

CITY COUNCIL MEETING
RAND CENTER
AUGUST 21, 2012
7:00 P.M.

Mayor Sargent presided over the regular session and called the meeting to order at 7:00 p.m. with the following Council members present: Struble, Dillinger, Ratliff, Dinsmore and Isom. Also present were City Clerk/Administrator Miller, City Attorney Argotsinger, Chief Murray, Building Official Mowery and visitors: Evelyn Lynch, Minnie Fisher, Joanne Fisher, Frankie Hannan, Max Dungan, John Riley, Jen Pagel, Jim Pagel and Mark Mahoney.

The Pledge of Allegiance was recited.

Moved by Council member Dillinger to approve the agenda for August 21, 2012 as presented, seconded by Council member Dinsmore. Motion carried on a 5-0 vote.

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

Michael Sorrells addressed Council regarding an abatement notice on property at 1003 E Granite. He explained this property had been a dumping ground for the area for many years and that he is trying to get it cleaned up but that it is going to take time due to the amount of junk and expense in removing it. He stated that since he had been before the Council in September 2011 he had removed several pickup loads but that it would probably take a minimum of two more years to get it cleaned up. He asked for an exception on the abatement meanwhile. Following discussion, the consensus of the Council was put this on the September 4th agenda for action on whether to allow the extension and Mr. Sorrells will bring pictures to show what he has accomplished so far. The abatement proceeding will be on hold pending Council's review.

Frankie Hannan presented the Library's annual report. She noted circulation, the number of programs offered and attendance are up considerably. They have started a volunteer program to help with the workload. She has also done the necessary paperwork so that the Library is now accredited and eligible for state aid.

Chip Schultz, Ruan Securities, reported Standard & Poor's had affirmed the City's A rating for the new bond issue and received the bond issuance.

Moved by Council member Struble to approve Resolution 12-29, "Resolution Approving Bond Purchase Agreement", seconded by Council member Dillinger. Motion carried on a 5-0 vote.

RESOLUTION 12-29

Resolution Approving Bond Purchase Agreement

WHEREAS, the City of Missouri Valley, in the County of Harrison, State of Iowa (the "City"), heretofore proposed to enter into a General Obligation Street Improvement Loan Agreement (the "Loan Agreement") in a principal amount not to exceed \$1,400,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of financing the construction of street improvements, and it is necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law; and

WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of \$1,400,000 General Obligation Street Improvement Bonds, Series 2012 (the "Bonds") in evidence of the obligation of the City under the Loan Agreement, and the City has made provision for the approval of the P.O.S. and authorized its use by Ruan Securities, a Division of D.A. Davidson & Co. (the "Underwriter"); and

WHEREAS, a certain Bond Purchase Agreement (the "Bond Purchase Agreement") has been prepared to set forth the terms of the Bonds and the understanding between the City and the Underwriter with respect to the purchase thereof, and it is now necessary to make provision for the approval of the Bond Purchase Agreement;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Missouri Valley, Iowa, as follows:

Section 1. The Bond Purchase Agreement is hereby approved in substantially the form as presented to this City Council. The Mayor and City Administrator are hereby authorized and directed to execute and deliver the Bond Purchase Agreement to the Underwriter.

Section 2. Further action with respect to the issuance of the Bonds and the approval of the Loan Agreement is hereby adjourned to the next City Council meeting on September 4, 2012.

Section 3. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved August 21, 2012.

Mayor

Attest:

City Clerk

Public Works Director Riesland presented options for maintenance of Shawmutt Avenue as follows: seal coat; continue to grade and rock; put down millings; or 2” – 3” asphalt overlay. His recommendation was to seal coat the street because there is already a good base and it will help with dust control. This could be assessed in a couple years to see how well it holds up and then a determination could be made whether to do a seal coat on other streets in the area. Moved by Council member Dillinger to move forward with the prime coat and seal coat on Shawmutt from Huron to St. Clair as proposed by Sta-Bilt Construction, seconded by Council member Dinsmore. Motion carried on a 5-0 vote.

In response to Council’s request for a recommendation for alternate street work, Public Works Director Riesland stated he felt Ontario Street needed to be considered for reconstruction. The street surface and curbs are in bad shape and the street gets a large amount of truck traffic. Moved by Council member Struble to add Ontario Street between 6th & 8th Streets to the 2012 Street Improvements project, seconded by Council member Dillinger. Motion carried on a 5-0 vote.

Moved by Council member Struble to add an asphalt overlay on 4th Street between Huron, including intersection, and Superior Streets to the contract with Western Engineering, seconded by Council member Dinsmore. Motion carried on a 5-0 vote.

Minnie Fisher addressed the Council with concerns about issues in her neighborhood. She was informed the City had issued abatement notices and also tickets for disturbing the peace at the address in question. It was also explained to her that the City could do no more than the city ordinances allowed which are based on state code. Procedures were discussed regarding ways to handle her situation and several nuisances Ms. Fisher mentioned will be investigated for abatement. She was advised to call law enforcement with noise or illegal parking complaints when they occur.

Moved by Council member Struble to approve Mayor Sargent’s appointment of Joanna Barnard to the Board of Adjustment to fill the unexpired term of Ron Mace, seconded by Council member Dillinger. Motion carried on a 5-0 vote.

Moved by Council member Dillinger to approve Resolution 12-30, “Resolution To Certify Certain Costs For Collection With Taxes”, seconded by Council member Struble. Motion carried on a 5-0 vote.

RESOLUTION 12-30

**RESOLUTION TO CERTIFY CERTAIN COSTS FOR
COLLECTION WITH TAXES**

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

Section 1. That the costs and expenses incurred by the City of Missouri Valley, Iowa as set forth in the attached Exhibit "A" are hereby approved for certification to the County Treasurer for collection with taxes and the City Clerk is hereby directed to transmit same.

Passed and approved this 21st day of August, 2012.

CITY OF MISSOURI VALLEY

Clint Sargent, Mayor

ATTEST:

Rita M. Miller
City Clerk/Administrator

EXHIBIT A

<u>Name</u>	<u>Property To Be Assessed</u>	<u>Amount</u>
James Westphal	302 N Morton Nuisance Abatement	\$ 240.00
Hsbc Bank USA Nat'l Ass'n	557 N 1 st & Lot Nuisance Abatement	\$ 340.00
TF20 Ccsb	583 N 1 st Street Nuisance Abatement	\$ 170.00
Tf20 Ccsb	821 E Huron Nuisance Abatement	\$ 170.00

Council member Dinsmore stated he had been approached by the Masonic Lodge. They would like to put a monument at Summit Park in recognition of their donation for playground equipment. Council had no objections to the request and directed the Mason coordinate it with the Park Director.

Council member Dinsmore had received an inquiry about renaming a street after Dean Dewaele for his contributions to the community. Council will consider this at the next meeting. Council member Dinsmore will contact the person making the inquiry and request he present a petition to the Council.

City Clerk/Administrator Miller reminded Council about the West Harrison Homecoming Parade on September 7th. Anyone wanting to participate should be at the Mondamin City Park at 12:30 p.m.

Moved to adjourn by Council member Struble, seconded by Council member Dinsmore. Motion carried on a 5-0 vote. Meeting adjourned at 8:31 p.m.

Clint Sargent, Mayor

Attest:
Rita Miller
City Clerk/Administrator