



**Agenda
City Council Meeting
Monday, July 18, 2022 – 6:00 p.m.**

**City Council Chambers
201 East Pleasant Street
Maquoketa, IA 52060**

The Monday, July 18, 2022, Council meeting may be attended thru Zoom as allowed by Section 21.8 of Iowa Code. Anybody that would like to attend the meeting may do so thru the following means, and the meeting will rebroadcast over the local access channel:

The public will have both video and audio disabled throughout the virtual meeting unless a request to address the City Council is made during the Public Participation section of the Agenda. Speakers are kindly asked to keep participation to 3 minutes.

Web link: <https://zoom.us/j/96488987917>
Phone call: 312 626 6799
Meeting ID: 964-8898-7917

- 1. Call to order**
- 2. Pledge of Allegiance**
- 3. Roll call**
- 4. Approval of the Agenda**
- 5. Public Participation**
- 6. Consent agenda**
 - a. Minutes – July 5, 2022 Regular City Council Meeting**
 - b. Bills Payable through July 18, 2022 in the Amount of \$784,800.67**
 - c. June monthly financial reports**
 - d. New class "C" liquor license, Sunday sales and outdoor service area filed by Jackson County Fair Association**

- e. **Renewal of class "C" liquor license, Sunday sales and outdoor service area filed by Timber Lanes**
- f. **Renewal class "E" liquor license and Sunday sales filed by Casey's General Store #2846**
- g. **Set August 15, 2022 at 6:00 p.m. as public hearing date regarding status of funded activities for Homebuyer Assistance program**
- h. **Application for new tree trimmer license filed by Jacob Baker Tree Service LLC**

7. Presentations

- a. **Building & Code Enforcement Report Quarter 2 - 2022**

8. Consideration

- a. **Consideration of adopting a City of Maquoketa golf cart use Ordinance**

City Manager Summary: At the July 6 Public Safety Committee meeting, the Committee discussed the viability of a golf cart ordinance in the City of Maquoketa. Other communities such as Solon, IA feature a City ordinance providing for the use of golf carts, prohibited use locations, driver age requirements, cart owner liability insurance requirements, application fees, and building a case for distinguishing why a golf cart ordinance requires more care than most UTV ordinances.

In short, a golf cart does not have the same acceleration capabilities as a normal vehicle or UTV. Acceleration is a safety tool when the driver needs to escape a hazard. The acceleration as well as general lack of seat belts may give enough reason to forego pursuing a City Ordinance. A golf cart does not carry the same Iowa Department of Natural Resources (IDNR) requirements to register a UTV and most golf carts do not have an adequate road-ready light system. Thus, the City requirements on golf carts would be more than required of a UTV.

In the attached Council packet, Staff has included a sample Ordinance and application from the City of Solon. The highlights include:

- Requirement to furnish golf cart vehicle description.
- Requirement to maintain and show proof of owner liability insurance for operation of the golf cart on City streets. An insurance certificate must be maintained.
- Requirement for operators to be over the age of 18 and possessing a valid drivers license.
- Registration fee is \$30 annually.
- Prohibition of golf cart use (except for crossing) on main or primary road extensions in the City. For Maquoketa, this should be N & S Main St as well as E and W Platt St.
- Requirement of safety equipment include a "slow moving vehicle" sign affixed to the rear of the golf cart as well as a City issued permit affixed to the rear bumper.
- Limitation of hours and dates include sunrise to sunset on clear, dry pavement only.
- Prohibition of golf carts on cemeteries, parks, playgrounds, and sidewalks/trails.

Considering the above information, the Public Safety Committee was represented by two members on July 6 and wished to probe the broader Council's interest in pursuing a golf cart Ordinance.

Council direction is requested.

9. Old Business

a. **An ordinance amending Title V, Chapter 1V, Section 4 Special Use Permit required of the City of Maquoketa Code of Ordinances – second reading**

City Manager Summary: The Maquoketa Police Department plans on having a radio tower upgrade to accommodate future transmission technologies. In order to approve a special permit for Towers, the City needs to alter current Ordinance language. A future proposal will go before the Planning and Zoning Commission requesting property re-zoning of the Police Department, Jackson County Sheriffs Office, and Fire Department to B-2. The current zoning for these three properties is R-2, which is incorrect for the property use. In order to correctly issue a permit for a tower, the City is seeking a very minor language change.

The following is taken directly from the ordinance. The desired change is highlighted, bolded, and underlined.

5-1V-4 SPECIAL USE PERMIT REQUIRED. All Applications, except for Applications for Eligible Facilities Requests, shall require a Special Use Permit. Applications for the construction of new Towers shall be limited to the City's A-I, B-1, **B-2**, I-I, 1-2 or 1-3 zoning districts. All other Applications shall be limited to the City's A-I, B-1, 1-1, 1-2, 1-3 or B-2 zoning districts. The Zoning Board of Adjustment may, following public hearing, and subject to applicable state and/or federal requirements, approve, approve with conditions, or deny requests for Special Use Permits relative to an Application.

Council support is recommended

10. New Business

a. **Resolution awarding Harper Assets a Downtown Incentives - Façade and Commercial Interior Grant in the amount of \$12,645 upon verification of completed work and processed bills or up to the maximum amount of \$15,000 depending on final qualified bill costs**

City Manager Summary: At the July 13 meeting of the Downtown Incentives Committee, the committee considered the grant application of Harper Assets more commonly known as Copper Cardinal at the corner of S Main/Pleasant. Harper Assets is seeking assistance on unfinished projects. The grant will be used to improve the HVAC system capabilities in order to circulate air needed to run an ice cream shop and pub as well as improve the windows of the building facing Main St and Pleasant St. According to the specifications of the grant(s), reimbursement costs are allowed up to \$12,645 but final invoices may increase which is why up to \$15,000 is authorized by the committee.

This is an exciting opportunity for the City of Maquoketa as the Copper Cardinal finishes their project and opens a dining opportunity for residents and visitors.

Council support is recommended.

b. Resolution awarding Central Financial Group a Downtown Incentives – Commercial Interior Grant in the amount of \$10,000

City Manager Summary: At the July 13 Downtown Incentives Committee meeting, the committee also considered Central Financial Group at 146 S Main St for a commercial interior grant in the amount of \$10,000. The maximum allowable grant specifically for the commercial interior program caps at \$10,000.

In addition to what’s already been improved, the owners’ project quote will be at least \$76,150. The City’s \$10,000 grant will help the owner complete the project and is qualified by interior work such as new electrical systems, painting, and wall repair. The committee fully supported this project and is recommended for approval by the City Council.

In consideration of this item and the previous item, for this Fiscal Year (FY22-23) the Downtown Incentives Program will have \$30,577 in uncommitted funds assuming both items pass City Council.

MAQUOKETA DOWNTOWN GRANT PROGRAMS					
APPLICANT	PROGRAM DESCRIPTION	Date Minimum for Reimbursement	COUNCIL-GRANTEE CONTRACT AMOUNT	Paid to Date FY 2022-2023	Remaining Obligation
Innovate 120, Inc. (Abbott)	Commerical Interior Grant	7/5/2022	\$ 10,000.00	\$ -	\$ 10,000.00
Makin' Copies & More!, LLC (Lenth)	Commerical Interior Grant	7/5/2022	\$ 9,423.00	\$ -	\$ 9,423.00
Infinity Satellite Systems LLC (Sokol)	Upper Story Renovation	7/5/2022	\$ 15,000.00	\$ -	\$ 15,000.00
Harper Assets/Copper Cardinal	Commerical Interior Grant/Upper Story Renovation		\$ 15,000.00	\$ -	\$ 15,000.00
Central Financial Group (Kinrade)	Commercial Interior Grant		\$ 10,000.00		\$ 10,000.00
		Total	\$ 59,423.00	\$ -	\$ 59,423.00
		Total Budget Left	\$ 30,577.00		

Council support is recommended.

11. Reports and Communications

a. Council Member Reports

b. City Manager Report

12. Executive Session

a. None

13. Adjournment

MAQUOKETA CITY COUNCIL MEETING

Tuesday, July 5, 2022

Mayor Messerli called the regular session of the Maquoketa City Council to order at 6:00 p.m. with five members present.

Present: Simonson, Rickerl, Collister, Good, Holm

Absent: Lyon, Kuhlman

The group recited the pledge of allegiance.

Motion by Collister, seconded by Rickerl approving the consent agenda consisting of the agenda, June 20, 2022 regular minutes, bills in the amount of \$409,123.02, Mayoral appointment of Christopher Ihrig to the Property Maintenance Board, new class "B" Beer Permit and Outdoor Sales filed by Maquoketa Fire Fighters Association, "Resolution No. 2022-81, entitled, "Resolution to approve the State of Iowa Community Development Block Grant Coronavirus (CDBG-CV) Procurement Policy", "Resolution No. 2022-82, entitled, "Resolution approving the Subrecipient Agreement for 2022 CDBG-CV Grant with Maquoketa YMCA", and renewal tree trimmer application filed by Bartels Logging & Tree Service.

Motion Carried 5-0

Mayor Messerli opened the public hearing regarding Stormwater Levee Project plans, specifications, and form of contract. Boldt stated that the Levees are not in working order and the project will be paid with Federal Funds and a 2021A Bond. Boldt stated that this approval will release bidding authorization. Motion by Simonson, seconded by Collister closing the public hearing.

Motion Carried 5-0

Motion by Collister, seconded by Rickerl approving Resolution No. 2022-83, entitled, "Resolution approving plans, specifications, form of contract for the Stormwater Levee Project and authorizing the initiation of public bidding and setting bid opening date for August 4th, 2022 1:00 (CST) at City Hall, 201 E Pleasant St, Maquoketa, IA 52060."

Motion Carried 5-0

Motion by Collister, seconded by Holm approving ordinance No. 1198, entitled, "An ordinance amending Title V, Chapter 1V, Section 4 Special Use Permit required of the City of Maquoketa Code of Ordinances – first reading."

Motion Carried 5-0

Boldt stated that this is a zoning conflict and would change the tower size from currently 40 feet to possibly 80 feet. The 911 board would be paying but it's the City's job to make sure the zoning is correct. The City paid \$79,664 out of the American Rescue plans for the radio update.

Motion by Collister, seconded by Rickerl approving Resolution No. 2022-84, entitled, "Resolution approving Sale of Lisa Park to Nick McCrady for \$6,000."

Motion Carried 5-0

Boldt stated that we only had one bid and the Parks commission is satisfied with \$6,000 amount. It's the Park commission recommendation to go ahead and authorize the sale of Lisa Park.

Motion by Simonson, seconded by Holm approving Resolution No. 2022-85, entitled, "Resolution approving partial release of property parcel 43-2022 from development agreement Resolution No. 2020-57 with GT Development, LLC recorded with Jackson County Recorder's Office."
Motion Carried 5-0

Boldt stated that this is the green shed next to the Mill and being sold to Cardinal CrossFit. This will be a partial release of the development agreement.

Motion by Good, seconded by Rickerl approving Resolution No. 2022-86, entitled, "Resolution authorizing the City of Maquoketa to enter into a Hometown Pride service agreement with Keep Iowa Beautiful and East Central Intergovernmental Association (ECIA)."
Motion Carried 5-0

Boldt stated this program will help the Hometown Pride and Betterment Corp who help organize the Summer Concert Series and other events continue to maintain operations and scan for grant sources.

Motion by Collister, seconded by Good approving Platt Street Project to change a 15- inch RCP pipe to a 12-inch PVC Pipe and add a bid item of 50 feet of 4-inch DIP Watermain for a total of \$9,518.22.
Motion Carried 5-0

Ellenz stated that this is an elevation error changing the pipe going across the street to a 12- inch PVC pipe which is smaller in diameter. Ellenz stated that in regards to the 4-inch watermain, the City just need a line item to pay for a 4-inch watermain just in case we get it and we don't use 50 feet, then the \$6,268.50 will not be charged to the City.

Rickerl asked if we were sure we are not creating a bottleneck by going from 15-inch to 12-inch. Ellenz stated that they went through the exercise before bringing it to Council and the drainage area is only draining minimal square feet of area so there will not be a bottleneck. Ellenz stated that the location is on Clark Street.

Simonson asked if this was a design error or engineer error. Ellenz stated that this was an elevation error and was discovered in the design.

Good made a comment there was a street sign falling over on the corner of 4th and Locust and asked Ellenz if someone could take a look at it. Ellenz stated that they put new signs up last Wednesday and he will get the sign straightened out.

Boldt stated that the City had IA DOT engineers in and Boldt asked them if there was anyway we could adjust some sources and funds. IA DOT suggested reducing the retainage from 5% to

3% and we got that to go through. Boldt stated that the difference is \$218,000 that we will be able to use this for upcoming change orders. Boldt stated that this week we are doing the non-compliance shut-off and we have about 40 shut-off. Boldt stated that a few weeks ago Brendan Zeimet came out with the Police Departments Drug Amnesty Program. This is a take back program for people who want to seek help themselves.

Motion by Collister, seconded by Rickerl adjourning at 6:20 p.m.

All Ayes

Tom Messerli, Mayor

ATTEST:

Joshua Boldt, City Manager

REQUEST FOR COUNCIL ACTION

Agenda Item: _____

SUBJECT:

CDBG Application for Homebuyer Assistance

Action Requested:

Set date for Public Hearing for CDBG application

Originated By:

Angela Koppes, ECIA

Referred To:

Summary of Background and Reasons for Request:

The CDBG (Community Development Block Grant) program requires that grantees hold a Status of Funded Activities Public Hearing to detail the status of the program at roughly 50% of the grant activities being accomplished. ECIA is requesting that the City Council set the date for the CDBG Status of Funded Activities for its Homebuyer Assistance program at its July 18, 2022 meeting with the public hearing to be held at its August 15, 2022 council meeting.

Reports and Documents Attached:

Resolution to set Public Hearing

Is this Currently Budgeted? Yes No N/A

Funding Source (REQUIRED):

Ending Balance:

Manager's Recommendation:

Approve

Date Referred to Council: _____

Action Taken: _____

07/18/2022

APPLICATION FOR LICENSE TREE TRIMMER AND STUMP REMOVER

The tree trimmer/stump remover must file and maintain with the City, evidence of satisfactory public liability insurance covering all operations.

Name: Jacob Baker Date: 7-14-22

Company Name: Jacob Baker tree service llc

Address: 1909 20th Ave Oxford Junction

Phone: 319-480-8218

Email Address: jcrock4630 at Gmail.com jcrock4630@gmail.com

Which of the following will you be performing?

Tree Trimming Tree Removal Stump Removal Stump Grinding

EQUIPMENT: Provide a complete list of the equipment that will be used.

1. International Bucket truck
2. Bobcat skid loader
3. F250 2016 Ford truck
4. Dump trailer
5. Stump grinder

INSURANCE REQUIREMENTS: Any persons, firm or corporation, before engaging in the business or occupation of removing, cutting, trimming or grinding trees in the City of Maquoketa shall deposit with the City Manager a policy of insurance with reliable insurance company authorized to do business in the State of Iowa with limits as follows:

General Aggregate	\$1,000,000
Products and Completed Operation Aggregate	\$1,000,000
Personal and Advertising Injury	\$500,000
Each Occurrence	\$500,000
Fire Damage (any one fire)	\$50,000
Medical Expense (any one person)	\$5,000

I HEREBY CERTIFY that I will dispose of all debris on my own. I will not dispose of any debris on City-owned property. However, I also understand, if a property owner wishes to keep a tree that I've cut down, for firewood or some other logical use, he/she may dispose of the 'end branches' of the tree at the City's brush pile as long as the City finds that this practice has not become overly burdensome to the operation of the brush pile.

Jacobs Balce
Signature of Applicant

7-14-22
Date

City Hall Use Only

LICENSE FEE: License Fee of \$75.00 must be paid at time application is filed.

Receipt # 04992 taken by (initials) JA.

INSURANCE: Certificate of Insurance Included? Yes () No

I HEREBY CERTIFY that the above application for Tree Trimmers and Stump Removers was
() approved () denied by the Maquoketa City Manager on this _____ day of
_____ 20 _____.

CITY OF MAQUOKETA, IOWA

CITY MANAGER

License expires on: _____

CITY OF
MAQUOKETA
ONE OF A KIND

CODE ENFORCEMENT REPORT

Q2 2022

BRAD KORANDA



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Statement of Purpose -

Property maintenance has been on the hot burner and it usually is in the spring of the year and it should be. We, stakeholders of the City, all know that not only compliance with our ordinances is important it is just as important to have maintained properties in our community. Having properties that are not maintained and cluttered with junk obviously takes from all of us in the community, tax assessments, image of our community, and attract ability for new residence, businesses, and industry.

A Building Inspector has many hats and there will always be many different approaches that are needed to Enforce codes, ordinances, laws, and regulations pertaining to zoning, property maintenance, nuisance abatement, building code and rental ordinance. Not all infractions are the same, some are done without a lot of process and some are very difficult to get compliance. Due to the fact that all situations are a little different we need to work with property owners in different ways. Some property owners understand and are willing to work on the issues and some just do not.

Ultimately, we want property owners to take responsibility for their noncompliance and take care of the issue. We want to contact property owners and build some kind of relationship, either:

- 1) They feel we are trying to help with resources or processes that may be of help to them, or
- 2) The City may have to immediately go into an abatement situation, because we know after making contact we have a property owner not willing to work at compliance.

I, Brad Koranda, have also organized a joint meeting with the Police Department and Street Department to go over ideas and look at different ways to have all departments on the same page while dealing with properties that we all know have nuisances. I feel this has to be a team effort and when anyone from any of the City departments has a chance to be at one of these properties we need to have the same message. How we get a consistent message is by inter-departmental communication and transparency with what we are all doing and in what stage we are in on these properties. We also talked about how other departments may see things in different areas of properties because of access rights. Different departments can report issues that may be hidden from public view, for example a police officer inside a home for a domestic disturbance compared to street operations. We need to stop assuming that we all see the same things and the commitment to communication is starting to see a positive result within departments.

The rest of this report will provide a short history on the Building Department's operations since April 2022 and provide some data back up to the progressions the City of Maquoketa has made to combat property negligence.

Brad Koranda

April 1st, 2022 thru June 30th, 2022 Operations & History –

I have been here in this position as Building Inspector six months now and we have continued to be busy. I still am learning the many processes at City Hall. Scott Wirth has been coming in on my time off and also working on inspections of building permits.

I will continue to learn and develop the way we will move forward with policy and procedure. Getting involved with Variances, Zoning and learning what needs to be recorded with the County. We also get involved in any research for properties and subdivisions that take up some time to complete.

During Q2, we continue to get building permits. The applications are for decks, garages, additions to homes, fences and now chicken coops. To date, 75 permits have been issued, total fees \$9585.83. At this time last year, 71 permits were issued but this time period included the addition of Dollar Fresh, Rockdale Locker/Moore, and two new homes fees totaling \$14,011.46.

We have commercial buildings permitted. The Jail is slowly starting to have material issues, we should see more progress nearing the late summer fall. Deery's building and Brian Kirby's building #1 have started and we are continuously inspecting their progress in construction. Kirby is also waiting on material for building #2, expected completion of Kirby's building #2 is early Winter. Kirby's property neighbors AmericInn hotel on the South side. We are also working with the County on the Extension building.

The large developments like the jail are more complicated and need professional plan reviews. Scott Wirth has a history of reviewing said plans and handles review requirements. **This activity relieves the City from employing a third-party reviewer at a cost of \$3,000 - \$5,000 per file.** These external costs became so extraordinary in 2021 the City contracted the City of Clinton to conduct reviews at a rate of \$85 per hour.

Scott Wirth's plan review capacity streamlines the process for large developments. We are eagerly awaiting permits for new construction of homes in our new subdivision on W Summit St & Western Ave (Meadow Park). This will be an exciting time for growth and it keeps us busy. Public/Private Partnerships like this one are a big factor in growth of communities and we need to keep looking for those opportunities for land uses in and around the city. The expected number of new homes may be as high as 30 in the next two years for just Meadow Park.

We have processed the renewals for rental registrations. So far 51 landlords have paid out of 187 registered landlords they have until July 31st to pay. In the future I would like to see the City move to a better suited software that works with us not against us for our rental/vacant building program. Rental registration allows the building department to verify healthy living conditions for tenants.

We will be scheduling inspection for the Group #1 which is multi-family and trailer courts. Our goal is to have all of them done in 60 days. If we have a follow up inspection we can get them done in the next 30 days for a total of 90 days for inspections. The program has identified some issues and has helped with getting properties on our radar and potentially interest house flippers.

Q2 Brag Sheet –

- The Building Department issued 20 nuisance abatements in Q1 and added 8 more in Q2. Some of these have been resolved and will be watched, others are working with us to get resolved. We do have several that I will be issuing Municipal infractions on due to the fact that I am unable to make contact or they just have not been cooperating with us. These property issues do take time and are not easy sometimes, however with consistent follow up and knowing I will be stopping by expecting progress it will get better.
- I went to professional training on Nuisance property put on by the Iowa League of Cities in Ankeny. I did bring back knowledge about how to get notifications of abatements to property owners that hold up in court, I also spoke with many people from across the State with a lot of the same concerns we have here in Maquoketa. Everyone is looking for a quicker or better way to deal with nuisance properties, unfortunately we found out the best way is to allow the property owners many opportunities to get things cleaned up so when you do go to court the Judge sees that the City was trying to give them every opportunity to fix the issues. Cities have a better chance for a court order at that point.
- We have had some movement with some properties we've been working with and I hope you have seen some of that progress. We still have a lot of work going forward.

The City of Maquoketa Nuisance Process Primer --

Back to process education. The City does have ways to force compliance on the property owner, which takes care of the issues for a while and if the City monitors the property we can deal with an additional violation in its infancy and not in the state that many properties are in today.

My personal experience as Chief of Police is if owners take responsibility and care of their property it will continue to be kept in compliance. However, legal action sometimes is the only way for compliance.

The following is the process that we take for compliance of code violations on properties:

- 1) Receive or note a complaint while conducting field investigations.
- 2) Research subject property and check City records.
- 3) Inspect property and accessory structures for compliance with nuisance abatement ordinances, including dilapidated or unsecured and vacant buildings.
- 4) Prepares property maintenance enforcement action outcomes; drafts correspondence to residents, business owners, and tenants; etc.
- 5) Contact property owner of Nuisance and explain cities position and process to get compliance. Objective is to seek verbal commitment and follow through of desired property condition. Success and turnaround time for compliance vary. Some orders are 7 days, others may be much higher.
- 6) If property owner refuses to work with City, then an abatement will be served on that property giving them exact description of nuisance and allow them some time to get it corrected and in compliance. **Time allowed may vary on extent of the problem and what type of nuisance it is.** For example, if it is just moving an abandon car off property we may give them 7 days, if it fixing a structural issue we may give them 7 days to give us a plan and give them time to get it fixed.
- 7) If we see no or very little progress to comply with our ordinances then we will issue a municipal infraction to the owner of the property in violation. This has a fine of up to \$750.00 and **could** go in front of a Judge for a possible court order to have the City do what it has to do to get property in compliance with the requirements of City Code.
- 8) Gather, maintain, and present evidence as necessary to enforce property maintenance with due consideration for procedural and due process of law **in concert with the City's attorney.** Serve as City's support staff in the prosecution of municipal code infractions relating to property maintenance and code enforcement activities. Once a file reaches Municipal Infraction, resolution in 3 – 5 months is expected.
- 9) Continue to monitor property.

Definitions -

Abatement:

- An Abatement is defined as the moment the Building Inspector determines that a nuisance property is in violation of any section of the City Code. An Abatement order may be issued to the responsible parties to remedy the violation.

For further, Staff considers any time contact is made with a property owner an abatement. This may come in the form of a soft order to remedy property violations or a formal abatement order served in writing.

Infraction:

- An Infraction is defined by [364.22 in the State of Iowa Legislature](#). In short, a municipal infraction is a civil offense punishable by a civil penalty of not more than \$750 for each violation or if the infraction is a repeat offense, a civil penalty not to exceed \$1,000 for each repeat offense.

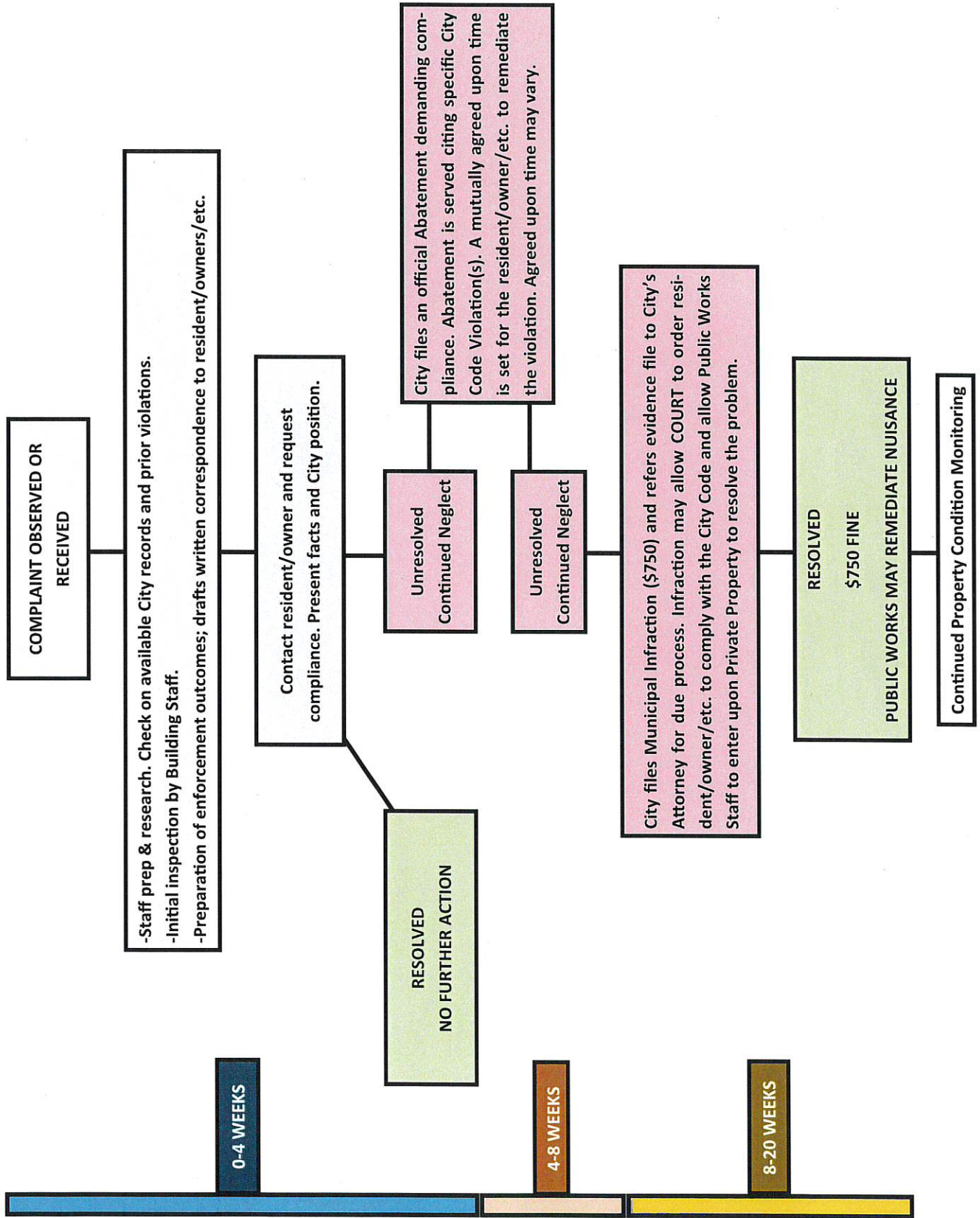
In Jackson County, the City files a municipal infraction with the Clerk for \$95 and then it is served to the defendant. The defendant is notified of a court order to appear and the City's Attorney meets with the defendant in a pre-trial meeting before said court appearance. If the infraction reaches Court, the judge may side with the City after weighing evidence and order the defendant to abate the violation(s) within a certain time requirement. If the violation still exists after Court order, then Public Works would have the ability to go on private property by Court order and abate the violation. A Court order may include provisions to assess all City incurred costs to the defendant including the \$95 filing fee, clean-up costs, and fine amount.

Vacant Building:

- A Vacant Building means the structure must be both vacant, have 6 months in a row of code violations, and fall within City limits.

Typically, a presentation of facts and evidence is given to prove in Court that a building is vacant and subject to condemnation and acquisition by the City of Maquoketa. The most recent example took around 15 months to settle.

Nuisance Process Flowchart



CHAPTER 2 NUISANCES

3-2-1	DEFINITIONS	3-2-8	ABATEMENT IN EMERGENCY
3-2-2	NUISANCE PROHIBITED	3-2-9	ABATEMENT BY MUNICIPALITY
3-2-3	OTHER CONDITIONS REGULATED	3-2-10	COLLECTION OF COST OF ABATEMENT
3-2-4	NOTICE TO ABATE NUISANCE OR CONDITION	3-2-11	INSTALLMENT PAYMENT OF COST OF ABATEMENT
3-2-5	CONTENTS OF NOTICE TO ABATE	3-2-12	CONDEMNATION OF NUISANCE
3-2-6	METHOD OF SERVICE		
3-2-7	REQUEST FOR HEARING AND APPEAL		

3-2-1 DEFINITIONS. The following words and phrases whenever used in the ordinances of the City, shall be construed as defined in this section unless, from the context, a different meaning is intended or unless different meaning is specifically defined and more particularly directed to the use of such words or phrases:

“Nuisances Declared” means whatever is injurious to health, indecent, or unreasonably offensive to the senses or an obstacle to the free use of property, so as essentially to unreasonably interfere with the comfortable enjoyment of life or property. Nuisances shall include, but not be limited to, those activities and items hereinafter set forth in this section below:

(Code of Iowa, Sec. 657.1) (ECIA Model Code Amended in 2017)

1. The erecting, continuing or using any building or other place for the exercise of any trade, employment or manufacture, which by occasioning noxious exhalations, offensive smells, or other annoyances, becomes injurious and dangerous to the health, comfort of property or individuals or the public.
2. The causing or suffering any offal, filth, or noisome substance to be collected or to remain in any place to the prejudice of others.
3. The obstructing or impeding without legal authority the passage of any navigable river, harbor, or collection of water.
4. The corrupting or rendering unwholesome or impure the water of any river, stream, or pond, or unlawfully diverting the same from its natural course or state: to the injury or prejudice of others.
5. The obstructing or encumbering by fences, buildings or otherwise the public roads, private ways, streets, alleys, commons, landing places or burying grounds.
6. Houses of ill fame, kept for the purpose of prostitution and lewdness, gambling houses, or houses resorted to for the use of opium or hashish or houses where drunkenness, quarreling, fighting or breaches of the peace are carried on or permitted to the disturbance of others.
7. Billboards, signboards, and advertising signs, whether erected and constructed on public or private property, which so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard or alley or of a railroad or street railway track as to render dangerous the use thereof.

8. Cotton-bearing cottonwood trees and all other cotton bearing poplar trees in cities.
9. The depositing or storing of flammable junk, such as old rags, rope, cordage, rubber, bones, and paper by dealers in such articles within the fire limits of any city, unless it be in a building of fireproof construction.
10. The emission of dense smoke, noxious fumes, or fly ash.
11. Weeds. Any condition relating to weeds which is described as a nuisance in the Maquoketa Municipal Code of Ordinances or under state law. Dense growth of all weeds, grasses, vines, brush, or other vegetation in the City so as to constitute a health, safety, or fire hazard including any City owned property between the abutting property line and the street right-of-way. Any condition related to weeds described or defined as a nuisance under the Code of Iowa or the City Municipal Code. (Code of Iowa, Sec. 657.2(11)) (ECIA Model Code Amended in 2017)
12. Trees on private property infected with Dutch elm disease.
13. Effluent from a septic tank or drain field or ponding of polluted water over an overloaded or non-operating drain field.
14. The obstruction of a gutter or drainage ditch or pipe.
15. The maintaining of any accumulations of rubbish and animal manure.
16. Any building or structure damaged by fire. (Ord. 1057, 7-21-2008)
17. Any water service line constructed of lead. (Ord. 1132, 05-16-2016)
18. Any accumulation of junk, refuse, garbage, or accumulation of items determined by City inspectors to be an unsightly nuisance when viewed from adjacent property or from the public street.
19. Any equipment or other structure erected in the right-of-way by any utility or private owner which is not kept in good repair, is unsightly due to lack of maintenance, or which is dilapidated or broken such that the equipment or structure is dangerous, or offensive to the senses, or unsightly.
20. Open excavations, construction sites, and demolition sites that, as determined by City inspectors, are not secured from the public. (Ord. 1137, 06-19-2017)
21. Causing or suffering any refuse, garbage, obnoxious substances, hazardous wastes, junk or salvage materials to be collected or to remain in any place to the prejudice to others: causing or suffering any refuse, garbage, obnoxious substances, hazardous wastes, junk or salvage materials or other offensive or disagreeable substances to be thrown, left or deposited in or upon any street, avenue, alley, sidewalk, park, public square, public enclosure, lot, vacant or occupied, or upon any pond or pool of water: except for compost piles established and maintained with written permission from the Jackson County Public Health Department and junk or salvage materials property stored in accordance with the Maquoketa Municipal Code.
22. Diseased or damaged trees or shrubs. Any dead, diseased or damaged trees or shrubs, which may harbor insects or diseased pests or diseases injurious to other trees or shrubs or any healthy tree which is in such a state of deterioration that any part of such tree may fall and damage property or cause injury to persons.

23. Any ditch, drain or water course which is now or hereafter may be constructed so as to prevent surface water and overflow water from adjacent lands entering or draining into and through the same: any storm water detention basin not maintained in an appropriate manner so as to allow its proper function.
24. Stagnant water standing on any property, any property, container, or material kept in such condition that water can accumulate and stagnate.
25. Conditions which are conducive to the harborage or breeding of vermin.
26. Infestations of vermin such as rats, mice, skunks, snakes, starlings, pigeons, bees, wasps, cockroaches, or flies.
27. Facilities for the storage or processing of sewage, such as privies, vaults, sewers, private drains, septic tanks, cesspools and drainage fields, which have failed or do not function properly or which are overflowing, leaking or emanating odors: septic tanks, cisterns and cesspools which are abandoned or no longer in use unless they are empty and cleaned with clean fill: an evolved cesspools or septic tank which does not comply with the Jackson County Department of Health regulation.
28. Unoccupied buildings or unoccupied portions of buildings which are unsecured.
29. Dangerous buildings or structures.
30. Abandoned buildings.
31. Any hazardous thing or condition on property which may contribute to injury of any person present on the property: hazards include, but are not limited to, open holes, open wells, open foundation, dangerous trees or limbs, abandoned and unsecured refrigerators or trapping devices.
32. The storage, parking, leaving, or permitting the storage, parking, or leaving of any inoperable or obsolete vehicle upon private property within the City for a period in excess of 48 hours, unless exempted herein. This section shall not apply to any vehicle enclosed within a building on private property or to any vehicle held in connection with a legal junk yard or automobile or truck-oriented use operated in the appropriate zone and in compliance with the Maquoketa Municipal Code of Ordinances.
33. All junk yard or salvage operations except those permitted by ordinance and operating in full compliance with the Maquoketa Municipal Code of Ordinances.
34. The open burning of trash, refuse, garbage, junk or salvage materials, yard waste, leaves and tree trimmings shall be prohibited within the City limits, provided, however, the City Council may designate up to three weekends each year to allow City residents to burn leaves and tree trimmings in accordance with the City's Open Burning Policy. Outdoor cooking or burning of wood is permitted if performed in a container constructed of steel, brick or masonry and the fire is no larger than two feet in diameter. Additional open burning may be permitted upon written request, only with the special permission of the City Council provided the burning is in compliance with Open Burning Policy guidelines established by the City in consultation with the Fire Department.
35. Any accumulations of ice, water and snow on public sidewalks, or the failure to remove said accumulations within 24 hours after the creation of such accumulations exist, shall constitute a

nuisance and shall be abated pursuant to the provisions specified in the Maquoketa Municipal Code of Ordinances.

36. The parking of motor vehicles on private property without the consent of the property owner or responsible party.
37. Any nuisance described as such or declared by Chapter 657 of the Code of Iowa.
38. The sounding of any horn or other signaling device on any vehicle on any street, public or private place within the City, except as a danger warning, which makes a loud or harsh sound to the disturbance or annoyance of any person and can be plainly audible at a distance of 50 feet.
39. The use of amplified sound creating a disturbance or annoyance to others and can be plainly heard 50 feet from the source of the amplified sound.
40. Yelling, shouting, hooting, whistling, or singing at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in the vicinity.
41. The erection, excavation, demolition, alteration, repair, or construction of any building or other property between the hours of 7:00 a.m. and 9:00 a.m., except in the case of an emergency of a public health and safety nature, with the approval of the City.
42. No person shall obstruct, deface, destroy, or injure any public right-of-way in any manner by breaking up, plowing, or digging within the right-of-way without City permission.
43. No person shall throw or deposit on any public or private property any glass bottle, glass, nails, tacks, wire, cans, trash, garbage, rubbish, litter or any other debris or like substance which may injure or damage any person, animal or vehicle or which may annoy, injure or become dangerous to the health, comfort or property of individuals or the public.
44. No person shall allow any plants to grow uncultivated and out of context with the surrounding plant life when such plant has a seed head formed or forming and with a height of 8 inches or more, nor shall any person allow their grass to grow unattended with a consistent height above 8 inches.
45. Causing or suffering any refuse, garbage, obnoxious substances, hazardous wastes, junk, or salvage materials to be collected or to remain in any place that prejudices others.
46. Causing or suffering any refuse, garbage, obnoxious substances, hazardous wastes, junk or salvage materials or other offensive or disagreeable substances to be thrown, left or deposited in or upon any street, alley, avenue, sidewalk, park, public square, public enclosure, lot, vacant or occupied.
47. The storage of any appliances, scrap metal, indoor furniture, broken furniture, used building material, unstacked wood, broken toys, broken bicycles and tricycles, bathroom fixtures and similar objects visible from the public right-of-way or adjoining property.
48. Pools and ponds containing stagnant water.
49. Pipes, lumber, drywall, flooring, roofing shingles and other building material left on the property visible from the public right-of-way or adjoining property for a period of time exceeding 72 hours.

50. Rusty, deteriorated, dilapidated or unusable play equipment visible from any adjoining property.
51. Dilapidated dwelling units exhibiting peeling paint, untreated wood, broken gutters, broken windows, dry rot, missing banisters, railings and spindles, broken doors and the like creating an eyesore and offending members of the public. (ECIA Model Code Amended in 2017)

The term "property owner" shall mean the contract purchaser if there is one of record, otherwise the record holder of legal title.

3-2-2 NUISANCES PROHIBITED. The creation or maintenance of a nuisance is hereby prohibited, and a nuisance may be abated by criminal citation, municipal infraction or as otherwise provided in this Ordinance or Code of Iowa. (Code of Iowa, Sec. 657.3) (ECIA Model Code Amended in 2017)

3-2-3 OTHER CONDITIONS REGULATED. The following actions are required and may also be abated in the manner provided in this Ordinance:

1. The removal of diseased trees or dead wood, but not diseased trees and dead wood outside the lot and property lines and inside the curb lines upon the public street.
2. The removal, repair, or dismantling of a dangerous building or structure.
3. The connection to public drainage systems from abutting property when necessary for public health or safety.
4. The connection to public sewer systems from abutting property, and the installation of sanitary toilet facilities and removal of other toilet facilities on such property.
5. The cutting or destruction of weeds or other growth which constitutes a health, safety, or fire hazard.
6. The fencing, so as to shield from public view, any junk, refuse, garbage, or accumulation of items determined by City inspectors to be an unsightly nuisance when viewed from adjacent property or from the public street. This abatement remedy may be enforced where fencing is permitted by this Code of Ordinances, or where otherwise permitted or directed in a particular case by the City. (Ord. 1137, 06-19-2017)

3-2-4 NOTICE TO ABATE NUISANCE OR CONDITION. Whenever the Mayor or other authorized municipal officer finds that a nuisance or other prohibited condition exists, the Mayor or officer may notify the property owner as shown by the records of the County Auditor to abate the nuisance within a reasonable time after notice. Notice and opportunity to abate the nuisance is not required prior to bringing legal action. (Code of Iowa, Sec. 364.12(3)(h) (ECIA Model Code Amended in 2017)

3-2-5 CONTENTS OF NOTICE TO ABATE. The notice to abate shall contain:

1. A description of what constitutes the nuisance or other condition.
2. The location of the nuisance or condition.
3. A statement of the act or acts necessary to abate the nuisance or condition.

4. A "reasonable time" within which to complete the abatement.
5. A statement that if the nuisance or condition is not abated as directed and no request for hearing is made within the time prescribed, the City will abate it, and assess the costs against such person.

3-2-6 METHOD OF SERVICE. The notice may be served by certified mail or personal service to the property owner as shown by the records of the County Auditor. (Ord. 983, 06-16-2003)

3-2-7 REQUEST FOR HEARING AND APPEAL. Any person ordered to abate a nuisance or condition may request a hearing with the officer ordering the abatement as to whether a nuisance or prohibited condition exists. A request for a hearing must be made in writing and delivered to the officer ordering the abatement within the time stated in the notice, or it will be conclusively presumed that a nuisance or prohibited condition exists and it must be abated as ordered.

At the conclusion of the hearing, or within ten (10) days thereof, the hearing officer shall render a written decision as to whether a nuisance or prohibited condition exists. If the officer finds that a nuisance or prohibited condition exists, the officer shall order it abated within an additional time which must be reasonable under the circumstances. Any person aggrieved by this decision may appeal the decision to the City Council. The appeal must be made in writing and delivered to the officer conducting the hearing within ten (10) days of the hearing officer's decision. The appeal shall be heard at a time and place fixed by the City Council. The findings of the City Council shall be conclusive and, if a nuisance or prohibited condition is found to exist, it shall be ordered abated within a time that is reasonable under the circumstances. (Ord. 985, 11-03-2003)

3-2-8 ABATEMENT IN EMERGENCY. If it is determined that an emergency exists by reason of the continuing maintenance of the nuisance or condition, the City may perform any action which may be required under this Ordinance within prior notice. The City shall assess the costs as provided in Section 3-2-10 of this Ordinance, after notice to the property owner under the applicable provision of Section 3-2-4 and 3-2-5 and hearing as provided in Section 3-2-7.

3-2-9 ABATEMENT BY MUNICIPALITY. If the person notified to abate a nuisance or condition neglects or fails to abate as directed, the City may perform the required action to abate, keeping an accurate account of the expense incurred. The itemized expense account shall be filed with the City Clerk who shall pay such expenses on behalf of the municipality.

3-2-10 COLLECTION OF COST OF ABATEMENT. The Clerk shall mail a statement of the total expense incurred to the property owner who has failed to abide by the notice to abate, and if the amount shown by the statement has not been paid within one month, he shall certify the costs to the County Treasurer and it shall then be collected with, and in the same manner, as general property taxes. (Ord. 991, 04-19-2004)

3-2-11 INSTALLMENT PAYMENT OF COSTS OF ABATEMENT. If the amount expended to abate the nuisance or condition is less than \$1000, the City may permit the assessment to be paid in up to five (5) annual installments, in the same manner and with the same interest rates provided for assessments against benefited property under Iowa Code Chapter 384, division IV. If the amount expended to abate the nuisance or condition is \$1000 or more, the City may permit the assessment to be paid in up to ten

(10) annual installments, in the same manner and with the same interest rates provided for assessments against benefited property under Iowa Code Chapter 384, division IV. (Ord. 1020, 03-06-2006)

3-2-12 CONDEMNATION OF NUISANCE. The City may condemn a residential, commercial or industrial building found to be abandoned and a public nuisance and take title to the property for the public purpose of disposing of the property under Chapter 657A by conveying the property to a private individual for rehabilitation or for demolition and construction of housing.

(Code of Iowa, Sec. 364.12A, 657A.1, 657A.10a) (ECIA Model Code Amended in 2017)

TITLE III COMMUNITY PROTECTION

CHAPTER 9 BUILDING, RESIDENTIAL, AND FIRE SAFETY CODE

5-9-1 SHORT TITLE	5-9-9 REGISTRATION OF BUILDING CONTRACTOR
5-9-2 PURPOSE AND SCOPE	5-10-10 REVOCATION OF REGISTRATION
5-9-3 ADOPTION OF BUILDING CODE	5-9-11 USE OF REGISTRANT'S NAME BY ANOTHER
5-9-4 AMENDMENTS	5-9-12 LICENSE REQUIRED
5-9-5 PERMIT- TO WHOM ISSUED	5-9-13 RIGHT OF ENTRY
5-9-6 APPLICATION FOR PERMIT	5-9-14 APPEALS
5-9-7 PLANS AND SPECIFICATIONS	5-9-15 VIOLATION – PENALTY
5-9-8 ADMINISTRATION AND ENFORCEMENT	

5-9-1 SHORT TITLE. This ordinance shall be known as the “City of Maquoketa, Building Code,” and may be so cited.

5-9-2 PURPOSE AND SCOPE. It is the purpose of this ordinance to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Maquoketa, and certain equipment specifically regulated herein: to provide for the issuance of permits, inspection of buildings, the registration of building contractors, the collection of fees, the repeal of ordinances in conflict herewith and penalties for the violation of this ordinance.

5-9-3 ADOPTION OF BUILDING CODE. Except has hereinafter limited or amended, the following are hereby adopted in full as the complete Building Code of the City of Maquoketa for all structures covered and defined within:

1. The International Residential Code (IRC), 2018 Edition, as published by the International Code Council (ICC), and
2. The International Building Code (IBC), 2018 Edition, as published by the International Code Council (ICC), and
3. The National Fire Protection Association (NFPA) 101 Life Safety Code 2018 Edition, as published by the National Fire Protection Association (NFPA)

5-9-4 AMENDMENTS. The International Residential Code, as above referenced is hereby amended as follows:

1. Section R101.1 insert “City of Maquoketa” as name of jurisdiction.
2. Section R105.2 – Building 1 delete “120 square feet” and insert in lieu thereof “25 square feet”.
3. Section R105.2 – Building 2 delete “Fences in residential districts”.
4. Section R105.2 – Building 12 delete “R-3 and U” and inset in lieu thereof “all occupancies”.

5. Section R105.2 -- Mechanical add "8. Water heater replacement."
6. Section R105.2 -- Mechanical add "9. Furnace replacement."
7. Section R105.5 -- Expiration begin with "Every permit shall be valid for 1 year or until the project is complete."
8. Delete Section R313 -- Automatic Fire Sprinkler Systems

The International Building Code, as above referenced is hereby amended as follows:

1. Section 101.1 insert "City of Maquoketa" as name of jurisdiction.
2. Section 101.4.2 -- Delete and insert in lieu thereof "all mechanical installations shall complete with State Mechanical Code as adopted by the Iowa Department of Public Health".
3. Section 101.4.3 -- Delete and insert in lieu thereof "all plumbing installations shall complete with State Plumbing Code as adopted by the Iowa Department of Public Health Iowa".
4. Delete Section 101.4.4 Property maintenance.
5. Section 101.4.5 -- Delete "International Fire Code" and insert in lieu thereof "NFPA 101 Life Safety Code".
6. Section 102.6.2 Buildings previously occupied, delete "International Fire Code" and insert in lieu thereof "NFPA 101 Life Safety Code". Delete "International Property Maintenance Code".
7. Delete Section 105.1.1 Annual permit.
8. Delete Section 105.1.2 Annual permit records.
9. Section 105.2 -- Building 1 delete "120 square feet" and insert in lieu thereof "25 square feet".
10. Section 105.2 -- Building 2 delete "Fences in residential districts".
11. Section 105.2 -- Building 12 delete "R-3 and U" and inset in lieu thereof "all occupancies".
12. Section 105.2 -- Mechanical add "8. Water heater replacement."
13. Section 105.2 -- Mechanical add "9. Furnace replacement."
14. Section 105.5 -- Expiration begin with "Every permit shall be valid for 1 year or until the project is complete."
15. Section 110.4 Inspection agencies add "individuals" so that it reads "approved inspections agencies and individuals, provided that such agencies and individuals satisfy the requirements as to qualifications and reliability".

The National Fire Protection Association (NFPA) 101 Life Safety Code, as above referenced is adopted without amendment.

5-9-5 PERMIT – TO WHOM ISSUED. A permit required by Section 105 of the IBC and Section R105 of the IRC shall be issued only to a registered building contractor, however, any permit required by this ordinance may be issued to the owner of a building to do any work regulated by this ordinance in that building, including the usual accessory buildings: provided, that the owner shall personally purchase all material and perform all labor in connection with the work. All work done in accordance with this exception must meet all the requirements of this ordinance and shall be inspected.

5-9-6 APPLICATION FOR PERMIT. Application for permit shall be made to the Building Official, as established in 5-1Q-1, and/or a designee established by the City Manager pursuant to rules provided therefore and on forms provided by City Hall. The application shall be accompanied by fees in accordance with the schedule of fees established in accordance with 5-1Q-5 and remitted to City Hall.

5-9-7 PLANS AND SPECIFICATIONS. Plans and specifications showing the proposed work in the necessary detail shall be submitted when requested by the Building Official and/or a designee. If a permit is denied, the applicant may submit revised plans and specifications without payment of any additional fee. If, in the course of the work, it is found necessary to make any change from the plans and specifications on which a permit was issued, amended plans and specifications, and fees in the amount of half the fees originally required shall be submitted. A supplementary permit, subject to the same conditions applicable to the original application for a permit, shall be issued to cover the change.

5-9-8 ADMINISTRATION AND ENFORCEMENT. It shall be the duty of the Building Official and/or a designee to administer and enforce the provisions of this ordinance and to make any required inspections or tests: and to establish departmental rules for the effective and efficient administration and enforcement hereof.

5-9-9 REGISTRATION OF BUILDING CONTRACTOR. "Building Contractor". Any person, firm, corporation, or other association doing any building work for hire for which a permit is required pursuant to Section 105 of the IBC other than a building owner performing his/her own work.

All building contractors shall be registered with the Clerk's Office of the City of Maquoketa.

Any person desiring to be registered as a building contractor shall register with the City Clerk on forms provided therefore and pay an annual registration fee. Annual registrations provided hereunder shall expire the last day of September of each year but may be renewed prior to the expiration date. Building contractors with expired registrations may not secure building permits.

The registrant shall supply the contractor registration number required by Iowa Code, Chapter 91C and proof of insurance or bond.

5-9-10 REVOCATION OF REGISTRATION. The Building Official and/or a designee may revoke any registration if it is obtained through willful nondisclosure, misstatement, or misrepresentation of a material fact, or if a material provision of the Building Ordinance has been violated. Before a registration may be revoked, the registrant shall be given notice in writing, either personally or as required by the applicable Iowa Rules of Civil Procedure, enumerating the charges against him/her.

He/She shall be entitled to a fair hearing before the Building Official and/or a designee neither sooner than five days nor later than thirty days after receipt of the notice. The decision of the Building Official and/or a designee may be appealed to the City Council at its next regular meeting. The Council may affirm, amend, remand, or reverse the Building Official's decision. A person whose registration has been revoked shall not be permitted to apply for another registration within one year from the date of revocation.

5-9-11 USE OF REGISTRANT'S NAME BY ANOTHER. No registrant shall allow his/her name to be used by another person either for the purpose of doing business or work under the registration. Every registrant shall notify the Inspector of the address of his/her place of business, if any, and the name under which such business is carried on and shall give immediate notice to the Inspector of any change in either. No registration issued under this ordinance shall be transferable.

5-9-12 LICENSE REQUIRED. "Contractor". Any person, firm, corporation or other association doing any plumbing, mechanical, HVAC, electrical, refrigeration, sheet metal or hydronic systems services for hire for which a permit is required pursuant to Section 105 of the IBC other than a building owner performing his/her own work.

Any contractor working in Maquoketa on a project requiring a building permit shall be licensed with the State of Iowa.

5-9-13 RIGHT OF ENTRY. The Building Official and/or a designee may enter any premises on proof of authority for the purpose of inspecting any building work, at such times as may be reasonably necessary to protect the public health, safety, and welfare.

5-9-14 APPEALS. Building Appeal Board: The Council, in regular, special, or executive session, shall sit as a building appeal board and, on appeals under this chapter, may seek and retain additional professional counsel schooled in matters contained in this chapter. The Council may by motion appoint a committee of not less than three (3) members of the Council to act as the building appeal board, and a simple majority of either the committee, if so appointed, or the Council shall be deemed sufficient to settle matters brought before the board.

Meeting of the Appeal Board: The Council, or committee if so appointed, sitting as an appeal board, shall hold meetings from time to time and conduct hearings on appeals. There shall be a meeting not more than thirty (30) days after the filing of an appeal, and if such meeting does not occur within thirty (30) days after filing an appeal, the appeal shall be deemed granted in favor of the appellant.

Appeal: Any person aggrieved by any ruling, decision, interpretation or order of the Building Official shall have the right to appeal to the building appeal board by filing a written notice of such appeal with the Clerk within ten (10) days from the date of the Building Official's ruling. If such a notice is filed, the appeal board shall set a time and place for hearing and so notify the party that has filed the appeal. The hearing shall be open to the public and subject to the time limitation set out in subsection (2) above. The building appeal board by majority vote shall affirm, modify, or reverse an appealed ruling, decision, interpretation, or order of the Building Official. The building appeal board may permit such variance that can be made without increasing the hazards to the health or safety of persons or property, and when the granting thereof will not violate the intent and purpose of this chapter. Mere inconvenience to the appellant is not grounds for the granting of such variance.

5-9-15 VIOLATION – PENALTY. Anyone violating any of the provisions of this ordinance shall upon conviction, be subject to the penalties in accordance with Section XX of the City of Maquoketa Municipal Code.

CHAPTER 21 VACANT BUILDING REGISTRATION

3-21-1 PURPOSE

3-21-2 DEFINITIONS

3-21-3 APPLICABILITY

3-21-4 VACANT BUILDING
REGISTRATION REQUIRED

3-21-5 VACANT BUILDING
REGISTRATION REQUIREMENTS

3-21-6 PLACEMENT ON VACANT
BUILDING REGISTRY

3-21-7 REMOVAL FROM VACANT
BUILDING REGISTRY

3-21-8 VACANT BUILDING REGISTRY
CONDITIONS

3-21-9 ENFORCEMENT

3-21-10 FEES AND PENALTIES

3-21-1 PURPOSE. The purpose of this chapter is to ensure that vacant properties conform to minimum standards deemed necessary for the protection of health and safety of residents.

3-21-2 DEFINITIONS. The following shall apply in this Chapter:

1. "Accessory building/structure" means a detached building or structure on the same lot, with and of a nature customarily incidental and subordinate to the principle building or structure or use of the land: i.e., a garden house, greenhouse, garage, carport, shed, fence, or retaining wall.
2. "Building" means any structure used or intended for supporting or sheltering any use or occupancy.
3. "Exterior Premises" means the open space on the premises or the portion of the premises upon which there is not a structure.
4. "Good Repair" means free from blighting and hazardous conditions, capable of serving
1. its intended purpose, clean and sanitary, and in safe condition.
5. "Imminent Hazard" means a condition which could cause serious or life-threatening injury or death at any time.
6. "Junk" means scrap metals or scrap materials, abandoned, dismantled or partially
2. dismantled machinery, motor vehicles, other vehicles, or appliances.
7. "Mixed Occupancy" means a structure used in part for residential use and in part for some other use not accessory thereto.
8. "Occupant" means any person who leases or lawfully resides in a building or premises, or a portion of a building or premises.
9. "Owner" means any person or business entity having a title to the premises, as recorded in the Office of the Recorder for Jackson County, or as recorded on the Jackson County
3. assessment rolls.

10. "Partially Vacant" means a multi-story building or structure that has one (1) or more stories vacant or a single or multi-story building with a vacant ground level store front
4. regardless of the occupancy of the remainder of the ground floor.
11. "Problem Tree" a tree or shrub that is established such that its current condition or
5. anticipated growth does or is likely to damage a structure, accessory building,
6. sidewalk, driveway, street, or utilities.
12. "Responsible Person" means a natural person who is the owner, operator or manager of any building, structure, or premises and is responsible for the property's maintenance and
7. management.
13. "Refuse" means all garbage, rubbish, ashes, or other substances offensive to sight or smell, dangerous to the public health or detrimental to the best interests of the community.
14. "Structure" means anything constructed or erected, which requires location on the ground or attached to something having location on the ground.
15. "Vacant" means a structure, floor, or store front that is unoccupied and / or no person or persons currently operate a lawful business open regularly or seasonally to the public, or a residential structure that is unoccupied and not actively offered for rent or sale.
16. "Weeds" mean plants identified as weeds by Chapter 317, Code of Iowa (2020), as amended.

3-21-3 APPLICABILITY. General. The provisions of this Chapter shall apply to all manufacturing, commercial, industrial, mixed occupancy, and residential buildings vacant for one hundred eighty (180) consecutive days, and all manufacturing, commercial, industrial, mixed occupancy, and residential buildings, which have been partially vacant for one hundred eighty (180) days.

Conflict. In any case where a provision of this Chapter is found to be in conflict with a provision of the Code of Ordinances, the provision which established the higher standard for the protection of the public health, safety, and welfare shall prevail.

Application of Other Ordinances. Nothing contained herein shall be deemed to authorize the use of a structure or premises contrary to any other provision of the Code of Ordinances or the Zoning Code. Repairs, additions, or alterations to a structure shall be done in accordance with City Zoning Code and Building Code and applicable procedures and provisions of State law.

Existing Remedies. The provisions in this Section shall not be construed to abolish or impair existing remedies of the City, or its officers or agencies, under State laws or this Code of Ordinances, including, but not limited to zoning regulations, nuisance regulations, or other regulations relating to the removal or demolition of any structure which is dangerous, abandoned, unsafe and unsanitary, or the abatement of public nuisances.

Historic Buildings. The provisions of this Chapter shall apply to structures designated by the Federal Government, State or County as historic buildings.

3-21-4 VACANT BUILDING REGISTRATION REQUIRED. The owner of any vacant building or structure or partially vacant building or structure to which this section applies shall submit a Vacant Building Registry Application within thirty (30) days of becoming vacant. Upon enactment of this chapter of the City Code, any vacant or partially vacant building must have a Vacant Building Registry Application submitted no later than August 1, 2020.

Application to the Vacant Building Registry shall be made by completing a Vacant Building Registry Application Form, which shall be submitted to the City Clerk.

The Registry Application Form shall include, but not be limited to, the following:

1. Contact information for the owner(s).
2. Proof of liability insurance for the building, with coverage for the annual registration duration, meeting a specified minimum coverage.
3. If the owner does not reside within 100 miles of Maquoketa or if the owner opts to designate a responsible person, contact information for the responsible person who resides within 100 miles of Maquoketa.
4. An acknowledgement by the owner that grass and weeds shall not exceed a height of eight (8) inches.
5. An acknowledgement by the owner that snow and ice shall be removed from the public right-of way within twenty-four (24) hours of snow fall.
6. An acknowledgment by the owner that junk and junk vehicles will not be allowed.
7. Date and time for an inspection.

Vacant Building Registration Renewal. The owner must maintain a valid Vacant Building Registration for any building or structure to which this section applies and must continue to renew the registration annually as long as the building or structure remains vacant. All vacant building permits will be renewable August 1 and considered overdue on September 1. Failure to obtain or renew a vacant building registration will be considered a municipal infraction.

All buildings new to the Vacant Building Registry will be inspected by Property Maintenance, Police Department, and/or Public Works. Inspection at renewal may be scheduled at the City's discretion.

3-21-5 VACANT BUILDING REGISTRATION REQUIREMENTS. A vacant building may only be added to the Registry or renewed if the building or structure which is subject to the Registry Application or Renewal satisfies the following requirements:

1. Code Compliant. All buildings or structures subject to the application shall comply with all property maintenance, parking, junk car, and other applicable sections of the Code of Ordinances.
2. Vacant Building Maintenance Standards. All buildings or structures subject to the application shall adequately protect the building from intrusion by trespassers and pests and from deterioration by the weather. The buildings must also comply with the following Vacant Building Maintenance Standards:
 - a. Building Openings. Doors, windows, areaways, and other openings shall be weather tight and secured against entry by birds, vermin, and trespassers. Missing or broken glass in doors, windows and other such openings shall be repaired and/or replaced with glass. No building opening shall be boarded. All first floor or ground level windows, doors and openings shall be free of any posters, paper, or fabric coverings.
 - b. Waste Removal. All waste, yard waste, refuse, garbage, and junk shall be removed from the interior of the building or structure and surrounding premises.
 - c. Roofs. The roof and flashings shall be sound and tight, not admit moisture, or have defects which might admit moisture, rain, or roof draining and shall allow for sufficient drainage to prevent dampness or deterioration in the interior of the building.
 - d. Drainage. The building storm drainage system shall be functional and installed in an approved manner and allow discharge in an approved manner.
 - e. Building Structure. The building shall be maintained in good repair and structurally sound. The building shall be maintained in a sanitary manner and in a manner that does not pose a threat to the public health, safety, and welfare.
 - f. Structural Members. The structural members shall be free of deterioration and capable of safely bearing imposed dead and live loads.
 - g. Foundation Walls. The foundation walls shall be maintained structurally sound and in a sanitary condition so as not to pose a threat to the public health, safety and welfare, shall be capable of supporting the load which normal use may cause to be placed thereon, and shall be free from open cracks and breaks, free from leaks, and be animal-proof.
 - h. Exterior Walls. The exterior walls shall be free of holes, breaks, and loose or rotting materials. Exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust by periodic applications of weather-coating materials, such as paint or similar surface treatment.
 - i. Decorative Features. The signs, trim, and similar decorative features shall be safe, anchored and in good repair. Exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust by periodic applications of weather-coating materials, such as paint or similar surface treatment.
 - j. Overhanging Extensions. All balconies, canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar features shall be in good repair, anchored, safe and sound. Exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust by periodic applications of weather-coating materials, such as paint or similar surface treatment.
 - k. Chimneys and Towers. Chimneys, cooling towers, smokestacks and similar appurtenances shall be structurally safe and in good repair. Exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust by periodic applications of weather-coating materials, such as paint or similar surface treatment.
 - l. Walkways. Public sidewalks and walkways shall be in good repair.

- m. Accessory Building/Structures. Accessory buildings and structures shall be in good repair.
- n. Exterior Premises. The surrounding premises upon which the structure or building is located shall be clean, safe, sanitary, and free from waste, rubbish, garbage, and weeds: shall not be used for exterior storage, and shall not pose a threat to public health, welfare or safety. Problem trees and shrubs shall be trimmed or removed.

3-21-6 PLACEMENT ON VACANT BUILDING REGISTRY. The City Clerk shall place a building on the Vacant Building Registry upon being satisfied that the building has been inspected and is in compliance with all applicable provisions of this Chapter. Within three (3) days following notification of placement on the Vacant Building Registry, the owner shall post a sign in a prominent location on the building, visible from the nearest street, that includes the name, street address (not a P.O. Box), and phone number of the current owner(s) or owner's agent.

3-21-7 REMOVAL FROM VACANT BUILDING REGISTRY. Within thirty (30) days of a building no longer meeting the standards of vacant or partially vacant, the owner shall notify the City Clerk of the occupancy, occupant, and duration of occupation. Such notification shall be subject to the Consent to Entry, below, to verify the change in vacancy status.

3-21-8 VACANT BUILDING REGISTRY CONDITIONS. All permits issued are subject to all other applicable conditions of the Code of Ordinances and the following additional conditions:

1. Consent to Entry. All applicants and owners of registered vacant buildings consent to the entry of duly authorized officials of the City at all reasonable hours and upon reasonable notice for the purpose of inspection. Refusal to consent to entry shall be a violation of this section.
2. Consent to Emergency Inspections and Emergency Repairs. All applicants and owners holding a permit consent to the entry of duly authorized officials of the City if such official has reason to believe than an emergency situation exists with respect to the building or structure that tends to create an imminent hazard to health, welfare or safety of the general public, in the discretion of such official, then such official may enter the building to inspect the premises, without notifying the responsible party or obtaining a warrant. If such official finds an emergency situation exists in fact, which presents an imminent hazard to the health, welfare or safety of the general public, then such official may cause any reasonable action, including the employment of necessary labor and materials, to perform emergency repairs to alleviate the hazard. City employees will confer with legal counsel prior to entering or causing entry to be made to premises and/or performing any emergency repairs without prior owner notification and consent. Costs incurred in the performance of emergency repairs may be paid by the City and if so paid, the City may levy a special assessment against the property to recover the costs.
3. Consent to Inspection by a Qualified Expert. All applicants and owners holding a permit consent to the entry of authorized experts assisting a duly qualified official of the City if such official has reason to believe than an emergency situation exists with respect to the building or structure that tends to create an imminent hazard to health, welfare or safety of the general public, in the discretion of such official, then such expert may enter the building to inspect the premises, without notifying the responsible party or obtaining a warrant. Costs incurred in expert evaluation may be paid by the City and if so paid, the City may levy a special assessment against the property to recover the costs.

3-21-9 ENFORCEMENT. Authorized Officials. The Property Maintenance Inspector shall have the authority to enforce the provisions of this Section and to exercise the powers and duties specified in this Section and may delegate their authority to appropriate City personnel as his/her designee.

1. Authorized officials shall issue orders to repair for work needed:
 - a. To adequately protect the building from intrusion by trespassers and from deterioration by the weather:
 - b. To comply with the vacant building maintenance standards set forth in this section:
 - c. To ensure that allowing the building to remain will not be detrimental to public health, safety, and welfare, will not unreasonably interfere with the reasonable and lawful use and enjoyment of other premises within the neighborhood: or
 - d. To eliminate any hazards to police officers or firefighters that may enter the premises in times of emergency.

1. When issuing Orders to Repair, the authorized official shall specify the deadline for completion of the repair required and shall deliver the notice to the owner or responsible person identified in the permit. All work done pursuant to this Chapter shall be done in compliance with any applicable Building, Fire, Property Maintenance and Zoning Codes and Ordinances.

2. An inspection may be conducted after the deadline for repair as stated in the Order.

3. Revocation, Reinstatement Measures. If a vacant building is removed from the Registry by the Authorized Official for noncompliance with any provisions of this code, the owner of the building shall be given thirty (30) days to comply with the provisions of this code. Extensions of such thirty (30) day period may be granted at the discretion of the Building Inspector. Upon expiration of the thirty (30) day period, or any extension thereof, if the building continues to be noncompliant, a municipal infraction will be issued.

3-21-10 FEES AND PENALTIES. The fee for application to the vacant building registry shall be determined by the City Council.

To compensate the City for its inspection and administrative costs reasonably related to the enforcement, a fee established by the Council through resolution, may be charged for any inspection following the initial inspection which resulted in an order for corrective action.

Failure to pay applicable inspection fees within thirty (30) days of mailing an invoice to the property owner of record shall constitute a violation of this ordinance for which a municipal infraction citation may be issued.

Violations:

1. Penalty. Any person violating any of the provisions of this chapter shall, upon conviction, be guilty of a simple misdemeanor under Title I, Chapter 3 of this Code of Ordinances. Each and every day that a violation occurs or continues shall be deemed a separate offense.

2. **Abatement of Violations.** The issuance of a municipal infraction citation shall not preclude the City Attorney from instituting appropriate action to restrain, correct, or abate a violation, or to prevent illegal occupancy of a structure or premises, or to stop an illegal act, conduct business, or utilization of the structure or premises.



City of Solon, Iowa
Annual Golf Cart Registration Form

Owner Information

Name: _____

Address: _____

Phone #: _____

Applicant Information (if different from owner listed above)

Name: _____

Address: _____

Phone #: _____

Cart Information

Year _____ Make _____ Power (check one): Gas Electric

Number of wheels: _____ Number of Passenger seats: _____

Serial Number: _____ Color: _____

Location Cart Stored (if different from owner's residence listed above)

It is the responsibility of the cart owner to maintain liability insurance for operation of the cart on city streets and to be able to prove such liability is in force at all times. A copy of proof of insurance must also be attached to this application.

Attached? Yes No

Operation of golf carts is allowed only by persons over the age of 18, possessing a valid driver's license. A copy of applicant's driver's license must be attached to this application.

Attached? Yes No

By signing this application I agree that I have received a copy of Ordinance #427 and Iowa Code Section 321.247. I also understand that it is my responsibility to comply with all rules and regulations regarding the operation of Golf Carts upon City streets as set by the City of Solon and the State of Iowa.

Signature: _____ Date: _____

Registration Fee (\$30.00) Registration #: _____

Permit issued by: _____

Golf Carts may be operated only between sunrise and sunset.

ORDINANCE NO. 427

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF
SOLON, IOWA, 2005, CHAPTER 74, PERTAINING TO GOLF CARTS TO BE
OPERATED ON CITY STREETS UNDER CERTAIN CONDITIONS AND WITH A
CITY PERMIT**

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

SECTION 1. CHAPTER MODIFIED. Chapter 74 of the Code of Ordinances of the City of Solon, Iowa, 2005 entitled GOLF CARTS, is amended and which is hereby adopted to read as follows:

- 74.01 PURPOSE.** The purpose of this Chapter of the Code of Ordinances is to permit the operation of golf carts on certain streets in the City, as authorized by Section 321.247 of the Code of Iowa, as amended. This chapter shall apply whenever a golf cart is operated on any city street or alley within the City of Solon.
- 74.02 DEFINITIONS.** For the purpose of this ordinance the following words and phrases are defined as follows.
1. "Golf cart" means a three or four wheeled recreational vehicle generally used for transportation of a person or persons in the sport of golf that is limited in engine displacement of less than 800 cubic centimeters.
 2. "Operate" means to use or control the movement of the golf cart in any manner or degree.
 3. "Operator" means the person who uses or controls the movement of the golf cart.
 4. "Passenger" means a person who does not use or control the movement of the golf cart but who merely rides on the golf cart.
 5. "Street" means that portion of the street or alley intended for vehicular travel.
- 74.03 OPERATION OF GOLF CARTS PERMITTED.** Golf carts may be operated upon the streets of the City by persons possessing a valid Iowa operator's license, and at least eighteen (18) years of age and displaying a city issued permit.
- 74.04 PROHIBITED STREETS.** Golf carts shall not be operated upon any City street which is a primary road extension through the City. However, golf carts may cross such a primary road extension. Market Street (Highway 1) is hereby designated a primary road extension in the City.
- 74.05 SPEED.** No golf carts shall be operated on any City street at a speed in excess of the posted speed limit with maximum speed of twenty-five (25) miles per hour.
- 74.06 EQUIPMENT.** Golf carts operated upon City streets shall be equipped with at least the following:
1. A slow moving vehicle sign affixed to the rear of vehicle
 2. A city issued license plate affixed to the rear bumper or similar component
 3. A city issued permit sticker affixed to the license plate.

4. A bicycle safety flag, the top of which shall be a minimum of five (5) feet from ground level,
5. Adequate brakes

74.07 HOURS AND DATES. Golf carts may be operated on City streets during the following times and dates:

1. Golf carts may be operated only between sunrise and sunset.
2. Golf carts may be operated only on clear, dry pavement.

74.08 TRAVEL PROHIBITED. It shall be unlawful to operate a golf cart in any public cemetery, park, playground, or on any sidewalk or trail or any other publicly owned property without express written permission from the City, public parking areas excluded.

74.09 OCCUPANT LOAD. It shall be unlawful to operate a golf cart in excess of the designed occupant load thereof or ride on any portion not designed to carry passengers.

74.10 PERMITS. No person shall operate a Golf Cart on any public street, or alley for any purpose unless the operator possesses a City of Solon permit to operate a golf cart on city streets, issued by the City Clerk.

1. Golf Cart owners may apply for a permit from the Solon City Clerk on forms provided by the City.
2. The Clerk shall not issue a permit until the owner/operator has provided the following:
 - a. Evidence that the operator is at least 18 years of age, and possesses a valid Iowa driver's license.
 - b. Proof owner operator has liability insurance covering operation of golf carts on city streets.
3. The operator of a golf cart shall display a City issued license plate with permit sticker affixed on the rear bumper or similar component of the vehicle.
4. All permits issued shall uniquely identify the name and address of the owner/operator.
5. The fee for such permits shall be thirty dollars(\$30.00) for the initial license plate and annual permit sticker. The fee of twenty-five dollars (\$25.00) shall be the annual permit sticker fee.
6. Annual permit stickers expire on December 31st of each year.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

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

Passed by the Council the 2nd day of March, 2016, and approved this 2nd day of March , 2016

Steve Stange, Mayor

ATTEST:

Susie Siddell, City Clerk

REQUEST FOR COUNCIL ACTION

Agenda Item: _____

SUBJECT:

Ordinance modification

Action Requested:

Adding B-2 to the line in 5-1V-4 that allows new towers.

Originated By:

Brad Koranda

Referred To:

City Council

Summary of Background and Reasons for Request:

We would like the Council to amend 5-1V-4 of the City Code by adding B-2 Business zone to the line that would allow new tower. Currently B-2 would not allow the new tower construction that Public Safety is wanting to construct behind the Police Department, for the new radio system. The property is currently zoned R-2. We have requested rezoning consideration from the planning and zoning board, to rezone the property to B-2 which abuts the Police Departments East property line. Our ordinance would not allow a new tower to be constructed in B-2 as written. The amended line would read "Applications for the construction of new towers shall be limited to the City's A-1, B-1, B-2, I-1, I-2, or I-3 zoning districts."

Reports and Documents Attached:

Copy of 5-1V-4

Is this Currently Budgeted? Yes No N/A

Funding Source (REQUIRED):

Ending Balance:

Manager's Recommendation:

Approve

Date Referred to Council: 07/18/2022

Action Taken: _____

17. "Tower" shall mean any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services, including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services, such as microwave backhaul, and the associated Site.

18. "Wireless Facility" means equipment at a fixed location that enables the transmission of wireless communications or information of any kind between user equipment and a communications network, except that Wireless Facility does not include coaxial or fiberoptic cable that is not immediately adjacent to, or directly associated with, a particular antenna.

19. "Wireless Support Structure" means a structure that exists at the time an Application is submitted and is capable of supporting the attachment or installation of Transmission Equipment in compliance with applicable codes, including, but not limited to, water towers, buildings, and other structures, whether within or outside the public right-of-way. "Wireless Support Sfructure" does not include a Tower or existing Base Station.

5-1 V-3 ZONING AND LAND USE. The City exercises zoning, land use, planning, and permitting authority regarding the siting of Transmission Equipment within the City's territorial boundaries and within the two-mile limit of the City's territorial boundaries, subject to the provisions of Iowa Code Chapter 8C and federal law.

5-1V-4 SPECIAL USE PERMIT REQUIRED. All Applications, except for Applications for Eligible Facilities Requests, shall require a Special Use Permit. Applications for the construction of new Towers shall be limited to the City's A-I, B-1, I-I, 1-2 or 1-3 zoning districts. All other Applications shall be limited to the City's A-I, B-1, 1-1, 1-2, 1-3 or B-2 zoning districts. The Zoning Board of Adjustment may, following public hearing, and subject to applicable state and/or federal requirements, approve, approve with conditions, or deny requests for Special Use Permits relative to an Application.

5-1VS SPECIAL USE PERMIT APPLICATION PROCESS.

1. A Special Use Permit shall not be considered by the Zoning Board of Adjustment unless and until the following requirements are met:

a. An Application for Special Use Permit and all information set out in Section 5-1V7(6) are submitted for review, which the Zoning Board of Adjustment will consider in approving, approving with conditions, or denying a Special Use Permit. In the event of a conflict between provisions of this Subchapter and provisions generally applicable to a Special Use Permit, the

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE V LAND USE REGULATIONS, CHAPTER 1V
WIRELESS COMMUNICATIONS FACILITIES, SECTION 4 SPECIAL USE PERMIT
REQUIRED OF THE CITY OF MAQUOKETA CODE OF ORDINANCES

WHEREAS, Title V, Chapter 1V, Section 4 of the City of Maquoketa Code of Ordinances provides for Special Use Permit for construction of new wireless communication towers, and

WHEREAS, upon the recommendation of City staff, the City Council finds it necessary to amend Section 5-1V-4 to provide construction of wireless communications towers in the B-2 Business District.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAQUOKETA, IOWA:

Section 1. Purpose. The purpose of this Ordinance is to amend Title V, Chapter 1V, Section 4 of the Maquoketa, Iowa, Code of Ordinances to allow wireless communication towers to be included in the B-2 Business District.

Section 2. Amendment. Title V, Chapter 1V, Section 4 of the Maquoketa, Iowa, Code of Ordinances is hereby amended as follows:

5-1V-4 SPECIAL USE PERMIT REQUIRED. All Applications, except for Applications for Eligible Facilities Requests, shall require a Special Use Permit. Applications for the construction of new Towers shall be limited to the City's A-1, B-1, B-2, I-1, I-2 or I-3 zoning Districts. All other Applications shall be limited to the City's A-1, B-1, I-1, I-2, I-3 or B-2 zoning districts. The Zoning Board of Adjustment may, following public hearing, and subject to applicable state and/or federal requirements, approve, approve with conditions, or deny requests for Special Use Permits relative to an Application.

Section 3. Severability. If any section, provisions, 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 4. Effective Date. This Ordinance shall be in full force and effect from and after its adoption and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2022.

Tom Messerli, Mayor

ATTEST:

Joshua Boldt, City Manager

CERTIFICATION

I, Joshua Boldt, City Manager, do hereby certify the above is a true and correct copy of Ordinance No. _____ which was passed by the Maquoketa City Council this _____ day of _____, 2022 and published in the Maquoketa Sentinel Press this _____ day of _____, 2022.

Joshua Boldt, City Manager

REQUEST FOR COUNCIL ACTION

Agenda Item: _____

SUBJECT:

Resolution awarding Harper Assets a Downtown Incentives – Façade and Commercial Interior Grant in the amount of \$12,645 upon verification of completed work and processed bills or up to the maximum amount of \$15,000 depending on final qualified bill costs

Action Requested:

Approval of Resolution

Originated By:

Joshua Boldt

Referred To:

City Council

Summary of Background and Reasons for Request:

At the July 13 meeting of the Downtown Incentives Committee, the committee considered the grant application of Harper Assets more commonly known as Copper Cardinal at the corner of S Main/Pleasant. Harper Assets is seeking assistance on unfinished projects. The grant will be used to improve the HVAC system capabilities in order to circulate air needed to run an ice cream shop and pub as well as improve the windows of the building facing Main St and Pleasant St. According to the specifications of the grant(s), reimbursement costs are allowed up to \$12,645 but final invoices may increase which is why up to \$15,000 is authorized by the committee.

This is an exciting opportunity for the City of Maquoketa as the Copper Cardinal finishes their project and opens a dining opportunity for residents and visitors.

Council support is recommended.

Reports and Documents Attached:

See attached.

Is this Currently Budgeted? Yes No

Funding Source: 007-6-5520-65090

Ending Balance:

Manager's Recommendation:

Approve

Date Referred to Council: _____

Action Taken: _____

RESOLUTION NO. 2022-_____

RESOLUTION AWARDING HARPER ASSETS A DOWNTOWN INCENTIVES – FAÇADE AND COMMERCIAL INTERIOR GRANT IN THE AMOUNT OF \$12,645 UPON VERIFICATION OF COMPLETED WORK AND PROCESSED BILLS OR UP TO THE MAXIMUM OF \$15,000 DEPENDING ON FINAL QUALIFIED BILL COSTS

WHEREAS, the City Council of the City of Maquoketa has created a Downtown Incentives – Façade and Commercial Interior Grant program created a board to oversee the application process; and,

WHEREAS, the Downtown Incentives Board has reviewed the application filed by Harper Assets; and,

WHEREAS, the Board is recommending Council approval of the application filed by Harper Assets in the amount of \$12,645 upon verification of completed work and processed bills or up to the maximum amount of \$15,000 depending on final qualified bill costs.

NOW, THEREFORE, Be It Resolved, the City Council of the City of Maquoketa does hereby approve the Downtown Incentive – Façade and Commercial Interior Grant application filed by Harper Assets in the amount of \$12,645 upon verification of completed work and processed bills or up to the maximum amount of \$15,000 depending on final qualified bill costs.

PASSED AND APPROVED this 18th day of July, 2022.

Tom Messerli, Mayor

ATTEST:

Joshua Boldt, City Manager

CERTIFICATION

I, Joshua Boldt, City Manager, do hereby certify the above is a true and correct copy of Resolution No. 2022-_____ which was passed by the Maquoketa City Council this 18th day of July, 2022.

Joshua Boldt, City Manager



Date Application Received _____

DOWNTOWN INCENTIVE PROGRAM APPLICATION

Application must be approved by City Council prior to work beginning. The City reserves the right to request additional information. All information supplied to the Downtown Incentives Committee will be kept confidential. Attach additional sheets as necessary.

PROGRAM(S) APPLIED FOR

- ACQUISITION ASSISTANCE GRANT
- BLADE SIGN
- CONSULTANT ASSISTANCE GRANT
- FAÇADE GRANT
- COMMERCIAL INTERIOR GRANT
- UPPER STORY RENOVATION GRANT

APPLICANT INFORMATION

APPLICANT IS: OWNER TENANT

Applicant name: HARPER ASSETS

Applicant mailing address: 2150 HOWAR VIEW DRIVE

Applicant email address: BETTEROFF, IA 52222 Phone: 563 349.4498 LASHALL
33.349.9239 JASON

Owner name (if not applicant): JASON & LaShell Harper

Owner email address akalashell@aol.com Phone: _____

BUSINESS INFORMATION (IF APPLICABLE)

Name of business: _____

Address of building for which grant is sought: 202, 204, 206 & Apt. 1, 2, 3

New business? No Yes If no, please enter the number of years you have been in business.

Relocating from another location? Yes No Current address _____

BUILDING INFORMATION

Provide a color copy of the parcel report from Beacon

PROPOSED USE OF FUNDS WORKSHEET

Detailed estimates MUST be attached.

DESCRIPTION	ESTIMATED COST
<input type="checkbox"/> Abstracting Fees (ACQ Grant)	\$ _____
<input type="checkbox"/> Acquisition Price (ACQ Grant)	\$ _____
<input type="checkbox"/> Appraisal Fees (ACQ Grant)	\$ _____
<input type="checkbox"/> Attorney Fees (ACQ Grant)	\$ _____
<input type="checkbox"/> Origination Fees (ACQ Grant)	\$ _____
<input type="checkbox"/> Real Estate Agent Fees (ACQ Grant)	\$ _____
<input type="checkbox"/> Recording Fees (ACQ Grant)	\$ _____
<input type="checkbox"/> UCC Filing Fee & UCC Search (ACQ Grant)	\$ _____
<input type="checkbox"/> Blade Sign Total Cost	\$ _____
<input type="checkbox"/> Consultant Fee	\$ _____
<input checked="" type="checkbox"/> Brick Cleaning & Tuck Pointing	\$ 4500.00
<input checked="" type="checkbox"/> Demolition Work	\$ _____
<input checked="" type="checkbox"/> Exterior Lighting	\$800.00 / 267.00
<input checked="" type="checkbox"/> Finish Work	\$ 6781.00
<input checked="" type="checkbox"/> Floor/Ceiling/Wall Repair	\$ 4,100.00 / 4,841.00
<input checked="" type="checkbox"/> Installation of Permanent Fixtures	\$ 12,000.00
★ <input checked="" type="checkbox"/> Mechanical Systems Upgraded/Retrofitted	\$ 16,000.00
<input checked="" type="checkbox"/> Painting	\$ _____
<input checked="" type="checkbox"/> Preservation of Architectural Elements	\$ 7870.00
<input checked="" type="checkbox"/> Signage (Other Than Blade Sign)	\$ 1980.00 / 1400.00
★ <input checked="" type="checkbox"/> Window/Door Repair	\$ 13,725.00 753.00
<input checked="" type="checkbox"/> OTHER (PLEASE SPECIFY)	\$ _____
Total Estimated Cost	\$ 100,000.00 +
Grant Amount Requested	\$ Max \$

ADDITIONAL PROGRAM REQUIREMENTS

ACQUISITION ASSISTANCE GRANT

No additional information needed

BLADE SIGN

Provide building permit application and sidewalk construction permit if applicable

CONSULTANT ASSISTANCE GRANT

Design Size Area: _____sf

Include a copy of the designer's business card

FAÇADE GRANT

Façade to be improved: Front Side Rear

Include images of the current and proposed façade.

COMMERCIAL INTERIOR GRANT

Expansion of Existing retail Remodeling of Existing Retail

Include images or description of proposed improvements.

UPPER STORY RENOVATION GRANT

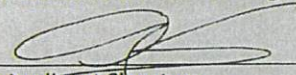
_____ Number of Apartments to be Created 3 Number of Apartments to be Renovated

ALL APPLICATIONS

Include a W-9 – Request for taxpayer Identification and Certification

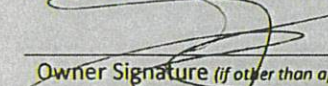
STATEMENT OF UNDERSTANDING

As the applicant, I agree to comply with the guidelines and procedures of the Downtown Incentive Program and the conceptual design and outline specifications as agreed by myself and the committee. I understand I must provide copies of all proposed materials and design drawings for the estimated scope of work, and upon completion of the approved improvements, a copy of the contractor's waiver of lien for evidence of payment. I also understand the committee reserves the right to request additional information.


Applicant Signature

JUNE 17, 2022
Date

I certify that I, as the owner of this property, do authorize the applicant to apply for the Downtown Incentive Program and undertake the approved improvements.


Owner Signature (if other than applicant)

JUNE 17, 2022
Date

Total Estimated Cost \$ 100,000.⁰⁰ +
Grant Amount Requested \$ MAX \$

Return application to City Hall, 201 East Pleasant Street, Maquoketa. A Downtown Incentive Committee meeting will be scheduled to review your application.

OFFICE USE ONLY BELOW

Grant Amount Awarded \$ _____

Chairperson, Downtown Incentives Committee Date

City Manager, City of Maquoketa Date

Reimbursement \$ _____

Finance Clerk, approved for reimbursement Date

- BRADERICK STAN (MASON WORK) (4500)
- TALLEARS (DROP CEILING) $2780 + 2711 = 5491$
- A+P (SIGNAGE) $58 + 695 = 753$
- LOWDEN PLUMBING $5538 + 3022 = 8560$
- NORTHWEST (PLUMBING) (272)
- CHRIS BAJOWETZ (PLUMBING) $140 + 450 + 30 + 864 = 1484$
- GLSR CONSTRUCTION (1771)
- BECKER CONSTRUCTION $825 + 1306 + 4650 = 6781$
- CASFL CONSTRUCTION $6130 + 1000 + 540 = 7670$
- GLSR TECH (INSULATION) (2940)
- SATHI + LOSE (MATERIALS) (116)
- BERNIES (HVAC) $245 + 663 = 908$
- HARTZ LOCK (DOOR WORK) $126 + 337 = 463$
- DIAMOND CUT (CUT DOORWAY) (800)
- SCHWELER + SONS (WINDOWS) (1980)
- EVE VAN KAMPEN (SIGNAGE) (1667)
- MARQUOLITA CHAMBER (SIGNAGE) (550)
- STJ MOBILE WASH (POWER WASH CONCRETE) (160)
- DY EPOXY FLOORS (FLOORING) (4100)
- LOVEWELL FENCING (3580)
- WINTER PLUMBING (1037)
- WERN'S ELECTRIC (ANOTHER 8-10K PENDING) $267 + 12000 + 880 = 13147$
- MISCELLANEOUS MATERIAL RECEIPTS (2800)
- MARQUOLITA WMBER RECEIPTS (3315)
- ADVANTAGE SHEET METAL (528)
- KINGS MATERIAL (54265)

CAN TRACK
DOWN ANOTHER
\$40-50K
IN RECEIPTS
FROM 2019

129,283

UPCOMING QUOTES

BECKER CONST.	UPPER STORY WINDOWS	13775	
LOGO PRO	SIGNAGE	1400	40,000
ADVANTAGE	HVAC LIKE CREAM + MATERIALS SHOP	16000	QUOTES
WERN'S	10K	10000	

Windows Quote

ESTIMATE

Date: 6/13/2022
Estimate #3

Becker Construction
431 Thomas Ave.
Maquoketa, IA 52060
563-579-5640
alex_becker_13@hotmail.com

Jason Harper Apartment
Window Install

Date	Description	Amount
	Pella 250 Series Double Hung Black Clad Ext w/ Unfinished Wood Interior 32.5 x 73 (North Side)	9 \$7000
	Pella 250 Series Twin Double Hung Black Clad Ext. w/ Unfinished Wood Interior 48.5 x 94.5	1 \$2100
	- Corner Window if wanting replaced	
	Material Package: Includes the following	\$675
	- 3 boxes coil stock	
	- Silicone, Foam, Fasteners	
	- Haul Away of Old Windows	
	- Framing as needed	
	Labor Package	\$4000
	- Remove existing, install new, trim exterior, caulk and foam interior	
	- Wrap arch detail in aluminum	
	- Framing as needed	
	*This is an estimate only, final pricing to reflect actual project cost.	
	*Doesn't include cost of lift if needed	

Estimate Total

\$13,775



1160 East 12th Street • Dubuque, IA 52001
 Phone 563-556-4822 • Fax 563-556-4848
 Commercial • Residential

Heating • Cooling • Kitchen Ventilation • Architectural Sheet Metal • Custom Commercial Ventilation
www.advantagesheetmetal.com

~~February 6, 2021~~ **REVISED April 5, 2022** **REVISED 5.19.22**

Hall of Fame Pizza and Wings

Jason Harper
 600 East Le Claire Road
 Eldridge, Iowa

Re: Maquoketa, Iowa FORMER Bob's Barbershop Furnace Replacement HVAC-NEW ICE CREAM SHOP

Jason,

Advantage Sheet Metal, Inc. will provide labor and materials to complete the following:

Former Bob's Barbershop Furnace Replacement

- Existing Ductwork to remain per 4-2- site discussion between Jason and Dennis-MODIFY AS REQUIRED FOR HORIZONTAL INSTALLATION
- Refrigerant Recovery
- Disconnect and Remove existing Line set for replacement
- Disconnect and Remove existing Vent Piping
- Disconnect Existing natural gas piping
- Disconnect and Remove Existing Furnace
- Provide and Install (1)- 60,000 95% efficient gas fired furnace-HORIZONTALLY HUNG ABOVE FUTURE MOP SINK AREA ALONG WITH OVERFLOW PAN BELOW UNIT WITH SHUT OFF
- Provide and Install (1)- 2.5 ton condensing unit
- Provide and Install condensor pad
- Provide and install Vent piping out Rear brick wall into Courtyard above area where existing condensor sets.
- Provide and install New Line set from furnace to condensor
- Fabricate and Install new Filter Rack for Central Return air at the furnace in open area-EXTEND RETURN DUCT WITH ELBOW FOR PLENUM RETURN ABOVE CEILINGS WITH EGGCRATE RETURNS IN 2 LOCATIONS
- Provide and install New Thermostat and Control Wiring as needed
- Start Up of Equipment

Base Bid \$ 11,850.00

Items Not Included:

Carpenter work, Chase penetrations and headers, Electrical work including line voltage wiring, disconnects, hookups, Plumbing, Gas Piping-except for immediate tie in to existing piping, Items not listed inside our Scope of Work

Due to the current volatile rise in steel material and HVAC equipment costs our pricing is valid 14 days from this date

Respectfully,

Chris Harrison
 Vice President
 Advantage Sheet Metal, Inc.



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May 20, 2022

Jason Harper
600 East Le Claire Road
Eldridge, Iowa

Re: 208 South Main-Maquoketa, Iowa

Jason,

Advantage Sheet Metal, Inc. will provide labor and materials to complete the following:

SCOPE OF WORK

- Refrigerant recovery for existing system
- Disconnect and remove existing Line set for replacement
- Provide and Install (1)- 2.0 ton condensing unit-13 Scer
- Provide and Install condensor pad .
- Provide and install new line set and control wiring from furnace to condensing unit
- Install filter rack on existing return duct and cleaning of existing furnace
- Start Up and testing of new equipment

Base Bid \$ 5,425.00

Items Not Included:

Electrical work including line voltage wiring, disconnects, items not listed inside our Scope of Work

Due to the current volatile rise in steel material and HVAC equipment costs our pricing is valid 14 days from this date

Respectfully,

Chris Harrison
Vice President
Advantage Sheet Metal, Inc.

REQUEST FOR COUNCIL ACTION

Agenda Item: _____

SUBJECT:

Resolution awarding Central Financial Group a Downtown Incentives – Commercial Interior Grant in the amount of \$10,000

Action Requested:

Approval of Resolution

Originated By:

Joshua Boldt

Referred To:

City Council

Summary of Background and Reasons for Request:

At the July 13 Downtown Incentives Committee meeting, the committee also considered Central Financial Group at 146 S Main St for a commercial interior grant in the amount of \$10,000. The maximum allowable grant specifically for the commercial interior program caps at \$10,000.

In addition to what's already been improved, the owners' project quote will be at least \$76,150. The City's \$10,000 grant will help the owner complete the project and is qualified by interior work such as new electrical systems, painting, and wall repair. The committee fully supported this project and is recommended for approval by the City Council.

Reports and Documents Attached:

See attached.

Is this Currently Budgeted? Yes No

Funding Source: 007-6-5520-65090

Ending Balance:

Manager's Recommendation:

Approve

Date Referred to Council: _____

Action Taken: _____

RESOLUTION NO. 2022-_____

RESOLUTION AUTHORIZING A DOWNTOWN INCENTIVE GRANT
ECONOMIC DEVELOPMENT INCENTIVE TO CENTRAL FINANCIAL GROUP IN THE AMOUNT OF \$10,000

WHEREAS, the City Council of the City of Maquoketa has created a Downtown Incentives Grant program created a board to oversee the application process; and,

WHEREAS, the Downtown Incentives Board has reviewed the application filed by Central Financial Group; and,

WHEREAS, the Board is recommending Council approval of the application filed by Central Financial Group in the amount of \$10,000.

NOW, THEREFORE, Be It Resolved, the City Council of the City of Maquoketa does hereby approve the Downtown Incentive Grant application filed by Central Financial Group in the amount of \$10,000.00.

PASSED AND APPROVED this 18th day of July, 2022.

Tom Messerli, Mayor

ATTEST:

Joshua Boldt, City Manager

CERTIFICATION

I, Joshua Boldt, City Manager, do hereby certify the above is a true and correct copy of Resolution No. 2022-_____ which was passed by the Maquoketa City Council this 18th day of July, 2022.

Joshua Boldt, City Manager

DOWNTOWN INCENTIVE PROGRAM APPLICATION

Application must be approved by City Council prior to work beginning. The City reserves the right to request additional information. All information supplied to the Downtown Incentives Committee will be kept confidential. Attach additional sheets as necessary.

PROGRAM(S) APPLIED FOR

- | | |
|---|---|
| <input type="checkbox"/> ACQUISITION ASSISTANCE GRANT | <input type="checkbox"/> FAÇADE GRANT |
| <input type="checkbox"/> BLADE SIGN | <input checked="" type="checkbox"/> COMMERCIAL INTERIOR GRANT |
| <input type="checkbox"/> CONSULTANT ASSISTANCE GRANT | <input type="checkbox"/> UPPER STORY RENOVATION GRANT |

APPLICANT INFORMATION

APPLICANT IS: OWNER TENANT

Applicant name: Julia E. Kinrade

Applicant mailing address: 146 S. Main St. Maquoketa, IA

Applicant email address: julie.kinrade@centralfinancialgroup.com Phone: 563-543-2005

Owner name (if not applicant): _____

Owner email address _____ Phone: _____

BUSINESS INFORMATION (IF APPLICABLE)

Name of business: Central Financial Group

Address of building for which grant is sought: 146 S. Main St. Maquoketa, IA

New business? No Yes If no, please enter the number of years you have been in business.

Relocating from another location? Yes No Current address _____
714 W Platt St.
Maquoketa, IA

BUILDING INFORMATION

Provide a color copy of the parcel report from Beacon

PROPOSED USE OF FUNDS WORKSHEET

Detailed estimates MUST be attached.

PROPOSED USE OF FUNDS	BRIEF DESCRIPTION	ESTIMATED COST
<input type="checkbox"/> Abstracting Fees (ACQ Grant)		\$ _____
<input type="checkbox"/> Acquisition Price (ACQ Grant)		\$ _____
<input type="checkbox"/> Appraisal Fees (ACQ Grant)		\$ _____
<input type="checkbox"/> Attorney Fees (ACQ Grant)		\$ _____
<input type="checkbox"/> Origination Fees (ACQ Grant)		\$ _____
<input type="checkbox"/> Real Estate Agent Fees (ACQ Grant)		\$ _____
<input type="checkbox"/> Recording Fees (ACQ Grant)		\$ _____
<input type="checkbox"/> UCC Filing Fee & UCC Search (ACQ Grant)		\$ _____
<input type="checkbox"/> Blade Sign Total Cost		\$ _____
<input type="checkbox"/> Consultant Fee		\$ _____
<input type="checkbox"/> Brick Cleaning & Tuck Pointing		\$ _____
<input type="checkbox"/> Demolition Work		\$ _____
<input type="checkbox"/> Exterior Lighting		\$ _____
<input type="checkbox"/> Finish Work		\$ _____
<input checked="" type="checkbox"/> Floor/Ceiling/Wall Repair		\$ _____
<input type="checkbox"/> Installation of Permanent Fixtures		\$ _____
<input checked="" type="checkbox"/> Mechanical Systems Upgraded/Retrofitted	<i>Electrical/Lighting/Cable</i>	\$ <u>11,750.</u> ⁰⁰
<input checked="" type="checkbox"/> Painting		\$ _____
<input type="checkbox"/> Preservation of Architectural Elements		\$ _____
<input type="checkbox"/> Signage (Other Than Blade Sign)		\$ _____
<input checked="" type="checkbox"/> Window/Door Repair		\$ _____
<input type="checkbox"/> OTHER (PLEASE SPECIFY)		\$ _____
Total Estimated Cost		\$ <u>76,150.</u> ⁰⁰
Grant Amount Requested		\$ <u>10,000</u> ⁰⁰

ADDITIONAL PROGRAM REQUIREMENTS

ACQUISITION ASSISTANCE GRANT

No additional information needed

BLADE SIGN

Provide building permit application and sidewalk construction permit if applicable

CONSULTANT ASSISTANCE GRANT

Design Size Area: _____sf

Include a copy of the designer's business card

FAÇADE GRANT

Façade to be improved: Front Side Rear

Include images of the current and proposed façade.

COMMERCIAL INTERIOR GRANT

Expansion of Existing retail Remodeling of Existing Retail

Include images or description of proposed improvements.

UPPER STORY RENOVATION GRANT

_____ Number of Apartments to be Created _____ Number of Apartments to be Renovated

ALL APPLICATIONS

Include a W-9 – Request for taxpayer Identification and Certification

STATEMENT OF UNDERSTANDING

As the applicant, I agree to comply with the guidelines and procedures of the Downtown Incentive Program and the conceptual design and outline specifications as agreed by myself and the committee. I understand I must provide copies of all proposed materials and design drawings for the estimated scope of work, and upon completion of the approved improvements, a copy of the contractor's waiver of lien for evidence of payment. I also understand the committee reserves the right to request additional information.

Julia E Kinrade
Applicant Signature

6/16/22
Date

I certify that I, as the owner of this property, do authorize the applicant to apply for the Downtown Incentive Program and undertake the approved improvements.

Julia E Kinrade
Owner Signature (if other than applicant)

6/16/22
Date

Total Estimated Cost \$ 76,150⁰⁰
Grant Amount Requested \$ 10,000⁰⁰

Return application to City Hall, 201 East Pleasant Street, Maquoketa. A Downtown Incentive Committee meeting will be scheduled to review your application.

OFFICE USE ONLY BELOW

Grant Amount Awarded \$ _____

Chairperson, Downtown Incentives Committee _____ Date _____

City Manager, City of Maquoketa _____ Date _____

Reimbursement \$ _____

Finance Clerk, approved for reimbursement _____ Date _____



June 6, 2022

Steve and Julie Kinrade

Project address:

146 S. Main St.

Maquoketa, IA 52060

RE: Kinrade PHASE 2 – Office Renovation

Thank you for calling Sheets Design Build Construction Company regarding your construction needs for which we offer the following scope of work and associated cost. Please review the scope and let us know of any questions. Let us know if you would like to move forward with your project.

Scope – 1,440 SF Interior Office Build-out

- Frame interior walls as shown on plans. Includes framing and insulating to match phase 1. Walls insulated and all the way to roof structure.
- Paint all walls including existing south wall to color of choice.
- Doors and frames matching phase 1 – See alternates for door options.
- Breitbach Carpet Flooring and vinyl base to match phase 1.
- Acoustical Ceilings included throughout to match phase 1.
- HVAC – Bernies Heating and Cooling to include new supply and returns and ceiling grilles and registers.
- ELECTRIC – Stickley Electric scope is included. Covering what RTMB asked for. Can meet on site once walls are framed for final scope.
- Exclusions: We exclude phone and data, permitting.
- Material Price Increases have been drastic during the past 2 years. Therefore we are able to hold pricing for only 30 days.

Cost: \$76,150.00

ALTERNATE 1: Conference Room Door from Hallway including door, frame, hardware, 2 sidelights, and painting.

Add \$3,629.00

ALTERNATE 2: 4 doors between offices. Includes 4 hollow metal frames, doors, hardware and paint.

Note: this cost could be cut in 1/2 or even 1/4 if you were to buy some cheap doors from Menards etc.

Add \$9,394.00

ALTERNATE 3: 4' X 4' Window at front office. Includes hollow metal frame, glass, and paint.

Add \$1,230.00

Sheets Design Build | 18284 Highway 64 West, Maquoketa, IA 52060 | 563-652-8399P | 563-652-8523F



Steven Kinrade
Financial Representative

714 W Platt Street Suite 3
Maquoketa, IA 52060

steven.kinrade@centralfinancialgroup.com
(563) 583-5230 office
(563) 652-6383 fax

July 5, 2022

201 E Pleasant St.
Maquoketa, IA 52060

Maquoketa City Council,

We purchased the building at 146 S Main Street in Maquoketa. The building will house 5 financial offices and a conference room on the south side of the building. Construction will be done on the northside of the building for a technology company, who will be leasing the space from us. We are very pleased to be in Maquoketa and are excited to move to a downtown building.

Unfortunately, we purchased the building after the West Side Façade Grants were closed for our availability. We will be doing some updating of the exterior in the future. We have spent over \$100,000 for the interior construction on southside. We are applying for the Commercial Interior Grant to assist us with the northside construction. Some of this includes new returns for the heating and cooling system, new electrical, data ports and lighting installed, as well as the construction of walls and the installation of office doors and side lights.

Please accept our application for the Commercial Interior Grant. If you have any questions, please contact us.

Best regards.

A handwritten signature in blue ink that reads "Julie Kinrade".

Julie & Steve Kinrade

MINUTES

PUBLIC SAFETY COMMITTEE

Wednesday, July 6, 2022, 3:30 p.m.

Council Chambers

Simonson called the meeting to order at 3:31 p.m.

Present: Cory Simonson, Brent Good

Absent: Kevin Kuhlman

Others Present: Brendan Zeimet, Josh Boldt, Tom Messerli and Jan Ketelsen

Motion by Good, seconded by Simonson to approve the agenda.

Motion Carried 2-0

Motion by Good, seconded by Simonson to approve minutes from May 23rd Special Public Safety meeting. Motion Carried 2-0

Discussion was opened regarding an ordinance for the purpose of adding a traffic sign at the 5th Street Boat Ramp. Simonson stated there currently isn't a traffic sign at the ramp. He witnessed someone leaving the ramp who didn't stop.

Zeimet stated not sure if placing a stop sign there would be appropriate because may not be a street, but more of a driveway.

Good, recommended placing a caution sign that states the cross traffic doesn't stop. Motion by Good and seconded by Simonson to place a caution sign at the intersection. Motion Carried 2-0

Simonson opened discussion on the ATV-UTV Ordinance, stating currently in the ordinance that golf carts are not allowed in town. Boldt mentioned the golf carts don't have the same speed and capabilities as ATV/UTV. Simonson is looking for something the police can enforce and to be consistent. He has also seen a lot of lawn mowers being driven around town. Good questioned what does the ordinance currently allow. ATV/UTV's are not allowed on Platt Street with the exception for farm use. UTV's need liability insurance and are registered through the DNR.

Good, recommended to list each vehicle out separately and state what we allow and don't allow for each type. Example must have lights on the vehicle. It was also suggested to keep the driving age the same as the state, which would be 18. They will continue to work on updating the ordinance.

Zeimet stated the actual number of fireworks complaints is unknown but there were 4 complaints filed for out of the date range, 6 out of the time limit, 1 for safety, 1 for misuse, 1 started a fire and 1 resident reported damage to a car. Good stated that was less than years prior. Boldt mentioned that the Facebook post reached approximately 4000 to 5000 people about the rules pertaining to fireworks. Boldt's concern was on the type of fireworks that went off and that there currently isn't a tool to use that would measure the decibel of the fireworks. It would also be hard for the police officer to decipher the type of fireworks. A suggestion was made to work with the ordinance to establish rules for ticketing to

be able to enforce minor issues; first give a warning, next a ticket. There were long discussions about the number of days for fireworks.

Boldt proposed having a firework show, since the City already budget's \$5000 for this.

Zeimet mentioned, if all goes well, he hopes to have job offers out to two candidates by mid-month. Theisen's was broken into again. Guns were stolen and suspects have been identified. A short discussion was held on a new software program about license plate technology. An event would trigger the notification to the police. Potential cost could be \$0.

There was no other business to discuss.

Meeting adjourned at 4:10 p.m. All ayes.

Cory Simonson, Chairperson

Attest

Jan Ketelsen, Secretary

PLANNING & ZONING BOARD
CITY HALL COUNCIL CHAMBERS
MONDAY, JULY 12, 2022
5:00 P.M.

Zoom Meeting
Meeting ID: 996 1587 6196
Call-in only: 312 626-6799, enter meeting number

1. Chair Stickley called meeting to order 5:03 PM
2. Present: Stickley, Trivette, Lindgren, Mangler, Denlinger, and Koranda
Absent: James, Horan Jr

Tom Schueller audience

3. Motion by Lindgren and seconded by Denlinger to approve agenda (all yes)
4. Schueller asked what was going on.
Koranda explained that the Police Department parcel was in a R-2 zone and that zone did not allow a tower and the Jackson County Public Safety is going to a new radio system that requires a new tower placed on the property.

Schueller asked how was the Police Department and Fire Department building able to be built in a R-2 zone and it was not changed back when they were built.

Stickley asked why we were not changing all the properties like the Fire Station and Penrose Building to B-2 so that it is right.

5. Denlinger questioned if there is a tower there now why we need to rezone it.
Koranda explained that a few years ago we adopted a wireless communications tower ordinance which designated the zones tower could be constructed and R-2 would not allow a tower.
Mangler questioned the safety of the signal and if the tower falls
Koranda explained that it is a 700 System which is in the range of cellular signals and the tower does have to be engineered according to our ordinance and they will engineer a breaking point so that if it does fall it will break in a certain area on the tower so that it will fall within the property.
Mangler said that everyone has a phone so they are not more at risk and if the tower is constructed to fall on property then she did not see a reason not to allow the rezoning.

Motion by Mangler and seconded by Trivette to recommend to Council to rezone the Police department to B-2. (all Yes)

Adjourn at 5:19 PM