

# City of Mt. Vernon, Iowa

<b>Meeting:</b>	<b>Mt. Vernon City Council Meeting</b>
<b>Place:</b>	<b>Mt. Vernon City Hall, 213 First Street NW, Mt. Vernon, Iowa 52314</b>
<b>Date/Time:</b>	<b>April 15, 2019 – 6:30 PM</b>
<b>Web Page:</b>	<b>www.cityofmtvernon-ia.gov</b>
<b>Posted:</b>	<b>April 12, 2019</b>

<b>Mayor:</b>	Jamie Hampton	<b>City Administrator:</b>	Chris Nosbisch
<b>Mayor Pro-Tem:</b>	Tom Wieseler	<b>City Attorney:</b>	Robert Hatala
<b>Councilperson:</b>	Stephanie West	<b>Assis. Admin/City Clerk:</b>	Sue Ripke
<b>Councilperson:</b>	Scott Rose	<b>Deputy City Clerk:</b>	Marsha Dewell
<b>Councilperson:</b>	Deb Herrmann	<b>Chief of Police:</b>	Doug Shannon
<b>Councilperson:</b>	Eric Roudabush		

## **A. Call to Order**

## **B. Agenda Additions/Agenda Approval**

## **C. Communications:**

1. Unscheduled
2. Steve Maravetz – Update on Culture and Entertainment District

If you wish to address the City Council on subjects pertaining to today's meeting agenda, please wait until that item on the agenda is reached. If you wish to address the City Council on an item **not** on the agenda, please approach the microphone and give your name and address for the public record before discussing your item. Each individual will be granted no more than five (5) minutes.

## **D. Consent Agenda**

**Note:** These are routine items and will be enacted by one motion without separate discussion unless a Council Member requests separate consideration.

1. Approval of City Council Minutes – April 1, 2019 Regular Council Meeting
2. Approval of Liquor License – Casey's General Store #1599

## **E. Public Hearing**

1. Public Hearing on a Proposed Ordinance Repealing and Replacing Chapter 166 Subdivision Regulations of the Mt. Vernon Municipal Code
  - i. Close public hearing – proceed to F-3

## **F. Ordinance Approval/Amendment**

1. Ordinance #4-1-2019A: Amending Chapter 92 Water Rates of the Municipal Code of Mt. Vernon, Iowa
  - i. 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)
2. Ordinance #4-1-2019B: Amending Chapter 99 Sewer Service Charges of the Municipal Code of Mt. Vernon, Iowa
  - i. 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)
3. Ordinance #4-15-2019A: Repealing and Replacing Chapter 166 Subdivision Regulations of the Municipal Code of Mt. Vernon, Iowa

- i. Motion to approve first reading and proceed to the second reading (Council may suspend rules and proceed to the third and final reading after a vote of the first reading)

**G. Resolutions for Approval**

1. Resolution #4-15-2019A: Reserving the Right to Authorize the Use of Rights of Way by Wireless and Wireline Communications Providers By Establishing Design Guidelines and Rates
2. Resolution #4-15-2019B: Opposing the Proposed Legislative Changes in City Finance

**H. Mayoral Proclamation**

1. None

**I. Old Business**

1. None

**J. Motions for Approval**

1. Consideration of Claims List – Motion to Approve
2. Discussion and Consideration of Change Order #4 – Lester Buresh Family Community Wellness Center – Council Action as Needed
3. Discussion and Consideration of Change Order #6 – Lester Buresh Family Community Wellness Center – Council Action as Needed
4. Discussion and Consideration of Change Order #7 – Lester Buresh Family Community Wellness Center – Council Action as Needed
5. Discussion and Consideration of Change Order #9 – Lester Buresh Family Community Wellness Center – Council Action as Needed
6. Discussion and Consideration of Cardio Fitness Equipment Lease with LSC Financial Solutions – Lester Buresh Family Community Wellness Center - Council Action as Needed
7. Discussion and Consideration of Free Weight and Other Work Out Equipment Purchase – Lester Buresh Community Wellness Center - Council Action as Needed
8. Discussion and Consideration of Setting a Public Hearing Date for an Ordinance Adopting Chapter 153 Demolition Regulation to the Mt. Vernon Municipal Code – Council Action as Needed
9. Discussion and Consideration of Preservation Planning Proposal for the Mt. Vernon Visitor's Center – Council Action as Needed

**K. Reports to be Received/Filed**

1. Mt. Vernon Police Report
2. Mt. Vernon Police Department Annual Report
3. Mt. Vernon Fire Department Annual Report
4. Mt. Vernon Public Works Report
5. Mt. Vernon Parks and Recreation Report

**L. Discussion Items (No Action)**

1. Update on Equipment - LBFCWC

**M. Reports of Mayor/Council/Administrator**

1. Mayor's Report
2. Council Reports
3. Committee Reports

#### 4. City Administrator's Report

##### **N. Adjournment**

Pursuant to §21.4(2) of the Code of Iowa, the City has the right to amend this agenda up until 24 hours before the posted meeting time.

**If anyone with a disability would like to attend the meeting, please call City Hall at 895-8742 to arrange for accommodations.**

## **D. Consent Agenda**

The Mount Vernon City Council met April 1, 2019 at the Mount Vernon City Council Chambers with the following members present: Roudabush, West, Wieseler, Herrmann and Rose.

**Call to Order.** At 6:32 p.m. Mayor Jamie Hampton called the meeting to order.

**Agenda Additions/Agenda Approval.** Motion to approve the Agenda made by Wieseler, seconded by West. Motion carries.

**Consent Agenda.** Motion to approve the Consent Agenda made by Herrmann, seconded by Wieseler. Motion carries.

Approval of City Council Minutes – March 18, 2019 Regular Council Meeting

### **Public Hearing**

Public Hearing on a Proposed Ordinance Amending Chapter 92 Water Rates of the Mt. Vernon Municipal Code. Mayor Hampton declared the Public Hearing open. Close public hearing – proceed to F-1. Hearing no comments from the public Mayor Hampton closed the Public Hearing.

Public Hearing on a Proposed Ordinance Amending Chapter 99 Sewer Service Charges of the Mt. Vernon Municipal Code. 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.

### **Ordinance Approval/Amendment**

Ordinance #4-1-2019A: Amending Chapter 92 Water Rates of the Municipal Code of Mt. Vernon, Iowa. Motion to approve first reading and proceed to the second reading (Council may suspend rules and proceed to the third and final reading after a vote of the first reading). City Administrator Chris Nosbisch explained the annual 3% rate increase is slated to end on June 30, 2019. Staff is recommending that Council approve a five year extension. This will cover the costs of the treatment plant renovations and future water main replacement projects. There is a fail-safe built into the ordinance should the increase not be necessary in a given year. Motion to approve the first reading of Ordinance #4-1-2019A made by Rose, seconded by Wieseler. Roll call vote. Motion carries.

Ordinance #4-1-2019B: Amending Chapter 99 Sewer Service Charges of the Municipal Code of Mt. Vernon, Iowa. Motion to approve first reading and proceed to the second reading (Council may suspend rules and proceed to the third and final reading after a vote of the first reading). Nosbisch said that this ordinance also is proposing a 3% increase although it may need to be extended again after this initial five year extension. As with the water increase staff is recommending Council approve this ordinance. Motion to approve the first reading of Ordinance #4-1-2019B made by Wieseler, seconded by Rose. Roll call vote. Motion carries.

### **Resolutions for Approval**

Resolution #4-1-2019A: Making Award of the Construction Bid for Public Improvements for the Wastewater Treatment Plant Improvements 2019 Project. Five bids for the WWTP improvements project were received at 2:00 p.m. on March 27, 2019. The apparent low bid was submitted by WRH, Inc in the amount of \$1,390,000.00. This is approximately 6.9% higher than the Engineer's estimate. Rose asked for clarification when V&K and Nosbisch refer to the "apparent" low bid. Nosbisch explained that it is referred as the

“apparent” low bid until everything checks out and Council approves the contract. Veenstra & Kimm, Inc. has worked with WRH, Inc. on other projects and is comfortable recommending that the City of Mount Vernon award the construction contract to WRH, Inc. in the amount of the bid of \$1,390,000.00. Motion to approve V&K’s recommendation made by Rose, seconded by West. Roll call vote. Motion carries.

**Mayoral Proclamation**

Proclamation Establishing the Week of May 19 through May 25, 2019 as Emergency Medical Services Week in Mount Vernon.

Proclamation Establishing Friday, April 26, 2019 as Arbor Day in the City of Mt. Vernon, Iowa.

**Motions for Approval**

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

ALLIANT IES UTILITIES	ENERGY USAGE-WAT	1,587.84
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	41.96
BILL & KIM LOECKE	DEPOSIT REFUND-WAT	45.85
BRADLEY HAUGE CPA	PROFESSIONAL SERVICES	915.00
BROWN SUPPLY COMPANY	SUPPLIES-WAT	199.85
CANINE TACTICAL LLC	TRAINING-SPL DONATIONS	200.00
CARGILL INCORPORATED	SALT-RUT	4,937.12
CARGILL INCORPORATED	SALT-RUT	3,094.19
CARGILL INCORPORATED	SALT-RUT	1,747.94
CARGILL INCORPORATED	SALT-RUT	1,367.54
CENTRAL IOWA DISTRIBUTING	SUPPLIES-ALL DEPTS	382.30
CENTURY LINK	PHONE CHGS-FD	73.02
ELECTRIC PUMP	PLAZA LIFT STATION-SEW	273.12
ENVIRONMENTAL RESOURCE ASSOCIATION	LAB TESTING-SEW	211.83
ESCO ELECTRIC COMPANY	BLOWER #2-SEW	6,830.37
ESRI INC	SOFTWARE MAINT AGREEMENT-SEW	500.00
FELD FIRE	EQUIP REPAIR-FD	122.53
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
GARLING CONSTRUCTION INC	WELLNESS CENTER-LOST III	107,531.37
HENDERSON PRODUCTS INC	JOYSTICK-RUT	272.38
HITSK9 TRAINING & CONSULTING	K9-SPL DONATIONS	375.00
IOWA SOLUTIONS INC	DMAC SECURITY, SETUP-ALL DEPTS	337.50
JAY A ARNOLD	REFEREE-P&REC	90.00
JENNIFER A PRICE	MV BRICK HOUSE NOMINATIONS-MVHPC	900.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
JOE'S QUALITY WINDOW CLEANING	WINDOW CLEANING-P&A	100.00
JOHNSON COUNTY AUDITOR	LCWMA SUPPORT-ST WAT	500.00
KONICA MINOLTA BUSINESS SOLUTIONS	COPIER COSTS-ALL DEPTS	269.35
LINN CO-OP OIL CO	FUEL-PW	1,992.79
LYNCH FORD	IGNITION COIL/2016 EXP-PD	287.59
LYNCH FORD	5K MI MAINT/2016 EXP-PD	43.84
LYNCH FORD	FUEL PUMP-FD	559.90
LYNCH FORD	5K MI MAINT-PD	43.84
MARTIN MARIETTA MATERIALS	SAND-WAT	484.85
MEDIACOM	PHONE/INTERNET-PD	268.88
MEDIACOM	PHONE/INTERNET-P&A	268.88

MEDIACOM	PHONE/INTERNET-WWTP	196.27
MEDIACOM	PHONE/INTERNET-P&REC	170.39
MIDWEST ALARM SERVICES	BLDG MAINT-FD	442.98
MIDWEST SAFETY COUNSELOR	CALIBRATION-FD	30.00
MOUNT VERNON ACE HARDWARE	EQUIP REPAIR-FD	137.60
MOUNT VERNON BANK & TRUST CO	NSF CHECK-WAT	126.62
MOUNT VERNON BANK & TRUST CO	NSF CHECK-WAT	105.00
MOUNT VERNON, CITY OF	START UP CASH-SWIM LESSONS	100.00
NEAL'S WATER CONDITIONING SERVICE	WATER/SALT	38.65
OFFICE EXPRESS	TONER-ALL DEPTS	336.33
PATC	CRIMINAL LAW HANDBOOK-PD	110.00
PAYROLL	CLAIMS	62,736.39
POSTMASTER	UTIL BILL POSTAGE-WAT,SEW,SW	373.59
REXCO EQUIPMENT INC	COUPLER-RUT	93.26
REXCO EQUIPMENT INC	COUPLER-RUT	77.17
ROBERT BUSER	IAEM MEMBERSHIP-EMA	30.00
ROBERT BUSER	STIPEND-EMA	1,500.00
ROBERT BUSER	ISFSI MEMBERSHIP-EMA	125.00
RTL EQUIPMENT	FRONT END LOADER RENTAL-PW	4,250.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	2,738.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-SEW	1,140.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	570.00
STEVE MOEL	FITNESS MEMBERSHIP-PD	100.00
THE FIRE STORE	EQUIP REPAIR-FD	220.85
THE FIRE STORE	EQUIP REPAIR-FD	24.29
TREASURER STATE OF IOWA	WET TAX	2,176.00
TREASURER STATE OF IOWA	SALES TAX	1,012.00
US BANK	CREDIT CARD-ALL DEPTS	5,503.15
US CELLULAR	CELL PHONE-P&REC	169.85
VEENSTRA & KIMM INC	WWTP IMPROVEMENTS	20,850.00
VEENSTRA & KIMM INC	CITY ENGINEERING GENERAL	889.00
VEENSTRA & KIMM INC	8TH AVE QUIET ZONE CONSULTATION	387.00
VEENSTRA & KIMM INC	5TH AVE/1ST ST W TRAFFIC SIGNAL	199.48
VERIZON CONNECT	INSTALL-PW	780.00
WAPSI WASTE SERVICE	GB,RECY,LEAF-SW	24,140.37
TOTAL		268,975.87
2014 STREET IMPROVEMENTS		586.48
GENERAL FUND		14,720.66
LOST III COMMUNIT CENTER		107,531.37
PAYROLL		62,736.39
ROAD USE TAX FUND		15,520.78
SEWER FUND		11,946.42
SOLID WASTE		26,837.45
STORM WATER FUND		570.56
WATER FUND		7,675.76
WWTP UV DISINFECTION		20,850.00
TOTAL		268,975.87

Discussion and Consideration of Pay Application #4 – Lester Buresh Family Community Wellness Center – Council Action as Needed. Motion to approve Pay Application #4 in the amount of \$223,498.36 for the Lester Buresh Family Community Wellness Center was made by West, seconded by Herrmann. Motion carries.

Discussion and Consideration of Change Order #1 – 1<sup>st</sup> Street Lighting Project – Council Action as Needed. The first Change Order for this project is because staff requested a different controller in order to match the equipment that was recently replaced at 1<sup>st</sup> Street and Hwy 1. The City received a \$1,800.00 credit for the original controller making the change order total \$2,200.00. Motion to approve Change Order #1, the 1<sup>st</sup> Street Lighting Project in the amount of \$2,200.00, seconded by Wieseler. Motion carries.

Discussion and Consideration of Pay Application #1 – 1<sup>st</sup> Street Lighting Project – Council Action as Needed. The lighting project has not started yet but Price Industrial Electric Inc is requesting and V&K, Inc is recommending that Council approve Pay Application #1 in the amount of \$18,876.50. With this pay app the contractors are purchasing the necessary equipment. Motion to approve Pay Application #1 made by Rose, seconded by West. Motion carries.

Discussion and Consideration of Setting a Public Hearing on an Ordinance Repealing and Replacing Chapter 166 Subdivision Regulations of the Mt. Vernon Municipal Codwalle – Council Action as Needed. Motion to set the public hearing for April 15, 2019 made by Wieseler, seconded by Herrmann. Motion carries.

Discussion and Consideration of Proposed Membership Fee Schedule for the Lester Buresh Family Community Wellness Center – Council Action as Needed. Council was given a proposed membership fee structure, recommended by the Park and Rec Board, for the Lester Buresh Family Community Wellness Center. Memberships and daily rates monthly, and yearly rates for singles, couples, family, senior single and couples, students and current military were listed. The fee schedule can be viewed on the City's website. Rose Motioned to approve the membership and fee schedule as presented for the Lester Buresh Community Wellness Center, seconded by West. Motion carries.

Possible 1<sup>st</sup> Street Overlay. The Linn County Engineer's office asked PW Director Nick Nissen if the City would be interested in extending the overlay into City limits when they work on Mt Vernon Road. The cost to the City from the City limits to 3<sup>rd</sup> Avenue would be \$347,595.88. The project would begin in 2020 and be paid for with Franchise Fee dollars. Staff considers this a good price and is asking V&K Engineering to review the documents. Council agreed that this would be a great opportunity for the City.

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

Council Reports. West said that she just returned from the National Main Street conference in Seattle inspired and ready to share new ideas.

City Administrator's Report. Mount Vernon has been selected to be featured on KCRG's "Our Time" segment. Staff was able to do an onsite inspection of the pre-cast wall panel construction in Dyersville. Brush pickup has begun.

As there was no further business to attend to the meeting adjourned the time being 7:19 p.m., April 1, 2019.

Respectfully submitted,  
Sue Ripke  
City Clerk

## **E. Public Hearing**

**AGENDA ITEM # E – 1 & F - 3**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

**DATE:** April 15, 2019

**AGENDA ITEM:** Public Hearing – Repealing and Amending Subdivision Regulations

**ACTION:** Motion to Close

**SYNOPSIS:** This is the second phase of the zoning code update completed by ECICOG. Chad Sands from ECICOG will be at the APA National Conference during the hearing, but Dave Schechinger from V&K will be present to answer any questions you may have regarding the proposed changes to the subdivision regulations. The planning and zoning commission has spent over 6 months reviewing the proposed document, and is now recommending approval to the City Council.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion to Close

**ATTACHMENTS:** None – See F-3

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19 .

## **F. Ordinance Approval/Amendment**

**AGENDA ITEM # F - 1**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	April 15, 2019
<b>AGENDA ITEM:</b>	Ordinance Amending Water Rates
<b>ACTION:</b>	Motion

**SYNOPSIS:** City staff has not received any new verbal or written communication regarding this ordinance since the 1<sup>st</sup> reading was adopted.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Ordinance #4-1-2019A

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19

Prepared by: City of Mt. Vernon, City Hall,  
Chris Nosbisch, City Administrator

213 First St. NW, Mt. Vernon, IA 52314  
(319) 895-8742

**ORDINANCE #4-1-2019A**

**AN ORDINANCE AMENDING CHAPTER 92 WATER RATES OF THE MUNICIPAL CODE OF MT. VERNON, IOWA**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MT. VERNON, IOWA:**

**SECTION 1. AMENDMENT.** Chapter 92.02 Usage Rate, is hereby amended as follows:

**92.02 USAGE RATE.** Beginning on July 1, 2012, each customer will pay water service charges in the amount of \$45.54 per 1000 cubic feet of water attributable to the customer for the property served but in no event less than \$10.00 per month (a 10% increase over the previous rate of \$9.09). Beginning on July 1, 2013 and on July 1<sup>st</sup> of each succeeding year until June 30, ~~2019~~2024, the water service charge shall increase 3% and the minimum service charge will increase 3%. In any fiscal year in which revenues are expected to exceed expenditures by 25%, the Council, by resolution, shall suspend the rate increase, in whole or in part, so long as revenues exceed operations and maintenance expenditures by 25%. Beginning August 1, 2016, the water service charge will increase 5%. This increase is in addition to the automatic 3% increase effective July 1, 2016.

**SECTION 2. SAVINGS CLAUSE.** If any section, provision, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Approved and adopted this 1<sup>st</sup> day of April, 2019.

ATTEST:

\_\_\_\_\_  
Jamie Hampton - Mayor

\_\_\_\_\_  
Sue Ripke – City Clerk

I certify that the foregoing was published as  
Ordinance #4-1-2019A on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Sue Ripke, City Clerk

**AGENDA ITEM # F - 2**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	April 15, 2019
<b>AGENDA ITEM:</b>	Ordinance Amending Sewer Rates
<b>ACTION:</b>	Motion

**SYNOPSIS:** City staff has not received any new verbal or written communication regarding this ordinance since the 1<sup>st</sup> reading was adopted.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Ordinance #4-1-2019B

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19

Prepared by: City of Mt. Vernon, City Hall,  
Chris Nosbisch, City Administrator

213 First St. NW, Mt. Vernon, IA 52314  
(319) 895-8742

### **ORDINANCE #4-1-2019B**

#### **AN ORDINANCE AMENDING CHAPTER 99 SEWER SERVICE CHARGES OF THE MUNICIPAL CODE OF MT. VERNON, IOWA**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MT. VERNON, IOWA:**

**SECTION 1. AMENDMENT.** Chapter 99.02 Rate, is hereby amended as follows:

**92.02 USAGE RATE.** Effective July 1, 2009, each customer will pay sewer service charges in the amount of \$34.22 per 1000 cubic feet of water attributable to the customer for the property served but in no event less than \$7.51 per month (a 10% increase over the previous rate of \$6.83). Beginning on July 1, 2009 and then on July 1 of each succeeding year until June 30, ~~2019~~2024, the sewer service charge will increase 3% and the minimum charge will be increased by 3%. In any fiscal year in which revenues are expected to exceed operations and maintenance expenditures by 25% the Council, by resolution, shall suspend the rate increase, in whole or in part, so long as revenues exceed operations and maintenance expenditures by 25%.

In addition, there will be a flat fee of \$10.00 per month per residential dwelling unit and a flat fee of \$10.00 per month for each non-residential account for the purpose of payment for an upgrade to the sewer system for the benefit of all users. A residential dwelling unit is defined as one or more rooms, designed, occupied or intended for occupancy as a separate living quarter. For purposes of this section, each apartment, dormitory room, condominium or similar dwelling usage will be considered a separate dwelling unit.

Customers who are educational institutions with more than 250 full-time students are exempt from the sewer service charges based on the water usage for the portion of water service:

1. Used exclusively for watering or irrigating playing fields of the educational institution; and
2. Measured by a meter that is separate and distinct from the meters used to measure other water services provided to the customer.

The customer is responsible for all costs associated with the purchase, installation and maintenance of the meter. The Superintendent shall determine the type and size of the meter and, further, shall inspect and approve the installation of the meter so used. The customer's eligibility for this exemption is contingent upon full compliance with these and other provisions pertaining to the water system and the sanitary sewer system, as determined by the Superintendent.

**SECTION 2. SAVINGS CLAUSE.** If any section, provision, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Approved and adopted this 1<sup>st</sup> day of April, 2019.

ATTEST:

\_\_\_\_\_  
Jamie Hampton - Mayor

\_\_\_\_\_  
Sue Ripke – City Clerk

I certify that the foregoing was published as  
Ordinance #4-1-2019A on the \_\_\_\_\_ day of \_\_\_\_\_, 201 \_\_\_\_.

\_\_\_\_\_  
Sue Ripke, City Clerk

Prepared by: City of Mt. Vernon, City Hall,  
Chris Nosbisch, City Administrator

213 First St. NW, Mt. Vernon, IA 52314  
(319) 895-8742

**ORDINANCE #4-15-2019A**

**AN ORDINANCE REPEALING CHAPTER 166 SUBDIVISION REGULATIONS AND  
ADOPTING A NEW CHAPTER 166 SUBDIVISION REGULATIONS IN LIEU THEREOF TO  
THE CITY OF MT. VERNON MUNICIPAL CODE**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MT. VERNON, IOWA:**

**SECTION 1. AMENDMENT.** Chapter 166 Subdivision Regulations are hereby repealed and replaced with a new Chapter 166 Subdivision Regulations to the Mt. Vernon Municipal Code as set forth in Exhibit "A," attached hereto and made a part thereof.

**SECTION 2. SAVINGS CLAUSE.** If any section, provision, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Approved and adopted this 15<sup>th</sup> day of April, 2019.

ATTEST:

\_\_\_\_\_  
Jamie Hampton - Mayor

\_\_\_\_\_  
Sue Ripke – City Clerk

I certify that the foregoing was published as  
Ordinance #4-15-2019A on the \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Sue Ripke, City Clerk

**DRAFT – 12/20/2018**

- [166.01](#) Title
- [166.02](#) Authority and Purpose
- [166.03](#) Jurisdiction and Applicability
- [166.04](#) Relationship to the Comprehensive Plan
- [166.05](#) Definitions
- [166.06](#) Procedures
- [166.07](#) Minor Subdivisions
- [166.07A](#)-Minor Boundary Change
- [166.08](#) Major Subdivisions
- [166.09](#) Planning Conference
- [166.10](#) Preliminary Plat Requirements
- [166.11](#) Final Plat Requirements
- [166.12](#) Design Standards
- [166.13](#) Subdivision Design Categories and Special Regulations
- [166.14](#) Circulation System Design
- [166.15](#) Public Improvements
- [166.16](#) Public Service Areas, Parks, and Open Spaces
- [166.17](#) Improvement Financing and Guarantees
- [166.18](#) Fees, Exceptions, Enforcement and Amendments

**📌 166.01 - Title**

This Ordinance shall be known as the Subdivision Regulations, Chapter 166, Code of Ordinances of Mount Vernon, Iowa.

**📌 166.02 - Authority and Purpose**

A. Authority. This Ordinance is adopted pursuant to the authority granted the City of Mount Vernon under Chapter 354, Code of Iowa, enabling cities to regulate the development of land within their jurisdictions and to promote good planning practice.

B. Purposes. The purposes of this Chapter are to:

1. Serve the public health, safety, and general welfare of the city and residents of Mount Vernon and its surrounding jurisdiction.

2. Provide for the orderly development and growth of the city by prescribing rules and standards insuring the functional arrangement of streets, public improvements, open spaces, community facilities, and utilities.

3. Promote the creation of well-planned and attractive residential, commercial, and industrial developments within the city and its jurisdiction.

4. Avoid excessive costs to the taxpayers of Mount Vernon or the residents of the jurisdiction of the city for the provision of public services and utilities, while maintaining high standards for these services.

5. Protect the unique environment of the City of Mount Vernon by avoiding environmental damage whenever feasible and appropriate and by encouraging flexibility in the design of subdivisions.

6. Provide the City of Mount Vernon with the ability to grow incrementally through the eventual annexation of new developments.

#### **166.03 - Jurisdiction and Applicability**

A. This chapter is adopted by the City to govern the subdivision of all lands within the corporate limits of the City.

B. No owner of real property within the City of Mount Vernon and its jurisdiction may subdivide or plat such property into lots for buildings or any other use, streets, or other forms of dedication or public use without gaining approval pursuant to this Ordinance. In addition, no individual may sell, offer to sell, or construct buildings on any lots or parts of real property that are not subdivided as required by State law or this Ordinance.

C. Extra-Territorial Jurisdiction. Pursuant to Section 354.9 of the Code of Iowa, the City hereby establishes its authority to review and approve subdivisions located within two (2) miles of its corporate boundaries unless said review would be subject to the two (2) mile extra-territorial district of the City of Lisbon, Iowa. ~~(Ord. 7-17-2017A - Aug. 17 Supp.)~~

#### **166.04 - Relationship to the Comprehensive Plan**

A. The City of Mount Vernon intends that this Subdivision Ordinance and any amendments to it shall be consistent with the City's Comprehensive Plan. Should this ordinance become inconsistent with the adopted Comprehensive Plan because of subsequent amendments to that plan, it is the City's intent to amend this ordinance to bring it into general conformance with the plan as amended.

B. The Subdivision Chapter shall supplement and facilitate the provisions of the Comprehensive Plan, the Zoning Ordinance, the Official Zoning Map, and the City of Mount Vernon's Capital or General Fund Budget.

#### **166.05 - Definitions**

For use in this chapter, the following terms and words are defined. All other terms used in these regulations shall have their normal meaning, except that terms common to engineering and surveying shall be used in their professional sense.

1. Alley: A public or private right-of-way generally designed to provide secondary access to the side or rear of a property whose principal frontage is on another street.
2. Applicant: An owner, developer, or subdivider submitting an application to divide property pursuant to this ordinance.
3. Approving Authority: The City Council of the City of Mount Vernon or its designee.
4. Architect: A registered architect authorized to practice architecture as defined by the Code of Iowa.
5. Arterial Street: See Function Table in Table 166-2.
6. ASCE: The American Society of Civil Engineers.
7. Bicycle Lane and Path: A designated lane on a roadway or an exclusive path separated from a roadway, designed specifically to accommodate the physical requirements of bicycling. Bicycle paths usually accommodate other forms of pedestrian recreation.
8. Block: An area or land within a subdivision that is entirely bounded by streets, highways, parks, railroad, or similar fixed land division and/or the exterior boundaries of the subdivision.
9. Buffer or Bufferyard: A landscaped area intended to separate and partially obstruct visual or other sensory effects of two adjacent land uses or properties from one another.
10. Building Lines: Synonymous with setback lines outlining the buildable area of a lot which remains after the required yard areas have been provided for.
11. Building Official: The designee of the City of Mount Vernon who is responsible for the supervision, administration, and enforcement of the **United International Building Code** or other locally adopted building codes.
12. Centerline Offset: The distance between the centerline of roads intersecting a common road from the same or opposite sides.
13. Channel: The bed or banks of a natural stream or drainage way conveying the constant or intermittent flow of water; including storm run-off.
14. Checklists: Checklists are documents prepared and provided by the Zoning Administrator for use by the City in the planning, review and approval process.
15. City Engineer: A licensed professional engineer employed by the City to prepare engineering documents for public improvements, to review subdivisions plats and construction documents submitted by developers and to perform such other duties as may be required by ordinance or resolution. (See Engineer)
16. Cluster Development: A development design technique that concentrates buildings in specific areas on a site to allow remaining land to be used for recreation, common open space, or the preservation of historically or environmentally sensitive features.

17. Code of Iowa: The latest edition of the Code of Iowa.
18. Collector Street: See Function Type in Table 166-2.
19. Commission: The Planning and Zoning Commission of the City.
20. Common Open Space: Land within or related to a development that is not individually owned or dedicated for public use, designed and generally intended for the common use of the residents of the development.
21. Comprehensive Plan: The plan or series of plans prepared to guide the future development of the City and adopted as such by the City Council. The Comprehensive Plan may indicate the general locations recommended for the major thoroughfares, streets, parks, public buildings, zoning districts, and other public improvements.
22. Concept Plan: A preliminary presentation to be used for the purpose of discussion or classification of a proposed plat prior to formal application. Such plan may contain but is not limited to the items specified in section 166.09 of this chapter in order that advance discussion and review may be held between the developer and city representatives prior to preparing and submitting a preliminary plat.
23. Conventional Subdivision: A subdivision which literally meets all nominal standards of the zoning and subdivision ordinances for lot dimensions, setbacks, street frontage, and other site development regulations.
24. Creative Subdivision: A subdivision, while complying with the Subdivision Ordinance, diverging from nominal compliance with site development regulations in the Zoning Ordinance. Creative subdivisions imply a higher level of pre-planning than conventional subdivisions. They may be employed for the purpose of environmental protection or the creation of superior community design. Types of creative subdivisions include Cluster Subdivisions, Plan Unit Development (PUDs) and Traditional Neighborhood Districts.
25. Cul-de-sac: A local street with only one outlet and with an opposite end providing for the uninterrupted reversal of traffic.
26. Curb: A vertical or sloping edge of a roadway, intended to define the edge of the roadway and to channel or control drainage.
27. Dedication: A grant of land to the City or another public agency for a public purpose.
28. Design standards: Standards that set forth specific improvement requirements. Unless otherwise stated, design standards shall refer to the Public Improvement Design Standards for Mount Vernon, Iowa, prepared by the City Engineers and kept on file by the City Administrator. Unless otherwise referenced in this ordinance, Public Improvement Design Standards shall be based on SUDAS regulations.
29. Detention basin: An artificial or natural water collection facility, designed to collect surface or subsurface water and to control its rate of discharge, in order to prevent a net increase in the rate of water flow that existed prior to a development.

30. Developer: The owner, or agent under legal authority of the owner or owners, who undertakes to cause a parcel of land to be designed, constructed, and recorded as a subdivision, and may also be referred to as the "Subdivider."
31. Development: A planning or construction project involving substantial improvement or change in the character and/or land use of a property.
32. District: A section or sections of land area depicted on the Official Zoning Map within which the regulations governing the use of buildings and premises or the height of buildings and area of sites are uniform.
33. Divided street: A street with opposing lanes separated by a median strip, center island, or other form of physical barrier, which cannot be crossed except at designated locations.
34. Drainage: The removal of surface or ground water from land by drains, grading, or other means.
35. Drainage system: The system through which water flows from the land.
36. Easement: A grant by the property owner of the use for a specific purpose of a strip of land by the general public, a corporation, or a certain person or persons, and within the limits of which the owner of record shall not erect any permanent structures but shall have the right to make any other use of the land subject to such easement which is not inconsistent with the rights of the grantee. Public utilities shall have the right to trim or remove trees, which interfere with the use of such easements.
37. Engineer: A licensed professional engineer licensed to practice civil engineering as defined by the Code of Iowa.
38. Erosion: The wearing away of a land surface by water, wind, ice, or gravity.
39. Flood Plain: A relatively flat low lands adjoining a water course, stream, channel or other body of water subject to overflow therefrom during flood periods. The flood plain area will vary depending on the frequency of the rainfall/runoff event but commonly refers to the 100-year flood plain.
40. Floodway: The channel of the stream or body of water and that portion of the flood plain that must be kept open and free of encroachment to carry the 100 year flood without more than 1.0 foot increase in the flood height.
41. Frontage: All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.
42. Frontage Road: (See Marginal Access Street)
43. Grade: The slope of a street or other public way, defined as a percentage or ratio of vertical change in elevation to horizontal change in distance.
44. Grading Plan and Profile: A drawing of a proposed subdivision, to scale, and showing the proposed alteration to the existing topography, including but not limited to, horizontal

and vertical dimensions and control, proposed shaping of the terrain for forming lots, blocks, streets, and any other feature which shall become a permanent part of the proposed subdivision

45. Improvements: Changes and additions to land necessary to prepare it for building sites; and including street paving and curbing, grading, monuments, storm sewer and drainage ways, sanitary sewers, fire hydrants, water mains, sidewalks, pedestrian ways and other public and private works and appurtenances.

~~45. Land Efficient Subdivisions: Wholly or in majority, a residential subdivision that permits a reduction in lot area, setback, or other site development regulations, provided 1) there is no increase in the overall density permitted for a conventional subdivision in a given zoning district, and 2) the remaining land area is used for common space.~~

46. Local Street: See Function Type in Table 166-2.

47. Lot: A tract of land within a subdivision having its principal frontage upon a street or any officially approved place marked by the subdivider on the plat as a numbered, lettered, or other identified tract of land to be offered for sale, dedication or development. Each individual lot is subject to the provisions of a particular Base Zoning District, and shall have a minimum frontage of 20 feet, except as provided in an approved Planned Unit Development and/or Creative Subdivision. When a lot is used together with one or more contiguous lots in a common development, all of the lots used, including any lot, used for off-street parking, shall be considered a single lot for purposes of these Zoning Regulations. These lots shall be combined to eliminate internal lot lines through the Plat of Survey process. Lots include the following types:

a. Corner Lot: A lot located at the junction of at least two streets, private ways or courts or of at least two segments of a curved street, private way or court, at which the angle of intersection is no greater than 135 degrees.

b. Double Frontage Lot: A lot, other than a corner lot, having frontage on two streets, private ways or courts. Primary access shall be restricted on a double frontage lot to the minor of the two streets or to the front lot line as determined at time of platting or as defined by this ordinance. (Also known as a Through Lot)

c. Interior Lot: A lot other than a corner lot.

d. Common Development Lot: When two or more contiguous lots are developed as part of a Planned Unit Development, these lots may be considered a single lot for purposes of this ordinance. These lots shall be combined to eliminate internal lot lines through the Plat of Survey process.

48. Lot Area: The total horizontal area within the lot lines of a lot.

49. Lot Depth: The mean horizontal distance measured between the front and rear lot lines.

50. Lot Line: A property boundary line(s) of record that divides one lot from another lot or a lot from the public or private street rights-of-way or easement.

a. Front Lot Line: The lot line separating a lot and a public or private street right-of-way or easement.

1. For an interior lot, the lot line separating the lot from the right-of-way or easement.
  2. For a corner lot, the shorter lot line abutting a public or private street or easement. In instances of equal line dimension, the Zoning Administrator shall determine the front lot line, or as may be noted on a final plat.
  3. For a double frontage lot, the lot lines separating the lot from the right-of-way or easement of the more minor street. In cases where each street has the same classification, the Zoning Administrator shall determine the front lot line, or as may be noted on a final plat.
- b. Rear Lot Line: The lot line which is opposite and most distant from the front lot line.
  - c. Side Lot Line: Any lot line that is neither a front or rear lot line. A side lot line separating a lot from a street, private way or court is a street side lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.
51. Lot Width: The horizontal distance measured between the side lot lines of a lot, at right angles to its depth along a straight line parallel to the front lot line at the minimum required setback line.
  52. Main: The principal artery of a system of continuous piping which conveys fluids and to which branches may be connected.
  53. Major Arterial Street: See Function Type in Table 166-2.
  54. Major subdivision: Any subdivision not defined and approved as a minor subdivision.
  55. Marginal Access Street: A street or frontage road that is parallel to and adjacent to a major thoroughfare or highway; and which provides access to abutting properties and protection from through traffic, while limiting access to the major thoroughfare.
  56. Minor Arterial Street: See Function Type in Table 166-2.
  57. Minor Street: Street used primarily for access to the abutting properties.
  58. Minor subdivision: A subdivision of land which creates no more than four lots from any single parcel of land; requires no extensions of streets, sewers, utilities, or other municipal facilities; and complies with all pre-existing zoning requirements.
  59. Monuments: Permanent survey markers consisting of steel rods, iron pipes, or concrete posts.
  60. Moving lane: Any traffic lane within a roadway where traffic movement is the primary or sole function.
  61. Off-site: Located outside the boundaries of the parcel that is the subject of an application.

62. Open space: Any parcel or area of land or water that is essentially retained in an open state and set aside for public or private use.
63. Owner: The owner of record in the land records of Linn County.
64. Pavement: An impermeable, hard surface, typically asphalt, asphaltic concrete, concrete, or brick or other masonry paver units.
65. Pedestrian Way: A right-of-way dedicated or an easement granted for public use to facilitate pedestrian access to adjacent streets and properties.
66. Performance Bond: A surety bond for the public improvements, made out to the City in an amount equal to 110% of the full cost, required by this chapter. Costs of said improvements shall be estimated by the developer and approved by the City Engineer and said bond shall be sufficient to secure to the City that said improvements will be constructed in accordance with the provisions of this chapter, and shall be filed with the City prior to final plat approval. No final plat will be approved before substantial completion of improvements as approved by the City Engineer.
67. Planning Conference: An informal conference between a landowner, developer or agent and City officials for the purpose of discussing the general requirements for proposing a subdivision and the feasibility of proceeding with a proposal.
68. Plat: In appropriate context, the parcel of ground represented by the plat, usually synonymous with the word "subdivision." "Plat" may also be used as a verb referring to the act of preparing a plat.
69. Plat, Preliminary: A map drawn to scale and including existing and proposed layout of streets, street names, lots and blocks, public improvements and including the items specified in this Chapter.
70. Plat, Final: A drawing prepared by a licensed land surveyor and including the items specified in this Chapter, along with all certificates and statements set forth herein and in Chapter 354, Code of Iowa, for the purpose of recording as a subdivision of land.
71. Right-of-Way: That portion of ground between property lines, within or adjacent to a plat which is dedicated and deeded to the City, County or State for a public way, and which provides an area for street surfacing, installation of public utilities (sewer, water, storm drainage, gas, telephone and electricity) and public sidewalks.
72. Roadway: That portion of the street available for vehicular traffic, measured from back to back of curbs, or from the edges of the pavement when curbs are absent.
73. Sanitary Sewer: A sewer that conducts sanitary wastes from a point of origin to a treatment or disposal facility. In developing areas, sanitary sewers normally include interceptor, outfall, and lateral sewers.
- a. Interceptor: A sanitary sewer that serves as a trunk, collecting sewage generated by a number of individual developments.

b. Outfall: A sanitary sewer that may be developed to connect an individual subdivision or development to an interceptor sewer.

c. Lateral or local: A pipe that connects individual buildings or groups of buildings to an outfall or interceptor sewer.

74. Septic system: An underground system, utilizing a watertight receptacle to receive the discharge of sewage, which provides for the decomposition of wastes produced by development on a single lot.

75. Sidewalk: A paved path provided for pedestrian use, usually located at the side of and detached from a road, but within the right-of-way.

76. Storm Sewer: A conduit which conducts storm drainage from a development or subdivision, ultimately to a drainage way or stream.

77. Street: A right-of-way dedicated to public use or a private right-of-way serving more than one ownership providing principal vehicular and pedestrian access to adjacent properties.

78. Subdivider: Any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as defined herein and includes any agent of the subdivider, and may also be referred to as the "Developer."

79. Subdivision: A division of a lot, tract or parcel of land into two or more lots, plats, sites for the purpose, whether immediate or future, of sale, lease, conveyance or transfer with the appurtenant streets, alleys and easements, dedicated or intended to be dedicated to public use or for the use of purchasers or owners within the tract subdivided. If a new street is involved, any division of a parcel of land or the division into two or more parts of any residential lot shall also be deemed a subdivision. (See Chapter 354 of Code of Iowa.) A subdivision plat is not required when land is divided by conveyance to a governmental agency for public improvements. (See Chapter 354, Section 354.6)

80. Subdivision Agreement: An agreement or contract between the City and the Subdivider, setting forth the mutual responsibilities of both parties in the financing and development of the subdivision.

81. Surveyor: A registered land surveyor licensed to practice surveying as defined by the Registration Act of the State. Code of Iowa.

82. Zoning Administrator: The administrative officer designated or appointed by the Council to administer and enforce the zoning regulations.

83. Public Improvement Design Standards. Improvements, as defined in this chapter, shall be constructed according to the rules and regulations adopted by formal resolution of the Mt. Vernon City Council.  
*(Ord. 7-17-2017A - Aug. 17 Supp.)*

#### **166.06 - Procedures**

The purpose of this Article is to establish procedures for subdivision applications and for review and action on applications by the Planning and Zoning Commission and the City Council. The

procedures are designed to assure adequate review and consideration of subdivision applications, while providing for an orderly and expeditious approval process. The Article provides procedures for the approval of two types of subdivisions: Minor Subdivisions and Major Subdivisions.

**166.07 (A) - Minor Subdivisions**

A. Scope. The Minor Subdivision procedure may be used when a proposed subdivision meets all of the following conditions:

1. The subdivision adjusts the lot lines of two or more lots without creating additional lots; or creates no more than four lots from any single parcel, tract, or lot. A subdivision plat is not required when a minor boundary change is approved in accordance with Section 166.07A and other applicable provisions of the Code and is not in conflict with the laws of the State of Iowa.

2. The subdivision is served by existing utilities and does not require the extension of streets, utilities, or public improvements.

3. Each lot resulting from the subdivision procedure will conform fully to all requirements of the zoning district that pertain to the lots; and each lot is developable according to the site development regulations of the zoning ordinance.

4. No part of the parcel has been the subject of a previous Minor Subdivision or Minor Subdivision approval.

B. Application and Approval Procedure. An application for a Minor Subdivision may be approved under the following procedure:

1. The applicant submits an application on a form established by the City and including the supporting documents required for Minor Subdivisions in Table 166-1. These documents shall include a plat of all lots and parcels that are affected by the action, prepared by a Licensed Surveyor. The subdivider shall prepare and file with the Clerk twenty (20) copies of the plat conforming in detail to the requirements set forth in Table 166-1.

2. The Planning and Zoning Commission, following proper notice, shall hold a public hearing on each Minor Subdivision application and, following such public hearing, shall take action on the application and plat. Action taken by the Planning and Zoning Commission shall be sent on to the City Council for their action.

3. The Council shall consider and act upon the application and plat and the Commission's recommendation not later than the second regular meeting or 30 days following the date of filing by the Commission, whichever is later. In the event of disapproval, the Council shall refer the plat back to the Commission along with specific reasons for such disapproval, a copy of which shall be transmitted to the subdivider.

4. The Planning and Zoning Commission retains the right to disapprove or not act on the Minor Subdivision application. In the event of such action, the application may proceed through the Major Subdivision process.

5. Applications, reviews and approvals of minor subdivisions shall follow the same schedule as Major Subdivisions shown in section 166.08 (C)(4).

**Table 166-1 Minor Plat Application Requirements**

## **PLAT INFORMATION**

Name, address of owner and applicant.

Name, signature, license number, seal and address of engineer, land surveyor. Architect, planner, and/or landscape architect, as applicable, involved in preparation of plat.

Title block, denoting type of application, tax map sheet, legal description, and general location.

Key map, showing location with reference to surrounding property, streets, current street names, city limits, and other features within ¼ mile of the subdivision boundary.

Present and proposed zoning.

North arrow, date, and graphic scale.

Proof that taxes are current.

Signature blocks for Planning and Zoning Commission Chair, Administrative Official, and Mayor.

Appropriate certification blocks.

Monumentation.

Metes and bounds description, including dimensions, bearings, curve data, tangent length, radii, arcs, chords, and central angles for all centerlines and ROW's, and centerline curves on streets.

Acreage of tract.

Date of original and all revisions.

Location, dimensions, and names of existing streets, driveways and public sidewalks.

All proposed lot lines, lot dimensions, and lot areas in square feet.

Copy of any existing or proposed deed restrictions or covenants.

Existing and proposed easements or land reserved for or dedicated for public use.

Payment of application fees.

## **ENVIRONMENTAL INFORMATION**

Property owners and property lines within 300 feet.

All existing watercourses, flood plains, wetlands, habitat areas or other environmentally sensitive features within 200 feet.

Survey of mature trees and wooded areas, (noting size and location of trees) and mature or environmentally sensitive vegetation.

Existing ROW's and easements within 200 feet.

Topography at five foot contours.

Existing site drainage systems.

Drainage calculations and percolation tests.

### **IMPROVEMENTS AND CONSTRUCTION INFORMATION**

New block and lot numbers.

Certification and seals from licensed Professional Engineer, as required by Ordinance.

### **ADDITIONAL INFORMATION NEEDED**

Existing buildings on the site as well as on immediately adjacent lots.

Existing utility lines adjacent to the site from which service would be extended to the new lots.

#### **166.07 (B) - Minor Boundary Change**

The purpose of this Section is to prescribe uniform procedures allowing for approval of minor changes to the boundaries of parcels between owners of two adjacent parcels of land without subdividing the parcel or parcels as minor or major subdivisions as set out in Sections 166.07 and 166.08.

A. Scope. The Minor Boundary Change procedure may be used when all of the following conditions are met:

1. The minor boundary change does not create any additional lots or parcels.
2. The minor boundary change does not cause the need for the extension of streets, utilities, or any other additional public improvements.
3. Each lot resulting from the Minor Boundary Adjustment is in the same zoning district.
4. Each lot resulting from the Minor Boundary Adjustment will conform fully to all requirements of the zoning district in which the parcels of land are located; and each lot or parcel is developable according to the site development regulations of the zoning and subdivision ordinances.
5. The owners demonstrate that all site and structure requirements for the zoning district in which the parcels of land are located can be maintained after the sale or exchange of property.
6. No new violations of this ordinance would be created by the action.
7. Such subdivision of land is not in conflict with any other State of Iowa or lawful municipal regulations regarding subdivision of land.

Prior to submission of the application, the owners may request a planning conference or provide a copy of the Minor Site Plan to the City Engineer for review.

B. Application Procedure. Applications shall include a completed application form (~~prepared by the City Engineer~~); the Plat of Survey; a Minor Site Plan and the necessary supporting documents as established by Table 166-1A; and an application filing fee as established by the City

Council. The owners shall prepare and file with the Clerk twenty (20) copies of the plat and related documents.

1. The Plat of Survey shall be prepared by a land surveyor licensed by the State of Iowa and shall encompass the outside boundary of all parcels adjusted.

2. Prior to consideration of the application, the parcels must be staked to show existing and proposed property lines so that city officials may verify dimensions on said site plan.

C. Review and Approval Procedure. An application for a minor boundary change with a change in the number of lots shall be considered under the following procedure.

1. Upon completion of review by staff, the Planning and Zoning Commission, following proper notice, shall hold a public hearing on each boundary change application and, following such public hearing, shall take action on the application by recommending approval or disapproval of the application. The application, along with the recommendation of the Planning and Zoning Commission, shall then be forwarded to the City Council for action.

2. The Council shall consider and act upon the boundary change application and the Commission's recommendation not later than the second regular meeting or 30 days, whichever is later, following the date of action by the Commission. Upon completion of its consideration, the Council shall approve or disapprove the application. In the event of disapproval, the Council shall refer the plat back to the owners along with specific reasons for such disapproval, a copy of which shall be transmitted to the Commission. In the event of such action, the application may proceed through the Minor or Major Subdivision processes.

3. Applications, reviews, and approvals of minor boundary changes shall follow the same schedule as Major Subdivisions shown in section 166.08 (C)(4)..

D. Review and Approval Procedure. An application for a minor boundary change with no change in the number of lots shall require City Council action only. Upon completion of its consideration, the Council shall approve or disapprove the application.

E. Recording approved plat. Upon approval of the minor boundary change by the City Council, the owners shall record the Plat of Survey within six (6) months of approval of said plat.

**Table 166-1 A Minor Boundary Change Site Plan Requirements**

Name and address of all land owners involved

Names of all adjoining property owners

All proposed lot lines, lot dimensions, and lot areas in square feet

Zoning of all parcels involved

North arrow, date, and graphic scale

Existing and proposed monumentation

Legal description prepared by a Land Surveyor registered in the State of Iowa

Existing Buildings

Mature Trees

Location, dimensions, and names of existing streets driveways and sidewalks

Existing Utilities

Existing and proposed easements

**166.08 - Major Subdivisions**

A. Applicability. The Major Subdivision procedures apply to all subdivisions not approved or eligible for approval under the Minor Subdivision procedures. In general, these include subdivisions that: 1) are not approved under the Minor Subdivision procedure; 2) create more than four lots; or 3) require development or extension of public improvements.

B. Stages in the Approval Process. The approval process for Major Subdivisions consists of three stages: the pre-application stage, the preliminary plat stage, and the final plat stage.

C. Pre-application Procedures.

1. Before filing an application for preliminary plat approval, the applicant shall request a planning conference for the purpose of determining the general requirements for proposing a subdivision and the feasibility of proceeding with the preparation of a preliminary plat. When the proposed area to be subdivided will be developed in multiple plats, a concept plan shall be prepared to show the intended use of the total parcel.

2. The subdivider shall then prepare and file with the Clerk twenty (20) copies of a preliminary plat conforming in detail to the requirements set forth in this chapter.

3. The Clerk shall forthwith refer one (1) copy to the City Administrator, the City Engineer, the City Attorney, the Zoning Administrator, the Planning & Zoning Commission Chair, and the Parks and Recreation Chair. One copy shall be kept and be available for public inspection.

4. The City Engineer shall carefully examine said plat as to its compliance with the laws and ordinances of the City, the existing street system, good engineering practices, and shall, as soon as possible, submit findings in duplicate to the Commission. Submissions of the plat by the subdivider and staff reviews shall be completed according to the following timetable:

Action	Date
Original Plat and Plans Submitted by Developer	First Day of Month Day 1
City Administrator, Engineer and Attorney Review and Issue Letter of Report	Day 14 of the Month
Revisions and Resubmittals by Subdivider Based on Letter of Report	Day 21 of the Month
City Administrator, Engineer, and Attorney Make Final Review of Corrected Documents and Issue Letter of Report	Day 28 of the month

Planning and Zoning Commission Meeting (Public Hearing)	Day 45 or next regularly scheduled meeting <del>Second Wednesday of the</del> Next Month
City Council Meeting (Public Hearing)	Day 60 or next regularly scheduled meeting

5. After receiving the City Administrator's, City Engineer's and City Attorney's reports, the Commission shall study the preliminary plat and other material for conformity thereof to the requirements of this chapter and the Comprehensive Plan for the development of the City. The Commission may confer with the subdivider on changes deemed advisable and the kind and extent of such improvements to be made by the subdivider. The Commission shall approve or reject such a plat within forty-five (45) days after the date of submission thereof to the Commission, unless the plat is tabled with the consent of the subdivider for a period not to exceed an additional sixty (60) days for further study by the Commission or to await further recommendations. **If the plat is tabled by the Commission, it may impact the timeline of City Council action, as per the above table.** The approval of the preliminary plat by the Commission shall be null and void unless a final plat of either the entire proposed subdivision or a portion of it is presented to the Commission within one year after date of preliminary plat approval, or in the case of a phased subdivision, within three (3) years.

6. Before a public hearing on the proposed plat, notice shall be provided by the subdivider at the subdivider's expense:

- a. By publication in a local newspaper of general distribution after the subdivider provides the necessary information to the City and the City requests the publication;
- b. By posting a notice on the tract that is easily visible from each adjoining street with a sign(s) not less than eighteen inches in height and twenty-four inches in width with a white background and black letters not less than one and one-half inches in height; and
- c. By sending notices by mail to all property owners within 300 feet. The subdivider shall provide a list of all recipients to the City.

Such notice shall be given at least ten days prior to the public hearing.

7. The Commission shall, after such consideration, transmit forthwith a copy of the preliminary plat along with all supporting papers to the Council along with the Commission's recommendation to approve or disapprove the preliminary plat. Any restrictive covenants shall be included with the supporting papers.

8. If the subdivider finds it necessary to make material and substantial alterations in any layout of the subdivision after conditional approval from the Commission, such alterations shall be subject to the approval of the Commission and the Council.

9. The Council shall consider and act upon the preliminary plat and the Commission's recommendation not later than the second regular meeting or 30 days following the date of filing by the Commission, whichever is later. In the event of disapproval, the Council shall refer the plat

back to the Commission along with specific reasons for such disapproval, a copy of which shall be transmitted to the subdivider.

10. Approval of the preliminary plat does not constitute approval of the subdivision. However, it shall form the basis for approval of the final plat if such final plat is prepared and construction is undertaken in conformity with this chapter and in substantial conformance with the approved preliminary plat and plans and specifications prepared subsequent to its approval.

11. Approval by the Council of the preliminary plat shall not constitute authority to sell lots or record the plat, nor shall it constitute authority to construct permanent buildings in reliance upon the preliminary layout.

12. Upon approval of the preliminary plat by the Council, the subdivider may proceed with the preparation of the final plat together with detailed construction drawings and specifications for the public improvements required under this chapter, and all required legal documents.

13. Before submitting the final plat to the Commission for approval, the subdivider shall furnish:

a. All documents requiring signatures shall be signed including the Subdivision Agreement;

b. The restrictive covenants, if any, or a statement certifying that there will be no restrictive covenants;

c. All construction plans and specifications, as listed in Section 166.12 of this chapter, necessary for the detailed engineering consideration of the improvements required under this chapter and obtain approval of the City Engineer. All final plats and construction plans submitted for review and approval shall be submitted no later than the first day of the month in which the Planning and Zoning Commission will meet and consider the plat.

14. After the final plat and accompanying legal documents are filed with the City, the Commission shall consider the final plat at the regular meeting and shall recommend either approval or disapproval of the plat. If the Commission finds that the final plat has been prepared in compliance with these regulations and in substantial compliance with the preliminary plat, such final plat shall be recommended for approval. If the Commission finds otherwise, the Commission shall recommend disapproval and, further, shall specify its reasons for recommending disapproval. The Commission shall within fourteen (14) days transmit to the Council the final plat along with its recommendation and all accompanying documents.

15. All of the required public improvements shall be constructed according to the City of Mount Vernon's Public Improvement Design Standards and accepted by formal Resolution of the Council. Before passage of said resolution of acceptance, the City Engineer shall report that said improvements have been constructed in conformance with the City Public Improvement Design Standards, and have been certified as complete by the developer's engineer. Final plat approval shall require the subdivider to post a performance bond, guaranteeing that said improvements will be constructed within one year from final acceptance of the plat, or before a certificate of occupancy is requested, as provided by Section 166.17(d). However, final approval of the plat will not guarantee final acceptance of the subdivision until such improvements have

been completed and accepted by the City. The above arrangements shall be subject to review by the City staff prior to acceptance by the City of any improvements to be constructed. Improvements will be accepted only after their construction has been completed, and no public funds will be expended in the subdivision until such improvements have been completed and accepted by the City. The above arrangements shall be subject to review by the City staff prior to acceptance, and shall specifically assure the expedient installation and completion of all improvements within the specified construction time period and shall indemnify the City from any and all costs or losses of the development due to the delay in construction completion and building permit issuance.

16. The Council shall consider the final plat along with the report of the Commission and the City Engineer not later than the second regular meeting following the date of filing with the Council, provided that the public improvements have been completed or a bond has been filed with the City, guaranteeing the completion of the improvements. If the Council finds that the plat has been prepared in compliance with the regulations of this chapter and in substantial compliance with the preliminary plat and construction plans, such final plat shall be approved. In the event of disapproval, the record shall show the specific points on which the final plat varies from these regulations and/or the preliminary plat.

17. The passage of a resolution by the Council accepting the plat shall constitute final approval of the platting of the area shown on the final plat, but the subdivider or owner shall cause such plat to be recorded in the office of the County Recorder, as provided in Chapter 354, Code of Iowa, and shall file satisfactory evidence of such recording in the office of the City Clerk before the City shall recognize the plat as being in full force and effect. Unless this recording occurs within 180 days after the approval by the Council, the resolution is null and void.

18. ~~No Until the final plat will be approved until there is substantial completion of public improvements has been recorded and evidence of recording provided to the City, and until the public improvements, including but not limited to streets, water, sewer, sidewalks, and storm sewer, and have been constructed and approved by the City. or a bond provided,~~ **NO LOTS SHALL BE SOLD AND NO BUILDING PERMITS SHALL BE ISSUED** until that time.

19. Phased Subdivisions: The final plat may be submitted in phases, provided that no phase represents the lesser of 5 lots or 10% of the total number of lots in the entire approved preliminary plat. The initial phase of the final plat must be submitted according to the effective dates established above. In the event of a phased subdivision, the initial preliminary plat approval remains effective for a period not to exceed three years, unless otherwise extended by the City Council.

20. The Council may waive the requirements of this chapter for the construction and installation of some or all of the improvements in cases of dedications of land or rights-of-way to public use where such dedication is in excess of the needs of the subdivision and is desired by a public agency in lieu of a purchase or condemnation.

#### 166.09 - Planning conference

The subdivider or a representative shall request a planning conference in advance of the preliminary plat preparation in order to discuss the proposed subdivision and to obtain information as to the requirements necessary for approval of the plat. The purpose of the planning conference is informational only, and no approval can be given nor can any requirements of this chapter be

waived. Participants in the planning conference, in addition to the subdivider or agent or engineer may be: one (1) member of the City Council, designated by the Mayor; one (1) member of the Commission, designated by the Chairperson of said commission; one (1) member of the Parks and Recreation Board, designated by the Chairperson of said board; the Zoning Administrator; the City Administrator, City Attorney and City Engineer or any other official of government deemed to have an interest in the layout or facilities to be furnished in the subdivision. The subdivider may wish to prepare for such a conference some or all of the following materials, which may later be used in preparing a preliminary plat:

1. A legal description of the parcel to be subdivided, if available.
2. A layperson's description identifying the location of the parcel.
3. A vicinity and contour map of the parcel showing nearby street patterns, property lines and other significant features which will have a bearing upon the subdivision; contour intervals suitable for determining general street and utility requirements; existing substantial building and any features which will have a bearing upon the design of the subdivision or the provision of utilities.
4. A concept plan of the proposed layouts of streets, blocks and drainage courses. This concept plan may be drawn upon the contour map and should indicate the scale and north point, the proposed name of the subdivision, the words "preliminary sketch," and the name, address and telephone number of the subdivider and of the engineer, landscape architect or surveyor. (See 166.10c. for additional requirements)

#### **166.10 - Preliminary Plat Requirements**

The preliminary plat of a subdivision is not intended to serve as a record plat and shall be submitted for review separately and prior to submission of the final plat. Its purpose is to show on a map all facts needed to enable the Commission to determine whether the proposed layout of the land in question is in accordance with the applicable ordinances and the general intent of the Comprehensive Plan. The preliminary plat shall also include a draft of the subdivision agreement. The subdivision agreement establishes the mutual responsibilities of the City and the subdivider, including financing of public improvements; the nature of performance bonds and guarantees that the subdivider will offer; the financing arrangements proposed for the subdivision.

A. Number of Copies and Scale. Twenty (20) copies of the preliminary plat shall be submitted as prescribed for review. The scale of the map shall be one inch equals 50 feet (1" = 50') unless otherwise approved by the Commission, up to a maximum of one inch equaling one hundred feet (1" = 100').

B. Contents of Preliminary Plat.

1. Name of subdivision, date, compass point, scale and official description and acreage of the property being platted.
2. Names and addresses of the recorded owner, subdivider and engineer or land surveyor.
3. Boundaries of the proposed subdivision shall be labeled and indicated by a heavy line. All interior excepted parcels shall be clearly indicated and labeled "not a part of this plat."

4. Existing and proposed zoning district classification of all land within and surrounding the proposed subdivision.
5. Location, width and name of each existing or platted street, highway, railroad or other utility right-of-way, parks and other public open spaces within or adjacent to the proposed subdivision and existing buildings.
6. All existing storm and sanitary sewer mains, water mains, gas mains, culverts and other underground installations within the proposed subdivision or immediately adjacent thereto with pipe size if available and location shown.
7. Names of all adjoining subdivisions and owners of adjacent parcels of unsubdivided land.
8. Ground elevations and contours at intervals of not more than five (5) feet. MSL (Mean Sea Level) data.
9. The approximate boundaries of areas of known flood levels or storm water overflow, areas covered by water or wooded areas, projected 100 year flood line for areas that have been included in engineering flood plain reports and studies, and all proposed open channel drainage ways.
10. The location, names and widths of proposed streets, roadways, alleys, pedestrian ways and easements.
11. The proposed grades and alignment of proposed streets in conformance with the street planning map. Consideration shall be given to topography with a view to securing safe and gentle grades and avoiding unsightly and expensive cuts and fills. Maximum street grades shall not exceed those required in the design standards.
12. Proposed utility services; source of water supply and provision for sewage disposal, drainage and flood control; the location, size and grade of all proposed public utilities including sewers (storm and sanitary) and water mains.
13. Layout, numbers and dimensions of each lot and block.
14. Location and size of proposed parks, playgrounds, or special uses of land to be considered for dedication to public use or to be reserved by deed or covenant for the use of all property owners in the subdivision and any conditions of such dedication or reservation. The subdivider shall not reserve a strip of land unless the Commission determines that such reservation is sufficient in size, shape, or location to meet a necessary public purpose. Such public purposes shall include but not be limited to use for park and recreational purposes, pedestrian or bicycle transportation, storm water management, or utility alignments.
15. Setback lines shall be shown on the preliminary plat for all lots intended for residential use of any character and on commercial and industrial lots when required by Ordinance. Such setback lines shall be in conformance with the Zoning Ordinance.
16. Proposed sidewalks shall be shown on the preliminary plat in the plan view or in a typical street cross-section view.

17. Any protective covenants or restrictions to be imposed on the plat. (See 166.12a for additional requirements.)

B. Land Not Platted. Where the plat to be submitted includes only part of the tract owned by the subdivider, the Commission may require topography and a concept plan of the entire tract of land under the ownership, mortgage purchase, option, or other agreements for deed.

D. Accompanying Material.

1. If a developer proposes to subdivide and develop a parcel of land which the developer feels cannot be feasibly served with public sewer and water service, it shall be stated on the plat which lots cannot be served and what means of non-public water and sewer service shall be provided to those lots. The location of all proposed buildings and proposed non-public water supply systems and private sewage disposal systems shall be shown on the plat for each lot and the plat shall be submitted to the Linn County Health Department (LCHD) along with percolation tests for each lot to permit an evaluation of private sewage disposal systems. A letter from the Linn County Health Department shall be submitted by the developer with the preliminary plat to provide the LCHD's recommendation on the approval of the preliminary plat proposal for private water and sewer systems. A recommendation for approval by the LCHD shall be required for the City to consider approval of the plat, but shall not require the City to approve the plat, should the City decide that public water and sewer service must be provided. In addition, the developer shall submit a report prepared by a Professional Engineer describing the construction of public versus private sewage disposal and water supply systems and the estimated costs for each type of system. This report shall include a preliminary route study for connection to existing City water and sewer lines, estimated footage and the preliminary scope of work required to allow a true estimate of construction costs and cost comparison with any private/community wells and septic tank/tile field systems.

2. Restrictions proposed, if any, to be included in the owner's dedication of the plat.

3. Confirmation that all filing fees established by the City for preliminary plats have been paid.

4. A statement shall be prepared and submitted by the developer's engineer which discusses the natural features of the existing site environment, including but not limited to mature trees and timber stands. The statement shall describe how these natural features will be preserved during development or their loss mitigated with new environmental features.

#### **166.11 - Final Plat Requirements.**

A. Number of Copies and Scale. If the preliminary plat is approved by the Council, the subdivider shall submit twenty (20) copies of the final plat for review, by the Commission. The scale of the map shall be one inch equals fifty feet (1" = 50') unless otherwise approved by the Commission, up to a maximum of one inch equaling one hundred feet (1" = 100').

B. Contents of Final Plat. The form of the Final Plat shall conform to the requirements of the Linn County Auditor and the Code of Iowa. Additionally the following information shall be shown on the plat:

1. Name of the subdivision, in bold letters inside the margin at the top of each sheet included in the plat.

2. Scale used shall be clearly stated and graphically illustrated by a bar scale drawn on every sheet showing any portion of the land subdivided, along with the compass point.
3. Location of all monuments shall be shown.
4. Legal description of the platted area.
5. Identification of all adjoining properties, and where adjoining properties are a part of a recorded subdivision, the name of that subdivision shall be shown. If a subdivision platted is a re-subdivision of a part or the whole of a previously recorded subdivision, sufficient ties shall be shown to controlling lines appearing on the earlier plat to permit an overlay to be made. Re-subdivisions shall be labeled as such in a subtitle following the name of the subdivision wherever the name appears on the plat.
6. Outside boundaries of the subdivided land shall be shown as well as sufficient survey data to positively describe the bounds of every lot, block, street, easement, or other areas shown on the plat including all interior excepted parcels. Those boundary lines of the proposed subdivision that are coincidental with adjacent property lines and/or adjacent subdivision shall be resolved by field survey to avoid any gaps or overlaps of ownership and description. The boundary lines thus located shall comprise the basis of a legal description of the property and shall encompass that area of subdivision, which shall be computed to the nearest one-hundredth (0.01) of an acre.
7. The course of every boundary line shown on the plat shall be indicated by a direct bearing reference or by an angle between the boundary line and an intersecting line having a shown bearing, except when the boundary line has an irregular or constantly changing course, as along a body of water, or when the description of the boundary line is better achieved by measurements shown at points or intervals along a meander line having a shown course. All bearings and angles shown should be given to at least the nearest minute of arc.
8. Curve data shall be stated in terms of radius (R=), central angle (D =), tangent (T=), arc length (A=), and chord (Ch=). All points of curvature (P.C.) and points of tangency (P.T.) shall be located and labeled.
9. When any lot or portion of the subdivision is bounded by an irregular line, the major portion of that lot or subdivision shall be enclosed by a meander line showing complete data with distances along all lines extending beyond the enclosure to the irregular boundary shown with as much certainty as can be determined. In all cases, the true boundary shall be clearly indicated on the plat.
10. Lots shall be numbered consecutively. All lot lines shall be dimensioned to the nearest 100th of a foot. The bearings or corner angles of all lot lines not parallel to the block lines shall be shown and lines intersecting a curved line shall be labeled as whether radial or not radial. Dimensions of curved lot lines shall include appropriate curve data. The area of all nonrectangular lots shall be shown to the nearest 100 square feet.
11. Centerlines of all street right-of-ways shall be designated and dimensions from angle point to angle point, point of curvature to point of tangency, intersection to intersection, or any combinations thereof between intersections with the appropriate bearings, angles, curve data, right-of-way widths and distances clearly shown.

12. Easement for public utilities and drainage facilities shall be designated and appropriately labeled with reserved width and type of "easement."

13. Fractional section lines and corners of the government township and section surveys shall be appropriately labeled and dimensioned as applicable to the plat. All plats shall be tied to a known section or fractional corner by distances and bearings or angles.

14. Types of designation lines used shall be as follows:

a. Boundary lines by a heavy line of long dash (--), two dots, etc., and labeled "Plat Boundary."

b. Block lines by heavy solid lines.

c. Centerlines of all street right-of-ways by a fine line of long dash (--) short dash or dot, or other accepted method.

d. Easements by fine line of medium length dashes.

15. All areas dedicated to the public must be clearly shown and purpose indicated.

16. Street names, location, lot number designation and right-of-way width for all streets within or abutting the plat shall be shown.

17. Private restrictions and trusts and their periods of existence, if any. Should these be of such lengths as to make the lettering of same on plat impractical and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat.

C. Accompanying Material.

1. A deed to the City properly executed for all streets intended as public streets and for any other property intended for public use. (See 166.16b8 for additional requirements)

2. Any protective covenants or restrictions to be imposed upon the plat. (See 166.12a for review requirements)

3. Construction plans and specifications for all public improvements prepared in conformance with City Public Improvement Design Standards.

4. Certification by Linn County Conservation District Commission of an erosion and sediment control plan for any "land disturbing activities," as defined by Chapter 161A of the Code of Iowa that the plat may necessitate.

5. The following certificates:

a. A certificate by the owner that the subdivision is with the owner's free consent. The owner must sign this certificate before an officer authorized to acknowledge deeds.

b. A certificate by a registered land surveyor, licensed by the State of Iowa, that the plat was prepared by the surveyor or under the surveyor's direct supervision, signed and dated by the surveyor and bearing the surveyor's seal or Iowa registration number.

c. A certificate from the Treasurer of Linn County guaranteeing that the subdivision land is free from back taxes.

6. Prior to final approval of the plat and prior to its recording with the Linn County Recorder, the City Council shall require and accept the following:

a. The furnishing of a performance bond, letter of credit, cash escrow, or other guarantee in a form acceptable to the City, in an amount equal to 110% of the estimated cost of the improvement installation.

b. A specification of the time allowed for the installation of improvements. This period may be extended by the City Council.

c. The performance guarantee amount and requirement, along with the permitted time for installation, shall be included within the Subdivision Agreement negotiated between the City and the Developer and approved with the Final Plat.

7. A Subdivision Agreement shall be signed by the developer prior to submission of the final plat to the City Council. The Agreement shall set forth understandings between the City and the developer on topics including but not limited to the following, if applicable:

a. Sidewalk construction schedule and responsibility.

b. Dedication of streets and public improvements.

c. Terms for private water and sewer service on a temporary basis.

d. Restrictive or protective covenants.

e. Dedication of land, or payment in lieu of, for public service areas, parks and open spaces.

f. Performance and maintenance, and guarantees.

g. Public and private costs.

h. Minimum taxable value guarantee.

D. Recording Plat.

1. The original plat drawing shall remain the property of the registered land surveyor.

2. There shall be three (3) copies stamped as approved by the City Council.

3. Bound copies of the plat and accompanying material, as well as the recommendation of the Commission and the attested resolution by the Council approving and accepting the plat shall be prepared for:

a. The Clerk to be retained for file;

b. The subdivision owner to be used for extending the abstract, securing opinion of owner's attorney and recording with County Recorder;

- c. The Commission to be retained for file.

#### **166.12 - Design Standards**

The following are standards for the design of a subdivision. For additional information and requirements, refer to the zoning and subdivision ordinances in this chapter for information and requirements relating to the adopted Public Improvement Design Standards. The subdivision design standards contained herein are intended only as minimum requirements so that the general arrangement and layout of a subdivision may be adjusted to a wide variety of circumstances. However, in the design and development of the plats and construction plans the subdivider should use standards consistent with the site conditions and the City Public Improvement Design Standards so as to assure an economical, pleasant and durable neighborhood.

A. Character of Development. The Commission shall have the right to consult with the subdivider regarding the type and character of development that will be permitted in the subdivision, and may require that certain minimum regulations regarding this matter be incorporated in the restrictive covenants. Such provisions shall be intended to protect the character and value of the surrounding development and shall also tend to secure the most appropriate character of the development in accordance with long-range projections of the Comprehensive Plan. If there are material changes to the restrictive covenants after filing the Final Plat, the City shall have the right to stop issuing building permits until changes in the covenants can be agreed upon by the City.

B. Preservation of Scenic, Historic, and Natural Features.

1. Existing features which would add value to residential development, such as trees, watercourses, historic and archeological sites and similar irreplaceable assets, shall be shown on the preliminary plat and shall be preserved, insofar as possible.

2. To the maximum extent possible, development shall be located to preserve natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impact and alteration of natural features and drainage patterns.

3. The subdivider shall give maximum consideration to the preservation of the following areas as open space, to the extent consistent with reasonable utilization of land:

- a. Wetlands and other unique environmental areas.
- b. Significant stands or mature specimens of trees.
- c. Flood plain lands, other than areas that have already experienced substantial development.
- d. Slopes in excess of 15% as measured over a 10-foot interval.
- e. Habitats of endangered species.

4. Land Suitability. Land which the City has found to be unsuitable for subdivision due to potential flooding, drainage problems or other features likely to be harmful to the general health, safety and welfare of the future residents shall not be subdivided, unless satisfactory methods of development for such lands are formulated by the developer and approved by the Commission, the Council and any other official governmental body having jurisdiction. Major

waterways and ditches shall not be straightened or channelized without a plan for storm water management and erosion control measures.

C. General Guidelines for Subdivision Layout. Subdivisions shall be designed to comply with the following overall performance objectives:

1. Avoidance of adverse effects on ground water and aquifer recharge.
2. Reduction and minimizing of cut and fill.
3. Avoidance or reduction of unnecessary impervious surfaces.
4. Prevention of flooding and encroachment of water onto other properties.
5. Provision of adequate access to lots, including alternative routes to lots and sites within the subdivision and minimizing of cul-de-sacs.
6. Mitigation of negative environmental effects on surrounding properties, including effects of shadow, noise, odor, traffic, drainage, and utilities.
7. Respect for the urban character and traditional layout of Mount Vernon, including providing continuity to established street and community facility networks; establishing linkages and connections between new development and existing parts of the city; and preserving historically and architecturally significant sites and buildings, determined as those sites or districts either listed on or determined to be eligible for listing on the National Register of Historic Places, as determined by the State Historic Preservation Officer or the Mount Vernon Historic Preservation Commission.
8. Dedication of arterial, collector, and key local streets on the general alignments specified in the Comprehensive Plan or the street planning map.
9. The Planning and Zoning Commission and City Council shall take the above Site Design objectives into account during their review and approval of preliminary plat applications.

D. Blocks. Pedestrian ways may be required to allow access through the block for pedestrians in very long blocks. In general, blocks of more than six hundred feet (600') in length should have a pedestrian way near the center of the block. Blocks in TR Traditional Residential zoning districts should not ordinarily exceed 300 feet in length.

E. Easements.

1. An easement for utilities, at least sixteen feet (16') in width, centered on the lot lines, shall be provided along the rear line of each lot, and along side lines where necessary to provide a continuous easement. If necessary easements of greater width may be required along lot lines or across lots, and easements of lesser width may be approved if accepted by utility companies and easements shall connect with easements in adjoining properties. Easements shall be approved in writing by any public or private utility company intending to use such easement for their facilities, such approval to be submitted prior to approval of the final plat.

2. Whenever any stream or important surface water course is located in an area that is being subdivided, the subdivider shall, at his or her own expense, make adequate provision for

improvement of the channel so it will properly carry the increased surface water runoff from developed ground and shall provide and dedicate to the City an easement along each side of the stream. Such easements shall be for the purpose of improving, maintaining or protecting the stream. Easements shall extend not less than twenty feet (20') on each side of the centerline of the waterway, and the total width of the easement shall be adequate to cover the 100 year flood flow calculated for a fully developed drainage basin upstream.

F. Lots.

1. Each lot shall conform in size and shape to the requirements set forth in the Zoning Ordinance as necessary for providing an adequate building site.

2. Each lot shall be provided by means of a public street with satisfactory access to an existing public street.

3. Each lot shall be provided with not less than twenty feet (20') of access frontage to a public street.

4. For the purpose of complying with minimum health standards, in subdivisions where buildings are to be served by septic tanks, the size of lots shall be sufficiently large to accommodate adequate drainage fields. Standards set forth by the Linn County Health Department and the State Board of Health shall be met.

5. Side lot lines where possible shall be at right angles or radial to the street lines.

G. Monuments. Monuments shall be placed at block corners, points of curves, change in direction along lot lines, and at each lot corner. All monuments shall be of solid steel, not less than 1/2 inch diameter and thirty inches (30") long, and properly marked with the license number of the land surveyor responsible for the subdivision.

**166.13 - Subdivision Design Categories and Special Regulations**

A. Purpose. The purpose of this section is to establish design alternatives that provide greater flexibility in subdivision design and make potential development more consistent with the City's site design objectives and the special natural and artificial features of the City of Mount Vernon and its planning jurisdiction.

B. Subdivision Design Categories.

1. **Conventional Subdivision:** A conventional subdivision literally meets all nominal standards of the zoning and subdivision ordinances for lot dimensions, setbacks, street frontage, and other site development regulations. Conventional subdivisions generally develop in areas relatively free of environmental constraints.

2. **Creative Subdivision:** A creative subdivision complies with the overall density requirements of a zoning district, but allows internal variations of such standards as lot size, setbacks, and street width in order to encourage innovative or economical development or protect natural features and open space without loss of economic yield to developer.

C. **Creative Subdivisions: Types and Special Regulations.** Creative Subdivisions are divided into three types: Cluster Subdivisions, Traditional Neighborhood Subdivisions and Planned Unit Developments.

1. Cluster Subdivisions

a. Cluster subdivisions allow the clustering or grouping of residential lots in order to provide common open space.

b. Cluster Subdivisions may be developed and approved subject to the following standards and variations:

(1) The overall density of subdivision complies with the zoning district that contains the final subdivision. A subdivider may apply for a rezoning simultaneously with the plat approval process.

(2) Individual lot size dimensions, including lot width, may be reduced up to 60% of requirement of zoning district. Any savings on lot size shall be devoted to common open space or other approved community facilities.

(3) Lot setbacks may be varied from those otherwise specified for the zoning district. Setback limits must be established on the preliminary and final plat. The setback from any garage entrance to any circulation way must be at least 20 feet.

(4) Street or right-of-way widths set forth in Table 166-3 may be varied within for local streets within Cluster Subdivisions, subject to the sole discretion of the approving authorities.

(5) Articles of incorporation or covenants for a homeowners' association or other provision assuring maintenance or operation of all common spaces shall be submitted with subdivision application. A Subdivider's Agreement shall be created and submitted with the application, based on section 166.17 (D)(2) of this ordinance, should the HOA dissolve.

2. Traditional Neighborhood Subdivisions

a. Traditional Neighborhood Subdivisions (TN) allow the development of urban neighborhoods that produce new development consistent with the patterns of historic or traditional parts of Mount Vernon, with appropriate civic space; or provide for the recreation of neighborhoods that follow the patterns of other traditional towns. Approval of a Traditional Neighborhood Subdivision requires submission of a specific district plan.

b. TN Subdivisions may be developed and approved subject to the following standards and variations:

(1) The minimum size parcel to be covered by the TN Subdivision is 10 acres.

(2) The overall density of subdivision complies with the zoning district that contains the final subdivision. A subdivider may apply for a rezoning simultaneously with the plat approval process.

(3) Individual lot size dimensions, including minimum width, may be reduced to 80% of the requirement of the underlying zoning district. Any savings on lot size shall be devoted to public space, including but not limited to town squares, small parks, greenways, and community facilities.

(4) All streets within a TN Subdivision connect to other streets within the district, forming a continuous network. The internal street system connects to other streets on the edge of the district.

(5) Lot setbacks may be varied from those otherwise specified for the zoning district. Setback limits must be established on the preliminary and final plat. The setback from any garage entrance to any circulation way, including an alley, must be at least 20 feet. Garage access from the rear of lots by way of an alley may be permitted within a TN Subdivision.

(6) Retail, service, civic, office, and various types of residential land uses may be combined within a TN subdivision, notwithstanding the use regulations of the underlying zoning district. The distribution and location of land uses shall be consistent with the TN Plan submitted for the subdivision.

(7) Street or right-of-way widths set forth in Table 166-4 may be varied within for local streets within TR Subdivisions, subject to the sole discretion of the approving authorities.

(8) A TN Subdivision Plan, in addition to other documents required by this Ordinance, must accompany all applications for a TN Subdivision. This plan shall illustrate the distribution of land uses throughout the subdivision; the location and design of public spaces, streets, and alleys; the location and nature of special design features; architectural controls; and other information necessary to communicate the concept of the TN subdivision. The TN Subdivision Plan shall be a part of the approved subdivision. The City shall issue subsequent building and development permits only in consistency with the TN Subdivision Plan.

(9) Articles of incorporation and/or covenants for a homeowners' association or other provision assuring maintenance or operation of all common spaces shall be submitted with subdivision application. A Subdivider's Agreement shall be created and submitted with the application, based on section 166.17 (D)(2) of this ordinance, should the HOA dissolve.

3. Planned Unit Development (PUD). A PUD is a creative subdivision that complies with the overall density requirements of a zoning district, but allows internal variations of such standards as lot size, setbacks, and street width in order to encourage innovative or economical development or protect natural features and open space without loss of economic yield to developer. PUDs may be developed and approved through the procedures established in the Zoning Ordinance.

#### **166.14 - Circulation System Design**

##### **A. Roadway System Design.**

1. The road system shall be designed to permit safe and orderly movement of traffic, to meet but not exceed needs of the present and future served population; to be simple and logical; to respect natural features, topography, and landscape, and to present an attractive streetscape.

2. The system shall conform to the official City street planning map and the general principles of the City's Comprehensive Plan. For streets not shown on the Comprehensive Plan, the arrangement of streets shall provide for the logical extension of existing streets.

3. The street network of a subdivision should provide for logical, continuous extensions of streets to subsequent later developments. Such extensions shall make provision when necessary with a temporary turnaround with a radius of at least 50 feet.

4. The system shall provide adequate traffic flow through a subdivision and provide at least two routes from each lot within the subdivision to the rest of the City, except as explicitly permitted by the approving authorities.

5. The applicant shall demonstrate to the satisfaction of the approving agencies that the distribution of traffic created by the subdivision will not exceed the design capacity of the proposed street system and its individual segments.

6. The categories, functions, and projected traffic loads of the street hierarchy are set forth in Table 166-2.

**B. Pedestrian and Bicycle Systems.**

1. A continuous pedestrian system shall be provided within each subdivision, designed to conduct pedestrians between every point in the subdivision in a safe manner. Subdivisions designated for industrial uses are exempt from this requirement.

2. In conventional subdivisions, the pedestrian system will ordinarily be provided by sidewalks placed parallel to and on both sides of each street, with exceptions permitted to preserve natural features, create visual interest, or maintain greenways and pedestrian ways proposed in the Comprehensive Plan.

3. In creative subdivisions, the pedestrian system may be an independent network diverging from streets but providing continuous pedestrian access between all points.

4. All aspects of the pedestrian system, including sidewalks and intersection crossings, must be designed to comply with the Americans with Disabilities Act.

5. Bikeways or recreational trails when required by the Subdivision Agreement shall be credited toward the satisfaction of pedestrian system and open space standards set forth by this ordinance.

**C. Pavement Width.**

1. Pavement width for each street classification is determined by parking and curbing requirements based on form or intensity of adjacent development.

2. Streets shall have a width and cross section as recommended in the Comprehensive Plan or the street planning map for the type of street involved. Final street paving and right-of-way widths shall meet City Public Improvement Design Standards. To promote economical development of streets, minimum pavement width should generally be used.

3. Partial width streets will normally be discouraged, except where they may be required to complete the remaining portion of a street already dedicated or where the Comprehensive Plan or the street planning map indicates that the alignment of street will straddle the property line.

D. Curbs, Gutters, and Shoulders.

1. Curbing shall be required for the purposes of safety, drainage, and protection of the pavement edge, as set forth in Table 166-4.
2. Requirements for curbs vary according to street function and the nature of adjacent development. Adjacent development is defined as urban or rural as follows:
  - a. Rural: Residential or predominately agricultural land use where average lot frontage exceeds 150 feet.
  - b. Urban: Residential land use where average lot frontage is less than or equal to 150 feet; or adjacent land uses include commercial, office, industrial, or civic use types.
3. Where curbing is not required, edge definition and stabilization shall be provided.
4. Where curbing is required, shoulders and drainage swales may be used only if soils or topography make the provision of shoulders preferable to curbs; or where the character of an area is preserved by the use of shoulders and drainage swales.
5. Shoulders, when developed, shall be at least eight feet in width on each side for all streets; and located within right-of-way. Swale width is site-specific. Shoulders shall consist of stabilized turf or other acceptable material.
6. All curbs shall provide ramps for accessibility by handicapped people consistent with the requirements of the Americans with Disabilities Act.
7. Curb construction shall follow standards established by the City of Mount Vernon.

E. Sidewalks.

1. Sidewalk requirements are determined by road classification and intensity of development, as set forth in Table 166-4.
2. Where sidewalks are not otherwise required by Table 166-4, the City may require their installation if necessary to provide access to generators of pedestrian traffic or major community features; to continue a walk on an adjacent street; to link parts of the city; or to accommodate future development.
3. In conventional development, sidewalks shall be placed generally parallel to streets within right-of-way. Exceptions are possible to preserve important natural features or to accommodate topography or vegetation; when applicant shows an alternative for a safe and convenient pedestrian system; or in creative subdivisions.
4. In commercial areas, sidewalks may abut curb.
5. Pedestrian easements at least 12 feet in width may be required through the center of blocks over 600 feet in length if deemed necessary by the approving authorities to provide access to schools or community facilities; or to maintain a continuous pedestrian network within and between subdivisions and districts of the City of Mount Vernon and its jurisdiction.

6. Sidewalks shall provide a clear path of at least **five feet in width**, free of any obstructions.

7. All sidewalks shall be constructed according to current standards in use by the City of Mount Vernon. Sidewalks shall be of concrete construction four inches thick except at points of vehicular crossing where they shall be six inches thick.

8. All sidewalks, crossings, and other segments of a continuous pedestrian system must comply with standards of the Americans with Disabilities Act.

F. Bikeways and Recreational Trails.

~~1. Bikeways and recreational trails shall be required in subdivisions only when specified as part of the Comprehensive Plan.~~

1. All off-street recreational trails shall be a minimum of eight feet in width for two-way traffic and comply with the Americans with Disabilities Act. **Surfacing of trails shall be concrete. Alternate surfacing may be considered in appropriate areas.** ~~acceptable to the City of Mount Vernon.~~ Gradients for bikeways and recreational trails should not exceed five percent, except for short distances.

2. Recreational trails may satisfy part of the requirements of this ordinance for sidewalks or open space.

3. All residential streets shall utilize bicycle safe drainage grates at storm sewer inlets.

G. Right-of-Way.

1. Measurement: The right-of-way of a street shall be measured from lot line to lot line, and shall be wide enough to contain the roadway, curbs or shoulder, sidewalks and sidewalk setbacks, other necessary graded areas, and utilities.

2. Any right-of-way that continues an existing street shall be no less than that of existing street.

3. The requirements for right-of-ways for functional categories of roads is set forth in Table 166-4.

4. Dedications: Dedications of right-of-way for collector, subcollector, community, or arterial streets shall be made consistent with the **Comprehensive Development Plan.**

H. Alleys. Alleys may be required in business areas and industrial districts for adequate access to block interiors and for off-street loading and parking purposes. Alleys may be approved in residential districts. Dead-end alleys shall be provided with a means of turning around at their terminus.

I. Street System Design Standards.

1. Pavement. All streets shall be paved to comply with the Public Improvement Design Standards of the City of Mount Vernon.

2. Continuity of Arterial or Collector Streets. No subdivision shall prevent the extension of arterial or collector streets through and beyond the subdivision. The subdivider may plan and design collector streets not designated in the Comprehensive Plan or the street planning map, subject to the approval of the City Council.

3. Cul-de-sacs.

a. Cul-de-sac streets designed to have one end permanently closed shall not exceed 300 feet in length from the first through street to the turnaround and shall be designed so that vision from entrance to end is not restricted.

b. The closed end of a cul-de-sac within a conventional subdivision shall have a turnaround with a street property line diameter of at least 110 feet in residential subdivisions. This diameter may be increased by the Planning and Zoning Commission if deemed necessary in the case of a commercial or industrial subdivision.

c. Cul-de-sacs should generally be avoided in subdivisions.

4. Street Grades. Streets and alleys shall be completed to grades having been officially determined or approved by the City Engineer. All streets shall be graded to the full width of the right-of-way and adjacent side slopes graded to blend with the natural ground level. The maximum grade shall not exceed those published in the City Public Improvement Design Standards.

5. Street Intersections.

a. Streets shall intersect as nearly at right angles as possible, unless limited by topography, existing street alignments, or other clearly defined constraints, as provided for in the City's Public Improvement Design Standards.

b. In most cases, no more than two streets should intersect at a single intersection.

c. New intersections along one side of an existing or proposed street shall, if possible, align with intersections on the other side of the street. Offsets between adjacent intersections shall measure at least 150 feet between centerlines.

d. Intersection design standards are set forth in the Public Improvement Design Standards.

6. Block Size. The length, widths, and shapes of blocks shall be suited to the proposed land use and design of the proposed subdivision. Blocks within subdivisions in the TR Traditional Residential zoning district should not ordinarily exceed 300 feet in length. Blocks in other districts will be defined by the definitions contained within the Comprehensive Plan. Blocks within rural subdivisions shall not exceed 1,320 feet.

7. Access to Major Arterials. When a new subdivision, except where justified by limiting conditions, involves frontage on a heavy trafficway, the street layout shall provide motor access to such frontage by one of the following means:

a. A parallel street supplying frontage for lots backing onto the trafficway.

b. A series of cul-de-sacs or short loops entered from and planned at right angles to such a parallel street, with their terminal lots backing onto the highways.

c. A frontage road separated by a planting strip from the highway to which a motor access from the frontage road is provided at points suitably spaced.

d. A service drive or alley at the rear of the lots.

Where any one of the above mentioned arrangements is used, deed covenants or other means should prevent residential driveways from having direct access to the trafficway.

In general, streets shall be platted with appropriate regard for topography, creeks, wooded areas and other natural features lending themselves to attractive treatment.

8. Railroads. If a railroad is adjacent to or otherwise affects the design or street layout of the subdivision, the subdivision plat should:

a. Be so arranged as to permit, where necessary, future grade separations at highway crossings of the railroad.

b. Border the railroad with a parallel street at a sufficient distance from it to permit deep lots to back on to the railroad; or form a buffer strip for park, commercial, or industrial use.

c. Provide cul-de-sacs at right angles to the railroad so as to permit lots to back on the railroad.

9. Street Names. All newly platted streets shall be named and in a manner conforming to the prevailing street naming system. A proposed street that is obviously in alignment with other existing streets as indicated on the street planning map, or with a street that may logically be extended although the various portions be at a considerable distance from each other, shall bear the same name. Names of new streets shall be subject to the approval of the City Council in order to avoid duplication or close similarity of names, while at the same time providing for consistent and appropriate street names.

10. Street Tree Planting. Trees may be planted on the parking of all newly platted streets in conformance with the Code of Ordinances, City of Mt. Vernon, Iowa.

11. Other design standards shall be as set forth in the Public Improvement Design Standards.

J. Utility Locations in Public Right-Of-Ways.

1. **See Exhibit A.** The standard location drawing for public utilities constructed within the street right-of-way shall be in conformance with current City of Mt. Vernon building design standards. Utilities shall be constructed in those locations in so far as possible.

2. Sanitary sewers shall be constructed outside of the street pavement areas in the right-of-way or adjacent to the right-of-way in public sewer easements.

**TABLE 166-2: Street Hierarchy**

<i>Residential Street</i>	<i>Function Type</i>
Lane, Court, or Cul-de-sac	Street providing private or controlled access to <b>no more than twelve housing units.</b>
Local	Provides frontage to lots and carries traffic with origin or destination on the street itself. Carries least traffic at lowest speed. Local residential streets usually do not interconnect with adjoining neighborhoods or subdivisions.
Collector	Conducts and distributes traffic between local streets and major streets in the community. Carries larger volume of traffic. Residential collectors interconnect and provide through access between residential neighborhoods. Collector streets should preserve one through traffic lane in each direction, without encroachment by parking.
Minor Arterials	Provides community wide access between residential neighborhoods and to other activity centers in Mount Vernon, including uptown and major commercial facilities. Minor arterial streets should preserve one through traffic lane in each direction, without encroachment by parking.
Major Arterials	Inter-regional road in the street hierarchy. Conveys traffic between activity centers, often at high speeds and with limited access. Should be excluded from residential areas.

**TABLE 166-3: Pavement Width and Maximum Grades**

<i>Residential Street Type</i>	<i>Maximum Grade</i>	<i>Pavement Width</i>
<b>Cul-de-sac</b>	<b>12% (5%)*</b>	28 feet
<b>Urban Local</b>	<b>12% (5%)*</b>	28 feet
<b>Rural Local</b>	<b>12%</b>	28 feet
<b>Collector</b>	<b>10%</b>	31 feet
<b>Arterials</b>	<b>8%</b>	49 feet **

\* Denotes maximum street grade within 50 feet of an intersection.

\*\* A different pavement width section may be specified by the Comprehensive Plan, the City of Mount Vernon, or the requirements of the Iowa Department of Transportation.

**TABLE 166-4: Curb, Sidewalk, and Right-of-Way Requirements**

<i>Residential Street Type</i>	<i>Pavement Width</i>	<i>Curb/Shoulder</i>	<i>Sidewalk</i>	<i>Minimum Sidewalk Setback (Note 1)</i>	<i>Total ROW</i>
Cul-de-sac	28 feet	Required	Both sides	6 feet	60 feet at approach 110 feet diameter
<b>Local</b>					
Rural	28 feet	Not Required	Not Required	NA	66 feet *

Urban	28 feet	Curb	Both sides	8 feet	60 feet in other districts*
<b>Collector</b>					
Rural	31 feet**	Not Required	Not Required	NA	66 feet *
Urban	31 feet**	Curb	Both sides	8 feet	60 feet in TR District, 66 feet in other districts*
<b>Arterials</b>					
Arterial right-of-way design and width is determined by state standards and designation of individual street or roadway segment.	49 feet**	Required in urban settings	Required in urban settings	8 feet	80 feet minimum**

\* Right-of-way widths for these classes of street may be modified within the Creative Subdivisions.

\*\* A different pavement width section may be specified by the Comprehensive Plan, the City of Mount Vernon, or the requirements of the Iowa Department of Transportation.

Note 1: Sidewalks shall generally be set back one foot from the property line, as provided by the Public Improvement Design Standards. Minimum sidewalk setbacks from back of curb are established in this table.

### 166.15 - Public Improvements

A. Responsibility for Installation and Warranty. It is the intent of the City that all development within areas designated for urban development within the City of Mount Vernon's Comprehensive Plan shall be connected to public utilities. The subdivider shall be responsible for the installation and/or construction of all improvements required by this chapter, and shall warrant the design, material and workmanship of such improvements, installation and/or construction for a period of three (3) years from the date of acceptance by the City. Such warrant shall be by a maintenance bond, shall be subject to review by the City Attorney, shall specifically assure the expedient repair or replacement of defective improvements under warranty and shall indemnify the City from any and all costs or losses resulting from or contributed to such defective improvements.

B. Plan Review. All plans, specifications, installation and construction required by this chapter shall be subject to the review, approval and inspection by the City Engineer or other authorized City representative. The subdivider shall furnish the City Engineer with a construction schedule prior to commencement of any and/or all construction and shall notify the City Engineer not less than twenty- four (24) hours in advance of readiness for required inspections. The developer shall be responsible for construction staking, inspection and materials testing and the developer's engineer shall certify that all public improvements have been completed in conformance with the approved plans and specifications prior to the City Engineer's review and recommendation for acceptance.

C. Streets. All street improvements shall be designed in accordance with City Public Improvement Design Standards by an engineer.

D. Stormwater Management.

1. All subdivisions shall have a storm water management system that is adequate to prevent the undue or unplanned retention of storm water on the site. Undue retention does not include:

- a. Retention through planned facilities.
- b. Retention not substantially different from pre-existing conditions.

2. The design of the storm water management system shall be consistent with general and specific concerns and standards of the Comprehensive Plan and the drainage control programs of applicable public agencies. Design shall be based on environmentally sound site planning and engineering techniques as per SUDAS and ISWMM.

3. To the maximum degree possible, drainage from subdivisions shall conform to natural contours of land and not disturb pre-existing drainageways.

4. Adjacent properties shall not be unduly burdened with surface water from the subdivision. Specifically:

a. No action shall unreasonably collect and channel storm water onto lower properties.

b. The volume or rate of post development run off shall not exceed the amount of predevelopment runoff, and is to be managed in a manner consistent with Iowa statute and existing case law regarding such flows.

5. Design shall use the best available technology to minimize offsite' runoff, encourage natural filtration, simulate natural drainage, and minimize discharge of pollutants. Best available technology may include retention basins, swales, porous paving, and terracing.

6. No surface water may be channeled into a sanitary sewer system.

7. Where possible, a subdivision's drainage system shall coordinate with that of surrounding properties or streets.

8. All storm sewers, catch basins, culverts and drainage improvements shall be designed in accordance with City Public Improvement Design Standards, by a Professional Engineer.

E. Erosion Control.

1. ~~With the submission of the final plat,~~ The subdivider shall submit an erosion control plan, prepared and certified by a licensed Professional Engineer, for any land disturbing activity with the construction drawings prior to start of construction. All grading activities must be carried out consistent with this approved erosion control plan.

2. Certification by the Linn County Conservation District of the erosion control plan for land disturbing activities, as defined by Section 161A.64 of the Code of Iowa, shall be submitted as required.

F. Wastewater Management and Sanitary Sewers.

1. All sanitary sewer systems shall be designed, by an engineer, in accordance with City Iowa Department of Natural Resources (IDNR) Public Improvement Design Standards.
  2. All lots in proposed subdivisions shall be served with a public sanitary sewer main and gravity sewer service connections, unless the City approves a variance at the preliminary plat stage.
  3. If the developer feels that connection to the existing City Sewer System presents geographic or geologic barriers which make such connection unfeasible and wishes to serve the lots with private sewage disposal systems, he or she shall present an Economic Feasibility Study, and an Environmental Impact Study prepared by a Professional Engineer, comparing the costs of constructing the public versus private system. This report shall be submitted with the preliminary plat and a request for variance from providing a public sewer connection.
  4. In addition, if the developer proposes to serve the lots with a private sewer service system, he or she shall show the proposed system for each lot on the preliminary plat and submit percolation tests for each lot, taken at the proposed absorption field sites to determine the size of field required for each lot. The plat and percolation test results shall be submitted to the Linn County Health Department (LCHD) for review and approval, which shall be evidenced to the City by a letter from the LCHD, submitted to the City with the preliminary plat. The City shall consider all these submittals in reviewing a developer's proposal for private sewage disposal systems and to determine if public sewer service is feasible or private systems may be permitted.
  5. The developer's engineer shall furnish the City with three (3) certified copies of as-built plans showing service line locations and final sewer and maintenance hole locations, lengths, elevations and grades.
  6. If private sanitary sewer systems are permitted for each lot, they shall be allowed only with the following provisions:
    - a. All successive lot owners shall agree to connect to the City sewer system if it is installed to the corner of their lot. The lot owner shall be required to connect to the City sewer system within two years after construction of the City system.
    - b. When the lot owner is connected to the City sanitary sewer system, the existing private sanitary sewer system shall be abandoned in conformance with all local, County and State standards. Abandonment shall be completed within six (6) months following connection to the City sanitary sewer system.
- G. Sidewalks. Sidewalks shall be installed in conformance with Chapter 136 of the Code of Ordinances. Sidewalks shall be installed by the builder prior to issuance of an occupancy permit. The Zoning Administrator may require the subdivider to install temporary sidewalks where uncompleted sidewalks represent a nuisance or safety concern. The subdivider may provide a temporary sidewalk consisting of crushed stone. The Subdivision Agreement shall define the sum of money to be escrowed into a special city fund equal to the cost associated with special assessment of said amount of sidewalk. This cost is typically 2.5 times the construction cost of the sidewalk. A conditional 30-day occupancy permit may be issued and may be extended dependent upon weather conditions. Such request for a conditional occupancy permit shall be coordinated by the zoning administrator in consultation with ~~presented to and acted upon by~~ the **Building Official**.

H. Electric and Communication Utility Cables.

1. Primary Line - the main source of electricity or communication service. The primary line shall be underground depending on its location on the lot. Underground lines may be located at either the front or back lot lines within the area of perpetual easement.

2. Secondary Lines - branch lines from the primary line to the user. All secondary lines must be buried.

3. Street Lighting - When underground electrical service is provided, the subdivider shall install street lighting as follows: ~~defined in the Design Standards.~~

a. Ornamental posts selected from options available through Alliant.

b. Black colored.

c. Height of street lighting shall be 20 feet.

d. Spacing of street lights shall be approximately 200 feet apart.

4. Communication Cables - The subdivider shall arrange for the installation of telephone, cable television or other communications cables.

I. Gas mains. Gas mains shall be installed underground and located to comply with City Public Improvement Design Standards.

J. Water Supply.

1. Water shall be supplied to all proposed subdivisions by connecting to the existing City water system unless the developer requests a variance from the City Council.

2. The proposed water distribution system for all subdivisions shall include water mains, fire hydrants and valves designed and constructed in conformance with City Public Improvement Design Standards. No variance from this will be allowed.

3. The developer shall provide a water service line to each lot, stubbed to the property line in conformance with City and State Design Standards and City Water Department procedures and practices.

4. If a variance is requested to provide a private and/or community well, the developer shall submit with the preliminary plat an Economic Feasibility Study Report, and an Environmental Impact Study prepared by an Engineer, which documents the cost of providing City water service to the subdivision versus a private and/or community well system for water supply.

5. If a private and/or community well is proposed by the developer and approved by the city during the preliminary plat review stage, it shall be designed and constructed in accordance with regulations of the Iowa Department of Natural Resources and the Linn County Board of Health who shall approve its construction prior to the issuance by the City of certificates of occupancy for any building in the subdivision.

6. If a private and/or community well system is permitted by the City, it shall be allowed only with the following provisions:

a. The private well system and all distribution lines, hydrants, valves and appurtenances shall remain the property of the developer and/or Homeowners Association.

b. The developer and all successive lot owners shall agree to connect to the City water system if it is installed to the subdivision. The lot owner shall be required to connect to the City sewer system within two years after construction of the City system.

c. When the subdivision is connected to the City water system, all existing lot owners shall be required to disconnect from and abandon their existing private and/or community well in conformance with all local and State standards, and shall share equally in the cost of same. Abandonment shall be completed within six (6) months following connection to the City water system.

d. When the subdivision is connected to the City water system, the City will accept dedication of the existing distribution system, provided it has been properly certified, maintained and as-built plans have been submitted to and approved by the City Engineer, pursuant to subsection 9 below.

7. The developer's engineer shall observe all water system construction and shall certify that the construction was done in accordance with the plans and specifications issued for the project.

8. The developer's engineer shall furnish the City three (3) certified as-built construction plans showing the final locations of all water mains, valves, hydrants and service taps, lines and curb stops.

9. Both the developer's engineer's certificate of completion and as-built construction plans for the water system shall be furnished to the City upon completion of public improvements and request for City acceptance, even when the water system will remain under private ownership. The certificate and as-built drawings will remain on file with the City for reference and use when the subdivision is connected to City water and the City considers accepting dedication of the water distribution system.

#### **166.16 - Public Service Areas, Parks, and Open Spaces**

All residential developments should be designed so that adequate open spaces and sites for public uses may be properly located and preserved as the community develops. In order that the cost of providing parks, playgrounds and recreational facilities and sites necessary to serve the additional families brought into the community by the subdivision development may be most equitably apportioned on the basis of the additional need created by the individual subdivision development, the following provisions shall apply to all future residential developments or subdivisions or planned unit developments greater than one-half (1/2) acre in size within the City.

A. Public Areas Dedicated. Where it is determined by the City Council that public service areas are necessary and required, the subdivider or developer shall be required to dedicate or reserve such an area without cost to the City.

B. Recreational Areas and Open Space. Within the corporate limits of the City where it is determined by the Council that open space and recreational areas are necessary and required, and where feasible and compatible with the Comprehensive Plan of the community, the subdivider or developer shall provide and dedicate to the public adequate land to provide for said public service

areas, open space and recreational needs of the subdivision or development. Provided, however, said open space and recreational facilities may be reserved and held by private persons or home owners' associations or like entities under a Planned Unit Development (PUD) if same satisfies the requirements of this chapter. Provided further, however, should open space and recreational facilities be required of a PUD in another ordinance, law or statute with minimum areas which are greater than those provided herein, then said other ordinance, law or statute shall govern.

1. **Open Space Reserved.** Where land or property is to be reserved and ownership of same retained or held in the name of a private person or association, same shall be permanently reserved for the residents of the home owners association, ~~public use~~, as directed by the Council, and held for the purpose of open space and recreational facilities and its purpose or use shall not be altered.

2. **Area Required.** The amount of land shall be determined by first calculating the entire size of the land area of the proposed development as shown on the preliminary plat or site plan and then requiring dedication or reservation of five percent (5%) of said land area as hereinafter provided.

3. **Fee in Lieu of Dedication.** The Council may, upon the recommendation of the Commission, determine that the subdivider or developer shall, in lieu thereof, pay to the City a fee or combination of fee and land equivalent to the value of the required dedication or reservation.

4. **Use and Location.** Such fee shall be used exclusively for immediate or future site acquisition and development and shall be used only for the purpose of providing public service areas, open space lands and other recreational facilities to serve the subdivision or development for which received. The location of the land shall bear reasonable relationship to the use of the open space lands and other recreational facilities by future inhabitants of the subdivision or development for which received as well as those inhabitants of the community.

5. **Fee Determined.** In all cases where the Council, upon recommendation by the Commission, shall direct and determine that cash is to be deposited, or that a combination of cash and land is to be deposited, dedicated or reserved for public service areas, park playground or recreational purposes or a combination of uses, the fee shall be set at 1% (one percent) of the sale price of each lot, at the time of sale of said lot. The developer shall, upon sale of each lot, transfer 1% of the sale price of said lot to the City's special revenue account.

6. **Fund Established.** All funds so levied, assessed, and collected by the City shall be deposited in a special fund to be known and designated as "Special Fund for the Acquisition and Development of Public Service Areas, Open Space and Recreational Facilities" (Special Fund). Said funds so levied and collected shall be used for such purposes at such places and in such manner as shall be approved, ordered and directed by the Parks and Recreation Board, which shall be consistent with this chapter. Authorization for creation of said fund is hereby granted. Any and all interest accumulated upon such funds shall be added to the special fund and be used only for acquisition and development of open space and recreational facilities.

7. **Procedure.** The procedure for determining whether the subdivider or developer is to dedicate or reserve land, pay a fee, or both, shall be as follows:

a. Subdivider-Developer. At the time of filing a preliminary plat or site plan with the Commission, the owner or developer of the property shall, as a part of such filing, indicate whether he or she desires to dedicate or reserve property for public service areas, open space and recreational purposes, or to pay a fee in lieu thereof.

b. Cooperation with Parks and Recreation Board. When the preliminary plat is received by the City, the Clerk shall forward a copy to the Parks and Recreation Director. The Parks and Recreation Board may review the same and make recommendations and suggestions thereon with regard to the placement, size, design, and location of said proposed public service areas, open space or recreational area, cash in lieu of dedication or reservation of land, or a combination of both, within the terms and tenor of this chapter. Any recommendations shall be made to the Commission within thirty (30) days after receipt of a copy of said preliminary plat by the Director. Failure to make recommendations and suggestions within the thirty (30) days aforementioned shall in no way serve to delay, postpone, or reject the preliminary plat or site plan, and the requirement that the Parks and Recreation Board make such recommendations and suggestions shall thereby be waived.

c. Action of City. At the time the preliminary plat or site plan is approved by the Council, the Council shall determine, as a part of such approval, whether to require a dedication or reservation of land within the subdivision or development, payment of a fee in lieu thereof, or a combination of both; provided however, that the City shall determine which land shall apply to the dedication or reservation and the requirements contained herein.

8. Prerequisites for Approval of Final Plat or Site Plan. Where a dedication is required, it shall be accomplished by providing the City with a properly executed warranty deed dedicating the required land to the City without cost to the City. Where fees in lieu of dedication are required, except for the one percent (1%) park fee (Paragraph 116.16(5)), the same shall be deposited with the Clerk prior to the approval of the final plat or site plan.

9. Determination. The Council shall determine whether dedication, reservation or cash in lieu thereof or a combination of cash, dedication and reservation shall be required. In making this decision, the City Council shall consider the following:

a. Recreational element of the City's Comprehensive Plan.

b. Topographic and geologic conditions and access and location of land in subdivision or development available for dedication.

c. Size and shape of the subdivision or development and land available for dedication.

d. The relation of the subdivision or development to the Comprehensive Plan, particularly as the Comprehensive Plan map may show proposed public service areas, open space and recreational areas.

e. The character and recreational needs of the neighborhood in which the subdivision or development is located.

f. The unsuitability in the subdivision or development for open space and recreational purposes by reason of location, access, greater cost of development and maintenance.

g. The possibility that land immediately adjoining the subdivision or development will serve in whole or in part the public service areas, open space and recreational needs of such subdivision or development.

h. Recommendations and suggestions of the Parks and Recreation Board and the Planning and Zoning Commission.

i. Any and all other information relevant to a proper determination.

The determination of the Council as to whether land shall be dedicated or reserved or a fee shall be charged, or a combination thereof, shall be final and conclusive.

10. **Development of Dedicated Area.** It shall be the duty of the Parks and Recreation Board of the City to develop properly and to maintain the dedicated area for open space and recreational facilities. The owner who dedicated this land shall in no way be responsible for its development, maintenance, or liability thereon, except that the owner shall not develop the surrounding area in a manner which would unduly depreciate the purpose, use or value of the dedicated property. Where the owner is allowed to retain the land required for open space and recreational purposes and facilities in private ownership, it shall be the owner's responsibility to properly develop and maintain such area.

#### **166.17 - Improvement Financing and Guarantees**

A. **Purpose.** The purpose of this Article is to ensure the equitable financing and proper installation and maintenance of required streets, utilities, and other improvements. The guarantee shall be structured to provide adequate assurances to the City while avoiding unnecessary costs to the developer.

B. **Application.** This article applies to subdivisions requiring the installation of streets, utilities, or other public improvements by the City or developer.

C. **Subdivision Agreement.**

1. **Condition for Approval of Plat.** As a condition for final approval, each subdivision plat must include a subdivision agreement entered into between the City of Mount Vernon and the subdivider. Additionally, no contract for the construction of public improvements involving a subdivision within the extraterritorial jurisdiction but outside the corporate limits of Mount Vernon shall be awarded without the approval of such an agreement.

2. **Rules for Distributing Improvement Costs.** Generally, the following rules shall be applied in distributing costs for public improvements:

a. **Public Costs.** The City shall pay for those items that have demonstrable benefit to the general public. If applicable, these items may include:

(1) Pavement width in excess of 28 feet for streets designated as collector or arterial streets in the Comprehensive Plan or the street planning map. On collector and arterial streets requiring a higher standard of paving than normal, the additional cost shall be borne by the City or other public agency.

(2) The incremental cost of water mains over those required by the Public Improvement Design Standards.

(3) Storm sewers or drainage structures in excess of those required by the Public Improvement Design Standards and required to serve other areas in the watershed. Such expenses may also be assessed on an area basis to properties served by the improvement.

(4) The additional costs of sanitary sewers in excess of those required by the Public Improvement Design Standards, when such sewers are required by the City.

(5) Park and recreation facilities consistent with the Comprehensive Plan.

b. Private Costs. The developer shall pay for those items that have direct benefit primarily to the property being subdivided. If applicable, these items shall include:

(1) The entire cost of grading street rights-of-way, including intersections.

(2) All sanitary sewer lines within the subdivision and water lines within the subdivision.

(3) All paving and street construction, including curbs and gutters and street lighting, up to a pavement width of 28 feet.

(4) A stormwater management system adequate to provide for the collection, retention, and removal of surface runoff, extending to the boundaries of the subdivision.

(5) Sidewalks as required by this Ordinance.

(6) The contract charge for underground electrical and gas service.

(7) An iron rod not less than one-half inch in diameter and 24 inches in length as follows:

(aa) Set at the intersection of all lines forming angles in the boundary of the subdivision and at all street intersections.

(bb) At lot corners and changes in direction of block and lot boundaries.

c. Negotiated Costs. In the event that there are costs associated with a particular subdivision that are not public or private costs as set out in subparagraphs (a) and (b), the developer and the City will enter into an agreement, which shall be included as part of the subdivision agreement, as to the developer's and the City's respective responsibilities for these costs, based on the estimated private benefit to the developer and the estimated public benefit to the City. Further, in certain subdivisions, it may be in the public interest to pay for some or all of the private costs associated with the upgrade of water and sewer lines outside the subdivision. In the event the City determines to pay for such costs, the developer and the City will enter into an agreement, which shall be included as part of the subdivision agreement, as to the developer's, City's, and any third party's respective responsibilities for these costs, based on the estimated private benefit to the developer the estimated public benefit to the City, and the estimated private benefit to any third party. Negotiated costs are:

(1) Costs to the improvements outside the subdivision and necessitated by the subdivision.

(2) Other costs not included in subparagraphs A and B of this section.

D. Performance and Financial Guarantees.

1. As a condition of the final approval of the plat and prior to its recording with the Linn County Recorder, the City Council shall require and accept the following:

a. The furnishing of a performance bond, letter of credit, cash escrow, or other guarantee in a form acceptable to the City, in an amount not to exceed 110% of the estimated cost of the improvement installation.

b. A specification of the time allowed for the installation of improvements. This period may be extended by the City Council.

c. The performance guarantee amount and requirement, along with the permitted time for installation, shall be included within the Subdivision Agreement negotiated between the City and the Developer and approved with the Final Plat.

2. If private costs are incurred by the City due to the subdivision, the subdivider shall guarantee repayment of those costs, should increased tax revenues from the subdivision not cover those costs within seven (7) years of the date of the approval of the final plat. The terms and conditions of this agreement shall be spelled out in the Subdividers Ageement under the heading: "Written Assessment Agreement to Establish Minimum Taxable Value".

E. Notification of Completion and Acceptance by City.

1. Notification. Upon substantial completion of all required improvements, the developer shall notify the City in writing, as well as submitting a certification from a registered Professional Engineer, attesting to the adequacy of the installation. Such certifications shall include:

a. A Form of Resolution prepared by the Developer's attorney for approval and adoption by the City Council accepting dedication of specified public improvements on behalf of the City.

b. A Letter of Certification from the Developer's Licensed Professional Engineer, who prepared the plans and specifications for the public improvements, stating the engineer observed the construction of the public improvements, has supervised and reviewed all test results, and believes that all public improvements have been constructed in substantial conformance with such plans and specifications.

c. A Letter of Acceptance from the City Engineer stating that the City Engineer has inspected all public improvements at the request of and in the presence of the Developer and Developer's Engineer and/or Contractor;. The Letter of Acceptance shall state: 1) all improvements have been visually inspected, 2) all improvements have been operated, 3) training from a factory representative and/or appropriate operating documentation has been received, and 4) all improvements are completed and finished to City standards. This Letter of

Acceptance shall not in any way relieve the Developer of warranty requirements set forth in Section 166.15.

d. Sanitary Sewers Certification Submittals, including:

- (1) Successful infiltration/exfiltration or air pressure test on gravity sewers noted in certification letter.
- (2) Successful high-pressure test on force main noted in certification letter.
- (3) Successful trench compaction results noted in certification letter.
- (4) Mandrel testing of flexible sewer pipe materials noted in certification letter.
- (5) As-built record drawings of sewer system.
- (6) Three-year maintenance bond.

e. Water Main Certification Submittals:

- (1) Successful high-pressure test on mains (AWWA C-600) noted in certification letter.
- (2) Successful leakage test results noted in certification letter.
- (3) Successful trench compaction results noted in certification letter.
- (4) As-built record drawings of sewer system.
- (5) Copy of safe water test result.
- (6) Three-year maintenance bond.

f. Lift Station Equipment Certification Submittals:

- (1) Report of operational training of City staff.
- (2) Report of pump performance in field.
- (3) Furnish operation and maintenance manuals for lift station equipment.
- (4) As-built record drawings of lift station facility.
- (5) Three-year maintenance bond.

g. Storm Sewer Certification Submittals, including:

- (1) Report of visual checking/lamping.
- (2) Successful trench compaction results noted in certification letter.
- (3) As-built record drawings of sewer system.

(4) Three-year maintenance bond.

h. Paving Certification Submittals, including:

(1) Successful subgrade compaction results noted in certification letter.

(2) Successful concrete cylinder test results noted in certification letter.

(3) As-built record drawings of system.

(4) Three-year maintenance bond.

F. Approval and Acceptance.

1. Acceptance of public improvements by the City Council shall release the developer from liability pursuant to the performance guarantee for the installation. The City has the right to retain up to 10% of the value of the performance guarantee for a period of up to one year from the date of acceptance to remedy any deficiencies appearing during that period.

2. If improvements are not accepted or not completed within the specified time, the performance guarantee shall be forfeited and used by the City to complete satisfactory installation of improvements.

3. No residential occupancy permits shall be issued for a subdivision unless the installation of improvements has been inspected and approved. ~~in full~~ by the City Engineer.

#### **166.18 - Fees, Exceptions, Enforcement, and Amendments**

A. Fees. Before a preliminary or final plat may be considered by the Commission, there must be certification by the Clerk that such filing fees as may have been established by resolution of the Council for such plats have been paid by the subdivider or agent.

B. Variations and Exceptions. Whenever the tract proposed to be subdivided is of such unusual topography, size or shape, or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in substantial hardships or injustices, the Council upon recommendation of the Commission may vary or modify such requirements so that the subdivider is allowed to develop the property in a reasonable manner; but so, at the same time, the public welfare and interest of the City and surrounding area are protected and the general intent and spirit of these regulations are preserved.

C. Enforcement.

1. No plat of any subdivision shall be recorded in the County Recorder's Office or have any validity until it has been approved in the manner prescribed herein. The Council shall not permit any public improvements over which it has control to be made from City funds or any City money expended for improvements or maintenance on any street in any area that has been subdivided after the date of adoption of these regulations unless such subdivision or street has been approved in accordance with the provisions contained herein and accepted by the Council as a public street. (Code of Iowa, Section 354.6)

2. The Zoning Administrator shall enforce the provisions of this ordinance and shall bring violations or lack of compliance to the attention of the Planning and Zoning Commission, City Council, or other appropriate agencies.

D. Changes and Amendments. Any provisions of these regulations may be changed and amended from time to time by the Council; provided, however, that such changes and amendments shall not become effective until after study and report by the Commission and until after a public hearing has been held, public notice of which shall be given in a newspaper of general circulation at least ten (10) days prior to such hearing.

**166.19 – Checklists for City Staff**

A. Checklists. The following checklists are made part of this subdivision ordinance (see Exhibits A-C in the appendix of this ordinance):

1. Minor plat checklist.
2. Preliminary plat checklist.
3. Final plat checklist.

B. Review Prior to P&Z Meeting. All items on each checklist shall be marked yes or have acceptable comments in order to be approved.

**166.20 – Appendix**

A. Exhibit A. Minor Plat Checklist.

**Minor Plat Checklist**

- |  |                              |                             |
|--|------------------------------|-----------------------------|
| 1) Compliance with the Comprehensive Plan, other plans and documents, the Zoning Ordinance.<br><i>Comments:</i>  | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 2) North arrow, date (including dates of revisions), scale, signature blocks for P&Z and Mayor. Acreage of tract.<br><i>Comments:</i>  | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 3) Title block, legal description and general location of development, with monumentation. Present and proposed zoning. Key map showing location with references to surrounding property, streets, city limits with boundary of subdivision indicated by a heavy line.<br><i>Comments:</i> | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 4) Each lot within the plat shall be assigned a progressive number. Proposed layout of lots, showing numbers, lot dimensions and lot areas. Building setbacks or front yard lines.<br><i>Comments:</i>   | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 5) Present and proposed streets, alleys, trails and sidewalks, with their right-of-way, in or adjoining subdivisions, including dedicated widths, approximate gradients, types and widths of surfaces, curbs, and planting strips.<br><i>Comments:</i>                                     | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 6) Present and proposed easements, showing locations, widths, purposes and limitations.<br><i>Comments:</i>  | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 7) Parcels of land proposed to be dedicated or reserved for schools, parks, playground, or other public,   | <input type="checkbox"/> YES | <input type="checkbox"/> NO |

semi-public or community purposes.

**Comments:**

- 8) Present and proposed utility systems, including the location and size of existing sanitary and storm sewers, culverts, water mains, street lights and other public utilities; and the location and alignment of proposed utilities to serve the development.  YES  NO  
**Comments:**
- 9) Proposed name of the subdivision which shall not duplicate or resemble existing subdivision names in the County.  YES  NO  
**Comments:**
- 10) Names and addresses of the owner, subdivider, and engineer, surveyor or architect who prepared the preliminary plat, and the engineer, surveyor or architect who will prepare the final plat including certifications and seals.  YES  NO  
**Comments:**
- 11) A general summary description of any protective covenants or private restrictions to be incorporated in the final plat.  YES  NO  
**Comments:**
- 12) The location of any floodway and flood hazard boundaries, and the identification of those areas subject to flooding and high water.  YES  NO  
**Comments:**
- 13) Identification of all adjoining properties, and where such adjoining properties are part of recorded subdivisions the names of those subdivisions and property owners.  YES  NO  
**Comments:**

14) Identification of areas prone to erosion and, by separate document attached to the preliminary plat, a grading plan to explain the methods that will be used to control erosion pursuant to the requirements of this chapter, including drainage calculations and percolation tests.  YES  NO

*Comments*

15) Identification of proposed Stormwater Best Management Practices and systems to collect, convey, detain, and discharge stormwater in a safe manner consistent with all City, State, and Federal laws and regulations  YES  NO

*Comments:*

16) Contours at vertical intervals of not more than five (5) feet.  YES  NO

*Comments:*

17) Survey of trees and wooded areas (noting size and locations) including mature or environmentally sensitive vegetation.  YES  NO

*Comments:*

18) A list of all variances from zoning and subdivision regulations that are being requested.  YES  NO

*Comments:*

19) Report by City Engineer. Date: \_\_\_\_\_

20) Scheduled action by Planning and Zoning Commission. Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_

21) Scheduled action by City Council. Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_

B. Exhibit B. Preliminary Plat Checklist.

**Preliminary Plat Checklist**

- 1) Planning conference with government officials. Date held: \_\_\_\_\_
- 2) Date of filing preliminary plat. Date filed: \_\_\_\_\_
- 3) 20 copies of the preliminary plat submitted, with the following:
- 4) Compliance with the Comprehensive Plan, other plans and documents, the Zoning Ordinance.  YES  NO  
*Comments:*
- 5) North arrow, date (including dates of revisions), scale, signature blocks for P&Z and Mayor. Acreage of tract.  YES  NO  
*Comments:*
- 6) Title block, legal description and location of development with monumentation. Present and proposed zoning. Key map showing location with references to surrounding property, streets, city limits with boundary of subdivision indicated by a heavy line.  YES  NO  
*Comments:*
- 7) Each lot within the plat shall be assigned a progressive number. Proposed layout of lots and blocks, showing numbers, lot and block dimensions and lot areas. Building setbacks or front yard lines.  YES  NO  
*Comments:*
- 8) Present and proposed streets, alleys, trails and sidewalks, with their right-of-way, in or adjoining subdivision, including dedicated widths, approximate gradients, types and widths of surfaces, alignment, curbs, and planting strips.  YES  NO  
*Comments:*
- 9) Present and proposed easements, showing locations, widths, purposes and limitations. Location of all property lines, existing buildings and other site feature affecting the plan.  YES  NO  
*Comments:*

- 10) Parcels of land proposed to be dedicated or reserved for schools, parks, playground, or other public, semi-public or community purposes.  YES  NO  
**Comments:**
- 11) Present and proposed utility systems, including the location and size of existing sanitary and storm sewers, culverts, water mains, street lights and other public utilities; and the location and alignment of proposed utilities to serve the development.  YES  NO  
**Comments:**
- 12) Proposed name of the subdivision which shall not duplicate or resemble existing subdivision names in the County.  YES  NO  
**Comments:**
- 13) Names and addresses of the owner, subdivider, and engineer, surveyor or architect who prepared the preliminary plat, and the engineer, surveyor or architect who will prepare the final plat including certifications and seals.  YES  NO  
**Comments:**
- 14) A general summary description of any protective covenants or private restrictions to be incorporated in the final plat.  YES  NO  
**Comments:**
- 15) The location of any floodway and flood hazard boundaries, and the identification of those areas subject to flooding and high water.  YES  NO  
**Comments:**
- 16) Identification of all adjoining properties, and where such adjoining properties are part of recorded subdivisions the names of those subdivisions and property owners.  YES  NO  
**Comments:**

17) Identification of areas prone to erosion and, by separate document attached to the preliminary plat, a grading plan to explain the methods that will be used to control erosion pursuant to the requirements of this chapter, including drainage calculations and percolation tests.  YES  NO

*Comments:*

18) Identification of proposed Stormwater Best Management Practices and systems to collect, convey, detain, and discharge stormwater in a safe manner consistent with all City, State, and Federal laws and regulations  YES  NO

*Comments:*

19) Contours at vertical intervals of not more than five (5) feet.  YES  NO

*Comments:*

20) Survey of trees and wooded areas (noting size and locations) including mature or environmentally sensitive vegetation.  YES  NO

*Comments:*

21) A list of all variances from zoning and subdivision regulations that are being requested.  YES  NO

*Comments:*

22) Report by City Engineer. Date: \_\_\_\_\_

23) Scheduled action by Planning and Zoning Commission. Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_

24) Scheduled action by City Council. Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_

C. Exhibit C. Final Plat Checklist.

**Final Plat Checklist**

- 1) Preliminary plat approval. Date: \_\_\_\_\_
- 2) Date of filing preliminary plat. Date filed: \_\_\_\_\_
- 3) 20 copies of the final plat submitted, with the following:
- 6) Name of subdivision in bold letters at the top of each sheet included in the plat.  YES  NO  
*Comments:*
- 7) Name and address of owner.  YES  NO  
*Comments:*
- 8) Scale used shall be clearly stated by a bar scale drawn on drawn on every sheet with a compass point.  YES  NO  
*Comments:*
- 9) Location of all monuments meeting requirements of the Code of Iowa.  YES  NO  
*Comments:*
- 10) Legal description of the platted area.  YES  NO  
*Comments:*
- 11) Identification of all adjoining properties.  YES  NO  
*Comments:*
- 12) Outside boundaries of the subdivided land shall be shown as well as sufficient survey data to positively describe the bounds of every lot, block, street, easement, or other areas shown on the plat including all interior excepted parcels.  YES  NO  
*Comments:*

- 13) All distance, bearing, street centerline, curve and other information as required by this ordinance and State Code.  YES  NO  
**Comments:**
- 14) Designation and labeling of easements for public utilities and drainage facilities.  YES  NO  
**Comments:**
- 15) Dimensions and purpose of any land dedicated to the public.  YES  NO  
**Comments:**
- 16) Numbering of all lots and blocks.  YES  NO  
**Comments:**
- 17) Names, locations, lot number designations and ROW width for all streets and alleys within or abutting the plat.  YES  NO  
**Comments:**
- 18) Designation of all interior excepted parcels, clearly indicated and labeled as NOT PART OF THIS PLAT.  YES  NO  
**Comments:**
- 19) Certification, signature and acknowledgement of owner.  YES  NO  
**Comments:**
- 20) Review and certification that plat meets minimum unadjusted for error for closure.  YES  NO  
**Comments:**
- 21) Surveyor's certification, seal and signature.  YES  NO  
**Comments:**

22) Contains the following attachments:

- Attorney's opinion
- County Treasure's certificate
- Clerk of Court certificate
- County Recorder's certificate
- Encumbrance bond, if necessary
- Restrictive covenants, if any
- Engineer's certification of completion of improvements
- Performance bond, if necessary
- Subdivision agreement

23) Review by City Engineer.

Date: \_\_\_\_\_

**Recommendations:**

24) Referral to Planning and Zoning Commission for conformance with preliminary plat.

Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_

25) Scheduled action by City Council to approve final plat.

Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_

26) Scheduled action by City Council for approval and acceptance of public improvements.

Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_



## **G. Resolutions for Approval**

**AGENDA ITEM # G - 1**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	April 15, 2019
<b>AGENDA ITEM:</b>	Resolution #4-15-2019A
<b>ACTION:</b>	Motion

**SYNOPSIS:** The City of Mt. Vernon must adopt guidelines regulating the location, size, and design of wireless communications located in the city's right of way. Considered "small cell" sites by FCC rules, I am being told that we risk our ability to control this infrastructure unless we adopt guidelines by April 15, 2019.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Resolution #4-15-2019A

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19

RESOLUTION #4-15-2019A

**A RESOLUTION RESERVING THE RIGHT TO AUTHORIZE THE USE OF RIGHTS OF WAY BY WIRELESS AND WIRELINE COMMUNICATIONS PROVIDERS BY ESTABLISHING DESIGN GUIDELINES AND RATES FOR THE CITY OF MT. VERNON, IOWA.**

WHEREAS, it is deemed advisable that the City of Mt. Vernon, Linn County, Iowa develop policies rates for the governance of deployment in the public right of way as deemed feasible and appropriate; and,

WHEREAS, staff has defined a set of design guidelines establishing the guidelines for deployment of communication in the right of way that include any permitting processes, administrative review procedures, discretionary reviews, installation requirements, attachment to existing infrastructure, and fees;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mt. Vernon that the design guidelines shown in Exhibit "A," attached hereto and made a part thereof are hereby adopted for use in the City of Mt. Vernon, Iowa.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to \_\_\_\_\_

Resolution #4-15-2019A

Resolution #4-15-2019A \_\_\_\_\_ on April 15, 2019, by the following roll call vote:

YES:

NO:

ABSTAIN:

ABSENT:

MOUNT VERNON CITY COUNCIL  
MOUNT VERNON, IOWA

\_\_\_\_\_  
Jamie Hampton, Mayor

ATTEST:

\_\_\_\_\_  
Sue Ripke  
Finance Director/City Clerk

**SMALL WIRELESS FACILITY DESIGN GUIDELINES  
CITY OF MT. VERNON, IOWA**

**I. PURPOSE AND COMPLIANCE**

The purpose of these guidelines is to establish general procedures and standards, consistent with all applicable federal and state laws, for the siting, construction, installation, collocation, modification, relocation, operation and removal of pole-mounted (or other structure-mounted) utility facilities within the City's right-of-way. The goals of these guidelines are to:

- A. Provide standards, technical criteria and details for utility facilities in the City's right-of-way to be uniformly applied to all applicants and owners of utility facilities or support structures for such facilities.
- B. Enhance the ability of utility providers to deploy services in the City quickly, effectively and efficiently so that residents, businesses and visitors benefit from ubiquitous and robust utility service availability.
- C. Preserve the character of the City's neighborhoods and corridors.
- D. Ensure that utility facilities and support structures conform to all applicable health and safety regulations and will blend into their environment to the greatest extent possible.

Comply with, and not conflict with or preempt, all applicable state and federal laws

**II. DEFINITIONS**

*Abandoned* means any utility facilities or support structures that are unused for a period of three hundred sixty-five (365) days without the operator otherwise notifying the City and receiving the City's approval.

*Antenna* means communications equipment that transmits or receives radio frequency signals in the provision of wireless service.

*Applicant* means any Person applying for a Permit hereunder.

*City* means the City of Mt. Vernon, Iowa.

*City property* means property other than right-of-way owned by the City.

*Collocation or Collocate* means to install, mount, maintain, modify, operate, or replace utility facilities on a utility support structure.

*County* means Linn County, Iowa.

*Decorative Pole* means a pole, arch, or structure other than a street light pole placed in the right-of-way specifically designed and placed for aesthetic purposes and on which no appurtenances or attachments have been placed except for any of the following (a) electric lighting; (b) specially designed informational or directional signage; (c) temporary holiday or special event attachments.

*Industrial Area* means an industrially-zoned area.

*Operator* means a utility service provider, cable operator, or a video service provider that operates a utility facility and provides utility service. *Operator* includes a wireless service provider, cable operator, or a video service provider that provides information services as defined in the "Telecommunications Act of 1996," 110 Stat. 59, 47 U.S.C. 153(2), and services that are fixed in nature or use unlicensed spectrum.

*Ornamental Pole* means a pole or structure placed in the right-of-way to support traffic signals and/or streetlights which has been specifically designed and placed for aesthetic purposes.

Ornamental Poles may include appurtenances or attachments for banners and/or other aesthetic features.

*Permit* means the non-exclusive grant of authority issued by the City of Mt. Vernon to install a utility facility and/or a utility support structure in a portion of the right-of-way in accordance with these guidelines. Utility facilities and support structures include small cell facilities and support structures utilized for small cell and wireless uses.

*Permittee* means the owner and/or operator issued a Permit pursuant to these guidelines.

*Person* means any natural person or any association, firm, partnership, joint venture, corporation, or other legally recognized entity, whether for-profit or not-for-profit.

*Retail and Commercial Areas* means a commercially-zoned area.

*Residential Area* means a residentially-zoned area.

*Right-of-way* means the surface of, and the space within, through, on, across, above, or below, any public street, public road, public highway, public freeway, public lane, public path, public alley, public court, public sidewalk, public boulevard, public parkway, public drive, public easement, and any other land dedicated or otherwise designated for a compatible public use, which is owned or controlled by the City of Mt. Vernon.

*Small Cell Facility* means a wireless facility that meets both of the following requirements:

- (1) Each antenna is located inside an enclosure of not more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an enclosure of not more than six (6) cubic feet in volume.

- (2) All other wireless equipment associated with the facility is cumulatively not more than twenty-eight (28) cubic feet in volume. The calculation of equipment volume shall not include electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

*State* means the State of Iowa.

*Toll* means the pause or delay of the running of the required time period.

*Utility* means a private company providing electric, gas and/or telecommunications service with conduits, cables or other facilities within the public right-of-way. *Utility* includes any company providing fiber optic or small cell communications services.

*Utility Pole* means a structure that is designed for, or used for the purpose of, carrying lines, cables, or wires for electric or telecommunications service. "Utility pole" excludes street signs and decorative poles.

*Utility Support Structure* means a pole, such as a monopole, either guyed or self-supporting, street light pole, traffic signal pole, a fifteen (15) foot or taller sign pole, or utility pole capable of supporting utility facilities, including small cell facilities. *Utility Support Structure* excludes a utility pole or other facility owned or operated by an electric utility.

### **III. REQUIREMENT TO COMPLY**

Placement, modification, operation, relocation and removal of a utility facility and/or utility support structure shall comply with the Mt. Vernon Municipal Code of Ordinances, design standards and permitting requirements which are current at the time the permit for installation, modification, relocation or removal is approved, and as amended from time to time.

### **IV. AESTHETIC REQUIREMENTS FOR SMALL WIRELESS FACILITIES**

#### **A. ANTENNAS**

1. Each small wireless antenna shall be located entirely within a shroud or canister type enclosure.
2. The diameter of the antenna enclosure at its widest point should not be wider than two times the diameter of the top of the wireless support structure. The enclosure shall not exceed six cubic feet in volume.
3. All antenna enclosures shall either be mounted to the top of the wireless support structure pole and aligned with the centerline of the wireless support structure, or mounted to the side of the wireless support structure such that the vertical centerline of the antenna enclosure shall be parallel with the wireless support structure with the height of the side mounted antenna being at a location

on the wireless support structure noted in the application and approved by the City, but at least 10 feet above ground level at its lowest point.

4. Tree “topping” or the improper pruning of trees is prohibited. Any proposed pruning or removal of trees, shrubs or other landscaping already existing in the ROW must be noted in the application and must be approved by the City.

#### B. CABLES AND WIRES

All cables, wires and connectors related to the small wireless facility must be fully concealed on the wireless support structure and shall match the color of the wireless support structure. There shall be no external cables and wires related to the small wireless facility hanging off or otherwise exposed on the wireless support structure.

#### C. COLORS

All colors shall match the background of any wireless support structure that the facilities are located upon, including equipment cabinets. Notwithstanding the foregoing, in the case of existing wood utility poles, finishes of conduit shall be zinc, aluminum or stainless steel, or colored to match those metal finishes, and equipment cabinets shall be the color of brushed aluminum.

#### D. EQUIPMENT ENCLOSURES/CONCEALMENT

1. Equipment enclosures, including electric meters, shall be as small as possible, but in no event larger than 28 cubic feet in volume. Ground-mounted equipment shall incorporate concealment elements into the proposed design matching color and materials of the wireless support structure, unless other materials or colors are approved by the City. Concealment may include, but shall not be limited to, landscaping, strategic placement in less obtrusive locations and placement within existing or replacement street furniture.

2. Radio equipment shall be fully enclosed within an equipment cabinet or concealed within the antenna shroud enclosure matching the color and materials of the wireless support structure, unless other materials or colors are approved by the City.

3. Landscaping concealing equipment enclosures shall be planted in such quantity and size such that 100% screening is achieved within two years of installation.

#### E. SIGNAGE/LOGOS/LIGHTS/DECALS/COOLING FANS

1. Signage: The small wireless facility permittee shall post its name, location identifying information, and emergency telephone number in an area on the cabinet of the small wireless facility that is visible to the public. Signage required under this section shall not exceed 4 inches by 6 inches, unless otherwise required by law (e.g. radio-frequency (RF) ground notification signs) or the City. If no cabinet exists, the signage shall be placed at the base of the pole.

2. Lights: New small wireless facilities and wireless support structures shall not be illuminated, except in accord with state or federal regulations, or unless illumination is integral to the camouflaging strategy such as design intended to look like a street light pole.

3. Logos/Decals: The small wireless facility operator/permittee shall remove or paint over unnecessary equipment manufacturer decals. The color shall match or shall be as approved by the City. Small wireless facilities and wireless support structures shall not include advertisements and may only display information required by a federal, state or local agency. The small wireless facility operator/permittee shall utilize the smallest and lowest visibility RF warning sticker required by government or electric utility regulations. Placement of the RF sticker shall be as close to the antenna as possible.

4. Cooling Fans: In residential areas, the small wireless facility operator/permittee shall use a passive cooling system. In the event that a fan is needed, the small wireless facility operator/permittee shall use a cooling fan with a low noise profile.

## **V. LOCATION OF UTILITY FACILITIES**

### **A. MOST PREFERABLE LOCATIONS**

The following are the most preferred areas for new small wireless facilities in the order of preference (1 being most preferable):

1. *Limited Industrial (LC)* if not adjacent to a park, residential district or historic district.
2. *Highway Rights of Way* areas if not adjacent to a park, residential district, or in the Town Center (TC), Central Business District (CBD) or Urban Corridor (UC).
3. *General Commercial (GC) and Business Park (BP)* if not adjacent to a park, residential district or in the Town Center (TC), Central Business District (CBD), or Urban Corridor (UC).

### **B. COLLOCATION PREFERENCE**

It is the City's strong preference that whenever an applicant proposes to place a new utility support structure with a utility facility within two hundred fifty (250) feet from an existing utility support structure, the applicant either collocate with the existing facility or demonstrate that a collocation is either not technically feasible or space on the existing facility is not potentially available.

### **C. LEAST PREFERABLE LOCATIONS**

The following are the least preferred areas for new small wireless facilities in the order of preference (3 being least preferable).

1. *Residential Districts: Suburban Residential (SR), Traditional Residential (TR), and High Density Residential (HR).*

2. Parks

3. Town Center (TC), Central Business District (CBD), and the Urban Corridor (UC).

#### D. ORDER OF PREFERENCE FOR UTILITY SUPPORT STRUCTURES

The following list indicates the order of preference for utility support structures for utility facilities.

- A. *Existing Utility Poles*: It is the City's preference that utility facilities be installed on existing utility poles (electric or telephone) or lashed onto existing telephone or electrical lines between existing utility poles.
- B. *Non-Ornamental Municipal Service Poles*: If the applicant does not have the right to use existing utility poles or lines under reasonable terms and conditions or the utilization imposes technical limits, the City prefers that the applicant next look to existing non-ornamental municipal street lights or traffic signal structures.
- C. *New Poles*: If Items A-B listed above have proven to be unavailable, the City prefers the installation of a new pole to serve as a utility support structure.
- D. *Ornamental Municipal Service Poles*: The use of ornamental municipal street lights and traffic signals as utility support structures is discouraged. These should only be proposed if Items A-C listed above are unavailable or when requested by the City based on the proposed location. Use of ornamental traffic signal mast arms is preferred over use of ornamental street lights.

#### E. CONSIDERATION OF ALTERNATE LOCATIONS

The City reserves the right to propose an alternate location for a small wireless facility and/or wireless support structure to the location proposed in the application within one hundred feet of the proposed location or within a distance that is equivalent to the width of the ROW in or on which the small wireless facility and/or wireless support structure is proposed, whichever is greater, which the operator shall use if it has the right to use the alternate location on reasonable terms and conditions and the alternate location does not impose technical limits or additional costs.

#### F. GUIDELINES ON PLACEMENT

The City desires to promote cleanly organized and streamlined facilities using the smallest and least intrusive means available to provide wireless services to the community. Generally, a small wireless facility and/or wireless support structure shall match and be consistent with the materials and finish of the wireless support structure, adjacent City poles, and of the surrounding area adjacent to their location. In the absence of adjacent City poles, the wireless support structure shall match the materials and finish of the adjacent utility poles.

The following additional guidelines on placement shall apply:

1. Small wireless facilities and wireless support structures shall be located no closer than 150 feet away, radially, from another small wireless facility and wireless support structure.
2. A combination wireless support structure and streetlight pole should only be located where an existing pole can be removed and replaced, or at a new location where it has been identified that a streetlight is necessary.
3. Small wireless facilities and wireless support structures shall be located in a manner that does not impede, obstruct, or hinder usual public pedestrian or vehicular travel or public safety on a ROW.
4. Small wireless facilities and wireless support structures shall be located in a manner that does not obstruct the legal use of a ROW by a utility provider.
5. Small wireless facilities and wireless support structures shall be located in a manner that does not violate or conflict with the City Code, applicable law and regulations, or these Guidelines.
6. Small wireless facilities and wireless support structures shall be located in a manner that does not violate the federal Americans with Disabilities Act.
7. Small wireless facilities and wireless support structures shall be located in a manner that does not negatively impact the structural integrity of the associated wireless support structure.
8. Small wireless facilities and wireless support structures shall be located in alignment with existing trees, utility poles, and streetlights.
9. Small wireless facilities and wireless support structures shall be located equal distance between trees when possible, with a minimum of 15 feet separation such that no proposed disturbance shall occur within the critical root zone of any tree.
10. Small wireless facilities and wireless support structures shall be located with appropriate clearance from existing utilities.
11. Small wireless facilities and wireless support structures shall be located so as not to be located along the frontage of any building deemed to be of historic significance on a federal, state, or local level.
12. Small wireless facilities and wireless support structures shall be located not within sight triangles at street intersections.
13. New wireless support structures shall not be located directly in front of any existing residential, commercial or industrial structure.
14. To the greatest extent possible, new wireless support structures shall be located in line with existing lot lines or an equidistance from any two existing structures. In areas of the City where

multiple structures abut each other and/or where no side lot setback requirements exist, new wireless support structures shall not be located directly in front of an entrance or window of any existing structure.

## **VI. LIMITATIONS**

While the City fully intends to apply the guidelines established in this policy uniformly to all small wireless facility applications, there may be circumstances where not every specific guideline may be met. In these case, City staff will use its reasonable discretion in approving small wireless facilities permit applications that deviate from the strict application of this policy.

## **VII. EFFECTIVE DATE OF POLICY**

This Policy will be effective as of the 15<sup>th</sup> day of April, 2019. Modifications of the Policy will be effective on the date said modifications are approved by the City Council

**AGENDA ITEM # G - 2**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	April 15, 2019
<b>AGENDA ITEM:</b>	Resolution #4-15-2019B
<b>ACTION:</b>	Motion

**SYNOPSIS:** A number of communities have been providing information to their state representatives regarding HSB 165. Although property tax legislation and the \$8.10 levy limit has been a priority for cities, this is not the legislation to fix our issues. This is a non-binding resolution that states the City of Mt. Vernon is not in favor of the proposed changes to the property tax laws. The City of Mt. Vernon has been very transparent in its budget decisions, and remains fiscally responsible with taxpayer funds.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Resolution #4-15-2019B

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19

RESOLUTION NO. #4-15-2019B

A RESOLUTION OPPOSING THE PROPOSED LEGISLATIVE CHANGES IN CITY FINANCE

WHEREAS, several proposals are currently being considered by the Iowa Legislature concerning revenue growth caps and ending fund balance caps for Iowa cities, proposals limiting the use of the Trust and Agency Levy and other changes in established city finance law; and,

WHEREAS, upon review and consideration of the city finance proposals currently under review by the Iowa Legislature, the Mt. Vernon City Council has determined that proposed revenue growth caps, proposed caps on ending fund balances, and other proposed changes to the city finance system are not in the best interest of the citizens of the Mt. Vernon, are unnecessary and would have negative impact on the city and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the Mt. Vernon City Council as follows:

Section 1. The City of Mt. Vernon opposes proposed caps on annual city revenue growth.

Section 2. The City of Mt. Vernon opposes proposed caps on city ending fund balances.

Section 3. The City of Mt. Vernon opposes limitations on the permitted use of the Trust and Agency Levy.

Section 4. The City of Mt. Vernon's opposition is based on the following considerations:

- A. The City of Mt. Vernon has demonstrated fiscal responsibility by maintaining a stable property tax levy over many years.
- B. City budgeting and spending should be determined and controlled at the local level in the spirit of constitutional city Home Rule.
- C. Proposed limitations would have the effect of requiring the City of Mt. Vernon to issue more debt while, at the same time, reducing the city's credit rating and increasing the cost of debt.

- D. Increasing annual city expenditures are often the result of state mandates, such as a city's contribution to the Iowa Public Employees Retirement System and the Municipal Fire and Police Retirement System.
- E. Each city has differing needs, goals, and financial circumstances; uniform caps are not appropriate.

Section 5. All resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

Section 6. If any section, provision or part of this resolution shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 7. This resolution shall be in effect after its final passage and approval as provided by law.

Passed by the Council the \_\_\_\_ day of \_\_\_\_\_, 2019, and approved this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jamie Hampton, Mayor

Attest:

\_\_\_\_\_  
Sue Ripke, City Clerk

## **J. Motions for Approval**

CITY OF MOUNT VERNON  
CLAIMS FOR APPROVAL, APRIL 15, 2019

GARLING CONSTRUCTION INC	WELLNESS CENTER-LOST III	223,498.36
PAYROLL	CLAIMS	64,435.38
PIERCE INDUSTRIAL ELECTRIC INC	TRAFFIC SIGNAL INSTALLATION	18,876.50
JENNIFER PRICE	RESEARCH-MVHPC	8,143.00
KOSS INTERNATIONAL CORP	CTW CHALK-P&REC	4,268.88
BRAUN INTERTEC CORP	CONSTRUCTION & MATERIAL TESTING	3,282.75
STATE HYGIENIC LAB	TESTING-SEW	2,498.00
ROTO-ROOTER	PLAZA LIFT STATION/BROKEN LINE	2,362.50
HAWKINS INC	CHEMICALS-WAT	2,032.50
BARNYARD SCREEN PRINTER LLC	T-SHIRTS-P&REC	1,369.00
KESSLER POLICE SUPPLY	TRAINING-PD	1,039.00
MOUNT VERNON LISBON SUN	ADS/PUBLICATIONS-ALL DEPTS	992.35
L.L. PELLING CO INC	COLD PATCH-RUT	910.80
MOUNT VERNON ACE HARDWARE	SUPPLIES-ALL DEPTS	717.81
WAPSI WASTE SERVICE	GB,RECY,LEAF-SW	695.40
IOWA SOLUTIONS INC	SONIC WALL COMP GATEWAY SECURITY	652.40
IOWA SOLUTIONS INC	MONTHLY MAINTENANCE-ALL DEPTS	595.00
OFFICE EXPRESS	SUPPLIES-POOL	554.28
EVOQUE WATER TECHNOLOGIES LLC	PLANT COMMUNICATION-WAT	552.00
SENSUS METERING SYSTEMS	READER REPAIR-WAT,SEW,SW	507.79
ALLIANT IES UTILITIES	ENERGY USAGE-FD	393.78
BROOKE'S EMBROIDERY	UNIFORMS-FD	360.00
STAR EQUIPMENT LTD	SOLENOID-SEW	327.05
MARTIN MARIETTA MATERIALS	ROCK-RUT	314.45
CAMPBELL SUPPLY CEDAR RAPIDS	CUTTING WHEELS,NAILS-RUT	267.62
RED LION RENEWABLES	SOLAR ELECTRIC PRODUCTION	234.81
MARTIN MARIETTA MATERIALS	ROAD ROCK-RUT	217.82
CARQUEST OF LISBON	VEHICLE MAINT-PW	172.53
MEDIACOM	PHONE/INTERNET-POOL	172.32
BROWN SUPPLY COMPANY	LIFT STATION REPAIR-SEW	159.00
IOWA SOLUTIONS INC	COMP,MAINT-PD	123.10
COGRAN SYSTEMS	ONLINE REGISTRATION FEES-P&REC	116.00
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	86.26
LINN CO-OP OIL CO	LP BOTTLE GAS-RUT	80.00
TRANS IOWA EQUIPMENT INC	IGNITION SWITCH-RUT	69.63
AIRGAS INC	CYLINDER RENTAL FEE-PW	64.93
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	49.57
CR LC SOLID WASTE AGENCY	GLASS-S/W	39.60
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	29.20
GARY'S FOODS	SUPPLIES-P&REC,WAT	21.35
IOWA INTERACTIVE	SERVICE FEES-WAT	11.67
TOTAL		341,414.39
GENERAL FUND		18,473.07
ROAD USE TAX FUND		2,838.29
LOST III COMMUNITY CENTER		226,781.11
2014 STREET IMPROVEMENTS		18,876.50
WATER FUND		3,103.15
SEWER FUND		5,810.29
SOLID WASTE		1,096.60
PAYROLL		64,435.38
TOTAL		341,414.39

**AGENDA ITEM # J - 2**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	April 15, 2019
<b>AGENDA ITEM:</b>	Change Order #4 - LBFCWC
<b>ACTION:</b>	Motion

**SYNOPSIS:** This is a small increase of \$372.57 for a size adjustment to the storm water pipe near the west exit door. This work has already been completed, as underground utilities are considered critical to maintaining the schedule.

**BUDGET ITEM:** Community Wellness Center Funds

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Change Order #4

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19



**GARLING**  
CONSTRUCTION, INC.

**General Contractors**

1120 11th Street • Belle Plaine, IA 52208 • Phone: (319) 398-3340 319-444-3409 • Fax: (319) 398-3363 319-444-2437

COR #. 0004

<b>Date</b>	Wednesday, March 6, 2019
<b>Project:</b>	Lester Buresh Family Community Wellness Center
<b>ITC #4 Change pipe size from 12" to 15"</b>	

#	Description	Type	Qty	Rate	Expense Amount	MarkUp	Cost
00004	Upsize Pipe				178.200	5.0000	\$187.11
00004	2% Bond	Other Expense			6.960	0.0000	\$6.96
00004	Garling Labor	PM Labor Expense	2.000	85.000	170.000	5.0000	\$178.50

**PROPOSAL SUMMARY**

	\$187.11
Other Expense	\$6.96
Labor Expense	\$178.50
<b>Net Costs</b>	<b>\$372.57</b>

**Proposal Total** **\$ 372.57**

✂ PLEASE REVIEW AND SIGN BELOW FOR INCLUSION IN THE NEXT OWNER CHANGE ORDER ✂

Architect: x \_\_\_\_\_ Date: \_\_\_\_\_

Owner: x \_\_\_\_\_ Date: \_\_\_\_\_

PM: x \_\_\_\_\_ Date: \_\_\_\_\_

Brian L Ridge, Project Manager

SCHRAEDER

Proposal Request # 1 (ITC-04)

Labor	Gross Mn/Hrs	Rate	Total
1-Operator	0	\$0.00	\$0.00
2-Pipe Layer	0	\$0.00	\$0.00
3- Labor	0	\$0.00	\$0.00
Total from above:			\$0.00
10% OH&P Markup			
Labor Total:			\$0.00

Material	Quantity	Unit Price	Total
* Upsize 12" to 15" RCP	36	\$4.50	\$162.00
		\$0.00	\$0.00
		\$0.00	\$0.00
		\$0.00	\$0.00
		\$0.00	\$0.00
		\$0.00	\$0.00
		\$0.00	\$0.00
		\$0.00	\$0.00
Total from above:			\$162.00
10% OH&P Markup			\$16.20
Material Total:			\$178.20

Equipment	Quantity	Rate	Total
	0	\$0.00	\$0.00
	0	\$0.00	\$0.00
	0	\$0.00	\$0.00
Total from above:			\$0.00
10% OH&P Markup			
Equipment Total:			\$0.00

Mobilization	Quantity	Rate	Total
1	0	\$0.00	\$0.00
Total:			\$0.00

Total: \$178.20

**AGENDA ITEM # J - 3**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	April 15, 2019
<b>AGENDA ITEM:</b>	Change Order #6 - LBFCWC
<b>ACTION:</b>	Motion

**SYNOPSIS:** COR #6 is needed for a number of minor modifications to electric equipment. There will likely be more changes orders relating to electric as we continue to make decisions on equipment and security equipment locations. COR #6 is in the amount of \$1,007.38.

**BUDGET ITEM:** Community Wellness Center Funds

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Change Order #6

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19



**GARLING**  
CONSTRUCTION, INC.

**General Contractors**

1120 11th Street • Belle Plaine, IA 52208 • Phone: (319) 398-3340 319-444-3409 • Fax: (319) 398-3363 319-444-2437

COR #. 0006

<b>Date</b>	Thursday, March 7, 2019
<b>Project:</b> Lester Buresh Family Community Wellness Center	
<b>ITC #7 Electrical Modifications</b>	

#	Description	Type	Qty	Rate	Expense Amount	MarkUp	Cost
00006	Hawkeye Electric				770.600	5.0000	\$809.13
00006	2% Bond	Other Expense			19.750	0.0000	\$19.75
00006	Garling Time	PM Labor Expense			170.000	5.0000	\$178.50

<b>PROPOSAL SUMMARY</b>	
	\$809.13
Other Expense	\$19.75
Labor Expense	\$178.50
<b>Net Costs</b>	<b>\$1,007.38</b>
<b>Proposal Total</b>	<b>\$1,007.38</b>

PLEASE REVIEW AND SIGN BELOW FOR INCLUSION IN THE NEXT OWNER CHANGE ORDER

Architect: x \_\_\_\_\_ Date: \_\_\_\_\_

Owner: x \_\_\_\_\_ Date: \_\_\_\_\_

PM: x \_\_\_\_\_ Date: \_\_\_\_\_  
Brian L Ridge, Project Manager

# Response Quote



**Randall Electric, Inc**  
 PO Box 157, North Liberty, IA 52317  
 Office: 319-594-4049  
 Fax: 319-354-2289  
 www.randallelectric.net  
 info@randallelectric.net



<b>Project Name:</b>	Lester Buresh Family Community Wellness Center	<b>Date Prepared:</b>	1/30/2019
<b>Foreman:</b>	Ed Koglin	<b>Project #:</b>	17401000
		<b>Location:</b>	Mount Vernon, IA

## Scope of Work

Work Directed by ITC-007 dated 2019/01/21.

	QTY	UNIT	EXTENDED
ITEM #2			
#8 AWG	450	\$ 0.27 \$	121.50
#10 AWG	-450	\$ 0.17 \$	(76.50)
ITEM #3			
RFB2-SS	-4	\$ 90.00 \$	(360.00)
RFB2-OG	4	\$ 100.00 \$	400.00
ITEM #6			
4 SQUARE	1	\$ 1.80 \$	1.80
EXTENSION RING	1	\$ 1.20 \$	1.20
3/4 EMT CONN	2	\$ 0.38 \$	0.76
3/4 EMT COUP	3	\$ 0.48 \$	1.44
3/4 EMT	30	\$ 0.85 \$	25.50
3/4 STRAP	4	\$ 0.38 \$	1.52
1/4 ANCHOR	6	\$ 0.08 \$	0.48
14/2 FPLR	60	\$ 0.21 \$	12.60
14 AWG	120	\$ 0.08 \$	9.60
LABOR	5	\$ 65.00 \$	325.00
JCI/Simplex	1	\$ 269.00 \$	269.00
		<b>Randall Electric Subtotal:</b>	<b>\$733.90</b>
		<b>Randall Electric Overhead &amp; Profit (5%)</b>	<b>\$36.70</b>
<b>TOTAL:</b>			<b>\$770.60</b>

**AGENDA ITEM # J - 4**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	April 15, 2019
<b>AGENDA ITEM:</b>	Change Order #7 - LBFCWC
<b>ACTION:</b>	Motion

**SYNOPSIS:** COR #7 is in the amount of \$6,103.83. This COR is to add screening of roof top units to the west side of the building. Currently the plans and specification only call out screening on the north side of the building. The north and west sides of the site house the parking lot, and will provide the most visibility to the roof top units.

**BUDGET ITEM:** Community Wellness Center Funds

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

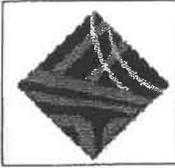
**ATTACHMENTS:** Change Order #7

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19



**BOWKER MECHANICAL CONTRACTORS, LLC.**



**ITC PRICING SUMMARY**

MR. BRIAN RIDGE

FROM:

JEFF WENZEL

COMPANY:

GARLING CONSTRUCTION CO.  
CEDAR RAPIDS, IA

DATE:

FEBRUARY 5, 2019

RE: ITC # 8

PROJECT:

Lester Buersh Family Community Wellness Center  
Mount Vernon, IA

DESCRIPTION:

ADD WEST ROOFTOP EQUIPMENT  
SCREEN (RTU-1)

WE HAVE RECEIVED AND REVIEWED ITC No. 8 FOR THE ABOVE REFERENCED PROJECT AND PROVIDE THE FOLLOWING ADDITIONAL COST INFORMATION:

SUBCONTRACTORS:

Universal Climate Control	\$	5,346.84
OVERHEAD & FEE (5%)		<u>267.35</u>
TOTAL:	\$	5,614.19

WE HAVE ATTACHED A COPY OF OUR SUBCONTRACTOR'S QUOTE FOR YOUR REFERENCE.

PLEASE ADVISE OF ANY ACTION ON THIS PROPOSAL.

**AGENDA ITEM # J - 5**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	April 15, 2019
<b>AGENDA ITEM:</b>	Change Order #9 - LBFCWC
<b>ACTION:</b>	Motion

**SYNOPSIS:** COR #9 is in the amount of \$1,520.82. This COR is to additional supports to metal tubing on the "kalwall". This is the translucent portion (looks like glass) of the building located on the NE corner of the site.

**BUDGET ITEM:** Community Wellness Center Funds

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Change Order #9

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19



**GARLING**  
CONSTRUCTION, INC.

**General Contractors**

1120 11th Street • Belle Plaine, IA 52208 • Phone: (319) 398-3340 319-444-3409 • Fax: (319) 398-3363 319-444-2437

COR #. 0009

<b>Date</b>	Thursday, March 7, 2019
<b>Project:</b>	Lester Buresh Family Community Wellness Center
<b>Cost Changes per ITC #11 from Cedar Valley Steel and Briese Iron Works</b>	

#	Description	Type	Qty	Rate	Expense Amount	MarkUp	Cost
00009	Cedar Valley Steel				600.000	5.0000	\$630.00
00009	Garling	Labor Expense	2.000	85.000	170.000	5.0000	\$178.50
00009	2% Bond	Other Expense			29.820	0.0000	\$29.82
00009	Briese				650.000	5.0000	\$682.50

**PROPOSAL SUMMARY**

	\$1,312.50
Labor Expense	\$178.50
Other Expense	\$29.82
<b>Net Costs</b>	<b>\$1,520.82</b>

**Proposal Total** **\$1,520.82**

~~PLEASE REVIEW AND SIGN BELOW FOR INCLUSION IN THE NEXT OWNER CHANGE ORDER~~

Architect: x \_\_\_\_\_ Date: \_\_\_\_\_

Owner: x \_\_\_\_\_ Date: \_\_\_\_\_

PM: x \_\_\_\_\_ Date: \_\_\_\_\_

Brian L Ridge, Project Manager



280 50th Avenue SW  
Cedar Rapids, IA 52404  
Ph : 319-373-0291

**Change Request**

To: Garling Construction  
1120 11th Street  
PO Box 97  
Belle Plaine, IA 52208  
Ph: 319-444-3409 Fax: 319-444-2437

Number: 1  
Date: 2/19/19  
Job: 1900-01 Lester Buresh  
Phone:

Description: ITC #11

We are pleased to offer the following specifications and pricing to make the following changes:

Welding in new tube supports to support existng tube steel at "Kalwall"

LABOR  
8mhrs x \$75.00      \$600.00

The total amount to provide this work is ..... \$600.00

If you have any questions, please contact me at (319)373-0291.

Submitted by: Tyler Theisen  
Cedar Valley Steel

Approved by: \_\_\_\_\_  
Date: \_\_\_\_\_

# Briese Iron Works, Inc

7010 Dresser Dr NE  
Rochester, MN 55906  
Phone: (507) 288-3499  
Fax: (507) 252-5029

## Request for Change Order

To: Garling Construction, Inc.  
1120 11th Street  
Belle Plaine, IA 52208  
Project: Lester Buresh Wellness Center

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RFC No: 18129-01  
Date: 3/7/2019  
Description: ITC 011 Results in an add of \$650.00

The above work is subject to the same conditions as specified in the original contract unless otherwise stipulated.

Upon approval the sum of \$650.00 will be added to the contract price.

Original Contract	\$465,830.05
Other Approved Change Orders	\$0.00
Total Contract to Date	\$465,830.05
This Request	\$650.00
Other Pending Requests	\$0.00
Total Contract plus Pending RFCs	\$466,480.05

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Briese Iron Works, Inc

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Garling Construction, Inc.

**AGENDA ITEM # J - 6**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

**DATE:** April 15, 2019

**AGENDA ITEM:** LSC Lease

**ACTION:** Motion

**SYNOPSIS:** Please see the memo from Matt that details the plans for the workout equipment at the facility. Our plan is to lease the cardio equipment and purchase the free weights and standalone stations. Cardio equipment popularity fluctuates rather frequently and is utilized more by patrons. Through the lease, Push, Pedal, Pull will maintain the equipment and allow the City more flexibility in short term replacement. The total leased amount will be \$86,607.

**BUDGET ITEM:** Community Wellness Center Funds

**RESPONSIBLE DEPARTMENT:** Parks and Rec Director

**MAYOR/COUNCIL ACTION:** None

**ATTACHMENTS:** Supporting Documents

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19



Chris Nosbisch, City Administrator  
Douglas Shannon, Chief of Police

**Jamie A. Hampton, Mayor**

**Council:**

Eric Roudabush  
Scott Rose  
Tom Wieseler  
Stephanie West  
Deb Herrmann

---

Dear Mr. Mayor and Honorary Council,

Attached you will find the price quotes for the Fitness Equipment for the Wellness Center. It is staff's recommendation to lease the cardio equipment on a 36-month lease and absorb an operational expense. This provides several advantages;

1. After 36 months we can acquire brand new equipment, always keeping our equipment new and up to date. This is a great retention tool for members knowing that the facility cares about the equipment.
2. No separate service agreement is necessary as it is included in the lease agreement / payment. If equipment breaks down those pieces and parts are replaced by leasing company.
3. After 36 months we have the flexibility to change our equipment inventory / layout. If there are pieces of equipment that are not being utilized, we can switch them out with a new desired piece.
4. Majority of the equipment will be from same manufacturer and will not cause a hodge-podge of equipment groupings.
5. Cardio equipment acquires heavy wear and tear and is usually some of the first pieces to break down. Owning these pieces can be costly to service.
6. We don't have to worry about selling equipment and dedicate a large capital expense to acquire new cardio equipment.

The quotes are broken down into two separate quotes. One quote is for the items we will be leasing, and the other quote is for items we are out right purchasing.

It is staff's recommendation that we purchase and lease the equipment from Push Pedal Pull for several reasons;

1. A local company that can provide immediate service to our location. Their service team will come from Eastern Cedar Rapids.
2. Their Precor product line is known to be durable, reliable, and attractive equipment. They have a reputation of being able to handle heavy use.
3. The lease quote was sufficient as to what we can afford to expense from the operational budget.
4. Over 30 years of experience in sales, delivery, and service.
5. They provided the best presentation of product and options.



**Mount  
Vernon**  
IOWA

**Chris Nosbisch, City Administrator**  
**Douglas Shannon, Chief of Police**

**Jamie A. Hampton, Mayor**

**Council:**

**Eric Roudabush**  
**Scott Rose**  
**Tom Wieseler**  
**Stephanie West**  
**Deb Herrmann**

- 
6. They are one of the few companies that provided a full quote with what we wanted without multiple requests for more information. Very organized, receptive, and open to ideas.

Sincerely,

**Matt Siders**  
**Director of Parks and Recreation**

	<u><i>Push Pedal Pull</i></u>	<u><i>Johnson Fitness</i></u>	<u><i>Life Fitness</i></u>
<b>Cardio</b>	\$86,607.00	\$112,250.00	\$92,158.00
<b>Other</b>	\$66,203.13	\$68,058.00	\$49,377.00
<b>TOTAL</b>	\$152,810.13	\$180,308.00	\$141,535.00 *

\* missing  
some  
items

\*-We also received quotes from Keiser Fitness and Core Fitness which were incomplete and we felt the quality and style did not match our facility needs.



**PUSH PEDAL PULL**  
 the exercise equipment experts  
 PUSH PEDAL PULL  
 ATTN MANAGER (319) 393-8818  
 155 Collins Rd NE, Ste B  
 Cedar Rapids IA 52402  
 Cell / Text: (319) 329-7100  
 mchristianson@pushpedalpull.com

# Purchase Recommendation

Prepared by: **Mark Christianson**

Quote Date	Quote #
04/10/2019	40532

Billing Address	Shipping Address
CITY OF MT VERNON ATTN: MATT SIDERS/319-551-9513 213 FIRST STREET NW MOUNT VERNON IA 52314	CITY OF MT VERNON ATTN: MATT SIDERS/319-551-9513 213 FIRST STREET NW MOUNT VERNON IA 52314

Account No.	Customer Email
1900067831 CITY OF MT VERNON	msiders@cityofmtvernon-ia.gov

Item #	MFR	MODEL	Description	Qty	MSRP	Price	Extended
73135	PRECOR	PHRCT731G301...	TRM 731 TREADMILL EXPERIENCE SERIES - P30 (NEW GLOSS METALLIC SILVER)	6	7,545.00	4,595.00	27,570.00
73107	PRECOR	PHRCE731G308...	EFX 731 ELLIPTICAL EXPERIENCE SERIES - P30 (NEW GLOSS METALLIC SILVER)	4	5,795.00	3,695.00	14,780.00
73421	PRECOR	PHRCB635G309...	UBK 635 UPRIGHT BIKE - P30 (GLOSS METALLIC SILVER)	2	2,545.00	1,595.00	3,190.00
73419	PRECOR	PHRCB635G307...	RBK 635 RECUMBENT BIKE - P30 (GLOSS METALLIC SILVER)	2	2,845.00	1,795.00	3,590.00
77590	Core Health ...	9-5270-8G-LCD	8 SERIES GAUNTLET W/LCD	1	7,695.00	4,695.00	4,695.00
71446	TRUE FITN...	XL1000CNLED	TRAVERSE XL1000 W/EMERGE CONSOLE	2	5,349.00	3,295.00	6,590.00
7186	LIFE FITNESS	PRO1031-INT	PRO SERIES PREMIUM UPPER BODY	1	4,915.00	3,795.00	3,795.00
72666	INSPIRE FIT...	CS4	CS4 CARDIO STRIDER	2	3,799.00	2,495.00	4,990.00
76250	CONCEPT 2	2712-US	CONCEPT2 MODEL D INDOOR ROWER W/PM5 BLACK	2	1,200.00	900.00	1,800.00
70844	LIFECORE F...	ABK 825	ASSAULT AIRBIKE	2	799.00	699.00	1,398.00
72973	SPIRIT FITN...	895677	XS895 ADJUSTABLE INCLINE STEPPER	2	1,999.99	1,799.00	3,598.00
71546	PRECOR	SBK823	SPINNER RIDE, BELT DRIVE	9	1,695.00	1,050.00	9,450.00
71551	PRECOR	S10	SPINNER STUDIO CONSOLE	9	199.00	129.00	1,161.00

<b>Standard Terms and Conditions:</b> 1) 50% deposit and approve P.O. with order. Balance due upon delivery. Send Payment To: 2306 W 41st St. Sioux Falls, SD 57105  2) All unit prices are F.O.B. destination. 3) Prices are subject to change 30 days after the quote date. 4) There will be a 2% monthly service charge on all overdue accounts. Buyer is also responsible for any collection and/or legal fees involved in collecting past due accounts. 5) The above quotation is computed to be performed during regular business hours. Any special request by the buyer necessary to complete work will be paid by the buyer. 6) Clerical errors are subject to correction. 7) Buyer agrees to promptly file claim for all goods damaged in transit. 8) We have a 30 day limited exchange policy with the exception of damaged or defective goods. This policy excludes exchanges on special orders and accessories. Merchandise must be in "like new" condition and returned with the original paperwork.	<b>Subtotal \$:</b>	<b>86,607.00</b>
	<b>Sales Tax \$:</b>	<b>0.00</b>
	<b>Total \$:</b>	<b>86,607.00</b>
<b>Acceptance of Proposal:</b> These prices, specifications, and conditions are satisfactory and are hereby accepted. I am authorized to order the equipment listed with full understanding of the payment terms.		

Date:	Authorized Signature:
P.O. Number:	Print Signature:



In keeping with our goal to provide you with the highest quality of services, we are pleased to provide a convenient, competitive, and professional financing option to help you obtain the equipment you have chosen.

Proposal Prepared Especially for:  
City of Mt. Vernon  
April 3, 2019

Vendor Name: Direct Fitness Solutions  
Equipment: Cardio Fitness Equipment  
Transaction Size: \$86,607.00

**Fair Market Value (FMV) Lease**

<b>Structure:</b>	<b>FMV Lease</b>	<b>Structure:</b>	<b>FMV Lease</b>
<b>Term:</b>	<b>36 Monthly Payments</b>	<b>Term:</b>	<b>48 Monthly Payments</b>
<b>Payment:</b>	<b>\$2,429.77*</b>	<b>Payment:</b>	<b>\$1,959.12*</b>

\*+ *applicables tax (including personal property tax)*

**End-of Lease Options:** At the end of the original lease term or renewal term, City of Mt. Vernon shall have the following options:

2. Return the equipment and upgrade to new DFS equipment.
3. Purchase the equipment for its fair market value.
4. Renew the lease for another 12 months.

This is a quotation only and is subject to review and approval of the LSC Credit Committee. Pricing is subject to change. Applicable tax will be added to base payments.

LSC offers many flexible financing solutions. Contact us to put together the structure that best suits your needs.

Contact: **Katie Vangsness**  
Phone 320-763-7600  
Fax: 320-763-9600  
Email: [kvangsness@LscFinancial.com](mailto:kvangsness@LscFinancial.com)

**LSC Financial Solutions**  
220 22<sup>nd</sup> Avenue East, Ste 106  
Alexandria, MN 56308

Application for Equipment Lease



Legal Name of Lessee (Applicant) Tax ID # Web address (if, applicable)

Address City State Zip County

Person(s) to Contact for Clarification Regarding Project

Name Title Phone

Name Title Phone

Email Fax

Obligations / Economics

Bank Qualified [ ] Non-Bank Qualified [ ] Fiscal Year End: Are the Applicant's obligations bank qualified (i.e., expected to issue less than \$10 Million in tax-exempt financing this calendar year)?

Moody's Investors Service: Standard & Poor's: Fitch: Please list the Applicant's current underlying bond rating from the rating agencies listed above (if applicable)

Discuss the Applicant's economic trends (stable, positive, negative) and reasons for any variation

Yes [ ] No [ ] Has the Applicant ever defaulted or non-appropriated on an obligation?

If Yes, Please explain

Demographic Information

Please provide the following demographic information (please attach any applicable demographic statistics)

Approx square mile Population Increasing or Decreasing Population? Cities, Towns and Counties

If Decreasing, Please explain

Educational Applicants Only

Enrollment Increasing or Decreasing Enrollment? Please also answer the above question regarding the resident city

If Decreasing, Please explain

Elementary: Middle: High School: Other: How many schools make up the district (please list the number and type of each school)?

## Essential Use Form

Purchase Description (please be **specific** and attach any applicable equipment lists or invoices available)

Est. Equipment Delivery Date

**Are any of the Lease Proceeds for reimbursement of prior purchases? If yes, has a Reimbursement Resolution been approved by the Governing Body?**

Yes  No

Is the Equipment replacing existing equipment?

**If Yes,**

Please state how long you have currently used the Equipment **and** the reason you are replacing the Equipment

What will the Applicant do with the old equipment that is being replaced?

**If No,**

Please state the reason additional equipment is needed

What will the Applicant do with the old equipment that is being replaced?

**Please describe in detail the following (please be specific)**

What will the Equipment be used for?

Describe the essential nature of the equipment financed

List the specific department that will be the primary user of the Equipment

### Lease Payments

Yes  No

Will the lease payments be made from Applicant's General Fund?

**If No,**

From which Special Fund will the lease payments be made?

Yes  No

Will any federal grant or loan monies be used? If so, please describe

Yes  No

Has the first payment been appropriated?

### Terms and Conditions

Total Cost of Equipment

Advance payment

Amount to Finance

Term (in years)

Annual  Semi-Annual  Quarterly  Monthly

Frequency (choose one):

Advance  Arrears

Remittance (choose one):

Equipment Delivery Date

Insurance Company Name or indicate Self Insured

Amount of Liability Insurance

Amount of Property Damage Insurance

**The undersigned hereby certifies that all the information in the above Application for Equipment Lease and Essential Use Form is true, complete and correct.**

Applicable Signature

Title

Date

**THIS DOCUMENT IS NOT A COMMITMENT OR AN OFFER TO PROVIDE FINANCING**

**AGENDA ITEM # J - 7**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	April 15, 2019
<b>AGENDA ITEM:</b>	Free Weight and Other Equip. Purchase
<b>ACTION:</b>	Motion

**SYNOPSIS:** This equipment tends to have a longer shelf life and is less likely to necessitate an upgrade within a short period of time. The amount of the purchased equipment is \$66,203.13.

**BUDGET ITEM:** Community Wellness Center Funds

**RESPONSIBLE DEPARTMENT:** Parks and Rec Director

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Supporting Documents

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19



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**Purchase Recommendation**

Prepared by: **Mark Christianson**

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04/10/2019	40536

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Account No.	Customer Email
1900067831 CITY OF MT VERNON	msiders@cityofmtvernon-ia.gov

Item #	MFR	MODEL	Description	Qty	MSRP	Price	Extended
1830	PRECOR	C027ES	LEG EXTENSION / CURL	1	3,600.00	2,195.00	2,195.00
98	PRECOR	C010ES	LEG PRESS/CALF EXT	1	3,900.00	2,395.00	2,395.00
68	PRECOR	C015ES	REAR DELT/PEC FLY	1	3,600.00	2,195.00	2,195.00
1833	PRECOR	C028ES	ABDOMINAL / BACK EXTENSION	1	3,600.00	2,195.00	2,195.00
695	PRECOR	C026ES	PULLDOWN / ROW	1	3,600.00	2,195.00	2,195.00
1821	PRECOR	C024ES	MULTI PRESS	1	3,600.00	2,195.00	2,195.00
1824	PRECOR	C025ES	BICEP / TRICEP	1	3,600.00	2,195.00	2,195.00
488	PRECOR	PW407KBR99	150# CROSSOVER ADJUSTABLE PULLEYS	1	5,200.00	3,499.00	3,499.00
1899	PRECOR	PW320KNR99	DIP CHIN ASSIST CW320	1	4,375.00	2,995.00	2,995.00
71658	PRECOR	PWDBR0702	VERTICAL KNEE UP	1	1,230.00	799.00	799.00
71444	PRECOR	DPL0802	DISCOVERY PLATE LOADED SMITH MACHINE	1	4,450.00	2,895.00	2,895.00
78357	USA SPORT...	GP-045R	45# RUBBER GRIP OLY 2" PLATE	6	81.00	54.00	324.00
78356	USA SPORT...	GP-035R	35# RUBBER GRIP OLY 2" PLATE	2	63.00	42.00	84.00
78355	USA SPORT...	GP-025R	25# RUBBER GRIP OLY 2" PLATE	4	45.00	30.00	120.00
78354	USA SPORT...	GP-010R	10# RUBBER GRIP OLY 2" PLATE	4	18.00	12.00	48.00
78353	USA SPORT...	GP-005R	5# RUBBER GRIP OLY 2" PLATE	4	9.00	6.00	24.00
78352	USA SPORT...	GP-002R	2.5# RUBBER GRIP OLY 2" PLATE	4	5.00	3.00	12.00
71552	PRECOR	DBR119	DISCOVERY MULTI-ADJUSTABLE BENCH	3	1,200.00	795.00	2,385.00
71656	PRECOR	PWDBR0202	PREACHER CURL BENCH	1	1,030.00	695.00	695.00
7084	USA SPORT...	GOZ-47	OLYMPIC EZ CURL BAR	1	69.99	49.00	49.00

**Standard Terms and Conditions:**  
 1) 50% deposit and approve P.O. with order. Balance due upon delivery.  
 Send Payment To:  
 2306 W 41st St.  
 Sioux Falls, SD 57105

2) All unit prices are F.O.B. destination.  
 3) Prices are subject to change 30 days after the quote date.  
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 5) The above quotation is computed to be performed during regular business hours. Any special request by the buyer necessary to complete work will be paid by the buyer.  
 6) Clerical errors are subject to correction.  
 7) Buyer agrees to promptly file claim for all goods damaged in transit.  
 8) We have a 30 day limited exchange policy with the exception of damaged or defective goods. This policy excludes exchanges on special orders and accessories. Merchandise must be in "like new" condition and returned with the original paperwork.

<b>Subtotal \$:</b>	<b>66,203.13</b>
<b>Sales Tax \$:</b>	<b>0.00</b>
<b>Total \$:</b>	<b>66,203.13</b>

**Acceptance of Proposal:**  
 These prices, specifications, and conditions are satisfactory and are hereby accepted. I am authorized to order the equipment listed with full understanding of the payment terms.

Date:

Authorized Signature:

P.O. Number:

Print Signature:

Prepared by: **Mark Christianson**

mchristianson@pushpedalpull.com

Quote Date	Quote #
04/10/2019	40536

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Account No.	Customer Email
1900067831 CITY OF MT VERNON	msiders@cityofmtvernon-ia.gov

Item #	MFR	MODEL	Description	Qty	MSRP	Price	Extended
71648	PRECOR	PWDBR0113	ADJUSTABLE DECLINE BENCH	1	1,090.00	745.00	745.00
72849	ESCAPE	PAA575R	5-75LB PROACTIVE RUBBER DUMBBELL SET W/PADBR15 DB RACK	1	3,460.00	1,995.00	1,995.00
71677	ESCAPE	PAA0025/APAR0...	2.5LB PROACTIVE RUBBER DUMBBELL (SINGLE)	2	5.40	3.47	6.94
72380	ESCAPE	PAA0050/APAR0...	5LB PROACTIVE RUBBER DUMBBELL (SINGLE)	2	10.80	6.95	13.90
71678	ESCAPE	PAA0075/APAR0...	7.5LB PROACTIVE RUBBER DUMBBELL (SINGLE)	2	16.20	10.42	20.84
72381	ESCAPE	PAA0100/APAR0...	10LB PROACTIVE RUBBER DUMBBELL (SINGLE)	2	21.60	13.90	27.80
72382	ESCAPE	PAA0150/APAR0...	15LB PROACTIVE RUBBER DUMBBELL (SINGLE)	2	32.40	20.85	41.70
72383	ESCAPE	PAA0200/APAR0...	20LB PROACTIVE RUBBER DUMBBELL (SINGLE)	2	43.20	27.80	55.60
72384	ESCAPE	PAA0250/APAR0...	25LB PROACTIVE RUBBER DUMBBELL (SINGLE)	2	54.00	34.75	69.50
72284	ESCAPE	PADBR10	PROACTIVE DUMBBELL RACK 2 TIER W/CUPS 10PR	1	470.00	295.00	295.00
30169	TRUE FITN...	800SS CLUB	TRUE STRETCH 800SS CLUB	1	2,499.00	1,599.00	1,599.00
79274	DYNAMIC FI...	400026-99	CORNER TRAINING UNIT MODIFIED	1	5,000.00	3,600.00	3,600.00
7916	USA SPORT...	GOB-86B	7' BLACK OLYMPIC BAR	1	119.99	89.00	89.00

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Item #	MFR	MODEL	Description	Qty	MSRP	Price	Extended
77777	DYNAMIC FI...	609001	BATTLE ROPE, 1.5" DIA 30FT LONG	3	100.00	79.00	237.00
526	USA SPORT...	VO-045SBP	45# OLYMPIC 2" BUMPER PLATE	2	89.99	55.80	111.60
515	USA SPORT...	VO-025SBP	25# OLYMPIC 2" BUMPER PLATE	2	49.99	31.00	62.00
481	USA SPORT...	VO-010SBP	10# OLYMPIC 2" BUMPER PLATE	2	29.99	20.00	40.00
77550	USA SPORT...	KB-005G2	5# BLACK CAST KB SECOND GENERATION	2	9.50	6.00	12.00
77551	USA SPORT...	KB-010G2	10# BLACK CAST KB SECOND GENERATION	3	19.00	12.50	37.50
71615	USA SPORT...	KB-015G2	15# BLACK CAST KB SECOND GENERATION	3	28.50	19.00	57.00
77552	USA SPORT...	KB-020G2	20# BLACK CAST KB SECOND GENERATION	3	38.00	25.50	76.50
71616	USA SPORT...	KB-025G2	25# BLACK CAST KB SECOND GENERATION	3	47.50	32.00	96.00
71617	USA SPORT...	KB-030G2	30# BLACK CAST KB SECOND GENERATION	3	57.00	38.50	115.50
77651	USA SPORT...	KB-035G2	35# BLACK CAST KB SECOND GENERATION	3	66.50	45.00	135.00
77677	USA SPORT...	KB-040G2	40# BLACK CAST KB SECOND GENERATION	3	76.00	51.50	154.50
77553	USA SPORT...	KB-045G2	45# BLACK CAST KB SECOND GENERATION	2	85.50	58.00	116.00
77678	USA SPORT...	KB-050G2	50# BLACK CAST KB SECOND	2	95.00	64.50	129.00



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Account No.	Customer Email
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Item #	MFR	MODEL	Description	Qty	MSRP	Price	Extended
77554	USA SPORT...	KB-060G2	GENERATION 60# BLACK CAST KB SECOND	1	91.20	77.50	77.50
77555	USA SPORT...	KB-070G2	GENERATION 70# BLACK CAST KB SECOND	1	106.40	91.00	91.00
77855	USA SPORT...	KB-080G2	GENERATION 80# BLACK CAST KB SECOND	1	152.00	104.00	104.00
8850	USA SPORT...	SD-005R	5# RUBBER ENCASED DUMBBELL W/ CHROME HANDLE - SINGLE	2	9.99	6.00	12.00
8851	USA SPORT...	SD-010R	10# RUBBER ENCASED DUMBBELL W/ CHROME HANDLE - SINGLE	2	19.99	12.00	24.00
8016	USA SPORT...	SD-015R	15# RUBBER ENCASED DUMBBELL W/ CHROME HANDLE - SINGLE	2	29.99	18.00	36.00
8852	USA SPORT...	SD-020R	20# RUBBER ENCASED DUMBBELL W/ CHROME HANDLE - SINGLE	2	39.99	24.00	48.00
8853	USA SPORT...	SD-025R	25# RUBBER ENCASED DUMBBELL W/ CHROME HANDLE - SINGLE	2	49.99	30.00	60.00
8017	USA SPORT...	SD-030R	30# RUBBER ENCASED DUMBBELL W/ CHROME HANDLE - SINGLE	2	59.99	36.00	72.00
643	USA SPORT...	SD-035R	35# RUBBER ENCASED DUMBBELL W/ CHROME HANDLE - SINGLE	2	69.99	42.00	84.00
775	POWER SY...	80220	FOAM ROLLER 36"x6"-ROUND	2	22.14	20.00	40.00
70628	POWER SY...	80237	HIGH DENSITY FOAM ROLLER	2	15.93	15.00	30.00

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Item #	MFR	MODEL	Description	Qty	MSRP	Price	Extended
70569	POWER SY...	80233	18X6-ROUND HIGH DENSITY FOAM ROLLER	2	11.79	11.00	22.00
2535	USA SPORT...	GMBR-PAC	12x6-ROUND MEDICINE BALL PACK Includes: 1 X 4 lb. Med Ball 1 X 6 lb. Med Ball 1 X 8 lb. Med Ball 1 x 10 lb. Med Ball 1 x 12 lb. Med Ball 1 x 15 lb. Med Ball 1 X GMBR-6 Med Ball Rack	2	369.99	269.00	538.00
78783	USA SPORT...	PWB-004	4# LEATHER WALL BALL	1	49.00	37.33	37.33
8088	USA SPORT...	PWB-006	6# LEATHER WALL BALL	2	60.00	40.00	80.00
70161	USA SPORT...	PWB-008	8# LEATHER WALL BALL	1	64.00	42.67	42.67
30080	USA SPORT...	PWB-010	10# LEATHER WALL BALL	2	68.99	45.33	90.66
70162	USA SPORT...	PWB-012	12# LEATHER WALL BALL	1	72.00	48.00	48.00
30081	USA SPORT...	PWB-014	14# LEATHER WALL BALL	2	76.99	50.67	101.34
70022	USA SPORT...	PWB-016	16# LEATHER WALL BALL	1	82.99	54.67	54.67
70021	USA SPORT...	PWB-018	18# LEATHER WALL BALL	2	88.99	58.67	117.34
3053	USA SPORT...	PWB-020	20# LEATHER WALL BALL	1	94.00	62.67	62.67
70163	USA SPORT...	PWB-025	25# LEATHER WALL BALL	2	100.00	65.33	130.66
77477	USA SPORT...	PWB-030	30# LEATHER WALL BALL	1	110.00	73.33	73.33

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Item #	MFR	MODEL	Description	Qty	MSRP	Price	Extended
77478	USA SPORT...	PWB-035	35# LEATHER WALL BALL	1	120.00	80.00	80.00
77845	USA SPORT...	PWB-040	40# LEATHER WALL BALL	1	140.00	93.33	93.33
77846	USA SPORT...	PWB-050	50# LEATHER WALL BALL	1	156.00	104.00	104.00
78199	DYNAMIC FI...	606000	3-1 WOOD PLYO BOX	3	202.00	150.00	450.00
8781	USA SPORT...	MDR-NPAC	AEROBIC PAC W/ LOCKING RACK AND 43 PAIRS OF NEOPRENE DUMBBELLS	1	1,054.00	699.00	699.00
8257	USA SPORT...	MDR-CAST	CASTERS FOR MDR RACK	1	79.99	55.00	55.00
8855	BALL, BOU...	10850-1P	BOSU PRO BALANCE TRAINER	15	159.99	125.00	1,875.00
72302	ESCAPE	EST-DECK	DECK 2.0	15	200.00	150.00	2,250.00
72153	ESCAPE	EST-GB55	55CM/22 INCH STEADYBALL	2	31.00	24.00	48.00
72154	ESCAPE	EST-GB65	65CM/25INCHS STEADYBALL	2	36.00	28.00	56.00
72155	ESCAPE	EST-GB75	75CM/28.5INCHS STEADYBALL	2	41.00	32.00	64.00
72177	ESCAPE	EST-CMATA	CORE MAT ANTHRACITE	15	34.00	26.00	390.00
72150	ESCAPE	WBANDS	POWER BAND SMALL	8	20.50	15.00	120.00
72151	ESCAPE	WBANDM	POWER BAND MEDIUM	8	31.00	23.00	184.00
72152	ESCAPE	WBANDL	POWER BAND LARGE	8	41.00	31.00	248.00
71573	ESCAPE	EST-PT1	POWER TUBE 01	8	21.00	15.00	120.00
71574	ESCAPE	EST-PT2	POWER TUBE 02	8	23.00	17.00	136.00
71575	ESCAPE	EST-PT3	POWER TUBE 03	8	25.00	19.00	152.00
78259	TRX	EXEM-MINBAN...	MINI BANDS 12" LIGHT	10	3.00	2.40	24.00
78260	TRX	EXEM-MINBAN...	MINI BANDS 12" MEDIUM	10	3.25	2.60	26.00
78261	TRX	EXEM-MINBAN...	MINI BANDS 12" HEAVY	10	3.50	2.80	28.00



**PUSH PEDAL PULL**  
 the exercise equipment experts  
 ATTN MANAGER (319) 393-8818  
 155 Collins Rd NE, Ste B  
 Cedar Rapids IA 52402

**Purchase Recommendation**

Prepared by: **Mark Christianson**

mchristianson@pushpedalpull.com

Quote Date	Quote #
04/10/2019	40536

Billing Address	Shipping Address
CITY OF MT VERNON ATTN: MATT SIDERS/319-551-9513 213 FIRST STREET NW MOUNT VERNON IA 52314	CITY OF MT VERNON ATTN: MATT SIDERS/319-551-9513 213 FIRST STREET NW MOUNT VERNON IA 52314

Account No.	Customer Email
1900067831 CITY OF MT VERNON	msiders@cityofmtvernon-ia.gov

Item #	MFR	MODEL	Description	Qty	MSRP	Price	Extended
78480	POWER SY...	67150	POWER WHEEL	2	49.99	48.00	96.00
72156	ESCAPE	EST-SRL	LEATHER JUMP ROPE	5	30.00	23.00	115.00
72157	ESCAPE	EST-ROPE3	CROSS TRAINING JUMP ROPE	5	29.00	22.00	110.00
72158	ESCAPE	EST-ROPE5	FITNESS JUMP ROPE	5	21.00	16.00	80.00
77139	DYNAMIC FI...	400020	ARSENAL SAFE STORAGE UNIT	1	5,819.00	3,899.00	3,899.00
77862	DYNAMIC FI...	409039	TITAN CANTILEVER ARM	2	252.00	175.00	350.00
70129	UNIFIED FIT...	FM-3146	FIGHT MONKEY 100# HEAVY BAG FULL COMML	2	160.00	120.00	240.00
79210	DYNAMIC FI...	409006-99	TITAN XMEMBER TRI BAR PULL 6 WIDTH	1	400.00	275.00	275.00
79147	DYNAMIC FI...	409021-01	TITAN XMEMBER TRI BAR PULL UP 4' WIDTH - SINGLE WALL	1	230.00	150.00	150.00
77760	TRX	TRXCLUB4	COMMERCIAL SUSPENSION TRAINER C4	4	209.95	159.00	636.00
70740	GYMWIPES	2XL-80	CONTEMPORARY WALL DISPENSER- SMOKE GREY	5	51.75	39.95	199.75
70485	GYMWIPES	2XL-36	ADV SANITIZING WIPES 900/ROLL 3600/CASE	5	113.70	89.00	445.00
9901		FC	FREIGHT COMMERCIAL	1		5,900.00	5,900.00
9977		DEL	DELIVERY/INSTALLATION	1		4,995.00	4,995.00

**AGENDA ITEM # J - 8**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	April 15, 2019
<b>AGENDA ITEM:</b>	Set Public Hearing Date – Demolition Ordinance
<b>ACTION:</b>	Motion

**SYNOPSIS:** This ordinance has been discussed on and off for the past three years. I have included the previous draft with the time frame for establishing review eliminated (previously 50 years). This public hearing will be set for May 6, 2019 at 6:30 p.m.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Proposed Ordinance

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19

Chapter 153  
DEMOLITION ORDINANCE

**153.01 Demolition Permit Required:** No building/structure ~~that is fifty (50) years old or older~~ can be demolished without a permit. ~~Prior to the demolition of any building/structure, the applicant shall be required to submit signed documentation showing all utility connections have been properly disconnected according to the standards set forth by each respective utility representing.~~

153.02 Demolition of Historically Significant Buildings. ~~Additionally, No~~ permit for the demolition of a building/structure ~~which is fifty years old or older~~ ~~that is designated as a historic place by the National Register of Historic Places, or lies within a historic preservation district as defined by the City of Mt. Vernon,~~ shall be issued other than in conformity with the provisions of this ordinance, as well as in conformity with the provisions of other laws and ordinances applicable to historic preservation and to the demolition of buildings. An application for demolition shall be made only by the person, partnership, corporation or realty trust which is the deed holder thereof at the time of such application.

Except for structures in established historic districts of the City, this ordinance does not apply to the demolition of existing porches ~~or additions to buildings that are not part of the original foot print of the building or structure.~~

**153.02 Application for Permit:** ~~An application for demolition shall be made only by the legal deed holder thereof at the time of such application.~~ The application must be made on a form provided by the ~~Historic Preservation Commission~~ City of Mt. Vernon.

**153.03 Demolition of Historic Buildings:** No permit for demolition of a building determined to be a historically significant building under this ordinance shall be granted until plans for use or development of the site after demolition have been filed with the Zoning Administrator and found to comply with all laws pertaining to the issuance of a building permit. ~~All approvals necessary for the issuance of such a building permit or certificate of occupancy including without limitation any necessary zoning variances or special permits, must be granted and all~~ All appeals from the granting of such approvals must be concluded, prior to the issuance of a demolition permit under this section.

**153.04 Fourteen Day Wait.** The Zoning Administrator shall forward a copy of each application for a demolition permit meeting the requirements set forth in Chapter 153.03 to the Historic Conservation Commission (Commission) for determination as to whether the building, which is the subject of such application, is a historically significant ~~building~~. A fourteen (14) day wait period shall commence on the date following the date the Commission receives the application for a demolition permit from the Zoning Administrator. Demolition is prohibited during the fourteen day wait period.

~~Historically significant buildings are~~Historically significant includes, but is not limited to a structure or building which:

- A. ~~Embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction;~~Listed individually in the National Register of Historic Places, maintained by the Department of the Interior, or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing of the National Register; or
- B. ~~Has yielded, or may be likely to yield information important to pre-history or history;~~Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or
- C. ~~Is associated with events that have made a significant contribution to the broad patterns of our history~~Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- D. ~~Is associated with the lives of persons significant in our past~~Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by either (i) an approved state program as determined by the Secretary of the Interior or (ii) directly by the Secretary of the Interior in states without approved programs.

The purpose and intent of this ordinance is set forth in Chapter 24.01 of the Mount Vernon, Iowa Code of Ordinances.

**153.05 Initial Review and Determination.** The Historic Preservation Commission shall review the application for demolition at a public meeting of the Commission within the fourteen (14) day wait period. The Commission shall make an initial determination whether the building is a historically significant building using the standards set forth in the then current US Secretary of Interior standards for historic preservation, and further, upon criteria which would be unique to the historic nature of the City of Mount Vernon. The Commission shall make written findings supporting the grant or denial of the permit.

If during the fourteen (14) day wait period, the Commission makes an initial determination that the building which is the subject of the application for demolition is, or may be a

historically significant building whose loss would be detrimental to the historical or architectural heritage or resources of the City, such building shall be considered a historically significant building. The Zoning Administrator shall be so advised, and no demolition permit or building permit for new construction shall be issued unless and until a final determination has been made that the building is not a historically significant building or an exception applies. If the Commission makes the determination that the building is not a historically significant building the Administrator shall be advised and the permit will be issued provided all other applicable building regulations have been met.

**153.06 Final Determination.** After an initial determination by the Commission that any building which is the subject of an application is a historically significant building, it shall so advise the applicant who submitted the application and the Zoning Administrator, and a sixty (60) day demolition review period will be imposed. The sixty (60) day demolition review period starts on the date the applicant who submitted the application and the Zoning Administrator are notified of the decision of the Commission.

The Commission shall hold a public hearing prior to making the determination that any building is a historically significant building. The Commission shall publish notice pursuant to Iowa Code Section in the official city designated newspaper no less than four (4) days and no more than twenty (20) days from the date that an initial determination has been that the building is a historically significant building. A sign shall also be posted on the subject property notifying the general public of the pending application for demolition. No demolition permit or building permit for new construction or alterations on the premises shall be issued after the date of a determination that a building is a historically significant building except as may be provided for in subsection 157.07 of this section.

During the sixty (60) day demolition review period, The Commission will work with the applicant to have a historic survey done on the property, if necessary, and to determine if any of the following options or alternatives to demolition are feasible:

- A. The building can be considered for landmark designation.
- B. Rehabilitation the building with the assistance of State or Federal tax incentives or other private financial assistance.
- C. Adapting the building to a new use.
- D. Finding a new owner who is interested in preserving/rehabilitating the building.
- E. Incorporating the building into the owner/applicant's

redevelopment plans.

- F. Assisting in finding a different location for the owner's redevelopment.
- G. Moving the building to an alternative location.
- H. Salvaging building materials if the structure is to be demolished.
- I. Documenting the building prior to the issuance of a demolition permit.

The Commission shall make findings in writing. Upon completion of the review, the Commission will advise the applicant and Zoning Administrator in writing whether a demolition permit can be issued.

**153.07 Exceptions.** Exceptions from the demolition review process will be afforded if an economic hardship can be demonstrated or a structure is considered an imminent threat to the health and/or safety of the public. The burden of proof that an economic hardship exists is the applicant's responsibility. The Zoning Administrator will forward a copy of the application to the Historic Preservation Commission for a hardship exemption, along with the applicant's request for exemption from the demolition review process. The Historic Preservation Commission shall review the request for exemption, and shall respond to said application at its earliest convenience, but not more than fourteen (14) business days after receipt of the application by the Commission. Criteria for determination of an economic hardship include:

- A. ~~The basis to establish economic hardship for an income producing property, including commercial uses or rental units, shall be that a reasonable rate of return cannot be obtained from a property that retains its historic features or structures in either its present condition or if its features or structures are rehabilitated. A reasonable rate of return is Prime plus \_\_%. The feasibility of alternative uses for the property prevent the applicant from securing a reasonable return on investments. A report from a licensed engineer or architect with expertise in rehabilitation shall be submitted to the Historic Preservation Commission. Said report shall include cost estimates for rehabilitation, estimated market values of the property (in its current condition and after project completion), and/or costs associated with moving the building to an alternative location.~~
- B. ~~Economic hardship in regard to a non-income producing property shall be found when the property owner demonstrates that the property has no beneficial use as a single-family dwelling or for an institutional, religious or governmental not-for-profit use in its present condition or if rehabilitated.~~

C.B. \_\_\_\_\_ Demonstration of an economic hardship shall not be based ~~on or include any of the following circumstances~~ self-inflicted hardships, including but not limited to:

1. Willful or negligent acts by the owner.
2. Failure to perform normal maintenance and repairs.
3. Failure to diligently solicit and retain tenants.
4. Failure to provide normal tenant improvements.

If the Zoning Administrator has not received a decision from the Commission on the request for exemption within the fourteen (14) business day wait period, then the Zoning Administrator shall notify the Chairperson and Secretary of the Commission that a demolition permit will be issued seven (7) days after the date that this notice has been provided to the Chairperson and Secretary, unless prior to the expiration of seven (7) days, the Commission issues a written decision on the application for a hardship exemption for the demolition permit.

153.08 Appeals. Any party aggrieved by the decision of the Historic Preservation Commission may appeal the action to the City Council. Such an appeal must be in writing and must be filed with the City Administrator no later than ten (10) business days after the filing of the aforementioned decision. The City Council shall, within a reasonable amount of time, give public notice to the applicant and to the appellant, hear the appeal and decide the appeal. In deciding such appeals, the City Council shall consider whether to reverse, affirm or modify the decision. If not satisfied with the decision of the City Council, any aggrieved party may appeal within (60) days of the City Council's decision to the Iowa District Court.

#### **153.09 Violations and Penalties**

- A. Any person, firm or corporation violating or failing to comply with, or violating any terms or provisions of this chapter shall be subject to the penalty provisions of Chapter 4 of the ordinances of the City of Mount Vernon, IowaMt. Vernon, Iowa municipal code.
- B. Failure to comply with the application process or failure to have a demolition permit pursuant to this Ordinance constitutes irreparable harm warranting injunctive relief to stop the demolition of any potentially historically significant building.

**AGENDA ITEM # J - 9**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	April 15, 2019
<b>AGENDA ITEM:</b>	HPC – Architecture Proposal
<b>ACTION:</b>	Motion

**SYNOPSIS:** HPC is currently looking to hire an architect to create a preservation plan for stabilization and upgrade's to the visitor's center. It is my understanding that HPC has received a grant that will help cover \$3,600 of this expense, and are seeking an additional \$3,600 from the City to cover the remaining contract amount. I was not aware of this expense when they submitted the grant, so I do not currently have funding earmarked for this project.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** HPC

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Proposal

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19



## DOUGLAS J. STEINMETZ

4121 Timberview Drive NE  
Cedar Rapids, Iowa 52411  
319 - 294 - 4905 Fax: 319-892-0568  
doug@djsaia.com

A R C H I T E C T

Mount Vernon Historic Preservation Commission  
Mary Evans  
313 2nd Ave SW  
Mount Vernon, IA 52314-1621

April 8, 2019

RE: Proposal for Preservation Planning:  
Mount Vernon Visitor's Center, 311 1st St. NW, Mount Vernon, Iowa

Dear Ms. Evans:

Thank you for inviting me to submit this proposal. I enjoyed meeting with the project representatives and exploring the building during my March visit to Mount Vernon: I am happy to hear that the general approach outlined at our initial meeting is being acted on. I would be pleased to prepare a Preservation Plan to help you identify and plan for remedial actions at this unique historic resource in your community that are consistent with rehabilitation standards established by the Secretary of the Interior.

### Description of the Project

This proposal is for services related to developing a Preservation Plan for stabilization and upgrades at the visitor's center in Mount Vernon, IA. At this time, the scope of the rehabilitation project is not sufficiently defined to guide me in preparing a proposal including services beyond this planning phase. I will be happy to provide a separate proposal for services related to construction once we have worked through this planning phase and have developed a better-defined scope and cost of the project you wish to implement.

I am making this proposal based on my understanding that you would like me to help you identify building areas needing remedial work to protect and enhance existing historic materials as well as providing suggestions for possible reconstruction of lost historic elements, helping you establish priorities and an understanding of options available to address each of these concerns.

### Architectural Services and Fees

I am proposing the following services:

1. **Site Observation Phase** - travel to the site to:
  - a. Make measurements and prepare drawings of the existing building as necessary for me to complete my work. I anticipate this to include architectural floor plans and elevations. I will rely on site plan information you provide for property lines, topography and existing site improvements where such information is needed.
  - b. Visual inspection of the exterior and interior: If portions of the building need to be opened for observation, I will notify you of the proposed location so the opening can be accomplished with your forces. I will make observations from the ground with binoculars. Access to the attic would be ideal.
  - c. Meet with you to confirm design goals for the project.
  - d. Prepare a draft outline scope of work for remediation of existing conditions.
2. **Preservation Plan Report Phase** - this phase includes:
  - a. Preliminary Building Code study based on design goals.
  - b. Preparation of a written report of findings including a prioritized list of repairs. A three-tiered ranking system will be used to prioritize each remedial work item. Priorities are assigned based on a work item's importance as it relates to SAFETY (Priority I), PRESERVATION (Priority II), or AESTHETICS (Priority III).
  - c. Provide an opinion of cost for suggested alterations and remedial actions.
  - d. Meet with project representatives for comment on the draft report.
  - e. Make final revisions to the report based on comments received on the draft report.
  - f. I will provide copies of the final report. Three bound and a PDF on a compact disk.

I will charge you a lump-sum fee of \$7,200 (including reimbursable expenses) for the services described above. Payment in full is to be made within thirty calendar days of the invoice date. If the services covered by this proposal have not been completed within 12 months of the date of the notice to proceed, through no fault of this office, the amounts of compensation, rates, and multiples will be equitably adjusted.

**Additional Services**

This proposal is for design services only. At the conclusion of this preliminary study I would be glad to provide construction documents, assist with bidding or negotiation, and provide construction contract administration if you wish. That work is not part of this proposal.

**Client to Provide**

I am assuming you will provide all available documentation of the construction and history, including drawings, site survey, etc.

I have no expertise in the identification, treatment, repair, or removal of asbestos, asbestos-containing products, or other hazardous or toxic materials. In the event that such materials are suspected to be present you will retain an independent expert consultant to deal with the problem.

I will be working from the assumption that the site area in the location of the proposed addition is free of underground obstructions that would prevent construction unless you inform me otherwise.

**Schedule**

I will place your project on our schedule as soon as I receive your notice to proceed. I feel I can complete my work about sixteen weeks of receiving your notice to proceed. It could be shortened or extended based on how fast you are comfortable making decisions. We can identify a more precise schedule when the project begins.

**Terms and Conditions**

In providing services under this Agreement, the Architect will endeavor to perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances. To the maximum extent permitted by Law, the you agree to limit the Architect's liability for damages to the total fee for this Agreement. This limitation shall apply regardless of the cause of action or legal theory pled or asserted.

Please sign and return one copy of this proposal to this office, retain the original of this agreement for your files. Your signature on the copy of this proposal, returned to this office signifies understanding of and agreement to the terms and conditions stated and will serve as notice to proceed with your project. If I do not hear from you by September 2019, this proposal will expire. I would be happy to resubmit the proposal again after that date, however.

I hope this proposal includes everything we discussed and is presented to your satisfaction. If I have left anything out, or if you have comments or questions, please give me a call at 319-294-4905. I hope that I will be given an opportunity to work with you on this project.

Very truly yours,

  
Douglas J. Steinmetz, AIA

Enclosure: Copy of this Proposal for return to this office

*Proposal Accepted:*

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Mary Evans, Mount Vernon Historic Preservation Commission

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Date

## **K. Reports-Received/File**



Mount  
Vernon  
IOWA

Chris Nosbisch, City Administrator  
Douglas Shannon, Chief of Police

**Jamie A. Hampton, Mayor**

**Council:**

Eric Roudabush  
Scott Rose  
Tom Wieseler  
Stephanie West  
Deb Herrmann

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**MARCH 2019**  
**POLICE REPORT**

**Vehicle Collisions**

There were 8 reported collisions in March. The first collision occurred in the 300 block of 7<sup>th</sup> St NE when an unknown vehicle struck a parked vehicle and left the scene. Damage was estimated at \$2,000 and no injuries were reported. The second collision occurred at Hwy 1 & 30 when two vehicles travelling eastbound on Hwy 30 entered the traffic circle side by side. The vehicle on the right attempted to proceed north on Hwy 1 while the other vehicle was continuing eastbound on Hwy 30. Vehicle 2 collided with vehicle 1 while attempting to turn north onto Hwy 1. Damage was estimated at \$5,000 and no injuries were reported. The third collision occurred at 4<sup>th</sup> Ave & 2<sup>nd</sup> St SW when an unknown vehicle struck a parked vehicle and fled the scene. Damage was estimated at \$1,500 and no injuries were reported. The fourth collision occurred in the 500 blk of 1<sup>st</sup> Street West when an unknown vehicle travelling west on 1<sup>st</sup> Street, struck a legally parked vehicle. The striking vehicle left the scene without reporting the collision. Damage was estimated at \$1,800 and no injuries were reported. The fifth collision occurred at Hwy 1 & 30 when a vehicle travelling eastbound on Hwy 30 in the traffic circle was struck by a vehicle travelling northbound on Hwy 1 and failed to yield before entering the roundabout. Damage was estimated at \$7,500 and no injuries were reported. The sixth collision occurred in the 300 blk of 2<sup>nd</sup> St SE when a vehicle backing from a driveway collided with a parked car and left the scene without reporting the collision. Damage was estimated at \$500 and no injuries were reported. The seventh collision occurred at Hwy 1 & 30 when a vehicle travelling north on Hwy 1 failed to yield before entering the roundabout and collided with a vehicle that was travelling eastbound on Hwy 30. Damage was estimated at \$8,000 and no injuries were reported. The eighth collision occurred in the 1300 block of 3<sup>rd</sup> St SW when a vehicle was backing and collided with a mail box pod. Damage was \$2,700 and no injuries were reported.

**Incidents/Arrest**

There were 26 reported incidents in March. Reports included Hit & Run (4), driving while license suspended/revoked/barred (7), Dog at Large/Dog Bite, welfare check (2), theft, information on juveniles egging houses, vehicle tow, theft, Assault Causing Injury-Domestic Abuse (2), OWI, found property, Arson, medical assist with committal, and Harassment.

The incidents resulted in 11 arrests for March. Arrests included possession of drug paraphernalia, driving while revoked (7), Domestic Assault with injury, OWI, and Arson.

**K-9 Report**

Officer Moel and K9 Monster attended training on 3/24 & 3/25. During March 2019, Monster was deployed on 5 traffic stops, indicating on 2 vehicles where the presence of drug residue was located.

**Community Service/Training/Misc.:**

- Chief Shannon, Fire Chief Goodlove, and Ambulance Director Lindauer assisted St. Paul's Lutheran Church with a security/safety plan walkthrough & discussion



**Mount  
Vernon**  
IOWA

**Council:**

**Eric Roudabush  
Scott Rose  
Tom Wieseler  
Stephanie West  
Deb Herrmann**

**Chris Nosbisch, City Administrator  
Douglas Shannon, Chief of Police**

**Jamie A. Hampton, Mayor**

- Chief Shannon attended the E911 meeting on 3/7/2019. During this meeting the election of Executive Board for E911 was conducted and Chief Shannon was elected to the Executive Board for E911 Service Board.
- Chief Shannon met with Todd Christianson (ICAP Senior Risk Specialist) on 3/12/19. Todd stated he was impressed with the operations and practices of the police department.
- Officer Mehlert attended the Crime Stoppers meeting in Lisbon on 3/19/19
- Chief Shannon met with Lisbon City Administrator Connie Meier on 3/27/2019 regarding the 28E. Connie advised that Lisbon Council voted to terminate the agreement effective July 1, 2019 per the request of Lisbon Police Chief Rick Scott. Connie requested further discussion occur between both Cities to determine any modification that can be made to the 28E agreement between the two cities moving forward.
- Chief Shannon attended the RC Rail meeting at Hills Bank on 3/28/2019.
- Officer Mehlert and Officer Gehrke attended 1-day training in Nevada regarding "Trauma Informed Investigation"

**GTSB:**

Officers worked 24.5 hours of STEP enforcement in March focusing on the March 14-17, 2019 STEP Wave. During this time officers contact 10 speed violations, 2 stop sign violations, 1 suspended/revoked driver, 1 driver without valid license, 5 registration violations, 4 insurance violations, 1 improper passing, 10 equipment violations, and 4 other traffic violations. Additionally, for the month, officer made 1 OWI arrest, and 2 OWI contacts, 20 speed violations, 2 stop sign violations, 1 invalid driver, 3 suspended/revoked drivers, 7 registration violations, 14 equipment violations, and 8 other traffic violations. Pre and post event seatbelt surveys were conducted for the March STEP project. Pre-Event survey showed 113 of the 116 drivers & passengers observed using seatbelts (97%) and Post-Event survey showed 104 of the 112 drivers & passengers wearing seatbelt (93%).

**LISBON (28E Contracted Services):**

Per the 28E agreement our department provided the following service to Lisbon in March 2019:

- Patrol: 2,265 minutes
- Calls for service: 485 minutes (12 calls for service)
- Administrative time: 50 minutes

**Total time for March 2019: 2,800 minutes = 46.67 hrs.; Total: \$1,886.80**

Respectfully Submitted,

Chief of Police



Mount  
**Vernon** Police Department  
IOWA

Douglas J. Shannon, Chief of Police

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# Mount Vernon Police Department

## **2018 Annual Report**

*Douglas J. Shannon*  
*Chief of Police*



Mount  
Vernon  
IOWA

# Police Department

Douglas J. Shannon, Chief of Police

## *Chief's Message*



I am pleased to present the 2018 Annual Report. The officers of the Mount Vernon Police Department work diligently to carry out the mission of the police department with integrity, fairness, and professionalism.

Public Safety in our community is not possible without the dedicated service of the police officers, along with the strong support from our elected officials, city staff, city administration, and the community. I am thankful for this support and community partnership to ensure Mount Vernon remains a safe and vibrant community.

As police chief for the city of Mount Vernon, I invite you to review our annual report and learn about the services we provide to the community, and better understand the challenges and tasks the officers of the Mount Vernon Police Department face daily while serving our community.

Having served with the Mount Vernon Police Department for 26 years, I am honored to serve alongside the dedicated officers of this department and am proud of the integrity and dedication they demonstrate in service to the community.

Our department believes strongly in partnering with the community to solve problems. We prioritize community engagement and build trust with the community by being educated, professional, transparent, and involved in the community.

I want to thank our community members, elected officials, and staff for the continued partnership and commitment to public safety. I look forward to continued successes and partnerships for years to come.

*Doug Shannon #268*

Douglas J. Shannon  
Chief of Police

# Assaults by Type for Year

2018

## CRIMES AGAINST PEOPLE

Crimes against people are defined as offenses or crimes against an individual. These offenses are broken down into several categories determined by the seriousness of the offense. (i.e. Simple Harassment to class B Felony of Sexual Abuse 2<sup>nd</sup>) Included is a table detailing number of offenses for the year.

Assault Type	2014	2015	2016	2017	2018
Harassment	11	5	10	13	11
Simple Assault	9	11	3	9	7
Assault with Injury	2	4	1	0	0
Aggravated Assault	0	1	1	3	0
Court Order Violations	1	2	2	2	1
Child Endangerment	1	2	1	1	1
Interference W/O Acts	7	9	6	11	2
Domestic Abuse (no assault)	10	7	4	1	1
Simple Assault-DA	3	5	2	2	1
Domestic-with Injury	2	1	2	2	10
Child Abuse/Fondling	1	1	1	1	3
Statutory Rape	1	1	0	0	0
Sexual Abuse	3	2	4	3	1
Armed with intent/weapon	0	1	0	1	0
Robbery	0	0	0	0	1
Extortion	0	0	0	0	2
<b>Total</b>	<b>51</b>	<b>52</b>	<b>38</b>	<b>49</b>	<b>41</b>

This table includes those offenses reported to MVRPD for investigation. It is important to mention that police officers responded to numerous other disturbances involving assaults of some type. However, no charges were filed at the victim's request or the parties were gone prior to officer arrival.

## Property Crimes for the Year 2018

### Theft Related Crimes

Theft related crimes covers a variety of incident types. This group of crimes includes: *burglary* (defined as forced entry with theft, or criminal mischief of property within that building); *forced entry to a vehicle* is also classified as a burglary; *theft from a building, motor vehicle theft, theft from a vehicle* (which includes unlocked vehicles in which property is taken), *shoplifting, forgery, fraud, identity theft, theft by check* (either NSF or against a closed account) and

*miscellaneous theft* (which includes theft of yard ornaments, street signs, bicycles, and similar items that do not fit into one of the other defined categories).

<b>Crime</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Burglary	3	12	21	5	4
Forgery/Counterfeit	2	5	12	8	6
Theft from vehicle	7	28	5	11	1
Theft from building	17	7	3	4	3
Identity theft/Fraud	2	9	9	29	8
Stolen Vehicle	1	4	2	2	4
Theft by check	2	1	3	1	0
Theft of vehicle parts	4	1	0	0	1
Shoplifting	7	5	1	2	3
Miscellaneous Theft	17	21	22	19	13
<b>Total</b>	<b>62</b>	<b>93</b>	<b>78</b>	<b>81</b>	<b>43</b>

The total number of property crimes in Mount Vernon decreased with a total of 43 theft related crimes in 2018, compared to 81 in 2017 and 78 in 2016. Mount Vernon experienced the lowest number of reported theft crimes in 2018, the lowest rate in 5 years. The police department worked with residents, businesses, and local financial institutions to ensure proper security measures were in place to prevent theft related incidents. The police department continues to assist our local businesses & residents with theft prevention efforts.

In 2018, reported financial losses totaled \$63,129.98. Loss included \$34,000 in vehicle and parts related theft, \$18,710.81 in cash or fraud related theft, \$1,270.18 in shoplifting/merchandise theft, and \$9,148.99 in other/property theft. In 2017 fraud & identity thefts crimes caused the largest dollar loss. In 2017 our department received fraud reports with financial loss in excess of \$200,000.00 to residents. The cases often involve fraud scams where residents are manipulated and transfer money to individuals overseas or have their credit card information stolen. These cases require large amount of investigation time by officers, networking with other agencies to identify those responsible. These cases are rarely solved or prosecuted, as many of the offenders remain unidentified or are determined to have originated overseas.

### **Criminal Mischief (Vandalism)**

Criminal mischief includes those incidents most people would call vandalism. These types of crimes are the result of damage done to private or public property that results in damage of property, resulting in the loss of use or expense to repair the property. Types of incidents that fall

into this include, but are not limited to, damage to signs, vehicle damage (i.e. scratched down the side, windows broken out, tires cut, antenna damaged), spray paint incidents and damaged bikes.

<b>Offense</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Criminal Mischief	18	22	22	21	10

### **Drug Related Crime**

Drug related crime covers those incidents where the primary case is drug related. (i.e.: traffic stop for speed and drug paraphernalia is observed in the vehicle, resulting in an arrest report as a result of the drug paraphernalia). In 2018 Drug crimes were the most reported crime category for our department. Other drug related crimes may be included in other incidents, such as a traffic stop for OWI during which an illegal substance such as marijuana is discovered. In this case, the primary offense is an OWI and the marijuana possession (PCS) charge would be a secondary offense.

<b>Charge</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Possession of Controlled Substances (PCS)	24	30	25	22	26
Possession of Drug Paraphernalia (PDP)	29	29	26	20	25
Disorderly House Violations	4	2	1	1	0
OWI While Drugged	0	1	1	2	0
<b>Total</b>	<b>57</b>	<b>62</b>	<b>53</b>	<b>45</b>	<b>51</b>

### **Alcohol Related Offenses**

Alcohol related offenses are comprised of OWI, Possession under the Legal Age, Open Container, Liquor License violations, Public Intoxication, and .02 Violations. A .02 violation refers to the law suspending driving privileges of those under the legal age of 21 who are stopped while driving a vehicle and have a blood alcohol level of .02 or greater but less than .08. In 2018 Mount Vernon experienced the lowest rate of drunk drivers in the past 5 years, showing the benefit of our partnership with the Governors Traffic Safety Bureau and directed overtime for OWI enforcement.

<b>Offense</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>OWI</b>	23	20	19	24	16
<b>.02</b>	2	0	0	0	1
<b>Liquor Law Violations</b>	10	11	18	14	9
<b>Public Intoxication</b>	21	25	25	10	10
<b>Totals</b>	<b>56</b>	<b>56</b>	<b>62</b>	<b>48</b>	<b>36</b>

**Police Activity Summary for the Year 2018**

Officers had 6,741 calls for service in 2018. This is a slight decrease from 2017 with 7,247 calls for service. In 2018 Officers had 1,948 dispatched trips (1,987 in 2017) & 4,793 observed trips (5,260 in 2017). (Dispatched trips are requests for services; Observed trips are officer-initiated contacts such as traffic stops, building checks, parking tickets, house checks, etc.). The department completed 263 incident reports resulting in 87 arrests for the year.

Our department responded to 125 motor vehicle crashes. Officers completed 83 collision reports. Collisions occurring within the city limits of Mount Vernon included 1 fatality collision, 1 major injury collision, 8 minor injury collisions, and 73 property damage only collisions. Total estimated property damage value for 2018 was \$362, 203.00 with an average of \$5,659.42 per crash. The most reported major cause for the collision in 2018 was “Failure to Yield Right of Way from a yield sign”. Most of the reported collisions occurred between 10 a.m. and 8 p.m. during daylight hours on clear days with dry road conditions.

Other related activity: (2018 Daily Log records)

Theft	61	Parking Violations	194
Burglary	17	Alarms/Open doors	110
Assault	20	Felony Arrests	3
Criminal Mischief	20	Misdemeanor Arrests	68
Juvenile	56	OWI Arrests	16
Motor Vehicle Collisions	125	Towed Vehicles	27
Public Assists	5657	Assist Agency	587
Warnings	664	Suspicious Vehicles	141
Moving Violations	194	Animal	65
Non-Moving Violations	12	Disturbances	162
Administrative Time	1,737 hrs.	Investigative Time	279.9 hrs.
Cornell Related	61.8 hrs.	Lisbon	521.4 hrs.
Medical	92.15 hrs.		

**Department Staffing / Community Growth**

The police department operates within City Hall at 213 1<sup>st</sup> Street NW in Mount Vernon. Due to growth and increased need for space, our department also uses two other structures for evidence, records and property storage. One of the two structures being used is the old Fire Station located

to the west of City Hall. The old station is being used primarily as garage space for our patrol units, school car, and City equipment. The structure provides a secure/temperature-controlled environment that has helped to reduce costly vehicle repairs and damage to electronic equipment within each of the three patrol vehicles. Items include mobile data computers, printers and AED's (Automated External Defibrillators).

When City Hall was built in 1988 the department consisted of four fulltime officers and four reserve officers and was designed to house four officers. The department currently consists of six full time officers and six reserve officers. The staff consists of one Chief of Police, three Patrol III Officers, one Patrol II Officer, one Patrol I Officer, and six reserve police officers. The department has been at the current staffing levels since 1997, while our community has grown considerably both in geographically patrolled area and population.

In 2000, the census for Mount Vernon reflects a population of 3,390 compared to the 2010 census that shows our population at 4,506. The 2000 census included 987 Cornell College students and the 2010 census included 1191 Cornell students. This is an overall increase of 1,116 individuals during the 10-year period, including Cornell students.

During that time period Mount Vernon experienced growth in residential developments in several areas of town, including:

- 1) Stonebrook – located west of the Mount Vernon High School in the South West quadrant (Approximately 100 homes)
- 2) Wolfe Martin addition – located in the NE quadrant of our community (approximately 47 homes)
- 3) Candlestick Drive – Addition that includes about 13 homes NE quadrant
- 4) Hill View Drive – the extension of Oak Ridge Estates – SE quadrant (approximately 29 homes)
- 5) Meadow Brook addition – located in the SW quadrant (approximately 35 dwellings)
- 6) Cornell College has added two significant housing facilities – Russell Hall and Smith Hall dorms located in the SW quadrant on the campus of Cornell College.

Additional developments are now underway with the Stonebrook, Spring Meadows, and Hickory Acres Developments. Additionally, with Iowa DOT expansion of the four-lane portion of Hwy 30 and related corridor developments, our department is preparing for an increase in calls for service and police service. Increased office space is the primary immediate need for our department to ensure professional police services continue to meet the needs of our growing community. This need is critical for efficient & professional operations. The addition of administrative office personnel and hiring additional officer(s) are other current needs to be addressed soon (1-5 years).

While many considerations determine an appropriate staffing level, in 2017 the FBI reported a Nationwide rate of 2.4 sworn officers per 1,000 inhabitants and a rate of 3.4 full time law

enforcement employees per 1,000 inhabitants. Based on the National rates and the 2010 Census, Mount Vernon would equate to having 10.8 sworn officers and 15.3 FTE's. Given our current staffing of 6 sworn officers and zero administrative support staff we operate well below the national rates for law enforcement agencies. (<https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-2017/topic-pages/police-employee-data>)

### **28E POLICE SERVICE**

In November of 2016 Mount Vernon Police entered into a 28E Agreement with the City of Lisbon to provide 20 hours of police coverage per week to supplement their police coverage provided by the Lisbon Police Department. Lisbon agreed to pay Mount Vernon \$40 per hour for police services. Mount Vernon Police Department provides Lisbon with police services during times when a Lisbon Officer is not on duty. This partnership has mutual benefit for both communities and is a great example of sharing resources to enhance public safety while being fiscally responsible. In July 2017 Lisbon reduced the amount of contract time to 10 hours per week, after their department returned to full staff (3 officers).

In 2018, Lisbon paid the City of Mount Vernon \$21,254.80 for contracted police services. In 2018 Mount Vernon Officers responded to 119 calls for service under this agreement and provided approximately 446 hours of patrol coverage and 11.5 hours of administrative time to the City of Lisbon.

## **COMMUNITY POLICING**

### **DARE**

In 2018, Officer Todd Gehrke facilitated both the 5<sup>th</sup> and 7<sup>th</sup> grade D.A.R.E programs at Mount Vernon Community Middle School. In 5<sup>th</sup> grade, Officer Gehrke provided instruction to approximately 106 students on core topics including consequences of drug use, self-esteem, decision making skills, and peer pressures students encounter and how to deal with that pressure. It also includes conflict resolution, how to refuse drug offers, alternative choices to drug use and other skills needed to live a drug and violence free lifestyle.

The focus of the Mount Vernon 7<sup>th</sup> grade D.A.R.E. program is like that of the core program used in 5<sup>th</sup> grade. During 7<sup>th</sup> grade classes, Officer Gehrke taught approximately 112 students. The curriculum acts as a refresher to aid students in preventing or postponing the first, or future, use of drugs or alcohol by the student. These lessons cover many of the same areas as the core program, however they are more in-depth and give the students an opportunity to discuss real situations they may have encountered.

### **RAD (Rape Aggression Defense Program)**

Officer Gehrke is a certified RAD Instructor. Officer Gehrke partners with Cornell College staff to provide self-defense training to female students. This training provides the students with awareness, skills, options, and confidence to take action to ensure their safety. Additionally, Officer Gehrke was requested to provide women's self-defense presentations in the community.

### **SAFE KIDS – National Child Passenger Safety**

In 2018, our department partnered with Linn County Safe Kids Coalition and Lynch Ford & Chevrolet to host a Child Safety Seat inspection event at Lynch Ford. In 2018 there were 7 inspections occurring during this event.

Officer Gehrke is certified as a Seat Belt Technician trained in the proper usage and installation of child safety seats. The department conducts safety seat belt checks as requested and partners with Lynch Ford to hold an annual Child Safety Seat Inspection Event highlighting proper safety seat installation and use. Members of the community can call anytime to set up an appointment with Officer Gehrke to assist them in proper child seat installation and usage.

### **BOOTS vs. BADGES BLOOD DRIVE:**

Mount Vernon Police Department and the Mount Vernon Fire Department again participated in the annual “Boots vs. Badges” Blood Drive. During this event, there were 32 donations, providing 128 products for patients in need.

### **CANINE PROGRAM**

In 2018 Mount Vernon Police Department implemented a full-time Police K9 Program. Officer Moel attended a K9 handlers’ course through Canine Tactical in Chariton, Iowa. Officer Moel and K9 Monster successfully completed K9 Certification on September 21, 2018. Officer Moel and K9 Monster continue to receive training at Canine Tactical every month to ensure skill development and competency as a professional K9 team. Officer Moel and K9 Monster tested and received second layer certification on December 5, 2018.

During 2018 Officer Moel and K9 Monster assisted conducted approximately 93 vehicle sniffs, assisted with 1 vehicle pursuit, 1 missing person, 1 fleeing suspect, searches at Cornell College, Mount Vernon Community Schools and assisted LCSO with school searches in Linn County. Officer Moel and K9 Monster has attended multiple public demonstrations including the Community Leaders Breakfast, a City Council Meeting.

### **RC RAIL**

RC Rail is based at the Mount Vernon Community School District but works closely with other communities in Linn County that are part of the DFC Grant. The police participate with in-kind contributions by providing school training, attending meetings and holding Community Drug Drop off events.

Police officers meet with coalition members to discuss various community safety, prevention and substance abuse related issues. These grant projects have funded officers attending out-of-state law enforcement trainings in Texas, California and Washington DC.

### **GENERAL INFORMATION**

The Police Department has a broad area of responsibility within the community and responds to a variety of calls for assistance. During 2018, the department responded to 1,948 dispatched calls for service and 4,793 officer-initiated contacts in Mount Vernon or the surrounding area.

Officers respond to all types of calls, including medicals, fire emergencies, disturbances, domestics, civil issues, drug violations, suspicious persons, car & house unlocks, child & animal abuse or neglect complaints, parking problems, traffic violations and many other community safety needs.

In 2018, Mount Vernon experienced numerous community events requiring additional police resources to ensure public safety. These events included Chalk the Walk, Heritage Days, Antique Extravaganza, Memorial Day Parade, Cornell Commencement, Mount Vernon & Cornell Athletic Events, and many other events in the community.

Police officers respond to fatal incidents/accidents or other deceased individuals. Initial response involves officers checking for signs of life and rendering aid if possible. If a person is deceased, officers begin investigating & assist the coroner in determining the cause of death. In these situations, officers have the unwanted task of making many of the notifications to friends and family. Mount Vernon police officers respond to serious highway vehicle crashes in and around Mount Vernon which result in serious injury and occasionally death.

Police officers assist the Mount Vernon Fire Department at fire-related calls by handling traffic control, evacuations and providing any other assistance requested. Additionally, Mount Vernon police respond to medical calls and are the first responders on scene to assist with medical care as needed. Officers are trained in CPR and AED use. AED's are standard equipment in each patrol vehicle. In 2018, Officers were trained to administer Naloxone (Narcan) and began carrying this in response to the opioid epidemic being experienced across the United States, including Iowa.

The Department responds to calls to assist those who have locked keys in a vehicle or have been locked out of their home, assisting whenever possible. Additionally, the Department performs regular house checks for those leaving town for extended periods of time. Officers perform regular building checks of business locations and school buildings.

Police officers respond to domestic disturbances. Domestic disputes are one of the most hazardous calls law enforcement officers encounter. Additionally, officer may be required to assist young children who may be present in the home and may have witnessed violence.

Other police department activities include:

- Conduct training for schools, businesses & organizations in various topics including Active Threat Response, Fraud, NSF/Closed account checks, drug & alcohol training, and tobacco & alcohol sales, fingerprinting, impaired driving, texting, internet safety and many other topics;
- Making recommendations, when requested, about security features for home and businesses;
- Helping with animal related problems within the community;
- Assisting with the identification of lighting, signage and other safety issues and forwarding those concerns to City Hall for repairs or installation;

Additionally, the Department performs routine patrol around schools, businesses and homes to reduce crime and a deterrent to those wishing to commit a serious crime. Officers issue traffic citations to correct inappropriate driving behavior, as established by society, to reduce the chance of injury or death associated with vehicle crashes, and to reduce costs incurred during those crashes.

The police department is a resource for those individuals who have been victimized by crime. Officers investigate criminal activity, identify those associated with it and charge those individuals involved (when certain criteria are met). The department becomes the agency responsible for forwarding charges and reports to the County and City Attorney when necessary, to resolve an incident.

**EMERGENCY PREPAREDNESS TRAINING:**

Mount Vernon Police Department spends a great deal of time training and coordinating with community partners and emergency services organizations to ensure we are prepared to respond in the event of a major disaster. This training is ongoing and our department routinely partners with Mount Vernon Community Schools, Cornell College, Mount Vernon Fire Department, Lisbon Fire Department, Lisbon-Mount Vernon Ambulance, Lisbon Police, Linn County Sheriff's Office, Linn County Emergency Management and local businesses. Various training exercises allow inter-agency cooperation and networking to build relationships that are critical to the successful management of a critical incident.

**DRUG TAKE BACK EVENT:**

Mount Vernon Police participated in the National Drug Take Back event on April 28, 2018. Unwanted drugs may also be turned in at the police department or placed in the drug drop box at City hall. Mount Vernon Police collected over 128 pounds of unwanted medications in 2018.

**Training Instructors**

The Mount Vernon Police Department continues to have department members trained as instructors for various applications. Instructors include: Officer Daniel Daubs & Officer Mehlert are department firearms instructors, Officer Daubs is a precision driving instructor, Officer Gehrke is a defensive tactics instructor, and Officer Blinks is the department Taser instructor.

Deadly force and the use of firearms are two of the biggest areas of liability faced in law enforcement. Having certified instructors provides the opportunity to perform additional training to officers. This ensures proper technique and response in high risk situations and ensures proper procedures are clear, helping reduce liability and injury to the suspect and officers. Weapon proficiency and safety improve with the increased number of hours spent in weapons-related training. This past year the department was able to train at the range to ensure firearms proficiency. Taser and Defensive tactics have been incorporated into yearly trainings to ensure officers are current on proper use of force and appropriate tactics when force is necessary.

Officer Daubs is the department's Precision Driving instructor, providing training to members of the department, other agencies, and police recruits at the Iowa Law Enforcement Academy. Officer Daubs also spends time with newly hired officers instructing them on vehicle operations

within the guidelines of department policy. Topics include non-emergency, emergency and pursuit driving.

Officer Todd Gehrke is a certified instructor for the R.A.D. (Rape, Aggression, and Defense) program. Officer Gehrke works with Cornell staff to provide training to Cornell students annually. Officer Gehrke has provided shortened classes on self-defense to members of the community wanting to learn more about self-defense.

Chief Doug Shannon and Officer Todd Gehrke are certified ALICE (Alert, Lockdown, Inform, Counter and Evacuate) instructors. The department conducts In-Service training with the Mount Vernon School District staff, Cornell College staff, and local businesses, regarding review of practices and procedures within the business or school and how to respond in an emergency.

### **National Incident Management System (NIMS)**

Members of the department have completed the National Incident Management System (NIMS) ICS-100 (Introduction to Incident Command), ICS-200 (Basic NIMS for Operational First Responders), ICS-700 (Introduction to NIMS). Some officers have additional training in IS 200FW (Basic Incident Command), IS-800 (National Response Framework), and PER-340 (Active Threat Integrated Response).

### **Department Technology**

The Court system requires departments to file paperwork, criminal charges, civil processes and other legal documents electronically. Officers use software provided by the State of Iowa to complete crash reporting, citations, criminal complaints, OWI processing and many other day to day reports. Officers use mobile computers, scanners and printers to complete these tasks in the field. Additionally, the mobile computers have improved officer efficiency and communication by using mobile computers to check databases and communicate directly with officers and dispatchers. This advancement, however, comes with a cost of hardware, software and support.

Body cameras and in-car video advancements also have added to the cost of providing service to our community. High profile incidents across the country have changed the way many departments report and document contacts with violators and others that we have contact with during patrol. The hardware and back end support are costs that have made an impact on our department budget however, I believe supporting this new technology is in the best interest of our community. The video has proven to be a necessary component of policing. Our department has used captured video to aid in criminal prosecution and assist with internal investigations when complaints against officers are brought forward. The video has also proven valuable in protecting the city against civil litigation claims.

In 2017 Mount Vernon Police Department established a Facebook Account and began using this Social Media platform to disseminate information to the online community.

## SUMMARY

This report has outlined a variety of calls and services the Mount Vernon Police Department provides to the citizens of Mount Vernon. This report is not all-inclusive, but only a synopsis of what our officers experience. While much of law enforcement involves responding to incidents as they occur, mitigating them as safely, effectively, and efficiently as possible, the most important part of our profession is the relationships we form with the citizens we serve.

As the Chief of Police, I am hopeful this information will provide citizens with the insight to the department's activities for 2018.

All these activities are carried out or performed to maintain order, build positive relationships and provide a safe environment for everyone, whether residing in Mount Vernon or visiting our Community.



2018 Annual Report

# MT VERNON FIRE DEPARTMENT

## January 2018 Total Calls for Service- 25

### Location-

- City- 18
- Rural- 7
- Bertram- 0
- Mutual Aid-0

### Call By Type

- Fire- 3
- False Alarm- 2
- Good Intent- 6
- Hazardous Condition-
- Rescue and EMS- 14
- Service Call-
- Severe Weather-

### Vehicle Responses-

- 211 Command/EMS- 16
- 214 Rescue/Engine- 3
- 215 Suppression/Engine- 1
- 216 Suppression/Engine- 3
- 210 Tanker- 2
- 219 Suppression/Brush Fire- 3
- Boat- 0
- ATV Suppression/Rescue- 0



## February 2018 Total Calls for Service- 21

### Location-

- City- 21
- Rural- 6
- Bertram- 1
- Mutual Aid- 0

### Call By Type

- Fire-
- False Alarm-
- Good Intent- 4
- Hazardous Condition- 1
- Rescue and EMS- 23
- Service Call-
- Severe Weather-

### Vehicle Responses-

- 211 Command/EMS- 21
- 214 Rescue/Engine- 4
- 215 Suppression/Engine- 0
- 216 Suppression/Engine- 0
- 210 Tanker- 0
- 219 Suppression/Brush Fire- 0
- Boat- 0
- ATV Suppression/Rescue- 0



## March 2018 Total Calls for Service- 25

### Location-

- City- 17
- Rural- 3
- Bertram- 2
- Mutual Aid- 3, Ely FD

### Call By Type

- Fire- 5
- False Alarm-
- Good Intent- 2
- Hazardous Condition- 1
- Rescue and EMS- 14
- Service Call- 3
- Severe Weather-

### Vehicle Responses-

- 211 Command/EMS- 14
- 214 Rescue/Engine- 3
- 215 Suppression/Engine- 0
- 216 Suppression/Engine- 3
- 210 Tanker- 3
- 219 Suppression/Brush Fire- 3
- Boat- 0
- ATV Suppression/Rescue- 0



## April 2018 Total Calls for Service- 22

### Location-

- City- 11
- Rural- 8
- Bertram- 1
- Mutual Aid- 2 Lisbon, Martelle

### Call By Type

- Fire- 7
- False Alarm-
- Good Intent- 3
- Hazardous Condition- 1
- Rescue and EMS- 10
- Service Call- 1
- Severe Weather-

### Vehicle Responses-

- 211 Command/EMS- 10
- 214 Rescue/Engine- 2
- 215 Suppression/Engine- 0
- 216 Suppression/Engine- 3
- 210 Tanker- 6
- 219 Suppression/Brush Fire- 8
- Boat- 0
- ATV Suppression/Rescue- 1



## May 2018 Total Calls for Service- 32

### Location-

- City- 19
- Rural- 10
- Bertram-
- Mutual Aid- 2 Ely, Lisbon

### Call By Type

- Fire- 2
- False Alarm- 3
- Good Intent- 4
- Hazardous Condition-
- Rescue and EMS- 22
- Service Call- 1
- Severe Weather-

### Vehicle Responses-

- 211 Command/EMS- 22
- 214 Rescue/Engine- 5
- 215 Suppression/Engine- 0
- 216 Suppression/Engine- 5
- 210 Tanker- 0
- 219 Suppression/Brush Fire- 0
- Boat- 0
- ATV Suppression/Rescue- 0



## June 2018 Total Calls for Service- 26

### Location-

- City- 20
- Rural- 4
- Bertram- 1
- Mutual Aid- 1, Lisbon

### Call By Type

- Fire- 1
- False Alarm- 2
- Good Intent- 4
- Hazardous Condition- 2
- Rescue and EMS- 15
- Service Call-
- Severe Weather- 2

### Vehicle Responses-

- 211 Command/EMS- 15
- 214 Rescue/Engine- 7
- 215 Suppression/Engine- 0
- 216 Suppression/Engine- 5
- 210 Tanker- 2
- 219 Suppression/Brush Fire- 1
- Boat- 0
- ATV Suppression/Rescue- 0



## July 2018 Total Calls for Service- 33

### Location-

- City- 24
- Rural- 5
- Bertram- 2
- Mutual Aid- 2, Lisbon

### Call By Type

- Fire- 1
- False Alarm- 3
- Good Intent- 6
- Hazardous Condition-
- Rescue and EMS- 20
- Service Call- 3
- Severe Weather-

### Vehicle Responses-

- 211 Command/EMS- 23
- 214 Rescue/Engine- 0
- 215 Suppression/Engine- 0
- 216 Suppression/Engine- 7
- 210 Tanker- 2
- 219 Suppression/Brush Fire- 1
- Boat- 0
- ATV Suppression/Rescue- 1



## August 2018 Total Calls for Service- 26

### Location-

- City- 19
- Rural- 6
- Bertram- 1
- Mutual Aid- 0

### Call By Type

- Fire- 2
- False Alarm- 2
- Good Intent- 1
- Hazardous Condition- 1
- Rescue and EMS- 20
- Service Call-
- Severe Weather-

### Vehicle Responses-

- 211 Command/EMS- 15
- 214 Rescue/Engine- 3
- 215 Suppression/Engine- 2
- 216 Suppression/Engine- 6
- 210 Tanker- 0
- 219 Suppression/Brush Fire- 0
- Boat- 0
- ATV Suppression/Rescue- 0



## September 2018 Total Calls for Service- 20

### Location-

- City- 8
- Rural- 10
- Bertram- 1
- Mutual Aid- 1, Ely

### Call By Type

- Fire- 1
- False Alarm- 1
- Good Intent- 5
- Hazardous Condition-
- Rescue and EMS- 12
- Service Call-
- Severe Weather- 1

### Vehicle Responses-

- 211 Command/EMS- 13
- 214 Rescue/Engine- 3
- 215 Suppression/Engine- 1
- 216 Suppression/Engine- 6
- 210 Tanker- 1
- 219 Suppression/Brush Fire- 0
- Boat- 0
- ATV Suppression/Rescue- 0



## October 2018 Total Calls for Service- 22

### Location-

- City- 9
- Rural- 8
- Bertram- 1
- Mutual Aid- 1, Martelle

### Call By Type

- Fire-
- False Alarm-
- Good Intent- 6
- Hazardous Condition-
- Rescue and EMS- 16
- Service Call-
- Severe Weather-

### Vehicle Responses-

- 211 Command/EMS- 14
- 214 Rescue/Engine- 3
- 215 Suppression/Engine- 0
- 216 Suppression/Engine- 1
- 210 Tanker- 0
- 219 Suppression/Brush Fire- 1
- Boat- 0
- ATV Suppression/Rescue- 2



## November 2018 Total Calls for Service- 22

### Location-

- City- 15
- Rural- 4
- Bertram- 3
- Mutual Aid- 0

### Call By Type

- Fire- 3
- False Alarm- 1
- Good Intent- 8
- Hazardous Condition-
- Rescue and EMS- 10
- Service Call-
- Severe Weather-

### Vehicle Responses-

- 211 Command/EMS- 11
- 214 Rescue/Engine- 2
- 215 Suppression/Engine- 1
- 216 Suppression/Engine- 6
- 210 Tanker- 1
- 219 Suppression/Brush Fire- 0
- Boat- 0
- ATV Suppression/Rescue- 0



## December 2018 Total Calls for Service- 26

### Location-

- City- 15
- Rural- 8
- Bertram-
- Mutual Aid- 1, Springville

### Call By Type

- Fire- 1
- False Alarm-
- Good Intent- 5
- Hazardous Condition- 3
- Rescue and EMS- 17
- Service Call-
- Severe Weather-

### Vehicle Responses-

- 211 Command/EMS- 15
- 214 Rescue/Engine- 4
- 215 Suppression/Engine- 0
- 216 Suppression/Engine- 6
- 210 Tanker- 0
- 219 Suppression/Brush Fire- 0
- Boat- 0
- ATV Suppression/Rescue- 0



## 2018 Summary Totals Total Calls for Service- 307 (Increase of 21% from 2017)

### Location-

- City- 196
- Rural- 79
- Bertram- 13
- Mutual Aid- 13

### Call By Type

- Fire- 26
- False Alarm- 14
- Good Intent- 54
- Hazardous Condition- 9
- Rescue and EMS- 193
- Service Call- 8
- Severe Weather- 3

### Vehicle Responses-

- 211 Command/EMS- 189
- 214 Rescue/Engine- 39
- 215 Suppression/Engine- 5
- 216 Suppression/Engine- 48
- 210 Tanker- 17
- 219 Suppression/Brush Fire- 16
- Boat- 0
- ATV Suppression/Rescue- 4



## 2018 Summary Totals Cont. Total Calls for Service- 307

### Incidents by Day of Week

- Sunday- 40
- Monday- 43
- Tuesday- 48
- Wednesday- 38
- Thursday- 49
- Friday- 57
- Saturday- 32

### Average Vehicle Response Times- (Minutes)

- 211 Command/EMS- 10.15
- 214 Rescue/Engine- 12.52
- 215 Suppression/Engine- 11.75
- 216 Suppression/Engine- 13.34
- 210 Tanker- 13.91
- 219 Suppression/Brush Fire- 11.33
- ATV Suppression/Rescue- N/A



2018 Mutual Aid was given to:

- Lisbon
- Solon
- Ely
- Springville
- West Bertram



## Training and Personnel

### Training hours by type

- Business Meetings 363 Hours
- Fire Training 295 Hours
- Rescue Training 95 Hours
- Special Disciplines 43 Hours
- Emergency Medical 180
- Preplanning 60 Hours

Total Number of Training Hours 1036 Hours

Total Time Spent on Incidents 674 hours, 52 minutes



## A Note From the Chief-

I would like to begin by thanking our Mayor, Council, and Trustees for your continued support of the Mount Vernon Fire Dept. / Linn Fire District #1. I would also like to thank the overwhelming support we receive from our citizens. It makes the job of our humble volunteers that much more appreciative of the work we do.

I cannot say thank you enough to our members that volunteer countless hours day and night to keep our citizens safe. Completing these services all while working full time jobs, raising families, going to school, and staying engaged in our community is a feat in and of itself.

2018 was a very busy year in our community with our run numbers up 21%. While call types remained the same for run volume, our calls for EMS increased. This coincides with national trends and continues to be an area where we seek to improve. Fires in general continue to be a very dynamic incident that we fortunately see less of, conversely the fires that we do respond to have changed in magnitude and scope. These changes are in part due to building construction materials, building arrangement, and the contents in the structure. Fires within a structure today increase in size more rapidly, burn hotter, and emit more harmful toxins than that of a home 40 years ago. This precipitates the need for regular training, cutting edge safety equipment, and outgoing volunteers that are willing to stay ahead of the curve.

Thanks to all for your continued support!

Nathan Goodlove



**Mount  
Vernon**  
IOWA

**Chris Nosbisch, City Administrator**  
**Douglas Shannon, Chief of Police**

**Jamie A. Hampton, Mayor**

**Council:**

**Eric Roudabush**  
**Scott Rose**  
**Tom Wieseler**  
**Stephanie West**  
**Deb Herrmann**

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## **Public Works Report**

### **4/15/19**

#### ***Street Repairs***

Crews have started to do some full depth patching in areas such as Palisades Road and others that have larger potholes or voids created over the winter.

Crews had two alley rock request and were able to address those.

#### ***Parks***

The restrooms in the parks have been open to the public.

The batting cages have been installed.

Field maintenance has begun with periodic dragging of the fields hopefully 1-2 times a week or as needed.

#### ***Streets***

The street sweeper has made its way around town to every quadrant.

#### ***Training***

Eldon and I attended the Spring APWA Conference in West Des Moines. Over 200 public works employees attend this conference along with 100 vendors. It is a great opportunity for networking and seeing the newest innovations in our field. Communication was a big topic this year.

#### ***Building Improvements***

Crews have built bunkers behind the shop to store all our raw materials, like sand, gravel, dirt and compost.

Crews have built a storage shed to replace two sheds that were falling apart in our back lot. This shed is moveable so we can take it with us should we move locations.



Parks and Recreation Department  
Directors Report  
March 15 – April 15

Parks

- **Ballparks, batting cages, and restrooms are all open**
- **We will be adding to donated dog waste stations to the trail near Sauter Park and Hahn Creek (between Nature Park and Skate Park area).**

Sports

- **Spring soccer games started on April 9<sup>th</sup> and will run until May 9<sup>th</sup>.**
- **Tball / Coach Pitch/ Player Pitch Baseball & Softball...registration is still on-going. Deadline is April 26<sup>th</sup> for Player Pitch and May 3<sup>rd</sup> for Tball and Coach Pitch.**

Pool

- **Swim lesson registrations are going on now and providing a steady stream of participants. We still have many openings and plenty of classes. Swim team registration will begin first of May.**

Misc

Chalk the Walk

- **Weekly meetings have started.**
- **And the Community Piece is.....Woodstock. We are excited for the opportunities this colorful piece provides.**

Events and Classes

- **Easter Egg Dash April 20<sup>th</sup>@ 10am ..partnering with Volunteer Firefighters who are hosting the Pancake Breakfast fundraiser again. Breakfast will run from 6am-12noon.**
- **Spring Clean-up scheduled for April 27<sup>th</sup>.**
- **Still working on Summer Camps/Classes such as;**
  - **Lego Camp**
  - **Art Camps**
  - **Sports Camps**



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**Marty Christensen**  
**Scott Rose**  
**Tom Wieseler**  
**Stephanie West**

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- ***Kitchen Science – Fizz, Food, & Fun***
  - ***STEAM Lab- Makerspace Mania***
  - ***STEAM Lab- Master Makers***

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

**AGENDA ITEM # L - 1**

**AGENDA INFORMATION  
MT. VERNON CITY COUNCIL COMMUNICATION**

<b>DATE:</b>	April 15, 2019
<b>AGENDA ITEM:</b>	Equipment Update
<b>ACTION:</b>	None

**SYNOPSIS:** Matt has been working with a budget of \$100,000 to purchase miscellaneous equipment for the facility that was not part of the original bid. This was a known and expected expense, but I have asked him to give you a breakdown of what that equipment would look like.

**BUDGET ITEM:** Community Wellness Center Funds

**RESPONSIBLE DEPARTMENT:** Parks and Rec

**MAYOR/COUNCIL ACTION:** None

**ATTACHMENTS:** Cost Breakdown

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 4/12/19

<b>Other Items to purchase</b>	<b>Priority</b>	<b>Estimated Cost</b>	
<b>Essential</b>			Total
Portable Hoops		\$5,200	5200
Washer / Dryer		\$3,000	8200
Towels		\$2,000	10200
Shelving /Storage Units		\$20,000	30200
Facility Management Software		\$7,000	37,200
Pitching Machines		\$3,000	40,200
Floor Scrubber		\$1,500	41,700
Snowblower		\$800	42,500
Computers / Monitors/ Printers		\$4,000	46,500
<b>Add Value to Facility</b>			
i-wall	1	\$13,000	59,500
Outdoor Musical Instruments	2	\$16,000	75,500 (5 pieces total)
Golf Nets for Cages	3	\$2,000	77,500
Inflatable Bouncey Obstacle Course	4	\$2,000	79,500
Ping Pong Table	5	\$800	80,300
Air Hockey Table	6	\$600	80,900
Twall	7	\$10,000	90,900

## **M. Reports Mayor/Council/Admin.**

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**CITY OF MT. VERNON  
CITY ADMINISTRATOR  
REPORT TO THE CITY COUNCIL  
April 15, 2019**

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- Wapsie Waste has begun picking up leaves in the community. Staff continues to work with V&K Engineering on the site plan and road upgrades needed for the construction of our compost site.
- Streets have now been poured in the Stonebrook 6<sup>th</sup> Addition. I would anticipate final acceptance of these improvements by the Council within the next couple of months
- At least three firms have expressed an interest in the marketing RFP for the Lester Buresh Family Community Wellness Center. Their proposals are due to the City by the end of this month.
- At last count, Matt had over 22 applicants for the recreation coordinator position. It is likely that we will start interviews by the end of this month as well.
- Just a friendly reminder that our Chalk the Walk festivities are scheduled for May 4-5, 2019.