

The Mount Vernon City Council met November 4, 2024, at City Hall, 213 1<sup>st</sup> Street NW, Mount Vernon, IA. A Zoom option was available. The following Council members were present: Andresen, Rose, West and Tuerler. Absent: Engel.

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

**Agenda Additions/Agenda Approval.** Motion made by West, seconded by Andresen to approve the Agenda. Motion carries. Engel absent.

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

Approval of City Council Minutes – October 21, 2024 Regular Council Meeting

### **Public Hearing**

Public Hearing on an Ordinance Amending Chapter 165 Zoning Regulations, Article 302 Definitions and Article 413 LI – Limited Industrial District of the Mount Vernon Code of Ordinances. Mayor Wieseler opened the public hearing at 6:31 pm. Kassandra Rice, Executive Director of the Wellness Coalition of Rural Linn County, clarified a couple of things regarding the age portion of this ordinance, specifically the need to have someone standing at the entrances of these businesses carding individuals as they come in. Because of the smaller stores here, carding would not need to take place at the door but would be done by the retailer at the time of purchase. The other aspect was why this was being treated different than liquor stores. At this time the City does not have an ordinance regulating age requirements in liquor stores. Another consideration would be changing the verbiage from those under 21 to requiring a state issued ID for 21 or older. Hearing no other public comment, Mayor Wieseler closed the public hearing at 6:34 p.m. Council then acted on Ordinance #11-4-2024A.

### **Ordinance Approval/Amendment**

Ordinance #10-7-2024B: Amending Chapter 46 Minors of the Mount Vernon Code of Ordinances (tabled on October 7, 2024). Motion made by Tuerler, seconded by Rose to remove from the table. Motion carries. Engel absent. Council voiced concern about the requirement to have someone stationed at each public entrance, which would be difficult for businesses with only one employee. Also of concern was the requirement to have a valid driver's license from a state authority. Not everyone would have a state issued driver's license but may have another form of government identification that would work. Tuerler made a motion to approve Ordinance #10-7-2024B with two revisions. Under Section 1, No. 2, the words "be stationed at each public entrance at all times during regular business hours, and shall" will be removed. The second change would be, under Section 1, No. 3, the words "valid drivers license, issued by a state authority" will be replaced with "valid government issued ID". Motion seconded by West. Roll call all yes. Engel absent. Ordinance passes it's first reading.

Ordinance #10-7-2024C: Amending the Code of Ordinances of the City of Mount Vernon, Iowa, 2000, By Amending Provisions Pertaining to Chapter 165, Zoning Regulations. Staff has not received any verbal or written communication regarding this ordinance since the first reading. Motion made by Tuerler, seconded by West to approve Ordinance #10-7-2024C. Roll call all yes. Engel absent. Ordinance passes its third and final reading.

Ordinance #11-4-2024A: Amending Chapter 165 Zoning Regulations, Article 302 Definitions and Article 413 LI – Limited Industrial District of the Mount Vernon Code of Ordinances. This ordinance was originally introduced on October 7, 2024, and failed to pass the first reading on a 2-1 vote. It was requested to bring this ordinance back to the City Council for full consideration. This ordinance will amend the zoning regulations to include additional requirements for smoke shop, tobacco, CBD, cannabis, etc. Should the Council approve of this ordinance, these uses would be restricted to Limited Industrial districts and maintain a 1000-foot separation from youth facilities. This ordinance would do three things. It would define what a smoke shop is, limit those smoke shops to Limited Industrial districts and establish a 1000 foot separation from youth facilities. Council voiced concern about the 1000 foot separation requirement. With this measure of separation, there is virtually nowhere that a business could go in Limited Industrial without being near a youth facility. so this ordinance would essentially be a ban on smoke shops. Nobsisch reminded Council that this type of business requires a Conditional Use Permit from Board of Adjustment so there is a certain level of oversight that will happen without the 1000 foot separation requirement. Current businesses outside of the Limited Industrial district would be grandfathered in but any new businesses would be limited to that district and subject to a Conditional Use Permit application process first. Tuerler made a motion to approve Ordinance #11-4-2024A with one revision. Subsection 8, No. 1 (referencing the 1000 foot separation from youth centers) will be removed from the ordinance. The definition of a smoke shop will not change. Motion seconded by Rose. Roll call all yes. Engel absent. Ordinance passes its first reading.

### **Resolutions for Approval**

Resolution #11-4-2024A: Approving the Annual Financial Report for Fiscal Year 2024. The Annual Financial Report details the revenues and expenditures for Fiscal Year 2024. Motion made by Tuerler, seconded by Andresen to approve Resolution #11-4-2024A. Roll call all yes. Engel absent. Resolution passes.

Resolution #11-4-2024B: Approving the Department of Transportation Street Finance Report for Fiscal Year 2024. The City is required to file an annual Street Finance Report with the IaDOT. The report tracks the street expenditures versus the incoming RUT revenue, in addition to creating an inventory of our street equipment. Motion made by West, seconded by Rose to approve Resolution #11-4-2024B. Roll call all yes. Engel absent. Resolution passes.

Resolution #11-4-2024C: Making Award of the Construction Bid for the LBC Generator Installation Project. Veenstra & Kimm is recommending approval of the Hawkeye Electrical Contractors of Cedar Rapids bid in the amount of \$194,462.00. The project includes \$100,000 of grant funding and \$95,000 of LOST proceeds. Motion made by Rose, seconded by Andresen to approve Resolution #11-4-2024C. Roll call all yes. Engel absent. Resolution passes.

Resolution #11-4-2024D: Approving the Plat of Survey #2879 to the City of Mount Vernon, Linn County, Iowa. This resolution approves a plat of survey that creates two parcels on the current public works site. Parcel A is a small triangular piece of land that will stay with Davis Park and the existing pool site. Parcel B contains a majority of the existing public works site that would be offered for sale in the near future. Motion made by Andresen, seconded by Tuerler to approve Resolution #11-4-2024D. Roll call all yes. Engel absent. Resolution passes.

Resolution #11-4-2024E: Approving a Perpetual Access Agreement to Part of North Mount Vernon (Deed BK 350, Page 3) to the City of Mount Vernon, Linn County, Iowa. This resolution approves a perpetual access easement that is needed to ensure access for all parties to their future properties (the current public works site sits almost 250 feet off the Cass Street right-of-way). Motion made by Tuerler, seconded by West to approve Resolution #11-4-2024E. Roll call all yes. Engel absent. Resolution passes.

## Motions for Approval

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

L.L. PELLING CO INC	PAY APP #1-BUSINESS 30 OVERLAY	462,844.78
PAYROLL	CLAIMS	114,964.66
MIDWEST CONCRETE INC	PAY APP #1-4TH ST NW RECONSTRUCTION	111,241.72
DAVE SCHMITT CONSTRUCTION	PAY APP #1-BRYANT RD WATERMAIN	94,423.59
FREEDOM BUILDINGS INC	SAND/SALT SHED-PW SITE	31,626.11
LOCALITY MEDIA INC	SOFTWARE-FD	13,492.50
COMMUNITY DEVELOPMENT GROUP	HOTEL/MOTEL TAX-ECON DEV	12,951.19
JEO CONSULTING	DOWNTOWN STREETSCAPE-LOST III	7,570.60
REC DESK LLC	ANNUAL SUBSCRIP-P&REC,LBC,POOL	7,300.00
SPRINGVILLE READY MIX	CONCRETE-PW FACILITIES	7,002.51
WATERS EDGE AQUATIC DESIGN LLC	RENOVATION PLANNING-POOL	6,300.00
ALLIANT ENERGY	ENERGY USAGE-SEW	5,743.37
VEENSTRA & KIMM INC	HWY 1 RECONSTRUCTION	5,457.81
ALLIANT ENERGY	ENERGY USAGE-ST LIGHTS	5,200.76
VEENSTRA & KIMM INC	2024 BUSINESS 30 IMPROVEMENTS	4,763.57
VEENSTRA & KIMM INC	GLENN STREET EXTENSION	4,651.91
ALLIANT ENERGY	ENERGY USAGE-WAT	4,572.38
VEENSTRA & KIMM INC	4TH STREET NW RECONSTRUCTION	4,226.32
VEENSTRA & KIMM INC	RISE APPLICATION RACHEL ST	4,152.51
PAYROLL	CLAIMS	3,822.02
TREASURER STATE OF IOWA	WET TAX	3,613.23
TREASURER STATE OF IOWA	SALES TAX	3,398.73
VEENSTRA & KIMM INC	LBC GENERATOR	3,375.00
WHITE CAP, L.P.	CONCRETE FORM RENTAL-PW SITE	3,177.94
VEENSTRA & KIMM INC	INTELLISTREETS LIGHTING IMPROV	3,025.23
SPRINGVILLE READY MIX	CONCRETE-PW SITE	2,932.25
VEENSTRA & KIMM INC	BRYANT RD WATER MAIN IMPROV	2,565.48
VEENSTRA & KIMM INC	2024 SANITARY SEWER REHAB	2,408.00
VEENSTRA & KIMM INC	OLD PW BLDG LOT PLATTING	2,140.81
DOORS INC	DOOR REPAIRS-PD	1,991.05
LINN CO-OP OIL CO	FUEL-PW	1,880.98
CREEK ENTERPRISE	OVERPAYMENT REFUND-SEW	1,880.25
DSG	WATER MAIN SUPPLIES-PW SITE	1,725.00
PNP	FUEL-PD	1,571.32
DSG	PLUMBING SUPPLIES-PW SITE	1,379.59
IOWA SOLUTIONS INC	MONTHLY MAINT-ALL DEPTS	1,245.00
VEENSTRA & KIMM INC	REMOTE READ METER PROJECT	1,066.50
KIECKS	UNIFORMS-PD	974.88
AMAZON CAPITAL SERVICES	COMPUTER EQUIP-FD	939.99
NIGHT SHIFT LLC	CLEANING SERVICE-CITY HALL	904.15
STUDENT PUBLICATIONS INC	ADS/PUBLICATIONS-ALL DEPTS	874.34
NIGHT SHIFT LLC	CLEANING SERVICE-PD	867.84
SCHIMBERG COMPANY	WATER MAIN SUPPLIES-PW SITE	828.81
DE NOVO MARKETING	WEBSITE/HUBSPOT SUPPORT-ALL DEPTS	825.00
ALLIANT ENERGY	ENERGY USAGE-FD	816.83
MENARDS	SUPPLIES-PW SITE	745.41
RICKARD SIGN AND DESIGN CORP	SIGN-P&REC	730.00
VEENSTRA & KIMM INC	NPDES PERMIT RENEWAL	672.00
STUDENT PUBLICATIONS INC	ADS/PUBLICATIONS-P&REC	667.73

BRADY LANHAM	CHILI COOK OFF POWER-CDG	660.00
GALLS LLC	UNIFORMS-PD	651.01
POSTMASTER	UTIL BILL POSTAGE-WAT,SEW,SW	640.16
AHLERS & COONEY P.C.	LEGAL FEES-P&A	634.00
UMB BANK	2022 GO FEES	600.00
UMB BANK	2019 GO FEES	600.00
VEENSTRA & KIMM INC	DAVIS PARK IMPROVEMENTS	506.16
GPM ENVIRONMENTAL	EQUIP REPAIR-SEW	504.00
CTK GROUP	TRAINING-PD	500.00
FELD FIRE	GLOVES-FD	494.00
EMPLOYEE BENEFIT SYSTEMS	INSURANCE CLAIMS-ALL DEPTS	485.37
MECHANICSVILLE TELEPHONE COMPANY	PHONE/INTERNET-LBC	447.07
IOWA PRISON INDUSTRIES	GARBAGE BAGS-RUT	442.97
LYNCH FORD-LYNCH CHEVROLET	VEHICLE MAINT-PD	428.79
AMANDA HAMER	INSTRUCTOR-LBC	422.50
KONICA MINOLTA	MAINT PLAN/COPIES-P&A	416.22
BREEDLOVE SPORTING GOODS	SUPPLIES-P&REC,LBC	413.00
IOWA RURAL WATER ASSOCIATION	MEMBERSHIP DUES-WAT	405.00
ALLIANT ENERGY	ENERGY USAGE-CITY HALL	365.27
EMPLOYEE BENEFIT SYSTEMS	INSURANCE CLAIMS-ALL DEPTS	360.93
ALLIANT ENERGY	ENERGY USAGE-RUT	356.04
BANKCARD 8076	NSF CHARGE-LBC	327.42
DE NOVO MARKETING	WEBSITE SUPPORT-LBC	325.00
WENDLING QUARRIES	ROAD STONE-PW SITE	323.34
MEDIACOM	PHONE/INTERNET-PW	315.81
AMAZON CAPITAL SERVICES	OFFICE EQUIP-ALL DEPTS	314.00
STUDENT PUBLICATIONS INC	ADS/PUBLICATIONS-LBC	300.00
AMAZON CAPITAL SERVICES	SUPPLIES-LBC	277.92
CENTRAL IOWA DISTRIBUTING	SUPPLIES-PD	271.00
ALLIANT ENERGY	ENERGY USAGE-P&REC	256.87
CITY LAUNDERING CO	SERVICES-LBC	253.92
MENARDS	PLUMBING SUPPLIES-PW SITE	253.56
US CELLULAR	PHONE/INTERNET-P&REC,WAT,SEW	247.22
VEENSTRA & KIMM INC	WATER PLANT PARCEL SURVEY	244.00
CITY LAUNDERING CO	SERVICES-CITY HALL	239.07
RC TECH	CHAMBER EQUIP REPAIR-P&A	239.00
ALLIANT ENERGY	ENERGY USAGE-P&REC	215.35
MOUNT VERNON BANK & TRUST CO	NSF CHECK-WAT,SEW,SW	212.00
MARTIN EQUIPMENT	EQUIP MAINT-PW	210.96
P&K MIDWEST INC	EQUIP MAINT-RUT	199.76
KIECKS	UNIFORMS-PD	198.00
VEENSTRA & KIMM INC	NPDES COMPLIANCE STRATEGY	187.00
CHRIS NOSBISCH	MILEAGE-ALL DEPTS	182.24
AMAZON CAPITAL SERVICES	SUPPLIES-LBC	171.39
MATT SIDERS	MILEAGE-P&REC,LBC	167.50
AMAZON CAPITAL SERVICES	SUPPLIES-LBC	135.32
KONICA MINOLTA	MAINT PLAN/COPIES-LBC	130.38
CREATIVE PRODUCT SOURCING	DARE-PD	128.16
ALLIANT ENERGY	ENERGY USAGE-POOL	125.04
DIESEL TURBO SERVICES INC	EQUIP MAINT-RUT	110.10
MECHANICSVILLE TELEPHONE COMPANY	PHONE/INTERNET-POOL	108.77
VEENSTRA & KIMM INC	BUSINESS 30 RESURFACING	107.20
CENTRAL IOWA DISTRIBUTING	SUPPLIES-LBC	102.00
ALLIANT ENERGY	ENERGY USAGE-RUT,P&A,WAT,SEW	85.78

STAPLES INC	SUPPLIES-ALL DEPTS	84.98
VESTIS	RUGS,SERVICES-FD	84.81
ALLIANT ENERGY	ENERGY USAGE--LBC	76.31
PRESTO-X	PEST CONTROL-FD	73.81
MOUNT VERNON BANK & TRUST CO	NSF CHECK-LBC	70.00
AMAZON CAPITAL SERVICES	EQUIP-LBC	69.48
STAPLES INC	SUPPLIES-PW	68.25
STAR EQUIPMENT LTD	BUCKET RENTAL-RUT	65.00
LYNCH FORD-LYNCH CHEVROLET	VEHICLE MAINT-PD	63.68
PRESTO-X	PEST CONTROL-PD	62.00
ALLIANT ENERGY	ENERGY USAGE-SIRENS	61.83
ALLIANT ENERGY	ENERGY USAGE-PD	61.64
CHRISTOPHER BROWN	CLEANING SERVICES-FD	60.00
BANKCARD 8076	REFUND-P&REC	50.00
ALLIANT ENERGY	ENERGY USAGE-RUT,WAT,SEW,SW	43.22
BETH HLAS	INSTRUCTOR-LBC	40.00
ALLIANT ENERGY	ENERGY USAGE-RUT,WAT,SEW	37.87
AMAZON CAPITAL SERVICES	SUPPLIES-P&REC	28.98
ALLIANT ENERGY	ENERGY USAGE-SW	27.92
MARSHA DEWELL	MILEAGE-ALL DEPTS	22.78
AMAZON CAPITAL SERVICES	SUPPLIES-P&REC	22.48
ALLIANT ENERGY	ENERGY USAGE-CEM	21.77
AMAZON CAPITAL SERVICES	SUPPLIES-LBC	14.49
AUTHNET GATEWAY BILLING	CREDIT CARD SERVICES-LBC	5.00
MOUNT VERNON BANK & TRUST CO	NSF CHECK-PD	4.00
<b>TOTAL</b>		<b>980,049.52</b>

**FUND EXPENSE TOTALS**

2024 INFRASTRUCTURE	588,641.40
PW FACILITIES	146,983.59
PAYROLL	118,786.68
GENERAL FUND	50,421.99
ROAD USE TAX FUND	13,725.41
LBC	11,204.76
SEWER FUND	11,123.04
LOST III UR & STREETScape	10,595.83
WATER FUND	10,345.27
POOL RENOVATIONS	6,300.00
GLENN STREET/CHI	4,651.91
ARPA LINN COUNTY GRANT	2,408.00
SOLID WASTE	1,983.26
DEBT SERVICE FUND	1,200.00
REMOTE READ METER PROJECT	1,066.50
DAVIS PARK IMPROVEMENTS	506.16
STORM WATER	105.72
<b>TOTAL</b>	<b>980,049.52</b>

Discussion and Consideration of Springville Ready Mix Invoice #79587 – PW Site Construction – Council Action as Needed. This invoice is for additional concrete work at the new PW site. Motion made by West, seconded by Rose to approve invoice #79587 from Springville Ready Mix in the amount of \$8,684.25. Motion carries. Engel absent.

Discussion and Consideration of V&K Invoice #51376 – 1 – Bryant Rd Water Main Improvements – Council Action as Needed. The next three invoices are for engineering services related to ongoing projects that have been approved by Council. Motion made by Tuerler, seconded by Andresen to approve V&K invoice #51376-1 in the amount of \$6,668.02. Motion carries. Engel absent.

Discussion and Consideration of V&K Invoice #51372 – 4 – Glenn Street Extension – Council Action as Needed. Motion made by Rose, seconded by West to approve V&K invoice #51372-4 in the amount of \$10,297.60. Motion carries. Engel absent.

Discussion and Consideration of V&K Invoice #51359 – 2 – 4<sup>th</sup> Street NW Reconstruction – Council Action as Needed. Motion made by Tuerler, seconded by Rose to approve V&K invoice #51359-2 in the amount of \$9,660.34. Motion carries. Engel absent.

Discussion and Consideration of Change Order #1 - 2024 Pool Improvements – Council Action as Needed. This change order includes five deviations to the original contract price for the 2024 Pool Improvements. Each of the changes have been approved by staff to keep the project on schedule. Staff is anticipating at least one or two additional change orders for above ground lighting and general maintenance upgrades (Change #5 is limited to the new pool basin lighting). Change order #1 is in the amount of \$165,026.39. Motion made by West, seconded by Rose to approve Change Order #1-2024 Pool Improvements. Motion carries. Engel absent.

#### **Reports of Mayor/Council/Administrator**

Mayor's Report. Mayor Wieseler reminded everyone to get out and vote tomorrow.

Council Reports. Andresen thanked Matt Siders and Eldon Downs for doing an audit of the parks and mentioned a video game program available at the LBC. West announced that the Community Development Group has an opening for a Social Media Manager.

City Administrator's Report. Full report available on the City website under the November 4, 2024 Council Packet.

As there was no further business to attend to, the meeting adjourned, the time being 7:41 p.m., November 4, 2024.

Respectfully submitted,  
Marsha Dewell  
City Clerk