

## CITY OF MONONA Ordinance 403-19

### ORDINANCE NO. 403-19 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MONONA, IOWA 2007, BY AMENDING PROVISIONS PERTAINING TO CHAPTER 40 ~ ZONING

BE IT ENACTED by the City Council of the City of Monona, Iowa:

**SECTION 1. PERMITTED ACCESSORY USES AND STRUCTURES.** Chapter 40 ~ Zoning, of the Code of Ordinances of the City of Monona, Iowa, is hereby amended by inserting "Solar Collectors" into Zoning District C-1, C-1A, C-2, M-1, M-2 and A-1 under the section pertaining to "Permitted Accessory Uses and Structures" of each District as follows:

C-1 Highway Commercial ~ No. 4. Solar Collectors.  
C-1A Highway Commercial ~ No. 4. Solar Collectors.  
C-2 General Office and Retail ~ No. 4. Solar Collectors.  
M-1 Industrial Park ~ No. 4. Solar Collectors.  
M-2 Industrial ~ No. 4. Solar Collectors.  
A-1 Agricultural ~ No. 5. Replace Energy Collection Structures w/ Solar Collectors.  
**SECTION 2. DEFINITIONS.** Chapter 40 ~ Zoning, of the Code of Ordinances

of the City of Monona, Iowa, is hereby amended by defining "Solar Collectors" and inserting language into Section 40.1 ~ Definitions as follows:

Solar Collectors. "A devise, structure or a part of a devise or structure a substantial purpose of which is to transform solar radiant energy into thermal, mechanical, chemical or electrical energy".

**SECTION 3. PERMITTED PRINCIPAL USES AND STRUCTURES.** Chapter 40 ~ Zoning, of the Code of Ordinances of the City of Monona, Iowa, is hereby amended by including Solar Collectors as a "Principal-Use" in Commercial, Industrial and Agricultural Zoning Districts; subject to a conditional review by the Monona Planning and Zoning Commission involving any proposed Solar Collector installation, including submission of a written recommendation to the Monona City Council for final consideration.

**SECTION 4. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved by the City Council the 9th day of September, 2019.  
*Lynn Martinson, Mayor*

Attest:  
Dan Canton, City Admin/Clerk  
Published September 18, 2019 in  
The Outlook, Monona

MO: 1-1

## CITY OF MONONA Ordinance 404-19

### ORDINANCE NO. 404-19 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MONONA, IOWA, 2007, BY AMENDING PROVISIONS PERTAINING TO CONFLICT OF INTEREST

Be It Enacted by the City Council of the City of Monona, Iowa:

**SECTION 1. SUBSECTIONS MODIFIED.** Subsections 10, 11 and 12 of Section 5.07 of the Code of Ordinances of the City of Monona, Iowa, 2007, are repealed and the following adopted in lieu thereof.

10. Cumulative Purchases. Contracts not otherwise permitted by this section, for the purchase of goods or services that benefit a City officer or employee, if the purchases benefiting that officer or employee do not exceed a cumulative total purchase price of \$6,000.00 in a fiscal year.  
*(Code of Iowa, Sec. 362.5[3])*

11. Franchise Agreements. Franchise agreements between the City and a utility and contracts entered into by the City for the provision of essential City utility services.  
*(Code of Iowa, Sec. 362.5[3k])*

12. Third Party Contracts. A contract

that is a bond, note or other obligation of the City and the contract is not acquired directly from the City but is acquired in a transaction with a third party who may or may not be the original underwriter, purchaser, or obligee of the contract.  
*(Code of Iowa, Sec. 362.5[3])*

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

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

Passed by the Council on the 9th day of September, 2019, and approved this 9th day of September, 2019.

*Lynn Martinson, Mayor*  
Attest:  
Dan Canton, City Admin/Clerk  
Published September 18, 2019 in  
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## CLAYTON COUNTY Board of Supervisors

SEPTEMBER 3, 2019

Meeting of the Clayton County Board of Supervisors at their office, 600 Gunder Road, Elkader, Iowa.

Present: Steve Doepcke, Sharon Keehner, and Ray Peterson  
Guests: Myron Phelps, Eli Garms, Mike Tschirgi, Rafe Koopman, Larry Stone

Keehner moved, Doepcke seconded to approve the minutes of the August 27, 2019, meeting. Ayes: Doepcke, Keehner, Peterson. Motion carried.

Doepcke moved, Keehner seconded to approve claims as presented. Ayes: Doepcke, Keehner, Peterson. Motion carried.

There was discussion regarding possible vacation of a portion of Mississippi Rd and setting a date for a public hearing. Topics of discussion included safety concerns, access for conservation from park to park, businesses requesting closure for benefit, timeline if vacated versus temporarily closed and effects on the scope of work. Peterson moved, Keehner seconded to approve resolution #21-2019 "Resolution for Road Vacation Public Hearing". Roll Call Vote: Doepcke-aye, Keehner-aye, Peterson-aye. Motion carried.

**RESOLUTION #21-2019  
RESOLUTION FOR ROAD VACATION  
PUBLIC HEARING**

WHEREAS, a request has been filed with the Clayton County Board of Supervisors asking that action be taken to vacate a section of Clayton County Secondary Road, described as follows:

That portion of "Mississippi Road", established September 1856 as Road 5 N.S. (See Road Record Book 2, page 65). Beginning at the west line of the NE ¼ of the NW ¼, Section 18, T93N, R2W to the south line of the NW ¼, Section 17, T93N, R2W.

NOW, THEREFORE BE IT RESOLVED that a hearing on the proposed vacation will be held in the Board of Supervisors Office in the Clayton County Office Building at 600 Gunder Road, Elkader, Iowa, at 11:00 A.M. on Tuesday, September 17, 2019 in accordance with Iowa Code Chapter 306.

There was discussion regarding a possible purchase of a bucket truck for use in the Secondary Roads department. Doepcke stated the truck could be used for changing road signs, trimming trees, and/or changing lighting at intersections. Engineer Rafe Koopman stated that the department uses a telehandler to accomplish such tasks. Additional discussion included whether a bucket truck would be needed in addition to the telehandler, training for use, and inspection of truck. Doepcke moved to purchase the bucket truck for \$14,250. The motion died for a lack of a second. Keehner questioned purchasing without an inspection or pricing out training of employees to utilize.

Attest:  
Ray Peterson, Jennifer Garms  
Chairperson, Clayton County  
Board of Supervisors, Auditor  
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## CLAYTON COUNTY Board of Supervisors

SEPTEMBER 6, 2019

Meeting of the Clayton County Board of Supervisors at the office, 111 High St NE, Elkader, Iowa.

Present: Steve Doepcke and Ray Peterson

Absent: Sharon Keehner  
The Board attended the Courthouse Clock Tower Rededication ceremony.

Attest:  
Ray Peterson, Jennifer Garms  
Chairperson, Clayton County  
Board of Supervisors, Auditor  
Published September 18, 2019 in  
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## CITY OF MONONA - Ordinance 405-19

### ORDINANCE NO. 405-19 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MONONA, IOWA, 2007, BY AMENDING PROVISIONS PER- TAINING TO OPERATING BUDGET PREPARATION

Be It Enacted by the City Council of the City of Monona, Iowa:

**SECTION 1. SECTION MODIFIED.** Section 7.05 of the Code of Ordinances of the City of Monona, Iowa, 2007, is repealed and the following adopted in lieu thereof:

**7.05 OPERATING BUDGET PREPARATION.** The annual operating budget of the City shall be prepared in accordance with the following:

1. Proposal Prepared. The finance officer is responsible for preparation of the annual budget detail, for review by the Mayor and Council and adoption by the Council in accordance with directives of the Mayor and Council.

2. Boards and Commissions. All boards, commissions, and other administrative agencies of the City that are authorized to prepare and administer budgets must submit their budget proposals to the finance officer for inclusion in the proposed City budget at such time and in such form as required by the Council.

3. Submission to Council. The finance officer shall submit the completed budget proposal to the Council each year at such time as directed by the Council.

4. Resolution Establishing Maximum Property Tax Dollars. The Council shall adopt a resolution establishing the total maximum property tax dollars that may be certified for levy that includes taxes for City government purposes under *Code of Iowa* Section 384.1, for the City's trust and agency fund under *Code of Iowa* Section 384.6, Subsection 1, for the City's emergency fund under *Code of Iowa* Section 384.8, and for the levies authorized under *Code of Iowa* Section 384.12, Subsections 8, 10, 11, 12, 13, 17, and 21, but excluding additions approved at election under *Code of Iowa* Section 384.12, Subsection 19.  
*(Code of Iowa, Sec. 384.15A)*

A. The Council shall set a time and place for a public hearing on the resolution before the date for adoption of the resolution and shall publish notice of the hearing not less than 10 nor more than 20 days

prior to the hearing in a newspaper published at least once weekly and having general circulation in the City.

B. If the City has an internet site, the notice shall also be posted and clearly identified on the City's internet site for public viewing beginning on the date of the newspaper publication or public posting, as applicable. Additionally, if the City maintains a social media account on one or more social media applications, the public hearing notice or an electronic link to the public hearing notice shall be posted on each such account on the same day as the publication of the notice. All of the following shall be included in the notice:

(1) The sum of the current fiscal year's actual property taxes certified for levy under the levies specified in this subsection and the current fiscal year's combined property tax levy rate for such amount that is applicable to taxable property in the City other than property used and assessed for agricultural or horticultural purposes.

(2) The effective tax rate calculated using the sum of the current fiscal year's actual property taxes certified for levy under the levies specified in this subsection, applicable to taxable property in the City other than property used and assessed for agricultural or horticultural purposes.

(3) The sum of the proposed maximum property tax dollars that may be certified for levy for the budget year under the levies specified in this subsection and the proposed combined property tax levy rate for such amount applicable to taxable property in the City other than property used and assessed for agricultural or horticultural purposes.

(4) If the proposed maximum property tax dollars specified under Subparagraph (3) exceed the current fiscal year's actual property tax dollars certified for levy specified in Subparagraph (1), a statement of the major reasons for the increase.

Proof of publication shall be filed with and preserved by the County Auditor. The Department of Man-

agement shall prescribe the form for the public hearing notice for cities and the form for the resolution to be adopted by the Council under Paragraph C of this subsection.

C. At the public hearing, the Council shall receive oral or written objections from any resident or property owner of the City. After all objections have been received and considered, the Council may decrease, but not increase, the proposed maximum property tax dollar amount for inclusion in the resolution and shall adopt the resolution and file the resolution with the County Auditor as required under *Code of Iowa* Section 384.16, Subsection 3.

D. If the sum of the maximum property tax dollars for the budget year specified in the resolution under the levies specified in this subsection exceeds 102 percent of the sum of the current fiscal year's actual property taxes certified for levy under the levies specified in this subsection, the Council shall be required to adopt the resolution by a two-thirds majority of the membership of the Council.

E. If the City has an internet site, in addition to filing the resolution with the Auditor under *Code of Iowa* Section 384.16, Subsection 3, the adopted resolution shall be posted and clearly identified on the City's internet site for public viewing within 10 days of approval by the Council. The posted resolution for a budget year shall continue to be accessible for public viewing on the internet site along with resolutions posted for all subsequent budget years.

5. Council Review. The Council shall review the proposed budget and may make any adjustments it deems appropriate in the budget before accepting such proposal for publication, hearing, and final adoption.

6. Notice of Hearing. Following, and not until adoption of the resolution required under Subsection 4 of this section, the Council shall set a time and place for public hearing on the budget to be held before March 31 and shall publish notice of the hearing not less than 10 nor more than 20 days before the hearing. A summary of the proposed budget and a description of the procedure for protesting the City budget under Section 384.19 of the

*Code of Iowa*, in the form prescribed by the Director of the Department of Management, shall be included in the notice. Proof of publication of the notice under this subsection and a copy of the resolution adopted under Subsection 4 of this section must be filed with the County Auditor.  
*(Code of Iowa, Sec. 384.16[3])*

7. Copies of Budget on File. Not less than 20 days before the date that the budget must be certified to the County Auditor and not less than 10 days before the public hearing, the Clerk shall make available a sufficient number of copies of the detailed budget to meet the requests of taxpayers and organizations, and have them available for distribution at the offices of the Mayor and Clerk and at the City library.  
*(Code of Iowa, Sec. 384.16[2])*

8. Adoption and Certification. After the hearing, the Council shall adopt, by resolution, a budget for at least the next fiscal year and the Clerk shall certify the necessary tax levy for the next fiscal year to the County Auditor and the County Board of Supervisors. The tax levy certified may be less than, but not more than, the amount estimated in the proposed budget submitted at the final hearing or the applicable amount specified in the resolution adopted under Subsection 4 of this section. Two copies each of the detailed budget as adopted and of the tax certificate must be transmitted to the County Auditor.  
*(Code of Iowa, Sec. 384.16[5])*

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

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

Passed by the Council on the 9th day of September, 2019, and approved this 9th day of September, 2019.

*Lynn Martinson, Mayor*

Attest:  
Dan Canton, City Admin/Clerk  
Published September 18, 2019 in  
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## CITY OF FARMERSBURG - Regular Council Meeting

### MINUTES OF FARMERSBURG CITY COUNCIL REGULAR MEETING OF MONDAY, SEPTEMBER 9, 2019

**CALL TO ORDER:** Mayor Glenn Radloff called the regular meeting of the Farmersburg City Council to order at 7:00 p.m., Monday, September 9, 2019, at City Hall (208 South Main Street).

**ROLL CALL/ATTENDANCE:** Council members present: Dennler, Morley, D. Torkelson, and T. Torkelson; absent was Bennett. City Clerk Heidi Landt was also present.

**Agenda:** Motion by D. Torkelson, 2nd by Morley to approve the agenda. Voting "Yes": Dennler, Morley, D. Torkelson, and T. Torkelson; no "no" votes. Motion carried.

**Consent Agenda:** Motion by Dennler, second by D. Torkelson, to approve the consent agenda. Voting "Yes": Dennler, Morley, D. Torkelson, and T. Torkelson; no "no" votes. Motion carried.—a) Minutes of the August 12, 2019, Regular meeting, b) August 2019 report of the treasurer, c) August 2019 Summary of Revenue and Expenditure Activity, d) Fire Department Meeting Proceedings — September 3, 2019 minutes, e) Library Board Meeting Proceedings —not available; f) claims of \$38,581.73.

**Streets:** Council discussed the work done by Kluesner Construction on Post Office Drive to redirect water run-off. It was noted that gravel is needed in the alley on the 0 Block between Russell and Main Streets.

**Fire Station:** Motion by Morley, 2nd by Dennler to purchase paint for the Fire Station building. Voting "yes" Dennler, Morley, D. Torkelson and T. Torkelson; voting "no" Morley. Motion carried. The council also discussed the water run-off

of the Fire Station that has been running into the neighbor's yard. Council consensus was to have the members of the Fire Department review the property and decide what would be best to reroute the water and report back to the council. **City Property:** Councilmen D. Torkelson reported that the shelter was removed and that the cement will stay intact until next year when a plan for shelter replacement has been chosen. City Clerk Landt reported to the council that it was too late in the season to treat the Ash trees at the softball diamond and that they will be checked in the Spring.

**Nuisances:** Motion by Morley, 2nd by D. Torkelson, to send an invoice for lawn mowing to the property owner at 201 S. Russell Street. Voting "yes" Dennler, Morley, D. Torkelson and T. Torkelson; voting "no" Morley. Motion carried. Motion by Morley, 2nd by D. Torkelson to send a letter to the property owner of 1 E. Adams Street regarding multiple complaints of a dog at large. Voting "yes" Dennler, Morley, D. Torkelson and T. Torkelson; voting "no" Morley. Motion carried.

**Large Item Pick Up Date:** The fall large item pick up date has been set for Saturday, October 5, 2019.

**Agenda Items for next meeting:** Fire station water run-off

**Adjournment:** Motion by D. Torkelson, 2nd by Dennler that the meeting be adjourned. Voting "Yes": Dennler, Morley, D. Torkelson, and T. Torkelson; no "no" votes. Motion carried. Mayor Radloff adjourned the meeting at 7:27 p.m. The next regular meeting will be held on Monday, October 14, 2019, at 7 p.m. at City Hall (208 South Main Street).

Revenues for August 2019 by Funds: Total \$12,704.39

**GENERAL FUND**—General Account 91.39: building permits 3.00; interest 15.24; rentals 70.00; reimbursements 3.15.

Library Board Regular Account 46.65: NEITC internet donated as credit 44.95; interest 1.70. Library Board Memorial Account 90.15: Sonya Stagman memorials 90.00; interest .15. Library Board Summer Reading Program .04; interest .04. Library Board Petty Cash in Checking .02; interest .02. Librarian's Monthly Report 17.50: memorial 10.00; book sales 2.00; fax(s) 1.50; SILO donations 4.00. Fire Department Regular Account 9.82: interest 9.82. Fire Department New Building Account .61; interest .61.

Solid Waste Account 954.42: interest 1.03; collections 953.39.

**LOCAL OPTION SALES TAX FUNDS**—Community Center Account 770.45: State of Iowa (35%) 768.32; interest 2.13. Fire Account 771.66: State of Iowa (35%) 768.32; interest 3.34; Street Maintenance Account 418.53: State of Iowa (19%) 417.08; interest 1.45; OSHA 220.92: State of Iowa (10%) 219.52; interest 1.40; Property Tax Relief 21.96: State of Iowa (1%) 21.95; interest .01.

**EMPLOYEE BENEFITS FUNDS**—Corporate Taxes Account (.06): interest (.06). Gas/Electric Account (.01): interest (.01).

**ROAD USE TAX FUND** 2,863.14: State of Iowa 2,863.14

**DEBT SERVICE FUND .05:** interest .05.

**RESTRICTED CITY HALL-LIBRARY BUILDING FUND .20:** interest .20

**WATERWORKS FUNDS**—Water Reserve Account 4.79: interest 4.79. Utility Deposits 196.18: interest .40; deposit 195.78. Water Account 3589.80: interest

8.28; collection 3,052.82.

**SANITARY SEWER FUND** 2,636.18: interest 1.31; collection 2,634.87.

**TOTAL CLAIMS** September 9, 2019, Meeting \$38,581.73

Claims dated August 13 – 31, 2019 (\$28,389.03): Hawkins, Inc. 363.50; Rachel Kansier (nee Reger) 183.42; US Post Office 55.00; Glenn Radloff 46.12; Ron Dennler 27.67; Beau Bennett 27.67; Danny Torkelson 27.68; Herb Morley 27.70; Travis Torkelson 27.68; MFL MarMac Booster Club 100.00; Treasurer State of Iowa 133.00; Alpine Communications Inc. 34.90; IRS 1005.73; IPERS 703.47; Black Hills Energy 127.11; Consolidated Energy Company 290.95; MB Construction, Inc. 450.00; Ehrhardt, Gnagy, McCorkindale and Vorwald 60.00; Prairie Road Builders, Inc. 24532.75; Librarian's Cash on Hand monthly report 14.52. Claims dated September 1 – 9, 2019 (\$10,362.78): Randy Evanson 46.85; Randy Evanson 924.60; Theresa Feldmann 364.25; Jeff Kleinow 361.45; Jeff Kleinow 17.10; Heidi Landt 257.53; Loren Schert 177.94; Randy Schert 248.34; Linda Sedlmayr 510.17; Jennifer Torkelson 27.12; Randall Wiedenman 176.21; Carl Ruff 199.60; Bodensteiner Implement Company 66.35; Alliant Energy 2106.56; Northeast Iowa Telephone Company 189.73; NEITC 44.95; Farmersburg Public Library 623.25; Waste Management WI-MN 1938.65; Treasurer State of Iowa 131.00; Fisk Farm & Home 339.89; MB Construction, Inc. 1611.24.

*/s/ Heidi Landt, City Clerk*  
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