

The Mount Vernon City Council met August 20, 2018 at the Mount Vernon City Hall Council Chambers with the following members present: Roudabush, West, Wieseler and Rose. Council has one vacancy.

**Call to Order.** Mayor Jamie Hampton called the meeting to order at 6:30 p.m. Agenda change/corrections: Mayor Hampton stated that the date under Motions for Approval – Setting a Public Hearing date for an Amendment Chapter 165 Zoning Regulations should read September 17, 2018 not September 17, 2017.

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

**Consent Agenda.** Nobsbisch said that not all of the improvements are done at Glyn Mawr. In order not to hold the permit up Council is being asked to approve their liquor license with the condition that all provisions are met. Wieseler motioned to approve the Consent Agenda with the condition as presented, seconded by West. Carried all.

Approval of City Council Minutes – July 16, 2018 Regular Council Meeting

Approval of Liquor License – Bon Appetit at Cornell College

Approval of Liquor License – Glyn Mawr Vineyard and Winery

Approval of Liquor License – CDG (Chili Cook-Off)

Approval of Liquor License – Mt. Vernon PNP

### **Public Hearing**

Public Hearing for the Consideration of Ordinance Amending the Code of Ordinances of the City of Mt. Vernon, Iowa, by Amending Chapter 121.05 Issuance and Expiration. Mayor Hampton declared the Public Hearing open. Close public hearing – Proceed to F-2. Hearing no comments from the public Mayor Hampton closed the Public Hearing.

Public Hearing for the Consideration of Ordinance Amending the Code of Ordinances of the City of Mt. Vernon, Iowa, by Amending Chapter 62.01 Violation of Regulations. Mayor Hampton declared the Public Hearing open. Close public hearing – Proceed to F-3. Hearing no comments from the public Mayor Hampton closed the Public Hearing.

Public Hearing for the Consideration of a Preliminary Plat for Stoner Plaza Ninth Addition to the City of Mt. Vernon, Iowa. Mayor Hampton declared the Public Hearing open. Close public hearing – Proceed to G – 2. Hearing no comments from the public Mayor Hampton closed the Public Hearing.

### **Ordinance Approval/Amendment**

Ordinance #8-6-2018A: An Ordinance Amending the Code of Ordinances of the City of Mt. Vernon, Iowa, by Adding a New Subsection, Chapter 92.11 Reduction in Bills for Water and Sewer Service. Motion to approve second reading and proceed with third and final reading – (Council may suspend rules and proceed with the final reading after a vote of the second reading). Wieseler motioned to approve the second reading of Ordinance #8-6-2018A, seconded by Rose. Roll call vote. Motion carries.

Ordinance #8-20-2018A: An Ordinance Amending the Code of Ordinances of the City of Mt. Vernon, Iowa, by Amending Chapter 121.05 Issuance and Expiration. Motion to approve first reading and proceed with the second reading – (Council may suspend rules and proceed with the final reading after a vote of the first

reading). City Administrator Nosbisch explained that the language in this ordinance was necessitated by changes to the Iowa Code. The new language says that “the City must submit a duplicate of any application for a retail cigarette permit to the Alcohol Beverages Division of the Department of Commerce within 30 days of the issuance of the permit”. West motioned to approve the first reading of Ordinance #8-6-2018A, seconded by Rose. Roll call vote. Motion carries. Rose motioned to suspend rules and approve the third and final reading of Ordinance #8-20-2018A, seconded by Roudabush. Roll call vote. Motion carries.

Ordinance #8-20-2018B: An Ordinance Amending the Code of Ordinances of the City of Mt. Vernon, Iowa, by Amending Chapter 62.01 Violation of Regulations. Motion to approve first reading and proceed with the second reading – (Council may suspend rules and proceed with the final reading after a vote of the first reading). Nosbisch stated that this ordinance is necessitated by changes to the Iowa Code. It adds the prohibition of texting or using a mobile telephone while operating a commercial vehicle. West motioned to approve the first reading of Ordinance #8-20-2018B, seconded by Wieseler. Roll call vote. Motion carries. Rose motioned to suspend rules and approve the third and final reading of Ordinance #8-20-2018B, seconded by West. Roll call vote. Motion carries.

### **Resolutions for Approval**

Resolution #8-20-2018A: Approving the Final Plat of Spring Meadow Heights First Addition Subdivision to the City of Mt. Vernon, Iowa. Skogman submitted their final plat for Spring Meadow Heights Subdivision. The developers posted a certified check in the amount of \$46,400.00 which is 110% of the costs of any remaining infrastructure requirements. Council was given a copy of the covenants and subdivision agreement for review. Wieseler motioned to approve Resolution #8-20-2018A, seconded by West. Roll call vote. Motion carries.

Resolution #8-20-2018B: Approving the Preliminary Plat of Stoner Plaza Ninth Addition Subdivision to the City of Mt. Vernon, Iowa. Nosbisch explained that this subdivision is creating one buildable lot, an additional lot for street ROW (Lot A) and an out lot that will be added to an existing lot (204 Glenn St SE) in the subdivision. Staff recommends against the small extension of Glenn St SE as the newly created lot will already have access to the street. Because of the small size staff is also recommending that both the preliminary and the final plat run concurrently. The P&Z commission met on July 11, 2018 and approved both plats. Roudabush motioned to approve Resolution #8-20-2018B, a resolution approving the preliminary plat of the Stoner Plaza Ninth Addition Subdivision seconded by Wieseler. Roll call vote. Motion carries.

Resolution #8-20-2018C: Approving the Final Plat of Stoner Plaza Ninth Addition Subdivision to the City of Mt. Vernon, Iowa. Roudabush motioned to approve Resolution #8-20-2018C, a resolution approving the final plat of Stoner Plaza Ninth Addition Subdivision, seconded by Wieseler. Roll call vote. Motion carries.

Resolution #8-20-2018D: Approving the Real Estate Purchase Agreement between the City of Mt. Vernon and William and Marla Wright. Staff has been working with Troy Louwagie of Hertz Real Estate Services to secure property for the future composting and public works facility. The purchase is for 8.6 acres of property located west on Bryant Road. The purchase price is \$189,200, \$22,000 per acre, with \$10,000 due upon approval of the real estate sales agreement. The City will be responsible for the Hertz commission, surveys, abstracts, platting, etc. Staff estimates the property and all costs associated to be between \$200,000 and \$215,000.00 and will be paid from the Solid Waste Fund. Nosbisch said the plan is to have the property purchase finalized by December so that next year City crews can start a new leaf/compost program. The current public works department is located on 1.5 acres of land. West said she is in favor of the land purchase but would abstain from the vote due to fact that Hertz is her employer. Rose motioned to approve Resolution #8-20-2018D approving the real estate purchase agreement between the

City of Mt Vernon and William and Marla Wright, seconded by Wieseler. Roll call vote. Ayes: Rose, Wieseler, Roudabush. Abstain: West. Motion carries.

### Motions for Approval

Consideration of Claims List – Motion to Approve. Wieseler motioned to approve the Claims List, seconded by Rose. Motion carries.

AAA PEST CONTROL	PEST CONTROL-P&A	30.00
ADORED HARDWOOD FLOORS	FINISH MAIN FLOOR/VC-P&A	1,400.00
AIRGAS INC	CYLINDER RENTAL FEE-PW	59.80
ALL SECURE	SECURITY SYST MONITORING-POOL	120.00
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	6,290.30
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	3,733.64
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	2,663.72
ALLIANT IES UTILITIES	ENERGY USAGE-P&A	502.74
ALLIANT IES UTILITIES	ENERGY USAGE-RUT	429.12
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	382.84
ALLIANT IES UTILITIES	ENERGY USAGE-FD	342.26
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	289.94
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	262.38
ALLIANT IES UTILITIES	ENERGY USAGE-PD	156.56
ALLIANT IES UTILITIES	ENERGY USAGE-EMA	44.97
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	37.69
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	32.15
ALLIANT IES UTILITIES	ENERGY USAGE-CEM	20.19
ALLIANT IES UTILITIES	ENERGY USAGE-POOL	2,934.15
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	1,816.26
ALLIANT IES UTILITIES	ENERGY USAGE-P&A	60.00
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	33.42
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	26.23
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	12.22
AMERICAN PLANNING ASSOCIATION	MEMBERSHIP-P&A	85.00
ARAMARK	RUGS-FD	106.34
ARAMARK	RUGS-FD	88.62
BROWNELLS INC	EQUIP REPAIR-PD	22.59
CARRICO AQUATIC RESOURCES INC	CHEMICALS-POOL	3,887.80
CARRICO AQUATIC RESOURCES INC	CHEMICALS-POOL	832.15
CEDAR RAPIDS TIRE	TIRES/MOWER (2)-RUT	56.98
CEDAR VALLEY OUTFITTERS CORP	EQUIP-PD	59.99
CENTURY LINK	PHONE CHGS-PD	54.18
CENTURY LINK	PHONE CHGS-FD	71.36
CHRIS NOSBISCH	MILEAGE-P&A	67.04
COMFORT SOLUTIONS	A/C MAINT-P&A	193.60
CONSTRUCTION MATERIALS INC	EQUIP-RUT	28.76
CORNELL COLLEGE	SPRING SOCCER OFFICIALS-P&REC	420.00
DEPT OF ADMINISTRATIVE SEVICES	CPM PROGRAM-RUT	3,500.00
DIESEL TURBO SERVICES INC	WHEEL BEARING MAINT-RUT	75.00
DIVERSIFIED INSPECTONS	BUCKET TRUCK INSPECTION	384.38
EMERALD GREEN LAWN CARE	PRE-EMERGENT/BALL FIELDS-P&REC	1,500.00
EMERALD GREEN LAWN CARE	TRIM/WEED BEDS/STERILANT-RUT	1,100.00
EQUIPMENT MGMT COMPANY	EQUIP-FD	21.00
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
GALLS INC	UNIFORMS-PD	30.38
GALLS INC	METRO SPIKE SYSTEM-PD	399.00

GLEN WOLFE	REFINISH DOORS/VC-P&A	1,370.00
GROUP SERVICES INC	INSURANCE-ALL DEPTS	17,697.36
HAWKEYE READY MIX	CURBLINE REPAIR/2ND AVE SW	426.13
HAWKEYE READY MIX	STORM INLETS-ST WAT	226.50
HEATHER FLYNN	CELL PHONE STIPEND-P&A	440.00
IOWA ONE CALL	LOCATES-WAT,SEW	80.10
IOWA PRISON INDUSTRIES	HARDWARE-RUT	191.00
IOWA SOLUTIONS INC	COMPUTER MAINT-PW	250.00
IOWA SOLUTIONS INC	OFFICE 365 BUSINESS-PD	120.60
JOAN BURGE	CLEANING SERVICE-P&A	60.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
KIM SHERMAN	SUMMER CLASSES-P&REC	1,057.00
L.L. PELLING CO INC	SEALCOAT-RUT	39,099.67
L.L. PELLING CO INC	SEALCOAT-RUT	15,654.05
LATENT	WI-FI ADAPTOR,LICENSE SUB-PD	560.00
LYNCH FORD	WINDOW REGULATOR-RUT	321.76
LYNCH FORD	BATTERY-PD	161.99
MEDIACOM	PHONE/INTERNET-RUT	161.09
MEDIACOM	PHONE/INTERNET-POOL	161.09
MEDIACOM	PHONE/INTERNET-P&REC	158.91
MEDIACOM	PHONE/INTERNET-P&A	266.41
MOUNT VERNON LISBON SUN	ADS/PUBLICATIONS-P&REC,POOL	391.50
MOUNT VERNON PHARMACY	SUPPLIES-P&A,POOL,P&REC	132.44
MSA PROFESSIONAL SERVICES	HWY 1/30 RAB ASSESSMENT	5,911.74
MV ACE HARDWARE	SUPPLIES-ALL DEPTS	1,598.72
NICK NISSEN	MILEAGE-RUT	164.27
OPN ARCHITECTS	WELLNESS CENTER/STUDY PHASE 1	37,465.52
PAYROLL	CLAIMS	76,673.77
PHOTO PRO	EQUIP-PD	451.97
RACHEL FRANCOIS	REFUND-P&REC	25.00
SCHIMBERG COMPANY	GRATES-ST WAT	1,863.92
SCHIMBERG COMPANY	2" LINE-POOL	43.68
SHERWIN WILLIAMS CO.	PUMP, TRANSDUCER,MISC-RUT	318.04
ST LUKE'S WORK WELL SOLUTIONS	DRUG TEST-P&A	20.00
STAPLES ADVANTAGE	SUPPLIES-P&A	54.14
STONE CITY QUARRIES	CUTTER ENDS-RUT	347.40
TERESA BOTHELL	REFUND-P&REC	20.00
TESSA MCEARCHERN	INTERN-MVHPC	810.00
UNITYPOINT CLINIC-OCCUPATIONAL	DRUG TESTING-RUT	84.00
VALLEY ATHLETICS	FIELD PAINT-P&REC	249.95
VERMEER SALES & SERVICE INC	KNIFE SHARPENING/CHIPPER-SW	40.00
WENDLING QUARRIES	OUTLET REPAIR-ST WAT	45.47
WEX BANK	FUEL	1,729.90
TOTAL		241,749.84

001 - GENERAL FUND	41,950.25
110 - ROAD USE TAX FUND	58,788.47
600 - WATER FUND	7,786.40
610 - SEWER FUND	9,936.16
620 - STORM WATER FUND	2,578.32
304 - LOST III COMMUNITY CENTER	37,465.52
307 - HWY 30 CORRIDOR IMPROVEMENTS	5,911.74
670 - SOLID WASTE	659.41
PAYROLL FUND	76,673.77

Discussion and Consideration of an Amended 28E Agreement with Linn County Development Services for Building Inspections – Council Action as Needed. Currently Linn County Planning and Development provides the City's building inspection services. They are proposing a new 28E agreement for Council's consideration. The most substantial change is that they are asking applicants to submit permits directly to their Cedar Rapids office as opposed to dropping off them off at City Hall. Nobsisch said that the City of Ely decided not to go with Linn County and hired their own building inspector. She doesn't have all of the certifications yet so if Mount Vernon decided to use her services we would still have to contract the inspections out for the Wellness Center, Cornell College and the schools because they are considered commercial buildings. The City doesn't count on any revenue from building permits as part of the budget. Representing Linn County was Les Beck, Luke Maloney and Ande Hendricks. When asked how residents would submit their building plans Beck explained that they have provisions that are sub-permits so anything (mechanical, electrical, plumbing) except new a home or new construction can be submitted online. They are moving towards electronic plans submittal. Once that is in place all permits can be submitted online. A transition date of November 1<sup>st</sup> was suggested to which staff and Council agreed. Linn County updates their codes every 3 years and it is written in the 28E agreement that the City would adopt the same codes. Wieseler motioned to accept an amended 28E Agreement with Linn County Development Services for building inspections, seconded by West. Carried all.

Discussion and Consideration of an Order Accepting Acknowledgement/Settlement for a Second Violation of Iowa Code 453A.2(1) – Jero Inc (Chameleons Pub & Grill) – Council Action as Needed. Rose moved acceptance of the acknowledgement that the owners of Chameleon's Pub and Grill have elected to take the 30 day suspension of their tobacco license in lieu of a fine, seconded by Wieseler. Carried all.

Discussion and Consideration of Scope of Services and Cost Proposal for the Update of the City of Mt. Vernon Subdivision Ordinance - ECICOG – Council Action as Needed. Staff is asking for Council approval to begin the review of the subdivision ordinance. The cost of the review and revision is \$9,774.00. ECICOG would like 8 months to complete this project. Rose moved approval of the Subdivision Ordinance as presented from ECICOG, seconded by West. Carried all.

Discussion and Consideration of Filling the City Council Vacancy – Council Action as Needed. Staff is asking Council how they would like to proceed in filling the vacated Council seat. If Council decides to appoint a public hearing notice has to be published in the paper no less than four, no more than twenty days prior to the decision. The first chance of having that discussion would be the first meeting in September. The second option is to wait and allow the seat to be filled at the election coming up in November. This would give someone 2-3 weeks to collect the signatures necessary to be on the ballot. If Council appoints, citizens can still petition for an election. Council agreed to wait and let those interested in serving go through the election process.

Discussion and Consideration of Setting a Public Hearing Date for an Amendment to Chapter 165 Zoning Regulations – September 17, 2017 – Council Action as Needed. Motion. Rose motioned to set the Public Hearing date for an Amendment to Chapter 165 Zoning Regulations on September 17, 2018, seconded by Wieseler. Motion carries.

Discussion and Consideration of Alternative City Council Meeting Dates for September 3, 2018 – Council Action as Needed. Because September 3, 2018 is Labor Day and City Hall is closed staff asked Council to consider changing the meeting date. Motion to change the meeting date to September 4, 2018 made by Wieseler, seconded by Rose. Motion carries.

Discussion and Consideration of Change Order #1 for the First Street Culvert Replacement Project – Council Action as Needed. When excavating the 1<sup>st</sup> Street culvert an un-anticipated concrete layer was found. The removal of this concrete, along with additional fill materials will increase the cost of the project an additional \$3,870.55. Motion to pay Change Order #1 in the amount of \$3,870.55 made by Wieseler, seconded by West. Motion carries.

Discussion and Consideration of Farm Lease Terms for City Owned Property in the Stonebrook Subdivision – Future Park Space – Council Action as Needed. The 4 acre City owned property in the Stonebrook subdivision has been farmed by the Stoner family up until this year. Once the Stoners sold the acres to Bryce Ricklefs the property was no longer being maintained. Staff has approached a local resident about taking care of the property until the space is improved by the City. Staff would propose a three year lease that requires the leasee to pay \$1/acre for the first year and \$75 per acre the second and third year. The leasee would mow and seed the property for hay.

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

Mt. Vernon Police Report. Chief Doug Shannon stated there were 5 reported collisions and 18 incidents in July. The incidents include suicide threat, check fraud assault domestic abuse and more. Officers assisted with Heritage Days events; no arrests were reported. Chief Shannon met with Cornell Campus Safety director regarding the upcoming Safety Fair at Cornell. Officers worked 33.5 hours of STEP. Officers conducted a seatbelt survey on 7-28-18; of 153 occupants 145 were belted. Grant funding was submitted for the purchase of a Watch Guard 4RE Patrol video system for the K9 vehicle. GTSB funded \$4,500 of the \$6,441 system. The MVPD was awarded another GTSB contract for the next fiscal year which begins October 1, 2018. The contract amount is for \$8,600.00. Supplementing police coverage for the City of Lisbon has resulted in 1,957 minutes of patrol and 20 calls for service (593 minutes). Total invoice for July is \$1,700.00. Chief Shannon said that he will be addressing the complaints regarding employees parking on Main Street.

Mt. Vernon Public Works Report. City crews fixed two problem curb line areas on 2<sup>nd</sup> Avenue SW. LL Pelling finished the seal coating projects. City will sweep the excess chips off of the streets once most of them have been settled by traffic. City crews took care of two Maple trees in the ROW while Total Tree Care of Iowa City removed about 10 trees. The Stonebrook Addition 1<sup>st</sup> phase has the sanitary sewer installed and crews have begun installation of the water main. The Spring Meadows Addition street intersections have been poured. PW Director Nissen has begun the CPM program at Drake University.

Mt. Vernon Parks and Recreation Report. Discussions regarding Park projects will begin soon. An individual wants to host a disc golf tournament for beginners. The pool use has been steady. Theme nights and Movie nights are well attended. There were 17 participants in the Pool Triathlon. The P&Rec Board will be discussing a 5 year celebration of the dog park.

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

Mayor's Report. With the resignation of Council person and Mayor Pro tem Marty Christensen Mayor Hampton announced Tom Wieseler as the new Mayor Pro tem.

City Administrator's Report. IMWCA conducted their yearly safety review of the City facilities. Safety upgrades to City Hall will begin and last through September. Heather Flynn has been reviewing the sidewalk program documents. The current plan is to complete inspections of the NE quadrant this fall and begin improvements in the spring. With Heather, the City is able to place a higher emphasis on nuisance enforcement. Auditors were here the week of August 13.

As there was no further business to attend to the meeting adjourned the time being 7:54 p.m., August 20, 2018.

Respectfully submitted,  
Sue Ripke  
City Clerk