

**CITY OF CASCADE, IOWA
COUNCIL MEETING AGENDA & PUBLIC NOTICE
Monday, July 8, 2024, 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, July 8, 2024, 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 and Facebook Live

- 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 6/24/24**
 - 2. July 8, 2024 Claims**
 - 3. Liquor License Renewal-JL Holdings Inc-dba Kalmes Club 528**
- 7. Update on Purchase of Camera System -City Hall, EMS Center and Parks**
- 8. Consideration of Ordinance #15-24 Water Services-Abandoned Services and Lead Pipes (Second of Three Readings)**
- 9. Consideration of Ordinance #16-24 Noise Ordinance (First of Three Readings)**
- 10. Consideration of Ordinance #17-24 Noise Nuisance (First of Three Readings)**
- 11. Consideration of Resolution #71-24 FY25 Social Service Agreements with Non-Profit Organizations**
- 12. Consideration of Resolution #72-24 Filling Vacant City Council Position**
- 13. Discussion on Update to Personnel Handbook**
- 14. Reports – Police Chief, Library Furniture and City Administrator**
 - 1. Police Report – June 2024**
- 15. Public Comment (Limit 3 Minutes per person-only items on this agenda)**
- 16. Adjournment**

June 24, 2024
City Council Meeting Minutes

The June 24, 2024 Regular City Council meeting was called to order at 6:00PM by Mayor Steve Knepper. The Pledge of Allegiance was recited. Delaney, Gehl, Hosch, Oliphant and Rausch answered roll call.

Motion Gehl, second Oliphant to approve the agenda. Five Ayes. Motion carried.

The Mayor presented Riley Rausch with a plaque of appreciation for his years of service on the City Council.

Jessi Koob spoke during Public Comment about the park pavilion refund policy. She requested an exception to the refund policy and asked to get the full refund back due to the traffic difficulty getting to the park during the Highway 136 construction. The Council was okay with the exception for this year.

Motion Rausch, second Oliphant to approve the consent agenda items: City Council Minutes 6/10/24, Library Board Minutes 6/11/24 and Utility Board Minutes 6/13/24; and June 24, 2024 Claims. Five Ayes. Motion carried.

Councilmember Delaney presented information about his security camera systems research and recommendation for locations like City Hall, the two City parks, and the Pool. Questions were presented for additional information. Delaney will attend the Park Board meeting on July 1, 2024. The Utility Board was present to ask questions as well. This will be discussed again in July.

Motion Gehl, second Oliphant to approve Ordinance #13-24 Grass Height Restriction – 8” Maximum Height (Final Reading). Roll Call vote. Five Ayes. Motion carried.

Motion Oliphant, second Rausch to approve Resolution #67-24 Approval -Change Order #2 Highway 136 Construction (\$30,095). Roll Call vote. Five Ayes. Motion carried.

Motion Oliphant, second Rausch to approve Resolution #68-24 to Hire Kluesner Construction to Perform Work on Monroe Street NE at the Bridge and Monroe Street NE at the 1st Avenue East intersection in the amount of \$27,204.50. Roll Call vote. Five Ayes. Motion carried.

Motion Delaney, second Rausch to approve seven Annual Disbursements of TIF Rebates: Resolution #70-24-Callahan Construction (\$40,762), Resolution #61-24-Premium Plant Services (\$24,523.50), Resolution #62-24-Centro Inc (\$16,970.66), Resolution #63-24-AHECO Holdings LLC (\$1,796.79), Resolution #64-24-Cheryl’s Flour Garden and Coffee Shop (\$3,325.26), Resolution #65-24-Cascade Storage Facility LLC (\$5,985.32) and Resolution #66-24-Beck Construction Inc (\$8,923.32). Roll Call vote. Five Ayes. Motion carried.

Motion Delaney, second Rausch to approve the Ordinance #15-24 Water Services-Abandoned Services and Lead Pipes (First of Three Readings). Roll Call vote. Five Ayes. Motion Carried.

Motion Oliphant, second Hosch to approve Resolution #69-24 to hire Eastern Iowa Asphalt Maintenance to perform street painting (with the exception of the 1st Avenue center line) in the amount of \$4,965.47.

Police Chief Heim and City Administrator Kotter both provided staff updates

Motion Gehl, second Hosch to adjourn at 7:49pm. Five Ayes. Motion carried.

Claims for Consideration July 8 2024

ACCO	Pool Chems	\$	1,121.40
Advantage Admin	Health Insur Reimbursement	\$	214.53
Alliant	Lights	\$	22.82
Bound Tree	EMS Supplies	\$	429.05
Brother's Market	Pool Concessions	\$	630.84
Carisa Garrett	Swim Refund	\$	80.00
Casade Lions	Fireworks	\$	9,000.00
Cascade Comm	Phone Internet	\$	1,011.94
Cascade Lumber	Parts, Paint, Switch. Postage	\$	113.40
CMU	Utility Bills	\$	11,011.14
Coyle Concrete	Monroe St Bridge	\$	1,767.80
Delaney PC Mac	IT Services	\$	908.65
ECIA	Inspections	\$	829.00
Gasser	Parts	\$	41.49
Hawkins	Water Dept Chems	\$	30.00
Herb Green Ford	PD Oil Change	\$	57.33
Hometown Engraving	Plaque	\$	20.00
Iowa DNR	Water Operations Fee	\$	261.78
Lisa Kotter	Phone & Mileage	\$	211.48
Marlene Kremer	Pavilion Refund	\$	25.00
MSA	Hwy 136	\$	22,351.79
Myers Cox	Pool Concessions	\$	1,800.70
Nikki Manternach	Pavilion Refund	\$	25.00
Rhino Industries	WWTP Chem	\$	1,989.00
Test America	WWTP Testing	\$	1,216.50
The Locksmith Express	Pool Keying	\$	515.00
Toyne	Fire Truck	\$	232,847.33
VISA	Various Charges	\$	5,902.27
Yelloh	Ice Cream	\$	311.25
TOTAL		\$	294,746.49

Library Bills

Baker & Taylor	books (#6502)	\$17.98
Baker & Taylor	books (#6502)	\$134.28
Baker & Taylor	storywalk books #6512	\$146.82
Baker & Taylor	Summer Reading #6512	\$8.07
Center Point Large Print	books (#6502)	\$130.50
Center Point Large Print	books (#6502)	\$236.98
Cengage Large Print	books (#6502)	\$30.39

Cengage Large Print	books (#6502)	\$59.23
HOOPLA	digital checkouts (#6502)	\$353.85
MicroMarketing	1 audiobook (#6502)	\$52.00
Penworthy	books (#6502)	\$541.38
Newsbank	annual subscription (#6502)	\$322.00
Telegraph Herald	renewal (#6502)	\$387.45
World Trade Press	renewal (#6502)	\$367.71
Heritage Printing	storywalk books #6512	\$24.00
DEMCO	summer Reading & supplies	\$77.32
Quill	summer Reading (#6512)	\$25.49
Quill	supplies #6506	\$54.45
Quill	supplies #6506	\$38.62

\$3,008.52

Grand Total **\$297,755.01**

Cardholder Name	Post Date	Merchant Name	Amount	MCC Description
Lisa	6/30/2024	AMAZON	\$ 65.19	Pool Concessions
Lisa	6/28/2024	DOLLAR GENERAL	\$ 10.55	Variety Stores
Lisa	6/27/2024	USPS	\$ 9.21	Tree Letters
Lisa	6/25/2024	DELANEYS PC & MAC	\$ 794.70	Clerk Admin Printer Ink
Lisa	6/24/2024	Amazon.com	\$ 59.36	Book Stores
Lisa	6/23/2024	SAMSCLUB	\$ 78.90	Pool Concessions
Lisa	6/23/2024	THE WEBSTAUANT STORE INC	\$ 80.46	Pool Shelving
Lisa	6/20/2024	WM SUPERCENTER #2004	\$ 29.84	Totes
Lisa	6/17/2024	DOLLAR GENERAL	\$ 10.50	Totes
Lisa	6/14/2024	STEVE'S ACE HOME & GARDE	\$ (84.98)	Refund from Pool Paint
Lisa	6/14/2024	ICMA ONLINE	\$ 810.00	Admin Conference
Lisa	6/10/2024	AMAZON	\$ 8.99	Pool Tool
Lisa	6/9/2024	SAMSCLUB	\$ 73.34	Pool Concessions
Lisa	6/9/2024	USPS	\$ 210.66	Tree Letters
Lisa	6/9/2024	USPS	\$ 73.13	Tree Letters
Lisa	6/7/2024	HAPPY JOES PIZZA	\$ 45.99	Pool Bash
Lisa	6/7/2024	FIVE BELOW	\$ 14.98	Pool Bash
Lisa	6/6/2024	DOLLARTREE	\$ 16.05	Pool Bash
Lisa	6/6/2024	SAMSCLUB	\$ 118.46	Pool Bash
Lisa	6/5/2024	Amazon.	\$ 19.68	Pool Concessions
Lisa	6/5/2024	Amazon	\$ 87.08	Pool Concessions
Lisa	6/5/2024	Amazon	\$ 8.49	Pool Bash
Lisa	6/3/2024	Amazon	\$ 8.49	Pool Bash
Phil	6/28/2024	Amazon	\$ 164.80	Pool Concessions
Phil	6/27/2024	Amazon	\$ 29.07	Phil Phone Case
Phil	6/20/2024	Amazon	\$ 164.80	Pool Concessions
Phil	6/12/2024	First Supply	\$ 1,368.35	Plumbing Supplies Parks and Pool
Phil	6/9/2024	Amazon	\$ 128.40	Pool Concessions
Kathy	6/27/2024	Amazon	\$ 18.70	
Kathy	6/14/2024	Amazon	\$ 16.81	
EMS	6/28/2024	McDermott Oil	\$ 83.75	Fuel
Fred	6/30/2024	Amazon	\$ 128.81	Uniform Allowance Sunglasses

Fred	6/30/2024	Quarter Master	\$ 870.57	Uniform Allowance Shirts Pants Boots Jacket
Fred	6/21/2024	Quarter Master	\$ 141.34	Uniform Allowance Shirts Pants Boots Jacket
Fred	6/6/2024	Quarter Master	\$ 237.80	Uniform Allowance Shirts Pants Boots Jacket
		TOTAL	\$ 5,902.27	

Kathy Goerd

From: noreply@salesforce.com on behalf of IOWA ABD Licensing Support
<licensingnotification@iowaabd.com>
Sent: Tuesday, June 25, 2024 3:32 PM
To: Kathy Goerd
Cc: licensingnotification@iowaabd.com
Subject: Application App-204134 Ready for Review

Hello,

Application Number App-204134 has been set to "Submitted to Local Authority" status and is currently ready for your review.

Corp Name: JL Holdings Inc

DBA: Kalmes Club 528

License Number: LC0038637

Application Number: App-204134

Tentative Effective Date: 7/29/2024

License Type: Class C Retail Alcohol License (LC)

Application Type: Renewal

Amendment Type:

Thank you.



July 8, 2024 Agenda

To: City Council, Mayor and Staff
From: Lisa Kotter, City Administrator
Date: July 2, 2024
Re: Camera System

Since the last Council meeting, Mike attended the Park Board meeting. The Park Board is supportive of the cameras. They would like to see if we can get a second price for the cameras Mike thinks we need. The group concurred to wait until next summer for the pool.

Mike will update the group but he will spend a little more time researching other companies and we hope to bring this back on July 22 or August 12.

Discussion Only

As the Council is aware, we have been discussing the installation of a camera system at various City facilities over the past year. Mike Delaney has been researching various camera systems for the past few months. He has concluded that the Hawkeye System would be ideal for our needs. The quote for City Hall, City Park, Riverview Park and the Pool is in the packet. Based on the installation date, we think delaying the pool until next summer is best. Mike will explain his research and reasoning at the meeting. Mike is planning to attend the July 1 Park Board meeting and walk them through his research. We plan to bring it back again to Council in July.



July 8, 2024 Agenda

To: City Council, Mayor and Staff

From: Lisa Kotter, City Administrator

Date: July 2, 2024

Re: Lead Service Lines and Abandoned Services Ordinance #15-24

At the last Council meeting the first of three readings was approved.

Background Info

Currently our ordinance requires that abandoned water services be turned off at the Corporation Cock and made watertight. We do not give a current timeline for when that must be completed. To accommodate winter weather, we are proposing a clearer required timeline to complete the work. We are recommending six months to be sure it would not fall in a frozen ground time. The current code requires the same thing work be done; this is just adding a notice to the property owner that they have six months. In addition, it makes it clear that the work will be done if not and assessed.

In addition, since we are in this Chapter, we are required under State and Federal law to take inventory of lead services. Once the inventory is submitted to the IDNR, we will await further direction on expectations. We are in the process of completing the required work for the IDNR. We do know that cities will begin being required to start eliminating all lead and galvanized water services. To be sure this work is being taken seriously, the IDNR is asking that each City require that lead services be replaced. This is to assure safe drinking water for all residents. This code states that once we know that a service is lead or galvanized or when it needs repair that it must be replaced or when it needs repair that it also be replaced. In speaking to our IDNR rep, she indicated that the key will be for cities to be working diligently to eliminate all these types of water service pipes. If we are working to get them eliminated there will not likely be a final deadline. However, if we have not updated the code and are allowing lead service lines to stay in service, we may receive violations from IDNR. Therefore, since we have confirmed at least one now, we believe this is the time to address the code change. I have sent the revised ordinance to the IDNR for review as well.

ORDINANCE #15-24

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF
CASCADE, IOWA, BY AMENDING**

**CHAPTER 6-3 UTILITIES-WATER SYSTEM SPECIFICALLY
RESPONSIBILITY FOR WATER SERVICE PIPE 6-3-14**

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

Section I. Section Modified. Title VI Physical Environment, Chapter 3 Utilities – Water System, of the Code of Ordinances of the City of Cascade, Iowa, is repealed and the following adopted in lieu thereof:

6-3-14 OTHER REGULATIONS.

1. Abandoned Connections. When an existing water service is abandoned or a service is renewed with a new tap in the main, all abandoned connections with the mains shall be turned off at the corporation cock and made absolutely watertight. Abandoned Service Lines: All service lines which are no longer used must be permanently closed off at the distribution water main at the expense of the property owner. This work shall be completed within six-months from the date of abandonment. If not completed in the required time, the city or its agent, after written notice to the owner, shall complete the work and bill the property owner.

10.Repair Or Reconnection Prohibited: Repair, partial replacement, or reconnection of a lead or galvanized service line to a distribution water main is prohibited and must be replaced at which time any part of the service or items like the curb stop are in need of repair or when a lead or galvanized line is visually observed or confirmed.

11. Lead or Galvanized Service Line Replacement Requirement: Any lead or galvanized service line that develops a leak or other defect shall require a full lead or galvanized service line replacement in lieu of repair. The method of connection at the distribution water main shall comply with the City's adopted tapping policies and approved materials. The owner shall report to the Water Department any planned lead or galvanized service line replacement prior to commencing work. The cost of such replacement shall be the responsibility of the property owner.

Section II. Severability Clause. If any section, provision or part of the ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance 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 22nd day of July, 2024.

Steven J. Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk

First Reading: June 24, 2024

Second Reading:

Third Reading:

Publication:

Sent to American Legal:



July 8, 2024 Agenda

To: City Council, Mayor and Staff

From: Lisa Kotter, City Administrator

Date: July 2, 2024

Re: Noise Ordinance #16-24 and #17-24

Ordinance #16-24

After we have had discussion about how we handle noise complaints, we recognize that our City Code has very little detail on the expectations for noise. Therefore, Officer Staner researched surrounding communities and we are recommending to closely follow the one in Monticello. We have prepared a draft ordinance for Council review. It gives more details on the type of noise that is allowed. It also clearly states the noises that we expect will occur and are exempt. It also has a section for someone to apply for a permit if what they want to do does not currently fit in the code. These permits would be for one-time events. The recommendation is that the permit has no fee. The permit can be approved by the City Administrator with consent/concurrence from the Police Chief. We also have the option to bring it before the Council for approval if we feel it is an event that needs more input. I have posted it for a first reading if the Council is prepared to act.

Ordinance #17-24

We also have had to do a second draft ordinance that is to amend the current nuisance section so it refers to the new section on more noise related details.

ORDINANCE #16-24

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CASCADE, IOWA, BY AMENDING TITLE III COMMUNITY PROTECTION AND ADDING CHAPTER 18 NOISE IS HEREBY ADDED AND ADOPTED

WHEREAS, the City Council of the City of Cascade, Iowa, has determined it is necessary to amend Title III (Community Protection) of the Code of Ordinances of the City of Cascade, Iowa ("City Code"), and add a Chapter 18 to more clearly defining the noise requirements within the City limits.

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

Section I. Section Modified. Title III Community Protection, Chapter 18 Noise, of the Code of Ordinances of the City of Cascade, Iowa, is adopted as follows:

3-18-1 Purpose	3-18-5 Permits
3-18-2 Definitions	3-18-6 Excluded Sounds
3-18-3 Requirements, Duties and Responsibility	3-18-7 Penalties for Offenses Pertaining to Noise Control
3-18-4 Test Measurements	

3-18-1 PURPOSE.

The purpose of this chapter is to further clarify noise as a nuisance and prevent excessive sound, which is a serious hazard to the public health and the quality of life in the City.

3-18-2 DEFINITIONS.

The following terms are defined for use in this chapter:

1. "Plainly audible" means any sound which clearly can be heard by a person's unimpaired and unaided auditory senses; however, words or phrases need not be discernible and said sound shall include bass reverberation.
2. "Sound amplification system" means any device which produces, reproduces, or amplifies sound. Sound amplification system shall not include a motor vehicle horn, backup warning device, theft alarm, or any other sound authorized or required by this code or the Code of Iowa.
3. "Emergency work" means work made necessary to restore property to a safe condition following a public calamity, work to restore public utilities, or work required to protect persons and property from an imminent danger.
4. "Emergency vehicle" means a motor vehicle used in response to a public calamity or to protect persons and property from imminent danger.

5. "Sound" means a temporal and spatial oscillation in pressure, or other physical quantity, in a medium with internal forces that causes compression and rarefaction of that medium, and which propagates at finite speed to distant points.

3-18-3 REQUIREMENTS, DUTIES AND RESPONSIBILITY.

1. No person shall engage or participate in the making and creating of an excessive or unusually loud sound within the City heard and measured in the manner prescribed below, except when done under and in compliance with a permit issued pursuant to this section.

2. It shall be the duty of persons in a position of ownership, possession or control of premises to prevent such premises from being the site of activities producing sound levels in excess of what is permitted under this section. Failure or refusal to perform such duty shall constitute a violation of this section.

3. It shall be the duty of persons in positions of leadership or responsibility with respect to unincorporated associations, groups, gatherings and assemblages of people to prevent such from causing or making sound levels in excess of what is permitted under this section. Failure or refusal to perform such duty shall constitute a violation of this section.

3-18-4 TEST MEASUREMENTS.

For the purpose of determining and classifying any sound as excessive or unusually loud, the following test measurements and requirements are to be applied:

1. No person operating, occupying, or who has parked a motor vehicle on any street, highway, alley, parking lot, or driveway, on either public or private property, shall operate or permit the operation of any sound amplification system from within or on such motor vehicle so that the sound is plainly audible at a distance of 50 or more feet from the vehicle.

2. No person owning, renting, leasing, occupying, using, or having charge of any dwelling, tavern, building, structure, or other premises, or any part thereof, shall operate or permit the operation of any sound amplification system so that the sound is plainly audible 100 feet beyond the property line.

3. No person shall operate or permit operation of a self-contained, portable, hand-held sound amplification system, on public or private property, in such a manner so that the sound is plainly audible at a distance of 50 or more feet from the system or, if the system is on private property, beyond the property line.

3-18-5 PERMITS.

Applications for a permit for relief from the provisions of this chapter may be made to the City Administrator or a duly authorized representative pursuant to the following procedure:

1. All permits must be applied for in writing during normal business hours stating what devices are to be employed, where they are to be employed, on what dates and at what times of

day they are to be used, the nature of the sounds to be produced or amplified and the approximate number of people in attendance, and the persons responsible for the activity.

2. Permits granted shall state with reasonable specificity the dates, locations, times, nature of the sound, devices permitted, approximate number of people in attendance, and the persons responsible for the activity.

3. Permits shall not be arbitrarily or unreasonably withheld, nor shall the free expression of ideas or lawful speech be restrained, but sound and noise producing conduct having no communicative value and serving only to unreasonably disturb and disrupt the enjoyment of residences and normal pursuits shall be restrained.

4. The City Administrator, with consent from the Police Chief, may approve permits or may, at their discretion, direct the permit to the City Council for consideration and approval.

3-18-6 EXCLUDED SOUNDS.

Notwithstanding the requirements, prohibitions, and terms of this section previously set forth herein, the following noises/disturbances shall not be subject to the requirements, prohibitions, and terms of this section except as expressly set forth herein, as follows:

1. Emergencies. The sound emitted in the performance of emergency work or to alert persons to the existence of an emergency.

2. Alarms. The sound emitted by the intentional sounding of any fire, burglar or civil defense alarm, siren, whistle or similar stationary emergency signaling device for emergency purposes, or for the essential testing of such device when conducted between the hours of 7:00 a.m. and 9:00 p.m.

3. Church Bells. The sound emitted by church carillons, bells or chimes.

4. Snow Removal Equipment. The sound emitted by motor-powered, muffler-equipped snow removal equipment and City-owned or hired snow removal equipment.

5. Religious Ceremonies. The sound emitted in conjunction with a religious celebration.

6. Law Enforcement. The sounds made or caused to be made by law enforcement officials in the performance of their official duties.

7. Lawn and Garden Equipment. The sound emitted by motor-powered, muffler-equipped lawn and garden equipment operated between the hours of 7:00 a.m. and 9:00 p.m.

8. School and Community Youth Sporting Activities. The sounds made by children, students, employees and/or the general public while in attendance at any school or athletic sponsored event.

9. Parades. The sound made by participants and observers of any parade that has been approved by the City Council or School Board.

10. City Operations. The sound made or caused to be made by City-owned or hired equipment or facilities for the conduct of City operations.

11. City-Owned Facilities. This includes public and community events at all City owned parks and the daily activities at the City’s municipal pool.

12. Industry. Normal and customary sounds generated by industrial enterprises including but not limited to loading and unloading, manufacturing noise, and shift change whistles or buzzers.

3-18-7 PENALTIES FOR OFFENSES PERTAINING TO NOISE CONTROL.

1. A violation of any provision of this chapter shall be a municipal infraction punishable by a penalty as described by Chapter 1-3 of this Code of Ordinances.

2. Alternatively, a violation of any provision of this chapter can be charged by a peace officer of the City as a simple misdemeanor.

3. For multiple violations of this Chapter, the City will consider these violations as a nuisance under Title III Chapter 2 and follow the nuisance abatement process as outlined in Title III, Chapter 2 Nuisances Sections 3-2-4 through 3-2-12.

Section II. Severability Clause. If any section, provision or part of the ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance 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 12th day of August, 2024.

Steven J. Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk

First Reading:
Third Reading:
Sent to American Legal:

Second Reading:
Publication:

ORDINANCE NO. 17-24

AN ORDINANCE AMENDING TITLE III, CHAPTER 2 (NUISANCES) 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 2 (Nuisances) of the Code of Ordinances of the City of Cascade, Iowa (“City Code”), to expand upon the City’s enumerated nuisances.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASCADE, IOWA that City Code §3-2-1(l) be adopted as follows:

jj. The use of amplified sound creating a disturbance as outlined in Title III Chapter 18 “Noise” ~~or annoyance to others and can be plainly heard 50 feet from the source of the amplified sound.~~

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 12th day of August, 2024.

Steve Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk

First Reading: May 28, 2024
Second Reading: June 10, 2024
Third Reading: June 24, 2024

Publication Date: July 3, 2024
Sent to American Legal:



July 8, 2024 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: July 2, 2024
Re: Social Service Agreements

As the City Council has discussed, Iowa Code now requires a City contributing public funds to outside, non-profit organizations to have a service contract with each group. It is also required that each group provide adequate budget information and proof of expenditure prior to payment being made. The two groups not on this list are the Chamber and CEDC. Those can be done at a future date.

The goal is to reimburse the groups instead of automatically provided funding each July. I have added a clause to the agreement that if a group believes us reimbursing them after the expense has been made creates a hardship, they can make an appeal for upfront funding as long as adequate paperwork is provided of proof of upcoming costs.

These agreements are for Fiscal year 2025. There is resolution #71-24 included that would adopt all eleven agreements.

Agency Requesting Funds		Amount Requested
Jones Co Tourism		\$117.90
Enhancement Committee		\$1,000.00
Garden Club		\$1,200.00
ISU Jones Co Extension		\$300.00
American Legion		\$5,000.00
Tri-County Historical Society		\$5,000.00
Lion's Club		\$9,400.00
Jones Co Economic Development		\$2,000.00
Jones County Youth Coalition		\$500.00
Cascade Hometown Days		\$1,000.00
Rockin' on the River		\$2,000.00

RESOLUTION #71-24

A RESOLUTION APPROVING FY25 SOCIAL SERVICE AGREEMENTS BETWEEN THE CITY OF CASCADE AND ELEVEN NON-PROFIT ORGANIZATIONS RECEIVING PUBLIC FUNDING

Whereas, City of Cascade is required by Iowa Code to enter in to social service agreements with any outside organization requesting public funds from the City to provide a service for the community; and,

Whereas, the City Council is required to enter in this agreement knowing that a true service is bring provided by each group that benefits the citizens of Cascade and that determine has been made for eleven organizations, and;

Whereas, the agreements outline the expectations of each group in order to receive the allocated amount of funds set aside in the Fiscal year 2025 City of Cascade budget

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASCADE, IOWA, as follows:

The City Council approves eleven social service agreements and allocates the indicated funds below for each group. The Council further directs the City Administrator to prepare and have the Mayor sign each agreement on behalf of the City and execute the documents.

Agency Requesting Funds	Amount Requested
Jones Co Tourism	\$117.90
Enhancement Committee	\$1,000.00
Garden Club	\$1,200.00
ISU Jones Co Extension	\$300.00
American Legion	\$5,000.00
Tri-County Historical Society	\$5,000.00
Lion's Club	\$9,400.00
Jones Co Economic Development	\$2,000.00
Jones County Youth Coalition	\$500.00
Cascade Hometown Days	\$1,000.00
Rockin' on the River	\$2,000.00

PASSED, APPROVED AND ADOPTED this 8th day of July, 2024.

Steve Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk



July 8, 2024 Agenda

To: Mayor, City Council and Staff

From: Lisa Kotter, City Administrator

Date: July 2, 2024

Re: Council Vacancy

Due to the vacancy from Riley Rausch's resignation the Council must act to fill the position with an appointment or special election. The election costs must be paid for entirely by the City. I have included the information from the Iowa League of Cities for your review. If we want to appoint, and be within the 60 days at a regular meeting, we would have the appointment on August 12. The other option if more time is needed is to have a special meeting but it must be no later than August 22.

Since in the past the City Council opted to appoint, I have prepared a Resolution directing staff to advertise to appoint on August 12. If the decision is different, we can change the Resolution.

RESOLUTION #72-24

A RESOLUTION DETERMINING THE PROCESS TO FILL A CITY COUNCIL MEMBER VACANCY FOR THE SEAT HELD BY RILEY RAUSCH

WHEREAS, the City of Cascade has a vacancy on the Cascade City Council as a result of Riley Rausch's June 25, 2024 resignation from his elected term on the Cascade City Council; and,

WHEREAS, the City Council believes it is best to fill the vacancy with an appointment since there are only 16 months left in the term.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASCADE, IOWA, that the City Administrator is directed to advertise for the vacancy with the intent to appoint a new person at the August 12, 2024 regular Council meeting.

PASSED, APPROVED AND ADOPTED this 8th day of July, 2024.

Steve Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk

The League office is closed on July 4 and 5 in observation of Independence Day.

Council Vacancies

 Updated on October 26, 2021  Posted on December 13, 2016

City council vacancies can occur in a number of ways, including a council member resigning, moving out of the city or ward in which they were elected, dying or being removed from office. Councils have several options in filling a vacant seat and must follow proper procedures when doing so.

Filling Vacancy by Appointment

One of the options a city council has in filling a vacancy is to appoint an individual to the seat. To do so, a notice of intent is required to be published not less than four and not more than 20 days before the date the council considers the appointment in accordance with Section 362.3 of the *Code of Iowa*. The notice must identify the vacancy, state the intention of the council to fill the vacancy by appointment and indicate the date, time and place of the meeting at which the appointment will be made. The notice must also state that the public has a right to petition for a special election.

The appointment to fill a vacancy must be made within 60 days of the date the vacancy occurred. The council may publish notice in advance if a resignation is to take effect at a future date. The council may make the appointment after the notice is published or after the vacancy occurs, whichever is later.

Anyone who the council considers for appointment is required to meet the same qualifications as a candidate seeking to run for the office. *Code of Iowa* Section 39.27 requires the candidate be an eligible elector and a resident of the city or ward for which the person seeks to represent. There is no required procedure for identifying candidates for appointment, other than ensuring any interested individuals are eligible for office. The city council can determine its own process for identifying potential candidates.

Filling Vacancy by Special Election

If the city council chooses to fill the vacancy by special election or must have a special election due to a petition, it may be held concurrently with any pending election (as provided by *Code of Iowa* Section 69.12). If it is held concurrently with a pending election, the vacancy must be filled

within 90 days after the vacancy occurs. If not, the election shall be called at the earliest practical date. If the city has a primary election provision, notice to the auditor must be given at least 60 days before the special election date. For all other cities, notice to the auditor must be given at least 32 days before the special election date. If the remaining members do not constitute a quorum, the election shall be called at the earliest practical date.

Petition for Special Election After Appointment

If the city council chooses to fill a vacancy by appointment, the public can petition for a special election to fill the vacancy. The petition must be filed within 14 days after the appointment is made or the notice is published, whichever is later, and contain a sufficient number of signatures of eligible electors of the city. Below are the required number of signatures by city population:

- Less than 10,000 – At least 200 or at least the number of signatures equal to 15 percent of voters who voted for candidates for office on the ballot at the preceding regular election, whichever is fewer.
- 10,000-50,000 – At least 1,000 or at least the number of signatures equal to 15 percent of voters who voted for candidates for office on the ballot at the preceding regular election, whichever is fewer.
- More than 50,000 – At least 2,000 or at least the number of signatures equal to 10 percent of voters who voted for candidates for office on the ballot at the preceding regular election, whichever is fewer.
- In all cases, the minimum number of signatures cannot be less than 10.

If more than one vacant position was to be filled for the office in which the vacancy exists at the preceding election, the number is computed by dividing the total number of votes cast for the office by the number of seats to be filled.

Tenure of Filled Vacancy

A person appointed to fill a council vacancy serves until the next city election, unless there is an intervening special election for that city (this was changed during the 2014 legislative session; the previous law stated appointees served until the next election, whether that election was the regular city election or state election). If a valid petition for a special election is filed, the appointment is temporary and the council shall call a special election to fill the vacancy permanently. A person elected to fill a vacancy serves the remaining balance of the term.

Lack of Quorum due to Vacancies

If there are concurrent vacancies on the council and the remaining council members do not constitute a quorum of the full membership, a special election shall be called by the county at the earliest practicable date. The remaining council members shall give notice to the county of the absence of a quorum. If there are no remaining council members, the city clerk shall give notice to

the county of the absence of a council. If the office of city clerk is vacant, the city attorney shall give notice to the county of the absence of a clerk and a council.

The city clerk is authorized to make the following payments without prior approval of the council:

- For fixed charges including but not limited to freight, express, postage, water, light, telephone service or contractual services, after a bill is filed with the clerk.
- For salaries and payrolls if the compensation has been fixed or approved by the council. The salary or payroll shall be certified by the officer or supervisor under whose direction or supervision the compensation is earned.

If concurrent vacancies exist and the remaining council members do not constitute a quorum of the full membership and the office of city clerk is vacant, the county auditor of the county where the city is located shall make the payments described without prior approval of the council. The bills paid during this time shall be submitted to the city council for review and approval at the next regular meeting following payment in which a quorum of the council is present.

Street Address
 500 SW 7th Street, Suite 101
 Des Moines, IA 50309-4506

Remit Payments to
 PO Box 3296
 Des Moines, IA 50301
 Phone (515) 244-7282
 Fax (973) 367-9733



July 8, 2024 Agenda

To: City Council, Mayor and Staff
From: Lisa Kotter, City Administrator
Date: July 2, 2024
Re: Personnel Handbook Update

The CMU Board and staff have hired their law firm to provide a recommended updated Personnel handbook that covers all the legal issues we should have included in the book. Those are things like anti-discrimination, anti-harassment, employee conduct, discipline, etc. They have reviewed it once. I am in the process of reviewing it and have a few comments or suggestions. After I have gone through that process, I am planning to bring it to the City Council at the next meeting. I want to confirm if the Council wants the handbook to first go through the Personnel Committee or if coming straight to the Council is acceptable.

CASCADE

MONTHLY INCIDENT COUNT REPORT Statistics from Reported Date: 6/1/2024 12:00:00AM to 6/30/2024 11:59:00PM

Case Report POLICE DEPARTMENT

[IMPORTED] : ALCOHOL OFFENSES: 1 2%

[IMPORTED] : DRIVER LICENSE VIOLATION-CITATION: 1 2%

[IMPORTED] : FAIL TO PROVE SECURITY AGAINST LIABILITY-CITATION: 1 2%

[IMPORTED] : ONE WAY VIOLATION: 1 2%

[IMPORTED] : REGISTRATION VIOLATION-WARNING: 1 2%

[IMPORTED] : SPEED WARNING: 1 2%

[IMPORTED] : SPEEDING CITATION: 2 4%

[IMPORTED] : STOP SIGN-CITATION: 1 2%

[IMPORTED] : WARRANT SERVICE: 1 2%

Grand Total: 20.00% Total # of Incident Types Reported: 10

Field Interview

POLICE DEPARTMENT

ACCIDENT CAR VS DEER: 1 2%

ALARM: 1 2%

ALARM-BUSINESS: 1 2%

ANIMAL AT LARGE: 1 2%

ASSIST AMBULANCE: 3 6%

ASSIST CITIZEN: 1 2%

ASSIST CITY: 1 2%

ASSIST DUBUQUE COUNTY: 2 4%

ASSIST FIRE DEPARTMENT: 1 2%

CARELESS DRIVING: 1 2%

CIVIL CUSTODY: 1 2%

DRUG LAW VIOLATIONS: 1 2%

EQUIPMENT VIOLATION: 2 4%

EQUIPMENT VIOLATION-WARNING: 1 2%

FOUND ITEM: 1 2%

PRESENTATION/SCHOOL: DE: 1 2%

STOP SIGN-WARNING: 16 32%

THEFT: 1 2%

UNLAWFUL GOLF CART OPERATION: 1 2%

WELFARE CHECK: 2 4%

Field Interview

POLICE DEPARTMENT

Grand Total: 80.00% Total # of Activity Types Reported: 40