

The Mount Vernon City Council met August 5, 2019 at the Mount Vernon City Council Chambers with the following members present: Roudabush, Wieseler and Herrmann. Absent: West and Rose.

**Call to Order.** At 6:30 p.m. Mayor Jamie Hampton called the meeting to order. Changes/additions to the Agenda: Council was given a new copy of Resolution #8-5-2019B.

**Agenda Additions/Agenda Approval.** Motion to approve the Agenda with the new additions made by Wieseler, seconded by Herrmann. Motion carries. Absent: West and Rose.

**Consent Agenda.** Motion to approve the Consent Agenda made by Wieseler, seconded by Herrmann. Motion carries. Absent: West and Rose.

Approval of City Council Minutes – July 15, 2019 Regular Council Meeting

Approval of Liquor License – Mt. Vernon PNP

Approval of Fireworks Permit – Cornell Homecoming

### **Public Hearing**

Public Hearing on the Authorization of a Loan Agreement and the Issuance of Notes to Evidence the Obligation of the City Thereunder. Mayor Hampton declared the Public Hearing open. Hearing no comments from the public Mayor Hampton closed the Public Hearing.

Public Hearing on an Ordinance Amending Ordinance #1-27-2003C Establishing the White Pines Planned Unit Development Overlay District of the City of Mt. Vernon, Iowa. Mayor Hampton declared the Public Hearing open. Hearing no comments from the public Mayor Hampton closed the Public Hearing.

### **Ordinance Approval/Amendment**

Ordinance #8-5-2019A: Amending the White Pines Planned Unit Overlay District Identified in Ordinance #1-27-2019C. Ordinance #1-27-2003C allowed the White Pines PUD district to construct 14 units on the property surrounded by Wolfe Lane NE. The new amendment reduces that number to 12 as the new developer wants to build single family units on the east end of the property to match the west end of the development. This was Planning and Zoning approved on May 8, 2019. Motion to approve the 1<sup>st</sup> reading of Ordinance #8-5-2019A made by Roudabush, seconded by Wieseler. Roll call vote. Motion carries. Absent: West and Rose.

### **Resolutions for Approval**

Resolution #8-5-2019A: Instituting Proceedings to Take Additional Action for the Issuance of Not to Exceed \$2,300,000 General Obligation Refunding Capital Loan Notes. Council was asked to approve the refinancing of the taxable Build America Bond. This is not new debt, it is refinancing existing debt in the amount of \$2.3 million. Motion to approve Resolution #8-5-2019A made by Herrmann, seconded by Wieseler. Roll call vote. Motion carries. Absent: West and Rose.

Resolution #8-5-2019B: Ordering Construction of Certain Public Improvements, Approving Preliminary Plans, and Fixing a Date for Hearing Thereon and Taking Bids Therefor for Improvements Known as the 8<sup>th</sup> Ave Railroad Crossing Quiet Zone Project. City Administrator Nosbisch gave all a new copy of Resolution #8-5-2019B at the beginning of the meeting describing the labor, materials and equipment necessary.

Motion to approve the new Resolution #8-5-2019B made by Wieseler, seconded by Roudabush. Roll call vote. Motion carries. Absent: West and Rose.

Resolution #8-5-2019C: Approving the Installation of Street Lights Within the Stonebrook 6<sup>th</sup> and 7<sup>th</sup> Addition Subdivision According to the Terms Set Forth in the Existing Street Light Contract. Motion to approve Resolution #8-5-2019C made by Herrmann, seconded by Wieseler. Roll call vote. Motion carries. Absent: West and Rose.

### Mayoral Proclamation

Proclaiming September 6, 2019 as the 14<sup>th</sup> Annual Five Seasons Stand Down Day

### Old Business

Discussion and Consideration of Purchasing Equipment for Generator Repair – Council Action as Needed (tabled on July 15, 2019). Motion to remove from the table made by Herrmann, seconded by Wieseler. Motion carries. Absent: West and Rose. The generator at the old water plant is in need of a new radiator as the old one has corroded. Cost will run between \$3,000.00 and \$5,000.00 depending on the extent of the corrosion. Motion to approve generator repairs up to \$5,000.00 made by Herrmann, seconded by Wieseler. Motion carries. Absent: West and Rose.

### Motions for Approval

Consideration of Claims List – Motion to Approve. Motion to approve the Claims List made by Wieseler, seconded by Herrmann. Motion carries. Absent: West and Rose.

AAA PEST CONTROL	PEST CONTROL-P&A	30.00
ADRIANNA PACHA	INTERN-MVHPC	1,364.00
AERO RENTAL, INC	BRUSH CHIPPER RENTAL-SW	319.00
AHLERS & COONEY P.C.	UR PLAN REVIEW-P&A	150.00
ALL SECURE	INSTALL PAGING SYSTEM-POOL	976.00
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	1,804.73
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	698.14
ALLIANT IES UTILITIES	ENERGY USAGE-EMA	50.92
ALLIANT IES UTILITIES	ENERGY USAGE-WELLNESS CENTER	46.04
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	41.44
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	39.88
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	37.23
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	34.97
ALLIANT IES UTILITIES	ENERGY USAGE-CEM	21.40
AMERICAN PLANNING ASSOC	MEMBERSHIP-P&A	579.00
ASHLEY SICKLES	DEPOSIT REFUND-WAT	64.52
AVIANA AERIAL	DRONE PICS/CTW-P&REC	250.00
BRAUN INTERTEC CORP	CONSTRUCTION & MATERIALS TESTING	3,508.75
CAMPBELL SUPPLY CEDAR RAPIDS	TOOLS-RUT	1,024.41
CAMPBELL SUPPLY CEDAR RAPIDS	TOOLS-RUT	16.90
CANINE TACTICAL LLC	TRAINING-K9	200.00
CARRICO AQUATIC RESOURCES INC	CHEMICALS-POOL	4,584.49
CARRICO AQUATIC RESOURCES INC	CHEMICALS-POOL	208.00
CARRICO AQUATIC RESOURCES INC	CHEMICALS-POOL	907.89
CARRICO AQUATIC RESOURCES INC	CHEMICALS-POOL	262.80
CBLTC TRUST ACCOUNT	EARNEST	10,000.00
CENTRAL IOWA DISTRIBUTING	SUPPLIES-FD	244.50
CENTRAL IOWA DISTRIBUTING	SHOP RAGS-RUT	147.00
CENTURY LINK	PHONE CHARGES-FD	146.77
CITY OF ELY	NIXLE NOTIFICATION SYSTEM	2,266.44

CITY OF MOUNT VERNON	TRANSFERS	1,160,630.00
CLIFTON LARSON ALLEN	AUDITOR FEES-P&A	300.00
COGRAN SYSTEMS	ONLINE REGISTRATION FEES-P&REC	182.00
DANIEL AQUINO	DEPOSIT REFUND-WAT	53.01
DARCI LOFTSGARD	DEPOSIT REFUND-WAT	53.29
FAT GUYS MOTOR SPORTS	PULLEY,DECK BELT-RUT	192.31
FOX APPARATUS REPAIR & MAINT	ENGINE 216 ELECTRICAL-FD	292.00
FOX APPARATUS REPAIR & MAINT	TRUCK MAINT-FD	123.50
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	75.00
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	75.00
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	75.00
GARLING CONSTRUCTION INC	WELLNESS CENTER-LOST III	798,638.99
GORDON LUMBER COMPANY	BLDG SUPPLIES-PD,POOL,RUT	155.13
GRAINGER INC	EQUIP REPAIR-SEW	29.20
HALL & HALL ENGINEERS INC	SPRING MEADOWS PARK PROP SURVEY	375.00
IOWA COMMUNITIES ASSURANCE POOL	JD FRONT END LOADER-INSURANCE	699.00
IOWA COMMUNITIES ASSURANCE POOL	JD 700K DOZER-INSURANCE	587.00
IOWA DEPT OF NATURAL RESOURCES	NPDES PERMIT FEE #5758001-SEW	1,275.00
IOWA ONE CALL	LOCATES-WAT,SEW	2.70
IOWA PRISON INDUSTRIES	BENCH-CEM	396.00
IOWA SOLUTIONS INC	MONTHLY MAINT-ALL DEPTS	647.50
IOWA SOLUTIONS INC	PATCH MGMT,FIREWALL-PD	123.10
JACOB SEE	UNIFORMS-RUT	189.98
JOAN BURGE	CLEANING SERVICE-P&A	75.00
JOAN BURGE	CLEANING SERVICE-P&A	75.00
JOAN BURGE	CLEANING SERVICE-P&A	75.00
JOHN DEERE INC	FRONT END LOADER-RUT	19,854.43
KIEFER & ASSOCIATES	GUARD CHAIR,UMBRELLA-POOL	399.80
KIMBERLY HEDLUND	CLASSES-P&REC	892.00
KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE PLAN/COPIES-PD	78.74
LINN CO-OP OIL CO	FUEL-PW	5,569.66
LYNCH FORD	2016 EXP MAINT-PD	556.51
LYNCH FORD	5K MI MAINT-PD	49.93
MARTIN EQUIPMENT	DOZER GPS RENTAL-RUT	8,500.00
MARTIN EQUIPMENT	DOZER RENTAL-RUT	5,800.00
MARTIN EQUIPMENT	ASSY FOR DOZER-RUT	660.66
MARTIN EQUIPMENT	SUPPLIES-RUT	19.49
MATT SIDERS	MILEAGE-P&REC	131.08
MEDIACOM	PHONE/INTERNET-P&A	270.38
MEDIACOM	PHONE/INTERNET-PD	270.38
MEDIACOM	PHONE/INTERNET-RUT	170.85
MEDIACOM	PHONE/INTERNET-WWTP	197.15
MEDIACOM	PHONE/INTERNET-P&REC	170.89
MICHELLE PAUSTIAN	REFUND/SWIM LESSONS-POOL	80.00
MOUNT VERNON BANK & TRUST CO	NSF CHECK-WAT	210.00
MOUNT VERNON BANK & TRUST CO	NSF CHECK-WAT	205.00
MOUNT VERNON BANK & TRUST CO	NSF CHECK-WAT	54.04
MOUNT VERNON LISBON SUN	ADS/COMMUNICATIONS-P&Z	364.28
NEAL'S WATER CONDITIONING SERVICE	WATER/SALT-RUT,WAT,SEW	86.65
ONE MISSION FUNDRAISING INC	T-SHIRTS-K9	468.10
ONE MISSION FUNDRAISING INC	T-SHIRTS-POOL	217.75
P&K MIDWEST INC	GREASE-RUT	79.40
PAYROLL	CLAIMS	168,426.54
PITNEY BOWES	POSTAGE METER LEASE-ALL DEPTS	146.61
POSTMASTER	UTIL BILL POSTAGE-WAT,SEW,SW	372.47

PRI MANAGEMENT GROUP	RECORDS MGMT SEMINAR-PD	19.98
PRICE INDUSTRIAL ELECTRIC INC	HWY 1 & 1ST TRAFFIC CONTROLLER	4,438.00
RECREATION SUPPLY	FILTER,GASKETS-POOL	269.20
RED LION RENEWABLES	SOLAR ELECTRIC PRODUCTION	379.08
SANDRY FIRE SUPPLY LLC	EQUIP MAINT-FD	1,615.25
SCHIMBERG COMPANY	SUPPLIES-WAT	950.02
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	521.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-SEW	360.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	351.50
ST LUKE'S WORK WELL SOLUTIONS	DRUG TEST-WAT,SEW	52.00
STAPLES ADVANTAGE	SUPPLIES-P&A, COMM CENTER	82.79
STAPLES ADVANTAGE	SWIPE CARD BADGE RACK-POOL	65.58
STAPLES ADVANTAGE	PENCIL HOLDER,PAPER-CC,P&A	54.46
STAPLES ADVANTAGE	SUPPLIES-P&A,CC	53.94
STAPLES ADVANTAGE	SUPPLIES-CC	3.92
STORM STEEL	SUPPLIES-WAT	192.51
TRANS IOWA EQUIPMENT INC	CAMERA-SEW	9,500.00
TREASURER STATE OF IOWA	WET TAX	2,474.00
TREASURER STATE OF IOWA	SALES TAX	1,816.00
US BANK	CREDIT CARDS	13,658.55
US CELLULAR	CELL PHONE-P&REC,WAT,SEW	174.85
VEENSTRA & KIMM INC	5TH AVE/1ST ST W TRAFFIC SIGNAL	4,114.32
VEENSTRA & KIMM INC	WWTP IMPROVEMENTS	2,056.00
VEENSTRA & KIMM INC	NATURE PARK TRAIL DESIGN	1,070.50
VEENSTRA & KIMM INC	CITY ENGINEERING GENERAL	871.00
VEENSTRA & KIMM INC	8TH AVE QUIET ZONE CONSULTATION	792.00
VEENSTRA & KIMM INC	BRYANT ROAD IMPROVEMENTS	528.00
WAPSI WASTE SERVICE	GB,RECY,LEAF-SW	24,351.06
WENDLING QUARRIES	ROCK,LIME-RUT	190.56
WENDLING QUARRIES	ROCK,LIME-RUT	92.20
WENDLING QUARRIES	STONE/PW SITE-RUT	2,961.98
WOODWARD COMMUNITY MEDIA	ADS/PUBLICATIONS-P&REC	221.50
TOTAL		2,284,004.47

Discussion and Consideration of Pay Application #8 – Lester Buresh Family Community Wellness Center Project – Council Action as Needed. Pay Application #8 is in the amount of \$308,913.33. Motion to approve Pay Application #8 in the amount of \$308,913.33 made by Herrmann, seconded by Wieseler. Motion carries. Absent: West and Rose.

Discussion and Consideration of Pay Application #4 – 5<sup>th</sup> Ave NW and 1<sup>st</sup> Street W Traffic Signal Installation – Council Action as Needed. The traffic signal project has been completed. V&K Engineering is recommending approval of Pay Application #4 in the amount of \$55,438.68. Motion to approve Pay Application #4 made by Wieseler, seconded by Herrmann. Motion carries. Absent: West and Rose.

Discussion and Consideration of Change Order Request #14 – Lester Buresh Family Community Wellness Center Project - Council Action as Needed. Staff is recommending that Council deny Change Order Request #14. An additive called Barrier One is being proposed in order to meet moisture standards under the gym floors. An invoice from Decker Concrete, Inc. indicates that adding Barrier One to the gym floors only would cost an additional \$10,440.00. Adding Barrier One to all the floors would cost \$27,180.00. Staff's reasoning for the denial recommendation is because vapor barriers are already in the contract and adding Barrier One would likely complicate future warranty claims, should one be filed. Motion to deny Change Order #14 made by Herrmann, seconded by Wieseler. Motion carries. Absent: West and Rose.

Discussion and Consideration of Change Order Request #16 – Lester Buresh Family Community Wellness Center Project - Council Action as Needed. It is staff's recommendation to approve Garling Constructions' request for \$19,999.87 and an additional 28 days be added to the construction schedule. This is due to the inclement weather through March, 2019. The completion date would move to the end of October. Motion to approve Change Order #16 made by Herrmann, seconded by Roudabush. Motion carries. Absent: West and Rose.

Discussion and Consideration of Setting a Public Hearing Date for the Rezoning of Property Legally Described in Plat of Survey #2315 to the City of Mt. Vernon, Iowa from AG Agricultural District to LI Limited Industrial District With a Public Use Overlay – Council Action as Needed. This rezoning request is for the future Public Works site. Currently zoned as AG staff requests it be changed to LI (Limited Industrial). Nosbisch explained the reason for the zoning change and why the City just doesn't put a public use overlay over AG is because a public use overlay maintains the face zoning districts requirements so building coverage, impervious surface coverage and the AG are far more precise than they would be in LI. There is going to be 3-4 buildings, a compost site and concrete that will far exceed what AG allows even if there were a public purpose overlay. Having a public purpose overlay on top of an LI zoning should give everyone some sense that the City will not allow just any industrial use. By putting the public use overlay on top of it somebody would have to ask Council to change it. Although this will be a LI district it will be designated specifically for public uses. Planning and Zoning has reviewed and approved the LI designation. Motion to set a public hearing date for September 16, 2019 made by Roudabush, seconded by Wieseler. Motion carries. Absent: West and Rose.

Discussion and Consideration of Setting a Public Hearing Date for the Creation of a Public Use Overlay District on Property Locally Known as 855 Palisades Rd. SW – Council Action as Needed. This is for the Wellness Center so that there will be a public use overlay at that corner. Motion to set the public hearing date for September 3, 2019 made by Herrmann, seconded by Wieseler. Motion carries. Absent: West and Rose.

Discussion and Consideration of Setting a Public Hearing Date on an Ordinance Amending Chapter 910 Parking for Personal and Recreational Vehicles in the City of Mt. Vernon, Iowa – Council Action as Needed. Nosbisch explained that there is conflicting language in the Code regarding parking for recreational vehicles. Motion to set the public hearing date for August 19, 2019 made by Herrmann, seconded by Wieseler. Motion carries. Absent: West and Rose.

Discussion and Consideration of Pay Application #2 - 2019 Sewer Plant Improvement Project – Council Action as Needed. Pay Application #2 is in the amount of \$38,632.75. V&K Engineering has reviewed and recommends payment. Motion to approve Pay Application #2 made by Wieseler, seconded by Herrmann. Motion carries. Absent: West and Rose.

Discussion and Consideration of Change Order #1 – 2019 Sanitary Sewer Plant Improvement Project – Council Action as Needed. Change Order #1 is a combination of a credit and charge and is in the amount of \$3,732.43. A credit for \$7,487.66 was received because the splitter box depth was reduced by three feet. The charge is for \$11,220.09 and is the cost to have the original manufacturer of the clarifiers come to inspect the units. Motion to approve Change Order #1 made by Herrmann, seconded by Wieseler. Motion carries. Absent: West and Rose.

Discussion and Consideration of Change Order #2 – 2019 Sanitary Sewer Plant Improvement Project – Council Action as Needed. Change Order #2 is in the amount of \$87,946.89 and is for the manufacturer to rebuild clarifier drive units for two clarifiers. This equipment was not visible during the design process.

Motion to approve Change Order #2 made by Herrmann, seconded by Wieseler. Motion carries. Absent: West and Rose.

Discussion and Consideration of Proposed Repairs to 7<sup>th</sup> Ave SW – Council Action as Needed. Council was asked to approve the cost of having the storm inlet on 7<sup>th</sup> Avenue SW repaired. The inlet is offset and does not drain as it should. Originally City crews were intending to complete the project but couldn't because the wet spring put them behind on other projects. An estimate for \$7,476.00 was received from Jeremy Erie to complete the job. Motion to approve the estimate for \$7,476.00 was made by Herrmann, seconded by Wieseler. Motion carries. Absent: West and Rose.

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

City Administrator's Report. Progress is being made on the new PW site. The 1<sup>st</sup> Linn County Solar Power Hour will be held on Tuesday, September 10 at 6:30 p.m. in the City Hall Chambers. Staff had their first session with de Novo; initial designs are expected by the end of the month.

**Closed Session** - Pursuant to Chapter 21.5 (1) J, the City Council may enter into closed session, "to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property." Motion to go into Closed Session made by Wieseler, seconded by Roudabush. Motion carries the time being 7:20 p.m. Absent: West and Rose. Exit Closed Session – Council Action as Needed. Motion to come out of Closed Session made by Wieseler, seconded by Herrmann. Motion carries the time being 7:37 p.m. Absent: West and Rose. Wieseler motioned to pursue and sign purchase agreement for the property located at 380 Old Lincoln Hwy in the amount of \$475,000.00 plus costs, seconded by Roudabush. Motion carries. Absent: West and Rose.

As there was no further business to attend to the meeting adjourned the time being 7:40 p.m., August 5, 2019.

Respectfully submitted,  
Sue Ripke