

City of Vincent  
Council Proceedings  
Regular Meeting  
April 10th, 2023

Mayor Lyn Adson called the regular council meeting to order at 6:00 pm.

Roll call showed John Fransen, Donovan Adson, Brian Mickelson, Michel Fransen and Heath Miller present.

Public attendees: None

Motion by John Fransen, second by Donovan Adson to approve the agenda for April 10th, 2023.

With adding action item Mowing Bids under city cameras on the agenda. John Fransen, Donovan Adson, Brian Mickelson, Michel Fransen and Heath Miller present.

All ayes, 0 nays, motion carried.

**Public Hearing FY 2023/2024 Budget:** Mayor Lyn Adson proposed to open the public hearing. Motion by Michel Fransen, second by Brian Mickelson to open the public hearing for the FY 23-24 city budget at 6:01 pm. There were no written or oral comments or questions about the city budget. Mayor Lyn Adson proposed closing the public hearing. Motion by Heath Miller, second by John Fransen to close the public hearing for the FY 23-24 city budget at 6:02 pm. Heath Miller, John Fransen, Donovan Adson, Brian Mickelson and Michel Fransen present.

All Ayes, 0 Nays, motion carried.

**Public Hearing Amend City Ordinancens:** Mayor Lyn Adson proposed to open the public hearing. Motion by Brian Mickelson, second by Michel Fransen to open the public hearing to amend city ordinances 50.02, 92.02 and 93.03 at 6:03 pm. There were no written or oral comments or questions about the city ordinances. Mayor Lyn Adson proposed closing the public hearing. Motion by Donovan Adson, second by Brian Mickelson to close the public hearing to amend city ordinances 50.02, 92.02 and 93.03 at 6:04 pm. Heath Miller, John Fransen, Donovan Adson, Brian Mickelson and Michel Fransen present.

All Ayes, 0 Nays, motion carried.

**Public Comments:**

Need to look into new flag brackets for main street and decide where to put the old school flag pole.

**City Cameras:** Kyle from Modern Sound Engineering was not present at the meeting. Will revisit updating the city camera system at the May council meeting.

**Mowing Bids Submitted:** After review of the mowing bids submitted to the City of Vincent it was agreed upon by the city council to award the properties for the 2023 mowing season.

Motion by John Fransen and Brian Mickelson to approve the mowing bids as stated below.

Ball Diamond and Monument - Kaleb Adson \$150

City Hall – Kris Miller \$20

Water Tower and Property behind Water Tower – Jaden Armstead \$25

School property lots (SS Add't) – Katelyn Adson \$125

Marshall Street ditch - Katelyn Adson \$25

Corner lot East of Locker - Kris Miller \$10  
 City Park and Community Hall - Kris Miller \$35  
 Swasand Addition Lot 6 - Katelyn Adson \$30  
 Lift Station, Arthur St. - Kris Miller \$10  
 Nuisance Lot properties - Kris Miller \$20

**Roll Call Vote:**

Ayes: Brian Mickelson, Michel Fransen and John Fransen  
 Nays: 0  
 Abstain: Heath Miller & Donovan Adson

**Water / Sewer Report:**

Craig Larson for the month of March 2023: 374.6 thousand gallons were pumped through the tower. The pressure tank is working, the other pumps seem to be running alright. Had one water shut off at a residents. Got a few hydrants flushed, Bianchi has not yet fixed the vent pipe for the furnace in the water plant. 3E has checked the generator and all looks good. Did bacterial samples. Will be gone 4/17/23 to 4/22/23. 0.5224 million gallons were pushed out to the ponds. Will be doing draw downs starting 4/11/23. Will be taking water samples to Ellsworth. The depth devices should be installed within the week. Electric Pump checked the pumps at the lift station. Had a little issue with a pump but not serious yet, will need to keep an eye on it.

**Approve Amended City Ordinances:**

2023-01 - Weeds and other dense growth ; Read Amended Ordinance. Motion by John Fransen second by Brian Mickelson to approve amended ordinance 2023-01. Waived second and third readings.

Roll Call Vote: Ayes: Michel Fransen, Brian Mickelson, Donovan Adson, John Fransen, Heath Miller  
 Nays: 0

Passed and approved 4/10/2023

2023-02 - Water Rates ; Read Amended Ordinance. Motion by Brian Mickelson second by Michel Fransen to approve amended ordinance 2023-02. Waived second and third readings.

Roll Call Vote: Ayes: Heath Miller, John Fransen, Donovan Adson, , Brian Mickelson, Michel Fransen  
 Nays: 0

Passed and approved 4/10/2023

2023-03 - Private Well Maintenance ; Read Amended Ordinance. Motion by Donovan Adson second by Brian Mickelson to approve amended ordinance 2023-03. Waived second and third readings.

Roll Call Vote: Ayes: Michel Fransen, Brian Mickelson, Donovan Adson, John Fransen, Heath Miller  
 Nays: 0

Passed and approved 4/10/2023

**Hold Harmless Agreement with Newark / Colfax Twsp Fireboard & Newark Twsp:**

The city council has agreed to allow the fireboard secretary to use the open office space in city hall after city clerk business hours and allow Newark Twsp to store files in the office. After reading the agreements and making corrections, motion by John Fransen, second by Brian Mickelson to approve the office space use / hold harmless agreement for both townships.

Roll Call Vote: Michel Fransen, Brian Mickelson, Donovan Adson, John Fransen, Heath Miller  
 Nays: 0

Passed and approved 4/10/2023

**Gift Declaration Agreement with Newark / Colfax Twsp Fireboard:**

The city council has agreed to gift the Newark / Colfax Twsp Fireboard the cities’ old laptop and file cabinet to use in the extra office space in city hall. After review of the document, motion by Donovan Adson, second by Brian Mickelson to approve the gift declaration as printed. John Fransen, Donovan Adson, Brian Mickelson, Michel Fransen and Heath Miller present. All ayes, O nays, motion carried.

Motion by Brian Mickelson, second by Heath Miller to adopt **RESOLUTION 2023-06**

**A RESOLUTION ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2024.**

**Be it resolved** by the Council of the City of Vincent, Iowa:

The Annual Budget for the fiscal year ending June 30, 2024 as set forth in the Budget Summary Certification and in the detailed Budget in support thereof showing the revenue estimates and appropriation expenditures and allocations to programs and activities for said fiscal year is adopted.

**The Clerk** is directed to make the filing required by law and to set up the books in accordance with the summary and details as adopted.

**Roll Call Vote:**

Ayes: Donovan Adson, John Fransen, Heath Miller, Brian Mickelson, Michel Fransen

Nays:0

Passed and approved this 10<sup>th</sup> day of April, 2023

**CITY OF VINCENT**

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Motion by John Fransen, second by Brian Mickelson to adopt **RESOLUTION 2023-07**

**A Resolution of the City Council of the City of Vincent, Iowa authorizing the purchase of a certificate of deposit with First State Bank in a principal amount of \$68,490.07.**

**WHEREAS**, the City Council of the City of Vincent, Iowa voted on March 13<sup>th</sup>, 2023 authorizing the city clerk to renew CD #3547386 for 18 mths at 2% interest and

**WHEREAS**, the City Council of the City of Vincent, Iowa desires to maximize the rate of return of its investments as eligible under the Authorized Securities Chapter 636.23 of the Iowa Code; and .

**WHEREAS**, the City Council of the City of Vincent, makes this investment with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. And further, such investment of funds are governed by the investment objectives, in order of priority, of

(1) preservation and safety of principal; (2) liquidity; and (3) yield.

**WHEREAS**, the City of Vincent has received notification from First State Bank offering an interest rate of 2.01% APY on a Certificate of Deposit with a Principal of \$68,490.07.

**NOW THEREFORE**, be it resolved by the City Council of the City of Vincent, Iowa that:

The City Clerk is hereby authorized to execute the required Banking Resolution for the purchase of a Certificate of Deposit with a principal balance of \$68,490.87 respectively.

**Roll Call Vote:**

Ayes: John Fransen, Donovan Adson, Brian Mickelson, Michel Fransen, Heath Miller

Nays: 0

Passed and approved this 10<sup>th</sup> day of April, 2023.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Motion by Brian Mickelson, second by Michel Fransen to adopt **RESOLUTION NO. 2023-08**

**A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF  
A OFFICE SPACE USE AGREEMENT BETWEEN THE CITY OF VINCENT, IOWA AND  
NEWARK / COLFAX TOWNSHIP FIREBOARD**

**WHEREAS**, the City of Vincent, Iowa and Newark / Colfax Twsp FireBoard agree to enter into a document entitled "OFFICE SPACE USE AGREEMENT". (the "Agreement") with Newark/ Colfax Twsp Fireboard is for the purpose of the City of Vincent, Iowa providing office space for file storage and business work for the fireboard on the condition that the Fireboard agrees to hold harmless and indemnify the City of Vincent, Iowa for any liability claims that arise from the provision of the office space. A copy of the Agreement is attached to this Resolution as Exhibit "A" and made a part hereof; and

**WHEREAS**, the City of Vincent, Iowa has the authority to approve and authorize execution of the Agreement pursuant to their home rule powers and contracting authority provided by Iowa Admin Code r.681-12.5 .

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF VINCENT, IOWA, AS FOLLOWS:**

**SECTION 1:** Each recital above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

**SECTION 2:** The City of Vincent, Iowa approves and authorizes the execution of a document entitled "OFFICE SPACE USE AGREEMENT" ; (the"Agreement") with the Newark / Colfax Twsp Fireboard. (The "Agreement") is for business purposes and on the condition that the fireboard agrees to hold harmless and indemnify the City of Vincent, Iowa for any liability claims that arise from the provision of the office space. The City of Vincent, Iowa further authorizes and directs the city clerk, to execute and deliver the final version of the attached Agreement, and all other instruments and documents that are necessary to fulfill the obligations under the Agreement.

**SECTION 3:** The City of Vincent, Iowa further authorizes and directs the city clerk to transmit executed originals or certified copies of all documents, including an executed, certified copy of this Resolution and the Agreement, to all parties and agencies that are entitled to receive such documents, including Newark / Colfax Twsp Fireboard and any other governmental agencies with jurisdiction over the Agreement, as required and directed by any other governmental oversight regulatory agency, in order to comply with the terms of the Agreement.

ADOPTED this 10<sup>th</sup> day of April, 2023

**Roll Call Vote:**

Ayes: Heath Miller, John Fransen, Donovan Adson, Brian Mickelson, Michel Fransen

Nays: 0

ATTEST: \_\_\_\_\_ Mayor  
\_\_\_\_\_  
City Clerk

**Exhibit "A"**

**Office Space Use Agreement**

**(City of Vincent, Iowa and Newark / Colfax Twsp Fireboard)**

**(attached)**

## OFFICE SPACE USE AGREEMENT

This Office Space Use Agreement (“Agreement”) is entered by and between the City of Vincent, Iowa (hereinafter “City”), whose address for this Agreement is 104 Arthur Street, PO Box 298, Vincent, Iowa 50594, and Newark / Colfax Township Fire Board (hereinafter “Board”), whose address for this Agreement is 102 S 1<sup>st</sup> St Vincent, Iowa 50594. The City and the Board shall be collectively referred to herein as the “Party” or “Parties”.

In consideration of the mutual promises and other valuable consideration exchanged, the Parties hereby agree and contract as follows:

- 1. AUTHORIZATION.** The City hereby grants the authority to the Board to use the office space in the City’s building located at 104 Arthur St Vincent, IA 50594 in accordance with the terms of this Agreement.
- 2. TERM.** This grant of authorization to use said office space shall start on 4/15/2023 and continue until this Agreement is terminated by either of the Parties.
- 3. USE.** The Board shall be entitled to the use of said office space on the first day of the term for use during the following hours: City Clerk Business Hours - Mon, Thurs, Fri 9am to 1pm & Tues, Weds 2pm to 6pm. The Board shall yield possession to the City at the end of this Agreement. The Board covenants and agrees to use the office space for business purposes only.
- 4. NO ASSIGNMENT.** The Board shall not assign this Agreement or permit use of the office space by any other person or party without the written consent of the City.
- 5. INSURANCE.** The City and the Board agree to insure their respective real and personal property for the full insurable value. Such insurance shall cover losses included in the special form causes of loss.
- 6. IMPROVEMENTS.** The Board agrees that no improvements, alterations or changes of any nature shall be made to said office space without written consent of the City.
- 7. LIABILITY FOR DAMAGE.** Each Party shall be liable to the other for all damage to any personal or real property of the other (or their agents, employees or invitees).
- 8. HOLD HARMLESS.** To the fullest extent permitted by law, the Board shall indemnify, release, forgive and hold harmless the City from and against any and all claims, damages, losses, expenses, actions, suits, demands, liabilities, judgments, and proceedings, both at law and in equity, occurring at any time, which a person may suffer or incur by reason of bodily injury or by reason of damage to or destruction of property including the use thereof, arising out or connected to the use of the space being provided pursuant to this Agreement, whether or not due to any act, omission, or negligent act or omission of the City.
- 9. SEVERABILITY.** The invalidity of any one or more provisions of this Agreement shall not affect the validity or continuing force and effect of any other provision. In the event any provision of this Agreement is inconsistent with or contrary to any applicable Federal, State, or local law, rule, or regulation, said provision shall be deemed to be modified to the extent required to comply with said law, rule, or regulation, and as modified, said provision and this Agreement shall continue in full force and effect.

**10. AMENDMENT.** This Agreement may not be changed except by an amendment in writing signed by the Parties hereto.

**11. APPLICABLE LAW.** This Agreement shall be governed by and construed in accordance with the laws of the State of Iowa now or hereafter applicable hereto.

**12. TERMINATION.** Either of the Parties may terminate this Agreement at any time and for any reason.

**13. Effective Date of Agreement.** This Agreement shall become effective once it has been signed by all of the Parties.

**14. Entire Agreement.** It is understood and agreed by the Parties that this Agreement constitutes the entire Agreement among the Parties and supersedes all prior or contemporaneous oral or written agreements, understandings, arrangements, negotiations, or discussions. No promises, representations, understandings, or warranties have been made by either of the Parties hereto, other than those which are expressly contained herein.

**IN WITNESS WHEREOF, the undersigned parties have each executed this Agreement as of the date indicated hereunder by a duly authorized representative.**

**THE CITY OF VINCENT, IOWA**

**NEWARK / COLFAX TOWNSHIP FIRE BOARD**

\_\_\_\_\_

[Signature]

\_\_\_\_\_

[Signature]

\_\_\_\_\_

[Print Name]

\_\_\_\_\_

[Print Name]

\_\_\_\_\_

[Date]

\_\_\_\_\_

[Date]

STATE OF IOWA )  
                                   ) SS:  
 COUNTY OF WEBSTER )

### CLERK'S CERTIFICATE

I, Sarah Geisinger, City Clerk of Vincent in the County of Webster and State of Iowa, certify that the attached is a true and correct copy of that certain Resolution now on file in my office, entitled:

### RESOLUTION NO. 2023-08

**A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF  
 A OFFICE SPACE USE AGREEMENT BETWEEN THE CITY OF VINCENT, IOWA AND  
 NEWARK / COLFAX TOWNSHIP FIREBOARD**

which Resolution was passed by a roll call vote of the City of Vincent Council at a Council Meeting on the 10<sup>th</sup> day of April, 2023, at which meeting a quorum was present, and approved by the council on the 10<sup>th</sup> day of April, 2023.

I further certify that the vote on the question of the passage of said Resolution by the City of Vincent Council was taken by Ayes and Nays and recorded in the minutes of the City of Vincent and that the result of said vote was as follows, to-wit:

AYES: Heath Miller, John Fransen, Donovan Adson, Brian Mickelson, Michel Fransen  
 NAYS: None

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the City of Vincent this 10<sup>th</sup> day of April, 2023

\_\_\_\_\_  
 Sarah Geisinger, City Clerk

[SEAL]



**City Drainage:**

The city elected for Nels Pederson Co to Install an equalizer by the city lift station and install a 24” intake by Lawrence St. at the February council meeting. Scott Pederson began the project and discovered when digging up the tile it was full of dirt / mud. Will be contacting the county to help with the cost to fix the tile so can move forward with the installation of the intake.

**Nuisance Abatement:**

City Clerk needs to send notice to 300 Lawrence St for open storage of junk and also send reminders to residents for clean up days to utilize the dumpsters.

**105 N 1<sup>st</sup> St:**

When the snowplow is off the truck, will go and get rock to place around the building and recycle box area. Will continue to look into a workbench and tools for the building.

**Approve consent agenda:**

*Minutes of March 13<sup>th</sup>, 2023*

*Bill list(s)*

*Treasurer's Report*

Motion by Heath Miller, second by Brian Mickelson to approve the consent agenda.

John Fransen, Donovan Adson, Brian Mickelson, Michel Fransen and Heath Miller present.

All ayes, 0 Nays; motion carried.

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**\*Reports\***

**Streets:**

Continuing to look into updating the lights on the snowplow truck. Will be doing road maintenance (seal coating streets)

**Parks:**

The parks committee will be doing picnic table repairs and removing some of the permanent benches on the east side of the park as one got damaged during the winter. Been looking into getting the composite boards to replace the wood on the picnic tables. Looking into repainting the shelter. The extra toys at the park were removed as well as debris that blew into the park from the strong winds we have been having.

**Waste Management:**

Nothing to report.

**Building Permit Committee:**

The city clerk rec'vd permit #010 to be reviewed and approved.

The city clerk obtained samples of other permits that cities use to update our building permit application.

Upon review of the samples at the March council meeting, the city clerk typed up a new application for review and approval. Council will pass it by resolution at the May council meeting.

**Fire Board:**

Have a meeting on April 19, 2023

**Community Hall:**

There will be upcoming rentals.

The city clerk needs to contact Bianchi Heating & Cooling to fix the heater vent pipe in the kitchen.

**Mayor:**

Have a Webster County Conference Board Meeting on 4/26/2023 at 6 pm. Fielded the report from Scott on the city drainage, on 4/13/2023 have a class on iowa open meeting laws and ethics, requested hold harmless agreement be drafted for council review for extra office space use, requested city clerk contact service for the restroom at the hall, fielded a call regarding mowing bids and gave contact info for city hall.

**Clerk:**

Submitted vegetation control contract to Smitty's , got the items listed on gov deals picked up, signed up for the IMFOA conference April 20-21, submitted permits 008 & 009 to the county, reauctioned the money count machine on gov deals, typed up the hold harmless agreement for the city and townships, updated the city building permit application, updated the city holidays in the employee handbook, updated the city SAM registration, called Pederson Sanitation for reserve of dumpsters for clean up days, renewed the city CD, put note in water bill for clean up days and build permits, submitted signed agreement to the IA DOT for the grant monies for the flashing beacons that were installed, contacted Modern Sound Engineering for camera information to update the city camera system, posted the public hearing notices for the city budget and city ordinances, posted the notices for clean up days and mowing bids, attended the webinar via ZOOM for the ARP annual report, completed and submitted the ARP annual report to the US Treasury and rec'vd build permit 010 for review and approval.

Motion by Heath Miller second by Michel Fransen to adjourn the meeting at 7:04 pm.  
John Fransen, Donovan Adson, Brian Mickelson, Michel Fransen and Heath Miller present.  
All Ayes, 0 Nays; motion carried.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**Posted: 4/14/2023**

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General Funds 3-01-2023	458,717.97
Mar receipts	2,949.59
Mar disbursements	23,159.56
General Funds 3-31-2023	438,508.00
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Community Hall 3-01-2023	-36,600.78
Mar receipts	13.23
Mar disbursements	327.97
Community Hall 3-31-2023	-36,915.52
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Local Option Sales Tax water and sewer 3-01-2023	39,342.96
Mar receipts	2,335.28
Mar disbursements	0.00
Local Option Sales Tax water and sewer 3-31-2023	41,678.24
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Local Option Sales Tax parks 3-01-2023	20,493.10
Mar receipts	0.00
Mar disbursements	0.00
Local Option Sales Tax parks 3-31-2023	20,493.10
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Road Use Tax Funds 3-01-2023	15,149.40
Mar receipts	624.20
Mar disbursements	615.10
Road Use Tax Funds 3-31-2023	15,158.50
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Water Utility Fund 3-01-2023	12,560.53
Mar receipts	1,689.22
Mar disbursements	1,218.05
Water Utility Fund 3-31-2023	13,031.70
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Sewer Utility Fund 3-01-2023	19,536.49
Mar receipts	1,321.28
Mar disbursements	711.08
Sewer Utility Fund 3-31-2023	20,146.69
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Storm Utility Fund 3-01-2023	11,243.98
Mar receipts	210.00
Mar disbursements	0.00
Storm Utility Fund 3-31-2023	11,453.98
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CD's

3570717: Purchase Date 3/17/2023 ; 2.00% interest ; Maturity Date 9/17/2024 – \$68,490.07

Total CD's for March \$68,490.07

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List of disbursement paid for January:

Check No

“ 12667 Eagle Grove Memorial Library 1578.00

## List of disbursement paid for February:

## Check No

“	12689 Myles Askvig Payroll (2/14/2023)	324.40
“	12692 IMFOA	50.00
“	12700 Sarah Geisinger Payroll (2/27/2023)	586.43

## List of disbursement paid for March:

## Check No

“	12701 Lyn Adson Payroll (3/1/2023)	184.52
“	12702 Craig Larson Payroll (3/1/2023)	834.36
“	12703 Black Hills Energy	1106.97
“	12704 Mid American Energy	398.91
“	12705 Menards	675.71
“	12706 Sarah Geisinger Payroll (3/13/2023)	557.31
“	12707 Lyn Adson Mileage	19.00
“	12708 Donovan Adson Payroll (3/14/2023)	203.17
“	12709 Ag Source	14.50
“	12711 Frontline Warning Systems (City Siren)	250.00
“	12713 ICAP (City Insurance)	9933.00
“	12714 Craig Larson Mileage	56.33
“	12715 Mid American Energy (Streetlighting)	295.02
“	12717 Newark Township Trustees (Fire & Cemetery)	8505.00
“	12718 Pederson Sanitation	964.00
“	12719 Webster Calhoun	263.19
“	Debit IPERS (Withholding)	455.84
“	Debit ACH Fee	11.60