

## **NOTICE AND CALL OF PUBLIC MEETING**

**GOVERNMENTAL BODY:** THE CITY COUNCIL OF CRESCO, IOWA  
**DATE OF MEETING:** NOVEMBER 18, 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: 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 November 4, 2019
4. Approval of Street Closing for Jolly Christmas 1.5 Mile Run/Walk on December 8, 2019 for a portion of 2<sup>nd</sup> Avenue West from the Cresco Theatre to North Elm

**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. Abstract of Votes as Certified by the Board of Supervisors of Howard County, in the State of Iowa
2. Oath of Office for Elected Officials
3. Resolution Fixing Date for a Public Hearing on the Proposal to Convey Real Property to BDM Developers, LLC, and Providing for Publication of Notice Thereof
4. Resolution Authorizing the City Clerk to Renew the Health Insurance Contract with United Healthcare Insurance Company
5. Resolution Authorizing the Mayor to Enter into an Information Technology Services Agreement and Statement of Work with Solutions, Inc
6. Discuss Communication Issues with Solar System
7. Discuss Proposed Fitness Center Expansion and Improvements
8. Discuss Possible Incentive Plan for ACH Payment of Water Bills

**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 NOVEMBER 15, 2019.**

Mayor Bohle called the Cresco City Council meeting to order on November 4, 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 October 21, 2019 meeting; designated snowmobile trail for Driftrunners, Inc. from December 16, 2019 – April 1, 2020; pay request #2 for \$109,214.81 to Skyline Construction, Inc. for the Vernon Road Watermain Improvements. Bouska seconded and it passed all ayes.

Public Works Director Freidhof reported: (a) everyone is still busy preparing for winter; (b) trimming trees and putting rock in the alleys; (c) Municipal Pipe was here and cleaned the lift stations and did some televising; (d) Vernon Road project is going good and hope to be finishing up the week of November 11<sup>th</sup>.

The police report for October was presented.

City Clerk Girolamo reported (a) Niki has been working with the Census Bureau on preliminary reports. We need to file a commitment letter that we will educate and encourage constituents to participate in the census; (b) Cresco Chamber & CIDC annual banquet is November 23<sup>rd</sup> with auction proceeds going towards new East Park covered bleachers; (c) Municipal Leadership training begins November 21<sup>st</sup> for anyone interested; (d) working on health insurance renewals with rates increasing 14% for traditional plans and 8% for HSA's; (e) reviewing quotes for new computers and servers; (f) working on the budget; (g) finalizing the development agreement so a public hearing can be held on December 2<sup>nd</sup>. Bouska reported the Organization of the Year will be the Cresco Firefighters and will be recognized at the Chamber Banquet.

Park and Rec Directors Bill Caffrey and Rick McCarville submitted a report of projects completed over the past year including: Beadle Park Marquee (thanks to Chamber Auction donation); ice rink painted; Gaga Ball Court (Eagle Scout Project); small shelter in East Park; Kessel ballfield fence and scoreboard (Howard County Community Foundation Grant & Minnesota Twins Grant); Ash tree treatment and removals; resurface pool & spa (Thomson Foundation donation); painted interior of Fitness Center and tiled locker rooms by Fitness Center employees; installed storage shed loft; online registration program for swimming lessons, Kessel Lodge and Champlin Hall rentals; Twins bus trip. Kessel Lodge was rented 61 times for \$12,370. They also discussed future projects/wish lists for the Parks and Fitness Center. The next big project is to put covered bleachers in the East Park ballfield.

Tessa Willie from Helping Services addressed Council about making the parks and trails in Cresco nicotine free. Several students from Cresco HEROES spoke in favor of adopting this. Renee Cuvelier, Notre Dame Principal, requested the Council to vote to make the parks and trails nicotine free. The Board of Health also supported this and thinks it would be sending a message to the public. A community health consultant with Iowa Public Health also spoke in support of this and offered free signage to Cresco. He also suggested that vaping be added to the policy. A parent spoke up that, if the policy was displayed on a sign, it would deter smoking. Council's only concern is the enforcement and do not want to have the police or park personnel called every time there is a complaint. The people in attendance felt the signs would be the only enforcement needed for the public to persuade people not to smoke. Council thanked everyone for expressing their concerns and will consider the issue.

One quote was received for snow removal on City sidewalks for weekends or excessive snowfall from Courtney Lawn & Snow. The price will be \$75 per time and salting \$65 per time

if needed. McCarville made the motion to approve the quote and award the contract to Courtney Lawn & Snow. Fortune seconded and it passed all ayes.

Mayor Bohle performed the third reading of a summary of proposed Ordinance 480 amending the Code of Ordinances of the City of Cresco, Iowa, by adding a new chapter pertaining to Solar Energy Systems. Bouska made the motion to approve the second reading. Fortune seconded and it passed all ayes.

Brenno made the motion to approve Ordinance 480 amending the Code of Ordinances of the City of Cresco, Iowa, by adding a new chapter pertaining to Solar Energy Systems. McCarville seconded and it passed all ayes.

Bouska made the motion to approve the resolution authorizing transfer of funds for FY 2020 (November Transfers). Carman seconded and it passed all ayes.

Mayor Bohle asked for comments from the audience. Lions Club Members Doug Welton from New Hampton and Steph Becker from Waverly are working to get the Lions Club in Cresco reorganized. The Cresco club disbanded in December 2018 and could be easily reinstated within 12 months. They talked to local community members and business owners and found they would be supportive of it. The Cresco club had done many good projects but the members were just tired and had difficulty getting new members involved. Lions Clubs do community service and are eligible for grants in time of need. All revenue must be put back into community support. The Club decides on meeting requirements and what fundraisers and projects they want to do. Council would support the club but acknowledged the difficulty of getting active members to enroll. Doug and Steph are willing to help get the club going again and are anxious to help with whatever they can do. They need at least ten members to get the club reinstated.

Carman moved to adjourn at 7:48 pm. Brenno seconded and it passed all ayes. The next regular Cresco City Council meeting will be November 18, 2019 at 7:00 pm at Cresco City Hall.

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Mayor Mark Bohle

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City Clerk Michelle Girolamo

Following is a list of claims approved for payment:

AFLAC	Ins	18.20
AHLERS&COONEY	LglSrv	650.00
ALDREDGE,MICHAEL	DepAp	66.10
ALLIANT ENERGY	Elect	10,494.21
ANDERA,JOHN	DepRef	80.00
BERGAN,CATHY	DepAp	80.00
BERGER,JONI	DepAp	80.00
BLACK HILLS	NatGas	1,480.66
BLANK PARK ZOO	Srvc	325.62
BODENSTEINER CR	Parts	493.32
BORN,MICHAEL	Reimb	8.98
BRUENING ROCK	Sand	7,489.04
CAFFREY,WILLIAM	YSF Trip	635.00
CINEVIZION	Movie	40.00
CITY LAUNDERING	Srvc	930.91
CITY OF CR	Rent	75.00
CITY OF CR	Util	1,088.78
COAST TO COAST	Supp	221.03
COMPASS	Salt	13,276.64
CPU	Supp	12.99
CONCRETE APPEAL	Srvc	150.00
CR SMALL ENG	Equip	398.87
CR TPD	Notices	480.95
CROELL	Concr	765.25
CULLIGAN	Srvc	127.02
DANIEL,SARAH	DepAp	80.00
DC COMM	Phone	26.66
DERLEIN SCALE	Srvc	105.00
DISNEY	Movie	200.00
ELWOOD,...	Attny	586.31
FOX	Movie	250.00
GAGE,TRAVIS	DepRef	80.00
GILLETTE PEPSI	Concess	861.43
HARTL,DEREK	DepAp	80.00
HENRY'S PNTG	Srvc	6,300.00
HIMLI,RAYMOND	DepRef	80.00
HOW CO	SharedLEC	23,187.71
HUBER,JESSIE	DepAp	80.00
INTERSTATE PWR SYS	Srvc	1,700.00
JD FIN	Supp	2,833.18
JOHNSON,DEREK	DepRef	80.00
KULISH,ANDREW	DepAp	49.40
KULISH,ASHLEY	DepAp	80.00
LARSON,ALVIN	DepAp	2.78
LGF	Movie	250.00
LICKTEIG,WENDY	Paper	3.21
LT MECH	Srvc	596.88
MARCO	Copier	1,439.40
MCALLISTER'S	Youth	380.00
MCINTIRE,LENN	DepAp	80.00
MCMASTER-CARR	Rprs	24.61
MEHMERT TILING	Srvc	21,240.89
MOHAWK ELEC	Rprs	141.88
NE IA REG HSG	LclMlch	8,000.00
NE IA APPL	Tourism	1,683.00
NE IA MOTORS	Rprs	59.94

PARAMOUNT	Movie	500.00
PAYROLL		70,571.71
PECINOVSKY,CLAIR	Mow	730.00
POOL TECH	Chems	480.30
POSTMASTER	Postage	441.56
PRECISION OH	Supp	126.00
PRINCIPAL LIFE	Ins	105.90
REICKS,CHRIS	DepRef	200.00
ROGNE SPRAY	Supp	1,627.50
SAFETY KLEEN	Supp	187.87
SAJDAK,BRANDON	DepAp	80.00
SAM'S	Supp	1,099.83
SANDRY FIRE	Supp	170.55
SEC OF STATE	Notary	30.00
SKYLINE CONST	Srvc	109,214.81
SMITH,HEATHER	DepAp	80.00
SOLAR PRO	Solar	2,834.14
SONY	Movie	820.00
STONERIDGE	DepRef	80.00
TEAM LAB	Supp	569.44
TRUCK COUNTRY	Rprs	79.22
UNIQUE BOUTIQUE	DepAp	56.84
UNIVERSAL	Movie	650.00
UPPER IA TOOL&DIE	Rprs	258.00
USA BLUE BOOK	Supp	289.35
VERIZON	Wireless	102.63
VP RENTAL PROP	DepRef	80.00
WELLS FARGO	IntPmts	40,646.25
WHKS	Engr	9,978.64
WILSON,MIKE	Movie	150.00
WINDSTREAM	Phone	827.50
WOLFORT,JOSEPH	DepRef	80.00
WURST,JACOB	DepAp	80.00
GENERAL		99,976.41
HOTEL/MOTEL		1,683.00
LOST		6,300.00
NUISANCE		936.31
FIRE STATION BLDG		256.02
MEDIACOM		388.66
THEATRE TRUST		150.00
CR COMM FIRE		1,419.49
ROAD USE		43,231.35
EMPLOYEE BENE		19.15
REC SUPPLY		1,015.00
PARK TREE TRUST		1,627.50
DEBT SERVICE		40,646.25
STREET ASSESS		105.24
WATER		14,761.77
WATER DEP		1,735.12
WATER EQUIP		55,699.55
SEWER OP		11,463.69
CAP IMPR		70,333.38
YARDWASTE		1,511.00
EXPENDITURES		353,258.89
Revenues 10/21-11/4/19		170,966.88

**STREET CLOSING/PARADE PERMIT**

Application Date: 11-11-19 Name: Brad Burke Pres. of FJT Running Club

Event  
Jolly  
Christmas  
1.5 mile  
Run/Walk

Mail to Address: 917 3rd St West Cresco Iowa

List streets to close or parade route: 2nd ave West (from the Cresco Theater to North Elm)

Reason for Closure: Starting line for FJT Running Club's Jolly Christmas 1.5 mile Run/Walk (street due N of atomic Pizza Pub)

Event Date: 12-8-19 Time: (from) Noon (to) 3PM

Signature of applicant: [Signature]

**INCLUDE A MAP MARKING THE STREET OR STREETS YOU WISH TO HAVE CLOSED AND THE INDEMNITY AND HOLD HARMLESS AGREEMENT**

**PARADE REGULATIONS ARE LISTED BELOW.**

60.08 PARADES REGULATED. No person shall conduct or cause any parade on any street except as provided herein:

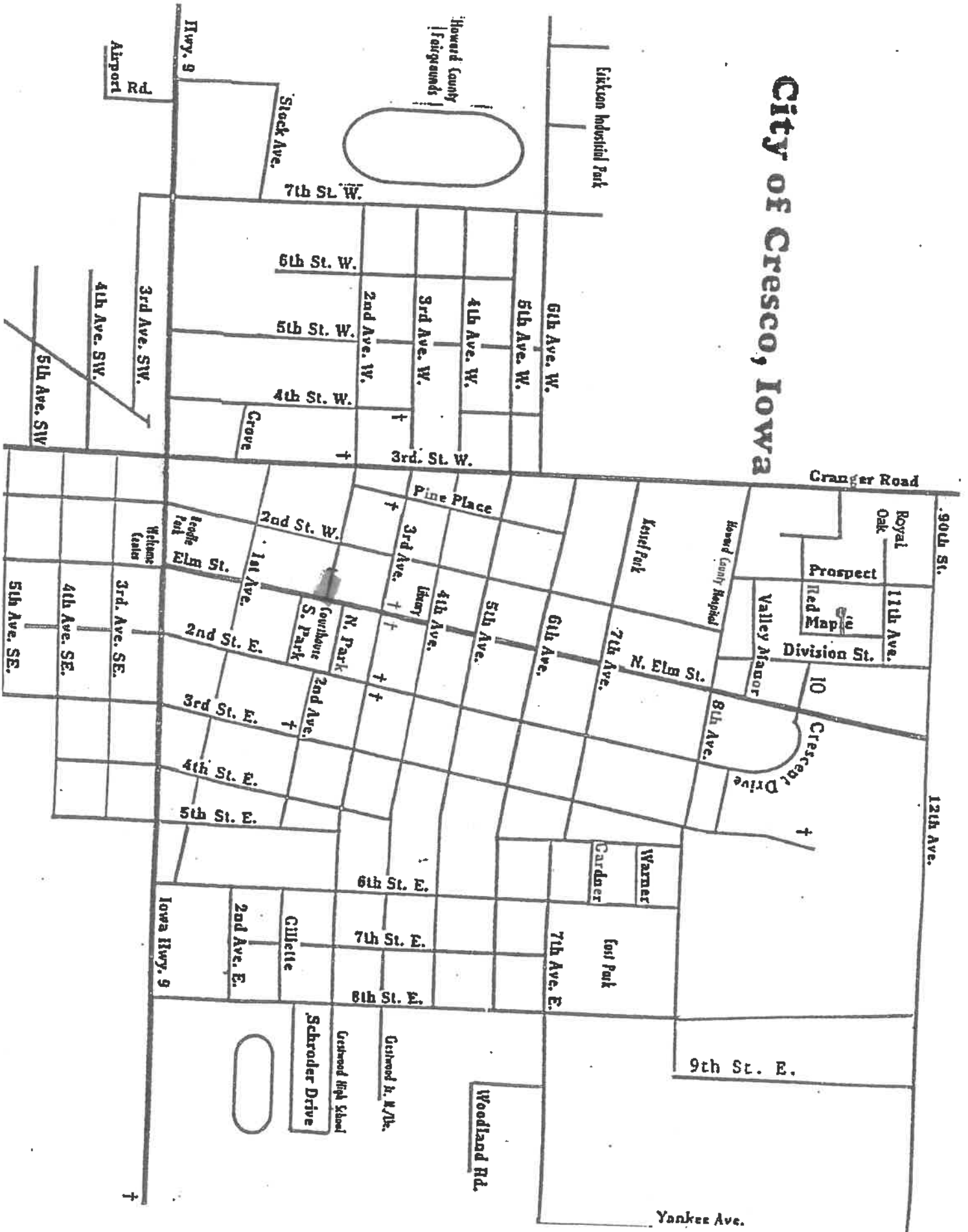
1. "Parade" Defined. "Parade" means any march or procession of persons or vehicles organized for marching or moving on the streets in an organized fashion or manner or any march or procession of persons or vehicles represented or advertised to the public as a parade.
2. Permit Required. No parade shall be conducted without first obtaining a written permit from the City Council. Such permit shall state the time and date for the parade to be held and the streets or general route therefor. Such written permit granted to the person organizing or sponsoring the parade shall be permission for all participants therein to parade when such participants have been invited by the permittee to participate therein. No fee shall be required for such permit. Permit forms are available at City Hall.
3. Parade Not a Street Obstruction. Any parade for which a permit has been issued as herein required, and the persons lawfully participating therein, shall not be deemed an obstruction of the streets notwithstanding the provisions of any other ordinance to the contrary.
4. Control by Police and Firefighters. Persons participating in any parade shall at all times be subject to the lawful orders and directions in the performance of their duties of law enforcement personnel and members of the Fire Department.

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City Council  
Date Approved: \_\_\_\_\_ Signature: \_\_\_\_\_

CC: Ambulance \_\_\_\_\_, Police Dept. \_\_\_\_\_, Fire Dept. \_\_\_\_\_, Street Dept. \_\_\_\_\_

# City of Cresco, Iowa



RESOLUTION NO. \_\_\_\_\_

**RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO CONVEY REAL PROPERTY TO BDM DEVELOPERS, LLC, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF**

WHEREAS, the City Council of the City of Cresco (the "City") intends to consider a proposal in the form of a Purchase, Sale, and Development Agreement (the "Agreement") to convey certain City-owned land to BDM Developers, LLC (the "Developer") for \$1.00 and other consideration described in the Agreement, which property is legally described as follows:

Lots 18, 19, 20, 1 of 21, and 3 of 21, all in the Irregular Survey of the East Half of the Northeast Quarter of Section 27, Township 99 North, Range 11 West of the 5<sup>th</sup> P.M. in Howard County, Iowa

WHEREAS, pursuant to the terms of the Agreement, the Developer would agree to construct certain Minimum Improvements (as defined in the Agreement), consisting of the construction of at least 18 condominium-style residential Housing Units, together with all related site improvements, on the above described property as outlined in the proposed Agreement; and

WHEREAS, it is appropriate pursuant to Iowa Code Section 364.7 to publish a Notice of the proposed conveyance and of the hearing and to receive and consider objections and petitions.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CRESCO IN THE STATE OF IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 130 North Park Place, Cresco, Iowa, at 7:00 P.M. on December 2, 2019, for the purpose of taking action on the matter of the proposal to convey real property to BDM Developers, LLC.

Section 2. That the City Clerk is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said City, said publication to be not less than four (4) clear days nor more than twenty (20) days before the date of said public meeting.

Section 3. The notice of the proposed action shall be in substantially the following form:



**(One publication required)**

**NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF CRESCO IN THE STATE OF IOWA, ON THE MATTER OF THE PROPOSAL TO CONVEY REAL PROPERTY TO BDM DEVELOPERS, LLC, AND THE HEARING THEREON**

PUBLIC NOTICE is hereby given that the Council of the City of Cresco in the State of Iowa, will hold a public hearing on December 2, 2019, at 7:00 P.M. in the Council Chambers, City Hall, 130 North Park Place, Cresco, Iowa, at which meeting the Council proposes to take action on the proposal to convey real property to BDM Developers, LLC (the "Developer") under the terms of a proposed Purchase, Sale, and Development Agreement (the "Agreement").

At the time and place set for the public hearing, interested individuals will be given the opportunity to express their views, both orally and in writing, on the City's proposed conveyance of the following property under the terms of the Agreement:

Lots 18, 19, 20, 1 of 21, and 3 of 21, all in the Irregular Survey of the East Half of the Northeast Quarter of Section 27, Township 99 North, Range 11 West of the 5<sup>th</sup> P.M. in Howard County, Iowa

Pursuant to the terms of the Agreement, the Developer would agree to construct certain Minimum Improvements (as defined in the Agreement) consisting of the construction of at least 18 condominium-style residential Housing Units, together with all related site improvements, on the real property legally described above, as outlined in the proposed Agreement.

A copy of the proposal may be reviewed at the office of the City Clerk, located in the office of the City Clerk, City Hall, City of Cresco, Iowa.

After the public hearing, the Council may make a final determination to accept or reject the proposal as submitted, or upon condition that certain terms be changed, or the Council may defer action on any or all of the proposals until a subsequent meeting.

This notice is given by order of the City Council of the City of Cresco in the State of Iowa, as provided by Section 364.7 of the City Code of Iowa.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
City Clerk, City of Cresco in the State of Iowa

(End of Notice)

PASSED AND APPROVED this 18<sup>th</sup> day of November, 2019.

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Mayor

ATTEST:

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City Clerk

RESOLUTION NUMBER \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY CLERK  
TO RENEW THE HEALTH INSURANCE CONTRACT WITH  
UNITED HEALTHCARE INSURANCE COMPANY**

WHEREAS, the City of Cresco offers health insurance coverage to eligible full-time employees; and

WHEREAS, the City of Cresco wishes to renew the contract with United Healthcare Insurance Company to provide the health insurance coverage; and

WHEREAS, the City of Cresco will offer two ACA compliant plans a traditional plan Flex BS-CM/RX652 Silver and an H.S.A. plan with Motion BS-CY/RX651 to maintain similar health insurance coverage as previously provided; and

WHEREAS, the City of Cresco will continue to partially self-fund the plan by reducing the employee's deductible and out-of-pocket maximum for the traditional plan and contributing \$150/month for the H.S.A. plan.

NOW, THEREFORE, BE IT RESOLVED THAT the City Clerk is authorized and directed to sign the Renewal Change Form to renew the health insurance contract with United Healthcare Insurance Company.

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 Renewal Change Form for the City of Cresco is approved and that the City Clerk is authorized to execute the contract on behalf of the City of Cresco.

PASSED AND APPROVED THIS 18<sup>TH</sup> DAY OF NOVEMBER, 2019.

BY: \_\_\_\_\_  
Mayor Mark Bohle

ATTEST: \_\_\_\_\_  
City Clerk Michelle Girolamo

RESOLUTION NUMBER \_\_\_\_\_

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INFORMATION TECHNOLOGY SERVICES AGREEMENT AND STATEMENT OF WORK WITH SOLUTIONS, INC**

WHEREAS, the City of Cresco intends to purchase a new server, workstation computers, accessory items, backup services, and computer monitoring for City Hall; and

WHEREAS, the Solutions, Inc. will provide services set forth in the agreements.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor is authorized and directed to sign the Information Technology Services Agreement and the Statement of Work with Solutions, Inc. of Spencer, 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 Information Technology Services Agreement and the Statement of Work between the City of Cresco and Solutions, Inc. is approved and that the Mayor is authorized to execute the contract on behalf of the City of Cresco.

PASSED AND APPROVED THIS 18<sup>TH</sup> DAY OF NOVEMBER, 2019.

BY: \_\_\_\_\_  
Mayor Mark Bohle

ATTEST: \_\_\_\_\_  
City Clerk Michelle Girolamo