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:	**May 7, 2018 – 6:30 PM**
Web Page:	**www.cityofmtvernon-ia.gov**
Posted:	**May 4, 2018**

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

A. **Call to Order**

B. **Agenda Additions/Agenda Approval**

C. **Communications:**

1. Unscheduled

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

D. **Consent Agenda**

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

1. Approval of City Council Minutes – April 16, 2018 Regular Council Meeting
2. Approving Liquor License – Casey's General Store #1599

E. **Public Hearing**

1. None

F. **Ordinance Approval/Amendment**

1. None

G. **Resolutions for Approval**

1. Resolution #5-7-2018A: Creating the City of Mt. Vernon Poet Laureate Position and Establishing Qualifying Criteria for Appointment
2. Resolution #5-7-2018B: Setting the Salaries for the Appointed Officers and Employees of the City of Mt. Vernon for Fiscal Year 2018-2019
3. Resolution #5-7-2018C: Approving a 28E Communication Services Agreement With Linn County

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 Setting a Public Hearing Date to Amend the 2017-2018 Fiscal Year Budget – Council Action as Needed
3. Discussion and Consideration of Accepting the Terms and Conditions of the Grant Award from the Hall-Perrine Foundation – Council Action as Needed
4. Discussion and Consideration of CAT Application Withdrawal from the Enhance Iowa Board – Council Action as Needed
5. Discussion and Consideration of Nature Park Trail Project – Council Action as Needed

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

1. None

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

1. Fiber/Wi-Fi Update
2. Water/Sewer Exemption Updater

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)C, the City Council may enter into closed session, "to discuss strategy with Council in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation."

1. Exit Closed Session – Council Action as Needed

O. **Closed Session -** Pursuant to Chapter 21.5 (1)J, the City Council may enter into closed session, "to discuss the purchase or sale 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 or reduce the price the governmental body would receive for that property."

1. Exit Closed Session – Council Action as Needed

P. **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

April 16, 2018
City Council Minutes
213 1st Street NW
Mount Vernon, Iowa 52314

The Mount Vernon City Council met April 16, 2018 at the Mount Vernon City Hall Council Chambers with the following members present: Roudabush, West, Wieseler, Christensen and Rose.

Call to Order. Mayor Jamie Hampton called the meeting to order at 6:30 p.m. Agenda change: Motions Item J-5, Discussion and Consideration of Outdoor Warning Signal Solar conversion will be tabled.

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

Consent Agenda. Motion made by Rose, seconded by Wieseler to approve the Consent Agenda. Carried all.
Approval of City Council Minutes – April 2, 2018 Regular Council Meeting

Mayoral Proclamation
Proclamation Establishing Friday, April 27, 2018 as Arbor Day in the City of Mt. Vernon, Iowa

Motions for Approval
Consideration of Claims List – Motion to Approve. Christensen motioned to approve the Claims List, seconded by Wieseler. Carried all.

PAYROLL	CLAIMS	56,656.93
AAA PEST CONTROL	PEST CONTROL-P&A	30.00
AIRGAS INC	CYLINDER RENTAL FEE-PW	59.80
ALL SECURE	SECURITY SYST MONITORING-POOL	75.00
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	3,797.54
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	3,309.01
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	3,012.15
ALLIANT IES UTILITIES	ENERGY USAGE-RUT	1,340.08
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	621.59
ALLIANT IES UTILITIES	ENERGY USAGE-P&A	541.77
ALLIANT IES UTILITIES	ENERGY USAGE-PD	505.28
ALLIANT IES UTILITIES	ENERGY USAGE-FD	489.09
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	283.29
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	167.49
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	95.65
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	29.88
ALLIANT IES UTILITIES	ENERGY USAGE-EMA	20.86
ALLIANT IES UTILITIES	ENERGY USAGE-CEM	20.86
BARNYARD SCREEN PRINTER LLC	T-SHIRTS-P&EC	540.00
BATTERIES + BULBS	SUPPLIES-SEW	60.59
CAREPRO PHARMACY	MEDICAL SUPPLIES-P&REC	36.85
CARQUEST OF LISBON	VEHICLE MAINT-PW	240.23
CENTRAL IOWA DISTRIBUTING	SUPPLIES-FD	101.85
CENTURY LINK	PHONE CHGS-PD	51.31
CHRIS NOSBISCH	MILEAGE-P&A	443.63
COGRAN SYSTEMS	ONLINE REGISTRATION FEES-P&REC	150.00
COMPASS MINERALS	SALT-RUT	1,815.18
COMPASS MINERALS	SALT-RUT	1,810.93

CR LC SOLID WASTE AGENCY	OIL BASE PAINT/GLUE-RUT	139.50
CURTIS ENGLISH	PORTABLE RR RENTALS-P&REC	120.00
DIESEL TURBO SERVICES INC	EQUIPMENT REPAIRS-RUT	41.00
DIESEL TURBO SERVICES INC	VALVE,REMOTE INSTALL/LEAF VAC	3,892.89
DIESEL TURBO SERVICES INC	ALTERNATOR-RUT	772.72
DIESEL TURBO SERVICES INC	REPLACE VALVE/BOOM TRUCK-RUT	75.00
DUANE'S SERVICE	VEHICLE MAINT-PD	400.00
ECHOVISION INC	GOCAM,BATTERIES,MISC-PD	907.32
ENVIRONMENTAL RESOURCE ASSOC	TESTING-SEW	240.40
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
GARY'S FOODS	SUPPLIES-ALL DEPTS	124.54
GROUP SERVICES INC	INSURANCE-ALL DEPTS	22,141.51
HDC PRINTED PRODUCTS	SUPPLIES-P&A	21.40
IOWA DEPT OF PUBLIC SAFETY	ON LINE WARRANTS-PD	300.00
IOWA DEPT OF TRANSPORTATION	BOLT-RUT	20.03
IOWA PEACE OFFICERS ASSOC	TRAINING-PD	50.00
IOWA POLICE CHIEFS ASSOCIATION	TRAINING-PD	135.00
IOWA SOLUTIONS INC	DBR BACKUP-ALL DEPTS	370.00
IOWA SOLUTIONS INC	COMPUTER-RUT	2,504.00
IOWA SOLUTIONS INC	GMS FIREWALL SETUP-ALL DEPTS	649.90
IOWA SOLUTIONS INC	SERVER MAINT-PD	125.00
IOWA TITLE COMPANY	REPORT OF TITLE-SEW	322.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
JOE'S QUALITY WINDOW CLEANING	WINDOW CLEANING-P&A	100.00
KIRKWOOD COMMUNITY COLLEGE	TRAINING-FD	175.00
KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE PLAN/COPIES	633.91
LINN COUNTY PLANNING & DEV	BLDG PERMIT FEES/INSPECTIONS	2,537.00
MEDIACOM	PHONE/INTERNET--POOL	161.02
MEDIACOM	PHONE/INTERNET-FD	15.96
MOORE MEDICAL CORP.	TOURNIQUET-PD	283.91
MOORE MEDICAL CORP.	GLOVES,TOURNIQUET-PD	138.37
MOUNT VERNON ACE HARDWARE	SUPPLIES-ALL DEPTS	1,147.12
MOUNT VERNON ACE HARDWARE	EQUIP REPAIR-FD	204.34
MOUNT VERNON LISBON SUN	ADS/PUBLICATIONS-ALL DEPTS	1,337.91
MOUNT VERNON LISBON SUN	ADS/PUBLICATIONS-P&REC,POOL	266.25
MOUNT VERNON, CITY OF	POSTAGE-MVHPC	5.45
NATHAN GOODLOVE	FIRE CHIEF PAY-FD	416.67
NICK NISSEN	MILEAGE-RUT	158.05
OPN ARCHITECTS	WELLNESS CENTER/STUDY PHASE I	4,614.43
P&K MIDWEST INC	RECEIVER HITCH-RUT	139.00
PROFESSIONAL PLUMBING SERVICES	REPAIR BALLL VALVE-FD	318.25
RAPIDS REPRODUCTIONS INC	COMMITTMENT CARDS-LOST I	86.56
RED LION RENEWABLES	SOLAR ELECTRIC PRODUCTION-P&A	256.77
ROBERT BUSER	IAFC MEMBERSHIP-EMA	234.00
SECRETARY OF STATE	NOTARY PUBLIC RENEWAL	30.00
SHOEMAKER & HAALAND	SOUTH ALLEY STREETSCAPE PROJ	3,600.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	630.00
SIMMONS PERRINE MOYER BERGMAN	LEGAL FEES-P&A	300.00
ST LUKE'S WORK WELL SOLUTIONS	DRUG TEST-RUT	112.00
STAPLES ADVANTAGE	VACUUM-P&A	350.98
STAPLES ADVANTAGE	MAGNIFIER,PAPER-PD,P&A	192.28
STATE HYGIENIC LAB	TESTING-SEW	2,307.00

TECHNICOM COMMUNICATIONS SYSTEMS	PHONE LINE REPAIR-P&A,PD	60.00
UNITYPOINT CLINIC	DRUG TESTING-RUT	42.00
US CELLULAR	CELL PHONE-PD	116.17
WEX BANK	FUEL-PD,WAT,SEW	1,233.03
	TOTAL	132,102.48

Discussion and Consideration of City of Mt. Vernon Personnel Policy Handbook – Council Action as Needed. Staff met with the Personnel Committee prior to tonight's Council meeting. Since the April 2, 2018 discussion staff has removed the three personal days but left the FMLA language in. There were several updates to existing policies including social media section and computer sections. Nosbisch said the manual will be reviewed and updated yearly. Motion to approve the City of Mt. Vernon Personnel Policy Handbook made by Wieseler, seconded by West. Carried all.

Discussion and Consideration of Associate Planner Position – Council Action as Needed. At the 1-15-2018 meeting council asked for more information regarding the funding source and what the terms would be regarding projecting hours by the duties. Currently the zoning administrator spends about 10 hours per week on zoning projects with the Sidewalk Project being a priority for about eight months of the year. Other duties could be a nuisance compliance officer, working with other City departments on development issues affecting land use, utilities, and housing and more. They could assist in the preparation of the 5-year CIP, GIS mapping program and housing initiatives. Nosbisch put together a memo outlining duties/expectations and a job description. Rose questioned the verbiage on the Job Description/Acknowledgement Form to which Nosbisch said he would look at again before sending out. Rose motioned the approval of an Associate Planner Position as presented, seconded by West. Carried all.

Discussion and Consideration of Waiver Requests for Mandatory Connection of City Sewer and Water – Hickory Acres Subdivision – Council Action as Needed. The four lots within the Hickory Acres subdivision meet the requirements for the waivers as outlined by City code. If the City ever extends services to this subdivision each of the four lots would be required to connect at that time. Roudabush motioned to approve waiver requests for mandatory connection of City sewer and water, seconded by Wieseler. Carried all.

Discussion and Consideration of Outdoor Warning Signal Solar Conversion – Old Fire Station - Council Action as Needed. Tabled.

Discussion and Consideration of Police Vehicle Purchase – Council Action as Needed. Chief Doug Shannon asked Council to consider the approval to purchase an SUV patrol vehicle and related equipment to be used as a K9 vehicle. This vehicle was a planned FY18 purchase. The total cost of vehicle, equipment and installation is $43,748.94 ($29,463.00 to Lynch and $14,285.94 to Racom). The equipment needed for this vehicle is a bit higher in cost due to the K9 kennel, temperature control & monitoring system, and emergency door opener, etc. If purchased now the vehicle should be ready for service by August which is when Officer Moel can begin K9 training/certification. Motion to approve Police vehicle purchase as presented was made by Roudabush, seconded by Rose. Carried all.

Reports to be Received/Filed

Mt. Vernon Fire Department Annual Report. Chief Nathan Goodlove submitted a report for the year 2017. Total calls for service for the year was broken down to 163 in the City, 16 to Cornell, 62 rural, 7 to Bertram and 16 mutual aid calls. These 254 calls were broken down by the day of the week with Thursday being the highest call day at 46 and Saturday being the lowest at 27. Mutual aid was given to Lisbon, Solon, Ely, Springville, West Bertram, Swisher and Cedar Rapids. The total number of training hours was 1,536.5 hours. The total time spent on incidents was 505 hours, 12 minutes.

Mt. Vernon Police Report. In March Police Chief Shannon said there were 4 reported collisions and 34 incidents. Reports included OWI, burglary to storage shed, animal bite, extortion as well as others. The reported incidents resulted in 6 arrests for the month. Officers worked 16 hours of STEP in March. Officers conducted a pre-enforcement seatbelt survey and found that 89% of driver/passengers were wearing seatbelts. Supplementing police coverage for the City of Lisbon has resulted in 1,925 minutes of patrol time and 9 service calls. There was no administrative time recorded.

Mt Vernon Police Department Annual Report. A copy of the report can be seen at City Hall or on the City's website.

Mt. Vernon Public Works Report. The City hosted a winter training event at the fire station meeting room. There were about 60 PW employees from 20 different communities.

Mt. Vernon Parks and Rec Report. On Arbor Day, April 20th, the P&Rec Dept will be hosting all 4th grade classes at Nature Park for spring clean-up and tree planting. Construction easement agreements are being finalized for the Nature Park Trail. Spring soccer is in full swing with 18 teams and 222 kids. Pool open date is tentatively scheduled for May 26th. 150 artists have registered for Chalk the Walk. Chalk has been delivered.

Discussion Items (No Action)

Poet Laureate. Staff asked Council for input on the permanency of the position for the Poet Laureate. The position could be created with a simple appointment or an ordinance could establish a permanent position. Members of the Mount Vernon Area Arts Council members Marie DeVries and Chris Goodwin suggested that the position be approved by resolution so in 2-3 years the committee can re-evaluate the position to which Council agreed.

City Administrator's Report. Staff completed training with Midland GIS in preparation for our GIS site to go live. Mount Vernon did not receive a recommendation from the CAT committee at their April 11, 2018 meeting. We will be returning to the board on May 9, 2018 to provide additional updates. The by-pass steering committee held their second meeting on April 4, 2018. The consultants will start to prepare documents from the feedback that has been received.

As there was no further business to attend to the meeting adjourned the time being 7:40 p.m., April 16, 2018.

Respectfully submitted,
Sue Ripke
City Clerk

Marsha Dewell

From: Licensing@IowaABD.com
Sent: Tuesday, April 24, 2018 2:36 AM
To: Marsha Dewell
Cc: Licensing@IowaABD.com
Subject: Liquor License Submitted to Local Authority

Insurance coverage/bond certification has been completed for the following application(s). The application(s) is awaiting local authority review. After local authority approval, the application will be submitted to the Iowa Alcoholic Beverages Division for review.

License #	License Status	Business Name
	Submitted to Local Authority	CASEY'S GENERAL STORE #1599 (323 HWY 30 W Mount Vernon 52314)

Please do not respond to this email.
To check the status of your application follow these steps:
1. Click https://elicensing.iowaabd.com
2. Log in to your eLicensing account
3. After reading the 'Beginning April 1st' statement, click ok
4. Click the View Completed Applications link to see your status

G. Resolutions for Approval

AGENDA ITEM # G – 1

AGENDA INFORMATION
MT. VERNON CITY COUNCIL COMMUNICATION

DATE:	May 7, 2018
AGENDA ITEM:	Poet Laureate
ACTION:	Motion

SYNOPSIS: Staff has provided Council with a base resolution for discussion.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Resolutions

PREPARED BY: Chris Nosbisch **DATE PREPARED:** 5/4/18

RESOLUTION NO. 5-7-2018A

RESOLUTION APPROVING THE CREATION OF THE CITY OF MT. VERNON POET LAUREATE POSITION AND ESTABLISHING QUALIFYING CRITERIA FOR APPOINTMENT

WHEREAS, poetry is a powerful form of literature that honors self-expression and promotes understanding within communities, and,

WHEREAS, poetry has long been used to elicit a range of emotions and sentiments about place and time, culture and society, and

WHEREAS, the Mt. Vernon Poet Laureate will serve as the ambassador and advocate for poetry on the City's behalf throughout the year, with particular emphasis during National Poetry Month (April), and

WHEREAS, the Mt. Vernon Poet Laureate shall serve with the objective of:

1. celebrating the written and spoken poetic voices of residents;
2. increasing access to poetry throughout all parts of the community;
3. encouraging both the reading and writing of literature;
4. commemorate the City through works that speak to, for and of our region;
5. officiating special events upon request throughout the term

WHEREAS, the City Council will appoint the Poet Laureate to a two (2) year term upon recommendation from the Mt. Vernon Area Arts Council, and

WHEREAS, the minimum qualifications required for the position of poet laureate include the following:

1. must be a current resident of the City of Mt. Vernon
2. must be 18 years or older
3. must have original works published
4. must be able to demonstrate a contribution to poetry at the local, state or national level

NOW, THEREFORE, BE IT RESOLVED: The City Council does hereby approve the City of Mt. Vernon Poet Laureate.

APPROVED and ADOPTED this 7th day of May, 2018.

_____
Jamie Hampton, Mayor

ATTEST:

_____
Sue Ripke, City Clerk

AGENDA ITEM # G – 2

AGENDA INFORMATION
MT. VERNON CITY COUNCIL COMMUNICATION

DATE:	May 7, 2018
AGENDA ITEM:	Setting Salaries
ACTION:	Motion

SYNOPSIS: Please see the attached memo regarding the proposed non-union salaries for FY 19.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Memo and Resolution

PREPARED BY: Chris Nosbisch **DATE PREPARED:** 5/4/18

RESOLUTION #5-7-2018B

RESOLUTION SETTING THE SALARIES FOR THE APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF MT. VERNON, FOR FISCAL YEAR 2018-2019.

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

SECTION 1. The following persons and positions shall be paid salaries or wages indicated and the City Clerk is authorized to issue warrants less legally required authorized deductions from the amounts set out below, bi-weekly or monthly; and make such contributions to IPERS and FICA and other purposes as required by law or authorization of the Council, subject to audit and review by the City Council:

	Current	Effective July 1, 2018
Police:		
Shannon, Doug	$79,430.13	$81,614.46
Public Works:		
Nissen, Nick	$70,378.61	$73,287.61
Volkov, Alex	$72,273.68	$74,261.21
Administration:		
Nosbisch, Chris	$95,790.00	$98,424.23
Ripke, Sue	$72,273.68	$74,761.21
Parks, Recreation & Pool:		
Siders, Matt	$58,436.68	$63,695.98
Fire:		
Goodlove, Nathan	$ 9,100.00	$15,600.00
Boren, Derek	$ 2,430.00	$ 5,000.00
Buster, Jacob	$ 930.00	$ 1,000.00

This Resolution shall be effective as of the first pay date in July.

PASSED AND APPROVED this 7th day of May, 2018.

_____
Jamie Hampton, Mayor

ATTEST:

_____
Sue Ripke, City Clerk/Deputy City Administrator

Memorandum

To: Mayor and City Council

From: Chris Nosbisch, City Administrator

Date: 5/4/2018

Re: 2018-2019 Salary Increases

Let's start with the easiest three non-union employees. After successful reviews, the City Administrator, Police Chief, and Water/Wastewater Superintendent are scheduled to receive the same 2.75% raise as the union staff (with Council approval). The raises for the Fire Department were discussed during the budget session and are split with the Linn County Rural Fire District.

Further adjustments were made to the Public Works Director, Assistant City Administrator, and Parks and Rec Director. The proposed increases occur over a two year period in an effort to ease them into the budget. These requests were originally discussed with the personnel committee in November 2017. The proposed changes were also discussed with the new personnel committee in April.

Public Works Director – It is my opinion that Nick Nissen received a starting salary based upon the person and not the position. The Public Works Director has five FTE's and 5-10 seasonal laborers. It also tends to be the dumping ground for all city related projects. The City has two subdivisions in which I rely on Nick's expertise to ensure proper construction of public utilities. Once the wellness center is under construction, I expect Nick to be my second set of eyes during the construction process.

At a minimum, the Director should be in line with the Water/Wastewater Superintendent. Nick has more than proved his worth over the course of the past three years and is continuously looking at ways to enhance the department. The City has re-established a right of way tree trimming program, bee friendly planting programs, hosted APWA events, researched composting initiatives, etc. The proposed increase of the public works director salary is 4.13% in FY 18 and 4.12% FY 19.

Assistant City Administrator – As the second in command, the Assistant position should be elevated (even by a small margin) above all other city positions. Statewide, due to her role as finance director, this position is consistently one of the hardest to fill. The proposal is to increase Sue's salary by an additional $500 per year for the next two

years. This will increase her salary by 3.44% and 3.42% respectively ($1,000 more than Nick and Alex).

Parks and Recreation Director – The salary for this position, under the current circumstances, is well within industry standards. However, adding an $8 million dollar facility, 35 to 45 additional PT employees, and numerous interns definitely changes the scope of the position. The Recreation Director in North Liberty receives a salary of $90,000 annually (North Liberty also has a recreation director paid $90,000 annually as well).

The question I have been asked is in reference to the timing. It is my expectation that Matt will begin laying the groundwork for a successful city community/wellness center a full year in advance of the opening. In fact, this may be the most critical time for the future success of the building. The proposed increase for this position is 9% for the next two years (the $5,000 payment for planning and zoning duties would also remain in his salary), and I would like to avoid one large increase.

AGENDA ITEM # G – 3

AGENDA INFORMATION
MT. VERNON CITY COUNCIL COMMUNICATION

DATE:	May 7, 2018
AGENDA ITEM:	Communications Services Agreement
ACTION:	Motion

SYNOPSIS: Staff has received the final draft of the 28E agreement establishing dispatch fees with Linn County. The 28E agreement sets Mt. Vernon's share of the fee at $14,007.16 for FY 18. This may increase slightly for FY 19 as the cities have agreed to include the benefit package increases. In the meantime, the 911 Board for Linn County continues to study the creation of one PSAP for Linn County. The outcome of this study will very much dictate the dispatch fee Mt. Vernon must pay annually.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Supporting Documents

PREPARED BY: Chris Nosbisch **DATE PREPARED:** 5/4/18

RESOLUTION NO. 5-7-2018C

RESOLUTION APPROVING THE COMMUNICATION SERVICES AGREEMENT 28E WITH LINN COUNTY

WHEREAS, Iowa Code Chapter 28E authorizes local governments in Iowa to provide joint services and facilities with other agencies and to cooperate in other ways of mutual advantage, and,

WHEREAS, the City of Mt. Vernon City wishes to contract with Linn County for communication services (dispatch fees), and

WHEREAS, the terms and conditions of the 28E Agreement are found in Exhibit A, attached hereto and made a part thereof,

NOW, THEREFORE, BE IT RESOLVED: The City Council does hereby approve the Communication Services Agreement with Linn County.

APPROVED and ADOPTED this 5th day of May, 2018.

_____
Jamie Hampton, Mayor

ATTEST:

_____
Sue Ripke, City Clerk

COMMUNICATIONS SERVICES AGREEMENT

THIS AGREEMENT is made and entered into by and between LINN COUNTY, IOWA, hereinafter referred to as "County" and THE CITY OF MOUNT VERNON, IOWA, hereinafter referred to as "City".

RECITALS:

WHEREAS, Iowa Code Chapter 28E authorizes local governments in Iowa to provide joint services and facilities with other agencies and to cooperate in other ways of mutual advantage; and,

WHEREAS, the City has requested that the County provide Communications Services to the City as referenced and agreed to in this Agreement; and,

WHEREAS, the Linn County Board of Supervisors, in the interest of the health, safety and welfare of the residents of the City and County, deems it advisable to enter into this Communications Services Agreement.

NOW THEREFORE in consideration of the mutual promises, acknowledgments, representations and agreements set forth in this Agreement, and for other good and valuable consideration, the adequacy of which is hereby acknowledged, the County and City hereby agree as follows:

1. LEGAL AUTHORITY. This Agreement is entered into pursuant to Iowa Code Chapter 28E.

2. NO ENTITY CREATED. This Agreement does not, and is not intended to, create a separate legal or administrative entity.

3. STATEMENT OF AGREEMENT.

- **A.** The County, through its Sheriff, agrees to provide Communications Services to the City and the City agrees to engage the County to provide such services in accordance with and subject to the terms of this Agreement.
- **B.** Except as expressly provided for in this Agreement, the Parties agree that this Agreement does not, and is not intended to, transfer, delegate, or assign to the other Party any civil or legal responsibility, duty, obligation, duty of care, cost, legal obligation, or liability associated with any governmental function delegated and/or entrusted to either Party under existing law or regulations.

4. DEFINITIONS. For the purposes of this Agreement, and as used throughout this Agreement, the words and expressions listed below, whether used in the singular or plural, within or without quotation marks, or possessive or non-possessive shall be defined, read, and interpreted as follows:

- **A.** "AGENT" means any and all County and/or Sheriff's elected officials, appointed officials, directors, board members, commission members, boards, committees, commissions, employees, managers, departments, divisions, representatives, and/or any such persons' or bodies' predecessors, successors, or assigns.

B. "COMMUNICATIONS SERVICES" means the receipt of calls for service and the disposition of calls for service by dispatching such calls to the appropriate City, law enforcement, fire department, ambulance, and/or other public safety personnel

5. NATURE OF SERVICES.

A. The Sheriff will provide 24-hour per day, 365 days per year Communications Services to the City.
B. The Sheriff will manage and maintain all aspects of the City's access and use of the Iowa On-line Warrants and Articles (IOWA) Criminal Justice Information Network and the National Crime Information Center (NCIC) system including, but not limited to, system use, system discipline, user accounts, validations and audits.
C. The Sheriff will not be required to assume any other communications services inconsistent with those customarily performed by the Sheriff.
D. The Sheriff will manage the planning, organization, scheduling, standards of performance, direction, and supervision of the Sheriff's employees and all other matters incident to the delivery of Communications Services to the City. The Sheriff will retain exclusive authority over the Sheriff's employees.
E. This Agreement does not, and is not intended to obligate or require the County or Sheriff to change, alter, modify, or develop any different Communications Services related policies, procedures, and/or standards, or to purchase or use any special or additional equipment.

6. RESOURCES.

A. Unless specified in another section of this Agreement, the County and/or Sheriff will furnish all labor and supplies, and will own the facilities and equipment required to provide the Communications Services to the City that are the subject of this Agreement.
B. The County and/or Sheriff will retain ownership of the aforementioned facilities and equipment and will be fully responsible for the maintenance of such facilities and equipment.

7.FINANCIAL OBLIGATIONS.

A. In consideration of the provisions set forth herein, the City will pay the County the total sum of $14,007.16 per year for Communications Services delivered from July 1, 2017 to June 30, 2018, and from July 1, 2018 to June 30, 2019.
B. Payment will be made by the City to the County upon execution of this Agreement without any further notice or demand from the County or Sheriff.
C. Payment will be made payable to the Linn County Treasurer by electronic funds transfer or by a check drawn on a city account.
D. The payment will clearly identify that it is a payment being made pursuant to this Agreement.

8. TERM AND RENEWAL. This Agreement will commence retroactively to July 1, 2017 and will terminate June 30, 2019. The County and the City may renew this Agreement for an unlimited number of successive one-year terms thereafter, subject to provisions mutually agreeable to the County and City.

9. TERMINATION Any of the parties may terminate this Agreement by providing written notice of termination to all other parties at least 180 days prior to the termination of the Agreement. In the event of termination of this Agreement, the City shall hold the County, its' agents and the Sheriff and its' agents harmless for provision of communication services previously provided pursuant to this Agreement.

10. EMPLOYMENT STATUS.

- **A.** For the purposes of this Agreement, the County and/or Sheriff's legal status and relationship to the City will be that of an independent contractor.
- **B.** Nothing in this Agreement will be construed as creating the relationship of employer or employee between the City and the County or any of the County's agents or between the City and the Sheriff or any of the Sheriff's agents.
- **C.** Nothing in this Agreement will make any employee of the County or Sheriff a City employee, or any employee of the City a County or Sheriff employee for any purpose, including but not limited to, wages, compensation, overtime wages, expenses, fringe benefits, retirement benefits, training expenses, withholding of taxes, worker's compensation, unemployment compensation, or any other statutory or contractual right or privilege accorded County, Sheriff or City employees based, in any way, upon employment.
- **D.** This Agreement does not, and is not intended to, create, change, modify, supplement, supersede, or otherwise affect or control, in any manner, any term or condition of employment of any County agent or Sheriff's agent, or any applicable employment and/or collective bargaining contract.

11. WARRANTY AND INDEMINFICATION.

- **A.** The County and Sheriff represent and warranty that the Sheriff is competent to perform the services specified in this Agreement.
- **B.** The County will assume liability for, defend against, indemnify and hold harmless the City from all costs or damages for injury to persons or property, including death, caused by the County in providing or failing to provide Communication Services to the City, including attorney fees for defense against such claims.
- **C.** The City will assume liability for, defend against, indemnify and hold harmless the County, the Sheriff, and the County and Sheriff's agents from all costs or damages for injury to persons or property, including death, caused by the City, including attorney fees for defense against such claims.

12. INSURANCE.

- **A.** The City is not responsible for Worker's Compensation claims of County employees or Sheriff's employees working under this Agreement.
- **B.** The County will be responsible for the cost of insurance on equipment used by Sheriff's employees to provide communications services.

13. GOVERNING LAW. This Agreement is made and entered into in the State of Iowa and will in all respects be interpreted, enforced and governed by the laws of the State of Iowa, and all obligations are enforceable in accordance therewith.

14. AMENDMENTS. This Agreement may not be amended except by an instrument in writing signed on behalf of each of the Parties.

15. ENTIRE AGREEMENT. This Agreement sets forth the entire contract and understanding between the County, Sheriff and City and fully supersedes any and all prior contracts, agreements or understandings between such Parties in any way related to the subject matter of this Agreement.

16. CONTACTS. All notices, demands, requests, consents, approvals, and other communications required or permitted hereunder shall be in writing and, unless otherwise specified herein, and sent to the following persons designated by the respective Parties as its representative for the purposes of administering this Agreement:

County:	City:
Board of Supervisors	City Administrator
Linn County, Iowa	City of Mount Vernon
935 Second Street SW	213 1st Street West
Cedar Rapids, IA 52404	Mount Vernon, IA 52314

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates set forth below.

LINN COUNTY

By: _____ Date: _____
John Harris - Chair, Board of Supervisors

CITY OF MOUNT VERNON

By: _____ Date: _____
Jamie Hampton, Mayor

J. Motions for Approval

CITY OF MOUNT VERNON
CLAIMS FOR APPROVAL, MAY 7, 2018

PAYROLL	CLAIMS	55,752.94
VEENSTRA & KIMM INC	WWTP IMPROVEMENTS	6,950.00
CANINE TACTICAL	K9 DEPOSIT-DONATIONS	5,000.00
US BANK	CREDIT CARD PURCHASES	4,264.37
SENSUS METERING SYSTEMS	SYSTEM SUPPORT-WAT,SEW,S/W	1,949.94
LINN CO-OP OIL CO	FUEL-PW	1,945.86
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	1,635.05
STUMP REMOVAL SERVICE	STUMP GRINDING-RUT	1,070.00
PAYROLL	CLAIMS	731.76
VEENSTRA & KIMM INC	CITY ENGINEERING GENERAL	691.25
VEENSTRA & KIMM INC	5TH AVE/1ST ST W TRAFFIC SIGNAL	519.21
EVER-GREEN LANDSCAPE NURSERY	TREES (2)	450.00
ELECTRONIC ENGINEERING CORP	INFORMATION SYSTEMS-PW	419.40
BROWN SUPPLY COMPANY	FILTER PARTS-POOL	376.30
BRADLEY HAUGE CPA	PROFESSIONAL SERVICES-P&A,WAT	325.00
USA BLUE BOOK	LAB TESTING MATERIALS-SEW	312.47
IOWA PRISON INDUSTRIES	SIGNS-RUT	295.35
MEDIACOM	PHONE/INTERNET-PD	256.18
MEDIACOM	PHONE/INTERNET-P&A	256.18
RICKARD SIGN AND DESIGN CORP	LOGO/LEAF BLOWER-S/W	240.00
ROTO-ROOTER	CLEAN LINE-SEW	240.00
USA BLUE BOOK	LAB TESTING MATERIALS-SEW	223.12
EVER-GREEN LANDSCAPE NURSERY	MULCH-RUT	216.00
JORDAN AXTELL	REFEREE-P&REC	200.00
CHRIS NOSBISCH	MILEAGE-P&A	198.93
SUE RIPKE	MILEAGE-ALL DEPTS	171.13
VEENSTRA & KIMM INC	SIDEWALK REPAIR PROGRAM	166.00
MEDIACOM	PHONE/INTERNET-RUT	161.02
US CELLULAR	CELL PHONE-RUT,P&REC	154.77
MOUNT VERNON, CITY OF	CTW START UP CASH-P&REC	150.00
PITNEY BOWES	POSTAGE METER LEASE-ALL DEPTS	146.61
BRIAN CHAMPEAU	MILEAGE-WAT	140.61
MATT SIDERS	MILEAGE-P&REC	101.92
IOWA SOLUTIONS INC	DOMAIN MGMT-ALL DEPTS	100.00
JAY A ARNOLD	REFEREE-P&REC	100.00
AIRGAS INC	WELDING SUPPLIES-PW	93.30
ALFIE PACKERS INC	CALIBRATION-SEW	85.00
RICKARD SIGN AND DESIGN CORP	ALUMINUM SIGN HOLDER-P&REC	85.00
ALLIANT IES UTILITIES	ENERGY USAGE-POOL	73.24
AHLERS & COONEY P.C.	PROF SERVICES-P&A	73.00
CENTURY LINK	PHONE CHGS-FD	67.77
ELECTRONIC ENGINEERING CORP	INFORMATION SYSTEMS-RUT	65.24
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
FRANCESCA LEE THOMPSON	CLEANING SERVICE-P&A	60.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
JOAN BURGE	CLEANING SERVICE-P&A	60.00
WENDLING QUARRIES	LIME/BATTING CAGES-P&REC	55.73
CHRISTINA LEWIS	DEPOSIT REFUND-WAT	54.56
KILEEN GRANATA	CTW MUSICIAN-P&REC	50.00
STEVE KALMES	CTW MUSICIAN-P&REC	50.00
LAURIE HAAG	CTW MUSICIAN-P&REC	50.00
JASON DAMS	CTW MUSICIAN-P&REC	50.00
LANE GAFFNEY	CTW MUSICIAN-P&REC	50.00
CHRIS SWISER	CTW MUSICIAN-P&REC	50.00
DREW HURN	CTW MUSICIAN-P&REC	50.00
HARMONY GERHARDT	CTW MUSICIAN-P&REC	50.00

CITY OF MOUNT VERNON
CLAIMS FOR APPROVAL, MAY 7, 2018

SETH THORPE	CTW MUSICIAN-P&REC	50.00
KIMBERLI MALOY	CTW MUSICIAN-P&REC	50.00
JAMES KENNEDY	CTW MUSICIAN-P&REC	50.00
KEVIN BURT	CTW MUSICIAN-P&REC	50.00
DAVE PARIS	CTW MUSICIAN-P&REC	50.00
MIKE MORAN	CTW MUSICIAN-P&REC	50.00
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	49.06
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	32.03
AAA PEST CONTROL	PEST CONTROL-P&A	30.00
LEAH ROGERS	COPIES-MVHPC	26.50
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	23.97
	TOTAL	87,665.77

AGENDA ITEM # J – 2

AGENDA INFORMATION
MT. VERNON CITY COUNCIL COMMUNICATION

DATE:	May 7, 2018
AGENDA ITEM:	Set Date – Budget Amendment
ACTION:	Motion

SYNOPSIS: Staff is asking the Council to set a public hearing date for May 21, 2018 for a possible budget amendment. The pool budget remains questionable at this time and may require an amendment. The potential shortfall this year is estimated at $15,000 to $20,000 (pool).

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: None

PREPARED BY: Chris Nosbisch **DATE PREPARED:** 5/4/18

AGENDA ITEM # J – 3

AGENDA INFORMATION
MT. VERNON CITY COUNCIL COMMUNICATION

DATE:	May 7, 2018
AGENDA ITEM:	Hall-Perrine Foundation
ACTION:	Motion

SYNOPSIS: I am happy to report that the Hall-Perrine Foundation has awarded a $500,000 grant to the City for the Mount Vernon Community Wellness Center project, subject to certain terms and conditions. This is a dollar for dollar match (the Foundation will credit the City with all of the funds we have received to date).

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Terms and Conditions

PREPARED BY: Chris Nosbisch **DATE PREPARED:** 5/4/18

THE HALL-PERRINE FOUNDATION

A Private Philanthropic Corporation

AGREEMENT OF DONEE

TERMS AND CONDITIONS OF GRANT AWARDED TO

CITY OF MOUNT VERNON

APRIL 23, 2018

As conditions of a total grant awarded from The Hall-Perrine Foundation in the amount of Five Hundred Thousand Dollars ($500,000) for construction of the Mount Vernon Community Wellness Center, the undersigned agrees:

1. The grant is made on a matching basis whereby The Hall-Perrine Foundation will award one dollar for every one dollar secured from non-governmental entities, excluding contributions from Dave Van Metre, up to a maximum of $500,000. Funds eligible for matching are cash and pledges received for the capital campaign only. Deferred gifts, such as life insurance designations, are not eligible as matching funds.

2. The deadline to meet the match is June 30, 2019.

3. This grant will be paid in three equal installments of $166,666, subject to matching requirements. The first payment will be made on or before December 31, 2019 with subsequent payments on the anniversary of the first installment. Payments of the grant will be withheld pending satisfactory reporting as required under this agreement.

4. To submit to The Hall-Perrine Foundation a report on the status of the project annually for the two year period (2018 – 2019) by December 1 of each year including sources and allocations of funds.

5. To use the funds solely for the designated purposes of this grant and not to use any of the funds for any purposes prohibited by law, including those purposes designated in Section 4945 of the Internal Revenue Code.

6. To permit The Hall-Perrine Foundation, at its request, to have complete access to the grantee's files and records for the purposes of making such financial audits, verifications and investigations as it deems necessary concerning the grant.

7. To repay any portion of the grant that is not used for the designated purpose.

8. That the total amount of this grant or any payment thereof may be discontinued, modified, or withheld at any time if such action is necessary to comply with the requirements of the law, or when, in the judgement of The Hall-Perrine Foundation, there has been a substantial change in the circumstances or conditions stated in the grant application on which the grant was based.

CITY OF MOUNT VERNON

BY: _____
CHRIS NOSBISCH, CITY ADMINISTRATOR

BY: _____
JAMIE HAMPTON, MAYOR

DATE: _____

DATE: _____

AGENDA ITEM # J – 4

AGENDA INFORMATION
MT. VERNON CITY COUNCIL COMMUNICATION

DATE:	May 7, 2018
AGENDA ITEM:	CAT Withdrawal
ACTION:	Motion

SYNOPSIS: A press release will be sent out on Monday that will shed some light on this agenda item. Staff will explain in more detail at the City Council meeting.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: None

PREPARED BY: Chris Nosbisch **DATE PREPARED:** 5/4/18

AGENDA ITEM # J - 5

AGENDA INFORMATION
MT. VERNON CITY COUNCIL COMMUNICATION

DATE:	May 7, 2018
AGENDA ITEM:	Nature Park Trail
ACTION:	Motion

SYNOPSIS: Staff would like to present the Council a preliminary layout and project scope before moving this project to bid.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion/Direction from Council

ATTACHMENTS: Supporting Documents

PREPARED BY: Chris Nosbisch **DATE PREPARED:** 5/4/18

DATE	REVISIONS

SCALE	AS NOTED
DRAWN	EDU
CHECKED	LJB
APPROVED	DRS
DATE	05-02-2018
ISSUED FOR	REVIEW

VERIFY SCALE

BAR IS ONE INCH ON ORIGINAL DRAWING. IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

V&K

VEENSTRA & KIMM, INC.

NATURE PARK TRAIL
CITY OF MOUNT VERNON

800 22nd Avenue • Suite 4 • Coralville, Iowa 52241-1965
319-466-1000 • 319-466-1008(FAX) • 866-241-8001(WATS)

3RD STREET SIDEWALK PLAN

DWG. NO. A.01

PROJECT 51317

PLOTTED: Wednesday, May 02, 2018 5:22:18 PM

X-REFS: 51317 Boundary & Geometry & 51317 Topo
FILE PATH: Z:\MOUNT VERNON 51317 3RD STREET NATURE PARK TRAIL\DRAWINGS_PRODUCTION DRAWINGS\OVERALL PLAN

L. Discussion Items (No Action)

AGENDA ITEM # L – 1

AGENDA INFORMATION
MT. VERNON CITY COUNCIL COMMUNICATION

DATE:	May 7, 2018
AGENDA ITEM:	Fiber/Wi-Fi Update
ACTION:	Motion

SYNOPSIS: It is staff's understanding that Skogman Realty and ImOn communications have agreed to extend services to Spring Meadows Heights. At the time of our last communication, they had not reached a deal with Stonebrook. Staff is awaiting details from ImOn on a potential cost share project as it extends service done Hwy 1. They are currently working with Cornell College and recently took over the wi-fi in downtown Iowa City. Staff is awaiting a proposal from ImOn to complete the same type of project in downtown Mt. Vernon. Representatives from ImOn were going to reach out to the downtown businesses to gauge support for their services. Aureon has a new representative and I have not been able to meet with them to date. Aureon also has fiber services throughout the State of Iowa. More information will be provided at the meeting.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: None

ATTACHMENTS: None

PREPARED BY: Chris Nosbisch **DATE PREPARED:** 5/4/18

AGENDA ITEM # L – 2

AGENDA INFORMATION
MT. VERNON CITY COUNCIL COMMUNICATION

DATE:	May 7, 2018
AGENDA ITEM:	Water/Sewer Exemption Update
ACTION:	Motion

SYNOPSIS: Staff received a number of comments back from other Iowa communities regarding the excess sewer/water consumption exemption. A synopsis of these comments are as follows:

Communities that allow exemptions
- Charles City (Resolution attached)
- Monticello: have to prove it did not go down sewer, if so, credit the sewer portion of the bill
- Washington: case by case, but only forgives sewer
- Belmond: sewer only, has forgiven both once for a church
- Oelwein: no policy but will waive sewer
- North Liberty: sewer only
- Tipton: up to a $250 credit for both water and sewer, have to be used at the same time

Communities that do not allow exemptions
- Center Point (have waived sewer for non-profits)
- Asbury

Not a huge sample size, but it's pretty clear that most communities do not waive the water charge. At best, they will waive the sewer charge as long as the homeowner can prove the leak did not enter the sanitary sewer system. If the Council would like to move forward with a program, I would suggest one similar to Charles City.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: None

ATTACHMENTS: Supporting Documents

PREPARED BY: Chris Nosbisch **DATE PREPARED:** 5/4/18

RESOLUTION NO. 137-08

RESOLUTION AMENDING RESOLUTION NO 53-94, GOVERNING REDUCTION IN UTILITY BILLS

WHEREAS, THE City of Charles City is presented with frequent requests for reduction in utility bills because of mechanical failure in a customer's plumbing system; and

WHEREAS, the City has adopted a policy for responding to these requests as incorporated in Resolution No. 53-94, and

WHEREAS, the City has determined that the procedure as set forth in this prior resolution is cumbersome and it is further determined that the charges imposed for excess water usage must accommodate that portion of the water which is received in the City's sanitary sewer system.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLES CITY that the following provisions shall govern applications for reduction in utility bills because of mechanical failure in a customer's plumbing system, effective from and after the date of the adoption of this Resolution:

1. A reduction in a customer's utility bill shall be granted only on the following terms and conditions:

   A. Extraordinary water usage which results in a utility bill for which a reduction is sought must stem from mechanical failure which is not caused by the customer or an occupant of the affected property.

   B. The mechanical failure must be repaired by the customer within fourteen (14) days of its discovery or receipt of notification by the City of the extraordinary usage, whichever is earlier.

   C. No adjustment shall be made unless the water consumed in the month of extraordinary use exceeds the customer's average monthly usage by 36,000 gallons or more; except, that if the customer's average monthly usage exceeds 36,000 gallons, then the reduction shall not be granted unless the usage in the extraordinary month exceeds 200% of the average monthly usage. (Average monthly usage for the purposes of this resolution shall be calculated utilizing the volume of water over a period of two (2) years preceding the month for which reduction is sought.)

   D. Any reduction shall be limited to the three-month billing period preceding the date that the repairs are made to the customer's mechanical (plumbing) system.

   E. All requests for an adjustment must be made on a form provided by the City with required attachments and presented to the City Clerk within fourteen (14) days after the completion of repairs. The City Administrator shall grant or deny the application for reduction and notify the customer by ordinary mail of this decision and the amount owed. The customer may appeal the Administers decision to the City Council by written request mailed or delivered to the City Clerk within 10 days of the date of the Administrator's notice to the customer. The appeal will be placed on the City Council's agenda as soon as practical and the

City Clerk shall notify the customer by ordinary mail of the date of hearing at least five (5) days prior to the date of the hearing.

2. In the event that the customer demonstrates qualification for a reduction in the customer's utility charges under the foregoing guidelines, and is granted a reduction by the City Administrator, then the monthly bill for which reduction is sought shall be recalculated and assessed as follows:

   A. For excess water usage that is not received by the City's sanitary sewer system, the customer shall pay water and sewage at the regular rate on the amount of the customer's average monthly consumption, and for all consumption over this amount, shall be billed at the lowest rate, excluding sewer user fee.

   B. For excess water usage that is received by the City's sanitary sewer system, the customer shall pay water and sewer charges at the regular rate on the amount of the customer's average monthly consumption, and all consumption over this amount shall be billed at the lowest rate for water and at the then applicable flowage rate for sewer.

3. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed.

Council member Simonson moved the adoption of the foregoing Resolution; Council member Joerger seconded the motion to adopt, and on roll call the voting was as follows:

Ayes: Cerio, Freeseman, Andrews, Simonson, Joerger

Nays:

Passed and approved this 3rd day of November, 2008.

James A. Erb, Mayor

Attest:

Trudy O'Donnell, City Clerk

APPLICATION FOR REDUCTION IN WATER BILL

The undersigned makes application for a reduction in his/her water bill for the month of _____, and in support thereof states:

1. The water usage reflected in this bill resulted from a failure in the customer's plumbing system, which was not caused by the customer. (Explain the problem and the cause, if known.)

2. Repairs were made within fourteen (14) days of the applicant's discovery of the problem, as shown by the repair/material invoices provided with this application.

_____
Customer

For Office Use Only (Preliminary Determination)

_____ Applicant does not qualify. Reason:

_____ The above applicant qualifies for an adjustment under the quidelines provided by City Resolution, and the recalculated bill is in the amount of $_____.

_____
City Administrator

M. Reports Mayor/Council/Admin.

- Staff has reduced the list of credit card companies down to two and will be reviewing the finalists through the month of May. The expectation is that we will begin taking credit card payments by the start of FY 19.
- The leaf program did get extended by two weeks this spring due to mechanical failures and Mother Nature.
- The Associate Planner and operator positions have been posted on both local and national sites.
- The public works staff has been working with contractors on bidding the crack sealing and sealcoat.