

# 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>July 20, 2020 – 6:30 PM</b>
<b>Web Page:</b>	<b>www.cityofmtvernon-ia.gov</b>
<b>Posted:</b>	<b>July 17, 2020</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		

Due to the nature of the Novel Coronavirus, now known as Covid-19, and the restrictions placed on group gatherings by Governor Reynolds State of Public Health Disaster Emergency for Iowa, the City Council believes it would be both impossible and impractical to hold a meeting in one location. With that being said, the Council will be meeting via the Zoom application, and the public is invited to participate via telephone by calling 1-301-715-8592.

You will be prompted for the following information:

1. Meeting ID: 883 0890 4758
2. Password: 581206

Should you need assistance before the meeting begins, please contact Chris at 319-359-8613.

- A. Call to Order**
- B. Agenda Additions/Agenda Approval**
- C. Communications:**
  1. Unscheduled

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 – July 6, 2020 Regular Council Meeting

- E. Public Hearing**

1. None

- F. Ordinance Approval/Amendment**

1. None

- G. Resolutions for Approval**

1. Resolution #7-20-2020A: Establishing Depositories of Public Funds with Hills Bank and Trust

2. Resolution #7-20-2020B: Establishing Depositories of Public Funds with Bridge Community Bank
3. Resolution #7-20-2020C: Establishing Depositories of Public Funds with Mount Vernon Bank and Trust
4. Resolution #7-20-2020D: Approving Fiscal Year 2021 Transfers
5. Resolution #7-20-2020E: Providing for New "Stop" Sign Locations within the City of Mt. Vernon, Iowa

**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 #1 – Quiet Zone Project - Council Action as Needed
3. Discussion and Consideration of Pay Application #2 – Quiet Zone Project - Council Action as Needed
4. Discussion and Consideration of Outdoor Furnishings – Lester Buresh Family Community Wellness Center – Council Action as Needed
5. Discussion and Consideration of Flagpole Material Purchase – Police Station – Council Action as Needed
6. Discussion and Consideration of Covid Related Issues – Council Action as Needed

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

1. Mt. Vernon Police Report
2. Mt. Vernon Public Works Report
3. Mt. Vernon Parks And Rec Report

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

1. None

**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**

Due to the nature of the Novel Coronavirus, now known as Covid-19, and the restrictions placed on group gatherings by Governor Reynolds State of Public Health Disaster Emergency for Iowa, the City Council believes it would be both impossible and impractical to hold a meeting in one location. With that being said, the Council meeting was held via the Zoom application. The public was invited to participate via telephone by calling 1-929-205-6099 and prompted to enter the following information: Meeting ID: 870 9408 1840 and Password: 311676. If assistance was needed before the meeting began the public could contact Chris at 319-359-8613. The following Council members were remotely present: Roudabush, West, Wieseler, Herrmann and Rose.

**Call to Order.** At 6:30 p.m. Mayor Jamie Hampton called the meeting to order.

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

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

Approval of City Council Minutes – June 15, 2020 Regular Council Meeting

Approval of Cigarette License – Yock's Landing

Approval of Liquor License – Palisades Cafe

### **Resolutions for Approval**

Resolution #7-6-2020A: Making Award of the Construction Bid for Infrastructure Improvements for the South Alley Project. City Administrator Chris Nosbisch stated that the south alley low bid came in about \$40,000.00 higher than the engineer's estimate of \$252,705.00. Three bids were received with the apparent low bid from All American Concrete for \$296,064.00. The other bids were: Tricon General Construction Inc. for \$322,194.00 and Boomerang Corp. for \$367,167.00. This project will use all of the available LOST Streetscape funds. Motion to approve Resolution #7-6-2020A made by Herrmann, seconded by Rose. Roll call vote. Motion carries.

### **Old Business**

Discussion and Consideration of Elliot Park Concession Stand Roof Repairs – Council Action as Needed. Motion to remove from the table made by Herrmann, seconded by Rose. Motion carries. At a previous meeting Council was interested in the cost of a metal roof and asked staff to get quotes. Two quotes were received for asphalt shingles. They were; Steinbronn Construction for \$8,005.00 and Walton Construction for \$9,603.28. One quote was received for a metal roof. That quote was from Robison Construction for \$16,082.90. Staff recommends approving the quote from Steinbronn Construction in the amount of \$8,005.00. Motion to approve staff's recommendation and accept the bid submitted by Steinbronn Construction for \$8,005.00 made by West, seconded by Wieseler. Motion carries.

### **Motions for Approval**

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

AAA PEST CONTROL	PEST CONTROL-PD	55.00
AAA PEST CONTROL	PEST CONTROL-P&A	30.00
ABBY CASKEY	REFUND-POOL	32.00
ALEX VOLKOV	SHOP PRESS-SEW	189.99
ALEX VOLKOV	CELL PHONE STIPEND	480.00
ALEXA KLEINMEYER	REFUND-POOL	27.00
ALISSA GILLESPIE	REFUND-POOL	120.00
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	4,668.88
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	3,493.48
ALLIANT IES UTILITIES	ENERGY USAGE-PD	463.82
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	47.04
ALLIANT IES UTILITIES	ENERGY USAGE-EMA	44.47
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	41.31
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	36.10
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	29.12
ALLIANT IES UTILITIES	ENERGY USAGE-CEM	19.07
ALLIANT IES UTILITIES	ENERGY USAGE-LBC	4,198.36
AMANDA BISHOP	REFUND-POOL	70.00
AMANDA CLARKE	REFUND-POOL	80.00
AMANDA MACKE	REFUND-POOL	112.00
AMELIA KIBBIE	REFUND-POOL	64.00
AMY ANDERSON	REFUND-POOL	80.00
ANDRIA KROMMINGA	REFUND-POOL	105.00
ANGIE WILLIAMS	REFUND-POOL	35.00
ARAMARK	RUGS-FD	45.00
AUDRA LEWIS	REFUND-POOL	35.00
AUTHWNET GATEWAY BILLING	CREDIT CARD SERVICES-LBC	10.00
B4 VENTURES LLC	AVANT-LBC	34.66
B4 VENTURES LLC	MOBILE STANDS (3)-PD,P&A	300.00
BARNYARD SCREEN PRINTER LLC	UNIFORMS-LBC	90.00
BAUER BUILT TIRE - CEDAR RAPID	TIRES/CHIPPER-S/W	278.60
BAUER BUILT TIRE - CEDAR RAPIDS	FRONT TIRES-PW	692.36
BAUMAN AND COMPANY	UNIFORMS-RUT	552.55
BDI	EQUIP MAINT-SEW	136.86
BEVERLY KITE	REFUND-LBC	147.66
BIG COUNTRY SEED	FIELD DRY,SEED MIX-RUT,P&REC	290.00
BRADLEY HAUGE CPA	PROFESSIONAL SEVICES-ALL DEPTS	325.00
BRADY LANHAM	ELECTRICAL-P&A	9,420.00
BRIAN DOYLE	REFUND-POOL	54.00
BRITTANY LASS	REFUND-POOL	27.00
BROCK SLAYMAKER	REFUND-POOL	105.00
BROWN SUPPLY COMPANY	TILE-RUT	173.55
BSN SPORTS COLLEGIATE PACIFIC	MOUTHGUARDS,BASES-P&REC	1,155.01
CALLIE CROXELL	REFUND-POOL	32.00
CARQUEST OF LISBON	VEHICLE MAINT-FD	309.98
CARROLL CONSTRUCTION SUPPLY	ADA COMPLIANT SIDEWALK PANELS	1,392.00
CARROLL CONSTRUCTION SUPPLY	DIAMOND SAW BLADE,ADA SIDEWALK	799.73
CASSIE PARKER	REFUND-POOL	72.00
CATHERINE PODUSKA	REFUND-POOL	35.00
CENTRAL IOWA DISTRIBUTING	SUPPLIES-LBC	121.60
CHRIS NOSBISCH	CELL PHONE STIPEND	480.00
CHRIS NOSBISCH	FITNESS MEMBERSHIP	100.00
CHRISTIAN ANDREWS	CELL PHONE STIPEND	300.00
CINDY DAKE	REFUND-POOL	32.00

CITY OF ELY	NIXLE NOTIFICATION SYSTEM	2,266.44
CLIFTON LARSON ALLEN	AUDITOR FEES-ALL DEPTS	2,625.00
COGRAN SYSTEMS	ONLINE REGISTRATION--P&REC	36.00
COLE PUBLIC LIBRARY	SUPPORT	109,550.00
COMMUNITY BAND	SUPPORT	2,000.00
COMMUNITY DEVELOPMENT GROUP	SUPPORT	15,000.00
CONNIE WOLFE	REFUND-POOL	40.00
DE NOVO MARKETING	MONTHLY MAINT-LBC	300.00
DEAN SMYTH	CELL PHONE STIPEND	300.00
DEERE & COMPANY	ZERO TURN MOWER-RUT	8,900.00
DEERE & COMPANY	ZERO TURN MOWER-RUT	6,436.86
DELTA DENTAL	INSURANCE	663.10
DEPARTMENT OF THE TREASURY	FORM 720	1.98
DIESEL TURBO SERVICES INC	BATTERY-RUT	139.95
DONNY FEDDERSEN	CELL PHONE STIPEND	300.00
ECHECK.NET FUNDING-LBC	REFUND-LBC	58.85
ELDON DOWNS	CELL PHONE STIPEND	480.00
EMILY VISLISEL	REFUND-POOL	54.00
ERIN BRUS	REFUND-POOL	64.00
EVER-GREEN LANDSCAPE NURSERY	MULCH-FS	297.00
FAT GUYS MOTOR SPORTS	MOWER MAINT-RUT	841.37
FAT GUYS MOTOR SPORTS	PULLEYS,BELT-RUT	238.36
FELD FIRE	BUNKER GEAR/4 SETS-FD	9,594.00
FELD FIRE	EQUIPMENT-FD	944.00
FRONTLINE WARNING SYSTEMS	SIREN MAINT-EMA	725.00
FRONTLINE WARNING SYSTEMS	SIREN MAINT-EMA	775.00
GARY'S FOODS	MISC-PD	21.98
GORDON LUMBER COMPANY	DUGOUTS-P&REC	5,040.90
GORDON LUMBER COMPANY	BLDG SUPPLIES-RUT,P&A	842.44
HARGER ACOUSTICS INC	TILES-P&A	6,065.00
HAWKEYE FIRE & SAFETY CORP	EQUIP MAINT-FD	51.50
HAWKEYE FIRE & SAFETY CORP	EXTINGUISHER INSPECTION (28)	277.00
HAWKEYE FIRE & SAFETY CORP	EQUIP MAINT-FD	209.00
IMWCA	WORKERS COMP INSURANCE	23,742.00
IOWA COMMUNITIES ASSURANCE POOL	VEH/BLDG INSURANCE	76,425.95
IOWA DEPT OF PUBLIC SAFETY	ON LINE WARRENTS-PD	300.00
IOWA ONE CALL	LOCATES-WAT,SEW	80.10
IOWA PRISON INDUSTRIES	BENCH-P&REC	750.00
IOWA SOLUTIONS INC	MONTHLY MAINT-ALL DEPTS	800.00
IOWA SOLUTIONS INC	PATCH MGMT,FIREWALL-PD	638.10
J ROBERT HOPSON	ACTUARIAL CERTIFICATION	550.00
JACOB SEE	CELL PHONE STIPEND	300.00
JADE KAISER	REFUND-POOL	70.00
JENNIE ZERBE	REFUND-POOL	112.00
JEREMY ERIE	CURB,GUTTER/PAL ROAD-RUT	1,770.00
JEREMY ERIE	DRIVEWAY APPROACH-RUT	1,462.50
JESSICA JENSEN	REFUND-POOL	80.00
JESSICA MUELLER	REFUND-POOL	62.00
JESSIE THURN	REFUND-POOL	27.00
JESSIE VON BEHREN	REFUND-POOL	180.00
JILL SCHMIDT	REFUND-POOL	32.00
JOHN DEERE INC	JD FRONT END LOADER LEASE	19,854.43
JOHN'S LOCK & KEY INC	KEYS-LBC	20.93
JOHNSTONE SUPPLY	BLDG MAINT-PD	42.70

KAITLYN HENIK	REFUND-POOL	27.00
KATEY FOREST	CELL PHONE STIPEND	300.00
KATIE BURRELL	REFUND-POOL	72.00
KAYLA MEHLERT	REFUND-POOL	32.00
KELLI ANDRESON	REFUND-POOL	64.00
KELLI CHAPMAN	REFUND-POOL	35.00
KELLI JOSEPH	REFUND-POOL	62.00
KENZIE RUBNER	REFUND-POOL	54.00
KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE PLAN/COPIES	130.38
KRISTI MEYER	REFUND-POOL	70.00
KURT PISARIK	CELL PHONE STIPEND	300.00
LAURA ECKLES	CELL PHONE STIPEND	480.00
LEVI REINBOLT	DEPOSIT REFUND-WAT	20.72
LIBBY PLATE	REFUND-POOL	70.00
LILLIAN HANKEMEIER	REFUND-POOL	32.00
LINDSEY LOGAN	REFUND-POOL	32.00
LINN CO-OP OIL CO	FUEL-PW	1,726.59
LINN CO-OP OIL CO	SEED MIX,FERTILIZER-RUT	491.50
LINN COUNTY PLANNING & DEV	BLDG PERMIT-P&A	91.00
LISA SCHWEIBERT	REFUND-POOL	32.00
LISBON MT VERNON AMBULANCE	SUPPORT	18,000.00
LYNCH FORD	5K MI MAINT,ROTATE TIRES-PD	69.16
MANDY BLAU	REFUND-POOL	80.00
MARSHA DEWELL	CELL PHONE STIPEND	480.00
MARTIN EQUIPMENT	JD SKID RENTAL-RUT	1,425.00
MARY BETH UTLEY	REFUND-POOL	27.00
MEDIACOM	PHONE/INTERNET-P&A	278.99
MEDIACOM	PHONE/INTERNET-RUT	180.43
MEDIACOM	PHONE/INTERNET-FD	169.92
MEGAN KRAPFL	REFUND-POOL	62.00
MEGAN O'CONNOR	REFUND-POOL	32.00
MELISSA KAHL	REFUND-POOL	80.00
MELISSA WILMER	REFUND-POOL	80.00
MENARDS	WAT DISPENSER,A/C-P&REC	579.97
MENARDS	RR LITES/DAVIS PARK	139.98
MENARDS	WATER COOLER-RUT	139.00
MERIDITH HOFFMAN	CELL PHONE STIPEND	480.00
MICHAEL WALTER	CELL PHONE STIPEND	480.00
MICHELLE SCHUMACHER	REFUND-POOL	80.00
MIDWEST SAFETY COUNSELOR	CALIBRATION-FD	60.00
MIDWEST WHEEL CO	HAULING EQUIPMENT-RUT	358.84
MOTION FITNESS CO	I WALL-LBC	8,497.50
MOUNT VERNON ACE HARDWARE	SUPPLIES-ALL DEPTS	2,539.16
MOUNT VERNON BANK	20% OF CEMETERY SALES	1,400.00
MUNICIPAL EMERGENCY SERVICES	FIRE GEAR-FD	48,756.00
MUNICIPAL SUPPLY INC	SUPPLIES-WAT	294.07
NEAL'S WATER CONDITIONING SERVICE	WATER/SALT-RUT	51.75
NEYSA VOLKERT	REFUND-POOL	64.00
NICK NISSEN	CELL PHONE STIPEND	480.00
NICOLE KROUL	REFUND-POOL	40.00
NICOLE KROUL	REFUND-POOL	32.00
NICOLE OFFERMAN	REFUND-POOL	72.00
P&K MIDWEST INC	GATOR ENGINE-P&REC	1,329.43
P&K MIDWEST INC	GATOR MAINT-RUT	74.04

P&K MIDWEST INC	EQUIP MAINT-P&REC	52.35
P&K MIDWEST INC	SCREW PUMP GREASE-SEW	126.89
PAYROLL	CLAIMS	92,230.46
PAYROLL	CLAIMS	1,157.25
PAYROLL	CLAIMS	83,919.85
PAYROLL	CLAIMS	92.35
POSTMASTER	UTIL BILL POSTAGE-WAT,SEW,SW	393.72
PRAETORIAN DIGITAL	TRAINING-PD	1,034.00
RACHEL KRUG	REFUND-POOL	70.00
REILLE WORBY	REFUND-POOL	62.00
RELIANT FIRE APPARATUS INC	VEHICLE GRILLE-FD	1,774.30
RICHARD BURROUGHS	CEMETERY MAINT	3,795.00
RICKARD SIGN AND DESIGN CORP	RR SIGNS-P&REC	206.25
RONALD HAUSER	DEPOSIT REFUND-WAT	100.00
RYAN CROCK	CELL PHONE STIPEND	300.00
SANDRY FIRE SUPPLY LLC	SERVICES-FD	2,166.75
SARA BRANNAMAN	REFUND-POOL	27.00
SARA KENDALL	REFUND-POOL	70.00
SARAH BOOTS	CELL PHONE STIPEND	480.00
SE LINN COMMUNITY CENTER	SUPPORT	20,000.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	1,204.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	40.00
SITE ONE LANDSCAPE SUPPLY	FERTILIZER-P&REC	476.30
SOIL CONCEPTS INC	SERVICE/ELLIOTT PARK EXTENSION	7,610.00
SPRINGVILLE READY MIX	M-4 TRUCKING-RUT	1,015.00
SPRINGVILLE READY MIX	CONCRETE-RUT	464.00
STAPLES INC	SUPPLIES-P&Z,P&A	724.83
STAPLES INC	SUPPLIES-PD,P&A	162.05
STAPLES INC	SUPPLIES-P&A,WAT,SEW	120.02
STEPHANIE HOKLOTUBBE	REFUND-POOL	62.00
STONE CITY QUARRIES	STONE/MEM PARK-P&REC	2,175.51
STORM STEEL	DOCK MAINT-P&REC	42.75
SUE RIPKE	CELL PHONE STIPEND	480.00
SUN LIFE	INSURANCE	1,403.45
TINA DEKLOTZ	REFUND-POOL	27.00
TOTAL TREE CARE OF IOWA CITY	TREE MAINT-RUT	23,169.00
TOUCH OF GLASS	WINDOW FILM-PD	850.00
TREASURER STATE OF IOWA	WET TAX	2,881.00
TREASURER STATE OF IOWA	SALES TAX	1,493.00
TRI-CITY ELECTRIC CO OF IOWA	SECURITY SYSTEM-PD	29,932.00
TRI-CITY ELECTRIC CO OF IOWA	HID CARDS-LBC	1,560.00
TRI-CITY ELECTRIC CO OF IOWA	FRONT DESK SECURITY CAMERAS-LBC	1,010.00
TRI-CITY ELECTRIC CO OF IOWA	SECURITY SYSTEM-PD	7,363.00
TRISTA LYNNER	REFUND-POOL	35.00
TRYSTIN LASHLEY	REFEREE-P&REC	75.00
ULINE	TABLE-PD	813.97
UMB	BOND FEES	1,300.00
UNION PACIFIC RAILROAD CO	1ST ST BRIDGE REPAIR/PRELIM ENG	2,014.57
US BANK	CREDIT CARD PURCHASES-ALL DEPTS	12,846.93
US CELLULAR	CELL PHONE-P&REC,WAT,SEW	172.17
USA BLUE BOOK	HYDRANT HOOKUP-RUT	85.08
VEENSTRA & KIMM INC	8TH AVE QUIET ZONE	3,077.26
VEENSTRA & KIMM INC	BRYANT ROAD IMPROVEMENTS	2,880.00
VEENSTRA & KIMM INC	WAGON PASS DEMOLITION	2,790.58

VEENSTRA & KIMM INC	1ST ST W RR BRIDGE REPAIR	1,150.50
VEENSTRA & KIMM INC	3RD ST NATURE PARK TRAIL-GEN	1,127.75
VEENSTRA & KIMM INC	CITY ENGINEERING GENERAL	176.00
VERMEER SALES & SERVICE INC	TRAILER-P&REC	12,500.00
WAPSI WASTE SERVICE	GB,RECYL-SW	22,218.34
WEBER CONCRETE	FLAGSTONE/MEM PARK-P&REC	3,053.68
WELLMARK	INSURANCE	19,510.52
WENDLING QUARRIES	LIME,STONE-MEM PARK	226.76
WENDLING QUARRIES	LIME/MEM PARK-P&REC	32.73
WOODWARD COMMUNITY MEDIA	ADS/PUBLICATIONS-P&A	307.97
ZACH SIMPSON	REFUND-POOL	32.00
TOTAL		804,290.96
2014 STREET IMPROVEMENTS		5,091.83
CAPITAL IMPROVEMENT PROJECTS		7,610.00
DEBT SERVICE		1,300.00
GENERAL FUND		358,725.51
INSURANCE LEVY		87,534.74
LBC		7,893.82
LOST III COMMUNITY CENTER		16,550.65
LOST III TRAILS		1,127.75
PAYROLL		177,399.91
PERPETUAL CARE		1,400.00
POLICE STATION CONSTRUCTION		850.00
ROAD USE TAX FUND		84,452.42
SEWER FUND		13,581.03
SOLID WASTE		25,486.56
STORM WATER FUND		695.04
WATER FUND		14,591.70
TOTAL		804,290.96

Discussion and Consideration of Additional Electric Work on the Public Access Wing – Police Station - Council Action as Needed. Carpeting and electric work are still needed on the west end of the building in order to open the new Police Station to the public. Council was asked to approve expenses of \$9,841.85 to Carpet King for carpeting and \$3,282.56 to Brady Lanham for electrical work. Motion to approve electrical work in the amount of \$3,282.56 made by Rose, seconded by Wieseler. Motion carries.

Discussion and Consideration of Carpeting for the Public Access Wing – Police Station - Council Action as Needed. Motion to approve \$9,841.85 for the purchase and installation of carpet at the new Police Station public area made by Rose, seconded by Wieseler. Motion carries.

Discussion and Consideration of Pay Application #12 – 2019 WWTP Improvements – Council Action as Needed. The UV disinfection system is installed and improvements to the first clarifier are complete. Pay Application #12 is in the amount of \$54,343.46. Motion to approve Pay Application #12 made by Herrmann seconded by Wieseler. Motion carries.

Discussion and Consideration of Change Order #\_\_ – 2019 WWTP Improvements – Council Action as Needed. The south clarifier is in need of improvements. The SRF loan amount was in the amount of \$1,800,000.00 and there is not enough left to cover the cost. If the improvements were completed the cost would be about \$160,000.00 and could be paid from sewer reserves but that would use emergency funds

and not recommended by staff. The alternative and staff's recommendation would be to make a few small repairs and keep the south clarifier online until Phase II of the project. The expectation is that the City will go for an SRF again for Phase II and the clarifier improvements would be a part of it. If the clarifier breaks down before Phase II begins the money would be coming from the reserve account. Because the equipment is in place and costs will be less now rather than waiting Council decided to do the improvements using reserve account monies. So as not to have to wait two more weeks for the next meeting Nobsch suggested approving the change order now in an amount not to exceed \$140,000.00. Roudabush motioned to approve the repair of clarifier #2 at a cost not to exceed \$140,000.00, seconded by Herrmann. Motion carries.

Discussion and Consideration of Pay Application #16 – Lester Buresh Family Community Wellness Center – Council Action as Needed. Motion to approve Pay Application #16 in the amount of \$43,347.47 to Garling Construction Inc. made by Wieseler, seconded by Herrmann. Motion carries.

Discussion and Consideration of Pay Application #6 – Security and Cameras – Lester Buresh Family Community Wellness Center – Council Action as Needed. Motion to approve Pay Application #6 in the amount of \$5,630.78 to Tri City made by Herrmann, seconded by Rose. Motion carries.

Discussion and Consideration of Outdoor Dining Pilot Program - CDG – Council Action as Needed. Because COVID-19 has had such a negative impact on the uptown businesses a CDG subcommittee was formed to research outdoor dining as a temporary way to increase foot traffic. If approved, portions of the downtown parking areas would be closed off in order to accommodate tables and seating. Staff is supportive of the project as long as there is consensus among all the downtown business owners. The committee consists of Rich Herrmann, Cherie Guillaume, Joe Jennison, Tommie Ouverson, Karla Steffens, Stephanie West and Kelley Yock. A proposal was sent out to 78 businesses in the Main Street District. 49 businesses responded. 13 of 17 service businesses were supportive of the proposal as it was written. 9 of the 16 retail businesses were supportive with minor concerns and 2 of the 13 food service businesses were supportive of the proposal as is. The proposal requested up to 20 parking places be used for dining spaces throughout the summer of 2020. Based on the shared concerns the CDG committee met via Zoom on June 9<sup>th</sup> and decided a smaller pilot program should be proposed. The Pilot Project would take up to three parking spaces in front of two eastside Main Street businesses. This project will run through October 1. City crews will be asked to move in six concrete barriers to act as a barrier to traffic. Details of the program can be viewed on the City's website (7-6-2020 Minutes). Motion to move forward with the CDG Outdoor Dining Pilot Program made by Wieseler, seconded by Herrmann. Motion carries.

Discussion and Consideration of Welcome to Mount Vernon Signage - CDG – Council Action as Needed. Council was asked to support and approve signage similar to what is on the north parking lot retainage wall. The new Welcome to Mount Vernon sign would be placed on the building owned by John and Amanda Rhomberg. There is no cost to the City. Motion to approve the CDG Welcome to Mount Vernon signage for the One Mission building made by Rose, seconded by West. Motion carries.

Discussion and Consideration of Change Order #1 – Wellness Center Trail – Council Action as Needed. Change Order #1 for the Wellness Center Trail is in the amount of \$2,013.00 and is for labor and equipment to add motion sensors to the trail lighting. Motion to approve Change Order #1 for \$2,013.00 to Rathje Construction Co. made by West, seconded by Wieseler. Motion carries.

Discussion and Consideration of Change Order #2 – Wellness Center Trail – Council Action as Needed. Change Order #2 for the Wellness Center Trail is in the amount of \$9,284.00 and is for the labor and equipment to add seven boxes and additional 1" conduit for trail cameras. Motion to approve Change Order #2 to Rathje Construction Co. made by Rose, seconded by Wieseler. Motion carries.

Discussion and Consideration of Change Order #3 – Wellness Center Trail – Council Action as Needed. Change Order #3 for the Wellness Center Trail is in the amount of \$6,627.50 and is for the installation of an emergency phone but because of the proximity of the trail to neighboring residences, LBC and the MVHS staff is recommending CO#3 be denied. Motion to deny Change Order #3 made by Herrmann, seconded by West. Motion carries.

Discussion and Consideration of Amendments to Purchasing Policy – Council Action as Needed. Council was asked to approve an increase in the purchasing policy limit of the City Administrator to \$7,500.00. The current spending limit is \$3,000.00. Motion to approve the City Administrators purchasing limit to \$7,500.00 made by Wieseler, seconded by Rose. Motion carries.

Discussion and Consideration of City Hall First Floor Renovations – Council Action as Needed. Council was asked to approve renovations to City Hall. The upgrades include LED lighting, replacement of ceiling grids, carpeting, technology upgrades and office equipment. Savings to administrative budgets in FY20 allowed for the payment of the ceiling grid and lighting upgrades. Total cost will be approximately \$65,000.00. The current furniture will be sold to help offset the cost. No motion required.

Discussion and Consideration of Electrical Modifications to City Hall – Council Action as Needed. Motion to approve \$9,420.00 to Brady Lanham for the 1<sup>st</sup> floor electrical modifications made by West, seconded by Herrmann. Motion carries.

Discussion and Consideration of Ceiling Tile Modifications to City Hall – Council Action as Needed. Motion to approve \$6,065.00 to Harger's Acoustics, Inc. for the 1<sup>st</sup> floor grid work and replacement tile made by Rose, seconded by Herrmann. Motion carries.

Discussion and Consideration of Indoor Protective Netting – Lester Buresh Family Community Wellness Center – Council Action as Needed. Council was asked to approve the installation cost associated with protective coverings for the east and west end of the gymnasium floor. This would provide a safeguard for the glass windows on either end of the court. The cost of the installation is \$6,300.00. Motion to approve \$6,300.00 for the installation of a protective netting made by Rose, seconded by Wieseler. Motion carries.

Discussion and Consideration of Water Shut-Off Policy for Unpaid Balances – Council Action as Needed. Because of the COVID-19 pandemic the City Council had suspended late fees and water shut-offs for residents. Staff is asking Council to reinstate the late fee and shut-off policy beginning with the July 1, 2020 billing cycle. Staff will work with residents on a payment plan if necessary. Motion to re-instate late fees and the shut-off policy made by Herrmann, seconded by Rose. Motion carries.

Discussion and Consideration of Administrative Assistant and Other Personnel Changes – Police Department – Council Action as Needed. Chief Doug Shannon asked Council to consider approving the addition of a part-time administrative assistant. Chief Shannon gave Council a job description outlining the duties and expectations for this new position. This will be a 20-30 hour work week with no benefits. Motion to approve a PT Administrative Assistant position made by Rose, seconded by Herrmann. Motion carries.

Discussion and Consideration of Soft Starter for Blower #1 – Wastewater Treatment Facility – Council Action as Needed. Price Electric submitted a quote of \$4,500.00 to replace the soft starter for blower #1. This is a budgeted expense. Motion to approve \$4,500.00 for a soft starter for blower #1 made by Wieseler, seconded by West. Motion carries.

Discussion and Consideration of Purchasing a John Deere 5075 Tractor – Council Action as Needed. With the new Business 30, Spring Meadows, Elliott Park and Stonebrook West expansions staff asked Council to consider approving the purchase of a JD 5075E tractor at a cost of \$43,138.66. The new JD would be used to not only mow ditches and ball fields but also pull the leaf vac during leaf pick up. This is a budgeted item. Motion to approve the purchase of a JD5075 Tractor made by West, seconded by Herrmann. Motion carries.

Discussion and Consideration of Purchasing a Doosan Excavator (Zero Turn) – Council Action as Needed. Council was asked to approve the purchase of a Doosan DX85R-3-Zero turn excavator for \$72,850.00 from RTL Equipment, Inc. This will replace the 2007 JD 310SJ backhoe. RTL offered \$28,000.00 as a trade in. This is a planned CIP expense for FY21. Motion to approve the purchase of a Doosan Excavator made by Herrmann, seconded by Wieseler. Motion carries.

Discussion and Consideration of Concrete Pad Construction – PW Site – Council Action as Needed. Council was asked to consider the approval of hiring a contractor to construct/pour an 80' X 100' concrete pad at the new PW site which will be used for residential brush drop off, wood chip and compost pickup. Contractor Jeremy Erie has submitted an estimate of \$41,950.00 to complete this project and would be paid from the Solid Waste Fund. Motion to approve the construction of a concrete pad in the amount of \$41,950.00 made by West, seconded by Wieseler. Motion carries.

Discussion and Consideration of Change Order #1 – Wagon Pass – Council Action as Needed. Change Order #1 is in the amount of \$8,929.50 and is for the unexpected coring out of wet areas and the addition of more rock having to be brought in. Motion to approve Change Order #1 made by Wieseler, seconded by Herrmann. Motion carries.

Discussion and Consideration of Pay Application #1 – Wagon Pass – Council Action as Needed. Pay Application #1 to Schrader Excav. & Grading Company is in the amount of \$71,015.64. Motion to approve Pay Application #1 made by West, seconded by Rose. Motion carries.

#### **Discussion Items (No Action)**

Oversize Truck Parking. Council was asked if they were interested in adopting a large vehicle parking on City streets ordinance similar to what Cedar Rapids has. Council wanted to have that conversation and Wieseler motioned to move forward with an oversize truck parking discussion, seconded by West. Motion carries.

Mt. Vernon Police Department Operational Policies. This was an opportunity for Council to ask questions and review operational policies. Chief Shannon stated that signing up for Lexipol a few years ago was one of his best decisions. Lexipol is a live service that continuously reviews court decisions and best practices and then recommends policies for police services keeping the department policies current.

Garbage Service. City Administrator Nosbisch stated that the COVID-19 showed that the GB tag system didn't work very well and asked Council to consider different options regarding garbage service for a future discussion.

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

City Administrator's Report. Nosbisch will be out of the office from July 14-17, 2020. Work on the Nature Park Trail will begin the week of July 6. Additional warning devices have been ordered for the medians on the 8<sup>th</sup> Ave crossing.

With no further business to attend to the meeting adjourned the time being 9:00 p.m., July 6, 2020.

Respectfully submitted,  
Sue Ripke  
City of Mount Vernon

## **G. Resolutions for Approval**

**AGENDA ITEM # G - 1 – G - 3**

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

<b>DATE:</b>	July 20, 2020
<b>AGENDA ITEM:</b>	Establishing Depositories
<b>ACTION:</b>	Motion

**SYNOPSIS:** This is an annual set of resolutions establishing the depositories and signatories for City funds.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Resolutions #7-20-2020A, B, and C

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 7/13/20

DEPOSIT OF PUBLIC FUNDS RESOLUTION #7-20-2020A

RESOLVED, that the City of Mount Vernon can utilize the services of Hills Bank & Trust Company (“Depository”) for the deposit of public funds belonging to the City of Mt. Vernon, or coming into its possession, pursuant to a duly executed Agreement to Receive and Repay Deposits of Public Funds. The maximum amount which may be thus deposited without further approval of this Board and the Treasurer of State of \$9,000,000.00.

RESOLVED, that the following officers are hereby authorized and directed to execute said Agreement, to execute and deliver signature authorization cards to Depository concurrently therewith, and to execute all drafts, checks and other documents and correspondence regarding any accounts of the City of Mount Vernon at Depository:

Name	Office	Term Expires
Christopher Nosbisch	City Administrator	7-31-2021
Sue Ripke	Assistant City Administrator/Clerk	7-31-2021
Jamie Hampton	Mayor	7-31-2021
Marsha Dewell	Deputy Clerk	7-31-2021

RESOLVED, that the officers described above are hereby authorized and directed to take such action, and execute such documents and agreements as may be necessary to secure the repayment of the deposits of public funds authorized hereunder, including, but not limited to: Security Agreements, Bailment Agreements, Notices, and any documents or instruments supplemental or incidental thereto.

RESOLVED, that the City Administrator/Assistant City Administrator forward a certified copy of this resolution to Depository, and any other parties which may request it for purposes of effectuating the deposit of public funds authorized hereunder or any security therefore, together with a certificate attesting to the names and signatures of the present incumbents of the offices described above; and that the City Administrator/Assistant City Administrator further certify to Depository or other parties from time to time the signatures of any successors in office of any of the present incumbents.

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

Resolution #7-20-2020A

Resolution #7-20-2020A \_\_\_\_\_ on July 20, 2020, by the following roll call vote:

YES:

NO:

ABSTAIN:

ABSENT:

MOUNT VERNON CITY COUNCIL  
MOUNT VERNON, IOWA

---

Jamie A. Hampton, Mayor

ATTEST:

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Sue Ripke  
Assistant City Administrator/Clerk

DEPOSIT OF PUBLIC FUNDS RESOLUTION #7-20-2020B

RESOLVED, that the City of Mount Vernon can utilize the services of Bridge Community Bank (“Depository”) for the deposit of public funds belonging to the City of Mt. Vernon, or coming into its possession, pursuant to a duly executed Agreement to Receive and Repay Deposits of Public Funds. The maximum amount which may be thus deposited without further approval of this Board and the Treasurer of State of \$9,000,000.00.

RESOLVED, that the following officers are hereby authorized and directed to execute said Agreement, to execute and deliver signature authorization cards to Depository concurrently therewith, and to execute all drafts, checks and other documents and correspondence regarding any accounts of the City of Mount Vernon at Depository:

Name	Office	Term Expires
Christopher Nosbisch	City Administrator	7-31-2021
Sue Ripke	Assistant City Administrator/Clerk	7-31-2021
Jamie Hampton	Mayor	7-31-2021
Marsha Dewell	Deputy Clerk	7-31-2021

RESOLVED, that the officers described above are hereby authorized and directed to take such action, and execute such documents and agreements as may be necessary to secure the repayment of the deposits of public funds authorized hereunder, including, but not limited to: Security Agreements, Bailment Agreements, Notices, and any documents or instruments supplemental or incidental thereto.

RESOLVED, that the City Administrator/Assistant City Administrator forward a certified copy of this resolution to Depository, and any other parties which may request it for purposes of effectuating the deposit of public funds authorized hereunder or any security therefore, together with a certificate attesting to the names and signatures of the present incumbents of the offices described above; and that the City Administrator/Assistant City Administrator further certify to Depository or other parties from time to time the signatures of any successors in office of any of the present incumbents.

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

Resolution #7-20-2020B

Resolution #7-20-2020B \_\_\_\_\_ on July 20, 2020, by the following roll call vote:

YES:

NO:

ABSTAIN:

ABSENT:

MOUNT VERNON CITY COUNCIL  
MOUNT VERNON, IOWA

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Jamie A. Hampton, Mayor

ATTEST:

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Sue Ripke  
Assistant City Administrator/Clerk

DEPOSIT OF PUBLIC FUNDS RESOLUTION #7-20-2020C

RESOLVED, that the City of Mount Vernon can utilize the services of Mount Vernon Bank and Trust (“Depository”) for the deposit of public funds belonging to the City of Mt. Vernon, or coming into its possession, pursuant to a duly executed Agreement to Receive and Repay Deposits of Public Funds. The maximum amount which may be thus deposited without further approval of this Board and the Treasurer of State of \$9,000,000.00.

RESOLVED, that the following officers are hereby authorized and directed to execute said Agreement, to execute and deliver signature authorization cards to Depository concurrently therewith, and to execute all drafts, checks and other documents and correspondence regarding any accounts of the City of Mount Vernon at Depository:

Name	Office	Term Expires
Christopher Nosbisch	City Administrator	7-31-2021
Sue Ripke	Assistant City Administrator/Clerk	7-31-2021
Jamie Hampton	Mayor	7-31-2021
Marsha Dewell	Deputy Clerk	7-31-2021

RESOLVED, that the officers described above are hereby authorized and directed to take such action, and execute such documents and agreements as may be necessary to secure the repayment of the deposits of public funds authorized hereunder, including, but not limited to: Security Agreements, Bailment Agreements, Notices, and any documents or instruments supplemental or incidental thereto.

RESOLVED, that the City Administrator/Assistant City Administrator forward a certified copy of this resolution to Depository, and any other parties which may request it for purposes of effectuating the deposit of public funds authorized hereunder or any security therefore, together with a certificate attesting to the names and signatures of the present incumbents of the offices described above; and that the City Administrator/Assistant City Administrator further certify to Depository or other parties from time to time the signatures of any successors in office of any of the present incumbents.

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

Resolution #7-20-2020C

Resolution #7-20-2020C \_\_\_\_\_ on July 20, 2020, by the following roll call vote:

YES:

NO:

ABSTAIN:

ABSENT:

MOUNT VERNON CITY COUNCIL  
MOUNT VERNON, IOWA

---

Jamie A. Hampton, Mayor

ATTEST:

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Sue Ripke  
Assistant City Administrator/Clerk

**AGENDA ITEM # G - 4**

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

**DATE:** July 20, 2020

**AGENDA ITEM:** Resolution #7-20-2020D

**ACTION:** Motion

**SYNOPSIS:** Sue will send out this information by Friday. This will be our initial fund transfer for FY 21.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Resolutions #7-20-2020D

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 7/13/20

**AGENDA ITEM # G - 5**

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

<b>DATE:</b>	July 20, 2020
<b>AGENDA ITEM:</b>	Resolution #7-20-2020E
<b>ACTION:</b>	Motion to Close

**SYNOPSIS:** The MVCSD has requested the City make the stop signs at the 5<sup>th</sup> Ave NW and 4<sup>th</sup> Ave NW intersection a permanent fixture. Staff concurs with this request as the constant change becomes confusing for drivers.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Resolutions #7-20-2020E

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 7/13/20

RESOLUTION #7-20-2020E

A Resolution providing for new "Stop" sign locations within the City of Mt. Vernon, Iowa.

WHEREAS, Section 61.01 of the Code of Ordinances of the City of Mount Vernon, Iowa, directs the Council to designate and establish, by resolution, appropriate traffic control devices; and,

WHEREAS, staff has reviewed the need for additional traffic control measures and is now recommending that Stop signs be provided on a certain section of a certain street;

NOW, THEREFORE, BE IT RESOLVED there be a Stop sign placed as follows:

- 1.) Intersection of 5<sup>th</sup> Avenue SW and 4<sup>th</sup> Avenue SW; southeast corner for north bound traffic on 5<sup>th</sup> Avenue SW, northwest corner for south bound traffic on 5<sup>th</sup> Avenue SW, and the northeast corner for west bound traffic on 4<sup>th</sup> Avenue SW.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to \_\_\_\_\_  
Resolution #7-20-2020E.

Resolution #7-20-2020E \_\_\_\_\_ on July 20, 2020, 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

# Memo

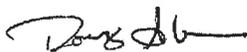
**To:** Chris Nosbisch, City Administrator  
**From:** Doug Shannon, Chief of Police  
**CC:**  
**Date:** 7/9/2020  
**Re:** Addition of permanent stop signs

---

Chris,

I have been receiving complaints regarding the stop signs at the intersection of 4<sup>th</sup> Ave & 5<sup>th</sup> Ave SW. This intersection is a 3-way intersection for 4<sup>th</sup> Ave SW and 5<sup>th</sup> Ave SW, and the main location for a crosswalk for kids walking to school. During school times this is a very busy and congested intersection. I have talked with crossing guards who have reported that vehicles will drive through the stop signs when they are down during school hours. They have expressed safety concerns with the temporary stop signs on 5<sup>th</sup> Ave SW. I was recently approached by Denny Dietrich regarding this issue, and he expressed ongoing concerns related to the temporary signs. I then discussed this matter with Dr. Batenhorst. After discussion we agreed the safest solution is to install permanent stop signs onto 5<sup>th</sup> Avenue, making this intersection a permanent 3 way stop sign. This will ensure traffic becomes familiar with this being a controlled intersection requiring all vehicles to stop at the intersection. I have received a letter from Dr. Batenhorst supporting this request.

In the interest pedestrians and motorists, I believe the addition of the permanent signs will improve the safety of this intersection and recommend the addition of the permanent stop signs.



Doug Shannon  
Chief of Police



MOUNT VERNON  
COMMUNITY SCHOOL DISTRICT

July 6, 2020

Police Chief Doug Shannon  
Mount Vernon Police Department  
213 1st Street West  
Mount Vernon, Iowa 52314

Chief Shannon:

As a follow-up to our conversation on July 6, 2020, I am requesting that a permanent stop sign be placed at the corner of 5th Avenue and 4th Avenue, a corner adjacent to Washington Elementary in the Mount Vernon Community School District. Currently, the intersection is controlled by a stop sign that is up and displayed during high traffic periods at the school, while the sign is down and not displayed during the remainder of the day and during the summer. My overall concern is that of safety for people in this area; as traffic has a tendency to move quickly when the sign is down, and also leads many people to accidentally drive through the intersection without stopping when the stop sign is displayed. I believe this is largely due to the inconsistency of when the sign is and is not in use. I believe the request is in the best interests of our students, parents, and all community members who drive and walk through that area.

I appreciate the consideration of the Mount Vernon City Council on this matter. Thank you to the Mount Vernon Police Department and the Mount Vernon City Council for all you do for our great community!

Sincerely,

Greg Batenhorst, Ed.D.  
Superintendent  
Mount Vernon Community School District

## **J. Motions for Approval**

**AGENDA ITEM # J - 2**

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

<b>DATE:</b>	July 20, 2020
<b>AGENDA ITEM:</b>	Change Order #1 – Quiet Zone
<b>ACTION:</b>	Motion

**SYNOPSIS:** The expenses are for the insurance and flaggers required by the railroad for the project. The contract identified them as City expenses as we were unsure of the costs at the start of the project. The change order is in the amount of \$4,745.

**BUDGET ITEM:** Bond Proceeds

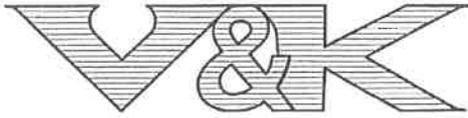
**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Change Order #1

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 7/13/20



**VEENSTRA & KIMM, INC.**

860 22<sup>nd</sup> Avenue, Suite 4 • Coralville, Iowa 52241-1565  
319-466-1000 • 319-466-1008(FAX) • 888-241-8001(WATS)

July 13, 2020

CHANGE ORDER NO. 1

8<sup>th</sup> AVENUE NW QUIET ZONE  
MOUNT VERNON, IOWA

Change Order No. 1 is for the following modifications to the project:

- |                                  |         |             |                    |
|----------------------------------|---------|-------------|--------------------|
| 1. Railroad Protective Insurance | LS      | \$          | 875.00             |
| 2. Railroad flaggers, per day    | 3 Ea. @ | \$1,290/Ea. | \$ 3,870.00        |
| Total:                           |         |             | \$ <u>4,745.00</u> |

Change Order No. 1 increases the contract amount by \$ 4,745.00.

**PIRC TOBIN CONSTRUCTION, INC.**

**CITY OF MOUNT VERNON, IOWA**

By *Chela A. Ault*

By \_\_\_\_\_

Title *Corporate Secretary*

Title \_\_\_\_\_

Date *7/13/20*

Date \_\_\_\_\_

**VEENSTRA & KIMM, INC.**

**ATTEST:**

By *Dave S. [Signature]*

By \_\_\_\_\_

Title Project Engineer

Title \_\_\_\_\_

Date July 13, 2020

Date \_\_\_\_\_

**AGENDA ITEM # J – 3**

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

<b>DATE:</b>	July 20, 2020
<b>AGENDA ITEM:</b>	Pay Application #2 – Quiet Zone
<b>ACTION:</b>	Motion

**SYNOPSIS:** This pay application is in the amount of \$6,818.62 and covers everything outside of the retainage. V&K will complete the necessary “Notice of Establishment” forms with the railroad now that the signs and painting have been completed.

**BUDGET ITEM:** Bond Proceeds

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Pay Application #2

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 7/13/20



# VEENSTRA & KIMM, INC.

860 22nd Avenue, Suite 4 • Coralville, Iowa 52241-1565  
 319-466-1000 • 319-466-1008(FAX) • 888-241-8001(WATS)

July 13, 2020

**PAY ESTIMATE NO.** 2  
 8th AVENUE NW QUIET ZONE  
 MOUNT VERNON, IOWA

Pirc Tobin Construction, Inc.  
 P.O. Box 160  
 Alburnett, IA 52202

Contract Amount \$66,245.00  
 Contract Date September 16, 2019  
 Pay Period June 1, 2019 - June 30, 2020

BID ITEMS							
	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Completed	Value Completed
1	Topsoil, Furn + Spread	CY	20	\$ 80.00	\$ 1,600.00	10	\$ 800.00
2	Modified Subbase	CY	8	\$ 250.00	\$ 2,000.00	8.86	\$ 2,215.00
3	Std/S-F PCC Pav't, CI C CI 3, 8"	SY	20	\$ 200.00	\$ 4,000.00	29.66	\$ 5,932.00
4	Median, Dowelled PCC	SY	48	\$ 250.00	\$ 12,000.00	48	\$ 12,000.00
5	Intake, SW-507	Ea.	2	\$ 4,000.00	\$ 8,000.00	2	\$ 8,000.00
6	Rmvl of Pav't	SY	67	\$ 125.00	\$ 8,375.00	77.66	\$ 9,707.50
7	Wood Post-Type A/B Sign, 4"X4"	LF	24	\$ 55.00	\$ 1,320.00	24	\$ 1,320.00
8	Type A Sign, Sheet Alum	SF	24	\$ 25.00	\$ 600.00	24	\$ 600.00
9	Construction Survey	LS	1	\$ 1,500.00	\$ 1,500.00	1	\$ 1,500.00
10	Painted Pav't Mark, Waterborne/S	Sta	32.2	\$ 125.00	\$ 4,025.00	29.26	\$ 3,657.50
11	Traffic Control	LS	1	\$ 7,500.00	\$ 7,500.00	1	\$ 7,500.00
12	Flagger	Ea.	10	\$ 150.00	\$ 1,500.00	2	\$ 300.00
13	Mobilization	LS	1	\$ 12,500.00	\$ 12,500.00	1	\$ 12,500.00
14	Mulch	Acre	0.1	\$ 750.00	\$ 75.00	0.05	\$ 37.50
15	Seed + Fertilize (Urban)	Acre	0.1	\$ 12,500.00	\$ 1,250.00	0.05	\$ 625.00
<b>Contract Price:</b>					<b>\$ 66,245.00</b>		<b>\$ 66,694.50</b>

MATERIALS STORED SUMMARY			
Description	# of Units	Unit Price	Extended Cost
<b>Total</b>			<b>\$ -</b>

SUMMARY			
		Total Approved	Total Completed
Contract Price		\$ 66,245.00	\$ 66,694.50
Approved Change Order (list each)	Change Order No. 1	\$ 4,745.00	\$ 4,745.00
Revised Contract Price		\$ 70,990.00	\$ 71,439.50

Stored  
 Total Earned \$ 71,439.50  
 Retainage (5%) \$ 3,571.98  
 Total Earned Less Retainage \$ 67,867.53

Total Previously Approved (list each)	Pay Estimate No. 1	\$ 61,048.90	

Total Previously Approved \$ 61,048.90  
 Amount Due This Request \$ 6,818.62

Percent Complete 100%

The amount \$6,818.62 is recommended for approval for payment in accordance with the terms of the contract.

Prepared By:  
Pirc Tobin Construction, Inc.

Recommended By:  
Veenstra & Kimm, Inc.

Approved By:  
Mount Vernon, Iowa

Signature: *Charlie Arnold*  
 Name: Charlie Arnold  
 Title: Corp. Secretary  
 Date: 7/13/20

Signature: *Dave Schechinger*  
 Name: Dave Schechinger  
 Title: Engineer  
 Date: July 13, 2020

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

**AGENDA ITEM # J - 4**

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

<b>DATE:</b>	July 20, 2020
<b>AGENDA ITEM:</b>	Outdoor Furnishings - LBC
<b>ACTION:</b>	Motion

**SYNOPSIS:** Staff is looking to purchase additional outdoor furniture along with waste receptacles and other outdoor items. Matt will be providing this information in a separate email prior to the Council meeting.

**BUDGET ITEM:** LBC

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** None

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 7/13/20

**AGENDA ITEM # J - 5**

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

<b>DATE:</b>	July 20, 2020
<b>AGENDA ITEM:</b>	Flagpoles – Police Station
<b>ACTION:</b>	Motion

**SYNOPSIS:** Doug has provided a quote in the amount of \$8,590 for flagpoles at the new site. Chief Shannon will not be present at the meeting, but this is part of a larger Eagle Scout project for his building.

**BUDGET ITEM:** Police

**RESPONSIBLE DEPARTMENT:** Police Chief

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Quote

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 7/13/20



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07/13/2020	1	Q44318

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 US

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Attn: DOUG SHANNON  
 CITY OF MOUNT VERNON POLICE DEPT  
 380 OLD LINCOLN HIGHWAY  
 MOUNT VERNON IA 52314-1604  
 US

Account	Quoted	Expiration	Telephone	CSR Agent	Terms of Sale	Ship Via
209037	07/13/20	09/11/20	319.895.8742	Kellie	NET 30	FLAGPOLE MOTOR

Item #	Description	UM	QOR	Price	Amount
AH921	FLAGPOLE- 25' INTERNAL HALYARD SENTRY BRONZE WITH 5" BUTT, 3" TOP, .125" WALL	EA	2	1627.000	3254.00

-----  
 THIS ONE-PIECE POLE COMES COMPLETE WITH ALL ACCESSORIES TO FLY ONE FLAG.  
 WHAT SIZE FLAG WILL BE FLOWN? 4X6  
 DELIVERY TIME IS 10-15 BUSINESS DAYS AFTER RECEIPT OF THE ORDER.  
 DELIVERY LOCATION COMMERCIAL  
 -----

AH923	FLAGPOLE- 30' INTERNAL HALYARD SENTRY BRONZE WITH 5" BUTT, 3" TOP, .156" WALL	EA	1	2189.000	2189.00
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-----  
 THIS TWO-PIECE POLE COMES COMPLETE WITH ALL ACCESSORIES TO FLY ONE FLAG.  
 WHAT SIZE FLAG WILL BE FLOWN? 5X8  
 DELIVERY TIME IS 10-15 BUSINESS DAYS AFTER RECEIPT OF THE ORDER.  
 DELIVERY LOCATION COMMERCIAL  
 -----

AH920	FLAGPOLE- 20' INTERNAL HALYARD SENTRY BRONZE WITH 5" BUTT, 3" TOP, .125" WALL	EA	1	1679.000	1679.00
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-----  
 THIS ONE-PIECE POLE COMES COMPLETE WITH ALL ACCESSORIES TO FLY ONE FLAG.  
 WHAT SIZE FLAG WILL BE FLOWN? 3X5  
 DELIVERY TIME IS 10-15 BUSINESS DAYS AFTER RECEIPT OF THE ORDER.  
 DELIVERY LOCATION COMMERCIAL  
 -----



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Attn: DOUG SHANNON CITY OF MOUNT VERNON POLICE DEPT 380 OLD LINCOLN HIGHWAY MOUNT VERNON IA 52314-1604 US

Account	Quoted	Expiration	Telephone	CSR Agent	Terms of Sale	Ship Via
209037	07/13/20	09/11/20	319.895.8742	Kellie	NET 30	FLAGPOLE MOTOR

Item #	Description	UM	QOR	Price	Amount
AD793-IA	4X6' POLYESTER IOWA FLAG	EA	2	74.500	149.00
FEUSPR240	5X8' POLY-MAX REINFORCED POLYESTER U.S. FLAG- EDER BRAND	EA	2	94.500	189.00
FEUSPR230	3X5' POLY-MAX REINFORCED POLYESTER U.S. FLAG- EDER BRAND	EA	2	57.750	115.50
AZ351BLU	4X6' NYLON BLUE SUPPORT TROOPS W/ MILITARY BRANCH LOGOS	EA	1	50.250	50.25

Comments: MUST ORDER QUANTITY LISTED TO RECEIVE PRICES QUOTED.  
IF YOU ARE TAX EXEMPT, PLEASE REPLY TO THIS EMAIL WITH YOUR TAX EXEMPT CERTIFICATE. UPON RECEIPT, YOUR ACCOUNT AND QUOTE WILL BE UPDATED ACCORDINGLY.

Merchandise	Shippingsize Charge	COD Charge	Other Charge	Tax	Invoice Total
7625.75	402.62	0.00	0.00	561.99	8590.36

Thank you for your interest in our products and service. To accept quote, sign below and return by email or fax.

X \_\_\_\_\_

**AGENDA ITEM # J - 6**

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

**DATE:** July 20, 2020

**AGENDA ITEM:** Covid Related Issues

**ACTION:** Possible Motion

**SYNOPSIS:** I have included some of the headlines from the Muscatine Mayor's proclamation requiring facemasks in public. There is no specific motion for discussion, but staff will be providing updates from city facilities.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Possible Motions

**ATTACHMENTS:** Supporting Documents

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 7/13/20

**Proclamation of the Mayor**  
**Face Covering Mandate - City Wide**

**WHEREAS,** The World Health Organization has declared the Novel Coronavirus 2019 (Covid-19) a pandemic; and

**WHEREAS,** The President of the United States and Governor of Iowa have declared National and State Emergency Proclamations; and

**WHEREAS,** Muscatine Mayor Diana Broderson in collaboration with Muscatine County and other Mayors of the Municipal Jurisdictions within Muscatine County made a Declaration of Disaster Emergency on 3-24-2020 in effect until cancelled or 9-23-2020; and

**WHEREAS,** The impact of the pandemic continues to meet the parameters of a civil emergency; and

**WHEREAS,** Covid-19 spreads mainly from person to person through respiratory droplets when infected people cough, sneeze, or talk; and

**WHEREAS,** Evidence based data demonstrates that wearing a cloth face covering reduces an infected person's chance of spreading the infection to others; and

**WHEREAS,** Reducing the spread of Covid-19 will allow the economic community to remain open to the public during the pandemic; and

**WHEREAS,** Many people in the City of Muscatine regularly wear face coverings when in public, requiring all people in the City of Muscatine to wear face coverings in public will help control and prevent the spread of Covid-19 in the City of Muscatine while at the same time allowing the economic community to continue providing service in the City;

**NOW, THEREFORE, I, Diana L. Broderson, Mayor of the City of Muscatine, Iowa as a result of the above noted situation, and under the Constitution of the State of Iowa Article III, Section 38A, Iowa Code §372.14(2), Muscatine City Code 1-7-2, and other applicable authority do hereby order the following:**

**Section 1**

**Every person in the City of Muscatine must wear a face covering that covers their nose and mouth when in any indoor or outdoor public setting, including, but not limited to:**

- Inside any building, including but not limited to, any business open to the public;
- Healthcare settings, including but not limited to a, hospital, medical clinic, laboratory; pharmacy, veterinary clinic, physician or dentist office, and blood bank;
- While in line waiting for or riding on public transit or any vehicle for hire;

- Outdoor areas, including but not limited to, public parks, trails, streets, sidewalks, lines for entry or exit for service, and recreation areas where a 6 foot social distance is not maintained between any non-household member at all times;

## **Section 2**

**Individuals may remove their face coverings under the follow conditions:**

- While seated at a restaurant or other food or drink establishment when tables and are spaced at least 6 feet apart at all times;
- While engaged in outdoor or indoor sports, including but not limited to, walking, biking, hiking, and where a 6 foot social distance is maintained between any non-household member at all times;
- Face covering requirements for individuals in team sports will follow the State of Iowa recommendations;
- When any party to a communication is deaf or hard of hearing and not wearing a face covering is essential to communication;
- While obtaining a service that requires temporary removal of a face covering;
- When sleeping;
- When necessary to confirm the individual's identity;
- When federal or state law prohibits wearing a face covering or requires the removal of the face covering;

## **Section 3**

**Individuals exempt from required face covering usage:**

- Children aged two or under;
- Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering. These individuals are asked to provide documentation if requested and should make social distancing between non-household members a priority;
- Incarcerated individuals;

## **Section 4**

**For purposes of this Order, face covering means a cloth or plastic face shield that covers the nose and mouth and can be:**

- Homemade sewn with straps tied around the head or secured around the ears;
- Multiple layers of fabric tied around the head;
- Factory made or made at home;

**Section 5**

**Members of the public are required by law to comply with this order and violations will be addressed through:**

- Enforcement will be duly provided by the Muscatine Police Department and any other legal authority in the City of Muscatine;
- Violators will be guilty of a Municipal Infraction and punishable as provided in Section 1-3 of the City Code;

**If this action and the order of another agency or official are in conflict, the more protective requirement will apply. This Order shall take effect on July 6, at 6 am. The sunset of this declaration will be six months from the date enacted unless sooner terminated or extended in writing.**

---

**Mayor Diana L. Broderson**

**City of Muscatine**

---

**Date**

# Des Moines Register

## HEALTH

# Muscatine mayor to issue a mandatory face mask proclamation, may ask local police to help in enforcing rule

**Maya Miller** Des Moines Register

Published 4:24 p.m. CT Jul. 3, 2020 | Updated 2:34 p.m. CT Jul. 4, 2020

Muscatine Mayor Diana Broderson plans to issue a new city-wide mandatory face mask proclamation, she told the Register on Friday.

Broderson will read the proclamation in full at a news conference at 2 p.m. Sunday.

"I am very worried about not only the health of each individual in Muscatine, but our economic health as well," the mayor said. "I want to do everything that we can to avoid closing things down again."

She urges the public to willingly agree to wear masks, but if necessary she said she will enlist the police's help in enforcing the policy. An infraction could carry a fine of up to \$500, she said, but officers will use discretion with each individual situation.

Increasingly, federal health officials are encouraging the practice of mask wearing in public to curb the spread of coronavirus. And Thursday in Texas, Gov. Greg Abbott mandated mask wearing in public places in counties with more than 20 cases.

However, such local mandates on mask wearing may not be allowed under current Iowa law, a spokesperson for the Iowa Attorney General's office has said.

She said her decision was prompted by a recent uptick in cases in Muscatine County, which she attributes to surges in surrounding counties like Johnson, home of Iowa City,

and Scott, where the Iowa portion of the Quad Cities is located.

At the beginning of June, Muscatine County had few to no positive coronavirus cases, according to Christy Roby Williams, director of public health for Muscatine County. She said that in the last couple of weeks, the county public health department has seen an increase in positive cases reported.

"It appears to be in correlation with businesses reopening," Roby Williams said.

Since June 1, Muscatine County has seen an additional 63 positive cases, with 45 of them reported in the latter half of June and the first three days of July.

Roby Williams explained that safety precautions like wearing masks, good hand hygiene and practicing social distancing will reduce community spread of the virus and allow businesses to remain open.

"We are supportive of her decision," Roby Williams said on behalf of the county public health department.

"We want the economy to stay open, and we really encourage individuals to wear face coverings."

Broderson said she developed the proclamation with input from the county public health department, the city attorney, the city administrator, various city council members, Muscatine business leaders and the emergency management commission. She also consulted COVID-19 data from the state of Iowa and federal guidelines from the CDC.

## **Questions linger about enforcement, popularity and legality of the proclamation**

Even though Broderson has the support of the county health department, some city council members are hesitant about the proclamation.

"Personally, I don't think this is such a good idea," said Dewayne Hopkins, an at-large council member who disagrees with the mayor about making masks mandatory. "I just

don't think the public wants to be told what to do."

He added that, as a 72-year-old, he spends most of his time at home working in the yard, and if he does go out in public to a store, he wears a mask.

"But this is what the mayor wants to do, so we'll see how it works out," Hopkins said.

On the flip side, at-large councilman Kelcey Brackett said he believes the governor should have been the one to enact a face covering mandate. If masks were required in public statewide, the city could avoid legal battles about the legitimacy of such a proclamation.

While he "doesn't disagree" with what the mayor is trying to do, Brackett said he doubts that the public will react well to it.

"If people followed it, it would create a much safer environment when you go out in public here in Muscatine," he said.

Broderson has faced criticism from fellow council members since she first took office in 2015. The council voted to impeach and remove her from office in 2017 before a district judge deemed she was not given due process and overruled the vote.

As for the legality of the proclamation, Broderson said she consulted with and received approval from Muscatine City Attorney Matthew S. Brick, who did not immediately return a phone call from the Register.

**More:** Impeachment, a bitter election, lawsuits: This Iowa city government's civil war just won't stop.

"State code says that in an emergency, the mayors can make the decision for their cities," Broderson said. She cited the home rule amendment of 1968, which gives cities and counties the authority to "determine their local affairs" as long as it's consistent with laws passed by the Iowa Legislature. Broderson also noted that the Iowa law grants city mayors the power to govern the city by proclamation during a time of emergency or public danger.

However, the Attorney General's office has deemed that municipalities and mayors cannot enact emergency policies that conflict with the governor's own emergency proclamation,

as reported Thursday by Iowa Public Radio.

“The governor has issued proclamations dealing with PPE, and her proclamations order Iowans to follow public health measures consistent with guidance issued by IDPH,” attorney general spokesman Lynn Hicks wrote in an email to Iowa Public Radio.

“IDPH guidance on cloth face coverings does not require their use,” Hicks wrote.

“Therefore, a local regulation requiring masks would not be consistent with the governor’s declarations.”

**More:** Iowa Gov. Kim Reynolds extends COVID-19 emergency order with limited changes

The mayor disagrees with the notion that her mandate would be in conflict with the governor's emergency proclamation. "I know the governor has a proclamation out there as well, but this is not doing anything in opposition to that. Rather it is just adding to it," the mayor said.

"If we can do something as simple as wearing a mask that will impact the positive outcome of both the health of our citizens and the health of our economy, it seems like a no-brainer to me," the mayor said.

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# Muscatine County attorney says Iowa mayor exceeded authority in issuing mask order

MUSCATINE — Muscatine Mayor Diana Broderson exceeded her authority by mandating that people wear face coverings in public, according to an opinion from interim Muscatine County Attorney James Barry.

During the Muscatine County Board of Supervisors meeting Monday morning, Barry said he had contacted the Iowa Attorney General's Office for an opinion on a proclamation Broderson issued requiring the use of face coverings in the city. While he had not received an answer by Monday afternoon, he issued his opinion based on several previous opinions given by the Attorney General's Office.

According to a news release, Barry said Broderson's mandate is not consistent with Gov. Kim Reynolds' proclamations and that the power to issue such a mandate has not been delegated by the governor to the city/mayor.

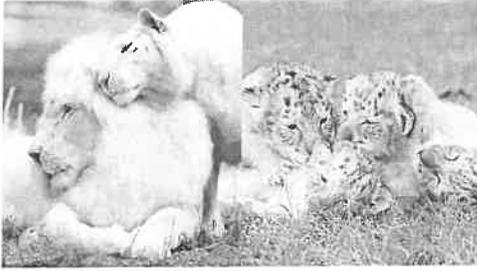
Barry said he is not the city attorney and cannot comment on the legal advice given to create the proclamation. His opinion deals with Muscatine County operations, specifically enforcement of violations, he said.

Reynolds has said Iowa residents should follow Iowa Department of Public Health guidelines, which do not require face coverings.

"So long as county offices remain closed to the public, I am advising Muscatine County, all elected officials and employees to abide by the governor's proclamations regarding the pandemic and until further clarification or different directives are issued, but then so long as they are performing their official governmental functions/duties," Barry said.

On Sunday, Broderson issued a proclamation that all people in public locations in the city were required to wear masks. According to the proclamation, believed to be the first of its kind in Iowa, masks were to be mandatory beginning at 6 a.m. Monday in public areas of the city as a way to slow the spread of COVID-19.

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By Ranker

Broderson said she hoped no citations would have to be issued, but the proclamation included a municipal infraction that could carry a \$500 penalty. Barry said his office would not enforce any such citations.

Broderson said there are exceptions to the proclamation. People can be exempted if wearing a mask interferes with their job, creates a workplace hazard or unsafe environment or makes a medical condition worse for the wearer. She said most people would be able to just explain that they have a justified reason for not wearing a mask if questioned.

The mayor said Muscatine is only just now reopening and counts on businesses for its survival. With a dramatic upswing in the number of COVID-19 cases in nearby counties — including Scott and Johnson — she said she hoped to stop an upswing in cases in Muscatine that could force a second closure of businesses.

The mayor's news conference on the front steps of City Hall was cut short by about 50 people protesting her speech.

On Monday, the Muscatine County Board of Supervisors delayed for a second time voting on whether to approve special funding to the Muscatine County Public Health Department to continue

COVID-19 mitigation efforts, saying more information was required before the decision can be made.

No date was set for a second work session regarding the department's request for an additional \$135,000 for the next quarter.

As of Monday morning, Muscatine County had 691 confirmed cases of COVID-19 with 50 active, an increase of 17 since Friday, according to Christy Roby-Williams, county public health director. Four people are hospitalized. She said there is a link between the increase in cases and adults at ball fields or bars. There have been 44 fatalities from the virus in Muscatine County.



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## TRENDING

[Muscatine County attorney says Iowa mayor exceeded authority in issuing mask order](#)

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**Photos: Track Guy Track and Field Carnival at BGM**

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[https://muscatinejournal.com/muscatine/news/local/iowa-ag-muscatine-mayor-doesnt-have-authority-to-issue-mask-mandate/article\\_de89c06c-db33-58c4-9780-0637607df04b.html](https://muscatinejournal.com/muscatine/news/local/iowa-ag-muscatine-mayor-doesnt-have-authority-to-issue-mask-mandate/article_de89c06c-db33-58c4-9780-0637607df04b.html)

ALERT FEATURED

# Iowa AG: Muscatine mayor doesn't have authority to issue mask mandate

DAVID HOTLE  
Jul 7, 2020

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Mayor Diana Broderson makes a proclamation requiring the use of face coverings in Muscatine.

**M**USCATINE — The Iowa Attorney General's office issued an opinion Tuesday, saying Mayor Diana Broderson did not have the authority to issue a proclamation requiring citizens to wear face coverings under penalty of law.

On June 23, the Attorney General's office, in response to a request from Sen. Zach Wahls of Coralville, Assistant Iowa Attorney General Michael Bennett reported that while Statewide Disaster Emergency proclamations were in place, the governor retains the power to delegate, sub-delegate or retain the administrative authority to issue directives of this nature. The code also empowers the Iowa Department of Public Health, in conjunction with the governor, to take reasonable measures as necessary to prevent the transmission of infectious disease.

"Any local action or regulation would need to be consistent and compliant with the governor's proclamations and the Iowa Department of Public Health directives in scope and remedies while the governor's emergency proclamations are in place," the ruling said.

The ruling also said local regulations of this nature, if not preempted under the current Emergency Disaster Proclamations, would likely be under the jurisdiction of local boards of health. While Muscatine County Public Health Director Christy Roby Williams was at the press conference where Broderson was issuing the proclamation, she was not the one making the order.

On Sunday, Broderson released a proclamation requiring people to wear masks in public to help slow the spread of COVID-19. She said, during a press conference before a group of about 50 protesters disrupted the conference and forced her to cancel it, that she was issuing the proclamation as a way to help keep Muscatine County

businesses open after reports of increased case numbers in neighboring Scott and Johnson counties. The proclamation said a possible penalty for not wearing a mask could be a municipal infraction, which could bring up to a \$500 fine.

In another ruling issued in March, Assistant Attorney General Heather Adams wrote, “While cities and counties have police powers to protect the health and safety of their citizens, the State has the authority to declare and coordinate the response to a public health disaster.”

Gov. Kim Reynolds was asked Tuesday if local cities and counties have the authority to issue mask mandates. Reynolds said, in conjunction with the attorney general’s office, she did not believe they could.

“According to statute, if the governor has a declaration in place, and it’s in a health disaster proclamation, which we have in place, if it’s not consistent with that, then it’s not appropriate and it’s not in effect,” Reynolds said. “(In Muscatine County), I believe that their county attorney also just ruled this morning that he believed that is was not in concurrence with the governor’s public health disaster proclamation — so he, I think, has more or less said that it’s null.”

---

infolinks

On Monday, interim Muscatine County Attorney James Barry issued a press release saying he believed Broderson had overstepped her authority with the proclamation and that his office would not prosecute any municipal infractions issued as a result.

When asked if people should wear masks to help stop the spread of COVID-19, Reynolds responded: “We’re going to take a look at everything. People need to practice personal responsibility. We have said that if you can’t social distance, then you need to wear a face covering, and we’re going to continue to elevate the importance of doing that.

“We’re going to look at the data. There has been an uptick (mostly in 10 counties). We’re going to monitor that. The seven-day trends are moving down. We’re going to continue to monitor that, and we will act appropriately.”

---

infolinks

Commenting that the intent was never to have “the mask police” arrest or fine anyone, Broderson disagreed, saying she had worked extensively with Muscatine City Attorney Matthew Brick while drafting the proclamation. She said the proclamation stood. She also said it was not a political move, rather one of her jobs as mayor.

“I don’t think it really changes anything,” Broderson said of the rulings. “There’s a mandate out there in the community that people wear masks. Nobody was planning on having anybody go around and ticket people or haul them off to jail if they don’t. We’re asking the public to please step up to the plate and do what they can to protect others.”

That Barry has declined to prosecute anyone for the issue is not relevant, she said, saying some people would obey the mandate and others wouldn’t.

“We have our city attorney saying we are completely within our legal rights to do this proclamation and the county attorney who prosecutes our cases has basically deferred to the state on all issues,” Broderson said. “Right now the lawyers are working out all the legal issues.”

Brick could not be reached Tuesday afternoon for comment on the issue.

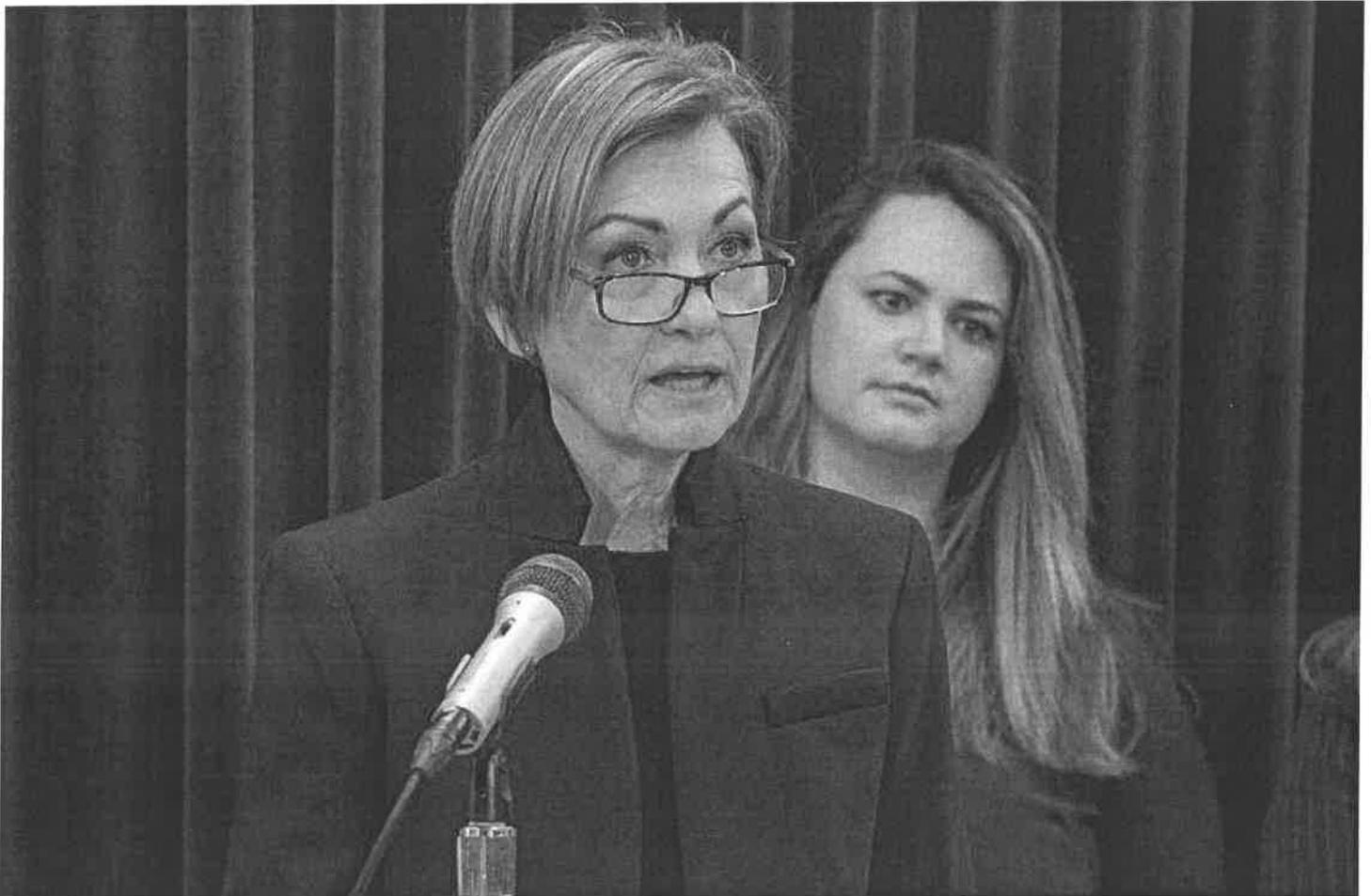
*Rob Boshart contributed to this story.*

infolinks

# Lack Of Local Control Over Mask Mandates Frustrates Some Iowa Officials, Providers

By KATE PAYNE (/PEOPLE/KATE-PAYNE) • JUL 2, 2020

f [Share \(http://facebook.com/sharer.php?u=https%3A%2F%2Fwww.iowapublicradio.org%2Fpost%2Flack-local-control-over-mask-m-frustrates-some-iowa-officials-providers&t=Lack%20Of%20Local%20Control%20Over%20Mask%20Mandates%20Frustrates%20Some%20Iowa%20Officials%20](http://facebook.com/sharer.php?u=https%3A%2F%2Fwww.iowapublicradio.org%2Fpost%2Flack-local-control-over-mask-m-frustrates-some-iowa-officials-providers&t=Lack%20Of%20Local%20Control%20Over%20Mask%20Mandates%20Frustrates%20Some%20Iowa%20Officials%20)



(//www.iowapublicradio.org/sites/ipr/files/styles/x\_large/public/202003/03102020-KimReynolds-003-3x2-1080\_0.jpg)

*According to the state attorney general's office, local governments in Iowa do not currently have the legal authority to issue mask mandates. That power lies with Gov. Kim Reynolds.*

JOHN PEMBLE / IPR FILE

While communities across the country (<https://www.npr.org/sections/coronavirus-live-updates/2020/07/01/886391720/pennsylvania-joins-the-growing-list-of-states-mandating-face-masks-in-public>) are implementing mask mandates (<https://www.washingtonpost.com/business/2020/06/30/mask-mandate-gdp-economy-goldman-sachs/>), local governments in Iowa are not currently legally authorized to do so. This is a major frustration for some local officials and health care providers (<https://www.desmoinesregister.com/story/opinion/columnists/iowa-view/2020/04/07/coronavirus-covid-19-ppe-iowa-doctors-mass-produce-face-shields/2952532001/>), at a time when coronavirus cases are surging (<https://www.polkcountyiowa.gov/health-department/news-and-press-releases/confirmed-surge-of-positive-covid-19-cases-in-polk-county/>) in some parts of the state.

Throughout the coronavirus crisis, local officials in Iowa have found that their abilities to take emergency action (<https://www.iowapublicradio.org/post/county-officials-see-covid-19-surge-waterloo-meat-packing-plant-governor-wont-close-it#stream/0>) to respond to the pandemic have been preempted by the state government (<https://www.iowapublicradio.org/post/black-hawk-county-health-officials-urge-governor-temporarily-close-tyson-plant#stream/0>).

City and county governments learned they are not able to declare their own shelter-in-place orders (<https://www.radioiowa.com/2020/03/26/governor-says-mayors-cannot-issue-stay-home-orders/>), and according to the Iowa attorney general's office, they're not currently able to issue local mask mandates either.

Lynn Hicks, the communications director for Attorney General Tom Miller (<https://www.iowaattorneygeneral.gov/about-us/about-attorney-general-tom-miller>)'s office, told IPR via email that in theory, local governments would have the authority to issue face covering requirements, so long as they are consistent with Gov. Kim Reynolds' emergency declarations.

"The governor has issued proclamations dealing with PPE, and her proclamations order Iowans to follow public health measures consistent with guidance issued by IDPH. (Here is her latest proclamation ([https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgovernor.iowa.gov%2Fsites%2Fdefault%2Ffiles%2Fdocuments%2FPublic%2520H%25202020.06.25.pdf%3Futm\\_medium%3Demail%26utm\\_source%3Dgovdelivery&data=02%7C01%7C](https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgovernor.iowa.gov%2Fsites%2Fdefault%2Ffiles%2Fdocuments%2FPublic%2520H%25202020.06.25.pdf%3Futm_medium%3Demail%26utm_source%3Dgovdelivery&data=02%7C01%7C)) IDPH guidance on cloth face coverings ([https://idph.iowa.gov/Portals/1/userfiles/7/COVID-19%20Guidance%20for%20Cloth%20Face%20Coverings4\\_6\\_20.pdf](https://idph.iowa.gov/Portals/1/userfiles/7/COVID-19%20Guidance%20for%20Cloth%20Face%20Coverings4_6_20.pdf)) does not require their use," he wrote. "Therefore, a local regulation requiring masks would not be consistent with the governor's declarations."

**It would be great if all of our communities in Iowa could kind of start pushing back and demanding that mandating masks would be the way to go**

That finding is a disappointment for Coralville City Councilor Jill Dodds, who is a retired nurse.

"It would be great if all of our communities in Iowa could kind of start pushing back and demanding that mandating masks would be the

## until we're through this perilous time. - Jill Dodds, Coralville City Councilor

way to go until we're through this perilous time," Dodds said. "It's frustrating and I would like to push back."

A growing number of cities

(<https://www.jacksonville.com/news/20200630/jacksonvillersquos-mandatory-mask-order-what-you-need-to-know>) and states (<https://www.texastribune.org/2020/07/02/texas-mask-order-greg-abbott-coronavirus/>) are issuing broad mask mandates, as renewed outbreaks (<https://www.npr.org/sections/health-shots/2020/07/01/886299190/it-does-not-have-to-be-100-000-cases-a-day-fauci-urges-u-s-to-follow-guidelines>) are spurring local leaders to pause or even reverse (<https://www.nytimes.com/interactive/2020/us/states-reopen-map-coronavirus.html>) the reopening process.

Still, according to the advocacy group #Masks4All (<https://masks4all.co/what-states-require-masks/>), Iowa is one of just four states to not require masks in at least some public settings.

When asked about the lack of local control, Linn County Supervisor Ben Rogers said he wishes he had a greater ability to emulate approaches that officials across the country are adopting.

He issued a public warning Wednesday that his county (<https://www.linncounty.org/1372/COVID-19>) has seen a marked increase in cases in the past two weeks, especially among people aged 18 to 25.

"As an elected official, someone who has to oversee the health and wellbeing of both an organization and the citizens you represent, you wish you had every tool at your disposal," Rogers said. "There are other states whose cases are declining because they took more extreme measures than the state of Iowa has."

Rogers did add that when Linn County buildings reopen to the public for appointment-only services, everyone entering will be required to wear a mask.

Meanwhile, Iowa's surge in cases is raising concerns in other parts of the country. New York is requiring that anyone traveling there from Iowa and 15 other states (<https://www.governor.ny.gov/news/governor-cuomo-announces-individuals-traveling-new-york-eight-additional-states-will-be>) to quarantine for 14 days.

The preemption of local control over mask mandates is also a blow for Melvin Donaldson, an emergency medicine physician and epidemiologist at the University of Iowa Hospitals and Clinics, who has been pressing officials in Johnson County on this issue.

He says he's bracing for a surge in coronavirus cases (<https://globalepidemics.org/key-metrics-for-covid-suppression/>), as many Iowans continue

**I think making the decision to wear a mask versus not now is**

to flout the public health recommendations of maintaining social distance, wearing a face covering and practicing proper hand hygiene.

"I don't think that we can have a normal in-person fall semester at the university with the trend in Johnson County. I especially don't think we can have fall or winter sports at this rate," he said.

According to an analysis by researchers at the Harvard Global Health Institute, Johnson County is one of eight Iowa counties (<https://globalepidemics.org/key-metrics-for-covid-suppression/>) to currently be experiencing "unchecked community spread" (<https://www.npr.org/sections/health-shots/2020/07/01/885263658/green-yellow-orange-or-red-this-new-tool-shows-covid-19-risk-in-your-county>) of the virus, a point at which the researchers deem "stay-at-home orders are necessary."

Further disruption of everyday life for students and families, the potential loss of fall football, and more economic devastation is at stake, Donaldson says.

But more than that, he says that without further public health intervention, he's preparing to "spend the winter signing covid death certificates."

"I think making the decision to wear a mask versus not now is a lot easier than making the decision for burial versus cremation in the winter," Donaldson said.

A spokesperson for Reynolds did not respond to a request for comment on whether she would take action to allow local mask mandates.

**TAGS:** [COVID-19 \(/TERM/COVID-19\)](#) [CORONAVIRUS \(/TERM/CORONAVIRUS\)](#)

[IOWA POLITICS \(/TERM/IOWA-POLITICS\)](#) [PUBLIC HEALTH \(/TERM/PUBLIC-HEALTH\)](#)

[KIM REYNOLDS \(/TERM/KIM-REYNOLDS\)](#) [LOCAL GOVERNMENT \(/TERM/LOCAL-GOVERNMENT\)](#)

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#### RELATED CONTENT

[\(/post/iowa-schools-release-return-learn-plans\)](#) [Iowa Schools Release Return To Learn Plans \(/post/iowa-schools-release-return-learn-plans\)](#)

JUL 2, 2020 

**a lot easier than making the decision for burial versus cremation in the winter. - Melvin Donaldson, emergency medicine physician and epidemiologist, UIHC**

## **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

**JUNE 2020**  
**POLICE REPORT**

**Vehicle Collisions**

There were 2 reported collisions in June. The first occurred at the intersection of Business 30 and 1<sup>st</sup> Street East. This collision was a single vehicle pulling a trailer that was travelling westbound on Business 30 when the trailer began to fishtail and disconnect from the pickup and rolled onto its side in the ditch. Damage was estimated at \$2,000 and no injuries were reported. The second collision occurred in the 500 block of 1<sup>st</sup> Street East when the driver of a vehicle travelling east on 1<sup>st</sup> Street East became distracted/startled by an insect in the vehicle resulting in the driver swerving to the right and colliding with a utility pole. Damage was estimated at \$4,500 and no injuries were reported.

**Incidents/Arrest**

There were 21 reported incidents in June. Reports included: Criminal mischief (x2), driving while license suspended, possession of drug paraphernalia, theft, harassment (x2), assist agency (x2), assault (x2), welfare check (x3), trespassing, mental health assist, OWI, possession of controlled substance, drug investigation, medical assist, and assault-domestic abuse.

There were 2 arrests reported in June. The first was for OWI, possession of controlled substance, and driving while suspended. The second was for simple assault.

**K-9 Report**

Monster did not have any deployments in June. Monster did attend training in Chariton June 4<sup>th</sup> & 5<sup>th</sup>.

**Community Service/Training/Misc.:**

- Chief Shannon has been working with Eagle Scout Candidate Ben Johnson on installing a Flag display at the new PD. Ben will be presenting the display proposal to Council soon.

**GTSB:**

Officers worked 1 hour of STEP in June. The enforcement effort resulted in 1 OWI contact and 1 other traffic violation.

**LISBON (28E Contracted Services):**

Per the 28E agreement our department provided the following police services to Lisbon in June 2020:

- Patrol: 2,310 minutes



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Stephanie West  
Deb Herrmann

- 
- Calls for service: 415 minutes (18 calls for service)
  - Administrative Time: 60 minutes

**Total time for June 2020: 2,785 minutes = 46.42 hrs. x \$40/hr. = Total: \$1856.80.**

Respectfully Submitted,

Chief of Police



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IOWA

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Douglas Shannon, Chief of Police

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**Public Works Report**  
**7/20/2020**

***ROW Maintenance***

14 trees were removed by a private contractor. Our crews have been filling in the stumps with black dirt and seeding these areas to grow back.

Our crews did some tree trimming in the ROW per request for action forms.

***Site Work***

A private contractor has begun the concrete work for the drop off and pick up site area for compost, brush and wood chip pick up.

***Parks***

Fields are being maintained 3 days a week. Any field prep for a game is being addressed when needed.

***City Hall***

Progress has been steady at city hall for the remodel of the former police department painting has been completed in most areas.

***Construction Projects***

Crews have completed the street inlet work on Palisades Road and 15<sup>th</sup> Avenue. Sidewalk work is in progress on the NE Corner of this intersection.

The overlay project of 1<sup>st</sup> Street is almost complete. Some intersection work is needed on the west end near Old Lincoln Highway. For the most part the sidewalk work and mill and fill is completed on 1<sup>st</sup> Street.

Nature Park trail has begun.

**M. Reports Mayor/Council/Admin.**

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**CITY OF MT. VERNON  
CITY ADMINISTRATOR  
REPORT TO THE CITY COUNCIL  
July 20, 2020**

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- The Mt. Vernon Wellness Center Trail has been delayed for two weeks due to contract signatures. The paved surfaces should still be constructed in time for a normal return to school start, but the lights may be delayed past this date.
- We had a significant rain and wind event this past weekend. We were fortunate to miss the worst of the wind related damage, but did incur flash flooding events around the community. Dirt and debris from the wagon pass project came off of the hillside during the rain event as well. V&K will be meeting with the Bowers soon to discuss any potential issues.