

February 17, 2016  
City Council Minutes  
Mount Vernon City Hall  
213 1<sup>st</sup> Street NW  
Mount Vernon, Iowa

The Mount Vernon City Council met February 17, 2016 at the Mount Vernon City Hall Council Chambers with the following members present: Roudabush, Tuerler, Wieseler, Christensen and Rose.

**Call to Order:** At 6:30 p.m. Mayor Jamie A. Hampton called the meeting to order.

**Agenda Additions/Agenda Approval:** Motion by Rose, seconded by Tuerler to approve the agenda that was amended on February 16, 2016. Carried all.

### **Oath of Office**

Police Officer – Morgan John Mehlert. Police Chief Doug Shannon introduced Morgan Mehlert to Council who was then sworn in as a Mount Vernon Police officer. Chief Shannon presented Officer Rod Kelley with a Life Saving Award explaining that Officer Kelley responded to a call in January, 2016 of an individual in distress because they were choking. There were adults present trying to provide aid but were not able to help this person. When Officer Kelley arrived he administered the Heimlich maneuver which successfully dislodged the blockage and possibly saved that person's life. Chief Shannon publically thanked and recognized Officer Kelley for his actions.

**Consent Agenda:** Tuerler noted one change to the 2-3-2016 minutes; under the Motions for Approval, Council was asked to consider changing the meeting date. In the minutes the change was listed as February 18, 2016. The correction is that the date should have been listed as February 17, 2016.

Approval of City Council Minutes – February 3, 2016 Regular Council Meeting. Tuerler motioned to approve the Consent Agenda with the correction, seconded by Wieseler. Carried all.

### **Resolutions for Approval:**

Resolution #2-17-2016A: Notice of Proxy Representation at the 2016 Annual Meeting of the Members of the Lisbon – Mt. Vernon Ambulance Service: Motion to approve Resolution #2-17-2016A made by Tuerler, seconded by Wieseler. Carried all.

Resolution #2-17-2016B: Approving the Disposal of Municipal Property. City Administrator Chris Nosbisch explained the property to be disposed of; several chairs and two vehicles. Any sealed bid over \$300.00 will be considered for the vehicles and chairs will be free for the taking. When asked about the vehicles Nosbisch replied that one is a 1995 F150 with 149,713 miles on it and the other is a 1999 Dodge 1500 with 161,400 miles. Christensen wondered if the minimum bid should be slightly higher to which Nosbisch replied that Nick (Nissen) had checked with the local dealership and they gave him a ball park figure. Nosbisch said that he didn't want to establish a minimum bid that was too high and have to come back to Council for approval again. Motion to approve Resolution #2-17-2016B made by Tuerler, seconded by Wieseler. Carried all.

## Motions for Approval:

Consideration of Claims List – Motion to Approve. Christensen motioned to approve the Claims List, seconded by Rose. Carried all.

AIRGAS INC	CYLINDER RENTAL FEE-PW	26.40
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	1,614.93
ALLIANT IES UTILITIES	ENERGY USAGE-RUT	1,398.43
ALLIANT IES UTILITIES	ENERGY USAGE-P&A	687.98
ALLIANT IES UTILITIES	ENERGY USAGE-FD	527.56
ALLIANT IES UTILITIES	ENERGY USAGE-PD	473.62
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	105.75
ALLIANT IES UTILITIES	ENERGY USAGE-KMVL	83.50
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	82.50
ALLIANT IES UTILITIES	ENERGY USAGE-POOL	59.94
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	23.68
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	21.97
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	3,143.77
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	2,640.49
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	1,231.56
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	776.96
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	107.88
ALLIANT IES UTILITIES	ENERGY USAGE-EMA	54.17
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	30.07
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	28.57
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	21.06
ALLIANT IES UTILITIES	ENERGY USAGE-CEM	15.80
AMERICAN WATER WORKS ASSOCIATION	OPERATORS MTG-WAT	40.00
ANDERSON BOGERT ENGINEERS	HWY 1 & 1ST ST	5,589.50
ANDERSON BOGERT ENGINEERS	HWY 1 & 1ST ST	3,277.80
AVENET LLC	WEBSITE HOSTING,MAINT,SUPPORT	600.00
BALICEK, RITA	CLEANING SERVICE-P&A	52.50
BARNYARD SCREEN PRINTER LLC	T-SHIRTS-P&REC	406.00
BENHART, SHERRIE	CLEANING SERVICE-P&A	52.50
CAMPBELL SUPPLY CEDAR RAPIDS	GLOVES-RUT	27.44
CAREPRO PHARMACY	SUPPLIES-P&A	28.98
CENTURY LINK	PHONE CHGS-PD	35.82
CLIFTON LARSON ALLEN	AUDITOR FEES-P&A FY15	650.00
CR/LC SOLID WASTE AGENCY	DISPOSAL SERVICE-P&REC,P&A	28.00
DIESEL TURBO SERVICES INC	BLDG MAINT-P&A	69.00
FEDDERSON, DONNY	UNIFORMS-PW	205.15
GALLS INC	UNIFORMS-PD	375.47
GLOCK PROFESSIONAL INC	REGISTRATION/ARMORER'S COURSE-PD	250.00
GOODLOVE, NATHAN	FIRE CHIEF PAY-FD	416.67
GROUP SERVICES INC	INSURANCE-ALL DEPTS	29,622.27
IOWA DEPT OF PUBLIC HEALTH	REGISTRATION RENEWAL-POOL	35.00
IOWA DEPT OF PUBLIC SAFETY	ON LINE WARRANTS-PD	300.00
IOWA ONE CALL	LOCATES-WAT,SEW	32.50
KASER, GARY	TICKET #22090 OVERPYMT-PD	5.00
KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE PLAN/COPIES	699.56
LANGES SINCLAIR SERVICE	FUEL-FD	66.31
LINN COUNTY FIREFIGHTERS ASSOC	DUES-FD	12.50
LINN COUNTY PLANNING & DEVELOPMENT	BLDG PERMIT FEES/INSPECTIONS	151.00

LINN COUNTY SHERIFF	SHARED SERVICES-PD	900.00
LINN COUNTY SHERIFF	SHARED SERVICES-PD	900.00
MOUNT VERNON, CITY OF	TRANSFER TO VEHICLE DEPRECIATION-PD	18,000.00
OFFICE OF VEHICLE SERVICES	VEHICLE INSPECTIONS-PD	10.00
P&K MIDWEST INC	CHAIN/SALT DAUG-RUT	17.89
PAYROLL	CLAIMS	51,384.89
PITNEY BOWES	POSTAGE METER RENTAL-ALL DEPTS	141.00
QUALITY ENGRAVED SIGNS	SUPPLIES-EMA	22.71
RICKLEFS EXCAVATING	3RD/5TH AVE NW	108,619.20
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	1,725.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	1,560.00
STAPLES ADVANTAGE	SUPPLIES-P&A	119.15
STAPLES ADVANTAGE	SUPPLIES-P&A	106.44
STAPLES ADVANTAGE	USB DRIVES-P&A	51.09
STATE HYGIENIC LAB	TESTING-SEW	1,752.50
TRUENORTH COMPANIES	OSHA TRAINING-RUT	50.00
UNITYPOINT CLINIC-OCCUPATIONAL	DRUG TESTING-WAT,SEW	37.00
US CELLULAR	CELL PHONE-PD	116.17
VEENSTRA & KIMM INC	ST WAT SUSTAINABLE FEATURES	1,610.16
VEENSTRA & KIMM INC	1ST & 8TH DRAINAGE EVAL PRELIMINARY	452.85
WENDLING QUARRIES	SAND-RUT SNOW REMOVAL	741.89
WEX BANK	FUEL-PD,PW	870.19
WEX BANK	FUEL-PW	517.82
	TOTAL	245,891.51

Discussion and Consideration of Request from Historic Preservation Commission to Outline with Council Their Tasks, Resources, Achievements and Future Goals – Council Action as Needed. Dick Thomas explained that he wanted to share and review with Council the MVHPC function and their part in city government. The City of Mount Vernon passed a series of ordinances that promised to protect their historic resources. The MVHPC is different than other commissions because they have special obligations. One has to do with membership. The Federal Government has set a series of guidelines that ensure that the commission membership is represented by certain skills and abilities that have to do with historic preservation. Thomas stated that the success of the MVHPC is due to the support of the community and the Council. Ed Sauter said that there are two ordinances that deal with the commission; Chapter 24 created the commission and 165 in the Zoning Ordinances deals with design review. Mount Vernon has three national historic districts. Available for review is the Design Guidelines Booklet which takes the national guidelines and interprets them in the context of the architecture that is in Mount Vernon. The commission also offers a service called pre-review because once a project gets to the commission the design is pretty far along and it makes things difficult if there are any changes. They also offer advice for any historic structure in town; there are at least 100 structures that are not in a historic district but are still historically significant. Some things that they don't cover are interiors or paint colors. Leah Rogers high-lighted some of their projects and activities. They have assisted property owners in emergency situations such as the fire at the Pizza Palace and Scorz helping them find grants from the State Historical Society of Iowa. They spearheaded a historic masonry evaluation of all the brick buildings in town. They have worked with City staff in getting the cemetery records digitalized

resulting in searchable databases accessible to the public. Recently they have been working on the Mickey Woods mural with the assistance of a grant obtained from GCRCF. Their website has many photos that need identification and the commission welcomes any information the public may have. ([www.mvhpc.org](http://www.mvhpc.org)).

Discussion and Consideration of Motion to Set Public Hearing Date to Approve City of Mt. Vernon Fiscal Year 2016-2017 Proposed Budget for March 7, 2016 – Council Action as Needed. Tuerler motioned to approve March 7, 2016 for the Public Hearing date to approve the Mount Vernon FY17 budget, seconded by Rose. Carried all.

Discussion and Consideration of Joining the Eastern Iowa Area Safety & Support Organization (E.I.A.S.S.O.) – Council Action as Needed. Council was given information for review at the February 3, 2016 meeting. City Administrator Nosbisch asked Council for approval to become a member of the Eastern Iowa Area Safety and Support Organization with an annual membership cost of \$3,427.94. Nosbisch stated that he felt this was even more imperative after meeting with workers compensation representative. Motion to approve EIASSO agreement in the amount of \$3,427.94 made by Rose, seconded by Wieseler. Carried all.

Discussion and Consideration of Purchasing Policies and Procedures – Council Action as Needed. Nosbisch explained that policy allows him to make purchases up to \$3,000.00 but does not specify up to that point. Staff has been reviewing a proposed purchasing policy which dictates the amounts individuals can spend, when quotes and/or bids are necessary and emergency spending procedures. This process also requires the use of purchase orders for all items over \$50. Rose asked for clarification on items II – b and c; item b indicates any purchase over \$2,500.00 needs three separate quotes. Item c lists the purchase threshold of \$3,000.00; there is a \$500.00 window between the two purchase dollar amounts. Nosbisch said that he would like to increase the ordinance to \$4,000.00 but not at this time; \$2,500.00 is a solid number to start getting quotes and acknowledged the \$500.00 gap but didn't want to combine both of them. Christensen asked if II – c (in an emergency purchases over \$3,000.00 can be made) would still need city administrator approval even though it is an emergency to which Nosbisch said that permission would be needed adding that the only person who can declare an emergency is the mayor or in his absence the mayor pro-tem so council will be notified when an emergency occurs. Even in an emergency, department heads will not be able to make a purchase over the \$500.00 limit. Christensen asked if the verbiage in I – c, “timely manner”, could be changed to state a certain number of business days. Nosbisch said he left it as open as he could because different vendors have different timings although he could change it. After discussing both agreed to change “timely manner” to 30 days. Tuerler made a motion to approve the amended Purchasing Policies and Procedures, seconded by Rose. Carried all.

Discussion and Consideration of New Squad Vehicle Purchase – Police Department – Council Action as Needed. Chief Shannon said that the vehicle to trade currently has 90,000 miles on it and is need of some repairs that he hopes to stall. Lynch Ford has submitted a bid in the amount \$28,850.00 for a 2016 Ford Interceptor SUV which matches the State bid. Chief Shannon recommends accepting this bid. Motion to accept Chief Shannon's recommendation for the purchase of a new squad vehicle made by Tuerler, seconded by Wieseler. Carried all.

Discussion and Consideration of Injury Waiver and Release between the City of Mt. Vernon and William and Myrt Bowers – Council Action as Needed. The City’s attorney and the Bowers’ attorney have been working together and have agreed upon the two Injury Waiver and Release of Liability documents given to Council for approval. Mayor Hampton said this refers to the wagon pass that Council has been discussing for several months. Motion to approve the mutual injury waiver and release forms made by Tuerler, seconded by Christensen. Carried all.

**Reports to be Received/Filed:**

Mt. Vernon Police Report: Chief Shannon reported that there were only 4 crashes for the month of January. There were 20 reported incidents in November resulting in 13 arrests for various charges. USSS requested the MVPD assist in providing security for former President Bill Clinton during a campaign visit to Cornell College. Officer Gehrke is teaching the DARE program at the MV Middle School and also the RAD (Rape Aggression Defense) program. Michael Owen has been serving as Mount Vernon’s rep on the Linn County Crime Stoppers program for the past three years but has recently resigned. Chief Shannon asked citizens to contact him if they are interested in volunteering for this position. Officers worked an additional 20 hours of traffic enforcement in January.

Mt. Vernon Parks and Recreation Report: P&Rec Director Matt Siders said that he has created and distributed the master schedule for summer ball fields for competitive baseball/softball coaches and teams. Siders thanked all the coaches, parents, players and referees for a great boys’ basketball season. Soccer registration will start February 16<sup>th</sup>. Swim lesson dates are being finalized and will be published in March. Katey Forrest will manage the pool for the summer. Pool work/renovation continues. Upcoming programs are Princess Tea Time, Spring Break Sports and Activity Camps. Presently Chalk the Walk meetings are every two weeks until April when there will be weekly meetings. 85% of all registrations are done on line; a 10% increase over last year. Rose asked for an update on the pool renovations to which Siders replied that V&K Engineering are working on the long term projects (filter, pump and heater). PW Director Nick Nissen and Siders are working on the smaller projects (security, ceiling paint, flooring). Mayor Hampton said he would like to see a salary increase for lifeguards (they currently get minimum wage).

Mt. Vernon Public Works Report: Public Works Director Nick Nissen stated that city crews have now dealt with five small snow storms; most have been cleaned up within an 8 hour work shift.

**Discussion Items (No Action):**

Nicotine Free Parks. The MV Parks and Rec Board, RC Rail and ASAC reps have asked Council to consider an ordinance that would prohibit the use of all nicotine and tobacco products in the City’s parks. A group from RC Rail went through the parks and identified about 250 pieces of nicotine or tobacco products. The Smoke Free Air Act does address parks but it’s on a limited basis. It does address enclosed structures at the park and community events at parks. It does not cover day to day functions and use of parks in general. The Smoke Free Air Act has a “lot of gray areas” in terms of coverage. This proposed resolution was drafted to match the community’s values. Siders stated that there is a difference between tobacco free and nicotine free. This is a nicotine free proposal.

Nicotine covers electronic smoking devices, other drugs and any new nicotine creations. Tuerler asked if the City ROW (area between street and sidewalk) was part of the parks or would verbiage have to be added to include it. Nobsch said that if Council wants to take this further he would probably recommend that this be written as an ordinance instead of a resolution and the ROW area adjacent to the parks should be added so it would eliminate these questions. Wieseler asked if this was an effort to look into the possibility of becoming a Blue Zone accredited community. Siders said that they haven't discussed Blue Zone certification but this is a component of it. Roudabush said he has concerns about parents who bring their children to the park to play and then cross the street to smoke on someone else's property; there may need to be a designated area for smoking. Christensen said the general statement "nicotine products" in the sample ordinance caused him concerns because that would include tobacco cessation products that contain nicotine; someone wearing a patch watching a ballgame could be arrested. Siders said that verbiage could be added to the ordinance/resolution stating any FDA approved products are exempt. Christensen said the intent here is to keep second hand smoke from effecting others and secondly to set a good example of healthful behavior to children. Christensen continued saying it's a fact that obesity kills more people than smoking and has much greater health care costs. It seems ironic that the City profits by selling beverages and candy to people. Christensen made it clear that he is not against nicotine free parks but is not totally comfortable making restrictions on some unhealthy practices but not all of them and suggested there be more discussions. Siders said that an important part of enforcing this is making sure that there are signs in the parks. Tuerler suggested that the City could also do a better job with signage on the City's non-alcohol policy and asked if this would be an enforceable ordinance by police officers. Nobsch said that it would be a police matter because he would not want to send un-trained staff to enforce. Siders said that a community survey showed a high level of support for this.

Engineering Services Contract – Street Evaluation. Nobsch explained that he has met with Dave Schechinger, V & K Engineering, to evaluate the City's streets, create a five year street plan using only one staff person so there would not be any variations in the evaluations. Schechinger supplied an estimate of \$19,500.00 to assess the streets, create a GIS map and provide cost opinions. Roudabush asked if gas lines could also be included in the evaluations as he was concerned that he hasn't seen any major gas line updates.

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

1. Mayor's Report. MLA classes are available to council with the City paying all expenses.
2. Council Reports. Rose and Wieseler had originally been assigned to the Economic Development sub-committee and they decided to split some of the CDG monthly meetings. Rose will be the liaison for the CDG Board and Wieseler will be the liaison for the Business Improvement committee. Christensen said that a resident asked him about sidewalk snow removal and what the City does about that when it doesn't get done. Christensen said he explained the process and the Request for Action form they have to fill out. They didn't want to do that. Christensen said he would like the City to look at some other form of compliance because people "don't want to rat out their neighbors". Nobsch said that perhaps there is some way for IT to add some anonymous reporting system to the website.

3. Committee Reports.
4. City Administrator's Report. Met with WoodRiver Energy rep regarding cost savings on the City's natural gas purchases. Met with Maggie Burger, Speer Financial. Will meet with ITC on February 17 regarding possible projects affecting the City. Will meet with Cornell President on February 23<sup>rd</sup>. P&Z is working with East Central Council of Governments on a proposal to review the MV Zoning Code. Clifton Larson Allen has completed the FY15 audit.

**Adjournment:**

As there was no further business to attend to the meeting adjourned the time being 8:02 p.m., February 17, 2016.

Respectively submitted,  
Sue Ripke  
City Clerk