NOTICE AND CALL OF PUBLIC MEETING

GOVERNMENTAL BODY:

THE CITY COUNCIL OF CRESCO, IOWA

DATE OF MEETING:

JUNE 1, 2020

TIME AND PLACE OF MEETING:

7:00 P.M. AT CRESCO CITY HALL or Join with Google Meet (see log-in below)

Note: Due to the COVID-19 Pandemic, the public can attend by logging in to the meeting by computer via meet.google.com/shb-pbrq-zpw or by telephone 1 209-841-0621 (PIN: 168 498 993#)

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: BRENNO, McCARVILLE, 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 May 18, 2020
- 4. Approval of Tax Abatement under the Urban Revitalization Plan for Kyle and Jenilee Teeling
- 5. Approval of Cigarette/Tobacco Permit Applications for:
 - i. Casey's Marketing Company dba Casey's General Store #2511;
 - ii. Fareway Stores Inc. dba Fareway Store #815;
 - iii. JAGDAMBE, LLC dba Cresco Mart;
 - iv. Aaron & Sheila Wemark dba The Ox & Wren Spirits and Gifts;
 - v. Big Daddy Hideaway Corp. dba Hideaway Lounge;
 - vi. Kwik Trip, Inc. dba Kwik Star #428;
 - vii. Barbara & James Holstrom dba The Pub
 - viii. DOLGENCORP, LLC dba Dollar General #2400

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

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

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

1. Third Reading of Summary of Ordinance No. 482 Amending the Code of Ordinances of the City of Cresco, Iowa, by Adding Provisions Pertaining to Mobile Food Units

- 2. Approval of Ordinance No. 482 Amending the Code of Ordinances of the City of Cresco, Iowa, by Adding Provisions Pertaining to Mobile Food Units
- 3. Approval of Resolution Naming Depositories
- 4. Approval of Resolution Approving Wage and Benefit Agreement for Full-Time Non-Union Employees
- 5. Resolution Approving Wage Increase for Specified Permanent Part-Time Employees
- 6. Discuss Issues Regarding COVID-19 Pandemic
- 7. Approval of Resolution to Waive Charges Due to COVID-19 for June 2020 (Utility Billing)

COMMENTS FROM AUDIENCE:

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 MAY 29, 2020.

Mayor Pro-Tem Bouska called the Cresco City Council meeting to order on May 18, 2020, at 7:05 pm via electronic means. Council Members Brenno, McCarville, Fortune, Bouska, and Carman were present. No council members were absent.

Bouska explained that due to the COVID-19 Pandemic, as to protect the employees, council members, and the public, the meeting is being held electronically. The log-in is available through meet.google.com/fye-soer-nnx or by telephone +1 385-645-8042 (PIN: 341 771 650#).

Carman made the motion to approve the consent agenda which included approval of the agenda; claims; minutes of the May 4th and 13th, 2020 meetings. Brenno seconded and it passed all ayes.

Public Works Director Freidhof reported: (a) the Vernon Road project should be finished this week; (b) we started planting the 79 trees today. Everyone who requested a tree will get at least one planted in their boulevard; (c) Memorial Tree Plantings will be done on May 19th with a tree to be planted at the sewer plant in memory of long-time Sewer employee, Loel Lienhard and on May 20th will plant a tree at the football field in memory of Ken Becker, Sports Editor at TPD and long-time member of the Cresco Tree Committee and a tree will also be planted at East Park in memory of long-time employee of the City, Dennis Cauwels, who was in charge of planting trees as the PWD for many years; (d) we will monitor water usage to determine the impact on utility billing revenues. The total gallons pumped appears to be relatively normal for now.

City Clerk Girolamo reported 525 coupons were redeemed in the ACH promotion. This was a very effective program and we have definitely seen an impact in the reduction of time for processing payments. The budget amendment has been posted and will be reflected in the May Financial Statements.

Mayor Pro-Tem Bouska opened the Public Hearing for Ordinance No. 482 amending the Code of Ordinances of the City of Cresco, Iowa, by adding provisions pertaining to mobile food units. There were no written or oral comments. The public hearing was closed. Girolamo performed the second reading of the summary of Ordinance No. 482 pertaining to mobile food units. Carman made the motion to approve the second reading. Brenno seconded and it passed all ayes.

McCarville made the motion to approve the resolution authorizing transfer of funds for FY2020 (May Transfers). Carman seconded and it passed all ayes.

Girolamo reported the Fitness Center and Library opened today. Freidhof requested permission from Council to proceed with fixing the shut-off at a residence that habitually needs to have the water shut off due to non-payment. Although we are currently not shutting off water due to the pandemic, we will eventually start again. The account has a past due amount of about \$350. The repair will cost about \$600 and will be added to their bill or be assessed. Letters had been mailed earlier and the deadline for the property owner to fix the shut-off was today. Council unanimously agreed to proceed with repairing it and charging it to the property owner.

Library Director Kay reported the Library was very quiet today for their reopening. Freidhof reported that the Fitness Center also appeared to be quiet today as well.

Mayor Bohle reported the Loan Committee met to review the applications for the second round of Revolving Loan Fund Business Continuation Loans. Eight applications were received from: A&J's Construction; Bethany Housewares; Cresco Shopper; Evans Publishing/Cresco TPD; Hair Company Salon & Spa; McAllister Catering & Heritage Events; Ox & Wren Spirits & Gifts; West End Clippers. The Loan Committee recommended awarding \$5,000 loan to each of the applicants. Carman made the motion to approve Revolving Loan Fund Business Continuation Loans for eight Cresco businesses for a total of \$40,000. Fortune seconded and it passed all ayes. The terms will be interest free until January 1, 2021, and then accrue at a 1% interest rate. Repayment will be monthly beginning January 15, 2021 for three years.

The Fitness Center estimates lost revenue of about \$85,000 from waiving March and April membership dues and lost revenue due to closure. The Fitness Center is now open but the swimming pool and locker rooms are still closed. Carman made a motion to approve a resolution waiving the fees for Northeast Iowa Agency on Aging for the June rent for the mealsite. The Fitness Center dues will no longer be waived. Bouska seconded and it passed all ayes.

Mayor Bohle asked for comments from the audience. Kay reported the concrete project should be finished this week.

Carman moved to adjourn at 7:28 pm. Bouska seconded and it passed all ayes. The next regular Cresco City Council meeting will be June 1, 2020, at 7:00 pm at Cresco City Hall unless an electronic meeting is deemed necessary. Telephone and log-in information will be made available for an electronic meeting.

Mayor Mark Bohle	City Clerk Michelle Girolamo

Following is a list of clair	ns approved fo	r payment
A&J'S CONSTR	Loan	5,000.00
ALLIANT	Elect	1,156.92
BAKER&TAYLOR	Books	810.95
BARCO	Paint	69.05
BETHANY HSEWARES	Loan	5,000.00
BC/BS	Ins	801.03
BOB'S ELEC	Srvc	3,779.82
BODENSTEINER	Parts	
BRUENING	Rock	59.28
CARDMEMBER SRVC		281.73
CARQUEST	qqu2	569.29
CASPER PLBG&HTG	Supp	138.73
CITY OF CRESCO	Srvc	1,489.20
	Ins	3,380.64
CITY LAUNDERING	SIVC	68.53
CORRIDOR TECH	Srvc	352.00
CR CHAMBER	ACHpromo	300.00
CR INS	Ins	3,405,00
CR SHOPPER	Ads	363.00
CR SHOPPER	Loan	5,000.00
CR SMALL ENG	\$upp	103.18
CR TPD	Notices	220.51
CROELL	Concr	302.50
DEMCO	\$upp	290.90
DM STAMP	Supp	28.30
ELWOOD,	Attny	450.00
EVANS PUB/CR TPD	Loan	5,000.00
FAREWAY	\$upp	16.47
FARMERS WINN	\$upp	72.00
GORDON FLESCH	Maint	136.18
GROUP SRVC	Fee	203.50
GRUBE LAWN	qqu2	15.28
HAIR CO	Loan	5,000.00
HANSON TIRE	Srvc	1,011.86
HAWKEYE SAN	GarbRC	50,315.34
HOW CO	ShrdLEC	5,309.55
H&S MOTORS	Srvc	33.08
IA DOT	Oil	602.50
IA FIN AUTH	Pmts	87,579.25
IA ŁAW ACAD	Eval	150.00
IA ONE CALL	OneCall	96.30
IA PRISON IND	Sign	20.00
KEYSTONE	Analys	2,291.70
KWIK TRIP	Gas	2,182.99
L&H NURSERIES	Trees	4,315.81
MARCO	Copier	1,518.06
MCALUSTER CATERING	Logn	5,000.00
MEDIACOM	Phone	278.99
MIENERGY	Elect	7,277,19
MK \$RVC	Supp	100.00
MOELLERS,KEN	Lease	125.00
NE IA AREA AGENCY	Ref	850.00
NE IA MOTORS	Srvc	379.10
	=	V. F. 10

NUWAY K&H	10	105.10
O'HENRY'S	LP Seve	425.42
ON & WREN	Srvc	14.00
PAYROLL	Loan	5,000.00
POWERPLAN	Dowto	64,877.60
RUPPERT	Parts	421.60
	Supp	726.36
SAFETY-KLEEN SAM'S	Srvc	685.00
	Supp	3,807.94
SANDRY FIRE	Supp	6,100.00
SCHUMACHER	Srvc	159.12
SOLAR PRO	Solar	4,756.63
SOLUTIONS	Srvc	32.20
SPAHN&ROSE	Supp	414.44
STATE HYGIENIC	Analys	91.00
TREAS,IA	Taxes	4,337.00
UHC	Ins	25,264.40
VIŞA	Supp	1,288.89
VOBR,RHONDA	Mileage	25.30
WELLS FARGO	Pmts	380,646.25
WEST END CLIPPERS	Loan	5,000.00
WHKS	Engr	1,670.27
ZARNOTH	Parts	394.50
GENERAL		133,229.04
LOST PROJ		1,221.14
NUISANCE		50.00
FIRE STATION BLDG		253.85
MEDIACOM		184.00
CR COMM FIRE		6,299.03
ROAD USE TAX		17,179.71
EMPLOYEE BENE		7,179.75
REV LOAN		40,000.00
DEBT SRVC		397,970.00
WATER		18,494.72
SEWER OP		25,938.97
SEWER		70,255,50
CAP IMPR		15.00
YARDWASTE		1,167.92
EXPENDITURES		719,438.63
Revenues 5/5-5/18/20		243,711.77

APPLICATION FOR TAX ABATEMENT UNDER THE URBAN REVITALIZATION PLAN FOR

CRESCO, IOWA

	Date 5/18/2020
Prior Approval forIntended Improvements	Approval of ImprovementsCompleted
Address of Property: 2	Canterburg court
Legal Description: 0+5	344, BIK / Webster 5th Additions
	yle n Jenilee Teeling
Address of Owner (if different than ab	
	he day): 319-231-1661
Property Use:Residential _	Multi-Residential Commercial
Nature of Improvements: New C	onstructionRehab/AdditionGeneral Improvements
Estimated or Actual Cost of Improvem	ients:
Estimated or Actual Date of Completic	on: Fall of 2000
If applicable, the name(s) of the tenant. November 3, 2008:	s (if different than the owner) that occupied the property on
	Signed: Senille Dool

Tax Exemption Schedule:

Residential: 100% exemption on the first \$75,000 of actual value added for 3 years.

Multi-Residential/Commercial: 100% exemption of actual value added for 3 years.

APPLICATION FOR TAX ABATEMENT UNDER THE URBAN REVITALIZATION PLAN FOR

CRESCO, IOWA

Title Holder or Contract Buyer: Kyle y Jenilee Teeling Address of Owner (if different than above): Phone Number (to be reached during the day): 319-231-1664 Property Use: Residential Multi-Residential Commercial Nature of Improvements: New Construction Rehab/Addition General Improvements Specify: Estimated or Actual Cost of Improvements:		Date 119 30 30
Legal Description:	• •	
Title Holder or Contract Buyer: Kyle y Jenilee Teeling Address of Owner (if different than above): Phone Number (to be reached during the day): 319-231-1664 Property Use: Residential Multi-Residential Commercial Nature of Improvements: New Construction Rehab/Addition General Improvements Specify: Estimated or Actual Cost of Improvements:	Address of Property: 1218 (anterk	owy court
Address of Owner (if different than above): Phone Number (to be reached during the day): 319-331-1000 Property Use: Kesidential Multi-Residential Commercial Nature of Improvements: New Construction Rehab/Addition General Improvements Specify: Estimated or Actual Cost of Improvements:	Legal Description: U+5 344	BIK I Webster 5th Addition.
Phone Number (to be reached during the day): 319-231-1000 Property Use:	Title Holder or Contract Buyer: Kyle 4 c	Jenilee Teeling
Property Use: Residential Multi-Residential Commercial Nature of Improvements: New Construction Rehab/Addition General Improvements Specify: Estimated or Actual Cost of Improvements:	Address of Owner (if different than above):	J
Property Use: Residential Multi-Residential Commercial Nature of Improvements: New Construction Rehab/Addition General Improvements Specify: Estimated or Actual Cost of Improvements:	Phone Number (to be reached during the day): 319	1-231-1661
Estimated or Actual Cost of Improvements:	Property Use: Residential Multi-Res	identialCommercial
	Nature of Improvements: X New Construction	Rehab/AdditionGeneral Improvements
part .	Estimated or Actual Cost of Improvements:	
Estimated or Actual Date of Completion: Fall Of 2000	Estimated or Actual Date of Completion: Fall	of 2000
If applicable, the name(s) of the tenants (if different than the owner) that occupied the property on November 3, 2008:	If applicable, the name(s) of the tenants (if different that November 3, 2008:	n the owner) that occupied the property on
Signed: Senile Doog	Sig	ined: Senice Dool

Tax Exemption Schedule:

Residential: 100% exemption on the first \$75,000 of actual value added for 3 years.

Multi-Residential/Commercial: 100% exemption of actual value added for 3 years.

SUMMARY OF ORDINANCE NO. 482

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA, BY ADDING PROVISIONS PERTAINING TO MOBILE FOOD VENDORS

Below is a summary of ORDINANCE 482. 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.

SECTION 1. The Code of Ordinances of the City of Cresco, Iowa, is amended by adding a new Chapter 126 entitled MOBILE FOOD VENDORS.

- 1. An application and a fee of \$150 for an annual license or \$50 for a single event is due at least 3 business days prior to any sales.
- 2. A copy of the Iowa retail sales tax permit, food inspection report, state issued food licenses, and appropriate insurance certificate must accompany the application.
- 3. No mobile food unit shall conduct operations within 150 feet of any restaurant established in a building.
- 4. When operating on City local right of way, mobile food units must acquire signed permission from all front, side, and back facing business owners.
- 5. When operating on private property, mobile food units must acquire signed permission from business owner.
- 6. Exceptions:
 - a. If associated with a public celebration or special event.
 - b. If associated with a private party on residential or commercial property hosted by the owner of the property.
 - c. If selling only fresh produce.

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 THIS DAY OF	, 2020.
Mayor Mark Bohle	ATTEST:City Clerk Michelle Girolamo
1st Reading Summary 5/4/20 2nd Reading St	ummary 5/18/20 3rd Reading Summary
I certify that a summary of the foregoing was pul	blished as Ordinance No. 482 on the day of, 2020.
	City Clerk Michelle Girolamo

ORDINANCE NO. 482

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA, BY ADDING PROVISIONS PERTAINING TO MOBILE FOOD VENDORS

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

SECTION 1. NEW CHAPTER. The Code of Ordinances of the City of Cresco, Iowa, is amended by adding a new Chapter 126 entitled MOBILE FOOD VENDORS, which is hereby adopted to read as follows:

CHAPTER 126 MOBILE FOOD VENDORS

126.01 Definitions

126.02 License Required

126.03 Application

126.04 Insurance Required and Criminal History Report

126.05 License Fees

126.06 License Issued

126.07 Exceptions

126.08 General Regulations

126.09 Enforcement and Penalties

126.01 DEFINITIONS. For use in this Chapter, the following terms are defined:

MOBILE FOOD UNIT: Any type of annually licensed food establishment that is a readily movable vehicle (on wheels), that is self-propelled (driven), or can be pulled or pushed (pushcart) to a location and used for the vending of food or beverage items to the general public.

MOBILE FOOD VENDOR: A person engaged in the business of selling prepared food or beverages from a mobile food unit.

PERSON: Natural persons, corporations, firms, and organizations of any description, whether acting in person or through agents, employees, or other persons.

126.02 LICENSE REQUIRED. No person shall sell or offer for sale or otherwise engage in business as a mobile food unit within the city without having first obtained a license to operate as such. A mobile food license is a special license and is required in addition to any other required city business license or state license the person may hold or be required to hold. A separate mobile food unit license is required for each mobile food vehicle from which business is conducted in the city. Mobile food unit licenses are not transferrable or assignable. The license issuance shall be approved by the City Clerk. All licenses expire December 31st. If said license calls for establishment or operation in a public park, then approval must be granted by the Park Director prior to City Clerk's approval.

126.03 APPLICATION. At least 3 business days prior to the first day any sale is made, an application in writing shall be filed with the City Clerk for a license under this ordinance. A copy of the Iowa retail sales tax permit, food inspection report, state issued food licenses, and appropriate insurance certificate must accompany the application. A nonrefundable license fee is due for each applicant as listed in 126.05.

126.04 INSURANCE REQUIRED AND CRIMINAL HISTORY REPORT.

- 1. Before a license under this Chapter is issued, applicant shall provide to the City Clerk proof of liability insurance, including commercial general liability insurance coverage and automobile liability insurance coverage. Commercial general liability insurance shall include coverage for bodily injury, death and property damage with limits of liability of not less than one million dollars per occurrence and aggregate combined single limit. Automobile liability insurance coverage shall include coverage for bodily injury, death and property damage with limits of liability of not less than one million dollars per occurrence, combined single limit. Certificates of insurance shall provide that the policy or policies have been endorsed to provide 30 days advance notice of cancellation for non-payment of premium and that these notices shall be provided to the City Clerk's office by email, facsimile or mail. Cancellation of required insurance automatically revokes and terminates the mobile food unit license to operate in Cresco unless other insurance policies are provided in a timely manner to the City.
- 2. The application signed by the applicant authorizes the City to perform a Department of Criminal Investigation criminal history report/record for applicant from the state of applicant's residence for the previous five years to include pending charges.

126.05 LICENSE FEES. Applicant shall pay the following fee to the City Clerk prior to the issuance of any license:

- 1. An annual Mobile Food Unit License \$150.00
- 2. A single event Mobile Food Unit License \$50.00

126.06 LICENSE ISSUED. If the City Clerk finds the application is completed in conformance with the requirements of this Chapter, the facts stated therein are found to be correct, and the insurance certificate and State licenses are in compliance, the Clerk shall issue a license and charge a fee as determined by Sections 126.05. Application processing time will be no more than 10 days.

126.07 EXCEPTIONS.

1. Temporary mobile food units associated with a public celebration or special event hosted by a public body, community organization, charitable organization, patriotic organization, religious organization, educational institution or similar entity are exempt from the licensing provisions of this chapter provided the unit's participation is by invitation or contract with the host or sponsoring organization and provided the unit displays proof of its

authorization to operate in Iowa and required health inspection certification.

- 2. Temporary mobile food units associated with a private party on private, residential or commercial property hosted by the owner of the property upon which the unit is dispensing food and/or beverage, such as a graduation party, wedding reception, birthday celebration or similar event, are exempt from the licensing provisions of this chapter provided the unit's participation is by invitation or contract with the host and provided the vendor displays proof of its authorization to operate in Iowa and required health inspection certification.
 - 3. Temporary mobile food units selling only fresh produce are exempt.

126.08 GENERAL REGULATIONS

- 1. In order to operate, mobile food units shall have, and at all times maintain, all necessary licenses and permits from the Iowa Department of Inspections and Appeals as well as the City's required permits and licenses.
- 2. Mobile food units shall at all times operate in compliance with all applicable food, health and sanitation laws and shall comply with all health department regulations regarding food service, food storage and preparation, food handling and food cooking and shall have a valid inspection certificate or permit evidencing health department inspection and approval on display and easily visible to the mobile food unit's patrons at all times in operation.
- 3. Permitted hours of operation for mobile food unit are from 7:00 AM to 2:00 AM any day of the week. The mobile food vendor may sell any type of food or non-alcoholic beverage. The sale of tobacco, liquor, beer or wine is strictly prohibited.
- 4. No mobile food unit shall operate in a manner that violates the city code concerning noise. A mobile food unit operator shall not call out to, cry out, shout out or otherwise communicate or make any noise or use any device to call attention to his or her unit's location and operation.
- 5. A mobile food unit is responsible for keeping and maintaining the area around and within fifty feet of the mobile food unit neat, clean and free from trash, debris, garbage and other hazardous conditions at all times regardless of whether the trash, debris or garbage originated from the operation of the unit or was left in the area by a pedestrian passersby or natural conditions. A mobile food unit shall provide adequate trash receptacles for the public for all garbage from its operation and from the accumulation of garbage in the area around his or her unit at all times the unit is in operation. At the close of its daily business, the mobile food unit must remove all garbage from the area and properly dispose of it away from the site of its operation. The garbage shall not simply be placed in nearby public garbage receptacles provided for use to the general public at large.
- 6. The license required by this chapter, the state sales tax permit and all licenses, permits, or certificates required to be displayed by state law, shall be posted on the mobile food unit so as to be readily visible to all persons conducting business with the mobile food unit.
- 7. Mobile food units shall only offer single service food utensils such as cups, straws, knives, forks, spoons, stirrers, plates, bowls, wrappers, containers, and similar utensils, and kept in a clean place and only used once in the service of food and/or beverage.
- 8. No mobile food unit shall be left at its operating location at the end of its business day and shall be removed to its base business operation location, unless associated with a multi-day event or festival.

- 9. No mobile food unit shall conduct operations at a location or in a manner that hinders, impedes or restricts access to a pay phone, mail box, emergency call box, traffic control box, fire hydrant, entrance to a building or driveway, or any other similar infrastructure.
- 10. No mobile food unit shall conduct operations within 150 feet of any restaurant established in a building.
- 11. A mobile food unit operating on private property shall not encroach into any public sidewalk or public right of way.
 - 12. A mobile food unit shall not violate parking regulations.
- 13. No mobile food unit is allowed on the grounds of any school unless it has been invited to be there as part of a school authorized function.
- 14. The City reserves the right to move a mobile food unit from any location if determined to be necessary for the provision of emergency or public services or in the interest of public safety, peace and welfare.
- 15. When operating on City local right of way city streets, parks, parking lots, and public space mobile food units must acquire signed permission from all front, side, and back facing business owners and provide a copy of same to City Clerk.
- 16. When operating on private property mobile food units must acquire signed permission from business owner and provide a copy of same to City Clerk.
- 17. Mobile food unit vendors agree to indemnify and hold harmless the City from and against any and all loss, cost, damages or claims to persons or property, including property of the City, arising out of or claimed to have arisen out of the operation of a mobile food unit. In addition, mobile food vendors agree to defend, at no cost to the City, any such claims or lawsuits. The City may, at its option, join the defense of such claim or lawsuit without relieving the mobile food vendor from its obligations to indemnify, hold harmless and defend the City.
- 18. No mobile food unit shall conduct business in areas of the city at which they are not permitted or authorized.
- 19. Sales shall be conducted on the side of the mobile food unit away from moving vehicles.
- 20. No mobile food unit should provide or allow any dining area, tables, chairs, booths, benches, bar stools, stand-up counters, or similar furniture.

126.09 ENFORCEMENT AND PENALTIES.

The Howard County Health Department, the Cresco Police Department and the City Clerk of the City of Cresco are authorized to enforce this chapter. The Howard County Health Department may elect to pursue enforcement under the provisions of this chapter or under applicable state laws and regulations with the sanctions available thereunder.

The performance of any action contrary to the provisions of this chapter may be cited as a municipal infraction offense. Additionally, failure to adhere to the regulations is cause for revocation or suspension of a license to operate as a mobile food unit.

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 EF approval and publication a	FECTIVE. This ordinance shall be as provided by law.	e in effect from and after its final passage,
PASSED THIS DAY	Y OF, 2020.	
Mayor Mark Bohle	ATTEST:	:City Clerk Michelle Girolamo
1st Reading Summary	2 nd Reading Summary	3 rd Reading Summary
I certify that a summary of th	ne foregoing was published as Ordinanc	ee No. 482 on the day of, 2020,
		City Clerk Michelle Girolamo

RESOLUTION NO.	

RESOLUTION NAMING DEPOSITORIES

WHEREAS, the City of Cresco deposits funds in accordance with all applicable provisions of Iowa Code Chapter 12C as amended, and

WHEREAS, the City of Cresco uses the current depository resolution and additional written guidelines for investing its public funds, and

WHEREAS, the following financial institutions are in compliance with the above provisions of the Iowa Code.

NOW THEREFORE BE IT RESOLVED by the City of Cresco Council that the following financial institutions are hereby authorized to accept deposits of the City of Cresco in amounts not to exceed the maximum approved for each respective financial institution as set out below.

Depository Name	Maximum Balance
Cresco Bank & Trust Cresco, Iowa	\$10,000,000
CUSB Bank Cresco, Iowa	\$8,000,000
Iowa Public Agency Investment Trust West Des Moines, Iowa	\$8,000,000
PASSED AND ADOPTED THISDA	Y OF JUNE, 2020.
Mayor Mark Bohle	Attest:City Clerk Michelle Girolamo

RESOLUTION NO.

RESOLUTION APPROVING WAGE AND BENEFIT AGREEMENT FOR FULL-TIME NONUNION EMPLOYEES

WHEREAS, the Local 1068 American Federation of State, County and Municipal Employees have agreed to a four-year wage and benefit package for July 1, 2018 – June 30, 2022; and

WHEREAS, City Council of Cresco, Iowa, has stated they will make the same wage and benefit package available for full-time nonunion employees; and

WHEREAS, the nonunion personnel affected by this agreement consist of the employees in the following positions: Chief of Police, Public Works Director, Street Superintendent, Water Superintendent, Wastewater Superintendent, City Clerk, Deputy City Clerk, Utility Billing Clerk, Theatre Manager/Office Assistant, Park and Recreation Director, Fitness Center Director, Assistant Fitness Center Director, and Full Time Fitness Center Front Desk Supervisor; and

WHEREAS, part-time and temporary employees' wages will be approved from time to time by respective Boards and Commissions; and

WHEREAS, the City will implement a wage increase of 3% for full-time nonunion employees, listed above, effective July 1, 2020.

THEREFORE, BE IT RESOLVED, that the City Council and the full-time nonunion employees, with the exception of Library staff, agree to the wage adjustments listed above.

PASSED AND APPROVED THIS DAY OF JUNE, 2020.	
Mayor Mark Bohle	Attest: City Clerk Michelle Girolamo

RESOLUTION NO.
RESOLUTION APPROVING WAGE INCREASE FOR SPECIFIED PERMANENT PART-TIME EMPLOYEES
WHEREAS, nonunion permanent part-time positions affected by this agreement consists of the employees in the following positions: City Hall/Library/Kessel Lodge Custodian; Airport Manager; and Fire Chief; and
WHEREAS, the City Council of Cresco, Iowa understands the value of these individuals serving in these capacities.
THEREFORE, BE IT RESOLVED, that the rate of pay will be increased 3% effective July 1, 2020 for the above-mentioned positions.
PASSED AND APPROVED THIS DAY OF JUNE, 2020.
Mayor Mark Bohle
Attest: City Clerk Michelle Girolamo

ACCOUNT NO/CUSTOMER NAME

CUSTOMER ADDRESS

REPORT TOTALS

Thu May 28, 2020 3:56 PM

*** CITY OF CRESCO ***

TAX

PEN

TOTALS

.00

.00

9560.69

DELINQUENT ACCOUNT LISTING

.00

.00

9706.63

OPER: NMH

*** REPORT TOTALS *** LAST PMT AMOUNT ACTUAL AMT DATE PERIOD 1 PERIOD 2 PERIOD 3 PERIOD 4 DUE DUE (BGT) SERVICES 9382.75 9353.88 157.84 20559.00 TAX 177.94 197.93 27.76 6.72 410.35 PEN .00 .00 .00 67.69 67.69 MISC .00 154.82 .00 124.49 279.31

.00

.00

1692.29

PAGE

.00

105 Total Delinquent Bills #21,31635 26 = No pmt Shee 3/31/20

\$5,455.07

.00

.00

356.74

.00

.00

21316.35

6 = 120 days post due \$2,175.80 Aug Bill = \$363 Rongo = \$204-639 mthly aug= 91 new will

SON Posted 6-15-20 - door hang of 5 days to pay until 6-22-20 < Actual Shut-off extra 7days 6-29-20 by then another bill calculated

RESOLUTION	NO.
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RESOLUTION TO WAIVE CHARGES DUE TO COVID-19 FOR JUNE 2020 (UTILITY BILLING)

WHEREAS, the City of Cresco acknowledges that the COVID-19 Pandemic may be causing financial strains to the businesses and residents of Cresco; and

WHEREAS, the City encourages at least some payment on utility bills to avoid the accumulation of balances; and

WHEREAS, this resolution waives the fees and procedures listed below for the month of June 2020:

- 1. 10% penalty on Utility Bills on June 13, 2020
- 2. Mailing of delinquent notices on June 13, 2020 unless accounts are more than 2 months past due and/or no payments have been received in the past 30 days
- 3. Posting of Shut-Off Notices in June 2020
- 4. Shut-off of water in June 2020 for accounts past due

THEREFORE, Council Perso stated above. Council Person requested by the Mayor and said r	moved the adoption of the Resolution as seconded said motion. A roll call vote was roll call vote resulted as follows:
Ayes:	
Nays:	
Absent:	
Thereupon, the Mayor dec fees and procedures listed will be v	clared said Resolution duly passed and announced that the waived for June 2020.
PASSED AND APPROVED THIS 1 ST D	AY OF JUNE, 2020.
	ATTEST:
Mayor Mark Bohle	City Clerk Michelle Girolamo