

CITY COUNCIL MEETING
RAND CENTER
OCTOBER 20, 2015
6:00 P.M.

Mayor Sargent presided over the regular session and called the meeting to order at 6:00 p.m. with the following Council members present: Isom, Ratliff, Johnson, Thompson, Struble. Also present were City Clerk/Administrator Miller and visitors: Adam Bellis, John Riley, Caleb Wohlers, Jesusa Christians.

The Pledge of Allegiance was recited.

Moved by Council member Struble to approve the Agenda, seconded by Council member Johnson. Motion carried on a 4-0 vote.

(Council member Thompson arrived).

Moved by Council member Johnson to approve the Consent Agenda, seconded by Council member Struble. Motion carried on a 5-0 vote.

Caleb Wohlers presented the City with a check for \$1,000 from the MV Fire Association to go toward the new Fire Department vehicle. Council thanked him for the contribution.

Moved by Council member Isom to approve Resolution 15-36, "Resolution To Declare As Excess Property And To Set Hearing Date On The Proposal To Dispose Of Property Described As The North 50 Feet Of The South 105 Feet Of The North 155 Feet Of Lots One (1) And Two (2) Of Block Thirty-Two (32), Blairs Addition To Missouri Valley, Harrison County, Iowa", seconded by Council member Johnson. Motion carried on a 5-0 vote.

Moved by Council member Struble to approve the 1st reading of Ordinance #515. "An Ordinance Amending The Code Of Ordinances Of The City Of Missouri Valley, Iowa By Amending Provisions Pertaining To Parking Violations", seconded by Council member Thompson. Motion carried on a 5-0 vote.

Moved by Council member Johnson to approve Resolution 15-37, "Resolution Relating To Financing Of A Proposed Project To Be Undertaken By The City Of Missouri Valley, Iowa; Establishing Compliance With Reimbursement Bond Regulations Under The Internal Revenue Code", seconded by Council member Thompson. Motion carried on a 5-0 vote.

Moved by Council member Thompson to approve ad in the Missouri Valley Visitor's Guide plus the interactive link, seconded by Council member Isom. Motion carried on a 5-0 vote.

Council reviewed the information on alley re-construction and directed City Clerk/Administrator to get clarification on information for the next meeting. Moved by Council member Thompson to table the item, seconded by Council member Struble. Motion carried on a 5-0 vote.

City Clerk/Administrator presented the Urban Renewal/TIF annual report. Moved by Council member Struble to approve the report, seconded by Council member Thompson. Motion carried on a 5-0 vote.

Moved by Council member Struble to table the discussion on a go-cart track, seconded by Council member Thompson. Motion carried on a 5-0 vote.

City Clerk/Administrator informed Council that the drainage ditch that goes by the dump road is almost totally filled in and needs cleaned out. Council directed her to get a map and quotes for next meeting.

She also reported the City has received a Community Foundation grant for \$3,000 to put in electricity for the caboose and windmill.

Moved to adjourn by Council member Struble, seconded by Council member Thompson. Motion carried on a 5-0 vote. Meeting adjourned at 6:35 p.m.

Clint Sargent, Mayor

Attest:
Rita Miller
City Clerk/Administrator

RESOLUTION 15-36

RESOLUTION TO DECLARE AS EXCESS PROPERTY AND TO SET HEARING DATE ON THE PROPOSAL TO DISPOSE OF PROPERTY DESCRIBED AS THE NORTH 50 FEET OF THE SOUTH 105 FEET OF THE NORTH 155 FEET OF LOTS ONE (1) AND TWO (2) OF BLOCK THIRTY-TWO (32), BLAIRS ADDITION TO MISSOURI VALLEY, HARRISON COUNTY, IOWA

WHEREAS, the City Council has determined that as city-owned property, the following described property is not needed for public use by the City of Missouri Valley and should be disposed of by sale:

NORTH 50 FEET OF THE SOUTH 105 FEET OF THE NORTH 155 FEET OF LOTS ONE (1) AND TWO (2) OF BLOCK THIRTY-TWO (32), BLAIRS ADDITION TO MISSOURI VALLEY, HARRISON COUNTY, IOWA

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Missouri Valley, Iowa, that the City proposes to sell the above described property, and,

BE IT FURTHER RESOLVED that a public hearing will be held on the proposed sale of the above described property on November 3, 2015 at 7:00 p.m. at the Rand Center, Missouri Valley, Iowa; and that notice of the public hearing be published once, not less than four nor more than twenty days before the date of the hearing.

PASSED AND APPROVED this 20th day of October, 2015.

CITY OF MISSOURI VALLEY

Clint Sargent, Mayor

ATTEST:

Rita M. Miller
City Clerk/Administrator

ORDINANCE #515

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE
CITY OF MISSOURI VALLEY, IOWA BY AMENDING PROVISIONS PERTAINING
TO PARKING VIOLATIONS**

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

SECTION 1. SECTION MODIFIED. Section 70.03 of the Code of Ordinances of the City of Missouri Valley, Iowa is repealed and the following adopted in lieu thereof:

70.03 Parking Violations: Alternate. Uncontested violations of parking restrictions imposed by this Code of Ordinances shall be charged upon a simple notice of a fine payable at the office of the City Clerk. The simple notice of a fine shall be in the amount of twenty-five dollars (\$25.00) for all violations except improper use of a persons with disabilities parking permit. If such fine is not paid within thirty (30) days, it shall be increased by ten dollars (\$10.00). The simple notice of a fine for improper use of a persons with disabilities parking permit is one hundred dollars (\$100.00).

(Code of Iowa, Sec. 321.236(1a) & 321L.4(2))

SECTION 2. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged 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 3. WHEN EFFECTIVE. 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 , 2015 and approved this day of
, 2015.

Clint Sargent, Mayor

ATTEST:

Rita M. Miller, City Clerk/Administrator

RESOLUTION 15-37

RESOLUTION RELATING TO FINANCING OF A PROPOSED PROJECT TO
BE UNDERTAKEN BY THE CITY OF MISSOURI VALLY, IOWA;
ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND
REGULATIONS UNDER THE INTERNAL REVENUE CODE

BE IT RESOLVED by the City Council (the “Council”) of the City of Missouri Valley, Iowa (the “City”), as follows:

Recitals.

The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse the City for project expenditures made by the City prior to the date of issuance.

The Regulations generally require that the City make a prior declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing and that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within a certain period after the payment of the expenditure or the date the project is placed in service; and

The City desires to comply with requirements of the Regulations with respect to certain projects hereinafter identified.

Official Intent Declaration.

The City proposes to undertake the following projects and to make original expenditures with respect thereto prior to the issuance of bonds, notes or other obligations (the “Bonds”) and reasonably expects to issue the Bonds for such projects in the maximum principal amount shown below:

<u>Project</u>	<u>Maximum Amount of Bonds Expected to be Issued for Project</u>
Fire Station Project, including land acquisition	\$2,500,000.00

Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds or (ii) expenditures made no earlier than sixty days prior to the date of Resolution 13-20 or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the projects have heretofore been made by the City for which the City will seek reimbursement from the proceeds of the Bonds.

This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

This declaration is intended as a continuation of Resolution 13-20 passed on the 15th day of October, 2013.

Budgetary Matters.

As of the date hereof, there are no City funds reserved, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the projects, other than pursuant to the issuance of the Bonds. This resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Reimbursement Allocations.

The City's financial officer shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the projects. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Bonds, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the Bonds from any restriction under the bond resolution or other relevant legal documents for the Bonds, and under any applicable state statute, which would apply to the unspent proceeds of the Bonds.

Repealer.

All resolutions, parts of resolutions, or actions of the council in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved this 20th day of October, 2015.

Clint Sargent, Mayor

Attest:

Rita M. Miller
City Clerk/Administrator