

CITY COUNCIL MEETING
RAND CENTER
APRIL 17, 2012
7:00 P.M.

Mayor Sargent presided over the meeting and called it to order at 7:00 p.m. with the following Council members present: Dillinger, Dinsmore, Isom and Struble. Council member Ratliff arrived at 8:23 p.m. Also present were City Clerk/Administrator Miller and visitors: Barbara Guinan, Marjorie Sass, Robert Lance, Roger Marshall, Michele Stirtz, Melba Struble, Mary Jo Buckley, John Riley, Max Dungan, Renea Anderson, Al Selk, Faye Selk, LeAndrea Bowman, Gary Rodewald, Alice Barnhart, Jim Olmsted, David McGaffey, Mark Mahoney, Craig Guttau, Dale Paulson, Mark Warner, Shari Warner, John Rand, Dan Marquardt, Jeff Gute, Bob Albers, Dennis Mowery and Nathan Mowery.

The Pledge of Allegiance was recited.

Moved by Council member Dillinger to approve the agenda for April 17, 2012 as presented, seconded by Council member Struble. Motion carried on a 4-0 vote.

Moved by Council member Dillinger to approve the consent agenda, seconded by Council member Dinsmore. Motion carried on a 4-0 vote.

Mayor Sargent opened the seven bids received for the 1988 Ford 350 4x4. TIJ Construction and Paul Rhoten tied with the high bid. They will be contacted and given the opportunity to increase their bid. Moved by Council member Isom to accept the highest re-bid amount, seconded by Council member Struble. Motion carried on a 4-0 vote.

Mayor Sargent opened the three bids for the snow plow. Moved by Council member Dillinger to accept the high bid of Greg Tallman (\$2,000), seconded by Council member Struble. Motion carried on a 4-0 vote.

Jim Olmsted presented a status report on the demolition project and recommended payment of Pay Request #1 to Thompson Construction. The project should be completed prior to the next council meeting and a final pay request will be presented at that time. Moved by Council member Dinsmore to approve Pay Request #1 in the amount of \$32,310.00 from Thompson Construction, Inc., seconded by Council member Struble. Motion carried on a 4-0 vote.

Jim Olmsted reported the contractor has substantially completed the 6th/9th Street waterline project with only finishing touches and clean up remaining. He recommended payment of Pay Request #1 from Nelson Construction. The contractor has moved some of the equipment to Grove Street to start the sewer line work.

Moved by Council member Dillinger to approve Pay Request #1 in the amount of \$39,036.29 to Nelson Construction LLC for the waterline project, seconded by Council member Dinsmore. Motion carried on a 4-0 vote.

Gary Rodewald, Park Board President, addressed the Council regarding the caboose. He stated the Park Board's recommendation for choice of location differs from the Caboose Committee's proposal. The Park Board favors an area just east of the Watson Train Station. They felt it would be less invasive of the park area and use less green space, which is at a premium. They also felt the further away the caboose is from the playground, the less likely children are to play on it and treat it as playground equipment. The area where the Caboose Committee proposes to put the caboose is used for picnics and overflow parking for pool events.

Michele Stirtz, President of the Caboose Committee, gave some background of the Committee and presented their recommendation that the caboose be located in the main park south of the playground equipment and west of the flagpole. She stated their top priority was to choose a location with high visibility. Their second priority is painting the caboose and their third priority beautification around the caboose. She responded to the Park Board's comments about using prime green space by stating the Watson Steam Train and the playground are also on prime ground. They feel visibility outweighs the use of green space. She expressed concerns about child safety if the children had to cross the access road to get to the caboose. The Committee also does not feel the area adjacent to the steam train is large enough to adequately display the attraction. She stated the Missouri Valley citizens have made it clear they want to keep, refurbish and see the caboose on a regular basis and that the location her committee has chosen is the best choice to address the needs and wants of the citizens.

Council member Dillinger asked what the Committee's intentions are for use of the caboose. Ms. Stirtz responded it is their vision that parents and grandparents sit around and watch their kids and enjoy the area.

Council member Dillinger expressed concerns that if the caboose was moved east of the Watson Station they would just be moving it from one small and not visible area to another small and not much more-visible area that did not allow for additional renovation.

Melba Struble informed Council the Caboose Committee had received a grant for 20 gallons of paint to paint the caboose. The Council was given a print of the paint combination commemorating the UP and Chicago/Northwestern railway merge.

Deb Earleywine, Chamber Executive Director, stated the Missouri Valley Chamber Board and members supports the Caboose Committee's proposal to put the caboose next to the flagpole area. Because of its' high visibility in that location, it would boost tourism. Renea Anderson, HCDC, also stated she felt the Caboose Committee's proposal would be the best location because of visibility. If the intent is to use it as a 'tourist attraction', it needs to be put in an area where it will be seen.

Mark Warner, Caboose Committee member, addressed the Council about liability concerns if the caboose was put in the location by the Watson Station. He stated that as an insurance agent, he knew the Risk Management people at ICAP, the City's liability insurance carrier. He presented a letter from Ron Williams of ICAP and read it into record. Mr. Williams had stated in the letter that it was ICAP's recommendation that the caboose be placed inside the central park area so like features be kept together rather than outside the area. A question was

asked whether Department of Transportation had provided a letter stating whether they would allow anything to be put in the area near a highway right-of-way. Both Mark Warner and Gary Rodewald stated the Department of Transportation is not willing to give a letter stating whether the City can or cannot put anything in that area. Mr. Warner stated ICAP's concern is about children crossing the access road. Park Board member LeAndrea Bowman stated she didn't feel this was any different than the children crossing the road from the playground to the pool.

Available parking for the pool was discussed as well as the possibility of adding additional playground equipment at the park.

Council member Dinsmore state he felt the space should be left open where the kids play. Council member Struble expressed his appreciation for what the Park Board and Caboose Committee are doing but stated he didn't agree with the Caboose Committee's location. Council member Dillinger made a motion to accept the recommendation by the Caboose Committee for their location in the park. Motion died for a lack of a second.

Moved by Council member Dinsmore to accept the recommendation of the Park Board to put the caboose on the NE side of the Watson Station, seconded by Council member Struble. Roll call.

AYES: Dinsmore, Struble

NAYS: Dillinger, Isom. Motion failed.

Mayor Sargent recommended Council send this back to the two groups to look at alternate sites that focus on safety and visibility concerns.

Moved by Council member Dinsmore to give the two committees 30 days to come back with additional information and a proposal for the caboose, seconded by Council member Struble. Motion carried on a 4-0 vote.

Mayor Sargent set a Special Meeting for May 8, 2012 at 7:00 p.m. for Council to go to both locations to visualize where the caboose would set at each site. Council will meet at Watson Station.

Moved by Council member Dillinger to approve and authorize the Mayor to sign the agreement with the Fair Board for air conditioner use/repair in Grooms Hall, seconded by Council member Struble. Motion carried on a 4-0 vote.

Moved by Council member Dillinger to deny the request for donation from Town & Country Arts for the 'Artists in the Park' program, seconded by Council member Dinsmore. Motion carried on a 4-0 vote. Council did not feel the program directly benefits Missouri Valley children.

Moved by Council member Isom to read Ordinance #485, "An Ordinance Amending The Code Of Ordinances Of The City Of Missouri Valley, Iowa By Adding A New Section Setting Speed Limits On North First Street", by title only, seconded by Council member Struble. Motion carried on a 4-0 vote.

Moved by Council member Struble to approve the 1st reading of Ordinance #485, seconded by Council member Dinsmore. Motion carried on a 4-0 vote.

ORDINANCE #485

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MISSOURI VALLEY, IOWA BY ADDING A NEW SECTION SETTING SPEED LIMITS ON NORTH FIRST STREET

BE IT ENACTED by the City Council of the City of Missouri Valley, Iowa that:

SECTION 1. SECTION AMENDED: The Code of Ordinances of the City of Missouri Valley, Iowa is amended by adding an additional sentence to Section 63.04 SPECIAL SPEED ZONES, which is hereby adopted to read as follows:

63.04 SPECIAL SPEED ZONES. In accordance with requirements of the Iowa Department of Transportation, or whenever the Council shall determine upon the basis of an engineering and traffic investigation that any speed limit listed in Section 63.02 is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of the City street system, the Council shall determine and adopt by ordinance such higher or lower speed limit as it deems reasonable and safe at such location. Such speed limit shall be effective when proper and appropriate signs giving notice thereof are erected at such intersections or other place or part of the street. The following special speed zones have been established:

(Code of Iowa, Sec. 321.290)

SECTION 2. SECTION MODIFIED: The Code of Ordinances of the City of Missouri Valley, Iowa is amended by adding a new subparagraph B under Section 63.04 SPECIAL SPEED ZONES Subsection (2) Special 25 MPH Speed Zones, which is hereby adopted to read as follows:

B. North First Street from Erie Street to George Street.

SECTION 3. SUBSECTION ADDED. The Code of Ordinances of the City of Missouri Valley, Iowa is amended by adding a new subsection (3) Special 30 MPH Speed Zones under Section 63.04 SPECIAL SPEED ZONES as follows, and renumbering for each following subsection in that section.

3. Special 30 MPH Speed Zones. A speed in excess of thirty (30) miles per hour is unlawful on any of the following designated streets or parts thereof.

A. North First Street from George Street to the north corporate limits.

The subsection for Special 35 MPH Speed Zones shall be numbered as #4 and each following special speed zone in the section shall likewise be numbered one higher.

SECTION 4. REPEALER: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance is adjudicated to be invalid or unconstitutional, 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.

SECTION 6. EFFECTIVE DATE: This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the City Council on the ____ day of _____, 2012 and approved this ____ day of _____, 2012.

Clint Sargent, Mayor

ATTEST:

Rita M. Miller, City Clerk/Administrator

I certify that the foregoing was published as Ordinance #485 on the ____ day of _____, 2012.

Rita M. Miller, City Clerk/Administrator

Council discussed allowing discounted pool rates for 4-H participants the week of the Harrison County Fair. Moved by Council member Isom to provide a 10% discount for 4-H pool passes, amended to a \$.50 discount on daily passes, seconded by Council member Dinsmore. Roll call.

AYES: Dinsmore, Isom

NAYS: Dillinger, Struble. Motion failed.

Council discussed a request to have a “grandparents” pool pass rate. Moved by Council member Struble to not change the pool pass guidelines, seconded by Council member Dinsmore. Motion carried on a 4-0 vote.

(Council member Ratliff arrived.)

City Clerk/Administrator Miller informed Council the Board Training Session will be Thursday, June 7, 2012 at 6:00 – 8:00 p.m. Letters will be sent out to all City Board Members. She reminded Council of the HCDC annual meeting on April 26th.

Moved to adjourn by Council member Struble, seconded by Council member Isom. Motion carried on a 5-0 vote. Meeting adjourned at 8:28 p.m.

Clint Sargent, Mayor

Attest:
Rita Miller
City Clerk/Administrator