

NOTICE AND CALL OF PUBLIC MEETING

GOVERNMENTAL BODY: THE CITY COUNCIL OF CRESCO, IOWA
DATE OF MEETING: APRIL 15, 2019
TIME AND PLACE OF MEETING: 7:00 P.M. AT CRESCO CITY HALL

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: BRENNNO, 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 April 1, 2019
4. Application for Tax Abatement under the Urban Revitalization Plan for Mark & Dana Kubik
5. Approval of Class C Beer Permit (BC) and Class B Wine Permit with Sunday Sales to JAGDAMBE, LLC d/b/a Cresco Mart
6. Approval of Special Class C Liquor License (BW) (Beer/Wine) with Sunday Sales and Outdoor Service to Atomic Pizza, LLC d/b/a Atomic Pizza Pub

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. Mark Kubik and Other Downtown Business Owners to Discuss Downtown Sidewalk Issues
2. Alexandra & Richard Farmer to Discuss Chicken Ordinance
3. Barbara Boyd to Discuss Removal of Mobile Home
4. Motion to Waive the Demolition Permit Fee for City of Cresco Property Located at 321 4th Ave SW
5. Motion to Waive the Demolition Permit Fee for City of Cresco Property Located at 218 5th Ave East
6. Motion to Write Off Utility Bill per Purchase Agreement for Property Located at 218 5th Ave East
7. Discuss Development Agreement or Sale of Property Located at 218 5th Ave East
8. Motion to Discontinue the Credit for Running Water for Frozen Service Lines after the April 30, 2019 Bills

9. Set Public Hearing for Ordinance No. 475 Pertaining to Water Rates
10. Set Public Hearing for Ordinance No. 476 Pertaining to Sewer Service Charges
11. Discuss Citywide Cleanup

COMMENTS FROM AUDIENCE:

CLOSED SESSION pursuant to Iowa Code 21.5 (j) to Discuss Potential Purchase of Real Estate

OPEN SESSION

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 APRIL 12, 2019.

Sidewalks – Just as a reminder, we had considered replacing the downtown crosswalks, sidewalks and ramps back in 2017. The estimated City cost was about \$270,000 and \$30,000 to the business owners. Due to the extra cost of colored & designed concrete and also lack of agreement on the color/design, it was decided that sidewalks could be replaced with just regular non-colored concrete. The City also decided that it may be best not to have the colored concrete in the crosswalks due to maintenance & cost.

Chickens – Please see attached current Cresco Code of Ordinance that makes it illegal to have livestock (see definition) in city limits. We have had complaints regarding some egg laying hens in town but also some complaints about roosters (which crow in the early morning hours). Some cities do allow egg-laying hens but couldn't find any that allow roosters. Some cities do require a permit and a permit fee for the egg-laying hens.

Boyd – her application for funding was denied for moving her mobile home. She continues to state she has no other means to pay to move the mobile home. She also is behind in paying her lot rent. The last paid was for January of \$225/month. Note that the City (as landlord) is paying the water/sewer/garbage bill.

Waive Fees – We customarily waive the permit fees that are charged to the City for demolition and building permits.

Water Bill – there is an outstanding bill of \$426.58 that the City had agreed to write off when we purchased the property at 218 5th Ave East. We should have a motion by Council for our records to write off this utility bill. Note that majority is for the sewer surcharge that was billed monthly.

218 5th Ave E – we need to decide if we want to sell the property for \$1 (or more) to a developer and have a development agreement signed that it will build a single family residence within a year. Or do we try to sell the lot by sealed bid/auction and try to write the purchase agreement that forces them to build a single family residence on it within a year? We do have one developer willing to build on it with the same terms as the last development agreement. Either way we will need to have a public hearing.

Credit for Running Water – hopefully we are past the freezing temperatures that would cause the water service lines to freeze. We suggest ending the credit calculations when meters are read on April 20th and billed out on April 30th.

Water & Sewer Rates – we budgeted for a small water and sewer rate increase for next year as well as increasing the capital improvement charge. I need to do some more calculations to come up with the amount needed which I hope to have done for Monday night. We will set the hearing and 1st readings for May 6th with the 2nd and 3rd readings at the following two council meetings.

City-Wide Cleanup – we normally do this every other year. We have it budgeted for the 2019/2020 so it should not be done until mid to late June or later if we do it this summer. Otherwise it can be done in April or May 2020. We have had a lot of complaints and issues when we did this in the past. We need to decide if we are going to do it or not. In July 2017, the City paid Hawkeye Sanitation \$3,835 and every garbage customer paid the other \$3,835. The City also offered a free service to toxic waste which cost the City an additional \$1,714. This is a cost of \$9,946 (with \$563 advertising) that everyone is paying for when not everyone takes advantage of the service. Hawkeye will pick up these items throughout the year and bill the resident directly if they work it out ahead of time. We need to decide if it is worth the expense and problems to offer this service bi-annually.

Thank you for all the support as I recover from my latest health issues. I am supposed to restrict myself to working 4 hours per day until I go back on May 15th. With everyone's help (especially Rod, Teresa and Niki!), we have been able to keep up with the important tasks and are working at the other items as we have time. Let me know if you have something urgent and we will try to address it. Say Good-Bye to short meetings!! haha

Michelle

Mayor Bohle called the Cresco City Council meeting to order on April 1, 2019, at 7:00 pm at City Hall. Council Members Brenno, McCarville, 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 of the March 18, 2019 meeting; tax abatement under the Urban Revitalization Plan for Linus & Lori Balik and Richard & Linda Schorr; Class B Native Wine Permit (WBN) to Plantpeddler Inc d/b/a Plantpeddler; Pay Request #4 for \$20,041.20 to Cresco Building Service Inc for the City of Cresco Fire Department Storage Facility. McCarville seconded and it passed all ayes.

Public Works Director Freidhof reported (a) we have been sweeping streets and dealing with some soft spots around town; (b) we should be getting the new dump truck this month; (c) called in the one calls for the street light project on Highway 9. WHKS was here to help us with the plan specs required by the Iowa DOT; (d) the house at 218 5th Ave East has been demolished; (e) we closed on 321 4th Ave Southwest and it will be demolished tomorrow; (f) they plan to start concreting the 2nd Street East project in a couple weeks and hoping to be done by the end of April if the weather cooperates; (g) Mike Born & Rod attended a Biosolids conference. There are lots of interesting ideas being bounced around for nutrient reduction. Everything needs to be approved by the DNR before implementation; (h) the Gross-Wen reactor at the wastewater facility for the pilot project has encountered a lot of problems again and we have decided to terminate the project. Gross-Wen has been good to work with and they did refund all of our initial costs in the project. The science makes sense but for some reason it is just not working at our plant; (i) we had solar panel damage again at the Evans Park. Four solar panels as well as two light covers at the tennis court were damaged. We found lead-weight marbles that appear to have been slung out of a sling shot. We are considering putting surveillance equipment down there. This is the third time that solar panels have been vandalized. Police are working on it.

Police Chief Ruroden reported that it has been a busy March. They are working on a few investigations. Two officers attended narcotics training. Working on the Eddie Eagle program that will be starting next week. It was a good month working with the school.

Fortune reported the Theatre murder mystery dinner fundraiser was a huge success; thanks to many volunteers especially from the Theatre Commission and Cresco Community Theater. The play and the food were both fantastic. Cresco Bank & Trust donated the initial startup expenses. With that donation as well as a large individual donation and CUSB matching donation, it looks like the marquee will be paid for. Initially this was the plan, but the City had to finance it due to unexpected additional costs. The City will now be repaid with the donations received. Future shows that Wendy has booked at the Theatre include an Elvis impersonator, a ventriloquist and the Whitesidewalls. Many groups are coming due to referrals from Elkader as the Cresco Theatre is becoming a landmark for live performances. This has been a goal of the Theatre Commission.

Mayor Bohle attended the open house for the Howard County community housing study. They are still working on the final report.

Mark Kubik and other downtown business owners were not able to attend the meeting to discuss downtown sidewalk issues. Bouska commented that she just received a complaint today about the residential sidewalks being in really bad shape.

A written request was received from Narren Brown for a sewer adjustment for water not entering the sanitary sewer system due to a broken pipe. It was unclear how the water was pumped out and there was no floor drain. Fortune made a motion to credit sewer charges of \$236.13 only if it can be verified that there was no floor drain. Bouska seconded and it passed all ayes.

McCarville made the motion to approve the recommendation of the Cresco Tourism Advisory Committee and award grants to: Mighty Howard County Fair \$3,500; Cresco Iowa Speedway 4th of July Fireworks \$2,500; Family Fun Nights \$1,000. This quarter available Hotel/Motel Tax funds were \$5,151.26 with three requests for \$7,000. The remainder will be paid out of Hotel/Motel Tax reserves. The committee also recommended using reserve funds to finance any shortfall of the new marquee sign in Beadle Park. Majority is being paid by a donation from the Howard County Business and Tourism banquet auction proceeds. Brenno seconded and it passed all ayes.

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

Bouska moved to adjourn at 7:13 pm. Brenno seconded and it passed all ayes. The next regular Cresco City Council meeting will be April 15, 2019 at 7:00 pm at Cresco City Hall.

Mayor Mark Bohle

City Clerk Michelle Girolamo

Following is a list of claims approved for payment:

ALLIANT	Electricity	13,241.24
ANNAPURNA	Movie	250.00
BERGER, ERIC	DepAppl	47.50
BLACK HILLS	NatGas	7,609.13
BODENSTEINER IMP	Rprs	840.12
BROWN SUPPLY	Supp	1,243.56
BRUENING	Rock	243.76
BURKE, CALEE	DepRef/App	80.00
CARRICO AQUATIC	Rprs	526.55
CATRON, LISA	DepRef	80.00
CITY OF CRESCO	Utilities	1,362.36
CITY LAUNDERING	Srvc	774.95
COMPLETE TREE	Srvc	11,600.00
CONCORD ROAD	Equip	6,206.59
CR BUILDING	Srvc	20,041.20
CREATIVE PROD	Supp	177.65
CR HEAT & VENT	Srvc	315.95
CR TPD	Notices	144.88
CULLIGAN	Srvc	79.98
DC COMM	Phone	50.81
DELUXE ECHOSTAR	Movie	79.90
DISNEY	Movie	400.00
DOUGH & JOE	Supp	26.40
DRAKE BIGLER SCH	Anti-Drug Speaker	1,500.00
ELECTRIC PUMP	Supp	38.14
ELWOOD TRUST	RealEstate	32,746.60
EMER APPARATUS	Rprs	1,475.18
FIT RUNNING CLUB	Tourism	1,485.85
FREILINGER, KYLE	DepApp	47.50
GOETSCH, DARLENE	DepApp	46.87
GOOD, DANYELLE	DepRef/App	80.00
GOSCH'S	Supp	11.45
GWORKS	Trng	285.00
HACH	Supp	146.24
HAWKEYE SAN	GritPickup	101.57
HEALTHY CONTR	Fees	30.95
HEARTLAND ASPHALT	Cold Mix	795.60
HOVDEN, KYLE	DepRef/App	80.00
JOHN DEERE FIN	Supp	754.73
LARSON, PAUL	DepAppl	48.53
LIONSGATE	Movie	250.00
MALEK, CHAS	DepAppl	47.50
MARCO TECH	Maint	83.70
MIDWEST BREATHING	Srvc	395.39
MIELKE, GINGER	DepAppl	67.41
PAYROLL		73,138.35
PEPSI-COLA	Concess	881.46
PETTY CASH	Postage	318.69
POOL TECH	Supp	277.23
POSTMASTER	Postage	427.91
PRECISION OH DOOR	Rprs	293.95
PRINCIPAL LIFE	Ins	109.73
RESTAD, SAMANTHA	DepAppl	55.79
RUSTAD, ALEXANDRA	DepRef	80.00
SAM'S CLUB MC	Sign	9,573.67

SANDRY FIRE SUPPLY	Boots	368.75
SOLAR PRO, LLC	Solar	2,973.07
SPORTSMITH	Parts	128.64
THOMSON, JAMES	DepAppl	47.50
UNIFORM & ACCESS	Supp	127.74
VERIZON	Wireless	102.32
WARNER BROS	Movie	62.80
WHITE, CHRISTINA	DepAppl	52.66
WINDRIDGE IMP	Rprs	179.90
WINDSTREAM	Telephone	736.44
GENERAL		90,281.14
HOTEL/MOTEL		1,485.85
LOST		11,600.00
NUISANCE		32,864.00
FIRE STATION BLDG		467.41
MEDIACOM		474.60
THEATRE TRUST		219.30
DRUG DOG		1,500.00
CR COMM FIRE		2,745.78
ROAD USE		24,198.12
EMPLOYEE BEN		22.98
PARK TRUST		6,770.00
WATER		13,242.99
WATER DEP		861.26
SEWER OP		9,080.33
CAP IMPR		31.79
YARDWASTE		31.79
EXPENDITURES		195,877.34
Revenues 3/19-4/1/19		171,241.67

APPLICATION FOR TAX ABATEMENT UNDER THE
URBAN REVITALIZATION PLAN FOR

CRESO, IOWA

Date 3-11-19

Prior Approval for
Intended Improvements

Approval of Improvements
Completed

Address of Property: 206 N ELM ST

Legal Description: _____

Title Holder or Contract Buyer: MARK & DANNA KUBIK

Address of Owner (if different than above): 248 RED MAPLE AVE - CRESO IA 52134

Phone Number (to be reached during the day): 563-203-7295

Property Use: Residential Multi-Residential Commercial ^{SPLIT Purpose} Bottom-Comm
Top-Resident

Nature of Improvements: New Construction Rehab/Addition General Improvements

Specify: Build Salon & Spa on Main level - 2 Apartments
completed as well as laundry, utility Rm, & Hallways 2-Apts Remain

Estimated or Actual Cost of Improvements: _____

Estimated or Actual Date of Completion: 10-1-19

If applicable, the name(s) of the tenants (if different than the owner) that occupied the property on
November 3, 2008: N/A

Signed: 

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.

Applicant License Application (BC0029725)

Name of Applicant: <u>JAGDAMBE, LLC</u>		
Name of Business (DBA): <u>Cresco Mart</u>		
Address of Premises: <u>202 2nd Ave. SW</u>		
City <u>Cresco</u>	County: <u>Iowa</u>	Zip: <u>52136</u>
Business	<u>(563) 547-2497</u>	
Mailing	<u>202 2nd Ave. SW</u>	
City <u>Cresco</u>	State <u>IA</u>	Zip: <u>52136</u>

Contact Person

Name <u>Jvostana Patel</u>	
Phone: <u>(478) 461-2435</u>	Email <u>dashrath67@gmail.com</u>

Classification Class C Beer Permit (BC)

Term: 12 months

Effective Date: 05/20/2019

Expiration Date: 05/19/2020

Privileges:

- Class B Wine Permit
- Class C Beer Permit (BC)
- Sunday Sales

Status of Business

BusinessType: <u>Limited Liability Company</u>	
Corporate ID Number: <u>XXXXXXXXXX</u>	Federal Employer ID <u>XXXXXXXXXX</u>

Ownership

Jvostana Patel

First Name: Jvostana **Last Name:** Patel
City: Cresco **State:** Iowa **Zip:** 52136
Position: Owner
% of Ownership: 100.00% **U.S. Citizen:** No

Insurance Company Information

Insurance Company:	
Policy Effective Date:	Policy Expiration
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective Date	Temp Transfer Expiration Date:

Applicant License Application (BW0095501)

Name of Applicant: <u>Atomic Pizza Pub LLC</u>		
Name of Business (DBA): <u>Atomic Pizza Pub</u>		
Address of Premises: <u>134 N Elm St</u>		
City <u>Cresco</u>	County: <u>Winneshiek</u>	Zip: <u>52136</u>
Business	<u>(563) 380-9318</u>	
Mailing	<u>134 N Elm St</u>	
City <u>Cresco</u>	State <u>IA</u>	Zip: <u>52136</u>

Contact Person

Name <u>Michel Stone</u>
Phone: <u>(563) 380-9318</u> Email <u>michelmarygoltz@yahoo.com</u>

Classification Special Class C Liquor License (BW) (Beer/Wine)

Term: 12 months

Effective Date: 06/01/2019

Expiration Date: 05/31/2020

Privileges:

Outdoor Service

Special Class C Liquor License (BW) (Beer/Wine)

Sunday Sales

Status of Business

Business Type: <u>Limited Liability Company</u>
Corporate ID Number: <u>XXXXXXXXXX</u> Federal Employer ID <u>XXXXXXXXXX</u>

Ownership

Michel Stone

First Name: Michel **Last Name:** Stone
City: Cresco **State:** Iowa **Zip:** 52136
Position: Member
% of Ownership: 50.00% **U.S. Citizen:** Yes

Steven Stone

First Name: Steven **Last Name:** Stone
City: Cresco **State:** Iowa **Zip:** 52136
Position: Member
% of Ownership: 50.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: <u>Grinnell Mutual</u>
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Insurance Company: Griffith Mutual

Policy Effective Date: 06/01/2019

Policy Expiration 06/01/2020

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:

**CITY OF CRESCO
CASH & INVESTMENT BY FUND
AS OF MARCH 31, 2019**

	CASH BALANCE	MONEY MKT BALANCE	CD BALANCE	OTHER BANK BALANCE	FUND BALANCE	
001	General Fund	41,189.24	554,227.75	400,000.00	448.21	995,865.20
001	General Fund - Theatre	-	-	-	7,448.34	7,448.34
001	General Fund - Credit Card Processing	-	-	-	2,500.00	2,500.00
001	General Fund - RAGBRAI	-	-	8,710.24	-	8,710.24
002	General Fund-Hotel/Motel	820.87	31,000.00	-	-	31,820.87
022	Local Option Tax Project	3,474.06	566,000.00	500,000.00	-	1,069,474.06
065	Nuisance House Fund	819.75	6,500.00	-	-	7,319.75
078	Fire Station Building	530.18	12,500.00	-	-	13,030.18
081	Cresco Telecommunic	817.57	10,000.00	30,000.00	-	40,817.57
087	Equipment Replace	308.65	11,000.00	15,000.00	-	26,308.65
090	Office/Computer Equip.	988.48	9,000.00	-	-	9,988.48
091	Street Equipment Trust	1,470.59	28,000.00	50,000.00	-	79,470.59
092	Theatre Trust	355.64	9,772.25	-	-	10,127.89
093	Drug Dog Fund	63.02	8,000.00	-	-	8,063.02
094	Airport Trust	953.55	12,000.00	5,000.00	-	17,953.55
098	Cresco Community Fire	777.32	47,000.00	35,000.00	-	82,777.32
110	Road Use Tax Fund	2,608.74	368,000.00	385,000.00	-	755,608.74
112	Employee Benefits Trust	2,641.85	100,000.00	500,000.00	-	602,641.85
119	Emergency Fund	1,008.47	17,000.00	-	-	18,008.47
160	CIDC/CityRevol.Loan-bus.	816.46	49,000.00	60,000.00	-	109,816.46
177	Police Forfeiture Fund	115.13	-	-	-	115.13
182	Rehab Housing	2,007.89	58,000.00	-	-	60,007.89
183	Equip.Repair-Fitness Ctr	466.77	31,000.00	20,000.00	-	51,466.77
184	City Park Trust	626.72	6,000.00	-	-	6,626.72
185	Recreation Supply	942.21	12,500.00	-	-	13,442.21
188	Fire Equipment Trust	1,059.41	180,000.00	-	-	181,059.41
189	Library Trust Fund	-	-	-	517.38	517.38
200	Debt Service Fund	939.93	251,000.00	-	-	251,939.93
319	Street Assessment Project Fund	325.56	76,000.00	0.00	-	76,325.56
600	Water Utility Fund	2,465.99	151,000.00	350,000.00	-	503,465.99
601	Water Deposit Trust	1,827.83	14,000.00	15,000.00	-	30,827.83
602	Water Utility Replacement	731.08	362,000.00	-	-	362,731.08
610	MSSU Revenue	3,388.17	327,000.00	500,000.00	-	830,388.17
612	MSSU Operation/Maint	527.64	-	-	-	527.64
613	MSSU Replacement	866.39	151,000.00	350,000.00	-	501,866.39
614	MSSU Rev.Bond Int	965.47	87,000.00	85,000.00	-	172,965.47
620	Cap Imp Water, Sewer, Storm	939.40	123,000.00	100,000.00	-	223,939.40
670	Yard Waste Fund	536.91	22,000.00	100,000.00	-	122,536.91
820	Health Ins Partial Self Fund	-	-	-	94,388.66	94,388.66
Totals		78,376.94	3,690,500.00	3,508,710.24	105,302.59	7,382,889.77
		1%	50%	48%	1%	7,382,889.77

Checking - Cresco Bank & Trust (operating)	0.15%	78,376.94
Checking - CUSB (credit cards)	0.35%	448.21
Checking - CB&T (credit cards)	0.00%	2,500.00
Theatre Checking	0.00%	7,448.34
Money Market - Cresco Bank & Trust	1.90%	3,690,500.00
MMKT Hlth Ins Partial Self Funded	1.65%	94,388.66
Library MMKT	1.66%	517.38
CD RAGBRAI - 36 month - matures 9/14/20	1.64%	8,710.24
CD - 12 month - matures 6/25/19	2.38%	3,500,000.00

\$ 7,382,889.77

CITY OF CRESCO
 REVENUE REPORT
 CALENDAR 3/2019, FISCAL 9/2019

PCT OF FISCAL YTD 75.0%

ACCOUNT NUMBER	ACCOUNT TITLE	MTD BALANCE	YTD BALANCE	BUDGET	% RECEIVED
	GENERAL TOTAL	166,015.38	2,005,422.70	3,322,493.00	60.36
	HOTEL/MOTEL TAX TOTAL	5,151.26	17,483.26	21,000.00	83.25
	LOST PROJECT TOTAL	62,258.44	397,249.84	508,000.00	78.20
	NUISANCE HOUSE TOTAL	31,900.42	128,094.49	190,000.00	67.42
	FIRE STATION BUILDING TOTAL	11,220.04	21,939.90	20,600.00	106.50
	MEDIACOM TOTAL	469.51	7,266.41	11,700.00	62.11
	EQUIPMENT REPLACEMENT TOTAL	17.63	4,293.93	4,000.00	107.35
	OFFICE EQUIPMENT TOTAL	14.43	117.70	.00	.00
	STREET TRUST TOTAL	634.71	12,300.82	8,200.00	150.01
	THEATRE TRUST FUND TOTAL	5,550.26	8,433.57	17,250.00	48.89
	DRUG DOG TOTAL	12.82	110.63	.00	.00
	AIRPORT TRUST FUND TOTAL	19.23	216.61	12,750.00	1.70
	CRESCO COMMUNITY FIRE TOTAL	107.97	74,692.43	77,900.00	95.88
	ROAD USE TAX TOTAL	34,064.75	391,523.59	520,000.00	75.29
	EMPLOYEE BENEFITS TOTAL	3,026.18	336,282.57	601,388.00	55.92
	EMERGENCY FUND TOTAL	27.25	18,008.47	33,000.00	54.57
	LOCAL OPTION SALES TAX TOTAL	38,299.96	392,624.15	509,000.00	77.14
	REVOLVING LOAN TOTAL	3,619.10	35,583.25	26,770.00	132.92
	REHAB HOUSE TOTAL	1,867.96	62,317.31	279,000.00	22.34
	FITNESS CENTER TRUST TOTAL	249.67	18,296.40	22,600.00	80.96
	PARK TRUST TOTAL	6,439.62	6,848.46	10,000.00	68.48
	RECREATION SUPPLY TOTAL	620.04	8,772.78	10,000.00	87.73
	FIRE EQUIPMENT TOTAL	288.51	130,961.12	132,150.00	99.10
	LIBRARY TOTAL	.72	6.78	1,000.00	.68
	DEBT SERVICE TOTAL	4,232.31	235,634.72	450,570.00	52.30
	STREET ASSESSMENT TOTAL	121.81	55,071.56	426,000.00	12.93
	WATER TOTAL	47,139.65	433,231.34	569,800.00	76.03
	WATER DEPOSIT TOTAL	1,018.55	7,278.55	13,000.00	55.99
	WATER EQUIPMENT REPLACE TOTAL	602.66	134,528.33	143,000.00	94.08
	SEWER TOTAL	66,621.88	692,241.28	886,800.00	78.06
	SEWER OPERATIONS TOTAL	40,000.00	415,500.00	610,000.00	68.11
	SEWER REPLACEMENT PROJ TOTAL	242.02	65,204.84	122,000.00	53.45
	SEWER SINKING TOTAL	139.44	75,671.07	74,200.00	101.98
	PROPRIETARY CAP IMPROVE TOTAL	6,912.73	61,234.97	58,700.00	104.32
	YARDWASTE TOTAL	3,232.77	30,385.70	39,300.00	77.32
	SELF INSURANCE TOTAL	2,884.43	28,612.73	.00	.00
	TOTAL REVENUE BY FUND	545,024.11	6,313,442.26	9,732,171.00	64.87

CITY OF CRESCO
 BUDGET REPORT
 CALENDAR 3/2019, FISCAL 9/2019

ACCOUNT NUMBER	ACCOUNT TITLE	MDT BALANCE	YTD BALANCE	BUDGET	% SPENT
	GENERAL TOTAL	240,744.15	2,596,540.01	4,218,015.00	61.56
	HOTEL/MOTEL TAX TOTAL	3,500.00	17,054.84	21,000.00	81.21
	LOST PROJECT TOTAL	20,380.30	297,576.49	534,200.00	55.71
	NUISANCE HOUSE TOTAL	32,127.38	132,120.80	202,700.00	65.18
	FIRE STATION BUILDING TOTAL	591.56	18,496.19	22,600.00	81.84
	MEDIACOM TOTAL	1,380.46	11,988.92	19,500.00	61.48
	EQUIPMENT REPLACEMENT TOTAL	.00	651.41	1,300.00	50.11
	OFFICE EQUIPMENT TOTAL	.00	.00	600.00	.00
	THEATRE TRUST FUND TOTAL	924.84	2,475.86	17,250.00	14.35
	DRUG DOG TOTAL	424.00	1,824.00	9,800.00	18.61
	CRESCO COMMUNITY FIRE TOTAL	5,609.80	59,323.23	97,900.00	60.60
	ROAD USE TAX TOTAL	54,834.05	386,509.73	582,200.00	66.39
	EMPLOYEE BENEFITS TOTAL	39,704.59	365,300.09	601,150.00	60.77
	EMERGENCY FUND TOTAL	.00	.00	33,000.00	.00
	LOCAL OPTION SALES TAX TOTAL	38,299.96	392,624.15	509,000.00	77.14
	REVOLVING LOAN TOTAL	.00	50,019.00	70,200.00	71.25
	REHAB HOUSE TOTAL	478.10	2,309.42	279,000.00	.83
	FITNESS CENTER TRUST TOTAL	.00	2,748.00	20,000.00	13.74
	PARK TRUST TOTAL	6,770.00	6,770.00	13,000.00	52.08
	RECREATION SUPPLY TOTAL	.00	8,194.70	10,000.00	81.95
	FIRE EQUIPMENT TOTAL	26,881.29	178,118.70	356,400.00	49.98
	LIBRARY TOTAL	.00	800.00	1,800.00	44.44
	DEBT SERVICE TOTAL	750.00	45,938.75	442,683.00	10.38
	STREET ASSESSMENT TOTAL	.00	389,244.62	851,000.00	45.74
	WATER TOTAL	26,083.46	434,903.42	570,400.00	76.25
	WATER DEPOSIT TOTAL	738.39	8,645.98	13,000.00	66.51
	WATER EQUIPMENT REPLACE TOTAL	2,335.91	53,910.36	422,800.00	12.75
	SEWER TOTAL	40,000.00	549,000.00	802,000.00	68.45
	SEWER OPERATIONS TOTAL	40,096.08	419,373.44	609,400.00	68.82
	SEWER REPLACEMENT PROJ TOTAL	.00	178,492.14	221,500.00	80.58
	SEWER SINKING TOTAL	.00	6,097.50	74,200.00	8.22
	PROPRIETARY CAP IMPROVE TOTAL	101.43	150,461.11	197,500.00	76.18
	YARDWASTE TOTAL	748.94	32,331.05	36,200.00	89.31
	SELF INSURANCE TOTAL	5,000.00	27,000.00	.00	.00
	TOTAL EXPENSES BY FUND	588,504.69	6,826,843.91	11,861,298.00	57.56

CHAPTER 55

ANIMAL PROTECTION AND CONTROL

55.01 Definitions	55.09 Number of Animals Limited
55.02 Animal Neglect	55.10 Rabies Vaccination
55.03 Livestock Neglect	55.11 Owner's Duty
55.04 Abandonment of Cats and Dogs	55.12 Confinement
55.05 Livestock	55.13 At Large: Impoundment
55.06 At Large Prohibited	55.14 Disposition of Animals
55.07 Damage or Interference	55.15 Impounding Costs
55.08 Annoyance or Disturbance	55.16 Pet Awards Prohibited

55.01 DEFINITIONS. The following terms are defined for use in this chapter.

1. "Advertise" means to present a commercial message in any medium including but not limited to print, radio, television, sign, display, label, tag or articulation.

2. "Animal" means a nonhuman vertebrate.
(Code of Iowa, Sec. 717B.1)

3. "At large" means off the premises of the owner and not under the control of a competent person, restrained within a motor vehicle, or housed in a veterinary hospital or kennel.

4. "Business" means any enterprise relating to any of the following:

- A. The sale or offer for sale of goods or services.
- B. A recruitment for employment or membership in an organization.
- C. A solicitation to make an investment.
- D. An amusement or entertainment activity.

5. "Fair" means any of the following:

- A. The annual fair and exposition held by the Iowa State Fair Board pursuant to Chapter 173 of the *Code of Iowa* or any fair event conducted by a fair under the provisions of Chapter 174 of the *Code of Iowa*.
- B. An exhibition of agricultural or manufactured products.
- C. An event for operation of amusement rides or devices or concession booths.

6. "Game" means a "game of chance" or "game of skill" as defined in Section 99B.1 of the *Code of Iowa*.

7. ^{pig} "Livestock" means an animal belonging to the bovine, caprine, equine, ovine or porcine species, ostriches, rhesas and emus; farm deer as defined in Section 170.1 of the *Code of Iowa*; or poultry. ^{bird} ^{australian} ^{large birds}

(Code of Iowa, Sec. 717.1)

8. "Owner" means any person owning, keeping, sheltering or harboring an animal.

9. "Pet" means a living dog, cat, or an animal normally maintained in a small tank or cage in or near a residence, including but not limited to a rabbit, gerbil, hamster, mouse, parrot, canary, mynah, finch, tropical fish, goldfish, snake, turtle, gecko, or iguana.

55.02 ANIMAL NEGLECT. It is unlawful for a person who impounds or confines, in any place, an animal, excluding livestock, to fail to supply the animal during confinement with a sufficient quantity of food or water, or to fail to provide a confined dog or cat with adequate shelter, or to torture, deprive of necessary sustenance, mutilate, beat, or kill such animal by any means that causes unjustified pain, distress or suffering.

(Code of Iowa, Sec. 717B.3)

55.03 LIVESTOCK NEGLECT. It is unlawful for a person who impounds or confines livestock in any place to fail to provide the livestock with care consistent with customary animal husbandry practices or to deprive the livestock of necessary sustenance or to injure or destroy livestock by any means that causes pain or suffering in a manner inconsistent with customary animal husbandry practices.

(Code of Iowa, Sec. 717.2)

55.04 ABANDONMENT OF CATS AND DOGS. A person who has ownership or custody of a cat or dog shall not abandon the cat or dog, except the person may deliver the cat or dog to another person who will accept ownership and custody or the person may deliver the cat or dog to an animal shelter or pound.

(Code of Iowa, Sec. 717B.8)

55.05 LIVESTOCK. It is unlawful for a person to keep livestock within the corporate limits of the City except in an area zoned for this purpose.

55.06 AT LARGE PROHIBITED. It is unlawful for any owner to allow an animal to run at large within the corporate limits of the City. When an owner/keeper walks a dog, the dog must be on a leash and all pet waste must be picked up and disposed of properly.

55.07 DAMAGE OR INTERFERENCE. It is unlawful for the owner of an animal to allow or permit such animal to pass upon the premises of another thereby causing damage to, or interference with, the premises.

55.08 ANNOYANCE OR DISTURBANCE. It is unlawful for the owner of a dog to allow or permit such dog to cause serious annoyance or disturbance to any person by frequent and habitual howling, yelping, barking, or otherwise, or by running after or chasing persons, bicycles, automobiles or other vehicles.

55.09 NUMBER OF ANIMALS LIMITED. It is unlawful to harbor or house on one premises more than three dogs or three cats or any combination thereof, not exceeding a total of three over the age of six months, except in a licensed kennel or pet shop, veterinary hospital or animal grooming shop.

55.10 RABIES VACCINATION. Every owner of a dog shall obtain a rabies vaccination for such animal. It is unlawful for any person to own or have a dog in said person's possession, six months of age or over, which has not been vaccinated against rabies. Dogs

kept in State or Federally licensed kennels and not allowed to run at large are not subject to these vaccination requirements.

(Code of Iowa, Sec. 351.33)

55.11 OWNER'S DUTY. It is the duty of the owner of any dog, cat, or other animal that has bitten or attacked a person or any person having knowledge of such bite or attack to report this act to a local health or law enforcement official. It is the duty of physicians and veterinarians to report to the local board of health the existence of any animal known or suspected to be suffering from rabies.

(Code of Iowa, Sec. 351.38)

55.12 CONFINEMENT. If a local board of health receives information that an animal has bitten a person or that a dog or animal is suspected of having rabies, the board shall order the owner to confine such animal in the manner it directs. If the owner fails to confine such animal in the manner directed, the animal shall be apprehended and impounded by such board, and after ten (10) days the board may humanely destroy the animal. If such animal is returned to its owner, the owner shall pay the cost of impoundment. This section does not apply if a police service dog or a horse used by a law enforcement agency and acting in the performance of its duties has bitten a person.

(Code of Iowa, Sec. 351.39)

55.13 AT LARGE: IMPOUNDMENT. Animals found at large in violation of this chapter shall be seized and impounded; or at the discretion of the peace officer, the owner may be served a summons to appear before a proper court to answer charges made thereunder.

55.14 DISPOSITION OF ANIMALS. When an animal has been apprehended and impounded, written notice shall be provided to the owner within two (2) days after impoundment, if the owner's name and current address can reasonably be determined by accessing a tag or other device that is on or part of the animal. Impounded animals may be recovered by the owner upon payment of impounding costs, and if an unvaccinated dog, by having it immediately vaccinated. If the owner fails to redeem the animal within seven (7) days from the date that the notice is mailed, or if the owner cannot be located within seven days, the animal shall be disposed of in accordance with law or destroyed by euthanasia.

(Code of Iowa, Sec. 351.37, 351.41)

55.15 IMPOUNDING COSTS. Impounding costs are forty dollars (\$40.00) for the pickup fee, plus five dollars (\$5.00) per day for food and care.

(Code of Iowa, Sec. 351.37)

55.16 PET AWARDS PROHIBITED.

(Code of Iowa, Ch. 717E)

1. Prohibition. It is unlawful for any person to award a pet or advertise that a pet may be awarded as any of the following:

- A. A prize for participating in a game.
- B. A prize for participating in a fair.
- C. An inducement or condition for visiting a place of business or attending an event sponsored by a business.
- D. An inducement or condition for executing a contract that includes provisions unrelated to the ownership, care or disposition of the pet.

- 2. Exceptions. This section does not apply to any of the following:
 - A. A pet shop licensed pursuant to Section 162.5 of the *Code of Iowa* if the award of a pet is provided in connection with the sale of a pet on the premises of the pet shop.
 - B. Youth programs associated with 4-H Clubs; Future Farmers of America; the Izaak Walton League of America; or organizations associated with outdoor recreation, hunting or fishing, including but not limited to the Iowa Sportsmen's Federation.

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CHAPTER 56

WILD OR DANGEROUS ANIMALS

56.01 Definitions

56.02 Keeping of Wild or Dangerous Animals Prohibited

56.03 Seizure, Impoundment, and Disposition

56.01 DEFINITIONS. For use in this chapter, the following terms are defined:

1. "Dangerous animal" means any animal (including a dog) which has bitten or clawed a person and the attack was unprovoked, or any animal that has exhibited vicious propensities in the past or present, including such that said animal (i) has bitten or clawed a person on one or more occasions within a 12-month period; or (ii) could not be controlled or restrained by the owner at the time of the attack to prevent the occurrence; or (iii) has attacked any domestic animal or fowl on three separate occasions within a 12-month period.

2. "Wild animal" means: (i) any animal that is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon or causing disease among human beings or domestic animals and having known tendencies as a species to do so; and (ii) the following animals, which are deemed to be wild animals per se:

- A. Lions, tigers, jaguars, leopards, cougars, lynx and bobcats;
- B. Wolves, coyotes and foxes;
- C. Badgers, wolverines, weasels, skunk and mink;
- D. Raccoons;
- E. Bears;
- F. Monkeys and chimpanzees;
- G. Bats;
- H. Alligators, crocodiles and caimans;
- I. Scorpions;
- J. Snakes and reptiles that are venomous;
- K. Snakes that are constrictors, regardless of size or length;
- L. Gila monsters;
- M. Opossums;
- N. All apes, baboons and macaques;
- O. Piranhas.

56.02 KEEPING OF WILD OR DANGEROUS ANIMALS PROHIBITED. No person shall keep, shelter, or harbor any wild or dangerous animal as a pet within the City or act as a temporary custodian for such animal, or keep, shelter, or harbor such animal for any other purpose or in any other capacity within the City except in keeping of wild or dangerous

animals in a public zoo or public circus for exhibition to the public, or by a licensed veterinarian or veterinary clinic.

56.03 SEIZURE, IMPOUNDMENT AND DISPOSITION.

1. In the event that a wild animal or dangerous animal is found at large and unattended, thereby creating a hazard to the public, such animal may, in the discretion of the Police Chief or any peace officer, be destroyed. The City shall be under no duty to attempt to capture or confine a wild or dangerous animal found at large, nor shall it have a duty to notify the owner of such animal prior to its destruction.

2. Upon the complaint of any individual that a person is keeping, sheltering, or harboring a wild or dangerous animal in the City, the Police Chief or peace officer shall cause the matter to be investigated and if after investigation, the facts indicate that the person named in the complaint is keeping, sheltering, or harboring a wild or dangerous animal in the City, the Police Chief or peace officer shall immediately seize such animal, or as an alternative, the officer shall order in writing that the person named in the complaint safely remove such animal from the City, either by disposing of the animal by sale, or permanently placing the animal with a licensed humane society, or destroying the animal in a humane manner, within forty-eight (48) hours of receipt of such order. If the peace officer seized the animal immediately, the animal shall be impounded for a period of five (5) days. If at the end of the impoundment period, the owner of the wild or dangerous animal has not petitioned the Council, seeking the return of the animal for the purpose of safely removing the animal from the City by disposing of the animal by sale or permanently placing the animal with a licensed humane society or destroying the animal in a humane manner, the Police Chief or peace officer shall cause the animal to either be disposed of by sale, or permanently place the animal with a licensed humane society, or destroy the animal in a humane manner. In the event the owner of the wild or dangerous animal files a petition with the Council seeking the return of such wild or dangerous animal, the Council, with the Mayor present, shall conduct a hearing, with the Mayor presiding at the hearing. At the hearing, evidence shall be presented as to whether the alleged animal is a wild or dangerous animal as defined in this chapter. If the Council finds and adjudges that the animal is a wild or dangerous animal, then the officer shall either dispose of the animal by sale or permanently place the animal with a licensed humane society or destroy the animal in a humane manner following a period of 48 hours after the order is submitted to the Council.

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**CITY OF CRESCO
DEMOLITION PERMIT APPLICATION**

Application is hereby made by the property owner:

NAME: City of Cresco

STREET: 130 N Park Place TELEPHONE 563 547 3101

CITY: Cresco STATE: IA ZIP: 52134

DEMOLITION ADDRESS: 321 4th Ave SW

LEGAL DESCRIPTION OF LOCATION: Lot 3 of 21 IR. 54th E 1/2 NE

NAME OF PERSON OR BUSINESS DOING THE WORK: Mehmet Tiliq

STREET: _____ TELEPHONE _____

CITY: Cresco STATE: IA ZIP: 52136

IDENTIFY AND DESCRIBE THE WORK: Remove house

WORK TO BEGIN: 4-2-19

AND TO BE FINISHED ON OR BEFORE: 4-4-19

Attach copies of Certificate of Insurance and/or Attach copies of Performance and Payment Bond

Permit fee of \$ 25.00 paid waived Receipt # _____

Robyn Field City of Cresco
Signature of Applicant

City of Cresco

DEMOLITION PERMIT

NO. D-

A PERMIT GRANTING PERMISSION TO REMOVE OR DEMOLISH THE STRUCTURE DESCRIBED ABOVE SUBJECT TO THE CONDITIONS SET OUT IN ORDINANCE CHAPTER 154 REGULATING DEMOLITION WITHIN THE CORPORATE LIMITS OF THE CITY OF CRESCO, IOWA.

This permit is hereby issued to City of Cresco

Authorized by: Robyn Field Date 3-26-19
Public Works Director

**CITY OF CRESCO
DEMOLITION PERMIT APPLICATION**

Application is hereby made by the property owner:

NAME: City of Cresco

STREET: 130 N Park Place TELEPHONE 563 547 3101

CITY: CRESCO STATE: IA ZIP: 52136

DEMOLITION ADDRESS: 218 5th Ave E Cresco, IA

LEGAL DESCRIPTION OF LOCATION: Lot 12 BACK BEADLE & STRONG ADDN

NAME OF PERSON OR BUSINESS DOING THE WORK: Mehmet Tiling

STREET: _____ TELEPHONE _____

CITY: Cresco STATE: IA ZIP: 52136

IDENTIFY AND DESCRIBE THE WORK: Remove House

WORK TO BEGIN: 3-27-19

AND TO BE FINISHED ON OR BEFORE: 3-29-19

Attach copies of Certificate of Insurance and/or Attach copies of Performance and Payment Bond

Permit fee of \$ 25.00 paid waved Receipt # _____

Rodney Fricke City of Cresco
Signature of Applicant

City of Cresco

DEMOLITION PERMIT

NO. D-

A PERMIT GRANTING PERMISSION TO REMOVE OR DEMOLISH THE STRUCTURE DESCRIBED ABOVE SUBJECT TO THE CONDITIONS SET OUT IN ORDINANCE CHAPTER 154 REGULATING DEMOLITION WITHIN THE CORPORATE LIMITS OF THE CITY OF CRESCO, IOWA.

This permit is hereby issued to City of Cresco

Authorized by: Rodney Fricke Date 3-26-19
Public Works Director

218 5TH AVE E



Due Date 2-12-2019

Times Delq	30 Days	60 Days	90 Days	Over 90	Budget Due	Total
99			19.96	486.62		506.58
CI	.00	.00	.00	7.00	.00	7.00
GB	.00	.00	.00	34.09	.00	34.09
RC	.00	.00	.00	9.48	.00	9.48
SE	.00	.00	12.26	24.52	.00	36.78
WA	.00	.00	7.26	14.52	.00	21.78
YW	.00	.00	.00	3.50	.00	3.50
MC	.00	.00	.00	350.00		350.00
TX	.00	.00	.44	1.32		1.76
PN	.00	.00	.00	42.19		42.19
TOTAL	.00	.00	19.96	486.62	.00	506.58

Apply Deposit - 80.00
426.58

Account No	Date	Amount			
001-290-6492					Jul %
CONTRACTUAL-CITY WIDE CLEANUP					Aug
001 GENERAL					Sep
290 GARBAGE					Oct
6492 PROF SERVICE CITY WIDE					Nov
2 PUBLIC WORKS	Budget				Dec
C GENERAL	Expended YTD				Jan
X20 GARBAGE	Unexpended YTD				Feb
	Available				Mar
1/19	Budget	Balance	Difference	Pct	Apr
MTD				%	May
YTD				%	Jun
2018	5,600.00	5,548.82	51.18	99%	YrEnd
2017				%	LYear
2016					5,548.82 999%

Date	Per	Jrnl	Reference	Other Information	Amount	PO #	Invoice #	Check #
7/10/17	1	18	AP2294	CityWideCleanUp50%	3834.74		CleanUp	76205
7/10/17	1	18	AP2294	HHW Collection&disposal	1714.08		071017	76199
6/15/15	12	15	AP1429	CityWideCleanup 50%	4218.54		CityWide	72202
6/17/13	12	13	AP 679	CITY WIDE CLEANUP 50%	3410.52		2013061373	
6/17/13	12	13	AP 679	ADVERT CITYWIDE CLEANUP	214.80	312910	312861	
6/03/13	12	13	GL1457	NOTICE CITY CLEAN-UP DAY 04685	103.20		5474	
6/20/11	12	11	GL 974	CITY WIDE CLEANUP (1/2) 08800	2491.96		2011061759	
6/15/09	12	09	GL 478	CITY WIDE CLEANUP (CITY' 08800	2407.19		2009061739	

TOTAL: 18395.03

213.15 +
182.70 +
117.84 +
49.10 +
0004
562.79 *
562.79 +
3 834.74 +
3 834.74 +
1 714.08 +
0004
9 946.35 *