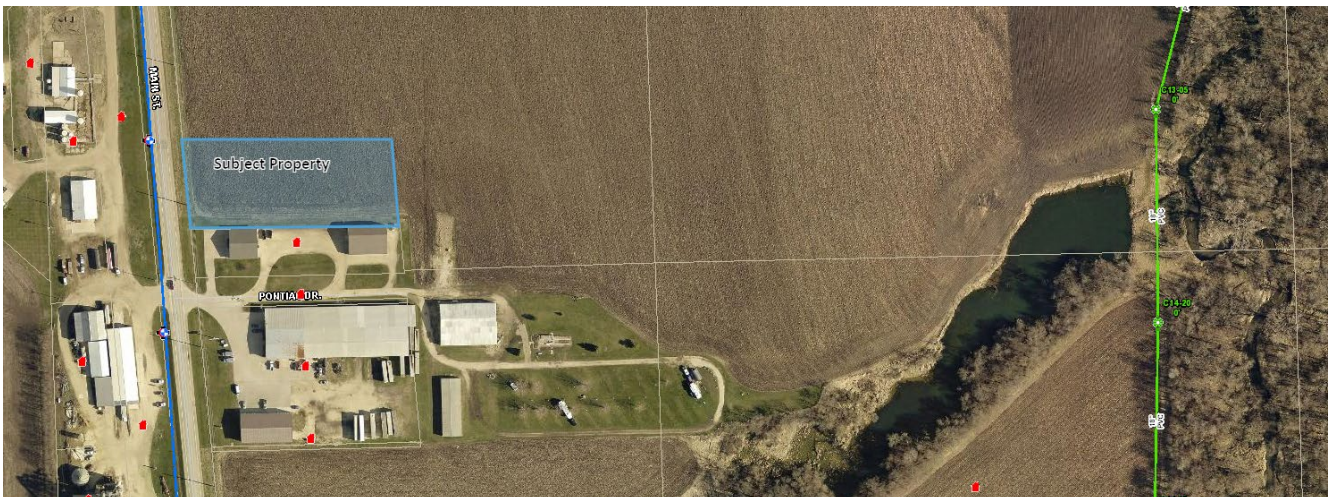
Plat(s)
Resolution

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

Synopsis: Tyler and Jaime Freye are hoping to build a new veterinary clinic on a 2-acre parcel near Oak Street Logistics. Roger Stephen has proposed to subdivide off the parcel, with a plat known as Brad Stephen's Third Addition.

Background: The proposed Parcel is on the east side of South Main Street. Access to South Main would be via Pontiac Drive and a private roadway easement to the east. There may be access directly to South Main Street on a shared access easement on the north end of the lot.

The subject property is shown below:



While the property is serviced with water on the west side of Main Street, the sewer is quite a way away at Kitty Creek. The cost to bring sewer to this property is estimated at just over \$320,000, which would make this singular project infeasible on its own.

The Freye's are wanting to start construction as soon as March. In as much as annexation of the property in order to develop inside the City Limits and with city services is desirable, there is not a feasible way the City can deliver the services (esp. sewer) in a manner that would allow for the timely construction of the new vet clinic.

The Planning and Zoning Board reviewed this request at their regular meeting of January 23, 2024, and unanimously recommended approval.

Recommendation: The plat is correct and complete. Approval is recommended.

The City of Monticello, Iowa

RESOLUTION NO.

Approving the Preliminary and Final Plat of Brad Stephen's
Third Addition, Jones County, Iowa, all in Jones County, Iowa

WHEREAS, There has been filed with the City Clerk a Preliminary and Final Plat of Brad Stephen's Third Addition, Jones County, Iowa, a subdivision of Lot 1 of Third Addition, all in Jones County, Iowa

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

WHEREAS, Said final plat has been examined by the City Council and they find that the same conforms to the statutes and ordinances relating thereto; and

WHEREAS, The City Council concurs that the final plat of Brad Stephen's Third Addition, Jones County, Iowa, a subdivision of Lot 1 of Third Addition, all in Jones County, Iowa, should be approved.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve the Final Plat of Brad Stephen's Third Addition, Jones County, Iowa, a subdivision of Lot 1 of Third Addition, all in Jones County, 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 5th day of February, 2024.

Wayne Peach, Mayor

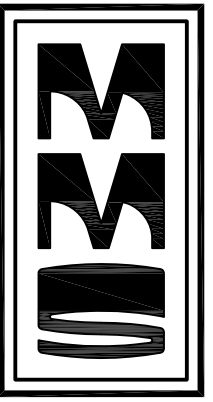
Attest:

Sally Hinrichsen, City Clerk/Treasurer

LOCATION: A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 86 NORTH, RANGE 3 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, JONES COUNTY IOWA	SUBDIVIDER: ROGER W STEPHEN, 1011 S MAIN ST MONTICELLO, IOWA 52310
LAND SURVEYOR: RICHARD R. NOWOTNY P.L.S MMS CONSULTANTS INC. 1917 SOUTH GILBERT STREET IOWA CITY, IOWA, 52240 PHONE: 319-351-8282	PROPRIETOR OR OWNER: ROGER W STEPHEN, 1011 S MAIN ST MONTICELLO, IOWA 52310
DATE OF SURVEY: 10-24-2023	

FOR COUNTY RECORDER'S USE

FINAL PLAT BRAD STEPHEN'S THIRD ADDITION (SHEET 1 OF 2) JONES COUNTY, IOWA



CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.
IOWA CITY, IOWA 52240
(319) 351-8282

www.mmsconsultants.net

Date	Revision

DESCRIPTION - BRAD STEPHEN'S THIRD ADDITION

Commencing at the Northwest Corner of Section 34, Township 86 North, Range 3 West, of the Fifth Principal Meridian, Jones County, Iowa; Thence S00°03'12"E, along the West Line of the Northwest Quarter of said Section 34, a distance of 1234.22 feet; Thence S89°24'55"E, 376.11 feet, to the Northwest Corner of Parcel 2005-173, in accordance with the Plat thereof Recorded in Plat Book Q, at Page 121 of the Records of the Jones County Recorder's Office, a Point on the Easterly Right-of-Way Line of South Main Street, and the POINT OF BEGINNING; Thence N02°51'45"W, along said Easterly Right-of-Way Line, 200.36 feet; Thence S89°24'55"E, 435.60 feet; Thence S02°51'45"E, 200.36 feet, to the Northeast Corner of said Parcel 2005-173; Thence N89°24'55"W, along the North Line of said Parcel 2005-173, a distance of 435.60 feet, to the POINT OF BEGINNING. Said Brad Stephen's Third Addition contains 2.00 Acres, and is subject to easements and restrictions of record.

<p>SEAL</p>	<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 Professional Land Surveyor under the laws of the State of Iowa.</p> <p>_____ 20____</p> <p>RICHARD R. NOWOTNY P.L.S. Iowa Lic. No. 17916</p> <p>My license renewal date is December 31, 20 ____ .</p> <p>Pages or sheets covered by this seal: _____ _____ _____</p>
-------------	---

FINAL PLAT

**BRAD STEPHEN'S
THIRD ADDITION**

**JONES COUNTY
IOWA**

MMS CONSULTANTS, INC.

Date: **04-01-2024**

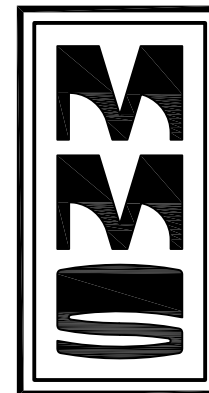
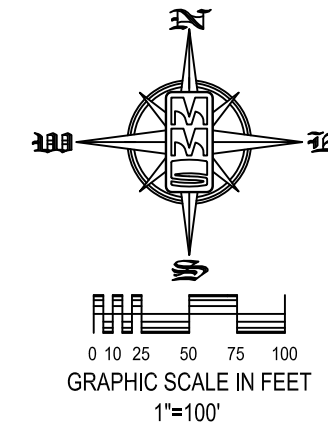
Designed by: RRN	Field Book No: 1328
Drawn by: RLW	Scale: 1"=200'
Checked by: RRN	Sheet No: 1
Project No: IC 7502-003	of: 2

PLAT APPROVED BY:	
JONES COUNTY BOARD OF SUPERVISORS:	
CHAIRPERSON	DATE

Signed before me this _____ day of _____, 20____ .
_____ Notary Public, in and for the State of Iowa.

LEGEND AND NOTES

- | | |
|--|--|
| <ul style="list-style-type: none"> ▲ CONGRESSIONAL CORNER, FOUND △ CONGRESSIONAL CORNER, REESTABLISHED △ CONGRESSIONAL CORNER, RECORDED LOCATION ● PROPERTY CORNER(S), FOUND (as noted) ○ PROPERTY CORNERS SET
(5/8" Iron Pin w/ yellow, plastic LS Cap embossed with "MMS") ⊗ CUT "X" (R) RECORDED DIMENSIONS (M) MEASURED DIMENSIONS | <ul style="list-style-type: none"> — PROPERTY &/or BOUNDARY LINES - - - CONGRESSIONAL SECTION LINES - - - RIGHT-OF-WAY LINES - - - CENTER LINES — LOT LINES, INTERNAL — LOT LINES, PLATTED OR BY DEED - - - EASEMENT LINES, WIDTH & PURPOSE NOTED - - - EXISTING EASEMENT LINES, PURPOSE NOTED |
|--|--|
- UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS

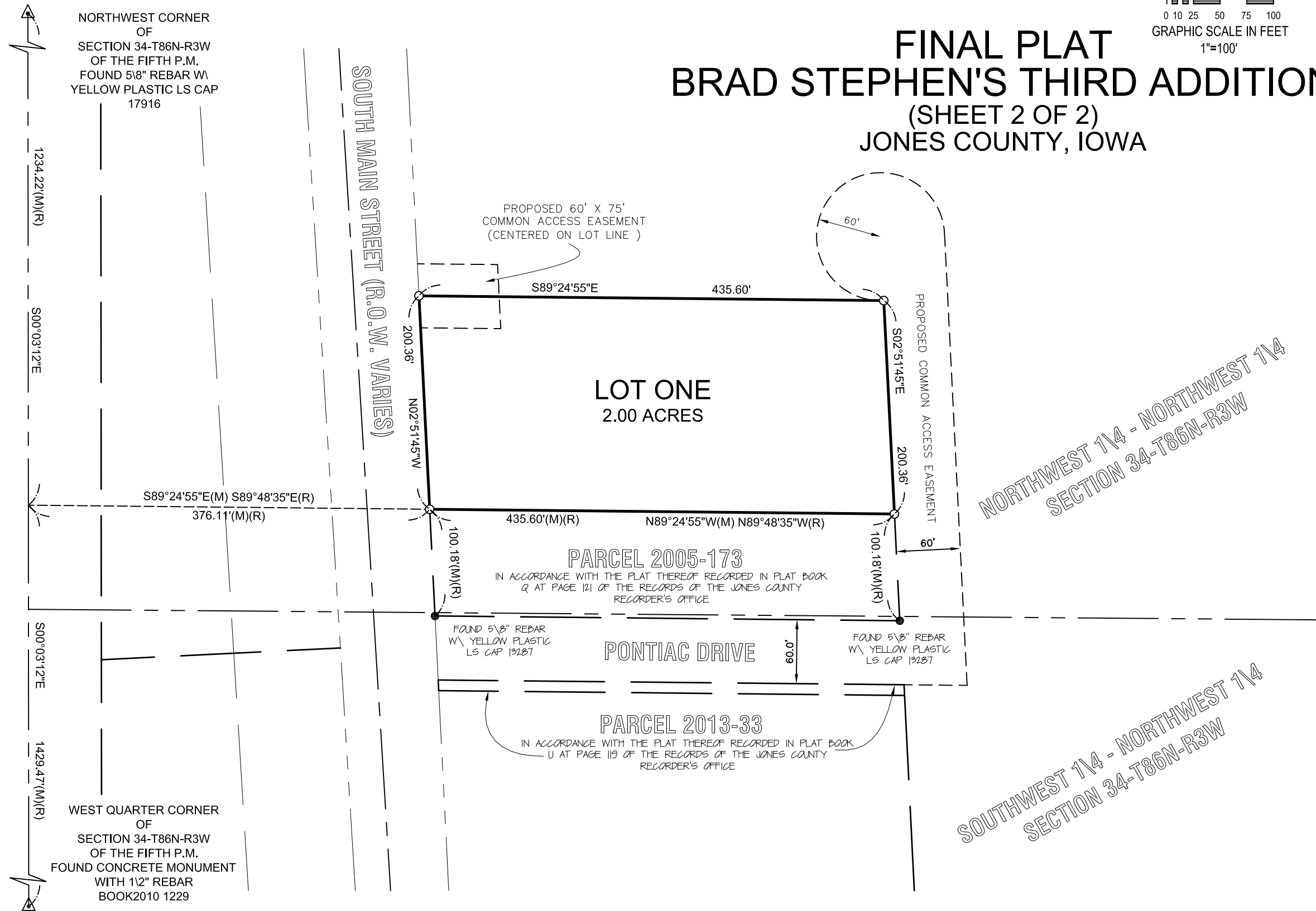


CIVIL ENGINEERS
 LAND PLANNERS
 LAND SURVEYORS
 LANDSCAPE ARCHITECTS
 ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.
 IOWA CITY, IOWA 52240
 (319) 351-8282

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FINAL PLAT
BRAD STEPHEN'S THIRD ADDITION
 (SHEET 2 OF 2)
 JONES COUNTY, IOWA



Date	Revision

FINAL PLAT

BRAD STEPHEN'S
THIRD ADDITION

JONES COUNTY
IOWA

MMS CONSULTANTS, INC.

Date:	04-01-2024	
Designed by:	RRN	Field Book No: 1328
Drawn by:	RLW	Scale: 1"=200'
Checked by:	RRN	Sheet No: 2
Project No:	IC 7502-003	of: 2

PRELIMINARY PLAT BRAD STEPHEN'S THIRD ADDITION JONES COUNTY, IOWA

PLAT PREPARED BY:
MMS CONSULTANTS INC.
1917 S. GILBERT STREET
IOWA CITY, IA 52240

OWNER/SUBDIVIDER:
ROGER W. STEPHEN
1011 SOUTH MAIN STREET
MONTICELLO, IOWA 52310

DEVELOPMENT CHARACTERISTICS

PROPOSED ZONING AND USE

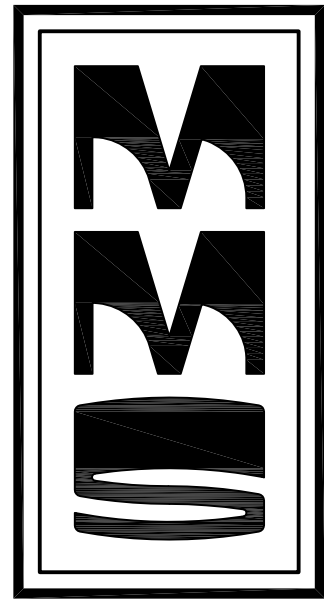
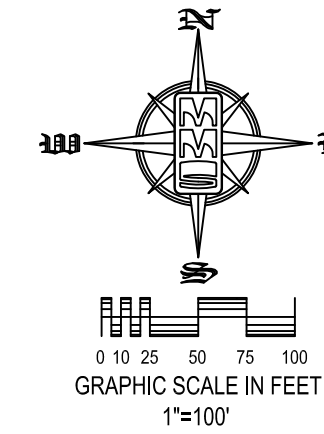
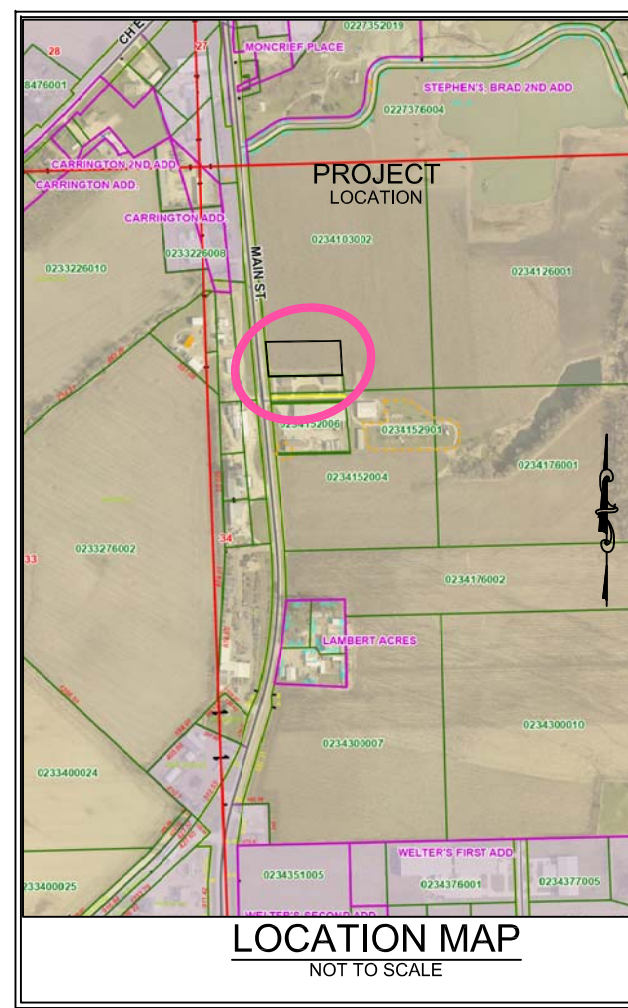
CURRENT ZONING = C1 (COMMERCIAL)

PRINCIPAL STRUCTURE
WIDTH = 150
FRONT YARD SETBACK = 30'
REAR YARD SETBACK = 30'
SIDE YARD SETBACK = 15'

WATER SYSTEM
CONNECT TO CITY WATER SYSTEM

SANITARY SEWER
PRIVATE ONSITE SEPTIC SYSTEM

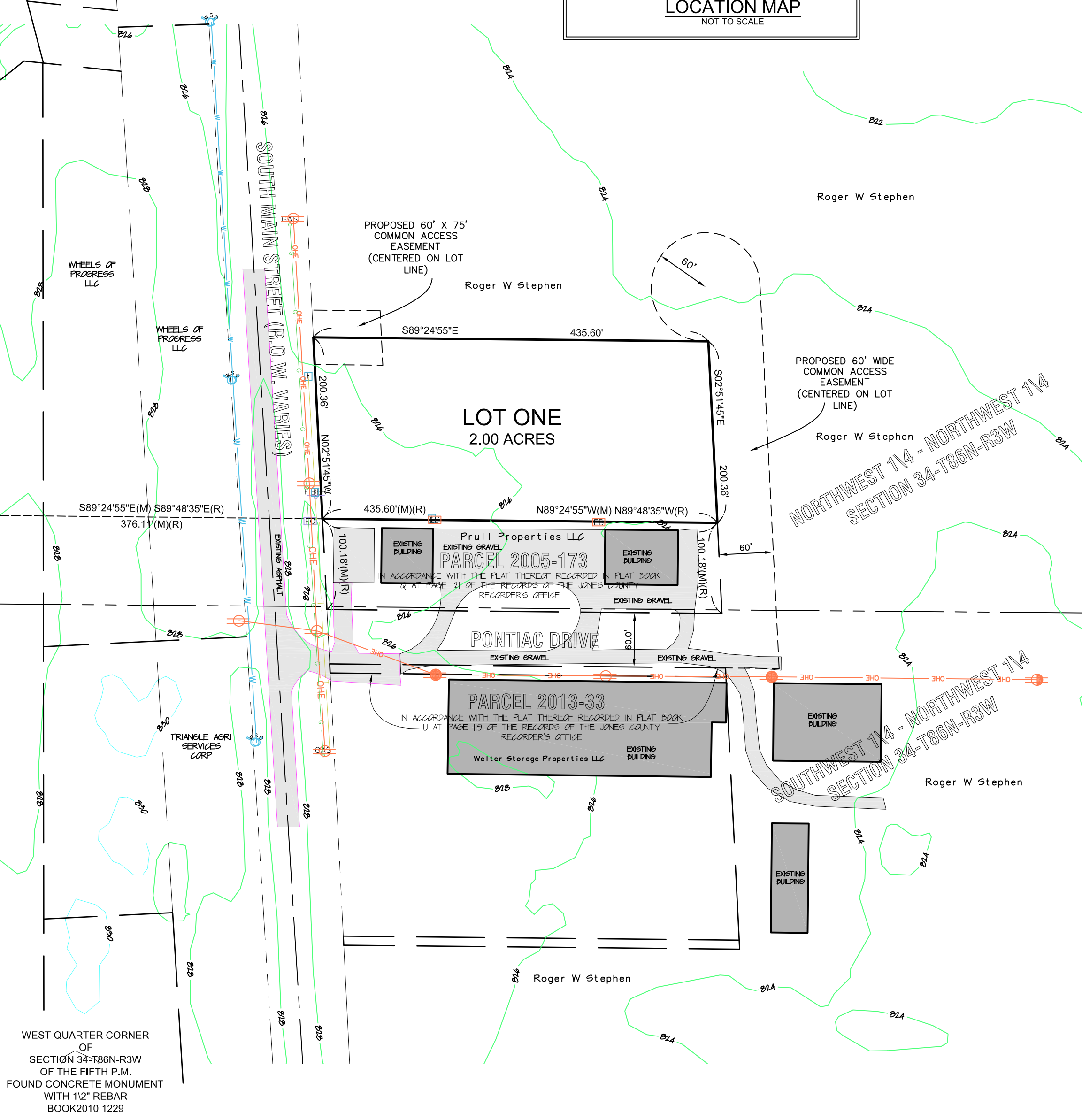
PUBLIC IMPROVEMENTS
THERE ARE NO PUBLIC IMPROVEMENTS OR DISTURBED AREAS FOR THIS SUBDIVISION.



CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
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NORTHWEST CORNER OF SECTION 34-T86N-R3W OF THE FIFTH P.M. FOUND 5/8" REBAR W/ YELLOW PLASTIC LS CAP 17916



LEGEND AND NOTES

- - PROPERTY CORNER(S), FOUND (Type as noted on Drawing)
- - PROPERTY CORNERS SET (5/8" Iron Pin w/ LS Cap)
- — — — — - PROPERTY &/or BOUNDARY LINES
- — — — — - CONGRESSIONAL SECTION LINES
- — — — — - RIGHT-OF-WAY LINES
- — — — — - CENTER LINES
- — — — — - LOT LINES, INTERNAL
- — — — — - LOT LINES, PLATTED OR BY DEED
- — — — — - EASEMENT LINES, WIDTH & PURPOSE NOTED
- (R) - RECORDED DIMENSIONS
- (M) - MEASURED DIMENSIONS
- ⊕ - UTILITY POLE
- ⊕ - UTILITY POLE W/ LIGHT
- ⊕ - FIRE HYDRANT, EXISTING
- — — — — - SANITARY SEWER LINE W/ MANHOLE
- — — — — - STORM SEWER LINE W/ MANHOLE
- ⊕ - WATER SHUT OFF VALVE
- ⊕ - EXISTING SIGN
- ⊕ - BENCHMARK LOCATION
- ⊕ - EXISTING TELEPHONE CAN
- ⊕ - SANITARY SEWER CLEANOUT
- ⊕ - EXISTING CHAIN LINK FENCE
- — — — — - WATER LINES
- — — — — - ELECTRICAL LINES
- — — — — - TELEPHONE LINES
- — — — — - GAS LINES
- — — — — - OVERHEAD
- — — — — - UNDERGROUND
- ⊕ - EXISTING TREE
- ⊕ - EXISTING PINE TREE

UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS
ERROR OF CLOSURE IS LESS THAN 1 FOOT IN 20,000 FEET
CONTOUR INTERVAL = 2 FOOT

Date	Revision

PRELIMINARY PLAT

BRAD STEPHEN'S
THIRD ADDITION

DESCRIPTION - BRAD STEPHEN'S THIRD ADDITION

Commencing at the Northwest Corner of Section 34, Township 86 North, Range 3 West, of the Fifth Principal Meridian, Jones County, Iowa; Thence S00°03'12"E, along the West Line of the Northwest Quarter of said Section 34, a distance of 1234.22 feet; Thence S89°24'55"E, 376.11 feet, to the Northwest Corner of Parcel 2005-173, in accordance with the Plat thereof Recorded in Plat Book Q, at Page 121 of the Records of the Jones County Recorder's Office, a Point on the Easterly Right-of-Way Line of South Main Street, and the POINT OF BEGINNING; Thence N02°51'45"W, along said Easterly Right-of-Way Line, 200.36 feet; Thence S89°24'55"E, 435.60 feet; Thence S02°51'45"E, 200.36 feet, to the Northeast Corner of said Parcel 2005-173; Thence N89°24'55"W, along the North Line of said Parcel 2005-173, a distance of 435.60 feet, to the POINT OF BEGINNING. Said Brad Stephen's Third Addition contains 2.00 Acres, and is subject to easements and restrictions of record.

PLAT APPROVED BY:	
JONES COUNTY BOARD OF SUPERVISORS:	
CHAIRPERSON	DATE

JONES COUNTY
IOWA

MMS CONSULTANTS, INC.

Date:	01-04-2023
Designed by:	RS
Field Book No.:	1328
Drawn by:	RLW
Scale:	1"=100'
Checked by:	RRN
Sheet No.:	1
Project No.:	IOWA CITY
7502-003	of 1

City Council Meeting
Prep. Date: 1/30/2024
Preparer: Sally Hinrichsen



Agenda Item: # 13
Agenda Date: 2/5/2024

Communication Page

Agenda Items Description: Resolution Rescinding Resolution #2024-12 Scheduling Public Hearing on City of Monticello 2023/2024 Fiscal Year budget amendments for February 19, 2024 at 6:00 p.m.

Type of Action Requested: Resolution

Attachments & Enclosures:

Resolution

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

Synopsis: Council adopted resolution #2023-183 on December 18, 2023, Approving the City’s Proposed Amendment #1 to the Fiscal Year 2023-2024 Budget, by a 5-1 vote. Mayor Goedken vetoed the Resolution and submitted his written explanation of the reason for his veto on December 28, 2023.

City Council meet on January 3, 2024 to consider the resolution to overturn the Mayor’s veto, which did not pass by the required 2/3 majority. Instead, the Council approved Scheduling Public Hearing on City of Monticello 2023/2024 Fiscal Year budget amendments for February 19, 2024 at 6:00 p.m. as set forth within Resolution #2024-12.

To save the cost of publication of the budget amendment notice, staff advised to rescind Resolution 2024-12 and continue to work until an agreement on the budget amendments could be reached, prior to setting the public hearing

Recommendation: Approval is recommended

The City of Monticello, Iowa

RESOLUTION

Rescinding Resolution #2024-12 Scheduling Public Hearing on City of Monticello 2023/2024 Fiscal Year budget amendments for February 19, 2024 at 6:00 p.m.

WHEREAS, the City Council passed Resolution 2023-183, Approving the City's Proposed Amendment #1 to the Fiscal Year 2023-2024 Budget, by a 5-1 vote. On December 28, Mayor Dave Goedken vetoed the Resolution, and

WHEREAS, the City Council meet on January 3, 2024 to consider the resolution to overturn the Mayor's veto, which did not pass by the required 2/3 majority. Instead, the Council approved Scheduling Public Hearing on City of Monticello 2023/2024 Fiscal Year budget amendments for February 19, 2024 at 6:00 p.m. as set forth within Resolution #2024-12, and

WHEREAS, The City Clerk explained that Budget is to be amended prior to the Program /Class is overspent, that was the need for the proposed amendment, as the property the Council had approve to purchase as not budgeted and the Program/Class will be overspent, and

WHEREAS, The City Council met on January 29, 2024 to discuss the proposed budget amendment and were unable to reach an agreement on the amendments, and

WHEREAS, To save the cost of publication of the budget amendment notice, staff advised to rescind Resolution 2024-12 and continue to work until an agreement on the budget amendments could be reached, prior to setting the public hearing, and

NOW THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby Rescind Resolution #2024-12 in its' entirety.

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 5th day of February, 2024.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: 01/30/2024
Preparer: Lori Lynch



Agenda Item: 14
Agenda Date: 2/5/2024

Communication Page

Agenda Items Description: Hiring On call Advanced EMT and setting wage(s)

Type of Action Requested: Resolution

Attachments & Enclosures:

Resolution

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

Synopsis: Amanda Brenneman is a nurse practitioner that lives in our community and wants to volunteer as an Advanced EMT for the service.

Background: Amanda Brenneman is a nurse practitioner in Marion and would like to be of service to her community. Amanda has vast knowledge of medicine and will be a great addition to our service. With council approval she will start full orientation in February.

Recommendation: A motion to approve is recommended.

The City of Monticello, Iowa

RESOLUTION

To approve the hiring a Monticello Ambulance
On-Call Advanced EMT and setting wage

WHEREAS, Monticello Ambulance hires On-Call Service Members to assist in the covering of open shifts and are an integral part of keeping the ambulance service operational and allow ambulance to maintain 24/7 service to the community, and

WHEREAS, The Ambulance Director interviewed candidate for the position, and

WHEREAS, The Ambulance Director felt Amanda Brenneman would be a great addition to the On-Call Advanced EMT roster and wish to offer her the position, and

WHEREAS, All members will receive an on-call pay rate of \$8.00 per hour when filling a shift as established by council resolution. For those members who possess a certification of AEMT, they will receive an additional \$14.40 per hour when responding to a call for service, while on-call. They will receive \$22.40 per hour when on backup call for service, and

WHEREAS, The City Administrator recommends hiring the Monticello Ambulance On-Call Advanced EMT and

WHEREAS, The Council finds it appropriate to follow the recommendation of the Ambulance Ambulance Director and the City Administrator, and further finds that the wages set by previous resolution are fair and reasonable and should, therefore, be approved.

NOW, THEREFORE, The Council hereby authorizes the hiring a Monticello Ambulance On-Call Service Member with on-call pay rate of \$8.00 per hour when filling a shift as established by council resolution. For those members who possess a certification of AEMT, they will receive an additional \$14.40 per hour when responding to a call for service, while on-call. They will receive \$22.40 per hour when on backup call for service.

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 5th day of February 2024.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
 Prep. Date 1/30/2024
 Preparer: Sally Hinrichsen



Agenda Item: # 15
 Agenda Date: 2/5/2024

Communication Page

Agenda Items Description: Resolution Appointing Commissioner(s) to the Eastern Iowa Regional Housing Authority from the City of Monticello.

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

Attachments & Enclosures:

Proposed Resolution
Housing Authority Commissioner info page

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: The City of Monticello is allowed to appoint two (2) members to represent the City on the Eastern Iowa Regional Housing Authority (EIRHA).

Background Information: The City is a member government of the Eastern Iowa Regional Housing Authority within the Counties of Cedar, Clinton, Delaware, Dubuque, Jackson and Jones counties.

Tom Yeoman represented the City for many years before his term expired. City has had no representation on the Board since Tom Yeoman.

EIRHA applies for grants and funding for low to moderate income families. City has funds available in the TIF fund that is required to be used on a low to moderate income projects and could possibly use as a grant match. Nuisance abatements were sent to some properties that may qualify for a grant to fix up their properties by painting of replace siding issues. Having representation on the EIRHA will help keep the City informed on possible funding options.

Staff Recommendation: Approval is recommended

RESOLUTION NO. _____

RESOLUTION APPOINTING COMMISSIONERS TO THE
EASTERN IOWA REGIONAL HOUSING AUTHORITY
FROM THE CITY OF MONTICELLO, IOWA

WHEREAS, the City of Monticello, Iowa is a member government that has adopted the Articles of Agreement of the Eastern Iowa Regional Housing Authority within the Counties of Cedar, Clinton, Delaware, Dubuque, Jackson and Jones Counties in Iowa; and

WHEREAS, said Agreement provides for the appointment of Commissioners to the Regional Housing Authority.

NOW, THEREFORE, pursuant to the provisions of Chapter 403A, Code of Iowa, the City Council in the City of Monticello, Iowa, hereby appoints the person(s) hereafter named to serve as Commissioner(s) of the Eastern Iowa Regional Housing Authority to serve for the term after their names respectively.

Commissioner: Jake Ellwood _____ Term: _____ 4 _____ year (s)

Commissioner: _____ Term: _____ year

BE IT FURTHER RESOLVED that this Resolution ~~(is)~~ filed in the office of the City Clerk and certified copies of such Resolution be forwarded by the City Clerk to the Eastern Iowa Regional Housing Authority.

PASSED AND APPROVED this 5th day of February, 2024 _____

Wayne Peach, Mayor

ATTEST:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: 02/01/2024
Preparer: Russell Farnum



Agenda Item: # 16 & 17
Agenda Date: 02/05/2024

Communication Page

Agenda Items Description: Resolution(s) on Regarding REAP Grant Rejection; or Authorize Mayor to Approve Grant Agreement

Type of Action Requested: Resolutions

Attachments & Enclosures:

Resolutions: Reject or Approve

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

Synopsis: At the work session on January 29, Council members gave direction to approve the REAP grant for purchase of the west 42.55 feet of Parcel 2023-79. This uses the \$75,000 grant to purchase exactly the amount of land that could be purchased with that amount of money.

Since Monday, Council Member Goedken has asked that a new application be submitted. There is no mechanism to do that.

Council needs to make a decision to either 1) reject the grant, or 2) proceed with the grant as directed Monday evening and authorize the Mayor to execute the grant agreement. There is one resolution for each action.

The City of Monticello, Iowa

RESOLUTION #2024-__

Rejecting a REAP Grant Award for Trail Property Acquisition

WHEREAS, the City of Monticello, Iowa, was awarded a REAP grant in the amount of \$75,000 for the purchase of land for a future trail expansion; and

WHEREAS, the City of Monticello, Iowa no longer believes this trail will have significant positive environmental, social and fiscal benefits.

NOW THEREFORE, BE IT RESOLVED by the City Council of Monticello, Iowa does hereby reject the REAP grant award.

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 ____ day of _____.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

The City of Monticello, Iowa

RESOLUTION #2024-___

APPROVING A REAP GRANT AWARD AND AUTHORIZING THE MAYOR TO EXECUTE THE REAP GRANT AGREEMENT

- WHEREAS,** the City of Monticello, Iowa is an incorporated city within Jones County, Iowa; and
- WHEREAS,** the City of Monticello, Iowa, proposes to purchase land for a future trail on the west 42.55 feet of Parcel 2023-79, located along the east side of Highway 151; and
- WHEREAS,** the City of Monticello, Iowa believes this trail will have significant environmental, social and fiscal benefits; and
- WHEREAS,** the first phase of the trail will consist only of seeding the land with prairie seed and maintaining a mowed path through the land; and
- WHEREAS,** the City authorized application for the grant for purchase of future trail land by Resolution 2023-11, with said application being approved for funding by the Iowa Department of Natural Resources.

NOW THEREFORE, BE IT RESOLVED by the City Council of Monticello, Iowa does hereby do the following:

1. Accept the grant award in the amount of \$75,000 for the acquisition of the west 42.55 feet of Parcel 2023-79, and
2. Authorize the Mayor to execute, and the City Clerk to attest, the grant agreement, attached hereto as Exhibit A.

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 ___th day of _____, 2024.

Mayor Wayne Peach

Attest:

Sally Hinrichsen, City Clerk



November 21, 2023

CITY OF MONTICELLO
JACOB OSWALD
200 E 1ST STREET
MONTICELLO, IA 52310

Re: REAP Grant # 24-R4-LD, HWY 151 TRAIL EXPANSION - PHASE 1

Dear JACOB OSWALD:

Congratulations! Attached please find your organizations Grant Agreement for your Resource Enhancement and Protection (REAP) grant awarded by the Department of Natural Resources (DNR). Please carefully review the grant agreement, sign, and email to my attention. A signed copy will be returned to you.

If you have not already done so, please submit your appraisal(s), to my attention, for review and approval. State Appraisal Guidelines are available on the DNR's internet site on the following page: <http://www.iowadnr.gov/InsideDNR/AboutDNR/RealtyServices.aspx>.

Please start a folder to place all grant and expense documentation in. State rules and regulations included with the application and pertaining to the REAP program effectively become part of the grant agreement.

If you have questions, please contact me at 515-720-2006, kathleen.moench@dnr.iowa.gov.

Sincerely,

A handwritten signature in black ink that reads 'Kathleen Moench'. The signature is written in a cursive style.

Kathleen Moench
Budget and Finance Bureau

Enclosures

IOWA DEPARTMENT OF NATURAL RESOURCES
502 E. 9TH STREET DES MOINES, IA 50319

RESOURCE ENHANCEMENT AND PROTECTION FUND
GRANT AGREEMENT-ACQUISITION

GRANTEE:	CITY OF MONTICELLO	
PROJECT TITLE:	HWY 151 TRAIL EXPANSION - PHASE 1	
CONTACT PERSON:	JACOB OSWALD	319-465-6640
GRANT AWARD:	\$75,000.00	
DNR CONTACT/PHONE #:	Kathleen Moench	515-720-2006

1. **PURPOSE.** The purpose of this REAP Acquisition Grant Agreement is to enable the Iowa Department of Natural Resources (DNR), acting for the State of Iowa, to assist the **CITY OF MONTICELLO** (Grantee) in the acquisition of land for the enhancement and protection of open space areas.
2. **PARTIES/AUTHORITY.** The parties to this Grant Agreement are the DNR, an agency of the State of Iowa, and the **CITY OF MONTICELLO**. The parties make this Grant Agreement pursuant to 1989 Iowa Code Supplement Section 455A.19(1)(a), which authorizes the Natural Resource Commission to spend certain state funds appropriated for projects to enhance and protect open spaces.
3. **GENERAL DESCRIPTION OF PROJECT LANDS. THIS GRANT AGREEMENT IS FOR YOUR PROJECT** described as:

ACQUISITION OF 14.81 ACRES OF LAND FOR FUTURE TRAIL DEVELOPMENT ALONG HWY 151, JUST SOUTH OF WEST KITTY TRAIL, AND SOUTH TO THE PARK AND RIDE, CITY OF MONTICELLO, JONES COUNTY, IOWA.

4. **GRANT AWARD AND REIMBURSEMENTS.** The DNR will provide 100 percent of the **acquisition** costs up to a maximum amount of **\$75,000.00**.

- A. Appraisals must be sent to the Department for review and approval, follow the DNR appraisal guidelines, which can be found at; <http://www.iowadnr.gov/InsideDNR/AboutDNR/RealtyServices.aspx>, and include a groundwater hazard statement. Submit the appraisal(s) and groundwater hazard statement(s) as soon as possible to:

REAP Grants Manager, Budget & Finance Bureau
Iowa Department of Natural Resources
502 East 9th Street
Des Moines, Iowa 50319

- B. Upon receiving written approval of the appraisal(s), 100 percent advance reimbursement of the grant award may be requested by submitting a letter of request and the following documents:
 - title opinion showing title is clear and marketable;
 - signed offer to buy or signed purchase agreement.

- C. The following documents are required upon completion of the grant:
- a legal description of the property for the Notice of Use Restriction document;
 - copy of the recorded deed naming the grantee as owner;
 - copy of the recorded groundwater hazard statement(s);
 - copies of billings and canceled checks for the acquisition;
 - final report, to include a description and pictures of the completed project.
5. **ACQUISITION COSTS EXPLAINED.** Acquisition costs include the lesser of the cost or value of the project lands and the lesser of the cost or value of acquisition services as follows:
- A. Cost/Value of Project Lands. Acquisition costs include the lesser of the purchase price paid for the project lands by the grantee, or their fair market value established by an appraisal approved by the DNR.
- B. Cost/Value of Acquisition Services. Acquisition costs also include the lesser of the price paid by the grantee for acquisition services, or the fair market value of such services based on a written valuation approved by the DNR. Acquisition services include appraisals, surveys, abstracting, and other miscellaneous services reasonably required for acquisition of the project lands.
- C. Notwithstanding subparagraphs 5a and 5b, the DNR will not cost-share more than the appraised fair market value of any part of the project lands, and will not cost-share more than the substantiated fair market value of any acquisition services.
6. **RESPONSIBILITIES.** The grantee is solely responsible for closing the acquisition transaction, recording the transaction and Notice of Use Restriction with the appropriate county recorder. The grantee will make a concerted effort to procure goods and services from Targeted Small Businesses (TSBs) during the performance of this Grant Agreement. The DNR may provide assistance at the request of the grantee, or at the Director's recommendation.
7. **WRITTEN WAIVERS.** The grantee may choose at its own risk to acquire title to portions of the project lands if necessary to avoid expiration of an offer to sell or to facilitate fund raising, after obtaining a written waiver of retroactivity from the department.
8. **AMENDMENTS.** This Grant Agreement may be amended only by written ADDENDA signed and dated by the DNR Director or DNR REAP coordinator. Requests for amendments shall be directed to the DNR REAP coordinator.
9. **EFFECTIVE DATE/TERMINATION.** This Grant Agreement shall become effective when it has been signed and dated by the DNR Director and the grantee. All work specified in the project proposal will be completed by **12/31/2025**.
10. **AVAILABILITY OF FUNDS.** If funds anticipated for the continued fulfillment of this agreement are at any time not forthcoming or insufficient, either through the failure of the State of Iowa to appropriate funds, or discontinuance or material alteration of the program under which funds were provided, then the Department shall have the right to terminate the agreement without penalty.

11. By signing this Grant Agreement, the grantee agrees to the terms and conditions set forth in this agreement and all documents listed below:

- the REAP “General Provisions” (State rules included with application form);
- the appraisal guidelines:
<http://www.iowadnr.gov/InsideDNR/AboutDNR/RealtyServices.aspx>

Date

Alex Moon, Deputy Director
Iowa Department of Natural Resources

JOSWALD@CI.MONTICELLO.IA.US

Email Address

Grantee Signature; Mayor or County Board Director

Print Name; Mayor or County Board Director

Shaded area for DNR use only

Accounting Department Return Copy to: Kathleen Moench _____
 Doc #: _____ Date: _____

CITY OF MONTICELLO
 200 E 1ST STREET
 MONTICELLO, IA 52310
 State ID #: _____ CV: _____

Fund/Ag/Org/SubOrg/\$: _____

**DEPARTMENT OF NATURAL RESOURCES
 REAP PROJECT BILLING – ACQUISITION GRANT**

Project billings must be accompanied by all required documentation (invoices, canceled checks, deeds, etc.) covering expenditures included in the billing.

Grant Recipient: CITY OF MONTICELLO
 Project Title: HWY 151 TRAIL EXPANSION - PHASE 1
 Final Billing: Y or N

Use the table below to list your budget items and the expenditures for each item. You should follow the budget items provided with your grant proposal as closely as possible.

Budget Item	Budget Amount	Expenditures This Billing	"To Date" Item Expenditures
Totals			
Less Expenditures In Excess of Total Authorized Project Budget:			

Total "To Date" Expenditures:			_____
CLAIM REQUEST (__% OF "TO DATE" EXPENDITURES):			_____
LESS PREVIOUS PAYMENTS OF:			_____
TOTAL CLAIM TO BE PAID:			_____

Land Acquisition - List each parcel separately by parcel #. Use purchase price or appraised value, whichever is the lesser.

I certify that this billing is correct and just based upon actual payment(s) of record by the grant recipient, and that the work and services are in accord with the approved grant.

Signature: _____ Date: _____
 Print Name: _____
 Title: _____ Phone: _____

Email or mail Billing Form to DNR Budget & Finance Bureau.

City Council Meeting
Prep. Date: 01/29/2024
Preparer: Russell Farnum



Agenda Item: # 18
Agenda Date: 02/05/2024

Communication Page

Agenda Items Description: Discussion and Possible Action on Deb and John LaCock request for 50/50 money for tree removal in the 6th St Ditch

Type of Action Requested: Discussion and Motion

Attachments & Enclosures:

Proposal

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

Synopsis: Deb and John LaCock live at 305 E. 5th Street. The 6th Street ditch runs easterly along the rear of their property. They have two dead ash trees, one on each side of the ditch. The bid for removing the trees is \$3,000.

LaCock’s argument is that if the trees die and fall, it will disrupt the banks and clog the drainage, potentially causing flooding. The location of the trees is shown below:



When this was initially brought this to Council asking if consideration would be given to such a request, the Council indicated that they would like more information. Since that time Mr. LaCock has gotten a bid and has renewed his request for funding.

If Council would consider 50-50 funding for this project, LaCock can hire Kammiller to remove the trees, and the City will reimburse him for half of the cost.

Recommendation: Council direction is recommended.

KAMMILLER TREE SERVICE

kamillerts@gmail.com

319-480-3006

John Lacock

Estimate 1/8/2024

305 E 5th Street Monticello, Iowa

This estimate includes 2 ash tree removals. We will use the golf course entrance. We will communicate with the golf course to ensure that using their road is okay and let them know when we will be there. Kammiller Tree Service will haul away logs, chip brush and haul away brush. It will approximately take a day, weather permitting. Kammiller Tree Service is fully insured with workmans comp and general liability. Estimate is at \$3,000.

John Lacock 1-16-24 (319-560-5613)

Deb & John Lacock
305 East 5th St
Monticello Iowa 52310

Sixth St. Ditch owners can apply for 50/50 cost share

By Kim Brooks
Express Editor

During the last Monticello City Council meeting (Aug. 1), it was discussed that the city cannot infringe on private property without an easement to fix issues associated with the Sixth Street Ditch.

But, that stipulation doesn't mean property owners can't take action on their own.

The city does offer a 50/50 cost-share storm water fund to assist property owners with storm water projects.

The last storm water project the city assisted with was in June 2019. UnityPoint Health wanted to make some drainage improvements in the ditch near the clinic on E. Oak Street/Highway 38. The city and UnityPoint utilized the 50/50 cost-share program.

"You can only make improvements on your own property; not your neighbor's," warned City Administrator

Russ Farnum.

Back in 2008, the city adopted the cost-share program and began implementing a monthly fee on all residential, commercial, and industrial properties within city limits. At the time, the residential fee was \$1 per household. In July 2021, the council approved increasing that fee to \$3 for residential and \$4.50 for commercial/industrial.

"Their fee is higher because they cover more property and have a bigger impact on the system," Farnum said of the \$4.50.

City Clerk Sally Hinrichsen shared during the Aug. 1 council meeting that the storm water fund collects about \$59,000 a year, with about \$14,300 currently sitting in the fund.

Farnum explained a portion of the storm water funds were committed to the South Street reconstruction project bond.

"The city did some

major storm water improvements then," he said of that project in 2017.

Property residents interested in utilizing the 50/50 cost-share fund need to contact Farnum at City Hall and fill out an application explaining the scope of the project. Farnum said requests must be "reasonable amounts."

"The property owner pays half, so this will also impact their checkbook as well," he said.

Every property owner in Monticello contributes to the storm water fund.

"We have more and more projects coming around the bend," Farnum said. "We need to build up the cash reserves."

Those 50/50 cost-share requests are then passed onto the city council for their ultimate review and approval.

The projects must also be reviewed by the DNR and Corps of Engineers.

City Council Meeting
Prep. Date: 01/11/2024
Preparer: Russell Farnum



Agenda Item: # 19
Agenda Date: 02/05/2024

Communication Page

Agenda Items Description: Grants Policy

Type of Action Requested: Discussion and Direction

Attachments & Enclosures:

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

Synopsis: Council asked for a worksession on a grant policy. The City Clerk and City Administrator have drafted a policy on grant approvals by the City Council.

Typically grants require some sort of Council resolution or approval prior to application. Council's concern is that the final grant may include obligations on the City's part that were not anticipated at the time the City applied for the grant.

The draft policy would require Council approval of the acceptance of the grant in instances that the grant would create long term obligations on the City.

Council needs to remember every grant has its own procedures, obligations and requirements. Recent grants besides the REAP grant are the Homeland Security grant for installation of a backup generator at the West Well; the USDA grant/loan for the WWTF, and the IDOT grant for speed reminder signs at the city limits.

Also, no Council members have mentioned donations or gifts, which is something the Council may also wish to address. For example, there have been many park improvements granted the City as gifts over the years. These have all created maintenance obligations on the City's part. It is something the Council may wish to also consider during this discussion.

Recommendation: Discussion and Direction is requested.

The City of Monticello, Iowa

RESOLUTION

Requiring Council approval prior to the Preparation and Submission of Grant and/or financial assistance Application

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

WHEREAS, the City of Monticello Council encourages City Staff to seek financial assistance from various grants or loans to help fund various projects, purchases, education opportunities and other options available to the City, and

WHEREAS, the City Council want to review the requirements prior to preparation and submission of grants, loans, and/or other financial assistance, and

WHEREAS, the City Council want to review the obligations and requirements of the any awarded grants, loans, and/or other financial assistance, prior to execution of the grant or other agreement,

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby require prior action of the City Council to approve the preparation and submission of a grant, loan or other financial assistance application, and approval of the grant or other agreement prior to execution, unless:

1. The grant, loan or other financial assistance has no additional financial or long term maintenance obligation on the part of the City; and
2. The grant, loan or other financial assistance requires no additional action on the part of the City Council and/or Mayor; and
3. The grant, loan or other financial assistance is less than \$5,000 total, including all other financial and maintenance obligations 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 ____th day of _____, 2024.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: 12/22/2023
Preparer: Sally Hinrichsen



Agenda Item: # 20
Agenda Date: 02/05/2024

Communication Page

Agenda Items Description: Ordinance Amending the Code of Ordinances of the City of Monticello, Iowa, by Adding a New Section Authorizing Use of the State Income Setoff Program

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

Attachments & Enclosures:

Ordinance

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Council approved the Memorandum of Understanding between The Iowa Department of Revenue and City of Monticello Regarding State Setoff Program on July 17, 2023. Staff has been working to get an acceptable Setoff Enrollment Application and submit all the required paperwork to the Department of Revenue.

Background Information:
The State of Iowa Department of Administrative Services , State Accounting Enterprise ran the Income Offset Program and allowed cities to participate in the Income Offset Program to collect outstanding debts. The City began collecting funds through this program in 2010. Since that time, we have collected \$108,225.24 through the Offset Program and an additional \$11,981.11 that paid City directly to get their refunds released.

As a current participant in the State Offset Program administered by the Department of Administrative Services, City is invited to continue participation in the State Setoff Program administered by the Iowa Department of Revenue (IDR), effective November 13, 2023.

Participation in this program is voluntary, and requires a signed Memorandum of Understanding (MOU), along with a completed Setoff Participant Enrollment Application Form

The application has been submitted a few times and rejected. Justin Yarosevich, with Iowa Communication worked with the Department of Revenue to prepare an ordinance that was acceptable to them for many Cities and provided a copy to their clients.

Many Cities are struggling to get the acceptable documents to Iowa Department of Revenue. Some Cities had Council approve the ordinance in an attempt to get approved, along with several other documents, which I am still working on to complete.

Staff Recommendation:

Approval of the attached Ordinance is recommended, final reading

ORDINANCE NO. 772

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MONTICELLO, IOWA, BY ADDING A NEW SECTION AUTHORIZING USE OF THE STATE INCOME SETOFF PROGRAM

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

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Monticello, Iowa, is amended by adding a new Section 7.09, entitled SETOFF PROGRAM PROVISIONS, which is hereby adopted to read as follows:

7.09 SETOFF PROGRAM PROVISIONS. This section shall establish policies and procedures for the City pursuant to Section 421.65 of the *Code of Iowa*, to allow the City to utilize and invoke the setoff program provisions of the State for collection of debts owed to the City and for which the City has provided the obligor with an opportunity to contest.

1. Definitions. The following terms are defined for use in this section:
 - A. “Department” means the Iowa Department of Revenue.
 - B. “Obligor” means a person, not including a public agency, who has been determined to owe a qualifying debt.
 - C. “Public agency” means a board, commission, department, including the Department of Revenue, or other administrative office or unit of the State or any other State entity reported in the Iowa Annual Comprehensive Financial Report, or a political subdivision of the State, or an office or unit of a political subdivision. Public agency does include the Clerk of the District Court as it relates to the collection of a qualifying debt. Public agency does not include the general assembly or Office of the Governor.
 - D. “Public payment” means any claim a public agency owes to an obligor.
 - E. “Qualifying debt” means any of the following:
 - (1) Any debt, which is assigned to the Department of Health and Human Services, or which is owed to the Department of Health and Human Services for unpaid premiums under Section 249A.3(2)(a)(1) of the *Code of Iowa*, or which child support services is otherwise attempting to collect, or which foster care services of the Department of Health and Human Services is attempting to collect on behalf of a child receiving foster care provided by the Department of Health and Human Services.
 - (2) Any debt which is in the form of a liquidated sum due, owing, and payable to the Clerk of the District Court.
 - (3) Any liquidated sum certain, owing and payable to a public agency, with respect to which the public agency has provided the obligor an opportunity to protest or challenge the sum in a manner in compliance with applicable law and due process, and which has been determined as owing through the challenge or protest, or for which the time period provided by the public agency to challenge, or protest has expired.

2. Memorandum of Understanding. The City shall enter into a memorandum of understanding with the Department which shall outline the program guidelines for use of the State Setoff Program.

3. Qualifying Debt. The Clerk shall only certify to the Department qualifying debt as approved by the Department through the completion of a qualifying debt questionnaire and for which the City has provided appropriate documentation showing the City's legal authority for charging, implementing a fine or fee for violation of, or imposing costs related to the abatement of certain conditions when appropriate legal authority exists to the City. The qualifying debt questionnaire may be updated from time to time as required by the City to add or remove qualifying debt or as needed by the Department.

4. Due Process. Prior to submission of a debt to the Department the City shall provide the obligor due process as outlined in this section prior to the submission of a debt:

A. With respect to the qualifying debt, the City shall provide the obligor with 15 days' advance written notice to the obligor's last-known address. Such notice shall provide the obligor with a minimum period of 15 days in which they may file an appeal in writing to the Clerk.

B. Upon receipt of a written request for an appeal on a debt to be submitted to the Setoff Program the Clerk shall schedule a hearing with the Council for the next regularly scheduled meeting and notify the obligor of the hearing date and time at least five days in advance of the hearing.

C. At the time and date of the hearing, the Council shall hear any evidence brought forth by the obligor and shall examine the City's file regarding the matter. The Council shall make a ruling upon a majority vote of the members in attendance.

D. If the qualifying debt is upheld by the Council and the debt has not yet been paid by the obligor, the Clerk may certify the delinquency to the Department pursuant to the Section 421.65 of the *Code of Iowa* and the memorandum of understanding between the City and the Department.

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

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

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

Passed by the Council the ___ day of _____, 20___, and approved this ___ day of _____, 20___.

Wayne Peach, Mayor

ATTEST:

Sally Hinrichsen, City Clerk

First Reading: 1/3/2024

Second Reading: 1/16/2024

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 772 on the ___ day of _____, 2024.

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: 1/30/2024
Preparer: Sally Hinrichsen



Agenda Item: # 21-30
Agenda Date: 2/05/2024

Communication Page

Agenda Items Description: Reports

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

Attachments & Enclosures:

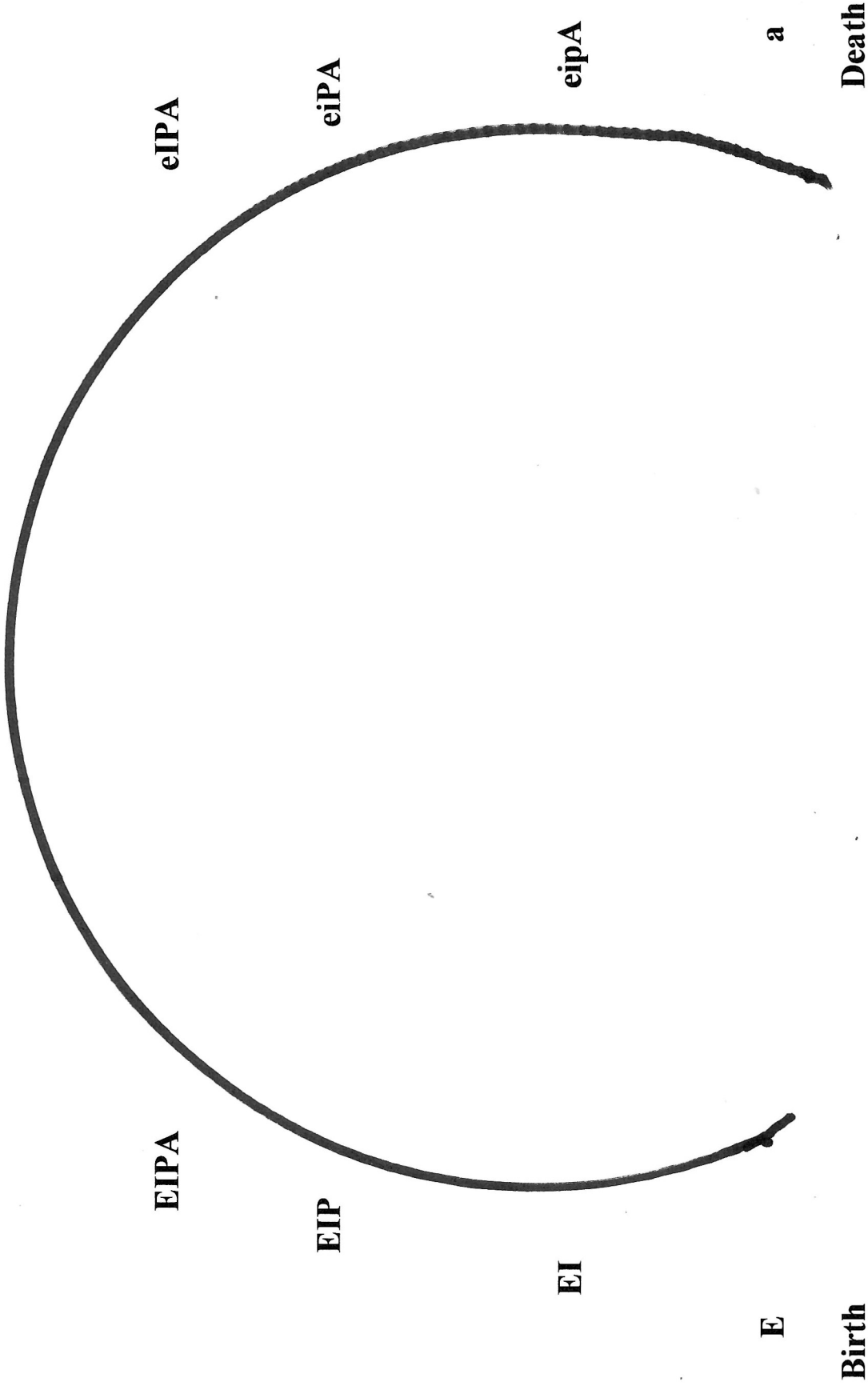
Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Reports / Potential Actions:

- 21. City Engineer
- 22. Mayor
 - a. Life Cycles of an Organization
- 23. City Administrator
- 24. Library Director
- 25. Ambulance Director
- 26. City Clerk
- 27. Public Works Director
- 28. Police Chief
- 29. Water/Wastewater Superintendent
- 30. Park and Recreation Director

Mayor's Report – Life Cycles of An Organization



E=Energy, I=Inclusiveness, P=Programs, A=Administration