

City of Mt. Vernon, Iowa

Meeting:	Mt. Vernon City Council Meeting
Place:	Mt. Vernon City Hall, 213 First Street NW, Mt. Vernon, Iowa 52314
Date/Time:	December 4, 2017 – 6:30 PM
Web Page:	www.cityofmtvernon-ia.gov
Posted:	December 1, 2017

Mayor:	Jamie Hampton	City Administrator:	Chris Nosbisch
Mayor Pro-Tem:	Marty Christensen	City Attorney:	Robert Hatala
Councilperson:	Paul Tuerler	Assis. Admin/City Clerk:	Sue Ripke
Councilperson:	Scott Rose	Deputy City Clerk:	Marsha Dewell
Councilperson:	Tom Wieseler	Chief of Police:	Doug Shannon
Councilperson:	Eric Roudabush		

- 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 – November 20, 2017 Regular Council Meeting
- E. Public Hearing**
 - 1. Public Hearing on the Amendment to Chapter 41.11 Fireworks Permit of the Mt. Vernon Municipal Code
- F. Ordinance Approval/Amendment**
 - 1. Ordinance #11-6-2017A: An Ordinance for the Division of Revenues Under Iowa Code Section 403.19 for Amendment No. 5 to the Mount Vernon Urban Renewal Plan
 - i. Motion to approve third and final reading
 - 2. Ordinance #12-4-2017A: An Ordinance Amending Chapter 41.11 Fireworks Permit of the Mt. Vernon Municipal Code
 - i. Motion to approve first reading and proceed with second reading (Council may suspend rules and proceed to final reading after vote of first reading)
- G. Resolutions for Approval**
 - 1. Resolution #12-4-2017A: Determining the Necessity and Setting Dates of a Consultation and a Public Hearing on a Proposed Stonebrook Urban Renewal Plan for a Proposed Urban Renewal Area in the City of Mount Vernon, State of 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 the Hwy 1/30 Roundabout Assessment – MSA Professional Services – Council Action as Needed
3. Discussion and Consideration of Hosted Integrity GIS Website – Midland GIS Solutions – Council Action as Needed

K. Reports to be Received/Filed

1. None

L. Discussion Items (No Action)

1. Budget
2. Well/Septic Update

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 November 20, 2017 at the Mount Vernon City Hall Council Chambers with the following members present: Roudabush, Tuerler, Wieseler, Christensen and Rose.

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

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

Consent Agenda. Motion made by Rose, seconded by Wieseler to approve the Consent Agenda. Carried all.

Approval of City Council Minutes – November 6, 2017 Regular Council Meeting
Appoint Sharon Dendurent - Library Board of Directors

Public Hearing.

Public Hearing on the Issuance of \$5,500,000 General Obligation Bonds in the City of Mount Vernon, State of Iowa. Mayor Hampton declared the Public Hearing open. As there were no comments from the public Mayor Hampton closed the Public Hearing.

Ordinance Approval/Amendment.

Ordinance #11-6-2017A: An Ordinance for the Division of Revenues under Iowa Code Section 403.19 for Amendment No. 5 to the Mount Vernon Urban Renewal Plan. Motion to approve second reading and proceed with third and final reading (Council may suspend rules and proceed to final reading after vote of second reading) Staff has not received any written or verbal communication on this ordinance since the first reading. Tuerler moved to approve the second reading of Ordinance #11-6-2017A, seconded by Rose. Roll call vote. Motion carries.

Resolutions for Approval.

Resolution #11-20-2017A: Instituting Proceedings to Take Additional Action for the Issuance of not to exceed \$5,500,000 General Obligation Bonds. City Adm. Chris Nosbisch explained that with the approval of this resolution Council states their intent to borrow up to \$5.5 million to be repaid with TIF dollars. Roudabush stated that he does not think that TIF dollars were meant to be used for the construction of a community center. Tuerler moved approval of Resolution #11-20-2017A, seconded by Wieseler. Roll Call vote. Ayes: Tuerler, Wieseler, Christensen and Rose. Nays: Roudabush. Motion carries.

Resolution #11-20-2017B: Certifying TIF Debt Incurred in CY 2017 for FY 2019 to the Linn County Auditor. Staff is recommending a TIF asking of \$600,000.00 in FY19. The additional amount is the continued prepayment of the 2007 bond issuance which was scheduled for repayment in FY22 but the City will have it paid off in FY20. Motion to approve Resolution #11-20-2017B made by Rose, seconded by Wieseler. Roll call vote. Motion carries.

Resolution #11-20-2017C: Determining the Necessity and Setting Dates of a Consultation and a Public Hearing on a Proposed Spring Meadow Heights Urban Renewal Plan for a Proposed Urban Renewal Area in the City of Mount Vernon, State of Iowa. This resolution sets the public hearing

and consultation date for the Spring Meadow Heights Urban Renewal Plan. The previous UR amendment removed this subdivision from the original UR area. The City is now creating a standalone UR area that will be the basis for the development agreement between the City of Mount Vernon and Skogman. Rose motioned to approve Resolution #11-20-2017C, seconded by Wieseler. Roll call vote. Motion carries.

Motions for Approval.

Consideration of Claims List – Motion to Approve. Motion to approve the Claims List made by Christensen, seconded by Rose. Carried all.

AAA PEST CONTROL	PEST CONTROL-P&A	30.00
AIRGAS INC	CYLINDER RENTAL FEE-PW	57.32
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	3,650.45
ALLIANT IES UTILITIES	3 ST LIGHTS ON 2ND AVE SW	3,363.00
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	1,958.23
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	204.93
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	132.27
ALLIANT IES UTILITIES	ENERGY USAGE-POOL	76.54
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	4,179.91
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	1,203.16
ALLIANT IES UTILITIES	ENERGY USAGE-RUT	769.16
ALLIANT IES UTILITIES	ENERGY USAGE-P&A	589.67
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	527.76
ALLIANT IES UTILITIES	ENERGY UAGE-WAT	411.36
ALLIANT IES UTILITIES	ENERGY USAGE-FD	308.18
ALLIANT IES UTILITIES	ENERGY USAGE-PD	238.83
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	209.83
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	152.43
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	51.43
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	30.33
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	24.54
ALLIANT IES UTILITIES	ENERGY USAGE-EMA	22.35
ALLIANT IES UTILITIES	ENERGY USAGE-CEM	22.20
ARAMARK	RUGS-FD	73.85
CAMPBELL SUPPLY CEDAR RAPIDS	GLOVES-RUT	293.77
CAMPBELL SUPPLY CEDAR RAPIDS	GLOVES-RUT	83.94
CAMPBELL SUPPLY CEDAR RAPIDS	GRINDER REPAIR-RUT	28.02
CAMPBELL SUPPLY CEDAR RAPIDS	TOOLS-WAT,SEW	596.35
CAMPBELL SUPPLY CEDAR RAPIDS	GLOVES-RUT	41.97
CARDIAC SCIENCE CORP	ELECTRODES,DEFIBRILLATION	130.16
CAREPRO PHARMACY	FLU SHOTS-ALL DEPTS	285.99
CASEY'S GENERAL STORE	FUEL-FD	31.02
CENTURY LINK	PHONE CHARGES-PD	37.34
COMMUNITY DEVELOPMENT GROUP	VIDEO TOUR PROJECT-MVHPC	500.00
CR LC SOLID WASTE AGENCY	CHEMICAL DISP,LEAVES-S/W	1,359.82
DIESEL TURBO SERVICES INC	BRAKES,SIDE HUBS-PW	1,911.26
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
GAZETTE COMMUNICATIONS	PUBLIC NOTICE-P&A	197.14
GRAINGER INC	HAND DRYER-P&REC	369.75
GREIF ELECTRIC	SIREN MAINT-EMA	1,300.00
GROUP SERVICES INC	INSURANCE-ALL DEPTS	31,012.56
HAWKEYE FIRE & SAFETY CORP	EQUIP-PD	228.00
HAWKEYE READY MIX	HYDRANT FROST BLOCK-WAT	179.07
HAWKINS INC	CHEMICALS-POOL	127.05

HAWKINS INC	CHEMICALS-WAT	1,981.05
IOWA ONE CALL	LOCATES-WAT,SEW	126.00
IOWA PRISON INDUSTRIES	SIGNS-RUT	232.65
IOWA PRISON INDUSTRIES	SIGNS,HARDWARE-RUT	217.86
IOWA RURAL WATER ASSOCIATION	COMMUNITY MEMBERSHIP DUES	325.00
IOWA SOLUTIONS INC	COMPUTER MAINT-P&A	125.00
IOWA STATE UNIVERSITY	TRAINING-FD	50.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
KIECKS	UNIFORMS-PD	336.82
KROUL FARM GARDENS	FLOWERS/CEM-BEAUT	60.00
LYNCH FORD	FRONT END ALIGNMENT-RUT	88.34
MARSHA DEWELL	CELL PHONE STIPEND- P&A,WAT,SEW	280.00
MEDIACOM	UTLILITY SERVICE-FD	20.83
MERIDITH HOFFMAN	CELL PHONE STIPEND-WAT,SEW	280.00
MERIDITH HOFFMAN	UNIFORMS-WAT,SEW	119.00
MOUNT VERNON FIRE DEPARTMENT	UNIFORMS-FD	100.00
MV ACE HARDWARE	SUPPLIES-ALL DEPTS	1,293.85
NATHAN GOODLOVE	FIRE CHIEF PAY-FD	416.67
OFFICE EXPRESS	TONER,CUPS-P&A	208.62
OVERHEAD DOOR CO	DOOR REPAIR-P&REC	162.50
P&K MIDWEST INC	TEMP SWITCH-RUT	58.36
P&K MIDWEST INC	MISC-RUT	38.86
PAYROLL	CLAIMS	56,790.44
PERSONAL TOUCH EMBROIDERY	UNIFORMS-RUT	39.00
PERSONAL TOUCH EMBROIDERY	UNIFORMS-PD	27.00
PROFESSIONAL PLUMBING SERVICES	BOILER MAINT-FD	399.11
RIVER PRODUCTS COMPANY INC	ROADSTONE-RUT	48.44
ROTO-ROOTER	5TH & PAL RD SW-SEW	390.00
SCHIMBERG COMPANY	SUPPLIES-SEW	10.55
SHOEMAKER & HAALAND	SOUTH ALLEY STREETSCAPE PROJECT	9,862.25
SPRAY-LAND USA	2" FITTINGS REPAIR-RUT	280.35
SPRAY-LAND USA	BRINE EQUIP-RUT	61.50
SPRAY-LAND USA	SUPPLIES-RUT	13.95
STAPLES ADVANTAGE	PENS,POST ITS-P&A	84.28
STATE HYGIENIC LAB	TESTING-SEW	2,085.50
STORM STEEL	SKID PLATE FOR WATER TANK	98.04
SUE RIPKE	MILEAGE-P&A	22.47
UNITYPOINT CLINIC	DRUG TESTING-PW	74.00
US CELLULAR	CELL PHONE-PD	116.17
VAN METER INC	LIGHTING-RUT	397.96
VAN METER INC	LIGHTING-RUT	371.96
VEENSTRA & KIMM INC	WWTP IMPROVEMENTS	13,900.00
VEENSTRA & KIMM INC	5TH AVE/1ST ST W TRAFFIC SIGNAL	3,453.45
VEENSTRA & KIMM INC	CITY ENGINEERING GENERAL	332.00
VEENSTRA & KIMM INC	SIDEWALK REPAIR PROGRAM	302.00
WENDLING QUARRIES	RECLAIMED ASPHALT-RUT	61.50
WENDLING QUARRIES	LIMEFILL-P&REC	23.99
WEX BANK	FUEL-PD,WAT,SEW	1,046.01
	TOTAL	154,054.2

Discussion and Consideration of Setting a Public Hearing Date to Amend Chapter 41.11 Fireworks Permit of the Mt. Vernon Municipal Code– Council Action as Needed. Staff provided Council with ordinances from Lisbon and Cedar Falls, both ban the use of fireworks without a permit. The difference in the two is the enforcement; municipal infraction versus a simple misdemeanor. Enforcement of a misdemeanor is by writing a ticket (staff recommendation) whereas a municipal infraction involves a lawyers and a court date. Christensen moved to have the hearing on this amended ordinance at the next regular council meeting, seconded by Wieseler. Carried all.

Discussion and Consideration of Phase II of OPN Architecture Contract – Community Center – Council Action as Needed. With the approval of Resolution #11-20-2017C Council was asked to act on the second phase of the architectural agreement. Phase II compensation remains consistent at 6.5% of the construction costs at the end of Phase I, approximately \$421,640.00. The building cost is estimated at \$6,486,827.00. Phase II consists of completion of construction documents, bid packages and management throughout the construction process. Motion to move forward with Phase II made by Tuerler, seconded by Wieseler. Ayes: Tuerler, Wieseler, Christensen and Rose. Nays: Roudabush. Motion carries.

Reports to be Received/Filed.

Mt. Vernon Police Report. Chief Doug Shannon reported there were 24 reported incidents and 8 collisions in the month of October. Officer Gehrke participated in Career Day at the MV Middle School. Chief Shannon assisted Cornell College with providing Active Threat training to staff and students. The annual Boots (MVFD) vs Badges (MVPD) blood drive was held on 10-26-2017 at City Hall. Officer Jason Blinks successfully completed the Iowa Law Enforcement Academy, graduating on 10-27-17 from the 79th Level II Basic Academy at Hawkeye Community College in Waterloo. Officers worked 8 hours of STEP in October. Supplementing police coverage for the City of Lisbon has resulted in 1,505 minutes of patrol, 20 service calls, and 195 minutes of administrative time.

Mt. Vernon Public Works Report. City crews were able to repair a valve on College Boulevard SW. An out of service fire hydrant at the intersection of 4th Ave and 3rd St SW was replaced. All of the park restrooms have been closed for the winter season. Water to the buildings without heat has been shut off. The alley in the business district that has been closed due to undermining from water runoff has been temporarily fixed. After the winter season the alley is slated to be replaced. Street sweeping has been completed. Tree trimming in the NE quadrant will start soon. It is estimated to take 2-3 weeks to complete. The florescent light in the City shop were changed to LED lights. This should eliminate the need for ballasts which were being changed every 2-3 years.

Mt. Vernon Parks and Recreation Report. All park facilities have been winterized. P&Rec Board have been discussing development of parks within the two new developments. The 2017 pool report will be presented to Council in December. Magical Night is Nov 30th. P&Rec will participate in Shop Small Saturday by providing an open gym at MV Middle School Gym from 12-4:00 p.m., November 25th.

Reports of Mayor/Council/Administrator.

City Administrator's Report. This is the final week of leaf pickup. Staff has received the IT audit from Access systems and will be identifying priorities for inclusion in the FY19 budget. Sidewalk construction is expected to begin the week following Thanksgiving. JDM will be placing notices on resident doors prior to the commencement of work. Staff has met with MSA Engineering regarding the Hwy 1 and Hwy 30 roundabout.

Adjournment. As there was no further business to attend to the meeting adjourned, the time being 7:15 p.m., November 20, 2017.

Respectfully submitted,
Sue Ripke
City Clerk

E. Public Hearing

AGENDA ITEM # E – 1 & F – 2

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

DATE:	December 4, 2017
AGENDA ITEM:	Public Hearing – Fireworks (#12-4-2017B)
ACTION:	Motion

SYNOPSIS: Attached is the proposed ordinance banning the recreational use of fireworks in the community. Staff is recommending language that was adopted by the City of Cedar Falls. The punishment for violations will be a simple misdemeanor, thereby allowing Police Officers the ability to issue a ticket onsite. The City Attorney's office has reviewed the proposed ordinance and their modifications have been included in the ordinance.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Open and Close Public Hearing – Proceed to F-2

ATTACHMENTS: None – See F-2 Ordinance

PREPARED BY: Chris Nosbisch

DATE PREPARED: 11/30/17

F. Ordinance Approval/Amendment

AGENDA ITEM # F - 1

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

DATE:	December 4, 2017
AGENDA ITEM:	Ordinance #11-6-2017A
ACTION:	Motion

SYNOPSIS: There has been no correspondence received regarding this ordinance.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Ordinance

PREPARED BY: Chris Nosbisch

DATE PREPARED: 11/30/17

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NOS. 9-20-93A, 11-15-93A, 5-23-93A, and 6-5-2006A, PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AMENDED MOUNT VERNON URBAN RENEWAL AREA, IN THE CITY OF MOUNT VERNON, COUNTY OF LINN, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF MOUNT VERNON, COUNTY OF LINN, MOUNT VERNON COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE AMENDED MOUNT VERNON URBAN RENEWAL AREA (AMENDMENT NO. 5 TO THE MOUNT VERNON URBAN RENEWAL PLAN)

WHEREAS, the City Council of the City of Mount Vernon, State of Iowa, has heretofore, in Ordinance Nos. 9-20-93A, 11-15-93A, 5-23-93A, and 6-5-2006A, provided for the division of taxes within the Mount Vernon Urban Renewal Area ("Area" or "Urban Renewal Area"), pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, territory now has been removed from the Mount Vernon Urban Renewal Area through the adoption of Amendment No. 5 to the Mount Vernon Urban Renewal Plan; and

WHEREAS, indebtedness has been incurred by the City, and additional indebtedness is anticipated to be incurred in the future, to finance urban renewal project activities within the amended Mount Vernon Urban Renewal Area, and the continuing needs of redevelopment within the amended Mount Vernon Urban Renewal Area are such as to require the continued application of the incremental tax resources of the amended Mount Vernon Urban Renewal Area; and

WHEREAS, the following enactment is necessary to accomplish the objectives described in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, STATE OF IOWA, THAT:

Ordinance Number(s) 9-20-93A, 11-15-93A, 5-23-93A, and 6-5-2006A are hereby amended to read as follows:

Section 1. For purposes of this Ordinance, the following terms shall have the following meanings:

a) Original Area shall mean that portion of the City of Mount Vernon, State of Iowa, described in the Urban Renewal Plan for the Mount Vernon Urban Renewal Area approved by Resolution No. 9-20-93B on the 30th day of September, 1993, which Original Area includes the lots and parcels located within the area legally described as follows:

The boundaries of the Mount Vernon Urban Renewal District as originally adopted include the entire area within the corporate limits except that area described as follows:

Beginning at the intersection of South 5th Avenue and Palisades Road; then east on Palisades Road and 7th Street vacated to 1st Street; then northwest on 1st Street to A Avenue; then southwest on A Avenue to South 2nd Street; then northwest on South 2nd Street to 3rd Avenue; then northeast on 3rd Avenue to North 2nd Street; then southeast on North 2nd Street to A Avenue; then northeast on A Avenue to North 3rd Street; then southeast on North 3rd Street to the vacated Mount Vernon Short Line Right-of-Way; then northeast on the vacated Mount Vernon Short Line Right-of-Way; to North 7th Street East; then northwest on North 7th Street East to North 1st Avenue; then northeast on North 1st Avenue to the Chicago and Northwestern Railroad Right-of-way; then west on the Chicago Northwestern Railroad Right-of-Way to 1st Street; then southeast on 1st Street to 10th Avenue; then south on 10th Avenue to College Boulevard; then southeast on College Boulevard to South 5th Avenue; then south on South 5th Avenue to the point of beginning.

b) Amendment No. 1 Area shall mean that portion of the City of Mount Vernon, State of Iowa, described in Amendment No. 1 to the Urban Renewal Plan for the Mount Vernon Urban Renewal Area approved by Resolution No. 5-23-94B on the 23rd day of May, 1994, which Amendment No. 1 Area adds the lots and parcels located within the area legally described as follows:

Beginning at the intersection of the CNW Railroad right-of-way and 1st Avenue North (Hwy. 1); then southwest along 1st Avenue North (Hwy. 1) to Cass Street; then west on Cass Street to 2nd Avenue North; then southwest on 2nd Avenue North to North 7th Street; then northwest on North 7th Street to Park Avenue; then north on Park Avenue extended to the CNW Railroad right-of-way; then east on the CNW Railroad right-of-way to the point of beginning;

and

Beginning at the intersection of the CNW Railroad right-of-way and 8th Avenue North; then south on 8th Avenue North to 1st Street West; then northwest on 1st Street West to the CNW Railroad right-of-way; then east on the CNW Railroad right-of-way to the point of beginning.

The areas include the full right-of-way of all streets forming their boundaries.

c) Amendment No. 2 Area shall mean that portion of the City of Mount Vernon, State of Iowa, described in Amendment No. 2 to the Urban Renewal Plan for the Mount Vernon Urban Renewal Area approved by Resolution No. 6-5-2006C on the 5th day of June, 2006, which Amendment No. 2 Area adds the lots and parcels located within the area legally described as follows:

That portion of the City, consisting primarily of the older residential areas, that was not included in the original Urban Renewal Area or in the area added as a result of Amendment #1.

With the adoption of this Amendment #2, the entire City will be included in the Mount Vernon Urban Renewal Area.

d) Amendment No. 3 did not add or remove land from the Urban Renewal Area.

e) Amendment No. 4 did not add or remove land from the Urban Renewal Area.

f) Amendment No. 5 Area shall mean that portion of the City of Mount Vernon, State of Iowa, described in Amendment No. 5 to the Urban Renewal Plan for the Mount Vernon Urban Renewal Area approved by Resolution No. _____ on the 6th day of November, 2017, which Amendment No. 5 Area removes the lots and parcels located within the area legally described as follows:

LEGAL DESCRIPTION OF THE LAND TO BE REMOVED FROM THE MOUNT VERNON URBAN RENEWAL AREA AND PLACED IN THE STONEBROOK URBAN RENEWAL AREA:

Lot 2, Cornell College Second Addition in the City of Mount Vernon, Linn County, Iowa excepting therefrom the following: Stonebrook First Addition to City of Mount Vernon, Linn County, Iowa, Stonebrook Second Addition to the City of Mount Vernon, Linn County, Iowa, Stonebrook Fourth Addition to the City of Mount Vernon, Linn County, Iowa, Stonebrook 5th Addition to the City of Mount Vernon, Linn County, Iowa, Meadowbrook First Addition to the City of Mount Vernon, Linn County, Iowa, Meadowbrook Second Addition to the City of Mount Vernon, Linn County, Iowa, Parcels A and B, Plat of Survey #1392 as recorded in Book 6557 Page 508 of the records of the Linn County, Iowa Recorder on December 28, 2006, Parcel A, Plat of Survey #1588 as recorded in Book 7532 Page 551 of the records of the Linn County, Iowa Recorder on February 18, 2010. Said tract of land contains 60.86 acres and is subject to easements and restrictions of record.

LEGAL DESCRIPTION OF THE LAND TO BE REMOVED FROM THE MOUNT VERNON URBAN RENEWAL AREA AND PLACED IN THE SPRING MEADOW URBAN RENEWAL AREA:

NE 1/4 NE 1/4 of Section 10-82-5 South of the right-of-way of Chicago & Northwestern Railroad Company except the West 326.4 feet thereof

And

That part of the West 326.4 feet of the NE 1/4 NE 1/4 Section 10-82-5 South of the right-of-way of Chicago & Northwestern Railroad Company which lies southerly of the right-of-way of the Mount Vernon Short Line Railway Company

Except a tract described as follows:

Commencing at a point in the South line of the right-of-way of the Chicago & Northwestern Railroad Company, 326.4 feet East of the West line of NE 1/4 NE 1/4 of Section 10-82-5; thence South 65 1/2 feet; thence West 200 feet to a point on the SE-LY line of the right-of-way of the Mount Vernon Short Line Railway Company; thence NE-LY along the SE-LY line of the right-of-way of the Mount Vernon Short Line Railway Company to its intersection of the South line of said right-of-way of the Mount Vernon Short Line Railway Company with the South line of the right-of-way of the Chicago & Northwestern Railroad Company; thence Easterly along the Southerly line of the right-of-way of the Chicago & Northwestern Railroad Company to the point of beginning.

And further excepting a tract described as follows:

Commencing at the Northeasterly corner of the follow described parcel of land, to-wit:

Commencing at a stone 30 feet north of the Southwest corner of the NE 1/4 NE 1/4 of Section 10-82-5; thence East 122 feet; thence North 239 feet and 8 inches to the Mount Vernon Short Line Railway; thence Southwesterly along the Mount Vernon Short Line Railway to the quarter section line; thence South to the point of beginning; thence Southwesterly along the Southeasterly line of the right-of-way line of the Mount Vernon Short Line Railway Company to the point of intersection of said Southeasterly line with the Westerly line of the NE 1/4 NE 1/4 of said Section 10-82-5; thence South along said West line to a point which is 50 feet Southeasterly (when measured at right angles to said right-of-way line) of said Southeasterly right-of-way line; thence Northeasterly along a line parallel to and 50 feet distant from the said Southeasterly right-of-way line (when measured at right angles to said right-of-way line) to an intersection with the Easterly line of the parcel of land as heretofore described in locating the starting point of this tract; thence Northerly to the point of beginning.

And further excepting

The South 30 feet of the West 326.4 feet of said NE 1/4 NE 1/4 Section 10-82-5

And

SE 1/4 NE 1/4 Section 10-82-5

And

The North 9 1/2 acres of the NE 1/4 SE 1/4 of Section 10-82-5
All of the above being in Linn County, Iowa.

g) Amended Area shall mean that portion of the City of Mount Vernon, State of Iowa, included within the Original Area, the Amendment No. 1 Area, and the Amendment No. 2 Area, except the portion removed by Amendment No. 5, which Amended Area includes the lots and parcels located within the area legally described in subparagraphs (a)-(f).

Section 2. The taxes levied on the taxable property in the Amended Area, legally described in Section 1 hereof, by and for the benefit of the State of Iowa, County of Linn, Iowa, Mount Vernon Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 3. As to the Original Area (less the Amendment No. 5 Area), that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts taxing property in the Original Area (less the Amendment No. 5 Area) upon the total sum of the assessed value of the taxable property in the Original Area (less the Amendment No. 5 Area) as shown on the assessment roll as of January 1, 1992, being the first day of the calendar being January 1 of the calendar year preceding the effective date of Ordinance Nos. 9-20-93A and 11-15-93A, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid. The taxes so determined shall be referred herein as the "base period taxes" for such area.

As to Amendment No. 1 Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 1993, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of Ordinance No. 5-23-93A.

As to Amendment No. 2 Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2005, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of Ordinance No. 6-5-2006A.

Section 4. That portion of the taxes each year in excess of the base period taxes for the Amended Area, determined for each sub-area thereof as provided in Section 3 of this Ordinance, shall be allocated to and when collected be paid into the special tax increment fund previously established by the City of Mount Vernon, State of Iowa, to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12 of the Code of Iowa,

incurred by the City of Mount Vernon, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Amended Area pursuant to the Urban Renewal Plan, as amended, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Iowa Code Section 298.2 and taxes for the instructional support program of a school district imposed pursuant to Iowa Code Section 257.19 (but in each case only to the extent required under Iowa Code Section 403.19(2)); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Iowa Code Section 346.27(22) related to joint county-city buildings; and (iv) any other exceptions under Iowa Code Section 403.19 shall be collected against all taxable property within the Amended Area without any limitation as hereinabove provided.

Section 5. Unless or until the total assessed valuation of the taxable property in the areas of the Amended Area exceeds the total assessed value of the taxable property in the areas shown by the assessment rolls referred to in Section 3 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Amended Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 6. At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of Mount Vernon, State of Iowa, referred to in Section 4 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Amended Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 7. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to continue the division of taxes from property within the Original Area (less the Amendment No. 5 Area), the Amendment No. 1 Area, and the Amendment No. 2 Area under the provisions of Section 403.19 of the Code of Iowa, as authorized in Ordinance Nos. 9-20-93A, 11-15-93A, 5-23-93A, and 6-5-2006A. Notwithstanding any provisions in any prior Ordinances or other documents, the provisions of this Ordinance and all prior Ordinances relating to the Urban Renewal Area, as amended, shall be construed to continue the division of taxes from property within the Amended Area to the maximum period of time allowed by Section 403.19 of the Code of Iowa. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the Amended Area and the territory contained therein.

Section 8. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2017.

Mayor

ATTEST:

City Clerk

Read First Time: _____, 2017

Read Second Time: _____, 2017

Read Third Time: _____, 2017

PASSED AND APPROVED: _____, 2017.

I, _____, City Clerk of the City of Mount Vernon, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. _____ passed and approved by the City Council of the City at a meeting held _____, 2017, signed by the Mayor on _____, 2017, and published in the Mount Vernon-Lisbon Sun on _____, 2017.

City Clerk, City of Mount Vernon, State of Iowa

(SEAL)

01410661-1\13932-029

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

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

ORDINANCE #12-4-2017A

AN ORDINANCE AMENDING CHAPTER 41.11 FIREWORKS PERMIT OF 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 41.11 Fireworks Permit, is hereby amended as follows:

Chapter 41.11 Fireworks ~~Permit. The City may, upon application in writing, grant a permit for the display of fireworks by a City agency, fair associations, amusement parks and other organizations or groups of individuals approved by City authorities when such fireworks display will be handled by a competent operator. No permit shall be granted hereunder unless the operator or sponsoring organization has filed with the City evidence of insurance in the following amounts:~~

- ~~1. Personal Injury: \$250,000.00 per person.~~
- ~~2. Property Damage: \$ 50,000.00.~~
- ~~3. Total Exposure: \$1,000,000.00.~~

A. Definitions.

- (1.) Consumer fireworks means first-class consumer fireworks and second-class consumer fireworks as those terms are defined in subparagraphs (3.) and (5.) below.
- (2.) Display Fireworks means any explosive composition, or combination of explosive substances, or article prepared for the purpose of producing a visible or audible effect.
- (3.) First-class consumer fireworks means the following fireworks, as described in APA standard 87-1, chapter 3:
 - (a) Aerial shell kits and reloadable tubes
 - (b) Chasers
 - (c) Helicopters and aerial spinners
 - (d) Firecrackers
 - (e) Mine and shell devices
 - (f) Missile-type rockets

- (g) Roman Candles
- (h) Sky Rockets and bottle rockets
- (i) Multiple tube devices under this paragraph (3) that are manufactured in accordance with APA standard 87-1, Section 3.5.

(4) Novelties means all novelties enumerated in chapter 3 of the APA's standard 87-1, and that comply with the labeling regulations promulgated by the United States consumer product safety commission. Novelties include party poppers, snappers, toy smoke devices, snakes and glow worms, and wire sparklers as defined in APA standard 87-1, section 3.2

(5) Second class fireworks means the following consumer fireworks, as described in APA standard 87-1, chapter 3:

- (a) Cone fountains
- (b) Cylindrical fountains
- (c) Flitter sparklers
- (d) Ground and hand-held sparkling devices, including multiple tube ground and hand-held sparkling devices that are manufactured in accordance with APA standard 87-1, section 3.5
- (e) Ground spinners
- (f) Illuminating torches
- (g) Toy smoke devices that are not classified as novelties pursuant to APA standard 87-1, section 3.2
- (h) Wheels
- (i) Wire or dipped sparklers that are not classified as novelties pursuant to APA standard 87-1, section 3.2

B. Prohibitions. It shall be unlawful for any person to use or explode consumer fireworks within the city limits of the City of Mt. Vernon. It shall be unlawful for any person to use or explode display fireworks within the City of Mt. Vernon, unless a permit is properly obtained as set forth in subsection (D) below.

C. Exceptions. Chapter 41.11 shall not apply to the use of blank cartridges for the show or theater, or for signal purposes in athletic sports or by railroads or trucks, for signal purposes, or by a recognized military organization. Nor shall this section apply to any substance or composition prepared and sold for medicinal or fumigation purposes.

D. Display Fireworks. The Council may, upon application in writing, grant a permit for the use and explosion of display fireworks within the city limits of the City of Mt. Vernon by municipalities, fair associations, schools, and other organizations or groups of individuals when the use and explosion of such display fireworks will be handled by a competent operator, and when the applicant has provided proof of liability insurance in the amounts set forth below is shown.

1. Personal Injury: \$250,000.00 per person.
2. Property Damage: \$ 50,000.00.
3. Total Exposure: \$1,000,000.00.

E. Violation. Violation of this section is a simple misdemeanor punishable by a fine of not less than two hundred fifty dollars (\$250.00)

SECTION 3. 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 _____ day of _____, 201__.

ATTEST:

Jamie Hampton - Mayor

Sue Ripke – City Clerk

I certify that the foregoing was published as
Ordinance #12-4-2017B on the _____ day of _____, 201__.

Sue Ripke, City Clerk

G. Resolutions for Approval

AGENDA ITEM # G – 1

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

DATE:	December 4, 2017
AGENDA ITEM:	Resolution #12-4-2017A
ACTION:	Motion

SYNOPSIS: This resolution sets the public hearing and consultation dates for the Stonebrook Urban Renewal Plan. The previous urban renewal amendment removed this subdivision from the original urban renewal area. The City is now creating a standalone urban renewal area that will be the basis for the development agreement between the City and Bryce Rickleff's.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Resolution and Supporting Documents

PREPARED BY: Chris Nosbisch

DATE PREPARED: 11/30/17

December 4, 2017

The City Council of the City of Mount Vernon, State of Iowa, met in _____ session, in the Council Chambers, City Hall, 213 First Street NW, Mount Vernon, Iowa, at 6:30 P.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

Absent: _____

Vacant: _____

* * * * *

Council Member _____ then introduced the following proposed Resolution entitled "RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED STONEBROOK URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY OF MOUNT VERNON, STATE OF IOWA", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION NO. _____

RESOLUTION DETERMINING THE NECESSITY AND
SETTING DATES OF A CONSULTATION AND A PUBLIC
HEARING ON A PROPOSED STONEBROOK URBAN
RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL
AREA IN THE CITY OF MOUNT VERNON, STATE OF IOWA

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the City; and

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and has caused there to be prepared a proposed Stonebrook Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Stonebrook Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit 1; and

WHEREAS, this proposed Urban Renewal Area includes and consists of:

Lot 2, Cornell College Second Addition in the City of Mount Vernon, Linn County, Iowa excepting therefrom the following: Stonebrook First Addition to City of Mount Vernon, Linn County, Iowa, Stonebrook Second Addition to the City of Mount Vernon, Linn County, Iowa, Stonebrook Fourth Addition to the City of Mount Vernon, Linn County, Iowa, Stonebrook 5th Addition to the City of Mount Vernon, Linn County, Iowa, Meadowbrook First Addition to the City of Mount Vernon, Linn County, Iowa, Meadowbrook Second Addition to the City of Mount Vernon, Linn County, Iowa, Parcels A and B, Plat of Survey #1392 as recorded in Book 6557 Page 508 of the records of the Linn County, Iowa Recorder on December 28, 2006, Parcel A, Plat of Survey #1588 as recorded in Book 7532 Page 551 of the records of the Linn County, Iowa Recorder on February 18, 2010. Said tract of land contains 60.86 acres and is subject to easements and restrictions of record.

WHEREAS, the proposed Urban Renewal Area includes land classified as agricultural land and written permission of the current owners will be obtained; and

WHEREAS, City staff has caused there to be prepared a form of Plan, a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to form the Stonebrook Urban Renewal Area suitable for economic development and to include a list of proposed projects to be undertaken within the Urban Renewal Area; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Stonebrook Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole prior to Council approval of such Plan, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Council within thirty (30) days of its receipt of such proposed Stonebrook Urban Renewal Plan; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Stonebrook Urban Renewal Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Stonebrook Urban Renewal Plan subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Plan and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, STATE OF IOWA:

Section 1. That the consultation on the proposed Stonebrook Urban Renewal Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on December 13, 2017, in the Council Chambers, City Hall, 213 First Street NW, Mount Vernon, Iowa, at 11:00 A.M., and the City Administrator, or his delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

Section 2. That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of this Resolution and the proposed Stonebrook Urban Renewal Plan, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN
THE CITY OF MOUNT VERNON, STATE OF IOWA AND
ALL AFFECTED TAXING ENTITIES CONCERNING THE
PROPOSED STONEBROOK URBAN RENEWAL PLAN FOR
THE CITY OF MOUNT VERNON, STATE OF IOWA

The City of Mount Vernon, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 11:00 A.M. on December 13, 2017, in the Council Chambers, City Hall, 213 First Street NW, Mount Vernon, Iowa concerning a proposed Stonebrook Urban Renewal Plan, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Plan.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The City Administrator, or his delegate, as the designated representative of the City of Mount Vernon, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Stonebrook Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Mount Vernon, State of Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this _____ day of _____, 2017.

City Clerk, City of Mount Vernon, State of Iowa

(End of Notice)

Section 3. That a public hearing shall be held on the proposed Stonebrook Urban Renewal Plan before the City Council at its meeting which commences at 6:30 P.M. on January 2, 2018, in the Council Chambers, City Hall, 213 First Street NW, Mount Vernon, Iowa.

Section 4. That the City Clerk is authorized and directed to publish notice of this public hearing in the Mount Vernon-Lisbon Sun, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL
OF A PROPOSED STONEBROOK URBAN RENEWAL PLAN
FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY
OF MOUNT VERNON, STATE OF IOWA

The City Council of the City of Mount Vernon, State of Iowa, will hold a public hearing before itself at its meeting which commences at 6:30 P.M. on January 2, 2018 in the Council Chambers, City Hall, 213 First Street NW, Mount Vernon, Iowa, to consider adoption of a proposed Stonebrook Urban Renewal Plan (the "Plan") concerning a proposed Urban Renewal Area in the City of Mount Vernon, State of Iowa, legally described as follows:

Lot 2, Cornell College Second Addition in the City of Mount Vernon, Linn County, Iowa excepting therefrom the following: Stonebrook First Addition to City of Mount Vernon, Linn County, Iowa, Stonebrook Second Addition to the City of Mount Vernon, Linn County, Iowa, Stonebrook Fourth Addition to the City of Mount Vernon, Linn County, Iowa, Stonebrook 5th Addition to the City of Mount Vernon, Linn County, Iowa, Meadowbrook First Addition to the City of Mount Vernon, Linn County, Iowa, Meadowbrook Second Addition to the City of Mount Vernon, Linn County, Iowa, Parcels A and B, Plat of Survey #1392 as recorded in Book 6557 Page 508 of the records of the Linn County, Iowa Recorder on December 28, 2006, Parcel A, Plat of Survey #1588 as recorded in Book 7532 Page 551 of the records of the Linn County, Iowa Recorder on February 18, 2010. Said tract of land contains 60.86 acres and is subject to easements and restrictions of record.

which land is to be included as part of this proposed Urban Renewal Area.

A copy of the Plan is on file for public inspection in the office of the City Clerk, City Hall, City of Mount Vernon, Iowa.

The City of Mount Vernon, State of Iowa is the local public agency which, if such Plan is approved, shall undertake the urban renewal activities described in such Plan.

The general scope of the urban renewal activities under consideration in the Plan is to stimulate, through public involvement and commitment, private investment in residential development in the Urban Renewal Area through various public purpose and special financing activities outlined in the Plan. To accomplish the objectives of the Plan, and to encourage the further economic development of the Urban Renewal Area, the Plan provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A of the Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The Plan provides that the City may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal

projects may be sought if and to the extent incurred by the City. The Plan initially proposes no specific public infrastructure or site improvements to be undertaken by the City, and provides that the Plan may be amended from time to time.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Mount Vernon, State of Iowa, as provided by Section 403.5 of the Code of Iowa.

Dated this _____ day of _____, 2017.

City Clerk, City of Mount Vernon, State of Iowa

(End of Notice)

Section 5. That the proposed Stonebrook Urban Renewal Plan, attached hereto as Exhibit 1, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Stonebrook Urban Renewal Plan referred to in the notices for purposes of such consultation and hearing and that a copy of the Plan shall be placed on file in the office of the City Clerk.

Section 6. That the proposed Stonebrook Urban Renewal Plan be submitted to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

PASSED AND APPROVED this 4th day of December, 2017.

Mayor

ATTEST:

City Clerk

Label the Plan as Exhibit 1 (with all exhibits) and attach it to this Resolution.

**STONEBROOK
URBAN RENEWAL PLAN**

for the

**STONEBROOK
URBAN RENEWAL AREA**

CITY OF MOUNT VERNON, IOWA

January 2018

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- C. AGREEMENT TO INCLUDE AGRICULTURAL LAND

**Stonebrook Urban Renewal Plan
for the
Stonebrook Urban Renewal Area
City of Mount Vernon, Iowa**

A. INTRODUCTION

The Stonebrook Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Stonebrook Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials respond to and promote economic development in the City of Mount Vernon, Iowa (the “City”). The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new housing and residential development as defined in the *Code of Iowa* Section 403.17(12).

In order to achieve this objective, the City intends to undertake Urban Renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the *Code of Iowa*, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Urban Renewal Area is described in Exhibit “A” and illustrated in Exhibit “B.” The property forming this Area has been removed from the Mount Vernon Urban Renewal Area by Amendment #5 to the Mount Vernon Urban Renewal Plan. This property has never been residential in nature nor part of a residential housing development.

The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City designates this Urban Renewal Area as an economic development area that is appropriate for the provision of public improvements related to housing and residential development.

D. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) ordinance is adopted, and debt is certified prior to December 1, 2018, the taxable valuation as of January 1, 2017, will be considered the frozen “base valuation” for the portion of the Urban Renewal Area identified in the TIF ordinance. If a TIF ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2018, the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Area. It may be that more than one ordinance will be adopted on property within the Area. If so, the frozen base values may vary.

E. DEVELOPMENT PLAN

Mount Vernon has a general plan for the physical development of the City as a whole, outlined in the City of Mount Vernon, Iowa 2016 Comprehensive Plan. The goals and objectives identified in this Plan, and the urban renewal projects described herein, are in conformance with the goals and land use policies identified in the Comprehensive Plan.

This Urban Renewal Plan does not in any way replace the City's current land use planning or zoning regulation process. Currently the Area is zoned as TR – Traditional Residential.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area, is set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

F. RESIDENTIAL DEVELOPMENT

The City's objective for the Urban Renewal Area is to promote new housing and residential development. Mount Vernon has had steady population growth, with a population growth rate of 16.4 percent from 2000 to 2010. Mount Vernon lies about 15 miles east of Cedar Rapids and 20 miles north of Iowa City, providing a convenient residential location within easy commuting distance for residents to a variety of employment opportunities, amenities, and services. Additionally, Mount Vernon's housing units must support the student population of Cornell College.

Mount Vernon's 2016 Comprehensive Plan estimated that the City would need approximately 426 new housing units by 2030 to match the population projections. Therefore, the Comprehensive Plan set forth goals and objectives for new housing development within city limits.

When a city utilizes tax increment financing to support residential development (such support is limited to reimbursement of "public improvement" costs, as defined by Iowa law), a percentage of the incremental revenues (or other revenues) generated by the development must be used to provide assistance to low and moderate income (LMI) families. LMI families are those whose incomes do not exceed 80% of the median Linn County income.

Unless a reduction is approved by the Iowa Economic Development Authority, the amount of incremental revenues (or other revenues) to be provided for low and moderate income family housing in the community shall be either equal to or greater than the percentage of the original project costs (i.e., the amount of TIF funds used to reimburse infrastructure costs serving the housing development in the Area) that is equal to the percentage of LMI families living in Linn County. That percentage is currently 37.23%.

The requirement to provide assistance for LMI housing may be met by one, or a combination, of the following three options:

1. Providing that at least 37.23% of the units constructed in the Area are occupied by residents and/or families whose incomes are at or below 80% of the median county income;
2. Setting aside an amount equal to or greater than 37.23% of the project costs to be used for LMI housing activities anywhere in the City; or,
3. Ensuring that 37.23% of the houses constructed within the Area are priced at amounts affordable to LMI families.

If funds are set aside, as opposed to constructing a sufficient percentage of LMI housing in the Area, the assistance for LMI family housing may be provided anywhere within the City. The type of assistance provided must benefit LMI residents and/or families and may include, but is not limited to:

1. Construction of LMI affordable housing.
2. Owner/renter-occupied housing rehabilitation for LMI residents and/or families.
3. Grants, credits, or other direct assistance for LMI residents and/or families.
4. Homeownership assistance for LMI residents and/or families.
5. Tenant-based rental assistance for LMI residents and/or families.
6. Down payment assistance for LMI residents and/or families.
7. Mortgage interest buy-down assistance for LMI residents and/or families.
8. Under appropriate circumstances, the construction of public improvements that benefit LMI residents and/or families.

G. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites for new residential development within the Area. More specific objectives for development within the Urban Renewal Area are as follows:

1. To increase the availability of housing opportunities, which may, in turn, attract and retain area industries and commercial enterprises that will strengthen and revitalize the economy of the State of Iowa and the City of Mount Vernon.

2. To stimulate, through public action and commitment, private investment in new housing and residential development and redevelopment. The City realizes that the availability of affordable, decent, safe, and sanitary housing is important to the overall economic viability of the community.
3. To plan for and provide sufficient land for residential development in a manner that is efficient from the standpoint of providing municipal services.
4. To help finance the cost of constructing public utility and infrastructure extensions and improvements in support of residential development.
5. To improve housing conditions and increase housing opportunities, including LMI income families and/or individuals.
6. To provide a more marketable and attractive investment climate through the use of various federal, state, and local incentives.
7. To encourage residential growth and expansion through governmental policies which make it economically feasible to do business.
8. To encourage residential development that meets the needs of a growing population, while preserving the character of the community.
9. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

H. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To provide for the construction of site specific improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
3. To arrange for, or cause to be provided, the construction or repair of public infrastructure in support of residential development, including, but not limited to, streets and sidewalks, traffic lights, pedestrian safety measures, trails, water mains, sanitary sewers, storm sewers, or public utilities.

4. To make loans, forgivable loans, or other types of grants or incentives to private persons, organizations, or businesses for economic development purposes or residential projects, on such terms as may be determined by the City Council.
5. To use tax increment financing to facilitate urban renewal projects, including, but not limited to, financing to achieve a more marketable and competitive land offering price and to provide for necessary physical improvements and infrastructure.
6. To use tax increment for LMI housing assistance.
7. To borrow money and to provide security therefor.
8. To acquire and dispose of property.
9. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
10. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Mount Vernon and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

I. ELIGIBLE URBAN RENEWAL PROJECTS

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Urban Renewal Plan include:

1. Rebate to Support Infrastructure Improvements in Residential Development:

A. *Development Agreement with BBAC, L.L.C. (or a related entity):* The proposed urban renewal project involves providing incentives necessary to construct public improvements to assist BBAC, L.L.C. (or a related entity), in the development of an anticipated 83-lot, 101-unit residential subdivision. BBAC, L.L.C. is expected to invest approximately \$5,687,358 in the development of the lots including, but not limited to, the construction of new streets, sanitary sewer, storm water, and water utilities. Construction is anticipated to begin in 2018.

The City intends to provide assistance in the form of property tax rebates of potential incremental taxes that will result from completion of the residential subdivision and related public improvements. Under the proposal, some of the incremental property tax generated by the project (from the development of new homes to be constructed on the developer's land pursuant to the *Code of Iowa* Section 403.19) is expected to be rebated to the developer upon substantiation of costs incurred by the developer in constructing the public improvements. Unless some other amount is determined by the City, these incentives are not expected to exceed the lesser of:

- The developer’s certified and approved costs of public improvements; or
- \$1,633,000.

These rebates will not be general obligations of the City but will be payable solely from incremental property taxes generated by the project and subject to annual appropriation. The rebates will be available for up to a maximum of a ten (or fifteen, if consent is obtained from the other taxing entities) year period for the TIF ordinance area.

Unless LMI housing is constructed in this subdivision, the City will set aside an amount equal to 37.23% of the incentives provided to the developer (up to a maximum of the developer’s certified costs of public improvements or \$1,633,000) from the incremental taxes generated by the residential housing units and use those funds to support LMI housing anywhere in the community. The remaining incremental taxes will be available to reimburse the City for planning, legal, and other project costs and to fund property tax rebates to the developer, up to the above stated maximums.

The City believes that assistance to stimulate residential housing in this Area will promote economic development by providing needed housing opportunities for employees of area businesses, their families, and new or existing residents. The City expects to enter into a development agreement with BBAC, L.L.C. (or a related entity) that provides detailed terms and conditions, not all of which are included in this Plan.

B. *Future Development Agreements.* The City expects to consider requests for Development Agreements for projects that are consistent with this Plan, in the City’s sole discretion. Such Agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to, land, loans, grants, tax rebates, public infrastructure assistance, and other incentives. The costs of such Development Agreements are estimated not to exceed \$500,000.

2. Planning, Engineering Fees (for Urban Renewal Plans), Attorney Fees, Administrative, and Other Related Costs to Support Urban Renewal Projects and Planning:

Project	Estimated Date	Estimated Cost to be funded by TIF Funds
Fees and Costs	Undetermined	Not to Exceed \$50,000

J. FINANCIAL INFORMATION

1.	July 1, 2017, Constitutional Debt Limit	\$12,659,960.85
2.	Current Outstanding General Obligation Debt	\$7,305,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above to be funded by TIF Funds will be approximately as stated in the next column:	\$2,183,000 This does not include financing costs related to debt issuance, which may be incurred over the life of the Area.

K. AGREEMENT TO INCLUDE AGRICULTURAL LAND

Agricultural land owners have entered or will enter into agreements in which they agree to allow the City to include their real property defined as "Agricultural Land" in the Urban Renewal Area in accordance with Iowa Code Section 403.17(3). A copy of the signed agreement of each agricultural land owner within the Urban Renewal Area is attached or will be attached as Exhibit C. The original signed agreements will be on file at the City Clerk's office.

L. URBAN RENEWAL FINANCING

The City intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. Tax Increment Financing.

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives, or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new

development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

B. General Obligation Bonds.

Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area and for other urban renewal projects or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City. It may be, the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates, or other incentives to developers or private entities in connection with the urban renewal projects identified in this Plan. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

M. PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and disposition of property within the Urban Renewal Area.

N. RELOCATION

The City does not expect there to be any relocation required of residents or businesses as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

O. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to State and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

P. SEVERABILITY

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

Q. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying objectives or types of renewal activities.

The City Council may amend this Plan in accordance with applicable State law.

R. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and shall remain in effect until terminated by the City Council.

With respect to property included within the Urban Renewal Area, which is also included in an ordinance which designates that property as a tax increment area and is designated based on an economic development finding, to provide or to assist in the provision of public improvements related to housing and residential development, the use of incremental property tax revenues or the “division of revenue,” as those words are used in Chapter 403 of the *Code of Iowa*, is limited to ten (10) years beginning with the second fiscal year following the year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property within the Urban Renewal Area.

With consent of all other affected taxing bodies (by written agreement), the use of incremental property tax revenues under the *Code of Iowa* Section 403.19 can be extended for up to five (5) years if necessary to adequately fund the housing project. The City may decide to seek such consent. It is also anticipated that separate TIF ordinances or amendments thereto for separate parcel(s) or subareas may be adopted as development in the Area warrants. In that case, each subarea may have a separate base and separate sunset or expiration date.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness, or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Area

shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

EXHIBIT A

LEGAL DESCRIPTION OF STONEBROOK URBAN RENEWAL AREA

LEGAL DESCRIPTION:

Lot 2, Cornell College Second Addition in the City of Mount Vernon, Linn County, Iowa excepting therefrom the following: Stonebrook First Addition to City of Mount Vernon, Linn County, Iowa, Stonebrook Second Addition to the City of Mount Vernon, Linn County, Iowa, Stonebrook Fourth Addition to the City of Mount Vernon, Linn County, Iowa, Stonebrook 5th Addition to the City of Mount Vernon, Linn County, Iowa, Meadowbrook First Addition to the City of Mount Vernon, Linn County, Iowa, Meadowbrook Second Addition to the City of Mount Vernon, Linn County, Iowa, Parcels A and B, Plat of Survey #1392 as recorded in Book 6557 Page 508 of the records of the Linn County, Iowa Recorder on December 28, 2006, Parcel A, Plat of Survey #1588 as recorded in Book 7532 Page 551 of the records of the Linn County, Iowa Recorder on February 18, 2010. Said tract of land contains 60.86 acres and is subject to easements and restrictions of record.

EXHIBIT B
MAP OF URBAN RENEWAL AREA



EXHIBIT C

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE STONEBROOK URBAN RENEWAL AREA**

WHEREAS, the City of Mount Vernon, Iowa, (the "City") has proposed to establish the Stonebrook Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Urban Renewal Area will include certain property which is owned by the Agricultural Land Owner listed below; and

WHEREAS, Section 403.17 of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that the portion of the property owned by the Agricultural Land Owner within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain Property contained within the Urban Renewal Area.

2. The Agricultural Land Owner hereby agrees that the City of Mount Vernon, Iowa, may include the portion of the property owned by the Agricultural Land Owner in the Urban Renewal Area.

3. The Agricultural Land Owner further authorizes the governing body of the City of Mount Vernon, Iowa, to pass any resolution or ordinance necessary to designate said property as an Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this _____ day of _____, 2017.

Name of Agricultural Land Owner: (or person authorized to sign on Agricultural Land Owner's behalf)

Signature: _____

Date: _____

Print Name: _____

Witness: _____

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, the undersigned City Clerk of the City of Mount Vernon, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2017.

City Clerk, City of Mount Vernon, State of Iowa

(SEAL)

J. Motions for Approval

CITY OF MOUNT VERNON
CLAIMS FOR APPROVAL, DECEMBER 4, 2017

PAYROLL	CLAIMS	58,338.71
US BANK	PURCHASES-ALL DEPTS	5,413.17
WATER SOLUTIONS UNLIMITED INC	PHOSPHATE-WAT	3,315.00
LINN CO-OP OIL CO	FUEL-PW	1,817.05
BRADLEY HAUGE CPA	PROFESSIONAL SERVICES-P&A,WAT,SEW	1,285.00
RHINO INDUSTRIES INC	CHEMICALS-SEW	600.00
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	468.18
BROWN SUPPLY COMPANY	HYDRANT ADAPTOR-WAT	328.00
ELECTRONIC ENGINEERING CORP	INFORMATION SYSTEMS-PW	319.60
MEDIACOM	PHONE/INTERNET-PD	256.23
MEDIACOM	PHONE/INTERNET-P&A	256.23
OFFICE EXPRESS	TONER,PENCILS-P&A	231.12
VAN METER INC	SHOP LIGHT UPGRADE-RUT	229.31
POSTMASTER	FIRST CLASS PRESORT	225.00
GALLS INC	UNIFORMS-PD	184.60
SIMMERING CORY IOWA CODIFICATION	CODE UPDATES-P&A	178.00
BARNYARD SCREEN PRINTER LLC	T-SHIRTS-P&REC	168.00
BSN SPORTS COLLEGIATE PACIFIC	BATTING HELMETS-P&REC	165.00
JORDAN AXTELL	REFEREE-P&REC	165.00
SIMMERING CORY IOWA CODIFICATION	CODE BOOK-P&A	139.00
BROWN SUPPLY COMPANY	CURB BOX-WAT	114.00
JAY A ARNOLD	REFEREE-P&REC	105.00
TASC	ADMIN FEE-ALL DEPTS	92.49
MUNICIPAL SUPPLY INC	TOUCHPAD-WAT	87.50
ARAMARK	RUGS-FD	73.85
IRON LEAF	TROLLEY MAPS-P&REC	60.48
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
NOLAN HINRICHS	REFEREE-P&REC	60.00
CARTER RODMAN	REFEREE-P&REC	45.00
ALTORFER INC	THERMOSTAT-SEW	39.36
	TOTAL	74,879.88

AGENDA ITEM # J - 2

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

DATE:	December 4, 2017
AGENDA ITEM:	Roundabout Assessment
ACTION:	Motion

SYNOPSIS: Staff has received a proposal from MSA Consultants to complete an audit of the Hwy 1/30 roundabout. MSA is asking \$14,500 to identify issues and make recommendations on possible corrections. There is a remaining balance of \$37,800 in the Hwy 30 improvement fund that can be used to complete the assessment.

BUDGET ITEM: Hwy 30 Project Fund

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: MSA Proposal

PREPARED BY: Chris Nosbisch

DATE PREPARED: 11/30/17



2901 International Lane
Suite 300
Madison, WI 53704
Tel: (608) 242-7779
Fax: (608) 242-5664
www.msa-ps.com

November 22, 2017

Mr. Chris Nosbich
City of Mount Vernon
213 First Street NW
Mount Vernon, IA 52314

**Re: In-service review of IA 1 and US 30 multi-lane roundabout
MSA Proposal No. 09595002**

Dear Mr. Nosbich:

MSA will provide a review of the existing multi-lane roundabout intersection at IA 1 and USH 30 which will include a professional engineering study, review, and recommendations for improvements. Our team of roundabout professionals have on-call roundabout design and review contracts with several state DOT's, including the Iowa DOT and have performed in-service reviews of dozens of roundabouts across the country.

The review will be based on one site visit by MSA and data and analysis received from the City of Mount Vernon. The anticipated data and analysis to be provided to, and relied upon by MSA is:

- Copies of individual collision reports and any diagrams that the City has generated.
- Notes from any City staff that have received comments or have comments on the operations or maintenance of the roundabout.
- MSA to conduct operational analysis based on available traffic volume data. MSA will contact the Iowa DOT to discuss traffic volume changes as a result of the upcoming USH 30 bypass.
- As-built construction plans if available.
- Any other available related data and information.

This review will focus on development of countermeasures in possibly three categories: low, medium and high value; with associated benefits, documented in a report. This in-service safety review will follow a structured study format similar to FHWA guidelines for Road Safety Audit Reviews. It covers the various tasks and steps in the evaluation of crash prone locations systematically and methodically.

This brief study is divided into to three phases:

1. Office Review
2. Field Review
3. Countermeasure development and reporting

Office review will be undertaken by Ben Wilkinson, the client liaison and technical lead; and, Mark Lenters. Ben will field review and report on observations and then collaborate with Mark on countermeasure development, evaluation and reporting. The following is a detailed outline of the subtasks:

City of Mount Vernon
November 22, 2017

1. Start-up Meeting and Data Collection (office)
2. Collision Analysis (office)
3. Operational Analysis (office)
4. Geometric conformance review (office)
5. Site Visit (field)
6. Consultation with City staff as needed (during field visit)
7. Traffic Conflict Positive Guidance and Human Factors Assessment (field)
8. Identification and Documentation of Deficiencies (office)
9. Development, evaluation and selection of countermeasures (office)
10. Reporting
11. Presentation to City Council

Deliverables will consist of a technical memorandum summarizing MSA's assessment of the existing multi-lane roundabout and recommended countermeasures, with reasoning for recommendations and examples of similar countermeasures. This independent in-service review has the goal of reporting on causal factors and development of remedial measures associated with the following deliverables:

- Documentation of collision history and target patterns (diagram)
- Corroboration of observed conflicts with target collision patterns
- Documentation of deficiencies (diagram)
- Documentation of countermeasures (low, medium, and high value)
- Report documenting data collection, analysis, countermeasures and recommended countermeasures including CAD sketches.

We understand that preparation of design plans is not required under this assignment. We also understand that this intersection is on the Iowa state highway system and that coordination with the Iowa DOT on this project is anticipated.

We anticipate taking part in one City council meeting to present the final recommendations. No other meeting attendance is included in this proposal outside of meeting with City staff during the field visit. Depending on the recommendations that are chosen for implementation, MSA can further assist with coordination with the Iowa DOT and plan preparation if needed through a future proposal.

Based on the proposed scope of work, we propose an hourly basis fee, not to exceed of **\$14,200.00**. We look forward to attending to the roundabout with you and other City Staff.

Sincerely,

MSA Professional Services, Inc.



Ben Wilkinson, PE
Project Manager | Team Leader
bwilkinson@msa-ps.com | 608-216-2057

MSA PROFESSIONAL SERVICES

TRANSPORTATION - ROUNDABOUTS



When it comes to the use of new traffic control devices, prudent agencies turn to the most qualified in the industry to give them confidence. MSA's long-standing experience and range of specialized skills provides our clients with the confidence to implement the most challenging roundabout projects.

Our roundabouts-only specialized design team provides highly responsive analysis, reports and designs to help guide clients through the intersection control selection and implementation. Decades of experience allows us to share dozens of public outreach tools, self-developed roundabout guidelines and performance checks, and constructability consultation. Our experience includes work on hundreds of roundabout projects across the nation, including on-call review services for Wisconsin, Georgia, Colorado, Texas, Iowa, Arizona, Minnesota and Maine.

We operate a stewardship practice to generate a legacy of safe and efficient intersections.



Pleasant View Rd, Madison, WI



US 41 - Brezewood Ln, Neenah, WI



WIS 60 & CR G, Jackson, WI

MSA's roundabout planning and design team is a leading consultant providing research, policy, planning, education and design of modern roundabouts.

Science and deep experience are the foundation of our roundabout designs. Our team integrates the full range of roundabout implementation needs, including:

- **Public education and outreach** to offer effective, custom tailored facilitation and presentations to educate the community.
- **Development of policy standards and guidelines** with a rich history of being trusted advisors to the states leading the roundabout revolution.
- **Direct design**, which means our depth of experience can generate complete roundabout design packages with an emphasis on human factors.
- **Analysis, planning and review** to provide the necessary documentation to evaluate roundabout feasibility, traceably and transparently.
- **Design oversight** to assure agencies of the correct site selection and design quality with the highest degree of skill.
- **Micro-simulation**, which delivers a powerful system level traffic analysis and public relations tool.
- **Continuous research and publication** efforts provide confidence in our design practice.
- **Training and workshops** aimed at enabling designers, not just empowering them.

MSA PROFESSIONAL SERVICES

TRANSPORTATION - ROUNDABOUTS



LIST OF SERVICES



IMPLEMENTATION AND OUTREACH

At MSA, we've helped more agencies implement roundabout policies and programs than anybody else. Through our practice of listening, affirming, and dispelling perceptions, we work to educate and build trust for acceptance. We have given hundreds of presentations to both the general public and government boards.

We have guided the states of Georgia, Florida, Maine, Wisconsin, Minnesota, Maryland, Colorado, Montana and Arizona to develop their roundabout policy and implementation programs. Stewardship fuels our mission.

DEVELOPMENT OF POLICY STANDARDS & GUIDELINES

In addition to writing and publishing a widely popular Roundabout Design Guide in 1995 and 2001, we have assisted agencies in policy and standards development since 1991. The task of guide and standards writing is collaborative throughout the various stages of scoping and formulation. We recommend interim practice be applied before formal standards are cemented into policy and have a wealth of resources, including our writing of the guides and standards for: FHWA, WisDOT, GDOT, MnDOT, MaineDOT, and many counties and cities.

DIRECT DESIGN

We will manage the entire project, preparing the full plan sets, specifications and cost estimates, or contribute components to a prime consultant. We will undertake the operational analysis, design, pavement marking, signing, grading, construction staging and all other aspects of your project.

PLANNING AND REVIEWS

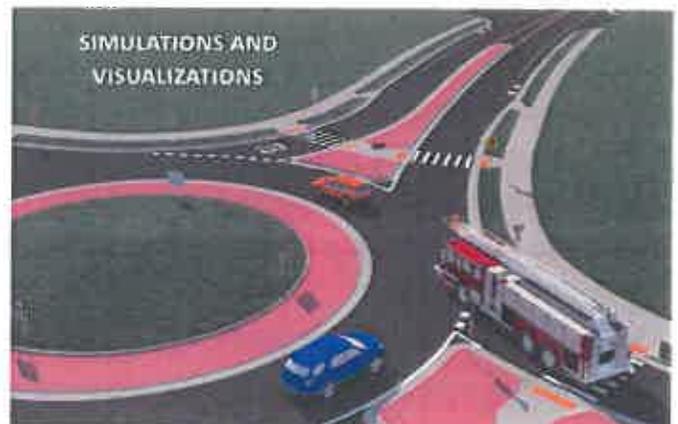
Our professional services include intersection studies comparing roundabouts to traffic signals, feasibility studies, design reviews and in-service evaluations. Proper roundabout design relies strongly on principles, and a quality and safe design will have properly applied these principles. No intersection is the same, so different outcomes may result from context, application and emphasis on the various objectives of the project. It is important to have an experienced roundabout designer review the design and functionality of the intersection to ensure quality and safety.

QUALITY ASSURANCE

We work to assure agencies of the correct site selection and provide design quality with the highest degree of skill and professionalism, applying science, deep experience and a commitment to our valued clients.

TRAINING AND WORKSHOPS

Our experience includes teaching hundreds of individuals at private and government agencies across North America in the planning, operational analysis and design of roundabouts. We also provide training for ARCADY, Sidra, HCM, and VISSIM roundabout modeling software.



AGENDA ITEM # J – 3

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

DATE:	December 4, 2017
AGENDA ITEM:	Hosted GIS Website
ACTION:	Motion

SYNOPSIS: I have attached a memo from Nick outlining the work that has been done on this subject to date. Currently the Arc GIS software platform rests on one computer (former Engineering computer). Current staff is not able to make updates to the system, so we began researching possible solutions. Midland GIS completed the original research and maintenance of the system until the lapse in their contract three years ago. We are asking to renew this agreement and allow Midland to update our system for \$1,000. After the system is updated, we would contract with Midland to web host our information for a cost of \$3,600 a year (there is also \$1,000 listed for training). The Arc View software alone is \$1,500 with an annual subscription of \$800, for one user. Moving to a web based system allows both the staff and general public access to the City's established data.

BUDGET ITEM: Enterprise Funds

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Memo and Proposal

PREPARED BY: Chris Nosbisch

DATE PREPARED: 11/30/17

Memo

To: Mayor and Council

From: Nick Nissen

Date: 11/21/17

Re: Midland GIS Solutions

City staff has been researching various companies that offer utility mapping services. As recently as 2014 the City of Mount Vernon had a contract with Midland GIS Solutions for managing utility maps for the city's needs. At that time the city also had a full-time engineer on staff that had the capability to update information and send this information to Midland to upload to the city maps. At that time the system was not web based, the city had one computer capable of manipulating the maps along with the ability to view them which was located in the engineer's office. When the city transitioned away from a full-time engineer, the city decided to discontinue the use of the GIS system. The city still has the rights to the maps that were generated, but is unable to update those maps. When new infrastructure is replaced or road projects are completed city staff is not currently updating the information to the old maps. In just 3 years projects such as 7th Street, 5th Avenue and 3rd Avenue have been completed, along with the 1st Street light project and two sewer repair projects on the east side of town. This information has not been updated on our current maps.

The new web based program that Midland Currently offers would allow city staff to have access to these maps from any computer with internet access. Certain users would have the ability to add notes to these maps along with move assets as they see fit. Staff would also seek some additional training on the GIS system that we have in house, this would allow staff to get survey grade points for new infrastructure that is added. Staff could then share this information with Midland and they could update our maps to survey grade. The system would also allow staff to create multiple layers to city maps. Currently the only maps available to city staff are Water, Sewer and Storm Sewer with Midland the city staff could create ROW tree maps, city snow removal maps, water outage maps, and zoning maps to name a few. Some of these maps could be made available on the cities website as the public is always seeking more and more information.

I have spoken with Dave Schechinger from V and K. He has indicated that Midland is a very reputable group. They are also one of the main groups he sees in other cities throughout Iowa. He feels their price is competitive. V and K would be able to offer similar services but it would not be web based. He felt V and K's cost wouldn't be as competitive either. One thing Dave did mention was that Midland is very easy to work with, and when new projects are completed the sending of information to Midland is a simple task. Midland has provided a proposal for city staff and council to review.

MOUNT VERNON, IOWA

Proposal for Hosted Integrity GIS Website & HTML5 Mobile Solutions



Integrity™

powered by **Geocortex®**

Submitted by: Midland GIS Solutions

Nick Nissen

Public Works Director
City of Mount Vernon, Iowa
213 1st Street NW
Mount Vernon, IA 52314

Dear Nick,

Midland GIS Solutions respectfully submits the following proposal and service agreement to the City of Mount Vernon, Iowa to re-implement the Integrity GIS HTML5 mobile GIS website. Midland's Integrity GIS solutions will support the City's effort to develop a comprehensive web-based GIS mapping program to securely manage and maintain GIS data and track asset management spatially well into the future.

Midland's Integrity web-based mobile GIS platform will integrate the City's available aerial photography, existing GIS data layers, and external databases to make this information easily accessible in a central location through the web-based mapping platform. Midland GIS Solutions had previously developed and implemented a prior version of this system with the city of Mount Vernon when we performed utility data collection and mapping as part of a contract in 2011. We have the previous version still stored at our location and will be able to update, train, and implement for a much lower cost than starting over with a new solution.

Thank you for giving us the opportunity to provide you with this proposal for Integrity web-based and mobile GIS services. Our team of professionals has the experience and enthusiasm necessary to make this project successful and stands ready to continue our partnership with the City of Mount Vernon in that success.

Respectfully Submitted,
Midland GIS Solutions



Erin Allen
Business Development Director

COMPANY PROFILE

Midland GIS Solutions is an industry-leader in providing exceptional GIS and GPS mapping services to municipalities, utility companies, counties and private organizations. Our firm offers a wide-range of comprehensive geospatial services, such as GPS data collection and inspections, GIS data development and conversion services, consulting, training and technical support.

Midland GIS has developed Integrity™, an intuitive web-based GIS solution to provide our valued clients with the necessary tools to increase efficiency in asset management and maintenance, workflow and overall productivity. We offer our clients a distinct commitment to high-quality, professional standards, and a forward-thinking perspective we believe is unique in this industry.

Corporate Office Address: Midland GIS Solutions, LLC
501 N. Market Street
Maryville, Missouri 64468
Phone: 660.562.0050
Facsimile: 660.582.7173



Contact for Proposal: Erin Allen
Office: 660.562.0050
Cell: 660.254.9960
Email: erin.allen@midlandgis.com

Ownership: Midland GIS Solutions is a Missouri-based Company owned by Troy Hayes PLS, Matt Sorensen and Kirk Larson

Office Locations: Maryville, MO and Kansas City, MO

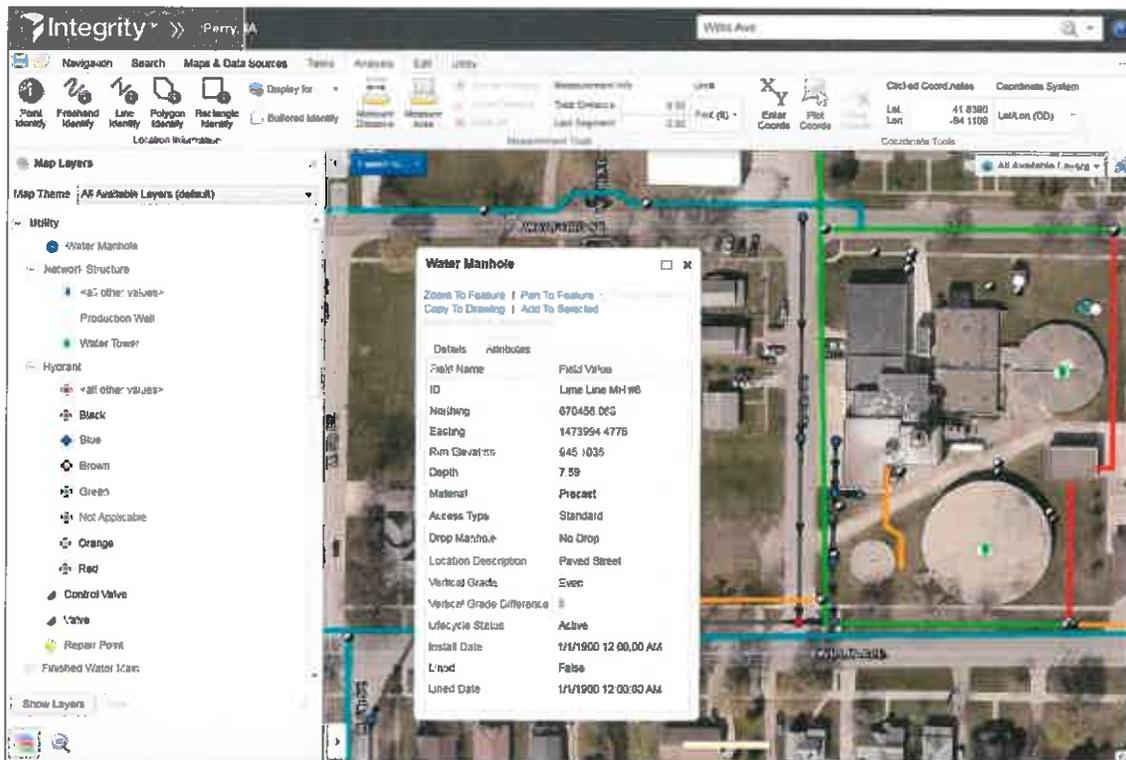
Since the company was founded in 2000, Midland GIS Solutions has grown to become the most qualified and diverse GIS development company in the Midwest and has developed more successful GIS programs in Missouri, Kansas, and Iowa than any other firm. In addition to the longevity of our firm, Midland GIS Solutions maintains a professional staff of project managers, web administrators, programmers, GIS technicians, GIS analysts and specialists, and dedicated GPS field staff.

Since 2005, Midland GIS Solutions has been a licensed reseller of Esri software and is an Esri Silver Business Partner. Midland GIS Solutions' personnel have extensive experience with Esri's ArcGIS software, utilize state-of-the-art software and GPS collection equipment, and routinely take advantage of the latest training opportunities, all significant steps towards efficiency in GIS data and web-based application development.

INTEGRITY™ GIS SOLUTIONS

INTEGRITY, POWERED BY GEOCORTEX®

Built on Esri technology, Integrity is Midland’s web-based and mobile GIS software solution to edit, maintain, and analyze GIS data. With built-in workflows for daily operations and utility asset management for municipal government, users can quickly access their mapping data on any computer or mobile device, increasing efficiencies in communication throughout various departments and to constituents. Midland GIS Solutions developed Integrity to provide our valued clients with a user friendly and cost effective tool to access and update their GIS data in a multi-user environment.



CORE COMPONENTS & FUNCTIONALITY

Integrity will provide the City of Mount Vernon with a variety of useful tools and features, which include production quality reports, advanced search and query functionality, and enhanced security. Users will have the ability to print large-format, high-resolution maps with data and mark-up using pre-defined print templates.

Integrity has built-in tools for measuring distances and areas, mark-up tools to draw shapes and add text or labels, and a tool to create buffer zones from a selection. Images, PDF documents, and any other media or hard copy maps can be linked to features mapped in the GIS program. The following pages outline features of the desktop version of Integrity, as well as the mobile (HTML5) version.

ASSET MANAGEMENT

Built in workflows for operations and maintenance activities allow users to track historical records and details about municipal activities. These workflows guide the user through the process of efficiently adding or viewing records. Additionally, Midland GIS Solutions can create custom workflows to fit specific municipal operations, and also integrate these workflows into reports.

LAYERS MENU

The layers menu in Integrity can easily be turned on and off and is accessible from the main toolbar. Individual data layers can also be turned on and off and the visibility of layers will be automatically adjusted based on the scale at which the map is viewed. The layers' menu is easily collapsible to allow maximum map viewing and also contains an option to "Show Legend" for map features shown.

NAVIGATION TOOLS

The Integrity interface has user-friendly navigation tools, with large, easy to read buttons, including full extent view, zoom in, zoom out, pan, previous extent, and next extent. Users can use buttons on the tool bars to navigate and can also use the scroll wheel on the computer mouse to zoom in and out. Options to zoom to feature and pan to feature are standard on all search and identify results windows.

BOOKMARKING

Integrity users can bookmark (save) any map, query, or drawing within the GIS website. The bookmark feature allows users to name their saved maps and queries and easily recall it in the current or future viewing session. Saved maps, queries or drawings can also be exported and emailed to others to view independently of the Integrity website. The number of bookmarks a user can create is unlimited and bookmarks can be deleted at any time. Bookmarks can be sorted by name and date in the "Bookmarks Window".

MEASURE TOOLS

With our user-friendly measure tools, Integrity users have the ability to measure areas and distances in various measurement units, including feet, yards, meters, kilometers, miles, and nautical miles. For area measurements, options include square feet, square yards, square meters, square kilometers, square miles, square nautical miles, acres and hectares. Users can toggle between different measurement units before *and* after measurements are completed.

SEARCH & QUERY

The search toolbar with autocomplete feature in Integrity allows users to quickly search the entire GIS dataset by parcel number, owner name, situs address, road name, subdivision, and Section-Township-

Range. Within the search results window, users can generate result tables and also zoom into one or all selected features on the map. All selected features are highlighted on the map. Users can also customize searches by creating specific search forms and query tasks. Advanced query tools allow users to add advanced and spatial filters to searches. Queries can be ran and saved, and an option for users to geocode addresses can be helpful to find intersections.

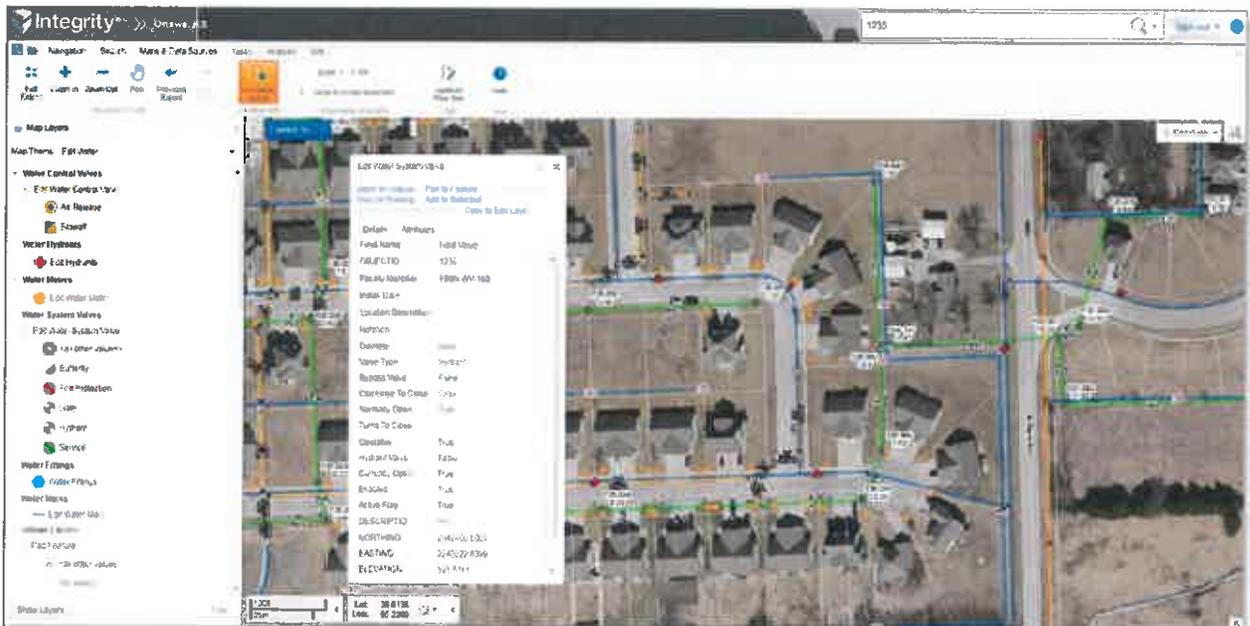
IDENTIFY FEATURE & BUFFERING

The identify toolbar allows the user to interactively select one specific feature or layer, or multiple features and layers on the map. The user has the option to identify by point, line, polygon, rectangle, or by freehand. The identify results are listed in the results window and all selected parcels are highlighted on the map. Search results can be refined to identify specific layers to search across (i.e. parcels, subdivisions, owner name, etc.).

Users have the option to define a buffer distance from identified features in the GIS website. Distance measurements for the buffer can be set to feet, yards, meters, kilometers, miles, and nautical miles. The buffer can be added to the mark-up and can also be previewed prior to adding it to the map view.

EDITING

Built-in features enable end users to create new features, edit geometry of existing features, and modify attribute data within the site. The editing tools are intuitive and include highly dynamic snapping capabilities. Editing is directly tied to feature class in the ArcSDE geodatabase. Users can edit data belonging to versioned geodatabase layers exposed in the application.



COORDINATES

With Integrity, users can turn coordinates on and off, and can receive this data in state plane, decimal degrees, or degrees minutes seconds. Users can also search for coordinates and zoom to a specified location.

MAP TIPS

Integrity provides users with a map tips, or quick identify tool. Map tips provide instant information on any parcel or feature and can easily be filtered to select what attribute information about a feature is displayed. Users can turn this feature on and off and "pin" as many map tips to the map as they would like. In addition to quickly accessing pertinent information about a selected feature, each map tip "pop-up" has a link to "add to selected" and "view additional details", which brings up the complete results window for that selected feature.

EXPORT FEATURE

Selected features within Integrity appear in the results window. When viewing the results window in "table view" there is an "export to CSV" option. This exported file can be saved for future use.

MARK-UP TOOLS

With our user-friendly mark-up tools, Integrity users have the ability to draw polygons, rectangles, arrows, circles, ellipses, and triangles using freehand and line methods. Text can be added with options to input font type, size, color and angle. Within the mark-up tools, users have the option to "undo" and "redo" mark-ups, edit drawings, erase drawings and clear all drawings. All map views with mark-up can be bookmarked, printed, or exported via email directly from the Integrity website.

INTERNAL & EXTERNAL MAP SERVICES

Integrity is capable of consuming all kinds of map and web services from internal and external sources. Users can link to external non-spatial databases, files, or web services and embed this data in reports, searches, and forms. Data linking also provides the ability to retrieve data from external data sources and link this information to attributes of spatial data, extending the reach and capability of your applications. Examples of external map services include Bing™ Maps and Google Maps™.

MAP PRINTING

Integrity users have a variety of printing options when creating a printable map. Print layouts can be selected for 8.5" x 11" and 11" x 17". Output formats can also be selected and include, PDF, TIF, BMP, GIF, JPEG or PNG. Map scales to choose from include current extent, current scale, 1" = 100', 1" = 200', and 1" = 400'. Users have the option to include a map title and notes. Quality resolutions can be determined by printer settings. Printed maps can also include a main map, legend, overview map, north arrow, logos or images, titles, copyright messages, mark-up and graphics, and scale and projection information.

ONLINE HELP & TUTORIALS

Online help and tutorials for administrators and users are provided through a Resource Center, as well as a Discussion Forum where users can post questions and suggestions. This online help and resource center provides information and instruction for all aspects of the Integrity GIS website and user interface.

MAILING LABELS

Midland GIS Solutions has created a template-based reporting tool that enables users to generate mailing labels when parcels have been selected. Options include two (2) and three (3) column mailing labels; however, this can be customized based on the needs of the client. The output format for this report is PDF.

REPORTING

Midland GIS Solutions can develop other template-based reports allowing you to easily generate commonly used reports that have been pre-configured by the administrator. Each template defines a standard layout for reporting on the layer's features, attributes, linked and computed data. Reports can be printed and/or exported. By saving your organization valuable employee time, you will be able to do more with your budgets and resources.

ADMINISTRATIVE TOOLS & SECURITY

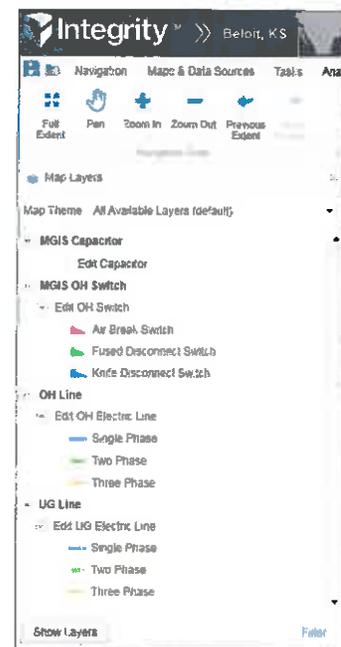
The Integrity web-based GIS platform gives site administrators the ability to manage public and private data layers, issue usernames and passwords for authorized users and track logins (recent and current) for the site.

Advanced security features provide you with the ability to grant or deny access to specific components or data layers of the GIS program. Similarly, the administrator can grant varying levels of authorization and access to certain data layers and editing capabilities.

THE INTEGRITY HTML5 "MOBILE" USER EXPERIENCE

Midland's Integrity desktop viewer developed on the Geocortex® platform provides advanced web mapping capabilities for GIS departments seeking to deploy feature-rich, user-centric web applications.

The viewer for HTML5 provides a complementary viewer geared towards providing simple, targeted web-mapping applications serving desktop browsers, tablets, and a broad array of handheld devices. HTML5 users can access data layers, navigate the map, search data, zoom to selected features, edit data, and so much more!



TECHNICAL WORK PLAN

WEB PAGE DOMAIN NAME REGISTRATION

Midland GIS Solutions will register an SSL domain name for the GIS website through GoDaddy.com. [SSL stands for Secure Sockets Layer and is the industry standard in security technology for establishing an encoded link between a web server and a browser to ensure that all data that passes between the server and browser remains private and protected.]

The suggested web domain will be: <https://mountvernon.integritygis.com>

Midland GIS Solutions will route the DNS (Domain Name Service) numbers to our dedicated web servers. Midland GIS Solutions will test the domain name once transferred to our web server for quality control purposes.

GIS WEBSITE DESIGN AND DEVELOPMENT

Midland GIS Solutions will setup an Integrity desktop GIS website and HTML5 Mobile GIS website for the City of Mount Vernon. The HTML5 mobile GIS website will allow the City to access the website via tablet and handheld devices. (e.g. iOS Apple, Android, & Windows mobile devices). **Midland GIS Solutions will utilize the existing "GIS ready" shapefile data and aerial photography provided by the City of Mount Vernon for the GIS website(s). Midland GIS Solutions does not guarantee the completeness of any GIS data not located and/or created by our firm, as it is displayed in Integrity.**

GIS WEBSITE HOSTING

Midland GIS Solutions will host the GIS website and GIS data on a Dell PowerEdge R710 web server. Midland GIS Solutions will set up a scheduled batch program that will automatically copy updated GIS data from the City's GIS server to our secured ftp server on a weekly basis.

Midland GIS Solutions maintains a secured, climate controlled server room with a dedicated fifty (50) MB upload and fifty (50) MB download speed fiber Ethernet connection. The server room is connected to a gas-powered generator to keep the web servers up and running in case of a power outage. In addition, Midland GIS Solutions provides a failover backup service for the GIS website, in the result of a catastrophic event to our web servers.

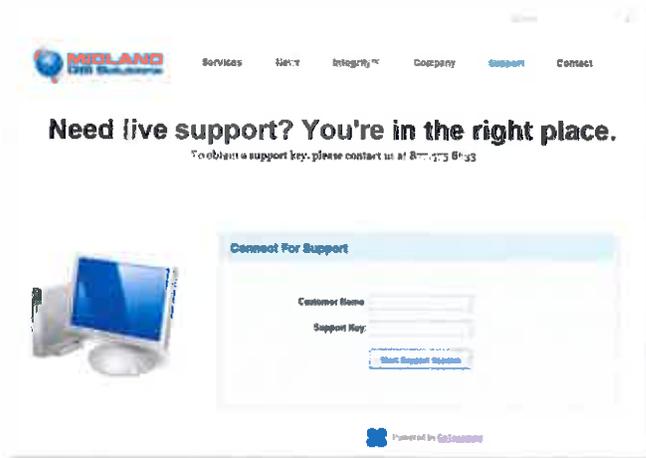


TRAINING & SUPPORT

Midland GIS Solutions provides comprehensive training and support for every level of service provided, including onsite and remote training for Midland's Integrity™ GIS solutions. Training and technical support provided for the GIS website(s) will include five(5) hours of onsite training to City staff as part of this project.

ADDITIONAL TRAINING & SUPPORT

Midland GIS Solutions will be available to provide additional training and support as needed after project completion. Additional remote or onsite training can be arranged for \$100.00/hour.



STARTING AND COMPLETION DATES

Midland GIS Solutions will have the Integrity GIS websites, both the desktop and HTML5/mobile platforms up and running within **four (4) weeks** upon acceptance of this agreement by the City of Mount Vernon.

No extension time shall be granted to Midland GIS Solutions unless the request for an extension is made in writing ten (10) days prior to the expiration date of this agreement. The request must be approved by the City of Mount Vernon and must be based on one or more of the following:

- Acts of nature that directly affects Midland GIS Solutions ability to perform.
- Acts of government agencies that may affect Midland GIS Solutions performance.
- Circumstances beyond the control of Midland GIS Solutions and not due to any negligence on the part of Midland GIS Solutions or its employees (fire, floods, emergencies, or delays brought about by others, etc.)

DEVELOPMENT AND HOSTING FEE

For the performance of the agreement by Midland GIS Solutions, the City of Mount Vernon shall pay Midland GIS Solutions the sum of **\$2,000.00** for setting up the Integrity HTML5 mobile GIS website and providing training to the city staff.

GIS website hosting in the amount of **\$3,600.00/year** will be invoiced to the City of Mount Vernon once the GIS website is officially up and running.

The City of Mount Vernon reserves the right to request additional work and changes where unforeseen conditions require changes and work beyond the scope of the project. In the event that the City requests additional work or changes, a supplement to this agreement shall be executed and submitted for the approval by the City prior to performing the additional/changed work or incurring any additional costs.

Any change in compensation shall be covered in the supplemental agreement. Midland GIS Solutions shall not be compensated for work the City does not require that is performed without the prior written approval by the City.

CONTRACT TERMS & CONDITIONS

THE TERMS AND CONDITIONS OF THIS AGREEMENT ("**TERMS & CONDITIONS**") APPLY TO ANY AND ALL USE OF THE SERVICE BY YOU AND YOU AGREE TO BE BOUND BY THESE TERMS AND CONDITIONS. This agreement, as amended from time to time (the "**Agreement**") is between you ("**you**", "**your**", "**Client**") and Midland GIS Solutions, including its authorized suppliers ("**MGIS**").

1. Hosted Service

MGIS will provide the Client and its authorized Users access to the Service during the Term, subject to the Terms and Conditions. Subject to Client's compliance with its obligations under this Agreement, MGIS hereby grants Client a non-exclusive license to: (i) access and execute the Software on MGIS's application server over the Internet; (ii) use the Documentation related to the Software or the other components of the Service; (iii) transmit data related to Client's use of the Software to and from MGIS's application server over the Internet and store such data on MGIS's application server; and (iv) access and use MGIS's User interface on its website.

2. Use and Access

- (a) Subject to the restrictions on use as set forth herein, Client will have access to the Service for its intended purpose and in accordance with the specifications set forth in any Documentation relating to the Service or Software provided by MGIS. Such use and access will be continuous on a twenty four (24) hour a day, seven (7) day a week basis except for interruptions by reason of maintenance or downtime beyond MGIS's reasonable control.
- (b) Client will not: (i) transmit or share identification or password codes to persons other than authorized Users; (ii) permit the identification or password codes to be cached in proxy servers and accessed by individuals who are not authorized Users; or (iii) permit access to the Service through a single identification or password code being made available to multiple users on a network.
- (c) Client will be responsible for all equipment and software required for Client to access the Internet including, without limitation, a web browser compatible with the Integrity Service.
- (d) Client agrees that its use of the Service will be in a manner consistent with this Agreement and with all applicable laws and regulations, including without limitation, all copyright, trademark, patent, trade secret and export control laws, as well as those laws prohibiting the use of telecommunications facilities to transmit illegal, obscene, threatening, harassing, or other offensive messages. Client acknowledges that MGIS is not responsible for any use or misuse of the Service by Client or its employees or contractors.

- (e) You expressly understand and agree that MGIS shall not be liable for any direct, indirect, incidental, special, consequential or exemplary damages, including but not limited to, damages for loss of profits, goodwill, use, data or other intangible losses resulting from: (i) the use or the inability to use the service; (ii) the cost of procurement of substitute goods and services resulting from any goods, data, information or services purchased or obtained or messages received or transactions entered into through or from the service; (iii) statements or conduct of any third party on the service; (v) or any other matter relating to the service.

3. Price and Payment

- (a) MGIS 's fees are exclusive of all taxes, levies, or duties imposed by taxing authorities, and you shall be responsible for payment of all such taxes, levies, or duties, excluding only taxes based solely on MGIS's income. If MGIS is required to pay or collect any federal, state, local, or value-added tax on any fees charged under this Agreement, or any other similar taxes or duties levied by any governmental authority, excluding taxes levied on MGIS's net income.

4. Term and Termination

- (a) The term of this Agreement will commence the day the web site interface for the Service is accessible to you via the Internet, and will continue for a period of one year, or as otherwise mutually agreed upon (the "**Term**"). Thereafter this Agreement will automatically renew for successive periods of the same duration as the initial Term ("**Renewal Term**") unless either party gives the other party not fewer than thirty (30) day notice of its intent not to renew, or unless terminated earlier under the terms contained within this Agreement.
- (b) Either party may terminate this Agreement for material breach, by the other party, provided, however, that the terminating party has given the other party at least twenty-one (21) days written notice of and the opportunity to cure the breach. Termination for breach will not preclude the terminating party from exercising any other remedies for breach available to it under law.

5. Ownership of Intellectual Property

- (a) Title to any and all proprietary rights in the Service components including, without limitation, the Software, MGIS's web site and user interface will remain in and be the exclusive property of MGIS.
- (b) Client will be the owner of all data or information created by Client and stored on MGIS's application servers (collectively, "Client Data").

6. INDEMNITY OF LICENSEE

CLIENT AGREES TO INDEMNIFY AND HOLD HARMLESS MGIS, ITS AFFILIATES, OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, CONTRACTORS, REPRESENTATIVES, SUCCESSORS AND ASSIGNS FROM AND AGAINST ANY AND CLAIMS, PROCEEDINGS, ACTIONS OR DEMANDS WHICH MAY BE BROUGHT AGAINST MGIS OR ANOTHER OF THE INDEMNIFIED PARTIES AND AGREE TO INDEMNIFY AND HOLD MGIS AND THE OTHER INDEMNIFIED PARTIES HARMLESS FROM AND AGAINST, ANY AND ALL LOSSES, DAMAGES, LIABILITIES, COSTS AND EXPENSES (INCLUDING, BUT NOT LIMITED TO, REASONABLE

ATTORNEYS FEES) REAL OR PERCEIVED, THAT OCCUR, OR THAT MGIS MAY SUFFER, SUSTAIN OR INCUR, AS A RESULT OF: CLIENT'S BREACHES OF THIS AGREEMENT. CLIENT WILL HAVE SOLE CONTROL OF THE INVESTIGATION, PREPARATION, DEFENSE AND SETTLEMENT OF ANY SUCH INFRINGEMENT CLAIMS AND MGIS SHALL MAKE REASONABLE EFFORTS TO PROVIDE COOPERATION AND ASSISTANCE IN ANY SUCH INVESTIGATION, PREPARATION, DEFENSE AND SETTLEMENT.

7. Applicable Law

This Agreement shall be subject to, construed by and enforced in accordance with the laws of Missouri and applicable federal laws without regard for its conflict of law principles and the parties agree to attorn to the exclusive jurisdiction of the Court of Nodaway County, Missouri.

8. Entire Agreement

This Agreement constitutes the entire agreement between the parties with respect to its subject matter, and supersedes all prior agreements, proposals, negotiations, representations or communications relating to the subject matter. Both parties acknowledge that they have not been induced to enter into this Agreement by any representations or promises not specifically stated herein.

9. Amendments

MGIS or and Mount Vernon may amend this Agreement by giving 30 days' notice of the proposed amendments, which notice may be provided by e-mail.

EXHIBIT A - SERVICE LEVEL AGREEMENT

This Service Level Agreement ("**Agreement**") sets forth the details regarding the level of service and technical support for the Service that apply when your account is in good financial standing.

1. Downtime

- (a) MGIS'S SERVICES ARE SUBJECT TO LIMITATIONS, DELAYS, AND OTHER PROBLEMS INHERENT IN THE USE OF THE INTERNET AND ELECTRONIC COMMUNICATIONS. MGIS IS NOT RESPONSIBLE FOR ANY DELAYS, DELIVERY FAILURES, OR OTHER DAMAGE RESULTING FROM SUCH PROBLEMS.

2. Software Upgrades

- (a) From time to time MGIS will release new versions of the Software and will automatically upgrade the Software to the latest version.

SUMMARY OF PROPOSED COSTS

Integrity Desktop & HTML5 Mobile GIS Website Development	_____	\$1,000.00
Onsite Staff Training	_____	\$1,000.00
Annual GIS Website Hosting	_____	\$3,600.00

**Includes 10 hours of technical support annually*

IN WITNESS WHEREOF, the parties hereto have set their hand to duplicates hereto this _____ day of _____ 2017.

APPROVED BY: CITY OF MOUNT VERNON, IOWA

Signature: _____

Printed name: _____

Title: _____

Signature: _____

Printed name: _____

Title: _____

APPROVED BY: MIDLAND GIS SOLUTIONS, LLC

By:  _____

Printed name: Kirk Larson

Title: Sr. Vice President

L. Discussion Items (No Action)

AGENDA ITEM # L – 1

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

DATE: December 4, 2017

AGENDA ITEM: Budget

ACTION: None

SYNOPSIS: This is a placeholder in case the City Council has any questions regarding the process or the current timeline.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: None

ATTACHMENTS: None

PREPARED BY: Chris Nosbisch

DATE PREPARED: 11/30/17

AGENDA ITEM # L – 2

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

DATE: December 4, 2017

AGENDA ITEM: Septic and Well

ACTION: None

SYNOPSIS: I have attached research that was conducted by our Intern on the question of septic and well use in the surrounding areas. It appears that a majority of communities require connections if the properties are located within a certain distance. With that being said, it does appear that most of the surrounding communities also allow for exceptions in certain circumstances. Staff would like to move forward with the creation of sample ordinances allowing both septic and wells (limited) for City Council consideration.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: None

ATTACHMENTS: Supporting Documents

PREPARED BY: Chris Nosbisch

DATE PREPARED: 11/30/17

Iowa City:

Only allows private wells and septic in City limit under the following conditions:

Water:

“The point of water use is greater than three hundred feet (300’) from an accessible distribution water main owned and controlled by the city.

The proposed private well is located outside the influence of an existing or proposed city owned well.

The proposed private well is needed due to extraordinary circumstances of the location of the property within the city which, if private ground water sources were not used, would work an extraordinary hardship on the property.”

Septic: (only allowed in nonresidential development)

“In association with such development there is the need for a lift station and force main which is an integral part of the private sanitary sewer collection system; and

The private sewer collection system is constructed in accordance with Iowa City design standards for public improvements on file in the office of the department of public works; and

A single legal entity is established and responsible for the perpetual maintenance of the private sanitary sewer collection system. (1978 Code 33-20.13; amd. 1994 Code)

Coralville:

Marion:

Cedar Rapids:

“The City of Cedar Rapids does not do any formal CU approvals for private wells and/or septic systems. These private systems are the exception not the norm. If the City utilities are within a certain distance they are required to be utilized. Jim Greene and Chris Strecker can provide more details.”

Bettendorf:

“Private Wells and septic systems are regulated by the Scott County Health Department...we will allow septic systems in our agriculturally zoned areas with their approval and sanitary sewer is not readily available...wells are allowed in all areas of the city with the appropriate health department permit.”

Davenport:

LeClaire:

DeWitt:

North Liberty:

City's policy is to not accept development that is outside area that can be served by city utility services. North Liberty also has an ordinance requiring septic systems and wells to be abandoned when city services are provided within 100 ft of the property line.

West Liberty:

West Branch:

Clinton:

Dubuque:

The city takes the same approach as many other cities by requiring all properties within 200' of public sanitary sewer to connect at their own expense. Where there is no sanitary sewer the city requires a lot size of 15,000 square feet for private sewage treatment systems to be installed on site, property must be zoned Agricultural or R-1, must be constructed before 2003, distance between the served dwelling and the public sanitary sewer is greater than 500 feet, and a private system can be installed in compliance with I.A.C. chapter 69. Of course construction permitting must also take place and private systems are allowed to operate up to 15 years if they are functioning properly. Wells are prohibited within corporate limits with 3 exceptions: building services department may issue a permit to construct a well for groundwater monitoring and/or gauging and/or environmental investigation, the city manager may issue a special exception permit for well construction where the manager deems connection to public water supply is not economically feasible (manager's authority also places conditions on installation, use, operation, and abandonment of wells), and if an investigative well or special exception permit is issued, all well services must be performed with an Iowa DNR certified well contractor as required by 567 Iowa administrative code chapter 82.

Muscatine:

Where there is not existing "extensive sewer system" the city has "an arrangement with the County to permit and manage them. If the property is grandfathered in and their system is or has failed, the city makes them hook onto the City's infrastructure pursuant to code."

Mount Pleasant:

"If the property is within 250' of city services they are required to hookup."

Camanche:

"Sand Point wells are allowed for external use only. There are some sand point wells on existing properties which are grandfathered in. Any new development requires city water and sewer hookup where the services are available. We are now realizing the problem this creates. Here is our dilemma. Many of those individual sand point connections are now being cross connected to the city water system and people are using them for internal use. It creates a problem because we are losing water revenue and we pay for sewer because we ship our sewage up to

Clinton. If they are using unmetered water and it goes down the sewer, then we pay for it but do not collect the revenue. I wish, in retrospect, the previous councils had the courage to eliminate the sand points all together. We are currently in process of developing an investigative method by which we have to seek out sand point wells being used internally. It's not fun."

Linn County:

Scott County:

"I will try to explain how septic and well permits are issued within incorporated cities of Scott County. We follow the IDNR's Chapter 69 states that if any building requiring sewage disposal is within 200 feet of a public wastewater treatment system, the building shall connect to that system. An exception would be made if connecting to the public supply is not economically or physically feasible. The County would be the permitting agency for all private septic systems within incorporated and unincorporated areas. Private water wells can be permitted in incorporated areas even if there is a public water supply available. There are certain occasions when a city will enter into a 28E Agreement with the County to restrict private well construction. These agreements allow the city to determine if a well can be drilled within their jurisdiction. There can also be restrictions set by the IDNR based on a wells location in relation to a LUST site. The County again would be the permitting agency for all private water wells."

M. Reports Mayor/Council/Admin.

**CITY OF MT. VERNON
CITY ADMINISTRATOR
REPORT TO THE CITY COUNCIL
December 4, 2017**

- City Hall staff extended the leaf pickup schedule by one week for those individuals that had their leaves out prior to the Thanksgiving holiday.
- Just a reminder that we will be meeting at 6:30 p.m. on Monday, December 11, 2017 to finish the Council goal setting session with Patrick Callahan.
- Thanks to Mother Nature, a vast majority of the sidewalk work under contract by the City has been completed.
- Staff held the consultation meeting for the Stonebrook urban renewal plan and received zero comments from the other taxing authorities.
- I will be in and out of the office Monday through Wednesday of next week for vacation.