

# City of Mt. Vernon, Iowa

<b>Meeting:</b>	<b>Mt. Vernon City Council Meeting</b>
<b>Place:</b>	<b>Mt. Vernon City Hall, 213 First Street NW, Mt. Vernon, Iowa 52314</b>
<b>Date/Time:</b>	<b>March 20, 2017 – 6:30 PM</b>
<b>Web Page:</b>	<b>www.cityofmtvernon-ia.gov</b>
<b>Posted:</b>	<b>March 17, 2017</b>

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

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

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 – March 6, 2017 Regular Council Meeting
  - 2. Approval of Liquor License – “Bigs”

- E. Public Hearing**
  - 1. None

- F. Ordinance Approval/Amendment**
  - 1. None

- G. Resolutions for Approval**
  - 1. Resolution #3-20-2017A: Approving the Installation of Street Lights at the Intersection of Joseph Lane and Country Club Drive SE

- 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 Possible City Hall Solar Installation - Council Action as Needed
3. Discussion and Consideration of Setting a Monthly City Council Work Session – Council Action as Needed

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

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

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

1. Revenue Purpose Statement – Franchise Fee
2. Community Entrance Signage

**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**

March 6, 2017  
City Council Minutes  
213 1<sup>st</sup> Street NW  
Mount Vernon, Iowa 52314

The Mount Vernon City Council met March 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 made by Tuerler, seconded by Wieseler. Carried all.

### **Communications**

Jim Englebrecht, owner of 124 2<sup>nd</sup> Avenue NW, introduced the owner of a new business that will be going in at this property located in the Town Center district. Aaron Gerbo is the owner of Bigs Barbeque Brew Pub. The business specialties will be wood fire barbeque and homemade craft beer. The restaurant will be able to seat 40 indoor with potential outdoor seating doubling the capacity. All ingredients for the food will be locally sourced.

**Consent Agenda.** Motion to approve Consent Agenda made by Rose, seconded by Christensen. Carried all.

Approval of City Council Minutes – February 22, 2017 Regular Council Meeting

Approval of City Council Minutes – February 27, 2017 City Council Work Session

### **Public Hearing**

Public Hearing to Approve City of Mt. Vernon Fiscal Year 2017-2018 Proposed Budget. Mayor Hampton opened the public hearing and with no public comment the public hearing was closed.

### **Resolutions for Approval**

Resolution #3-6-2017A: Approving the City of Mt. Vernon Fiscal Year 2017-2018 Budget. With this resolution the levy rate will remain at 12.99. Motion made by Wieseler, seconded by Rose to approve Resolution 3-6-2017 approving the City of Mount Vernon budget for Fiscal Year 2018. Roll call all yes.

### **Motions for Approval**

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

ARAMARK	RUGS-FD	53.75
ARAMARK	RUGS-FD	45.00
ARAMARK	RUGS-FD	45.00
ARAMARK	RUGS-FD	45.00
BATTERIES PLUS	EQUIP MAINT-PD	171.75
BRADLEY HAUGE CPA	PROFESSIONAL SERVICES-P&A, WAT	335.00
CARQUEST OF LISBON	VEHICLE MAINT-PW	44.15
CENTURY LINK	PHONE CHGS-FD	17.68
COGRAN SYSTEMS	ONLINE REGISTRATION-P&REC	16.00
CURTIS LICENSING	SATURDAY EVENING POST ILLUSTRATION	600.00
CY'S TREE SERVICE	CEM STUMP GRINDING-RUT	1,180.00
DIESEL TURBO SERVICES INC	AIR TANKS-RUT	1,145.35
DIESEL TURBO SERVICES INC	VEHICLE MAINT-RUT	15.70
ELECTRONIC ENGINEERING CORP	INFORMATION SYSTEMS-PW	319.60

FUTURE LINE TRUCK EQUIPMENT	SPREADER SHAFT,BEARINGS-RUT	182.86
FUTURE LINE TRUCK EQUIPMENT	SHAFT,BEARING-RUT	63.65
FUTURE LINE TRUCK EQUIPMENT	BEARING-RUT	42.66
FUTURE LINE TRUCK EQUIPMENT	KEY-RUT	2.08
GARY'S FOODS	SUPPLIES-RUT,P&REC	75.00
GORDON LUMBER COMPANY	BLDG SUPPLIES-RUT,P&A	318.00
HAWKEYE READY MIX	WATER MAIN BREAK-WAT	428.92
HAWKEYE READY MIX	MAIN BREAK-WAT	222.30
HENDERSON PRODUCTS INC	CURB GUARDS-RUT	1,992.00
HOTSY CLEANING SYSTEMS	NOZZLES,BUCKET-RUT	102.00
HYDRAULIC WAREHOUSE	HOSE/PRESSURE WAHSER-RUT	61.94
INDUSTRIAL TECHNICAL SUPPORT	WATER TOWER CONTROL-WAT	500.00
INTERSTATE ALL BATTERY CENTER	SUPPLIES-PD	37.65
INTERSTATE ALL BATTERY CENTER	BATTERIES-EMA	34.80
IOWA COUNTY ATTORNEYS ASSOC	TRAINING-PD	65.00
IOWA DEPT AGRICULTURE & LAND	DOG KENNEL LICENSE/APP #4255	75.00
IOWA SOLUTIONS INC	DBR BACKUP-ALL DEPTS	350.00
IOWA SOLUTIONS INC	DOMAIN MGMT-ALL DEPTS	50.00
JAMES KANE	TOBACCO COMPLIANCE CHECK-PD	50.00
JOAN BURGE	CLEANING SERVICE-P&A	120.00
JOAN BURGE	CLEANING SERIVCE-P&A	120.00
KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE PLAN/COPIES	102.10
LINN CO-OP OIL CO	FUEL-PW	1,485.83
LINN COUNTY PLANNING & DEV	BLDG PERMIT FEES/INSPECTIONS	536.00
LISBON MT VERNON AMBULANCE	CPR CARDS-FD	7.50
MATT SIDERS	MILEAGE-P&REC	64.20
MONTICELLO EXPRESS	SUPPLIES-PD	169.42
MOUNT VERNON ACE HARDWARE	EQUIP MAINT-FD	1.99
MOUNT VERNON LISBON SUN	ADS/PUBLICATIONS-RUT,P&A	699.84
MOUNT VERNON LISBON SUN	ADS/PUBLICATIONS-P&REC	285.00
MT VERNON ROAD TIRE CO	TIRES-PD	1,105.20
NEAL'S WATER CONDITIONING SERVICE	WATER/SALT-RUT,P&A	71.15
P&K MIDWEST INC	CHAIN LINK-RUT	14.32
PAYROLL	CLAIMS	58,706.91
POSTMASTER	UTIL BILL POSTAGE-WAT,SEW,SW	346.20
RACOM CORPORATION	RADIO PROGRAMMING-RUT	23.75
SCHIMBERG COMPANY	DOWNSPOUT/SHOP-RUT	12.49
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	645.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	240.00
SPRINGER PEST SOLUTIONS CORP	PEST CONTROL-P&A	30.00
STAPLES ADVANTAGE	SUPPLIES-ALL DEPTS	478.79
TIPTON ELECTRIC MOTORS	VALVE-RUT	43.97
TOMLINSON-CANNON	GUTTERS/SHOP-RUT	1,310.00
TREASURER STATE OF IOWA	SALES TAX	3,392.00
US CELLULAR	CELL PHONE-ALL DEPTS	322.91
USA BLUE BOOK	EQUIP REPAIR-SEW	304.72
VEENSTRA & KIMM INC	WASTEWATER FACILITY PLAN	9,689.70
VEENSTRA & KIMM INC	10TH ST/PAL RD INTERSECTION	1,440.00
VEENSTRA & KIMM INC	CITY ENGINEERING GENERAL	243.00
WAPSI WASTE SERVICE	GB,RECY,LEAF-SW	22,640.91
WATER SOLUTIONS UNLIMITED INC	CHEMICALS-WAT	3,442.50
WENDLING QUARRIES	ROAD ROCK-RUT	126.42
	TOTAL	116,909.66

Discussion and Consideration of Purchasing Fire Department Air Packs - Council Action as Needed. The final dollar amount for the purchase is \$168,810. The original budgeted amount was \$180,000. The City is hoping for approximately \$90,000 to come from the rural fire district. Motion to approve the purchase of the air packs made by Tuerler, seconded by Wieseler. Carried all.

Discussion and Consideration of City of Mt. Vernon Intern Job Description - Council Action as Needed. Nosbisch has been working with the Public Works Director on the wording for the job description. This would be a paid intern position with the employee working on various projects in the City. Motion made by Tuerler, seconded by Christensen to approve the job description. Carried all.

Discussion and Consideration of Architectural Services Contract with OPN Architects for Phase I Design – Community/Recreation Center Project – Council Action as Needed. Nosbisch stated that Phase I is going to cost approximately \$19,500 in fees from OPN and there will be additional fees once a site is decided upon. He expects to spend considerably less than the \$50,000 originally anticipated. Motion to approve the contract with OPN Architects for Phase I of the Community Center made by Rose, seconded by Tuerler. Carried all.

**Reports of Mayor/Council/Administrator**

City Administrator's Report. There is a work session scheduled for March 27, 2017 at 6:30 on the proposed demolition ordinance. Nosbisch will be out of the office next Wednesday through Friday for the Manager's Association Conference in Iowa City. ICAP's loss control will be looking at facilities next week and there have been more applications coming in for the board vacancies.

**Adjournment** As there was no further business to attend to the meeting adjourned, the time being 7:04 p.m., March 6, 2017.

Respectfully submitted,  
Marsha Dewell  
Deputy Clerk

## Marsha Dewell

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**From:** Licensing@IowaABD.com  
**Sent:** Wednesday, March 08, 2017 1:35 AM  
**To:** Marsha Dewell  
**Cc:** Licensing@IowaABD.com  
**Subject:** [POSSIBLE SPAM] Liquor License Pending Dram Shop

The following licensees have completed a renewal application and are awaiting dram certification:

License #	License Status	Business Name
	Pending Dram Shop	BIG'S (124 2nd ave nw Mount Vernon Iowa, 52314)

Please do not respond to this email. Contact the Division's Licensing Section with questions regarding the application process or application status toll-free at 866.IowaABD (866.469.2223) (select option 1), locally at 515.281.7400 (select option 1). For assistance by email contact [Licensing@IowaABD.com](mailto:Licensing@IowaABD.com)

## **G. Resolutions for Approval**

**AGENDA ITEM # G – 1**

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

<b>DATE:</b>	March 20, 2017
<b>AGENDA ITEM:</b>	Resolution – Street Lights
<b>ACTION:</b>	Motion

**SYNOPSIS:** Harold Goodrich attended a recent City Council meeting regarding the lack of street lights at Country Club Dr. SE and Joseph Lane SE. He expressed his concerns regarding pedestrian and vehicle safety due to the dark intersection. Alliant Energy has reviewed the site and can affix lights to existing poles. The cost of the installation is incorporated into the monthly fee the City pays for street lights. According to the current tariff, this cost is \$8.71 per pole (the intersection would be \$17.42 per month). Approval of the attached resolution is necessary for Alliant to complete the installation.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** Resolution

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 3/14/17

**RESOLUTION NO. #3-20-2017A**

**RESOLUTION APPROVING THE INSTALLATION OF STREET LIGHTS AT THE INTERSECTION OF JOSEPH LANE AND COUNTRY CLUB DRIVE SE ACCORDING TO THE TERMS SET FORTH IN THE EXISTING STREET LIGHT CONTRACT**

**BE IT RESOLVED** by the City Council of the City of Mt. Vernon, Iowa that Alliant Energy is hereby directed to make the following changes to the existing system, at the locations described herein (or shown on an attached maps made part of this Resolution) according to the terms expressed in the existing street light contract.

NEW INSTALLATION OR CHANGES IN EXISTING SYSTEM

Add Number	Delete Number	Wattage	Style of Luminaire	Type and Height of Pole	Wiring OH/UG
2		80w	LED	Existing Poles	

LOCATION OF NEW INSTALLATION OR CHANGES

1. See attached maps.

**APPROVED AND ADOPTED** this 20<sup>th</sup> day of March, 2017.

CITY OF MT. VERNON:

ATTEST:

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

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



## **J. Motions for Approval**

CITY OF MOUNT VERNON  
CLAIMS FOR APPROVAL, MARCH 20, 2017

PAYROLL	CLAIMS	56,805.49
BROWN SUPPLY COMPANY	CHLORINATORS/WEST WTP	2,969.00
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	2,782.01
STATE HYGIENIC LAB	TESTING-SEW	1,902.50
ROBERT BUSER	STIPEND-EMA	1,500.00
AIRLOGIC	LS ALARM SERVICE-SEW	1,440.00
US BANK	CREDIT CARD PURCHASES-ALL DEPTS	1,320.70
MOUNT VERNON ACE HARDWARE	SUPPLIES-ALL DEPTS	1,240.56
WEX BANK	FUEL-PD,WAT,SEW	1,076.00
ALLIANT IES UTILITIES	ENERGY USAGE-RUT	1,036.14
SAUBER MFG CO	REPAIRS/BOOM TRUCK-RUT	843.80
WAPSI WASTE SERVICE	RECY-S/W	706.42
ALLIANT IES UTILITIES	ENERGY USAGE-P&A	701.06
ECICOG	ZONING ORDINANCE UPDATE-P&A	664.00
STAPLES	SUPPLIES-AL DEPTS	489.15
JANDA MOTOR SERVICES	BOOSTER PUMP ALIGNMENT-WAT	480.00
SCHIMBERG COMPANY	INLET/LISBON ROAD-ST WAT	435.56
KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE PLAN/COPIES	418.19
PHILIPS HEALTHCARE	AED BATTERIES,DEFIB PADS-FD	417.30
NATHAN GOODLOVE	FIRE CHIEF PAY-FD	416.67
KIRKWOOD COMMUNITY COLLEGE	CONFERENCE-FD	357.50
DIESEL TURBO SERVICES INC	WIRING/CHIPPER-S/W	343.50
ALLIANT IES UTILITIES	ENERGY USAGE-FD	314.00
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	286.96
CENTRAL IOWA DISTRIBUTING	SUPPLIES-AL DEPTS	279.00
ALLIANT IES UTILITIES	ENERGY USAGE-PD	277.47
IOWA SOLUTIONS INC	NEW PHONE SYSTEM-ALL DEPTS	250.00
HAWKEYE READY MIX	FLY ASH/MAIN BREAK-WAT	215.17
EVER-GREEN LANDSCAPE NURSERY	EROSION CONTROL SOCKS-RUT	192.00
KONE INC	ELEVATOR MAINT CONTRACT-P&A	166.23
IOWA SOLUTIONS INC	VPN SETUPS-PD	155.00
IOWA POLICE CHIEFS ASSOCIATION	TRAINING-PD	135.00
US CELLULAR	CELL PHONE-PD	116.17
MOORE MEDICAL CORP.	SUPPLIES-FD	101.82
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	97.15
SUE RIPKE	UNIFORMS, MILEAGE-P&A	79.05
AIRGAS INC	WELDING SUPPLIES-PW	71.35
KURT PISARIK	UNIFORMS-PW	64.50
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
AIRGAS INC	CYLINDER RENTAL FEE-PW	52.76
MIDWEST SAFETY COUNSELOR	INSTRUMENT CALIBRATION-FD	50.00
ROBERT BUSER	MEDICAL CLASS-EMA	50.00
MOUNT VERNON ACE HARDWARE	BLDG MAINT-FD	39.95
CENTURY LINK	PHONE CHGS-PD	36.85
MIKE BUSER	NOTARY RENEWAL REIMB-EMA	30.00
VERMEER SALES & SERVICE INC	IGNITION SWITCH/CHIPPER-S/W	23.81
MEDIACOM	UTILITY SERVICE-FD	19.64
TODD GEHRKE	MEAL-PD	7.47
P&K MIDWEST INC	CHAIN LINK-RUT	1.51
	TOTAL	81,578.41

**AGENDA ITEM # J – 2**

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

**DATE:** March 20, 2017

**AGENDA ITEM:** City Hall Solar

**ACTION:** Motion

**SYNOPSIS:** Rule changes have been submitted and approved by the Iowa Utilities Board. The new changes will take effect on April 1, 2017. If the City chooses to move forward with the City Hall solar, it is suggested that we sign a letter of intent and make a complete application before this deadline. It should be noted that the application must be complete. If it is returned for errors, we would be subject to the new rules (given the timeframe). The City has not allocated funds to complete the construction of the solar system and would have to look at signing a purchase power agreement. Through the PPA, the City would see a small annual savings (approximately \$1,400 a year estimated).

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** None

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 3/14/17

**AGENDA ITEM # J-3**

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

<b>DATE:</b>	March 20, 2017
<b>AGENDA ITEM:</b>	Council Work Session
<b>ACTION:</b>	None

**SYNOPSIS:** Councilperson Rose has asked that Council work sessions be placed on the agenda for further consideration.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** Council

**MAYOR/COUNCIL ACTION:** Motion

**ATTACHMENTS:** None

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 3/14/17

## **K. Reports-Received/File**



Mount  
**Vernon**  
IOWA

Police Department

Douglas J. Shannon, Chief of Police

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# Mount Vernon Police Department

## 2016 Annual Report

*Douglas J. Shannon*  
*Chief of Police*



## Assaults by Type for Year

**2016**

### CRIMES AGAINST PEOPLE

Crimes against people are defined as offenses or crimes against an individual. These offenses are broken down into several categories determined by the seriousness of the offense. (i.e. Simple Harassment to class B Felony of Sexual Abuse 2<sup>nd</sup>) Included is a table detailing number of offenses for the year and percentages of those offenses as they relate to the overall category of crimes against people.

Assault Type	2012	2013	2014	2015	2016
Harassment	15	10	11	5	10
Simple Assault	7	8	9	11	3
Assault with Injury	1	0	2	4	1
Aggravated Assault	0	1	0	1	1
Court Order Violations	2	1	1	2	2
Child Endangerment	0	3	1	2	1
Interference W/O Acts	2	9	7	9	6
Domestic Abuse (no assault)	4	4	10	7	4
Simple Assault-DA	2	0	3	5	2
Domestic-with Injury	3	3	2	1	2
Child Abuse/Fondling	0	0	1	1	1
Statutory Rape	0	0	1	1	0
Sexual Abuse	0	9	3	2	4
Armed with intent/weapon	0	0	0	1	0
<b>Total</b>	<b>36</b>	<b>48</b>	<b>51</b>	<b>52</b>	<b>38</b>

This table includes those offenses reported to MVPD for investigation. It is important to mention that police officers responded to numerous other disturbances involving assaults of some type. However, no charges were filed at the victim's request or the parties were gone prior to officer arrival.

## Property Crimes for the Year 2016

### Theft Related Crimes

Theft related crimes covers a variety of incident types and is the largest crime group reported. This group of crimes includes: *burglary* (defined as forced entry with theft, or criminal mischief of property within that building); *forced entry to a vehicle* is also classified as a burglary; *theft from a building*, *motor vehicle theft*, *theft from a vehicle* (which includes unlocked vehicles in which property is taken), *shoplifting*, *forgery*, *fraud*, *identity theft*, *theft by check* (either NSF or against a closed account) and *miscellaneous theft* (which includes theft of yard ornaments, street signs, bicycles, and similar items that do not fit into one of the other defined categories).

Crime	2014	2015	2016
Burglary	3	12	21
Forgery/Counterfeit	2	5	12
Theft from vehicle	7	28	5
Theft from building	17	7	3
Identity theft/Fraud	2	9	9
Stolen Vehicle	1	4	2
Theft by check	2	1	3
Theft of vehicle parts	4	1	0
Shoplifting	7	5	1
Miscellaneous Theft	17	21	22
<b>Total</b>	<b>62</b>	<b>93</b>	<b>78</b>

The total number of property crimes in Mount Vernon decreased by 16% with a total of 78 property crimes in 2016, compared to 93 incidents in 2015. The police department continues to assist our local businesses & residents with theft prevention efforts.

Burglary & theft from vehicle reports continued to be the crimes that cause the largest dollar loss. These cases also take up a large amount of investigation time, including time to complete reports, dusting for prints, processing evidence, taking evidence to either DCI or Cedar Rapids Police Department for processing and interviewing and obtaining statements from involved parties.

### Criminal Mischief (Vandalism)

Criminal mischief includes those incidents most people would call vandalism. These types of crimes are the result of damage done to private or public property that results in damage of property, resulting in the loss of use or expense to repair the property. Types of incidents that fall

into this include, but are not limited to, damage to signs, vehicle damage (i.e. scratched down the side, windows broken out, tires cut, antenna damaged), spray paint incidents and damaged bikes.

In total, these types of offenses rose slightly but remain relatively low. Previous high numbers of criminal mischief incidents were recorded in 1996 and 1998 at 107 incidents.

Offense	2012	2013	2014	2015	2016
Criminal Mischief	24	11	18	22	22

### Drug Related Crime

Drug related crime covers those incidents where the primary case is drug related. (i.e.: traffic stop for speed and drug paraphernalia is observed in the vehicle, resulting in an arrest report as a result of the drug paraphernalia). Other drug related crimes may be included in other incidents, such as a traffic stop for OWI during which an illegal substance such as marijuana is discovered. In this case, the primary offense is an OWI and the marijuana possession (PCS) charge would be a secondary offense.

Charge	2012	2013	2014	2015	2016
Possession of Controlled Substances (PCS)	16	21	24	30	25
Possession of Drug Paraphernalia (PDP)	7	21	29	29	26
Disorderly House Violations	-	-	4	2	1
OWI While Drugged	1	2	0	1	1
Attempt to Elude (drug related)	1	0	0	1	1
<b>Total</b>	<b>25</b>	<b>44</b>	<b>53</b>	<b>63</b>	<b>54</b>

### Alcohol Related Offenses for the Years 2012-2016

Alcohol related offenses are comprised of OWI, Possession under the Legal Age, Open Container, Liquor License violations, Public Intoxication, and .02 Violations. A .02 violation refers to the law suspending driving privileges of those under the legal age of 21 who are stopped while driving a vehicle and have a blood alcohol level of .02 or greater but less than .08.

Offense	2012	2013	2014	2015	2016
OWI	27	20	23	20	19
.02	0	0	2	0	0
Liquor Law Violations	16	9	10	11	18
Public Intox	20	19	21	25	25
<b>Totals</b>	<b>63</b>	<b>48</b>	<b>56</b>	<b>56</b>	<b>62</b>

### Police Activity Summary for the Year 2016

Officers had 7,857 calls for service in 2016. This is an increase from 2015 with 6,329 calls for service. In 2016 Officers had 2,039 dispatched trips & 5,818 observed trips. (Dispatched trips are requests for services; Observed trips are officer initiated contacts such as traffic stops, building checks, parking tickets, house checks, etc.). The department completed 338 incident reports resulting in 103 arrests for the year.

Our department responded to 95 motor vehicle crashes, resulting in 60 collision reports. Of these collisions, 11 were deer related, 7 were hit & run accidents, 56 were property damage only, 13 were injury related, and 8 involved unknown injuries.

**Other related activity:**

Theft	101	Parking Violations	132
Burglary	26	Alarms/Open doors	119
Assault	16	Felony Arrests	7
Criminal Mischief	18	Misdemeanor Arrests	75
Juvenile	42	OWI Arrests	17
Motor Vehicle Collisions	87	Towed Vehicles	46
Public Assists	6,279	Assist Agency	639
Warnings	620	Suspicious Vehicles	122
Moving Violations	261	Animal	102
Non-Moving Violations	23	Disturbances	258
Administrative Time	2,228.5 hrs	Investigative Time	415.3 hrs
Cornell Related	211.7 hrs	Lisbon	163.9 hrs
Medical	70 hrs		

### Department Staffing / Community Growth

The police department operates within City Hall at 213 1<sup>st</sup> Street NW in Mount Vernon. Due to growth and increased need for space, our department also uses two other structures for evidence, records and property storage. One of the two structures being used is the old Fire Station located to the west of City Hall. The old station is being used primarily as garage space for our three patrol units. The structure provides a secure/temperature controlled environment that has helped to reduce costly vehicle repairs and damage to electronic equipment within each of the three

patrol vehicles. Items include mobile data computers, printers and AED's (Automated External Defibrillators).

When City Hall was built in 1988 the department consisted of four fulltime officers and four reserve officers and was designed to house four officers. The department currently consists of six full time officers and six reserve officers. The staff consists of one Chief of Police, four Patrol III Officers and one Patrol I Officer. The department has been at the current staffing levels since 1997, while our community has grown considerably both in geographically patrolled and population.

Officer Morgan Mehlert began working for our department on March 14, 2016. Officer Mehlert was already certified as a police officer in Iowa, and quickly progressed through his Field Training Program. The hiring of Officer Mehlert returned the department to the allocated 6 full time officers. During his 1<sup>st</sup> year, Officer Mehlert has been active in patrol, community service, and criminal investigations. Officer Mehlert became certified as an ILEA Firearms Instructor, and will assist with department firearms training.

In 2000, the census for Mount Vernon reflects a population of 3,390 compared to the 2010 census that shows our population at 4,506. The 2000 census included 987 Cornell College students and the 2010 census included 1191 Cornell students. This is an overall increase of 1,116 individuals during the 10 year period, including Cornell students.

During that time period Mount Vernon experienced growth in residential developments in several areas of town, including:

- 1) Stonebrook – located west of the Mount Vernon High School in the South West quadrant (Approximately 100 homes)
- 2) Wolfe Martin addition – located in the NE quadrant of our community (approximately 47 homes)
- 3) Candlestick Drive – Addition that includes about 13 homes NE quadrant
- 4) Hill View Drive – the extension of Oak Ridge Estates – SE quadrant (approximately 29 homes)
- 5) Meadow Brook addition – located in the SW quadrant (approximately 35 dwellings)
- 6) Cornell College has added two significant housing facilities – Russell Hall and Smith Hall dorms located in the SW quadrant on the campus of Cornell College.

#### **MUTAL AID & CONTRACT POLICE SERVICE**

In September 2016 Cedar Rapids was impacted by major flooding. The Mount Vernon Police Department provided mutual aid law enforcement to the City of Cedar Rapids from 9/26/2016 to 9/29/2016, during the flood. Officers worked 297 hours of Overtime during the flood to assist Cedar Rapids Police Department with traffic and emergency calls for service. The City of Cedar Rapids reimbursed the City of Mount Vernon for the costs of this assistance.

In November of 2016 Mount Vernon Police entered into a 28E Agreement with the City of Lisbon to provide 20 hours of police coverage per week to supplement their police coverage provided by the Lisbon Police Department. Lisbon agreed to pay Mount Vernon \$40 per hour for police services. Mount Vernon Police Department provides Lisbon with police services during times when a Lisbon Officer is not on duty. This partnership has mutual benefit for both communities and is a great example of sharing resources to enhance public safety while being fiscally responsible.

### **AWARDS & HONORS:**

In 2016 the following awards were presented to Citizens and Officers of the Mount Vernon Police Department for their exemplary service to the Mount Vernon Community:

- Chief Doug Shannon -- Lifesaving Award
- Officer Steve Moel – Lifesaving Award
- Officer Morgan Mehlert – Lifesaving Award
- Officer Rod Kelley – Lifesaving Award
- Craig Smith (Citizen) – Lifesaving Award
- Steve Neal (Citizen) – Lifesaving Award
- Justin Dix (Citizen) – Lifesaving Award

## **COMMUNITY POLICING**

### **DARE**

In 2016, Officer Todd Gehrke facilitated both the 5<sup>th</sup> and 7<sup>th</sup> grade D.A.R.E programs at Mount Vernon Community Middle School. In 5<sup>th</sup> grade, Officer Gehrke is providing instruction to approximately 103 students on core topics including consequences of drug use, self-esteem, decision making skills, and peer pressures students encounter and how to deal with that pressure. It also includes conflict resolution, how to refuse drug offers, alternative choices to drug use and other skills needed to live a drug and violence free lifestyle.

The focus of the Mount Vernon 7<sup>th</sup> grade D.A.R.E. program is similar to that of the core program used in 5<sup>th</sup> grade. During 7<sup>th</sup> grade classes, Officer Gehrke teaches approximately 97 students. The curriculum acts as a refresher to aid students in preventing or postponing the first, or future, use of drugs or alcohol by the student. These lessons cover many of the same areas as the core program, however they are more in-depth and give the students an opportunity to discuss real situations they may have encountered.

### **RAD (Rape Aggression Defense Program)**

Officer Gehrke is a certified RAD Instructor. Officer Gehrke partners with Cornell College staff to provide self-defense training to female students. This training provides the students with awareness, skills, options, and confidence to take action to ensure their safety. Officer Gehrke conducted two training sessions in 2016.

### **POLICE BIKE PROGRAM**

During 2016, Officers patrolled using police bicycles for a few events, including patrol shifts during Heritage Days. Bike patrol is a great resource for police response during events such as Heritage Days. There currently are two certified bike officers.

### **SAFE KIDS – National Child Passenger Safety**

In 2016 Officer Gehrke partnered with Lynch Ford and Linn County Safe Kids Coalition to host a Child Safety Seat inspection event at Lynch Ford. In 2016 there were 12 inspections occurring during this event.

Officer Gehrke is certified as a Seat Belt Technician trained in the proper usage and installation of child safety seats. The department conducts safety seat belt checks as requested and partners with Lynch Ford to hold an annual Child Safety Seat Inspection Event highlighting proper safety seat installation and use. Members of the community can call anytime to set up an appointment with Officer Gehrke to assist them in proper child seat installation and usage.

### **BOOTS vs. BADGES BLOOD DRIVE:**

Mount Vernon Police Department and the Mount Vernon Fire Department again participated in the annual “Boots vs. Badges” Blood Drive. During this event, there were 42 donations, providing 168 products for patients in need.

### **SALVAGE VEHICLE INSPECTIONS**

Our department contracts with the State of Iowa, Department of Transportation to conduct salvage vehicle inspections. During 2016 our department conducted 28 vehicle inspections, generating \$1,040.00 in revenue for the City.

### **RC RAIL**

RC Rail is based at the Mount Vernon Community School District, but works closely with other communities in Linn County that are part of the DFC Grant. The police participate with in-kind contributions by providing school training, TIPS trainings, attending meetings and holding Community Drug Drop off events.

Police officers meet with coalition members to discuss various community safety, prevention and substance abuse related issues. These grant projects have funded officers attending out-of-state law enforcement trainings in Texas, California and Washington DC.

Chief Shannon has been working with Cornell College to address underage drinking & drug related issues, on and off campus, and the impact party houses have on neighborhoods. The information exchange has been very helpful to Cornell and the police department in attempts to reduce concerns in the community. The police department partnered with RC Rail and ASAC on developing a Social Host Ordinance in Mount Vernon that would allow civil penalties for all persons in control of the property (tenants or landlords) where underage drinking or drug use may be occurring.

The Police Department has a broad area of responsibility within the community and responds to a variety of calls for assistance. During 2015, the department responded to 2,185 dispatched calls for service and 4,144 officer initiated contacts in Mount Vernon or the surrounding area. Officers respond to all types of calls, including medicals, fire emergencies, disturbances, domestics, civil issues, drug violations, suspicious persons, car & house unlocks, child & animal abuse or neglect complaints, parking problems, traffic violations and many other community safety needs.

In 2016 Mount Vernon experienced numerous community events requiring additional police resources to ensure public safety. These events included Chalk the Walk, Heritage Days, Antique Extravaganza and Presidential campaign events, including two visits from former President Bill Clinton.

Police officers respond to fatal incidents/accidents or other deceased individuals. Initial response involves officers checking for signs of life and rendering aid if possible. If a person is deceased, officers begin investigating & assist the coroner in determining the cause of death. In these situations, officers have the unwanted task of making many of the notifications to friends and family. Mount Vernon police officers respond to serious highway vehicle crashes in and around Mount Vernon which result in serious injury and occasionally death.

Police officers assist the Mount Vernon Fire Department at fire-related calls by handling traffic control, evacuations and providing any other assistance requested. Additionally, Mount Vernon police respond to medical calls and are the first responders on scene to assist with medical care as needed. Officers are trained in CPR and AED use. AED's are standard equipment in each patrol vehicle.

The Department responds to calls to assist those who have locked keys in a vehicle or have been locked out of their home, assisting whenever possible. Additionally, the Department performs regular house checks for those leaving town for extended periods of time. Officers perform regular building checks of business locations and school buildings.

Police officers respond to domestic disturbances. Domestic disputes are one of the most hazardous calls law enforcement officers encounter. Additionally officer may be required to assist young children who may be present in the home, and may have witnessed violence.

Other police department activities include:

- Conduct training for schools, businesses & organizations of Fraud, NSF/Closed account checks, drug & alcohol training, and tobacco & alcohol sales, fingerprinting, impaired driving, texting, internet safety and many other topics;

- Making recommendations, when requested, about security features for home and businesses;
- Providing assistance with animal related problems within the community;
- Assisting with the identification of lighting, signage and other safety issues and forwarding those concerns to City Hall for repairs or installation;

Additionally, the Department performs routine patrol around schools, businesses and homes to reduce crime and a deterrent to those wishing to commit a serious crime. Officers issue traffic citations to correct inappropriate driving behavior, as established by society, to reduce the chance of injury or death associated with vehicle crashes, and to reduce costs incurred during those crashes.

The police department is a resource for those individuals who have been victimized by crime. Officers investigate criminal activity, identify those associated with it and charge those individuals involved (when certain criteria is met). The department becomes the agency responsible for forwarding charges and reports to the County and City Attorney when necessary, to resolve an incident.

#### **EMERGENCY PREPAREDNESS TRAINING:**

Mount Vernon Police department spends a great deal of time training and coordinating with community partners and emergency services organizations to ensure we are prepared to respond in the event of a major disaster. This training is ongoing and our department routinely partners with Mount Vernon Community Schools, Cornell College, Mount Vernon Fire Department, Lisbon Fire Department, Lisbon-Mount Vernon Ambulance, Lisbon Police, Linn County Sheriff's Office, Linn County Emergency Management and local businesses. Various training exercises allow inter-agency cooperation and networking to build relationships that are critical to the successful management of a critical incident.

This training and networking was put to use in 2016 when the Flood impacted Cedar Rapids. The Mount Vernon Police Department provided direct law enforcement assistance during flood operations in Cedar Rapids.

#### **DRUG TAKE BACK EVENT:**

Mount Vernon Police participated in the National Drug Take Back event on April 30, 2016. Unwanted drugs may also be turned in at the police department or placed in the drug drop box at City hall. Mount Vernon Police collected over 127 pounds of unwanted medications in 2016.

#### **DIGNITARY EVENTS:**

Mount Vernon Police Department assisted the US Secret Service with Dignitary protection events for President Bill Clinton's campaign visit on 1/28/2016 and again on 10/13/2016. Our department was also assisted by Marion Police Department and the Cedar Rapids Police Department.

## **Training Instructors**

The Mount Vernon Police Department continues to have department members trained as instructors for various applications. For instance, Officer Daniel Daubs & Officer Mehlert are department firearms instructors, Officer Gehrke is a defensive tactics instructor, and Officer Kelley is the department Taser instructor.

Deadly force and the use of firearms are two of the biggest areas of liability faced in law enforcement. Having certified instructors provides the opportunity to perform additional training to officers. This ensures proper technique and response in high risk situations and ensures proper procedures are clear, helping reduce liability and injury to the suspect and officers. Weapon proficiency and safety improve with the increased number of hours spent in weapons-related training. This past year the department was able to train at the range to ensure firearms proficiency. Taser and Defensive tactics have been incorporated into yearly trainings to ensure officers are current on proper use of force and appropriate tactics when force is necessary.

Officer Daubs is the department's Precision Driving instructor, providing training to members of the department, other agencies, and police recruits at the Iowa Law Enforcement Academy. Officer Daubs also spends time with newly hired officers instructing them on vehicle operations within the guidelines of department policy. Topics include non-emergency, emergency and pursuit driving.

Officer Todd Gehrke is a certified instructor for the R.A.D. (Rape, Aggression, and Defense) program. Officer Gehrke holds two courses annually. The training has been well received by participants, and this year we have added another session to accommodate those interested in the training.

Officer Gehrke is also a certified TIPS (Training for Intervention Procedures) trainer and conducts annual trainings for area businesses serving and selling alcohol related beverages. His certification to train TIPS is the result of the department's ongoing partnership with the Mount Vernon Community School District's federal grant projects. The department has participated for several years with the school and other surrounding rural Linn County school districts on the DFC (Drug Free Community) grant. This is for environmental changes (such as signage) within the participating communities.

Chief Doug Shannon and Officer Todd Gehrke are certified ALICE (Alert, Lockdown, Inform, Counter and Evacuate) instructors. The department conducts In-Service training with the Mount Vernon School District staff, Cornell College staff, and local businesses, regarding review of practices and procedures within the business or school and how to respond in an emergency situation is encountered.

## **National Incident Management System (NIMS)**

Members of the department completed the National Incident Management System (NIMS) ISO-100, 200 and several have the NIMS 300, 400, 700 and 800 courses completed.

## Department Technology Changes

The Court system has begun requiring departments to file paperwork, criminal charges, civil processes and other legal documents electronically. Officers use software provided by the State of Iowa to complete crash reporting, citations, criminal complaints, OWI processing and many other day to day reports. Officers use mobile computers, scanners and printers to complete these tasks in the field. Additionally the mobile computers have improved officer efficiency and communication by using mobile computers to check databases and communicate directly with officers and dispatchers. This advancement, however, comes with a cost of hardware, software and support.

Body cameras and in-car video advancements also have added to the cost of providing service to our community. High profile incidents across the country have changed the way many departments report and document contacts with violators and others that we have contact with during patrol. The hardware and back end support are costs that have made an impact on our department budget however, I believe supporting this new technology is in the best interest of our community. The video has proven to be a necessary component of policing. Our department has used captured video to aid in criminal prosecution and assist with internal investigations when complaints against officers are brought forward. The video has also proven valuable in protecting the city against civil litigation claims.

### SUMMARY

This report has outlined a variety of calls and services the Mount Vernon Police Department provides to the citizens of Mount Vernon. This report is not all-inclusive, but only a synopsis of what our officers experience. While much of law enforcement involves responding to incidents as they occur, mitigating them as safely, effectively, and efficiently as possible, the most important part of our profession is the relationships we form with the citizens we serve.

As the Chief of Police, I am hopeful this information will provide citizens with the insight to the department's activities for 2016.

All of these activities are carried out or performed to maintain order, build positive relationships and provide a safe environment for everyone, whether residing in Mount Vernon or visiting our Community.

Respectfully submitted,



Doug Shannon

Chief of Police



**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

**FEBRUARY 2017**  
**POLICE REPORT**

**Vehicle Collisions**

There were 6 reported collisions in February. Two of the collisions occurred at the Hwy 1 & 30 Roundabout. Both of these collisions occurred as 2 vehicles were southbound on Hwy 1 approaching the roundabout to proceed West on Hwy 30. The 1<sup>st</sup> vehicle yielded as required, and was rear-ended by the second vehicle. No injuries were reported in either collision and damage was estimated at \$1,400 for the first collision and \$2,500 for the second collision. The third collision occurred in the 200 block of 1<sup>st</sup> St W. This collision occurred as a vehicle pulled from a parked position, and struck the left rear corner of the vehicle parked in front of them. Damage was estimated at \$1,000 and no injuries were reported. The fourth collision occurred on Hwy 30 approximately ¼ mile west of 10<sup>th</sup> Ave SW. This collision occurred when a motorcycle travelling west on Hwy 30 attempted to pass a vehicle while a vehicle travelling east was approaching. The driver of the motorcycle struck the front of the oncoming vehicle. The driver of the motorcycle died as a result of this collision. Hwy 30 remained closed for a few hours while the scene was investigated. Damage was estimated at \$17,000. The fifth collision occurred on 4<sup>th</sup> Ave SW east of 5<sup>th</sup> Ave. This collision was a hit & run accident, caused by an unknown vehicle striking a legally parked vehicle, causing approximately \$1,500.00 damage to the parked car. The striking vehicle failed to leave identifying information on the parked vehicle. The sixth collision was a hit & run collision that occurred at the Cornell Sports Center Parking lot. The reporting party advised her vehicle was struck while parked at Cornell and not discovered until she returned to Des Moines. Damage was estimated at \$2,000.00.

**Incidents/Arrest**

There were 26 reported incidents in February. Reports included: Domestic dispute, criminal mischief, OWI, Driving while suspended, Aggravated Assault & Disarming a Police Officer, Theft, Public Intox, Gas drive off, Harassment, Violation of Court Order, Sexual Assault, Hit & Run, and providing tobacco to minor. The reported incidents resulted in 10 arrests for the month. Charges included OWI, possession of controlled substance, public intoxication, disorderly conduct, obstruction of emergency communication, disarming a police officer, aggravated assault on police officer, possession of firearm as a felon, carrying weapons, Interference with official acts, and driving while suspended.

Mount Vernon & Lisbon Police conducted tobacco compliance checks on February 24, 2017 as contracted through the State of Iowa. As a result of this compliance check 3 out of 5 retailers in Mount Vernon & all three Lisbon retailers appropriately ID'ed the juvenile and refused the sale of tobacco. Two Mount Vernon retailers were cited for providing tobacco to a minor, and the establishments have been assessed a \$300 civil penalty for the violations.



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**Community Service:**

- Chief Shannon met with Jennifer Upah-Kyes, Director of Deaf Iowans Against Abuse regarding training for Law Enforcement, to assist them when encountering persons who are deaf or hearing impaired.

**Training**

- Chief Shannon attended a briefing by the US Department of Justice and The FBI related to Crime trends and Terrorist threats related to the Midwest.

**GTSE**

In February 2017 officers worked 30 hours of STEP. This enforcement resulted in 2 OWI contacts, resulting in 2 arrests for OWI; Additionally officers contacted 21 speed violations, 1 improper passing, 1 stop sign/light violation, 1 suspended driver, 4 registration violations, 2 open container violations, 1 felony arrest for assault and disarming a police officer, 3 narcotic arrests, 6 equipment violations, 8 insurance violations, 4 other violations, 1 motorist assist and 3 individuals arrested on outstanding arrest warrants.

**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 February 2017:

- Patrol: 4,010 minutes
- Calls for service: 435 minutes (12 calls for service)
- Administrative time: (included in patrol time for OWI report)

**Total time for January: 74.08 hours**

Respectfully Submitted,

Doug Shannon  
Chief of Police



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**Public Works Report**  
**March 20, 2017**

***Trees***

All the street on the northwest quadrant have been trimmed to code. This has given us a good estimate for trimming the trees on each street. It took roughly 1 to 2 days per street depending on the severity of each street. On average if it takes 1.5 days for the remaining avenues on the northwest we have about 12 working days left for trimming in the northwest quadrant. The recent snow storm has stalled our progress. Every resident has received a letter describing the work taking place and also giving them the option to trim their ROW trees.

***Pool***

With the unexpected nice weather city staff, has been able to get a jump start on cleaning the pool. Each spring city staff does a thorough power wash of the pool basin to clean debris. This season we will be power washing then acid washing to prep the pool for painting. We have one round done due to the nice weather.

***City Hall***

City staff has completed painting all four bathrooms at city hall.

***Winter weather***

The latest snow storm brought about 4-5 inches of snow in total to the area late March 12<sup>th</sup> into March 13<sup>th</sup>. City crews began plowing early in the morning and had the streets clear by 9 am. The trails and sidewalks were completed later that day. Prior to the storm city crews placed brine on Friday, March 10<sup>th</sup>. The total amount of salt used for the storm was about 12 tons.

***Training***

Public works staff recently took a flagger safety course to help train us on moving traffic through work zones. This type of training is required every two years.



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**Parks and Recreation Department  
Directors Report  
February 15 – March 15**

**Parks**

- ***Working with Nick Nissen on master parks project list for full and part-time help***
- ***Ballpark maintenance and batting cages install will begin soon.***
- ***Dock at Nature Park is an Eagle Scout project this summer and will enhance the dock.***

**Sports**

- ***Spring soccer registration started Feb 1<sup>st</sup>. Practices will start week of March 20<sup>th</sup> (weather pending) and first game will be week of April 3<sup>rd</sup>. Currently we have 23 teams with 216 kids registered (most ever).***
- ***Baseball / Softball...We are preparing for our fourth season with the new league created last year with Anamosa, Central City, Springville, Center Point, Vinton, Monticello, Shellsburg, and Alburnett. Attended meetings in February and March preparing for the season.***

**Pool**

- ***Swim lesson dates are published and sign up dates are March 25<sup>th</sup> 1-4pm, March 28<sup>th</sup> 4-7pm, and April 1<sup>st</sup> 8-11am all taking place in the basement of City Hall.***
- ***Employment ad to hire Lifeguards, Pool House, Concessions, Assistant Pool Managers, and Swim Team coach is out.***



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**Misc**

**Chalk the Walk**

- ***Ongoing meetings...weekly meetings will begin in April***
- ***Exciting piece selected as the Community Piece...Norman Rockwell piece***

**Events and Classes**

- ***Easter Egg Dash April 15th ..partnering with Volunteer Firefighters who are hosting the Pancake Breakfast fundraiser again.***
- ***Spring Clean-up scheduled for April 29<sup>th</sup>***
- ***Working to secure Summer Camps/Classes (Lego Camp, Science Camp, Art Camps, Sports Camps, Babysitting Certification, and more).***

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

**AGENDA ITEM # L – 1**

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

<b>DATE:</b>	March 20, 2017
<b>AGENDA ITEM:</b>	Revenue Purpose Statement
<b>ACTION:</b>	None

**SYNOPSIS:** I have provided the Council with the pertinent section of Iowa Code for allowable uses for franchise fees. The first step in the adoption process will be for the City to adopt a revenue purpose statement. Staff is seeking input from the Council as to what items listed under 384.3A (3) that you would like to include in the statement. I have also attached a sample resolution from the City of Decorah that adopts the revenue purpose statement.

**BUDGET ITEM:** N/A

**RESPONSIBLE DEPARTMENT:** City Administrator

**MAYOR/COUNCIL ACTION:** None

**ATTACHMENTS:** Supporting Documents

**PREPARED BY:** Chris Nosbisch

**DATE PREPARED:** 3/14/17

**364.2 VESTING OF POWER -- FRANCHISES.**

1. A power of a city is vested in the city council except as otherwise provided by a state law.

2. The enumeration of a specific power of a city does not limit or restrict the general grant of home rule power conferred by the Constitution of the State of Iowa. A city may exercise its general powers subject only to limitations expressly imposed by a state or city law.

3. An exercise of a city power is not inconsistent with a state law unless it is irreconcilable with the state law.

4. a. A city may grant to any person a franchise to erect, maintain, and operate plants and systems for electric light and power, heating, telegraph, cable television, district telegraph and alarm, motor bus, trolley bus, street railway or other public transit, waterworks, or gasworks, within the city for a term of not more than twenty-five years. When considering whether to grant, amend, extend, or renew a franchise, a city shall hold a public hearing on the question. Notice of the time and place of the hearing shall be published as provided in section 362.3. The franchise may be granted, amended, extended, or renewed only by an ordinance, but no exclusive franchise shall be granted, amended, extended, or renewed.

b. Such an ordinance shall not become effective unless approved at an election. The proposal may be submitted by the council on its own motion to the voters at any city election. Upon receipt of a valid petition as defined in section 362.4 requesting that a proposal be submitted to the voters, the council shall submit the proposal at the next regular city election or at a special election called for that purpose before the next regular city election. However, the city council may dispense with such election as to the grant, amendment, extension, or renewal of an electric light and power, heating, or gasworks franchise unless there is a valid petition requesting submission of the proposal to the voters, or the party seeking such franchise, grant, amendment, extension, or renewal requests an election. If a majority of those voting approves the proposal, the city may proceed as proposed. The complete text of the ordinance shall be included on the ballot if conventional paper ballots are used. If an optical scan voting system is used, the proposal shall be stated on the optical scan ballot, and the full text of the ordinance posted for the voters pursuant to section 52.25. All absentee voters shall receive the full text of the ordinance.

c. Notice of the election shall be given by publication as prescribed in section 49.53 in a newspaper of general circulation in the city.

d. The person asking for the granting, amending, extension, or renewal of a franchise shall pay the costs incurred in holding the election, including the costs of the notice. A franchise shall not be finally effective until an acceptance in writing has been filed with the council and payment of the costs has been made.

e. The franchise ordinance may regulate the conditions required and the manner of use of the streets and public grounds of the city, and it may, for the purpose of providing electrical, gas, heating, or water service, confer the power to appropriate and condemn private property upon the person franchised.

f. A franchise fee assessed by a city may be based upon a percentage of gross revenues generated from sales of the franchisee within the city not to exceed five percent, without regard to the city's cost of inspecting, supervising, and otherwise regulating the franchise. Franchise fees collected pursuant to an ordinance in effect on May 26, 2009, shall be deposited in the city's general fund and such fees collected in excess of the amounts necessary to inspect, supervise, and otherwise regulate the franchise may be used by the city for any other purpose authorized by law. Franchise fees collected pursuant to an ordinance that is adopted or amended on or after May 26, 2009, to increase the percentage rate at which franchise fees are assessed shall be credited to the franchise fee account within the city's general fund and used pursuant to section 384.3A. If a city franchise fee is assessed to customers of a franchise, the fee shall not be assessed to the city as a customer. Before a city adopts or amends a franchise fee rate ordinance or franchise ordinance to increase the percentage rate at which franchise fees are assessed, a revenue purpose statement shall be prepared specifying the purpose or purposes for which the revenue collected from the increased rate will be expended. If property tax relief is listed as a purpose, the revenue purpose statement shall also include information regarding the amount of the property tax relief to be provided with revenue collected from the increased rate. The revenue purpose statement shall be published as provided in section 362.3.

g. If a city grants more than one cable television franchise, the material terms and conditions of any additional franchise shall not give undue preference or advantage to the new franchisee. A city shall not grant a new franchise that does not include the same territory as that of the existing franchise. A new franchisee shall be given a reasonable period of time to build the new system throughout the territory.

5. If provided by ordinance, a city may enter into a chapter 28E agreement for the collection of delinquent parking fines by a county treasurer pursuant to section 321.40 at the time a person applies for renewal of a motor vehicle registration, for violations that have not been appealed or for which appeal has been denied. The city may pay the treasurer a reasonable fee for the collection of such fines, or may allow the county treasurer to retain a portion of the fines collected, as provided in the agreement.

### Section History: Early Form

[C51, § 664; R60, § 1047, 1056, 1057, 1090, 1094, 1095; C73, § 454--456, 471, 473, 474, 517, 523, 524; C97, § 695, 720--722, 775, 776; S13, § 695, 720--722, 776; C24, 27, 31, 35, § 5738, 5904, 5904-c1, 5905--5909, 6128, 6131--6134; C39, § 5738, 5904, 5904.1, 5905--5909, 6128, 6131--6134; C46, 50, § 368.1, 386.1--386.7, 397.2, 397.5--397.8; C54, 58, 62, 66, § 368.2, 386.1--386.7, 388.5--388.9, 397.2, 397.5--397.8; C71, 73, § 368.2, 386.1--386.7, 397.2, 397.5--397.8; C75, 77, 79, 81, § 364.2]

### Section History: Recent Form

83 Acts, ch 127, § 5; 93 Acts, ch 143, § 49; 98 Acts, ch 1123, §15; 98 Acts, ch 1148, §1, 9; 2001 Acts, ch 82, §1; 2001 Acts, ch 98, §1; 2005 Acts, ch 54, §11, 12; 2006 Acts, ch 1010, §96; 2007 Acts, ch 190, §42; 2009 Acts, ch 57, §89; 2009 Acts, ch 179, §228, 231  
Referred to in § 68A.503, 306.46, 357A.23, 358C.13, 364.4, 384.3A,

**384.3A FRANCHISE FEE ACCOUNT -- USE OF FRANCHISE FEE REVENUES.**

1. A city that assesses a franchise fee pursuant to an ordinance that is adopted or amended on or after May 26, 2009, to increase the percentage rate at which franchise fees are assessed under section 364.2, subsection 4, paragraph "f", shall establish a franchise fee account within the city's general fund. All revenues collected by a city pursuant to such an ordinance shall be deposited in the account. Interest earned on revenues deposited in the account shall remain in the account and be used for the purposes specified in this section. Moneys in the account are not subject to transfer to any other accounts in the city's general fund or to any other funds established by a city unless such transfer is for a purpose specified in this section.

2. Moneys in the account shall be used for the purposes of inspecting, supervising, and otherwise regulating each franchise approved by the city.

3. Moneys in the account in excess of the amount necessary for the purposes specified in subsection 2 shall be expended for any of the following:

- a. Property tax relief.
- b. The repair, remediation, restoration, cleanup, replacement, and improvement of existing public improvements and other publicly owned property, buildings, and facilities.
- c. Projects designed to prevent or mitigate future disasters as defined in section 29C.2.
- d. Energy conservation measures for low-income homeowners, low-income energy assistance programs, and weatherization programs.
- e. Public safety, including the equipping of fire, police, emergency services, sanitation, street, and civil defense departments.
- f. The establishment, construction, reconstruction, repair, equipping, remodeling, and extension of public works, public utilities, and public transportation systems.
- g. The construction, reconstruction, or repair of streets, highways, bridges, sidewalks, pedestrian underpasses and overpasses, street lighting fixtures, and public grounds, and the acquisition of real estate needed for such purposes.
- h. Property tax abatements, building permit fee abatements, and abatement of other fees for property damaged by a disaster as defined in section 29C.2.
- i. Economic development activities and projects.

2009 Acts, ch 179, §230, 231  
Referred to in § 364.2

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Previous Section [384.3](#)    Next Section [384.4](#)

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## RESOLUTION NO. 2965

### RESOLUTION APPROVING AND ADOPTING A REVENUE PURPOSE STATEMENT FOR THE USE OF REVENUES FROM ELECTRIC AND NATURAL GAS FRANCHISE FEES

**WHEREAS**, the City Council of the City of Decorah, Iowa, has chosen to establish utility franchise fees for Interstate Power and Light Company (Alliant Energy) for the sale and distribution of electric energy within the city limits of the City and for Black Hills Energy Corporation for the sale and distribution of natural gas within the city limits of the City; and

**WHEREAS**, pursuant to the provisions of Section 364.2, subsection (4)(f) of the Code of Iowa, the City shall prepare a Revenue Purpose Statement outlining the purposes for which the City shall use the franchise fee revenues that will be received if the proposed franchise ordinances are adopted; and

**WHEREAS**, the City Council of the City of Decorah shall hold a public hearing regarding any amendment to its electric and natural gas franchise ordinances prior to adoption of any amended franchises; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DECORAH, IOWA:**

**SECTION 1.** That the Revenue Purpose Statement for the use or expenditure of electric and natural gas franchise fee revenues for the City of Decorah, Iowa is hereby approved and adopted as follows:

#### REVENUE PURPOSE STATEMENT

Pursuant to the provisions of Section 364.2 subsection (4)(f) of the Code of Iowa, the City of Decorah hereby establishes the following purposes allowed under Iowa Code for which franchise fee revenues from its electric and natural gas franchises may be used or expended:

- a. Inspecting, supervising, and otherwise regulating each franchise approved by the City.
- b. The repair, remediation, restoration, cleanup, replacement, and improvement of existing public improvements and other publicly owned property, buildings, and facilities.
- c. Projects designed to prevent or mitigate future disasters as defined in Iowa Code Section 29c.2.

e. Public safety including the equipping of fire, police, emergency services, sanitation, street, and civil defense departments.

f. The establishment, construction, reconstruction, repair, equipping, remodeling, and extension of public works, public utilities, and public transportation systems.

g. The construction, reconstruction, or repair of streets, highways, bridges, sidewalks, pedestrian underpasses and overpasses, street lighting fixtures, public grounds, and the acquisition of real estate needed for such purposes.

Section 2. That the City Clerk shall publish the Revenue Purpose Statement pursuant to Section 362.3 of the Iowa Code.

Section 3. That all resolutions or parts of resolutions in conflict herewith are repealed, and the same are hereby repealed to the extent of such conflict.

**PASSED AND APPROVED** by the City Council this 17<sup>th</sup> day of October, 2016.

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Don Arendt, Mayor

ATTEST:

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Wanda Hemesath, City Clerk

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

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**CITY OF MT. VERNON  
CITY ADMINISTRATOR  
REPORT TO THE CITY COUNCIL  
March 20, 2017**

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- Quick reminder that there is a work session scheduled for Monday, March 27, 2017 at 6:30 p.m. The work session was set to further discuss the proposed demolition ordinance.
- The Corridor study RFQ rough draft has been completed and submitted to the Chair of the Planning and Zoning Commission.
- Staff will be attending a preconstruction meeting for the Hwy 30 bypass on March 22, 2017 in Davenport.
- Spring leaf pick up will begin April 3, 2017 and will continue for a period of three weeks.
- As you may have read in the paper, staff from the Cities of Mt. Vernon and Lisbon have been discussing a possible equipment sharing agreement. Staff will be meeting over the course of the next three weeks to discuss the parameters of the agreement.