

The Mount Vernon City Council met September 16, 2019 at the Mount Vernon City Council Chambers with the following members present: Roudabush, West, Wieseler, Herrmann and Rose. Absent: Mayor Jamie Hampton

**Call to Order.** At 6:30 p.m. Mayor ProTem Tom Wieseler called the meeting to order.

**Agenda Additions/Agenda Approval.** Motion to approve the Agenda made by Rose, seconded by Herrmann. Motion carries.

**Consent Agenda.** Motion to approve the Consent Agenda made by Rose. West stated there is a correction for the September 3, 2019 minutes; under Council Reports, CDG will be hosting Cornell Brunch Buddies not Cornell Lunch Buddies as stated. Roudabush seconded the corrected Consent Agenda. Motion carries. Approval of City Council Minutes – September 3, 2019 Regular Council Meeting

### **Public Hearing**

Public Hearing on the Proposed Amendment No. 6 to the Mount Vernon Urban Renewal Plan. City Administrator Chris Nosbisch explained that this amendment is #6 to the MV Urban Renewal plan. Accepting this resolution allows the City to use TIF funds to pay back other budget categories to purchase the new Police Department as well as other things. Mayor ProTem Wieseler declared the Public Hearing open. Close public hearing – Proceed to G-1. Hearing no comments from the public Mayor ProTem Wieseler closed the Public Hearing.

Public Hearing on the Plans and Specifications, Proposed Form of Contract and Estimate of Cost for Construction of the 8<sup>th</sup> Ave NW Quiet Zone, City of Mount Vernon, Iowa. Mayor ProTem Wieseler declared the Public Hearing open. Close public hearing – Proceed to G-2. Hearing no comments from the public Mayor ProTem Wieseler closed the Public Hearing.

Public Hearing to Amend to the Comprehensive Plan and Official Zoning Map to Rezone Certain Property from AG Agricultural District to LI Limited Industrial District with a Public Use Overlay. Mayor ProTem Wieseler declared the Public Hearing open. Close public hearing – Proceed to F-1. Hearing no comments from the public Mayor ProTem Wieseler closed the Public Hearing.

### **Ordinance Approval/Amendment**

Ordinance #9-16-2019A: Amending the Comprehensive Plan and Official Zoning Map to Rezone Certain Property from AG Agricultural District to LI Limited Industrial District with a Public Use Overlay. By approving the ordinance two things will happen; the future Public Works property will be re-zoned from AG (Agriculture) to LI (Limited Industrial) and it will place a Public Use Overlay on the property. Motion to approve first reading and proceed to the second reading (Council may suspend rules and proceed to the final reading after a vote of the first reading). Motion to approve the first reading of Ordinance #9-16-2019A made by Herrmann, seconded by Rose. Roll call vote. Motion carries.

Ordinance #8-19-2019A: Amending Article 910, Parking for Personal and Recreational Vehicles of the Zoning Regulations of the Municipal Code of Mt. Vernon, Iowa Motion to approve second reading and proceed to the third and final reading (Council may suspend rules and proceed to the final reading after a vote of the second reading). Nosbisch said that he has not spoken with Mrs. Billingsley since the last

meeting but he did review her lot and parking situation and found that it is unlikely that this ordinance will help their situation. Staff has not received any further written or verbal communication regarding this ordinance. Motion to approve the second reading of Ordinance #8-19-2019A made by Rose, seconded by West. Roll call vote. Motion carries.

Ordinance #9-3-2019A: Creating a Public Use Overlay District for Property Locally Described as 855 Palisades Rd SW. Motion to approve second reading and proceed to the third and final reading (Council may suspend rules and proceed to the final reading after a vote of the second reading). Motion to approve the second reading of Ordinance #9-3-2019A made by Herrmann, seconded by Rose. Roll call vote. Motion carries.

### **Resolutions for Approval**

Resolution #9-16-2019A: Determining an Area of the City to be an Economic Development and Blighted Area, and that the Rehabilitation, Conservation, Redevelopment, Development or a Combination Thereof, of Such Area is Necessary in the Interest of the Public Health, Safety or Welfare of the Residents of the City: Designating Such Area as Appropriate for Urban Renewal Projects: and Adopting the Amendment No. 6 to the Mount Vernon Urban Renewal Plan. Motion to approve Resolution #9-16-2019A made by Rose, seconded by Herrmann. Roll call vote. Motion carries.

Resolution #9-16-2019B: Adopting Plans and Specifications, Proposed Form of Contract and Estimate of Cost of Construction of the 8<sup>th</sup> Ave NW Quiet Zone, City of Mount Vernon, Iowa. Accepting this resolution approves the plans, specs, contract and engineers estimate of the 8<sup>th</sup> Avenue NW Quiet Zone project. The engineers estimate is a little more than \$36,000.00. Motion to approve Resolution #9-16-2019B made by Rose, seconded by West. Roll call vote. Motion carries.

Resolution #9-16-2019C: Making Award of the Construction Bid for Infrastructure Improvements for the 8<sup>th</sup> Ave NW Quiet Zone Project. Two bids were received for the Quiet Zone project. The first one was from Pirc Tobin Construction, Inc. in the amount of \$66,245.00. The second bid was from Boomerang, Corp. for \$81,440.00. Both bids are higher than the Engineer's estimate of just over \$36,000.00. Staff recommends approving the winning bid submitted by Pirc Tobin Construction for \$66,245.00. Motion to approve Resolution #9-16-2019C made by West, seconded by Roudabush. Roll call vote. Motion carries.

Resolution #9-16-2019D: Approving the Contracts and Mobilization and Construction of the Security Package for the Lester Buresh Family Community Wellness Center – Council Action as Needed. Motion to approve Resolution #9-16-2019D made by Rose, seconded by West. Roll call vote. Motion carries.

Resolution #9-16-2019E: Appointing Paying Agent, Note Registrar, and Transfer Agent, Approving the Paying Agent and Note Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement. Resolution E and F contain all the legal documents necessary to complete the refinancing of the Build America Bond. Motion to approve Resolution #9-16-2019E made by Roudabush, seconded by Herrmann. Roll call vote. Motion carries.

Resolution #9-16-2019F: Approving and Authorizing a Form of Loan Agreement and Authorizing and Providing for the Issuance, and Levying a Tax to Pay the Note: Approval of the Tax Exemption Certificate and Continuing Disclosure Certificate. Motion to approve Resolution #9-16-2019F made by Rose, seconded by West. Roll call vote. Motion carries.

### **Motions for Approval**

Consideration of Claims List – Motion to Approve. Motion to approve the Claims List made by Herrmann, seconded by West. Motion carries.

AFFORDABLE HEATING & COOLING	#6 MAINT-P&A	285.28
AFFORDABLE HEATING & COOLING	#5 MAINT-P&A	205.32
AFFORDABLE HEATING & COOLING	FROZEN A/C-P&A	90.00
AFFORDABLE HEATING & COOLING	CLEAN,TUNE UP 6 A/C-P&A	72.52
AHLERS & COONEY P.C.	LEGAL FEES/AMENDMENT #6	1,520.91
AIRGAS INC	CYLINDER RENTAL FEE-PW	64.93
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	4,400.18
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	3,597.29
ALLIANT IES UTILITIES	ENERGY USAGE-POOL	3,518.71
ALLIANT IES UTILITIES	ENERGY USAGE-FD	765.83
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	627.55
ALLIANT IES UTILITIES	ENERGY USAGE-RUT	511.45
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	310.52
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	266.71
ALLIANT IES UTILITIES	ENERGY USAGE-PD,RUT	217.94
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	111.85
ALLIANT IES UTILITIES	ENERGY USAGE-P&A,PW	96.64
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	33.85
AXON ENTERPRISE INC	TASER-3RD PYMT-PD	2,184.00
BROWN SUPPLY COMPANY	SUPPLIES-WAT	296.00
CARQUEST OF LISBON	VEHICLE MAINT-PW	673.05
CARQUEST OF LISBON	VEHICLE MAINT-FD	12.78
CARRICO AQUATIC RESOURCES INC	CHEMICALS-POOL	3,317.11
CENTURY LINK	PHONE CHGS-PD	56.37
DARRAH'S INC	TOW-RUT	481.25
ESCROW SERVICES OF IA INC TRUST ACCT	WIRE TRANSFER-PD CIP	73,099.05
FAT GUYS MOTOR SPORTS	MOWER SERVICE-RUT	456.74
FIRE SERVICE TRAINING BUREAU	TRAINING-FD	400.00
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	517,231.22
GARY'S FOODS	SUPPLIES-POOL	235.01
GARY'S FOODS	SUPPLIES-P&REC	57.67
GROUP SERVICES INC	INSURANCE-ALL DEPTS	30,807.45
HALL & HALL ENGINEERS INC	PARKLAND ENG FEES-P&REC	3,072.73
HDC	2,750 LASER CHECKS-ALL DEPTS	323.42
IOWA ASSOC OF MUNICIPAL UTIL	MEMBERSHIP-PW	1,159.12
IOWA PRISON INDUSTRIES	STOP,PARKING SIGNS-RUT	823.95
IOWA SOLUTIONS INC	PC'S & SOFTWARE-ALL DEPTS	4,648.50
IOWA SOLUTIONS INC	MONTHLY MAINT-ALL DEPTS	675.00
IOWA SOLUTIONS INC	PATCH MGMT,FIREWALL-PD	123.10
IOWA WATER ENVIRONMENT ASSOCIATION	CONFERENCE-WAT	30.00
IOWA WATER ENVIRONMENT ASSOCIATION	CONFERENCE-SEW	30.00
JACQUELINE ENGELBRECHT	WATER AEROBICS-POOL	275.00
JESSE LENNOX	TRAINING-FD	125.00
JOAN BURGE	CLEANING SERVICE-P&A	75.00
JOAN BURGE	CLEANING SERVICE-P&A	75.00
JOENA'S SPECIAL NEEDS	UNIFORMS-PD	92.50
KONE INC	ELEVATOR MAINT CONTRACT-P&A	177.33
KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE PLAN/COPIES	229.35
MARTIN EQUIPMENT	EXCAVATOR RENTAL-RUT	668.75
MARTIN EQUIPMENT	JD DOZER RENTAL-RUT	5,800.00

MATT SIDERS	MILEAGE-P&REC	63.80
MEDIACOM	PHONE/INTERNET-WWTP	197.15
MEDIACOM	PHONE/INTERNET-POOL	172.95
MEDIACOM	PHONE/INTERNET-RUT	170.89
MIDWEST SAFETY COUNSELOR	INSTRUMENT CALIBRATION-FD	90.00
MOUNT VERNON ACE HARDWARE	SUPPLIES-ALL DEPTS	1,613.66
MOUNT VERNON BANK & TRUST CO	NSF CHECK-WAT	170.49
MOUNT VERNON BANK & TRUST CO	WIRE TRANSFER FEE-WAT,SEW	5.35
MOUNT VERNON FIRE DEPARTMENT	INTERNET-FD	42.26
MOUNT VERNON PHARMACY	SUPPLIES-P&A	17.85
MT VERNON CAR WASH	VEHICLE MAINT-PD	32.00
NIELSEN AUTO REPAIR	VEHICLE MAINT-PD	230.00
OLD REPUBLIC NAT TITLE INS ESCROW	WIRE TRANSFER-P&REC	73,099.05
OPN ARCHITECTS	WELLNESS CENTER/STUDY PHASE	9,366.25
P&K MIDWEST INC	BATTERY/HUSTLER MOWER-RUT	102.24
PAYROLL	CLAIMS	12,292.97
RED LION RENEWABLES	SOLAR ELECTRIC PRODUCTION-P&A	321.02
RICHARD BURROUGHS	CEMETERY MAINT	2,250.00
S&P GLOBAL	ANALYTICAL SERVICES	10,925.00
SIMMERING CORY IOWA CODIFICATION	ANNUAL WEB HOSTING-P&A	450.00
STAPLES ADVANTAGE	COLORED PAPER-P&REC	91.10
STATE HYGIENIC LAB	TESTING-SEW	2,254.00
SUSAN SEE	WATER AEROBICS-POOL	200.00
THE GAZETTE	SUBSCRIPTION	325.60
TREASURER STATE OF IOWA	WET TAX	3,027.00
TREASURER STATE OF IOWA	SALES TAX	1,228.00
TYLER TECHNOLOGIES	RECEIPT PRINTER	1,253.00
US CELLULAR	CELL PHONE-PD	163.98
VERIZON CONNECT	INFORMATION SYSTEMS-PW	227.40
WEX BANK	FUEL-PD	1,132.57
WRH INC	WWTP IMPROVEMENTS 2019	126,454.54
TOTAL		912,529.05

GENERAL FUND		113,422.69
LOST III COMMUNITY CENTER		526,597.47
PAYROLL		12,292.97
POLICE STATION CONSTRUCTION		74,619.96
ROAD USE TAX FUND		17,748.36
SEWER FUND		18,685.78
SOLID WASTE		3,961.97
STORM WATER FUND		841.17
WATER FUND		17,904.14
WWTP UV DISINFECTION		126,454.54
TOTAL		912,529.05

Discussion and Consideration of Change Order #5 - 2019 Mt Vernon WWTP Improvements – Council Action as Needed. Change Order #5 is for a contractor proposed alternative layout for hydraulic lines and is in the amount of \$359.11. Motion to approve Change Order #5 made by West, seconded by Rose. Motion carries.

Discussion and Consideration of Change Order #6 - 2019 Mt Vernon WWTP Improvements – Council Action as Needed. Change Order 6 is for the replacement of a skimmer arm assembly, full surface blade, rake arm spiral blade and the squeegees on the blade of the clarifier and is in the amount of \$34,454.74. Motion to approve Change Order #6 made by Rose, seconded by West. Motion carries.

Discussion and Consideration of Change Order #7 - 2019 Mt Vernon WWTP Improvements – Council Action as Needed. Change Order #7 is for a screw pump scope change and is in the amount of \$325.98. Motion to approve Change Order #7 made by West, seconded by Roudabush. Motion carries.

Discussion and Consideration of Change Order #8 - 2019 Mt Vernon WWTP Improvements – Council Action as Needed. Change Order #8 is for the replacement of the North and South screw pump motors and is in the amount of \$2,121.71. Motion to approve Change Order #8 made by Rose, seconded by West. Motion carries.

Discussion and Consideration of Change Order #9 - 2019 Mt Vernon WWTP Improvements – Council Action as Needed. Change Order #9 is for the North Clarifier Drive when it was found to have unexpected damage to the drive unit. This change order is in the amount of \$16,783.08. Motion to approve Change Order #9 not to exceed \$16,783.08 made by Rose, seconded by Herrmann. Motion carries.

Discussion and Consideration of Change Order #10 - 2019 Mt Vernon WWTP Improvements – Council Action as Needed. Change Order #10 is for the installation of additional sample line in the new UV channel, reconnect existing sample lines and is in the amount of \$1,817.75. Motion to approve Change Order #10 made by Roudabush, seconded by Rose. Motion carries.

Discussion and Consideration of Change Order #11 - 2019 Mt Vernon WWTP Improvements – Council Action as Needed. Change Order #11 is for the cost of relocating conduits and is in the amount of \$5,820.33. Motion to approve Change Order #11 made by Rose, seconded by West. Motion carries.

Discussion and Consideration of Change Order #12 - 2019 Mt Vernon WWTP Improvements – Council Action as Needed. Change Order #12 is for the replacement of the Clarifier and is for \$2,771.11. Motion to approve Change Order #12 made by Roudabush, seconded by Rose. Motion carries.

Discussion and Consideration of Amendment #4 to OPN Contract – Lester Buresh Family Community Wellness Center - Council Action as Needed. Amendment #4 is for a likely extension to the OPN contract. The LBFCWC project will probably extend 2.5 months past its original completion date. OPN is requesting \$2,500.00 per week. Staff estimates an additional \$25,000.00. Because Council had questions and asked for more of an explanation from OPN staff recommended this be tabled. Motion to table Amendment #4 made by West, seconded by Herrmann. Motion carries.

Discussion and Consideration of Change Order #23 – Lester Buresh Family Community Wellness Center – Council Action as Needed. Change Order #23 is for the over excavation of materials that failed in the gym floor area and is in the amount of \$16,334.00 Motion to approve Change Order #23 made by Herrmann, seconded by West. Motion carries.

Discussion and Consideration of Change Order #25 – Lester Buresh Family Community Wellness Center – Council Action as Needed. Change Order #25 is for is the cost for the color match toilet partitions in the restrooms and is in the amount of \$523.00. Motion to approve Change Order #25 made by West, seconded by Herrmann. Motion carries.

Discussion and Consideration of Exterior Signage Quote – Lester Buresh Family Community Wellness Center – Council Action as Needed. The total estimated cost of the exterior signage is \$13,004.78; one on the south wall facing Palisades and the other near the main entrance on the north side of the building. This was not part of the Garling bid but was part of the overall project costs. West motioned to approve the sign quote for \$13,004.78, seconded by Herrmann. Motion carries.

Discussion and Consideration of Pay Application #5 – 5<sup>th</sup> Ave and 1<sup>st</sup> St Traffic Signal Project – Council Action as Needed. Pay Application #5 is for the work completed through August 21, 2019 and is in the amount of \$20,862.71. Motion to approve Pay Application #5 made by Herrmann, seconded by Rose. Motion carries.

Discussion and Consideration of Building and Maintenance Operator III Job Description – Council Action as Needed. With the addition of the Wellness Center and the new police station staff is proposing transitioning a Public Works employee to a building and maintenance operator and then advertising for an Operator I-III, depending on their qualifications. Council was provided a job description. \$25,000.00 of Wellness Center funds will be used for this position. Motion to approve the Building Maintenance Operator III job description made by Rose, seconded by West. Motion carries.

Discussion and Consideration of Setting a Public Hearing Date for Budget Amendment #1 for FY 20 – Council Action as Needed. Motion to set the Public Hearing date for October 7, 2019 for the FY20 Budget Amendment #1 made by Herrmann, seconded by Rose. Motion carries.

Discussion and Consideration of Setting a Public Hearing Date for the Final Plat of Wolrab Pleasant View Addition - Council Action as Needed. Motion to set the Public Hearing date for October 7, 2019 for the Wolrab Pleasant View Addition made by Rose, seconded by West. Motion carries.

Discussion and Consideration of I-Wall Purchase – Council Action as Needed. Staff is asking for approval to purchase the I-Wall which is an active and passive recreation system that would be permanently attached to one wall in the Flex Space area of the LBFCWC. Cost of an I-Wall system is \$16,995.00. Motion to approve I-Wall purchase made by West, seconded by Rose. Motion carries.

Discussion and Consideration of Palisades Rd Corrective Sealcoat Overlay – Council Action as Needed. Asphalt patching needs to be done on Palisades Road. A portion of the costs will be billed to Garling (\$5,990.40) and their subs for the damage they caused. The City will pay \$7,160.40. Total cost is \$13,150.80. PW Director corrected the description of the work being done saying it is not a sealcoat but a 2" asphalt overlay from 10<sup>th</sup> Avenue to the entrance of Palisades Road. Rose motioned to approve the asphalt overlay on Palisades Road for just over \$13K, seconded by Herrmann. Motion carries.

Discussion and Consideration of Sewer Repair Work West of 401 B Ave NE – Council Action as Needed. The sewer line that runs behind the home on the west side of B Ave, north of the skate park has been penetrated by utility lines. Staff is unsure who did the work but will investigate and bill accordingly, if possible. Roto Rooter will complete the work with the help of the City for a cost of \$3,908.00. Motion to approve the sewer utility work in the amount of \$3,908.00 made by Rose, seconded by West. Motion carries.

Discussion and Consideration of the Elliot Park Extension Seeding – Council Action as Needed. Although City crews are completing the necessary dirt work we would like to contract the seeding out to a firm that is better equipped to complete the project. Staff is asking for an amount not to exceed \$25,000.00. Motion to approve the Elliot Park extension seeding project not to exceed \$25K made by Rose, seconded by Herrmann. Motion carries.

Discussion and Consideration of Purchasing a Broom Attachment for the Kubota – Council Action as Needed. Staff would like Council to approve the purchase of a broom attachment for the Kubota at a cost of \$3,657.10. This would allow for snow removal without the plowing. Motion to approve a Kubota broom attachment not to exceed \$4K made by Herrmann, seconded by West. Motion carries.

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

Mt. Vernon Police Report. Chief Doug Shannon said there were 8 reported collisions and 29 incidents in August. MV Officers made 6 arrests. Charges include OWI, forcible fondling and possession of drug paraphernalia. K9 Monster was deployed one time to assist Lisbon PD. Monster indicated on the vehicle which led to the discovery of marijuana and paraphernalia. Officer Moel and Monster attended training at Canine Tactical and a National K9 conference in Chicago. During August MVPD worked 35 hours of STEP and a joint project with Lisbon PD and Linn Co Sheriff's office. Per the 28E agreement MVPD provided Lisbon 2,510 minutes of patrol time, and 8 calls for service at a total cost of \$1,770.00.

Mt. Vernon Public Works Report. The site work with the bull dozer has been completed. The woodchips from the Ambulance site have been moved to the new site and placed to allow for leaf dumping next month. Crews have been painting parking lines uptown. Growth along Hahn Creek has been cut back.

Mt. Vernon Park and Rec Report. Fall Flag Football has started with 11 teams and 99 kids playing this fall. Fall Soccer has 17 teams and 195 kids enrolled. MV Parks and Rec will continue to offer punt Pass and Kick on October 11<sup>th</sup> at 5:30 PM at Elliott Park, this is a free event. The Annual Dog Swim brought a total of 81 dogs and 64 humans in attendance. With 14 volunteers \$613.00 was raised on 09/03/2019 for the Nancy Doreen Huffman Dog Park. Congratulations to Lezli Broomhall Luneckas for receiving an award from the PRSA Awards Committee for the Social Media Fundraising Campaign that was hosted for the Lester Buresh Family Community Center.

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

Council Reports. There is a Bypass Commission meeting on Wednesday, September 18.

City Administrator's Report. Anyone who would like a tour of the Wellness Center should contact City Hall. City crews are ready to start the leaf pickup program in October. Staff will meet with Group Services this month to discuss our group health insurance plan.

### **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 Rose, seconded by Herrmann the time being 8:17 p.m. Motion carries. Exit Closed Session – Council Action as Needed. Motion to come out of Closed Session made by Rose, seconded by West the time being 8:38 pm. Motion carries. No action was taken by Council.

As there was no further business to attend to the meeting adjourned the time being 8:39 p.m., September 16, 2019.

Respectfully submitted,  
Sue Ripke  
City Clerk