

City of Monticello, Iowa

Monticello City Council Meeting October 19, 2026 at 6:00 p.m.

Posted October 15, 2026 at 2:00 PM www.ci.monticello.ia.us

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

Mayor Pro Tem: Scott Brighton

City Council:

At Large: Candy Langerman

At Large: Mary Phelan

At Large: Josh Brenneman

At Large: Dave Goedken

At Large: Ben Duehr

Staff:

City Administrator:

Russell Farnum

City Clerk/Treas.:

Sally Hinrichsen

Police Chief:

Britt Smith

Library Director:

Faith Brehm

Public Works Dir.:

Nick Kahler

Water/Wastewater Sup.:

Jim Tjaden

Park & Rec Director:

Jacob Oswald

Ambulance Director:

Lori Lynch

City Engineer:

Patrick Schwickerath

- **Call to Order – 6:00 P.M.**

- Pledge of Allegiance

- Roll Call

- Agenda Addition/Agenda Approval

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

Resolution:

1. **Resolution** Approving Appointment to Fill Vacant Mayor Seat, vacated by Jake Ellwood

2. **Taking Oath of Office** for newly appointed Mayor

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

October 5, 2026

Approval of Payroll

October 15, 2026

Approval of Claims List

Approval of Treasurer's Report

July 2026

Resolutions:

3. **Resolution** Designating The Official Public Posting Location For Meeting Notices Pursuant To Iowa Code Section 21.4
4. **Resolution** Appropriating funds necessary to meet the City's Obligation to Mike Beck and Ken McDermott, known as Royal Flush Truck Wash, Inc per Development Agreement, dated March 17, 2014, and as amended, dated June 3, 2019
5. **Resolution** Appropriating funds necessary to meet the City's Obligation to Cobblestone Inn & Suites (formerly known as Boulders Inn Monticello) under the Development Agreement dated October 5, 2015; as amended November 20, 2017
6. **Resolution** Appropriating funds necessary to meet the City's Obligation to Orbis Manufacturing, a subsidiary of Menasha Corporation per Development Agreement dated April 3, 2017, as amended by Resolution #19-27, dated April 15, 2019
7. **Resolution** Appropriating funds necessary to meet the City's Obligation to Lauren Welter, successor owner of 218 West First Street, Suite "A" per Development Agreement
8. **Resolution** Appropriating funds necessary to meet the City's Obligation to Paige Jacobs, LLC, successor owner of 218 West First Street, Suite "B" per Development Agreement
9. **Resolution** Appropriating funds necessary to meet the City's Obligation to Jacob Thompson, successor owner of 218 West First Street, Suite "C" per Development Agreement
10. **Resolution** Appropriating funds necessary to meet the City's Obligation to Mercy Care Management, Inc per Development Agreement, dated July 7, 2019
11. **Resolution** Appropriating funds necessary to meet the City's Obligation to McMATT Properties per Development Agreement, dated June 21, 2021
12. **Resolution** Appropriating funds necessary to meet the City's Obligation to BR3 Development LLC per Development Agreement, dated March 1, 2021
13. **Resolution** Appropriating funds necessary to meet the City's Obligation to Frontier Warehousing and Oak Street Commercial Cabinets, Inc dba Oak Street Manufacturing per Development Agreement, dated January 3, 2022, as amended November 7, 2022

- 14. Resolution** Appropriating funds necessary to meet the City's Obligation to Manternach Custom Creations per Development Agreement, dated September 6, 2022
- 15. Resolution** Appropriating funds necessary to meet the City's Obligation to Theisen Inc per Development Agreement, dated September 15, 2023
- 16. Resolution** Appropriating funds necessary to meet the City's Obligation to Kwik Trip Inc per Development Agreement, dated June 16, 2025
- 17. Resolution** Appropriating funds necessary to meet the City's Obligation to Charlie Pingelmeyer LLC per Development Agreement, dated November 3, 2025
- 18. Resolution** Appropriating funds necessary to meet the City's Obligation to Robert Johnson per Development Agreement, dated February 17, 2026
- 19. Resolution** Approving purchase of plate compactor for mini excavator from Gentec Equipment

Reports / Potential Actions:

- 20.** Mayor
- 21.** City Engineer
- 22.** City Administrator
- 23.** Ambulance Director
- 24.** City Clerk
- 25.** Public Works Director
- 26.** Police Chief
- 27.** Water/Wastewater Superintendent
- 28.** Park and Recreation Director
- 29.** Library Director
- 30.** Information sharing by Council Members

Work Sessions:

- 31. Work Session and possible action/direction** – On the appeal of the determination of a vicious dog
- 32. Work Session** – Update of Sixth Street Ditch Project

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

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

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

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

Topic: October 19, 2026 Council Meeting

Time: Oct 19, 2026 06:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/85092556698>

Meeting ID: 850 9255 6698

One tap mobile

+13017158592,,85092556698# US (Washington DC)

+13052241968,,85092556698# US

Join by SIP

• 85092556698@zoomcrc.com

Join instructions

<https://us02web.zoom.us/join/85092556698/invitations?signature=VJjETDXXS0u9XXOLnlazpiqq9tL0PuZXMnQzV9xhRu8>

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City of Monticello, Iowa

RESOLUTION

Approving Appointment to fill vacant Mayor Seat, vacated by Councilperson Jake Ellwood who was elected as Mayor

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

WHEREAS, Mayor Jake Ellwood resigned on August 31, 2026, leaving vacant the Mayor seat, and

WHEREAS, The City Council previously directed staff to publish notice of the Council's intent to fill the open Council seat by appointment at the Council meeting of October 19, 2026, and

WHEREAS, Notice, pursuant to Iowa Code § 372.13, was published as directed by the City Council with said notice appearing in the October 14, 2025 edition of the Monticello Express, a copy of said notice being appended hereto, and

WHEREAS, The required notice informed the public of their opportunity and right to demand a special election and the steps and timeframes associated therewith and no public election was demanded, and

WHEREAS, The Council received notification from 4 residents that he were interested, willing and able to serve in the capacity of Mayor. After reviewing their letters of interest and their presentation at the September 21, 2026 Council meeting, the Council found _____ to be qualified for appointment.

NOW THEREFORE, BE IT RESOLVED that this City Council of Monticello, Iowa does hereby appoint _____ to fill the open Mayor seat left open by Jake Ellwood's resignation.

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 19th day of October 2026.

Scott Brighton, Mayor Pro Tem

Attest:

Sally Hinrichsen, City Clerk/Treasurer

Pursuant to Iowa Code section 372.13 (2) a. the Monticello City Council hereby publishes notice of its intent to fill the Mayor vacancy by appointment at its October 19, 2026 meeting at 6:00 PM. Pursuant to the referenced Iowa Code section the electors of the City of Monticello have the right to file a petition requesting the vacancy be filled by election. The petition must contain the signatures and addresses of at least 57 eligible electors of the City of Monticello, and be filed with the City Clerk no later than fourteen (14) days after the later of the publication date of this notice, or the date the appointment is made. Petitions may be delivered in person or mailed to the City Clerk's Office at 200 E. 1st Street, Monticello, Iowa. If such petition is filed as prescribed by Iowa law, a special election will be scheduled and the appointment shall be temporary until the results of the special election are canvassed, and the successful candidate is duly qualified.

Regular Council Meeting
October 5, 2026, 6:00 P.M.
Community Media Center

Mayor Pro Tem Scott Brighton called the meeting to order. Council present were: Candy Langerman, Mary Phelan, Ben Duehr and Josh Brenneman. Council member Dave Goedken was absent. Also present were City Clerk Sally Hinrichsen, Public Works Director Nick Kahler, Park & Rec Director Jacob Oswald and City Engineer Colton Ingels. Police Chief Britt Smith arrived during the meeting and had to leave shortly after arriving. City Administrator Russ Farnum joined electronically. The public was invited to attend the meeting in person, or to participate in the meeting electronically via “Zoom Meetings” or “Facebook” and were encouraged to communicate from the chat or message.

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

Tabatha Latteyer, 337 N Gill Street addressed the Council in regard to property-maintenance concerns. She asked for clarification of the City ordinance related to property management. She is hoping to resolve her concerns without taking the time of the court system. Smith advised that he would forward the email correspondence to the Council related to this issue.

Langerman moved to approve the consent agenda, Phelan seconded. Roll call was unanimous.

Brighton opened the hearing on appeal of a vicious dog. Dog owner Brad Conrad, 309 N Cedar explained what happened and apologized for the incident. He has since installed an electric fence and stated that the dog will have his collar on before leaving the house. Smith advised the police department has had no issues with the temperament of the dog, but has received concerns on the treatment of the dog in the driveway. Conrad stated that he now cleans the driveway daily, which Smith advised he has been doing since that time. Beth Hanken, Monticello advised a Great Pyrenees is a herding dog and needs to be exercised daily. She knew a group in Atkins that would take the dog and care for it. The group finds new homes for the dogs taken in and sometime the original owners are allowed to come visit with the dog or they will send pictures or updates on the dog. This group could help out with Conrad’s dog if needed. Brighton closed hearing. Council will hold a work session on this matter at the October 19th Council meeting.

Brighton opened the Public Hearing on proposed Development Agreement between the City of Monticello and BMR Investment LLC. No comments were received. Brighton closed the hearing. Brenneman moved to approve Resolution #2026-138 Approving proposed Development Agreement between the City of Monticello and BMR Investment LLC (Tyler Freye, Monticello Family Vet Clinic). Phelan seconded. Roll call was unanimous.

Brighton opened the Public Hearing on the annexation and proposed Re-Zoning of Lot 1 of Brad Stephen’s 3rd Addition, also known as 1321 South Main Street to M-1 Light Manufacturing. Brighton closed the hearing. No action was taken.

Brighton opened the Public Hearing on taking action on the proposal to enter into a General Fund Equipment Financing Agreement. No comments were received. Brighton closed the hearing. Phelan moved to approve Resolution #2026-139 Approving and authorizing a General Fund Equipment Financing Agreement with payments thereunder in a principal amount not to exceed \$30,000. Langerman seconded. Roll call was unanimous.

Phelan moved to approve Resolution #2026-140 Approving Plat of Survey to Parcels 2026-60, 2026-61 and 2026-62, seconded by Brenneman. Roll call was unanimous.

Brenneman moved approve Resolution #2026-141 Approving Plat of Survey to Parcel 2026-63, seconded by Langerman. Roll call was unanimous.

Brenneman moved to approve Resolution #2026-142 Approving Plat of Survey to Parcel 2026-64, Phelan seconded. Roll call was unanimous.

Langerman moved to approve Resolution #2026-143 Approving the Preliminary and Final Plat of Baumann Jacobs 1st Addition, Jones County, Iowa. Phelan seconded. Roll call was unanimous.

Langerman moved to approve Resolution #2026-144 Approving the Preliminary and Final Plat of Baumann Jacobs 2nd Addition, Jones County, Iowa. Brenneman seconded. Roll call was unanimous.

Phelan moved to approve Resolution #2026-145 Approving the issuance of a one-time payment for an employee's back pay for Full-Time Certified Police Officer and approve wage. Brenneman seconded. Roll call was unanimous.

Ingels advised this was to replace the sidewalk on North Cedar that was damaged. Langerman moved to approve Resolution #2026-146 Approving Change Order Request #2 in the increased not to exceed amount of \$8,046.00, as submitted by Ground Line Company, LLC related to the 6th Street Ditch Restoration Project. Duehr seconded. Roll call was unanimous.

Brenneman moved to approve Resolution #2026-147 Approving Pay Request #2 to Ground Line Company, LLC., Re: 6th Street Ditch Restoration Project in the amount of \$78,208.49. Langerman seconded. Roll was unanimous.

Langerman moved to approve Resolution #2026-148 Approving Public Works building door replacement in the amount of \$7,470.79. Duehr seconded. Roll call was unanimous.

Brenneman moved Ordinance #792 amending the Code of Ordinances of the City of Monticello, Iowa, by amending Provisions Pertaining to Chapter 99, Section 01, Related to "Sewer Service Charges Required, third and final reading in title only. Langerman seconded, roll call unanimous.

Council, City Engineer, Department heads gave updates on projects and activities happening in their departments. Ingels reported the contractor should complete Phase 1 of

Regular Council Meeting
October 5, 2026

the 6th Street ditch project this week. They are a little behind with all the rain received in September. Kahler stated leaf pickup began October 5th.

Council held a work session on Mayor appointment selection. Council will appoint the Mayor at the October 19th Council meeting. No action was taken.

Brenneman moved to adjourn at 6:51 P.M.

Scott Brighton, Mayor Pro Tem

Sally Hinrichsen, City Clerk/Treasurer

PAYROLL - OCTOBER 15, 2026

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
AMBULANCE	September 26 - October 9, 2026				
Devin Arduser	\$ 64.00	\$ -	0.00	0.00	\$ 55.07
Christian Bell	840.27	-	0.00	0.00	659.73
Erlin Bell	844.00	-	0.00	0.00	698.12
Brian Bronemann	197.45	-	0.00	0.00	166.78
Jamie Coleman	2,877.00	415.40	0.00	12.00	2,217.02
Quinn Hansen	1,662.08	-	0.00	0.00	1,264.81
Mason Hanson	1,126.76	-	0.00	0.00	854.40
Ronald Herman, Jr.	40.00	-	0.00	0.00	34.42
Sonya Johnson	356.80	-	0.00	0.00	301.38
Jayna Koffron	296.80	-	0.00	0.00	250.70
Lori Lynch	3,582.00	-	0.00	0.00	2,390.42
Coletta Matson	2,965.55	458.35	0.00	0.00	2,069.75
Chloe Mogensen	344.74	-	0.00	0.00	210.40
Sky Monty	353.56	-	0.00	0.00	288.63
Mandy Norton	78.30	-	0.00	0.00	66.14
Cory Reyner	483.08	-	0.00	0.00	408.04
Shirlee Scott	2,416.00	-	0.00	0.00	1,791.90
Reggie Welter	480.35	-	0.00	0.00	405.72
Cora Wheeler	1,416.96	-	0.00	6.75	1,093.45
TOTAL AMBULANCE	\$ 20,425.70	\$ 873.75	0.00	18.75	\$ 15,226.88
CEMETERY	September 26 - October 9, 2026				
Dan McDonald	\$ 2,291.20	\$ -	0.00	0.00	\$ 1,425.86
TOTAL CEMETERY	\$ 2,291.20	\$ -	0.00	0.00	\$ 1,425.86
CITY HALL	September 26 - October 9, 2026				
Cheryl Clark	\$ 2,485.60	\$ -	3.00	36.75	\$ 1,759.45
Russ Farnum	4,007.70	-	0.00	0.00	2,701.33
Sally Hinrichsen	3,447.97	-	0.00	0.00	2,310.88
Nanci Tuel	2,365.61	-	0.00	0.00	1,495.39
TOTAL CITY HALL	\$ 12,306.88	\$ -	3.00	36.75	\$ 8,267.05
COUNCIL / MAYOR					
Josh Brennehan	\$ 300.00	\$ -	0.00	0.00	\$ 276.78
Scott Brighton	300.00	-	0.00	0.00	276.78
Ben Duehr	300.00	-	0.00	0.00	258.18
Dave Goedken	300.00	-	0.00	0.00	276.78
Candy Langerman	300.00	-	0.00	0.00	277.05
Mary Phelan	300.00	-	0.00	0.00	277.05
TOTAL COUNCIL / MAYOR	\$ 1,800.00	\$ -	0.00	0.00	\$ 1,642.62
LIBRARY	September 26 - October 9, 2026				
Faith Brehm	\$ 2,048.40	\$ -	0.00	0.00	\$ 1,562.42
Molli Hunter	1,536.80	-	0.00	0.00	1,236.07
Penny Schmit	1,844.00	-	0.00	0.00	1,292.89
TOTAL LIBRARY	\$ 5,429.20	\$ -	0.00	0.00	\$ 4,091.38
MBC	September 26 - October 9, 2026				
Milo Breitbach	\$ 1,836.54	\$ -	0.00	0.00	\$ 1,411.44

PAYROLL - OCTOBER 15, 2026

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
Kara Burrack	1,468.80	-	0.00	0.00	1,264.04
Jacob Oswald	2,760.42	-	0.00	0.00	2,033.64
TOTAL MBC	\$ 6,065.76	\$ -	0.00	0.00	\$ 4,709.12
POLICE	September 26 - October 9, 2026				
Erik Honda	\$ 3,042.40	\$ -	0.00	0.00	\$ 2,241.99
Jordan Koos	3,380.16	-	0.00	0.00	2,333.55
Cole Millard	3,119.76	-	0.00	0.00	2,023.90
Johnny Norwood	4,106.48	-	0.00	0.00	2,654.74
Keanan Shannon	3,331.44	-	0.00	10.00	2,155.97
Britt Smith	3,871.46	-	0.00	0.00	2,844.71
Madonna Staner	2,020.80	-	0.00	0.00	1,510.08
Brian Tate	3,639.72	-	0.00	0.00	2,391.99
TOTAL POLICE	\$ 26,512.22	\$ -	0.00	10.00	\$ 18,156.93
ROAD USE	September 26 - October 9, 2026				
Zeb Bowser	\$ 2,251.20	\$ -	12.75	16.50	\$ 1,630.33
Jacob Gravel	2,251.20	-	9.75	13.50	1,700.23
Nick Kahler	2,784.95	-	0.00	0.00	2,040.98
Jasper Scott	2,272.31	21.11	0.00	0.00	1,700.76
TOTAL ROAD USE	\$ 9,559.66	\$ 21.11	22.50	30.00	\$ 7,072.30
SEWER	September 26 - October 9, 2026				
Jim Tjaden	\$ 3,180.40	\$ -	0.00	0.00	\$ 2,203.35
TOTAL SEWER	\$ 3,180.40	\$ -	0.00	0.00	\$ 2,203.35
WATER	September 26 - October 9, 2026				
Scott Hagen	\$ 2,472.80	\$ -	7.50	29.25	\$ 1,847.65
Josh Willms	2,312.80	-	9.00	40.50	1,551.01
TOTAL WATER	\$ 4,785.60	\$ -	16.50	69.75	\$ 3,398.66
TOTAL - ALL DEPTS.	\$ 92,356.62	\$ 894.86	42.00	165.25	\$ 66,194.15

City Council Meeting
Prep. Date 10/02/2026
Preparer: Sally Hinrichsen



Agenda Item: # 3
Agenda Date: 10/19/2026

Communication Page

Agenda Items Description: Resolution Designating The Official Public Posting Location
For Meeting Notices Pursuant To Iowa Code Section 21.4

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

Attachments & Enclosures:

Proposed Resolution

Fiscal Impact:

Budget Line Item:

Budget Summary:

Expenditure:

Revenue:

Synopsis: Resolution approves State Of Iowa Code section 21.4, as amended by House File 2490

Background Information: The State legislators approved House File 2490 amending Iowa Code section 21.4, which requires governmental bodies to annually designate a prominent and conspicuous location where public meeting notices and agendas will be posted in a manner such that the notice is visible at all times.

Staff Recommendation: It is recommended Council approves the proposed resolution approving the City's designated posting location.

City of Monticello, Iowa

RESOLUTION #

**Designating The Official Public Posting Location
For Meeting Notices Pursuant To Iowa Code Section 21.4**

WHEREAS, Iowa Code section 21.4, as amended by House File 2490, requires governmental bodies to annually designate a prominent and conspicuous location where public meeting notices and agendas will be posted in a manner such that the notice is visible at all times; and

WHEREAS, Iowa Code section 21.4 also requires that meeting notices be posted on any internet site owned or maintained and regularly updated by the governmental body, if applicable; and

WHEREAS, the City Council finds it to be in the public interest to designate an official physical posting location that is accessible to the public twenty-four (24) hours per day.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Monticello, Iowa, that:

1. The official physical location for posting notices and tentative agendas of all meetings of the City Council and other governmental bodies of the City, as required by Iowa Code section 21.4, shall be the **interior glass display case to the side of the public entrance door/foyer of Monticello City Hall, located at 200 East First Street, Monticello, Iowa.**
2. In addition to the required physical posting, meeting notices and agendas shall be posted on the City's official website at www.ci.monticello.ia.us as soon as practicable after the physical posting and in accordance with Iowa Code section 21.4.
3. The City Clerk is authorized and directed to post all meeting notices and tentative agendas in accordance with Iowa Code and this Resolution.
4. This designation shall remain in effect until superseded by a subsequent annual designation of the City Council.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto. Done this 19th day of October, 2026

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: 10/14/2026
Preparer: Sally Hinrichsen



Agenda Item: # 4-18
Agenda Date: 10/19/2025

Communication Page

Agenda Items Description: Resolutions appropriating funds necessary to meet City's obligation to various developers pursuant to previously approved Development Agreements

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

Attachments & Enclosures:

proposed Resolutions

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

125-599-6803 to 6824

Synopsis: Approval of annual appropriations for various developer agreements that call for annual appropriation.

Background Information: City Council, in most cases, provide that all incentives set out in developer agreements are subject to annual appropriation by the City Council. The agreements include language that guides the Council with regard to the approval on annual appropriations, making clear that it is the intent of the City Council to annually appropriate those sums necessary for the City Council to meet its obligations under the agreements

The following agreements require annual appropriations, and therefore, all require approval at this time.

5. Royal Flush Truck Wash, Inc. Corrects current year's estimated appropriation, decreasing it to "actual" rebate down from estimate of \$39,942 to actual of \$38,810 and appropriating 7th year of rebate payment in the estimated amount of \$36,038 for FY '28. (The final Rebate payment will be made in FY '31)

6. Cobblestone Inn & Suites (formerly Boulders Inn). Corrects current year's estimated appropriation, reducing it to "actual" Hotel/Motel tax grant and tax rebate decreasing the estimate of \$46,124 to actual of \$36,377.72, and appropriating \$37,433, the estimated amount for FY '28. (The final Property Tax Rebate Payment will be made in FY '28 and the final Grant payment tied to Hotel/Motel Tax collection will be made in FY '27).

7. Orbis Mfg. Corrects current year's estimated appropriation, decreasing it to "actual" rebate down from estimate of \$77,496 to actual \$75,488 and appropriating \$69,682 the estimated amount for FY '28. (The final Rebate Payment will be made in FY '30)

- 8. Lauren Welter (218 West First Street, Suite A).** Corrects current year's estimated appropriation, decreasing it to "actual" rebate down from estimate of \$1,266 to actual \$1,158 and appropriating the 8th year rebate payment in the estimated amount \$966, for FY '28. (The final Rebate Payment will be made in FY '30)
- 9. Paige Jacobs, LLC. (218 West First Street, Suite B).** Corrects current year's estimated appropriation, decreasing it to "actual" rebate down from estimate of \$1,340 to actual \$1,226 and appropriating the 8th year rebate payment in estimated amount \$1,340, for FY '28. (The final Rebate Payment will be made in FY '30)
- 10. Jacob Thompson (218 West First Street, Suite C).** Corrects current year's estimated appropriation, decreasing it to "actual" rebate down from estimate of \$1,266 to actual \$1,158 and appropriating the 8th year rebate payment in the estimated amount \$966, for FY '28. (The final Rebate Payment will be made in FY '30)
- 11. MercyCare.** Corrects current year's estimated appropriation, decreasing it to "actual" rebate down from estimate of \$16,162 to actual \$15,640 and appropriating the 6th year of rebate payment in the estimated amount of \$14,598, for FY '28. (The final Rebate payment will be made in FY '32)
- 12. McMATT Properties.** Corrects current year's estimated appropriation, decreasing it to "actual" rebate down from estimate of \$9,612 to actual \$9,254 and appropriating the 5th year of rebate payment in the estimated amount of \$8,676, for FY '28. (The final Rebate payment will be made in FY '33)
- 13. BR3 Development LLC.** Corrects current year's estimated appropriation, decreasing it to "actual" rebate and grant down from estimate of \$94,462 to actual of \$92,398 and appropriating 5th year of rebate payment in the estimated amount of \$72,398 for FY '28. (The final Property Tax Rebate Payment will be made in FY '38 and the final Grant payment will be made in FY '27).
- 14. Frontier Warehousing and Oak Street Commercial Cabinets, Inc dba Oak Street Manufacturing.** Corrects current year's estimated appropriation, decreasing it to "actual" rebate down from estimate of \$35,524 to actual of \$34,480 and appropriating 4th year of rebate payment in the estimated amount of \$32,564 for FY '28. (The final Property Tax Rebate Payment will be made in FY '34).
- 15. Derek Manternach dba Manternach Custom Creations.** Corrects current year's estimated appropriation, decreasing it to "actual" rebate down from estimate of \$9,630, to actual \$9,252 and appropriating the 3rd year of rebate payment in the estimated amount of \$8,764, for FY '28.
- 16. Theisen Real Estate LLC.** Corrects current year's estimated appropriation, decreasing it to "actual" rebate down from estimate of \$126,824 to actual \$123,404 and appropriating the 2nd year of rebate payment in the estimated amount of \$123,404 for FY '28. (The final Property Tax Rebate Payment will be made in FY '36).
- 17. Kwik Trip Inc.** This appropriation is for the 3rd grant payment for FY '28 due to Kwik Trip Inc, in the amount of \$20,000, and appropriating the 1st year of rebate payment in the estimated amount of \$99,526 for FY '28. (The final Grant Payment will be made in FY '30 and first Property Tax Rebate Payment will be made in FY '28).

18. Charlie Pingelmeyer LLC (Monticello Family Dentistry). This appropriation is for the 1st year of rebate payment in the estimated amount of \$20,368, for FY '28. (The final Property Tax Rebate Payment will be made in FY '37).

19. Robert E Johnson (Minntex/Eastern Iowa Indoor Sport Facility). This appropriation is for the 1st year of rebate payment in the estimated amount of \$25,042, for FY '28. (The final Property Tax Rebate Payment will be made in FY '33).

Staff Recommendation: Staff recommends that the Council approve the proposed Resolutions.
(Each Resolution requires a separate approval)

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to Mike Beck and Ken McDermott, known as Royal Flush Truck Wash, Inc per Development Agreement, dated March 17, 2014, and as amended, dated June 3, 2019

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

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

WHEREAS, The City, by way of Resolution #2025-144, appropriated \$39,942 to meet the City's obligations for sixth year tax rebate payment in FY '27, and

WHEREAS, After final assessments and payment of taxes, the sixth-year rebate came in at \$38,810, resulting in the City's appropriation being long in the amount of \$1,132, this Resolution correcting the estimate to match the actual sixth year tax rebate, decreasing the rebate appropriation from \$39,942 to \$38,810, for sixth year tax rebate payment for FY '27, and

WHEREAS, The Council finds that funds should be appropriated for FY '28 in the amount necessary to meet the seventh rebate obligations consistent with the Development Agreement in the following estimated amounts:

1. \$36,038 to be rebated according to the terms of the Development Agreement for seventh year property tax rebate, calculated at the rate of 65% of those taxes determined eligible for rebate in FY '28, said estimate being based upon the FY '26 valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments made by the developer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's obligation to pay seventh year of rebate payments for FY '28 to Royal Flush Truck Wash Inc. in the estimated amount of \$36,038 and hereby acknowledges the correction of the total appropriation for the sixth year tax rebate payment for FY '27 by decreasing the previously estimated sum of \$39,942 to the actual payment of \$38,810.

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 19th day of October, 2026

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to Cobblestone Inn & Suites (formerly known as Boulders Inn Monticello) under the Development Agreement dated October 5, 2015; as amended November 20, 2017

WHEREAS, The Council approved a Development Agreement with Cobblestone Inn & Suites (formerly known as Boulders Inn Monticello) by Resolution #15-86 dated October 5, 2015, and amended agreement by Resolution #17-137 dated November 20, 2017, and

WHEREAS, The agreement provided for grant payments related to Hotel/ Motel Tax Receipts, payable over eleven (11) years, at percentages set forth in the agreement; as amended, modified the rebate schedule from an annual payment schedule to a bi-annual payment schedule. The schedule will be slightly modified to match the bi-annual rebate periods with the Hotel/Motel Tax reporting periods by Cobblestone and allow Cobblestone to submit their Hotel/Motel tax report to the City, which will create one seven (7) month rebate, from 6/1/2017 through 12/31/2017, after which all rebates will be based upon six (6) month schedules (1/1 through 6/30 and 7/1 through 12/31) but for the last rebate period which will end on May 31, 2026, and

WHEREAS, The agreement also provided for two Grant payments of \$18,400 each related to the land purchase, with both having previously been paid, the first in May, 2016 and the second in May, 2017, and the occupancy permit was issued on May 16, 2016 and the grant payments related to Hotel/Motel Tax receipts, payable over eleven (11) years at percentages set forth in the agreement, as amended, began in FY '17, and

WHEREAS, The City, by way of Resolution #2025-145, appropriated \$46,124 to meet the City's obligations related to tenth year grant payment of Hotel/Motel Taxes in FY '26, in the amount of \$24,000; ninth year tax rebate payments, in the amount of \$22,124; in FY '27 based upon the FY '25 valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments made by the developer, and

WHEREAS, After final assessments and payment of Hotel/Motel tax receipts, the tenth-year grant payments, which was paid in FY '26, related to Hotel/Motel Tax receipts came in at \$14,907.72, being long \$9,092.28 and the ninth-year property tax rebate, came in at \$21,470, being long \$654, with a total appropriation of \$36,377.72 for FY '27. This Resolution correcting the estimate to match the actual grant and rebate, decreasing the appropriation from \$46,124. to \$36,377.72, which includes the tenth grant year payment and ninth year property tax rebate, and

WHEREAS, The Council finds that funds should be appropriated for FY '28 in the amount necessary to rebate sums and to meet grant obligations consistent with the Development Agreement in the following estimated amounts:

1. \$15,962.27 to meet the City's eleventh and final year grant obligations to related to the collection and payment of Hotel/Motel Taxes by Cobblestone Inn from January

1, 2026 to May 31, 2026, which is maximum amount approved and lower than the exact amount of the Hotel/Motel Tax rebate to be determined after the receipt of proof of the collection and payment of said taxes by Cobblestone Inn to the State of Iowa. This grant payment was paid by the City in FY '27 to Cobblestone, and

2. \$21,470 to meet the City's tenth and final year rebate obligation according to the terms of the Development Agreement for the property tax rebate, calculated at the rate of 60% of those taxes determined eligible for rebate in FY '28, said estimate being based upon the FY '26 valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments made by the developer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's obligation to pay the eleventh and final year, FY '27, of Hotel/Motel Tax grant and tenth year of rebate payments for FY '28 to Cobblestone Inn & Suites in the estimated amount of \$37,433, and hereby acknowledges the tenth-year grant payments, which was paid in FY '26, related to Hotel/Motel Tax receipts came in at \$14,907.72, being long \$9,092.28 and the ninth-year property tax rebate, came in at \$21,470, being long \$654, by decreasing the previously estimated sum of \$46,124 to the actual amount of \$36,377.72, resulting in the City's overall being long in the amount of \$9,746.28.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to Orbis Manufacturing, a subsidiary of Menasha Corporation per Development Agreement dated April 3, 2017, as amended by Resolution #19-27, dated April 15, 2019

WHEREAS, The Council approved a Development Agreement with Orbis Manufacturing, a subsidiary of Menasha Corporation by Resolution #17-35 dated April 3, 2017, and amended agreement by Resolution #19-27 dated April 15, 2019, and

WHEREAS, The agreement provides for property tax rebates on the improvements over a period of ten (10) years at percentages set forth in the agreement, and was amended to include four (4) additional Grant payments over a period of four (4) years for water main installation, and

WHEREAS, The City has by Resolution #19-90, appropriated one grant payment to Boomerang, on behalf of Orbis in the amount of \$50,703.16, related to the installation of a water main, as was approved by Resolution #19-90, in lieu of the four (4) additional Grant payments totaling \$79,342.00 over a period of four (4) years for water main installation, which is a savings of \$28,638.84 as approved by Resolution #19-27 dated April 15, 2019, and

WHEREAS, The City, by way of Resolution #2025-146, appropriated \$77,496 to meet the City's obligations under seventh year tax rebate provisions, for FY '27, as set forth within the Development Agreement, said amount being based upon estimated valuations, and

WHEREAS, After final assessments and payment of taxes, the seventh-year rebate came in at \$75,488 resulting in the City's appropriation being long in the amount of \$2,008, this Resolution correcting the estimate to match the actual rebate, decreasing the appropriation from \$77,496 to \$75,488, and

WHEREAS, The Council finds that funds should be appropriated for FY '28 in the amount necessary to rebate eighth year estimated taxes amount of \$69,682 as set forth in the Development Agreement, calculated at the rate of 60% of those taxes determined eligible to be rebated according to the terms of the Development Agreement, said estimate being based upon the FY '26 valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments by the developer, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's

obligation to pay the eighth year, FY '28, of rebate payments to Orbis in the estimated amount of \$69,682 and hereby acknowledges the correction of the FY '27 total rebate by decreasing the estimated sum of \$77,496 to the actual amount of \$75,488.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to Lauren Welter, successor owner of 218 West First Street, Suite "A" per Development Agreement

WHEREAS, The Council approved a Development Agreement with B & J Hauling and Excavation by Resolution #17-111 dated October 2, 2017, and

WHEREAS, The agreement provided for two (2) Grant payments totaling of \$20,000 to the developer to demolish the building; in addition to property tax rebates on the improvements totaling \$37,500 over a period of ten (10) years, at percentages set forth in the agreement, and

WHEREAS, The City has appropriated the grant payments totaling \$20,000 to the developer pursuant to the terms of the Development Agreement, and

WHEREAS, The City has agreed to appropriate property tax rebates in an aggregated total of \$37,500, pursuant to the terms of the Development Agreement to the developer and/or successor owners of the three storefronts, and

WHEREAS, The City, by way of Resolution #2025-147, appropriated \$1,266 to meet the City's obligations under seventh year tax rebate provisions, for FY '27, as set forth within the Development Agreement, said amount being based upon estimated valuations, and

WHEREAS, After final assessments and payment of taxes, the seventh-year rebate was calculated to be \$1,158, resulting in the City's appropriation being long in the amount of \$108, this Resolution correcting the estimate to match the actual rebate, decreasing the appropriation from \$1,266 to \$1,158.

WHEREAS, The Council finds that funds should be appropriated for FY '28 in the amount necessary to rebate sums consistent with the Development Agreement, for the eighth year of said rebates, calculated at the rate of 50% of the incremental property taxes less protected levies eligible to be rebated in the estimated total amount of \$966 said estimate being based upon the FY '26 valuation and consolidated tax rates, the exact rebate to be determined

after the receipt of final assessment numbers and tax payments made by the Developer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's obligation to pay the eighth year, FY '28, of rebate payments to as set forth in the Development Agreement for 218 West First Street, Suite "A" owned by Lauren Welter, successor owner of the storefront, in the estimated amount of \$966 and hereby acknowledge the correction of the FY '27 total rebate by decreasing the previously estimated sum of \$1,266 to the actual amount of \$1,158.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to Paige Jacobs, LLC, successor owner of 218 West First Street, Suite "B" per Development Agreement dated October 2, 2017

WHEREAS, The Council approved a Development Agreement with B & J Hauling and Excavation by Resolution #17-111 dated October 2, 2017, and

WHEREAS, The agreement provided for two (2) Grant payments totaling of \$20,000 to the developer to demolish the building; in addition to property tax rebates on the improvements totaling \$37,500 over a period of ten (10) years, at percentages set forth in the agreement, and

WHEREAS, The City has appropriated the grant payments totaling \$20,000 to the developer pursuant to the terms of the Development Agreement, and

WHEREAS, The City has agreed to appropriate property tax rebates in an aggregated total of \$37,500, pursuant to the terms of the Development Agreement to the developer and/or successor owners of the three storefronts, and

WHEREAS, The City, by way of Resolution #2025-148, appropriated \$1,340 to meet the City's obligations under seventh year tax rebate provisions, for FY '27, as set forth within the Development Agreement, said amount being based upon estimated valuations, and

WHEREAS, After final assessments and payment of taxes, the seventh-year rebate was calculated to be \$1,226, resulting in the City's appropriation being long in the amount of \$114, this Resolution correcting the estimate to match the actual rebate, increasing the appropriation from \$1,340 to \$1,226.

WHEREAS, The Council finds that funds should be appropriated for FY '28 in the amount necessary to rebate sums consistent with the Development Agreement, for the eighth year of said rebates, calculated at the rate of 50% of the incremental property taxes less protected levies eligible to be rebated in the estimated total amount of \$1,022 said estimate being based upon the FY '26 valuation and consolidated tax rates, the exact rebate to be

determined after the receipt of final assessment numbers and tax payments made by the Developer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's obligation to pay the eighth year, FY '28, of rebate payments to as set forth in the Development Agreement for 218 West First Street, Suite "B" owned by Paige Jacobs LLC, successor owner of the storefront, in the estimated amount of \$1,022 and hereby acknowledge the correction of the FY '27 total rebate by decreasing the previously estimated sum of \$1,340 to the actual amount of \$1,226.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to Jacob Thompson, successor owner of 218 West First Street, Suite "C" per Development Agreement dated October 2, 2017

WHEREAS, The Council approved a Development Agreement with B & J Hauling and Excavation by Resolution #17-111 dated October 2, 2017, and

WHEREAS, The agreement provided for two (2) Grant payments totaling of \$20,000 to the developer to demolish the building; in addition to property tax rebates on the improvements totaling \$37,500 over a period of ten (10) years, at percentages set forth in the agreement, and

WHEREAS, The City has appropriated the grant payments totaling \$20,000 to the developer pursuant to the terms of the Development Agreement, and

WHEREAS, The City has agreed to appropriate property tax rebates in an aggregated total of \$37,500, pursuant to the terms of the Development Agreement to the developer and/or successor owners of the three storefronts. Njs LLC sold the storefront to Jacob Thompson in March 2026 making him the successor owner, and

WHEREAS, The City, by way of Resolution #2025-149, appropriated \$1,266 to meet the City's obligations under seventh year tax rebate provisions, for FY '27, as set forth within the Development Agreement, said amount being based upon estimated valuations, and

WHEREAS, After final assessments and payment of taxes, the seventh-year rebate was calculated to be \$1,158, resulting in the City's appropriation being long in the amount of \$108, this Resolution correcting the estimate to match the actual rebate, decreasing the appropriation from \$1,266 to \$1,158.

WHEREAS, The Council finds that funds should be appropriated for FY '28 in the amount necessary to rebate sums consistent with the Development Agreement, for the eighth year of said rebates, calculated at the rate of 50%

of the incremental property taxes less protected levies eligible to be rebated in the estimated total amount of \$966 said estimate being based upon the FY '26 valuation and consolidated tax rates, the exact rebate to be determined after the receipt of final assessment numbers and tax payments made by the Developer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's obligation to pay the eighth year, FY '28, of rebate payments to as set forth in the Development Agreement for 218 West First Street, Suite "C" owned by Jacob Thompson, successor owner of the storefront, in the estimated amount of \$966 and hereby acknowledge the correction of the FY '27 total rebate by decreasing the previously estimated sum of \$1,266 to the actual amount of \$1,158.

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 19th day of October, 2027.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to Mercy Care Management, Inc per Development Agreement, dated July 7, 2019

WHEREAS, The Council approved a Development Agreement with Mercy Care Management, Inc with Resolution #19-100 dated July 15, 2019.

WHEREAS, The agreement provided for two (2) Grant payments of \$20,000 each, in addition to property tax rebates on the improvements over a period of ten (10) years, at percentages set forth in the agreement, and

WHEREAS, The two Grant payments of \$20,000 each related to the land purchase, were both previously paid, the first in April, 2021, and the second in October, 2021, and

WHEREAS, The City, by way of Resolution #2025-150, appropriated \$16,162 to meet the City's obligations under fifth year tax rebate provisions, for FY '27, as set forth within the Development Agreement, said amount being based upon estimated valuations, and

WHEREAS, After final assessments and payment of taxes, the fifth-year rebate was calculated to be \$15,640, resulting in the City's appropriation being long in the amount of \$522, this Resolution correcting the estimate to match the actual rebate, decreasing the appropriation from \$16,162 to \$15,640.

WHEREAS, The Council finds that funds should be appropriated for FY '28 in the amount of \$14,598 to be rebated according to the terms of the Development Agreement for the sixth year property tax rebate, calculated at the rate of 70% of those taxes determined eligible for rebate in FY '28, said estimate being based upon the FY '26 valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments made by the developer, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's obligation to pay sixth year of rebate payments for FY '28 to Mercy Care Management, Inc., in the estimated amount of \$14,598 and hereby acknowledge the correction of the FY '27 total rebate by decreasing the previously estimated sum of \$16,162 to the actual amount of \$15,640.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to McMATT Properties per Development Agreement, dated June 21, 2021

WHEREAS, The Council approved a Development Agreement with McMATT Properties that provided tax rebate incentives tied to the development of a 47-unit rental storage facility, with Resolution #2021-68 dated June 21, 2021, and

WHEREAS, The Council finds it appropriate to follow through on the City's obligation and or agreement set out therein to annually appropriate sums from the incremental taxation to be collected from new value created by the improvement to meet the tax rebate percentage set out therein, and

WHEREAS, The City, by way of Resolution #2025-151, appropriated \$9,612 to meet the City's obligations under fourth year tax rebate provisions, for FY '27, as set forth within the Development Agreement, said amount being based upon estimated valuations, and

WHEREAS, After final assessments and payment of taxes, the fourth-year rebate was calculated to be \$9,254, resulting in the City's appropriation being long in the amount of \$358, this Resolution correcting the estimate to match the actual rebate, decreasing the appropriation from \$9,612 to \$9,254, and

WHEREAS, The Council finds that funds should be appropriated for FY '28 in the amount of \$8,676 to be rebated according to the terms of the Development Agreement for fifth year property tax rebate, calculated at the rate of 75% of those taxes determined eligible for rebate in FY '28, said estimate being based upon the FY '26 valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments made by the developer, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet

the City's obligation to pay the fifth year, FY '28, of rebate payments to McMATT Properties, as set forth in the Development Agreement in the estimated amount of \$8,676 and hereby acknowledge the correction of the FY '27 total rebate by decreasing the previously estimated sum of \$9,612 to the actual amount of \$9,254.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to BR3 Development LLC per Development Agreement, dated March 1, 2021

WHEREAS, The Council approved a Development Agreement with BR3 Development LLC with Resolution #2021-28 dated March 1, 2021.

WHEREAS, The Developer entered into an "Assessment Agreement", pursuant to §403.6 of the Iowa Code fixing the minimum assessed valuation of the Property, in contemplation of the value to be added by the proposed project, at not less than one-million two-hundred fifty thousand dollars (\$1,250,000), hereafter referenced as the "Minimum Assessed Valuation" as of January 1, 2022, the first valuation date. It is the stated intention of the Developer that the Minimum Assessed Valuation shall be established on the Jones County property tax rolls as of the First Valuation Date regardless of the then-current degree of completion or incompleteness of the Project, and

WHEREAS, The Developer's Agreement includes the "Base Valuation" rate, which is agreed to be \$100,000, and

WHEREAS, The agreement provided for six (6) Grant payments of \$20,000 each, in addition to property tax rebates on the improvements over a period of fifteen (15) years, at percentages set forth in the agreement, and

WHEREAS, The City, by way of Resolution #2025-152, appropriated \$20,000 to meet the City's obligations related to sixth and final year grant payment and \$74,462 to meet the fourth-year tax rebate payments in FY '27 based upon the FY '25 valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments made by the developer, and

WHEREAS, After final assessments and payment of taxes, the fourth-year rebate came in at \$72,398 resulting in the City's appropriation being long in the amount of \$2,064, this Resolution correcting the estimate to match the actual rebate, decreasing the appropriation for sixth year grant payment and the fourth-year tax rebate payments from \$94,462 to \$92,398, and

WHEREAS, The Council finds that funds should be appropriated for FY '28 in the amount of \$72,398 to be rebated according to the terms of the Development Agreement for fifth year property tax rebate, calculated at the rate of 100% of those taxes determined eligible for rebate in FY '28, said estimate being based upon the FY '26 valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments made by the developer, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's obligation to pay FY '28 of fifth rebate payments to BR3 Development LLC in the estimated amount of \$72,398 as previously set forth herein, and hereby acknowledges the correction of FY '27 grant and FY '27 rebate by decreasing the previously estimated sum of \$94,462 to the actual amount of \$92,398.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to Frontier Warehousing and Oak Street Commercial Cabinets, Inc dba Oak Street Manufacturing per Development Agreement, dated January 3, 2022, as amended November 7, 2022

WHEREAS, The Council approved a Development Agreement with Frontier Warehousing and Oak Street Commercial Cabinets, Inc dba Oak Street Manufacturing with Resolution #2022-1 dated January 3, 2022, and amended agreement by Resolution #2022-128 dated November 7, 2022, and

WHEREAS, The Developer entered into an "Assessment Agreement", pursuant to §403.6 of the Iowa Code fixing the minimum assessed valuation of the Property, in contemplation of the value to be added by the proposed project, at not less than one-million two-hundred fifty thousand dollars (\$1,250,000), hereafter referenced as the "Minimum Assessed Valuation" as of January 1, 2023, the first valuation date. It is the stated intention of the Developer that the Minimum Assessed Valuation shall be established on the Jones County property tax rolls as of the First Valuation Date regardless of the then-current degree of completion or incompleteness of the Project, and

WHEREAS, The Developer's Agreement includes the "Base Valuation" rate, which is agreed to be \$100,000, and

WHEREAS, The agreement provided for two (2) Grant payments of \$20,000 each, in addition to property tax rebates on the improvements over a period of ten (10) years, at percentages set forth in the agreement, and

WHEREAS, The City, by way of Resolution 2025-153, appropriated \$35,524 to meet the City's obligations under third year tax rebate provisions, for FY '27, as set forth within the Development Agreement, said amount being based upon estimated valuations, and

WHEREAS, After final assessments and payment of taxes, the third-year rebate came in at \$34,480 resulting in the City's appropriation being long in the amount of \$1,044, this Resolution correcting the estimate to match the actual rebate, decreasing the appropriation from \$35,524 to \$34,480, and

WHEREAS, The Council finds that funds should be appropriated for FY '28 in the amount necessary to rebate fourth year estimated taxes amount of \$32,564 as set forth in the Development Agreement, for FY '28, calculated at the rate of 85% of those taxes determined eligible to be rebated according to the terms of the Development Agreement, said estimate being based upon the FY '26 valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments by the developer, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's obligation to pay the fourth year, FY '28, of rebate payments to Frontier Warehousing in the estimated amount of \$32,564 and hereby acknowledges the correction of the FY '27 total rebate by decreasing the estimated sum of \$35,524 to the actual amount of \$34,480.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to Manternach Custom Creations per Development Agreement, dated September 6, 2022

WHEREAS, The Council approved a Development Agreement with Derek Manternach dba Manternach Custom Creations with Resolution #2022-103 dated September 6, 2022, and

WHEREAS, The agreement provided for twenty (20) semi-annual property tax rebates on the improvements over a period of ten (10) years, at percentages set forth in the agreement, and

WHEREAS, The City, by way of Resolution #2025-155, appropriated \$9,630 to meet the City's obligations under second year tax rebate provisions, for FY '27, as set forth within the Development Agreement, said amount being based upon estimated valuations, and

WHEREAS, After final assessments and payment of taxes, the second-year rebate was calculated to be \$9,252, resulting in the City's appropriation being long in the amount of \$378, this Resolution correcting the estimate to match the actual rebate, decreasing the appropriation from \$9,630 to \$9,252, and

WHEREAS, The Council finds that funds should be appropriated in the amount necessary to make the third rebate payment to Manternach Custom Creations as set forth in the Development Agreement, for FY '28, calculated at the rate of 90% of those taxes determined eligible to be rebated according to the terms of the Development Agreement, in the estimated total amount of \$8,764, said estimate being based upon the FY '26 valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments by the developer, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's obligation to pay the third year, FY '28, of rebate payments to Derek Manternach dba Manternach Custom Creations, as set forth in the Development Agreement in the estimated amount of \$8,764 and hereby

acknowledge the correction of the FY '27 total rebate by decreasing the previously estimated sum of \$9,630 to the actual amount of \$9,252.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to Theisen Inc per Development Agreement, dated September 15, 2023

WHEREAS, The Council approved a Development Agreement with Theisen Real Estate LLC with Resolution #2023-107 dated August 7, 2023, and

WHEREAS, The Developer entered into an "Assessment Agreement", pursuant to §403.6 of the Iowa Code fixing the minimum assessed valuation of the Property, in contemplation of the value to be added by the proposed project, at not less than one-million seven-hundred fifty thousand dollars (\$1,750,000), hereafter referenced as the "Minimum Assessed Valuation" as of January 1st of the year following the completion of the Project and receipt of an Occupancy Permit from the City of Monticello, or January 1, 2027, whichever occurs first. The Certificate of Occupancy and Compliance is dated October 28, 2024, and

WHEREAS, The agreement provides for an Environmental Remediation/Demolition Grant, the total sum of \$170,000.00 for expenses incurred relating to asbestos removal, and a Property Tax Rebate Grant for total amount of all property taxes paid and/or accrued with regard to the property between the date on which Theisen takes title to the property and the date on which Theisen receives an occupancy permit. These two grants are in addition to property tax rebates on the improvements over a period of ten (10) years, at percentages set forth in the agreement, and

WHEREAS, The final bill was submitted for the Environmental Remediation/Demolition Grant, the amount paid to Theisen Inc on January 4, 2024, was \$161,875, and

WHEREAS, The City, by way of Resolution #2025-154, appropriated \$126,824 to meet the City's obligations under first year tax rebate provisions, for FY '27, as set forth within the Development Agreement, said amount being based upon estimated valuations, and

WHEREAS, After final assessments and payment of taxes, the first-year rebate came in at \$123,404 resulting in the City's appropriation being long in the amount of \$3,420, this Resolution correcting the estimate to match the actual rebate, decreasing the appropriation from \$126,824 to \$123,404, and

WHEREAS, The Council finds that funds should be appropriated for FY '28 in the amount of \$123,404 to be rebated according to the terms of the Development Agreement for second year property tax rebate, calculated at the rate of 100% of those taxes determined eligible for rebate in FY '28, said estimate being based upon the FY '26

valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments made by the developer, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's obligation to pay the second year, FY '28, of rebate payments to Theisen Inc in the estimated amount of \$123,404 and hereby acknowledges the correction of the FY '27 total rebate by decreasing the estimated sum of \$126,824 to the actual amount of \$123,404.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to Kwik Trip Inc per Development Agreement, dated January 3, 2022, as amended November 7, 2022

WHEREAS, The Council approved a Development Agreement with Kwik Trip Inc with Resolution #2025-84 dated June 16, 2025, and

WHEREAS, The Developer entered into an "Assessment Agreement", pursuant to §403.6 of the Iowa Code fixing the minimum assessed valuation of the Property, in contemplation of the value to be added by the proposed project, at not less than two-million thousand dollars (\$2,000,000), hereafter referenced as the "Minimum Assessed Valuation" as of January 1, 2028, the first valuation date. It is the stated intention of the Developer that the Minimum Assessed Valuation shall be established on the Jones County property tax rolls as of the First Valuation Date regardless of the then-current degree of completion or incompleteness of the Project, and

WHEREAS, The Developer's Agreement includes the "Base Valuation" rate, which is agreed to be \$22,400, and

WHEREAS, The agreement provided for five (5) Grant payments of \$20,000 each, in addition to property tax rebates on the improvements over a period of ten (10) years, at percentages set forth in the agreement, and

WHEREAS, The City, by way of Resolution 2025-156, appropriated \$40,000 to meet the City's obligations for first and second grant payments. The City did not appropriate or make any rebates to the Developer for FY '25 due to the fact that the property was not substantially completed or assessed at that time, and

WHEREAS, The Council finds that funds should be appropriated for FY '28 in the amount necessary to rebate sum and to meet grant obligations consistent with the Development Agreement in the following estimated amounts:

1. \$20,000 to meet the City's third year grant obligations according to the terms of the Development Agreement, and

2. \$99,526 to meet the City's first year rebate obligation according to Kwik Trip Inc as set forth in the Development Agreement, for FY '28, calculated at the rate of 100% of those taxes determined eligible to be rebated according to the terms of the Development Agreement, in the estimated total amount of \$99,526, said estimate being based upon the FY '26 valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments by the developer

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's obligation to pay the third-year grant payment in the amount of \$20,000 and the first year of rebate payments for FY '28 to Kwik Trip Inc in the estimated amount of \$99,526, as previously set forth herein.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to Charlie Pingelmeyer LLC per Development Agreement, dated November 3, 2025

WHEREAS, The Council approved a Development Agreement with Charlie Pingelmeyer LLC (Dr. Lindsey Meyer, Monticello Family Dentistry) with Resolution #2025-143 dated November 3, 2025, and

WHEREAS, The agreement provided for twenty (20) semi-annual property tax rebates on the improvements over a period of ten (10) years, at percentages set forth in the agreement, and

WHEREAS, The City did not appropriate or make any rebates to the Developer for FY '27 due to the fact that the property was not substantially completed or assessed at that time, and

WHEREAS, The Council finds that funds should be appropriated in the amount necessary to make the first rebate payment to Charlie Pingelmeyer LLC as set forth in the Development Agreement, for FY '28, calculated at the rate of 100% of those taxes determined eligible to be rebated according to the terms of the Development Agreement, in the estimated total amount of \$20,368, said estimate being based upon the FY '26 valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments by the developer, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's obligation to pay the first rebate payment to Charlie Pingelmeyer LLC in the estimated amount of \$20,368 as previously set forth herein.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City of Monticello, Iowa

RESOLUTION

Appropriating funds necessary to meet the City's Obligation to Robert E Johnson per Development Agreement, dated February 17, 2026

WHEREAS, The Council approved a Development Agreement with Robert E Johnson (Minttex/Eastern Iowa Indoor Sports Facility) with Resolution #2026-17 dated February 17, 2026, and

WHEREAS, The Developer entered into an "Assessment Agreement", pursuant to §403.6 of the Iowa Code fixing the minimum assessed valuation of the Property, in contemplation of the value to be added by the proposed project, at not less than three-hundred fifty thousand dollars (\$350,000), hereafter referenced as the "Minimum Assessed Valuation" as of January 1, 2027, the first valuation date. It is the stated intention of the Developer that the Minimum Assessed Valuation shall be established on the Jones County property tax rolls as of the First Valuation Date regardless of the then-current degree of completion or incompleteness of the Project, and

WHEREAS, The Developer's Agreement includes the "Base Valuation" rate, which is agreed to be \$1,033,240, and

WHEREAS, The agreement provided for property tax rebates on the improvements over a period of five (5) years, at percentages set forth in the agreement, and

WHEREAS, The City did not appropriate or make any rebates to the Developer for FY '27 due to the fact that the property was not substantially completed or assessed at that time, and

WHEREAS, The Council finds that funds should be appropriated in the amount necessary to make the first rebate payment to Robert E Johnson, as set forth in the Development Agreement, for FY '28, calculated at the rate of 100% of those taxes determined eligible to be rebated according to the terms of the Development Agreement, in the estimated total amount of \$25,042, said estimate being based upon the FY '26 valuation and consolidated tax rates, with the exact rebate to be determined after the receipt of final assessment numbers and tax payments by the developer, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monticello does hereby formally appropriate funds necessary to meet the City's obligation to pay the first rebate payment to Robert E Johnson in the estimated amount of \$25,042, as previously set forth herein.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting
Prep. Date: October 14, 2026
Preparer: Nick Kahler



Agenda Item: 19
Agenda Date: October 19, 2026

Communication Page

Agenda Items Description: Approving purchase of plate compactor for mini excavator from Gentec Equipment

Type of Action Requested:

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

001-210-6723
Capital equip/facility

Synopsis: We would like to purchase a plate compactor for our mini excavator

Background Information: We use a mini excavator for digging up streets that need repaired or when we have a water main break. Upon finishing what needs to be done under the street we simply fill the hole back in with rock and level it up leaving the packing of the rock to be done by the traffic driving over it. The purchase of a plate packer for the mini excavator would greatly help in expediting the replacement of the concrete or asphalt of the street. We could pack the rock as we fill up the hole and not need to let it sit for traffic to pack it in. That would give us the ability to get the asphalt put back in or get a concrete crew there sooner to replace the street and get it back open for traffic faster. We have found a plate packer from Gentec that fits our mini excavator. We have other Gentec equipment that we use often and like. The cost of the plate packer, mounting pins, and hydraulic hoses needed is \$7,654.00.

Staff Recommendation: We recommend the approval of purchasing a plate packer from Gentec for \$7,654.00

City of Monticello, Iowa

RESOLUTION

Approving purchase of plate compactor for mini excavator from Gentec Equipment

WHEREAS, The City of Monticello Public Works Department has proposed the purchase of a plate compactor for the Mini Excavator; and has presented the Council with information about the proposed purchase, and

WHEREAS, The Public Works Department finds that the plate compactor would greatly help in expediting the replacement of the concrete or asphalt of the street. We could pack the rock as we fill up the hole and not need to let it sit for traffic to pack it in. That would give us the ability to get the asphalt put back in or get a concrete crew there sooner to replace the street and get it back open for traffic faster, and

WHEREAS, The proposed plate compactor can be purchased with Road Use funds as the primary uses are on the streets and other project sites, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve of the purchase of a plate compactor for the Mini Excavator from Gentec Equipment with a purchase price of \$7,6540,00 as proposed.

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 19th day of October, 2026.

, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer



QUOTE #: QN002632
CREATED DATE: 2026 Oct 13th
EXPIRED DATE: 2026 Nov 12th

CITY OF MONTICELLO

Bill To

200 East 1st Street
Monticello Iowa 52310
Phone: 3194653577

Email: nkahler@ci.monticello.ia.us

Ship To

200 East 1st Street
Monticello Iowa 52310
Phone: 3194653577

Email: nkahler@ci.monticello.ia.us

Sales Representative

ksteeve@gentecequipment.com

		Price	Qty	Discount	Total
	SKU: GE870F				
	Hydraulic Plate Compactor GE870F				
	Excavator Make: GEHL				
	Excavator Model: Z27				
	Does your excavator have a quick-coupler?: Yes	\$5,950.00	1	0.00%	\$5,950.00
	Notes:				
	Estimated Ready to Ship Oct 20				
	SKU: 200423				
	Custom GE870F Bolt-On Head Plate w/Pin Set				
	Excavator Make & Model: Gehl Z27	\$1,360.00	1	0.00%	\$1,360.00
	Notes:				
	5-day production lead time				
	SKU: 200841				
	GE870 Hose Kit				
	Notes:	\$249.00	1	0.00%	\$249.00
	In stock				

Quote Totals

Total Price	\$7,559.00
Total Discount	\$0.00
Shipping(Fuel Surcharges - Dock/Forklift Delivery)	\$95.00
Tax	\$0.00
Grand Total	\$7,654.00

Thank you for your Business!

If you have any questions, please contact us at
ksteeve@gentecequipment.com

City Council Meeting
Prep. Date: 10/15/2026
Preparer: Sally Hinrichsen



Agenda Item: # 20-30
Agenda Date: 10/19/2026

Communication Page

Agenda Items Description: Reports

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

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

Reports / Potential Actions:

- 20. Mayor
- 21. City Engineer
- 22. City Administrator
- 23. Ambulance Director
- 24. City Clerk
- 25. Public Works Director
- 26. Police Chief
- 27. Water/Wastewater Superintendent
- 28. Park and Recreation Director
- 29. Library Director
- 30. Information sharing by Council Members

City Council Meeting
Prep. Date: 9/21/2026
Preparer: Britt Smith



Agenda Item: # 1
Agenda Date: 10/5/2026

Communication Page

Agenda Items Description: Work Session and possible action/direction for an appeal to a vicious dog determination.

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

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:
Budget Summary:
Expenditure:
Revenue:

Synopsis: Hearing and possible action on the appeal of the determination of a vicious dog.

Background Information

On September 9th, 2026 at 7:12pm the Monticello Police Department was notified of a dog attack that occurred to a subject in the 300 block of North Farley Street. It was reported that Brandon Hunter was riding his motorcycle in the 300 block of North Farley Street when Frank, a white Pyrenees owned by Bradley Conrad who resides at 309 North Cedar Street, was unrestrained and as Hunter drove by on his motorcycle, ran out into the street and bit Hunter in the rear thigh. We have had no complaints or incidents involving Frank's behavior in the past.



As per the Code, an animal, running at large that has attacked, clawed or bitten a person while running at large is defined as a vicious animal. No Person shall keep a vicious animal. It is the duty of the Police Department to issue an Order to Remove said vicious animal from the City of Monticello. This order was served to Conrad . As per our ordinance, an appeal process is afforded to the animal owner. Conrad has submitted in writing a letter of appeal requesting the Council provide him with a variance to the ordinance.

56.01 DEFINITIONS.

6. **"Vicious animal" means any animal, except for a dangerous animal as listed above, that has attacked, bitten or clawed a person while running at large and the attack was unprovoked,** or any animal that has exhibited vicious tendencies in present or past conduct, including such that said animal: (i) has bitten or clawed a person or persons on two separate occasions within a 12-month period; or (ii) did bite or claw once causing injuries above the shoulders of a person; or (iii) could not be controlled or restrained by the owner at the time of the attack to prevent the occurrence; or (iv) has attacked any domestic animal or fowl on three separate occasions within a 12-month period.

56.03 KEEPING OF VICIOUS ANIMALS PROHIBITED.

No person shall keep, shelter, or harbor for any reason within the City a vicious animal except in the following circumstances:

1. Animals under the control of a law enforcement or military agency.
2. The keeping of guard dogs; however, guard dogs must be kept within a structure or fixed enclosure at all times, and any guard dog found at large may be processed as a vicious animal pursuant to the provisions of this chapter. Any premises guarded by a guard dog shall be prominently posted with a sign containing the wording "Guard Dog," "Vicious Dog" or words of similar import, and the owner of such premises shall inform the Mayor or peace officer that a guard dog is on duty at said premises.

56.04 SEIZURE, IMPOUNDMENT AND DISPOSITION

2. Upon the complaint of any individual that a person is keeping, sheltering or harboring a dangerous animal or vicious animal on premises in the City, the Mayor or peace officer shall cause the matter to be investigated and if after investigation, **the facts indicate that the person named in the complaint is keeping, sheltering or harboring a dangerous or vicious animal in the City, the Mayor or peace officer shall order the person named in the complaint to safely remove such animal from the City or destroy the animal within three days of the receipt of such an order.** Such order shall be contained in a notice to remove the dangerous or vicious animal, which notice shall be given in writing to the person keeping, sheltering, or harboring the dangerous animal or vicious animal, and shall be served personally or by certified mail. Such order and notice to remove the dangerous animal or vicious animal shall not be required where such animal has previously caused serious physical harm or death to any person, in which case the Mayor or peace officer shall cause the animal to be immediately seized and impounded or killed if seizure and impoundment are not possible without risk of serious physical harm or death to any person.

3. **The order to remove a dangerous animal or vicious animal issued by the Mayor or peace officer may be appealed to the Council.** In order to appeal such order, written notice of appeal must be filed with the Clerk within three days after receipt of the order contained in the notice to remove the dangerous or vicious animal. Failure to file such written notice of appeal shall constitute a waiver of the right to appeal the order of the Mayor or peace officer.

4. **The notice of appeal shall state the grounds for such appeal and shall be delivered personally or by certified mail to the Clerk. The hearing of such appeal shall be scheduled within seven days of the receipt of the notice of appeal.** The hearing may be continued for good cause. After such hearing, the Council may affirm or reverse the order of the Mayor or peace officer.

Such determination shall be contained in a written decision and shall be filed with the Clerk within three days after the hearing or any continued session thereof.

5. If the Council affirms the action of the Mayor or peace officer, the Council shall order in its written decision that the person owning, sheltering, harboring or keeping such dangerous or vicious animal remove such animal from the City or destroy it. The decision and order shall immediately be served upon the person against whom rendered in the same manner as the notice of removal. If the original order of the Mayor or peace officer is not appealed and is not complied with within three days or the order of the Council after appeal is not complied with within three days of its issuance, the Mayor or peace officer is authorized to seize, impound or destroy such dangerous or vicious animal. Failure to comply with an order of the Mayor or peace officer issued pursuant to this chapter and not appealed (or of the Council after appeal) constitutes a simple misdemeanor.

Staff Recommendation: It has been common with previous instances that the Council consider any attempts the owner has made, or is willing to make, to reduce the risk of another event from occurring and to determine if the animal could remain in the City of Monticello. Additional options that have been implemented in the past is an assessment from a licensed dog trainer who can provide input on the temperament and likelihood of a repeat incident. Evaluating the owner's appeal to the abatement, I recommend that the Council consider the options and provide staff and the animal owner with direction moving forward.

Sally Hinrichsen

From: bethannesfinest@netins.net
Sent: Wednesday, October 14, 2026 3:15 PM
To: Russ Farnum; Sally Hinrichsen
Subject: For City Council Members Monticello, Iowa

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Farnum,

Could you please pass this information on to the council members. It concerns the issue of the Great Pyrenees dog which bit a motorcyclist a couple of week ago.

Dianne Kratville

Great Pyrenees Club of America

Great Pyrenees Rescue of Iowa

Direct Tel: (847) 226-6773

rescue@iowafortunefarm.com

Dianne is highly adept on advising people about the Great Pyrenees Breed and care. I spoke with her last week and she would be more than happy to speak to any council member concerning the breed. She will be available until Friday. On Friday she will under going a knee replacement and will be on the mend.

The owner does have place in the country near his parents to relocate the dog. I am hoping once he is moved he will not be chained up and have freedom of movement. Despite his installation of an electronic fence, I suspect a dog that large will break free. I think the dog is harmless but he is a guard dog and the passing traffic stirs up his instinct to go after people, bikes, motorcycles and vehicles. That kind of bite could be more serious with a child.

If he moves the dog... he keeps his dog, the dog has freedom of movement and everyone is safe.

Best Regards,

Beth Hanken

Email: Bethannesfinest@netins.net

Tel: 319-821-3996

Vicious Dog Hearing

The following information outlines the procedures for tonight's vicious dog hearing. Since scheduling this hearing, the animal owner has been cited for "Dog At Large" and been issued a fine of \$250.00 which has been paid to the City.

As outlined in the Communication page, the code would require any animal who commits an unprovoked attack/bite of a human be removed from the City of Monticello.

Within the code, it allows the animal owner to appeal this requirement to the Council.

The animal owner has a scheduled hearing in front of the Council, which is what is scheduled for tonight.

The Council has effectively has two options, they may authorize the animal to stay if the owner has provided enough mitigating efforts to prevent any future incidents OR they may uphold the requirement of the Code and require removal from the City.

The animal owner Brad Conrad, or his designee, shall be given an opportunity to address the Council and provide any facts that should be considered by the Council before making a determination.

After the animal owner makes his case, the Council may ask any questions of the owner to further obtain any information they would like to have in an effort to make their ruling.

Things that could be required or offered as mitigating efforts;

1: The Council could require that the animal be evaluated by a certified dog trainer for evaluation of temperament and the likelihood to reoffend.

2: The Council could require that an enclosed fence be installed to contain the animal and provide a barrier for the public.

3: The Council could require proof of insurance for any future incidents, above and beyond the traditional homeowners insurance.

After the animal owner has addressed the Council and the Council has asked any follow-up questions, the Council MAY ask the victim, if they are present. if they would like to make any statements. In this case, Brandon Hunter may opt to address the Council.

Once the victim has either declined to speak or has made their statements to the Council, they can direct any follow-up questions to the victim.

At this point the Council can either render a decision through a roll call vote:

Option 1: Uphold the removal

Option 2: Allow the variance with any of the above considered conditions.

IF the Council does not wish to make a public ruling, the information can be taken under advisement and a work session can be scheduled for a following meeting where the Council can openly discuss their concerns. If a decision can be reached during the work session, they can then direct City staff to notify the animal owner of their decision.

If the Council elects to take the information under advisement the animal will be permitted to remain in the custody of the animal owner until a decision is made.