

MINUTES  
MOUNT VERNON CITY COUNCIL  
NOVEMBER 18, 2013

The Mount Vernon city council met November 18, 2013 at Mount Vernon City Hall Chambers with the following members present: Thompson, Taylor, Anthony, Christensen and Hampton.

1. Call to Order. At 6:30 p.m. Mayor Scott C. Peterson called the meeting to order.
2. Approval of Agenda. Motion made by Anthony, seconded by Taylor to approve the agenda. Carried all.
3. Consent Agenda. Motion made by Anthony, seconded by Hampton to approve consent agenda. Carried all.

a. Approval of minutes of November 4, 2013.

b. Claims for approval.

AIRGAS NORTH CENTRAL	CYLINDER MAINT FEE-PW	46.35
AIRGAS NORTH CENTRAL	CYLINDER RENT-PW	149.55
ALLIANT ENERGY	ENERGY USAGE-CEM	16.97
ALLIANT ENERGY	ENERGY USAGE-EMA	36.76
ALLIANT ENERGY	ENERGY USAGE-KMVL	61.76
ALLIANT ENERGY	ENERGY USAGE-P&A	142.79
ALLIANT ENERGY	ENERGY USAGE-P&A	921.45
ALLIANT ENERGY	ENERGY USAGE-P&REC	38.77
ALLIANT ENERGY	ENERGY USAGE-P&REC	39.42
ALLIANT ENERGY	ENERGY USAGE-P&REC	90.49
ALLIANT ENERGY	ENERGY USAGE-POOL	89.17
ALLIANT ENERGY	ENERGY USAGE-RUT	786.22
ALLIANT ENERGY	ENERGY USAGE-SEW	21.39
ALLIANT ENERGY	ENERGY USAGE-SEW	27.61
ALLIANT ENERGY	ENERGY USAGE-SEW	72.59
ALLIANT ENERGY	ENERGY USAGE-SEW	2,625.75
ALLIANT ENERGY	ENERGY USAGE-ST LIGHTS	18.91
ALLIANT ENERGY	ENERGY USAGE-ST LIGHTS	35.29
ALLIANT ENERGY	ENERGY USAGE-ST LIGHTS	44.58
ALLIANT ENERGY	ENERGY USAGE-ST LIGHTS	3,203.47
ALLIANT ENERGY	ENERGY USAGE-WAT	130.50
ALLIANT ENERGY	ENERGY USAGE-WAT	202.66
ALLIANT ENERGY	ENERGY USAGE-WAT	1,702.50
ALLIANT ENERGY	ENERGY USAGE-WAT	2,396.43
ALTORFER INC	GENERATOR MAINT-RUT	20.76
ALTORFER INC	GENERATOR MAINT-WAT	673.80
ARAMARK	RUGS-FD	62.60
BALICHEK, RITA	CLEANING SERVICE-P&A	52.50
BENHART, SHERRIE	CLEANING SERVICE-P&A	52.50
CENTURY LINK	INTERNET CHGS-P&A	68.14
CENTURY LINK	INTERNET CHGS-P&A	364.56
CENTURY LINK	INTERNET CHGS-P&REC, WAT, SEW	61.19
CENTURY LINK	INTERNET CHGS-SEW	61.19
CENTURY LINK	PHONE CHGS-FD	151.70
CENTURY LINK	PHONE CHGS-PD	37.19
CENTURY LINK	PHONE CHGS-PD	103.41



Vernon for the past three years. They initially gathered after the loss of three teens to suicide. The “You Matter. We Need You” project is asking that the City of Mount Vernon to join others in the community in support of the project. A total of \$5,951.40 is needed to purchase logo shirts for every MV student (preschool-12<sup>th</sup>), teachers and support staff and serves as a reminder that every student and person in our community matters. Motion to approve the appropriation of \$250.00 for the You Matter project was made by Anthony, seconded by Taylor. Carried all.

7. Request from Wade Squires to address Council regarding Heritage Days. Wade Squires thanked Loren Hartelt and City staff for helping with the event; he received many positive comments. He asked that the City consider being more involved financially. In the past carnivals would do an 80/20 split of ride proceeds so the City was never “out” any money. Now, however, they want to be paid up front; this past year it cost \$17k. Squires said the cost for the entire weekend was about \$45,000.00 and they cleared about \$2k but that can change as a lot of their success depends on the weather. Christensen said there is insurance to cover this. Mayor Peterson invited the committee to come back in January or February to talk with council some more. Mayor Peterson said he really appreciated all the work Squires and the committee did.
8. Public hearing and discussion and possible action on Resolution #11-18-2013A: A Resolution approving the Mount Vernon Strategic Plan for 2014. Mayor Peterson explained that this plan was approved at an earlier council meeting; this is its first revision. Before council discussion and approval Mayor Peterson opened the public hearing. Deb Herrmann thanked council for the opportunity to be a part of the process. Hearing no other comments from the public Mayor Peterson closed the public hearing. Anthony made a motion to approve Resolution #11-18-2013A, seconded by Taylor. Roll call vote all yes.
9. City Administrator Report. Cedar Rapids passed the LOST which is a ten year tax starting July 1, 2014. This will significantly increase what Mount Vernon will receive; up from about \$300k to somewhere between \$500k and \$550k per year. SF295 deals with property tax rebate for businesses; it lowers the rollback factor for qualifying businesses (from 100% to 95%). It will continue to decrease for three years with the State backfilling the decrease. Businesses need to be aware that this is not an automatic decrease, business owners will have to file for it before January 15, 2014. The goal is to get the commercial properties on the same rollback level as residential properties. There is underway a concerted effort to take away the tax free municipal bond status.
10. Police Report. The MV Police Department along with departments across Iowa will be participating in a traffic enforcement event from November 25<sup>th</sup> through December 1, 2013. Pavement marking changes have been changed at the 10<sup>th</sup> Avenue roundabout. To date there have been two crashes at the Hwy 1/30 roundabout and one at 10<sup>th</sup> Avenue.
11. Parks and Recreation Director Report. The dog park is open with no major issues thus far. The water fountains will be installed next spring. Trail kiosks at Prairie Park and Nature Park have arrived and will be installed soon. Park and Rec Board have been discussing ideas at the ambulance site and will bring forth a recommendation to Council soon. Pool Tech has provided a

proposal for a pool analysis. Park and Rec Board will review and made a recommendation to Council at the December 2<sup>nd</sup> Council meeting.

12. Request from Police Chief to purchase one additional speed signal sign for Highway 30. Chief Winder requested approval to purchase a second solar powered electronic speed sign to be placed west of the 10<sup>th</sup> Avenue roundabout as vehicles are approaching the roundabout east bound on Hwy 30. The vendor provided a quote which was the same amount as the first speed sign; \$4,170.00. The IDOT is receptive to the placement of an electronic sign as a way to confirm the speed leading into the roundabout. Motion to approve the purchase of an additional speed signal sign made by Anthony, seconded by Christensen. Carried all.
13. Discussion and possible action on Resolution #11-18-2013B: A Resolution eliminating parking on the west side of 10<sup>th</sup> Avenue SW for the area between Hwy 30 to a point 113 feet north of Hwy 30 on 10<sup>th</sup> Avenue SW. Chief Winder said that last year he did a comprehensive parking plan for the entire City although he did not include this area because at the time it was unsure what effect the roundabout traffic would have on 10<sup>th</sup>. With that completed now it is very clear that the cars that park between Morgan's two driveways (west side of 10<sup>th</sup> Avenue) are a hazard and interfere with the flow of traffic. This resolution would eliminate parking in that area. Anthony made a motion to approve Resolution #11-18-2013B, seconded by Hampton. Roll call all yes.
14. Discussion and possible action on approval of costs for Environmental Site Assessment at ambulance building site. Park and Rec Director Matt Siders said the board was asked to look at the ambulance building site, come up with a few ideas as to what they would like to see there and make a recommendation to Council. In the past the area has been used for the storage of fill dirt, crushed rock, concrete, asphalt and training vehicles for the fire department. It is unknown what condition the soil is in that area so Siders asked Council if they should start with a site analysis. He contacted Terracon and asked them what it would cost and they suggested a two phase approach. Phase I would be a site assessment to recognize the environmental conditions. Phase II would test the soil. The cost for Phase I would be \$2,250.00. Phase II cost would run between \$3,500 and \$5,600.00. Mayor Peterson explained to Council that one possibility was to have a community garden which prompted the idea of having the soil tested. Siders said that Terracon tested the site about seven years ago but he has not seen that report. Hampton said he would like to see what's in that report before he acts on this new request. Taylor agreed saying it would be interesting to see how things have changed in seven years. Boggs said the seven year old report was done because it was a possible building site for the fire station so the testing was looking at structural stability issues. This time the testing would be for environmental reasons. Thompson said something to consider is that if, after the testing is complete, toxic chemicals are found the City will be legally responsible to clean them up. Mayor Peterson asked that the Park and Rec Board continue to discuss for a presentation to Council on December 2<sup>nd</sup>.
15. Public hearing and discussion and possible action on Ordinance #11-18-2013A: An Ordinance amending the Code of Ordinances of the City of Mount Vernon, Iowa, by amending provisions pertaining to Council, the City Administrator and the Police Department authority and duties. City Attorney Robert Hatala explained the changes that were made; in Section 1, 17.05/Appointments

of the Council D. Public Works Director, E. City Clerk/Assistant City Administrator and F. Water/Wastewater Superintendent were added. The present ordinance says that the city administrator can discipline employees up to a maximum of giving them three days off without pay and without council approval. This draft is a change because it gives the city administrator the authority to discipline any City employee except the police department and those that are appointed under 15.03 (the mayor) and 17.05 (council appointments). Section 2, 21.02 #12 is a new addition; employee hiring is not mentioned anywhere in the code. This designates the city administrator as having the authority to do that and only applies to the bargaining unit employees since it does not apply to police department, mayoral or council appointments. Also new under Section 3 is #'s 10 and #11 which simply codifies what already happens. At this time Mayor Peterson opened the public hearing. Hearing no comments from the public Mayor Peterson closed the public hearing. Thompson said that it is difficult to approve this document without seeing the changes that are being made; comparing one document to another. She did not think it was necessary to do this now and would like to leave it for the next council and mayor to make these changes. Mayor Peterson replied that this is consistent with what council has been doing for the past two years. This will clarify so there isn't confusion but if the next council wants to change it back they can. Motion to approve the first reading of Ordinance #11-18-2013A made by Anthony, seconded by Hampton. Roll call vote: ayes; Taylor, Anthony, Christensen, and Hampton. Nays: Thompson.

16. Discussion of Council schedule for remainder of year. Mayor Peterson made a few recommendations; there are a few ordinance amendments that were unable to be considered by Planning and Zoning although they are planning on having a special meeting on December 3, 2013. The Design Standards and Lighting ordinance is available, the Sub-division ordinance is close to completion, and there may be a few site plan provision changes in the zoning ordinances. If P and Z discusses these on December 3<sup>rd</sup> Council could review the changes on December 9<sup>th</sup>, 2013. Mayor Peterson suggested scheduling meetings the first three Mondays in December and continue to do business. Hampton departs. Anthony suggested that Council continues to do "what they normally do". Taylor agreed saying City business should continue without regard to the new council. Mayor Peterson told council to plan on meeting the first three Monday's in December.
17. Discussion and possible action on Housing Commission and Economic Development Commission. Mayor Peterson said there have been previous discussions and a recent forum on housing and both are such important topics they deserve committee or commission status and asked Council if that was something they wanted to "take on" before the end of the year. Anthony thought they should do whatever it is they need to do because of strong community support to do something about the housing in Mount Vernon. Christensen suggested looking at other communities or sample charters. Mayor Peterson asked that council think about who should be on the committee and what the goals should be and contact himself or staff within the next few days.
18. Discussion of Capital Improvements Plan for FY2015. Mayor Peterson said this will be an agenda item at the December 2<sup>nd</sup> meeting. Council was asked to look at the plan again and what adjustments anyone would want to bring forward. The goal is to have a public hearing before formal adoption in December and ready for the new council.

19. Presentation of renovation, sale, and demolition options of City owned building. Discussion and possible action. Beimer stated there are problems with the City owned building on 2<sup>nd</sup> Avenue SW; a leaking roof caused substantial black mold problems that can cause health problems and termite damage. Estimated costs to renovate it run between \$30k and \$40k. His recommendation was to either demolish it or sell it as is. With limited parking uptown Mayor Peterson said that by selling it the City would lose control over of the property, if, at a future date they would not want that building to be there. Taylor said that after looking at the cost of repairs the City should not take that on and doubted that anyone else would want to either but as long as no parking spaces are attached to the property if someone wants to buy it we should sell it. Christensen agreed and said look at the property lines before putting up for sale.
20. Discussion and possible action on Council appointment of Richard Peterson to Planning and Zoning Commission. Motion to approve Richard Peterson to the Planning and Zoning Commission made by Anthony, seconded by Christensen. Carried all. Absent: Hampton.
21. Old Business. The Demolition Committee meeting that was to be held November 13, 2013 will be re-scheduled.
22. New Business. None
23. Discussion concerning the two lawsuits filed by ABCM appealing the condemnation awards made by the condemnation jury and the certiorari petition challenging the denial of a building permit. Possible closed session to discuss strategy with legal counsel. The meeting discussion may be closed pursuant to Iowa Code Section 21.5(c). Anthony made a motion to go into closed session, seconded by Christensen. Carried all. Absent: Hampton. Motion to come out of closed session made by Christensen, seconded by Anthony. Carried all. Absent: Hampton. No action to be taken at this time. Roll call vote all yes. Absent: Hampton.

As there was no further business to attend to the meeting adjourned, the time being 9:11 p.m., November 18, 2013.

Respectfully submitted,  
Sue Ripke  
City Clerk

Reviewed and approved  
Michael R. Beimer  
City Administrator

REVENUES & EXPENDITURES BY FUND

<u>FUND</u>	<u>REVENUES</u>	<u>EXPENDITURES</u>
GENERAL FUND	403,845.02	139422.99
ROAD USE TAX	47691.17	45127.55
WATER UTILITY	62723.96	42359.27
SEWER UTILITY	70070.64	49029.44
SOLID WASTE	37541.53	31252.11
TIF	291253.42	0.00
STORM WATER	6675.82	9137.85
2009 SANITARY SEWER PROJECT	96.32	0.00
2006/2009 WATER IMPROVEMENT	0.00	2206.00
INSURANCE LEVY	58776.84	0.00
BENEFIT LEVY FUND	107691.02	0.00
LAW/EMRG LEVY	12045.25	0.00
LOST I-COMMUNITY CENTER	0.00	1418.75
LOST I-FD/EQUIPMENT	0.00	0.00
LOST II-2009 INFRASTRUCTURE	46504.95	32744.20
CIP/FIRE DEPT/TAX LEVY	30113.26	0.00
HWY 30 CORRIDOR IMPROV	367776.77	479563.13
PERPETUAL CARE	280.00	0.00
RUT VEHICLE DEPRECIATION	0.00	1558.08
WATER VEHICLE DEPRECIATION	0.00	1558.08
SEWER VEHICLE DEPRECIATION	0.00	1558.08
STORM WAT VEHICLE DEPRECIATION	0.00	1558.06
TOTALS	1543085.97	838493.59

Total of receipts and expenditures from September 1, 2013 to September 30, 2013.