

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:	February 22, 2017 – 6:30 PM
Web Page:	www.cityofmtvernon-ia.gov
Posted:	February 17, 2017

Mayor:	Jamie Hampton	City Administrator:	Chris Nosbisch
Mayor Pro-Tem:	Marty Christensen	City Attorney:	Robert Hatala
Councilperson:	Paul Tuerler	Assls. 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 – February 6, 2017 Regular Council Meeting

- E. Public Hearing**

- 1. None

- F. Ordinance Approval/Amendment**

- 1. An Ordinance Adopting Chapter 117 Operating a Perpetual Care Cemetery of the Mt. Vernon Municipal Code
 - i. Motion to approve second reading and proceed to the third and final reading (Council may suspend rules and proceed to third and final reading after vote of second reading)
- 2. An Ordinance Amending the Mt. Vernon Comprehensive Plan and Rezoning Property Located at 718 First Ave. NE from LI (Light Industrial) to TR (Traditional Residential), Mt. Vernon, Iowa
 - i. Motion to approve second reading and proceed to the third and final reading (Council may suspend rules and proceed to third and final reading after vote of second reading)

- G. Resolutions for Approval**

- 1. Resolution #2-22-2017A: Notice of Proxy Representation at the 2017 Annual Meeting of the Members of the Lisbon-Mt. Vernon Ambulance Service

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 Purchasing Chalk for the Chalk the Walk Festival – Community/Recreation Center - Council Action as Needed
3. Discussion and Consideration of Purchasing Soccer Goals for Parks and Recreation Program - Council Action as Needed

K. Reports to be Received/Filed

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

L. Discussion Items (No Action)

1. Mt. Vernon Garbage Contract
2. FY 2018 Budget Discussions

M. Reports of Mayor/Council/Administrator

1. Mayor's Report
2. Council Reports
3. Committee Reports
4. City Administrator's Report

N. Closed Session – Pursuant to Chapter 21.5 (1) J., the City Council may enter into closed session, "To discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property."

1. Exit Closed Session

O. 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

February 6, 2017
City Council Minutes
213 1st Street NW
Mount Vernon, Iowa 52314

The Mount Vernon City Council met February 6, 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 to approve the Agenda by Wieseler, seconded by Rose. Carried all.

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

1. Approval of City Council Minutes – January 18, 2016 (rescheduled) Regular Council Meeting
2. Approval of Liquor License – Wilkie Liquors
3. Approval of Liquor License – Scorz Bar and Grill
4. Approval of Liquor License – Kernoustie Golf Club
5. Approval of Liquor License – C & D Lounge
6. Appoint Lori Lynch & Charles Halsey - Mt. Vernon-Lisbon-Ambulance Board
7. Mike Woods – American Legion Update

Public Hearings

Public Hearing for an Amendment to the FY 2016-2017 City Budget. Staff is asking to amend the FY17 budget to included \$179,782 in new revenue and \$448,960 in expenditures. Mayor Hampton declared the public hearing open. Close public hearing – Proceed to G-1. With no comments from the public Mayor Hampton closed the public hearing.

Public Hearing for an Ordinance Adopting Chapter 117 Operating a Perpetual Care Cemetery. As discussed at a previous council meeting this ordinance was created from preferred language provided by the State. Mayor Hampton declared the public hearing open. Close public hearing – Proceed to F-1. As there were no comments from the public Mayor Hampton closed the public hearing.

Public Hearing for a Request to Rezone Property Located at 718 First Ave. NE from LI (Light Industrial) to TR (Traditional Residential). Council was given a copy of the report that was submitted to the Planning and Zoning Commission and a letter of recommendation from P&Z chair Richard Peterson. Mayor Hampton declared the public hearing open. Close public hearing – Proceed to F-2. As there were no comments from the public Mayor Hampton closed the public hearing.

Ordinance Approval/Amendment

An Ordinance Adopting Chapter 117 Operating a Perpetual Care Cemetery of the Mt. Vernon Municipal Code. Motion to approve first reading and proceed with second reading (Council may suspend rules and proceed to third and final reading after vote of first reading). Rose motioned to approve the first reading of an Ordinance Adopting Chapter 117 Operating a Perpetual Care Cemetery of the Mt. Vernon Municipal Code, seconded by Wieseler. Roll call vote. Carried all.

An Ordinance Amending the Mt. Vernon Comprehensive Plan and Rezoning Property Located at 718 First Ave. NE from LI (Light Industrial) to TR (Traditional Residential), Mt. Vernon, Iowa. Motion to approve first reading and proceed with second reading (Council may suspend rules and proceed to third and final

reading after vote of first reading). Tuerler motioned to approve the first reading of an Ordinance amending the Mt. Vernon Comprehensive Plan and Rezoning property located at 718 First Ave NE, seconded by Rose. Roll call vote. Carried all.

Resolutions for Approval

Resolution #2-6-2017A Approving the Amendment to the FY 2016-2017 City Budget. Christensen made a motion to approve Resolution #2-6-2017A, seconded by Rose. Roll call vote. Carried all.

Resolution #2-6-2017B Approving the Sponsorship of a Grant from CDG.

CDG is asking Council to consider sponsoring a \$10,000.00 grant through the Greater Cedar Rapids Community Foundation. CDG does not qualify as an applicant for the grant on their own, as they are not a 501c3 tax exempt status. If the grant is approved the City would act as a conduit for the funds and would be responsible for the close out reports although CDG assured the City that they would fulfill all obligations under the grant program. Motion to approve Resolution #2-6-2017A made by Christensen, seconded by Tuerler. Roll call vote. Carried all.

Motions for Approval

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

AHLERS & COONEY P.C.	2009A GO BOND/EARLY PAYOFF	947.38
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	1,104.48
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	50.21
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	32.28
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	22.12
ALLIANT IES UTILITIES	ENERGY USAGE-EMA,SEW	2,752.96
ARCH CHEMICALS INC	CHLORINATOR REPAIRS-POOL	311.08
AVENET LLC	WEBSITE HOSTING,MAINT,SUPPORT	650.00
BANKERS TRUST COMPANY	2009A GO BOND/EARLY PAYOFF	101,010.42
BARNYARD SCREEN PRINTER LLC	T-SHIRTS-P&REC	240.00
BARNYARD SCREEN PRINTER LLC	T-SHIRTS-P&REC	227.00
BAUMAN AND COMPANY	UNIFORMS-ALL DEPTS	72.95
BRADLEY HAUGE CPA	PROFESSIONAL SERVICES-P&A,PW	545.00
BROWN PLUMBING COMPANY	REPAIR/CLEAN DRAIN-P&A	107.00
BROWN SUPPLY COMPANY	MAIN REPAIR SUPPLIES-WAT	564.20
CAMPBELL SUPPLY CEDAR RAPIDS	IMPACT DRIVER,CUTOFF WHEEL	406.14
CAMPBELL SUPPLY CEDAR RAPIDS	SAWZALL BLADE-RUT	96.92
CAMPBELL SUPPLY CEDAR RAPIDS	WINTER GLOVES-PW	62.33
CAREPRO PHARMACY	SUPPLIES-P&A	10.76
CARGILL INCORPORATED	SALT-RUT	6,631.17
CARQUEST OF LISBON	VEHICLE MAINT-PW	408.01
CARTER RODMAN	REFEREE-P&REC	135.00
CARTER RODMAN	REFEREE-P&REC	30.00
CENTURY LINK	PHONE CHGS-P&A, WAT	549.90
CHRIS NOSBISCH	MILEAGE-P&A	85.22
CITY OF MOUNT VERNON	TRANSFER	101,010.42
COGRAN SYSTEMS	ON LINE REGISTRATION FEES-P&REC	102.00
COMMUNITY DEVELOPMENT GROUP	EDUCATION-ECON DEV	275.00
CY'S TREE SERVICE	STUMP GRINDING-RUT	425.00
DEPOSIT REFUNDS	DEPOSIT REFUND-WAT	30.12
DIESEL TURBO SERVICES INC	VEHICLE REPAIRS-PW	362.93
DIESEL TURBO SERVICES INC	VEHICLE REPAIRS-PW	360.20
DIESEL TURBO SERVICES INC	HEADLIGHT SWITCH/'98 DUMP	188.25
DIESEL TURBO SERVICES INC	BATTERY/MINI EXCAVATOR-PW	165.95

DONNY FEDDERSON	UNIFORMS-ALL DEPTS	44.99
DONNY FEDDERSON	U-BOLT-RUT	7.77
ELECTRIC PUMP	COMMUNICATION MODEM-SEW	1,922.33
ELECTRONIC ENGINEERING CORP	INFORMATION SYSTEMS-PW	319.60
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	120.00
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
FUTURE LINE TRUCK EQUIPMENT	CHAIN BELT-PW	418.81
GARY'S FOODS	SUPPLIES-P&REC	19.84
GORDON LUMBER COMPANY	BLDG SUPPLIES-RUT	224.25
GROUP SERVICES INC	INSURANCE-ALL DEPTS	29,305.62
IOWA DEPT OF PUBLIC SAFETY	ON LINE WARRANTS-PD	300.00
IOWA ONE CALL	LOCATES-WAT,SEW	21.60
IOWA SOLUTIONS INC	DBR BACKUP-ALL DEPTS	350.00
IOWA WORKFORCE DEVELOPMENT	CLAIM	1,120.00
JAY A ARNOLD	REFEREE-P&REC	120.00
JAY A ARNOLD	REFEREE-P&REC	30.00
JOAN BURGE	CLEANING SERVICE-P&A	120.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
JORDAN AXTELL	REFEREE-P&REC	120.00
JORDAN AXTELL	REFEREE-P&REC	30.00
KIRK, BILL	UNIFORMS-PW	164.99
KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE PLAN/COPIES	383.32
KURT PISARIK	UNIFORMS-PW	44.99
LINN CO-OP OIL CO	FUEL-PW	2,221.29
LINN COUNTY PLANNING & DEV	BLDG PERMIT FEES/INSPECTIONS	456.00
LINN COUNTY PLANNING & DEV	BLDG PERMIT FEES/INSPECTIONS	951.00
LYNCH FORD	5K MI MAINT-PD	130.67
MARY EVANS	RUG-MVHPC	139.07
MATT SIDERS	MILEAGE-P&REC	72.23
MIDWEST WHEEL CO	GREASE-RUT	33.70
MOUNT VERNON BANK	NSF CHECK-WAT	64.56
MOUNT VERNON LISBON SUN	ADS/PUBLICATIONS-ALL DEPTS	1,334.51
MOUNT VERNON POLICE RESERVES	SPECIAL EVENTS-PD	6.00
MUNICIPAL SUPPLY INC	TOUCHPAD-WAT	105.00
MV ACE HARDWARE	SUPPLIES-ALL DEPTS	1,151.45
NEAL'S WATER CONDITIONING SERV	WATER/SALT-RUT,P&A	53.90
OFFICE EXPRESS	TONER,CLIPBOARD-P&A,PW	820.87
PAYROLL	CLAIMS	55,377.74
PERSONAL TOUCH EMBROIDERY	UNIFORMS-PW	13.00
PITNEY BOWES	POSTAGE METER RENTAL-ALL DEPTS	141.00
POSTMASTER	UTIL BILL POSTAGE-WAT,SEW,SW	373.90
RACOM CORPORATION	ANTENNA,CABLE ASSEMBLY-PD	76.08
RATHJE CONSTRUCTION	SEWER REPAIR-SEW	6,321.37
SAM KRINGLEN	REFEREE-P&REC	75.00
SAM KRINGLEN	REFEREE-P&REC	30.00
SCHIMBERG COMPANY	DOWNSPOUT-RUT	12.32
SIMMERING CORY-IA CODIFICATION	CODE UPDATES-P&A	297.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEE-P&A	1,065.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	90.00
SPRINGER PEST SOLUTIONS CORP	PEST CONTROL-P&A	30.00
ST LUKE'S WORK WELL SOLUTIONS	DRUG TEST-WAT,SEW	20.00
STAPLES ADVANTAGE	TONER-ALL DEPTS	454.83
TASER INTERNATIONAL	CARTRIDGE-PD	188.76
TEMP VENDOR	TRAINING-PD	75.00
TRANS IOWA EQUIPMENT INC	SIDE BROOMS/2000 PELICAN-RUT	34.06

TREASURER STATE OF IOWA	SALES TAX	3,938.00
UNITYPOINT CLINIC-OCCUPATIONAL	MEMBERSHIP DUES-PW	50.00
US BANK	CREDIT CARD PURCHASES	2,364.24
US CELLULAR	CELL PHONE-ALL DEPTS	313.82
US CELLULAR	CELL PHONE-PD	116.17
VEENSTRA & KIMM INC	2016 HWY 30 TRAIL DESIGN	13,500.00
VEENSTRA & KIMM INC	VERIZON TOWER LEASE-P&A	1,756.67
VEENSTRA & KIMM INC	CITY ENGINEERING GENERAL	1,691.00
VEENSTRA & KIMM INC	NATURE PARK TRAIL PRELIM	624.00
VEENSTRA & KIMM INC	LANGES SINCLAIR IDNR UTILITY	324.00
VEENSTRA & KIMM INC	WASTEWATER FACILITY PLAN	9,687.95
VOLKOV, ALEX	UNIFORMS-WAT,SEW	214.00
WAPSI WASTE SERVICE	GB,RECY,LEAF-SW	22,597.61
WAPSI WASTE SERVICE	RECY-SW	1,115.68
WAPSI WASTE SERVICE	RECY-SW	774.82
WENDLING QUARRIES	MAIN BREAKS-WAT	852.90
WENDLING QUARRIES	ROCK-WAT	106.70
	TOTAL	387,523.38

Discussion and Consideration of 28E Agreement for Mutual Assistance for Linn County Fire/Rescue Services - Council Action as Needed. Nobsisch said that he has discussed this with Fire Chief Nathan Goodlove and neither one of them have any concerns with the agreement. Motion to approve the 28E Agreement for Mutual Assistance for Linn County Fire/Rescue Services made by Christensen, seconded by Wieseler. Carried all.

Discussion and Consideration of An Engineering Services Agreement with V&K Engineering – 10th and Palisades Intersection Improvements - Council Action as Needed. V&K Engineering submitted an engineering services agreement for the Palisades Road and 10th Ave intersection improvements. The cost will be \$27,000.00 for design through construction review. Rose asked if the topographic surveying had been completed to which Nobsisch said it has not. Rose pointed out that the date then on Exhibit B-1 should be changed. Council noted a few other changes that Nobsisch will take care of. Tuerler motioned to approve the Engineering Services Agreement with V&K Engineering, seconded by Roudabush. Carried all.

Discussion and Consideration of the Recommendation for Architecture Services for the Proposed Mt. Vernon Community/Recreation Center and Instructing Staff to Enter into Contract Negotiations – Council Action as Needed. The architecture sub-committee has reviewed the RFQ's and interviewed potential firms for the community/recreation center project. Ten firms submitted RFQ's and four were selected to be interviewed. The interviews were conducted January 30, 2017. The committee is recommending that Council and staff negotiate with OPN architects for the design of the facility. If for some reason things don't work out with OPN the committee will have to go through the process again because there was not a unanimous second choice. Phase 1, the first schematic design cost estimate is \$19,500.00 and they are hoping to have it completed by May 1st. If Council decides to move forward with OPN the Phase II cost will be a percentage of the overall cost. Wieseler motioned to go forward with the architecture services of OPN for the Mt. Vernon Community/Recreation Center, seconded by Tuerler. Carried all.

Discussion and Consideration Citizen Request for Action – Follow-up on Convex Mirror Request – Council Action as Needed. A request for action was received regarding the installation of convex mirrors at the intersection of 1st Street and 2nd Avenue. V&K engineer Dave Schechinger was consulted. He did not recommend using convex mirrors because they distort the distance the lenses create plus the mirrors

themselves have limited sight distance. They do not always provide a complete field of view, especially with regard to moving objects. No action taken.

Discussion and Consideration of February 20, 2017 Council Meeting – Council Action as Needed. Because February 20th is a holiday for City Hall Staff Council was asked if they wanted to move the meeting. Christensen moved to change the meeting date to February 22, 2017, seconded by Tuerler. Carried all.

Discussion and Consideration of Change Order #6 for 1st St. and 1st Ave Lighting Project – Ricklefs Excavating LTD – Council Action as Needed. Staff has been working with Anderson Bogert to close out the 1st and 1st intersection improvements. After much discussion the final change order for \$3,272.60 was agreed upon. Motion to approve change order #6 to Ricklefs Excavating made by Christensen, seconded by Tuerler. Carried all.

Discussion and Consideration Pay Application #4 for 1st Ave. and 1st St. – Ricklefs Excavating LTD – Council Action as Needed. This is the final pay application for the 1st Ave and 1st Street lighting project. The pay application is for \$25,735.92 and includes Change Order #6. Motion to pay Application #4 made by Rose, seconded by Wieseler. Carried all.

Discussion and Consideration of a Motion to Set a Public Hearing Date for March 6, 2017 to Approve the City of Mt. Vernon Fiscal Year 2017-2018 Proposed Budget – Council Action as Needed. Motion to set the public hearing date for March 6, 2017 to approve the City of Mt. Vernon FY18 proposed budget made by Tuerler, seconded by Rose. Carried all.

Discussion Items (No Action)

Demolition Ordinance. Roudabush started the discussion by saying that he would like to see a date set instead of the 50 years old or older permit requirement. Explaining this he said that if a house is 50 years old and does not have historical or architectural value it shouldn't when it turns 51 years old. He suggested that a date a home is built, such as homes built after 1960 be exempt from the ordinance and if for some reason a historical event took place at one of these newer homes it could be included and placed under the protection of the ordinance. Rose disagreed with this stating that the Civil War houses, when they were built, weren't significant in any way. It's the fact that they lasted since the 1840's or 60's that makes them significant. By putting in the 50 year criteria it moves with each date. If a year/date, as suggested (1960), is used in one hundred years those houses are going to be significant but won't be protected under the ordinance. Christensen said that he agreed with the 50 year sliding timeline. Roudabush reminded all that this ordinance will affect all homes in Mount Vernon, not just those in the historical districts. With the different opinions of the content of the ordinance Christensen asked the question what the intent of the ordinance was and suggested that there should be a legislative process in place before an ordinance comes to a vote. Council agreed to have a work session on February 27, 2017 to continue discussing the benefits and criteria of a demolition ordinance.

FY 2018 Budget Discussions. Budget discussions continued with Nobsch explaining the submitted requests from various groups asking for City support, how employee wages were distributed and fund balances. Nobsch said that this budget keeps the tax levy at \$12.99, allows for about \$2 million in projects to be completed and the debt capacity continues to be bought down.

Reports of Mayor/Council/Administrator

City Administrator's Report. The City is trimming oak trees; residents will be receiving a notice if their tree is trimmed. Staff attended and IMWCA workshop in Maquoketa. The thaw/freeze of winter has led a few water main breaks. Staff will be attending the February 13 MV School Board meeting to present a number of items such as intersection improvements, potential community center and franchise fees.

Adjournment. As there was no further business to attend to the meeting adjourned, the time being 9:25 p.m., February 6, 2017.

Respectfully submitted,
Sue Ripke
City Clerk

F. Ordinance Approval/Amendment

AGENDA ITEM # F - 1

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

DATE:	February 22, 2017
AGENDA ITEM:	Ordinance – Perpetual Care Cemetery
ACTION:	Motion

SYNOPSIS: Staff has not received any written or verbal communication on this ordinance.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Ordinance

PREPARED BY: Chris Nosbisch

DATE PREPARED: 2/16/17

Prepared by:	City of Mt. Vernon, City Hall, Chris Nosbisch, City Administrator	213 First St. NW, Mt. Vernon, IA 52314 (319) 895-8742
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ORDINANCE # _____

**AN ORDINANCE ADOPTING CHAPTER 117, OPERATING A PERPETUAL CARE
CEMETARY OF THE CITY OF MT. VERNON MUNICIPAL CODE**

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

SECTION 1. ADOPTION. The Mt. Vernon Municipal Code is hereby amended to include the language set forth in Exhibit "A," attached hereto and made a part thereof.

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

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

Approved and adopted this _____ day of _____, 201__.

ATTEST:

Jamie Hampton - Mayor

Sue Ripke – City Clerk

I certify that the foregoing was published as
Ordinance # _____ on the _____ day of _____, 201__.

Sue Ripke, City Clerk

Exhibit "A"

CHAPTER 117

OPERATING A PERPETUAL CARE CEMETERY

117.01 Trusteeship

117.02 Establishment of Trust Fund

117.03 Sale of Internment Rights

117.04 Perpetual Care Registry

117.01 TRUSTEESHIP. Pursuant to section 523I.502 of the Code of Iowa, the City of Mt. Vernon, Iowa hereby states its willingness and intention to act as the trustee for the perpetual maintenance of interment spaces in Mt. Vernon Cemetery.

117.02 ESTABLISHMENT OF TRUST FUND. A perpetual trust is hereby established for the Mt. Vernon Cemetery in accordance with Iowa Code chapter 523I, the Iowa Cemetery Act. A restricted fund is created, to be known and designated as the "perpetual care cemetery fund," which shall be funded by the deposit of an amount equal to or greater than twenty percent of the gross selling price, or \$50.00, whichever is more, for each sale of lots within the cemetery. The fund shall be administered in accordance with the purposes and provisions of Iowa Code chapter 523I.

The perpetual care cemetery fund shall be maintained separate from all operating funds of the cemetery and the principal of the fund shall not be reduced voluntarily except as specifically permitted by the Iowa Cemetery Act and applicable administrative regulations.

117.03 SALE OF INTERMENT RIGHTS. The sale or transfer of interment rights in the cemetery shall be evidenced by a certificate of interment rights or other instrument evidencing the conveyance of exclusive rights of interment upon payment in full of the purchase price. The agreement for interment rights shall disclose all information required by the Iowa Cemetery Act, including the amount or percentage of money to be placed in the perpetual care cemetery fund.

117.04 PERPETUAL CARE REGISTRY. The cemetery shall maintain a registry of individuals who have purchased interment rights in the cemetery subject to the care fund requirements of the Iowa Cemetery Act, including the amounts deposited in the perpetual care cemetery fund

AGENDA ITEM # F - 2

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

DATE:	February 22, 2017
AGENDA ITEM:	Ordinance – Rezoning 718 First Ave. NE
ACTION:	Motion

SYNOPSIS: Staff has not received any written or verbal communication on this ordinance.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Ordinance

PREPARED BY: Chris Nosbisch

DATE PREPARED: 2/16/17

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

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

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN AND OFFICIAL ZONING MAP TO REZONE CERTAIN PROPERTY FROM LI LIGHT INDUSTRIAL DISTRICT, TO TR TRADITIONAL RESIDENTIAL RESIDENTIAL DISTRICT

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

SECTION 1. PURPOSE. The purpose of this ordinance is to amend the Comprehensive Plan for the City of Mt. Vernon and change the Official Zoning Map of the City of Mt. Vernon, Iowa, under the provisions of Article 4 (b.), Changes to the Official Zoning Map of the Mt. Vernon Municipal Code.

SECTION 2. OFFICIAL ZONING MAP AMENDED. The official zoning map of the City of Mt. Vernon, Iowa is amended from LI Limited Industrial to TR Traditional Residential District:

Legal Description

All That Part of Lot 1, Block 4, Cornell Addition to Mt. Vernon in Linn County, Iowa, Lying W-ly of Mt. Vernon Shortline Railway Right of Way

SECTION 3. VIOLATIONS AND PENALTIES. Any person who violates the provision of this Ordinance upon conviction shall be punished as set forth in the Municipal Code of the City of Mt. Vernon, Iowa.

SECTION 4. OTHER REMEDIES. In addition to the provisions set out in Violation and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

SECTION 5. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. SEVERABILITY CLAUSE. In any section, provision, 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 section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Approved and adopted this ____ day of August, 2017.

ATTEST:

Jamie Hampton - Mayor

Sue Ripke – City Clerk

I certify that the foregoing was published as Ordinance No. ____ on the ____ day of _____, 2017.

Sue Ripke, City Clerk

G. Resolutions for Approval

AGENDA ITEM # G – 1

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

DATE:	February 22, 2017
AGENDA ITEM:	Resolution – Proxy Representation
ACTION:	None

SYNOPSIS: This is an annual resolution giving proxy representation to the four members appointed by the Council.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Resolution

PREPARED BY: Chris Nosbisch

DATE PREPARED: 2/16/17

RESOLUTION _____
NOTICE OF PROXY REPRESENTATION
AT THE 2017 ANNUAL MEETING OF THE MEMBERS
OF THE LISBON – MT VERNON AMBULANCE SERVICE

The incorporated City of Mt Vernon, Iowa, member of the Lisbon – Mt Vernon Ambulance Service, by action of its Town Council,

- a) *has waived notice of the 2017 Annual Meeting of the members of the Lisbon – Mt Vernon Ambulance Service, and*

- b) *has given Proxy to Jules Scadden-Executive Director present at the annual meeting of the Lisbon-Mt Vernon Stakeholders with full power and authority to act at this meeting in the place of the Town Council for the sole purpose of appointing the individuals as Directors of the Lisbon – Mt Vernon Ambulance Service. The following individuals request to be appointed as representatives to the Board of Directors of Lisbon-Mount Vernon Ambulance Service on behalf of the City of Mount Vernon and may be appointed unless otherwise stated by the Town Council:*

- 1. *Doug Shannon*
- 2. *Charles Halsey*
- 3. *Derek Boren*
- 4. *Lori Lynch*

The above waiver of notice and appointment of Directors has been approved by Resolution No. _____ of the Town Council, duly adopted and recorded in the minutes of _____, 2017.

This proxy is valid only for the 2017 annual meeting and may be cast only for the appointment of the Directors named above.

(X) _____

Name _____

Position _____

Date _____

J. Motions for Approval

CITY OF MOUNT VERNON CLAIMS FOR APPROVAL, FEBRUARY 22, 2017

PAYROLL	CLAIMS	53,465.88
RICKLEFS EXCAVATING	1ST STREET INTERSECTION	25,735.92
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	3,233.72
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	3,085.57
ALLIANT IES UTILITIES	ENERGY USAGE-RUT	2,105.25
STATE HYGIENIC LAB	TESTING-SEW	1,897.50
WEX BANK	FUEL-PD,PW	1,259.92
ECICOG	ZONING ORDINANCE UPDATE-P&A	830.00
IOWA ASSOC OF MUNICIPAL UTIL	MEMBERSHIP-PW	792.45
ALLIANT IES UTILITIES	ENERGY USAGE-P&A	706.98
DIESEL TURBO SERVICES INC	VEHICLE REPAIRS-PW	597.18
ALLIANT IES UTILITIES	ENERGY USAGE-PD	452.66
RACOM CORPORATION	P-25 RADIO-FD	419.32
NATHAN GOODLOVE	FIRE CHIEF PAY-FD	416.67
STORM STEEL	4X8 STEEL SHEETS-RUT	336.75
DIESEL TURBO SERVICES INC	F450 BLOWER,MOTOR-RUT	187.56
ALLIANT IES UTILITIES	ENERGY USAGE-FD	187.41
DIESEL TURBO SERVICES INC	FITTINGS '14 DT PLOW-RUT	163.36
WENDLING QUARRIES	SAND/MAIN BREAKS-WAT	160.89
JAY A ARNOLD	REFEREE-P&REC	135.00
SAM KRINGLEN	REFEREE-P&REC	135.00
SCHIMBERG COMPANY	SOCKET SET-WAT	120.90
CAMPBELL SUPPLY CEDAR RAPIDS	GRINDING WHEELS,GLOVES-RUT	111.82
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	97.99
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	86.34
CHRIS NOSBISCH	MILEAGE-P&A	75.60
ALLIANT IES UTILITIES	ENERGY USAGE-POOL	69.94
CARTER RODMAN	REFEREE-P&REC	60.00
HUNTER HORMANN	REFEREE-P&REC	60.00
JORDAN AXTELL	REFEREE-P&REC	60.00
AIRGAS INC	CYLINDER RENTAL FEE-PW	57.32
MIDWEST WHEEL CO	CHIP BOX MAINT-RUT	40.80
UNITYPOINT CLINIC	DRUG TESTING-WAT,SEW	37.00
CENTURY LINK	PHONE CHGS-PD	36.85
DES MOINES STAMP	NOTARY STAMP-P&A	31.80
PACE SUPPLY	CHALK-SEW	25.00
SUE RIPKE	MILEAGE-P&A	18.36
DIESEL TURBO SERVICES INC	AIR HOSE-RUT	6.38
	TOTAL	97,301.09

AGENDA ITEM # J - 2

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

DATE:	February 22, 2017
AGENDA ITEM:	Chalk the Walk Purchase
ACTION:	None

SYNOPSIS: The chalk for the Chalk the Walk event is an annual expense. The City receives the revenue from the re-sale of the event chalk to off-set its capital outlay. The chalk sold out at last year's event, so the City will be purchasing \$4,000 worth of chalk this year. Individual quotes will be provided to the Council prior to the meeting.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: Parks and Rec

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: None

PREPARED BY: Chris Nosbisch

DATE PREPARED: 2/16/17

AGENDA ITEM # J – 3

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

DATE: February 22, 2017

AGENDA ITEM: Soccer Goals

ACTION: None

SYNOPSIS: The Council earmarked \$8,000 in FY 2017 for the purchase of new and replacement soccer goals. Staff is looking to purchase both full-size and youth soccer goals. Individual quotes will be provided to the Council at the meeting. One item of note, the youth goals, in order to match existing, can only be found through one vendor (there will only be one quote provided).

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: Parks and Rec

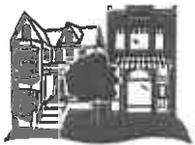
MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: None

PREPARED BY: Chris Nosbisch

DATE PREPARED: 2/16/17

K. Reports-Received/File



**Mount
Vernon**
IOWA

Chris Nosbisch, City Administrator
Doug Shannon, Chief of Police

Jamie Hampton, Mayor

Council:

Eric Roudabush
Paul Tuerler
Marty Christensen
Scott Rose
Tom Wieseler

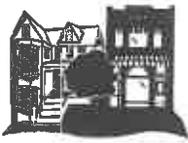
JANUARY 2017
POLICE REPORT

Vehicle Collisions

There were 7 reported collisions in January. Three of the collisions occurred at the Hwy 1 & 30 roundabout. One of the collisions was the result of an impaired driver attempting to pass a vehicle in the divided approach for Hwy 1 southbound at Hwy 30. The driver sideswiped the vehicle and continued without stopping. Our officers stopped the driver of the striking vehicle, determined he was operating his vehicle while impaired, and arrested the driver for OWI-drugged, and traffic offenses. No injuries resulted in this collision, and damage was estimated at \$10,000. The second collision in the intersection occurred when a vehicle was maneuvering the roundabout and proceeding north on Hwy 1 and was struck by a vehicle travelling west on Hwy 30 that failed to yield before entering the roundabout. No injuries were reported and damage was estimated at \$4,000.00. The third collision at Hwy 1 & 30 was the result of a car and a semi travelling north on Hwy 1. As the passenger car was preparing to continue east on Hwy 30, the semi continued North on Hwy 1. As the semi entered the roundabout, the trailer swung collided with the passenger car. No injuries were reported and damage was estimated at \$1,500.00. The fourth collision occurred at the Cornell Sports Complex parking lot. This collision was the result of a vehicle backing out of a parking spot and colliding with a vehicle travelling through the lot. The vehicle travelling through the lot left the scene without reporting the collision. No injuries were reported and damage was estimated at \$1,500.00. The fifth collision occurred in the South City Parking lot when 2 vehicles were parked in the lot. Due to icy conditions, one vehicle slid into the other while parked and unoccupied. Damage was estimated at \$650.00. The sixth collision occurred at Guppies Convenience Store. This collision was the result of a vehicle backing into a parked car in the parking lot. No injuries were reported and damage was estimated at \$3,500.00. The seventh collision occurred on MacGregor Lane. This collision was the result of an unknown vehicle striking a parked car, and pushing the vehicle into another. The striking vehicle failed to report the incident. The two parked vehicles sustained an estimated \$2,000.00 damage.

Incidents/Arrest

There were 24 reported incidents in January. Reports included: Juvenile runaway, Domestic dispute, criminal mischief, OWI-drugged, Possession of controlled substance, credit card fraud, illegal dumping, check fraud, harassment, public intoxication, driver's license violation, shoplifting, violation of no contact order, sexual assault, and hit and run collision. The reported incidents resulted in 5 arrests for the month. Charges included OWI-drugged, possession of controlled substance, public intoxication, and theft.



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Jamie Hampton, Mayor

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Tom Wieseler

Community Service:

- Chief Shannon met with Chief Judge and local law enforcement leaders to address issues related to domestic violation and protection orders, in an attempt to improve process and efficiency of service.
- Chief Shannon attended a public forum on Protecting Arab, Muslim, Sikh, and South Asian Communities at the Cedar Rapids Public Library. The forum was sponsored by the Iowa Department of Human Rights, Department of Justice, Cedar Rapids Civil Rights Commission and the Anti-Defamation League Plains State Region.

Training

- Officer Daubs attended a meeting with CRPD Range Officials regarding contracted use of the CRPD Range. We were advised that they will be implementing a daily use fee in addition to the contracted amounts paid by agencies using the range. This fee is anticipated to be \$90-\$100 per training day.

GTSB

Officers worked a total of 12 hours of extra traffic enforcement for January. This traffic enforcement resulted in 18 traffic contacts for violations including 10 speed violation, equipment violations, following to close, proof of insurance, improper use of lanes, and failure to dim.

LISBON

Mount Vernon Police Department has supplemented police coverage for the City of Lisbon since November 28, 2016. Per the 28E agreement our department provided the following service to Lisbon in January 2017:

- Patrol: 5,176 minutes
- Calls for service: 664 minutes (23 calls for service)
- Administrative time: 390 Minutes

Total time for January: 103.8 hours

Invoiced Lisbon (November 28, 2016-January 31, 2017): \$7,378.00

Respectfully Submitted,

Doug Shannon
Chief of Police



Chris Nosbisch, City Administrator
Douglas Shannon, Chief of Police

Jamie A. Hampton, Mayor

Council:

Eric Roudabush
Paul Tuerler
Marty Christensen
Scott Rose
Tom Wieseler

Public Works Report
February 22, 2017

Water/Wastewater

Water main breaks

City crews had to deal with 3 water main breaks in the past month. The locations of each being 5th Avenue SW near the elementary school, the intersection of 10th Avenue and 3rd Street SW, along with Crestview Drive. On two of the water main breaks crews were able to fix them live so boil orders were not needed in those locations. One fix was a complete loss of service while the repairs were done, when this happens a boil order is required. Samples of water are then taken to the lab in Iowa City. Before the city can lift the boil order the samples must be clear of bacteria. It typically takes 24 hours for the results to be processed then the boil order can be lifted with a bacteria free test.

Water Tower

Residents may have noticed water flowing from Memorial Park periodically from February 13th to February 15th. This was not a water main break. It was the water tower over flow drain. The water tower has equipment on it to regulate the level of water in the tank. This allows the tower to communicate with the wells around town, when the water level is to low the tower sends a signal telling the wells to pump water to fill the tower. When the water tower fills to a level preset by staff the wells then turn off. If the pumps fail to turn off the tower has an overflow drain to prevent damage to equipment and infrastructure. Staff has fixed the communication equipment on the water tower to prevent the over flow.

Trees

City crews have started to trim trees in the Right of Way. The oak trees in the ROW have been trimmed to code. The oaks need to be trimmed during cold months to prevent possible disease to the tree. Crews will now start working in the northwest quadrant of town on the remaining trees. The process will be to start bringing trees to code on 8th Street and work south to 1st Street. Then switch to the Avenues and work from 2nd Avenue to 8th Avenue. The projected start date for this will be Thursday, February 23. City crews will first post letters on each house stating our intent and estimated time to be in each area. We are asking residents to contact us if they want to hire a private contractor to trim their trees. Crews will bypass those residents. If a resident wants to hire a private contractor we ask that trees be to code within 2 months.

Patch Work

With the unseasonably warm weather crews have begun to clean up from the water main issues. Patches to 10th and 3rd Street have been completed. Along with a driveway at 5th Avenue. Crews have also patched 3rd Avenue NW along with replaced sidewalk at the corner of 3rd Avenue and 3rd Street NW.



Parks and Recreation Department
Directors Report
January 15 – February 15

Parks

- **Created and distributed Master Schedule for summer ball fields for Competitive Baseball / Softball coaches/teams.**
- **Scheduled baseball/softball tournaments on April 22, May 20-21, June 3-4, June 10, and June 24-25 with various organizations at Davis and Elliott Parks.**
- **On January 27th we were notified we received a Trees Forever grant in the amount of \$4,350 for 25 trees. Twenty of these trees will be planted in right of ways as part of the Urban Forestry Program. In addition, two trees will be planted at the pool and three trees will be planted at the cemetery.**

Sports

- **Boys Basketball will complete their season February 18....many thanks to all coaches, parents, players, and referees for a great season. We utilized Washington Elementary and First Street CC for the practices and MV Middle School for games.**
- **Youth Wrestling for ages 4-6 is going strong with 21 kids involved and will finish up Feb 21. We are up 4 kids from last year.**
- **Spring soccer registration has started Practices will start week of March 20th (weather pending) and first game will be week of April 3rd.**
- **Baseball / Softball...We are preparing for our fifth season playing against teams from Anamosa, Central City, Springville, Center Point, Vinton, Monticello, Olin, and Alburnett. The league meetings will be held in Feb and March.**

Pool

- **Swim lesson dates are being finalized and will be published in March**
- **Katey Forrest will again manage the pool for the Summer 2017 season.**
- **Employment ad to hire Assistant Pool Managers, Lifeguards, and Pool House staff will be out this week.**



**Mount
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IOWA

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Douglas Shannon, Chief of Police

Jamie A. Hampton, Mayor

Council:

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Misc

School of Recreation Programs for Spring 2017

- ***Princess Tea Time***
- ***Under Consideration...Spring Break Sports and Activity Camps***

Chalk the Walk

- ***Ongoing meetings every two weeks until April then weekly meetings will begin.***
- ***No major changes.....Community Piece has been chosen and will be advertised and promoted soon.***

L. Discussion Items (No Action)

AGENDA ITEM # L - 1

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

DATE: February 22, 2017

AGENDA ITEM: Garbage Contract

ACTION: None

SYNOPSIS: Attached is the existing garbage contract between the City and Wapsi Waste. Staff would like to receive direction from the Council regarding the future of this contract. Is it Council's desire to renew the existing Wapsi Waste contract (with modifications), or would you like staff to work on an RFP (request for proposals) for disposal services?

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: None

ATTACHMENTS: Supporting Documents

PREPARED BY: Chris Nosbisch

DATE PREPARED: 2/16/17

WASTE REMOVAL CONTRACT

COME NOW, the City of Mount Vernon, Iowa, hereinafter referred to as "City" and Wapsi Waste Services, Inc., hereinafter referred to as "Contractor" and agree as follows:

WHEREAS, the City desires to contract for waste removal and recycling services for businesses and residences of Mount Vernon, Iowa; and

WHEREAS, the City requires that the company hired pursuant this contract shall have the ability to remove trash and recycling in compliance with the City Ordinance Chapter 105, Solid Waste Control, and Chapter 106, Resource Recover and Refuse Disposal, and all other City ordinances, and the statutes and regulations of the State of Iowa; and

WHEREAS, Wapsi Waste Services, Inc., represents that it is a waste removal and recycling contractor and is able to comply with the requirements of the City ordinances and State statutes and regulations regarding trash collection, removal, recycling and disposal; and further that it desires to enter into a contract with the City for said services.

THEREFORE, for good and valuable considerations as set forth herein, the parties mutually agree:

1. The Contractor does hereby agree to pick up, remove and dispose of all trash, rubbish, garbage, yard waste, and recyclable items within the corporate limits of the City.
2. The term of this contract shall run from July 1, 2012, to June 30, 2017. Prior to March 31, 2017, the Contractor shall have the right to negotiate with the City for an extension of this contract, an extension of this contract with modifications, or a new contract. Any such extension or new contract will be effective beyond the terms of this contract only upon written agreement of the parties. Nothing in this agreement prevents the City from entering into a contract with another vendor upon expiration of the contract term.
3. The City reserves the right to terminate the contract on thirty (30) days written notice if service is deemed unsatisfactory by the City at any point in time while this contract is in effect, whether in existence pursuant to these original terms or as extended in accordance with the provisions of Paragraph 2. Whether services is deemed unsatisfactory is within the sole discretion of the City. The City also reserves the right to complaint resolution within a reasonable amount of time and a right to request action. If the starting times of route collection become an issue, the City reserves the right to negotiate with the Contractor a more reasonable start time.
4. The Compensation Schedule for Contractor for the base year of the contract shall be as set forth in Exhibit A, attached hereto and made a part of this contract. Exhibit A sets forth the itemized cost of waste removal services provided by Contractor. The City shall pay the Contractor once a month for services rendered. The City will adjust upward or downward the

compensation rate to the Contractor on a pro rata basis according to the number of residences and cubic yards collected from businesses. If landfill or recycling fees change, a rate change will be negotiated by the City and the Contractor based on historical volume and other relevant information. If average diesel fuel rates exceed \$4.25 per gallon a temporary surcharge will be negotiated by the City and the Contractor and paid by the City to the Contractor.

5. The Contractor shall pay all landfill fees and shall furnish permits as required.
6. The Contractor has exclusive right to all City garbage, trash, yard waste and recyclable pickups, and also exclusive right to all rental or sale of commercial dumpster canisters in the City.
7. The Contractor shall be prepared to handle recyclable material in compliance with applicable City ordinances and applicable state law. Recyclable material must be set out for collection in accordance with the Ordinances of the City of Mount Vernon and any rules and regulations promulgated to implement said ordinance. All recycling boxes must be placed curbside with clear access to the contractor. The customer is responsible for keeping all recyclable material in the containers until collected by the Contractor.
8. Pick-ups shall be made from all residences at least once each week. All residential yard waste, garbage and recyclable materials must be at curb line by 6:00 a.m. on the scheduled pick-up day. Garbage containers and yard waste containers must be tagged for pick-up. All materials to be picked up must be placed so that the Contractor has clear access and shall be free from accumulated snow.
9. Commercial businesses will have pick-up at least once a week on designated days, with pick-up services at certain designated businesses up to four times a week, to be made from locations satisfactory to both parties. The Contractor will provide commercial recycling collection one day per month at no charge. If more frequent commercial recycling collection becomes necessary, the Contractor reserves the right to negotiate with the affected business owners for compensation for the additional required service. All commercial containers must be placed so the Contractor has clear access and shall be free from accumulated snow.
10. The Contractor will provide pick upservice for white goods, large items, and miscellaneous items not otherwise identified herein. The City and the Contractor shall require tags to be attached to each item and shall set a schedule for the number of tags required. The Contractor shall turn in a listing of tagged items to include address, items picked up and number of tags applied to the City for reimbursements for hauling and disposal. The Tag Requirements Schedule for the base year of the contract shall be as set forth in Exhibit B, attached hereto and made a part of this contract.
11. The Contractor will provide yard-waste pick-up services in compliance with City ordinances. The Contractor and the City may promulgate rules for frequency of yard waste and leaf pick-up, limits on volume and size of yard waste, and the method of placement for pick-up. This agreement excludes the pick-up of brush. After conferring with the Contractor, the City will decide the service start dates in the spring and fall for

the leaf vacuuming service. The Contractor will provide a minimum of fourteen (14) days notice prior to the start date. The City has the authority to increase or decrease the number of leaf pick-ups. Additional leaf pick-ups scheduled will be charged at \$2,520. Elimination of a weekly pick-up will result in a reduction of \$2,520. Contractor will use its best efforts to pick up leaves for the entire City during each weekly pick-up period.

12. The Contractor will keep records of all yard waste tonnage and recycling tonnage collected and will provide totals for the landfill diversion charts that comply with the Iowa Department of Natural Resources landfill requirements. Upon request, the Contractor will provide the City with access to or copies of these records.

13. The Contractor acknowledges responsibility for individual collections of garbage and recyclables at no additional cost to the City or the concerned residents when Third Avenue North, from First Street to Fourth Street ("Pres" Hill), is closed for sledding.

14. By separate agreement with Cornell College, the Contractor may establish that party's rights and responsibilities for any pick-up services provided by the Contractor, for costs and fees for those services and for payment of landfill charges.

15. The Contractor shall carry general public liability insurance in an amount not less than \$1,000,000. In addition, the Contractor shall insure his vehicles and equipment, and shall carry statutory worker's compensation insurance. The Contractor agrees that he is an independent contractor and not an employee of the City of Mount Vernon nor are any people the Contractor hires agents or employees of the City of Mount Vernon. A certificate of insurance shall be supplied to the City upon request. Further, the Contractor shall hold the City harmless from any and all liability, property or personal, in the operation of said garbage pick-up.

16. Any modification of this agreement, or additional obligation assumed by either party in connection with this agreement, shall be binding only if evidenced in writing and signed by each party, or an authorized representative of each party.

IN WITNESS WHEREOF, we have executed the foregoing contract this 5th day of March, 2012.

WAPSI WASTE SERVICES, INC.

By Gordon Taylor
PRESIDENT, Owner/Member/Manager

By Nancy Taylor
Vice President, Owner/Member/Manager

CITY OF MOUNT VERNON, IOWA

By Scott Peterson
Scott Peterson, Mayor

Attest: Michael R. Beimer
Michael R. Beimer, City Administrator

EXHIBIT A

COMPENSATION SCHEDULE

Residential trash (weekly)	\$10.44 / residence per month (See Note 1)
Commercial trash (weekly)	\$21.65 / loose yard per month
Residential recycling (weekly - cans, plastics, cardboard, etc.)	\$0.00 / resident per month
Yard waste (weekly March 15- November 20 pick-up)	\$0.00 flat rate for year
Leaf vacuuming (3 one week pick-ups in April, 7 one week pick-ups in the fall) subject to Paragraph 11. Contractor to use best efforts to complete pick-up in the entire City during each one week period.	\$1.75 per residential household per month. This charge shall also apply to each non-residential business located in areas zoned residential.
City 20 yd. roll-off dumpster (as needed)	\$120.00 / pick-up (See Note 2)
Curbside bulky waste pick-up	(See Note 3)

NOTE 1: The parties shall adjust the billing for the number of residential users as changes identified by the parties. (See Paragraph 4, Waste Removal Contract)

NOTE 2: The City receives a credit from Bluestem and is not charged for items from the community roll-off dumpster taken to the landfill.

NOTE 3: The Contractor shall provide disposal service at a time to be scheduled between the Contractor and customers for large items as identified in Paragraph 2, Exhibit B. The Contractor shall provide records, including address, date and number of tags used, for all large items picked up at curbside and disposed. Upon submission of records, the Contractor will be reimbursed by the City in the amount of 90% of the costs of the tags attached to each item.

EXHIBIT B

TAG REQUIREMENTS SCHEDULE

1. Regular trash, grass clippings, garden waste: one (1) tag to each container, with a limit of 40 pounds per container.
2. Tags for large items:

Stove	6 tags
Water Heater	6 tags
Refrigerator or Freezer	10 tags
Washer	8 tags
Dryer	6 tags
Air Conditioner	6 tags
Straight-Back-Chair	1 tag
Stuffed Chair	4 tags
Lamp	1 tag
Sofa	4 tags
Sofa Bed	6 tags
Carpet (12'x12')	4 tags
Mattress	3 tags
Box Springs	3 tags
Dresser	4 tags
All Other Items	1 tag per 40 pounds weight
3. Any changes in the number of tags required will be negotiated by the parties and subject to approval by Council resolution.
4. Pick-up of large items needs to be arranged by the resident with the Contractor. See also Note 3, Exhibit A.
5. Each tag currently costs \$3.00 and will be printed, distributed and sold by the City. The cost of tags is subject to change and set by Council resolution.

AGENDA ITEM # L – 2

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

DATE: February 22, 2017

AGENDA ITEM: FY 2017-2018 Budget

ACTION: None

SYNOPSIS: This is a place holder so that staff can answer any questions that the Council may have on the information that has been provided. Staff will complete a power point presentation for the public on March 6, 2017.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: None

ATTACHMENTS: None

PREPARED BY: Chris Nosbisch

DATE PREPARED: 2/16/17

M. Reports Mayor/Council/Admin.

**CITY OF MT. VERNON
CITY ADMINISTRATOR
REPORT TO THE CITY COUNCIL
February 22, 2017**

- Staff has printed the full set of construction drawings for the first two phases of the Hwy 30 by-pass. They are available for viewing at City Hall.
- Staff will be finalizing the job description for the summer intern over the course of the next two weeks.
- Staff met with the Mt. Vernon School Board and reviewed upcoming city projects. Staff also discussed the lot at the intersection of 10th and Palisades and introduced the concept of a community/recreation facility for that location.
- The water tower had a transducer begin to fail over the past week and a half. This failure caused faulty signals to be sent to the computer program that monitors tower levels. The water tower has a high water overflow and began discharging water onto 2nd Street. The transducer has been replaced, and I would like to publically thank the City of Hiawatha for the replacement part and assistance in calibrating.
- The City has received notice of a meeting to be held on Friday, March 3, 2017 at 3 p.m. The meeting will take place at the West Liberty Public Library. The purpose of the meeting is discuss the possibility of creating the Lower Cedar River Watershed Management Authority.