

**CITY OF CASCADE, IOWA
COUNCIL MEETING AGENDA & PUBLIC NOTICE
Monday, May 22, 2023, 6:00 P.M.
CITY HALL, 320 1ST AVE WEST**

NOTICE: Notice is hereby given that the Cascade City Council will hold a meeting at 6:00 PM on Monday, May 22, 2023, at City Hall. Any visually or hearing-impaired person with special accessibility needs should contact the City Clerk at 563-852-3114.

Meetings are live streamed at www.cityofcascade.org under city of Cascade tab and on Local Access Channel 18

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approve Agenda**
- 5. Public Comment (Limit 3 minutes per person-Agenda Items and Local Government Issues)**
- 6. Consent Agenda – Review and approve the following:**
 1. Minutes: City Council 5/8/23, Utility Board 5/10/23
 2. May 22, 2023 Claims
 3. Liquor License
 - a. 5 Day-The Corner Taproom (6-15 to 6-19)
 - b. Annual Renewal - JL Holdings Inc. dba Kalmes Club 528
- 7. Open Public Hearing for FY23 Budget Amendment**
- 8. Close Public Hearing**
- 9. Consideration of Resolution #45-23 Allocating Funds for Taylor Street SE Repairs (\$22,000)**
- 10. Consideration of Resolution #43-23 Adoption of FY23 Budget Amendment**
- 11. Consideration of Resolution #44-23 Hiring of All-Star Environmental for Asbestos Abatement Work (\$17,795)**
- 12. Consideration of Ordinance #05-23 EMS Ambulance Fees (Third and Final Reading)**
- 13. Consideration of Ordinance #06-23 Vicious and Dangerous Animals (First of Three Readings)**
- 14. Discussion on Recodification Process and Ordinance Updates**
- 15. Discussion on Upcoming Fall 2023 Election Deadlines**
- 16. Discussion on R2, R3, R4 Zoning Districts and Condo Style Developments**
- 17. Reports – Police Chief, Library Design Committee, City Administrator**
- 18. Public Comment (Limit 3 Minutes per person-only items on this agenda)**
- 19. Adjournment**

May 8, 2023
City Council Meeting Minutes

The May 8, 2023 Regular City Council meeting was called to order at 6:00PM by Mayor Steve Knepper. The Pledge of Allegiance was recited. Delaney, Hosch, Kelchen, Oliphant and Rausch answered roll call.

Motion Kelchen, second Oliphant to approve the agenda. All Ayes. Motion carried.

Speakers from the floor: Tracie Delarm requested the Council considered changing the vicious animal to not include specific breeds of dogs and instead only list aggressive behaviors.

Motion Delaney, second Hosch to approve the consent agenda items including City Council Minutes 4/24/23, Park Board 5/1/23, Library Board 5/2/23 and Board of Adjustment 5/4/23; May 10, 2023 claims and April 2023 financial reports. All Ayes. Motion carried.

The Council directed staff to prepare an ordinance for consideration to eliminate the reference to animal breeds which was suggested by our City Attorney to aid in enforcement and as this is being considered by the State Legislature.

FEH Design and Staff Reported on the current plans Library and Community Center.

Motion Oliphant, second Rausch to approve Resolution #40-23 Hiring FEH Design for Construction Documents Phase for the New Library and Community Center, to include the design of a geo-thermal system if rebates from the Federal Government make this cost effective. Roll Call vote. All Ayes. Motion carried.

Library Director Kane presented a semi-annual update on the Public Library.

Motion Oliphant, second Delaney to approve Resolution #42-23 Approval to Accept the State of Iowa CAT Grant (\$460,000). Roll Call vote. All Ayes. Motion carried.

Motion Kelchen, second Hosch to approve Resolution #39-23 Setting a Public Hearing for FY23 Budget Amendment. Roll Call vote. All Ayes. Motion carried.

Motion Rausch, second Kelchen approve the Second of Three Readings of Ordinance #05-23 EMS Ambulance Fee. Roll Call vote. All Ayes. Motion carried.

Motion Delaney, second Oliphant to approve Resolution #41-23 Approval of a Public Comment Policy. Roll Call vote. Four Ayes, One Nay (Hosch). Motion carried.

Council discussed the discontinuation of Cable TV with Cascade Communications which means there will no longer be a public access Channel 18 as of 12-31-23. Council also discussed the changes to the Property Tax laws in Iowa.

Heim and Kotter provided staff updates.

Motion Kelchen, second Delaney adjourn at 8:00pm. All Ayes. Motion carried.

Lisa Kotter, City Administrator

Meeting Minutes May 10, 2023
Cascade Municipal Utilities Board

Chairman Gross called the May 2023 regular meeting of the Cascade Municipal Utilities Board of Trustees to order on Wednesday, May 10, 2023 at 5:15pm. Present were Trustees Barb Gross, Greg VanderLugt, Herb Manternach, Team Lead Matt Cooksley, City Administrator Lisa Kotter. Manager Shontele Orr was excused.

Motion Manternach, second VanderLugt to approve the meeting agenda. Motion carried 3-0.

Motion Manternach, second VanderLugt to divide Economic Dollars between the 5 groups that applied each receiving \$600.00. Total of \$3000.00. Cascade Area Chamber of Commerce, Cascade Community Garden Club, Cascade Hometown Days Committee, Rockin on the River, & Cascade Lions Club. Motion carried 3-0

Motion VanderLugt, second Manternach to approve placing the EV Charging station donated by Cipco at the new library. Motion carried 3-0

Motion by VanderLugt, second by Manternach to approve the April 12th meeting minutes, April Financial Statements and Fund Balances, and the May bill list & claims for payment. Motion carried 3-0.

Under correspondence the board discussed the April plant summary & metrics. There were no new energy efficiency reports. Motion Manternach, second VanderLugt to approve correspondence. Motion carried 3-0.

Manager/Team Lead Report. Matt Cooksley reported to the board about their current workload and planning for projects to come.

Motion Manternach, second VanderLugt to adjourn meeting at 6:02 pm. Motion carried 3-0.

Vendor Name	Check Amount	Vendor Name	Check Amount
ADVANTAGE ADMINS (BUYDOWN)	15.00	MCDERMOTT OIL CO.	364.11
ADVANTAGE ADMINSTRATORS	34.80	MEDICAL ASSOCIATES CLINIC	26.00
CASCADE COMMUNICATIONS COMPANY	101.00	METER DEPOST REFUNDS	161.97
CASCADE LUMBER CO	84.17	METER DEPOST REFUNDS	80.62
CASCADE MUNICIPAL UTILITI	808.13	METER DEPOST REFUNDS	204.28
CASCADE MUNICIPAL UTILITI	1,464.94	MISSION SQUARED	185.00
CLAYTON ENERGY CORPORATION	59,597.00	MISSION SQUARED	185.00
CLH REPAIR	23.76	NICUSA - IOWA DMSION	1,025.88
COMELEC INTERNET SERVICES	45.00	OVERHEAD DOOR DUBUQUE	112.35
EFTPS	2,661.17	PAYROLL	9,604.80
EFTPS	2,592.32	PAYROLL	9,116.23
FLETCHER-REINHARDT CO	189.53	SIMECA	82,040.61
GASSER FARM & HARDWARE LLC	179.84	STUART C IRBY CO	2,948.66
I.A.M.U.	1,301.04	TREASURER STATE OF IOWA	1,390.00
INSURANCE ASSOCIATES INC	725.00	TREASURER STATE OF IOWA	1,030.00
IOWA ONE CALL	22.50	TREASURER STATE OF IOWA	7,753.06
IPERS	5,479.06	VISA	3,321.93
IPERS	3,889.43	WELLMARK BC BS OF IOWA	2,843.81
MCALLISTER ELECTRIC	426.00	WOODWARD COMMUNITY MEDIA	226.86
			202,260.86

ELECTRIC REVENUE	\$195,560.02
GAS REVENUE	\$128,135.04

Acting Secretary, Matt Cooksley

Chairman, Barb Gross

CLAIMS REPORT
Vendor Checks: 5/10/2023- 5/23/2023

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL	CHECK#	CHECK DATE
0232037-IN	ACCO	POOL OPENING SUPPLIES		2,278.85		
12292022	ADVANTAGE ADMINISTRATORS	PSF BUY DOWNS				
2176595508	AT&T	AT&T BILL 05012023		30.98		
553880	BARD MATERIALS	RIVER PARK	816.01			
553881	BARD MATERIALS	WATER MAIN REPAIR	1,177.63			
555277	BARD MATERIALS	WATER MAIN REPAIR	1,109.47	3,103.11		
14315	BIG RIVER SIGN CO	1/2 DOWNPYMT CASCADE SIGN-WEST		2,799.23		
P53797	BODENSTEINER IMPLEMENT CO	BLADE		80.19		
S102679040.001	BROWN SUPPLY CO	ROUND POINT SHOVEL	35.49			
S102696775.001	BROWN SUPPLY CO	FIRE HYDRANTS & MISC FITTINGS	11,197.00			
S1027200000.001	BROWN SUPPLY CO	3/4" CURB STOP, FLARE X9	2,583.58	13,816.07		
156071	CASCADE LUMBER CO	CEMENT MIX-PARK	41.94			
158337	CASCADE LUMBER CO	2 PK 9V ALKA BATTERY	11.99			
158676	CASCADE LUMBER CO	WATER DEPT:PAPER TOWELS	6.36			
810290	CASCADE LUMBER CO	SHOP TOWELS JUMBO ROLL	44.69			
811275	CASCADE LUMBER CO	DIGITAL THERMOSTAT/BATTERIES	35.78			
811305	CASCADE LUMBER CO	STREETS:GR STF EXP 20	14.79			
812895	CASCADE LUMBER CO	PAINT SUPPLIES:CITY HALL	45.83			
813120	CASCADE LUMBER CO	GARDEN CLUB:SANP CONNECTOR	7.79	209.17		
RES 85-22 MAY 2023	CHERYL'S FLOUR GARDEN BAKERY	SEMI ANNUAL TIF REIMBURSEMENT		2,336.00		
18888856	CITY LAUNDERING CO	UNIFORMS/SUPPLIES	254.00			
1891180	CITY LAUNDERING CO	UNIFORMS/SUPPLIES	197.28			
1893499	CITY LAUNDERING CO	UNIFORMS/SUPPLIES	176.82	628.10		
6700	CITY OF DUBUQUE	WATERS TESTS #330196 PUBLIC	22.00			
6846	CITY OF DUBUQUE	WATER TEST #30210 & #30219	44.00	66.00		
59040	ELLIS IMPLEMENT & OUTDOOR LLC	OIL/OIL FILTER		71.93		
287309338483X042723	FIRST NET-AT&T MOBILITY	2023 APRIL FIRST NET PHONE BIL		596.68		
HOUSE CLEAN 2	GALE SMITH	CLEAN HOUSES BEFORE ABS REMOVA		240.00		
25553	GASSER FARM & HARDWARE LLC	PARKS:STIHL SERVICE KIT	16.99			
25600	GASSER FARM & HARDWARE LLC	PARKS:STIHL LINE	36.95			
25738	GASSER FARM & HARDWARE LLC	POOL:DRILL BITS X3	15.07	69.01		
IN14199342	GORDON FLESCH COMPANY INC	1/2 PRINTER/COPIER SERVICE CON		119.47		
6459916	HAWKINS INC	CHLORINE		2,472.40		
30298	INFRASTRUCTURE TECHNOLOGY SOL	1/2 MONTHLY SUPPORT FEE:ITS		155.00		
PR20230505	IPERS	IPERS	3,152.34		14016090	5/19/23
PR20230511	IPERS	PROTECTIVE IPER	3,034.89	6,187.23	14016090	5/19/23
PR20230511	IRS W/H	FED/FICA TAX		5,510.70	14016091	5/19/23
MAY 2023	KOTTER LISA	ADMIN REIMBURSEMENT		112.17		
20328587	LIME ROCK SPRINGS CO	CONCESSION: POOL		353.24		
207969	LYNCH DALLAS P.C.	CITY ADM RESEARCH AG LAND/EMS	554.50			
207970	LYNCH DALLAS P.C.	CITY ADMIN EMAIL REVIEW ROW	16.50	571.00		
JUNE 2023	MADISON NATL LIFE INS CO, INC	JUNE 2023 PREMIUMS+CATCH UP		736.40		
LOCATION 54320266	MAQUOKETA VALLEY COOP	STREET LIGHT LOCATION 54320266		154.30		
3387	MIDWEST PATCH	STREETS:HIGH PERFORMANCE PATCH		864.50		
PR20230511	MISSION SQUARE RETIRE-#303939	ICMA		1,183.19	65017	5/19/23
4/30/2023	MONTICELLO EXPRESS	EMS MAILING		550.00		
4888	MR LOCK & KEY-VACUUM CTR	POR SERIES LIFETIME VACUUM CLE		649.99		
0867417-IN	MUNICIPAL SUPPLY INC	NEW WATER SERVICE FOR LOCKER		2,139.02		
558074	MYERS-COX	CONCESSIONS-POOL		1,158.78		
184	NELSON TIRE RECYCLING	PICK UP TIRES-CLEAN UP LEGION		70.00		
BALL BASES	NIC KREMER	BASES FOR PRACTICE FIELD		70.69		
I-OS015037	OMNIGO SOFTWARE	SOFTWARE LICENSE-POLICE		3,062.44		
JUNE 2023 LEASE	JOE OR PEG REIFF	JUNE 2023 LEASE		500.00		
0897-000989716	BFI WASTE SERVICES LLC	RESIDENTIAL REC/GARB:COMM GARB		24,739.81		

CLAIMS REPORT
Vendor Checks: 5/10/2023- 5/23/2023

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL	CHECK#	CHECK DATE
3161	RHINO INDUSTRIES INC	WASTEWATER:CHEMICAL DRUM		994.50		
254729	STATE HYGIENIC LABORATORY	WATER TESTING LAB FEES		319.50		
PR20230505	TREAS STATE OF IOWA	STATE TAXES	836.29		14016089	5/19/23
PR20230511	TREAS STATE OF IOWA	STATE TAX	753.12	1,589.41	14016089	5/19/23
49993	TRI-STATE SHRED	SHREDDING SVC-EMS		49.95		
05012023	VISA	POOL SOFTWARE/SUPPLIES:STAPLES		3,191.21		
1298	WEBER CONSTRUCTION INC	WATER MAIN REPAIR 4TH AVE NW		6,322.50		
2313200000734	WELLMARK BC/BS OF IA	JUNE 2023 PREMIUMS		8,254.89		
Accounts Payable Total				98,407.61		
Invoices: Paid				14,470.53		
Invoices: Scheduled				83,937.08		
Payroll Checks				16,749.59		
Report Total				115,157.20		

CLAIMS REPORT
CLAIMS FUND SUMMARY

FUND	NAME	AMOUNT
001	GENERAL	61,984.82
016	PARTIAL SELF-FUND	
110	ROAD USE TAX	5,467.70
125	TAX INCREMENT FINANCING	2,336.00
370	LIBRARY CAPITAL PROJECT	240.00
600	WATER	37,230.62
610	SEWER	7,898.06

	TOTAL FUNDS	115,157.20

From: noreply@salesforce.com <noreply@salesforce.com> **On Behalf Of** IOWA ABD Licensing Support
Sent: Friday, May 5, 2023 3:54 PM
To: Kathy Goerdt <clerk@citycascade.com>
Cc: licensingnotification@iowaabd.com
Subject: Application App-179893 Ready for Review

Hello,

Application Number App-179893 has been set to "Submitted to Local Authority" status and is currently ready for your review.

Corp Name: TEXTILE BREWERY, LLC

DBA: The Corner Taproom

License Number:

Application Number: App-179893

Tentative Effective Date: 6/15/2023

License Type: Special Class C Retail Alcohol License (BW)

Application Type: New

Amendment Type:

Thank you.

From: noreply@salesforce.com <noreply@salesforce.com> **On Behalf Of** IOWA ABD Licensing Support
Sent: Friday, May 19, 2023 5:00 AM
To: Kathy Goerdts <clerk@citycascade.com>
Subject: License LC0038637 Renewal Notice Sent

Hello,

LC0038637 has been sent a Renewal Notice is now eligible for their renewal.

Corp Name: JL Holdings Inc

DBA: Kalmes Club 528

License Number: LC0038637

Application Number: App-163314

Tentative Effective Date:

Application Type: Renewal

Amendment Type:

Thank you,
The Iowa Alcoholic Beverages Division



May 22, 2023 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: May 19, 2023
Re: Taylor Street SE Improvements

Staff, Jake Deaver, Phil Gehl, Ben Frasher and myself, have worked through an idea on the request by Rick and Deb Kerper to make improvements on their side street, Taylor Street SE. The estimate is \$22,000. We propose to core out the road from where it starts to deteriorate and then go to the end of Kerper's south property line. After the core out we would place new rock. The road will be seal coated two times this summer. We would then plan a third layer in 2024. The road would stay flat on the north part of this reconstruction area and then be pitched to move from east to west for water to fall off and head toward the river south of the red barn. We are not proposing curb and gutter. However, we have proposed to Kerper's that if they want to have curb and gutter on the east side of the road starting at the existing driveway to the south end of the property, we would recommend doing a voluntary assessment. Our estimate for the curb and gutter is \$6,000. Kerper's could either pay the full amount this year or the City could consider having them pay half at the time of construction and give them until the next tax year to pay the second half. In addition, we are not planning to widen the road, so we recommend discussing having no parking on one side of the road. The summary below is from Jake as well as the map that is included on the next page. If the Council would like to proceed, we would recommend approval of the Resolution #45-22. Phil will be in attendance if there are any questions and if you know of any in advance please let me know in advance.

- Full height curb was from edge of existing driveway to property line, ~\$6,000
- A = transition from existing, flat roadway section to "pitched" roadway section.
- B = "pitched" roadway section of ~3-4% cross slope (northeast to southwest).
- Begin project at edge of existing driveway. End project at property line.
- Remove (core-out) existing seal coat, rock & earth.
- Install rock base consisting of 12" Macadam & 10" modified subbase.
- City to seal coat the rock roadway a couple times this summer.



RESOLUTION #45-23

A RESOLUTION AUTHORIZING THE APPROVAL OF FUNDING OF RECONSTRUCTION WORK ON TAYLOR STREET SOUTHEAST BETWEEN 3RD AND 4TH AVENUE SOUTHEAST IN THE CITY OF CASCADE, IOWA

WHEREAS, the City desires to make improvements on Taylor Street SE between 3rd and 4th Avenues, and;

WHEREAS, the City staff has created a plan to make improvements that will improve the current road condition to include the following work as shown on Exhibit A: in the section labeled "A": transition from the existing, flat roadway section to a "pitched" roadway in section "B", in section "B": a "pitched" roadway section of a ~3-4% cross slope (northeast to southwest), to begin the project at the edge of the existing driveway, to end the project at the south property line of 200 3rd Ave SE, remove (core-out) the existing seal coat, rock & earth, install rock base consisting of 12" Macadam & 10" modified subbase, and the City will seal coat the rock roadway a two times this summer 2023 and one time 2024.

WHEREAS, the City of Cascade will solicit prices for this work from Gravel Grading and Excavating, Weber Construction and Eastern Iowa and hire the lowest cost contractor and based on estimates this work will be approximately \$22,000; and,

WHEREAS, the City will only install 6-inch concrete curb and gutter on the east side of Taylor Street SE between the existing driveway and the south end of the property at 200 3rd Avenue SE if the adjacent property owner wishes to have it installed and the full cost be assessed which is estimated at \$6,000;

WHEREAS, if the property owner desires to have curb and gutter installed on the east side of the road, the owner will pay the full cost of those improvements and that either the full cost will be paid at the time the work is completed or have the option to pay half when construction is complete and the other half in 2024, with any unpaid balance being assessed and added to the tax parcel property tax bill.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves this work on Taylor Street SE and allocates funding for the project and authorizes staff to have the work completed after quotes have been received with work to be completed by the lowest price estimate.

PASSED, APPROVED AND ADOPTED this 22nd day of May, 2023.

Steve Knepper, Mayor

ATTEST:

Kathy Goerd, City Clerk

Taylor Street SE





May 22, 2023 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: May 19, 2023
Re: FY 23 Budget Amendments

The City Council must amend the budget prior to May 30 according to the State Code if expenses are to go over what was planned in March 2022 for the FY23 budget. The first step was to consider a resolution that set the public hearing date. The notice of the public hearing was in the May 10 Pioneer. The draft resolution adopting the amendments is in the packet for consideration. The hearing notice lists the reasons for the increases. Once the Council holds the hearing at this meeting, there can be consideration of the amendment Resolution.

There are reasons for increases and decreases in almost all categories.

RESOLUTION #45-23

ADOPTING THE CITY OF CASCADE'S FY23 BUDGET AMENDMENT FOR THE FISCAL YEAR THAT BEGINS JULY 1, 2022 AND ENDS JUNE 30, 2023

WHEREAS, the City of Cascade thoroughly examined and projected the City's expenses for the FY23 year and has amended the budget accordingly for the fiscal year which began July 1, 2022 and ends June 30, 2023; and,

WHEREAS, the City has published an advance notice of a public hearing as required by law on the budget amendment attached as Exhibit A in the May 10, 2022 edition of the Cascade Pioneer for the May 22, 2022 public hearing at 6:00p.m. at the Cascade City Hall.

THEREFORE, BE IT RESOLVED, by the City Council of the City of Cascade, Iowa, that the annual budget amendment for the fiscal year beginning July 1, 2022 and ending June 30, 2023 is hereby approved as shown in Exhibit A.

BE IT FURTHER RESOLVED, by the City Council of the City of Cascade, Iowa, that the City Clerk is hereby directed to make the filing required by law and to set up the books in accordance with the budget amendment as adopted.

PASSED AND APPROVED this 22nd day of May, 2023.

Steven Knepper, Mayor

ATTEST:

Kathy Goerd, City Clerk

NOTICE OF PUBLIC HEARING - AMENDMENT OF CURRENT BUDGET

City of CASCADE
Fiscal Year July 1, 2022 - June 30, 2023

Resolution #45-23

The City of CASCADE will conduct a public hearing for the purpose of amending the current budget for fiscal year ending June 30, 2023 Exhibit A

Meeting Date/Time: 5/22/2023 06:00 PM

Contact: Lisa Kotter

Phone: (563) 852-3114

Meeting Location: Cascade City Hall
320 1st Ave W
Cascade, Iowa 52033

There will be no increase in taxes. Any residents or taxpayers will be heard for or against the proposed amendment at the time and place specified above. A detailed statement of: additional receipts, cash balances on hand at the close of the preceding fiscal year, and proposed disbursements, both past and anticipated, will be available at the hearing. Budget amendments are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult <https://dom.iowa.gov/local-gov-appeals>.

REVENUES & OTHER FINANCING SOURCES		Total Budget as Certified or Last Amended	Current Amendment	Total Budget After Current Amendment
Taxes Levied on Property	1	1,052,944	2,230	1,055,174
Less: Uncollected Delinquent Taxes - Levy Year	2	0	0	0
Net Current Property Tax	3	1,052,944	2,230	1,055,174
Delinquent Property Tax Revenue	4	0	0	0
TIF Revenues	5	106,798	0	106,798
Other City Taxes	6	445,000	0	445,000
Licenses & Permits	7	8,400	9,000	17,400
Use of Money & Property	8	17,450	92,963	110,413
Intergovernmental	9	742,621	20,492	763,113
Charges for Service	10	5,096,936	-335,100	4,761,836
Special Assessments	11	0	0	0
Miscellaneous	12	60,950	174,587	235,537
Other Financing Sources	13	0	0	0
Transfers In	14	573,925	534,305	1,108,230
Total Revenues & Other Sources	15	8,105,024	498,477	8,603,501
EXPENDITURES & OTHER FINANCING USES				
Public Safety	16	375,737	261,349	637,086
Public Works	17	773,089	16,400	789,489
Health and Social Services	18	0	0	0
Culture and Recreation	19	361,774	361,290	723,064
Community and Economic Development	20	340,798	18,000	358,798
General Government	21	350,413	79,179	429,592
Debt Service	22	304,275	0	304,275
Capital Projects	23	20,000	501,800	521,800
Total Government Activities Expenditures	24	2,526,086	1,238,018	3,764,104
Business Type/Enterprise	25	4,103,478	80,082	4,183,560
Total Gov Activities & Business Expenditures	26	6,629,564	1,318,100	7,947,664
Transfers Out	27	573,925	534,305	1,108,230
Total Expenditures/Transfers Out	28	7,203,489	1,852,405	9,055,894
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	901,535	-1,353,928	-452,393
Beginning Fund Balance July 1, 2022	30	5,346,043	0	5,346,043
Ending Fund Balance June 30, 2023	31	6,247,578	-1,353,928	4,893,650

Explanation of Changes:

REVENUES: License/Permit: Increased building permit fees; Use of Money: Higher interest rates; Intergovernmental: Library and Catalyst Grants; Charges for Service: Error in Prior Sales Tax Calculation; Miscellaneous: Library and Park Donations.

EXPENSES: Public Safety: ARPA funds for Street Projects, New Fire Truck Down payment and Ambulance Supplies; Public Works: Storm Water Improvement; Culture and Recreation: Tree Removal, new park benches and trees, swimming pool slide stairs, new gazebo, library design and land purchases; General Government: Interim Administrator expense and insurance increases; Capital Projects: Library Design and library land purchases; Transfers: Adjusting money between funds from previous years projects.



May 22, 2023 Agenda

To: Mayor, City Council and Staff

From: Lisa Kotter, City Administrator

Date: May 19, 2023

Re: Asbestos Abatement Resolution #44-23

As a City government, we are required to appropriately handle any asbestos abatement when we demo buildings. We have been working towards demo of the two houses at the library site and the City Hall garage east of the main building on 1st Avenue West. The first step was to hire a certified firm to inspect the property and give the City an evaluation on the asbestos found on the property. That work was completed and reported to the City in March. The second step is to hire a certified company that is authorized to remove the asbestos and dispose of it legally. I invited five companies to submit quotes and all five came to the mandatory walk through. Last week three quotes were received with the low coming from All Star Environmental in the amount of \$14,895 for the two library lot homes and \$2,900 for the City Hall garage. The other two bids were combined at \$18,495 from IITI and \$24,005 from Environmental Management Services of Iowa. The deadline to complete the work is July 15. The recommendation is for Council to consider approval of Resolution #44-23, which approves the work to be completed by All Star Environment in the amount of \$17,795.

RESOLUTION #44-23

A RESOLUTION AUTHORIZING THE APPROVAL OF A CONTRACT WITH ALL STAR ENVIRONMENTAL TO ABATE ALL ASBESTOS FROM THREE PROPERTIES PRIOR TO DEMOLITION IN THE CITY OF CASCADE, IOWA

WHEREAS, the City will be removing two houses prior to the construction of a new library and community center at 106 and 110 Second Avenue NW, and;

WHEREAS, the City is also removing the City Hall garage located on the far east side of the facility at 320 1st Avenue West due to deterioration beyond repair; and,

WHEREAS, the City of Cascade received three quotes and All Star Environmental was the lowest price at \$17,795 for all three abatements; and,

WHEREAS, the City desires to have the abatement completed so as to be able to move forward with demolition.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cascade, Iowa, approves the hiring of All Star Environmental in the amount of \$17,795 and authorizes City staff to arrange for the work to be completed.

PASSED, APPROVED AND ADOPTED this 22nd day of May, 2023.

Steve Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk

Quote Title: Asbestos Abatement Removal Quotes

Property #1 Single Family Home 106 2nd Avenue SW **Property #2** Single Family Home 110 2nd Avenue SW
Property #3 City Hall Garage 320 1st Ave West

Bid Deadline: **Wednesday, May 17, 2023 at 12:00pm.**

Submittal Info: Sealed quotes will be accepted at Cascade City Hall, 320 1st Ave W, P.O. Box 400, Cascade, Iowa 52033, Mark on Outside "Asbestos Removal Quote"

Contact Person: Lisa A. Kotter, City Administrator
563-852-3114 or admin@citycascade.com

Business Hours: M-F, 8:30am – 4:30pm

Insurance: Contractor Awarded Bid Must Provide a Certificate of Insurance with the City as an Additional Insured

Name of Company: ALL STAR ENVIRONMENTAL, LLC Phone Number: 563-542-2379

Address: 2622 VAN BUREN ST, DUBUQUE IA 52001 Email: preglerbruce@gmail.com

List Two Previous Projects Completed and a Reference

<u>DUBUQUE APPLIANCE CENTER, MIKE CAHLE</u>	<u>563-599-8670</u>
Name of Project 1 Contact Name	Contact Number
<u>CLARKE COLLEGE, STEVE KIRCHBAUM</u>	<u>608-778-7606</u>
Name of Project 2 Contact Name	Contact Number

Acknowledgement that quote includes completing all submittals and documentation BP (initials)

Acknowledgement that work can be completed by July 15, 2023 for the homes and September 1, 2023 for the garage BP (initials)

Acknowledgement that a 5% bid bond is included BP (initials)

Acknowledgement that a 100% performance bond will be provided BP (initials)

Acknowledgement that Proof of Insurance will be provided with the City as an additional insured BP (initials)

Property #1 and #2, Single Family Homes Bid Price \$ 14,895.00

Property #3 City Hall Garage Bid Price \$ 2,900.00

BP
Signature

5/11/2023
Date

The City reserves the right to reject any and all bids.

Quote Title: Asbestos Abatement Removal Quotes

Resolution #44-23

Exhibit A

Page 2 of 2

AMENDMENT #1

Please include this sheet with the original Quote Sheet.

Property #1 Single Family Home 106 2nd Avenue SW **Property #2** Single Family Home 110 2nd Avenue SW
Property #3 City Hall Garage 320 1st Ave West

Bid Deadline: **Wednesday, May 17, 2023 at 12:00pm.**

Submittal Info: Sealed quotes will be accepted at Cascade City Hall, 320 1st Ave W, P.O. Box 400, Cascade, Iowa 52033, Mark on Outside "Asbestos Removal Quote"

Contact Person: Lisa A. Kotter, City Administrator
563-852-3114 or admin@citycascade.com

Business Hours: M-F, 8:30am – 4:30pm

Insurance: Contractor Awarded Bid Must Provide a Certificate of Insurance with the City as an Additional Insured

Name of Company: ALLSTAR Environmental Phone Number: 563 542-2379

Address: 2622 Van Buren St. Email: preglerbruce@gmail.com

Acknowledgement that quote includes that the CITY will move the interior movable furniture that is in the way of removal to the garage at 106 2nd Ave SW BP (initials)

Acknowledgement that the City will keep electric and water connected for use by the contractor during disposal BP (Initials)


Signature

5/10/2023
Date

The City reserves the right to reject any and all bids.



May 22, 2023 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: May 19, 2023
Re: Ambulance Fees

The Council discussed ambulance fees during the February budget reviews and again the last few meetings. I provided recommendations from our billing company Lifequest. The basis of the recommended increases we reviewed are based on the federal Medicare and Medicaid increases. The current system we have is a base fee and then the disposable charges are added. The recommended rates in the proposed ordinance are a bundled rate. Therefore, if approved, we would not be charging for individual items used on a call such as oxygen, IVs and more. After Council discussion and direction, I drafted an ordinance that would move to these new fees as the last increase was in 2014. The first and second of three readings were approved on April 24 and May 8. This meeting would be for consideration of the third and final reading.

CASCADE ORDINANCE NO. 05-23

AN ORDINANCE AMENDING TITLE III, CHAPTER 14 EMERGENCY MEDICAL SERVICES OF THE CODE OF ORDINANCES OF THE CITY OF CASCADE, IOWA

WHEREAS, the City Council of the City of Cascade, Iowa, has determined it is necessary to amend Title III, Chapter 14 Emergency Medical Services of the Code of Ordinances of the City of Cascade, Iowa (“City Code”), to change the fees charged for EMS Ambulance Services.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASCADE, IOWA that City Code §3-14-9 (1-7) be amended and adopted as follows:

Fees/Charges	Resident Amount	Non-Resident
1. BLS (Basic Life Support) Rate	\$450.00 <u>\$800</u>	\$525.00
2. ALS1 (Advanced Life Support) Rate	\$500.00 <u>\$950</u>	\$600.00
3. ALS2 (Advance Life Support) Rate	\$600.00 <u>\$1,000</u>	\$675.00
4. BLS on Scene Care	\$110.00 <u>\$300</u>	\$110.00
5. ALS on Scene Care	\$250.00 <u>\$450</u>	\$300.00
6. Mileage	\$11.00/mile <u>\$17.00/mile</u>	\$11.50/mile
7. Oxygen	\$50.00	\$50.00
8. Spinal Immobilization	\$100.00	\$100.00
9. Supplies	At Cost	At Cost

7. All fees are considered a bundled rate in which supplies are not charged separately but included in the fees listed in 3-14-9 (1-6).

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE. This ordinance shall be effective after its passage and publication as required by law.

PASSED AND APPROVED this 22nd day of May, 2023.

Steve Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk

First Reading 4-24-23
Third Reading 5-22-23

Second Reading 5-8-23
Publication



May 22, 2023 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: May 19, 2023
Re: Vicious Dog Ordinance

At the last Council meeting Tracie Delarm requested to speak about Cascade's current Vicious Dog ordinance. The Council gave direction to proceed to prepare an updated ordinance that would delete references to specific breeds and focus on the behavior of an animal. In the packet you will see this new ordinance as drafted by Attorney Daniel Morgan from Lynch Dallas. The main items changed were the reference to dog breeds and properly updating State Code references. The one other item Attorney Morgan raised was the discussion of limiting the number of dogs and cats. We currently list no more than six dogs, his suggestion is to move to no more than 5 dogs and 5 cats. We do not have any cat maximum and he is suggesting we have a number of five. See his note to the City Council below. If the Council would like to proceed this would be the first of three readings.

From Attorney Dan Morgan: There was nothing illegal or "wrong" with your limitation on the number of dogs, but we've see a lot of cities moving towards a limitation on the number of dogs AND cats. This is primarily because many cities had a limitation on the number of dogs, but nothing on cats which resulted in some residents abusing the lack of restriction and hoarding unnecessary levels of cats. You do not have to make this change, but I'm proposing it to you as an option.

ORDINANCE NO. 07-23

**AN ORDINANCE AMENDING TITLE IV (MENTAL AND PHYSICAL HEALTH),
CHAPTER 1 (ANIMAL CONTROL) OF THE CITY CODE OF ORDINANCES**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASCADE, IOWA:

SECTION 1. PURPOSE. The purpose of this ordinance is to amend certain provisions of section 4-1-7 of the City Code to provide for better regulation of dangerous animals within the City of Cascade and to bring the current ordinance into alignment current trends on addressing dangerous animals;

SECTION 2. SECTIONS AMENDED. The following sections are amended as follows with struck through language indicating removal and underlined language indicating new language. To the extent language that is part of a numbered list is removed, the list shall be renumbered accordingly after the removal of the language as indicated below.

4-1-7 DANGEROUS ANIMALS PROHIBITED.

1. No person shall keep, shelter, or harbor for any purpose within the City limits, a dangerous animal.
2. Definitions. A dangerous animal is:
 - a. Any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among human beings or domestic animals, and having known tendencies as a species to do so.
 - b. The following are animals which shall be deemed to be dangerous animals per se:
 - 1) Lions, tigers, jaguars, leopards, cougars, lynx, and bobcats;
 - 2) Wolves, coyotes, and foxes;
 - 3) Badgers, wolverines, weasels, skunks and mink;
 - 4) Raccoons;
 - 5) Bears;
 - 6) Monkeys, chimpanzees and apes;
 - 7) Alligators and crocodiles;
 - 8) Scorpions; gila monsters;
 - 9) Snakes that are venomous or constrictors;

10) ~~Any pit bull terrier, which is defined as any Staffordshire Bull Terrier breed of dog or any mixed breed of dog which contains as an element of its breeding the breed of Staffordshire Terrier as to be identifiable as partially of the breed of Staffordshire Bull Terrier, American Staffordshire Terrier, American Bully, American Pit Bull Terrier, Blue Nose or Red Nose Pit Bull by a qualified veterinarian duly licensed as such by the State.~~

11) Any cross of such animals which have similar characteristics of the animals specified above.

12) Bees or Bee Hives

c. Any animals declared to be dangerous by the City Council.

3. Dangerous Animals Exceptions. The keeping of dangerous animals shall not be prohibited in the following circumstances:

a. The keeping of dangerous animals in a public zoo, bona fide educational or medical institution, humane society, or museum where they are kept as live specimens for the public to view, or for the purpose of instruction, research or study, and has obtained the written approval of the City Council.

4-1-8 SEIZURE, IMPOUNDMENT AND DISPOSITION OF DANGEROUS ANIMALS.

2. Upon the complaint of any individual that a person is keeping, sheltering or harboring a dangerous animal on premises in the City, the Animal Control Officer shall cause the matter to be investigated and if after investigation, the facts indicate that the person named in the complaint is keeping, sheltering or harboring a dangerous animal in the City, the Animal Control Officer shall order the person named in the complaint to safely remove such animal from the City, permanently place the animal with an organization or group allowed under Section ~~56-01~~ 4-1-7(3)(a) of this chapter to possess dangerous animals, or destroy the animal, within three (3) days of the receipt of such order. Such order shall be contained in a notice to remove the dangerous animal, which notice shall be given in writing to the person keeping, sheltering or harboring the dangerous animal, and shall be served personally or by certified mail. Such order and notice to remove the dangerous animal shall not be required where such dangerous animal has previously caused serious physical harm or death to any person, in which case the Animal Control Officer shall cause the animal to be immediately seized and impounded or killed if seizure and impoundment are not possible without risk of serious physical harm or death to any person.

5. If the Council affirms the action of the Animal Control Officer, the Council shall order in its written decision that the person owning, sheltering, harboring or keeping such dangerous animal remove such animal from the City, permanently place such animal with an organization or group allowed under Section ~~56-01~~ 4-1-7(3)(a) to possess dangerous animals or destroy it. The decision and order shall immediately be served upon the person against whom rendered in the same manner as the notice of removal. If the original order of the Animal Control Officer is not appealed and is not complied with within three (3) days or the order of the Council after appeal is not complied

with within three (3) days of its issuance, the Animal Control Officer is authorized to seize and impound such dangerous animal. An animal so seized shall be impounded for a period of seven (7) days. If at the end of the impoundment period, the person against whom the decision and order of the Council was issued has not petitioned the District Court for a review of said order, the City shall cause the animal to be disposed of by sale, permanently place such animal with an organization or group allowed under Section ~~56.04~~ 4-1-7(3)(a) of this chapter to possess dangerous animals or destroy such animal in a humane manner.

4-1-9 KEEPING A VICIOUS ANIMAL.

A vicious animal is deemed so when it shall have attacked or bitten any person without provocation, or when the propensity to attack or bite persons or other animals shall exist and such propensity is known or ought to reasonably be known to the owner thereof. It shall be unlawful for any person or persons to harbor or keep a vicious animal within the City, except in the following circumstances:

1. Animals under the control of a law enforcement or military agency.
2. The keeping of guard dogs; however, guard dogs, must be kept within a structure or fixed enclosure at all times, and any guard dog found at large may be processed as a vicious animal pursuant to the provisions of Section ~~56.04~~ 4-1-10. Any premises guarded by a guard dog shall be prominently posted with a sign containing the wording "Guard Dog," "Vicious Dog" or words of similar import, and the owner of such premises shall inform the Police Department that a guard dog is on duty at said premises.

4-1-12 ABANDONMENT OF CATS AND DOGS - PENALTIES.

A person who has ownership or custody of a cat or dog shall not abandon the cat or dog, except the person may deliver the cat or dog to another person who will accept ownership and custody or the person may deliver the cat or dog to a state licensed animal shelter or pound ~~as defined in section 162.2~~. A person who violates this section is guilty of a simple misdemeanor.

4-1-15 PROHIBITED ACTS.

It is unlawful for any person to do the following:

5. ~~Own or harbor more than six (6) dogs over twelve months of age at any one time, or keep more than ten (10) dogs under two months of age at any one time or for more than fifty (50) days in any year. The provisions of this subsection do not apply to persons operating a commercial, boarding or hobby kennel. Except with advanced permission of the City Council, no person shall own, harbor or keep more than a combined total of five (5) dogs or five (5) cats, or a mixture of five (5) such animals over the age of four months. This limit shall not apply to an appropriate licensed kennel, sanctuary, veterinary officer, or similar business that provides boarding or veterinary care for such animals in properly zoned commercial districts.~~

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. SEVERABILITY. 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 5. EFFECTIVE DATE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this ____ day of _____, 2023.

Steve Knepper, Mayor

ATTEST:

Kathy Goerd, City Clerk

First Reading:

Second Reading:

Third Reading:

Final Approval Given:

I certify that the foregoing was published as Ordinance No. _____ on _____, 2023

Kathy Goerd, City Clerk



city of
CASCADE



May 22, 2023 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: May 19, 2023
Re: Recodification

I have spoken with Attorney Pat O'Connell and staff at ECIA to gather more information about how the recodification occurred from 2017-2022. Based on the fact that the City adopted a full set of ordinances in January 2022, the only way to begin to address any possible discrepancies is to try and address anything we find as it comes up. Another idea is we can start to look over a few chapters at each meeting. I also confirmed that by using the American Legal site to host our code and having new ordinances added to our complete code each time one is adopted, and not waiting, the past requirement to take action every five years will no longer be required. We will need to keep close tabs on any possible law changes that at the state level would necessitate a local law change. We can discuss this at the meeting to get Council input.



May 22, 2023 Agenda

To: Mayor, City Council and Staff

From: Lisa Kotter, City Administrator

Date: May 19, 2023

Re: Upcoming Fall Elections

I have included a calendar of events that are relevant to local elections this coming Fall. In December the terms will be up for Bill Hosch, Andy Kelchen and Steve Knepper. We will review the dates.

City Election Calendars 2023

November 7, 2023, represents Election Day for the next round of regular city elections, as voters will cast their ballot to choose who will represent them on their city council. While city governments do not directly operate local elections, there is a part to play and understanding the various important dates and responsibilities is necessary.

- Elections and nominations for city office are done through four processes, as selected by each city:
- Primary Election (candidates file nomination petitions, *Code of Iowa Chapter 376*)
- Nomination by Convention (Chapter 44)
- Nomination by Petition (Chapter 45)
- Runoff Election (candidates file nomination petitions, Chapter 376)

The following are calendars for each of the four processes, including important requirements and deadlines. For more information on the 2023 election, including guides for county auditors, city clerks and candidates, please contact the Iowa Secretary of State's Office or visit their website, <https://sos.iowa.gov/>.

**The state code allows city clerks to be designated by a county auditor to receive nomination filings for city elections.*

*** Cities located in multiple counties have unique schedules for the canvassing of elections. Such cities are encouraged to contact their county auditor for more information.*

Cities with Primary Elections

Nominated by petition – The number of signatures must be at least equal to 2% of the number of votes to fill the same office at the last election, but not less than 10 signatures.

Wednesday, August 9 | Certification of Process
Deadline for the city clerk to certify the nomination process to the auditor. No changes may be made after certification.

Monday, August 14 | Candidate Filing Begins
First day to file nomination petitions with the county auditor or designated city clerk.

Saturday, August 26 | Last Day for Vacancies
Vacancies in city offices occurring on or before this date must be filled at the regular city election. Vacancies occurring after this date cannot be filled at the regular city election and must be filled at the next intervening special election or next regular city election.

Thursday, August 31, 5 p.m. | Primary Candidate Filing Deadline

Last day to file nomination papers in the office of county auditor or designated city clerk; must be received by 5 p.m. Auditor's office and office of designated city clerk must be open until 5 p.m.

Friday, September 1 | Public Measures Delivered
City clerk delivers the full text of all public measures to be included on the regular city election ballot to the auditor by noon.

Tuesday, September 5, 5 p.m. | Objection Deadline

Last day to file written objections to the nomination papers or to the candidates' eligibility with the county auditor or designated city clerk. Must be done by 5 p.m. Auditor's office and office of designated city clerk must be open until 5 p.m.

Tuesday, September 5, 5 p.m. | Withdrawal Deadline

Last day for candidates to withdraw by filing a written request with the county auditor or designated city clerk.

Tuesday, October 10 | Primary Election (if necessary)

A primary election must be held for offices when the number of candidates who filed is more than twice the number of seats to be filled for an office.

Thursday, October 12 | Canvass of Votes

The board of supervisors meets to canvass the election.

Friday, October 13 | Write-in Nominees' Filing Deadline

Persons who were nominated by write-in votes must file an affidavit of candidacy with the county auditor or votes will be disregarded. Auditor's office must be open until 5 p.m. if a primary election was held.

IN DEPTH

Friday, October 13 | Recount Request Deadline
Written request must be filed with the auditor by 5 p.m.

Friday, October 20 | Contest Notice Deadline
Statement of intent to contest election must be filed with the city clerk no later than 10 days after the primary.

Tuesday, November 7 (polls open 7 a.m. – 8 p.m.)
Regular Election Day

Monday or Tuesday, November 13 or 14 | Canvass of Votes
The board of supervisors meets to canvass the election.

Thursday or Friday, November 16 or 17, 5 p.m. | Recount Request Deadline
Written request must be filed with the auditor by 5 p.m. three days after the canvass.

Friday, November 17 | Contest Notice Deadline
Statement of intent to contest election must be filed with the city clerk no later than 10 days after the election.

Thursday or Friday, November 23 or 24, 5 p.m. | Write-in Winners Resignation Deadline
A candidate that is elected by write-in votes must resign in writing to the city clerk or auditor by 5 p.m. by the 10th day after the canvass. The person who received the next highest number of votes is declared the winner. Citizens may petition for a special election. The clerk's office must be open until 5 p.m., if necessary.

Cities with Nomination under Chapter 44 (by convention) or Chapter 45 (by petition)

Convention – Nominated by a convention attended by at least 10 eligible electors, including at least one eligible elector from one-half of the voting precincts in the city. **Petition** – Nominated by petition, the number of signatures required depends on the city's population: Less than 2,500 (10); 2,500 to 7,499 (25), 7,500 to 24,999 (50); 25,000 or more (75).

Wednesday, August 9 | Certification of Process
Deadline for the city clerk to certify the nomination process to the auditor. No changes may be made after certification.

Monday, August 28 | Candidate Filing Begins
First day to file nomination petitions with the county auditor or designated city clerk.

Saturday, September 16 | Last Day for Vacancies
Vacancies in city offices occurring on or before this date must be filled at the regular city election. Vacancies occurring after this date cannot be filled at the regular city election and must be filled at next intervening special election or next regular city election.

Thursday, September 21, 5 p.m. | Candidate Filing Deadline
Last day to file nomination papers in the office of county auditor or designated city clerk; must be received by 5 p.m. Auditor's office and office of designated city clerk must be open until 5 p.m.

Friday, September 22 | Public Measures Delivered
City clerk delivers the full text of all public measures to be included on the regular city election ballot to the auditor by noon.

Tuesday, September 26, 5 p.m. | Objection Deadline
Last day to file written objections to the nomination papers or to the candidates' eligibility with the county auditor or designated city clerk. Must be done by 5 p.m. Auditor's office and office of designated city clerk must be open until 5 p.m.

Tuesday, September 26, 5 p.m. | Withdrawal Deadline
Last day for candidates to withdraw by filing a written request with the county auditor or designated city clerk.

Tuesday, November 7 (polls open 7 a.m. – 8 p.m.) | Regular Election Day

Monday or Tuesday, November 13 or 14* | Canvass of Votes
The board of supervisors meets to canvass the election.

Thursday or Friday, November 16 or 17, 5 p.m. | Recount Request Deadline
Written request must be filed with the auditor by 5 p.m. three days after the canvass.

Friday, November 17 | Contest Notice Deadline
Statement of intent to contest election must be filed with the city clerk no later than 10 days after the election.



May 22, 2023 Agenda

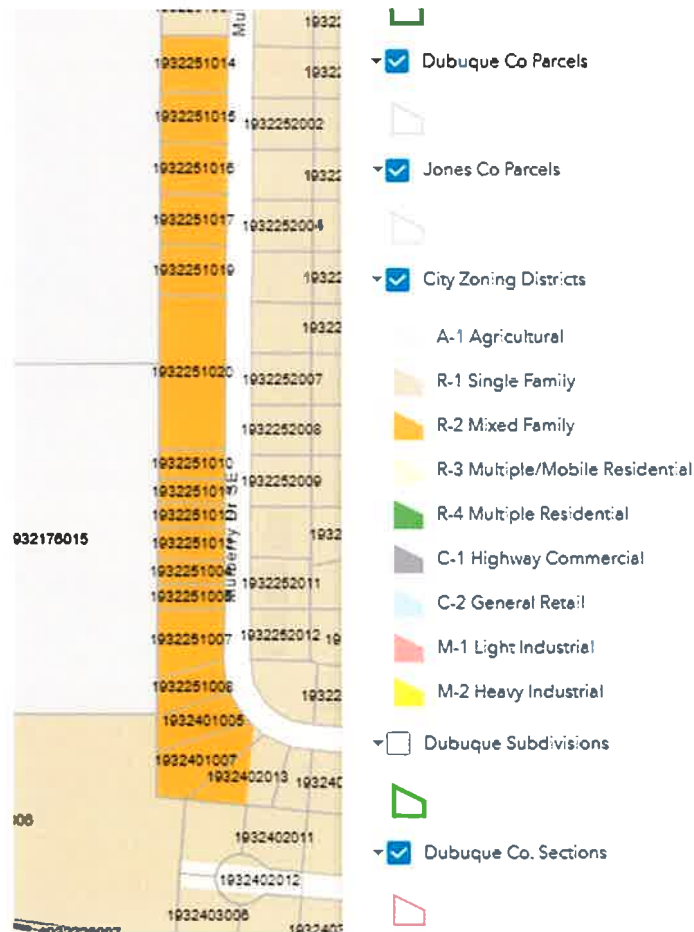
To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: May 19, 2023
Re: R2, R3 and R4 Zoning Code Guidance

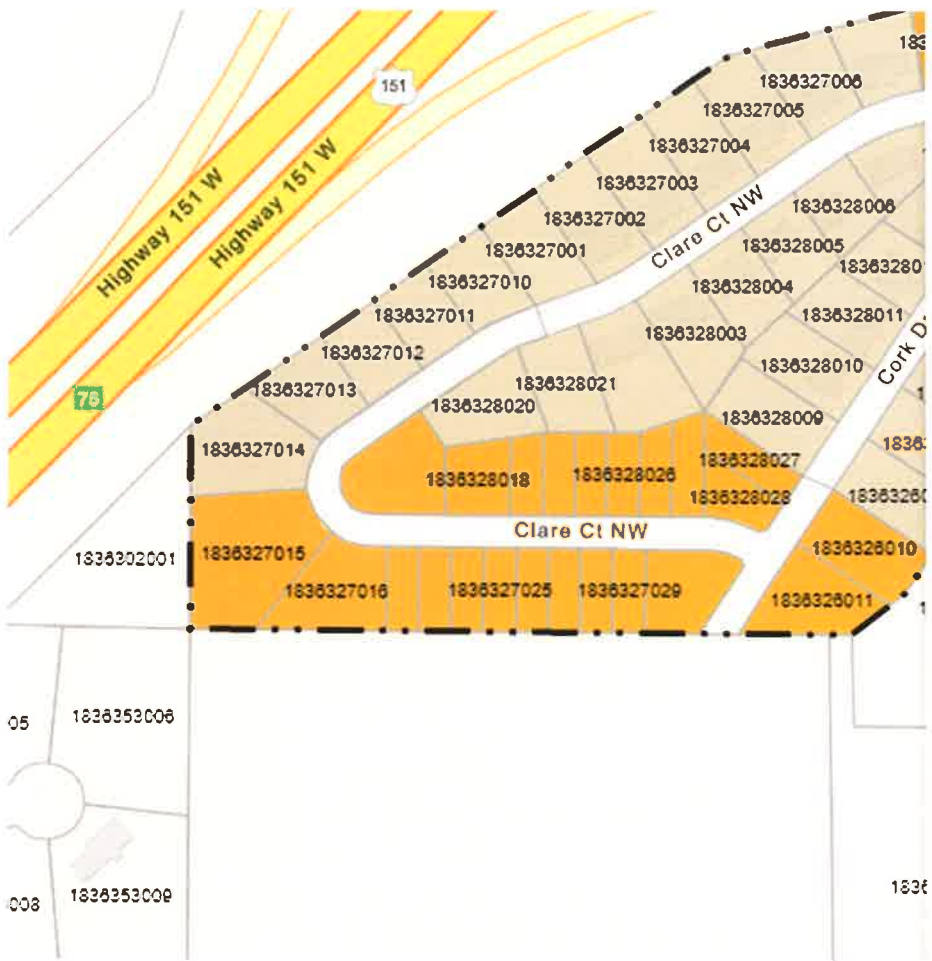
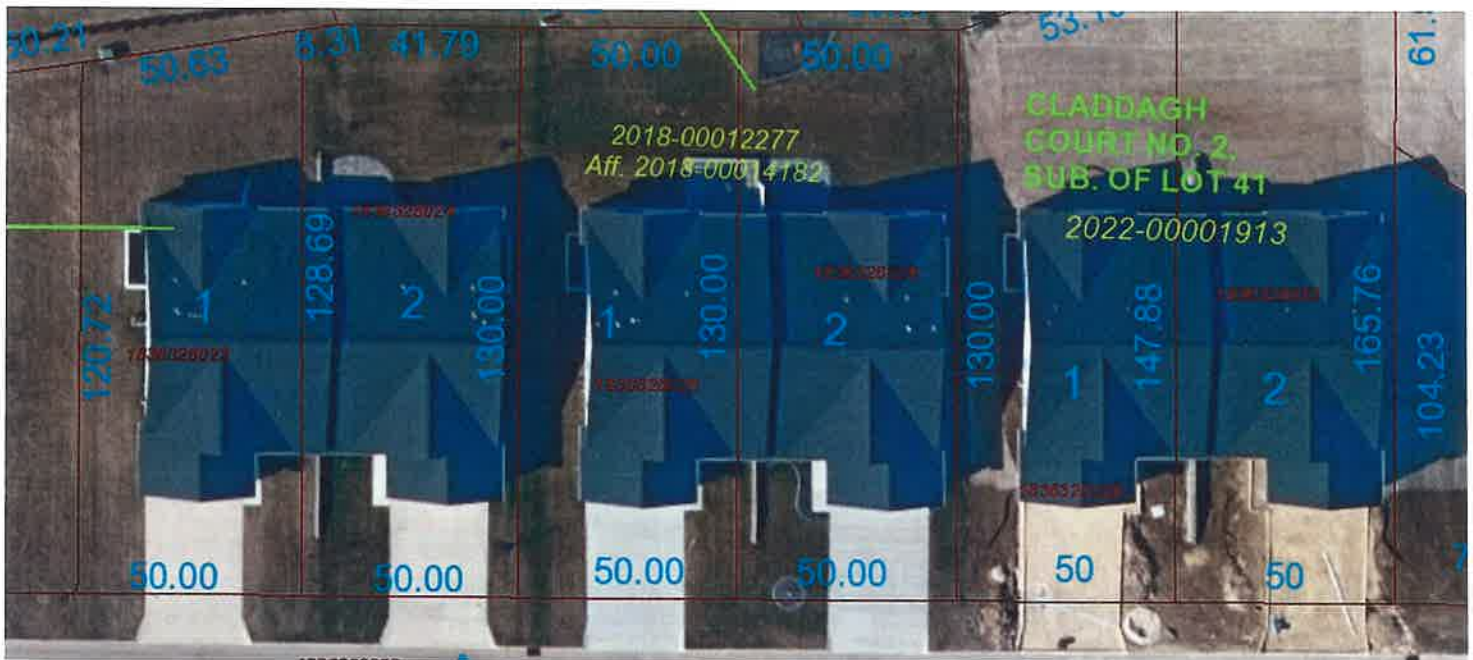
In working with a developer on a lot that is zoned R3, I have discovered some things that I recommend that we need to address by the Planning and Zoning Commission and City Council. I have been reviewing the zoning code in R2, R3 and R4 as it relates to minimum size of lots and setbacks that are single family with zero interior side setbacks. I started looking at this because of a void we have in the R3 district and it impacts a development ready to move. Prior to 2021 the R2 and R4 allowed single family units with zero side setbacks, essentially for condo style bldgs. This was never mentioned in R3. Then in 2021 the Council adopted an ordinance adding this same building allowance for R3, except that when this was added as permissible, it did not state any setbacks or min lot width, depth, size. The developer that is ready to go has R3 and we need to get this setback and lot size addressed. That led me to look at what those requirements were for R2 and R4. The two districts are slightly different in lot size but the same in setbacks. I have included the 2021 R3 ordinance and the code for the three districts.

I then started preparing to make a recommendation to take to Planning and Zoning to add the dimensions and setbacks to R3, so it is clear. As I reviewed the R2 and R4 the setbacks are 25 front rear, 0 interior side, 8 exterior side setbacks, which are the same so that was easy to plan to recommend the same. Where the two differ is in the total area and width, R2 has 60ft and 6000sq ft and R4 has 50 and 5000. I still thought I would likely recommend going with the smaller of the two at 50 and 5000 for R3.

Here is where I start to have concerns and want clarification. It is my understanding that in the past developers in R2 would come in with a larger lot in the original plat than required of 60 feet wide. In one case, with two connected condos buildings, they would plat the lots at 100 feet with two condo units attached, in the other case four units were attached at 215 wide. On the face they start at more than 60 feet, at 100 and 215. The next practice is that once someone wants to buy vs rent the condo they request and we have approved to split it. So now these two-plexs and four-plexs have separated lots in one case of 50 each. In the other case they are split with 57.51, 47.83, 47.83 and 61.83...so of the now six condos/parcels, only one of the six is compliant at a 60-foot width minimum. I confirmed with Attorney Steve Leidinger that I am interpreting correctly that with our current code, that if someone wants to start with one big compliant lot and have the potential to split it when sold, that they need to start with 120 feet so they can split it into two compliant 60s. The City allowed the splits by signing off on the new plats, so it is not the fault of a developer but technically these are now non-compliant lots. Moving forward we need to make sure everyone is clear on the min lot size that has to end up with 60s not 50s and 48s in R2 and 50s in R4. However, if we want to allow something like this, we need to address it in the code and our Attorney is researching what the wording would look like. The other issue that must be addressed is when the units are connected in groupings of

more than two, a center unit has no side exterior setbacks and we don't address that at all. I have included some aerials views with lot dimensions, and I have the zoning map that shows orange for R2 in the areas referred to. I have advertised a public hearing for changes to setbacks for R3 to be held June 1 for PZ and June 12 for CC so would like some input since I will be receiving a building permit for an R3 lot.





- Dubuque Co Parcels
- Jones Co Parcels
- City Zoning Districts
 - A-1 Agricultural
 - R-1 Single Family
 - R-2 Mixed Family
 - R-3 Multiple/Mobile Residential
 - R-4 Multiple Residential
 - C-1 Highway Commercial
 - C-2 General Retail
 - M-1 Light Industrial
 - M-2 Heavy Industrial
- Dubuque Subdivisions

R-2 MIXED RESIDENTIAL DISTRICT

A. Statement of Intent. The "R-2" Mixed Residential District is intended to accommodate moderate density developments which may include a variety of dwelling types ranging from single-family to four-family residences.

B. PERMITTED PRINCIPAL USES AND STRUCTURES	MINIMUM REQUIRED OFF-STREET PARKING
1. Single-family dwelling.	2 spaces/unit
1.1 Zero-Lot line single-family attached dwelling.	2 spaces/unit
2. Two to four-family dwelling.	2 spaces/unit
3. Bed and breakfast home as established in chapter 137B <u>Code of Iowa</u> . The home shall be owner occupied and have no more than three (3) sleeping rooms for guests.	4 spaces
4. Private kindergartens and day nurseries.	1 space plus 1/employee
5. Funeral home.	1 space/each 4 seats in the chapel
6. Parks and recreation areas.	5 spaces/acre developed for active use
7. Church or other place of worship.	1 space/4 seats in the main auditorium
8. Elementary or secondary school.	1 space/classroom and office plus 1 space /each 6 seats the main auditorium or stadium
9. Public utilities but not including equipment storage or maintenance yards and buildings,	1 space/substation or one (1) per employee on the site.

or general administrative and sales offices. 10. Railroads.	None
--	------

C. PERMITTED ACCESSORY USES AND STRUCTURES.

1. Private garages.
2. Home occupation.
3. Tennis court, swimming pool, greenhouse or other similar accessory use clearly incidental to the permitted principal use or structure of this district and not including the conduct of business on the premises except home occupations as provided herein.
4. Temporary buildings used in conjunction with construction work provided such buildings are promptly removed upon completion of construction work.
5. Serving of meals and renting rooms or both to up to three (3) persons not members of the family residing therein, provided that the character of the dwelling is not changed from that of a dwelling, or that it becomes in any sense a nursing or rest home as defined herein, and that one (1) additional off-street space be provided for each roomer.
6. Satellite receivers.

D. SPECIAL EXCEPTION USES AND STRUCTURES. Subject to Section 165.34(2) and other requirements contained herein, the Board of Adjustment may permit the following:

1. Rest, nursing, and convalescent homes; homes for the orphaned and aged on sites of one (1) acre or more and that one (1) parking space for each two beds be provided.
2. In a nonconforming lot a home occupation may continue in existence if the occupant no longer resides on the premises.

E. MINIMUM LOT AREA, WIDTH	MINIMUM YARD REQUIREMENTS	MAXIMUM HEIGHT
Single-Family Dwelling Area: 9,600-sq.ft. Width: 80-feet Depth: 120-feet	Single and two-family dwellings and other non-institutional uses: Front 25-feet Rear 25-feet Side 8-feet Street side, corner lot.... 25-feet	2 1/2 stories or 35 feet
Zero-Lot line single-family attached dwelling: Area: 6,000-sq.ft. Width: 60-feet Depth: 100-feet	Zero-Lot line single-family attached dwelling: Front 25-feet Rear 25-feet Interior Side.. 0-feet Exterior Side.. 8-feet Corner Lot.... 25-feet	2½ stories or 35-feet
Multi-family dwelling up to 4 units: Area: 7,200 sq.ft. Width: 60 feet Depth: 120 feet	Multi-family dwellings, schools, churches or other public or institutional buildings: Front..... 30 feet Rear..... 30 feet Side..... 20 feet Street side, corner lot 25 feet	

F. PERMITTED SIGNS.

1. Nameplates attached flat against the wall of the main building not to exceed one (1) square foot in area.
2. Bed and breakfast home sign not to exceed four (4) square feet in area.
3. Church or public bulletin board not to exceed sixteen (16) square feet in area.
4. Temporary signs advertising the lease or sale of the premises not to exceed six (6) square feet in area.
5. Home occupation signs not to exceed three (3) square feet

R-3 MULTIPLE/MOBILE RESIDENTIAL DISTRICT

A. Statement of Intent. The "R-3" Multiple/Mobile Residential District is intended to accommodate moderate to high density residential developments including mobile homes, mobile home parks, and multiple family dwellings.

B. PERMITTED PRINCIPAL USES AND STRUCTURES	MINIMUM REQUIRED OFF-STREET PARKING
1. Multi-family dwelling (5 to 12 units).	2 spaces/unit.
2. Mobile home on single lot.	2 spaces/unit.
3. Mobile home park.	1 space plus 1/employee.
4. Funeral home.	1 space each 4 seats in chapel.
5. Rest, nursing, and convalescent homes; homes for the orphaned and aged on sites of one (1) acre or more.	1 space each 2 beds.
6. Parks and recreation areas.	5 spaces/acre developed for active use.
7. Community meeting or recreation building.	1 space/50 sq.ft.of floor area.
8. Church or other place of worship.	1 space/4 seats in the main auditorium.
9. Elementary or secondary school.	1 space/classroom office plus 1 space/each 6 seats in the main auditorium or and stadium.
10. Public utilities but not including equipment storage or maintenance yards and buildings, or general administrative and sales offices.	1 space/substation or one (1) per employee on the site.

ORDINANCE #04-21

AN ORDINANCE AMENDING CHAPTER 165, SCHEDULES OF DISTRICT REGULATIONS OF THE CODE OF ZONING ORDINANCES FOR THE CITY OF CASCADE, IOWA

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

SECTION I. Section Modified. That Chapter 165, Section 11, of the Code of Zoning Ordinances of the City of Cascade, Iowa, shall be amended as follows:

165.11 R-3 MULTIPLE/MOBILE RESIDENTIAL DISTRICT

B. PERMITTED PRINCIPAL USES AND STRUCTURES. The permitted principal uses and structures shall be amended as follows:

1. Multi-family dwelling (3-12 units).
10. Zero-Lot line single-family attached dwelling.

SECTION II. Severability Clause. If any section or part of the 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 III. When Effective. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED, ADOPTED AND APPROVED this ____ day of July, 2021.

Greg Staner, Mayor

ATTEST:

Danielle Hartke City Clerk CMC, CFO

R-4 MULTIPLE RESIDENTIAL DISTRICT

A. Statement of Intent. The "R-4" Multiple Residential District is intended to accommodate moderate to high density multiple family residential developments exclusive of mobile homes and mobile home parks.

B. PERMITTED PRINCIPAL USES AND STRUCTURES	MINIMUM REQUIRED OFF-STREET PARKING
1. Multi-family dwelling (5 to 12 units)	2 spaces/unit
2. Zero-Lot line single-family attached dwelling.	2 spaces/unit
3. Funeral home.	1 space each 4 seats in the chapel
4. Rest, nursing, and convalescent homes; homes for orphaned and aged on sites of one (1) acre or more	1 spaces each 2 beds
5. Parks and recreation area.	5 spaces/acres developed for active use
6. Community meeting or recreation building.	1 space/50 sq.ft. of floor area
7. Church or other place of worship	1 space/4 seats in the main auditorium
8. Elementary or secondary school.	1 space/classroom and office plus 1 space /each 6 seats the main auditorium or stadium
9. Public utilities but not including equipment storage or maintenance yards and buildings, or general administrative and sales offices.	1 space/substation or one (1) per employee on the site

C. PERMITTED ACCESSORY USES AND STRUCTURES.

1. Private garages.
2. Community garages in conjunction with and for the exclusive use of residents in multi-family dwellings.
3. Home occupation.

4. Tennis court, swimming pool, greenhouse or other similar accessory use clearly incidental to the permitted principal use or structure of this district and not including the conduct of business on the premises except home occupations as provided herein.
5. Temporary buildings used in conjunction with construction work provided such buildings are promptly removed upon completion of construction work.
6. Serving of meals and renting rooms to more than three (3) persons not members of the family residing therein, provided that the character of the dwelling is not changed from that of a dwelling or that it becomes in any sense a rest home or nursing home as defined herein, and that one (1) additional off-street parking space be provided for each roomer.
7. Satellite Receivers.

D. SPECIAL EXCEPTION USES AND STRUCTURES. Subject to Section 165.34(2) and other requirements contained herein, the Board of Adjustment may permit the following:

1. Apartment buildings with more than 12-housing units provided the applicant clearly demonstrates the development has adequate off-street parking as required by Section B; sufficient fire protection as determined by the Fire Chief; and that the street providing ingress and egress for the building is capable of handling the projected traffic as determined by the City Engineer.

E. Minimum Lot Area, Width	Minimum Yard Requirements	Maximum Height
Multi-Family Dwellings (5 to 12 units) Area: 6,000 sq.ft. plus 1,500 sq.ft. for each unit over one (1) Width: 75-feet Depth: 120-feet	Multi-Family Dwellings schools, churches or other public or institutional buildings: Front 30-feet Rear 30-feet Side 20-feet Street side, corner lot 25-feet	3 stories or 40-feet

Zero-Lot line single-family attached dwellings	Zero-Lot line single-family attached dwellings	2½ stories or 35-feet
Area: 5,000 sq.ft.	Front: 25-feet	
Width: 50-feet	Rear: 25-feet	
Depth: 100-feet	Interior Side: ... 0-feet	
	Exterior Side: ... 8-feet	
	Corner Lot: 25-feet	

F. PERMITTED SIGNS.

1. Nameplates attached flat against the wall of the main building not to exceed one (1) square foot in area.
2. Church or public bulletin board not to exceed sixteen (16) square feet in area.
3. Temporary signs advertising the lease or sale of the premises not to exceed six (6) square feet in area.
4. Home occupation signs not to exceed three (3) square feet in area.
5. Illumination of signs, bulletin boards and nameplates shall not exceed 60 watts and shall be lighted only with indirect, non-intermittent lighting.
6. Signs and bulletin boards shall be at least 20 feet from the front lot line or not more than five (5) feet in front of the main building.
7. All signs and billboards shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
8. See Supplementary District Regulations (Section 165.12).

G. SPECIAL REQUIREMENTS

1. See Supplementary District Regulations (Section 165.12).