

**CITY OF CASCADE, IOWA**  
**COUNCIL MEETING AGENDA & PUBLIC NOTICE**  
**Monday, February 26, 2024, 5:30 P.M. (NOTE SPECIAL TIME)**  
**CITY HALL, 320 1<sup>ST</sup> AVE WEST**

NOTICE: Notice is hereby given that the Cascade City Council will hold a meeting at 5:30 PM on Monday, February 26, 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](http://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 2/12/24 Library Board 2/13/24, Planning and Zoning 2/20/24
  2. February 26, 2024 Claims
  3. Annual Liquor License Renewal – Cascade Post #528 dba American Legion Post #528
7. Open Public Hearing for Proposed Zoning Code Changes
  1. 15-foot Vision Triangle at Street and Alley Intersections and Small Solar Systems Special Exception
8. Close Public Hearing
9. Consideration of Ordinance #05-24 Visibility at Street and Alley Intersections (First of Three Readings)
10. Consideration of Ordinance #06-24 Small Solar Systems Requirements for Special Exceptions (First of Three Readings)
11. Consideration of Resolution #23-24 Setting the date for public hearing and additional action on proposal to enter into a General Obligation Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$860,000
12. Consideration of Resolution #16-24 Hiring MSA for Highway 136 Construction Inspection Services (\$185,500)
13. Consideration of Ordinance #04-24 Refuse Collections (Second of Three Readings)
14. Consideration of Resolution #22-24 Contract for Special Inspections and Construction Testing (CVT \$11,556)
15. Consideration of Resolution #24-24 Approval of Building Lease for an EMS Facility at 129 Fox Street SE
16. Consideration of Tax Levies to Be Placed in County Wide Mailer Fiscal Year 2025 Budget Discussions
17. Consideration of Ordinance #07-24 EMS Fees (First of Three Readings)
18. FY25 Budget Discussion
19. Adjourn into Closed Session 21.5(1)i To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual’s reputation and that individual requests a closed session. (EMS Personnel Discussion)
20. Return to Open Session – Possible Action
21. Reports – Police Chief, Library Furniture and City Administrator
22. Public Comment (Limit 3 Minutes per person-only items on this agenda)
23. Adjournment

February 12, 2024  
City Council Meeting Minutes

The February 12, 2024 Regular City Council meeting was called to order at 5:31PM by Mayor Steve Knepper. The Pledge of Allegiance was recited. Delaney, Gehl, Hosch, Oliphant and Rausch answered roll call.

Motion Gehl, second Rausch to approve the agenda. All Ayes. Motion carried.

No public comment.

Presentation from Iowa EMS Consultants, Robert Hall and Scott McDonough, on EMS Study.

Motion Rausch, second Oliphant to adjourn into Closed Session 21.5(1)i To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. (EMS Personnel Discussion with the Consultant). Roll Call vote. All Ayes. Motion carried.

Motion Oliphant, second Delaney to return to Open Session. Roll Call vote. All Ayes. Motion carried.

Motion Gehl, second Rausch to approve the consent agenda items: City Council Minutes 1/22/24, 2/1/24, and Library Board 2/5/24; February 12, 2024 Claims and January 2024 Financial Reports. All Ayes. Motion carried.

Motion Oliphant, second Hosch to approve Resolution #15-24 Highway 136 Reconstruction Bids (Midwest Concrete Inc. \$1,654,872.30). Roll Call vote. All Ayes. Motion carried.

Motion Gehl, second Delaney to approve Resolution #13-24 Setting Public Hearing for the Property Tax Levy April 8<sup>th</sup>. Roll Call vote. All Ayes. Motion carried.

Motion Rausch, second Delaney to Suspend the Three Separate Meetings Rule and Adopting at One Meeting. Roll Call vote. All Ayes. Motion carried.

Motion Rausch, second Delaney to approve Ordinance #03-24 Garbage and Recycling Fees for 2024. Roll Call vote. All Ayes. Motion carried.

Motion Delaney, second Hosch to approve Ordinance #04-24 Refuse Collections (First of Three Readings). Roll Call vote. All Ayes. Motion carried.

Motion Rausch, second Hosch to approve Resolution #20-24 FY24 Commercial Garbage Back Billing to July 1, 2023. Roll Call vote. All Ayes. Motion carried.

Motion Hosch, second Delaney to approve Resolution #18-24 Moratorium on Corner Fence Permit Issuance Until Planning and Zoning Commission and Council Action. Roll Call vote. All Ayes. Motion carried.

Motion Gehl, second Oliphant to approve Resolution #19-24 Authority to Request Library Funds from Community Foundation of Greater Dubuque. Roll Call vote. All Ayes. Motion carried.

Motion Oliphant, second Gehl to approve Resolution #17-24 Approval to Purchase a Snow Pusher (Martin Equipment \$10,100). Roll Call vote. All Ayes. Motion carried.

Motion Rausch, second Oliphant to approve Resolution #14-24 Fire Department Mileage Reimbursement. Roll Call vote. All Ayes. Motion carried.

Motion Oliphant, second Rausch to approve Resolution #11-24 Adoption of a Conflict-of-Interest Policy. Roll Call vote. All Ayes. Motion carried.

Discussion of Snow Removal Sidewalk Charges. Direction given to staff regarding December billing amounts. Motion Oliphant, second Rausch. Roll Call vote. Rausch, Hosch, Delaney, and Oliphant Ayes, Gehl Nay. Motion carried.

Discussion on changing the current Resolution #07-24 Police Department Staff Inspect Sidewalks for Compliance with Snow Removal Ordinance.

Discussion of Fiscal Year 2025 Budget Discussions.

Reports were given by the Police Chief Heim and City Administrator.

Motion Oliphant, second Rausch to add Big River Sign bill to claims for payment \$2799. All Ayes. Motion carried.

Motion Oliphant, second Rausch to adjourn at 9:25pm. All Ayes. Motion carried.

Kathy Goerd, City Clerk

Steven J. Knepper

## **Cascade Public Library Board of Trustees Minutes February 13, 2024**

Present: Kane, Brindle, Howard, Recker, Thomas, Brickley

1. Call to Order: Recker called the meeting to order at 4:30pm.
2. Approval of the Agenda: Brickley motioned to approve the agenda, Brindle seconded. All approved.
3. Approval of the Minutes of the January 9, 2024, meeting: Thomas moved to approve Howard seconded. All approved.
4. Public Comment: Brickley brought copies of a letter that John Noonan wanted shared. Library board members can read and discuss further at the next meeting if needed.
5. Budget Reports: A more detailed report on the Library Reserve is requested by Recker for the March library board meeting.
6. Bills: Bills were reviewed. Kane informed the board that Oriental Trading bills were not received for several months, and she does not know why. She will be watching carefully for bills from them moving forward. Thomas moved to approve the bills, Brickley seconded. All approved.
7. Circulation Statistics: Statistics were higher in January than in December. Door count up 20 people, Material usage was 3284 items. Recker had a question on In Library Bulk – NO TYPE. Kane will check with Apollo technical support and share the response with the board.
8. Future Building Project: Recker reported there will be a meeting with Garling on Tuesday, February 27. Construction is set to begin in March. A groundbreaking date will be announced soon.
9. Friends of the Library update: Thomas reported that the LOGO for the Friends of the Library group has been selected. Kane informed the board that Jenny Recker, Vice President of the Friends of the Library will be teaching how to make tie blankets at the library in March. Recker asked how many members are on each committee of the Friends. Thomas will report back on that question.
10. Programming/Upcoming Events/Librarians Calendar: Kane reviewed the programming for the month of February. Recker requested that Kane email the programming to the library members at the beginning of the month.
11. Public Gathering Policy: Policy approved by the board.
12. Library Director Continuing Education Report: Kane reported on the Continuing Education events that she attended in the month of January.
13. Discussion on Mirroring full-time library employees' benefits commensurate with full time city employees: Final numbers for salaries and additional staffing budget was presented. A special meeting will be held ASAP to approve the budget before the next city council meeting on Monday February 26th. City Administrator Kotter composed a resolution for the Library Board to adopt if they wish to mirror the city employee policy. Thomas moved to approve resolution 01-24; Brindle seconded; all approved.
14. Moving Plans: This document was shared with the board. It needs further work and is intended to be a working document. Kane was directed to contact the State Library Consultant to question whether we could hold off on weeding until after the move to the new building, and if we could not purchase any new materials until we are moved into

the new building. Kane will report back on this conversation with Eunice at the next meeting.

15. Other: No other discussion to report.

16: Adjourn: Brickley moved to adjourn; Howard seconded; all approved. The meeting adjourned at 5:54pm. The next meeting will be held on Tuesday, March 12 at 4:30pm.

## PLANNING & ZONING COMMISSION MEETING

February 20, 2024

Meeting Minutes

The Cascade Planning & Zoning Commission met on February 20, 2024, at 6:00p.m. in the Cascade City Hall Council Chambers, 320 1<sup>st</sup> Ave W, Cascade, IA 52033.

Present: Moriarity, Conlin, Steffen, Kerper and Moran.

Motion by Steffen, second by Moran to approve the agenda as presented. Motion carried, ayes.

Motion Kerper, second Moran to approve the October 19, 2023 minutes. Motion carried, all ayes.

Motion Steffen, second Conlin to nominate Bob Moriarity as Chairperson. Motion carried, all ayes.

Motion Conlin, second Moran to nominate Naomi Steffen as Vice-Chairperson. Motion carried, all ayes.

Motion Steffen, second Moran to open the public hearing for two proposed zoning code changes (1) Visibility at Street and Alley intersections and (2) Small Solar Systems that Require a Special Exception. Motion carried, all ayes.

Speakers were City Administrator Kotter, Citizens Al Ries and Phil Lehman and Police Chief Heim.

The Commission discussed the intersection restrictions and thought it was best to not have any new requirements.

The Commission discussed the solar systems and still thought that any small solar systems that are ground mount should continue to require a small solar system.

Motion Kerper, second Steffen to close the public hearing.

Motion Kerper, second Steffen to recommend to the City Council no changes to the Visibility at Intersection zoning code. Motion carried, all ayes.

Motion Moran, second Steffen to recommend a zoning code change to eliminate the requirement to get a Special Exception for roof mount small solar systems. Motion carried, all ayes,

Motion Steffen, second Conlin to adjourn at 6:43pm. Motion carried.

Lisa A. Kotter  
City Administrator

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL	CHECK#	CHECK DATE
02092024	ADVANTAGE ADMINISTRATORS	BENEFITS PAID-FRASHER	81.74		14016226	2/15/24
02162024	ADVANTAGE ADMINISTRATORS	BENEDITS PAID-STANER	125.19		14016225	2/22/24
12292022	ADVANTAGE ADMINISTRATORS	PSF BUY DOWNS		206.93		
32054	AMERICAN LEGAL PUBLISHING	SUPPLEMENT PAGES EDITED		941.85		
IN011299	AQUAFIX	QWIK-ZYME L		249.33		
11014	BEIDLER SERVICES INC	TOW AMBULANCE TO SHOP		150.00		
85201884	BOUND TREE MEDICAL LLC	CURAPLEX REMOVABLE SURE-LOK		94.50		
179671	CASCADE LUMBER CO	CONDUIT, PLUGS, ADAPTERS	18.26			
179736	CASCADE LUMBER CO	XL LEATHER GLOVES	14.49			
179778	CASCADE LUMBER CO	BAG OF SCREWS AND STRAPS	11.52			
918820	CASCADE LUMBER CO	CONNECTORS, COUPLINGS, CONDUIT	45.19	89.46		
1982032	CITY LAUNDERING CO	UNIFORMS/SUPPLIES		111.27		
IVC000022770	ECIA	JANUARY 2024 EXPENSES		790.50		
94662725	ESRI INC	1/2 ARCGIS ANNUAL DESKTOP RENE		220.00		
114120	FEH DESIGN	LIBRARY CONSTRUCTION ADMIN		5,583.50		
287309338483X1272024	FIRST NET-AT&T MOBILITY	JANUARY FRIST NET BILL		597.24		
30820	GASSER FARM & HARDWARE LLC	BOXES OF 4"SQ DPLX & WELDED SQ	31.12			
30836	GASSER FARM & HARDWARE LLC	BOX HEX SCREWS AND EYE BOLTS	18.45			
30848	GASSER FARM & HARDWARE LLC	15 AMP OUTLET X2	1.98			
30898	GASSER FARM & HARDWARE LLC	14 PC DRILL BIT SET COBALT	36.99			
30908	GASSER FARM & HARDWARE LLC	5 GA ROTELLA CJ14 AND 15W40	161.96			
30946	GASSER FARM & HARDWARE LLC	STIHL WOODCUTTER OIL GALLON	19.99			
30947	GASSER FARM & HARDWARE LLC	15AMP OUTLET	.99	271.48		
6528	GLOBAL ONE MANUFACTURING	10 TUBES, AND CUTTING/BENDING		67.50		
I00895796	GORDON FLESCH COMPANY INC	1/2 COPIER PAYMENTS	148.01			
IN14561224	GORDON FLESCH COMPANY INC	STAPLES FOR NEW COPIER	135.52	283.53		
02122024	GRAVEL GRADING & EXCAV LLC	FINAL PYMT/RIVERVIEW PARK GAZE		1,296.80		
20160	INSURANCE ASSOCIATES INC	ADD NEW STREET SWEEPER INSURAN		126.00		
02012024	IOWA DARE ASSOCIATION	2024 MEMBERSHIP DUES		100.00		
505	IOWA DEPT OF PUBLIC SAFETY	FY24 JAN-MAR IOWA SYSTEM INV		300.00		
038022	IOWA PRISON INDUSTRIES	GOLF CART PERMIT STICKER 24-25		53.16		
PR20240209	IPERS	IPERS	3,499.05		14016223	2/23/24
PR20240215	IPERS	IPERS	3,414.20	6,913.25	14016223	2/23/24
PR20240215	IRS W/H	FED/FICA TAX		5,786.91	14016224	2/23/24
2401269-IN	J&R SUPPLY INC	GASKET WYE/100 METER COUPLINGS		109.00		
4288	KERPS SERVICE CENTER INC	4 TIRE MOUNT-AMBULANCE		1,450.36		
216012	LYNCH DALLAS P.C.	HWY 136 PROJECT SERVICE	556.50			
216013	LYNCH DALLAS P.C.	CONFERENCE CALL/EMAIL CITY ADM	314.50			
216034	LYNCH DALLAS P.C.	CONFERENCES WITH CITY ADMIN	687.50			
216035	LYNCH DALLAS P.C.	REVIEW OF NOTICES 4 NUISANCES	106.00	1,664.50		
02092024	MAQUOKETA VALLEY COOP	STREET LIGHT LOCATION 54320266		153.37		
781348	MARTIN EQUIPMENT	SNOW PUSHER FOR END LOADER		10,100.00		
3244	MIDWEST PATCH	SIGNS (STOP, NO PARKING,ANCHOR		1,384.00		
PR20240215	MISSION SQUARE RETIRE-#303939	ICMA PERCENTAGE		1,229.20	65566	2/23/24
0898648-IN	MUNICIPAL SUPPLY INC	METERS AND SMART POINTS		5,762.42		
17649	PARTS AUTHORITY	AIR FILTER	87.97			
33630	PARTS AUTHORITY	NON DETERGENT OIL-SEWER PLANT	8.74			
33711	PARTS AUTHORITY	OIL FILTER FOR PLOW TRUCK	38.51	135.22		
MARCH 2024	JOE OR PEG REIFF	MARCH RENT & 70% PROPERTY TAX		1,007.50		
PR20240209	TREAS STATE OF IOWA	STATE TAXES	947.47		14016222	2/23/24
PR20240215	TREAS STATE OF IOWA	STATE TAX	837.95	1,785.42	14016222	2/23/24
53506	TRI-STATE SHRED	ON SITE SHREDDING BY THE TOTE		49.95		
1395	WEBER CONSTRUCTION INC	LIBRARY DEMO		2,548.75		

**CLAIMS REPORT**  
**Vendor Checks: 2/14/2024- 2/27/2024**

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL	CHECK#	CHECK DATE
240430001347	WELLMARK BC/BS OF IA	MARCH 2024 PREMIUMS		10,948.05		
		Accounts Payable Total		62,560.95		
		Invoices: Paid		15,921.71		
		Invoices: Scheduled		46,639.24		
		Payroll Checks		18,027.44		
		Report Total		80,588.39		



**CLAIMS REPORT**  
**CLAIMS FUND SUMMARY**

FUND	NAME	AMOUNT
001	GENERAL	39,613.06
016	PARTIAL SELF-FUND	206.93
110	ROAD USE TAX	12,311.24
323	HIGHWAY 136	556.50
370	LIBRARY CAPITAL PROJECT	8,132.25
600	WATER	12,189.71
610	SEWER	7,578.70
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	TOTAL FUNDS	80,588.39

## Lisa Kotter

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**From:** Kathy Goerdt  
**Sent:** Tuesday, February 20, 2024 9:25 AM  
**To:** Lisa Kotter  
**Subject:** FW: License LC0041649 Renewal Notice Sent

**From:** noreply@salesforce.com <noreply@salesforce.com> **On Behalf Of** IOWA ABD Licensing Support  
**Sent:** Tuesday, February 20, 2024 5:01 AM  
**To:** Kathy Goerdt <clerk@citycascade.com>  
**Subject:** License LC0041649 Renewal Notice Sent

Hello,

LC0041649 has been sent a Renewal Notice is now eligible for their renewal.

Corp Name: CASCADE POST #528, OF CASCADE IOWA

DBA: American Legion Post 528

License Number: LC0041649

Application Number: App-176082

Tentative Effective Date:

Application Type: Renewal

Amendment Type:

Thank you,  
The Iowa Alcoholic Beverages Division



## **February 26, 2024 Agenda**

**To: Mayor, City Council and Staff**

**From: Lisa Kotter, City Administrator**

**Date: February 23, 2024**

**Re: Visibility at Intersections Ordinances**

**Draft Ordinance #05-24**

**As the City Council is aware we discussed the idea of adding a requirement to have some setback at intersections with alleys and streets. The current zoning code requires a 25ft triangular area be clear from any objects 2 to 10 feet within this space where two streets meet. The Planning and Zoning Commission held their public hearing and are recommending no change to the code. Their reasoning was that people should just use common sense and that nothing has happened before.**

**The code I proposed was that instead of a 25ft triangle at streets, that alley intersections only have a 15ft line.**

**The council will have to hold a public hearing and decide what if any code change should be made. If the Council agrees with the Commission then no action is required.**

**ORDINANCE #05-24**

**AN ORDINANCE AMENDING THE ZONING CODE OF ORDINANCES OF THE CITY OF  
CASCADE, IOWA BY AMENDING SECTION 165.12 SUPPLEMENTARY DISTRICT  
REGULATIONS**

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Cascade, Iowa, that Section 165.12 of the Zoning Code is amended as follows:

Section I. SECTION MODIFIED. 165.12 Supplemental District Regulations of the Ordinances of the City of Cascade, Iowa is amended as follows:

165.12 Supplementary District Regulations. Subject to Section 165.11, the following provision, regulations, or exceptions shall apply equally to all districts except as hereinafter provided:

1. Visibility At Intersection. On a corner lot in any district except the C-2 General Retail District, no fence, wall, hedge, or other planting or structure that will obstruct vision between a height of two (2) feet and ten (10) feet above the centerline grades of the intersecting streets shall be erected, placed or maintained within the triangular area formed, by connecting the right-of-way lines at points which are twenty-five (25) feet distant from the intersection of the right-of-way lines, and measured along the right-of-way lines. **In the instance where a street shall intersect with an alley, the same shall apply as listed above, except that the distance shall instead be 15 feet of distance (not 25) for the intersection right of way lines.**

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 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 \_\_\_\_\_, 2024

\_\_\_\_\_  
Steven Knepper, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Goerdts, City Clerk

First Reading:  
Second Reading:  
Third Reading:  
Publication Date:  
Sent to American Legal:



## February 26, 2024 Agenda

**To: City Council, Mayor and Staff**  
**From: Lisa Kotter, City Administrator**  
**Date: February 23, 2024**  
**Re: Solar System Requirement for Special Exception Ordinance**

### **Solar Draft Ordinance #06-24**

This request to make a code change originated from discussion at the Board of Adjustment meeting. This Board is the body that must review Special Exception applications. A special exception is required for any solar system being installed. The code clarifies that a small vs large system is a cutoff of 15KW of power being generated from the system. The Board thought no small systems in residential areas needed to have a review by the Board. These systems have become much more common and other cities are also eliminating this type of higher-level review.

Even if the Special Exception requirement was eliminated, all systems still must go through Utility approval and a building permit. If the Special exception is eliminated, there would no longer be a notice sent to neighbors within 200ft. We have issued two of these permits since I have been here and neither one had any neighbors appear at the public hearing. The main difference would be to eliminate the need for residential solar projects to have to come before the City and have a Public Hearing. We define small and large projects, and the change eliminates the Special Exception for small projects only. Large projects (15KW or higher) would still come before the Board. I included the original code so you can compare.

The Planning and Zoning Commission met earlier this week and held a public hearing. No one from the public spoke on the topic. The Commission recommended that small ground systems still be required to apply for a Special Exception permit. They are concerned about possible glare from the solar panel to the neighbor's house.

The Council has a scheduled for a public hearing at this meeting. The draft ordinance in the packet still lists the draft code with no requirement for small systems, roof or ground. If the Council wants to go with the Commission's recommendation, I will amend the draft as directed.

**ORDINANCE NO. 06-24**

**NOTE PLANNING AND ZONING RECOMMENDED THAT SMALL SOLAR SYSTEM  
GROUND UNITS STILL REQUIRE A SPECIAL EXCEPTION**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF  
CASCADE, IOWA, TO AMEND SOLAR ENERGY SYSTEMS.**

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

**SECTION 1. PURPOSE.** The purpose of this Ordinance is to amend the requirements to install a small solar energy system and no longer require the small systems to be subject to a special exception permit process. The Board of Adjustment will continue to review the large solar energy system.

**SECTION 2. SECTIONS AMENDED.** The following sections of Chapter 165 of the Code of Ordinances of the City of Cascade, Iowa, are amended as follows:

165.11 Schedules of District Regulations.

A-1 AGRICULTURAL DISTRICT

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:

3. Large Solar energy systems in accordance with §§ 165.51–165.56 of this Code of Ordinances.

R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

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:

5. Large Solar energy systems in accordance with §§ 165.51–165.56 of this Code of Ordinances.

R-2 MIXED RESIDENTIAL DISTRICT

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:

4. Large Solar energy systems in accordance with §§ 165.51–165.56 of this Code of Ordinances.

R-3 MULTIPLE/MOBILE RESIDENTIAL DISTRICT

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:

2. Large Solar energy systems in accordance with §§ 165.51–165.56 of this Code of Ordinances.

R-4 MULTIPLE RESIDENTIAL DISTRICT

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:

3. Large Solar energy systems in accordance with §§ 165.51–165.56 of this Code of Ordinances.

C-1 HIGHWAY COMMERCIAL DISTRICT

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:

4. Large Solar energy systems in accordance with §§ 165.51–165.56 of this Code of Ordinances.

C-2 GENERAL RETAIL DISTRICT

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:

5. Large Solar energy systems in accordance with §§ 165.51–165.56 of this Code of Ordinances.

M-1 LIGHT INDUSTRIAL DISTRICT

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:

5. Large Solar energy systems in accordance with §§ 165.51–165.56 of this Code of Ordinances.

M-2 HEAVY INDUSTRIAL DISTRICT

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:

9. Large Solar energy systems in accordance with §§ 165.51–165.56 of this Code of Ordinances.

**ARTICLE 6. SOLAR ENERGY SYSTEMS**

165.56 Review and Approval of Application. Within sixty (60) days of receiving the application for an a large SES, the City shall schedule a public hearing before the Board of Adjustment. Notice shall be given to the public no less than four (4) days and no more than twenty (20) days prior to the public hearing by publication in the official City newspaper and to all owners of property within two-hundred feet (200') of the proposed SES site by ordinary mail. Approval of a Special Exception for an SES shall be valid for a period no longer than two (2) years from the date of such permit, unless construction has commenced or the Board of Adjustment specifically grants a longer period of time for the zoning permit. The approval and issuance of a Special Exception for the construction or installation of any SES, under this ordinance, shall not relieve any permittee, applicant, or owner from compliance with all legal requirements nor relieve the permittee, applicant, or owner of any liability for damage or loss resulting from the placement, construction, or maintenance of such SES. The City assumes no liability whatsoever by virtue of the issuance of a Special Exception for an SES.

**SECTION 4. REPEALER.** All other sections of this Ordinance in conflict with these provisions shall be repealed.

**SECTION 5. SEVERABILITY.** If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall have no effect on the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its adoption and publication as provided by law.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Steve Knepper, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Goerd, City Clerk





## **February 26, 2024 Agenda**

**To: City Council, Mayor and Staff**

**From: Lisa Kotter, City Administrator**

**Date: February 23, 2024**

**Re: Proposed Debt for Highway 136 and the Street Sweeper**

**As the Council is aware it has been discussed that the Highway 136 project funding would be borrowed when the library funding is also borrowed. The Library funding was approved back in Fall 2022 in an amount not to exceed \$1M. The option for the Library and Hwy 136 is to use TIF funding for repayment.**

**This borrowing for the Highway 136 project must have its own public hearing and approval process. Even though we will not borrow until Spring or Summer, we need to get this hearing set and conducted prior to the final budget adoption. This is so that we have the right to levy taxes to make the first set of debt payments in the FY25 budget.**

**We have also added the option to pay for the sweeper via debt levy by adding this to this borrowing. There are pros and cons to this idea. If we are looking to pay for the sweeper using tax dollars vs road use tax dollars, we can now levy the debt if it is included in this Spring 24 borrowing. That would open up some more road use dollars for other pieces of Public Works equipment that are coming in need of replacement. We also looked at paying it off over 5 years instead of Three to again allow some more funds to open up for future equipment. The downside to adding it to the new debt is that we would pay \$1,000 more in total for the sweeper debt. For the purposes of this public hearing notice, we can keep the sweeper in the highest amount and the Council can decide and debt borrowing time if you want to include it or not. The number in this publication has to be the maximum that we would borrow.**

**We listed the amount of \$860,000 which is for both the highway and sweeper. Although not included in this public hearing, we also would be borrowing \$550,000 towards the library when we complete this work in Spring or Summer.**

**The resolution is in the packet and indicates the hearing will be Monday, March 11 at the next City Council meeting.**

RESOLUTION NO. #23-24

Resolution setting the date for public hearing and additional action on proposal to enter into a General Obligation Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$860,000

WHEREAS, the City of Cascade (the “City”), in Dubuque and Jones Counties, State of Iowa, heretofore proposed to enter into a General Obligation Library Loan Agreement (the “2022 Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$1,000,000, pursuant to the provisions of Section 384.24A and 384.24.3(q) of the Code of Iowa, for the purpose of paying the cost, to that extent, of undertaking the Municipal Library Development Project, an urban renewal project in the Cascade Urban Renewal Area authorized by action of the City Council on September 12, 2022, and in lieu of calling an election upon such proposal, has published notice of the proposed action, including notice of the right to petition for an election, and has held a hearing thereon, and as of October 24, 2022, no petition has been filed with the City asking that the question of entering into the 2022 Loan Agreement be submitted to the registered voters of the City; and

WHEREAS, the City currently has remaining authority to borrow in a principal amount not to exceed \$750,000 under the 2022 Loan Agreement; and

WHEREAS, the City also proposes to enter into an additional General Obligation Loan Agreement (the “Loan Agreement”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$860,000 for the purpose of paying the costs, to that extent, of (1) constructing street, water system, sanitary sewer, and storm water drainage improvements; and (2) current refunding a \$105,000 Promissory Note, dated May 1, 2023, which was previously issued to fund the acquisition of a street sweeper, (the “Projects”), and it is necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

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

Section 1. This City Council shall meet on March 11, 2024, at the Cascade City Hall 320 1<sup>st</sup> Avenue West, Cascade, Iowa, at 6:00 p.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement described in the preamble hereof.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than four (4) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO  
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY  
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$860,000

(GENERAL OBLIGATION)

The City Council of the City of Cascade, Iowa (the “City”), will meet on March 11, 2024, at the Cascade City Hall, 320 1<sup>st</sup> Avenue West, Cascade, Iowa, at 6:00 p.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the “Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$860,000 for the purpose of paying the costs, to that extent, of (1) constructing street, water system, sanitary sewer, and storm water drainage improvements; and (2) current refunding a \$105,000 Promissory Note, dated May 1, 2023, which was previously issued to fund the acquisition of a street sweeper.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Cascade, Iowa.

Kathy Goerd  
City Clerk

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the “Regulations”) of the Internal Revenue Service, the City declares (a) that it intends to undertake the Projects which are reasonably estimated to cost approximately \$750,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the “Bonds”), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Projects have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 26, 2024.

---

Steve Knepper, Mayor

Attest:

---

Kathy Goerdts, City Clerk



## **February 26, 2024 Agenda**

**To: Mayor, City Council and Staff**

**From: Lisa Kotter, City Administrator**

**Date: February 23, 2024**

**Re: Hwy 136 Construction Inspection Contract with MSA**

**At the last meeting the City Council approved a contract with Midwest Concrete Inc. for the reconstruction of Highway 136.**

**The next approval the Council is asked to consider is the hiring of an onsite inspector, which would be Cody Lawler from MSA. When a project is let locally, the State does not participate in these costs. The contract is written as time and materials, but they gave us an estimate of \$185,500. The intent is that these funds will be paid for by the new debt being considered in the next few months.**

**The proposed contract and approving resolution are included in the packet.**

**RESOLUTION #16-24**

**RESOLUTION APPROVING A CONTRACT FOR A PROFESSIONAL INSPECTION SERVICES AGREEMENT WITH MSA PROFESSIONAL SERVICES FOR THE JOHNSON STREET SW HWY 136 RECONSTRUCTION PROJECT**

WHEREAS, the City Council has approved a contract with Midwest Concrete Inc to reconstruct Johnson Street SW/Hwy 136 South from the alleyway south of near the intersection of 1<sup>st</sup> Ave and extending southerly to the north side of the Bard Concrete driveway on February 12, 2024 (Resolution #15-24); and,

WHEREAS, this project will require regular on-site inspections to assure the project is built to specifications; and,

WHEREAS, MSA Professional Services has provided a cost for inspection services for the Johnson Street SW Hwy 136 Reconstruction Project at a fixed fee of \$185,500.

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

Section I. That City Council approves entering into the Professional Services Agreement with MSA to complete the Johnson Street SW Hwy 136 Reconstruction Project inspections in the amount of \$185,500.

Section II. The Mayor and City Clerk are hereby authorized to sign and execute the contract for the Johnson Street SW Hwy 136 Reconstruction project inspections.

PASSED AND APPROVED this 26<sup>th</sup> day of February, 2024.

---

Steven Knepper, Mayor

ATTEST:

---

Kathy Goerdts, City Clerk



**Amendment  
No. 1**

**To:** City of Cascade, Iowa  
320 1<sup>st</sup> Ave W  
PO Box 400  
Cascade, Iowa 52033

**Date of Issuance:** February 21, 2024  
**MSA Project No.:** 00447040

This is an amendment to the Agreement dated June 14, 2021 and does acknowledge that MSA Professional Services, Inc. (MSA) is authorized to begin work on the following:

**Project Name:** Johnson St SW Hwy 136 Reconstruction

**Proposed Scope:** Construction Engineering & Observation (see attached)

**Anticipated Schedule:**

Bid Approval: February 12, 2024  
Construction Completion: November 1, 2024

**Estimated Fee:** \$185,500

Authorization for the work described above shall amend the Agreement between MSA and OWNER. Any attachments or exhibits referenced in this Amendment are made part of the Agreement. Payment for these services will be on a time and materials basis, invoiced monthly.

MSA shall commence work on this project in accordance with your written authorization. This authorization is acknowledged by signature of the authorized representatives of the parties to this Amendment. A copy of this Amendment signed by the authorized representatives shall be returned for our files. If a signed copy of this Authorization is not received by MSA within seven days from the date of issuance, MSA may stop work on the project.

**CITY OF CASCADE, IOWA**

**MSA PROFESSIONAL SERVICES, INC.**

\_\_\_\_\_  
Steve Knepper, Mayor

\_\_\_\_\_  
Jake Deaver, Sr. Project Engineer

Date: \_\_\_\_\_

Date: Feb 21, 2024

\_\_\_\_\_  
Jake Huck, Team Leader

Date: Feb 21, 2024

**Attachments:**

- Scope of Professional Services
- Resident Project Representative (RPR)
- Duties, Responsibilities & Limitations

## SCOPE OF SERVICES

The following **Scope of Services** lists the professional services that shall be provided by MSA Professional Services, Inc. by and/or under the direct supervision of a Professional Engineer and/or Professional Land Surveyor licensed to practice in the State of Iowa, as applicable.

### CONSTRUCTION SURVEY

Throughout construction, MSA will provide the Contractor with reference points and bench marks by which to construct the sanitary sewer main & service replacement, sewer manhole replacement, and the asphalt pavement reconstruction. In addition, easements and approximate right-of-way will be defined to encourage the Contractor to keep disturbed limits to the area within legally agreed upon boundaries.



#### Specific Tasks Include:

- Provide reference points & benchmarks suited for Contractor GPS equipment.
- Place stakes defining temporary and permanent easements & approx. Right-of-Way.
- Provide line & grade stakes, at Contractor's request, for underground utilities.

### CONSTRUCTION ADMINISTRATION

As construction begins a number of tasks are necessary to coordinate with City staff and the Contractor. Activities performed under the construction administration will begin immediately and will end with the project acceptance by the City Council near the end of this calendar year. The Engineer will meet with City staff, council and Contractor as necessary to review and continue to obtain input during construction.

#### Specific Tasks Include:

- Coordinate & attend preconstruction meeting with City staff & Contractor(s).
- Coordinate & attend monthly construction progress meetings with City, DOT & Contractor(s).
- Provide weekly project updates to the City.
- Complete necessary Iowa DOT E-Sheets throughout construction.
- Review shop drawings submitted by Contractor.
- Review Contractor payment applications, provide recommendation to City. (assume six)
- Review change order requests by Contractor, provide recommendation to City.
- Attend Council meetings to update Council on project progress. (assume three)
- Complete necessary DocExpress reviews and uploads to comply with DOT project audit.
- Continue to assist the City with easement negotiations as necessary.
- Provide punch list and project close-out documentation as required by contract documents.

### CONSTRUCTION OBSERVATION & TESTING

During the construction, MSA will provide oversight of the Contractor's daily activities to ensure materials and construction meets the intent of the design as depicted in the construction documents (plans and specs). A construction timeframe of 25 weeks is anticipated with limited, full-time (~30 hours per week) observation by an entry level engineer or mid-level construction staff member and occasional site visits by the project engineer. Limited, full-time observation will result in some construction activities potentially occurring without MSA supervision and/or documentation. The frequency and duration of time on-site will depend on Contractor progress, crew ability, conflicts encountered, weather, City direction, City Staff availability and a number of other variable factors.





Please reference duties, responsibilities, and limitations of authority for on-site construction observation staff as detailed in the *Supplementary Conditions SC-9.03* of the specifications.

**Specific Tasks Include:**

- Coordinate with affected property owners regarding access, easements, driveways, & numerous other concerns sure to arise during a construction project of this magnitude.
- Provide responsive direction to Contractor to facilitate an efficient construction schedule.
- Coordinate with materials testing company for testing of concrete, concrete plant monitoring, trench & subbase density testing.
- Observe & document daily construction activities; field conversations; & resulting decisions.
- Verify means & methods comply with project plans & specifications.
- Review Contractor provided data regarding material compliance.
- Coordinate with City staff regarding project specifics, testing, traffic control and disruptions.
- Coordinate NPDES construction site stormwater discharge permit documentation.
- Material testing of concrete.

**PROJECT SCHEDULE**

The project schedule is very flexible as many project criteria are based on items such as weather, Contractor availability, private utility relocations, etc. However, MSA has the experienced staff available to meet any schedule or time line required to assist in delivering a high quality project that will serve the residents of Cascade for many generations.

**BREAKDOWN OF ESTIMATED FEES**

MSA proposes to provide the above Scope of Services on a time and material basis with the following estimated fees, the final cost is highly variable as considerations such as Contractor expertise, production, weather delays, and property owner coordination; however, MSA will attempt to maximize our efficiency on-site:

CONSTRUCTION SURVEY	\$ 18,500
CONSTRUCTION ADMINISTRATION	\$ 39,500
CONSTRUCTION OBSERVATION & TESTING	\$127,500
<b><u>ESTIMATED TOTAL</u></b>	<b><u>\$185,500</u></b>

**EXCLUSIONS**

These services **are not** included in the Scope but may be provided for an additional fee as requested by OWNER or if required during the design or construction process.

- As-built topographic survey.
- Property boundary surveys.
- Survey or construction staking for private utilities.
- Survey or construction staking outside of the defined limits of construction.
- Legal fees and/or permit application fees.
- Record drawings, i.e. as-builts. (to be provided by Contractor).
- Additional construction materials and/or soil testing. (if necessary, Contractor responsibility)
- Easement negotiations, fees, or compensation.
- Archeological and/or SHPO review.
- Environmental and/or geotechnical review, evaluations or compliance.
- Wetland delineation.
- NPDES stormwater discharge permit compliance. (Contractor responsibility)

## **Engineer's Resident Project Representative (RPR) Duties, Responsibilities & Limitations**

The Resident Project Representative (RPR) will be ENGINEER's employee or agent at the Site, will act as directed by and under the supervision of ENGINEER, and will confer with ENGINEER regarding RPR's actions. RPR's dealings in matters pertaining to the Work in general shall be with ENGINEER and CONTRACTOR. RPR's dealings with Subcontractors shall be through or with the full knowledge and approval of CONTRACTOR. The RPR shall:

1. Schedules: Review the progress schedule, schedule of Shop Drawing and Sample submittals, and schedule of values from CONTRACTOR and consult with ENGINEER on acceptability.
2. Conferences and Meetings: Attend meetings with CONTRACTOR, such as preconstruction conferences, progress meetings, job conferences and other project-related meetings, and prepare and circulate copies of minutes thereof.
3. Liaison:
  - a. Serve as ENGINEER's liaison with CONTRACTOR, working principally through Contractor's authorized representative, assist in providing information regarding the intent of the Contract Documents.
  - b. Assist ENGINEER in serving as OWNER's liaison with CONTRACTOR when Contractor's operations affect OWNER's on-Site operations.
  - c. Assist in obtaining from OWNER additional details or information, when required for proper execution of the Work.
4. Interpretation of Contract Documents: Report to ENGINEER when clarifications and interpretations of the Contract Documents are needed and transmit to CONTRACTOR clarifications and interpretations as issued by ENGINEER.
5. Shop Drawings and Samples:
  - a. Record date of receipt of Samples and approved Shop Drawings.
  - b. Receive Samples which are furnished at the Site by CONTRACTOR, and notify ENGINEER of availability of Samples for examination.
6. Modifications: Consider and evaluate CONTRACTOR's suggestions for modifications in Drawings or Specifications and report such suggestions, together with RPR's recommendations, to ENGINEER. Transmit to CONTRACTOR in writing decisions as issued by ENGINEER.
7. Review of Work and Rejection of Defective Work:
  - a. Conduct on-Site observations of CONTRACTOR's work in progress to assist ENGINEER in determining if the Work is in general proceeding in accordance with the Contract Documents.
  - b. Report to ENGINEER whenever RPR believes that any part of Contractor's work in progress will not produce a completed Project that conforms generally to the Contract Documents or will imperil the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents, or has been damaged, or does not meet the requirements of any inspection, test or approval required to be made; and advise ENGINEER of that part of work in progress that RPR believes should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection or approval.
8. Inspections, Tests, and System Startups:

- a. Verify that tests, equipment, and systems start-ups and operating and maintenance training are conducted in the presence of appropriate OWNER's personnel, and that CONTRACTOR maintains adequate records thereof.
- b. Observe, record, and report to ENGINEER appropriate details relative to the test procedures and systems start-ups.

9. Records:

- a. Record names, addresses, fax numbers, e-mail addresses, web site locations, and telephone numbers of all CONTRACTORs, Subcontractors, and major Suppliers of materials and equipment.
- b. Maintain records for use in preparing Project documentation.

10. Reports:

- a. Furnish to ENGINEER periodic reports as required of progress of the Work and of CONTRACTOR's compliance with the progress schedule and schedule of Shop Drawing and Sample submittals.
- b. Draft and recommend to ENGINEER proposed Change Orders, Work Change Directives, and Field Orders. Obtain backup material from CONTRACTOR.
- c. Immediately notify ENGINEER of the occurrence of any Site accidents, emergencies, acts of God endangering the Work, damage to property by fire or other causes, or the discovery of any Hazardous Environmental Condition.

11. Payment Requests: Review Applications for Payment with Contractor for compliance with the established procedure for their submission and forward with recommendations to ENGINEER, noting particularly the relationship of the payment requested to the schedule of values, Work completed, and materials and equipment delivered at the Site but not incorporated in the Work.

12. Certificates, Operation and Maintenance Manuals: During the course of the Work, verify that materials and equipment certificates, operation and maintenance manuals and other data required by the Specifications to be assembled and furnished by CONTRACTOR are applicable to the items actually installed and in accordance with the Contract Documents, and have these documents delivered to ENGINEER for review and forwarding to OWNER prior to payment for that part of the Work.

13. Completion:

- a. Participate in a Substantial Completion inspection, assist in the determination of Substantial Completion and the preparation of lists of items to be completed or corrected.
- b. Participate in a final inspection along with ENGINEER, OWNER, and CONTRACTOR and prepare a final list of items to be completed and deficiencies to be remedied.
- c. Observe whether all items on the final list have been completed or corrected and make recommendations to ENGINEER concerning acceptance and issuance of the Notice of Acceptability of the Work.

The RPR shall not:

- Authorize any deviation from the Contract Documents or substitution of materials or equipment (including "or-equal" items).
- Exceed limitations of ENGINEER's authority as set forth in the Contract Documents.
- Undertake any of the responsibilities of CONTRACTOR, Subcontractors, Suppliers, or Contractor's superintendent.
- Advise on, issue directions relative to, or assume control over any aspect of the means, methods, techniques, sequences or procedures of Contractor's work unless such advice or directions are specifically required by the Contract Documents.
- Advise on, issue directions regarding, or assume control over safety practices, precautions, and programs in connection with the activities or operations of OWNER or CONTRACTOR.
- Participate in specialized field or laboratory tests or inspections conducted off-site by others

- except as specifically authorized by ENGINEER.
- Accept Shop Drawing or Sample submittals from anyone other than CONTRACTOR.
  - Authorize OWNER to occupy the Project in whole or in part.



## **February 26, 2024 Agenda**

**To: Mayor, City Council and Staff**  
**From: Lisa Kotter, City Administrator**  
**Date: February 23, 2024**  
**Re: Garbage Ordinance**

**Ordinance #04-24**

**At the City Council meeting on February 12, the Council approved the first reading of this draft ordinance. This previous ordinance stated people must provide their own containers. It also did not cover the time toters must be at the curb. Lastly, we added clarity on how we handle the other haulers besides the one hired for weekly pick-up by the City. The draft ordinance is in the packet and would be a second reading.**

**ORDINANCE #04-24**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CASCADE,  
IOWA BY AMENDING  
TITLE VI PHYSICAL ENVIRONMENT, CHAPTER 4 UTILITY REFUSE COLLECTIONS,**

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 4 “Utility Refuse Collection” of the Ordinances of the City of Cascade, Iowa is repealed and the following adopted in lieu thereof:

Utility Refuse Collections.

**6-4-2 ~~DUTY TO PROVIDE~~ GARBAGE AND RECYCLING CONTAINERS-CANS.**

The City will provide each residential and commercial parcel with a container from the private garbage hauler hired by the City and all are required to use these containers. All are also required to use the City hired contractor for all regular, weekly pick-ups. A different hauler may only be hired privately for temporary, short-term needs such as construction, renovation projects or special events. A private hauler hired for temporary use, that is not the contractor hired by the City for weekly pick-up, must be permitted by the City as provided in section 6-4-6. Each person shall provide cans or approved containers for the storage of garbage and rubbish accumulating on the premises owned or occupied by such owner. Such All City provided cans or containers shall be kept covered and reasonably clean at all times. The cans or containers shall be placed at the curb on the collection day no later than 7:00 a.m, in a position readily accessible to the collector, with any two toters being placed at least 3 feet apart. ~~It shall be the duty of the owner of each household residing in a building arranged for more than one family unit to provide proper cans for garbage and rubbish.~~

6-4-6 NECESSITY OF PERMIT. No person shall collect garbage or rubbish except such person's unless otherwise by contract or permit approved by the Superintendent of refuse and issued by the Clerk. In the event any business, firm, or corporation may elect to dispose of refuse or waste matter, for temporary needs, as may accumulate on any premises, property, or location, the same may be done provided that such disposal and transporting of any refuse or waste matter complies with the provisions of this chapter, is approved by the City and a permit issued by the Clerk. The annual permit fee for a hauler, other than the one hired by the City, shall be \$100.

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 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 12<sup>th</sup> day of February, 2024

\_\_\_\_\_  
Steven Knepper, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Goerd, City Clerk

First Reading: February 12, 2024  
Second Reading:  
Third Reading:  
Publication Date:  
Sent to American Legal:



## February 26, 2024 Agenda

**To: Mayor, City Council and Staff**

**From: Lisa Kotter, City Administrator**

**Date: February 23, 2024**

**Re: CVT Contract for Library Special Inspections and Construction Testing**

The City must hire an independent contractor to do onsite testing for materials used on site. The type of work is Earthwork and Compaction Testing, Concrete Testing, Steel Inspection, Engineering and Project Management. The FEH team sent out an RFP and received two quotes. CVT was the lower of the two by quite a bit. It is a time and materials contract, but the estimate is \$11,556. FEH is recommending the hiring of CVT. This firm was hired earlier in the planning process to do soil testing. The packet includes a resolution for consideration, the letter of recommendation from FEH and the CVT quote.



**RESOLUTION #22-24**

**A RESOLUTION AUTHORIZING THE APPROVAL OF HIRING CVT TO CONDUCT SPECIAL INSPECTIONS AND CONSTRUCTION TESTING DURING THE LIBRARY CONSTRUCTION IN THE CITY OF CASCADE, IOWA**

WHEREAS, the City Council has entered into an agreement with the firm FEH Design to be the architect for the new Cascade Public Library; and,

WHEREAS, the City needs to hire a Special Inspection and Construction Testing firm to conduct independent inspections during the building process; and,

WHEREAS, the FEH Team solicited quotes for this work and received two, with the lowest price coming from Chosen Valley Testing (CVT) in the estimated amount of \$11,556 (the estimate is due to the fact that the contract is for time and materials); and,

WHEREAS, the estimate from CVT and FEH recommendation letter are attached as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cascade, Iowa, approves the hiring Chosen Valley Testing (CVT) in the estimated amount of \$11,556 and the City Administrator is authorized to sign the contract.

PASSED, APPROVED AND ADOPTED this 26<sup>th</sup> day of February, 2024.

\_\_\_\_\_  
Steve Knepper, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Goerdts, City Clerk

February 13, 2024

Cascade Public Library Board  
 301 1st Ave W, PO Box 117  
 Cascade, IA 52033

Attn: Cascade Public Library Board

Recently, FEH Design issued a Request for Proposal for Special Inspection and Construction Testing for the proposed library addition on behalf of Cascade Public Library. We have received proposals from two firms to which the RFP was sent (see attached to this email). A summary tabulation of the proposals is shown here for ease of comparison. This comparison takes unit costs provided by each firm and their assumed project scopes and compares cost. It should be noted that based on the assumed scope of services anticipated project fees may vary.

Provider	Nearest Location	Total Fee based on Estimated scope
Chosen Valley Testing, (CVT)	Cedar Falls	\$2,570 (Earthwork and Compaction Testing) \$6,496 (Concrete Testing) \$1,400 (Steel Inspection) \$1,050 (Engineering and Project Management) \$11,556 (Total Estimated Costs)  See the attached proposals for a in depth breakdown of anticipated costs
Team Services	Dubuque, IA	\$25,159.82 (Estimated Costs)  See the attached proposals for a in depth breakdown of anticipated costs

Per the proposals, the fees shown are based on the proposers' estimated scope and are not lump-sum or not-to-exceed values, but rather rough budgetary numbers based on estimated scope. Actual fees will be based on the actual work performed, which may vary from the estimated fees depending on many variables including construction schedule and actual progress.

Included in the proposals are each company's unit pricing for the testing and inspecting services offered. It should be noted that the individual hourly and unit rates differed slightly with Chosen Valley Testing having an overall lower unit rate for testing services.

In review of the proposals, items to consider are a firm's fees, its familiarity with the geotechnical investigation performed at the beginning of the design phase, location, and testing capabilities.

Chosen Valley will have a longer travel distance but charges a flat travel fee in lieu of a mileage rate.

All the firms provided proof of certified testing capabilities for the construction within the new library project.

The geotechnical report for this project was prepared Chosen Valley Testing, INC., we have found that there is value in having the firm who did the investigation be the firm to perform the foundation inspection and testing because they can work more closely with the geotechnical engineer to provide more timely and more economical recommendations for any subgrade remediation that might be necessary.

**Based on the discussion above, we recommend that the library board consider contracting with Chosen Valley Testing, for special inspection and construction testing services. This is due to their previous site experience and knowledge of the information within the geotechnical report.**



Authorization to Proceed



**Special Inspection and Construction Testing Proposal**

Cascade Public Library  
Cascade, Iowa

**Prepared by:** Chosen Valley Testing, Inc.

**CVT Number:** 23009.24.IAW

**Commencement of the above Project or Work Package, as outlined in the attached proposal document from Chosen Valley Testing, Inc. is hereby authorized.**

**Authorizing Person(s):**

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Name / Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Name / Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Name / Title

\_\_\_\_\_

<b>1. Earthwork Observation and Compaction Testing</b>					
<b>Time &amp; Trips</b>	<b>Site Visits</b>	<b>Site Hours/Trip</b>	<b>Total Hours</b>	<b>Unit Cost</b>	<b>Cost</b>
Excavation Observation and Compaction Testing, per hour	6	4	24	\$55	\$1,320
Licensed Professional Engineer			2	\$125	\$250
Vehicle & Mileage Charges, per Trip	6			\$125	\$750
<b>Tests</b>			<b>No. Of Tests</b>	<b>Unit Cost</b>	<b>Cost</b>
Laboratory Proctor Tests			2	\$125	\$250
Gradations			0	\$80	\$0
<b>Total</b>				<b>Est. Costs for Earthwork and Compaction Testing</b>	<b>\$2,570</b>
<b>2. Concrete Testing &amp; Rebar Observation - 1 set per 50 yards, 4 cyl/set</b>					
<b>Time &amp; Trips</b>	<b>Pours</b>	<b>Site Hours/Trip</b>	<b>Total Hours</b>	<b>Unit Cost</b>	<b>Cost</b>
Footings	5	4	20	\$55	\$1,100
Foundation Walls	4	4	16	\$55	\$880
Slabs & Decking	3	4	12	\$55	\$660
Exterior Concrete	0	4	0	\$55	\$0
Cylinder Pick-ups	5	3.5	17.5	\$55	\$963
Vehicle & Mileage Charges, per Trip	17			\$125	\$2,125
				Subtotal	\$5,728
<b>Test Cylinders - includes cylinder mold, curing, and reporting</b>	<b>Pours</b>	<b>Sets/Pour</b>	<b>Sets x Pours x 4 Cyls/set</b>	<b>Unit Cost</b>	
Footings	5	1	20	\$16	\$320
Foundation Walls	4	1	16	\$16	\$256
Slabs & Decking	3	1	12	\$16	\$192
Exterior Concrete	0	1	0	\$16	\$0
				Subtotal	\$768
<b>Total</b>				<b>Est. Costs for Concrete Testing</b>	<b>\$6,496</b>
<b>3. Masonry Testing &amp; Rebar Observation</b>					
<b>Time &amp; Trips</b>	<b>Site Visits</b>	<b>Site Hours/Trip</b>	<b>Total Hours</b>	<b>Unit Cost</b>	<b>Cost</b>
Masonry Observations, per hour	0	4	0	\$55	\$0
Vehicle & Mileage Charges, per Trip	0			\$125	\$0
				Subtotal	\$0
<b>Test Cylinders - includes cylinder mold, curing, and reporting</b>	<b>Sets</b>	<b>Samples/Set</b>	<b>Total Samples</b>	<b>Unit Cost</b>	
CMU Compression Test, per sample	0	3	0	\$125	\$0
Mortar Cubes, per sample	0	3	0	\$15	\$0
Grout Prism Compression, per sample	0	3	0	\$25	\$0
				Subtotal	\$0
<b>Total</b>				<b>Est. Costs for Masonry Testing</b>	<b>\$0</b>
<b>4. Steel, Wood &amp; Precast</b>					
<b>Time &amp; Trips</b>	<b>Site Visits</b>	<b>Site Hours/Trip</b>	<b>Total Hours</b>	<b>Unit Cost</b>	<b>Cost</b>
Special Inspections, per hour	2	7	14	\$75	\$1,050
Vehicle & Mileage Charges, per Trip	2			\$195	\$390
<b>Total</b>				<b>Est. Cost for Structural Steel and Welding Inspection</b>	<b>\$1,440</b>
<b>5. Fireproofing</b>					
<b>Time &amp; Trips</b>	<b>Site Visits</b>	<b>Site Hours/Trip</b>	<b>Total Hours</b>	<b>Unit Cost</b>	<b>Cost</b>
Special Inspections, per hour	0	8	0	\$75	\$0
Vehicle & Mileage Charges, per Trip	0			\$195	\$0
<b>Total</b>				<b>Est. Cost for Structural Steel and Welding Inspection</b>	<b>\$0</b>
<b>6. Administration &amp; Reporting</b>					
Engineering, Administration, Reporting, lump sum				Lump Sum	\$1,050
				<b>Est. Cost for Engineering Review and Reporting</b>	<b>\$1,050</b>
				<b>Estimated Total Cost</b>	<b>\$11,556</b>



## **February 26, 2024 Agenda**

**To: Mayor, City Council and Staff**  
**From: Lisa Kotter, City Administrator**  
**Date: February 23, 2024**  
**Re: EMS Lease for 129 Fox Street SE**

**One of the recommendations from the consultant was to look for a new EMS Station. We have been talking to Chad Demmer about the southern half of the building at 129 Fox Street SE as a new location. The EMS crew has made a list of some changes that they would request. I am meeting again with Chad to go over the list on Monday. The lease we would ask for Council consideration is for 5 years, beginning June 1, 2024 at \$1,500 per month. We would also pay for the utilities. Chad has also confirmed that prior to June 1, he will be using the other half of the building for his own use.**

**I have reviewed the lease with Reiff at the current location. The start date for each year's lease is July 1. We must give a 90-day notice which would be April 1. By renting the new location on June 1, we would have one month at both locations to get things moved and settled. I did call and speak to Peggy so that she was aware before the agenda came out that this was a possibility.**

**I did get a call today from Mike Smith about a building he is planning to build new on the east side of town. He is willing to consider building a facility that we could rent. If the Council was more interested in this, it would take some time to get Mike the info on our size needs and then for him to come up with the costs. If we take this path, we would likely to have to stay in the current facility for another year, as construction would not be done prior to us moving out by July 1, 2024.**

**There is a resolution in the packet for consideration to authorize me to work with Chad on a lease for 5 years for \$1,500. If there is anything on the EMS list of requests that Chad is not willing to build, we will bring those items back to Council in two weeks.**

**RESOLUTION #24-24**

**RESOLUTION APPROVING A BUILDING LEASE AGREEMENT WITH CASCADE STORAGE FACILITY, LLC, (CHAD DEMMER) FOR THE SOUTHERN HALF OF THE BUILDING AT 129 FOX STREET SE FOR PURPOSES OF AN EMS FACILITY**

WHEREAS, the City Council hired the Iowa EMS Consultants to complete an analysis of strengths and weaknesses of the EMS service and that one of the recommendations was to consider a different building that was larger and more accommodating to the needs of the service; and,

WHEREAS, the Mayor and Council have toured the facility at 129 Fox St SE; and,

WHEREAS, the City Council finds that this building will suit the EMS service's needs for some time in to the future.

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

Section I. The City Council approves entering into the building lease agreement with Cascade Storage Facility, LLC for the south half of 129 Fox Street SE for a term of 5 years and a monthly rent of \$1,500 and with utilities being paid for by the City.

Section II. The City Council approves providing a 90-day notice to Joseph C. Reiff and Peggy A. Reiff for the termination of the current EMS Center lease at 803 1<sup>st</sup> Avenue West effective June 30, 2024.

Section III. The Mayor and City Clerk are hereby authorized to sign and execute the contract for the building lease.

PASSED AND APPROVED this 26<sup>th</sup> day of February, 2024.

\_\_\_\_\_  
Steven Knepper, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Goerdts, City Clerk



## February 26, 2024 Agenda

**To: Mayor, City Council and Staff**  
**From: Lisa Kotter, City Administrator**  
**Date: February 23, 2024**  
**Re: Tax Levies in the New Public Mailing**

The new State budget law requires that each county send out a letter to each property owner regarding upcoming budget hearings and the proposed tax levies. No later than March 5, the City must send the maximum levy the Council would consider in April.

The different levies that we used last year were the following:

**Consolidated General Fund, Liability, Property and Self Insurance, FICA and IPERS, Other Employee Benefits, Agricultural Levy and Debt Service**

The new maximum rate we are allowed to collect under the Consolidated General Fund is now \$7.86 instead of \$8.10.

To fully fund the budget the following levies would be required.

- Consolidated General Fund \$902,300.53**
- Liability, Property and Self Insurance \$95,250**
- FICA and IPERS \$98,126**
- Other Employee Benefits \$126,127**
- Agricultural Levy \$1,205.37**
- Debt Service \$289,570**

Because the notice is focused on dollars levied not the tax rate, the notice will show around a 22% increase in dollars. However, due to our growth and the rollback number decreasing, taxpayers under this proposal will see a 5% decrease in the dollars they pay to the City. Last year’s mill rate was \$11.12807. This year as proposed \$12.5070.

Attached to this is a spreadsheet showing the impact to a single household on a \$200,000 and \$400,000 valued home.



House Value	Rollback %	Taxable Value	Combined Actual Tax FY24 28.95604	FY2024 City Tax 11.12807	FY2025 Prop City Rate 12.5070		Decrease
200000	54.6501%	\$109,300.20	\$3,164.90	\$1,216.30	\$1,367.02		
	46.3428%	\$92,685.60	\$2,683.81		\$1,159.22	\$57.08	5%
400000	54.6501%	\$218,600.40	\$6,329.80	\$2,432.60	\$2,432.60		
	46.3428%	\$185,371.20	\$5,367.62		\$2,318.44	\$114.16	5%



## February 26, 2024 Agenda

**To: Mayor, City Council and Staff**

**From: Lisa Kotter, City Administrator**

**Date: February 23, 2024**

**Re: EMS Fees Ordinance**

**Ordinance #07-24**

**At the City Council meeting on February 12, the Council listened to the presentation from the EMS Consultants. One of the recommendations was to raise the EMS rates so as to capture all Medicare rates. The proposed ordinance is listed to include the recommendation of new fees, eliminating the BLS on scene care fee and adding a nuisance fee.**

**CASCADE ORDINANCE NO. 07-24**

**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 (1-8) be amended and adopted as follows:

1. BLS (Basic Life Support) Rate	<del>\$1,000-\$800</del>	
2. ALS1 (Advanced Life Support) Rate	<del>\$1,000-\$950</del>	
4. BLS on Scene Care	<del>\$300</del>	
5. ALS on Scene Care	<del>\$200-\$400</del>	
7. Nuisance Fee	<del>\$200</del>	

8. A nuisance fee is charged when it is deemed by the EMS director that the patient is utilizing the ambulance service as something other than it is intended to as an emergency medical provider and as something else such as repeated home health or nursing care.

**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 \_\_\_\_\_ day of March, 2024.

\_\_\_\_\_  
Steve Knepper, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Goerd, City Clerk

First Reading	Second Reading
Third Reading	Publication
American Legal	