

NOTICE AND CALL OF PUBLIC MEETING

GOVERNMENTAL BODY: THE CITY COUNCIL OF CRESCO, IOWA
DATE OF MEETING: FEBRUARY 6, 2023
TIME AND PLACE OF MEETING: 5:30 P.M. CITY HALL, 130 N PARK PLACE

PUBLIC NOTICE IS HEREBY GIVEN THAT THE ABOVE MENTIONED GOVERNMENTAL BODY WILL MEET AT THE DATE, TIME AND PLACE SET OUT ABOVE. THE TENTATIVE AGENDA FOR SAID MEETING IS AS FOLLOWS:

ROLL CALL: KRIENER, McCONNELL, FORTUNE, BOUSKA, CARMAN

ACT ON THE CONSENT AGENDA: All items listed under the consent agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time council votes on the motion.

1. Approval of the Agenda
2. Approval of the Claims
3. Approval of Minutes from January 23, 2023
4. Approval of Minutes from January 23, 2023 Worksession
5. Approval of Class B Retail Alcohol License to DOLGENCORP, LLC d/b/a Dollar General #2400
6. Approval of Application for Tax Abatement under the Urban Revitalization Plan for Michael & Jill Walton
7. Approval of Application for Tax Abatement under the Urban Revitalization Plan for Jayme & Janet Rustad

STAFF REPORTS: There may be action taken on each of the items listed below.

1. Public Works
2. Police
3. Administration
4. Committee Updates

COMMENTS FROM AUDIENCE: *(This portion of the agenda is for comments that are not related to one of the items listed on the agenda. Comments can only be received. No formal action by the Council can be taken. Those making public comments will be asked to state their name and address, and to speak from the podium.)*

BUSINESS: There may be action taken on each of the items listed below.

1. Public Hearing to Amend Chapter 106.04 and Section 106.08 subsection 1 in the City of Cresco Code of Ordinances Pertaining to Fees for Recyclable and Non-Recyclable Waste
2. Second Reading of Summary of Proposed Ordinance 502 Amending the Code of Ordinances of the City of Cresco, Iowa, Pertaining to Fees for Recyclable and Non-Recyclable Waste
3. Resolution Authorizing the Mayor and City Clerk to enter into a 60-Month Copier Lease Agreement for City Hall, Fitness Center, and Park & Rec
4. Motion to Reclassify LOST Funds for Park Department Lawn Mowers and Side by Side

5. Resolution Authorizing the Mayor to Sign a Bond Counsel Engagement Agreement with Ahlers & Cooney, P.C.
6. Resolution Fixing Date for a Meeting on the Authorization of a Loan Agreement and the Issuance of not to Exceed \$4,600,000 General Obligation Capital Loan Notes of the City of Cresco, State of Iowa (for Essential Corporate Purposes), and Providing for Publication of Notice Thereof
7. Request for Sewer Adjustment for Water not Entering the Sanitary Sewer System from Immanuel Lutheran Church
8. Request for Sewer Adjustment for Water not Entering the Sanitary Sewer System from Cresco Park LLC for Shady Oaks Trailer Park
9. Request for Sewer Adjustment for Water not Entering the Sanitary Sewer System from Cresco Park LLC for Willow Courtyard Trailer Park
10. Request for Sewer Adjustment for Water not Entering the Sanitary Sewer System from Wemark Luxury Rentals
11. Resolution Directing Notice to Bidders and Notice of Public Hearing on Proposed Plans, Specifications, and Estimate of Cost of Construction of 500,000 Gallon Toroellipse Exterior Repaint with Containment, Wet Interior Repaint, and Miscellaneous Repairs, in and for the City of Cresco, Iowa, and the Taking of Bids for Said Improvements
12. Resolution Authorizing the Mayor to Sign a Service Solution Agreement with Johnson Controls
13. Discuss TIF and Urban Renewal Areas
14. Interview Police Applicants
15. Motion to go into CLOSED SESSION pursuant to Iowa Code 21.5 (1) (i) to Conduct Interviews if Requested

ADJOURN:

THIS NOTICE IS GIVEN AT THE DIRECTION OF THE MAYOR PURSUANT TO CHAPTER 21, CODE OF IOWA AND THE LOCAL RULES OF SAID GOVERNMENTAL BODY. POSTED FEBRUARY 3, 2023.

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You are hereby notified that the City Council of the City of Cresco, Iowa, will hold a Public Hearing on the 6th day of February, 2023, in Council Chambers at City Hall. At this meeting the Council proposes to amend ordinance chapter 106 section 106.04 and 106.08 subsection 1 pertaining to fees for recyclable and non-recyclable waste collection.

The proposed amendment may be viewed at Cresco City Hall during normal office hours. This hearing will be conducted during a regular Cresco City Council Meeting starting at 5:30 pm.

Any resident of Cresco wishing to be heard concerning the reasons for or objections to the amendment, must appear at said hearing and voice your opinions.

BY ORDER OF THE CITY COUNCIL OF CRESCO, IOWA



City Clerk Michelle Elton

Mayor Brenno called the Cresco City Council meeting to order on January 23, 2023, at 5:30 pm. Council Members Kriener, McConnell, Fortune, Bouska, and Carman were present. No council members were absent.

Carman made the motion to approve the consent agenda which included approval of the: agenda; claims; minutes from January 9, 2023; Class C Liquor License to Cuautla Jalisco II, Inc; Class C Beer Permit & Class B Wine Permit (BC) to Kwik Trip, Inc. d/b/a Kwik Star #428 for ownership change; street closing for portions of 2nd Ave East for the Notre Dame School Lasagna Supper on January 27, 2023; Owner Occupied Housing Contractor Request for Payment #1a-Electrical for \$3,357.75 for Arlyn Skoda – Skoda Home Improvement. Fortune seconded and it passed all ayes.

Public Works Director Widell reported: (a) K & W plans to inspect the small water tower in April before contractors begin working on the big tower project; (b) we have received a few phone calls with concern about freezing water lines. The current temp is about 43.5 degrees and we typically don't recommend people run their water to prevent freezing until it gets below 38 degrees. We will continue to monitor and will notify residents if it gets below that temperature; (c) all departments have been keeping busy.

Police Officer Welper had nothing to report for the police department.

Deputy Clerk Hill reported (a) mailed out 1099 forms and tax donation letters; (b) several phone conferences regarding financing procedures; (c) working on revisions for Hawkeye Sanitation agreement, calculating rebates, and setting up the dumpster billings; (d) making final adjustments to the budget and tying everything out; (e) filed seven Howard County Community Foundation Grant applications; (f) we have received several refunds for sales tax that were charged to the City in error.

There were no committee updates.

Mayor Brenno asked for comments from the audience and there were none.

Council reviewed Champlin Hall furnace and air conditioner quotes. Cresco Heating and Vent quotes were for a Lennox system for \$16,333.30 or a Goodman system for \$15,253.80 and Gosch's Plumbing and Heating quote was for a Goodman system for \$14,706.74. Bouska made the motion to approve the quote and to pay the down payment for Gosch's Plumbing and Heating. Carman seconded and it passed all ayes.

Fortune made the motion to approve the recommendation of the Planning and Zoning Commission to reappoint Kris Omar for a term of three years expiring 6/30/2025. McConnell seconded and it passed all ayes

Bouska made the motion to approve the recommendation of the Planning and Zoning Commission to reappoint Dick Schorr for a term of three years expiring 6/30/2025. McConnell seconded and it passed all ayes.

McConnell made the motion to approve the resolution authorizing the Mayor to enter into a Professional Services Agreement with Bolton & Menk, Inc for the Cresco Municipal Airport for Airport Planning, Engineering, and Construction Services. Carman seconded and it passed all ayes.

Council reviewed copier lease proposals from Marco and Access Systems. Nathan Johnson from Access Systems provided an updated quote and adjusted figures for volume of copies and an estimated cost to return the copiers. Council tabled any action until the February 6, 2023 meeting to review the updated quote from Access.

Carman made the motion to reappoint Bouska to the Regional Housing Authority Board for a 3-year term. Kriener seconded and it passed all ayes.

McConnell made the motion to adopt the annual project list update to the Capital Improvements Plan 2022 to 2027. Carman seconded and it passed all ayes.

Bouska made the motion to approve the resolution to rename Fund #323 – Water Tower Rehab Project Fund. Kriener seconded and it passed all ayes.

McConnell made a motion to set a public hearing for February 20, 2023 on the proposed fiscal year City Property Tax Levy for fiscal year July 1, 2023 – June 30, 2024. Kriener seconded and it passed all ayes.

Council reviewed the changes to the agreement with Hawkeye Sanitation. Bouska made the motion to approve the resolution authorizing the mayor to enter into an amended agreement for recyclable and non-recyclable waste collection services with Hawkeye Sanitation, Inc. Carman seconded and it passed all ayes.

Bouska made the motion to set the Public Hearing to amend Chapter 106 pertaining to fees for recyclable and non-recyclable waste collection in the City of Cresco Code of Ordinances for February 6, 2023. McConnell seconded and it passed all ayes.

Mayor Brenno performed the first reading of proposed Ordinance 502 amending Chapter 106 sections 106.04 and 106.08 subsection 1 of the Code of Ordinances of the City of Cresco, Iowa, pertaining to fees for recyclable and non-recyclable waste collection. Bouska made the motion to approve the first reading of proposed Ordinance 502. Carman seconded and it passed all ayes.

Carman moved to adjourn at 5:58 pm. McConnell seconded and it passed all ayes. The next regular Cresco City Council meeting will be February 6, 2023, at 5:30 pm at Cresco City Hall.

Mayor David J. Brenno

City Clerk Michelle Elton

Following is a list of claims approved for payment:

PAYROLL CHECKS		\$ 84,521.29	MIENERGY	Elec	\$ 9,827.14
ACCESS SYSTEMS	Copier	\$ 203.13	NE IA MOTORS	Srvc	\$ 40.75
ALLIANT	Elect	\$ 1,857.27	O'HENRY'S	Resale	\$ 604.88
BAKER&TAYLOR	Books	\$ 996.64	POWERPLAN	Parts	\$ 428.34
BC/BS	Ins	\$ 37,846.46	PRECISION OH	Srvc	\$ 1,501.46
BOB'S ELEC	Srvc	\$ 467.25	RELIANCE LIFE	Ins	\$ 138.80
CAFFREY,MIKE	Sub	\$ 85.00	RUPPERT	Supp	\$ 287.37
CAMPSITE	LP	\$ 19.78	SAM'S	Conces	\$ 567.38
CARDMEMBER SRVC	Supp	\$ 1,912.52	SKODA HOME IMPR	Rehab	\$ 3,357.75
CITY LAUNDERING	Srvc	\$ 73.55	SLEEPY HOLLOW	Rprs	\$ 131.79
CITY OF CRESCO	Ins	\$ 4,272.91	SONY	Movie	\$ 500.00
CITY OF CRESCO	Util	\$ 26.41	TREAS,IA	Taxes	\$ 6,371.63
COURTNEY LAWN	Srvc	\$ 870.00	TRISTATE TRUCK	Parts	\$ 73.00
CPU	Srvc	\$ 50.00	UNIVERSAL	Movie	\$ 483.51
CR CHAMBER	Dues	\$ 135.00	VISA	Supp	\$ 621.95
CR SHOPPER	Adv	\$ 1,666.13			
CR TPD	Notices	\$ 346.02			
DELUXE ECHOSTAR	Movie	\$ 80.00	BY FUND:		
DISNEY	Movie	\$ 203.26	GENERAL		\$ 144,386.89
DM REGISTER	Sub	\$ 293.03	EV CHARG STATION		\$ 21.97
DM STAMP	Stamp	\$ 77.00	FIRE STATION BLDG		\$ 79.95
FAREWAY	Prog	\$ 5.97	CR COMM FIRE		\$ 489.83
GILLUND	Supp	\$ 276.00	ROAD USE TAX		\$ 21,325.08
HAWKEYE SAN	Gb/Rc	\$ 51,968.28	EMPLOYEE BEN		\$ 9,791.46
HAWKINS	Chems	\$ 60.00	REHAB HOUSE		\$ 3,357.75
IA MUNICIPAL	Dues	\$ 1,414.00	WATER		\$ 16,186.26
KWIK TRIP	Gas	\$ 8,845.02	SEWER OP		\$ 30,718.15
LICKTEIG,STEVE	Srvc	\$ 100.00	YARDWASTE		\$ 792.69
LITTLE BIRDS	Srvc	\$ 40.00			
LT MECHANICAL	Rprs	\$ 180.00	Total Expenditures		\$ 227,150.03
L-TRON	Equip	\$ 3,002.70	Revenue 1/10-1/23/23		\$ 255,045.22
MEDIACOM	Phone	\$ 319.66			

Mayor Brenno called the Cresco City Council worksession to order on January 23, 2023, at 6:00 pm. Council Members Kriener, McConnell, Fortune, Bouska, and Carman were present. No council members were absent.

City Clerk Elton presented information on the bond process, estimated payments, and property tax levy rates. The City is anticipating borrowing about \$4.4 million with a projected interest rate of 4% over 20 years with estimated payments about \$315,000 due annually. Tax Increment Financing “TIF” was discussed as an alternative funding source for the debt payments rather than increasing the debt levy for the full amount. The 7th Street West Reconstruction Project borders two different Urban Renewal Areas and the Downtown Crosswalk Project is in an Urban Renewal Area. Council wants more information from legal counsel on options for using TIF for the upcoming projects. Council discussed other revenue-generating options including franchise fees on gas and/or electric bills and potential annexation. All options will be considered after getting more information on the process and procedures.

Bouska moved to adjourn the worksession at 6:43 pm. Carman seconded and it passed all ayes. The next regular Cresco City Council meeting will be February 6, 2023, at 5:30 pm at Cresco City Hall.

Mayor David J. Brenno

City Clerk Michelle Elton



Applicant

NAME OF LEGAL ENTITY: DOLGENCORP, LLC
 NAME OF BUSINESS(DBA): Dollar General #2400
 BUSINESS: (615) 855-4000
 ADDRESS OF PREMISES: 419 2nd Avenue Southeast
 PREMISES SUITE/APT NUMBER: Cresco
 COUNTY: Howard
 CITY: Cresco
 STATE: Tennessee
 ZIP: 52136

MAILING ADDRESS: 100 Mission Ridge
 CITY: Goodlettsville
 STATE: Tennessee
 ZIP: 37072

Contact Person

NAME: Tax Dept
 PHONE: (615) 855-4000
 EMAIL: tax-beerandwine@dollargeneral.com

License Information

LICENSE NUMBER: Class B Retail Alcohol License
 LICENSE/PERMIT TYPE: Class B Retail Alcohol License
 TERM: 12 Month
 STATUS: Submitted to Local Authority

EFFECTIVE DATE: EXPIRATION DATE: LAST DAY OF BUSINESS

SUB-PERMITS

Class B Retail Alcohol License

PRIVILEGES

Status of Business

BUSINESS TYPE: Limited Liability Company

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Steven Sunderland	Goodlettsville	Tennessee	37072	CEO	0.00	Yes

• Companies

COMPANY NAME	FEDERAL ID	CITY	STATE	ZIP	% OF OWNERSHIP
Dolgencorp LLC	61-0852764	Goodlettsville	Tennessee	37072	100.00

Insurance Company Information

INSURANCE COMPANY: POLICY EFFECTIVE DATE: POLICY EXPIRATION DATE:
 DRAM CANCEL DATE: OUTDOOR SERVICE EFFECTIVE DATE: OUTDOOR SERVICE EXPIRATION DATE:
 BOND EFFECTIVE DATE: TEMP TRANSFER EFFECTIVE DATE: TEMP TRANSFER EXPIRATION DATE:

APPLICATION FOR TAX ABATEMENT UNDER THE
AMENDED AND RESTATED (2016) CRESCO URBAN REVITALIZATION PLAN
FOR CRESCO, IOWA

Prior Approval for Intended Improvements Approval of Improvements Completed

FOR PROPERTY TAX EXEMPTION FOR IMPROVEMENTS UNDER THE PROVISIONS OF THE AMENDED AND RESTATED (2016) CRESCO URBAN REVITALIZATION PLAN ADOPTED BY THE CITY COUNCIL OF THE CITY OF CRESCO, IOWA.

The Amended and Restated (2016) Cresco Urban Revitalization Plan allows property tax exemptions as follows:

Residential: All qualified real estate assessed as residential property is eligible to receive a one hundred percent (100%) exemption from taxation on the first seventy-five thousand dollars (\$75,000) of actual value added by the eligible improvements. The exemption is for a period of five (5) years. Actual assessed value must increase at least 10% due to the improvements.

Residential with Three or More Separate Dwelling Units: All qualified real estate assessed as residential property under Iowa Code Section 441.21(14)(a)(6) on or after January 1, 2022, having three or more separate dwelling units, is eligible to receive a fifty percent (50%) exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten (10) years. Actual assessed value must increase at least 10% due to the improvements.

Commercial: All qualified real estate assessed as commercial property is eligible to receive a one hundred percent (100%) exemption on the actual value added by the eligible improvements. The exemption is for a period of three (3) years. Actual assessed value must increase at least 10% due to the improvements.

Multi-residential (Prior to January 1, 2022): All qualified real estate assessed prior to January 1, 2022 as commercial property or multi-residential property, if the commercial or multi-residential property consists of three or more separate living quarters with at least seventy-five percent of the space used for residential purposes, is eligible to receive a one hundred percent (100%) exemption from taxation on the actual value added by the eligible improvements constructed prior to January 1, 2022. The exemption is for a period of three (3) years. Actual assessed value must increase at least 10% due to the improvements.

In order to be eligible, the property must have been located in the Cresco Urban Revitalization Area when the improvements were made. The Area includes:

All property located within the Cresco corporate limits as of March 21, 2016. Any property annexed into the City in the future shall automatically be included in the Area as of the effective date of the annexation.

*This application must be filed with the City by February 1st of the assessment year for which the exemption is first claimed, but not later than two (2) years after the February 1st following the year that the improvements are first assessed for taxation.

Address of Property: 1332 5th St SE

Legal Description: 026-099-011 N10AC SE SW

Title Holder or Contract Buyer: Michael P and Jill M Walton

Address of Owner (if different than above): _____

Phone Number (to be reached): Mike

Email Address: MWalton@...

Existing Property Use: Residential Commercial Split (Commercial/Residential)

Proposed Property Use: Residential (with 3 or more units) Commercial Split (Commercial/Residential)

Number of Separate Dwelling Units: _____

Nature of Improvements: New Construction Improvements to Existing Structure

Specify: Salor Arroy - Ground Mount

Permit Number(s) from the City of Cresco: 2700

Date Permit(s) Issued: 6-2-22

Permit(s) Valuation: _____

Estimated or Actual Date of Completion: 7-1-23

Estimated or Actual Cost of Construction/Improvements: _____

Signature: [Signature]

Name (Printed): Michael P. Walton

Title: Owner

Company: _____

Date: 1-25-23

This Application is a summary of some of the Plan terms; for complete information, read a copy of the AMENDED AND RESTATED (2016) CRESCO URBAN REVITALIZATION PLAN, available at City Hall.

This Application must be filed with the City Clerk at City Hall, 150 N Park Pl, Cresco IA 52136.

FOR CITY USE:

CITY COUNCIL	Application Approved/Disapproved
	Reason (if disapproved)
ASSESSOR	Date
	Attested by the City Clerk
ASSESSOR	Present Assessed Value of Structure
	Assessed Value with Improvements
	Eligible or Not Eligible for Tax Abatement
	Assessor _____ Date _____

**APPLICATION FOR TAX ABATEMENT UNDER THE
AMENDED AND RESTATED (2016) CRESCO URBAN REVITALIZATION PLAN
FOR CRESCO, IOWA**

Effective 1/1/2022
Expires 12/31/2026

Prior Approval for Intended Improvements Approval of Improvements Completed

FOR PROPERTY TAX EXEMPTION FOR IMPROVEMENTS UNDER THE PROVISIONS OF THE AMENDED AND RESTATED (2016) CRESCO URBAN REVITALIZATION PLAN ADOPTED BY THE CITY COUNCIL OF THE CITY OF CRESCO, IOWA.

The Amended and Restated (2016) Cresco Urban Revitalization Plan allows property tax exemptions as follows:

Residential: All qualified real estate assessed as residential property is eligible to receive a one hundred percent (100%) exemption from taxation on the first seventy-five thousand dollars (\$75,000) of actual value added by the eligible improvements. The exemption is for a period of five (5) years. Actual assessed value must increase at least 10% due to the improvements.

Residential with Three or More Separate Dwelling Units: All qualified real estate assessed as residential property under Iowa Code Section 441.21(14)(a)(6) on or after January 1, 2022, having three or more separate dwelling units, is eligible to receive a fifty percent (50%) exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten (10) years. Actual assessed value must increase at least 10% due to the improvements.

Commercial: All qualified real estate assessed as commercial property is eligible to receive a one hundred percent (100%) exemption on the actual value added by the eligible improvements. The exemption is for a period of three (3) years. Actual assessed value must increase at least 10% due to the improvements.

Multi-residential (Prior to January 1, 2022): All qualified real estate assessed prior to January 1, 2022 as commercial property or multi-residential property, if the commercial or multi-residential property consists of three or more separate living quarters with at least seventy-five percent of the space used for residential purposes, is eligible to receive a one hundred percent (100%) exemption from taxation on the actual value added by the eligible improvements constructed prior to January 1, 2022. The exemption is for a period of three (3) years. Actual assessed value must increase at least 10% due to the improvements.

In order to be eligible, the property must have been located in the Cresco Urban Revitalization Area when the improvements were made. The Area includes:

All property located within the Cresco corporate limits as of March 21, 2016. Any property annexed into the City in the future shall automatically be included in the Area as of the effective date of the annexation.

*This application must be filed with the City by February 1st of the assessment year for which the exemption is first claimed, but not later than two (2) years after the February 1st following the year that the improvements are first assessed for taxation.

Address of Property: 425 Vernon Rd Cresco IA 52536

Legal Description: S100' LOT 22 IR SURVEY 1/2 NE

Title Holder or Contract Buyer: Dayme & Sant Rustad

Address of Owner (if different than above): _____

Phone Number (to _____)

Email Address: _____

Existing Property Use: Residential Commercial Split (Commercial/Residential)

Residential (with 3 or more units) Number of Separate Dwelling Units: _____

Proposed Property Use: Residential Commercial Split (Commercial/Residential)

Residential (with 3 or more units) Number of Separate Dwelling Units: _____

Nature of Improvements: New Construction Improvements to Existing Structure

Specify: 22x22 add on 24x24 garage addition 7x32 back porch

Permit Number(s) from the City of Cresco: _____

Date Permit(s) Issued: 3-9-22

Permit(s) Valuation: _____

Estimated or Actual Date of Completion: Really completed - Summer 2023?

Estimated or Actual Cost of Construction/Improvements: _____

Signature: Dayme Rustad

Name (Printed): Dayme Rustad

Title: _____

Company: _____

Date: 1/23/23

This Application is a summary of some of the Plan terms; for complete information, read a copy of the AMENDED AND RESTATED (2016) CRESCO URBAN REVITALIZATION PLAN, available at City Hall.

This Application must be filed with the City Clerk at City Hall, 130 N Park Pl, Cresco IA 52536.

FOR CITY USE:

CITY COUNCIL	Application Approved/Disapproved	_____
	Reason (if disapproved)	_____
ASSESSOR	Present Assessed Value of Structure	_____
	Assessed Value with Improvements	_____
ASSESSOR	Eligible or Not Eligible for Tax Abatement	_____
	Assessor	_____ Date _____

Effective 1/1/2022
Expires 12/31/2026

**CITY OF CRESCO
CASH & INVESTMENT BY FUND
AS OF JANUARY 31, 2023**

	CASH BALANCE	MONEY MKT BALANCE	CD BALANCE	OTHER BANK BALANCE	FUND BALANCE	
001	General Fund	1,522.44	324,500.00	1,015,000.00	-	1,341,022.44
001	General Fund - Theatre	-	-	-	4,948.97	4,948.97
001	General Fund - Credit Card Processing	-	-	-	3,500.00	3,500.00
001	General Fund - RAGBRAI	-	-	9,043.61	-	9,043.61
002	General Fund-Hotel/Motel	359.33	20,000.00	15,000.00		35,359.33
022	Local Option Tax Project	2,540.39	839,000.00	1,180,000.00		2,021,540.39
060	EV Charging Station	249.92	7,300.00	-		7,549.92
065	Nuisance House Fund	459.38	10,000.00	-		10,459.38
078	Fire Station Building	215.64	7,800.00	-		8,015.64
087	Equipment Replace	482.89	18,000.00	20,000.00		38,482.89
090	Office/Computer Equip.	526.25	14,500.00	10,000.00		25,026.25
091	Street Equipment Trust	705.61	82,500.00	50,000.00		133,205.61
092	Theatre Trust	313.41	11,300.00	55,000.00		66,613.41
094	Airport Trust	281.72	13,000.00	75,000.00		88,281.72
098	Cresco Community Fire	318.55	37,400.00	50,000.00		87,718.55
110	Road Use Tax Fund	153.94	93,800.00	650,000.00		743,953.94
112	Employee Benefits Trust	1,139.75	139,400.00	700,000.00		840,539.75
119	Emergency Fund	363.79	2,000.00	18,000.00		20,363.79
160	CIDC/CityRevol.Loan-bus.	57.06	9,800.00	120,000.00		129,857.06
177	Police Forfeiture Fund	240.13	-	-		240.13
182	Rehab Housing	349.91	45,400.00	-		45,749.91
183	Equip.Repair-Fitness Ctr	416.40	97,700.00	55,000.00		153,116.40
184	City Park Trust	192.62	2,500.00	15,000.00		17,692.62
185	Recreation Supply	226.45	3,700.00	5,000.00		8,926.45
186	Park Tree Trust	392.38	9,000.00	-		9,392.38
188	Fire Equipment Trust	338.99	8,000.00	60,000.00		68,338.99
189	Library Trust	205.10	18,200.00	90,000.00		108,405.10
200	Debt Service Fund	396.48	38,200.00	220,000.00		258,596.48
322	Scene Shop Project Fund	247.28	3,500.00	10,000.00		13,747.28
323	ARPA Grant Project	403.79	6,500.00	445,000.00		451,903.79
324	Downtown Crosswalk Project	250.65	4,000.00	-		4,250.65
600	Water Utility Fund	785.58	130,900.00	270,000.00		401,685.58
601	Water Deposit Trust	494.88	8,000.00	25,000.00		33,494.88
602	Water Utility Replacement	609.60	127,800.00	440,000.00		568,409.60
610	MSSU Revenue	1,096.21	180,200.00	450,000.00		631,296.21
612	MSSU Operation/Maint	144.70	-	-		144.70
613	MSSU Replacement	498.41	104,300.00	1,130,000.00		1,234,798.41
614	MSSU Rev.Bond Int	200.54	-	63,000.00		63,200.54
620	Cap Imp Water, Sewer, Storm	688.34	30,200.00	100,000.00		130,888.34
670	Yard Waste Fund	354.83	14,400.00	70,000.00		84,754.83
820	Health Ins Partial Self Fund	-	-	100,000.00	43,845.36	143,845.36
Totals		18,223.34	2,462,800.00	7,515,043.61	52,294.33	10,048,361.28
		0%	25%	75%	1%	<u>10,048,361.28</u>

Checking - Cresco Bank & Trust (operating)
 Checking - CB&T (credit cards)
 Theatre Checking (CB&T)

0.10% 18,223.34
 0.00% 3,500.00
 0.00% 4,948.97

Money Market - Cresco Bank & Trust
 MMKT Hlth Ins Partial Self Funded

3.25% 2,462,800.00
 2.50% 43,845.36

CD RAGBRAI - 3 yr - matures 9/14/23 (CUSB)
 CD Safe-T-Fund -1 yr - matures 11/17/23
 CD - 6 mth - matures 5/18/23 (CB&T)
 CD - 1 year - matures 10/5/23 (CUSB)

0.65% 9,043.61
 3.95% 100,000.00
 3.95% 3,406,000.00
 3.00% 4,000,000.00

Eligible for Exchange Rate - 1 time higher interest rate

\$10,048,361.28

CITY OF CRESCO
 REVENUE REPORT
 CALENDAR 1/2023, FISCAL 7/2023

PCT OF FISCAL YTD 58.3%

ACCOUNT NUMBER	ACCOUNT TITLE	MTD BALANCE	YTD BALANCE	BUDGET	% RECEIVED
	GENERAL TOTAL	156,368.18	1,681,676.38	3,451,995.00	48.72
	HOTEL/MOTEL TAX TOTAL	.00	13,635.09	20,000.00	68.18
	LOST PROJECT TOTAL	54,326.82	411,074.48	538,000.00	76.41
	EV CHARGING STATION TOTAL	18.98	21,471.44	41,200.00	52.12
	NUISANCE HOUSE TOTAL	26.00	5,038.09	12,000.00	41.98
	FIRE STATION BUILDING TOTAL	6,473.90	13,456.95	13,900.00	96.81
	EQUIPMENT REPLACEMENT TOTAL	46.81	4,283.71	4,100.00	104.48
	OFFICE EQUIPMENT TOTAL	37.70	236.88	100.00	236.88
	STREET TRUST TOTAL	458.44	22,901.10	42,500.00	53.88
	THEATRE TRUST FUND TOTAL	9,029.38	11,692.77	74,300.00	15.74
	AIRPORT TRUST FUND TOTAL	9,111.80	108,994.86	130,250.00	83.68
	CRESCO COMMUNITY FIRE TOTAL	25,893.37	71,176.12	90,500.00	78.65
	ROAD USE TAX TOTAL	38,507.11	312,949.10	570,000.00	54.90
	EMPLOYEE BENEFITS TOTAL	8,910.14	352,549.45	645,900.00	54.58
	EMERGENCY FUND TOTAL	318.04	20,363.79	37,500.00	54.30
	LOCAL OPTION SALES TAX TOTAL	57,939.04	440,943.00	580,000.00	76.02
	REVOLVING LOAN TOTAL	2,442.14	21,809.83	50,500.00	43.19
	REHAB HOUSE TOTAL	118.06	3,124.69	.00	.00
	FITNESS CENTER TRUST TOTAL	36,204.03	122,540.96	17,400.00	704.26
	PARK TRUST TOTAL	6.50	141,706.69	242,300.00	58.48
	RECREATION SUPPLY TOTAL	9.62	73.52	10,000.00	.74
	PARK TREE TRUST TOTAL	23.40	4,760.12	.00	.00
	FIRE EQUIPMENT TOTAL	20.80	5,727.98	12,000.00	47.73
	LIBRARY TOTAL	3,085.33	23,809.81	9,900.00	240.50
	DEBT SERVICE TOTAL	8,191.89	199,308.15	340,500.00	58.53
	SCENE SHOP PROJECT TOTAL	9.10	68.04	.00	.00
	WATER TOWER REHAB PROJECT TOTAL	16.90	281,504.74	278,600.00	101.04
	DOWNTOWN CROSSWALKS TOTAL	10.40	75.07	600,000.00	.01
	WATER TOTAL	52,264.51	398,090.12	616,100.00	64.61
	WATER DEPOSIT TOTAL	660.00	6,740.00	13,000.00	51.85
	WATER EQUIPMENT REPLACE TOTAL	353.12	142,893.56	156,300.00	91.42
	SEWER TOTAL	114,620.76	661,324.21	1,021,300.00	64.75
	SEWER OPERATIONS TOTAL	67,600.00	565,600.00	949,800.00	59.55
	SEWER REPLACEMENT PROJ TOTAL	271.21	95,192.80	93,000.00	102.36
	SEWER SINKING TOTAL	.00	29,198.09	29,000.00	100.68
	PROPRIETARY CAP IMPROVE TOTAL	6,886.36	47,496.69	81,200.00	58.49
	YARDWASTE TOTAL	3,354.38	23,401.25	39,100.00	59.85
	SELF INSURANCE TOTAL	4,361.56	29,149.34	.00	.00
	TOTAL REVENUE BY FUND	667,975.78	6,296,038.87	10,812,245.00	58.23

CITY OF CRESCO
 BUDGET REPORT (Expenses)
 CALENDAR 1/2023, FISCAL 7/2023

ACCOUNT NUMBER	ACCOUNT TITLE	MDT BALANCE	YTD BALANCE	BUDGET	% SPENT
	GENERAL TOTAL	271,816.15	1,957,796.55	3,676,500.00	53.25
	HOTEL/MOTEL TAX TOTAL	3,180.62	15,930.62	20,000.00	79.65
	LOST PROJECT TOTAL	9,000.00	116,739.30	643,000.00	18.16
	EV CHARGING STATION TOTAL	21.97	13,921.52	31,200.00	44.62
	NUISANCE HOUSE TOTAL	.00	1,700.57	12,000.00	14.17
	FIRE STATION BUILDING TOTAL	939.71	9,305.24	15,300.00	60.82
	EQUIPMENT REPLACEMENT TOTAL	.00	53.35	1,000.00	5.34
	OFFICE EQUIPMENT TOTAL	.00	1,348.75	11,000.00	12.26
	STREBET TRUST TOTAL	.00	1,702.77	25,000.00	6.81
	THEATRE TRUST FUND TOTAL	9,000.00	10,200.00	79,300.00	12.86
	AIRPORT TRUST FUND TOTAL	.00	108,817.64	256,500.00	42.42
	CRESCO COMMUNITY FIRE TOTAL	702.48	51,272.23	95,500.00	53.69
	ROAD USE TAX TOTAL	38,508.61	278,969.50	576,400.00	48.40
	EMPLOYEE BENEFITS TOTAL	50,699.75	333,415.79	655,900.00	50.83
	EMERGENCY FUND TOTAL	.00	.00	37,500.00	.00
	LOCAL OPTION SALES TAX TOTAL	57,939.04	440,943.00	580,000.00	76.02
	REVOLVING LOAN TOTAL	.00	.00	50,000.00	.00
	REHAB HOUSE TOTAL	3,357.75	17,803.23	74,000.00	24.06
	FITNESS CENTER TRUST TOTAL	.00	5,000.00	25,000.00	20.00
	PARK TRUST TOTAL	.00	127,382.70	241,000.00	52.86
	RECREATION SUPPLY TOTAL	.00	3,580.50	10,000.00	35.81
	PARK TREE TRUST TOTAL	.00	.00	1,800.00	.00
	FIRE EQUIPMENT TOTAL	.00	.00	10,000.00	.00
	LIBRARY TOTAL	.00	.00	7,000.00	.00
	DEBT SERVICE TOTAL	.00	29,967.50	340,500.00	8.80
	DOWNTOWN CROSSWALKS TOTAL	.00	9,566.87	600,000.00	1.59
	WATER TOTAL	36,886.84	409,747.41	637,200.00	64.30
	WATER DEPOSIT TOTAL	1,362.67	6,686.27	13,000.00	51.43
	WATER EQUIPMENT REPLACE TOTAL	.00	17,121.10	133,100.00	12.86
	SEWER TOTAL	67,600.00	685,600.00	1,069,800.00	64.09
	SEWER OPERATIONS TOTAL	67,739.76	565,874.77	959,400.00	58.98
	SEWER REPLACEMENT PROJ TOTAL	.00	49,913.35	127,000.00	39.30
	SEWER SINKING TOTAL	.00	2,143.75	28,900.00	7.42
	PROPRIETARY CAP IMPROVE TOTAL	46.81	62,700.38	41,900.00	149.64
	YARDWASTE TOTAL	839.49	31,289.56	38,900.00	80.44
	SELF INSURANCE TOTAL	1,028.26	18,586.09	.00	.00
	TOTAL EXPENSES BY FUND	620,669.91	5,385,080.31	11,124,600.00	48.41

SUMMARY OF ORDINANCE 502

Below is a summary of ORDINANCE 502. A full copy of said Ordinance may be obtained between 8 am and 4:30 pm weekdays at City Hall, 130 North Park Place, Cresco, IA 52136 or on the City's website at www.cityofcresco.com.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA, BY AMENDING CHAPTER 106 SECTION 106.04 AND 106.08 SUBSECTION 1 PERTAINING TO FEES FOR RECYCLABLE AND NON-RECYCLABLE WASTE COLLECTION

BE IT ENACTED by the City Council of the City of Cresco, Iowa, as follows:

SECTION 1. SECTIONS MODIFIED.

Chapter 106.04 States that all solid waste shall be collected from residential premises at least once each week and from commercial, industrial and institutional premises as frequently as may be necessary.

Chapter 106.08, Subsection 1 Lists the fees that will be charged:

Effective January 1, 2023	
Solid Waste (Residential)	\$22.21 per month per dwelling unit*
Recycling (Residential)	\$6.15 per month per dwelling unit
Solid Waste (Light Commercial)	\$27.53 per month
Recycling (Light Commercial)	\$7.63 per month
Heavy Commercial Customers	\$20.35 per cubic yard per pick up
* Where at least one resident residing in a dwelling unit is 65 years of age or older, the fee is \$21.35 per month.	

Additional fees incurred for non-compliant content or as posted on rigid containers will be billed by the collector.

Heavy Commercial Cardboard:

	<i>Heavy Commercial Customers with Existing Cardboard Dumpster</i>	<i>One-Time Stocking Fee for Placement of New (Additional) Cardboard Dumpsters</i>
1/1/23-12/31/23	2-yard dumpster - \$100/month 3-yard dumpster - \$125/month 4-yard dumpster - \$150/month 6-yard dumpster - \$200/month	2-yard dumpster - \$300 3-yard dumpster - \$375 4-yard dumpster - \$450 6-yard dumpster - \$600

Plus fees incurred for non-compliant content in dumpsters (to be billed by the Collector).

All rates will increase by 4% on January 1st for the next four years ending December 31, 2027.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Mayor David J Brenno

ATTEST: _____
City Clerk Michelle Elton

1st Reading 4/23/23

2nd Reading _____

3rd Reading _____

I certify that the foregoing was published as Ordinance No. 502 on the _____ day of _____, 2023.

ATTEST: _____
City Clerk Michelle Elton

ORDINANCE 502

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA, BY AMENDING CHAPTER 106 SECTION 106.04 AND 106.08 SUBSECTION 1 PERTAINING TO FEES FOR RECYCLABLE AND NON-RECYCLABLE WASTE COLLECTION

BE IT ENACTED by the City Council of the City of Cresco, Iowa, as follows:

SECTION 1. SECTION MODIFIED. Chapter 106 Sections 106.04 and 106.08 Subsection 1, of the Code of Ordinances of the City of Cresco, Iowa, is repealed and the following adopted in lieu thereof:

106.04 FREQUENCY OF COLLECTION. All solid waste shall be collected from residential premises at least once each week and from commercial, industrial and institutional premises as frequently as may be necessary, but not less than once each week.

106.08 COLLECTION FEES. The collection and disposal of solid waste as provided by this chapter are declared to be beneficial to the property served or eligible to be served and there shall be levied and collected fees therefor in accordance with the following:
(Goreham vs. Des Moines, 1970, 179 NW 2nd, 449)

1. Fees. The fees for solid waste collection and disposal service, to any property where water service is turned on, are:

Effective January 1, 2023	
Solid Waste (Residential)	\$22.21 per month per dwelling unit*
Recycling (Residential)	\$6.15 per month per dwelling unit
Solid Waste (Light Commercial)	\$27.53 per month
Recycling (Light Commercial)	\$7.63 per month
Heavy Commercial Customers	\$20.35 per cubic yard per pick up
* Where at least one resident residing in a dwelling unit is 65 years of age or older, the fee is \$21.35 per month.	

Effective January 1, 2024	
Solid Waste (Residential)	\$23.09 per month per dwelling unit*
Recycling (Residential)	\$6.39 per month per dwelling unit
Solid Waste (Light Commercial)	\$28.63 per month
Recycling (Light Commercial)	\$7.92 per month
Heavy Commercial Customers	\$21.16 per cubic yard per pick up
* Where at least one resident residing in a dwelling unit is 65 years of age or older, the fee is \$22.21 per month.	

Effective January 1, 2025	
Solid Waste (Residential)	\$24.02 per month per dwelling unit*
Recycling (Residential)	\$6.65 per month per dwelling unit
Solid Waste (Light Commercial)	\$29.78 per month
Recycling (Light Commercial)	\$8.25 per month
Heavy Commercial Customers	\$22.01 per cubic yard per pick up
* Where at least one resident residing in a dwelling unit is 65 years of age or older, the fee is \$23.09 per month.	

Effective January 1, 2026	
Solid Waste (Residential)	\$24.98 per month per dwelling unit*
Recycling (Residential)	\$6.91 per month per dwelling unit
Solid Waste (Light Commercial)	\$30.97 per month
Recycling (Light Commercial)	\$8.57 per month
Heavy Commercial Customers	\$22.89 per cubic yard per pick up
* Where at least one resident residing in a dwelling unit is 65 years of age or older, the fee is \$24.02 per month.	

Effective January 1, 2027	
Solid Waste (Residential)	\$25.98 per month per dwelling unit*
Recycling (Residential)	\$7.19 per month per dwelling unit
Solid Waste (Light Commercial)	\$32.21 per month
Recycling (Light Commercial)	\$8.91 per month
Heavy Commercial Customers	\$23.81 per cubic yard per pick up
* Where at least one resident residing in a dwelling unit is 65 years of age or older, the fee is \$24.98 per month.	

Additional fees incurred for non-compliant content or as posted on rigid containers will be billed by the collector.

Heavy Commercial Cardboard:

	<i>Heavy Commercial Customers with Existing Cardboard Dumpster</i>	<i>One-Time Stocking Fee for Placement of New (Additional) Cardboard Dumpsters</i>
1/1/23-12/31/23	2-yard dumpster - \$100/month 3-yard dumpster - \$125/month 4-yard dumpster - \$150/month 6-yard dumpster - \$200/month	2-yard dumpster - \$300 3-yard dumpster - \$375 4-yard dumpster - \$450 6-yard dumpster - \$600
1/1/24-12/31/24	2-yard dumpster - \$104/month 3-yard dumpster - \$130/month 4-yard dumpster - \$156/month 6-yard dumpster - \$208/month	2-yard dumpster - \$312 3-yard dumpster - \$390 4-yard dumpster - \$458 6-yard dumpster - \$624
1/1/25-12/31/25	2-yard dumpster - \$108.16/month 3-yard dumpster - \$135.20/month 4-yard dumpster - \$162.24/month 6-yard dumpster - \$216.32/month	2-yard dumpster - \$324.48 3-yard dumpster - \$405.60 4-yard dumpster - \$486.72 6-yard dumpster - \$648.96
1/1/26-12/31/26	2-yard dumpster - \$112.49/month 3-yard dumpster - \$140.61/month 4-yard dumpster - \$168.73/month 6-yard dumpster - \$224.97/month	2-yard dumpster - \$337.46 3-yard dumpster - \$421.82 4-yard dumpster - \$506.19 6-yard dumpster - \$674.92
1/1/27-12/31/27	2-yard dumpster - \$116.99/month 3-yard dumpster - \$146.23/month 4-yard dumpster - \$175.48/month 6-yard dumpster - \$233.97/month	2-yard dumpster - \$350.96 3-yard dumpster - \$438.69 4-yard dumpster - \$526.44 6-yard dumpster - \$701.92

Plus fees incurred for non-compliant content in dumpsters (to be billed by the Collector).

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Mayor David J Brenno

ATTEST: _____
City Clerk Michelle Elton

1st Reading Summary 4/23/23 2nd Reading Summary _____ 3rd Reading Summary _____

I certify that a summary of the foregoing was published as Ordinance No. _____
on the _____ day of _____, 2023.

ATTEST: _____
City Clerk Michelle Elton

RESOLUTION NUMBER _____

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER
INTO A 60-MONTH COPIER LEASE AGREEMENT FOR
CITY HALL, FITNESS CENTER, AND PARK & REC**

The City Council of the City of Cresco met in regular session on February 6, 2023 at 5:30 P.M. Council Member _____ moved the adoption of the foregoing Resolution Authorizing the Mayor to enter into a 60-MONTH COPIER LEASE AGREEMENT for copiers at City Hall, Fitness Center and the Park & Rec office with _____. Council Member _____ seconded said motion. A roll call vote was requested by the Mayor and said roll call vote resulted as follows:

Ayes: _____

Nays: _____

Absent: _____

Thereupon, the Mayor declared said Resolution duly passed and announced that the 60-month copier lease agreement dated February 6, 2023, between the City of Cresco and _____ is approve and that the Mayor is authorized to execute the agreement on behalf of the City of Cresco.

PASSED AND APPROVED THIS 6th DAY OF FEBRUARY, 2023.

BY: _____
Mayor David J. Brenno

ATTEST: _____
City Clerk Michelle Elton

Copier Lease Comparison

Access Systems 60 Month term 5% annual increase on the service portion only:

Year	Rates per month	Annual Total
1	\$295.15 x 12	\$3,541.80
2	\$298.61 x 12	\$3,583.32
3	\$302.24 x 12	\$3,626.88
4	\$306.05 x 12	\$3,672.60
5	\$310.05 x 12	\$3,720.60
TOTAL 5 YEAR (ESTIMATED)		\$18,145.20

Fitness Center & City Hall Allowances 92,400 B/W 12,804 color

***Overage cost \$0.0036 B/W and \$0.032 color**

Park/Rec Allowances 33,600 B/W 1,200 color

***Overage cost \$0.0079 B/W and \$0.049 color**

Marco 60 Month term 5% annual increase:

Year	Rates per month	Annual Total
1	\$321 x 12	\$3,852.00
2	\$337.50 x 12	\$4,044.60
3	\$354.38 x 12	\$4,252.56
4	\$372.10 x 12	\$4,465.20
5	\$390.71 x 12	\$4,688.52
TOTAL 5 YEAR (ESTIMATED)		\$21,302.88

Total Allowances 96,000 B/W 14,004 color

***Overage cost \$0.0045 B/W and \$0.039 color**

Proposed Solution: Equipment City Hall

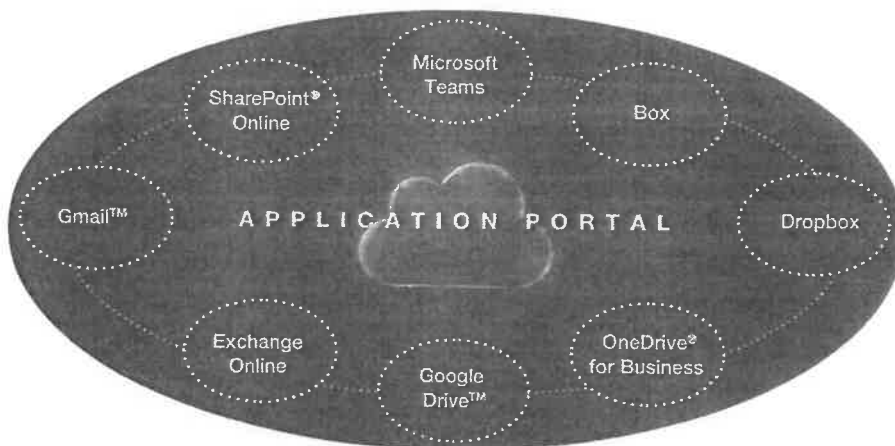
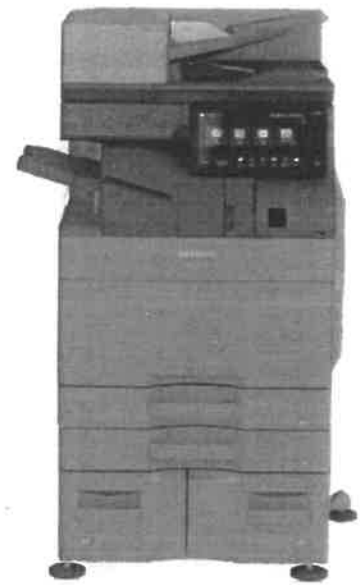
Sharp BP-70C31: Advanced Series Color Copier

Accessories:

- 2 x 550-Sheet Trays + 2,100-Sheet Tandem Trays
- Internal Staple Finisher
- Retractable Full-Keyboard

Specs:

- 31ppm Copy/Print Speed
- Single Pass Duplex Scanning
 - Up to 280 images per minute!
 - OCR & Blank-Page Skip
- True Adobe Postscript + Adobe Print Engine
- Pantone Color Matching
- 10" Touch Screen Display
- 1,200 x 1,200 dpi
- Scan to Network Folder & Email + Cloud Applications



Proposed Solution: Equipment (SHARP)

Fitness Center

Sharp BP-50C31: Essentials Series Color Copier

Accessories:

- **2 x 550-Sheet Trays + 2,100-Sheet Tandem Trays**

Specs:

- **31ppm Copy/Print Speed**
- **Auto-Reversing Duplex Scanning**
 - Up to 80 images per minute!
 - Blank-Page Skip
- **Adobe Print Engine**
- **Pantone Color Matching**
- **10" Touch Screen Display**
- **1,200 x 1,200 dpi**
- **Scan to Network Folder & Email**



Parks & Rec

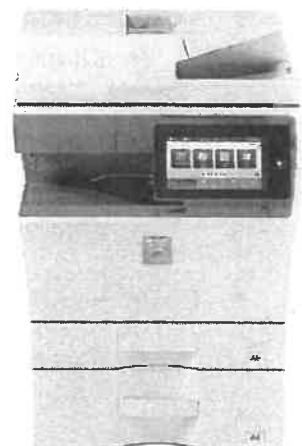
Sharp MX-C303W: Desktop Color Copier

Accessories:

- **2 x 550-Sheet Paper Trays**

Specs:

- **30ppm Copy/Print Speed**
- **Single-Pass Duplex Scanning**
- **True Adobe Postscript**
- **7" Touch Screen Display**
- **1,200 x 1,200 dpi**
- **Scan to Network Folder & Email**



Proposed Solution: Financials

Year 1: Total Monthly Base Payment: \$295.15

**Annual Escalation of 5% on Service ONLY*

***Flat \$10/month supply shipping charge included*

5-Year Spend Access Systems				
Service includes 96,000 B/W & 14,004 Color ANNUALLY				
	Lease	Service	Supply Shipping Charge	Total Annual Cost
Year 1	\$ 216.02	\$ 69.13	\$ 10.00	\$ 3,541.80
Year 2	\$ 216.02	\$ 72.59	\$ 10.00	\$ 3,583.28
Year 3	\$ 216.02	\$ 76.22	\$ 10.00	\$ 3,626.83
Year 4	\$ 216.02	\$ 80.03	\$ 10.00	\$ 3,672.56
Year 5	\$ 216.02	\$ 84.03	\$ 10.00	\$ 3,720.58
				\$ 18,145.04

Included Volume Allowances:

Total of 96,000 B/W & 14,004 Color Annually

Full Size Copiers – BP-70C31 & BP-50C31

- **B/W – 92,400 Pages Annually (7,700/month)**
 - *Overages charged annually @ \$0.0036/page.*
- **Color – 12,804 Pages Annually (1,067/month)**
 - *Overages charged annually @ \$0.032/page.*

Desktop Copier – MX-C303W

- **B/W – 3,600 Pages Annually (300/month)**
 - *Overages charged annually @ \$0.0079/page.*
- **Color – 1,200 Pages Annually (100/month)**
 - *Overages charged annually @ \$0.049/page.*

Proposed Solution: Financials

- **Access Systems Agreement Includes:**
 - **60-month Bundled Equipment Lease & Service**
 - **All Parts, Labor, Toner, and Supplies Included**
 - *Guaranteed 4-hr Service Response (2.3-hour average)*
 - *Auto-Toner Replenishment with OEM Toner*
 - **Delivery, Install, & End-User Training**
 - **UP TO \$1,000 reimbursement for return shipping of existing Marco Copiers**
 - *TTR Quoted shipping estimate of \$868 TOTAL for all 3 copiers.*

Contact Me!

Email: njohnson@accesssystems.com

Phone: 319-553-6470



Replacement Options/Configurations:

- **City Hall: BH C360i – 36-ppm Full Color MFP**, Dual 500-Sheet Paper Trays, 2500-Sheet Large Capacity Tray, Inner Staple Finisher, & 2/3 Position Hole Punch
- **Fitness Center: BH C360i – 30-ppm Full Color MFP**, Dual 500-Sheet Paper Trays, & 2500-Sheet Large Capacity Tray (removed fax kit & Job Tray as not needed)
- **Park & Rec Department: BH C3350i – 35-ppm Full Color MFP**, Dual 500-Sheet Paper Trays
 - **60 Month MAP Contract.....\$978 Quarterly**
 - **60 Month MAP Contract.....\$321 Monthly** (includes \$5/mo shipping)
 - Either Agreement includes 96,000 B/W & 14,004 Color Annually (8,000 B/W & 1,167 Color monthly) & Overages Billed Annually at .0045 B/W & .039 Color per page. **City of Cresco also would receive over \$500 Refund Credit of the Service Billed on current agreement (2-months of current contract).** There is **NO COST** associated for returning equipment to City of Cresco.
- David Andera is your Service Technician – proud Citizen of Cresco and member of the Cresco Fitness Center. Service calls were below average, and **Response Time** was less than 2.7 Hours (and except for 1 phone support service call) **was under 1 Hour Response Time!!** There were 3 service calls on the devices and 12 total toner orders processed – either via Marco Supply Team or customer placed.
- **Partial list of customers who entrust Marco Technologies:**
 - Cresco Chamber, Notre Dame School, Notre Dame Parish, Immanuel Lutheran
 - CUSB Bank & Cresco Bank & Trust, V & V Insurance, CIA Insurance, Farm Bureau Insurance & Howard County Courthouse/Law Enforcement Center
 - Plant Peddler, Hvitved & Associates, Hindt-Jensen Funeral, Lindstrom Funeral

Account Review/Upgrade Acceptance:

Accepted by: _____ Date: _____

By signing this proposal, you are authorizing Marco Technologies LLC to order, install and invoice the above listed equipment.

**** Confidential Information Not to be Shared or Distributed ****



Cresco Fitness Center

316 3rd Ave
Cresco, IA 52136

Cresco Fitness Center Phone: (563) 547-3443

Park Office: (563) 547-3230

City Council,

The Fitness Center/Park & Rec. Department had budgeted this fiscal year \$37,500 for a new John Deere mower to replace our oldest model. Last January, I contacted John Deere about ordering a new mower and was told at that time parts from John Deere were on "freeze" and they would contact me with updates. Several months passed with no contact as I re-connected with them, only to be told the same thing. I recently was able to get an update from them stating "they are finally starting to get mowers in stock".

After some thought on this and having the experience I did with John Deere, I am proposing a different solution to upgrading the Park & Rec. vehicle fleet:

New Purchases:

2 – New Hustler Super Z Zero Turn Mowers

- Quote from Case IH, Cresco, IA: \$19,900 (total for both, with trade-in)

1 – New/Used Side by Side Utility Vehicle w/ Snow Blade

- Currently waiting for quotes on several models (ranging from \$9,500-\$15,000)

Reasoning:

Mowers:

1. **Efficiency:** By purchasing two new zero turn mowers and trading in our oldest mower, we will have effectively increased our mowing capacity by one mower (total of 3). This is especially beneficial when we experience specific weather conditions that promote rapid grass growth. Trying to maintain 22+ acres of park areas during these times will become significantly easier and less time consuming, especially when we only have certain times during the day to mow. During normal summer weather with regular rainfall, it takes two mowers approximately 2.5 work days or more to properly maintain all areas. This does not include any trimming work.
2. **Safety:** These new zero turn mowers feature rear discharge which sends grass clippings directly behind the machine as opposed to a normal side discharge. I feel this is an important safety feature when we are actively mowing and people/vehicles may be within proximity.
These new mowers provide a shorter profile compared to our current mowers. Standing 7ft tall, our current mowers have been cumbersome and difficult to maneuver in tight spaces and impossible to drive under certain things (trees). This is an even greater challenge when having our seasonal park and recreation help trying to navigate our current machines.
3. **Reliability:** These new mowers are simple and straight forward in terms of maintenance, repairs, and operation. There are minimal electrical components, no cab, hydraulic deck lifting, or extra "bells and whistles" often associated with costly repairs.



Cresco Fitness Center

316 3rd Ave
Cresco, IA 52136

Cresco Fitness Center Phone: (563) 547-3443
Park Office: (563) 547-3230

Cont.

Personally, I have experience using these commercial units like the ones quoted and have nothing but a positive review due to their reliability and performance.

New/Used Side by Side Utility Vehicle w/ Snow Blade:

1. **Maneuverability/Safety:** A Side by Side Utility Vehicle has been something all staff associated with the Park & Rec. Department has mentioned would be extremely beneficial to have. Everything from moving picnic tables, trash clean up, ball field dragging, and general park maintenance; this machine's abilities are endless and would be irreplaceable once purchased. In addition, this machine would reduce the overall footprint of a vehicle being in the park when we are actively working and be less of a "hazard" to the public if they are in the vicinity, something we have had issues with in the past. This vehicle could handle most every day, normal park-related tasks while also saving on fuel costs.
2. **Snow Removal:** Equipped with a snow blade, I foresee our time spent removing snow to be cut in half with this machine. Our current snow blower, which attaches to our newest mower, is incredibly small for the amount of area we need to cover during any given snow fall. Although it has its place, when we receive roughly three or more inches of snow, we often have to go over areas twice because of its limited capabilities. Also, our snow blower does a poor job of scraping all the way down to bare concrete, often leaving a thin layer of packed snow in the lots. These Side by Side's with a snow blade are extremely reliable and robust compared to our finicky snow blower. We often have to replace pins, bolts, and cables on our snow blower and I believe it is because it was not designed to handle that much snow removal.

It is my belief that the money designated for one machine would be better spent on the machines outlined above. Improved efficiency, performance, and safety measures would be built upon with these upgrades.

Brandon Kerian
Park Director

RESOLUTION NUMBER _____

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN A BOND COUNSEL
ENGAGEMENT AGREEMENT WITH AHLERS & COONEY, P.C.**

WHEREAS, the City of Cresco requires Bond Counsel services in connection with the issuance of bonds, notes, or other obligations.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor is authorized and directed to sign the Bond Counsel Engagement Agreement with Ahlers & Cooney, P.C. of Des Moines, Iowa.

Council Person _____ moved the adoption of the foregoing Resolution and Council Person _____ seconded said Motion. Following discussion, a roll call vote was requested by Mayor and said roll call resulted as follows:

Ayes: _____

Nays: _____

Absent: _____

Thereupon, the Mayor declared said Resolution duly passed and announced that the Bond Counsel Engagement Agreement with Ahlers & Cooney, P.C. is approved and that the Mayor is authorized to execute the agreement on behalf of the City of Cresco.

PASSED AND APPROVED THIS 6TH DAY OF FEBRUARY, 2023.

BY: _____
Mayor David J. Brenno

ATTEST: _____
City Clerk Michelle Elton



Ahlers & Cooney, P.C.
Attorneys at Law
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Des Moines, Iowa 50309-2231
Phone: 515-243-7611
Fax: 515-243-2149
www.ahlerslaw.com
Kristin Cooper
515.246.0330
kcooper@ahlerslaw.com

February 2, 2023

VIA EMAIL

Honorable Mayor and Members of the City Council
c/o Michelle Elton
City Clerk
City of Cresco
130 North Park Place
Cresco, Iowa 52136-1594

RE: BOND COUNSEL ENGAGEMENT AGREEMENT

Dear Michelle:

The purpose of this Engagement Agreement (the "Agreement") is to disclose and memorialize the terms and conditions under which services will be rendered by Ahlers & Cooney, P.C. as bond counsel to the City of Cresco, Iowa (the "Issuer") in connection with the issuance from time to time of bonds, notes, or other obligations ("Bonds"). While additional members of our firm may be involved in representing the Issuer on other matters unrelated to the Bonds, this Agreement relates to the agreed-upon scope of bond counsel services described herein.

SCOPE OF ENGAGEMENT

In the role of Bond Counsel, we will provide the following services:

- (1) Subject to the completion of proceedings and execution of documents to our satisfaction, render our legal opinion (the "Bond Opinion") regarding the validity and enforceability of the Bonds, the source of payment and security for the Bonds, and the tax status of the Bonds for federal and state of Iowa, if applicable, income tax purposes.
- (2) Prepare and review documents necessary or appropriate to the authorization, issuance and delivery of the Bonds, including election proceedings, if necessary, and coordinate the authorization and execution of such documents.
- (3) Review legal issues relating to the structure of the Bond issue.
- (4) Review or prepare those sections of the official statement, private placement memorandum or other form of offering or disclosure document (the "Offering Documents") to be disseminated in connection with the sale of the Bonds that describe the terms of the Bonds, Iowa and federal law pertinent to the validity of

- the Bonds, the tax status of interest on the Bonds, provide the form of Bond Opinion, and the Issuer's form of Continuing Disclosure Certificate, if applicable.
- (5) Upon request, assist the Issuer in presenting information to bond rating organizations and providers of credit enhancement relating to the issuance of Bonds.
 - (6) Prepare the notice of sale relating to the competitive sale of Bonds.
 - (7) Draft the Continuing Disclosure Certificate of the Issuer, if applicable.
 - (8) File an appropriate Form 8038 with the IRS after Closing.

As bond counsel, our examination will extend to the actions and approvals necessary to authorize the issuance and initial delivery of the Bonds to the original purchaser thereof. Our Bond Opinion does not extend to any re-offering of the Bonds by the original purchaser or other persons. The Bond Opinion will be delivered by us on the date the Bonds are exchanged for their purchase price (the "Closing") and will be based on facts and law existing as of its date. In rendering our Bond Opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the Issuer with applicable laws relating to the Bonds. During the course of this engagement, we will rely on the Issuer, and authorized officials, to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds and their security.

The duties covered by a fee for Bonds issued under this engagement are limited to those expressly set forth above. Our fee for a Bond issue does not include the following services, or any other matter not required to render our Bond Opinion:

- (a) Except as described in paragraph (4) above, assisting in the preparation or review of the Offering Documents with respect to the Bonds, or performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document or rendering advice that the Offering Documents do not contain any untrue statement of material fact or omit to state a material fact necessary to make the statements contained therein, in light of the circumstances under which they were made, not misleading.
- (b) Preparing requests for tax rulings from the Internal Revenue Service, or "no action" letters from the Securities and Exchange Commission.
- (c) Drafting state constitutional or legislative amendments.
- (d) Pursuing test cases or other litigation, such as contested validation proceedings.
- (e) Except as described in paragraph (7) above, assisting in the preparation of, or opinion on, a continuing disclosure undertaking pertaining to the Bonds, or after Closing, providing advice concerning any actions necessary to assure compliance with any continuing disclosure undertaking, including monitoring Issuer's continued compliance with the undertaking.

- (f) Representing the Issuer in Internal Revenue Service examinations or inquiries, or Securities and Exchange Commission investigations.
- (g) After Closing, providing continuing advice to the Issuer or any other party concerning actions necessary to assure that interest paid on the Bonds will continue to be excludable from gross income for federal income tax purposes (e.g. this Bond Counsel engagement for the Bonds does not include rebate calculations, nor continuing post-issuance compliance activities).

We will provide one or more of the services listed in (a)–(g) upon your request, however, a separate, written engagement will be required before we assume one or more of these duties. The remaining services in this list, specifically those listed in subparts (h)–(k) below, are not included in this Agreement, nor will they be provided by us at any time.

- (h) Acting as an underwriter, or otherwise marketing the Bonds.
- (i) Acting in a financial advisory role.
- (j) Preparing blue sky or investment surveys with respect to the Bonds.
- (k) Making an investigation or expressing any view as to the creditworthiness of the Issuer or of the Bonds.

ATTORNEY-CLIENT RELATIONSHIP

Upon execution of this Agreement and upon notification that bond counsel services are requested of us hereunder, the Issuer will be our client and an attorney-client relationship will exist between us with respect to the issuance of each series of the Bonds. We assume that all other parties will retain such counsel as they deem necessary and appropriate to represent their interests in Bond transaction(s). We further assume that all parties understand that in we represent only the Issuer, we are not counsel to any other party, and we are not acting as an intermediary among the parties. Our services as bond counsel are limited to those contracted for in this Agreement; the Issuer's execution of this Agreement will constitute an acknowledgement of those limitations. Our representation of the Issuer will not affect, however, our responsibility to render an objective Bond Opinion.

Our representation of the Issuer and the attorney-client relationship created by this Agreement with respect to a series of Bonds will be concluded upon issuance of such Bonds. Nevertheless, subsequent to Closing, we will mail the appropriate completed Internal Revenue Service Form 8038 and, if requested by the Issuer, prepare and distribute to the participants in the transaction a transcript of the proceedings pertaining to the Bonds.

OTHER REPRESENTATIONS

As you are aware, our firm represents many political subdivisions, companies and individuals. It is possible that during the time that we are representing the Issuer, one or more of our present or future clients will have transactions with the Issuer. We do not believe such representation, if it occurs, will adversely affect our ability to represent you as provided in this

Agreement, either because such matters will be sufficiently different from the issuance of the Bonds so as to make such representations not adverse to our representation of you, or because the potential for such adversity is remote or minor and outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of the issuance of the Bonds. We will decline to participate in any matter where the interests of our clients, including the Issuer, may differ to the point where separate representation is advisable. The firm historically has arranged its practice to hold such occasions to a minimum, and intends to continue doing so. Execution of this Agreement will signify the Issuer's consent to our representation of others consistent with the circumstances described in this paragraph.

FEES

Bond Fees:

The fee we charge for services rendered under this Agreement for each series of Bonds for which we give a Bond Opinion will be based upon: (i) our current understanding of the terms, structure, size and schedule of the financing represented by the Bonds; (ii) the duties we will undertake pursuant to this Agreement; (iii) the time we anticipate devoting to the financing; and (iv) the responsibilities we will assume in connection therewith. We will communicate our anticipated fee to the Issuer's finance team, including your Municipal Advisor, as applicable, for purposes of sizing each new Bond issue. It is anticipated that our fee will be capitalized into the Bond issue. If, at any time, we believe that circumstances require an adjustment of our original fee estimate, we will advise the finance team. Such adjustment might be necessary in the event: (a) the principal amount of Bonds actually issued differs significantly from the amount anticipated at the time we provided our fee estimate; (b) material changes in the structure or schedule of the financing occur; or (c) unusual or unforeseen circumstances arise which require a significant increase or decrease in our time or responsibility. It is not anticipated that it will be necessary for us to personally attend meetings in order to provide the Bond Counsel services outlined above but we will do so in the event that circumstances require.

In addition to our Bond fee, we will bill for all customary client charges made or incurred on your behalf, such as travel costs reimbursement, photocopying, deliveries, computer-assisted research, bond printing, and other related expenses. We estimate that such charges will not exceed \$750 (per issue). We will contact you prior to incurring expenses that exceed this amount.

Billing Matters:

We will submit a summary invoice for the professional services described herein after Closing for each Bond issue. In the event of a substantial delay in completing the financing, we reserve the right to present an interim statement for payment. Unless other arrangements have been agreed upon in advance, we anticipate our statements to be paid in full within thirty (30) days of receipt.

If, for any reason, the financing represented by an issue of Bonds is not consummated or is completed without the delivery of our Bond Opinion, or our services are otherwise terminated,

we will expect to be compensated at our normal hourly rates, plus client charges, as described above (not to exceed the fee we would have received if we had rendered our Bond Opinion). My current hourly (2023) rate is \$330. Work performed by other attorneys will be billed at their current hourly rate. Associate attorneys begin at \$210, and work by legal assistants will be billed at \$135. The hourly rates reflected herein are subject to our periodic review and adjustment – typically annually.

Other Advice:

If requested, we will maintain one or more separate accounts for periodic services rendered to the City in connection with other matters unrelated to any particular Bond financing. Such services may involve the rendering of advice, opinions or other assistance in connection with such issues including, but not limited to (i) financing alternatives in connection with a particular project, (ii) compliance with lending programs, e.g. SRF compliance or procedures; (iii) compliance with continuing disclosure undertaking(s), (iv) the impact of specified actions on tax-exempt status of outstanding Bonds, (v) legislative initiatives and proposals, or (vi) other matters the City may seek advice or guidance upon. Billings for such separate services will be based on our standard hourly rate of the individual attorney performing the services. Statements for any such additional services shall be submitted periodically, but no less frequently than semi-annually.

RECORDS

In the interest of facilitating our services to you, we may send documents, information or data electronically or via the Internet or store electronic documents or data via computer software applications hosted remotely or utilize cloud-based storage. Your confidential electronic documents or data may be transmitted or stored using these methods. We may use third party service providers to store or transmit these documents or data. In using these electronic communication and storage methods, we employ reasonable efforts to keep such communications, documents and data secure in accordance with our obligations under applicable laws, regulations, and professional standards; however, you recognize and accept that we have no control over the unauthorized interception or breach of any communications, documents or data once it has been transmitted or if it has been subject to unauthorized access while stored, notwithstanding all reasonable security measures employed by us or by our third party vendors. By your acceptance of this letter, you consent to our use of these electronic devices and applications and submission of confidential client information to or through third party service providers during this engagement.

At your request, papers and property furnished by you will be returned promptly upon receipt of payment for outstanding fees and client charges. Our own files, including lawyer work product, pertaining to the transaction will be retained by us. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other material retained by us after the termination of this Agreement. It is our practice to retain transcripts for each financing for at least the life of the Bonds.

Please carefully review the terms and conditions of this Agreement. If the above correctly reflects our mutual understanding please obtain necessary approvals, execute, date and return to me an executed copy of this letter. Please retain also an original for the Issuer's file.

If you have questions regarding any aspect of the above or our representation as Bond Counsel, please do not hesitate to write or call.

Very Truly Yours,



Kristin Billingsley Cooper
FOR THE FIRM

KBC/sb

Accepted:

Cresco, Iowa*

By _____

Date: _____