

City of Mt. Vernon, Iowa

Meeting:	Mt. Vernon City Council Meeting
Place:	Mt. Vernon City Hall, 213 1st Street NW, Mt. Vernon, Iowa 52314
Date/Time:	April 1, 2024 – 6:30 PM
Web Page:	www.cityofmtvernon-ia.gov
Posted:	March 29, 2024

Mayor:	Tom Wieseler	City Administrator:	Chris Nosbisch
Mayor Pro-Tem:	Scott Rose	City Attorney:	Holly Corkery
Councilperson:	Stephanie West	Asst. City Administrator:	Lori Boren
Councilperson:	Craig Engel	Finance Dir/City Clerk:	Marsha Dewell
Councilperson:	Mark Andresen	Chief of Police:	Doug Shannon
Councilperson:	Paul Tuerler		

For those individuals that are unable to attend or still do not feel comfortable with in-person meetings, the City is providing a Zoom option. For those planning to attend via Zoom, please use the following information:

You will be prompted for the following information:

1. Telephone #: 1-312-626-6799
2. Meeting ID: 818 6838 5752
3. Password: 978188

Should you need assistance to access the meeting, please contact Chris at 319-359-8613.

- 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 18, 2024 Regular Council Meeting
 2. Approval of Liquor License – Casey's General Store #1599

- E. Public Hearing**
 1. None

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

G. Resolutions for Approval

1. Resolution #4-1-2024A: Accepting the Dedication of Street Right of Way and Easements, as Dedicated within the Owner's Certificate and Dedication of Stoner Plaza Tenth Addition to the City of Mount Vernon, Linn County, Iowa
2. Resolution #4-1-2024B: Accepting Work for the Project Known as the Davis Park Lighting Improvements with Ardent Lighting Group L.L.C.
3. Resolution #4-1-2024C: Implementing a Moratorium, Not to Exceed Six (6) Months, on Smoke and Consumption Use Businesses for CBD, Hemp, THC/Cannabis Products, Psychoactive Products and Synthetic Marijuana, Including Smoke, Tobacco, Nicotine and Vape Shops Where More than 10% of the Business Square Footage is Dedicated to Consumption or Retail Sales withing the City of Mount Vernon, Iowa

H. Mayoral Proclamation

1. None

I. Old Business

1. Discussion and Consideration of Sculpture Trail Funding Request – Council Action as Needed (tabled on March 18, 2024)

J. Motions for Approval

1. Consideration of Claims List – Motion to Approve
2. Discussion and Consideration of a Request for Hearing Pursuant to Chapter 50.08 Nuisance Abatement Procedure by Doug Berner for Property Located at 520 First Street SE – Council Action as Needed
3. Discussion and Consideration of Change Order #18 – Police Station Renovation Project – Council Action as Needed
4. Discussion and Consideration of Invoice #149045 – Downtown Streetscape Project – Council Action as Needed
5. Discussion and Consideration of Pay Application #3 – Davis Park Improvements – Council Action as Needed
6. Discussion and Consideration of Setting a Public Hearing Date for April 15, 2024, to Consider the City of Mount Vernon Fiscal Year 2024-2025 Proposed Budget – Council Action as Needed
7. Discussion and Consideration of Street Closure Request – Chalk the Walk – Council Action as Needed

K. Reports to be Received/Filed

1. None

L. Discussion Items (No Action)

1. None

M. Reports of Mayor/Council/Administrator

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

- N. Closed Session -** Pursuant to Chapter 21.5 (1)J, the City Council may enter into closed session, "to discuss the purchase 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

O. Adjournment

Pursuant to §21.4(2) of the Code of Iowa, the City has the right to amend this agenda up until 24 hours before the posted meeting time.

If anyone with a disability would like to attend the meeting, please call City Hall at 895-8742 to arrange for accommodations.

D. Consent Agenda

The Mount Vernon City Council met March 18, 2024, at City Hall, 213 1st Street NW, Mount Vernon, IA. A Zoom option was available. The following Council members were present: Andresen, Tuerler and Engel. Absent: West and Rose.

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

Agenda Additions/Agenda Approval. Motion made by Tuerler, seconded by Andresen to approve the Agenda. Motion carries. West and Rose absent.

Consent Agenda. Motion made by Engel, seconded by Tuerler to approve the Consent Agenda. Motion carries. West and Rose absent.

Approval of City Council Minutes – March 4, 2024 Regular Council Meeting

Approving Liquor License – Bigs BBQ and Brew Pub

Approving Liquor License – Chameleon's Pub and Grub

Appointing Cathy George - Planning and Zoning Commission

Rose arrives at 6:32 p.m.

Public Hearing

Public Hearing on the Determination an Area of the City to be an Economic Development and Blighted Area, and that the Rehabilitation, Conservation, Redevelopment, Development or a Combination Thereof, of Such Area is Necessary in the Interest of the Public Health, Safety or Welfare of the Residents of the City; Designating Such Area as Appropriate for Urban Renewal Projects; and Adopting the Amendment No. 9 to the Mount Vernon Urban Renewal Plan. Mayor Wieseler opened the public hearing at 6:32 p.m. Nosbisch explained that this amendment is necessary to utilize TIF financing for the \$2 million dollar pool renovations. Hearing no public comment, Mayor Wieseler closed the public hearing at 6:35 p.m. Council then acted on Resolution #3-18-2024A.

Resolutions for Approval

Resolution #3-18-2024A: Determining an Area of the City to be an Economic Development and Blighted Area, and that the Rehabilitation, Conservation, Redevelopment, Development or a Combination Thereof, of Such Area is Necessary in the Interest of the Public Health, Safety or Welfare of the Residents of the City; Designating Such Area as Appropriate for Urban Renewal Projects; and Adopting the Amendment No. 9 to the Mount Vernon Urban Renewal Plan. Motion made by Tuerler, seconded by Andresen to approve Resolution #3-18-2024A. Roll call all yes. West absent.

Resolution #3-18-2024B: Providing for New Stop Sign Locations within the City of Mt. Vernon, Iowa. Staff has received a citizen request for the review of possible stop sign locations in the Spring Meadows Addition. Chief Shannon has reviewed and approves of the proposed stop sign locations. A stop sign will be placed at the intersection of 6th Street NE and Ashton Drive NE; southeast corner for north bound traffic on Spring Meadow Drive NE and another sign will be placed at the intersection of 6th Street NE and Ashton Drive NE; northwest corner for south bound traffic on Ashton Drive NE. Motion made by Engel, seconded by Rose to approve Resolution #3-18-2024B. Roll call all yes. West absent.

Resolution #3-18-2024C: Fixing Date for a Meeting on the Proposition to Authorize a Loan Agreement and the Issuance of Notes to Evidence the Obligations of the City Thereunder – Not to Exceed \$1,000,000. The next three resolutions are for the same borrowing; however, they must be divided into three separate resolutions because the funds will be used for different projects. The amount the city could borrow with the adoption of the resolutions is \$5,100,000. This does not mean the city has to borrow this amount, but it does mean that we cannot exceed these amounts. This loan agreement for \$1,000,000.00 will be used for the water meter replacement project. Motion made by Rose, seconded by Andresen to approve Resolution #3-18-2024C setting the public hearing date for April 15, 2024. Roll call all yes. West absent.

Resolution #3-18-2024D: Fixing Date for a Meeting on the Proposition to Authorize a Loan Agreement and the Issuance of Notes to Evidence the Obligations of the City Thereunder – Not to Exceed \$2,250,000. This loan agreement will be used for the pool renovations. Motion made by Andresen, seconded by Engel to approve Resolution #3-18-2024D setting the public hearing date for April 15, 2024. Roll call all yes. West absent.

Resolution #3-18-2024E: Fixing Date for a Meeting on the Proposition to Authorize a Loan Agreement and the Issuance of Notes to Evidence the Obligations of the City Thereunder – Not to Exceed \$1,850,000. This loan agreement will be used for the Cottonwood LMI Project (Glenn Street) and other infrastructure related improvements. Motion made by Rose, seconded by Andresen to approve Resolution #3-18-2024E setting the public hearing date for April 15, 2024. Roll call all yes. West absent.

Motions for Approval

Consideration of Claims List – Motion to Approve. Motion made by Engel, seconded by Rose to approve the Claims List. Motion carries. West absent.

PAYROLL	CLAIMS	120,131.88
SEPTAGON CONSTRUCTION	PAY APP #14-PD CONSTRUCTION	50,961.23
EMPLOYEE BENEFIT SYSTEMS	GROUP INSURANCE-ALL DEPTS	36,179.20
REPUBLIC SERVICES #897	GB,RECYL-SW RESIDENTIAL	23,524.68
REPUBLIC SERVICES #897	GB,RECYL-SW COMMERCIAL	14,520.22
US BANK	CREDIT CARD PURCHASES-ALL DEPTS	10,131.85
TURF TANK	GPS PAINT ROBOT AGREEMENT-P&REC	10,000.00
MARION, CITY OF	LINE STRIPING-RUT	7,857.50
IOWA SOLUTIONS INC	SERVER UPGRADE-ALL DEPTS	5,824.00
ALLIANT ENERGY	ENERGY USAGE-SEW	5,118.07
ALLIANT ENERGY	ENERGY USAGE-ST LIGHTS	4,753.02
FELD FIRE	HELMETS-FD	3,967.00
RED LION RENEWABLES	SOLAR ELECTRIC PROD-P&A,PD,LBC	3,890.24
ALLIANT ENERGY	NEW SERVICE-PW COLD STORAGE	3,103.24
BRADLEY HAUGE CPA	PROFESSIONAL SERVICES-ALL DEPTS	2,925.00
EMPLOYEE BENEFIT SYSTEMS	INISURANCE CLAIMS-ALL DEPTS	2,478.06
ALLIANT ENERGY	ENERGY USAGE-WAT	2,351.11
IOWA PRISON INDUSTRIES	SIGNS POSTS/BASES-RUT	2,132.00
STATE HYGIENIC LAB	TESTING-SEW	1,864.50
DINGES FIRE COMPANY	GLOVES-FD	1,724.57
SANDRY FIRE SUPPLY LLC	UNIFORMS-PD	1,645.00
PNP	FUEL-PD	1,488.18
PAYROLL	CLAIMS	1,386.35
IOWA SOLUTIONS INC	COMPUTER MAINT-ALL DEPTS	1,297.00
EQUIPMENT MGMT COMPANY	EQUIP MAINT-FD	1,280.00
LYNCH DALLAS PC	LEGAL FEES-P&A	1,275.40
IOWA SOLUTIONS INC	MONTHLY MAINT-ALL DEPTS	1,240.00

ALLIANT ENERGY	ENERGY USAGE-RUT	1,138.09
IOWA SOLUTIONS INC	MONTHLY MAINT-PD	1,040.00
ALLIANT ENERGY	ENERGY USAGE-WAT	926.83
ALLIANT ENERGY	ENERGY USAGE-FD	823.02
STUDENT PUBLICATIONS INC	ADS/PUBLICATIONS-ALL DEPTS	811.61
BANKCARD 8076	CREDIT CARD FEES-LBC,P&REC	805.65
MOUNT VERNON BANK & TRUST	NSF CHECK-LBC	775.00
MT VERNON ROAD TIRE	TIRES-PD	678.00
ALLIANT ENERGY	ENERGY USAGE-P&REC	668.40
ALLIANT ENERGY	ENERGY USAGE-SEW	604.58
VERMEER SALES & SERVICE INC	CHIPPER MAINT-SW	565.22
THE HISTORY CENTER	ART SPONSORSHIP-MVHPC	500.00
MARTIN GARDNER ARCHITECTURE	CONSTRUCTION ADMIN-PD CONST	489.90
IOWA SOLUTIONS INC	COMPUTER MAINT-PD	460.00
ALLIANT ENERGY	ENERGY USAGE-ST LIGHTS	400.07
MEDIACOM	PHONE/INTERNET-SEW	349.71
FOSTERS/KRAUS HEATING & AIR	BASEBOARD HEATER-PD	300.50
ALLIANT ENERGY	ENERGY USAGE-P&A	282.95
CITY LAUNDERING CO	SERVICES-LBC	253.92
US CELLULAR	CELL PHONE-PD	247.51
STAPLES INC	SUPPLIES-PD,P&A	246.16
GPM ENVIRONMENTAL	EQUIP REPAIR-SEW	233.00
EMPLOYEE BENEFIT SYSTEMS	INSURANCE CLAIMS-ALL DEPTS	232.00
KONE INC	ELEVATOR MAINT CONTRACT-P&A	212.67
KONICA MINOLTA BUSINESS SOLUTIONS	MAINT PLAN/COPIES-PD	207.31
AMAZON CAPITAL SERVICES	SUPPLIES-POOL,P&REC,FD	205.01
TROJAN TECHNOLOGIES	EQUIP MAINT-SEW	187.17
CENTRAL IOWA DISTRIBUTING	SUPPLIES-LBC	168.00
AMAZON CAPITAL SERVICES	SUPPLIES-RUT	164.76
BANKCARD 8076	REFUND-LBC	154.08
AMAZON CAPITAL SERVICES	SUPPLIES-LBC	153.76
MARKET STREET	ONLINE TECH SUPPORT-MVHPC	117.60
SUE ASTLEY	SUPPLIES-MVHPC	114.86
STUDENT PUBLICATIONS INC	ADS/PUBLICATIONS-P&REC	107.73
STEVE MOEL	FITNESS MEMBERSHIP-PD	100.00
STUDENT PUBLICATIONS INC	ADS/PUBLICATIONS-LBC	100.00
AIRGAS INC	CYLINDER RENTAL FEE-PW	97.58
AMAZON CAPITAL SERVICES	SUPPLIES-PD	79.98
CITY LAUNDERING CO	SERVICES-CITY HALL	79.69
CITY LAUNDERING CO	SERVICES-CITY HALL	79.69
ALLIANT ENERGY	ENERGY USAGE-RUT,P&A,WAT,SEW	76.28
AMAZON CAPITAL SERVICES	SUPPLIES-PD	65.90
ALLIANT ENERGY	ENERGY USAGE-POOL	65.79
CENTURY LINK	PHONE CHARGES-PD	64.68
PRESTO-X	PEST CONTROL-PD	62.00
AMAZON CAPITAL SERVICES	SUPPLIES-P&REC	60.97
LORYN COON	DEPOSIT REFUND-WATER	54.02
BANKCARD 8076	REFUND-P&REC	50.00
NEAL'S WATER CONDITIONING	WATER/SALT-RUT	48.00
ALLIANT ENERGY	ENERGY USAGE-SIRENS	46.16
STAPLES INC	SUPPLIES-P&A	45.40
AMAZON CAPITAL SERVICES	SUPPLIES-P&REC	45.23
MELINDA SNYDER	INSTRUCTOR-LBC	40.00
MARKET STREET	ONLINE TECH SUPPORT-MVHPC	33.60

DES MOINES STAMP	NOTARY STAMP-PD	33.00
NEAL'S WATER CONDITIONING	WATER/SALT-FD	33.00
ALLIANT ENERGY	ENERGY USAGE-RUT,WAT,SEW,SW	31.61
HAWKINS INC	CHEMICALS-WAT	20.00
ALLIANT ENERGY	ENERGY USAGE-CEM	19.07
NEAL'S WATER CONDITIONING	WATER/SALT-CITY HALL	18.50
IOWA DEPT OF INSPEC & APPEALS	CHARITABLE GAMBLING LICENSE-PD K9	15.00
JOENA'S SPECIAL NEEDS	UNIFORMS-PD	5.50
AUTHNET GATEWAY BILLING	CREDIT CARD SERVICES-LBC	5.00
TOTAL		339,150.02

FUND EXPENSE TOTALS

PAYROLL	121,518.23
GENERAL FUND	53,392.41
POLICE STATION CONSTRUCTION	51,451.13
SOLID WASTE	41,915.90
ROAD USE TAX FUND	26,609.35
SEWER FUND	16,063.51
LBC	11,920.49
WATER FUND	11,526.77
PW COLD STORAGE	3,445.55
STORM WATER FUND	1,306.68
TOTAL	339,150.02

Discussion and Consideration of Pay Application #13 – Police Station Renovation Project – Council Action as Needed. After Septagon received payment on pay application #14 for the police station renovations, they realized they had submitted pay application #13 to the wrong location. Pay application #13 is in the amount of \$39,609.35. Motion made by Tuerler, seconded by Engel to approve Pay Application #13-Police Station Renovation Project. Motion carries. West absent.

Discussion and Consideration of Change Order #16 – Police Station Renovation Project – Council Action as Needed. Change order #16 is in the amount of \$2,915.00 and approves moving an existing light pole and base near the new garage drive-through. The light fixture itself will be reused, but it did require a new base and wiring before it was set. Motion made by Engel, seconded by Rose to approve Change Order #16-Police Station Renovation Project. Motion carries. West absent.

Discussion and Consideration of Sculpture Trail Funding Request – Council Action as Needed. Marie DeVries with the Mount Vernon Area Arts Council addressed Council with a request for funding in the amount of \$10,000.00 in FY2025 for the third phase of art on the sculpture trail between First Street and Third Street SE. In July of 2023 Council paid the Area Arts Council \$10,000.00 for the first phase of sculpture art on the trail. Phase two of the project, a dragonfly sculpture by Amie Jacobsen in the amount of \$15,000.00, was funded by a State grant of \$10,000.00 and the Area Arts Council covering the remaining \$5,000.00. Should the Council agree to tonight's request, the funds would come from LOST trails monies. Tuerler spoke against using LOST funds that is earmarked for trails for art and does not feel that this use was intended for those funds when LOST III was originally approved. Tuerler said he supports the concept of art on the trails but not the funding source. DeVries argued that the art has definitely encouraged more people to use the trail. Rose felt that the sculpture art was enhancing the trails, which would justify using LOST funds, but would like to know what the actual language was in the resolution that was originally voted on. Engel agreed with Rose that this would be a good use of LOST funds. Nosbisch said there would not

be a funding source available outside of LOST money for this request. Tuerler made a motion to table this item until a later date to give Council an opportunity to look into further. Seconded by Rose. Motion carries. West absent.

Discussion and Consideration of No Mow May and Monarch Butterfly Plantings – Council Action as Needed. Gretchen Reeh-Robinson addressed Council requesting their support for “No Mow May” again this year. Not mowing will help promote ground pollinators that come out in late April and early May and reduce the use of pesticides. Small yard signs will be provided for residents that are interested in supporting this effort so that others are aware of the reason for not mowing. Residents could even consider starting out with smaller patches that aren’t mowed if they didn’t want to do their entire lawn. Work is also being done with the Monarch Research Project to provide seed to the City for prairie/pollinator plantings on City property. Council agreed to support “No Mow May” again this year. No formal action was taken but the City will not enforce the mowing nuisance in the month of May.

Discussion and Consideration of the Cottonwood Apartments Site Plan – Council Action as Needed. The Planning Commission voted unanimously on Wednesday, March 13, 2024, to approve the site plan with staff conditions. This will be a 30 unit complex on the south side of Glenn Street extended to the east. Motion made by Tuerler, seconded by Andresen to approve the Cottonwood Apartments Site Plan. Motion carries. West absent.

Discussion and Consideration of Change Order #17 – Police Station Renovation Project – Council Action as Needed. Change order #17 is a credit in the amount of \$1,100.00. Motion made by Tuerler, seconded by Rose to approve Change Order #17-Police Station Renovation Project. Motion carries. West absent.

Discussion and Consideration of a Bond Counsel Engagement Letter with Ahlers Cooney Attorneys for the General Obligation Capital Loan Notes, Series 2024 – Council Action as Needed. This engagement authorizes Ahlers Cooney to prepare the necessary documents and filings for the Series 2024 General Obligation borrowing. The estimated fee for this borrowing is \$21,700.00. Motion made by Tuerler, seconded by Andresen to approve the Bond Counsel Engagement Letter with Ahlers Cooney Attorneys. Motion carries. West absent.

Discussion and Consideration of Operation and Maintenance Assistance Agreement with Carrico Aquatic Resources – Pool – Council Action as Needed. The City currently uses Carrico for their water management program and this would continue those services. The total contract cost for annual maintenance, chemicals, and training \$19,125.00. Motion made by Engel, seconded by Rose to approve the maintenance agreement with Carrico Aquatic. Motion carries. West absent.

Reports to be Received/Filed. Full reports can be viewed on the City website under the March 18, 2024 Council Packet.

Mt. Vernon/Lisbon police Report
Mt. Vernon Public Works Report
Mt. Vernon Parks and Rec Report
Cole Library Report

LMVAS Annual Report/Strategic Plan Presentation. Jacob Lindauer presented the annual report of the Lisbon-Mt. Vernon Ambulance Service. Full report can be found on the City website under the March 18, 2024 Council Packet.

Reports of Mayor/Council/Administrator

Mayor's Report. Wieseler attended a Local Leaders meeting at the capital a couple of weeks ago and will be interviewed by the Chronical of Higher Education about the relationship of a small town with a private college. More rain barrels may be available in the future.

Council Reports. Engel reported that the Mount Vernon/Lisbon childcare committee has, through grants and fundraising, distributed about \$55,000 to Mount Vernon and Lisbon childcare providers associated with the school districts to help augment their wages and help with retention. The next step is to sustain this program on an annual basis. The long-term vision of the committee is to have a centralized, more permanent childcare facility in the community. The committee will meet again on April 9, 2024 at Cornell College. This meeting will include members of the Lisbon City Council, Lisbon School Board, Mount Vernon City Council, Mount Vernon School Board. The Iowa Women's Conference will help lead the meeting. The hope is to provide history of what has been done the last couple of years and what can be done to move forward.

City Administrator's Report. Full report can be viewed on the City website under the March 18, 2024 Council Packet.

As there was no further business to attend to, the meeting adjourned, the time being 8:41 p.m., March 18, 2024.

Respectfully submitted,
Marsha Dewell
City Clerk

Lori Boren

From: Tasha Whitman <twhitman@mtvernonlisbonpd-ia.gov>
Sent: Tuesday, March 26, 2024 11:18 AM
To: Chris Nosbisch; Lori Boren
Subject: FW: Application App-197871 Ready for Review

External Sender - From: (Tasha Whitman
<twhitman@mtvernonlisbonpd-ia.gov>)
This message came from outside your organization.

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Please add to the next agenda. Thanks

Tasha Whitman
Administrative Assistant
Mount Vernon – Lisbon Police Department
380 Old Lincoln Hwy.
Mount Vernon, IA 52314
319-895-6141

From: noreply@salesforce.com <noreply@salesforce.com> **On Behalf Of** IOWA ABD Licensing Support
Sent: Tuesday, March 26, 2024 10:47 AM
To: Tasha Whitman <twhitman@mtvernonlisbonpd-ia.gov>
Cc: licensingnotification@iowaabd.com
Subject: Application App-197871 Ready for Review

Hello,

Application Number App-197871 has been set to "Submitted to Local Authority" status and is currently ready for your review.

Corp Name: CASEY'S MARKETING COMPANY

DBA: CASEY'S GENERAL STORE #1599

License Number: LE0003071

Application Number: App-197871

Tentative Effective Date: 6/1/2024

License Type: Class E Retail Alcohol License (LE)

Application Type: Renewal

G. Resolutions for Approval

AGENDA ITEM # G - 1

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

DATE: April 1, 2024

AGENDA ITEM: Resolution #4-1-2024A

ACTION: Motion

SYNOPSIS: Normally the City would wait until the public improvements were constructed before we would accept the public right of way from the developer. In this instance, the City will be constructing the infrastructure in Stoner Plaza as part of the CHI development.

BUDGET ITEM: Bond

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Resolution #4-1-2024A

PREPARED BY: Chris Nosbisch

DATE PREPARED: 3/29/2024

Resolution _____

Resolution Accepting the Dedication of Street Right of Way and Easements, as Dedicated within the Owner's Certificate and Dedication of Stoner Plaza Tenth Addition to the City of Mount Vernon, Linn County, Iowa "

Whereas, The City Council was previously presented with the Final Plat of "Stoner Plaza Tenth Addition to the City of Mount Vernon, Linn County, Iowa" and approved said Plat by Resolution No. 12-4-2023B, and "

Whereas, The Final Plat attachments include an "Owner's Certificate and Dedication" wherein it states: "

And we, Mount Vernon Development Group, LLC hereby acknowledge the subdivision of land shown on said plat to be by our free consent and in accordance with our desire; and do hereby set apart and dedicate to the public use, as public highway forever, all land in the streets, more specifically Lot A, Glenn Street SE, and dedicate to the public all public easements as noted by their purpose as shown by said plat."

and

Whereas, Council Resolution No. 12-4-2023B did not accept the dedication of the lands and easements dedicated to the City as shown by the Owner's Certificate and Dedication, and

Whereas, the City Council has agreed to participate in the development of Stoner Plaza Tenth Addition, by installing the streets and related infrastructure, such as water, sewer, and storm sewer improvements, and

Whereas, while dedicated public ways and easements are not typically accepted by the City until satisfactory installation of said public improvements, because the City has agreed to be responsible for the installation of said public improvements, it is necessary and appropriate to accept the dedication of said public improvements as set forth within the Owner's Certificate and Dedication at this time.

Now therefore, be it resolved that the City of Mount Vernon, by and through the City Council, does hereby accept the dedication of those public ways, streets and easements, as shown by the Final Plat, Stoner Plaza 10th Addition to the City of Mount Vernon, Linn County, Iowa as dedicated by the Owner's within the Owner's Certificate and Dedication attached to said Plat.

APPROVED and ADOPTED this ____ day of _____, 2024

Thomas M. Wieseler, Mayor

Attest:

Marsha Dewell, City Clerk

AGENDA ITEM # G – 2

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

DATE: April 1, 2024

AGENDA ITEM: Resolution #4-1-2024B

ACTION: Motion

SYNOPSIS: The Davis Park lighting project is complete and has received the engineer's certificate of approval. The project retainage, also listed on the agenda, will be released after the mandatory thirty (30) day waiting period.

BUDGET ITEM: Bond

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Resolution #4-1-2024B

PREPARED BY: Chris Nosbisch

DATE PREPARED: 3/29/2024

RESOLUTION #4-1-2024B

**RESOLUTION ACCEPTING WORK FOR THE PROJECT KNOWN AS THE
DAVIS PARK LIGHTING IMPROVEMENTS WITH ARDENT LIGHTING L.L.C**

WHEREAS, on July 17, 2023, the City of Mt. Vernon entered into a contract with Ardent Lighting Group, LLC for lighting improvement work at the Davis Park ball diamond, and

WHEREAS, said contractor has fully completed the construction of said improvements, known as the Davis Park Improvement Project, in accordance with the terms and conditions of the said contract and plans and specifications, as shown by the Engineer's report, and

WHEREAS, the contractor has completed all delivery and payment has been received.

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

Section 1. That report recommending approval of said improvements from the City of Mt. Vernon is hereby accepted as having been fully completed in accordance with said plans, specifications and contract. The total contract cost of the improvements payable under said contract is hereby determined to be \$168,270.48.00.

NOW, THEREFORE BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MT. VERNON, IOWA: That said retainage of \$8,413.52 be released to Ardent Lighting Group, LLC upon completion of the mandatory waiting period.

PASSED and ADOPTED this 1st day of April, 2024.

Thomas M. Wieseler, Mayor

ATTEST:

Marsha Dewell, City Clerk

AGENDA ITEM # G – 3

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

DATE: April 1, 2024

AGENDA ITEM: Resolution #4-1-2024C

ACTION: Motion

SYNOPSIS: The proposed moratorium was discussed during a city council review of new tobacco licenses within the city limits. The moratorium language was researched and submitted by the Wellness Coalition of Rural Linn County. The proposed resolution is currently under review by the City Attorney, so minor modifications to the language may be submitted at the Council meeting.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Resolution #4-1-2024C

PREPARED BY: Chris Nosbisch

DATE PREPARED: 3/29/2024

RESOLUTION #4-1-2024C

A RESOLUTION PLACING A MORATORIUM, NOT TO EXCEED SIX (6) MONTHS, ON SMOKE AND CONSUMPTION USE BUSINESSES INCLUDING CBD, HEMP, THC/CANNABIS PRODUCTS, PSYCHOACTIVE PRODUCTS, AND SYNTHETIC MARIJUANA, INCLUDING SMOKE, TOBACCO, NICOTINE AND VAPE, SHOPS WITH 10% OR MORE OF THE BUSINESS SQUARE FOOTAGE IS DEDICATED TO THE CONSUMPTION OR RETAIL SALES WITHIN THE CITY OF MOUNT VERNON, IOWA.

WHEREAS, The city recognizes that a proliferation of smoke or consumption use businesses for CBD, hemp, THC/cannabis products, psychoactive products, and synthetic marijuana, including smoke, tobacco, or vape shops with sales of 10% or more of the business square footage occupied for the consumption use or retail sales, particularly when concentrated geographically, can have a negative impact on public health, safety, and welfare; and

WHEREAS, it is illegal to give, sell, or otherwise distribute cigarettes, other tobacco products, CBD, THC/cannabis, hemp, psychoactive products, synthetic marijuana, or alternative nicotine products like e-cigarettes and/or vaping products to any person under the age of twenty-one (21); and

WHEREAS, the City of Mount Vernon ("City") has observed a sharp increase in the volume of new smoke or consumption use businesses for CBD, hemp, THC/cannabis products, psychoactive products, and synthetic marijuana, including smoke, tobacco, or vape shops with sales of 10% or more of the business square footage occupied for the consumption use or retail sales; creating harmful impacts on the welfare of Mount Vernon residents with many such establishments located in close proximity to one another, causing great concern among City residents and public health officials; and

WHEREAS, Under the Iowa Constitution and Code of Iowa, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, comfort, and peace of the citizens of the municipality, including restricting areas used for business and trade; and

WHEREAS, The city finds that an in-depth examination of its regulations for establishments is timely and necessary, therefore, the issuance of certificates of occupancy, temporary certificates of occupancy, and conditional certificates of occupancy for smoke or consumption use businesses for CBD, hemp, THC/cannabis products, psychoactive products, synthetic marijuana,

including smoke, tobacco, or vape shops with sales of 10% or more of the business square footage occupied for the consumption use or retail sales of said products; and

WHEREAS, the City has a large population of young adults under the age of twenty-one (21) due to the location of Cornell College and the Mount Vernon Community School District within city limits, and in close proximity to surrounding school districts.

WHEREAS, Chapter 165 Zoning Regulations of the Mount Vernon City Code, cannot currently regulate smoke or consumption use businesses for CBD, hemp, THC/cannabis products, psychoactive products, and synthetic marijuana, including smoke, tobacco, or vape shops with sales of 10% or more for consumption use or retail; and

WHEREAS, the Mount Vernon City Council seeks to implement zoning amendments which will provide regulations for smoke or consumption use businesses for CBD, hemp, THC/cannabis products, psychoactive products, and synthetic marijuana, including smoke, tobacco, or vape shops with 10% or more of the business square footage is occupied for the consumption use or retail sales in the City and desires to maintain the status quo while these zoning modifications are developed and contemplated by the Council; and

WHEREAS, to preserve the status quo, this City Council desires to issue a moratorium for a period of time, not to exceed six (6) months from the date of passage of this Resolution, while it undertakes a comprehensive review of the Ordinances of the City, to establish a land use policies on Building Permits, Certificates of Occupancy, and Land Use Approvals, licensure, and other business regulations relating to new smoke or consumption use businesses for CBD, hemp, THC/cannabis products, psychoactive products, and synthetic marijuana, including smoke, tobacco, or vape shops with sales of 10% or more of the business square footage is occupied for the consumption use or retail sales; and

WHEREAS, this Council will be able to collaborate with the Wellness Coalition of Rural Linn County and Linn County Public Health Department and enact reasonable regulations to protect the health, safety, welfare, peace, and comfort of the citizens of the City more effectively if a moratorium is in place.

WHEREAS, the City Staff shall make periodic reports to the Council regarding the status of the coordination of regulations with the Wellness Coalition of Rural Linn County and the Linn County Public Health Department.

WHEREAS, the Moratorium will expire automatically after six (6) months unless extended for good cause by the Council.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOUNT VERNON, LINN COUNTY, STATE OF IOWA, THAT: The City establishes a moratorium on new smoke and consumption businesses for CBD, hemp, psychoactive products, synthetic marijuana, tobacco, nicotine, vape, and shops with more than 10% or more of the business square footage occupied for the consumption use or retail sales shall be permitted during this time period within the City of Mount Vernon.

NOW BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF MOUNT VERNON, LINN COUNTY, STATE OF IOWA, THAT: The following conditions shall be met during the moratorium period:

1. City Staff shall make periodic reports to the Council regarding the status of the coordination of regulations with the Wellness Coalition of Rural Linn County and the Linn County Public Health Department.
2. The Moratorium will expire automatically after six (6) months unless extended for good cause by the Council

PASSED and ADOPTED this 1st day of April, 2023

Thomas M. Wieseler, Mayor

ATTEST:

Marsha Dewell, City Clerk

I. Old Business

AGENDA ITEM # I – 1

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

DATE:	April 1, 2024
AGENDA ITEM:	Trail Art Funding Request
ACTION:	Motion

SYNOPSIS: Staff is asking for this item to remain tabled until the Park and Rec Board has an opportunity to review their CIP requests.

BUDGET ITEM: LOST

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: None

PREPARED BY: Chris Nosbisch

DATE PREPARED: 3/29/2024

J. Motions for Approval

CITY OF MOUNT VERNON
CLAIMS FOR APPROVAL, APRIL 1, 2024

PAYROLL	CLAIMS	105,945.28
SEPTAGON CONSTRUCTION	PAY APP #13-PD CONSTRUCTION	39,609.35
KARL CHEVROLET	TAHOE OUTFITTING-FD LEVY	27,530.95
EMPLOYEE BENEFIT SYSTEMS	INSURANCE CLAIMS-ALL DEPTS	4,407.79
L.L. PELLING CO INC	POTHOLE MATERIAL-RUT	1,898.00
ALLIANT ENERGY	ENERGY USAGE-WAT	1,094.03
IOWA ASSOC OF MUNICIPAL UTILITIES	WATER MEMBER DUES-WAT	1,038.00
USA BLUE BOOK	SUPPLIES-WAT	712.57
ALLIANT ENERGY	ENERGY USAGE-PD	391.52
MIDWEST STORAGE SOLUTIONS	PD LOCKERS-PD CONST	389.85
ALLIANT ENERGY	ENERGY USAGE-LBC	366.61
MEDIACOM	PHONE/INTERNET-RUT	322.35
MARGARET L PICKETT	INSTRUCTOR-LBC	308.00
IOWA ONE CALL	LOCATES-WAT,SEW	58.50
MICHELLE MAYHEW	ENRICHMENT REFUND-LBC	45.00
ALLIANT ENERGY	ENERGY USAGE-SEW	33.00
ALLIANT ENERGY	ENERGY USAGE-SW	25.95
ALLIANT ENERGY	ENERGY USAGE-P&REC	21.49
AMAZON CAPITAL SERVICES	SUPPLIES-LBC	8.89
TOTAL		184,207.13

FUND EXPENSE TOTALS

PAYROLL	105,945.28
POLICE STATION CONSTRUCTION	39,999.20
FIRE DEPT LEVY	27,530.95
WATER FUND	3,564.27
GENERAL FUND	2,629.25
ROAD USE TAX FUND	2,528.90
LBC	1,023.38
SEWER FUND	656.70
SOLID WASTE	181.10
STORM WATER FUND	148.10
TOTAL	184,207.13

AGENDA ITEM # J – 2

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

DATE: April 1, 2024

AGENDA ITEM: Request for Hearing – 520 First Street SE

ACTION: Motion

SYNOPSIS: The City has received an appeal from Doug Berner regarding a nuisance violation notice he received from the city. I have included the notice of violation and accompanying materials for your review. Chapter 50.08 allows for an appeal of a nuisance violation to the City Council. The Council can make three determinations at the hearing:

1. Affirm the nuisance violation and require the immediate removal of any violations.
2. Affirm the nuisance but allow for modifications to the original notice.
3. Overturn the nuisance violation.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Supporting Documents

PREPARED BY: Chris Nosbisch

DATE PREPARED: 3/29/2024

Chris Nosbisch

From: Doug Berner <dougberner@yahoo.com>
Sent: Tuesday, March 12, 2024 11:19 AM
To: Chris Nosbisch
Subject: 520 1st St SE MV

External Sender - From: (Doug Berner <dougberner@yahoo.com>)
This message came from outside your organization.

[Learn More](#)

Good Morning-

I would like to appeal the nuisance violation I received in the mail today. We are heading out of state today with our family. With support from Leigh Bradbury she guided me to email you and request a hearing with the city counsel on or after April 1st. I do have plans in motion to rebuild, a contractor has been hired. It has been a very complicated process and I appreciate your patience as I try to get this project completed.

Thank you,
Doug Berner
319-310-6798



**Mount
Vernon**
IOWA

Chris Nosbisch, City Administrator
Douglas Shannon, Chief of Police

Thomas M. Wieseler, Mayor

Council:

Scott Rose
Stephanie West
Deb Herrmann
Paul Tuerler
Craig Engel

VIA ORDINARY MAIL AND CERTIFIED MAIL, RETURN RECEIPT REQUESTED

March 4, 2024

Doug Berner
955 Martha Street
Lisbon, IA 52253

RE: FINAL NOTICE AND ORDER TO ABATE VIOLATIONS
520 FIRST STREET SE, MOUNT VERNON, IA 52314

Doug –

This past August, we discussed your intent to proceed with construction at 520 East First Street SE in Mount Vernon in the fall of 2023. At that time, you indicated that the accumulation of certain building materials on-site would be used for that purpose.

As additional items have accumulated and been stored on the property since that discussion and Linn County reports no building permit application on file for this property as of the date of this letter, the property at 520 First Street SE ("the Property") in Mount Vernon, Iowa, continues to be in violation of various provisions of the Code of Ordinances of the City of Mount Vernon, Iowa ("City Code"). More specifically, as of the date of this Notice and Order, the Property constitutes a prohibited public nuisance in violation of City Code Chapters 165.611 Outdoor Storage and Chapter 50.02 (21) Nuisances Enumerated; as depicted in the enclosed photos.

You are hereby given final notice to abate all accumulation and outdoor storage of building materials, debri, refuse and/or brush at 520 First Street SE in Mount Vernon, Iowa, in accordance with Chapters 50 and 51 of the City of Mount Vernon Municipal Code within fourteen (14) days of receipt of this notice. You may, alternatively, request a hearing with the City Council within this same time period of fourteen (14) days from receipt of this notice. A request for hearing shall be made in writing and delivered to the City Clerk at 213 First Street NW, Mount Vernon, Iowa. Hearings are held at a time and place fixed by the City Council.

Failure to comply with this Notice and Order may result in the City of Mount Vernon filing a municipal infraction citation against you in the Iowa District Court for Linn County, Iowa, including but not limited to seeking injunctive relief and/or civil penalties of not more than \$750 for each violation and not more than \$1,000 for each repeat offense, with each day the violation occurs or is permitted to exist constituting a repeat offense.¹

CODE SECTI ON	CODE TEXT	VIOLATION/ REQUIRED ACTION
165.611	OUTDOOR STORAGE OUTSIDE OF THE LI DISTRICT Outdoor storage is prohibited in all zoning districts except the LI General Industrial zoning district, except as provided in this section. 1. Agricultural Use Types. Outdoor storage is permitted only where incidental to agricultural uses. 2. Civic Use Types. Outdoor storage is permitted only where incidental to Maintenance Facilities. 3. Commercial Use Types. Outdoor storage is permitted where incidental to Agricultural Sales and Service; Auto Rentals and Sales; Construction Sales; Equipment Sales and Service; Stables and Kennels; and Surplus Sales. Outdoor storage is permitted where incidental to Auto Services, Equipment Repair, and Body Repair, provided that such storage is completely screened at property lines by an opaque barrier, as set forth in Article 8. This provision shall apply to any Auto Services, Equipment Repair, or Body Repair use established after the effective date of this Ordinance. 4. Industrial and Miscellaneous Use Types. Outdoor storage is permitted where it is incidental to industrial uses within the AG and LI zoning districts. Any such outdoor storage is subject to screening requirements set forth in Article 8. Outdoor storage is permitted where incidental to landfills.	VIOLATION: Numerous piles of building materials have been allowed to accumulate on the property. REQUIRED ACTION: Building materials and equipment must be stored within an enclosed facility.

50.02 (21)	NUISANCES ENUMERATED. The following subsections include, but do not limit, the conditions which are deemed to be nuisances in the City:21. Garbage and Refuse. The deposit or storage of any garbage or any refuse containers, brush, rubbish, grass, rocks, building materials, incinerators or any other debris or material on the parking or area between sidewalk and the curb on any street.	VIOLATION: Building materials, various debris and brush, and dilapidated items, including an abandoned sign post and picnic table have accumulated on the property. REQUIRED ACTION: Remove and properly dispose of all items constituting garbage and refuse. Building materials must be properly stored in an enclosed facility.
---------------	--	--

Questions regarding this Notice and Order should be directed to my attention.
Sincerely,



Leigh Bradbury
City of Mount Vernon, Iowa
213 First Street NW
Mount Vernon, IA 52314
(319) 895-8742
lbradbury@cityofmtvernon-ia.gov

Enc: Pictures - 520 1st St SE 02.13.24
Cc: Samantha R. Kuntz, Lynch Dallas

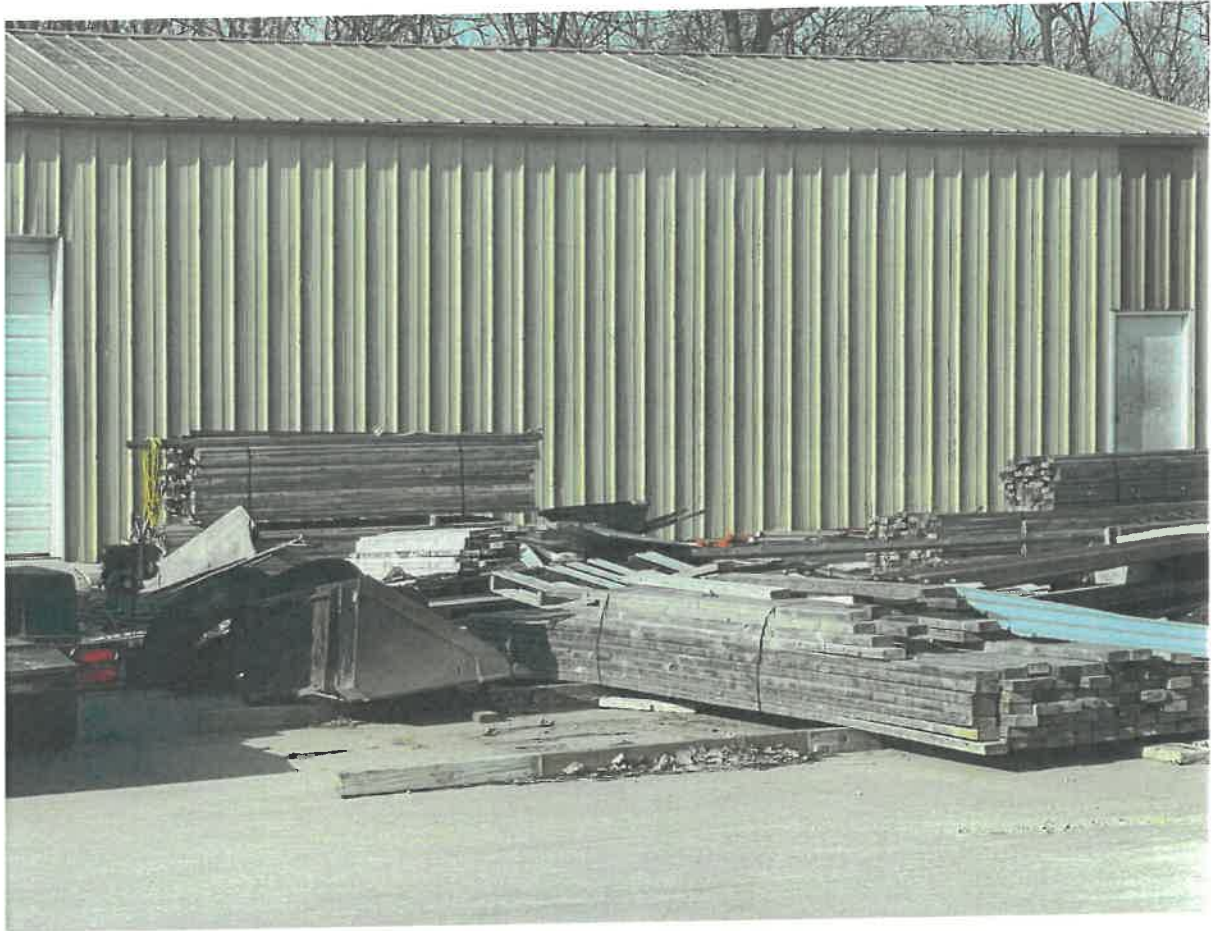
¹ The City does not, by virtue of this Notice and Order, seek to pursue administrative abatement of the above-referenced nuisance pursuant to the provisions of City Code §50.10 and, accordingly, will not entertain a request for hearing pursuant to the provisions City Code §50.08. The option of judicial enforcement reserved by the City provides sufficient due process.











AGENDA ITEM # J – 3

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

DATE: April 1, 2024

AGENDA ITEM: Change Order #18 – Police Station Renovations

ACTION: Motion

SYNOPSIS: Change order #18 is in the amount of \$8,301.00 and was necessitated by a change in the water heater location. As this was a partial design issue, the engineering firm is covering 50% of the costs associated with this change order (\$4,150.50).

BUDGET ITEM: Bond

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Change Order #18

PREPARED BY: Chris Nosbisch

DATE PREPARED: 3/29/2024



SEPTAGON CONSTRUCTION

Prime Contract Change Order

Project: **Mount Vernon-Lisbon Police Department Addition & Renovation**
213 First Street NW
Mount Vernon, IA 52314

Job No: 0522007

Contract Date:

Change Order No: 018

Change Order Date: 3/21/2024

Customer PO #:

To Contractor:

Septagon Construction Company
3500 J St SW
Cedar Rapids, IA 52404-4609

From Owner:

City of Mount Vernon
213 First Street NW
Mount Vernon, IA 52314

The Contract is hereby revised by the following items:

Additional Work/ Water Heater Re-location

PCO	Description	Amount
043	Additional Work/Water Heater Re-locate	\$8,301.00

This includes all additional items called out in the email sent on 2-14-24. It captures all the electrical, plumbing, HVAC and carpentry expenses that were needed. Note: A Do Not Exceed number was presented as an estimate number for pricing this additional work. It was also presented on 2-14-24.

The original Contract Value was.....	\$1,106,500.00
Sum of changes by prior Prime Contract Change Orders.....	\$78,290.12
The Contract Value prior to this Prime Contract Change Order was.....	\$1,184,790.12
The Contract Value will be changed by this Prime Contract Change Order in the amount of.....	\$8,301.00
The new Contract Value including this Prime Contract Change Order will be.....	\$1,193,091.12
The Contract duration will be changed by.....	0 days
The revised Substantial Completion date as of this Prime Contract Change Order is.....	

Septagon Construction Company

City of Mount Vernon

BY Andy Zweibohmer

BY Doug Shannon

CONTRACTOR

OWNER

SIGNATURE

DATE

SIGNATURE

DATE

AGENDA ITEM # J – 4

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

DATE: April 1, 2024

AGENDA ITEM: Invoice #149045 - JEO

ACTION: Motion

SYNOPSIS: This is the first invoice for the downtown streetscape project. Included with the \$48,275.40 invoice is a monthly progress report from JEO Consulting Group.

BUDGET ITEM: LOST

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Invoice #149045 & Progress Report

PREPARED BY: Chris Nosbisch

DATE PREPARED: 3/29/2024



Engineering | Architecture | Surveying | Planning

Invoice

March 19, 2024

Project No: R231567.00

Invoice No: 149045

Invoice Amount: 48,275.40

Chris Nosbisch
City of Mount Vernon
213 First St. NW
Mount Vernon, IA 52314

Project Manager Jeremy Kaemmer

Project R231567.00 Mount Vernon Downtown Streetscape Improvements

Professional Services through March 8, 2024

	Contract Amount	Percent Complete	Billed-to-Date	Previous Billing	Current Billing
Lump Sum Phase(s)					
Project Management	\$29,300.00	23%	\$6,739.00	0.00	\$6,739.00
Survey	\$24,700.00	85%	\$21,074.40	0.00	\$21,074.40
Discovery	\$23,200.00	68%	\$15,776.00	0.00	\$15,776.00
Design Services	\$234,300.00	2%	\$4,686.00	0.00	\$4,686.00
Total	\$311,500.00		\$48,275.40	0.00	\$48,275.40
Total Amount Due Upon Receipt :					\$48,275.40

Please email to: cnosbisch@cityofmtvernon-ia.gov; lboren@cityofmtvernon-ia.gov



Monthly Progress Report

PROJECT NAME | Mt. Vernon Uptown Streetscape Design
JEO PROJECT NO. | R231567.00
CONTRACT DATE | January 3, 2024
DATE PREPARED | March 15, 2024

1. Work Completed During Current Period (1/3/24 – 3/15/24)

Task 1: Project Management

- Project management and internal team coordination.
- Subconsultant coordination.
- Internal Kickoff.
- External Client Kickoff.
- Advisory Committee Meetings 1 & 2.
- Quality control of task work and deliverables.

Task 2: Survey

- Topographic Survey.
- Boundary/Property review.
- Project Walk-through.
- Coordinating Geotechnical Services.

Task 3: Discovery

- Visual Preference Survey is live and collecting data.
- Public Participation Plan.
- SharePoint Engagement Website Set up.
- Business Owner Intro/Kickoff Meeting.
- Review of existing condition GIS and misc. materials from client.
- Fact Sheets, Postcards, Brochures, and other informational/promotional materials developed for public engagement and awareness.
- Open-house preparation.
- Existing Conditions Analysis/Memo begun.

Task 4: Visioning & Concept Development

- Preparation for design/concept workshop.
- Initial Concepts begun.

Task 5: Master Plan Documentation

- To be started after Task 4 is complete.

Task 6: Design Services

- Project folder and MicroStation/AutoCAD workspaces set-up.

Task 7: Utility Coordination & Permitting

- No activity to report at this time.

Task 8: Bidding & Negotiation

- No activity to report at this time.

Task 9: Construction Administration/Inspection

- No activity to report at this time.

2. Planned Work for Next Period

- Continue public engagement efforts.
- Finalize “pop-up” events.
- Finalize Workshop and Open-house dates and advertisements/invites.
- Existing Conditions Analysis Memo.
- 3d Scan of corridor
- Concept development.

3. Project Schedule

- No schedule issues to report

4. Information Needed from Mt Vernon

- Confirm plans for “pop-up” events.
- Confirm Dates/Times for Design Workshop.
- Continue coordinating the Open-house.
- Continue to provide any additional items for use and review by the consultant team.

5. Issues or Concerns

- Nothing to report at this time

6. Next Advisory Committee Meeting

- April 2, 2024

AGENDA ITEM # J – 5

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

DATE: April 1, 2024

AGENDA ITEM: Pay Application #3 – Davis Park

ACTION: Motion

SYNOPSIS: Pay application #3 is in the amount of \$8,413.52. This is the amount of the retainage for the Davis Park Lighting project and will not be released until the mandatory 30-day waiting period has lapsed.

BUDGET ITEM: Bond

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Pay Application #3

PREPARED BY: Chris Nosbisch

DATE PREPARED: 3/29/2024

APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side)

PAGE ONE OF 2

TO OWNER:

City of Mt. Vernon
Attn: Dave Schechinger, Engineer

PROJECT:

Davis Park Improvements

CONTRACTOR:

Ardent Lighting Group L.L.C.
1378-118th Place
Knoxville, Iowa 50138
CONTRACT FOR: Davis Park Improvements

VIA Project Manager:

APPLICATION NC 3 retainage

PERIOD TO: 3/15/2024
PROJECT NO:

Distribution to:

☒ OWNER
☒ ARCHITECT
☒ CONTRACTOR

CONTRACT DATE: 7/17/2023

Job #

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM \$ 165,650.00
2. Net change by Change Orders \$ 2,620.48
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 168,270.48
4. TOTAL COMPLETED & STORED TO DATE \$ 168,270.48
(Column G on G703)

5. RETAINAGE:
a. 5 % of Completed Work \$ 8,413.52
(Column D + E on G703)
b. 5 % of Stored Material \$ 0.00
(Column F on G703)
Total Retainage (Lines 5a + 5b or
Total in Column I of G703) \$ 8,413.52

6. TOTAL EARNED LESS RETAINAGE \$ 159,856.96
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 159,856.96
8. CURRENT PAYMENT DUE \$ 8,413.52
9. BALANCE TO FINISH, INCLUDING RETAINAGE \$ 0.00
(Line 3 less Line 6)

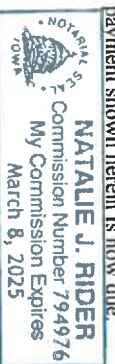
CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	
Total approved this Month	\$2,620.48	\$0.00
TOTALS	\$2,620.48	
NET CHANGES by Change Order	\$2,620.48	\$0.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: *Natale J. Rider*

State of: *Iowa* County of: *Marion*
Subscribed and sworn to before me this *15* day of *March* 2024
Notary Public: *Natale J. Rider*
My Commission expires: *March 8, 2025*



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Construction Manager and Architect certify to the Owner that to the best of their knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ Date:

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that changed to conform to the amount certified.)

ARCHITECT:

By:

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

AIA DOCUMENT G703 (Instructions on reverse side)

PAGE 2 OF 2 PAGES

AIA Document G702 APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed Certification, is attached.

APPLICATION NO: 3 retainage
APPLICATION DATE: 3/15/2024

In tabulations below, amounts are stated to the nearest dollar.

PERIOD TO:

Use Column I on Contracts where variable retainage for line items may apply.

ARCHITECT'S PROJECT NO.:

Davis Park Improvements

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD				
1	Bonding/Insurance	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$2,000.00	\$0.00	\$100.00
2	Mobilization	\$2,650.00	\$2,650.00	\$0.00	\$0.00	\$2,650.00	\$0.00	\$132.50
3	Demolition	\$4,500.00	\$4,500.00	\$0.00	\$0.00	\$4,500.00	\$0.00	\$725.00
4	Musco (M)	\$93,800.00	\$93,800.00	\$0.00	\$0.00	\$93,800.00	\$0.00	\$4,690.00
5	Pole Base Install	\$8,000.00	\$8,000.00	\$0.00	\$0.00	\$8,000.00	\$0.00	\$400.00
6	Pole & Light Install	\$18,200.00	\$18,200.00	\$0.00	\$0.00	\$18,200.00	\$0.00	\$910.00
7	Excavation	\$6,000.00	\$6,000.00	\$0.00	\$0.00	\$6,000.00	\$0.00	\$300.00
8	Electrical (M)	\$12,500.00	\$12,500.00	\$0.00	\$0.00	\$12,500.00	\$0.00	\$625.00
9	Electrical (L)	\$18,000.00	\$18,000.00	\$0.00	\$0.00	\$18,000.00	\$0.00	\$900.00
10	CO #1	\$2,620.48	\$2,620.48	\$0.00	\$0.00	\$2,620.48	\$0.00	\$131.02
11								
12								
13								
14								
15								
16								
17								
18								
GRAND TOTALS		\$168,270.48	\$168,270.48	\$0.00	\$0.00	\$168,270.48	\$0.00	\$8,413.52

AIA DOCUMENT G703 · CONTINUATION SHEET FOR G702 · 1992 EDITION · ©1992 · THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, D.C. 20006-5292 · **WARNING: Unlicensed photocopying violates U.S. copyright laws and will subject the violator to legal prosecution.**

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AGENDA ITEM # J – 6

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

DATE:	April 1, 2024
AGENDA ITEM:	Set Public Hearing Date
ACTION:	Motion

SYNOPSIS: This is the time to set the public hearing date for the second FY 2024-2025 budget meeting. The date and time for this hearing is Monday, April 15, 2024 at 6:30 p.m.

BUDGET ITEM: None

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: None

PREPARED BY: Chris Nosbisch

DATE PREPARED: 3/29/2024

AGENDA ITEM # J – 7

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

DATE: April 1, 2024

AGENDA ITEM: Street Closure Request – Chalk the Walk

ACTION: Motion

SYNOPSIS: Chalk the Walk is scheduled for May 4-5, 2024. The street closure request will begin on the afternoon of Friday, May 3, 2024.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: None

PREPARED BY: Chris Nosbisch

DATE PREPARED: 3/29/2024

M. Reports Mayor/Council/Admin.

**CITY OF MT. VERNON
CITY ADMINISTRATOR
REPORT TO THE CITY COUNCIL
April 1, 2024**

- The Fire Department Advisory committee will be meeting on Thursday, April 4, 2024, at the fire station.
- The next meeting between MVCSD, Cornell, and the city has been moved to Monday, April 8, 2024.
- Staff will be participating in the Childcare Solutions Summit being held in the Cornell Commons on Tuesday, April 9, 2024.