

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:	June 17, 2024 – 6:30 PM
Web Page:	www.cityofmtvernon-ia.gov
Posted:	June 14, 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: 882 7648 7970
3. Password: 008126

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 – June 3, 2024 Regular Council Meeting

- E. Public Hearing**
 1. Public Hearing for an Ordinance Adopting Chapter 28 Cemetery Commission of the Mount Vernon Municipal Code
 - i. Close Public Hearing – Proceed to F-3

- F. Ordinance Approval/Amendment**
 1. Ordinance #5-20-2024A: Amending Chapter 99.02 Rate of the Mount Vernon Municipal Code

- i. Motion to approve second reading and proceed to the third reading (Council may suspend rules and proceed to the final reading after a vote of the second reading)
- 2. Ordinance #5-20-2024B: Amending Chapter 92.02 Usage Rate of the Mount Vernon Municipal Code
 - i. Motion to approve second reading and proceed to the third reading (Council may suspend rules and proceed to the final reading after a vote of the second reading)
- 3. Ordinance #6-17-2024A: Adopting Chapter 28 Cemetery Commission to the Mount Vernon Municipal Code
 - i. Motion to approve first reading and proceed to the second reading (Council may suspend rules and proceed to the final reading after a vote of the first reading)

G. Resolutions for Approval

- 1. Resolution #6-17-2024A: Approving Fiscal Year 2023-2024 Transfers
- 2. Resolution #6-17-2024B: Approving the Final Plat of Henik's Third Addition to Linn County, Iowa
- 3. Resolution #6-17-2024C: Ordering Construction of Certain Public Improvements, Approving Preliminary Plans, and Fixing a Date for Hearing Thereon and Taking Bids Therefore for Improvements Known as the Business 30 Overlay Project
- 4. Resolution #6-17-2024D: Approving a Perpetual Storm Sewer and Overland Flowage Easement and Temporary Construction Easement for the City of Mount Vernon, Iowa
- 5. Resolution #6-17-2024E: Approving a Temporary Construction Easement for the City of Mount Vernon, Iowa
- 6. Resolution #6-17-2024F: Ordering Construction of Certain Public Improvements, Approving Preliminary Plans, and Fixing a Date for Hearing Thereon and Taking Bids Therefore for Improvements Known as the 2024 Sanitary Sewer Rehabilitation Project

H. Mayoral Proclamation

- 1. None

I. Old Business

- 1. Discussion and Consideration of Sculpture Trail Funding Request – Council Action as Needed (tabled on May 6, 2024)

J. Motions for Approval

- 1. Consideration of Claims List – Motion to Approve
- 2. Discussion and Consideration of Appointment of the Executive Director for the Mount Vernon-Lisbon Community Development Group – Council Action as Needed

K. Reports to be Received/Filed

- 1. Mt. Vernon/Lisbon Police Report
- 2. Mt. Vernon Public Works Report
- 3. Mt. Vernon Parks and Rec Report
- 4. Cole Library Monthly Report

L. Discussion Items (No Action)

- 1. Proposed Ordinance Regulating Vape, Tobacco, CBD, Hemp, etc.

M. Reports of Mayor/Council/Administrator

- 1. Mayor's Report
- 2. Council Reports

3. Committee Reports
4. City Administrator's Report

N. Adjournment

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

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

D. Consent Agenda

The Mount Vernon City Council met June 3, 2024, at City Hall, 213 1st Street NW, Mount Vernon, IA. A Zoom option was available. The following Council members were present: Andresen, Engel, Rose, West and Tuerler

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.

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

Approval of City Council Minutes – May 20, 2024 Regular Council Meeting

Approval of Cigarette License – Gary's Foods

Public Hearing

Public Hearing for an Ordinance Amending Chapter 99.02 Rate of the Mount Vernon Municipal Code.

Motion made by Rose, seconded by West to remove this item from the table. Motion carries. Mayor Wieseler opened the public hearing at 6:33 p.m. The amendment to Chapter 99.02 would establish a sewer rate increase of 8% beginning July 1, 2024, and July 1, 2025. A 3% increase would then continue on July 1, 2026 until June 30, 2030. Additional work will need to be completed at the sewer treatment plant and may cause deviations to the recommended increases in the future. Resident Keith Heubner voiced concern about the City being fiscally responsible and asked Council to stop spending money on things that aren't needed until sewer, water and roads are fixed. Mayor Wieseler closed the public hearing at 6:36 p.m. Council then acted on the first reading of Ordinance #5-20-2024A.

Public Hearing for and Ordinance Amending Chapter 92.02 Usage Rate of the Mount Vernon Municipal Code. Motion made by Rose, seconded by West to remove this item from the table. Motion carries. Mayor Wieseler opened the public hearing at 6:42 p.m. This amendment extends the annual 3% increase in water rates until June 30, 2030. The increase is needed to repay bonds for the water meter replacement project. Hearing no public comment, Mayor Wieseler closed the public hearing at 6:43 p.m. Council then acted on the first reading of Ordinance #5-20-2024B.

Ordinance Approval/Amendment

Ordinance #5-20-2024A: Amending Chapter 99.02 Rate of the Mount Vernon Municipal Code. Motion made by Rose, seconded by Andresen to remove the item from the table. Motion carries. Motion made by West, seconded by Rose to approve the first reading of Ordinance #5-20-2024A. Roll call all yes. Ordinance passes on its first reading.

Ordinance #5-20-2024B: Amending Chapter 92.02 Usage Rate of the Mount Vernon Municipal Code. Motion made by West, seconded by Rose to remove the item from the table. Motion carries. Motion made by Tuerler, seconded by Engel to approve the first reading of Ordinance #5-20-2024B. Roll call all yes. Ordinance passes on its first reading.

Resolutions for Approval

Resolution #6-3-2024A: Ordering Construction of Certain Public Improvements, Approving Preliminary Plans, and Fixing a Date for Hearing Thereon and Taking Bids Therefore for Improvements Known as the Glenn Street Extension. Nosbisch noted that the resolution number on the agenda was incorrect and it should be 6-3-2024A. This resolution outlines the public hearing and bid dates for the Glenn Street extension, which is part of the CHI low-income senior housing project. Motion made by West, seconded by Andresen to approve Resolution #6-3-2024A. Roll call all yes. Resolution passes.

Resolution #5-20-2024D: Approving the Inclusion of Jewish American History Month as a Recognized Commemorative Flag Within the City of Mount Vernon Display of Flags Policy. Councilperson Andresen asked for reconsideration of this resolution. According to Chapter 17.03 (2.), the City Council may override the mayor's veto within thirty (30) days of said veto. Should the City Council choose to pass resolution #5-20-2024D again, it would need to pass by a two-thirds (four) vote and not a super majority of the members present. Wiesler again stated his reason for vetoing the resolution and felt that the City should wait until the policy had been in place for a year before any changes were made. Council person Andresen gave a brief history of Judaism and said it was an ethnicity, not just a religion. He also felt that the City did not need to wait a year as there was nothing in the policy that stated a timeframe. Former resident Janice Binder spoke in favor of the inclusion of the Jewish American History flag to the policy and resident Keith Heubner spoke against the flag policy as a whole and felt it causes divisiveness in the community. Motion made by Andresen, seconded by Tuerler to override the Mayor's veto and approve Resolution #5-20-2024D. Roll call voting yes: Rose, Engel and Andresen. Voting no: West, Tuerler. Resolution fails, veto stands.

Mayoral Proclamation

Proclamation Recognizing and Proclaiming the Month of June as Pride Month in Support of Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Community.

Old Business

Discussion and Consideration of Sculpture Trail Funding Request – Council Action as Needed (tabled on May 6, 2024). Staff will be meeting with the capital project committee of the Park and Rec Board on June 4, 2024. The committee hopes to finalize a recommendation to the entire board in time for their June 11, 2024 meeting. Should the Park and Rec Board reach a consensus at their meeting, the Council could proceed with removing this item from the table on June 17, 2024.

Motions for Approval

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

UMB BANK	2018 GO LOAN NOTE	517,917.50
UMB BANK	2019 GO LOAN NOTE	235,787.50
UMB BANK	2014 GO LOAN NOTE	213,862.50
UMB BANK	2022 GO LOAN NOTE	123,238.75
PAYROLL	CLAIMS	122,044.48
UMB BANK	2013A GO LOAN NOTE	96,783.75
IOWA FINANCE AUTHORITY	SRF BOND PAYMENT	94,610.00
MIDWEST DEVELOPMENT COMPANY	TIF REBATE-SMH PHASE 1	93,472.04
JEO CONSULTING	DOWNTOWN STREETSCAPE-LOST III	68,702.00
BBAJ INC	TIF REBATE-STONEBROOK PH 1	53,757.17
BBAJ INC	TIF REBATE-STONEBROOK PH 3	38,357.83
BBAJ INC	TIF REBATE-STONEBROOK PH 2A	28,022.93
MIDWEST DEVELOPMENT COMPANY	TIF REBATE-SMH PHASE 2	9,698.89
VEENSTRA & KIMM INC	4TH STREET NW RECONSTRUCTION	8,214.01

VEENSTRA & KIMM INC	COTTONWOOD LMI PROJECT	7,502.00
TYLER TECHNOLOGIES	SOFTWARE SUPPORT-ALL DEPTS	7,367.62
VEENSTRA & KIMM INC	2022 SANI SEWER INVESTIGATION	7,191.44
ALLIANT ENERGY	ENERGY USAGE-SEW	4,464.02
LINN CO-OP OIL CO	FUEL-PW	4,246.35
VEENSTRA & KIMM INC	REMOTE READ METER PROJECT	2,831.11
SANDRY FIRE SUPPLY LLC	AIR PACK TESTING-FD	2,436.75
CURTIS ENGLISH	PORTABLE RR RENTALS-P&REC	2,115.00
MOUNT VERNON ACE HARDWARE	SUPPLIES-ALL DEPTS	2,073.21
RICHARD BURROUGHS	CEMETERY MAINT	2,020.00
VEENSTRA & KIMM INC	PW STORAGE BUILDINGS	1,634.00
MOUNT VERNON, CITY OF	PERPETUAL CARE-CEM LOT SALES	1,260.00
SUE ASTLEY	RETAINING WALL/SUPPLIES-MVHPC	1,122.56
MOUNT VERNON, CITY OF	START UP CASH-K9 GOLF OUTING	1,000.00
CAUSE TEAM	UNIFORMS-POOL	990.00
AHLERS & COONEY P.C.	LEGAL FEES-2024 GO BONDS	982.50
CATERPILLAR FINANCIAL SERVICES	GENERATOR-PD	949.39
NIGHT SHIFT LLC	CLEANING SERVICE-CITY HALL	904.15
NIGHT SHIFT LLC	CLEANING SERVICE-PD	867.84
EMPLOYEE BENEFIT SYSTEMS	INSURANCE CLAIMS-ALL DEPTS	744.96
VEENSTRA & KIMM INC	STREET MISC ENGINEERING	708.50
HAWKEYE FIRE & SAFETY	EXTINGUISHER MAINT-ALL DEPTS	622.50
VEENSTRA & KIMM INC	KWIK STAR SITE PLAN	537.00
MECHANICSVILLE TELEPHONE	PHONE/INTERNET-LBC	447.07
MEDIACOM	PHONE/INTERNET-CITY HALL	423.73
TASC	FSA ADMIN FEE-ALL DEPTS	420.56
EMPLOYEE BENEFIT SYSTEMS	INSURANCE CLAIMS-ALL DEPTS	399.46
MECHANICSVILLE TELEPHONE	PHONE/INTERNET-PD	378.62
AMAZON CAPITAL SERVICES	SUPPLIES-POOL	373.71
CAUSE TEAM	UNIFORMS-ALL DEPTS	369.50
MEDIACOM	PHONE/INTERNET-SEW	349.40
AMAZON CAPITAL SERVICES	SUPPLIES-POOL	334.18
EMPLOYEE BENEFIT SYSTEMS	INSURANCE CLAIMS-ALL DEPTS	330.00
IOWA STATE UNIVERSITY	TRAINING-ALL DEPTS	320.00
IOWA PRISON INDUSTRIES	SIGNS-RUT	318.76
VEENSTRA & KIMM INC	LBC GENERATOR	316.50
MEDIACOM	PHONE/INTERNET-PW	315.22
KONICA MINOLTA BUSINESS SOLUTIONS	MAINT PLAN/COPIES-P&A	282.81
BAUMAN AND COMPANY	UNIFORMS-ALL DEPTS	250.79
CENTRAL IOWA DISTRIBUTING	SUPPLIES-POOL	222.04
VEENSTRA & KIMM INC	CITY GENERAL ENGINEERING	220.00
BAUMAN AND COMPANY	UNIFORMS-ALL DEPTS	204.00
RC TECH	CAMERA SERVICE-SW	186.50
US CELLULAR	CELL PHONE-P&REC,WAT,SEW	166.90
CAUSE TEAM	UNIFORMS-ALL DEPTS	160.00
RYAN CROCK	UNIFORMS-PW	160.00
MOUNT VERNON BANK & TRUST CO	DEPOSIT SLIPS-P&A	150.17
CENTRAL IOWA DISTRIBUTING	SUPPLIES-LBC	139.00
THOMAS M WIESELER	MILEAGE/SUBSCRIPTION-P&A	132.95
KONICA MINOLTA BUSINESS SOLUTIONS	MAINT PLAN/COPIES-LBC	130.38
MOUNT VERNON ACE HARDWARE	SUPPLIES-FD	111.99
VEENSTRA & KIMM INC	FENCE & EASEMENT REVIEW	110.00
STUDENT PUBLICATIONS INC	SUBSCRIPTION-PD	110.00
AMAZON CAPITAL SERVICES	SUPPLIES-LBC	109.99

MECHANICSVILLE TELEPHONE	PHONE/INTERNET-POOL	108.77
IOWA ONE CALL	LOCATES-WAT,SEW	88.20
AMAZON CAPITAL SERVICES	SUPPLIES-LBC	84.49
PROFESSIONAL WINDOW CLEANING	WINDOW CLEANING-CITY HALL	80.00
CITY LAUNDERING CO	SERVICES-CITY HALL	79.69
HUBSPOT INC	PEDDLERS REFUND-P&A	75.00
JOEL DENES	UNIFORMS-PW	72.00
PRESTO-X	PEST CONTROL-FD	67.10
LYNCH FORD	VEHICLE MAINT-PD	63.68
RICKARD SIGN AND DESIGN CORP	FIELD SIGN-P&REC	57.50
ALLIANT ENERGY	ENERGY USAGE-SEW	51.86
ALLIANT ENERGY	ENERGY USAGE-SIRENS	50.30
KONA ICE	CTW FOOD VENDOR-P&REC	50.00
CHRISTOPHER BROWN	CLEANING SERVICES-FD	45.00
RICKARD SIGN AND DESIGN CORP	SPEED TRAILER LOGOS-PD	45.00
ERIN BAKER	REFUND-POOL	42.00
MELINDA SNYDER	INSTRUCTOR-LBC	40.00
KIECKS	UNIFORMS-PD	34.99
LYNCH FORD	VEHICLE MAINT-PD	34.95
ALLIANT ENERGY	ENERGY USAGE-P&REC	32.41
MARSHA DEWELL	MILEAGE-P&A	22.78
AMAZON CAPITAL SERVICES	SUPPLIES-POOL	21.24
ALLIANT ENERGY	ENERGY USAGE-CEM	20.38
KARA GRASTY DALY	INSTRUCTOR-LBC	20.00
BETH HLAS	INSTRUCTOR-LBC	20.00
TOTAL		1,768,291.82

FUND EXPENSE TOTALS

DEBT SERVICE FUND	1,282,200.00
GENERAL FUND	247,608.17
PAYROLL	122,044.48
LOST III UR & STREETSCAPE	68,702.00
2024 INFRASTRUCTURE	8,459.64
COTTONWOOD LMI PROJECT	7,747.63
SEWER FUND	7,266.79
ARPA LINN COUNTY GRANT	7,191.44
REMOTE READ METER PROJECT	3,076.74
ROAD USE TAX FUND	2,905.03
WATER FUND	2,731.40
SOLID WASTE	2,182.38
PW COLD STORAGE	1,634.00
LBC	1,538.52
PERPETUAL CARE	1,260.00
CAPITAL IMPROVEMENT PROJECTS	708.50
STORM WATER FUND	472.99
LOST III COMMUNITY CENTER	316.50
POOL RENOVATIONS	245.61
TOTAL	1,768,291.82

Discussion and Consideration of Engineering Contract for the Hwy 1 IaDOT Reconstruction Project – Council Action as Needed. Staff met with the IaDOT on Tuesday, May 28, 2024 and the project is still

progressing on schedule. The IaDOT will complete the reconstruction of Hwy 1 within the same footprint of the existing roadway as long as the City pays for the necessary design contract. Should the City choose to complete projects outside of the scope of reconstruction (turn lanes, lighted crossings, etc), the cost of those improvements would be the responsibility of the City. The estimated fee of \$300,000 is equivalent to 10% of the projected IaDOT improvement costs. Motion made by Rose, seconded by Andresen to approve the engineering contract with Veenstra and Kimm for the Hwy 1 IaDOT Reconstruction project. Motion carries.

Discussion and Consideration of Setting a Public Hearing Date for the Adoption of Chapter 28 Cemetery Commission – Council Action as Needed. Staff has been working with representatives from Historic Preservation to create a commission that would advise and recommend improvements and corrective actions to the Mount Vernon Cemetery. After reviewing possible alternatives, this seems to be the most logical and simplistic means forward. This would be a newly formed commission of the City. Motion made by Engel, seconded by West to set the public hearing for Monday, June 17, 2024, at 6:30 p.m.

Reports of Mayor/Council/Administrator

Mayor's Report. Wieseler has been invited by the League of Women Voters to attend an event on June 26th in Lisbon on the "State of the City". He will be attending human trafficking training with City staff and will also be attending a library webinar.

Council Reports. Rose noted there is a public input session with Planning and Zoning on June 12th regarding assessor dwelling units.

City Administrator's Report. Full report available on the City website under the June 3, 2024 Council packet.

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." At 7:35 p.m. Tuerler motioned to go into Closed Session, seconded by West. Motion carries. At 7:47 p.m. Engel motioned to come out of Closed Session, seconded by Tuerler. Motion carries. Motion made by Rose, seconded by Andresen to approve the sale of the existing public works property located at 1040 2nd Avenue NW, between the pool and railroad tracks pending approval by the City Attorney within the next 30 days. Motion carries.

As there was no further business to attend to, the meeting adjourned, the time being 7:49 p.m., June 3, 2024.

Respectfully submitted,
Marsha Dewell
City Clerk

E. Public Hearing

AGENDA ITEM # E -1 & F – 3

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

DATE: June 17, 2024

AGENDA ITEM: Public Hearing on Ordinance #6-17-2024A

ACTION: Motion to Close

SYNOPSIS: Staff has been discussing the possibility of a cemetery board and/or commission that could be charged with overseeing and recommending changes to the Mount Vernon cemetery. This would include leading efforts to complete restoration work to headstones if no family members are alive and able to complete the necessary work. Mary Evans and Guy Booth (they have been leading the charge) have submitted additional supporting information for your consideration while reviewing the ordinance.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion to Close

ATTACHMENTS: Proceed to Ordinance #6-17-2024A

PREPARED BY: Chris Nosbisch

DATE PREPARED: 6/12/2024

F. Ordinance Approval/Amendment

AGENDA ITEM # F – 1

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

DATE: June 17, 2024

AGENDA ITEM: Ordinance #5-20-2024A

ACTION: Motion

SYNOPSIS: Staff has not received any written or verbal comments regarding the proposed ordinance since the first reading.

BUDGET ITEM: Sewer

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Ordinance #5-20-2024A

PREPARED BY: Chris Nosbisch

DATE PREPARED: 6/12/2024

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

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

ORDINANCE #5-20-2024A

AN ORDINANCE AMENDING CHAPTER 99 SEWER SERVICE CHARGES OF THE MUNICIPAL CODE OF MT. VERNON, IOWA

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

SECTION 1. AMENDMENT. Chapter 99.02 Rate, is hereby amended as follows:

92.02 USAGE RATE. Effective July 1, 2009, each customer will pay sewer service charges in the amount of \$34.22 per 1000 cubic feet of water attributable to the customer for the property served but in no event less than \$7.51 per month (a 10% increase over the previous rate of \$6.83). Beginning on July 1, 2009 and then on July 1 of each succeeding year until June 30, 2024, the sewer service charge will increase 3% and the minimum charge will be increased by 3%. **Beginning July 1, 2024 and July 1, 2025, the sewer service charge will increase 8% and the minimum charge will be increased by 8%. Beginning on July 1, 2026, and then on July 1 of each succeeding year until June 30, 2030, the sewer service charge will increase 3% and the minimum charge will be increased by 3%.** In any fiscal year in which revenues are expected to exceed operations and maintenance expenditures by 25% the Council, by resolution, shall suspend the rate increase, in whole or in part, so long as revenues exceed operations and maintenance expenditures by 25%.

In addition, there will be a flat fee of \$10.00 per month per residential dwelling unit and a flat fee of \$10.00 per month for each non-residential account for the purpose of payment for an upgrade to the sewer system for the benefit of all users. A residential dwelling unit is defined as one or more rooms, designed, occupied or intended for occupancy as a separate living quarter. For purposes of this section, each apartment, dormitory room, condominium or similar dwelling usage will be considered a separate dwelling unit.

Customers who are educational institutions with more than 250 full-time students are exempt from the sewer service charges based on the water usage for the portion of water service:

1. Used exclusively for watering or irrigating playing fields of the educational institution; and
2. Measured by a meter that is separate and distinct from the meters used to measure other water services provided to the customer.

The customer is responsible for all costs associated with the purchase, installation and maintenance of the meter. The Superintendent shall determine the type and size of the meter and, further, shall inspect and approve the installation of the meter so used. The customer's eligibility for this exemption is contingent upon full compliance with these and other provisions pertaining to the water system and the sanitary sewer system, as determined by the Superintendent.

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

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

Approved and adopted this __ day of _____, 2024.

ATTEST:

Thomas M. Wieseler - Mayor

Marsha Dewell – City Clerk

I certify that the foregoing was published as
Ordinance #5-20-2024A on the _____ day of _____, 2024.

Marsha Dewell, City Clerk

AGENDA ITEM # F – 2

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

DATE: June 17, 2024

AGENDA ITEM: Ordinance #5-20-2024B

ACTION: Motion

SYNOPSIS: Staff has not received any written or verbal comments regarding the proposed ordinance since the first reading.

BUDGET ITEM: Water

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Ordinance #5-20-2024B

PREPARED BY: Chris Nosbisch

DATE PREPARED: 6/12/2024

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

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

ORDINANCE #5-20-2024B

AN ORDINANCE AMENDING CHAPTER 92 WATER RATES OF THE MUNICIPAL CODE OF MT. VERNON, IOWA

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

SECTION 1. AMENDMENT. Chapter 92.02 Usage Rate, is hereby amended as follows:

92.02 USAGE RATE. Beginning on July 1, 2012, each customer will pay water service charges in the amount of \$45.54 per 1000 cubic feet of water attributable to the customer for the property served but in no event less than \$10.00 per month (a 10% increase over the previous rate of \$9.09). Beginning on July 1, 2013 and on July 1st of each succeeding year until June 30, 2024 2030, the water service charge shall increase 3% and the minimum service charge will increase 3%. In any fiscal year in which revenues are expected to exceed expenditures by 25%, the Council, by resolution, shall suspend the rate increase, in whole or in part, so long as revenues exceed operations and maintenance expenditures by 25%. Beginning August 1, 2016, the water service charge will increase 5%. This increase is in addition to the automatic 3% increase effective July 1, 2016.

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

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

Approved and adopted this ____ day of _____, 2024.

ATTEST:

Thomas M. Wieseler - Mayor

Marsha Dewell – City Clerk

I certify that the foregoing was published as
Ordinance #5-20-2024B on the ____ day of _____, 20__.

Marsha Dewell, City Clerk

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

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

ORDINANCE #06-17-2024A

AN ORDINANCE ADOPTING CHAPTER 28, CEMETERY COMMISSION OF THE CITY OF MT. VERNON MUNICIPAL CODE

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

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

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

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

Approved and adopted this _____ day of _____, 2024.

ATTEST:

Thomas M. Wieseler - Mayor

Marsha Dewell – City Clerk

I certify that the foregoing was published as
Ordinance #06-17-2024A on the _____ day of _____, 2024.

Marsha Dewell, City Clerk

Exhibit "A"

CHAPTER 28

CEMETERY COMMISSION

28.01 Appointment

28.03 Vacancies

28.05 Membership

28.02 Term of Office

28.04 Compensation

28.06 Powers and Duties

28.01 CEMETERY COMMISSION. There shall be appointed by the City Council a Cemetery Commission, hereinafter referred to as the Commission, consisting of five (5) members, who shall be qualified by knowledge or experience to make recommendations to the City Council in matters pertaining to the City of Mount Vernon Cemetery, cemetery needs, codes/ordinances, and/or other development needs.

28.02 TERM OF OFFICE. The term of office of the members of the Commission shall be three (3) years. The terms shall be structured in a manner that no more than one-third of the members will expire in any one year.

28.03 VACANCIES. If any vacancy exists on the Commission caused by the resignation, or otherwise, a successor for the residue of the term shall be appointed in the same manner as the original appointee.

28.04 COMPENSATION. All members of the Commission shall serve without compensation, except their actual expenses, which shall be subject to the approval of the Council.

28.05 MEMBERSHIP. It is recognized that a true representation on the membership body may require members residing outside the current city limits. At no time shall the number of non-residents on the commission account for more than two (2) appointees.

28.06 POWERS AND DUTIES. The Commission shall have and exercise the following powers and duties:

1. **Selection of Officers.** The Commission shall choose annually at its first regular meeting one of its members to act as Chairperson and another as Vice Chairperson, who shall perform all of the duties of the Chairperson during the Chairperson's absence or disability.
2. **Adopt Rules and Regulations.** The Commission shall adopt such rules and regulations governing its organization and procedure as it may deem necessary.

3. Recommendations for Capital Projects. The Commission shall serve as an advisory board and make necessary recommendations to the Mayor, City Council and City Staff concerning the cemetery ordinance, cemetery budget and cemetery operations along with long-range planning issues, amendments to the cemetery ordinance and design standards/mapping.
4. Encourage the preservation and protection of historical cemetery grounds as well as document and archive factual cemetery history.
5. Oversee headstone and other permanent grave marking restoration efforts as allowed by City, State and Federal Code.
6. Fiscal Responsibilities. The Commission shall have full, complete and exclusive authority to expend for and on behalf of the City all sums of money appropriated to it, and to use and expend all gifts, donations or payments whatsoever which are received by the City for City planning and zoning purposes. (*Code of Iowa, Sec. 392.1*)
7. Limitation on Entering Contracts. The Commission shall have no power to contract debts beyond the amount of its original or amended appropriation as approved by the Council for the present year. (*Code of Iowa, Sec. 392.1*)
8. Annual Report. The Commission shall make a report to the Mayor and Council of its proceedings, with a full statement of receipts, disbursements and the progress of its work during the preceding fiscal year.

Cemetery Information for City Council June 17, 2024

We are requesting the formation of a Cemetery Commission whose purposes are as follows:

- A. To provide volunteer support, financial support, and to document and provide information regarding the gravesites located in the Mount Vernon, Iowa Cemetery.
- B. To encourage gifts, endowments, bequests, and memorials to the Mount Vernon, Iowa Cemetery.
- C. To enhance the image, materials, services, and facilities of the Mount Vernon, Iowa Cemetery by undertaking specific projects on its behalf.
- D. To develop connections with individuals, civic organizations, businesses, and other groups for specific projects on its behalf.
- E. To create public awareness of the activities of the Cemetery Commission and encourage participation in the organization.
- F. To assist in maintaining and repairing gravesites.

Property History

The Mount Vernon Cemetery located at 520 First Street East was established in 1851. Elder Bowman announced from the Methodist pulpit that he desired all men of the congregation to join him in clearing two acres of land east of town which had been donated by Oliver Day and Asher Edgerton for a cemetery. An earlier Methodist burial, Lemuel Hahn 1838, was moved to the newly developed site. The Mount Vernon Hawk-eye newspaper, Friday, August 9, 1872, published Council Proceedings: mentioning a cemetery committee, fencing around cemetery grounds, and transferring the cemetery from the Methodist church to the City by Ordinance 19. The cemetery's expansion to 15.33 acres ensures burials would continue.

Why is the cemetery historically significant to Mount Vernon?

The cemetery is a biography of the people who founded the town. Those who are buried in this cemetery illustrate Mount Vernon's growth and development over the years. The town's history can be seen in the headstones of the interred. They helped Mount Vernon grow and prosper -- from the early settlers not heeding the call of the westward movement, through the growth of Cornell College, the advancement of the railroad era, and the modern businesses in the NRHP designated Historic Commercial District.

As an illustration, the following settlers who were instrumental in establishing the town are buried in the cemetery: (1837) Daniel S. and Pamela Hahn, (1838) William Hayzlett, Peter Kepler and his brothers Henry & Murton, Oliver Clark, Jeremiah Burge, Joseph & Mary Morford, and John Wolfe. Generations of these settlers are buried in the cemetery and their descendants still reside in and around Mount Vernon.

In 1852, the "Iowa Conference Male and Female Seminary" was conceived by George Bowman as the first co-educational college west of the Mississippi River. The name was changed to Cornell College in 1855. The following businessmen help fund George Bowman's dream of a co-ed school: Henry Albright, Elijah D. Waln, Jesse Holman, William Hayzlett, Henry Kepler, and Allison Willits. Allison is credited for changing the name of the town from Pinhook to Mount Vernon. Holman, Hayzlett, Willits were trustee members with Waln being the board secretary. Albright was the original mason for "Old Sem" Cornell's first building which served as classrooms, dining hall and dorm rooms for women. All of these founders, funders, and creators are buried in the cemetery along with the first Cornell College President Rev. R. W. Keeler. The graves of Cornell's 1st principal and 2nd president S.M. Fellows, along with his wife Olive P. Burr can be found in the cemetery.

Military Veterans are an integral part of the Mount Vernon Cemetery.

Veterans were honored by the American Legion Howard Hahn Post 480 with a 35 X 35 cemetery memorial in 2015.

In 1916, the Woman's Relief Corps erected a thirteen-foot Stacked Rifles Monument with bronze rifles resting on a granite base. The plaque on the monument reads: *To the unknown in memory of our fallen heroes. All honor to our noble dead.*

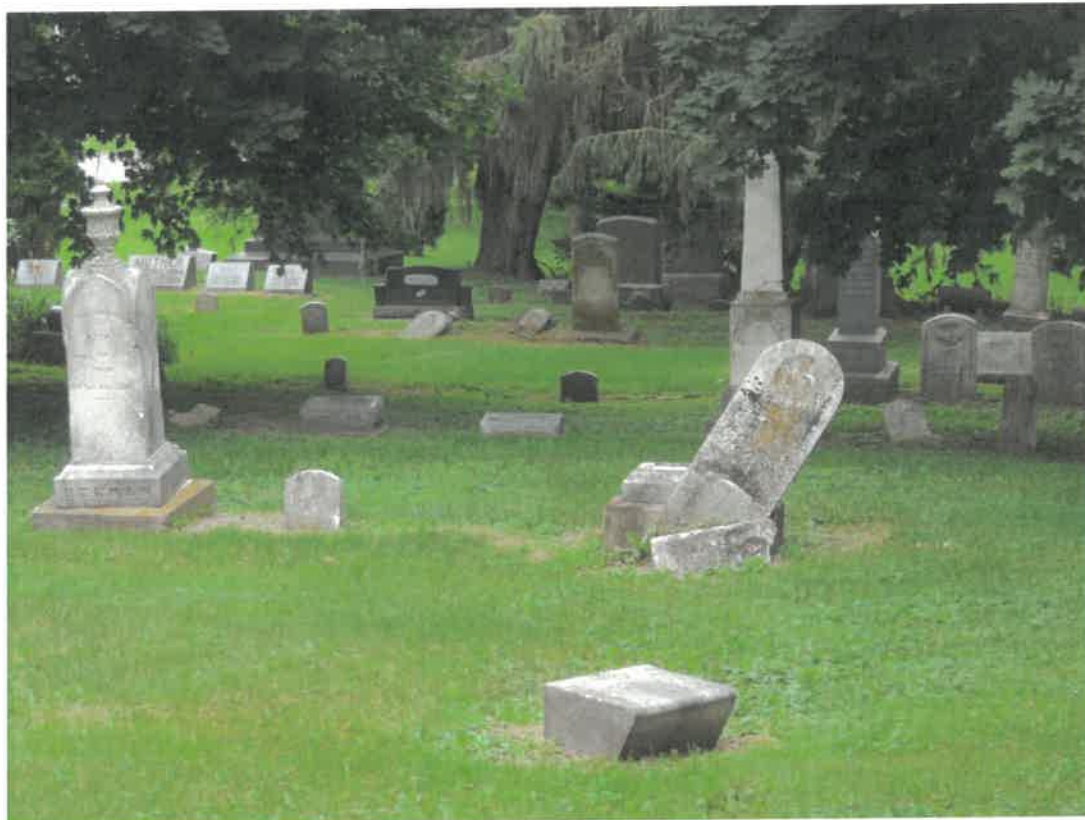
As early as 1893, ladies of the town held a dinner in the Odd Fellow Hall at which they obtained enough funds for an iron fence to add to the graves. In 2012 Ben Koffron's Eagle Scout project repaired this ornate gate as well as some fencing on the west side of the cemetery adjacent to the Lincoln Highway.

In 2012 sixty-nine Civil War graves were identified and honored with new markers. Among those honored:

- Colonel John Quincy Wilds killed at Cedar Creek battle. The first Civil War veteran's funeral service held by Methodist Church in 1864.
- Doctor Amos Witter Civil War surgeon and founder of the Mount Vernon Masonic Lodge.
- Colonel Smyth postmaster, Territorial Legislature, State Senator.
- Brigadier General Granville Moody of the 74th Ohio Infantry spent the last years of his life living with his daughter Dr. and Mrs. Hugh Boyd of Mount Vernon and at his request was buried in the cemetery.
- Jesse Holman, son of a Revolutionary War doctor, an earnest Christian and abolitionist

Research by the American Legion Howard Hanh Post 480 shows burials of veterans from the following wars: Spanish-American 1 veteran, WWI 48 veterans, WWII 81 veterans, Korea 19 veterans, Vietnam 14 veterans. Approximately 3,450 individuals of Protestant, Catholic and Jewish faiths are buried side by side in the cemetery. [I used the word approximately because many women were buried as Mrs. in their husband's grave without their names being added to the cemetery's roster.]

In 2021 John C. Heider Gravestone Conservation Specialist identified over 100 gravestones with serious conditions: including those that were broken, leaning or buried. Many military markers were identified as needing attention.



Environmental Factors of the Cemetery

My last entry pertains to the identification of significant trees in the original 1851 cemetery. It was my privilege to accompany Justin Myers, tree and shrub manager for Cedar River Garden Center in Palo, Iowa on a walk through the cemetery. The following quotes are attributed to Myers. "The Sugar Maple is quite a glorious specimen at 120 years old and the Red Norway Maple is at least 70 years, and you don't see them this size very often. There are some truly amazing trees out at the cemetery." "Over the years memorial Norway Spruces have been planted in the cemetery, several are over 100 years old. One Eastern Red Cedar, native to eastern Iowa, near the Carhart grave has good branching, full glory, one of the largest I have ever seen." This tree was here when the Methodist volunteers cleared the two acres to create the 1851 cemetery. Its dozen offsprings can be seen when one knows what to look for. "The Burr Oak by the gate is close to 200 years old. Its fifteen-foot-tall offspring is located to the south." This Burr Oak was alive when the Sac and Meskwaki (Fox) were traveling back & forth to the Flint Hills along the Red Cedar River 3 miles south of the cemetery.

In conclusion The Mt Vernon cemetery is a treasure of our community and would be well served by the formation of the Cemetery Commission to preserve and protect our heritage.

G. Resolutions for Approval

AGENDA ITEM # G – 1

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

DATE:	June 17, 2024
AGENDA ITEM:	Resolution #6-17-2024A
ACTION:	Motion

SYNOPSIS: This is the last transfer resolution for FY 2023-2024. Staff is moving some of the depreciation monies back to their respective funds, paying TIF transfers already approved, and zeroing out funds to end the fiscal year.

BUDGET ITEM: Bond

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Resolution #6-17-2024A

PREPARED BY: Chris Nosbisch

DATE PREPARED: 6/12/2024

RESOLUTION #6-17-2024A

A resolution approving transfers:

FROM FUND:

TO FUND:

Law/Emergency Levy 113 (To zero out fund balance)	General Fund #001	\$ 42,061.19
LOST III Fund #304/Comm. Center (To cover negative fund balance)	LBC #675	\$150,000.00
Water Fund #600 (Payment in lieu of taxes)	General Fund #001	\$ 25,500.00
TIF Fund #125 (TIF Rebates to Developers—Spring Meadow Heights Phase 1, Spring Meadow Heights Phase 2, Stonebrook Phase 1, Stonebrook Phase 2A, Stonebrook Phase 3)	General Fund #001	\$223,308.86
TIF Fund #125 (TIF Rebates to Low-Moderate Income Fund—Spring Meadow Heights Phase 1, Spring Meadow Heights Phase 2, Stonebrook Phase 1, Stonebrook Phase 2A, Stonebrook Phase 3)	LMI Fund #115	\$132,448.14
Employee Benefits Fund #112 (To zero out fund balance)	General Fund #001	\$417,157.00
Employee Benefits Fund #112 (To zero out fund balance)	RUT Fund #110	\$ 55,151.00
Business 30 Fund #006 (Misc Engineering)	CIP Fund #140	\$ 2,792.50
RUT Vehicle Depreciation Fund #114 (Move Depreciation Fund Back to Operating Fund)	RUT Fund #110	\$ 21,140.50
WTP Depreciation Fund #163 (Move Depreciation Fund Back to Operating Fund)	Water Fund #600	\$ 39,903.46
Water Vehicle Depreciation Fund #602 (Move Depreciation Fund Back to Operating Fund)	Water Fund #600	\$ 16,767.42
Sewer Vehicle Depreciation Fund #611 (Move Depreciation Fund Back to Operating Fund)	Sewer Fund #610	\$ 16,841.00

Motion made by _____ seconded by _____ to _____
Resolution #6-17-2024A.

Resolution #6-17-2024A _____ on June 17, 2024 by the following roll
call vote:

YES:

NO:

ABSTAIN:

ABSENT:

MOUNT VERNON, IOWA

Thomas M Wieseler, Mayor

ATTEST:

Marsha Dewell, City Clerk

AGENDA ITEM # G – 2

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

DATE: June 17, 2024

AGENDA ITEM: Resolution #6-17-2024B

ACTION: Motion

SYNOPSIS: Staff is recommending approval of Henik’s Third Addition to Linn County, Iowa. The plat and location map are included with the resolution of approval. This plat lies within the two-mile extraterritorial subdivision review boundary of the City of Mount Vernon.

BUDGET ITEM: N/A

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Resolution #6-17-2024B

PREPARED BY: Chris Nosbisch

DATE PREPARED: 6/12/2024

RESOLUTION NO. 6-17-2024B

**RESOLUTION APPROVING THE FINAL PLAT OF HENIK'S 3rd ADDITION
SUBDIVISION WITHIN THE TWO MILE SUBDIVISION REVIEW OF THE CITY OF MT.
VERNON, IOWA**

WHEREAS, the Mt. Vernon Planning and Zoning Commission voted to approve the final plat of Henik's 3rd Addition within the two mile extraterritorial district of the City of Mt. Vernon, Iowa, and,

WHEREAS, the owners have submitted the necessary accompanying materials as specified,

NOW, THEREFORE, BE IT RESOLVED: That the City Council does hereby approve the Final Plat of Henik's 3rd Addition Subdivision as described and shown in Exhibit "A" attached hereto and made a part thereof by reference.

APPROVED and ADOPTED this 17th day of June, 2024.

Thomas M. Wieseler, Mayor

ATTEST:

Marsha Dewell, City Clerk

FINAL PLAT HENIK'S THIRD ADDITION TO LINN COUNTY, IOWA

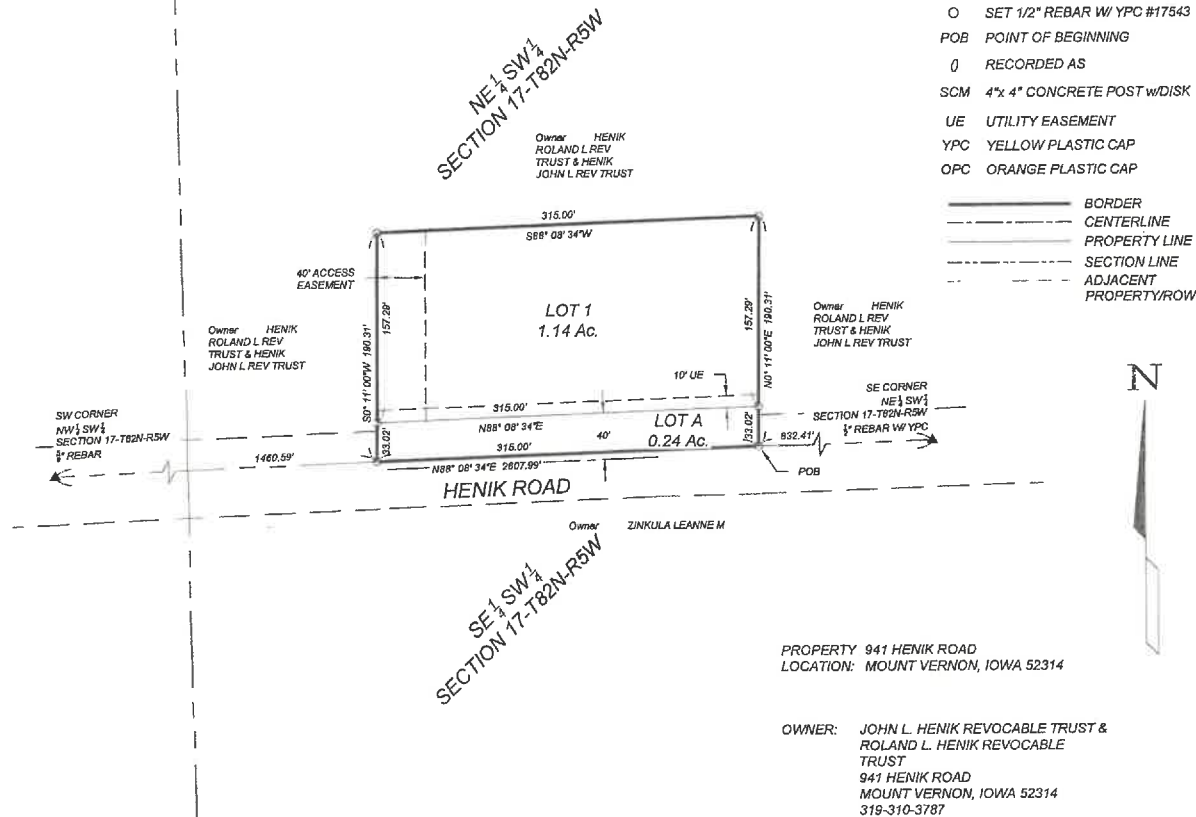
Recorder's Stamp

Index Legend
Location Description: A part of the NE 1/4 SW 1/4, Section 17-T82N-R5W, Linn County, Iowa
Requestor: John L. Henik Revocable Trust & Roland L. Henik Revocable Trust
Proprietor: John L. Henik Revocable Trust & Roland L. Henik Revocable Trust
Surveyor: Kevin F. Bradshaw, L.S.
Surveyor Company: Brain Engineering, Inc.
Return to: SM Brain, 1540 Midland Ct NE Cedar Rapids, IA
52402 or mikeb@brain-eng.com (319) 294-9424



- ▲ FOUND SECTION CORNER
- FOUND 5/8" REBAR W/ LINN CO. YPC OR AS LABELED
- △ SET SECTION CORNER
- SET 1/2" REBAR W/ YPC #17543
- POB POINT OF BEGINNING
- ∅ RECORDED AS
- SCM 4" 4" CONCRETE POST w/DISK
- UE UTILITY EASEMENT
- YPC YELLOW PLASTIC CAP
- OPC ORANGE PLASTIC CAP

- BORDER
- - - CENTERLINE
- PROPERTY LINE
- - - SECTION LINE
- - - ADJACENT PROPERTY/ROW



LEGAL DESCRIPTION
A part of the NE 1/4 SW 1/4 of Section 17, Township 82 North, Range 5 West of the 5th Principal Meridian, Linn County, Iowa described as follows:

Commencing as a point of reference at the SE Corner of said NE 1/4 SW 1/4;
thence S88°08'34"W along the south line of said NE 1/4 SW 1/4, 832.41 feet to the Point of Beginning;
thence N00°11'00"E, 190.31 feet;
thence S88°08'34"W, 315.00 feet;
thence S00°11'00"W, 190.31 feet to said south line;
thence N88°08'34"E along said south line, 315.00 feet to the Point of Beginning, containing 1.38 acres which includes 0.24 acres of road right of way.

	I hereby certify that this land surveying document and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa. Signed: <i>Kevin F. Bradshaw</i> Date: 6-07-24
	Kevin F. Bradshaw, L.S. My License Renewal Date is December 31, 2024 License Number 17543 Pages or sheets covered by this seal: THIS PAGE

DATE OF SURVEY: 4/5/24

Title: **FINAL PLAT**
HENIK'S THIRD ADDITION

BRAIN
ENGINEERING, INC.

Drawn: DJB Book: DC
4/9/24
Checked: KFB Scale: 1"=100'
6-07-24

NOTES: ALL MEASUREMENTS IN FEET AND DECIMALS THEREOF.
LOT A TO BE DEDICATED TO THE PUBLIC AS ROAD RIGHT OF WAY.

PLANNING & ZONING COMMISSION
June 12, 2024
STAFF REPORT

AGENDA ITEM: **Final Plat – Henik’s Third Addition**

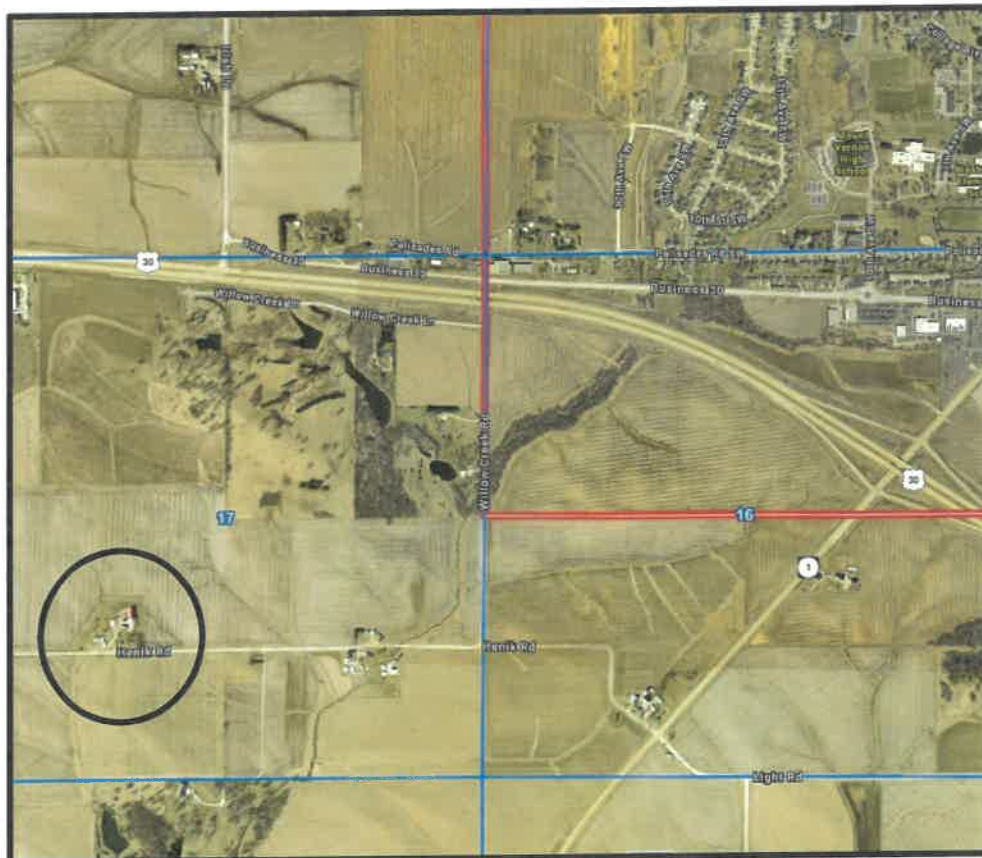
Requested Action: Extra-Territorial Jurisdictional Review of Plat &
Recommendation to City Council

Applicant / Owner: John L. Henik Revocable Trust &
Roland L. Henik Revocable Trust

Size: 1.38 acres

Location: West of Hwy 1 & South of US Hwy 30

Background Information: Mount Vernon exercises its right to review and approve subdivisions within two miles of its corporate boundaries. Henik’s Third Addition lies within .5 mile of the most south-western corner of Mount Vernon.



Analysis: City Engineer Dave Schechinger has reviewed the plat. Lot 1 splits the existing house and a detached garage from the remaining farmstead and outbuildings. A forty-foot (40') access easement is shown along the west portion of Lot 1, allowing continued use of existing access to the farm.

Action Required: Recommendation to City Council to 1) approve, 2) approve with modifications / conditions, or 3) disapprove the Final Plat.

AGENDA ITEM # G – 3

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

DATE:	June 17, 2024
AGENDA ITEM:	Resolution #6-17-2024C
ACTION:	Motion

SYNOPSIS: The City of Lisbon has bid the Business 30 overlay project within their city limits. Staff would like to bid the section of Business 30 from the roundabout east to our city limit. It is our hope that economies of scale will be tipped in our favor with a larger project scope.

BUDGET ITEM: Bond

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Resolution #6-17-2024C

PREPARED BY: Chris Nosbisch

DATE PREPARED: 6/12/2024

RESOLUTION #6-17-2024C

RESOLUTION ORDERING CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS, APPROVING PRELIMINARY PLANS, AND FIXING A DATE FOR HEARING THEREON AND TAKING OF BIDS THEREFOR FOR IMPROVEMENTS KNOWN AS THE BUSINESS 30 RESURFACING PROJECT

WHEREAS, it is deemed advisable and necessary to construct certain public improvements described in general as the Business 30 Resurfacing Project, and has caused to be prepared preliminary plans, specifications and form of contract, together with estimate of cost, on file in the office of the Clerk for public inspection, for the construction of said public improvements, and said preliminary plans, specifications and form of contract are deemed suitable for the making of said public improvements; and

WHEREAS, before said preliminary plans, specifications, form of contract and estimate of cost may be adopted, and contract for the construction of the public improvements entered into, it is necessary, pursuant to Division VI of Chapter 384 of the Code of Iowa, to hold a public hearing and to advertise for bids,

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

Section 1. That it is hereby determined that it is necessary and advisable to construct certain public improvements described in general as the Business 30 Resurfacing Project, in the manner set forth in the preliminary plans and specifications and form of contract, above referred to, the cost thereof to be paid in accordance with the provisions as set out in the Instructions to Bidders, said public improvements being more generally described as follows:

The Business 30 Resurfacing Project includes all labor, materials, and equipment necessary for milling, excavation, full depth pcc patching, HMA resurfacing, granular surfacing for shoulders, pavement markings; traffic control; and miscellaneous associated work including cleanup.

Section 2. That the amount of bid security to accompany each bid shall be in an amount which shall conform to the provisions of the Notice to Bidders approved as a part of said specifications; and,

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to publish notice to bidders once in the Sun Newspaper, a legal newspaper, printed wholly in the English language, published at least once weekly and having general circulation in this City.

Publication shall be not less than four clear days nor more than twenty days prior to the July 15, 2024 meeting at the Mt. Vernon City Hall (213 First Street NW.). The date for receiving bids is hereby fixed as July 11, 2024. Said bids are to be filed prior to 2:00 p.m. on said date; and,

BE IT FURTHER RESOLVED, that bids shall be received and as provided in the public notice and the results of said bids shall be considered at a meeting of this Council on July 15, 2024, at 6:30 p.m., at the Mt. Vernon City hall 213 First Street NW); and,

BE IT FURTHER RESOLVED, that the City Administrator is hereby designated as the authority to receive and open said bids on behalf of the City of Mt. Vernon, Iowa.

PASSED and ADOPTED this __ day of _____, 2024.

Thomas M. Wieseler, Mayor

ATTEST:

Marsha Dewell, City Clerk

AGENDA ITEM # G – 4 & G - 5

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

DATE: June 17, 2024

AGENDA ITEM: Resolution #6-17-2024D & #6-17-2024E

ACTION: Motion

SYNOPSIS: Dan and Ray Stoner have agreed to grant both a permanent flowage easement and temporary construction easements to the City of Mount Vernon for the Glenn Street construction project.

BUDGET ITEM: None

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Resolution #6-17-2024D & #6-17-2024E

PREPARED BY: Chris Nosbisch

DATE PREPARED: 6/12/2024

RESOLUTION NO. 6-17-2024D

**RESOLUTION APPROVING A PERPETUAL STORM SEWER AND OVERLAND
DRAINAGE EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR THE
CITY OF MOUNT VERNON, IOWA**

WHEREAS, the City of Mount Vernon is requesting perpetual storm sewer and overland flowage easement and temporary construction easement on Outlout A of Stoner Plaza Tenth Addition,

WHEREAS, the City of Mount Vernon agrees to reimburse the landowner for crop damage at \$12 per bushel,

NOW, THEREFORE, BE IT RESOLVED: That the City Council does hereby approve the storm sewer and overland flowage easement and temporary construction easement between the City of Mount Vernon and the Mount Vernon Development Group LLC as described and shown in Exhibit "A" attached hereto and made a part thereof by reference.

APPROVED and ADOPTED this 17th day of June, 2024.

Thomas M. Wieseler, Mayor

ATTEST:

Marsha Dewell, City Clerk

FOR THE CITY OF MOUNT VERNON, IOWA

FILE PATH: \\KSCRL-FSCVLSHARE\05050513\MOUNT_VERNON\0513\054_COTTONWOOD_DEVELOPMENT_INFRASTRUCTURE\CADD_PROD\DRAWINGS\EASEMENT\PE-01 MOUNT VERNON DEV GROUP LLC EASEMENT
PLOTTED: Thursday, June 13, 2024 10:20:23 AM

DATE	REVISION OF TEMP. CASE 1	REVISIONS
2024-6-13		



**VEENSTRA
& KIMM INC.**

GLENN STREET EXTENSION
CITY OF MOUNT VERNON, IOWA

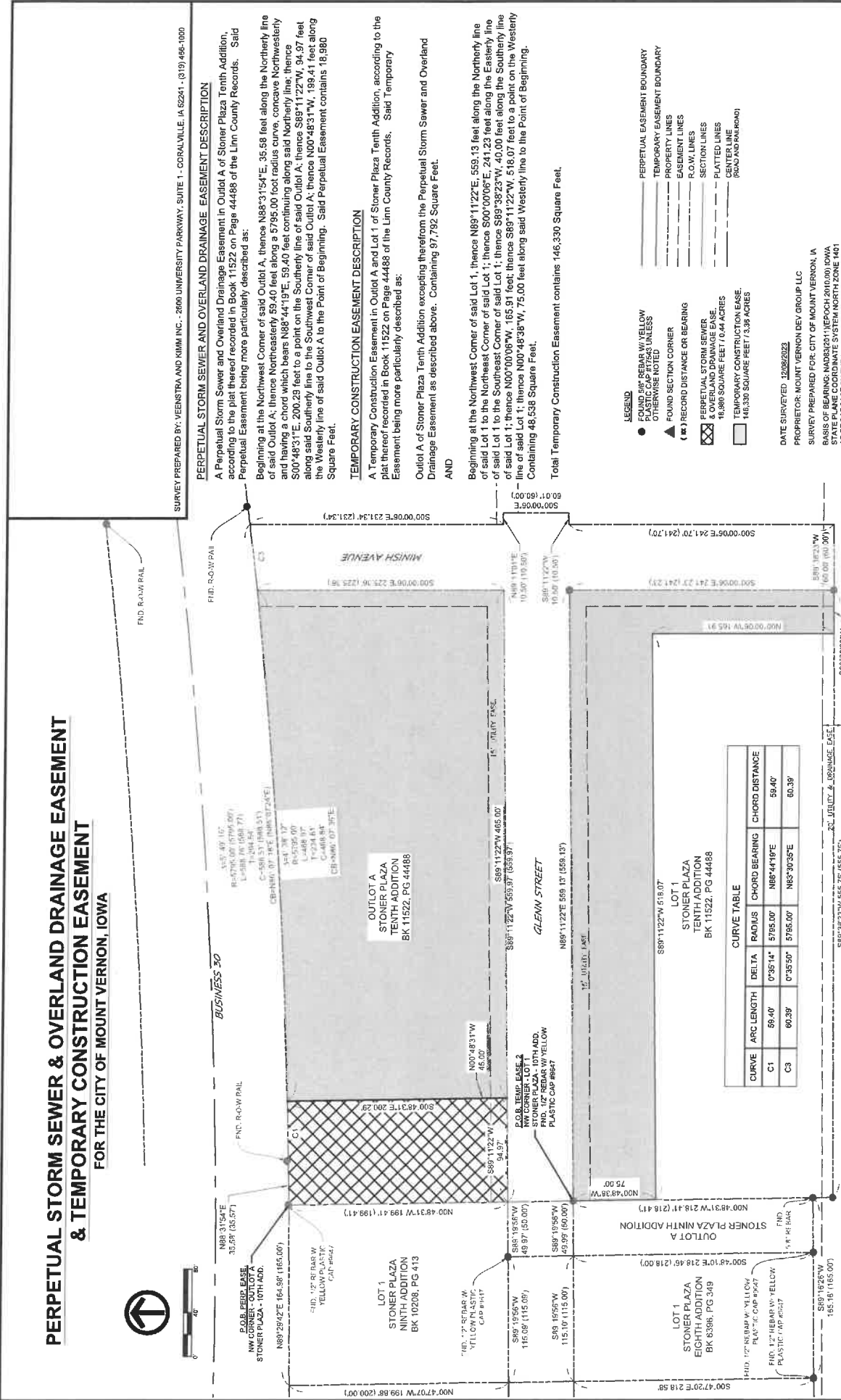
GLENN STREET EXTENSION
CITY OF MOUNT VERNON, IOWA

STORM SEWER & OVERLAND DRAINAGE EASE.
AND TEMPORARY CONSTRUCTION EASE.
LOT 1 & OUTLOT A - STONER PLAZA - 10TH ADD.

DWG. NO.

DE-01

PROJECT 51354



RESOLUTION NO. 6-17-2024E

**RESOLUTION APPROVING A TEMPORARY CONSTRUCTION EASEMENT FOR
THE CITY OF MOUNT VERNON, IOWA**

WHEREAS, the City of Mount Vernon is requesting a temporary construction easement on property located adjacent to and east of the Minish Avenue right of way,

WHEREAS, the City of Mount Vernon agrees to reimburse the landowner for crop damage at \$12 per bushel,

NOW, THEREFORE, BE IT RESOLVED: That the City Council does hereby approve the temporary construction easement between the City of Mount Vernon and the Mount Vernon Development Group LLC as described and shown in Exhibit "A" attached hereto and made a part thereof by reference.

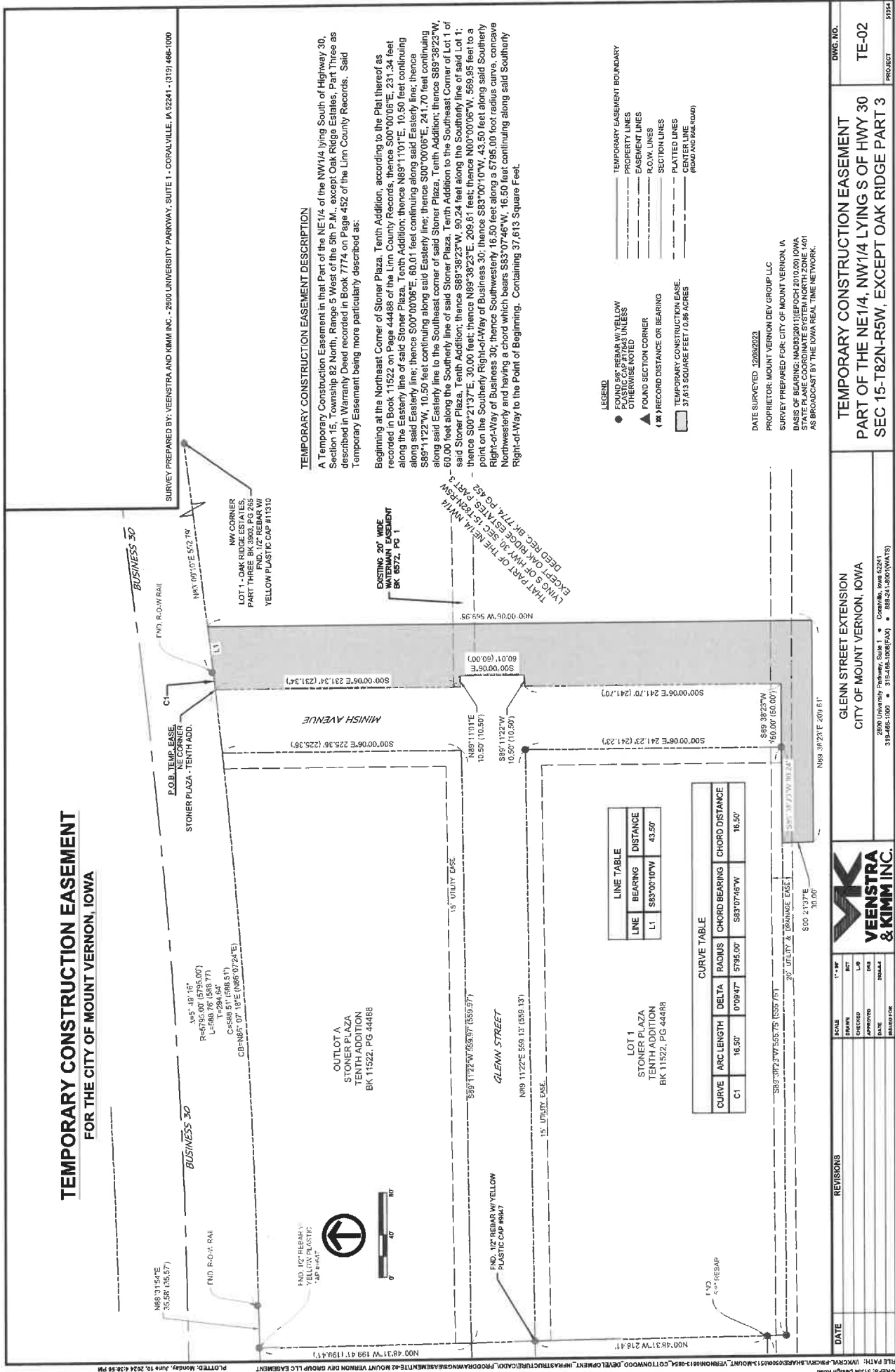
APPROVED and ADOPTED this 17th day of June, 2024.

Thomas M. Wieseler, Mayor

ATTEST:

Marsha Dewell, City Clerk

TEMPORARY CONSTRUCTION EASEMENT
FOR THE CITY OF MOUNT VERNON, IOWA



TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION

A Temporary Construction Easement in that Part of the NE 1/4 of the NW 1/4 of Highway 30, Section 15, Township 82 North, Range 5 West of the 5th P.M., except Oak Ridge Estates, Part Three as described in Warranty Deed recorded in Book 7774 on Page 452 of the Linn County Records. Said Temporary Easement being more particularly described as:

Beginning at the Northeast Corner of Stoner Plaza, Tenth Addition, according to the Plat thereof as recorded in Book 11522 on Page 44488 of the Linn County Records, thence S00°00'06"E, 231.34 feet along the Eastern line of said Stoner Plaza, Tenth Addition; thence N89°11'01"E, 10.50 feet continuing along said Eastern line; thence S00°00'06"E, 60.01 feet continuing along said Eastern line; thence S89°11'22"W, 10.50 feet continuing along said Eastern line; thence S00°00'06"E, 241.70 feet continuing along said Eastern line to the Southeast corner of said Stoner Plaza, Tenth Addition; thence S89°32'23"E, 60.00 feet along the Southern line of said Stoner Plaza, Tenth Addition to the Southeast Corner of Lot 1 of said Stoner Plaza, Tenth Addition; thence N89°32'23"E, 209.61 feet along the Southern line of said Lot 1; thence S00°21'37"E, 30.00 feet; thence N89°32'23"E, 90.24 feet along the Southern line of said Lot 1; point on the Southern Right-of-Way of Business 30; thence S89°00'10"W, 43.50 feet along said Southern Right-of-Way of Business 30; thence Southwesterly 18.50 feet along a 5795.00 foot radius curve, concave Northwesterly and having a chord which bears S63°07'46"W, 16.50 feet continuing along said Southern Right-of-Way to the Point of Beginning, Containing 37,615 Square Feet.

- LEGEND
- FOUND 5/27 REBAR W/ YELLOW PLASTIC CAP #1643 UNLESS OTHERWISE NOTED
 - ▲ FOUND SECTION CORNER
 - (M) RECORD DISTANCE OR BEARING
 - TEMPORARY CONSTRUCTION EASEMENT
 - PLATTED LINES (NOT FOR DUAL ROAD)
 - PROPERTY LINES
 - EASEMENT LINES
 - ROW LINES
 - SECTION LINES
 - PLATTED LINES (NOT FOR DUAL ROAD)

DATE SURVEYED: 12/08/2023
PROPRIETOR: MOUNT VERNON DEV GROUP LLC
SURVEY PREPARED FOR: CITY OF MOUNT VERNON, IA
BASIS OF BEARING: MAGNETIC (2011) PERIOD 2010 (20) IOWA
STATE PLANE COORDINATE SYSTEM NORTH ZONE 1401
AS BROADCAST BY THE IOWA REAL TIME NETWORK.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S83°00'10"W	43.50'

CURVE TABLE				
CURVE	ARC LENGTH	DELTA	RADIUS	CHORD BEARING
C1	16.50'	0°59'47"	5795.00'	S83°07'46"W
				CHORD DISTANCE
				16.50'

DATE		REVISIONS	
DATE	BY	DESCRIPTION	DATE

GLENN STREET EXTENSION
CITY OF MOUNT VERNON, IOWA
2000 University Parkway, Suite 1 • Corvallis, Iowa 52241
319-468-1600 • 319-468-1986 (FAX) • 888-241-5807 (TOLL FREE)



TEMPORARY CONSTRUCTION EASEMENT
PART OF THE NE 1/4, NW 1/4 LYING S OF HWY 30
SEC 15-T82N-R5W, EXCEPT OAK RIDGE PART 3

DWG. NO.
TE-02
PROJECT

AGENDA ITEM # G – 6

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

DATE:	June 17, 2024
AGENDA ITEM:	Resolution #6-17-2024F
ACTION:	Motion

SYNOPSIS: The city has completed the televising and cleaning portion of the 2024 Sanitary Sewer improvements. The city will use the remaining grant funding from the Linn County ARPA grant to complete necessary lining and rehabilitation work.

BUDGET ITEM: Grant

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: Resolution #6-17-2024F

PREPARED BY: Chris Nosbisch

DATE PREPARED: 6/12/2024

RESOLUTION #6-17-2024F

RESOLUTION ORDERING CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS, APPROVING PRELIMINARY PLANS, AND FIXING A DATE FOR HEARING THEREON AND TAKING OF BIDS THEREFOR FOR IMPROVEMENTS KNOWN AS THE 2024 SANITARY SEWER REHABILITATION PROJECT

WHEREAS, it is deemed advisable and necessary to construct certain public improvements described in general as the 2024 Sanitary Sewer Rehabilitation Project, and has caused to be prepared preliminary plans, specifications and form of contract, together with estimate of cost, on file in the office of the Clerk for public inspection, for the construction of said public improvements, and said preliminary plans, specifications and form of contract are deemed suitable for the making of said public improvements; and

WHEREAS, before said preliminary plans, specifications, form of contract and estimate of cost may be adopted, and contract for the construction of the public improvements entered into, it is necessary, pursuant to Division VI of Chapter 384 of the Code of Iowa, to hold a public hearing and to advertise for bids,

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

Section 1. That it is hereby determined that it is necessary and advisable to construct certain public improvements described in general as the 2024 Sanitary Sewer Rehabilitation Project, in the manner set forth in the preliminary plans and specifications and form of contract, above referred to, the cost thereof to be paid in accordance with the provisions as set out in the Instructions to Bidders, said public improvements being more generally described as follows:

The 2024 Sanitary Sewer Rehabilitation Project includes all labor, materials, and equipment necessary for lining and repairing sanitary sewer lines; traffic control; and miscellaneous associated work including cleanup.

Section 2. That the amount of bid security to accompany each bid shall be in an amount which shall conform to the provisions of the Notice to Bidders approved as a part of said specifications; and,

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to publish notice to bidders once in the Sun Newspaper, a legal newspaper, printed wholly in the English language, published at least once weekly and having general circulation in this City.

Publication shall be not less than four clear days nor more than twenty days prior to the July 15, 2024 meeting at the Mt. Vernon City Hall (213 First Street NW.), The date for receiving bids is hereby fixed as July 11, 2024. Said bids are to be filed prior to 2:00 p.m. on said date; and,

BE IT FURTHER RESOLVED, that bids shall be received and as provided in the public notice and the results of said bids shall be considered at a meeting of this Council on July 15, 2024, at 6:30 p.m., at the Mt. Vernon City hall 213 First Street NW); and,

BE IT FURTHER RESOLVED, that the City Administrator is hereby designated as the authority to receive and open said bids on behalf of the City of Mt. Vernon, Iowa.

PASSED and ADOPTED this __ day of _____, 2024.

Thomas M. Wieseler, Mayor

ATTEST:

Marsha Dewell, City Clerk

I. Old Business

AGENDA ITEM # I – 1

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

DATE:	June 17, 2024
AGENDA ITEM:	Trail Art Funding Request
ACTION:	Motion

SYNOPSIS: Staff will be discussing Park and Rec board recommendations with you at the meeting.

BUDGET ITEM: LOST

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: None

PREPARED BY: Chris Nosbisch

DATE PREPARED: 6/12/2024

J. Motions for Approval

CITY OF MOUNT VERNON
CLAIMS FOR APPROVAL, JUNE 17, 2024

PAYROLL	CLAIMS	142,036.78
REPUBLIC SERVICES #897	GB, RECYL-SW RESIDENTIAL	23,461.68
SPEER FINANCIAL INC	2024 BOND SERVICES	19,485.00
REPUBLIC SERVICES #897	GB,RECYL-SW COMMERCIAL	14,728.11
US BANK	CREDIT CARD PURCHASES-ALL DEPTS	6,936.03
FELD FIRE	BUNKER GEAR-FD	5,698.00
RED LION RENEWABLES	SOLAR ELECTRIC PROD-P&A,PD,LBC	5,613.95
TREASURER STATE OF IOWA	SALES TAX	5,004.70
KROUL FARMS	BASKETS/PLANTS-P&REC,BEAUTIFICATION	4,103.90
IOWA SOLUTIONS INC	COMPUTER MAINT-ALL DEPTS	3,285.00
TREASURER STATE OF IOWA	WET TAX	3,153.86
BIG RIGGER BUILDERS, INC	ENGINE 216 REPAIRS-FD	2,789.10
CITY OF ELY	NIXLE NOTIFICATION-ALL DEPTS	2,498.75
STATE HYGIENIC LAB	TESTING-SEW	2,033.50
HENDERSON PRODUCTS INC	TAILGATE CYLINDERS-RUT	1,824.76
GARY'S FOODS	SUPPLIES-POOL	1,781.68
EMPLOYEE BENEFIT SYSTEMS	INSURANCE CLAIMS-ALL DEPTS	1,545.47
WENDLING QUARRIES	ROADSTONE-RUT	1,381.27
IOWA SOLUTIONS INC	MONTHLY MAINT-ALL DEPTS	1,240.00
RICHARD BURROUGHS	CEMETERY MAINT	1,135.00
IOWA SOLUTIONS INC	MONTHLY MAINT-PD	1,035.00
IOWA SOLUTIONS INC	COMPUTER MAINT-LBC	835.00
DE NOVO MARKETING	WEBSITE/HUBSPOT SUPPORT-ALL DEPTS	825.00
BRADLEY HAUGE CPA	PROFESSIONAL SERVICES-ALL DEPTS	775.00
STUDENT PUBLICATIONS INC	ADS/PUBLICATIONS-ALL DEPTS	698.18
POSTMASTER	UTIL BILL POSTAGE-WAT,SEW,SW	597.83
EMPLOYEE BENEFIT SYSTEMS	INSURANCE CLAIMS-ALL DEPTS	578.94
US CELLULAR	CELL PHONE-PD	499.93
TRI-CITY ELECTRIC CO OF IOWA	CAMERA MAINT-LBC	484.00
CORNELL COLLEGE	SOCCER OFFICIALS-P&REC	480.00
LEAD CUSTOM ENGRAVING	TUMBLERS-PD K9	372.00
DE NOVO MARKETING	WEBSITE SUPPORT-LBC	325.00
UMB BANK	2024 GO FEES	300.00
MEDIACOM	PHONE/INTERNET-FD	293.13
CITY LAUNDERING CO	SERVICES-LBC	253.92
LYNCH DALLAS PC	LEGAL FEES-P&A	251.00
GARY'S FOODS	SUPPLIES-ALL DEPTS	246.48
NANTEET GUTSCHMIDT	REFUND-LBC	197.68
JOHN FOREMAN	REFEREE-P&REC	180.00
IOWA SOLUTIONS INC	COMPUTER MAINT-PD	170.00
CARQUEST OF LISBON	VEHICLE/EQUIP MAINT-RUT	165.68
RICKARD SIGN AND DESIGN CORP	CTW SIGN-P&REC	117.70
AIRGAS INC	CYLINDER RENTAL FEE-PW	101.78
ROSE HEDGES	REFUND-P&REC	100.00
LYNCH FORD	VEHICLE MAINT-PD	96.12
MOUNT VERNON BANK & TRUST	NSF CHECK-WAT,SEW,GB	85.09
VESTIS	RUGS,SERVICES-FD	84.81
CITY LAUNDERING CO	SERVICES-CITY HALL	79.69
CITY LAUNDERING CO	SERVICES-CITY HALL	79.69
LUKE RUSHFORD	REFEREE-P&REC	75.00
STUDENT PUBLICATIONS INC	ADS/PUBLICATIONS-PD	74.88
CENTURY LINK	PHONE CHARGES-PD	72.00
CHRISTINE ATKINS	DEPOSIT REFUND-WAT	70.77
MATT PLOTZ	CDL ENDORSEMENT-PW	64.00
DES MOINES STAMP	CITY SEAL-P&A	62.00
JACKIE VASQUEZ	DEPOSIT TO FINAL-WAT	60.91
KONICA MINOLTA BUSINESS SOLUTIONS	MAINT PLAN/COPIES-LBC	57.50
KONICA MINOLTA BUSINESS SOLUTIONS	MAINT PLAN/COPIES-LBC	56.50

CITY OF MOUNT VERNON
CLAIMS FOR APPROVAL, JUNE 17, 2024

TIERNEY ROWE	REFUND-P&REC	55.00
CHELSEY BLUM	REFUND-P&REC	55.00
KURT FORD	REFUND-P&REC	55.00
NICHOLE MARTIN	REFUND-P&REC	50.00
TED SEITER	UNIFORMS-PW	46.95
UNITYPOINT CLINIC-OCCUPATIONAL	PRE-EMPLOYMENT TESTING-PW	42.00
NEAL'S WATER CONDITIONING	WATER/SALT-RUT	40.00
BETH HLAS	INSTRUCTOR-LBC	40.00
MELINDA SNYDER	INSTRUCTOR-LBC	40.00
MILES DUWA	REFUND-POOL	37.00
NEAL'S WATER CONDITIONING	WATER/SALT-FD	33.00
DANIEL DAUBS	MEALS-PD	32.08
LOGAN CHRISTOFFER	DEPOSIT TO FINAL-WAT	31.90
NEAL'S WATER CONDITIONING	WATER/SALT-CITY HALL	31.25
CALEB DAUSENER	REFEREE-P&REC	30.00
LAURA ST JOHN	REFUND-POOL	28.00
ESTEBAN GUTIERREZ	MEALS-PD	17.80
NEAL'S WATER CONDITIONING	WATER/SALT-LBC	12.75
MOUNT VERNON BANK & TRUST	NSF CHECK-POOL	12.00
MOUNT VERNON BANK & TRUST	WIRE TRANSFER FEE-2024 GO LOAN	5.35
AUTHNET GATEWAY BILLING	CREDIT CARD SERVICES-LBC	5.00
TOTAL		261,338.83

FUND EXPENSE TOTALS

PAYROLL	142,036.78
SOLID WASTE	40,673.75
GENERAL FUND	20,850.25
LOST I-FD/EQUIPMENT	11,358.29
LBC	10,361.82
POOL RENOVATIONS	8,205.54
WATER FUND	5,805.75
ROAD USE TAX FUND	5,210.57
SEWER FUND	5,105.49
GLENN ST/CHI/COTTONWOOD	4,103.45
REMOTE READ METER PROJECT	4,103.45
2024 INFRASTRUCTURE	3,077.91
DEBT SERVICE	300.00
STORM WATER FUND	145.78
TOTAL	261,338.83

FY24 MAY REVENUE

GENERAL GOVERNMENT	533,706.81
PUBLIC WORKS	249,016.05
PUBLIC SAFETY	100,218.38
CULTURE-RECREATION	98,509.07
COMMUNITY & ECONOMIC DEV	12,585.13
TOTAL	994,035.44

AGENDA ITEM # J – 2

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

DATE: June 17, 2024

AGENDA ITEM: CDG Executive Director

ACTION: Motion

SYNOPSIS: I am leaving this on the agenda as a placeholder for Monday's meeting. CDG is hoping to have a hiring recommendation for the Executive Director position to the Council by the June 17, 2024, meeting.

BUDGET ITEM: Hotel/Motel Tax

RESPONSIBLE DEPARTMENT: City Administrator

MAYOR/COUNCIL ACTION: Motion

ATTACHMENTS: None

PREPARED BY: Chris Nosbisch

DATE PREPARED: 6/12/2024

K. Reports-Received/File



Mt. Vernon-Lisbon Police Department

Douglas J. Shannon
Chief of Police

MAY 2024 POLICE REPORT

Vehicle Collisions

There was a total of 4 reported collisions during the month. There were 3 collisions in Mount Vernon. Collision 1 occurred on N. 1st Ave when unit 1 stopped at a stop sign then proceeded into the intersection and struck unit 2. Damage was estimated at \$3,500 and no injuries were reported. Collision 2 occurred on the 700 block of Palisades Rd SW when unit 1 pulled into a parking spot and struck unit 2, which was legally parked. Damage was estimated at \$1,000 and no injuries were reported. Collision 3 occurred on Hwy 30 when unit 1 struck a deer. Damage was estimated at \$1,600 and minor injuries were reported.

There was 1 collision in Lisbon. Collision 1 occurred on Hwy 30 when unit 1 lost control and struck the cable barriers. Damage was estimated at \$10,000 and serious injuries were reported.

Incidents/Arrest

There were 33 reported incidents during the month. In Mount Vernon, there were 21 reports which included: animal control (x2), assault (x6), burglary, disorderly contact (x2), driving while barred, fraud (x3), interference with official acts, driving without a valid license, OWI, purchase of alcohol under age (x2), prohibited act – drugs, hit and run, theft.

In Lisbon, there were 12 reports which included: weapons on school grounds, fraud (x2), abandoned vehicle (x2), no contact order, intent to deliver, OWI (x2), weapons violation (x2), possession of drug paraphernalia (x2), intent to manufacture, possession of a controlled substance (x6), theft (x2).

During the month, officers had 7 arrests. In Mount Vernon there were 6, including: forgery, assault (x3), interference with official acts, and OWI.

In Lisbon there was 1 for possession of drug paraphernalia, intent to deliver, intent to manufacture, possession of a controlled substance, and OWI.

K-9 Report

Monster was deployed 1 time at a building alarm call and completed DLE recertification.

Community Service/Training/Misc.:

- Monster and Officer Moel attended the DLC conference
- Sergeant Daubs and Officer for attended the WETAP event at Washington

380 Old Lincoln Highway
Mount Vernon, Iowa 52314

319-895-6141 (office)
319-895-6617 (fax)



Mt. Vernon-Lisbon Police Department

Douglas J. Shannon
Chief of Police

- Officer Blinks and Sergeant Daubs attended AWR209 Working with Media training
- Officers completed spring range qualifications
- Lisbon time (administration, call for service, patrol): 386 hours

	May	Apr	Mar	Feb	Jan	Dec
Administrative	108	37	41	53	55	46
Call for service	26	14	33	24	24	19
Patrol	252	263	266	247	247	257
	386	313	341	324	326	323

GTSB:

During May, officers worked 39 hours of STEP which resulted in: 1 OWI arrest-drugs, 1 DRE call out, 1 open container violation, 3 speed citations, 22 speed warnings, 5 other traffic violation citations, and 8 other traffic violation warnings

Respectfully Submitted,

Chief of Police



**Mount
Vernon**
IOWA

Chris Nosbisch, City Administrator
Douglas Shannon, Chief of Police

Thomas M. Wieseler, Mayor

Council:

Scott Rose
Stephanie West
Mark Andresen
Paul Tuerler
Craig Engel

Public Works Report 6/17/2024 Council Meeting

ROW's

The stump grinding has been completed and the areas have been backfilled. We had to remove some sidewalks to do some of the stump grinding and those have been set up and poured back.

After a stormy last few weeks, we have done a lot of chipping and storm damage clean up.

Parks

Ball field prep, mulching at the parks, watering flowers/plants and nonstop mowing have kept Jayne, Dean and the summer help on full throttle. We do have a great group of seasonal help this year. They are all hard workers!

The LBC has needed our help with some minor building maintenance.

The pool has been opened successfully with little to no issues regarding a steady operation.

The 2 new pads for the sculpture trail additions have been poured.

The team went through Nature Park and added lime to all of the frisbee golf tee boxes to dress them up.

City Facilities

The concessions building at Elliot Park has been re-roofed by our PW team. The shingles had been in bad shape for a while and there was water damage that was fixed after the demo was done and before the new construction was started.



Mount
Vernon
IOWA

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Craig Engel

There is a local gentleman from Lisbon that wanted the dirty fill at the ambulance building. He supplied the trucking and we loaded the material. Half of that material was hauled away. He still wants almost all that is left sitting there. We will haul any remaining fill out to the Bryant Rd. site. It will be the first time since I have been employed here that that area has been cleared off and open.

Normal building maintenance has been done at all city facilities.

I don't have a good quote today, but I will say thank you to all for what you offer this community!

Eldon Downs
City of Mt. Vernon
Public Works Director
563-331-0424
edowns@cityofmtverno-ia.gov

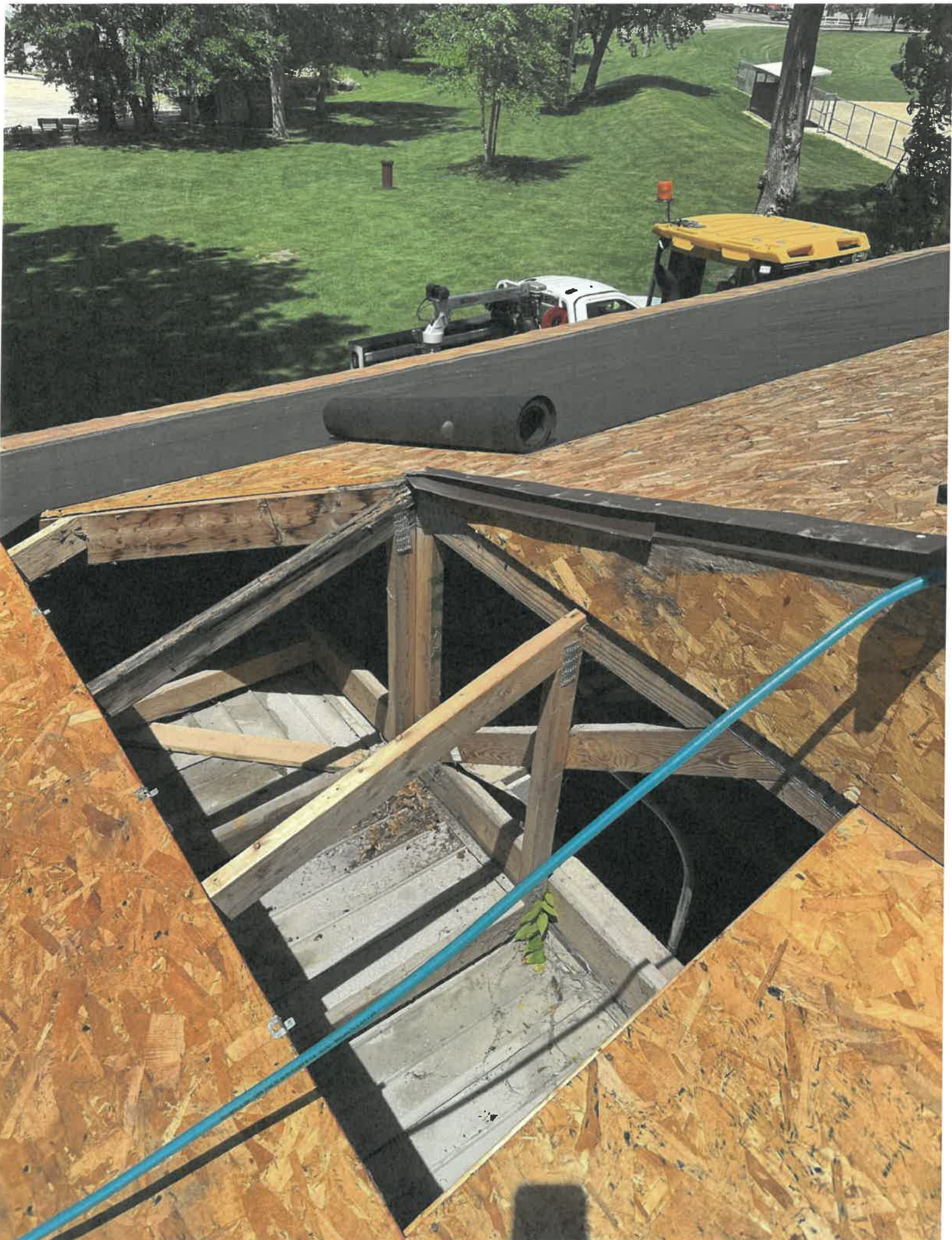






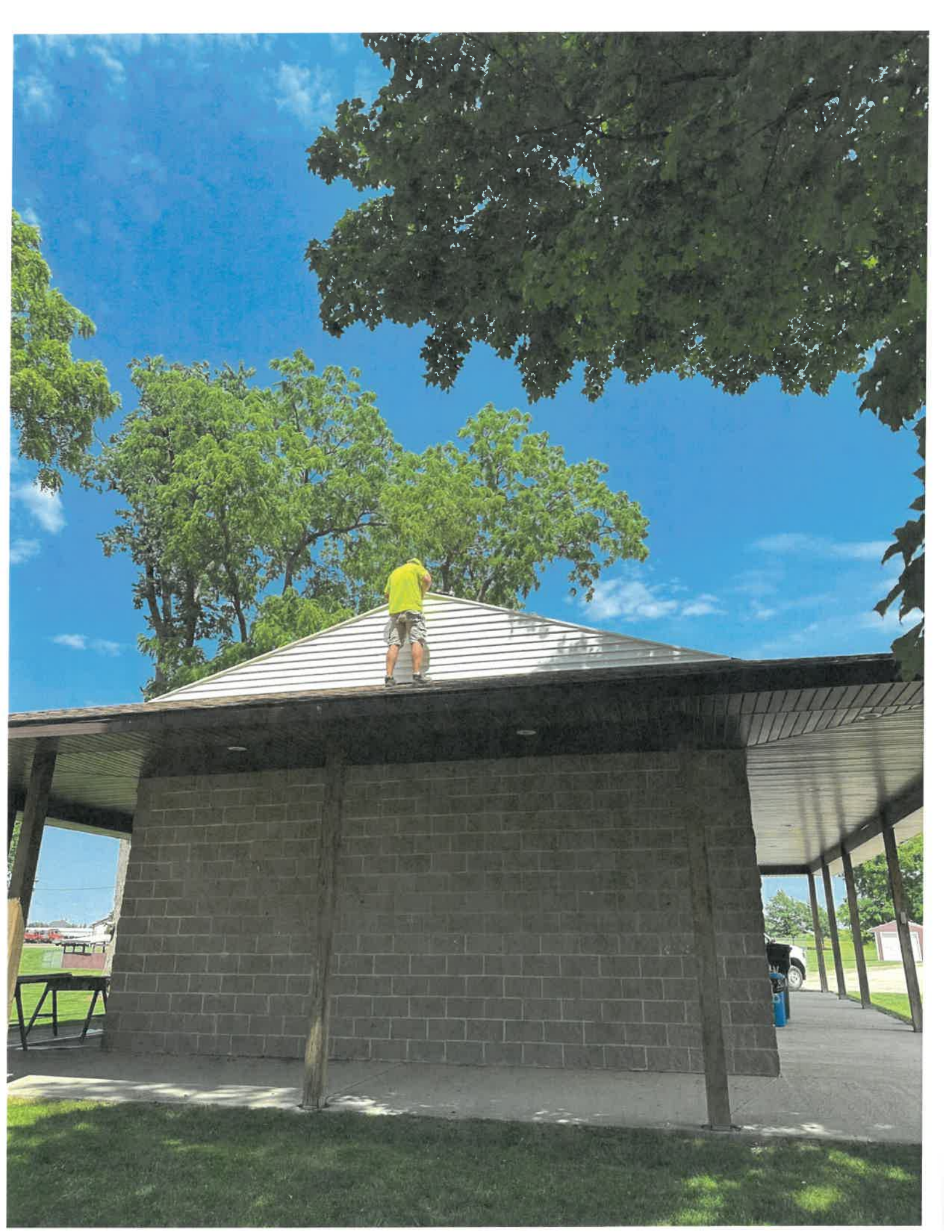
























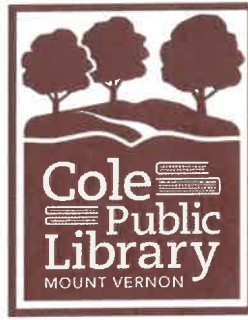












June 5 2024

Mayor Tom Wieseler and City Council Members,

May was a busy month at Cole Public Library, spent planning and preparing for the Summer Reading Program. We held our Summer Reading Kickoff Party with Lisbon Library and Hills Bank on May 16th. Attendees signed up for the Summer Reading Program, played games, and enjoyed snacks. The Board of Trustees met on May 21st at 8:30am. This was their final meeting of the fiscal year. The Board approved revisions to the Collection Development and Meeting Room policies. They also approved spending for new chairs for the library's Browsing Room.

June is the first month of the Summer Reading Program, which runs June-July. Cole Public Library holds two reading programs: one for children and one for teens. Young patrons can sign up anytime throughout the summer at the library's 1st floor circulation desk. We also have many exciting activities planned for the summer. Our weekly activities are Lego Club, Wednesday Workshop, and Story Time. Our single-event programs include Big Bang Bubbles (June 10th), Family Movie Night (July 16th), Family Night: Busy Bees (July 23rd), and two Farm Story Times (July 6th and August 3rd). Farm Story Time is a new collaborative program with Lisbon Library and Morning Glory Farms. Alongside our events for children, we are also hosting a monarch butterfly workshop, geared to adults, with Monarch Research Station Manager Augie Bergstrom on June 23rd. We are looking forward to all the excitement summer brings,

**Warm Regards,
Grace Chamberlain
Cole Public Library Director**

L. Discussion Items (No Action)

ORDINANCE NO.

AN ORDINANCE IN CHAPTER ____ OF THE CODE OF ORDINANCES TO REGULATE WHERE Vape, Tobacco, Nicotine, Synthetic Drugs/Marijuana, CBD, Hemp, Marijuana retail establishments can be located in Mount Vernon, IA

BE IT ENACTED, by the City Council of the City of Mount Vernon, as follows:

CHAPTER ____

VAPE, TOBACCO, NICOTINE, MARIJUANA RETAIL ESTABLISHMENTS

Purpose

Definitions

Location Restrictions

Responsibilities of Seller

Minors

Hours of Operation

Enforcement

PURPOSE. Under the authority granted under Iowa Code Section, this Ordinance is enacted to protect and preserve the rights, privileges, and property of the residents of Mount Vernon and to preserve and improve the peace, safety, health, welfare, comfort, and conveniences of the residents of Mount Vernon and the economic health of the City. The purpose of the ordinance is to regulate the location of businesses that promote the growth and/or dispensary, sale, consumption, smoke, or use of items containing CBD, hemp, THC/Cannabis products, psychoactive products, synthetic drugs/marijuana and all look-alike substances, including tobacco, nicotine, electronic smoking devices/vape products, and other psychoactive marijuana commercialized products intended for consumption if their sale is legalized in the state or federally, which are used and/or sold on premises with more than 10% of sales or more than 10% of the business floor space dedicated to consumption, use and/or sale within the city of Mount Vernon, Iowa.

Definitions:

As used in this ordinance, the following terms shall have the meanings indicated, any terms not defined herein shall be given the meaning ascribed to them.

1. “Retail Electronic Smoking Device/Vape Establishment/Shop- Any establishment that solely sells, distributes, gives, offers, or manufactures electronic smoking devices, vapes, components or parts, electronic liquid, and/or liquid nicotine.
2. Tobacco Retail Establishments-An establishment in which at least ____% of retail business is the sale of tobacco products, pipes, and accessories and in which the sale of other products is merely incidental.
3. Tobacco Retailer- Any person or entity that operates a store, stand, booth, concession, or other place at which sales, rental, or other distribution including giveaways of tobacco or tobacco products, pipes, and accessories are made to persons for consumption or use by such person.
4. Vape Shop- Any commercial establishment whose principal business is the retail sale, service or use of electronic smoking devices, liquid nicotine or vapor products.
5. Vapor Product- any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic or chemical means to produce vapor from nicotine or other inhalation agents.
6. Marijuana- means all parts of the plant Cannabis, its roots, stalks, leaves, flowers, and seeds, whether growing or not, and any resin, compound, cake, manufacture, salt, derivative, mixture or preparation of the plant.
7. Psychoactive marijuana- products that contain marijuana and marijuana extracts that are intended for human consumption or application, including, but not limited to cannabis flower, hash, edible products, tinctures, vapes, powder, wax, pills, salts, and lotions, that when taken in or administered into one’s system, affect mental processes (e.g., perception, consciousness, cognition or mood and emotions).
8. Synthetic Drugs/Marijuana- substances that are artificially modified from naturally occurring drugs, can contain lab-made synthetic cannabinoids, and are used for their psychoactive effects but are primarily illicitly manufactured and labeled not for human consumption.
9. Kratom- A preparation of the leaves of an SE Asian evergreen tree, when consumed affects the body as a sedative or a stimulant.
10. Medical CBD/Cannabis/Marijuana products- products that have been approved either legislatively in Iowa or by the Medical CBD/Cannabis Board or which may

become legal at the state or federal level.

11. Hemp/Consumable hemp- is a liquid or solid hemp product intended to be introduced into the human body by ingestion or internal absorption, including but not limited to food, chew or snuff, oils and lotions, and hemp processed or otherwise manufactured, marketed, sold, or distributed as food (e.g., "gummies"), a food additive, a dietary supplement, or a drug. Consumable hemp products do not include those intended to be introduced into the human body by any method of inhalation.

Location Restrictions. Any person or business selling or distributing electronic smoking devices/vapes, tobacco, nicotine, and look-a-like products including Kratom, synthetic drugs and/or synthetic marijuana, also those persons or businesses growing, selling, or distributing marijuana and psychoactive marijuana products including Medical CBD/Cannabis products and consumable hemp products (henceforth these forms are referred to as "Marijuana") in the City of Mount Vernon shall only do so from a permanent building in Zoning District L1 and only if it meets all of the location requirements set forth below. Distances provided hereafter shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the proposed marijuana sales business is to be located, to the nearest point of the parcel of property or zoning district boundary line from which the proposed marijuana growing and/or sales business is to be separated.

No person or entity shall operate a vape, tobacco, nicotine, or marijuana retail establishment in the city of Mount Vernon in any zone except a zoning district L1 (Light Industrial) and subject to the following restrictions:

- A. The premises in question must be located in an L1 Light Industrial zone.
- B. The premises shall be prohibited within one thousand (1,000) feet of parks, youth-frequented areas, schools, colleges, daycares, any church, synagogue, mosques, temples, or other places of religious worship. OR C-F options
- C. The property and structures of the lawfully existing thereon must not be within 1,000 feet of a church and/or house of worship.
- D. The property and structures of the lawfully existing thereon must not be within 1,000 feet of a daycare center.
- E. The property and structures of the lawfully existing thereon must not be within 1,000 feet of a park.
- F. The property and structures of the lawfully existing thereon must not be within 1,000 feet of any public or private school offering general education for students between the years of Preschool and Twelfth grade, college, public library, or museum.
- G. The property and structures of the lawfully existing thereon must not be within 1,000 feet of another vape, tobacco, CBD, hemp, or marijuana retail establishment.
- H. Vending Machines?????

- I. The premises and all other structures lawfully thereon must in all respects comply with the zoning requirements for L1 zoning, as established by chapter... zoning, of the Code of the City of Mount Vernon.

Responsibilities of Seller. Every act or omission by an employee constituting a violation of the provisions of this ordinance shall be deemed the act or omission of the operator if such act or omission occurs either with the authorization, knowledge, or approval of the operator, or as a result of the operator's negligent failure to supervise the employee's conduct, and the operator shall be punishable for such act or omission in the same manner as if the operator committed the act or caused the omission.

Minors/Underage Persons. It shall be unlawful to allow a person who is younger than twenty-one (21) years of age to enter or be on the premises of a vape/tobacco/nicotine/CBD Hemp/marijuana growth and/or sales business at any time that the establishment is open for business. The business owner/operator must ensure that an attendant is stationed at each public entrance at all times during regular business hours. The attendant shall prohibit any person under the age of twenty-one (21) from entering the establishment. It shall be presumed that an attendant knew a person was under the age of twenty-one (21) unless such an attendant asked for and was furnished a valid drivers' license issued by a state reflecting that person's age.

OR

No person in the city of Mount Vernon, either directly or indirectly by an agent or employee, or by a vending machine owned by the person or located in the person's establishment, shall sell, offer for sale, distribute, for commercial purpose at no cost or minimal cost without coupons or rebate offers, give furnish, to a person under 21 years of age, any cigarettes made of tobacco or of any other matter or substance which can be smoked or any cigarette paper or tobacco in any form including smokeless tobacco, or any vapor product, that can be used to deliver, nicotine or other substance to the person inhaling from the device, including but not limited to, an electronic cigarette, cigar, cigarillo, or pipe, or any cartridge or other component of the device or related product.

Hours of Operation. A Vape/Tobacco/Nicotine/CBD/Hemp business may remain open for business no longer than the hours from 10:00 a.m. to midnight, seven days a week.

EXCEPTIONS: ??? The location of currently approved businesses? Would be grandfathered in but they cannot be replaced by another if they go out of business or change ownership??? However, in the event those businesses leave, the ordinance stands limiting all Vape/Tobacco/Nicotine/CBD/Hemp Businesses to L1 Zoning District.

Enforcement. Any violation of this municipal ordinance by the owner or operator shall be subject to penalties in accordance with the Iowa Code

Repealer Clause. Any ordinance, provision or part thereof, which differs or is inconsistent with this ordinance is hereby repealed, to the extent of said difference or inconsistency.

Severability. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional.

M. Reports Mayor/Council/Admin.

**CITY OF MT. VERNON
CITY ADMINISTRATOR
REPORT TO THE CITY COUNCIL
June 17, 2024**

- The next East Central Iowa Council of Governments Board meeting will be held on Thursday, June 27, 2024.
- Lori and I have officially registered for the International City Managers conference in September. Lori will be receiving a scholarship from the IaCMA Board to cover the cost of her registration.
- Just a reminder that staff will be participating in Human Trafficking training on Friday, June 21, 2024, at 11 a.m. City Hall will be temporarily closed during this period.