

The Mount Vernon City Council met September 7, 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 Hampton called the meeting to order.

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

**Communications: Notice of Vacancy** – Historic Preservation Commission (two members): Mayor Hampton announced that there are two vacancies on the Mount Vernon Historic Preservation Commission. Applications forms are available at City Hall or on the City's website under Permits and Forms.

**Consent Agenda.** Motion to approve the Consent Agenda as presented made by Tuerler, seconded by Rose. Carried all.

1. Approval of City Council Minutes – August 15, 2016 Regular Council Meeting
2. Approval of Liquor License – Bon Appetit at Cornell College
3. Approval of Liquor License – CDG (Chili Cook-Off)
4. Appoint Kirk Wischmeyer – Library Board of Trustees

**Ordinance Approval/Amendment:**

An Ordinance to adopt Chapter 48 Social Host of the City of Mt. Vernon Municipal Code

- i. Motion to approve second reading and proceed with third and final reading/or suspend rules and proceed to final reading (*Tabled August 15, 2016, will need a motion to remove from table before discussion*)

Mayor Hampton explained that there were three options for Council to consider; the first was to leave this tabled, leave the language as originally written or consider the revisions provided by Robert Hatala. Motion to remove from table made by Rose, seconded by Wieseler. Christensen asked why the City Attorney wasn't present to which Mayor Hampton explained he had unforeseen family needs to take care of. Christensen said he found it difficult to talk about the nuances of the law without the attorney present. Wieseler asked that the changes that were made since the last meeting be announced for public benefit. At this time roll call was asked for. Ayes: Roudabush, Tuerler, Wieseler, Rose. Nays: Christensen. Motion to remove from table passes 4-1. City Administrator Chris Nosbisch explained the change saying "landlord" was removed from the language. Asking the question "what is the problem they are trying to solve?" Tuerler said he tries to stay focused on that question but thought they were straying from the purpose of a Social Host Ordinance. In his opinion, the true purpose of this ordinance is to make people aware of the dangers and reasons why we don't want to allow people underage to drink, especially in unsupervised situations. They tried to include the landlord language in the ordinance because there is a problem but the Social Host Ordinance isn't meant to take care of rental properties. The City already has some nuisance ordinances that could be enforced. Tuerler stated that he supports the amended language. Nosbisch stated that by making this a municipal infraction this ordinance significantly increases the potential for fines when they go before a judge. Rose asked if the role of Cornell College could be clarified; are they a landlord, a manager, will they be held accountable? Christensen said that he didn't feel as though Section 1, Purpose, adds any value to the document and asked that it be removed. John Harp, VP of Student Affairs, said that Cornell College would be a landlord; students sign a contract but asked that if this ordinance passes Cornell

College would like to be exempt from the policy. Rose said that he had several questions he would like to ask the city attorney. Rose motioned that this be tabled until the next council meeting and request that Bob (city attorney) be in attendance, seconded by Wieseler. Roll call vote; ayes: Christensen, Wieseler, Rose. Nays: Roudabush, Tuerler. Second reading of Social Host Ordinance is tabled 3-2.

**Resolutions for Approval:**

Resolution accepting the 2016 Gary’s Foods Access Reconstruction as Substantially Complete and Preparing to Release the Project Retainage: This project has been completed. Wieseler made a motion to approve the pay application for Gary’s Foods access to Borst Brothers Construction. Nobsisch added that this is for the approval of the improvements, not the pay application. Wieseler agreed to change his motion. Christensen suggested a friendly amendment to Wieseler’s motion; in the form of the resolution presented called Resolution Accepting work for the project known as 2016 Gary’s foods Access Reconstruction with Borst Brothers Construction, seconded by Rose. Roll call vote. Friendly amendment passes 5-0. Rose then seconded Wieseler’s motion. Roll call vote. Original motion passes 5-0.

Resolution Approving the FY 2015-2016 City Street Financial Report: The Street Finance Report is an annual report, required by IDOT. The City received \$556,848.15 in Road Use Tax funds for the FY16 and about \$629,200 from other revenue sources (grants, LOST, TIF, insurance). Motion to approve the Resolution approving the FY 2015 -2016 SFR made by Christensen, seconded by Wieseler. Roll call vote. Resolution passes 5-0.

Resolution Granting an Electric Line Easement to ITC Midwest LLC: ITC Midwest is working on upgrading their north power lines. This will require a 50’ easement through City property (NW corner of 1<sup>st</sup> St W and 10<sup>th</sup> Ave NW). Motion to approve the easement to ITC Midwest LLC made by Christensen, seconded by Wieseler. Roll call vote. Resolution passes 5-0.

Resolution Disposing of City Owned Property: The Fire Department is asking for permission to dispose of the following equipment: 1982 Lowe boat, 25 HP motor, and Shorelander trailer. They have set a minimum amount of \$1,500.00 and will accept sealed bids from interested parties until the end of the business day, October 3, 2016. Motion to approve the Resolution that allows the disposal of City Property made by Rose, seconded by Wieseler. Roll call vote. Resolution passes 5-0.

**Motions for Approval:**

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

AERO RENTAL, INC	64' BOOM-RUT	352.00
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	3,557.27
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	1,633.96
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	150.72
ALLIANT IES UTILITIES	ENERGY USAGE-RUT	46.28
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	32.17
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	26.99
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	22.84
ALLIANT IES UTILITIES	ENERGY USAGE-EMA	18.09
AMERICAN RED CROSS	LIFEGUARD CLASSES-POOL	544.00
BARNYARD SCREEN PRINTER LLC	UNIFORMS-PW	83.00
BARNYARD SCREEN PRINTER LLC	UNIFORMS-PW	66.00
BARNYARD SCREEN PRINTER LLC	UNIFORMS-PW	36.00
BARNYARD SCREEN PRINTER LLC	TRIATHALON SHIRTS-POOL	96.00
BAUMAN AND COMPANY	UNIFORMS-PW	587.40

BEE CITY USA	APPLICATION FEE-P&REC	100.00
BELOU QUIMBY	INTERN-MVHPC	160.00
BOBCAT OF CEDAR RAPIDS	ANTIFREEZE-RUT	66.20
BRADLEY HAUGE CPA	PROFESSIONAL SERVICES-P&A	360.00
BRADY LANHAM	OUTLET-PD	125.00
BURROUGHS, RICHARD	CEMETERY MAINT	3,725.00
CAMPBELL SUPPLY CEDAR RAPIDS	GLOVES,SAFETY SUPPLIES-RUT	285.30
CAMPBELL SUPPLY CEDAR RAPIDS	SAFETY SUPPLIES-RUT	41.51
CARQUEST OF LISBON	VEHICLE MAINT-WAT,SEW	118.94
CCP INDUSTRIES	SAFETY VESTS-FD	84.86
CEDAR RAPIDS, CITY OF	SNOW PLOW ROADEO CLASS	700.00
CENTRAL IOWA DISTRIBUTING	SUPPLIES-ALL DEPTS	126.40
CENTRAL IOWA DISTRIBUTING	SUPPLIES-ALL DEPTS	103.80
CENTURY LINK	PHONE CHGS-P&A	499.74
CENTURY LINK	PHONE CHGS-PD	112.64
CENTURY LINK	PHONE CHGS-FD	107.09
CENTURY LINK	PHONE CHGS-SEW	92.34
CENTURY LINK	PHONE CHGS-WAT	53.24
CENTURY LINK	PHONE CHGS-POOL	43.95
CHRIS NOSBISCH	MILEAGE-P&A	197.64
CLIFTON LARSON ALLEN	AUDITOR FEES-P&A	7,200.00
COGRAN SYSTEMS	ONLINE REGISTRATION FEES-P&REC	46.00
CONSTRUCTION MATERIALS INC	TUBE-P&REC	82.00
CY'S TREE SERVICE	TREE MAINT-RUT	675.00
DAVID YAMANISHI	SUMMER CLASS REFUND-P&REC	30.00
DIESEL TURBO SERVICES INC	'91 DUMP TRUCK MAINT-PW	277.36
ELECTRONIC ENGINEERING CORP	INFORMATION SYSTEMS-PW	319.60
ELECTRONIC ENGINEERING CORP	PAGER SERVICE-EMA	11.95
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
GARY'S FOODS	CONC STAND-POOL	528.47
GARY'S FOODS	CONC STAND-POOL	26.18
GORDON LUMBER COMPANY	BLDG SUPPLIES-P&REC,RUT	1,200.80
GROUP SERVICES INC	INSURANCE-ALL DEPTS	24,829.62
HAWKEYE READY MIX	SIDEWALK REPLACEMENT-RUT	471.32
HUGH LIFSON	CONFERENCE-MVHPC	60.00
IOWA PRISON INDUSTRIES	HANDICAP PARKING SIGNS-RUT	113.96
IOWA PRISON INDUSTRIES	RIVETS,BRACKETS-RUT	442.00
IOWA SOLUTIONS INC	DBR BACKUP-ALL DEPTS	350.00
IOWA SOLUTIONS INC	DOMAIN MGMT-ALL DEPTS	150.00
JACQUELINE ENGELBRECHT	TEACHING/AQUACISE-POOL	100.00
JOAN BURGE	CLEANING SERVICE-P&A	120.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
JOAN BURGE	CLEANING SERVICE-P&A	120.00
JOENA'S SPECIAL NEEDS	UNIFORMS-PD	17.00
KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE PLAN/COPIES	83.76
LINN CO-OP OIL CO	FUEL-PW	1,943.37
LINN COUNTY PLANNING & DEVELOPMENT	BLDG PERMIT FEES/INSPECTIONS	1,665.00
LINN COUNTY TREASURER'S OFFICE	PROPERTY TAXES/STONER FARMING	168.00
LYNCH COLLISION CENTER	2014 EXP REPAIR-PD	998.69
M RUGGED MOBILE TECHNOLOGY	POCKETJET PRINTERS-PD	561.60
MARIN DETTWEILER	INTERN-MVHPC	150.00

MENARDS	SUPPLIES-RUT	106.53
MORGAN MEHLERT	EQUIP-PD	81.03
MOUNT VERNON BANK	NSF CHECK-WAT	215.00
MOUNT VERNON LISBON SUN	ADS/PUBLICATIONS-KMVL,P&A	708.86
NEAL'S WATER CONDITIONING SERV	WATER/SALT-PW,P&A	76.75
PACE SUPPLY	ROW SEEDING-RUT	3,299.29
PAYROLL	CLAIMS	124,736.09
PAYROLL	CLAIMS	7,496.71
PERSONAL TOUCH EMBROIDERY	UNIFORMS-RUT	13.00
POOL TECH INC	CHEMICALS-POOL	160.00
POSTMASTER	UTIL BILL POSTAGE-WAT,SEW,SW	362.00
RACOM CORPORATION	ANTENNA,CABLE-PD	610.20
RICKLEFS EXCAVATING	2015 STREET IMPROVEMENTS	14,140.94
SCHIMBERG COMPANY	STORM INLETS-ST WAT	859.24
SHERWIN WILLIAMS CO.	TRAFFIC BEADS,PARTS-RUT	592.45
SIDERS, MATT	MILEAGE-P&REC	116.10
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	4,672.50
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	570.00
SPRAY-LAND USA	VALVES,SUPPLIES-RUT	46.90
SPRINGER PEST SOLUTIONS CORP	PEST CONTROL-P&A	30.00
STAR EQUIPMENT LTD	8" GRINDER RENTAL-RUT	200.00
STAR EQUIPMENT LTD	7" DIAMOND GRINDING WHEEL-RUT	63.00
SUSAN SEE	TEACHING/AQUACISE-POOL	100.00
TASC	ADMIN FEE-ALL DEPTS	90.00
TEMP VENDOR	BADGE STICKERS-PD	206.95
TREASURER STATE OF IOWA	SALES TAX	3,966.00
US BANK	CREDIT CARD PURCHASES	2,675.82
US CELLULAR	CELL PHONE-ALL DEPTS	406.94
VEENSTRA & KIMM INC	2015 STREET IMPROVEMENTS	2,008.50
VEENSTRA & KIMM INC	CITY ENGINEERING GENERAL	1,267.85
VEENSTRA & KIMM INC	5TH AVE/1ST ST W TRAFFIC SIGNALS	1,133.00
VEENSTRA & KIMM INC	WASTEWATER FACILITY PLAN	258.62
VEENSTRA & KIMM INC	HIGH SCHOOL SITE PLAN REVIEW	189.00
VEENSTRA & KIMM INC	2016 VANTAGE FIBER OPTICS AGREEMENT	412.00
VEENSTRA & KIMM INC	DRAINAGE/SCOBAY,LISBON ROAD	324.00
WAPSI WASTE SERVICE	GB,RECY,LEAF-SW	22,586.70
WENDLING QUARRIES	PEA GRAVEL/MEM PARK-P&REC	87.12
	TOTAL	227,516.82

Discussion and Consideration of Public Library Director's Annual Salary – Council Action as Needed: City Administrator Chris Nosbisch had asked departments looking at additional FY City support to make their requests prior to the beginning of the budget process. Cathy Boggs, Public Library Director, said that in December 2016 a five year study with the public was completed and a five year plan was put together. One of the items on the plan was to make the pay for both the director and the library assistant be fair and equitable. Christensen said that he always supports the library. Roudabush said he would have liked to see this “stepped up” over a few years instead of this 22% increase. Council agreed with the increase. No action taken.

Discussion and Consideration of Making the CDG Director a City of Mt. Vernon Employment Position – Council Action as Needed: Nosbisch asked if the current employee were to leave what would the City have to pay to get another of the caliber we currently have. And if the current director is valued shouldn't he be compensated? Nosbisch discussed this with the CDG Board and Lisbon. The current tenure for a

Mainstreet Director in Iowa is 2 to 2.9 years. Looking for ways to make the CDG director's position more sustainable City staff and the CDG Board of Directors asked Council to consider making the CDG Director position a City employee position with City benefits. The current CDG Director's salary is \$43,233 and would need to increase to \$47,476 in order to comply with the new overtime wage threshold. Insurance is a current benefit but is of poor quality and is relatively expensive. There are no retirement benefits. The cost to provide IPERS benefits at this salary would be about \$4,300.00. The additional amount necessary to provide City insurance would be about \$695.00 (CDG currently allocates \$4,940.00). The proposal is for the City to cover the additional costs for benefits and the CDG covering the additional wage increases. Total costs to the City would be about \$5,000.00. No action taken. There is more work that will need to be done if council agrees to this. An ordinance will have to be drafted; day to day duties will be relinquished to the CDG Board. Kate Rose, CDG President, stated that the Board called some of the businesses who contribute to CDG and was told that anything that will keep Joe (Jennison) should be done. CDG is behind this move. Council was agreeable with this proposal.

Discussion and Consideration of Pay Application #1 – 2016 Gary's Foods Access Reconstruction – Council Action as Needed: Motion to approve Pay Application #1 in the amount of \$31,731.69 was made by Rose, seconded by Tuerler. Carried all.

Discussion and Consideration of the City of Mt. Vernon's Employee Return to Work Policy – Council Action as Needed: IMWCA and True North have encouraged staff to review a return to work policy for City employees. This policy aims to reduce the amount of time necessary for an employee to be off work after an injury and sets guidelines for the attending physician examining the employee. Motion to approve the Return to Work Policy was made by Wieseler, seconded by Christensen. Carried all.

Discussion and Consideration of Funding Request – Dean Travers – Council Action as Needed: Nobsch said that he met with Dean Traver who asked if the City of Mount Vernon would consider paying the total amount of \$500.00 for rent. Lisbon and Mount Vernon had previously split the cost of renting Dean Travers' building which is needed/used for Mediacom broadcasting (\$500.00 per month \$250.00 each). Lisbon has decided to discontinue broadcasting meetings through Mediacom and would no longer be paying the building rental fee. Christensen asked what added value would the City receive or lose by paying the extra \$250.00. Nobsch stated that various options for recording meetings will be part of the future CIP discussions and suggested continuing doing the same thing we are now through the end of the fiscal year and any changes would start the next fiscal year (FY18). Discussion only, no action taken.

Discussion and Consideration of a Local Minimum Wage Task Force – Council Action as Needed: Nobsch said that he watched the Linn County Board of Supervisor's meeting and it appears that this is moving forward. As Council contemplates the effect of this on local businesses Nobsch said to keep in mind that there is an "opt out" clause. If approved, this will go into effect January 1<sup>st</sup>. Christensen suggested asking CDG for feedback from local business owners. Rose asked that if the City does nothing before January 1<sup>st</sup> will we be locked in to the step-up to which Nobsch said no, not based upon the language that is currently in place. Wieseler pointed out that employees are differentiated by pay and by raising the bottom wage tier it compresses or reduces the gap between employees. Christensen suggested that it would be helpful if someone from the Iowa Policy Project could come and speak.

Discussion and Consideration of Mt. Vernon Area Arts Council – Temporary Painting – Council Action as Needed: Steve Maravetz, MVAAC president, asked Council to consider granting the commission permission to paint a temporary mural on the concrete wall that separates the upper and lower parking areas behind the businesses on the south side of Main Street. The mural would be completed by

September 24<sup>th</sup> which is the date of the Lincoln Arts Festival. Tuerler motioned approval, seconded by Christensen. Carried all.

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

Mt. Vernon Annual Library Report: Cathy Boggs, Public Library Director, provided Council with the libraries' yearend report in which new programs were highlighted and described.

Street Closure Notification: The 100 and 200 blocks of 1<sup>st</sup> Street W will be closed for the Lincoln Arts Festival, September 24, 2016 from 6:00 a.m. to 6:00 p.m.

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

Street Condition/Capital Plan – V&K Engineering: Dave Schechinger gave a power point presentation explaining the street paving program, street review and conditions. Schechinger gave an overview of the process; how the streets were evaluated. Available information, traffic counts, and pavement evaluation is compiled and used to rank streets. A Street Condition Evaluation map was made available to staff and Council. At the time the streets were being evaluated sidewalks were also reviewed. Roudabush noted that one of the first projects on the list was Palisades and 10<sup>th</sup>. His concern is that if the community center is built, and the school bond passes how much of its life will be diminished because of the heavy construction vehicles. Schechinger said he did not think they could leave it like it is now and perhaps they could use an alternate route.

Storm Water Review – V&K Engineering: V & K Engineering was asked to look at storm water runoff on Scobey and Lisbon Road. Starting with Lisbon Road Council was shown aerial pictures from the 1960's and also present aerials. Both showed the same natural drainage path with very little change. Likewise, Scobey aerials were from 1930's and present and also showed no substantially changes over the years. Both areas have very little slope so they hold water making them difficult to maintain. Schechinger described several different options that might help alleviate the problems and funding options for both the City and homeowners.

**Reports of Mayor/Council/Administrator:** City Administrator's Report: Matt Siders and Nosbisch will be traveling to Peosta, Manchester and Oelwein to look at their community centers. The Iowa League of Cities conference will be September 14-16, 2016. The ICMA conference will be September 25-28, 2016 in Kansas City. Nosbisch said he was notified that he is now an ICMA Credentialed Candidate.

Adjournment: As there was no further business to attend to the meeting adjourned, the time being 9:21 p.m., September 7, 2016.

Respectfully submitted,  
Sue Ripke  
City Clerk