

The Mount Vernon City council met November 7, 2022 at the Mount Vernon City Council Chambers with the following members present: Tuerler, Rose, West and Engel. Herrmann attended via Zoom. For those individuals that were unable to attend or did not feel comfortable with in-person meetings, the City provided a Zoom option. For those planning to attend via Zoom the following information was needed: Telephone #: 1-312-626-6799, Meeting ID: 811 3042 1215, Password: 505683. If assistance was needed before the meeting they could contact City Administrator Chris Nosbisch at 319-359-8613.

Call to Order. At 6:30 p.m. Mayor Thomas M. Wieseler called the meeting to order.

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

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

Approval of City Council Minutes – October 17, 2022 Regular Council Meeting
Approving Liquor License – Lincoln Winebar

Public Hearing

Public Hearing for the Consideration of an Amendment to Chapter 24 Historic Preservation Commission to the Code of Ordinances (tabled 9-17-2022). This Agenda item remains tabled.

Public Hearing for the Consideration of an Amendment to Chapter 105 Solid Waste Control to the Code of Ordinances. Mayor Wieseler declared the Public Hearing open. The City currently has an ordinance against illegal dumping for trash but this new ordinance would allow staff to prosecute for illegally dumping yard waste and tree debris. The public drop off site is not intended for contractors and/or individuals living outside the city limits. Mayor Wieseler closed the Public Hearing.

Ordinance Approval/Amendment

Ordinance #9-19-2022F: Amending Chapter 24 Historic Preservation Commission to the Mount Vernon Code of Ordinances (tabled 9-17-2022). This Agenda item remains tabled.

Ordinance #10-17-2022A: Amending Chapter 77 All-Terrain Vehicles and Snowmobiles to the Mount Vernon Code of Ordinances. Staff has not received any verbal or written communication regarding this Ordinance. Nosbisch explained that there would be additional clarifying language added to the next two ordinances before the third reading regarding places of operation. Later in this meeting, Council will approve by Resolution what roads ATV's and UTV's are allowed to be utilized on. Nosbisch will work with the City attorney to clarify language before the next meeting. Motion to approve the second reading of Ordinance #10-17-2022A made by Rose, seconded by Herrmann. Roll call vote. Motion carries.

Ordinance #10-17-2022B: Amending Chapter 78 Golf Carts and UTV's to the Mount Vernon Code of Ordinances. Staff has not received any verbal or written communication regarding this Ordinance. Motion to approve the second reading of Ordinance #10-17-2022B made by West, seconded by Engel. Roll call vote. Motion carries.

Ordinance #11-7-2022A: Amending Chapter 105 Solid Waste Control to the Mount Vernon Code of Ordinances. Motion to approve the first reading of Ordinance #11-7-2022A made by Tuerler, seconded by Herrmann. Roll call vote. Motion carries.

Resolutions for Approval

Resolution #11-7-2022A: In Support of the Proposed Terms to be Included in an Agreement for Private Development by and Among the City of Mt. Vernon, Gregory Raupp, and Jude Smith. Gregory Raupp and Jude Smith are in the process of purchasing the property located at 100 1st Street SE (Sing A Long). They are seeking the City's help to remove the dilapidated homes on the south side of the building, as they are damaging the commercial structure. The agreement seeks \$50,000 in reimbursable funds to cover the expense of asbestos and structure removal. This resolution specifies that the new owners would need to tear down the two dilapidated homes attached to the building and would allow the City to capture the funds as TIF dollars with this year's certification to the County. The \$50,000 would be paid out of TIF once the improvements have been made. Motion to approve Resolution #11-7-2022A made by Tuerler, seconded by West. Roll call vote. Motion carries.

Resolution #11-7-2022B: Awarding the Public Works Cold Storage Facility Construction Project. The public works cold storage building was re-bid with three potential options. The City received a total of four bids, with the winning bidder being Peak Construction Group, Inc with a bid of \$504,600 for two buildings. Peak Construction was also the only bidder when the project was bid the first time and came in with a bid of \$645,000 at that time. Veenstra & Kimm Inc, City Engineer has provided a letter of recommendation and staff concurs with this recommendation to award the bid for both buildings to Peak Construction Group, Inc in the amount of \$504,600. Brad Robison, Robison Construction and the 2nd lowest bidder, addressed Council requesting that they reconsider the bid award and questioned whether the winning bid was indeed the "lowest responsive, responsible bid". Robison stated that he donates, is involved in the community, and owns property in Mt. Vernon and feels that he has the best interest of the City. During the first bid opening for the project, due to circumstances out of his control, his bid was two minutes past the deadline and therefore was declined and not opened, but he would have been low bidder at that time. He questioned how Peak Construction could go from \$645,000 on their first bid and come back at \$504,600 on this bid and questioned the integrity of the bid.

Nosbisch said the City does have a "buy local" policy but that cannot be used when it is a State required bid threshold. State law requires the City to accept the lowest responsive, responsible bid unless there are legal disqualifying circumstances with the bid, such as past work performance or if there were items missing from the bid specifications. The City could reject the bid and not do the project but could not reject the bid simply to re-bid it to get a lower bid. During the first bid process the bid was \$140,000 over the Engineer's Estimate, which allowed the City to re-bid the project. The City Engineer has reviewed all bids and there was nothing in the bid from Peak Construction that would preclude it.

It was the consensus of Council that the City Attorney review the bids to determine if there are any disqualifying factors before approving. Motion made by West, seconded by Engel to table Resolution #11-7-2022B until the City's legal counsel has had a chance to review. Motion carries.

Resolution #11-7-2022C: Approving Resolution of Support for MVAAC Grant Application to IDED. Council previously approved funding in the amount of \$10,000.00 towards sculptures along the trail that runs through Nature Park and ends at Elliott Fields. In order for MVAAC to apply for grant funds from Iowa Economic Development, a resolution or letter from the City regarding it's \$10,000 commitment is needed.

Motion made by Engel, seconded by Rose to approve Resolution #11-7-2022C. Roll call vote. Motion carries.

Resolution #11-7-2022D: Certifying to County Auditor, TIF Debt Incurred in CY2022 for FY 2024. The proposed TIF debt for FY2024 will be used for infrastructure reimbursement for both subdivisions, two LBC bond payments, the interfund loan for the police station purchase and the potential \$50,000 grant for the removal of dilapidated housing. Motion made by Rose, seconded by Tuerler to approve Resolution #11-7-2022D. Roll call vote. Motion carries.

Resolution #11-7-2022E: Approving the Vacation of a Watermain Easement Located on Lot 3, Cornell College Second Addition in the City of Mount Vernon. The Mount Vernon Community School District is moving a watermain during the construction of the new activities complex. This requires the partial vacation of the existing easement, which the City is not using. Council will approve the location of a new watermain easement at a subsequent meeting. Motion made by Tuerler, seconded by Rose to approve Resolution #11-7-2022E.

Resolution #11-7-2022F: Establishing the Streets of Operation for ATV and UTV Use as Defined by Chapter 77 All-Terrain Vehicles, Off-Road Utility Vehicles, and Snowmobiles. The changes being made to Chapter 77 for ATV use require the City Council to establish useable routes within the community by resolution. Upon recommendation from Chief Shannon, ATV usage would be allowed on all city streets except for Hwy 1 and Business 30. ATV users will be allowed to cross both primary road segments in order to continue their route through the community. Motion made by Tuerler, seconded by Herrmann to approve Resolution #11-7-2022F. Roll call vote. Motion carries.

Motions for Approval

Consideration of Claims List – Motion to Approve. Motion made by Rose, seconded by Engel to approve claims list. Motion carries.

AAA PEST CONTROL	PEST CONTROL-P&A	30.00
AFFORDABLE HEATING & COOLING	BLDG MAINT-P&A	178.69
AFFORDABLE HEATING & COOLING	HEATER REPAIR-RUT	135.00
ALLIANT ENERGY	ENERGY USAGE-LBC	4,990.15
ALLIANT ENERGY	ENERGY USAGE-WAT	1,910.88
ALLIANT ENERGY	ENERGY USAGE-PD	625.87
ALLIANT ENERGY	ENERGY USAGE-P&REC	42.95
ALLIANT ENERGY	ENERGY USAGE-SEW	42.09
ALLIANT ENERGY	ENERGY USAGE-S/W	29.12
AMANDA KUKER	INSTRUCTOR-LBC	157.50
AMAZON CAPITAL SERVICES	SUPPLIES-P&REC	240.25
AMAZON CAPITAL SERVICES	SUPPLIES-P&REC	108.15
AMAZON CAPITAL SERVICES	SUPPLIES-LBC	119.95
AMERICAN RED CROSS	BABYSITTERS TRAINING-P&REC	155.00
APPLIED CONCEPTS INC	MOUNT KIT-PD	156.00
ARAMARK	SERVICES-FD	64.52
BANKCARD 8076	CREDIT CARD FEES-POOL,P&REC,LBC	358.77
BARNYARD SCREEN PRINTER LLC	UNIFORMS-LBC	409.00
BROWN SUPPLY COMPANY	VALVE-WAT	3,484.00
BROWN SUPPLY COMPANY	SUPPLIES-WAT	3,329.00
CAMPBELL SUPPLY	RETAINING WALL MATERIALS-P&REC	399.23
CARQUEST OF LISBON	VEHICLE MAINT-PW,PD	192.62
CARROLL CONSTRUCTION SUPPLY	SUPPLIES-P&REC	24.18

CATERPILLAR FINANCIAL SERVICES	GENERATOR-PD	949.39
CENTRAL IOWA DISTRIBUTING	SUPPLIES-LBC	187.00
CENTRAL IOWA DISTRIBUTING	SUPPLIES-PD	140.00
CENTRAL IOWA DISTRIBUTING	SUPPLIES-PD	65.00
CENTRAL IOWA DISTRIBUTING	SUPPLIES-LBC	148.00
CHRIS NOSBISCH	MILEAGE-P&A	165.63
CITY LAUNDERING CO	SERVICES-P&A	56.64
CITY LAUNDERING CO	SERVICES-P&A	56.64
CITY LAUNDERING CO	SERVICES-LBC	276.02
CONFLUENCE INC	WAYFINDING SIGNAGE	7,070.29
DE NOVO MARKETING	MONTHLY MAINT-LBC	300.00
DEPOSIT REFUNDS	DEPOSIT REFUND-WAT	38.60
DIESEL TURBO SERVICES INC	BATTERIES (2)-RUT	349.90
DIESEL TURBO SERVICES INC	BATTERY-SW	174.95
EBS	INSURANCE CLAIM-ALL DEPTS	1,353.84
EBS	INSURANCE CLAIM-ALL DEPTS	834.25
EBS	INSURANCE CLAIM-ALL DEPTS	744.59
EBS	INSURANCE CLAIMS-ALL DEPTS	5,316.57
EBS	INSURANCE CLAIMS-ALL DEPTS	280.00
ELDON DOWNS	UNIFORMS-RUT	120.00
EQUIPMENT MGMT COMPANY	EQUIPMENT MAINT-FD	745.00
GARY'S FOODS	SUPPLIES-LBC	210.08
GORDON LUMBER COMPANY	BLDG SUPPLIES-RUT	31.00
HAWKEYE FIRE & SAFETY	EXTINGUISHER INSPECTION-FD	331.20
HILLS BANK & TRUST COMPANY	2015 GO/WTP IMPROV PROJECT	1,423.25
INTERNATIONAL CITY COUNTY MGMT	MEMBERSHIP RENEWAL-ALL DEPTS	608.40
INTERNATIONAL CITY COUNTY MGMT	CHEMICALS-WAT	10.00
IOWA DEPT OF TRANSPORTATION	STORM SEWER CONST/BYPASS	52,205.18
IOWA NAFTA	TRAINING	400.00
IOWA ONE CALL	LOCATES-WAT,SEW	123.30
IOWA RURAL WATER ASSOCIATION	COMMUNITY MEMBERSHIP DUES-WAT	325.00
IOWA SOLUTIONS INC	COMPUTER MAINT-ALL DEPTS	3,112.50
JANET BUDACK	WREATH REIMB-CEM	38.51
JANET BUDACK	SUPPLIES-MVHCP	42.80
JASON BLINKS	FITNESS MEMBERSHIP-PD	100.00
JOE'S QUALITY WINDOW CLEANING	WINDOW CLEANING-PD	40.00
JOSH CRIST	PALLET RACKS-RUT	750.00
KELLI MARIE KENNON-LANE	INSTRUCTOR-LBC	40.00
KELLI MARIE KENNON-LANE	INSTRUCTOR-LBC	20.00
KINGS MATERIAL INC	CAP STONE-P&REC	4,896.41
KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE PLAN/COPIES-PD	65.94
KONICA MINOLTA BUSINESS SOLUTIONS	MAINT PLAN/COPIES-LBC	130.38
KONICA MINOLTA BUSINESS SOLUTIONS	MAINT PLAN/COPIES-LBC	57.50
KONICA MINOLTA BUSINESS SOLUTIONS	MAINT PLAN/COPIES-LBC	32.65
LINDER TIRE SERVICE	TIRE REPAIR/JD ENDLOADER-PW	529.73
LINN CO-OP OIL CO	FUEL-PW	4,527.61
LOIS BECKMEN	TICKET OVERPAID-PD	9.50
LSC FINANCIAL SOLUTIONS	EQUIP LEASE-LBC	6,999.08
LYNCH DALLAS PC	LEGAL FEES-P&A	2,394.25
LYNCH FORD	ENGINE LITE ON-PD	317.89
LYNCH FORD	VEHICLE MAINT-PD	90.77
MARION, CITY OF	STREET PAINTING-RUT	6,864.67
MARSHA DEWELL	MILEAGE-ALL DEPTS	188.75
MARTIN EQUIPMENT	RUBBER TRACKS-PW	1,535.00

MATT SIDERS	MILEAGE-P&REC	175.00
MEDIACOM	PHONE/INTERNET-PD	519.09
MEDIACOM	PHONE/INTERNET-FD	444.28
MEDIACOM	PHONE/INTERNET-P&A	361.33
MEDIACOM	PHONE/INTERNET-P&REC	254.50
MEDIACOM	PHONE/INTERNET-SEW	288.13
MENARDS	TOOLS-PD	909.52
METROPOLITAN COMPOUNDS	ASPHALT PATCH-RUT	403.58
MIDWEST INJECTION INC	SLUDGE REMOVAL-SEW	18,000.00
MONTICELLO EXPRESS	PRIVATE TOW FORMS-PD	95.30
MOUNT VERNON ACE HARDWARE	SUPPLIES-ALL DEPTS	1,085.64
MOUNT VERNON BANK	NSF-WAT	131.50
MOUNT VERNON BANK	WIRE TRANSFER FEE	5.35
MOUNT VERNON BANK & TRUST	NSF CHECK-WAT	136.50
MT VERNON CAR WASH	CAR WASH-PD	40.00
MUNICIPAL MGMT CORP.	ISOLATE EMERGENCY LEAK-WAT	700.00
MUNICIPAL PIPE SERVICES	LINE STOP SLEEVE-WAT	10,000.00
NEAL'S WATER CONDITIONING SERVICES	WATER/SALT-LBC	33.25
NIGHT SHIFT LLC	CLEANING SERVICES-PD	1,590.75
NORTHWAY CORP	WELL #9 REPAIRS-WAT	22,968.54
ORKIN	PEST CONTROL-PD	60.00
PAYROLL	CLAIMS	192,274.51
PAYROLL	CLAIMS	3,860.85
PITNEY BOWES	POSTAGE METER LEASE-ALL DEPTS	165.33
PLATINUM CHEMICALS INC	HAND WIPES-PW	446.00
PNP	FUEL-PD	2,117.78
POSTMASTER	UTIL BILL POSTAGE-WAT,SEW,SW	519.45
PRICE INDUSTRIAL ELECTRIC INC	HWY 30&1 STOPLIGHT REPAIR-RUT	3,137.50
PUSH-PEDAL-PULL	EQUIP REPAIR-LBC	236.00
RC TECH	CAMERA SERVICE-SW	186.50
RC TECH	CAMERA CABLE-RUT	100.00
REC DESK LLC	ANNUAL SUBSCRIPTION	6,900.00
RED LION RENEWABLES	SOLAR ELECTRIC PRODUCTION-P&A	214.89
RICHARD BURROUGHS	CEMETERY MAINT	775.00
SCHIMBERG COMPANY	WATERMAIN PARTS-WAT	2,002.00
SPEER FINANCIAL INC	TIF PREP & DELIVERY-P&A	375.00
SPEER FINANCIAL INC	BOND ISSUANCE SERVICES	8,965.00
SPRINGVILLE READY MIX	MAIN REPAIR-WAT	673.00
SPRINGVILLE READY MIX	SUPPLIES-WAT	214.00
ST LUKE'S WORK WELL SOLUTIONS	DRUG TEST-PW	50.00
STAPLES INC	SUPPLIES-PD	178.64
STATE CHEMICAL SOLUTIONS	CHEMICALS/NATURE POND-P&REC	4,379.05
SUZETTE ASTLEY	SUPPLIES-MVHPC	173.55
THOMAS M WIESELER	MILEAGE-P&A	28.12
TREASURER STATE OF IOWA	WET TAX	3,276.34
TREASURER STATE OF IOWA	SALES TAX	2,372.64
UMB	ADMIN FEE	600.00
UMB	ACCEPTANCE FEE	300.00
US BANK	CREDIT CARD PURCHASES-ALL DEPTS	6,612.10
US CELLULAR	CELL PHONE-P&REC,WAT,SEW	178.97
VEENSTRA & KIMM INC	1ST ST W RR BRIDGE REPAIR	1,241.50
VEENSTRA & KIMM INC	PW STORAGE BUILDING	1,158.00
VEENSTRA & KIMM INC	HWY 1 RAB IMPROVEMENTS	699.13
VEENSTRA & KIMM INC	STONEBROOK 9&10 PRELIM PLAT	653.25

VEENSTRA & KIMM INC	STREET MISC ENGINEERING	604.00
VEENSTRA & KIMM INC	PARKS MISC ENGINEERING	570.00
VEENSTRA & KIMM INC	CITY ENGINEERING GENERAL	425.50
VEENSTRA & KIMM INC	WASTEWATER MISC ENGINEERING	398.00
WATERS EDGE AQUATIC DESIGN	FEASIBILITY STUDY-POOL	6,877.00
WENDLING QUARRIES	SUPPLIES-WAT	190.27
WIENEKE LAND SOLUTIONS	AERATION/SEEDING-P&REC,LBC	3,295.00
WOODWARD COMMUNITY MEDIA	ADS/PUBLICATIONS-MVHPC	200.00
WOODWARD COMMUNITY MEDIA	ADS/PUBLICATIONS-PD	135.96
TOTAL		440,968.67
4TH/5TH AVE SW WATER MAIN		1,192.35
ARP POLICE STATION CONST		4,537.53
CAPITAL IMPROVEMENT PROJEC		55,208.68
DAVIS PARK IMPROVEMENTS		2,395.79
DEBT SERVICE		2,323.25
GENERAL FUND		49,198.13
HWY 30 CORRIDOR IMPROVEMENTS		699.13
LBC		22,052.13
PAYROLL		196,135.36
PW COLD STORAGE		1,794.07
ROAD USE TAX FUND		18,040.83
SEWER FUND		25,491.54
SOLID WASTE		5,320.02
STORM WATER FUND		282.95
WATER FUND		56,296.91
TOTAL		440,968.67

Discussion and Consideration of Parking Lot Improvements – Fire Department – Council Action as Needed. There are permeable pavers located along the east side of the north parking lot at the fire station. The pavers are designed to allow surface water to drain through the cracks and seep into the ground. A portion of these have collapsed and need to be replaced. Staff would like to remove the pavers and replace the area with concrete. Concrete replacement would be \$1,000 more in cost but the ongoing maintenance would be considerably less. Permeable pavers require maintenance of the joint aggregate every 2-3 years. Extrication demonstrations are often completed in this area leading to a higher degree of difficulty with cleanup efforts. The design for the parking lot will essentially stay the same and the surface water runoff will be directed to the same place it is now and not into the street. Motion made by Tuerler, seconded by Rose to approve the parking lot improvements to change the permeable pavers to concrete at the fire station. Motion carries.

Discussion and Consideration of City Council Chambers Renovation – City Hall – Council Action as Needed. Staff is seeking permission to complete minor renovations to the Council Chambers space in order to return Council meetings to City Hall. Improvements would include new ceiling tiles, new lighting and fresh paint and carpet. Approximate cost of these improvements would be around \$25,000 to \$30,000. Cost estimates for the remaining items needed will be provided to Council prior to completion. Motion made by Rose, seconded by West to approve the initial round of improvements at City Hall not to exceed \$30,000. Motion carries.

Discussion and Consideration of Purchasing Replacement UV Disinfection Bulbs – Wastewater Treatment Facility - Council Action as Needed. Several of these bulbs will need to be replaced before the spring of

2023. This will be an ongoing cost as they have a three-to-five-year life span. Motion made by Herrmann, seconded by Tuerler to approve the purchase of UV disinfection bulbs in the amount of \$25,622.75. Motion carries.

Discussion Items (No Action)

Chapter 106 Resource Recovery and Refuse Control. Changes will need to be made to Chapter 106 with the recent changes in the tag system. Council will also need to consider the current “snowbird” policy and the possibility of a low-income program (in lieu of free tags). There would still be staff administrative time associated with the “snowbird” policy and maintaining those accounts so that is something to be considered. Council will be given a draft ordinance that addresses both issues and continue discussion at a future meeting.

Reports of Mayor/Council/Administrator

Mayor’s Report. The pre-bid meeting for the police station renovations will be November 8th. Council was given solid waste and recycling data from Republic. Wieseler will be attending a sustainability meeting next week and will be attending meetings on solar farms in Linn County. Council will need to be thinking about a “performance appraisal” for the City Administrator.

Council Reports. West attended a forum regarding childcare that was put on by the League of Women Voters and found there was a huge need and a lot of support in the community for more accessible childcare and will continue work on this issue. West will also be attending a CDG meeting on Wednesday this week. Rose reported that there will be a pool meeting on November 17th at the LBC and reminded everyone that tomorrow is voting day.

City Administrator’s Report. Nosbisch will be out of the office from November 17th through November 27th.

As there was no further business to attend to the meeting adjourned the time being 8:40 p.m., November 7, 2022.

Respectfully submitted
Marsha Dewell
Deputy Clerk