

# City of Mt. Vernon, Iowa

<b>Meeting:</b>	<b>Mt. Vernon City Council Meeting</b>
<b>Place:</b>	<b>Mt. Vernon City Hall, 213 First Street NW, Mt. Vernon, Iowa 52314</b>
<b>Date/Time:</b>	<b>December 5, 2016 – 6:30 PM</b>
<b>Web Page:</b>	<b>www.cityofmtvernon-ia.gov</b>
<b>Posted:</b>	<b>December 2, 2016</b>

<b>Mayor:</b>	Jamie Hampton	<b>City Administrator:</b>	Chris Nosbisch
<b>Mayor Pro-Tem:</b>	Marty Christensen	<b>City Attorney:</b>	Robert Hatala
<b>Councilperson:</b>	Paul Tuerler	<b>Assis. Admin/City Clerk:</b>	Sue Ripke
<b>Councilperson:</b>	Scott Rose	<b>Deputy City Clerk:</b>	Marsha Dewell
<b>Councilperson:</b>	Tom Wieseler	<b>Chief of Police:</b>	Doug Shannon
<b>Councilperson:</b>	Eric Roudabush		

- A. Call to Order
- B. Agenda Additions/Agenda Approval
- C. Communications:
  - 1. Unscheduled

If you wish to address the City Council on subjects pertaining to today's meeting agenda, please wait until that item on the agenda is reached. If you wish to address the City Council on an item **not** on the agenda, please approach the microphone and give your name and address for the public record before discussing your item. Each individual will be granted no more than five (5) minutes.

- D. Consent Agenda

**Note:** These are routine items and will be enacted by one motion without separate discussion unless a Council Member requests separate consideration.

- 1. Approval of City Council Minutes – November 21, 2016 Regular Council Meeting
  - 2. Appoint Caroline Kelly and Robert Murphy – Historic Preservation Commission

- E. Public Hearing

- 1. Public Hearing on an Ordinance to Amend Chapter 5 Operating Procedures of the Mt. Vernon Municipal Code
    - i. Close Public Hearing – proceed to F-1
  - 2. Public Hearing on an Ordinance to Amend Chapter 151 Trees of the Mt. Vernon Municipal Code
    - i. Close Public Hearing – proceed to F-2

- F. Ordinance Approval/Amendment

- 1. An Ordinance Amending Chapter 5.13 Residency Requirements of the City of Mt. Vernon Municipal Code
    - i. Motion to approve first reading and proceed with second reading (Council may suspend rules and proceed to third and final reading after vote of first reading)
  - 2. An Ordinance Amending Chapter 151 Trees of the Mt. Vernon Municipal Code
    - i. Motion to approve first reading and proceed with second reading (Council may suspend rules and proceed to third and final reading after vote of first reading)

- G. Resolutions for Approval

- 1. None

**H. Mayoral Proclamation**

1. None

**I. Old Business**

1. None

**J. Motions for Approval**

1. Consideration of Claims List – Motion to Approve
2. Discussion and Consideration of a Motion to Set a Public Hearing Date for an Ordinance Adopting Chapter 26 Housing Commission of the Mt. Vernon Municipal Code - Council Action as Needed
3. Discussion and Consideration of a Motion to Set a Public Hearing Date for an Ordinance Amending Chapter 135 Street Use and Maintenance of the Mt. Vernon Municipal Code - Council Action as Needed
4. Discussion and Consideration of Tablet Purchase for Police Squad Vehicle – Council Action as Needed
5. Discussion and Consideration of a Call for Redemption of 2009 General Obligation Bonds – Said Bonds Being Paid With Sewer Revenue to be Redeemed from the Sewer Utility Cash Balance – Council Action as Needed

**K. Reports to be Received/Filed**

1. None

**L. Discussion Items (No Action)**

1. Sidewalk Plan
2. Alley Policy and Map

**M. Reports of Mayor/Council/Administrator**

1. Mayor's Report
2. Council Reports
3. Committee Reports
4. City Administrator's Report

**N. Adjournment**

Pursuant to §21.4(2) of the Code of Iowa, the City has the right to amend this agenda up until 24 hours before the posted meeting time.

**If anyone with a disability would like to attend the meeting, please call City Hall at 895-8742 to arrange for accommodations.**

## **D. Consent Agenda**

The Mount Vernon City Council met November 21, 2016 at the Mount Vernon City Hall Council Chambers with the following members present: Roudabush, Tuerler, Wieseler, Christensen and Rose.

**Call to Order.** Mayor Jamie Hampton called the meeting to order at 6:30 p.m. and announced one change to the agenda; Item #J-7 is tabled.

**Agenda Additions/Agenda Approval.** Motion to approve the amended Agenda made by Rose, seconded by Wieseler. Carried all.

**Consent Agenda.** Motion to approve the Consent Agenda made by Christensen, seconded by Rose. Carried all.

Approval of City Council Minutes – November 7, 2016 Regular Council Meeting.

### Resolutions for Approval

Resolution #11-21-2016A Approving FY 2017 Transfers to Debt Service, General, Project, and Depreciation Funds. This resolution approves transfers that are done on a yearly basis. The transfers cover project costs, are PILOT transfers and transfers into depreciation funds. They were approved during the budget process. Motion to approve Resolution #11-21-2016A made by Rose, seconded by Wieseler. Roll call vote. Motion passes 5-0.

Resolution #11-21-2016B Certifying TIF Debt Incurred in CY 2016 for FY 2018 to the Linn County Auditor. Larry Burger, Speer Financial, provided Council with the yearly updated TIF report. This report summarizes the outstanding bonds the City has and what funds they paid are out of. The TIF certification request for FY18 is currently slated at \$600,000.00. In order to keep the asking consistent from year to year included in the report is a request for two amounts associated with the 2007 GO bond. Motion to approve Resolution #11-21-2016B made by Tuerler, seconded by Rose. Motion passes 5-0.

### Motions for Approval

Consideration of Claims List – Motion to Approve. Motion to approve the Claims List made by Wieseler, seconded by Tuerler. Carried all.

AIRGAS INC	SUPPLIES-PW	955.99
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	3,199.92
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	2,422.36
ALLIANT IES UTILITIES	ENERGY USAGE-POOL	905.66
ALLIANT IES UTILITIES	ENERGY USAGE-P&A	653.04
ALLIANT IES UTILITIES	ENERGY USAGE-RUT	407.12
ALLIANT IES UTILITIES	ENERGY USAGE-FD	221.03
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	181.59
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	146.47
ALLIANT IES UTILITIES	ENERGY USAGE-KMVL	89.47
ALLIANT IES UTILITIES	ENERGY USAGE-PD	77.15
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	23.67
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	1,148.34
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	478.12
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	49.93

ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	43.04
ALLIANT IES UTILITIES	ENERGY USAGE-EMA	36.96
ALLIANT IES UTILITIES	ENERGY USAGE-CEM	16.97
ARAMARK	RUGS-FD	82.85
BATTERIES PLUS	SUPPLIES-PD	69.45
BRADLEY HAUGE CPA	PROFESSIONAL SERVICES-P&A	1,275.00
BRADY LANHAM	NEW BREAKERS/SHOP-RUT	235.00
BROWN SUPPLY COMPANY	STAINLESS LINK SEAL-SEW	498.75
BROWN SUPPLY COMPANY	GATE VALVE-RUT	63.67
BURROUGHS, RICHARD	CEMETERY MAINT	3,085.00
BUSER, ROBERT M	LODGING REIMB-EMA	112.00
CAMPBELL SUPPLY CEDAR RAPIDS	WINTER GLOVES-RUT	240.80
CENTURY LINK	PHONE CHARGES-PD	36.90
CENTURY LINK	PHONE CHGS-P&A	500.46
CENTURY LINK	PHONE CHGS-PD	114.13
CENTURY LINK	PHONE CHGS-FD	106.99
CENTURY LINK	PHONE CHGS-SEW	92.17
CENTURY LINK	PHONE CHGS-WAT	53.14
CENTURY LINK	PHONE CHGS-RUT	51.14
CENTURY LINK	PHONE CHGS-POOL	43.90
CHRIS NOSBISCH	MILEAGE-P&A	39.96
CLIA LABORATORY PROGRAM	MEDICAL SUPPLIES-FD	75.00
COMMUNITY DEVELOPMENT GROUP	VIDEO TOUR PROJECT	500.00
DARIN LUNECKAS	GIRLS BB REFUND-P&REC	45.00
DEWELL, MARSHA	MILEAGE-P&A	16.20
EVIDENT INC	PROCESSING SUPPLIES-PD	263.01
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
GOODLOVE, NATHAN	FIRE CHIEF PAY-FD	416.67
HAWKEYE FIRE & SAFETY CORP	EXTINGUISHER MAINT-FD	65.87
HAWKEYE READY MIX	CONCRETE/SHOP PATCH-RUT	157.11
HILLS BANK & TRUST COMPANY	2015 GOWTP IMPROVEMENT PROJECT	3,206.75
IOWA CODIFICATION INC	CODE UPDATES-P&A	391.00
IOWA DEPT AGRICULTURE AND LAND	APPLICATOR LICENSE-PW	15.00
IOWA ONE CALL	LOCATES-WAT,SEW	47.70
IOWA SOLUTIONS INC	COMPUTER-WAT,SEW,SW	1,660.01
IOWA STATE UNIVERSITY	FSTB CERTIFICATION-FD	25.00
JAY A ARNOLD	REFEREE-P&REC	135.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
JOENA'S SPECIAL NEEDS	UNIFORMS-PD	12.00
JORDAN AXTELL	REFEREE-P&REC	135.00
JORDAN AXTELL	REFEREE-P&REC	85.00
MATRE ARMS & AMMUNITION	TRAINING-PD	630.00
MOEL, STEVE	FUEL-PD	25.00
MOUNT VERNON ACE HARDWARE	BLDG REPAIR-FD	24.47
MOUNT VERNON POLICE RESERVES	SPECIAL EVENTS PAY-PD	7.00
NORTH CEDAR RECYCLING LLC	SHREDDING SERVICE-P&A	158.16
PAYROLL	CLAIMS	53,512.24
PITNEY BOWES	POSTAGE METER RENTAL-ALL DEPTS	141.00
POSTMASTER	FIRST CLASS PRESORT FEE	215.00
ROTO-ROOTER	TELEVISE/JETT LINE-SEW	1,490.00
SAM KRINGLEN	REFEREE-P&REC	135.00

SAM KRINGLEN	REFEREE-P&REC	68.00
SAUTER BATY ASSOCIATES	CONCEPTUAL/PRELIMINARY DESIGN	1,320.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	975.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	480.00
SPRAY-LAND USA	PARTS/BRINE TANK-RUT	135.35
SPRINGER PEST SOLUTIONS CORP	PEST CONTROL-P&A	30.00
STAR	ICE MAKER-FD/LOST I	2,090.00
STATE HYGIENIC LAB	TESTING-SEW	1,537.50
STORM STEEL	F-450/BRUSH BOX-RUT	559.69
TRASH STICKERS INC	TRASH TAGS-S/W	1,215.00
TRAVER, DEAN	KMVL RENT	1,500.00
UNIVERSITY OF LOUISVILLE	CONFERENCE-PD	695.00
VEENSTRA & KIMM INC	WASTEWATER FACILITY PLAN	1,030.00
VEENSTRA & KIMM INC	CITY ENGINEERING GENERAL	735.00
VEENSTRA & KIMM INC	CORNELL SCIENCE BLDG SITE PLAN	162.00
WENDLING QUARRIES	CONCRETE DUMP-S/W	82.50
WEX BANK	FUEL-PD,WAT,SEW	1,009.23
	TOTAL	95,211.60

Discussion and Consideration of Cornell College's West Science Building Site Plan Proposal – Council Action as Needed. Cornell College has submitted a building permit to demolish two homes and complete initial site work for the proposed West Science Building. The site plan needs to be preloaded in order to save Cornell a substantial amount of money. Under the City's zoning code site plans are approved by P & Z and Council. Matt Siders, Zoning Administrator, submitted his written comments and findings as required (Chapter 165, Article 1302) in a report for the Planning and Zoning Commission and City Council. Nosbisch said that one of staff's concerns was routes of traffic being used during construction. A meeting was conducted with the contractor and the routes have been established. P & Z made sure that a landscaping plan was included in the plan. Storm water considerations are also included in the plans. Roudabush asked what the capacity of the basin will be. The project manager explained that the basin will be set up to handle the water from the west science building and the west side of the new building for up to a 100 year storm. When asked about the east side runoff Council was told that it has its own basin in front of the loading dock. If there are any discrepancies between now and the start of building Council can review the plans again. Tuerler moved to approve the West Science Building site plan proposal, seconded by Rose. Carried all.

Discussion and Consideration of Video Proposal between the Sun and the City of Mt. Vernon – Council Action as Needed. At a previous meeting staff recommended moving forward with a proposal for The Sun to video City Council meetings. Currently the City is paying \$130.00 per meeting to The Sun for taping and preparing Council meetings for cable television. This price will remain the same for the first year to cover equipment needs but will be reduced to \$75.00 per meeting the following two years. Wieseler asked if there was any data on the number of people that viewed the meetings on cable. Nosbisch said that he could not get that information from Mediacom but it can be tracked online. Christensen moved support of this proposal from The Sun, seconded by Wieseler. Carried all.

Discussion and Consideration of a Motion to Set a Public Hearing Date for an Ordinance Amending Chapter 5.13 Residency Requirement of the Mt. Vernon Municipal Code - Council Action as Needed. Nosbisch explained that the setting date would be the next council meeting date, December 5, 2016. The residency requirement will change from the current to the State of Iowa. Motion to set the Public Hearing date for December 5, 2016 made by Rose, seconded by Tuerler. Carried all.

Discussion and Consideration of a Motion to Set a Public Hearing Date for an Ordinance Amending Chapter 151 Trees of the Mt. Vernon Municipal Code – Council Action as Needed. Nobsisch said that this is the start of the process to bring tree maintenance back to the City. When asked if the City has the equipment to do this Nobsisch said that we do have the majority of equipment but will purchase some safety equipment. Motion to set the Public Hearing for December 5, 2016 made by Rose, seconded by Tuerler. Carried all.

Discussion and Consideration of Approving the Establishment of a Mt. Vernon Housing Committee and Identifying Council Goals and Objectives for said Group – Council Action as Needed. One of Council's goals has been the formation of a housing committee. Staff outlined a proposed makeup and possible action items for a seven or nine member group. Christensen asked why this would be a committee instead of a commission. Nobsisch replied that a committee could make recommendations to council and it's the general level of power that is associated with one or the other. Christensen said that he has seen many committees die but commissions live on. Nobsisch said how extensive the council wants this group to be would dictate whether it is a committee or a commission. Rose said that one concern he had with the initial setup was that four proposed members in the seven member group could have financial stakes in the decisions that they are making. Nobsisch said that this group would deal with problems. Some points of review they could deal with would be housing needs, incentive packages, rentals and obstacles of development. Tuerler agreed with Christensen; it should be a commission and set forth by ordinance. Council was in agreement that it should be nine members. Nobsisch said that he would draft an ordinance based on nine members and because of his background and experience he would like to be the staff liaison.

Discussion and Consideration of Request for Proposals (RFP) for Architecture Services for the Proposed Mt. Vernon Community/Recreation Center Project – Council Action as Needed. Tabled.

Discussion and Consideration of Tower Lease Proposal – Council Action as Needed. Landmark Dividend has approached the City with a proposal whereas they would purchase the City's cell leases for \$600 - \$800,000.00. This represents a buyout of 20 to 35 years. The current leases generate over \$65,000.00 a year in revenue. Landmark Dividend is proposing a cash buyout of less than \$0.50 on the dollar. Staff is recommending against such action but because of the dollar amount involved wanted Council to weigh in. Council took no action.

Discussion and Consideration of Preliminary Plans and Specifications of the Highway 30 Trail Project – Council Action as Needed. V&K has provided preliminary plans and specs for the Hwy 30 Trail Project which would run from the 10<sup>th</sup> Ave roundabout to Casey's. This project was identified as part of a larger bio swale project and initial numbers at the time suggested it could be completed for about \$100,000.00 to be paid from LOST III. Preliminary costs today are almost twice the original amount, about \$200,000.00. This is about three years' worth of LOST III Trails money. Staff recommends that this project be done at a later time. IDOT has said that they are going to hand over old Hwy 30 to the City when the bypass is complete. At that time perhaps there could be an agreement whereas either they (IDOT) fix Hwy 30 or negotiate a dollar amount so that we would fix Hwy 30. Rose asked if the City has to take it. Dave Schechinger said that he has asked that very question and was told that their plans were to turn it over to the City. Christensen asked if the city attorney could be consulted on whether or not the City has a choice. Parks and Rec Board will be asked to replace this with other trail projects.

Discussion and Consideration of a 28E Contractual Agreement for Law Enforcement Services – Council Action as Needed. Chief Doug Shannon said that because Lisbon is down to one officer they have asked

Mount Vernon to take a more rapid approach at looking at the 28E Agreement that they have been discussing for some time now. Lisbon is looking at 20 hours of coverage per week compensated at \$40.00 per hour. This will not increase Mount Vernon's need for additional staffing. Under this agreement Mount Vernon would patrol, take enforcement action and respond to Lisbon calls but Mount Vernon will still be the priority and taken care of first. There is language in the 28E that if the 20 hours are used and there is an emergency MV will still respond and Lisbon will be billed as needed. The 28E that is currently in place only allows MV to respond to emergency situations. Lisbon is currently running an ad for an officer. Nobsisch said that it could be in both communities best interest to start the process in this manner; Lisbon will see how MV operates and can decide if they want to be a part of that in the future. Nobsisch instructed Council that they are approving the 28E agreement as written; any changes Lisbon may make at their meeting next week will be brought back for approval. Chief Shannon explained that if Lisbon has an officer on duty and a Mount Vernon officer is assisting this service would fall under the mutual aid agreement. This agreement takes effect when Lisbon does not have an officer physically on duty. Tuerler motioned to approve the 28E Contractual Agreement for Law Enforcement Services for Lisbon, seconded by Roudabush. Carried all.

#### **Reports to be Received/Filed**

Mt. Vernon Police Report. There were four collisions in October and 30 reported incidents. Officers assisted the US Secret Service and Marion PD-K9 providing security for Bill Clinton's visit to Cornell College. Chief Shannon educated students in the MVHS Criminal Justice classes, attended the Leadership breakfast on 10-6-2016, was a member of the Judges Panel for the Chili cook off and, along with Officer Moel attended training at the Linn County Sheriff's office on "Blue Courage". Officer worked a total of 4 hours of extra traffic enforcement in October.

Mt. Vernon Public Works Report. Snow fence has been installed near the intersection of 10<sup>th</sup> Avenue SW and Palisades Road and Scobey Road. Crews have begun making brine that will pretreat the streets before a winter storm. The City was able to purchase a used brine making unit and three holding tanks from the IDOT.

Mt. Vernon Parks and Rec Report. All of the parks and their facilities have been winterized. A Trees Forever grant was submitted. Girls' basketball is in full swing. The 2016 pool report will be presented soon.

#### **Discussion Items (No Action)**

Capital Improvements Plan. Discussions continued regarding plan projects and financing. Nobsisch was asked at a previous meeting about sidewalk assessments. In talking with a previous City engineer Nobsisch reported that the assessments were never done. As a suggestion for financing if the City were to adopt a franchise fee a portion collected could be earmarked for the Sidewalk Project.

#### **Reports of Mayor/Council/Administrator**

City Administrator's Report. Staff attended the budget workshop conducted by the Iowa League of Cities. City Hall will be closed Thursday and Friday, November 24-25, 2016 for the Thanksgiving holiday. The City received an anonymous donation of \$1,500.00 to purchase the hanging baskets for downtown.

Adjournment. As there was no further business to attend to the meeting adjourned, the time being 8:11 p.m. November 21, 2016.

Respectfully submitted,  
Sue Ripke  
City Clerk

## **E. Public Hearing**

**AGENDA ITEM # E – 1**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	December 5, 2016
<b>AGENDA ITEM:</b>	Ordinance – Residency Requirements
<b>ACTION:</b>	None

**SYNOPSIS:** This ordinance removed the statutory requirement that employees of the streets, water, sewer, police and administration departments must live within a twenty (20) minute response time. The ordinance amendment that is proposed requires all employees reside within the State of Iowa (job descriptions require and Iowa driver's license). **Note: the public notice did not make the paper, therefore the Council can take comment at the meeting but must also hold another public hearing on December 19, 2016. The ordinance listed under F-1 will need to be tabled until December 19, 2016.**

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Close Public Hearing

**ATTACHMENTS:** None – Proceed to F-1

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 12/1/16

**AGENDA ITEM # E – 2**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

**DATE:** December 5, 2016

**AGENDA ITEM:** Ordinance - Trees

**ACTION:** None

**SYNOPSIS:** This ordinance amends Chapter 151 by removing the maintenance requirement of right of way trees from the property owner. The City will now take over the maintenance/trimming of right of way trees. **Note: the public notice did not make the paper, therefore the Council can take comment at the meeting but must also hold another public hearing on December 19, 2016. The ordinance listed under F-2 will need to be tabled until December 19, 2016.**

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Close Public Hearing

**ATTACHMENTS:** None – Proceed to F-2

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 12/1/16

## **F. Ordinance Approval/Amendment**

Prepared by: City of Mt. Vernon, City Hall,  
Chris Nosbisch, City Administrator

213 First St. NW, Mt. Vernon, IA 52314  
(319) 895-8742

**ORDINANCE #12-19-2016A**

**AN ORDINANCE AMENDING CHAPTER 5 OPERATING PROCEDURES OF THE CITY OF MT. VERNON MUNICIPAL CODE**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MT. VERNON, IOWA:**

**SECTION 1. AMENDMENT.** The existing 5.13 is hereby repealed and replaced with a new 5.13 Residency Requirement. All permanent, full-time employees of the City shall reside in the State of Iowa. All employees shall have sixty (60) days to comply with this requirement. A new employee may request an extension of time, which extension may be approved by the Council upon proper showing of undue hardship in meeting the sixty-day requirement.

**SECTION 2. SAVINGS CLAUSE.** If any section, provision, sentence, clause, phrase 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 provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Approved and adopted this \_\_\_ day of \_\_\_\_\_, 201\_.

ATTEST:

\_\_\_\_\_  
Jamie Hampton - Mayor

\_\_\_\_\_  
Sue Ripke – City Clerk

I certify that the foregoing was published as  
Ordinance #12-19-2016A on the \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Sue Ripke, City Clerk

Prepared by: City of Mt. Vernon, City Hall,  
Chris Nosbisch, City Administrator

213 First St. NW, Mt. Vernon, IA 52314  
(319) 895-8742

**ORDINANCE #12-19-2016B**

**AN ORDINANCE AMENDING CHAPTER 151 TREES OF THE CITY OF MT. VERNON  
MUNICIPAL CODE**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MT. VERNON, IOWA:**

**SECTION 1. AMENDMENT.** The existing 151.06 Obstruction. (2) Public Property. is hereby repealed and replaced with a new 151.06 Obstruction. (2) Public Property. The maintenance of the parking or terrace of public right of way shall conform with Section 135.10.

**SECTION 2. SAVINGS CLAUSE.** If any section, provision, sentence, clause, phrase 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 provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Approved and adopted this \_\_\_ day of \_\_\_\_\_, 201\_.

ATTEST:

\_\_\_\_\_  
Jamie Hampton - Mayor

\_\_\_\_\_  
Sue Ripke – City Clerk

I certify that the foregoing was published as  
Ordinance #12-19-2016B on the \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Sue Ripke, City Clerk

## **J. Motions for Approval**

CITY OF MOUNT VERNON CLAIMS FOR APPROVAL, DECEMBER 5, 2016

MOUNT VERNON, CITY OF	TIF TO DS TRANSFER	567,646.00
MOUNT VERNON, CITY OF	LOST III TO DS TRANSFER	209,564.00
MOUNT VERNON, CITY OF	SEW TO DS TRANSFER	196,720.00
MOUNT VERNON, CITY OF	LOST II TO DS TRANSFER	104,818.00
MOUNT VERNON, CITY OF	WAT TO DS TRANSFER	102,973.00
PAYROLL	CLAIMS	60,006.35
MOUNT VERNON, CITY OF	WTP PROJECT	52,317.62
MOUNT VERNON, CITY OF	PILOT-WAT	25,500.00
MOUNT VERNON, CITY OF	PILOT-SEW	25,500.00
MOUNT VERNON, CITY OF	PD TO PD VEH DEPREC TRANSFER	21,000.00
MOUNT VERNON, CITY OF	WAT TO WTP DEPRECIATION TRANS	15,000.00
MOUNT VERNON, CITY OF	SEW TO SEW PLANT DEPREC TRANS	15,000.00
MOUNT VERNON, CITY OF	RUT TO RUT VEH DEPREC TRANSFER	8,250.00
MOUNT VERNON, CITY OF	WAT TO WAT VEH DEPREC TRANSFER	8,250.00
MOUNT VERNON, CITY OF	SEW TO SEW VEH DEPREC TRANSFER	8,250.00
MOUNT VERNON ACE HARDWARE	SUPPLIES,EQUIP,MISC-ALL DEPTS	2,964.36
TIM TERRELL & CO	WATER SERVICE @ SHOP-RUT	1,827.00
KROUL FARM GARDENS	HANGING BASKETS/LINERS	1,408.00
BICI CHEMICALS	SUPPLIES-SEW	860.85
IOWA RURAL WATER ASSOCIATION	MEMBERSHIP DUES-WAT	325.00
ELECTRONIC ENGINEERING CORP	INFORMATION SYSTEMS-PW	319.60
TECHNICOM COMMUNICATIONS SYSTEM	PHONE/CITY HALL-P&A	311.80
BRIDGE COMMUNITY BANK	2010B REFUNDING NOTE	271.50
CREATIVE PRODUCT SOURCING	DARE-PD	206.83
AUTO WORX	BATTERY-PD	166.16
MENARDS	EQUIP-RUT	23.68
KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE PLAN/COPIES	97.49
TASC	ADMIN FEE-ALL DEPTS	90.00
MENARDS	EXTENSION CORD WIRE-RUT	79.99
R.A.D. SYSTEMS	CERTIFICATION-PD	75.00
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
STORM STEEL	STEEL/CHIP BOX-SW	50.48
LANGES SINCLAIR SERVICE	VEH MAINT-RUT	36.00
	TOTAL	1,430,028.71

**AGENDA ITEM # J – 2**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	December 5, 2016
<b>AGENDA ITEM:</b>	Set Public Hearing Date – Chapter 26
<b>ACTION:</b>	None

**SYNOPSIS:** This is the time to set a public hearing date on an ordinance establishing the creation and general operating parameters for a Mt. Vernon Housing Commission. The public hearing would be set for December 19, 2016.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** None

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 12/1/16

**AGENDA ITEM # J – 3**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	December 5, 2016
<b>AGENDA ITEM:</b>	Set Public Hearing Date – Chapter 135
<b>ACTION:</b>	None

**SYNOPSIS:** This is the time to set a public hearing date on an ordinance amending the street use and maintenance section of the City Code. Street trees are cross referenced in both sections, therefore both codes need to be amended prior to the City crews taking over maintenance. The public hearing would be set for December 19, 2016.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** None

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 12/1/16

**AGENDA ITEM # J – 4**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	December 5, 2016
<b>AGENDA ITEM:</b>	Tablet Purchase – Squad Car
<b>ACTION:</b>	None

**SYNOPSIS:** This was the system that Chief Shannon was hoping to replace in next fiscal year. Unfortunately, the system failed this month and needs to be replaced. The good news is the 28E with Lisbon has been approved and the City will have some revenue this fiscal year that it did not expect. The bid for the replacement equipment is \$5,084.28.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** None

**ATTACHMENTS:** Supporting Documents

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 12/1/16



201 West State Street  
 Marshalltown, IA 50158  
 800-722-6643  
 Fax 641-752-0674  
 www.racom.net

Proposal Prepared for: Mount Vernon PD  
 Address 213 First Street NW  
 City Mount Vernon  
 State & Zip Code IA 52314  
 County \_\_\_\_\_  
 Phone/FAX 319-895-6141  
 Contact Name Doug Shannon  
 Contact E-mail dshannon@cityofmtvernon.ia.gov

**Getac F110**

ITEM	QTY	PART NO.	DESCRIPTION	UNIT	EXTENDED
1	1		Getac F110, i5, WIN 10, 8GBRAM, GPS, LTE, PASSTHROUGH, SUNLIGHT READABLE HD SCREEN	\$ 2,574.16	\$ 2,574.16
			8MP CAMERA, RFID CARD READER	\$ -	\$ -
			3 YEAR BUMPER TO BUMPER	\$ -	\$ -
2	1		Screen Protector Factory Installed	\$ 54.99	\$ 54.99
3			5 year Bumper to Bumper no Vault Warranty	\$ 619.00	\$ -
				\$ -	\$ -
			MDT MOUNTING	\$ -	\$ -
4	1		2015 Hint Mount Tablet and Key Board Solution for Ford Utility	\$ 517.44	\$ 517.44
5			2016 Hint Mount Tablet and Key Board Solution for Ford Utility	\$ 517.44	\$ -
6	1		Hint Havis adapter Plate	\$ 55.00	\$ 55.00
			KEYBOARD	\$ -	\$ -
7	1		Key KEY BOARD WITH BACKLIT KEYS - EXTRA USB	\$ 349.52	\$ 349.52
			DOCKING STATION	\$ -	\$ -
8	1		HAVIS GDVPH4 GETAC F110 DOCKING STATION. PASS THROUGH, TRI PASS, POWER SUPPLY	\$ 742.91	\$ 742.91
			ANTENNA SOLUTIONS	\$ -	\$ -
9	1		RETRO FIT ANTENNA SOLUTION - 3 IN ONE EURO ANT SOLUTION - GPS,LTE, WIFI	\$ 220.76	\$ 220.76
10			NEW BUILD ANTENNA- ALL IN ONE EURO ANTENNA - TRI BAND LMR, GPS, LTE, WIFI	\$ 298.77	\$ -
				\$ -	\$ -
<del>11</del>	<del>1</del>		<del>Office Desk</del>	<del>\$ 350.00</del>	<del>\$ 350.00</del>
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
			RETRO INSTALLATION	\$ -	\$ -
12	1		REMOVAL OF MDT AND INSTALL NEW HINT MOUNT SOLUTION	\$ 427.50	\$ 427.50
1	1		MISC INSTALL SHOP MATERIALS	\$ 50.00	\$ 50.00

Total Equipment Price \$ 5,342.28  
 Installation \$ -  
 Subtotal \$ 5,342.28  
 Taxes \$ -  
 Shipping \$ 92.00  
 Total \$ 5,434.28

Terms of Purchase:

Tax Rate

-350.00  
 \$5,084.28

System Description:

Proposal Presented By: Cody Brink

Date: 3-8-2016

Proposal Accepted By: \_\_\_\_\_

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

**AGENDA ITEM # J – 5**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	December 5, 2016
<b>AGENDA ITEM:</b>	2009 General Obligation Bonds
<b>ACTION:</b>	None

**SYNOPSIS:** The 2009 note is a general obligation borrowing and is scheduled for final payment in June of 2018. Calling the note early will do two things: 1.) save approximately \$1,500 to \$2,000 in interest, and 2.) remove \$100,000 from the current debt load (freeing up capacity). The 2009 note is being paid with sewer revenue and the current fund can withstand the call amount. If the Council agrees with this strategy, bond counsel will provide a resolution to redeem the 2009 bonds on December 19, 2016.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** None

**ATTACHMENTS:** None

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 12/1/16

## **L. Discussion Items (No Action)**

**AGENDA ITEM # L-1**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

**DATE:** December 5, 2016

**AGENDA ITEM:** Sidewalk Plan

**ACTION:** None

**SYNOPSIS:** Please see the attached memo regarding a potential sidewalk plan for the City.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** None

**ATTACHMENTS:** Memo

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 12/1/16

# Memorandum

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**To:** Mayor and City Council  
**From:** Chris Nosbisch, City Administrator  
**Date:** 11/30/2016  
**Re:** Right of Way Tree Trimming

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After the November 21, 2016 Council meeting, staff met briefly with Dave Schechinger from V&K Engineering regarding the current sidewalk proposal. Dave indicated that his company has used a revolving loan fund in other communities as an alternative to the assessment process. During the assessment process, administrative fees and interest can significantly drive up the costs of the smaller projects.

Staff has discussed the proposal with Speer Financial and the program is feasible under Iowa law. The City could look at an inter fund loan, essentially borrowing from itself, with the intent to certify the loan amount as TIF debt in 2017. In short, tax increment financing would be used to generate the seed money for the revolving loan fund. The inter fund loan would allow the City to start the project as early as spring of 2017. Staff has started to look at two proposals, one that would borrow \$50,000 over two years and the second would borrow the full \$100,000 in year one and lend the funds over a two year period.

In talking with Dave, the community he spoke of used a three year repayment schedule from the time the sidewalk improvements were made. City staff would like to look into two different repayment schedules based upon cost. If the project cost falls below \$750, then the repayment would be within the three year timeframe. If the project costs are estimated to be above \$750, then a six year repayment schedule could be approved.

The City could charge interest on the money being used, however staff would recommend against this charge for two reasons. The first is the overall objective of the program. The goal, I believe, is to fix sidewalks that are in need of repair, and get sidewalks where they may not exist currently.

The second is the tracking and calculation of payments. Both the assessment of the sidewalks and the managing of the revolving loan fund projects are staff heavy. Given the fact that current rates are still hovering between 2 and 3%, the interest over three years will require more staff time than the interest revenue would cover.

The revolving loan fund would be limited to projects that need to be completed by homeowners. This will provide a renewable source of revenue throughout the life of the program. Additional funds may be needed in subsequent years as staff is expecting some difficulties in collecting payments. All allowable collection methods would be used, but it may delay monies returning to the system.

The alleyways and ADA compliant intersections would be completed with separate funds. The intersections that do not meet ADA guidelines would be incorporated in the CIP and funded with other revenue sources. Some alleyways will be completed by City staff when time and schedules allow.

The question will be asked, “what if people do not comply?” Property owners that do not comply with the correction order will be sent a certified letter detailing a timeframe in which the work will need to be completed. Should the property owner fail to comply within those timeframes, staff will submit the property to the City Council. The City Council can require the work done and the costs assessed to the property owner. Every effort will be given for voluntary compliance, however, there has to be an enforcement requirement or the project will fail.

What are the next steps should Council give the greenlight on the program?

- City Hall staff would begin creating the excel database necessary to track the program.
- Staff would finalize the inspection criteria so that it can be shared with the citizens.
- Council would need to identify what quadrant of the City they would like staff to start with. The quadrant may need to be broken into smaller pieces once the construction enforcement begins. For instance, the NW quadrant may need to be broken into three smaller areas based upon funding.
- Changes would need to be made to the sidewalk ordinance as the standards listed in our code are outdated.
- Staff would work between now and February with Speer Financial and Bond Counsel on the necessary documents for the inter fund loan and subsequent 2017 TIF asking.
- The City Attorney would need to prepare the borrowing form that would be used by staff throughout the program.

**AGENDA ITEM # L - 2**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

**DATE:** December 5, 2016

**AGENDA ITEM:** Alleys

**ACTION:** None

**SYNOPSIS:** Attached is the alley policy that was reviewed by the City Council earlier in the year. At the time, Council asked if there was a map that indicated the current state of alley ways in the community. The map will be presented at the Council meeting for your review.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** None

**ATTACHMENTS:** Supporting Documents

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 12/1/16

City of Mt. Vernon

City Alley Policy  
Adopted, \_\_\_\_\_, 2016

Purpose:

The City of Mt. Vernon is providing general guidelines for the maintenance, development, use, and vacation of alleys in an effort to provide for consistency and efficiency in those matters.

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**ALLEY POLICY**

Alley Vacations: If, upon receipt of an application, it is deemed that the alley right of way is no longer needed by the City of Mt. Vernon, the alley may be vacated and sold by the City as allowed in Chapter 354.23 of the State Code of Iowa.

If vacated, each adjoining property owner shall be allowed to purchase the portion of the alley right of way adjacent to their property. In the event that a property owner refuses to purchase their portion of the alley, it will be offered to the property owner purchasing the adjacent alley. A signed waiver from the refusing property will be made a part of the vacating instrument.

Property owners wishing to have an alley vacated will pay fair market value for the vacated right of way. In the event that the City Council determines that it is in the best interest of the City of Mt. Vernon to maintain an easement on the vacated right of way, the City may decrease the asking price.

Alley Maintenance: As outlined in Chapter 135 of the Mt. Vernon Municipal Code, alley right of ways are to be maintained by the adjacent property owner. In the event that additional rock is need in an alley, a property owner may fill out a request for action form at City Hall. The expense of the rock is to be covered by the requesting property owners.

It is recognized by the City that certain alleys may need to be maintained or upgraded by the City in the event it is negatively effecting other City services. This may include, but is not limited to sealcoat, patching, grading and/or paving.

Alley Improvements: A resident may request that an undeveloped alley be partially or fully developed. In such a case, the property owner making the request is responsible for the initial cost of the road materials, labor and installation of the improvements. Any cost sharing with the other residents is the responsibility of the requesting party to arrange. Regardless of whether the cost will be shared between neighbors or not, all neighbors adjacent to the alley or portion of alley to be developed must agree in writing via the form provided by the City prior to any work proceeding. The form will be processed administratively and kept on file.

Alley Use: An alley right of way is considered to be improved by the City if it has been graded to City specifications and received at least one full treatment of rock, sealcoat or asphalt (the entire alley right of way, not just portions). The alley right of way shall not be utilized by the general public as a means of access unless the alley has been improved to City specifications. All alley right of ways shall allow access to City of Mt. Vernon personnel and any utility providing service within the city limits of Mt. Vernon. The City of Mt. Vernon may, at any time, cause an alley right of way to be improved to city standards and opened to use by the general public.

## **M. Reports Mayor/Council/Admin.**

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**CITY OF MT. VERNON  
CITY ADMINISTRATOR  
REPORT TO THE CITY COUNCIL  
December 5, 2016**

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- The leaf program has been completed. The contractors did spend almost a week and a half longer in the community due to leaf drop and the weather.
- There will be an advertisement put in the Sun newspaper regarding the openings on certain boards and commissions.
- The City has received a donation of \$150 from the William Bys family to place a right of way tree near the memorial bench.
- Department Head end of the year reviews are complete and the information shared with the personnel committee.
- Staff has received a couple of phone calls from area businesses expressing concerns with the Linn County minimum wage law. Everyone has been supportive of the initial increase, however they would like to discuss the matter with Council in the future should the State of Iowa not intervene in 2017.