

City of Monticello, Iowa

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Posted on April 01, 2017 at 4:00 p.m.

Added Agenda Item 11(b) and re-posted on April 3, 2017 at 9:41 a.m.

Monticello City Council Regular Meeting April 03, 2017 @ 6:00 p.m.

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

Mayor:	Dena Himes	City Administrator:	Doug Herman
City Council:		Staff:	
At Large:	Dave Goedken	City Clerk/Treas.:	Sally Hinrichsen
At Large:	Brian Wolken, Mayor Pro Tem	Public Works Dir.:	Brant LaGrange
Ward #1:	Rob Paulson	City Engineer:	Patrick Schwickerath
Ward #2:	Johnny Russ	Police Chief:	Britt Smith
Ward #3:	Chris Lux	Ambulance Dir.:	C.J. Johnson
Ward #4:	Tom Yeoman		

- Call to Order – 6:00 P.M.

- Pledge of Allegiance

- Roll Call

- Agenda Addition/Agenda Approval

Open Forum: If you wish to address the City Council on subjects pertaining to today's meeting agenda please wait until that item on the agenda is reached. If you wish to address the City Council on an item not on the agenda, please approach the lectern and give your name and address for the public record before discussing your item.

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

March 20, 2017

Approval of Payroll

March 30, 2017

Approval of Bill List

Approval of Appointment of Doug Bean to the Soldiers Memorial Board

Approval of Appointment of Tom Yeoman as Park Board Representative to the Fair Board

Approval of Resignation of Alice Shimanek from the Planning & Zoning Board

Approval of Appointment of Chris Sasina to the Planning & Zoning Board

Motions: None

Public Hearing:

1. **Public Hearing** to consider the final approval of a Development Agreement between the City of Monticello and the Menasha Corporation, a/k/a Orbis.
2. **Public Hearing** on Re-Zoning of Intlekofer Properties located at: SE Corner of Washington and S. Cedar Street from C-1 to R-1; 322 W 4th Street from R-1 to R-2; 525 S. Maple Street from R-1 to R-2.
3. **Public Hearing** on Re-Zoning of Kraus property located at 410 E. Oak Street, Monticello, from R-1 to C-1.

4. **Public Hearing** on Re-Zoning of numerous parcels of property located within the City of Monticello, as identified within Addendum "A" to this agenda, that are incorrectly zoned or incorrectly classified by the City of Monticello official zoning map.

Resolutions:

5. **Resolution** to approve Developer's Agreement between the City of Monticello and Orbis Manufacturing.
6. **Resolution** to schedule a Public Hearing on the proposed Voluntary Annexations of the following properties, generally described as the Yousse property, the Koob Property, the City of Monticello Shop, and the Monticello Machine Shop.
7. **Resolution** to approve Storm Water Cost Share Agreement between the City of Monticello and Theisen's.
8. **Resolution** to approve Permanent and Temporary Easements between the City of Monticello and William J. and Camela C. Greif, and temporary easement between City of Monticello and City of Monticello. (Related to 1st Street Bridge Project.)
9. **Resolution** to approve the "2017 Main Street Manhole Replacement Project".
10. **Resolution** to approve Bernde's Center "2017 LED Lighting Upgrade Project".
11. **Resolution** to schedule Public hearing on Amendment to Urban Renewal Area and Urban Renewal Plan to include Orbis property and Orbis Development Agreement as an authorized property and authorized project.
- 11(a). **Resolution** to direct a plan of action in relation to City Fountain repairs or upgrades.
- 11(b). **Resolution** to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the 2017 City of Monticello H.M.A. Resurfacing Project, same now being of file with the City Clerk, and the taking of bids therefor.

Ordinances:

12. **Ordinance** to approve the Re-Zoning of Intlekofer Property located at: SE Corner of Washington and S. Cedar Street from C-1 to R-1.
13. **Ordinance** to approve the Re-Zoning of Intlekofer Property located at: 322 W 4th Street from R-1 to R-2
14. **Ordinance** to approve the Re-Zoning of Intlekofer Property located at: 525 S. Maple Street from R-1 to R-2.

15. **Ordinance** to approve the Re-Zoning of Kraus property located at 410 E. Oak Street, Monticello, from R-1 to C-1.
16. **Ordinance** to approve the Re-Zoning of Kraus Oak Street properties that are part of the planned Oak Street Condominium Development from R-1 to R-3 and C-1 to R-3, respectively. (Introduction and approval of all three readings.)
17. **Ordinance** to approve of numerous parcels of property located within the City of Monticello, as identified within Addendum "A" to this agenda, that are incorrectly zoned or incorrectly classified by the City of Monticello official zoning map.

Reports / Potential Action:

- Board Openings: Tree Board
- One-Way Alleyway discussion, Varvel-Buckeye
- Al Hughes property

Closed Session:

Closed Session to discuss the potential purchase of Real Estate where the premature disclosure could be reasonably expected to increase the price the governmental body would receive for the property. Iowa Code § 21.5(j)

Adjournment: Pursuant to §21.4(2) of the Code of Iowa, the City has the right to amend this agenda up until 24 hours before the posted meeting time.

Regular Council Meeting – Official
March 20, 2017
Community Media Center
6:00 P.M.

Mayor Dena Himes called the meeting to order. Council present: Dave Goedken, Brian Wolken, Johnny Russ, Chris Lux and Tom Yeoman. Also present were City Administrator Doug Herman, City Clerk Sally Hinrichsen, Public Works Director Brant LaGrange, City Engineer Patrick Schwickerath and Police Chief Britt Smith. Council member Rob Paulson was absent.

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

Goedken moved to approve the consent agenda, Russ seconded, roll call unanimous.

Herman reviewed invoices related to Tami Bartram's party held on February 28th. Kim McQuillen reported that Park Board members collected funds amongst themselves to purchase Bartram a parting gift, not to cover the party expenses. McQuillen reported that the consensus of several Park Board members was to host the farewell party, but that there was no formal consideration or action by the Board. Council expressed their opinion that the proposed party and expenses should have been brought to the Council before proceeding. Yeoman moved to pay the party related invoices in the amount of \$415.81, Goedken seconded. Roll call vote, Yeoman, Goedken, Lux, Wolken and Russ voted nay. Motion failed.

Herman reported that Steve Intlekofer requested the re-zoning of three properties: Lot located at SE corner of intersection of East Washington and South Cedar streets from C-1 to R2; 322 West 4th Street from R-1 to R-2; and 525 South Maple Street from R-1 to R-2. Planning and Zoning (P & Z) considered the request and by unanimous vote did not recommend the proposed changes. The P & Z did not object to the re-zoning of the Lot located at the SE corner of the intersection of East Washington and South Cedar streets from C-1 to R-1, but did not recommend R-2. Intlekofer was present and was amenable to the proposed R-1 designation for that lot. Wolken moved to approve Resolution #17-26 Scheduling Public Hearing on the Re-Zoning of Properties located at 322 W 4th Street, 525 S. Maple Street, and the corner of E. Washington and S. Cedar Streets, seconded by Russ, roll call unanimous. Public hearing will be held on April 3, 2017 at 6 PM.

Herman reported that Mike Kraus proposed the re-zoning of the former IDOT building located at 410 E Oak Street. The property is zoned R-1, however it has always been used for commercial purposes. The P & Z Board recommends, by unanimous vote, that the zoning be changed. Goedken moved to approve Resolution #17-27 Scheduling Public Hearing on the Re-Zoning of Property located at 410 E Oak Street, seconded by Yeoman, roll call unanimous. Public hearing will be held on April 3, 2017 at 6 PM.

Herman reported that Parcels 2017-10 and 2017-11, located within the two-mile jurisdiction, were recommended for approval by the P & Z. Goedken moved to approve Resolution #17-28 Approving Plats of survey to Parcel 2017-10 and 2017-11, Wolken seconded, roll call unanimous.

Herman recommended that the Council proceed with the re-zoning of several parcels of property located within the City that he identified within the current zoning map as being zoned or labeled incorrectly and/or that otherwise, based upon current and likely future use, were not currently zoned correctly. The P & Z Board reviewed the proposed re-zoning and voted unanimously to recommend the approval of the proposed re-zoning. Yeoman moved to approve Resolution #17-29 Scheduling Public Hearing on the Re-Zoning of various properties generally described as set forth within "Addendum A" attached hereto, Russ seconded, roll call unanimous. Public hearing to be held on April 3, 2017 at 6 PM.

Herman reported that Orbis was considering a large warehouse addition. Doug Wortman, Orbis, presented a PowerPoint on the proposed plan. He advised that additional warehousing was a need and that it would also free up space in the current facility for additional manufacturing. Goedken moved to preliminarily approve the proposed Development Agreement between the City of Monticello and the Menasha Corporation, a/k/a Orbis and to approve Resolution #17-30 to fix a date of meeting at which it is proposed to approve a Development Agreement with Menasha Corp., d/b/a Orbis Manufacturing, including tax increment payments in an amount not to exceed \$1,207,236. Russ seconded, roll call unanimous. Public hearing will be held on April 3, 2017 at 6 PM.

Herman reported that the Council would need to add Orbis to the current City Urban Renewal area prior to approving the proposed development agreement. Yeoman moved to approve Resolution #17-31 approving 2017 Amendment Number 1 to the City of Monticello Urban Renewal Plan, Wolken seconded, roll call unanimous. Public hearing will be held on April 3, 2017 at 6 PM.

Herman reviewed the proposed site plan of the Oak Street Condos. P & Z reviewed and recommended the approval of the site plan. Goedken moved to approve Resolution #17-32 to approve Oak Street Condos Site Plan, Yeoman seconded, roll call unanimous.

Herman reported the City staff has been working towards the annexation of the Yousse "Sign Shop" property. He reported that the Youssees had agreed to the terms and conditions of annexation and had signed a voluntary annexation agreement and an Application for Voluntary Annexation. Goedken moved to approve Resolution #17-33 Approving Voluntary Annexation Agreement and Application for Voluntary Annexation between the City of Monticello and Yousse, Russ seconded, roll call unanimous.

Goedken moved to approve Resolution #17-34 to approve proposed storm water cost share agreement between The City of Monticello and Jerald and Sherry Behrends, Wolken seconded, roll call unanimous.

Yeoman moved to table proposed resolution to approve proposed storm water cost share agreement with Theisen's Inc, Russ seconded, roll call unanimous.

Herman reported there is an open board position on Tree Board.

Herman reported that the Board of Adjustment (B.O.A.) had recently approved the variance request of Randy Steiner to erect a building on a private easement. The variance allows the construction although the lot does not have street frontage. Herman reported that variances

such as this one, on this easement driveway, have been granted in the past. The Council was advised of their right to request that the B.O.A. reconsider the granting of said variance.

Herman reported that he received a request to limit parking on the east side of N. Maple Street between Cherry and 3rd Streets. The Council took no action on this report.

Herman and Smith reviewed a proposal to place yield signs at the intersection of N. Chestnut and W. 2nd Streets. Smith suggested that a policy or standard be created to direct which intersections in the community should be "controlled" by signage in some fashion. Council asked Smith to prepare a policy or recommendations related to signage at intersections for their consideration.

Herman advised that he had received complaints associated with the alleyway between S. Chestnut and Linden Streets from Buckeye to Varvel Street. The complaints were associated with cars that regularly parked in the alleyway right-of-way, shrubs that had overgrown into the right-of-way and that cause visibility issues, and significant traffic, particularly from the south. Joe Tubbs, 415 S. Chestnut and Clyde Zedick, 409 S. Chestnut expressed their concerns related to the narrow nature of the alleyway where the cars were parked and where the bushes overhung and/or were located in the right-of-way in addition to the high speed and regular traffic from the south. The Council also discussed complaints related to the fence installed by Dave Lumpa along the same alleyway, said fence being installed without a permit and being built, and later added onto, in the alleyway right-of-way. City staff and the Council heard suggestions to make the alleyway one-way, from north to south. The Council agreed to take that request under advisement and to seek additional input.

Herman reported that the Council, at their meeting of December 19, 2016, had given Dave Lumpa until the end of January 2017 to bring his house construction project into compliance with a building permit, which he applies for and is approved or in the alternative to pursue a variance. Herman informed the Council that neither of those options had been pursued by Lumpa, even though he and PW Director LaGrange had spoken to Lumpa on many occasions. Based thereon, Herman asked for direction from the Council, asking if he should give Lumpa any additional time to comply or if the Council wished him to proceed with enforcement action, seeking penalties and the removal of the portion of the structure that violates the code. The Council indicated that they were very clear with Lumpa in December and that he had ample time to comply and directed Herman to proceed with enforcement action.

Schwickerath reported the final plans for the 1st Street Bridge project had been submitted and that final contract papers were due by the end of April.

Herman suggested that the City consider removing excess dirt between the sidewalk and curb and gutter along the Main Street Project area where it had built up over the years, and to seed it down this spring when seeding is done on South Street project. Council thought this would be a good idea and directed staff to work in that direction.

Herman asked if the Council was prepared to proceed with the demolition of the small home the City purchased on N. Cedar Street as part of the 6th Street Ditch project. Consensus of the Council was to proceed with demolition of the home at this time allowing salvage rights to the successful bidder.

Regular Council Meeting-Official
March 20, 2017

Herman explained that he had learned that some homeowner's insurance policies specifically excludes coverage for damages caused by certain dog breeds.

Herman and the Council inspected a sample folding chair under consideration to replace the aged metal chairs in the Community Building. He also explained that the Parks Dpt. was inventorying all chairs and tables at the Berndes Center.

Wolken moved to adjourn the Council meeting at 7:45 P.M., roll call vote unanimous.

Dena Himes, Mayor

Sally Hinrichsen, City Clerk

PAYROLL - MARCH 30, 2017

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
AMBULANCE	Feb. 27 - Mar. 12, 2017				
Dawn Brus	\$ 1,785.00	\$ -	0.00	257.62	\$ 1,226.38
Mary Intlekofer	1,785.00	-	0.00	62.25	1,094.60
C.J. Johnson	1,923.08	-	0.00	59.25	1,209.23
Brandon Kent	1,792.97	7.97	0.00	2.25	1,295.82
Matt Kunkle	486.00	-	0.00	0.00	404.94
Lori Lynch	1,785.00	-	0.00	0.00	971.74
Chris Sampson	731.63	-	0.00	0.00	569.73
Shelly Searles	1,184.69	-	0.00	0.00	950.22
Shawn Snaith	486.00	-	0.00	0.00	406.94
Brenda Surom	510.00	-	0.00	0.00	378.65
Chris Williams	243.00	-	0.00	0.00	207.47
TOTAL AMBULANCE	\$ 12,712.37	\$ 7.97	0.00	381.37	\$ 8,715.72
CEMETERY	Feb. 25 - Mar. 10, 2017				
Dan McDonald	\$ 1,550.40	\$ 14.40	0.00	0.00	\$ 1,136.33
TOTAL CEMETERY	\$ 1,550.40	\$ 14.40	0.00	0.00	\$ 1,136.33
CITY HALL	Feb. 26 - Mar. 11, 2017				
Cheryl Clark	\$ 1,622.65	\$ 58.65	0.00	0.00	\$ 1,064.98
Doug Herman	3,629.96	-	0.00	0.00	2,561.53
Sally Hinrichsen	2,321.74	-	0.00	0.00	1,587.64
Heather Paddock	306.00	-	0.00	0.00	206.89
Nanci Tuel	1,324.00	-	0.00	0.00	1,012.28
TOTAL CITY HALL	\$ 9,204.35	\$ 58.65	0.00	0.00	\$ 6,433.32
LIBRARY	Feb. 27 - Mar. 12, 2017				
Julie Aldrich	\$ 343.13	\$ -	0.00	0.00	\$ 284.61
Kyle Gassman	274.20	-	0.00	0.00	235.91
Heather Paddock	52.25	-	0.00	0.00	35.34
Penny Schmit	899.20	-	0.00	0.00	651.02
Madonna Thoma-Kremer	765.46	-	0.00	0.00	634.36
Michelle Turnis	1,487.83	-	0.00	0.00	1,095.35
TOTAL LIBRARY	\$ 3,822.07	\$ -	0.00	0.00	\$ 2,936.59
MBC	Feb. 27 - Mar. 12, 2017				
Jacob Oswald	\$ 1,846.15	\$ -	0.00	0.00	\$ 1,359.76
Heather Paddock	270.00	-	0.00	0.00	182.58
Casey Reyner	1,538.46	-	0.00	0.00	1,052.39
TOTAL MBC	\$ 3,654.61	\$ -	0.00	0.00	\$ 2,594.73
POLICE	Feb. 27 - Mar. 12, 2017				
Dawn Graver	\$ 2,128.56	\$ -	0.00	0.00	\$ 1,477.02
Erik Honda	1,745.76	-	0.00	4.50	1,285.14
Jordan Koos	1,884.16	-	0.00	68.00	1,346.27
Travis McNally	240.00	-	0.00	0.00	205.90
Britt Smith	2,372.39	-	0.00	0.00	1,696.89
Madonna Staner	1,378.40	-	0.00	0.00	1,025.25
Brian Tate	2,016.84	-	0.00	0.00	1,494.08
Robert Urbain	2,111.16	-	6.00	67.50	1,450.95

PAYROLL - MARCH 30, 2017

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
TOTAL POLICE	\$ 13,877.27	\$ -	6.00	140.00	\$ 9,981.50
ROAD USE	Feb. 25 - Mar. 10, 2017				
Billy Norton	\$ 1,694.40	\$ 158.40	0.00	0.00	\$ 1,239.32
Wayne Yousse	1,536.00	-	5.25	24.50	1,064.70
TOTAL ROAD USE	<u>\$ 3,230.40</u>	<u>\$ 158.40</u>	<u>5.25</u>	<u>24.50</u>	<u>\$ 2,304.02</u>
SANITATION	Feb. 25 - Mar. 10, 2017				
Michael Boyson	\$ 1,585.65	\$ 97.65	0.00	0.00	\$ 1,073.52
Nick Kahler	1,636.80	100.80	0.00	0.00	1,084.67
Chris Taylor	1,536.00	-	0.00	0.00	978.08
TOTAL SANITATION	<u>\$ 4,758.45</u>	<u>\$ 198.45</u>	<u>0.00</u>	<u>0.00</u>	<u>\$ 3,136.27</u>
SEWER	Feb. 25 - Mar. 10, 2017				
Tim Schultz	\$ 1,732.50	\$ 148.50	0.00	19.13	\$ 1,188.65
Jim Tjaden	1,864.00	-	0.00	0.00	1,322.99
TOTAL SEWER	<u>\$ 3,596.50</u>	<u>\$ 148.50</u>	<u>0.00</u>	<u>19.13</u>	<u>\$ 2,511.64</u>
WATER	Feb. 25 - Mar. 10, 2017				
Brant LaGrange	\$ 1,961.54	\$ -	0.00	0.00	\$ 1,336.57
Jay Yanda	1,784.00	-	0.00	0.00	1,277.46
TOTAL WATER	<u>\$ 3,745.54</u>	<u>\$ -</u>	<u>0.00</u>	<u>0.00</u>	<u>\$ 2,614.03</u>
TOTAL - ALL DEPTS.	\$ 60,151.96	\$ 586.37	11.25	565.00	\$ 42,364.15

ACCOUNTS PAYABLE ACTIVITY

CLAIMS REPORT

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

	GENERAL			
	POLICE DEPARTMENT			
BAKER PAPER CO INC	PD/AMB BUILDING SUPPLIES	41.38		
BLADE PEST CONTROL INC	PD/AMB PEST CONTROL	41.00		
INFRASTRUCTURE TECHNOLOGY	PD/CH TECH SUPPORT	50.00		
TRACY YOUSSE	PD CAR LETTERING	500.00		
	POLICE DEPARTMENT	632.38		
	AQUATIC CENTER			
JONES CO ENVIRONMENTAL SERVICE	POOL FOOD SERVICE LICENSE	67.50		
	AQUATIC CENTER	67.50		
	CEMETERY			
NEXT GENERATION PLBG & HTG	PUBLIC WORKS/MBC BLDG REPAIR	112.21		
	CEMETERY	112.21		
	CITY HALL/GENERAL BLDGS			
BAKER PAPER CO INC	CH BUILDING SUPPLIES	131.13		
BLADE PEST CONTROL INC	CH PEST CONTROL	68.00		
KATHRYN BRONEMANN	CH AUDIT DEPOSIT REFUND	500.00		
DOUG HERMAN	CH TRAVEL - IMMI CONFERENCE	160.50		
INFRASTRUCTURE TECHNOLOGY	PD/CH TECH SUPPORT	100.00		
KRAUS PLUMBING & HEATING INC	CH BLDG REPAIR/MAINT	2,196.92		
MCDERMOTT WALL & FLOOR REPAIR	CH BLDG REPAIR/MAINT	2,500.00		
SHRED-MASTER	CH MISC CONTRACT WORK	40.00		
SIMMERING-CORY IA CODIFICATION	CH MISC CONTRACT WORK	645.00		
	CITY HALL/GENERAL BLDGS	6,251.55		
	GENERAL	7,063.64		
	MONTICELLO BERNDEN CENTER			
	PARKS			
ALLIANT ENERGY-IES	MBC ELECTRIC-509 E OAK	4.49		
BAKER PAPER CO INC	MBC BUILDING SUPPLIES	182.28		
BARNHART CONSTRUCTION CO LLC	MBC GAZEBO HAIL REPAIRS	5,783.00		
JOHN DEERE FINANCIAL	MBC BLDG REPAIR/MAINT	16.57		
JONES CO ENVIRONMENTAL SERVICE	MBC FOOD SERVICE LICENSE	67.50		
LAPORTE MOTOR SUPPLY	MBC EQUIP REPAIR/MAINT	32.50		

ACCOUNTS PAYABLE ACTIVITY

CLAIMS REPORT

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
NEXT GENERATION PLBG & HTG	PUBLIC WORKS/MBC BLDG REPAIR	57.25		
	PARKS	6,134.61		
	MONTICELLO BERNDES CENTER	6,134.61		
	FIRE			
	FIRE			
KIRKWOOD COMMUNITY COLLEGE	FIRE CPR TRAINING	130.00		
MONTICELLO AUTO CENTER	FIRE EQUIP REPAIR/MAINT	554.51		
SPAHN & ROSE LUMBER CO INC	FIRE SUPPLIES	7.53		
SUPERIOR APPLIANCE, INC.	FIRE WASHER REPAIR/MAINT	95.95		
	FIRE	787.99		
	FIRE	787.99		
	AMBULANCE			
	AMBULANCE			
BAKER PAPER CO INC	PD/AMB BUILDING SUPPLIES	41.39		
BLADE PEST CONTROL INC	PD/AMB PEST CONTROL	41.00		
BOSS OFFICE SUPPLIES & SYS INC	AMB OFFICE SUPPLIES	86.09		
JOHN DEERE FINANCIAL	AMB VEHICLE REPAIR/MAINT	10.18		
KROMMINGA MOTORS INC	AMB RANGER BATTERY	139.99		
DAVID B MCNEILL	AMB OFFICE SUPPLIES	8.98		
STERICYCLE, INC.	AMB PHARMACEUTICAL DISPOSAL	79.35		
	AMBULANCE	406.98		
	AMBULANCE	406.98		
	LIBRARY IMPROVEMENT			
	LIBRARY			
FAREWAY STORES #840-1	LIB IMP PROGRAMS/PROMOTIONS	71.13		
MICHELLE TURNIS	LIB IMP PROGRAMS/PROMOTIONS	161.84		
	LIBRARY	232.97		
	LIBRARY IMPROVEMENT	232.97		
	LIBRARY			
	LIBRARY			

ACCOUNTS PAYABLE ACTIVITY **CLAIMS REPORT**

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
BAKER & TAYLOR BOOKS	LIB BOOKS	139.81		
BAKER PAPER CO INC	LIB BUILDING SUPPLIES	39.90		
CENTER POINT PUBLISHING	LIB BOOKS	43.14		
FAREWAY STORES #840-1	LIB PROGRAMS/PROMOTIONS	4.17		
JOHN DEERE FINANCIAL	LIB BUILDING SUPPLIES	11.99		
MICRO MARKETING LLC	LIB BOOKS	19.59		
		=====		
	LIBRARY	258.60		
		=====		
	LIBRARY	258.60		
	AIRPORT			
	AIRPORT			
ALLIANT ENERGY-IES	20373 HWY 38 TERMINAL BLDG	326.43		
ATR LIGHTING ENTERPRISES INC	AIRPORT GROUNDS SUPPLIES	353.20		
IOWA PUBLIC AIRPORTS ASSOC	AIRPORT DUES	150.00		
		=====		
	AIRPORT	829.63		
		=====		
	AIRPORT	829.63		
	ROAD USE			
	STREETS			
ALLIANT ENERGY-IES	WELTER DRIVE STREETLIGHTS	124.19		
JOHN DEERE FINANCIAL	RU EQUIP REPAIR/MAINT	135.77		
KROMMINGA MOTORS INC	RU SUPPLIES	70.48		
MID-IOWA SOLID WASTE EQUIP CO	RU EQUIP REPAIR/MAINT	423.69		
NEXT GENERATION PLBG & HTG	PUBLIC WORKS/MBC BLDG REPAIR	112.21		
SPAHN & ROSE LUMBER CO INC	RU BLDG REPAIR/MAINT	12.38		
		=====		
	STREETS	878.72		
	SNOW REMOVAL			
ALL SEASON'S TRUCKING INC	RU SNOW REMOVAL	2,103.89		
		=====		
	SNOW REMOVAL	2,103.89		
		=====		
	ROAD USE	2,982.61		
	WATER			
	WATER			
BARNHART CONSTRUCTION CO LLC	WATER HAIL STORM REPAIRS	1,116.00		
HAWKINS WATER TREATMENT	WATER SUPPLIES	513.33		
JOHN DEERE FINANCIAL	WATER SUPPLIES	23.92		

ACCOUNTS PAYABLE ACTIVITY

CLAIMS REPORT

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
NEXT GENERATION PLBG & HTG	PUBLIC WORKS/MBC BLDG REPAIR	112.20		
	WATER	1,765.45		
	WATER	1,765.45		
	CUSTOMER DEPOSITS			
	WATER			
CITY OF MONTICELLO	Water Deposit Refunds	600.49		
JENNY LINGER	WATER DEPOSIT REFUND	11.55		
DANNA RHEINSCHILD	WATER DEPOSIT REFUND	61.63		
BRIAN RICKLEFS	WATER DEPOSIT REFUND	1.33		
	WATER	675.00		
	CUSTOMER DEPOSITS	675.00		
	SEWER			
	SEWER			
CERTIFIED LABORATORIES	SEWER SUPPLIES	219.16		
ENVIRONMENTAL RESOURCE ASSOC.	SEWER LAB SUPPLIES	304.46		
JOHN DEERE FINANCIAL	SEWER EQUIP REPAIR/MAINT	22.71		
LASLEY ELECTRIC LLC	SEWER BLDG REPAIR/MAINT	1,714.86		
MC2, INC.	SEWER EQUIP REPAIR/MAINT	71.07		
MONTICELLO MACHINE SHOP INC	SEWER EQUIP REPAIR/MAINT	7.33		
NEXT GENERATION PLBG & HTG	PUBLIC WORKS/MBC BLDG REPAIR	112.20		
PIPE PRO INC	SEWER SYSTEM	1,500.00		
ROTO-ROOTER	SEWER SYSTEM	1,140.00		
	SEWER	5,091.79		
	SEWER	5,091.79		
	SANITATION			
	SANITATION			
IOWA STATE PRISON INDUSTRIES	SANITATION BAGS	1,673.21		
NEXT GENERATION PLBG & HTG	PUBLIC WORKS/MBC BLDG REPAIR	112.21		
	SANITATION	1,785.42		
	SANITATION	1,785.42		
	STORM WATER			

ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
	STORM WATER FUND			
J&R SUPPLY INC	STORM WATER - BEHREND'S PROJECT	3,216.00		
		=====		
	STORM WATER FUND	3,216.00		
		=====		
	STORM WATER	3,216.00		
		=====		
**** SCHED	TOTAL ****	31,230.69		
		=====		
***** REPORT TOTAL	*****	31,230.69		
		=====		

ACCOUNTS PAYABLE ACTIVITY
CLAIMS FUND SUMMARY

FUND	FUND NAME	TOTAL	CHECK#	DATE
001	GENERAL	7,063.64		
005	MONTICELLO BERNDT CENTER	6,134.61		
015	FIRE	737.99		
016	AMBULANCE	406.98		
030	LIBRARY IMPROVEMENT	232.97		
041	LIBRARY	258.60		
046	AIRPORT	829.63		
110	ROAD USE	2,982.61		
600	WATER	1,765.45		
602	CUSTOMER DEPOSITS	675.00		
610	SEWER	5,091.79		
670	SANITATION	1,785.42		
740	STORM WATER	3,216.00		

Tom / Dena:

*With Regard to Yeoman
Appointment to "Fair Board"*

I have heard from the Mayor, talked to John Harms in reference to the language of the Fair Board by laws with regard to the Park Board appointee (verifying whether it has to be a Park Board "member" Whether a voting member of the Park Board or not.) and have reviewed our Park Board Ordinance one more time. Based upon the above, I conclude as follows:

1. Fair By Laws do not require the Park Board rep. to be a Park Board member. (Therefore there is no need to appoint Tom to be an ex-officio member of the Park Board)
2. Park Board Ordinance does not speak to the Fair Board appointee at all.
3. No prior agreements between City and Fair speak to a requirement that the Park Board have a representative on the Fair Board.
4. Not clear "how" the Park Board position has been filled in the past, but I suspect it has been filled by a Park Board member merely volunteering for the position.

Therefore, I suggest that the Mayor appoint Tom to be the Park and Rec. Board rep. to the Fair Board, noting that no Park Board members were interested in the position and that Tom is the Council Liaison to the Park Board, and that said appointment be in the Consent Agenda. I will put this explanation at the end of the packet as some other Council Members may question why a Council Member is being appointed to this position.

Let me know if you have additional questions or comments on this matter.

Doug

City Council Meeting
Prep. Date: 03/30/17
Preparer: Doug Herman



Agenda Item: 145
Agenda Date: 04/03/2017

Agenda Items Description: Public Hearing in regard to proposed Development Agreement between the City of Monticello and Orbis Corporation, a subsidiary of Menasha Corporation (a/k/a "Orbis") and a **Resolution** to approve said agreement subject to future inclusion of Orbis property to Urban Renewal Area.

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

Attachments & Enclosures:

Proposed Resolution
Proposed Agreement

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

Synopsis: The Proposed Agreement provides tax incentives that are consistent with incentives previously offered to developers and approved by the Council

Background Information: Orbis is proposing a large warehouse addition on property currently owned by Orbis. They wish to move warehousing from portions of their current facility and warehousing from other off site locations to this "new" warehouse. The space freed up in the current facility will be utilized for additional manufacturing. In addition to new property taxes, the addition will allow for the expansion of production which will in turn increase the number of employees at this facility.

The proposed investment in the local Orbis facility is exciting and great for Monticello. Orbis is working with our Econ. Dev. Director and the State of Iowa on other incentives related to this "expansion" project.

Still at play is the modification of the Monticello Urban Renewal "Map" to include the Orbis property. This process is underway but not yet complete and the Development Agreement to be approved tonight is subject to and contingent on the subsequent approval of an amendment to the Urban Renewal Area and Urban Renewal Plan.

Staff Recommendation: I recommend that the Mayor open the Public Hearing, accept public comment, close the public hearing, and that, thereafter, a motion and second be made to approve the Proposed Development Agreement.

RESOLUTION NO. 17-____

Approving a Development Agreement with Orbis Manufacturing, a subsidiary of
Menasha Corporation, including tax increment payments
in an amount not to exceed \$1,207,236

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

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

WHEREAS, the City proposes to enter into an agreement (the “Development Agreement”) with Orbis Manufacturing, a subsidiary of Menasha Corporation (the “Developer”) with respect to construction of a warehouse addition totaling approximately 100,000 sf, and

WHEREAS, the Development Agreement would provide financial incentives to the Developer in the form of incremental property tax payments in an amount not to exceed \$1,620,450 under the authority of Section 403.9(1) of the Code of Iowa, rebating a portion of real estate taxes paid for a number of years, and

WHEREAS, the City Council scheduled a public hearing on the proposed Development Agreement for tonight’s meeting, April 3, 2017, at 6:00 p.m., and

WHEREAS, The City Council notes that the proposed approval of the Development Agreement tonight and the payment of the incentives set forth therein, are all contingent upon the City taking additional steps to add the Orbis property and the Orbis project to the Urban Renewal Area and Urban Renewal Plan, respectively, and

WHEREAS, The City Council has held the public hearing as scheduled.

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Monticello, Iowa, on this 3rd day of April, 2017, by the approval of this Resolution, does hereby approve the proposed Developer's Agreement and incentives offered therein, subject to future formal approvals related to the addition or inclusion of the Orbis property within the Urban Renewal Area and the Orbis project within the Urban Renewal Plan.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto. Done this 3rd day of April, 2017.

Dena Himes, Mayor

Attest:

Sally Hinrichsen, Monticello City Clerk

DEVELOPMENT AGREEMENT

This Agreement is entered into between the City of Monticello, Iowa (the “City”) and Menasha, Inc. d/b/a Orbis Manufacturing (“Developer”) as of the _____ day of _____, 2017.

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

WHEREAS, the Developer intends to undertake the construction of an addition to their current manufacturing facility of approximately 100,000 sf to be used primarily for warehousing, (the “Project”); and

WHEREAS, the Developer has requested tax increment financing assistance with respect to the Project and the City Council finds that the benefits of the project to the community are substantial and that the use of incentives, including TIF, to entice the construction of the project, are appropriate; and

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

1. That a significant warehouse addition to the Orbis Mfg. facility demonstrates a major commitment by Menasha to the Monticello Community and provides a high level of confidence that Orbis will continue to provide employment opportunities for residents of Monticello, Jones County, and surrounding areas.
2. The Council has considered the overall impact the proposed development will have on the community, weighing the overall benefits of the business, including the receipt of property taxes, potential new jobs, and the future longevity of Orbis in Monticello, and finds that the benefits to the Citizens, Local Businesses, and tax base of the City warrants the granting of incentives to promote the proposed improvement.
3. This agreement is not being used to attract a business presently located within the state to relocate to another portion of the state, rather, it is promoting the growth of an existing Monticello, Iowa based business in Monticello, creating future property tax growth, employment opportunities, and a certainty to Orbis’ future in Monticello.

NOW THEREFORE, the parties hereto agree as follows:

A. Developer's Covenants

1. The Developer agrees to construct the project on the property of the owner after the submission and approval of a site plan.
2. The Developer agrees to make timely payment of all property taxes as they come due throughout the term of this Agreement with respect to the Property and to submit proof of payment to the City Clerk when requested.

B. City's Covenants

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

This Agreement assumes that the taxable valuation of the completed Project will go on the property tax rolls as of January 1, 2018. Based thereon, the first tax payment based upon 100% valuation would be made in September, 2019. Accordingly, the Rebate Payments will be made on or about the 1st of December and the 1st of June each fiscal year, beginning on December 1, 2019 and continuing to and including June 1, 2029.

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

FY 19-20: 100%
FY 20-21: 90%
FY 21-22: 85%
FY 22-23: 80%
FY 23-24: 75%
FY 24-25: 70%
FY 25-26: 65%
FY 26-27: 60%
FY 27-28: 60%
FY 28-29: 60%

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

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

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

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

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

C. Administrative Provisions

1. This Agreement may not be amended or assigned by either party without the written consent of the other party.
2. This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.
3. This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with laws of the State of Iowa.

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

City of Monticello, Iowa

By _____
Dena Himes, Mayor

Attest:

Sally Hinrichsen, City Clerk

Menasha, Inc.

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

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

City Council Meeting
Prep. Date: 03/30/17
Preparer: Doug Herman



Agenda Item: 2, 12, 13, 14
Agenda Date: 04/03/2017

Communication Page

Agenda Items Description: Public Hearing on Re-Zoning of Intlekofer Properties located at: SE Corner of Washington and S. Cedar Street from C-1 to R-1; 322 W 4th Street from R-1 to R-2; 525 S. Maple Street from R-1 to R-2, and **Ordinances** to approve requested re-zoning. **(Three Ordinances)**

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

Attachments & Enclosures:

Aerials of each parcel
Ordinances to be prepared
based upon Council direction at meeting

Fiscal Impact:

Budget Line Item:	n/a
Budget Summary:	n/a
Expenditure:	n/a
Revenue:	n/a

Synopsis: Steve Intlekofer requests the re-zoning of three properties to R-2 Zoning.

Background Information: Steve Intlekofer requests the re-zoning of the following properties:

- a. Lot located at SE Corner of intersection of E. Washington and S. Cedar Street from C-1 to R-1 (Original Request was to change this zoning to R-2, but Steve orally agreed to change this request in conversation with PW LaGrange and at last Council meeting.)
- b. 322 W. 4th Street from R-1 to R-2
- c. 525 S. Maple Street from R-1 to R-2

The P & Z considered the requests and by a unanimous vote did NOT recommend that the zoning be changed as originally requested, but were comfortable changing the zoning of the Washington/Cedar lot from C-1 to R-1 as now agreed to by Intlekofer.

They did not support changing the zoning of the other two properties to R-2. They were concerned with limited on and off street parking, with the failure of the homes to have basement egress windows, and finally were concerned with the fact that both homes were converted by Intlekofer from R-1 to an R-2 use without first seeking and obtaining a change in zoning from the City.

Since the Council meeting it has been brought to our attention that the properties do have egress windows. Whether the number of windows and/or size or installation of the windows meets any applicable building or fire code is not currently known. (The City of Monticello does not, however, have a building code.)

Here is some information or considerations related to each specific property:

1. Lot located at SE Corner of intersection of E. Washington and S. Cedar Street from C-1 to R-1 (Original Request was to change this zoning to R-2, but Steve orally agreed to change this request in conversation with PW LaGrange and at last Council meeting.) (Owned by Jayne Intlekofer per Beacon)

- a. This lot has been vacant for a number of years and is located on a corner lot of two relatively busy streets, Cedar and Washington.
- b. The lot has been looked at by others over the years for Commercial purposes, but when one applies the setbacks to proposed commercial construction the lot becomes too small to justify building.
- c. Steve Intlekofer originally suggested that he desired to buy the lot to place two small homes on it. He and I went back and forth with some drawings and set back numbers in regard to that option. It became clear pretty quick that such an option was untenable. He then began to look at a duplex scenario. While that would work, each unit would be pretty small with a single car garage. Steve has since submitted a building permit application to build a single family residence with a detached two car garage. I do not know this to be the case but suspect that he will be moving both structures in from elsewhere, as opposed to stick building the structure, as if he was not he would surely be attaching the two car garage. **(See attached sketch provided by Steve with the building permit application.)**
- d. The construction proposed by the Application appears to meet setbacks and other requirements. Will the structures be similarly sided, have similar roof pitches, etc.? Does the Council wish to condition the change in zoning in any fashion?

2. 322 W. 4th Street from R-1 to R-2 (Owned by Jayne Intlekofer per Beacon)

- a. This property was purchased by Intlekofer in 2010. It was zoned then and continues to be zoned now R-1 Single Family Residential. To the best of my knowledge it was always used as an R-1 Single Family residence prior to the Intlekofer purchase. At some point after 2010 the property began to be used as a two-family residence, with one apartment upstairs and one apartment in the basement. It is my understanding that the basement apartment is accessed through the garage or by way of a door on the E side of the house, to the rear of the garage. (Can ask Steve this question.) It is also my understanding that the home is only served by one set of utilities. (Not sure how the tenants have split these utilities but know that we have had a tenant at City Hall upset that she was paying all utilities, for both apartments, reportedly unbeknownst to her.) A number of months ago Steve reported that the home had returned to R-1 use, however, a short time thereafter, when a tenant on the front porch was approached by the Police Department he reported that the home was still being used as a duplex, reporting that he lived in the basement apartment. It has been reported to me that it is not at all unusual to see a large number of cars parked in the driveway, on the street, in the yard at/near this home.
- b. Across the street to the west of this property is a 4-Plex and a Duplex (I believe). There is also a duplex to the west and down the street one house from a Single Family House that lies between the 4-plex and duplex. The property to the South of this property is a large older home that is used and zoned as an R-2 dwelling. The home to the east is zoned R-1. **(See Attached Aerial)**

- c. According to the Zoning Ordinances all R-2 dwellings must have two off-street parking units for each unit. Therefore, each duplex must have four off street parking spots.
 - i. Code does not allow more than one parking spot per dwelling unit to be in the required front yard of the property. (Therefore, no more than two of the four required spots can be located between the front/face of the home and the front ROW property line.) Also, if there are four cars parked in the driveway they would be parking over the sidewalk.
 - ii. Code does not allow any of the required parking spots to be located within six (6) feet of an abutting lot. (It appears that there may be room to add parking next to the garage on the east of the home, however, I am not certain what limitations the topography might play.)
 - iii. Adding to this home in any way would require careful consideration as it does not likely meet required front yard setbacks, making it an existing, legal, non-conforming use. In that case the home may not be enlarged without special permission and in those cases the enlargement of the home must be done in a way that does not increase the non-conforming nature of the property.

3. 525 S. Maple Street from R-1 to R-2 (Owned by Evan Intlekofer since 2012 per Beacon)

- a. As I recall, Steve bought this property after the home located on said property had burned in approximately 2002.
- b. The home that burned was an R-1 property.
- c. It is my recollection that this structure was moved in from somewhere, not a stick built home on this lot.
- d. While Steve would have received a building permit for the placement of the home it appears, from a review of the County Beacon site that the north edge of the home may in fact be located on the neighboring property owner's lot.
 - i. Last fall we received a call from a neighboring property owner that it appeared that Steve was planning to erect a garage on the property. As I recall he did not have a permit and the PW Director stopped Steve from proceeding and delivered to him the Building Permit Application.
 - 1. Steve completed a portion of the permit but could not successfully get the neighbors signatures as required due to a dispute over the location of the property lines and concerns with drainage from his property to theirs.
 - 2. Steve was told he needed to obtain a survey to proceed which he objected to and has not, to our knowledge, yet obtained.
 - 3. This property, like the property at 322 W. 4th would have all the same off-street parking requirements if converted to R-2 zoning. Looking at the aerial of the property, I question how easily four off-street parking spots could be created, particularly in a way that would allow all four cars to move in and out independently, without others having to be moved.
- e. My understanding is that this property was constructed / erected by Steve with utilities for two units, an upstairs and a downstairs unit.
- f. Similar concerns related to potential non-conformance with set-back ordinances apply to this property like the 4th Street property. Therefore, whether or not a garage could be built on this property is in question. (See Aerial)
- g. Neighbors have expressed concerns with me in regard to the proposed re-zoning.

Finally, applicable to both of the proposed R-2 properties, the Code requires that:

- Building Permits for an R-2 property include a certificate signed by a licensed surveyor verifying the lot lines, and
- Signed Certificate from a licensed engineer or architect that the firewall meets or exceeds construction standards as set by the State of Iowa fire codes.

These two requirements have not, to my understanding, been noted/required during the review of building permit applications for duplexes in the past. With that said, they exist in the Code and unless the Council desires to remove them from the Code I will be sure that the PW Director takes steps to ensure compliance with these requirements moving forward.

Staff Recommendation: I recommend that the Mayor open the Public Hearing, announcing that the Public Hearing will be related to all three requests and that she will accept comments on the properties one at a time until all comments have been received. At the conclusion of public comment the Mayor will close the Public Hearing. Thereafter the Council may introduce and consider for approval three separate Ordinances, one for each property. I would suggest that the Council not consider the waiver of any of the three required readings in the consideration of these requested changes. (If any of the Ordinances does not pass the first reading it will be considered to have failed and will not be brought back for a second reading.)



CITY OF
MONTICELLO

200 E. First St.
Monticello, IA 52310
(319) 465-3577
Fax (319) 465-3527

Equal Opportunity Employer - Fair Housing City

March 12, 2017

Steve Intlekofer
121 E. Grand Street
Monticello, IA 52310

Re: Three Re-Zoning Requests

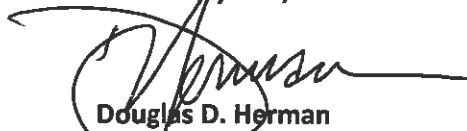
Dear Steve:

The Planning & Zoning Board considered your requests related to the re-zoning of three properties in Monticello at their meeting of Thursday, March 9th. After discussion they chose to not recommend the re-zoning you requested. Generally speaking they did not find the two existing properties to be suitable for duplexes. They discussed limited off-street parking and the fact that they did not believe there to be egress windows from the basement apts. *(I did not inspect the properties and am unsure whether or not there are egress windows.)* They also commented that you used to be on the Planning & Zoning Board and knew or should have known that an R-1 property cannot be converted to an R-2 property without first obtaining a change in the zoning.

The Board also found that the lot purchased from Roger Stephen was not suitable in size for a desirable duplex. The drawing they reviewed proposed single car garages and limited off street parking. They will recommend that the lot remain commercial or be re-zoned to R-1, Single Family Residential.

Your requests will now go to the City Council for consideration. A Public Hearing will be scheduled at the March 20th meeting for the Council Meeting to be held on April 3, 2017 at 6:00 p.m. At that meeting, after the receipt of public comment, if any, the Council can consider the first reading of an Ordinance to change the zoning of the three properties you have proposed to be re-zoned. If you desire to provide the Council with any additional information to consider prior to the 3rd please have it to me by March 20, 2017 at 12:00 p.m. so that I may include it in the Council packet.

Sincerely yours,

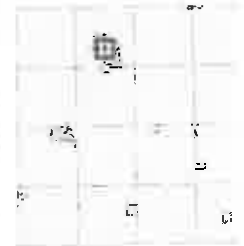


Douglas D. Herman
Monticello City Administrator

Washington St. Lot



Overview



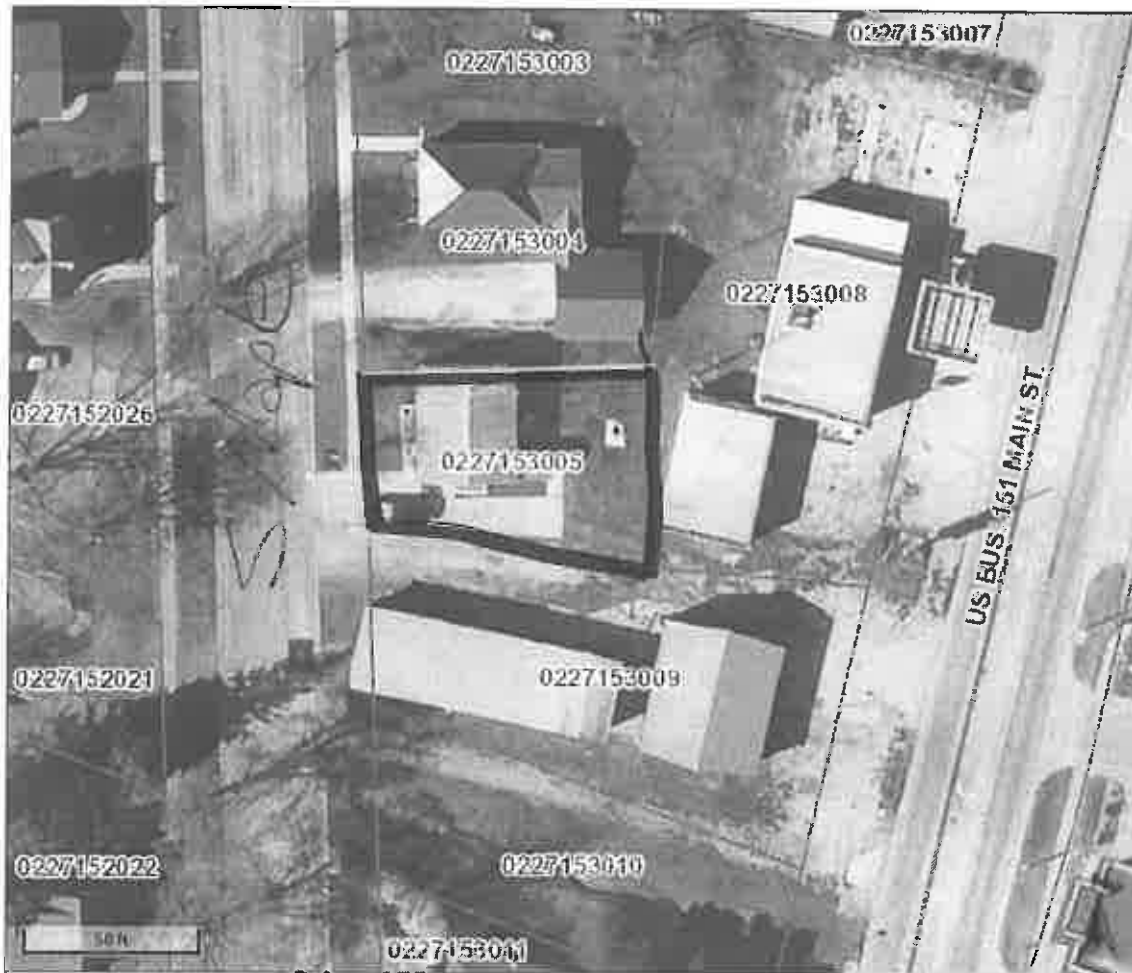
Legend

- Parcels
- Cartography
- Major Roads

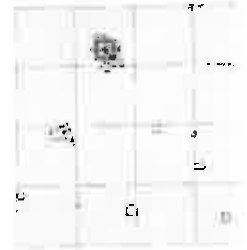
Parcel ID	0227108001	Alternate ID	103600	Owner Address	INTLEKOFER, JAYNE A
Sec/Twp/Rng	n/a	Class	C		529 W 1ST ST
Property Address	112 E WASHINGTON ST	Acreage	n/a		MONTICELLO IA 52310
	MONTICELLO				
District	MONCO				
Brief Tax Description	VARVELS ADD W 120' LOT 97				
	(Note: Not to be used on legal documents)				

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

Date created: 3/15/2017
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Overview



Legend

-  Parcels
-  Cartography
-  Major Roads

Parcel ID	0227153005	Alternate ID	118800	Owner Address	INTLEKOFER, JAYNE
Sec/Twp/Rng	n/a	Class	R		529 W 1ST ST
Property Address	525 S MAPLE ST	Acreage	n/a		MONTICELLO IA 52310
	MONTICELLO				
District	MONCO				
Brief Tax Description	VARVELS O.L. 50' X 90'				
	(Note: Not to be used on legal documents)				

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Date created: 3/15/2017

Last Data Uploaded: 3/14/2017 7:53:46 PM



Developed by
The Schneider Corporation

Duplex



Overview

Legend

- ☐ Parcels
- ☒ Cartography
- ☒ Major Roads

Subject Property

Parcel ID	0221434002	Alternate ID	004400	Owner Address	INTLEKOFER, JAYNE A
Sec/Twp/Rng	n/a	Class	R		529 W 1ST ST
Property Address	322 W 4TH ST	Acreage	n/a		MONTICELLO IA 52310
	MONTICELLO				
District	MONCO				
Brief Tax Description	R.R. ADDS 100' W 50' & S 72' E 40' W 90' LOT 261 (Note: Not to be used on legal documents)				

Duplex

Duplex?

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: 3/15/2017
Last Data Updated: 3/14/2017 7:53:46 PM

Stephen J. Intlekofer
123 East Grand Street
Monticello, IA 52310
Phone: 319 465-7055
Fax: 319 465-3104
Email: asbestos121@gmail.com

*Letter + Attachments
from Steve I.*

March 13, 2017

Mr. Douglas D. Herman
City Administrator
City of Monticello
200 E. 1st Street
319.465.3577
319.465.3527 (fax)
dherman@ci.monticello.ia.us

Re: Your letter of 3-12-17

Dear Doug,

The zoning request for 112 E. Washington (Roger Stephens lot should be R-1). R2 was just too tight a fit-mainly because it is a corner lot. Please change our request from R-2 to R-1. We are applying for R1 building permit, soon.

As regards, the other two properties we would note that both have egress windows 4'x4' as required by law (1 for each bedroom) and I am installing additional parking to the rear at 525 S. Maple (2 spaces and have two spaces on the side). As you know, I have purchased a garage to build but have not been given approval for the building permit. Otherwise, it would be done. Perhaps, R-2 approval would be appropriate once the 2 stall garage is installed (a contingent approval.)

I am installing two off street parking stalls east of the 322 W. 4th Street structure. There is more than adequate room for same and it too, has a 4'x4' egress bedroom windows as required.

Thank you for your concern on the egress windows, I would have been at the P & Z meeting but five hours' notice was not sufficient time to get me there. I was out of the office at 2:00 p.m. when the email came, for the 7:00 pm meeting, and didn't find the email until the next day.

with regard,



Stephen J. Intlekofer

Enc: Beacon overhead view of 322 W. 4th Street, 525 S. Maple Street



CITY OF MONTICELLO

200 E. First St.
Monticello, IA 52310
(319) 465-3577
Fax (319) 465-3527

Equal Opportunity Employer - Fair Housing City

March 12, 2017

Steve Intlekofer
121 E. Grand Street
Monticello, IA 52310

Re: Three Re-Zoning Requests

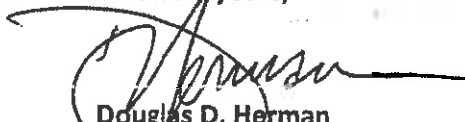
Dear Steve:

The Planning & Zoning Board considered your requests related to the re-zoning of three properties in Monticello at their meeting of Thursday, March 9th. After discussion they chose to not recommend the re-zoning you requested. Generally speaking they did not find the two existing properties to be suitable for duplexes. They discussed limited off-street parking and the fact that they did not believe there to be egress windows from the basement apts. *(I did not inspect the properties and am unsure whether or not there are egress windows.)* They also commented that you used to be on the Planning & Zoning Board and knew or should have known that an R-1 property cannot be converted to an R-2 property without first obtaining a change in the zoning.

The Board also found that the lot purchased from Roger Stephen was not suitable in size for a desirable duplex. The drawing they reviewed proposed single car garages and limited off street parking. They will recommend that the lot remain commercial or be re-zoned to R-1, Single Family Residential.

Your requests will now go to the City Council for consideration. A Public Hearing will be scheduled at the March 20th meeting for the Council Meeting to be held on April 3, 2017 at 6:00 p.m. At that meeting, after the receipt of public comment, if any, the Council can consider the first reading of an Ordinance to change the zoning of the three properties you have proposed to be re-zoned. If you desire to provide the Council with any additional information to consider prior to the 3rd please have it to me by March 20, 2017 at 12:00 p.m. so that I may include it in the Council packet.

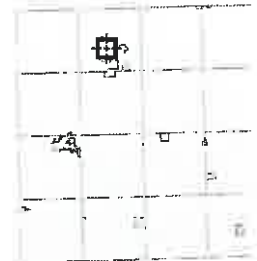
Sincerely yours,


Douglas D. Herman
Monticello City Administrator

*2 Street
Paving to
be installed.*



Overview



Legend

- Parcels
- Cartography
- Major Roads

Parcel ID	0221434002	Alternate ID	004400	Owner Address	INTLEKOFER, JAYNE A
Sec/Twp/Rng	n/a	Class	R		529 W 1ST ST
Property Address	322 W 4TH ST	Acreage	n/a		MONTICELLO IA 52310
	MONTICELLO				
District	MONCO				
Brief Tax Description	R.R. ADD S 100' W 50' & S 72' E 40' W 90' LOT 261				
	(Note: Not to be used on legal documents)				

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

Date created: 3/14/2017

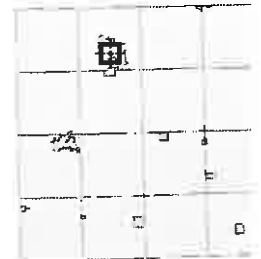
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Developed by
The Schneider Corporation



Overview



Legend

- Parcels
- Cartography
- Lot Lines
- Major Roads

Parcel ID	0227153005	Alternate ID	118800	Owner Address	INTLEKOFER, JAYNE
Sec/Twp/Rng	n/a	Class	R		529 W 1ST ST
Property Address	525 S MAPLE ST	Acreage	n/a		MONTICELLO IA 52310
	MONTICELLO				
District	MONCO				
Brief Tax Description	VARVELS O.L. 50' X 90'				
	(Note: Not to be used on legal documents)				

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Date created: 3/15/2017
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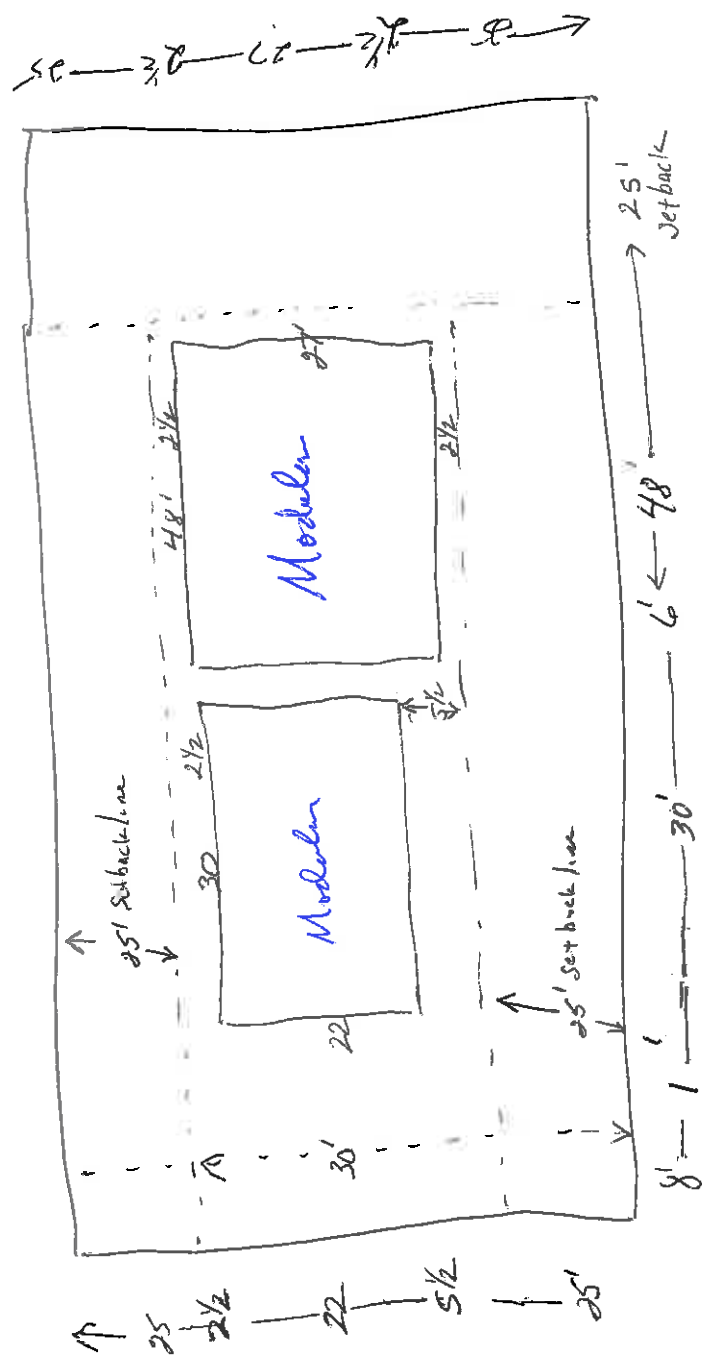
Developed by
The Schneider Corporation

112 E. Washington

SFR Proposal - 80 X 120 lot

features 25' set back - 35.0m
8' set back - East

existing
facing
houses



80

120

E. Washington St.

Not to Scale

S

9000 S.E.

N

City Council Meeting
Prep. Date: 03/30/17
Preparer: Doug Herman



Agenda Item: 3 + 15
Agenda Date: 04/03/2017

Communication Page

Agenda Items Description: Public Hearing re: Re-Zoning of Kraus property located at 410 E. Oak Street, Monticello, from R-1 to C-1 and Ordinance to approve requested re-zoning.

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

Attachments & Enclosures:

Aerial
Proposed Ordinance

Fiscal Impact:

Budget Line Item:	n/a
Budget Summary:	n/a
Expenditure:	n/a
Revenue:	n/a

Synopsis: Mike Kraus requests the re-zoning of a parcel of property with commercial building to C-1 General Commercial.

Background Information: Mike Kraus owns the “old DOT” building located adjacent to the HCH Real Estate offices. The property is zoned R-1, however, it is a commercial building, generally used for Commercial purposes.

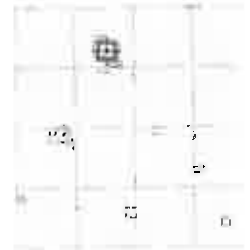
The P & Z considered the request and by a unanimous vote recommended that the zoning be changed as requested, from R-1 to C-1.

Note: The building on this lot does not meet all set-backs and is therefore non-conforming. Changing the zoning does not make it more or less non-conforming. While the “lot” may see further development with an approved building permit, the existing structure may not be added onto due to its non-conforming nature.

Staff Recommendation: I recommend that the Mayor open the Public Hearing, accept public comment, and then close the public hearing. Thereafter, after motion and second, the Council may consider the approval of the first reading of an Ordinance to change the zoning of this parcel.



Overview



Legend

-  Parcels
-  Cartography
-  Major Roads

Parcel ID	0227176009	Alternate ID	139700	Owner Address	KRAUS, MICHAEL
Sec/Twp/Rng	n/a	Class	R		14432 190TH ST
Property Address	410 E OAK ST	Acreage	n/a		MONTICELLO IA 52310
	MONTICELLO				
District	MONCO				
Brief Tax Description	SMITHS IRREG SURVEY COM NE COR LOT 134 E 151' S TO LOT 132				
	(Note: Not to be used on legal documents)				

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

Date created: 3/15/2017
Last Data Uploaded: 3/14/2017 7:53:46 PM



Developed by
The Schneider Corporation

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

Amendment to Ordinance recorded as document 2000 3630, recorded date November 28, 2000

ORDINANCE NO. _____

An Ordinance amending the Monticello Code of Ordinances, by amending Chapter 165 "ZONING REGULATIONS" of certain property located within the City Limits of the City of Monticello, same being generally described as 410 E. Oak Street, Monticello, IA 52310 and amending the Official Zoning Map.

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

A. Zoning Classification:

That the Zoning Classification for the above-described property shall be hereby amended from its' present designation of R-1, Single Family Residential to C-1, General Commercial.

B. Repealer:

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

C. Severability:

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

D. Effective Date

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

1st reading passed by the Council on this _____.

2nd reading passed by the Council on this _____.

3rd reading passed by the Council on this _____.

Dena Himes, Mayor

Attest:

Sally Hinrichsen, City Clerk

I, Sally Hinrichsen, Monticello City Clerk, do hereby certify that the above and foregoing Ordinance #___ was published in the Monticello Express on the ___ day of ___, 2017.

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: 03/30/17
Preparer: Doug Herman



Agenda Item: 4, 16+17
Agenda Date: 04/03/2017

Agenda Items Description: Public Hearing on Re-Zoning of numerous parcels of property located within the City of Monticello, as identified within Addendum "A" to this agenda, that are incorrectly zoned or incorrectly classified by the City of Monticello official zoning map, and Ordinance to re-zone said parcels. (Two Ordinances Proposed, one to waive three readings on certain parcels and one to proceed with three readings on balance of parcels.)

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

Attachments & Enclosures:

Exhibit "A"

Ordinances

Fiscal Impact:

Budget Line Item:

n/a

Budget Summary:

n/a

Expenditure:

n/a

Revenue:

n/a

Synopsis: Staff identified Zoning Map errors. Public Hearing to receive public comment, if any, followed by consideration of Ordinances.

Background Information: The following properties/parcels, upon a review of the Zoning Map, do not appear to be zoned correctly. It is difficult to tell with certainty whether the map is wrong or if the properties are in fact zoned incorrectly by prior ordinance of the City. Because it would be very time consuming to review past City Ordinances, that may go back a significant number of years, I am proposing that we proceed with a process that would either result in a change or verification of the correct zoning. In some cases the map is undoubtedly wrong, in some cases showing property as "city owned" when it is not and in other cases merely in need of updating, to reflect new city owned property, like the Pocket Park and Disc Golf Course for example. If over the next few months we take care of these mapping issues by either correcting or confirming the correct zoning we can have a good map overlaid on the Jones County Beacon that we will be in a better position to manage going forward and will not need to utilize the City Engineer in the future to update. There are a lot of properties on my list as I spent a number of hours looking at the map. I think I caught most of the erroneous mapping/zoning but it is likely there will be a correction here and there as we move forward. I did not list map errors where I know the zoning has been changed, just not reflected on the map. Those can be fixed by the engineer without further action by this Board or the Council. All affected property owners were sent a letter by me explaining the process we were going through to correct what appears to be erroneous zoning classifications. I haven't received any objections to date. The proposed changes will put the property into the zoning class that most property owners already believe they are in. (Note: C-1 is general commercial, must meet set-backs. C-2 is downtown commercial, can build to the property right-of-way line.) See next page (Addendum "A") for list of properties:

Staff Recommendation: I recommend that the Mayor open the public hearing, accept public comment, close the public hearing, and thereafter consider the passage of two separate Ordinances, the first in regard to properties associated with the Oak Street Condo development where I am requesting the approval of all three readings at tonight's meeting, and the second related to the balance of the properties identified within Addendum A that can follow the normal three reading track.

Proposed Property Re-Zoning Classifications / Corrections

Addendum “A”

- a. 208 S. Cedar Street (Monk Property) and adjacent Abandoned RR ROW (identified as the E ½ E ½ R.R. R.O.W. Adj S 28' Lot 517), from C-1 to C-2
- b. 200-206 S. Cedar Street (PLK Properties, L.L.C.), from C-1 to C-2.
- c. Abandoned RR ROW (Audrey Savage) (identified as the W 1/2 E ½ R.R. R.O.W. Adj S 28' Lots 517-518), from R-1 to C-1.
- d. Portion of 116 E. Grand Street sold from Carnegie Library lot to Knopp described as E. 30' of Lot 101 of Varvel's Addition, from C-1 to R-1.
- e. 121 E. Grand Street (Intlekofer “offices”) from C-1 to C-2.
- f. 117 E. Grand Street (City Parking Lot) from R-2 to City Owned.
- g. 111 E. Grand Street (Goodyear / Express) from C-1 to C-2.
- h. 112 and 114 E. 1st Street (Pocket Park) from C-2 to City Owned.
- i. 116 S. Cedar Street (Mootz Property) from C-1 to C-2.
- j. 114 S. Cedar Street (Shimanek Property) from C-1 to C-2.
- k. 103 W. 1st Street (Hughes Property) from C-1 to C-2.
- l. 104 S. Cedar Street (Reyner Property) from C-1 to C-2.
- m. 105 W. 1st Street (O'Mahoney Property) from C-1 to C-2.
- n. 107 W. 1st Street (Herky Hawk Financial) from C-1 to C-2.
- o. Lot adjacent to 107 W. 1st St. to south (Herky Hawk Financial) from C-1 to C-2.
- p. 216 W. 1st Street (Monk Property) from C-1 to C-2.
- q. 218 W. 1st Street (And adjacent lot to west) (Digmann Property) from C-1 to C-2.
- r. Regions Bank W. Park. lot (Savage property), described as R.R. Add Lot 431 & Com 25' S NW Cor Lot 430 N 25' E 122' S 50' NW to Beg., from R-1 to C-1.
- s. City Parking Lot across from Post Office, R.R. Add Lot 447 Exc. N. 16”, From C-2 to City Owned.
- t. 136 N. Cedar Street (Freese Property) from C-1 to C-2.
- u. 103 E. 2nd Street (Freese Property) from C-1 to C-2.
- v. 202 N. Cedar Street (Cox / Kardes) from R-1 to C-1.
- w. 205 E Grand Street (Library Parking Lot) from R-1 to City Owned
- x. Lot adjacent to and North of 205 E. Grand (Ren. Center) from C-2 to City Owned.
- y. Old “School” parking lot to south of Middle School across Washington Street owned by Iben Construction Co. Inc., from “City Owned” (*does not appear that this was a correct zoning at any point*) to R-1.
- z. Tower Hill Addition Lot B (A part of Jacobs Park, most of which is shown but not all to be City Owned on Map) from R-1 to City Owned.
- aa. City owned property located on S. Cedar Street to the W. of and adjacent to BBall Courts, Dunhams Lots 9 and N. 40' Lot 12, from R-1 to City Owned.
- bb. City Cemetery Property recently acquired from Mike Kraus, Parcel 2015-41, from A-1 to City Owned.
- cc. Mike Kraus Property recently acquired from City Cemetery, Parcel 2015-39, from City Owned to A-1
- dd. 412, 414, and 416 E. Oak Street (Kraus Property) from R-1 to R-3.

- ee. Property owned by Phil First/others (Parcel 2012-126 in Doden's 1st Add. Lot 2) to south of 412-416 E. Oak Street to be purchased by Kraus for R-3 Development, from C-1 to R-3.
- ff. 139 S. Main Street, all suites and buildings, (Stingley Dental Office, Family Insurance, et. al.) from R-1 to C-1 (Appears that most of this property is Zoned C-1, but the East 1/3 appears to be zoned R-1 according to our Zoning Map.)
- gg. Parcel 2001-149 (Airport Property) from A-1 to City Owned.
- hh. Parcel 2001-149 (Airport Property) from A-1 to City Owned.
- ii. Parcel located in Section 35, township 86, range 3 west of the 5th P.M., Tax Parcel I.D. 0235100012 (Rowland Property) lying just south of the western portion of City parcel 2001-149, currently shown as being City Owned but appearing to be owned by Elizabeth Rowland, et. al. as A-1.
- jj. Parcel 2001-172 (Rowland Property) from City Owned to A-1.
- kk. Parcel 2001-171 (Rowland Property) from City Owned to A-1.
- ll. 35-86-03 NW ¼ NW ¼ Exc. Parcel 2001-149 (Rowland Property) from City Owned to A-1.
- mm. Shimanek property located at or near the western edge of the Monticello City limits identified by the following Tax Parcel I.D.'s: 0221101011 (two tracts) and 0221101002. From R-1 to A-1
- nn. Goedken property located at or near the western edge of the Monticello City limits identified by the following Tax Parcel I.D.'s: 0221151001 and 0221326025. From R-1 to A-1
- oo. McDonough property located at or near the western edge of the Monticello City limits identified by the following Tax Parcel I.D.: 0221301002. From R-1 to A-1

The balance of the proposed changes are all associated with past flood buyouts, the DGC, and street abandonments in that area.

- a. Parcel 2015-15 (Willow Park / Shelter) from C-1 to City Owned.
- b. Parcel 2015-16 (Yeoman Property, purchased from City after vacation of Locust Street) from a "street" to C-1.
- c. Parcel 2015-14 (White property, purchased from City), confirming continued zoning as C-1.
- d. 615 E. Washington Street (Old Riddle Property) from C-1 to City Owned.
- e. 231 S. Locust Street (Flood Buyout) from R-1 to City Owned.
- f. 225 S. Locust Street (Flood Buyout) from C-1 to City Owned.
- g. 523 E. Grand Street (Flood Buyout) from R-1 to City Owned.
- h. 121 S. Locust Street (Flood Buyout) from R-1 to City Owned.
- i. 124 S. Locust Street (Flood Buyout) from R-1 to City Owned.
- j. 114 S. Locust Street and adjacent strip to the south, between 114 and 124 S. Locust Street (Flood Buyout) from R-1 to City Owned.
- k. 105 S. Locust Street (Flood Buyout) from R-2 to City Owned
- l. 109 S. Locust Street (Flood Buyout) from R-1 to City Owned.
- m. 602 E. 1st Street (Flood Buyout) from C-1 to City Owned.
- n. 604 E. 1st Street (Flood Buyout) from C-1 to City Owned.

- o. Energy Company Place Lot 2 (DGC Donation) from C-1 and R-1 to City Owned.
- p. Irreg. Plat E Pt. Lot 143 & E. Pt Lot 146 Fra 5.40 acres (DGC Donation) from C-1 to City Owned.
- q. Parcel 2014-2745 (DGC Donation) from C-1 and R-1 to City Owned.

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

Amendment to Ordinance recorded as document 2000 3630, recorded date November 28, 2000

ORDINANCE NO. _____

An Ordinance amending the Monticello Code of Ordinances, by amending Chapter 165 "ZONING REGULATIONS" of certain property located within the City Limits of the City of Monticello, same being generally described as 412, 414, and 416 E. Oak Street, and Parcel 2012-126 located in Doden's 1st Addition Lot 2, also identified by Tax Parcel I.D. 0227176041, all located within the City limits of Monticello, IA 52310 and amending the Official Zoning Map.

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

A. Zoning Classification:

That the Zoning Classification of the properties located at 412, 414, and 416 E. Oak Street shall be hereby amended from their present designation of R-1, Single Family Residential, to R-3, Multiple Family Residential.

B. Zoning Classification:

That the Zoning Classification of the property identified as Parcel 2012-126 located in Doden's 1st Addition Lot 2, also identified by Tax Parcel I.D. 0227176041 shall be hereby amended from its present designation of C-1, General Commercial, to R-3, Multiple Family Residential

B. Repealer:

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

C. Severability:

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

D. Effective Date

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

1st through 3rd readings passed by the Council on this _____.

Attest:

Dena Himes, Mayor

Sally Hinrichsen, City Clerk

I, Sally Hinrichsen, Monticello City Clerk, do hereby certify that the above and foregoing Ordinance #___ was published in the Monticello Express on the ___ day of ___, 2017.

Sally Hinrichsen, City Clerk

Amendment to Ordinance recorded as document 2000 3630, recorded date November 28, 2000

ORDINANCE NO. _____

An Ordinance amending the Monticello Code of Ordinances, by amending Chapter 165 "ZONING REGULATIONS" of certain property located within the City Limits of the City of Monticello, same being generally described as set forth within Addendum A, attached hereto, all located within the City limits of Monticello, IA 52310 and amending the Official Zoning Map.

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

A. Summary

That a number of properties located within the City Limits of Monticello have been determined, upon a review of the Monticello Zoning Map, to be incorrectly zoned and/or incorrectly classified, said properties being generally described as set forth within the attached Addendum "A".

B. Zoning Classification:

That the current and proposed Zoning Classifications of the properties described within Addendum "A" attached hereto are, by this reference, incorporated in this Ordinance, as if same had been set forth fully, verbatim, herein.

C. Amendment to Zoning Classifications:

That the Zoning Classifications of the properties identified in the attached Addendum "A" are hereby amended from their present designation, as shown within the Addendum, to the new or updated Zoning Classification, also as shown within the attached Addendum.

D. Repealer:

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

E. Severability:

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

F. Effective Date

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

1st reading passed by the Council on this ____ day of _____, 2017.

2nd reading passed by the Council on this ____ day of _____, 2017.

3rd reading passed by the Council on this ____ day of _____, 2017.

Dena Himes, Mayor

Attest:

Sally Hinrichsen, City Clerk

I, Sally Hinrichsen, Monticello City Clerk, do hereby certify that the above and foregoing Ordinance #____ was published in the Monticello Express on the ____ day of _____, 2017.

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: 03/30/17
Preparer: Doug Herman



Agenda Item: # 6
Agenda Date: 04/03/17

Communication Page

Agenda Item Description: Resolution scheduling Public Hearing on Proposed Voluntary Annexations.

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

Attachments & Enclosures:

Proposed Resolution

Fiscal Impact:

Budget Line Item:

n/a

Budget Summary:

Expenditure:

Revenue:

Synopsis: Public Hearing required as part of the process to annex property.

Background Information:

With the Yousse annexation documents signed and in hand we can now take the next step to wrap up the annexation of said property along with other property annexations that were held up during the finalization of the Yousse annexation paperwork, including Koob's Garage, the City Shop, and the Monticello Machine Shop.

Certified Mailing notice has been sent to the Auditor and the County Atty. As required by the Code of Iowa. After the Public Hearing the annexations can be moved towards finalization by the passage of a Resolution by the City Council along with the forwarding and filing of the Resolution and related paperwork with those parties required by law to receive notice.

Staff Recommendation: I recommend that the Council approve the Resolution scheduling Public Hearing on the proposed Annexations for April 17, 2017 at 6:00 p.m.

THE CITY OF MONTICELLO, IOWA

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

RESOLUTION #17-____

Resolution scheduling Public Hearing on proposed Voluntary Annexations

WHEREAS, The City has received Applications for Voluntary Annexations related to the following properties (generally described) Yousse property, Koob's Garage, City of Monticello Shop, and Monticello Machine Shop, and

WHEREAS, The properties, generally described above, are contiguous to the City and otherwise in a legal position to be annexed, said properties more specifically described as shown on the attached Exhibit A to this Resolution, and

WHEREAS, The Annexation process requires the City to hold a public hearing on the proposed annexations.

NOW THEREFORE BE IT RESOLVED by the City of Monticello, through its' City Council, in session this 3rd day of April, 2017 does hereby schedule a public hearing on the proposed annexation of the properties identified herein, said public hearing to be set for the 17th day of April, 2017 at 6 p.m.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal for the City of Monticello, Iowa to be affixed. Done this 3rd day of April, 2017.

Dena Himes, Mayor

Attest:

Sally Hinrichsen, City Clerk

**Preparer Information: Atty. Doug Herman, Monticello City Administrator
200 E. 1st Street, Monticello, IA 52310 Phone: 319.465.3577**

**APPLICATION FOR VOLUNTARY ANNEXATION
City of Monticello, Iowa**

**TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF
MONTICELLO, IOWA:**

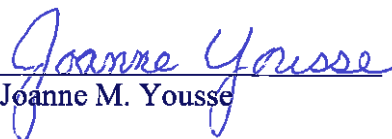
The undersigned, being the owner of property lying adjacent to the corporate limits of the City of Monticello, Iowa as shown in Exhibit "A" attached hereto, hereafter generally referred to as "subject property", and by this reference made a part hereof, as if set forth fully verbatim herein, respectfully requests that Subject Property be annexed to and made a part of the corporate territory of the City of Monticello, Iowa. In support this Application, the undersigned states as follows:

1. That the undersigned, as Owner(s) of the property described within Exhibit A, is authorized to make this Application.
2. That Daniel M. Yousse, Joanne M. Yousse, and Tracy Yousse are the owners of the Subject Property.

3. That said tract of land joins the corporate city limits of the City of Monticello, Iowa, and is contiguous to land within the city limits of the City of Monticello, Iowa.
4. That Subject Property is within the urbanized area of the City of Monticello, and is not within the urbanized area of any other city. (*Urbanized Area* being defined as any area of land within two miles of the boundaries of a City. Iowa Code §368.1(16))
5. That a map of said tract of land showing the site location of the property, along with the property legal description are attached hereto and by this reference incorporated within this document as if same had been set forth fully verbatim herein.
6. That the attached Exhibit sets out the location of the territory to be annexed, with reference to the existing corporate city limits of the City of Monticello, Iowa, disclosing that the subject property is contiguous to the existing corporate boundaries of the City of Monticello.

Dated this 20 day of March, 2017.

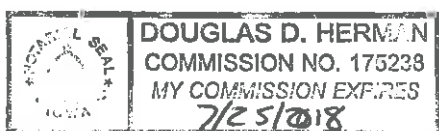
By: 
Daniel M. Yousse

By: 
Joanne M. Yousse

By: 
Tracy D. Yousse

STATE OF IOWA)
)§
COUNTY OF JONES)

On this 20th day of March, 2017, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Daniel M. Yousse, Joanne M. Yousse, and Tracy D. Yousse, who signed the above and foregoing Application for Voluntary Annexation as an expression of their voluntary act and deed.



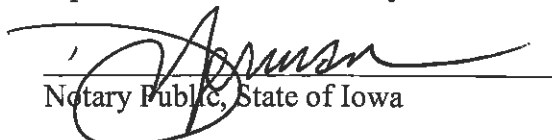

Notary Public, State of Iowa

EXHIBIT "A"

COMMENCING at the Southeast corner of SECTION 16, TOWNSHIP 86, NORTH, RANGE 3, West of the 5th P.M.; thence West 590.8 feet to THE POINT OF BEGINNING (being point of intersection of East line of Highway No. 38 and centerline of County Road on South line of SE ¼ SE ¼ of said Section 16); thence North 0°22' East 133.3 feet along the present fence line; thence East 200.0 feet; thence South 0°22' West 133.3 feet; thence West 200.0 feet to the point of beginning. Subject to the rights, of the public in the highway on the South line of said premises.

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

(The annexation to include one-half of the road right-of-way adjacent to the above described property. (See attached aerial map disclosing the above-described property as well as the proposed road right-of-way to be annexed.))



JONES COUNTY, IOWA
Proposed Monticello Annexations
Daniel M Youssef Etal Property
02216477002
Date: 02/15/2017

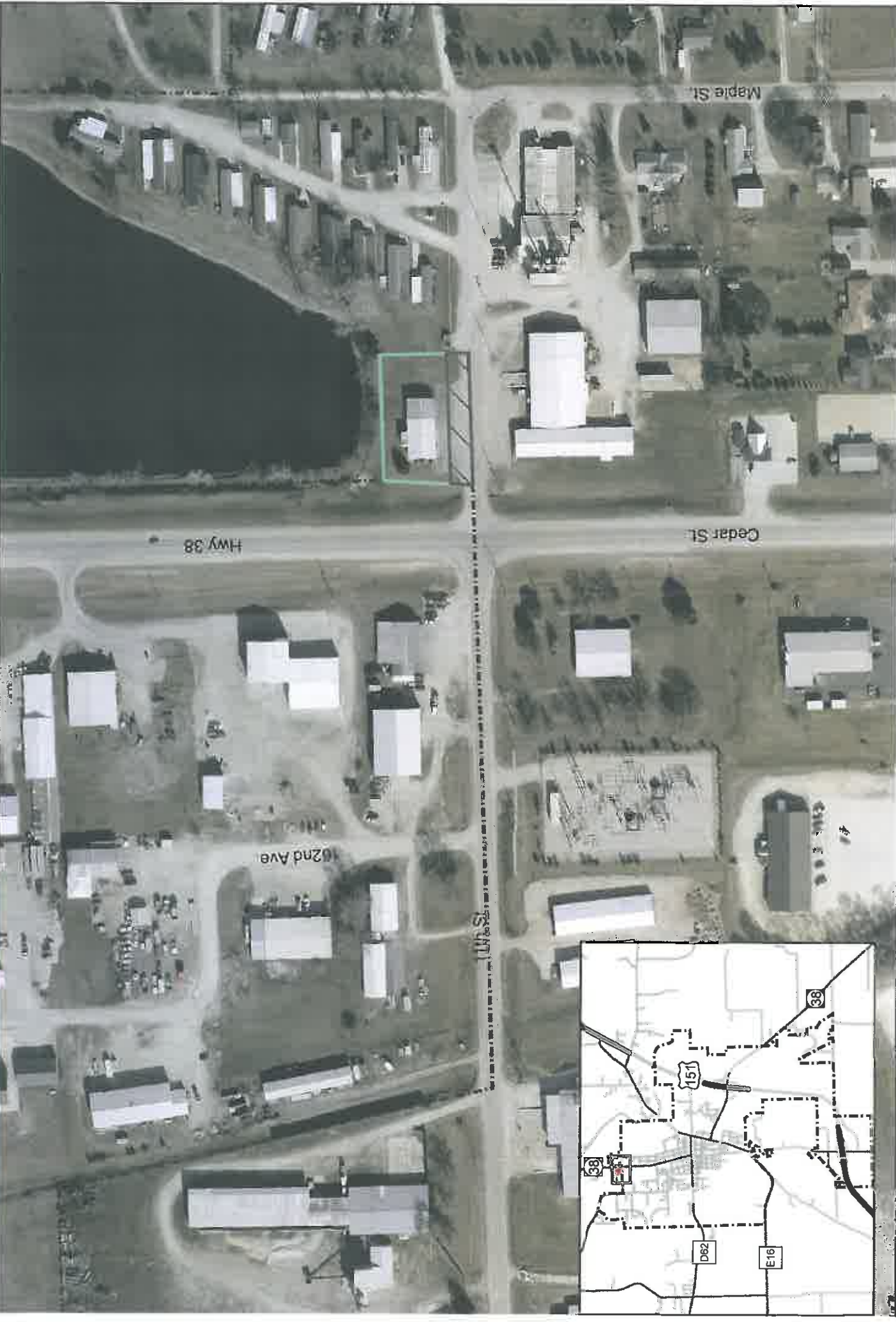
THIS INFORMATION HAS BEEN PREPARED BY SURVEY, AND SHOULD BE RELIED UPON FOR THE PURPOSES OF THE DATA DELINEATED HEREIN, EITHER EXPRESSED OR IMPLIED BY JONES COUNTY OR ITS EMPLOYEES. THIS MAP IS COMPILED FROM OFFICIAL RECORDS, INCLUDING PLATS, SURVEYS, RECORDED DEEDS, AND CONTRACTS, AND ONLY CONTAINS INFORMATION REQUIRED FOR LOCAL GOVERNMENT PURPOSES. SEE THE RECORDED DOCUMENTS FOR MORE DETAILED LEGAL INFORMATION.

This map was produced from data maintained in the Jones County Geographic Information System. For further information regarding maps, data sources or the availability of GIS products and services, please contact Jones County GIS at (319) 462-5303.

SCALE
1:2,234



LEGEND
Proposed Annexation
Proposed Annexation Road Right Of Way
Corporate Limits



**Preparer Information: Atty. Doug Herman, Monticello City Administrator,
200 E. 1st Street, Monticello, IA 52310 Phone: 319.465.6435**

**APPLICATION FOR VOLUNTARY ANNEXATION
City of Monticello, Iowa**

**TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF
MONTICELLO, IOWA:**

The undersigned, being the owner(s) of property that, upon the completion of pending Annexation Applications, will be adjacent to the corporate limits of the City of Monticello, Iowa as shown in Exhibit "A" attached hereto, hereafter generally referred to as "subject property", and by this reference made a part hereof, as if set forth fully verbatim herein, respectfully requests that Subject Property be annexed to and made a part of the corporate territory of the City of Monticello, Iowa. In support this Application, the undersigned states as follows:

1. That the undersigned, Mary Beth Clark, as Owner of the property described within Exhibit A, is authorized to make this Application.

2. That said tract of land will join the corporate city limits of the City of Monticello, Iowa, when this and other pending Annexation Applications are approved and will, therefore, be contiguous to land within the city limits of the City of Monticello, Iowa.
3. That Subject Property is within the urbanized area of the City of Monticello, and is not within the urbanized area of any other city. (*Urbanized Area* being defined as any area of land within two miles of the boundaries of a City. Iowa Code §368.1(16))
4. That a map of said tract of land showing the site location of the property, along with the property legal description, same having been verified by the Jones County Auditor, to be annexed is attached hereto as Exhibit A and by this reference incorporated herein as if same had been set forth fully verbatim herein.
5. That the attached Exhibit "A" sets out the location of the territory to be annexed, with reference to the existing corporate city limits of the City of Monticello, Iowa, disclosing that the subject property will be contiguous to the existing corporate boundaries of the City of Monticello upon the completion of pending Annexation Applications.

Dated this 27th day of August, 2013.

By: Mary Beth Clark
Mary Beth Clark, Owner

STATE OF IOWA)
)§
COUNTY OF JONES)

On this 27th day of August, 2013, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Mary Beth Clark, known to me to be the identical person named herein, who acknowledged that the execution of the above and foregoing instrument was an expression of her voluntary act and deed.



[Signature]
Notary Public, State of Iowa

EXHIBIT "A"

Lot 2, Sauser Hearn First Addition to Jones County, Iowa; together with Right of Way along the East 60 feet of Lot 3 of Sauser Hearn First Addition to Jones County, Iowa, and Subject to Easements of Record.



JONES COUNTY, IOWA
Proposed Monticello Annexations
Mary B Clark
0216476004
Date: 09/26/2013

This map was produced from data maintained in the Jones County Geographic Information System. For further information regarding maps, data sources or the availability of GIS products and services, please contact Jones County GIS at: (319) 462-5303.

SCALE
1:2,334



LEGEND
Proposed Annexation
Proposed Annexation Road Right Of Way
Corporate Limits



**Preparer Information: Atty. Doug Herman, Monticello City Administrator, 200 E.
1st Street, Monticello, IA 52310 Phone: 319.465.6435**

**APPLICATION FOR VOLUNTARY ANNEXATION
City of Monticello, Iowa**

**TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF
MONTICELLO, IOWA:**

The undersigned, being the owner of property lying adjacent to the corporate limits of the City of Monticello, Iowa as shown in Exhibit "A" attached hereto, hereafter generally referred to as "subject property", and by this reference made a part hereof, as if set forth fully verbatim herein, respectfully requests that Subject Property be annexed to and made a part of the corporate territory of the City of Monticello, Iowa. In support this Application, the undersigned states as follows:

1. That the undersigned, as Owner of the property described within Exhibit A, is authorized to make this Application.
2. That Steven J. Koob is the sole owner of the Subject Property.
3. That said tract of land joins the corporate city limits of the City of Monticello, Iowa, and is contiguous to land within the city limits of the City of Monticello, Iowa.

4. That Subject Property is within the urbanized area of the City of Monticello, and is not within the urbanized area of any other city. (*Urbanized Area* being defined as any area of land within two miles of the boundaries of a City. Iowa Code §368.1(16))
5. That a map of said tract of land showing the site location of the property, along with the property legal description, see attached Exhibit "A", same having been verified by the Jones County Auditor, to be annexed is attached hereto and by this reference incorporated within this Application, as if same had been set forth fully verbatim herein.
6. That the attached Exhibit "A" sets out the location of the territory to be annexed, with reference to the existing corporate city limits of the City of Monticello, Iowa, disclosing that the subject property is contiguous to the existing corporate boundaries of the City of Monticello.

Dated this 9th day of MARCH, 2012.

By:

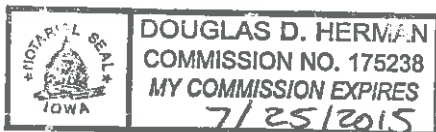
Steven J. Koob
Steven J. Koob

STATE OF IOWA)

)§

COUNTY OF JONES)

On this 9th day of March, 2012, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Steven J. Koob, known to me to be the identical person named herein, who acknowledged that he executed the above and foregoing instrument as an expression of his voluntary act and deed.



[Signature]
Notary Public, State of Iowa

EXHIBIT "A"

COMMENCING at a point 750.8 feet West of the Southeast corner of SECTION 16, TOWNSHIP 86, NORTH, RANGE 3, West of the 5th P.M.; thence NORTH parallel to the West line of Highway #38, 125 feet; thence WEST 348 feet; thence SOUTH 125 feet; thence EAST to the point of beginning, SUBJECT TO the rights of the public in all highways and to all easements of record.

-And-

Parcel 94-04, according to the Plat recorded in Plat Book K, page 164, and also in Book 361, page 62, of the Jones County Records, subject to covenants and easements of record.