

CITY COUNCIL MEETING
RAND CENTER
MAY 15, 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: Struble, Ratliff, Dinsmore, Isom and Dillinger. Also present were City Clerk/Administrator Miller and visitors: Alice Barnhart, Craig Gutttau, Melba Struble, Barb Guinan, Marjorie Sass, Max Dungan, Mark Mahoney, Michele Stirtz, Jeff Gute, Joe Steinbock, Mike Guinan, Dennis Mowery and Nathan Mowery.

The Pledge of Allegiance was recited.

Moved by Council member Dillinger to approve the agenda with the addition of #15.a.- donation for a fundraiser, seconded by Council member Struble. Motion carried on a 5-0 vote.

Moved by Council member Dillinger to approve the consent agenda, seconded by Council member Dinsmore. Motion carried on a 5-0 vote.

Council discussed Park Director's report on the cemetery contract and requested a follow-up in a couple weeks.

A resident asked about plans to paint the caboose once it is relocated. He was informed the Caboose Committee has made plans for that and a picture of the proposed paint color combination was shown. Another resident thanked the City crew for their quick response to her request to fill some pot holes.

Jim Olmsted presented the close-out documentation for the filtration tank demolition project. Moved by Council member Dillinger to approve Resolution 12-14, "A Resolution Accepting And Closing Out The Demolition And Removal Of Surplus Equipment At The Old Treatment Plant Project And Authorizing Mayor To Sign Certificate Of Substantial Completion", seconded by Council member Struble. Motion carried on a 5-0 vote.

RESOLUTION 12-14

**A RESOLUTION ACCEPTING AND CLOSING OUT THE DEMOLITION AND REMOVAL
OF SURPLUS EQUIPMENT AT THE OLD TREATMENT PLANT PROJECT AND
AUTHORIZING MAYOR TO SIGN CERTIFICATE OF SUBSTANTIAL COMPLETION**

WHEREAS, the City of Missouri Valley, Iowa has previously authorized the Demolition project; and,

WHEREAS, the City has previously entered into a contract with Thompson Construction Inc. for this project; and,

WHEREAS, the above contract has been completed, and the City Engineer has recommended acceptance of the work and close out on the project;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSOURI VALLEY, IOWA:

The work on the Demolition and Removal Of Surplus Equipment At The Old Treatment Plant Project is hereby accepted, the project closed out, and the Mayor is hereby authorized to sign the Certificate of Substantial Completion.

PASSED AND APPROVED this 15th day of May, 2012.

CITY OF MISSOURI VALLEY

Clint Sargent, Mayor

ATTEST:

Rita M. Miller
City Clerk/Administrator

Mr. Olmsted explained Change Order #1 and the final pay request from Thompson Construction on the project. Moved by Council member Dinsmore to approve Change Order #1 in the amount of \$1,000.00 from Thompson Construction on the filtration tank demolition project, seconded by Council member Struble. Motion carried on a 5-0 vote.

Moved by Council member Struble to approve Pay Request #2 (final) from Thompson Construction in the amount of \$13,590.00, seconded by Council member Dinsmore. Motion carried on a 5-0 vote.

Mr. Olmsted gave a status report on the Grove Street sewer line project and recommended payment of Pay Request #2 from Nelson Construction. The project will be ready for close-out next month.

Moved by Council member Dillinger to approve Pay Request #2 from Nelson Construction in the amount of \$32,859.24 for the sewer line project, seconded by Council member Struble. Motion carried on a 5-0 vote.

Mr. Olmsted requested to start the engineering for the 2012 street work so the project can be put out for bids this summer and completed by fall. Council was in agreement. They also requested the last block on Harrison Street be added as an alternate to the bid. He also reported Phase I of the valve replacement project and demolition of the booster station on Linn Street are

planned for completion for this fiscal year. There still remains some grading work to be done at the pumping station at the water plant.

Nathan Mowery gave a presentation of his proposed Eagle Scout project, which is a gazebo in the park. He has gotten the approval of the Park Board and has \$4,300 in funding (donations and contributions) toward that project. He stated there was perhaps \$500 additional in incidentals that would be needed. City Clerk/Administrator Miller reported there had been \$1,000 set aside in the budget for the project if the Council wanted to commit it. Joe Steinbock offered to cover any additional expense beyond the \$1,000 if needed to finish the project. The construction could start the end of the month if Council gives approval. Moved by Council member Dinsmore to give approval to proceed with the gazebo project and give up to \$1,000 toward it, seconded by Council member Struble. Motion carried on a 5-0 vote.

City Clerk/Administrator Miller reported the City Attorney has begun the documentation required for the land donation on Windom Street. The Guinan family is checking into what they need for tax purposes. Once that is completed, it will be brought back to the Council. Mayor Sargent stated it was the consensus of the Park Board, the Caboose Committee and the Council to proceed with the Windom Street location. Discussion was held on which side of the street would be best, what surface to set the caboose on and parking concerns. Consensus was to leave it to the Caboose Committee to come back with a recommendation on caboose location on the site, use of site and fundraising. It was agreed they will report directly to the Council rather than going thru the Park Board since the proposed location is not in the park.

Moved by Council member Struble to direct the Caboose Committee to proceed with the caboose relocation plans pending satisfactory finalization of land donation documentation, seconded by Council member Dinsmore. Motion carried on a 5-0 vote.

Moved by Council member Struble to approve the 3rd reading of 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", seconded by Council member Dinsmore. Motion carried on a 5-0 vote. Mayor Sargent declared Ordinance #485 passed and adopted upon publication.

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

Moved by Council member Struble to approve Resolution 12-15, "Resolution To Set Up A Splash Pad Reserve Fund And Transfer Money From The General Checking Into This Reserve Fund", seconded by Council member Dinsmore. Motion carried on a 5-0 vote.

RESOLUTION 12-15

RESOLUTION TO SET UP A SPLASH PAD RESERVE FUND AND TRANSFER MONEY FROM THE GENERAL CHECKING INTO THIS RESERVE FUND

WHEREAS, the City of Missouri Valley desires to create a Splash Pad; and

WHEREAS, this project will be accomplished in phases over multiple fiscal years; and

WHEREAS, the Council has budgeted money to be set aside for that purpose.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Missouri Valley, Iowa, that the City Clerk is hereby directed to set up a Splash Pad Reserve Fund within the Pool Fund and transfer \$8,000 into it from the FY12 budget.

Passed and approved this 15th day of May, 2012.

Clint Sargent, Mayor

ATTEST:

Rita M. Miller

City Clerk/Administrator

Moved by Council member Dillinger to approve Resolution 12-16, "A Resolution Approving The Transfer Of FEMA Funds To The General Fund", seconded by Council member Struble. Motion carried on a 5-0 vote.

RESOLUTION 12-16

**A RESOLUTION APPROVING THE TRANSFER OF FEMA FUNDS
TO THE GENERAL FUND**

WHEREAS, the City of Missouri Valley has expended funds from the General Fund for repairs and services due to flood preparation; and,

WHEREAS, the City of Missouri Valley has received FEMA reimbursement for these expenses; and

WHEREAS, these revenues were required to be kept separate as Special Revenue until the work had been completed; and

WHEREAS, the necessary reports have been filed to close out the FEMA projects.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Missouri Valley, Iowa, that the City Clerk is hereby directed to transfer the remaining \$50,973.71 from the FEMA funds into the General Fund to close out all FEMA projects.

Passed and approved this 15th day of May, 2012.

Clint Sargent, Mayor

ATTEST:

Rita M. Miller
City Clerk/Administrator

Mayor recommended a strategic planning session be set. Council set July 10th at 6:00 p.m. for a work session. Site to be determined.

Moved by Council member Struble to authorize the Mayor to sign the Joint Participation Agreement with SWITA for the taxi service, seconded by Council member Dinsmore. Motion carried on a 5-0 vote.

Mayor Sargent informed Council the Missouri Valley Fire Association is sponsoring a spaghetti feed and silent auction fundraiser to benefit Sebastian Birke, who was injured responding to an emergency call. It will be held in Grooms Hall on June 23rd. Following discussion, moved by Council member Struble to donate a family pool pass for the silent auction, seconded by Council member Dinsmore. Motion carried on a 5-0 vote.

Moved to adjourn by Council member Struble, seconded by Council member Dillinger. Motion carried on a 5-0 vote. Meeting adjourned at 7:45 p.m.

Clint Sargent, Mayor

Attest:
Rita Miller
City Clerk/Administrator