

# City of Monticello, Iowa

[www.ci.monticello.ia.us](http://www.ci.monticello.ia.us)

**Aquatic Center and Storage Shed Tour,  
November 4, 2024 at 5:00 pm  
Meet at the Aquatic Center, 801 South Cedar Street**

Upcoming Tours:  
Police Department and EMS November 18  
Community Center, Library, etc. December 2

**Following the tours, Council will reconvene at the address below for the regular Council meeting.**

# City of Monticello, Iowa

[www.ci.monticello.ia.us](http://www.ci.monticello.ia.us)

**Monticello City Council Meeting November 4, 2024 at 6:00 p.m.  
Monticello Renaissance Center, 220 E. 1<sup>st</sup> Street, Monticello, Iowa**

<b>Mayor:</b>	Wayne Peach	<b>Staff:</b>	
<b>City Council:</b>		<b>City Administrator:</b>	Russell Farnum
<b>At Large:</b>	Josh Brenneman	<b>City Clerk/Treas.:</b>	Sally Hinrichsen
<b>At Large:</b>	Scott Brighton	<b>Police Chief:</b>	Britt Smith
<b>At Large:</b>	Jake Ellwood	<b>Library Director:</b>	Faith Brehm
<b>At Large:</b>	Dave Goedken	<b>Public Works Dir.:</b>	Nick Kahler
<b>At Large:</b>	Candy Langerman	<b>Water/Wastewater Sup.:</b>	Jim Tjaden
<b>At Large:</b>	Mary Phelan	<b>Park &amp; Rec Director:</b>	Jacob Oswald
		<b>Ambulance Director:</b>	Lori Lynch
		<b>City Engineer:</b>	Patrick Schwickerath

- **Call to Order – 6:00 P.M.**
- Pledge of Allegiance
- Roll Call
- Agenda Addition/Agenda Approval

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

**Consent Agenda** (These are routine items and will be enacted by one motion without separate discussion unless someone requests an item removed to be considered separately.)

<b>Approval</b> of Council Mtg. Minutes	October	21, 2024
<b>Approval</b> of Payroll	October	31, 2024
<b>Approval</b> Treasurer's Report	September	2024
<b>Approval</b> of Bill List		
<b>Approval</b> of Lee Mfg Co LLC for clock tower repairs		
<b>Approval</b> of The Blind Pig Alcohol license		
<b>Approval</b> of Blue Inn DBA The Edge Alcohol license		

**Presentation:**

1. **Presentation** of Donation to Hwy 151 Trail Prairie Seeding by Black Hills Energy - Jeff Staudenmaier and Patrick Vogler

**Public Hearings:**

2. **Public Hearing** on proposal to enter into a General Obligation Corporate Purpose Loan Agreement
3. **Resolution** taking additional action on proposal to enter into a General Obligation Corporate Purpose Loan Agreement

**Resolutions:**

4. **Resolution** Adopting Adjusted Salary for the Recreation Coordinator

**Ordinances:**

5. **Ordinance** Amending the Code Of Ordinances of the City Of Monticello, Iowa, by Adding a New Chapter 126 to Regulate Where Marijuana and/or Related Products May be Sold in Monticello, Ia – 1<sup>st</sup> reading

**Reports / Potential Actions:**

6. City Engineer
7. Mayor
8. City Administrator
9. Park and Recreation Director
10. Library Director
11. Ambulance Director

12. City Clerk
13. Public Works Director
14. Police Chief
15. Water/Wastewater Superintendent

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

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

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

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

Topic: November 4, 2024 Council Meeting  
Time: Nov 4, 2024 06:00 PM Central Time (US and Canada)

Join Zoom Meeting  
<https://us02web.zoom.us/j/84323246562>

Meeting ID: 843 2324 6562

---

One tap mobile  
+13017158592,,84323246562# US (Washington DC)  
+13052241968,,84323246562# US

---

Dial by your location

- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 558 8656 US (New York)
- +1 646 931 3860 US
- +1 564 217 2000 US
- +1 669 444 9171 US

Meeting ID: 843 2324 6562

Find your local number: <https://us02web.zoom.us/j/84323246562>

“This employer is an equal opportunity provider & employer”

Regular Council Meeting  
October 21, 2024, 6:00 P.M.  
Community Media Center

Mayor Wayne Peach and Councilmembers Josh Brenneman, Dave Goedken, Candy Langerman, Mary Phelan, Scott Brighton, and Jake Ellwood met at the Monticello Berndes Center located at 766 North Maple Street to tour the facility prior to the Council meeting. Also present were City Administrator Russell Farnum and Park & Rec Director Jacob Oswald. No action was taken.

Mayor Wayne Peach called the meeting to order. Council present were: Josh Brenneman, Dave Goedken, Candy Langerman, Mary Phelan, Scott Brighton and Jake Ellwood. Also present were City Administrator Russell Farnum, City Clerk Sally Hinrichsen, Library Director Faith Brehm, Public Works Director Nick Kahler, Water/Wastewater Supt. Jim Tjaden, Park & Rec Director Jacob Oswald and Police Chief Britt Smith. The public was invited to attend the meeting in person, or to participate in the meeting electronically via “Zoom Meetings” or “Facebook” and were encouraged to communicate from the chat or message.

Farnum requested agenda item #3 be two separate resolutions, being they are separate plats. He also handed out a corrected Resolution for Kluesner seal coating bid. Langerman moved to approve the agenda, as amended; Brenneman seconded, roll call was unanimous.

Ellwood moved to approve the consent agenda; Brenneman seconded. Roll call was unanimous.

Brighton moved to approve Resolution #2024-149 Approving Pay Request #6 to Bill Bruce Builders, Inc., Re: Wastewater Treatment Plant Improvement Project in the amount of \$494,402.79, Goedken seconded. Roll call was unanimous.

Goedken moved to approve Resolution #2024-150 Authorizing and directing the City Clerk/Treasurer to write off debts as uncollectible, Ellwood seconded. Roll call was unanimous.

Brenneman moved to approve Resolution #2024-151 Approving Plat of Parcel 2024-48, Goedken seconded. Roll call was unanimous.

Goedken moved to approve Resolution #2024-152 Approving Plat of Parcel 2024-55, Langerman seconded. Roll call was unanimous.

Phelan moved to approve Resolution #2024-153 Appointing Josh Brenneman to the Jones County EMS Board, Goedken seconded. Roll call was unanimous.

Goedken moved to approve Resolution #2024-154 Approving engagement letter with Public Financial Management (PFM), Brenneman seconded. Roll call was unanimous.

Brenneman moved to approve Resolution #2024-155 To Approve Development Agreement between City of Monticello and Highland Corp., and noting hearing was held on 8-5-2024. Ellwood seconded. Roll call was unanimous.

Regular Council Meeting  
October 21, 2024

Goedken moved to approve Resolution #2024-156 related to the financing of a project proposed to be undertaken by the City of Monticello, Iowa; establishing compliance with reimbursement bond regulations under the Internal Revenue Code, Brenneman seconded. Roll call was unanimous.

Brenneman moved to approve Resolution #2024-157 setting the date for a public hearing on proposal to enter into a General Obligation Corporate Purpose Loan Agreement and to borrow money thereunder, Goedken seconded. Roll call was unanimous. Public Hearing will be held on November 4, 2024 at 6 PM.

Goedken moved to approve Resolution #2024-158 Approving internal loan from Sewer Operating Fund to TIF Project Fund, Brenneman seconded. Roll call was unanimous.

Langerman moved to approve Resolution #2024-159 Approving Bid by Kluesner for FY 25 Crack Sealing Project; Brighton seconded. Roll call was unanimous.

Farnum advised the U.S. Department of Labor announced the final rule increasing salary levels for white-collar employees. The salary level is the wage threshold that white-collar employees must receive to qualify for the overtime exemption. Starting July 1, 2024 this threshold increased the salary wage to \$648 to \$844 per week. Brighton moved to increase Grace Dupuy salary from \$43,888.00 per year, retroactive back to July 1, 2024, to bring the City into compliance with the U.S. Department of Labor salary threshold, Goedken seconded. Roll call unanimous.

Peach advised that due to a conflict in his schedule, he will not be able to attend the Jones County Solid Waste Management meetings. Goedken will continue to represent the city, but looking for a volunteer to represent the City on the Board, as a voting member.

Farnum gave a brief engineering update on the Wastewater Treatment Facility and the Sixth Street Ditch project.

Peach appointed Tyler Freye to Park Board replacing Katie Farrowe.

Farnum distributed the list of top goals of the council for review. Northridge Addition project was approved tonight and developer started work moving dirt.

Brehm reported that starting November 1<sup>st</sup>, the Kanopy service, will be available. It is a streaming service for libraries that allows anyone with a library card to access their catalog of over 31,000 films, TV series, documentaries, independent films and world cinema right from home.

The Library will be closing at 4 PM this Thursday for Treats on the Street.

Hinrichsen reported at the IMFOA conference last week, Department of Revenue announced they had a template to enter up to 200 entries into the Setoff Program. She worked on entering them today and was able to get several into the system much quicker.

Regular Council Meeting  
October 21, 2024

Kahler reported leaf pickup has started and they are working on getting the concrete replaced where the water valves were repaired. They are also working on the tree stump removal.

Smith advised training of the new staff is going well. First Street will remain open to traffic during the Treats on the Street event, and they will have Officers on the main corners for traffic control.

Oswald advised he was also recently at a conference. He reminded everyone the trail cleanup day which is Saturday and they will begin at 11:00 AM.

Brenneman moved to adjourn the meeting at 6:44 P.M.

---

Wayne Peach, Mayor

---

Sally Hinrichsen, City Clerk/Treasurer

# PAYROLL - OCTOBER 31, 2024

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
<b>AMBULANCE</b>	<b>October 14 - 27, 2024</b>				
Jamie Coleman	\$ 2,571.03	\$ 353.43	0.00	2.63	\$ 1,981.58
Jordan Fullerton	915.16	-	0.00	0.00	774.81
Mason Hanson	1,212.75	-	0.00	0.00	920.90
Ron Herman, Jr.	232.00	-	0.00	0.00	199.67
Jayna Koffron	28.50	-	0.00	0.00	24.55
Lori Lynch	3,351.54	-	0.00	0.00	2,225.03
Coletta Matson	2,467.08	249.48	0.00	40.50	1,627.79
Chloe Mogensen	443.52	-	0.00	0.00	288.53
Sky Monty	1,725.49	91.89	0.00	0.00	1,307.29
Kyle Pierson	777.81	-	0.00	0.00	645.82
Hunter Schmidt	12.00	-	0.00	0.00	10.34
Shirlee Scott	2,237.80	100.20	0.00	0.00	1,673.54
<b>TOTAL AMBULANCE</b>	<b>\$ 15,974.68</b>	<b>\$ 795.00</b>	<b>0.00</b>	<b>43.13</b>	<b>\$ 11,679.85</b>
<b>CEMETERY</b>	<b>October 14 - 27, 2024</b>				
Dan McDonald	\$ 2,690.73	\$ 444.32	0.00	0.00	\$ 2,102.26
<b>TOTAL CEMETERY</b>	<b>\$ 2,690.73</b>	<b>\$ 444.32</b>	<b>0.00</b>	<b>0.00</b>	<b>\$ 2,102.26</b>
<b>CITY HALL</b>	<b>October 14 - 27, 2024</b>				
Cheryl Clark	\$ 2,298.73	\$ 10.73	0.75	13.50	\$ 1,597.86
Russ Farnum	3,711.54	-	0.00	0.00	2,462.49
Sally Hinrichsen	3,192.54	-	0.00	0.00	1,944.95
Nanci Tuel	2,176.80	-	0.00	0.00	1,667.85
<b>TOTAL CITY HALL</b>	<b>\$ 11,379.61</b>	<b>\$ 10.73</b>	<b>0.75</b>	<b>13.50</b>	<b>\$ 7,673.15</b>
<b>LIBRARY</b>	<b>October 14 - 27, 2024</b>				
Faith Brehm	\$ 1,764.00	\$ -	0.00	0.00	\$ 1,342.89
Molli Hunter	1,305.60	-	0.00	0.00	1,032.83
Penny Schmit	1,549.61	-	0.00	0.00	1,105.43
<b>TOTAL LIBRARY</b>	<b>\$ 4,619.21</b>	<b>\$ -</b>	<b>0.00</b>	<b>0.00</b>	<b>\$ 3,481.15</b>
<b>MBC</b>	<b>October 14 - 27, 2024</b>				
Grace Dupuy	\$ 1,655.77	\$ -	0.00	0.00	\$ 1,267.70
Jacob Oswald	2,533.92	-	0.00	0.00	1,914.42
Peyton Schilling	45.75	-	0.00	0.00	42.25
<b>TOTAL MBC</b>	<b>\$ 4,235.44</b>	<b>\$ -</b>	<b>0.00</b>	<b>0.00</b>	<b>\$ 3,224.37</b>
<b>POLICE</b>	<b>October 14 - 27, 2024</b>				
Dawn Graver	\$ 2,945.61	\$ -	0.00	0.00	\$ 2,182.51
Erik Honda	3,275.13	56.15	0.00	6.00	2,433.03
Jordan Koos	3,297.00	56.52	0.00	13.50	2,214.06
Cole Millard	2,889.83	155.03	0.00	0.00	2,239.89
Keanan Shannon	3,029.40	-	0.00	0.00	2,300.31
Britt Smith	3,561.31	-	0.00	0.00	2,632.05
Madonna Staner	1,819.20	-	0.00	0.25	1,351.25
Brian Tate	3,396.12	-	0.00	0.00	2,570.57
<b>TOTAL POLICE</b>	<b>\$ 24,213.60</b>	<b>\$ 267.70</b>	<b>0.00</b>	<b>19.75</b>	<b>\$ 17,923.67</b>
<b>ROAD USE</b>	<b>October 14 - 27, 2024</b>				

# PAYROLL - OCTOBER 31, 2024

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
Zeb Bowser	\$ 2,066.40	\$ -	1.50	3.13	\$ 1,571.30
Jacob Gravel	2,066.40	-	0.00	1.88	1,519.76
Nick Kahler	2,578.35	-	0.00	0.00	1,844.49
Jasper Scott	2,066.40	-	0.00	0.63	1,708.38
<b>TOTAL ROAD USE</b>	<b>\$ 8,777.55</b>	<b>\$ -</b>	<b>1.50</b>	<b>5.64</b>	<b>\$ 6,643.93</b>
<b>SEWER</b>	<b>October 12 - 25, 2024</b>				
Jim Tjaden	\$ 2,928.12	\$ -	0.00	0.00	\$ 2,116.09
<b>TOTAL SEWER</b>	<b>\$ 2,928.12</b>	<b>\$ -</b>	<b>0.00</b>	<b>0.00</b>	<b>\$ 2,116.09</b>
<b>WATER</b>	<b>October 12 - 25, 2024</b>				
Scott Hagen	\$ 2,126.40	\$ -	3.75	29.25	\$ 1,670.52
Josh Willms	2,126.40	-	1.50	19.50	1,748.52
<b>TOTAL WATER</b>	<b>\$ 4,252.80</b>	<b>\$ -</b>	<b>5.25</b>	<b>48.75</b>	<b>\$ 3,419.04</b>
<b>TOTAL - ALL DEPTS.</b>	<b>\$ 79,071.74</b>	<b>\$ 1,517.75</b>	<b>7.50</b>	<b>130.77</b>	<b>\$ 58,263.51</b>



City of Monticello - Monthly Summary - September 1st thru 30th, 2024

Reviewed by: *Maryanne [Signature]* Date: *10.30.24*

Activity	Beginning Fund Balance	Revenue	Interest Earned	Transfers In	Expenses	Transfers Out	Ending Fund Balance	Cash on Hand	Clerk's Cash In Bank	Clerk's Cash In Bank	Clerk's Cash In Bank	Investments	Investments	Ending Fund Balance
General	875277.77	180196.31	6630.82		144188.90	37116.67	880799.33	750.00	364389.81	515659.52	15049.18			880799.33
Soldiers Memorial Board	15065.18	175.00			191.00		15049.18							15049.18
Monticello Berndes Center	36415.00	7676.05	169.66		27087.75		10132.47	100.00	14791.17	2281.79				17172.96
Recreation Set-a-Side	10085.31		47.16				10132.47							10132.47
Youth/Adult Tournament Fund	25023.36					25023.36	0.00				0.00			0.00
Dare	7457.01		34.87				7491.88		7491.88					7491.88
Canine	5931.03		27.73				5958.76		621.65	5337.11				5958.76
Insurance Fund	63342.35		296.22		1599.49		62039.08		16756.25	45282.83				62039.08
Tournament Fund	686.97		3.21	25023.36	34.36		25679.18		25679.18					25679.18
Monticello Trees Forever	27530.31		128.75				27659.06		27659.06					27659.06
Fire	246753.81		1153.98		47316.44		200591.35		7060.13	193531.22				200591.35
Ambulance Operating	292606.87	27054.64	1368.42	24166.67	48681.82		296514.78		96647.87	199866.91				296514.78
Hotel/Motel Tax Fund	28052.20	4752.54	131.19		15000.00		17935.93		17935.93					17935.93
Earl F Lehmann Trust	238.85		0.06				238.91				238.91			238.91
Street Bond	500.00						500.00		500.00					500.00
Police Improvement	7385.96	28.00	4.54		2357.50		5061.00		5061.00					5061.00
Library Improvement	50509.01	301.70	236.20		111.97		50934.94		15839.37	35095.57				50934.94
Library	53514.50	201.68	249.33	12950.00	13391.98		53523.53	200.00	36564.04	16759.49				53523.53
Equipment Set-A-Side	62483.11		322.20				62805.31		98.63	62706.68				62805.31
Super Mac	14341.34		67.08		1824.63		12583.79		7186.77	5397.02				12583.79
Airport	47254.43	5956.39	220.99		15333.75		38098.06		18004.53	20093.53				38098.06
Revolving Loan Fund	46955.28		219.59				47174.87		17195.24	29979.63				47174.87
Road Use Tax	191533.30	64339.28			35517.57		220355.01		105019.44	115335.57				220355.01
Road Use Tax Set-Aside	22064.66		103.18				22167.84			22167.84				22167.84
Employee Benefits	274081.38	67107.86			42882.57		298306.67		60036.71	238289.96				298306.67
TIF Tax Collections	262048.58	64762.81	1048.78				327860.17		87539.84	240320.33				327860.17
Slavka Gehret Trust	43340.07		202.68				43542.75		1372.01	42170.74				43542.75
Police Forfeiture Acct	4.95						4.95		4.95					4.95
Debt Service	196354.47	40552.58	918.28				237825.33		78249.03	159576.30				237825.33
TIF - Debt Payments	0.00						0.00							0.00
Park Improvements	117580.08	2750.00	549.88				120879.96		48764.81	72115.15				120879.96
Library Capital Improvements	15419.50		72.11				15491.61		15491.61					15491.61
Ambulance Improvements	207553.43		970.65				208524.08		29800.23	178723.85				208524.08
TIF Projects	190054.43				142426.59		47627.84		47627.84					47627.84
Cemetery Improvements	47447.57	121.00	663.66				48232.23		861.28	47370.95				48232.23
Capital Improvements	596228.79	6412.00	12854.00		14521.75		600973.04		-36641.36		637614.40			600973.04
Low Income Housing	0.00						0.00							0.00
Baty Disc Golf Course	13896.37		64.98		1825.74		12135.61		497.01	11638.60				12135.61
Mary Maxine Redmond Trust	7595.02		35.49				7630.51		773.80	6856.71				7630.51
Pocket Park	11957.21		45.91				12003.12		6349.12	5654.00				12003.12
Cemetery Perpetual Care	188182.73	141.00	438.28				188762.01		891.00	187871.01				188762.01
Charles S Bidwell Book Trust	85491.99		399.81				85891.80		282.91	85608.89				85891.80
Iona Mary Baker Trust	37413.73		174.96		47.94		37540.75		1456.17	36084.58				37540.75
Water Operating	163595.67	36542.49	765.07		19451.41		181451.82		102870.72	78581.10				181451.82
Customer Deposits	24740.16	2300.00			1150.00		25890.16		24317.60	1572.56				25890.16
Water Capital Improvements	595379.02	5079.67	1926.25		882.03		602502.91		471094.39	109940.98	21467.54			602502.91
Sewer Operating	2131674.42	97513.91	9969.22		28940.21		2210217.34		647997.07	1562220.27				2210217.34
Sewer Sinking	238318.51		1114.54		11313.89		228119.16		127651.49	100467.67				228119.16
Sewer Capital Improvements	100874.64	24498.43	529.59				125902.66		57497.32	68405.34				125902.66
Sewer WWTF Facility Improv	-8.56	1218285.63			1218277.07		0.00							0.00
Sanitation	297906.04	53222.36	1293.21		44846.50		307575.11		59826.83	247748.28				307575.11
Sanitation Capital Improvements	9434.03		34.12				9468.15		9468.15					9468.15
Yard Waste	57189.77	3638.34	267.45		7770.51		53325.05		14850.85	38474.20				53325.05
Storm Water fund	130209.20	6622.91	627.37		1121.23		136338.25		17511.34	118826.91				136338.25
Self Funded Insurance	0.00	1760.19					0.00							0.00
Flex Spending	1373.45	957.70			142.98		2188.17		2188.17					2188.17
Enterprise Flex Spending	107.48						107.48		107.48					107.48
	8177451.74	1922950.47	46381.47	62140.03	188997.77	62140.03	8256785.91	1050.00	2673372.79	4907993.09	674370.03	0.00	0.00	8256785.91

City of Monticello  
Bank Reconciliation Report  
For the Month of September 2024

Bank Balance	
General Checking	\$2,727,018.85
Property Tax & Water	\$4,907,993.09
Soldiers Memorial Ckg	\$15,049.18
Earl F Lehmann Trust	\$238.91
Youth/Adult Tournament Ckg	\$0.00
Citizen's Savings	\$659,081.94
Wastewater TMT Loan Acct	\$0.00
Total Bank Balance	\$8,309,381.97
Plus (Minus) Adjustment:	
Bank Charge/Error	
Total Adjustment	\$0.00
Plus Outstanding Credit Card Pymt:	
Credit Card Payments	\$813.33
Total Outstanding Credit Card Pymts	\$813.33
Less Outstanding Checks:	
Financial/Payroll	\$54,459.39
Soldiers Memorial	\$0.00
Officiating	\$0.00
Total Outstanding Checks	\$54,459.39
Plus Investments:	
Time Certificates	\$0.00
Petty Cash	\$1,050.00
Total Investments	\$1,050.00
Treasurer's Balance	\$8,256,785.91

Prepared By: Sally Hinrichsen 10-30-2024  
Sally Hinrichsen, City Clerk Date

Reviewed by: Russell Farnum 10-30-2024  
Russell Farnum, City Administrator Date

City of Monticello  
Cash On Hand By Bank  
For September 30th, 2024

*Handwritten signature* 10-30-24

Bank	Amount	Interest rate	Maturity date	Length of investment	Purpose
<b>F &amp; M Bank</b>					
Checking #700502479	\$0.00		N/A		Interim Loan Acct
Total by Bank	\$0.00				
<b>Citizens State Bank</b>					
Savings # 6025641	\$238.91	0.150	N/A		Earl F Lehmann Trust
Checking #394486	\$15,049.18		N/A		Soldier Memorial
Savings # 6467260	\$659,081.94	5.020	N/A		General Savings
Total by Bank	\$674,370.03				
<b>Dutrac Credit Union</b>					
Total by Bank	\$0.00				
<b>Fidelity Bank &amp; Trust</b>					
Total by Bank	\$0.00				
<b>Ohnward Bank &amp; Trust</b>					
General Ckg/Sweep #40002008	\$2,727,018.85		N/A		General Checking
Property Tax & Water #40001992	\$4,907,993.09		N/A		General Savings
Youth/Adult Tournamt Ckg #618231	\$0.00		N/A		Youth/Adult Tournamt
Total by Bank	\$7,635,011.94				
<b>Total Cash on Hand- All Banks</b>	<b>\$8,309,381.97</b>				
Plus Petty Cash	\$1,050.00				Clerk's Office, Library, Aquatic Center and Berndes Center
Adjust Bank Error					
Plus Outstanding Credit Card Pymt	\$813.33				
Less Outstanding Checks	\$54,459.39				
Treasurer's Balance	\$8,256,785.91				

All of the accounts referenced above are "City" accounts, reported under the City Federal I.D. #. This is an all inclusive list of such accounts, including all Clerk's Office and Departmental Checking Accounts, same being subject to review during the annual City audit. In addition to the above accounts, the following component units, while legally separate entities from the City, are considered by the auditor to be "so intertwined with the City" that they are also subject to review during the City audit.

- Riverside Gardeners, Inc
- Monticello Firefighters Organization, Inc
- Monticello Emergency Medical Team
- Friends of the Monticello Public Library
- Monticello Youth Baseball & Softball Assn

TREASURER'S REPORT  
CALENDAR 9/2024, FISCAL 3/2025

ACCOUNT TITLE	LAST MONTH END BALANCE	RECEIVED	DISBURSED	CHANGE IN LIABILITY	ENDING BALANCE
001 GENERAL	875,277.77	186,827.13	181,305.57	.00	880,799.33
003 SOLDIER MEMORIAL FUND	15,065.18	175.00	191.00	.00	15,049.18
005 MONTICELLO BERNDSES CENT	36,415.00	7,845.71	27,087.75	.00	17,172.96
006 RECREATIONAL SET-A-SIDE	10,085.31	47.16	.00	.00	10,132.47
007 YOUTH/ADULT TOURNAMENTS	25,023.36	.00	25,023.36	.00	.00
008 DARE	7,457.01	34.87	.00	.00	7,491.88
009 POLICE CANINE UNIT	5,931.03	27.73	.00	.00	5,958.76
010 INSURANCE	63,342.35	296.22	1,599.49	.00	62,039.08
012 TOURNAMENT FUND-GEN CKG	686.97	25,026.57	34.36	.00	25,679.18
014 MONTICELLO TREES FOREVE	27,530.31	128.75	.00	.00	27,659.06
015 FIRE	246,753.81	1,153.98	47,316.44	.00	200,591.35
016 AMBULANCE	292,606.87	52,589.73	48,681.82	.00	296,514.78
018 HOTEL/MOTEL TAX	28,052.20	4,883.73	15,000.00	.00	17,935.93
022 EARL F LEHMANN TRUST	238.85	.06	.00	.00	238.91
023 TRUST FUND/STREET BOND	500.00	.00	.00	.00	500.00
026 POLICE IMPROVEMENT	7,385.96	32.54	2,357.50	.00	5,061.00
030 LIBRARY IMPROVEMENT	50,509.01	537.90	111.97	.00	50,934.94
041 LIBRARY	53,514.50	13,401.01	13,391.98	.00	53,523.53
042 SPORTS COMPLEX	.00	.00	.00	.00	.00
044 EQUIPMENT SET-A-SIDE	62,483.11	322.20	.00	.00	62,805.31
045 SUPER MAC FUND	14,341.34	67.08	1,824.63	.00	12,583.79
046 AIRPORT	47,254.43	6,177.38	15,333.75	.00	38,098.06
050 REVOLVING LOAN FUND	46,955.28	219.59	.00	.00	47,174.87
110 ROAD USE	191,533.30	64,339.28	35,517.57	.00	220,355.01
111 ROAD USE SETASIDE	22,064.66	103.18	.00	.00	22,167.84
112 EMPLOYEE BENEFITS	274,081.38	67,107.86	42,882.57	.00	298,306.67
125 TIF -SPECIAL REVENUE	262,048.58	65,811.59	.00	.00	327,860.17
178 TRUST/SLAVKA GEHRET FUN	43,340.07	202.68	.00	.00	43,542.75
180 POLICE FORFEITURE	4.95	.00	.00	.00	4.95
200 DEBT SERVICE	196,354.47	41,470.86	.00	.00	237,825.33
225 TIF - DEBT	.00	.00	.00	.00	.00
300 ARPA CAPITAL FUND	.00	.00	.00	.00	.00
313 PARK IMPROVEMENT	117,580.08	3,299.88	.00	.00	120,879.96
316 LIB CAPITAL IMPROVEMENT	15,419.50	72.11	.00	.00	15,491.61
319 AMBULANCE IMPROVEMENT	207,553.43	970.65	.00	.00	208,524.08
325 TIF PROJECT	190,054.43	.00	142,426.59	.00	47,627.84
326 TRUST/CEMETERY IMPROVEM	47,447.57	784.66	.00	.00	48,232.23
328 FAMILY AQUATIC CENTER C	.00	.00	.00	.00	.00
332 CAPITAL IMPROVEMENT	596,228.79	19,266.00	14,521.75	.00	600,973.04
333 MYSBA CAPITAL FUND	.00	.00	.00	.00	.00
336 LOW INCOME HOUSING FUND	.00	.00	.00	.00	.00
337 MDC FUNDS	.00	.00	.00	.00	.00
338 BATY DISC GOLF COURSE	13,896.37	64.98	1,825.74	.00	12,135.61
339 MARY MAXINE REDMOND TRU	7,595.02	35.49	.00	.00	7,630.51
375 POCKET PARK	11,957.21	45.91	.00	.00	12,003.12
500 TRUST/CEMETERY PERPETUA	188,182.73	579.28	.00	.00	188,762.01
502 C.C. BIDWELL LIBRARY BO	85,491.99	399.81	.00	.00	85,891.80
503 TRUST/IOMA MARY BAKER	37,413.73	174.96	47.94	.00	37,540.75
600 WATER	163,595.67	37,307.56	19,451.41	.00	181,451.82
601 WATER BOND SINKING	.00	.00	.00	.00	.00
602 CUSTOMER DEPOSITS	24,740.16	2,300.00	1,150.00	.00	25,890.16
603 WATER IMPROVEMENT	.00	.00	.00	.00	.00
604 WATER CAPITAL IMPROVEME	596,379.02	7,005.92	882.03	.00	602,502.91

TREASURER'S REPORT  
CALENDAR 9/2024, FISCAL 3/2025

ACCOUNT TITLE	LAST MONTH END BALANCE	RECEIVED	DISBURSED	CHANGE IN LIABILITY	ENDING BALANCE
610 SEWER	2,131,674.42	107,483.13	28,940.21	.00	2,210,217.34
611 SEWER RESERVE	.00	.00	.00	.00	.00
612 SEWER SINKING	238,318.51	1,114.54	11,313.89	.00	228,119.16
613 SEWER CAPITAL IMPROVEME	100,874.64	25,028.02	.00	.00	125,902.66
614 SEWER IMPROVEMENT	.00	.00	.00	.00	.00
616 SEWER WWT FACILITY IMPR	8.56-	1,218,285.63	1,218,277.07	.00	.00
670 SANITATION	297,906.04	54,515.57	44,846.50	.00	307,575.11
671 SANITATION CAPITAL IMPR	9,434.03	34.12	.00	.00	9,468.15
675 YARD WASTE SITE	57,189.77	3,905.79	7,770.51	.00	53,325.05
740 STORM WATER	130,209.20	7,250.28	1,121.23	.00	136,338.25
820 INTERNAL REV SELF FUNDE	.00	1,760.19	1,760.19	.00	.00
950 FLEX SPENDING FUND	1,373.45	957.70	142.98	.00	2,188.17
951 ENTERPRISE FLEX SPENDIN	107.48	.00	.00	.00	107.48
Report Total	8,177,451.74	2,031,471.97	1,952,137.80	.00	8,256,785.91

# CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
GENERAL					
POLICE DEPARTMENT					
ALTORFER INC.	PD BLDG REPAIR/MAINT		1,073.87		
BAKER PAPER CO INC	PD BUILDING SUPPLIES		83.48		
INFRASTRUCTURE TECHNOLOGY	PD COMPUTER SUPPORT FEES		1,026.32		
IOWA STATE PRISON INDUSTRIES	PD MINOR EQUIPMENT		63.99		
JOHN DEERE FINANCIAL	PD WEAPONS & AMMUNITION		9.98		
LYNCH DALLAS, P.C.	PD ATTORNEY FEES		40.00		
MICHAEL'S CLOTHING	PD EQUIP REPAIR/MAINT		28.00		
SHELTERED WINGS INC	PD WEAPONS & AMMUNITION		509.96		
			-----		
	110 POLICE DEPARTMENT TOTAL		2,835.60		
STREET LIGHTS					
ALLIANT ENERGY-IES	E 1ST STREETLIGHTS		4,853.37		
			-----		
	230 STREET LIGHTS TOTAL		4,853.37		
AQUATIC CENTER					
INFRASTRUCTURE TECHNOLOGY	POOL OFFICE SUPPLIES		8.98		
			-----		
	440 AQUATIC CENTER TOTAL		8.98		
CEMETERY					
IBEN CONSTRUCTION CO INC	CEM GRAVE OPENINGS - JULY-SEPT		300.00		
			-----		
	450 CEMETERY TOTAL		300.00		
SOLDIER'S MEMORIAL BOARD					
LADCO	SLDR MEM BLDG REPAIR/MAINT		244.62		
			-----		
	498 SOLDIER'S MEMORIAL BOARD TOTAL		244.62		
ATTORNEY					
LYNCH DALLAS, P.C.	ATTORNEY FEES		810.00		
			-----		
	641 ATTORNEY TOTAL		810.00		
CITY HALL/GENERAL BLDGS					
CHERYL CLARK	CH BUILDING SUPPLIES		19.23		
E.O. JOHNSON CO INC	CH COPIER MAINTENANCE		292.31		
HOLIDAY INN AIRPORT	CH TRAVEL - HINRICHSEN		356.16		
INFRASTRUCTURE TECHNOLOGY	CH MISC CONTRACT WORK		225.74		
JONES COUNTY ABSTRACT & TITLE	CH MISC CONTRACT WORK		265.00		
MONTICELLO ROTARY CLUB	CH DUES - FARNUM		160.00		
ORBIS MENASHA CORP	CH FRANCHISE FEE REFUND		6,404.96		
PREMIER WINDOW CLEANING	CH WINDOW CLEANING		652.00		
LADCO	CH BLDG REPAIR/MAINT		1,467.75		
			-----		
	650 CITY HALL/GENERAL BLDGS TOTAL		9,843.15		
			-----		
	001 GENERAL TOTAL		18,895.72		

# CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
MONTICELLO BERNDES CENTER PARKS					
FAREWAY STORES #840-1	MBC OFFICE SUPPLIES	13.97			
INFRASTRUCTURE TECHNOLOGY	MBC OFFICE SUPPLIES	112.44			
JOHN DEERE FINANCIAL	MBC BUILDING SUPPLIES	132.33			
JACOB OSWALD	MBC BOOTS	296.04			
		-----			
	430 PARKS TOTAL		554.78		
			-----		
	005 MONTICELLO BERNDES CENTER TOTAL		554.78		
FIRE					
FIRE					
DANKO EMERGENCY EQUIPMENT INC	FIRE EQUIP REPAIR/MAINT	1,505.00			
INFRASTRUCTURE TECHNOLOGY	FIRE COMPUTER SUPPORT FEES	17.98			
KARDES INC	FIRE FUEL	90.33			
RADIO COMMUNICATIONS CO INC	FIRE RADIO INSTALLATION	570.00			
		-----			
	150 FIRE TOTAL		2,183.31		
			-----		
	015 FIRE TOTAL		2,183.31		
AMBULANCE					
AMBULANCE					
ALTORFER INC.	AMB BLDG REPAIR/MAINT	1,073.87			
BAKER PAPER CO INC	AMB BUILDING SUPPLIES	83.49			
BOUND TREE MEDICAL, LLC	AMB MEDICAL SUPPLIES	362.91			
INFRASTRUCTURE TECHNOLOGY	AMB DATA PROCESSING	22.98			
LEGACY EMERGENCY VEHICLES LLC	AMB EQUIP REPAIR/MAINT	371.61			
LYNCH DALLAS, P.C.	AMB ATTORNEY FEES	3,320.00			
3B MEDICAL INC	AMB MEDICAL SUPPLIES	695.65			
UNITY POINT HEALTH	AMB PHARMACY SUPPLIES	604.83			
ZOLL MEDICAL CORPORATION	AMB MEDICAL SUPPLIES	129.00			
		-----			
	160 AMBULANCE TOTAL		6,664.34		
			-----		
	016 AMBULANCE TOTAL		6,664.34		
LIBRARY IMPROVEMENT					
LIBRARY					
FAREWAY STORES #840-1	LIB IMP PROGRAMS/PROMOTIONS	114.46			
		-----			
	410 LIBRARY TOTAL		114.46		
			-----		
	030 LIBRARY IMPROVEMENT TOTAL		114.46		
LIBRARY					
LIBRARY					
LADCO	LIB BLDG REPAIR/MAINT	244.63			

# CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	410 LIBRARY TOTAL		244.63		
	041 LIBRARY TOTAL		244.63		
SUPER MAC FUND SUPER MAC FUND INFRASTRUCTURE TECHNOLOGY	SUPER MAC EQUIP REPAIR/MAINT		75.00		
	499 SUPER MAC FUND TOTAL		75.00		
	045 SUPER MAC FUND TOTAL		75.00		
AIRPORT AIRPORT THEODORE KRAUS MONTICELLO AVIATION INC	AIRPORT - KRAUS PROPERTY AIRPORT MANAGER		105.00 2,500.00		
	280 AIRPORT TOTAL		2,605.00		
	046 AIRPORT TOTAL		2,605.00		
ROAD USE STREETS ALLIANT ENERGY-IES BEHREND'S CRUSHED STONE ZACHARY ADAM BOWSER ALDEN GAUL INC W.W. GRAINGER, INC INFRASTRUCTURE TECHNOLOGY JOHN DEERE FINANCIAL LAPORTE MOTOR SUPPLY MID-AMERICAN RESEARCH CHEMICAL	22059 HWY 38 RU STREET MAINTENANCE SUPPLIES RU TREE & STUMP REMOVAL RU EQUIP REPAIR/MAINT RU EQUIP REPAIR/MAINT RU UTILITIES RU EQUIP REPAIR/MAINT RU EQUIP REPAIR/MAINT RU EQUIP REPAIR/MAINT		206.37 55.44 2,955.00 551.60 4,373.57 11.48 50.74 46.05 446.43		
	210 STREETS TOTAL		8,696.68		
	110 ROAD USE TOTAL		8,696.68		
PARK IMPROVEMENT CAPITAL PROJECTS KARDES INC	PARK IMP TRAIL CLEANUP		24.58		
	750 CAPITAL PROJECTS TOTAL		24.58		
	313 PARK IMPROVEMENT TOTAL		24.58		
C.C. BIDWELL LIBRARY BOOK					



# CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
LIBRARY					
BAKER & TAYLOR BOOKS	LIB BIDWELL BOOKS		54.12		
	410 LIBRARY TOTAL		54.12		
	502 C.C. BIDWELL LIBRARY BOOK TOTAL		54.12		
WATER					
WATER					
ALLIANT ENERGY-IES	16540 190TH ST WATER TOWER		143.18		
DANIEL & MONICA BABEON	WATER OVERPAYMENT REFUND		37.54		
INFRASTRUCTURE TECHNOLOGY	WATER DATA PROCESSING		20.48		
JOHN DEERE FINANCIAL	WATER SUPPLIES		112.11		
	810 WATER TOTAL		313.31		
	600 WATER TOTAL		313.31		
CUSTOMER DEPOSITS					
WATER					
DANIEL & MONICA BABEON	WATER DEPOSIT REFUND		150.00		
CITY OF MONTICELLO	MARTIN/TOM		309.34		
TOM MARTIN	WATER DEPOSIT REFUND		90.66		
	810 WATER TOTAL		550.00		
	602 CUSTOMER DEPOSITS TOTAL		550.00		
SEWER					
SEWER					
FAREWAY STORES #840-1	SEWER LAB SUPPLIES		23.34		
INFRASTRUCTURE TECHNOLOGY	SEWER DATA PROCESSING		8.98		
HD SUPPLY, INC	SEWER LAB SUPPLIES		233.03		
	815 SEWER TOTAL		265.35		
	610 SEWER TOTAL		265.35		
SANITATION					
SANITATION					
JONES COUNTY SOLID WASTE	2ND QTR '25 ASSESSMENT		5,050.00		
REPUBLIC SERVICES	RESIDENTIAL GARBAGE		25,829.82		
	840 SANITATION TOTAL		30,879.82		
	670 SANITATION TOTAL		30,879.82		

# CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
YARD WASTE SITE SANITATION ALLIANT ENERGY-IES	22411 BUSINESS HWY 151		33.09		
	840 SANITATION TOTAL		----- 33.09		
	675 YARD WASTE SITE TOTAL		----- 33.09		
	Accounts Payable Total		=====		
			72,154.19		

**CLAIMS REPORT  
CLAIMS FUND SUMMARY**

FUND NAME	AMOUNT
001 GENERAL	18,895.72
005 MONTICELLO BERNDEN CENTER	554.78
015 FIRE	2,183.31
016 AMBULANCE	6,664.34
030 LIBRARY IMPROVEMENT	114.46
041 LIBRARY	244.63
045 SUPER MAC FUND	75.00
046 AIRPORT	2,605.00
110 ROAD USE	8,696.68
313 PARK IMPROVEMENT	24.58
502 C.C. BIDWELL LIBRARY BOOK	54.12
600 WATER	313.31
602 CUSTOMER DEPOSITS	550.00
610 SEWER	265.35
670 SANITATION	30,879.82
675 YARD WASTE SITE	33.09
-----	
TOTAL FUNDS	72,154.19

**City Council Meeting**  
**Prep. Date:** 10/30/2024  
**Preparer:** Russell Farnum



**Agenda Items:** # 2&3  
**Agenda Date:** 11/04/2024

*Communication Page*

**Agenda Items Description:** Public Hearing and Proposal to Enter into a General Obligation Corporate Purpose Loan Agreement

**Type of Action Requested:** Public Hearing, Resolution

**Attachments & Enclosures:**  
  
Proceedings  
Resolution

<b><u>Fiscal Impact:</u></b>	
Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

**Summary:** The City Council has approved moving forward with a public bond to help finance the infrastructure for the Northridge Estates subdivision.

Prior to issuing a bond, the City must hold a public hearing on the proposal. Thereafter, it needs to approve a Resolution stating that it will enter into a loan agreement and issue the bond in the near future. The actual agreement and bond will be subject to approval by the Council after proposals are obtained from financing sources.

**Recommendation:** It is recommended that the City Council hold the required hearing, and approve the Resolution, as required.

MINUTES FOR HEARING AND  
ADDITIONAL ACTION ON ENTERING  
INTO LOAN AGREEMENT

435926-40

Monticello, Iowa

November 4, 2024

The City Council of the City of Monticello, Iowa met on November 4, 2024, at 6:00 p.m. at the Monticello Renaissance Center, 220 E. 1<sup>st</sup> Street, Monticello, Iowa.

The Mayor presided and the roll being called, the following named Council Members were present and absent:

Present: \_\_\_\_\_

Absent: \_\_\_\_\_.

This being the time and place specified for taking action on the proposal to enter into a General Obligation Corporate Purpose Loan Agreement, as defined in the attached resolution, and to borrow money thereunder in a principal amount not to exceed \$400,000, the City Clerk announced that no written objections had been placed on file. Whereupon, the Mayor called for any written or oral objections, and there being none, the Mayor declared the public hearing closed.

After due consideration and discussion, Council Member \_\_\_\_\_ introduced and moved that the resolution be adopted, seconded by Council Member \_\_\_\_\_. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_.

Whereupon, the Mayor declared the motion carried and the resolution duly adopted in substantially the form hereinafter set out.

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

Resolution taking additional action on proposal to enter into a General Obligation Corporate Purpose Loan Agreement

WHEREAS, the City of Monticello (the “City”), in Jones County, State of Iowa, heretofore proposed to enter into a General Obligation Corporate Purpose Loan Agreement (the “Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$400,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the cost, to that extent, of (a) constructing street, water system, sanitary sewer system, storm water drainage and side walk improvements; and (b) acquiring and installing street lighting and signage improvements; and pursuant to law and a notice duly published, the City Council has held a public hearing on such proposal on November 4, 2024;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Monticello, Iowa, as follows:

Section 1. The City Council hereby determines to enter into the Loan Agreement in the future and orders that General Obligation Corporate Purpose bonds or notes be issued at such time in evidence thereof. The City Council further declares that this resolution constitutes the “additional action” required by Section 384.24A of the Code of Iowa.

Section 2. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 3. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved this November 4, 2024.

\_\_\_\_\_  
Wayne Peach, Mayor

Attest:

\_\_\_\_\_  
Sally Hinrichsen, City Clerk

• • • •

At the conclusion of the meeting, and upon motion and vote, the City Council adjourned.

---

Wayne Peach, Mayor

Attest:

---

Sally Hinrichsen, City Clerk

**ATTESTATION CERTIFICATE**

STATE OF IOWA  
JONES COUNTY  
CITY OF MONTICELLO

SS:

I, the undersigned, City Clerk of the City of Monticello, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council relating to the public hearing and additional action on the City Council's intention of entering into a certain Loan Agreement in the future.

WITNESS MY HAND this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Sally Hinrichsen, City Clerk



**City Council Meeting**  
**Prep. Date:** 10/30/2024  
**Preparer:** Russell Farnum



**Agenda Item: #**  
**Agenda Date:** 11/04/2024

*Communication Page*

**Agenda Items Description:** Adjust Salary for Recreation Coordinator

<b><u>Type of Action Requested:</u></b> Resolution					
<b><u>Attachments &amp; Enclosures:</u></b>  Resolution	<b><u>Fiscal Impact:</u></b> Budget Line Item: <table border="1"><tr><td> </td></tr></table> Budget Summary: <table border="1"><tr><td> </td></tr></table> Expenditure: <table border="1"><tr><td> </td></tr></table> Revenue: <table border="1"><tr><td> </td></tr></table>				

**Summary:** As discussed at the October 21 City Council meeting, Council should adjust the salary of the Recreation Coordinator to comply with new Department of Labor rules.

**Background:** The United States Department of Labor (DOL) sets standards for employers, including working hours and pay requirements. A major update to the rules adopted in April of this year and effective on July 1, 2024, requires that salaried employees who make less than \$43,888 per year should be paid overtime for hours worked past 40 hours in a week.

It should be noted that the overtime requirements apply in any work week when hours exceed 40 hours. The overtime cannot be computed on a pay period, bi-weekly, monthly or annual basis.

This updated rule would require the City to pay the Recreation Coordinator overtime, unless the salary is raised above the minimum threshold. In this case, a \$838 raise.

**Recommendation:** This proposed raise is a savings to the City compared to paying overtime for this position. Approval is recommended.

# The City of Monticello, Iowa

## RESOLUTION #2024-\_\_

### Adopting Adjusted Salary for the Recreation Coordinator

**WHEREAS**, The City Council has historically approved wage or salary increases for Department Heads and several other employees or positions are not covered by multiple-year pay Resolutions and do not have negotiated employment agreements annually, and

**WHEREAS**, the Council finds that the Recreation Coordinator should receive a salary adjustment to comply with Department of Labor requirements, which shall be retroactive to July 1, 2024, as follows:

Grace DuPuy (Recreation Coordinator)	\$43,888.00
--------------------------------------	-------------

**NOW THEREFORE BE IT RESOLVED** that the City Council of Monticello, Iowa does hereby approve of the salary increase as set out above, the said salary shall be applicable retroactively in order to take effect and be applicable to the first payroll issued during the month of July, 2024.

**IN TESTIMONY WHEREOF**, I have hereunto subscribed my name and caused the Great Seal for the City of Monticello, Iowa to be affixed. Done this 4<sup>th</sup> day of November, 2024.

\_\_\_\_\_  
Wayne Peach, Mayor

*Attest:*

\_\_\_\_\_  
Sally Hinrichsen, City Clerk/Treasurer

**City Council Meeting**  
**Prep. Date:** 10/30/2024  
**Preparer:** Russell Farnum



**Agenda Item: #**  
**Agenda Date:** 11/04/2024

*Communication Page*

**Agenda Items Description:** Cannabinoids /Marijuana ordinance

**Type of Action Requested:** Ordinance, 1<sup>st</sup> Reading

**Attachments & Enclosures:**  
  
**Draft Ordinance**

<b><u>Fiscal Impact:</u></b>	
Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

**Summary:** In mid-2023, Jennifer Husman of Jones County Safe and Healthy Youth Coalition approached Council about legal drug items that were being marketed to children. Many candy-like products, fruity energy drinks and similar products were being marketed as “ways to get high” but were exempt from controlled-substance laws because they were either 1) below certain “THC” levels, or 2) derived from hemp, which was exempt through the Farm Bill. The goal was not to prohibit these otherwise-legal products, but reduce the visibility and availability of the product to minors.

Council formed a committee to study the issue, which performed a substantial amount of work in a short period of time. After a year and a half, the attached Ordinance is a good solution and is presented for Council consideration and approval.

**Background:** Council agreed to have a committee study the issue, and within a few meetings a draft set of regulations had been roughed out. After involving some vaping and other retailers in the discussion, additional terms were added to address their concerns. At that point, Monticello was the first city in the State to have proposed such regulations, and the attorneys weren’t sure if the proposed Ordinance was constitutional. The committee has been waiting for legal input and review of the proposed regulations before bringing this forward.

In the meantime, the State tightened up their laws related to this issue, completely prohibiting the sale of vaping products that are not registered with the FDA (which is most). Also in the meantime, Mt. Vernon modeled their new regulation from our draft proposal, and Iowa City went way forward with restrictions that banned vaping products, kratom, and many other items.

The essential provisions of this proposed ordinance include the following:

1. Retailers may only sell such items from permanent storefronts which are restricted to the C-1, C-3 and M-1 zoning districts; this prohibits any sales from the C-2 (downtown\*), roadside stands or temporary booths, or residential zoning districts;
2. Retailers are restricted to a minimum of 1000 feet from schools, churches, day cares, parks, libraries and museums;
3. Retailers are restricted to a minimum of 1000 feet from each other;
4. Retailers are prohibited from also serving alcohol if they sell these products, and retailers that serve alcohol are prohibited from retailing THC-related products;
5. Minors are prohibited from entering THC retail establishments.

This regulation does not, and was not intended to, regulate nicotine-related products. At last review, no existing convenience stores, liquor stores, or other mixed-base retailers sold the type of products that would be impacted by this legislation. There is one CBD-based retailer which is located in the C-2 (downtown) zoning district – the owner is aware of this new ordinance proposal and is skeptical but generally supportive of it. That store will be “grandfathered in” and if they move, they will have to comply with the new ordinance.

Penalties for violations would be either a municipal infraction or lead to a civil citation, in accordance with Chapter 4 of the municipal code.

**Recommendation:** This ordinance is a reasonable solution to address the concerns of restricting access to THC and marijuana-related products by minors. Approval on first reading is recommended.

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MONTICELLO, IOWA, BY ADDING A NEW CHAPTER 126 TO REGULATE WHERE MARIJUANA AND/OR RELATED PRODUCTS MAY BE SOLD IN MONTICELLO, IA**

**BE IT ENACTED** by the City Council of the City of Monticello, Iowa:

**SECTION 1. NEW CHAPTER.** The Code of Ordinances of the City of Monticello, Iowa, is amended by adding a new Chapter 126, entitled **CONSUMABLE HEMP AND MARIJUANA PRODUCT SALES**, which is hereby adopted to read as follows:

**CHAPTER 126**

**CONSUMABLE HEMP AND MARIJUANA PRODUCT SALES**

126.01 Purpose

126.02 Definitions

126.03 Certain Activities and Sales Prohibited.

126.04 Location Restrictions

126.05 Responsibilities of Seller.

126.06 Minors/Underage Persons

126.07 Hours of Operation

126.08 Enforcement

**126.01 PURPOSE.** The purpose of this ordinance is to set forth where consumable hemp, marijuana, marijuana-derived and/or medical CBD/cannabis products (as defined below, and/or in the Iowa Code) may be grown, produced, sold or distributed in the City of Monticello, including: products in Iowa’s registered consumable hemp program; products in Iowa’s Medical Cannabidiol (CBD or aka Cannabis) program; and other marijuana or hemp-derived commercialized products intended for consumption, if their sale is legalized by state or federal law.

**126.02 DEFINITIONS.**

**Cannabidiol (“CBD”):** A crystalline compound and one of two main cannabinoids found in the cannabis plant; in its pure form, it has no known psychoactive effect. (The other main cannabinoid being tetrahydrocannabinol “THC”, which does have a psychoactive effect.) Pure CBD is devoid of psychoactive activity, with analgesic and anti-inflammatory activities.

**Cannabinoid:** any of a group of closely related compounds which include cannabitol (“CBD”), and the active constituents of cannabis. The cannabis plant contains more than 100 compounds (or cannabinoids).

**Cannabis:** A tall plant with a stiff upright stem, divided serrated leaves, and glandular hairs. It is used to produce hemp fiber and as a drug. It is a dried preparation of the flowering tops or other parts of the cannabis plant, or a resinous extract (cannabis resin), smoked or consumed, generally illegally, as a psychoactive drug. It is also called Marijuana.

**Consumable Hemp Product:** A liquid or solid manufactured or derived from Hemp, that can be introduced into the human body by ingestion or internal absorption, including but not limited to: food, chew or snuff, oils and lotions, and hemp processed or otherwise manufactured, marketed, sold, or distributed as food (e.g., "gummies"), a food additive, a dietary supplement, or a drug. Consumable hemp products do not include those intended to be introduced into the human body by any method of inhalation.

**Consumable Hemp Vaping Product:** A liquid or solid manufactured or derived from Hemp, that can be introduced into the human body by any method of inhalation.

**Hemp:** The plant *Cannabis sativa* L. and any part of that plant, including the seeds and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3% on a dry weight basis.

**Hemp-derived Psychoactive Product:** Any product that is made from, derived from, distilled from, or contains hemp or hemp extracts that can be used for human consumption or application, that contains THC, whether or not the product exceeds federal limits of 0.3% THC by weight including, but not limited to cannabis flower, edible products, tinctures, vapes, powder, wax, pills, and lotions, that affect mental processes (e.g., perception, consciousness, cognition or mood and emotions) when ingested, taken into or administered into one’s system.

**Marijuana:** All parts of the plant *Cannabis*, its roots, stalks, leaves, flowers, and seeds, whether growing or not, and any resin, compound, cake, manufacture, salt, derivative, mixture or preparation of the plant.

**Marijuana-derived Product:** Any product that is made from, derived from, distilled from, or contains marijuana or marijuana extracts that can be used for human consumption or application, including, but not limited to cannabis flower, edible products, tinctures, vapes, powder, wax, pills, and/or lotions.

**Marijuana-derived Psychoactive Product:** Any product that is made from, derived from, distilled from, or contains marijuana or marijuana extracts that can be used for human consumption or application, that contains THC, including, but not limited to cannabis flower, edible products, tinctures, vapes, powder, wax, pills, and lotions, that affect mental processes (e.g., perception, consciousness, cognition or mood and emotions) when ingested, taken into or administered into one's system.

**Medical CBD/Cannabis product:** Any product that has been approved either legislatively in Iowa or by the Medical CBD/Cannabis Board for medical use.

**Tetrahydrocannabinol ("THC"):** A crystalline compound and one of two main cannabinoids found in the cannabis plant; in its pure form, and is known for its psychoactive effect. (The other main cannabinoid being "CBD", which does not have a psychoactive effect). "THC" may also be known by its isomer/analog/derivative, such as HHC, Delta-6, 8, 9, 10 or otherwise, or any combination thereof, which for purposes of this Ordinance shall be considered THC, even if derived from CBD.

### **126.03 Certain Activities and Sales Prohibited.**

A. Growth, manufacture, sale or distribution of any Cannabidiol, Cannabinoid, Hemp, Consumable hemp product, Hemp-derived psychoactive product, Marijuana, Marijuana-derived product, Marijuana-derived psychoactive product, and/or Medical CBD/Cannabis product is prohibited in any establishment selling alcoholic beverages for consumption on the premises.

B. Growth, manufacture, sale or distribution of any Consumable Hemp Vaping Products is prohibited anywhere in the City of Monticello, regardless of the amount of THC isomers/analog/derivatives in the product.

C. Consumption of any Cannabidiol, Cannabinoid, Hemp, Consumable hemp product, Hemp-derived psychoactive product, Marijuana, Marijuana-derived product, Marijuana-derived psychoactive product, and/or Medical CBD/Cannabis product is prohibited on the premises of any property that is allowed to grow, manufacture, sell or distribute any Cannabidiol, Cannabinoid, Hemp, Consumable hemp product, Hemp-derived psychoactive product, Marijuana, Marijuana-derived product, Marijuana-derived psychoactive product, and/or Medical CBD/Cannabis product.

### **126.04 Location Restrictions.**

A. Any person or business growing, manufacturing, selling, or distributing any Cannabidiol, Cannabinoid, Hemp, Consumable hemp product, Hemp-derived psychoactive

product, Marijuana, Marijuana-derived product, Marijuana-derived psychoactive product, and/or Medical CBD/Cannabis product in the City of Monticello shall only do so from a permanent retail or industrial building, located in a C-1, C-3 or M-1 zoning district, that also meets all of the location requirements set forth below.

B. No business engaging in the growth, manufacture, sale or distribution of any Cannabidiol, Cannabinoid, Hemp, Consumable hemp product, Hemp-derived psychoactive product, Marijuana, Marijuana-derived product, Marijuana-derived psychoactive product, and/or Medical CBD/Cannabis product shall be allowed:

1. Within one thousand (1,000) feet of any church, synagogue, mosque, temple, or other place of religious worship.
2. Within one thousand (1,000) feet of any public or private school offering general education for students between the years of Preschool and Twelfth grade, public library or museum.
3. Within one thousand (1,000) feet of any public park or playground. For purposes of this section, bike paths, trails, waterways, and boat launches shall not be deemed a public park.
4. Within one thousand (1,000) feet of any other business engaging in the growth, manufacture, sale or distribution of any Cannabidiol, Cannabinoid, Hemp, Consumable hemp product, Hemp-derived psychoactive product, Marijuana, Marijuana-derived product, Marijuana-derived psychoactive product, and/or Medical CBD/Cannabis product.

Distances provided above shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the proposed business is to be located, to the nearest point of the parcel of property or zoning district boundary line from which the business of growth, manufacture, sale or distribution of any Cannabidiol, Cannabinoid, Hemp, Consumable hemp product, Hemp-derived psychoactive product, Marijuana, Marijuana-derived product, Marijuana-derived psychoactive product, and/or Medical CBD/Cannabis product is to be separated.

**126.05 Responsibilities of Seller.** Every act or omission by an employee constituting a violation of the provisions of this ordinance shall be deemed the act or omission of the operator if such act or omission occurs either with the authorization, knowledge, or approval of the operator, or as a result of the operator's negligent failure to supervise the employee's conduct, and the operator shall be punishable for such act or omission in the same manner as if the operator committed the act or caused the omission.

**126.06 Minors/Underage Persons.** It shall be unlawful to allow a person who is younger than twenty-one (21) years of age to enter or be on the premises of any business of growth,



manufacture, sale or distribution of any Cannabidiol, Cannabinoid, Hemp, Consumable hemp product, Hemp-derived psychoactive product, Marijuana, Marijuana-derived product, Marijuana-derived psychoactive product, and/or Medical CBD/Cannabis product at any time. The business owner/operator must ensure that an attendant is stationed at each public entrance at all times during regular business hours. The attendant shall prohibit any person under the age of twenty-one (21) from entering the establishment. It shall be presumed that an attendant knew a person was under the age of twenty-one (21) unless such attendant asked for and was furnished a valid drivers' license issued by a state reflecting that person's age.

**126.07 Hours of Operation.** A marijuana sales business may remain open for business no longer than the hours from between 10:00 a.m. to midnight, seven days a week.

**126.08 Enforcement.** Any violation of this ordinance by the owner or operator shall be subject to penalties in accordance with Chapter 4 of the municipal code.

**SECTION 2. Repeal.** Any ordinance, provision or part thereof, which differs or is inconsistent with this ordinance is hereby repealed, to the extent of said difference or inconsistency.

**SECTION 3. Severability.** If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, 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 4. Effective Date.** This ordinance shall be in effect from and after final passage, approval, and posting and publication of this ordinance as required by law.

PASSED and APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Wayne Peach, Mayor

Attest:

\_\_\_\_\_  
Sally Hinrichsen, City Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

I certify that the foregoing was published as Ordinance No. \_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Sally Hinrichsen, City Clerk/Treasurer

City Council Meeting  
Prep. Date: 11/4/2024  
Preparer: Sally Hinrichsen



Agenda Item: # 6-15  
Agenda Date: 10/31/2024

*Communication Page*

**Agenda Items Description:** Reports

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

**Attachments & Enclosures:**


**Fiscal Impact:**

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

**Reports / Potential Actions:**

- 6. City Engineer
- 7. Mayor
- 8. City Administrator
- 9. Park and Recreation Director
- 10. Library Director
- 11. Ambulance Director
- 12. City Clerk
- 13. Public Works Director
- 14. Police Chief
- 15. Water/Wastewater Superintendent