

CITY COUNCIL MEETING
RAND CENTER
NOVEMBER 3, 2015
6:00 P.M.

Mayor Pro Tem Struble opened the Public Hearing on the proposed sale of the lot at 317 N 5th Street. There were no written or oral comments and he closed the hearing. In the absence of Mayor Sargent, he presided over and called the regular session to order at 6:00 p.m. with the following Council members present: Ratliff, Johnson, Isom, Struble, Thompson. Also present were City Clerk/Administrator Miller and visitors: John Riley, Phyllis Brothers, Herb Brothers, Jesusa Christians, Chief Ed Murray.

The Pledge of Allegiance was recited.

Moved by Council member Isom to approve the Agenda for November 3, 2015, seconded by Council member Johnson. Motion carried on a 5-0 vote.

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

Following discussion, moved by Council member Thompson to sell the lot at 317 N 5th Street by sealed bid and authorize the Notice to Bid be published, seconded by Council member Johnson. Motion carried on a 5-0 vote. City Clerk/Administrator will notify the adjoining property owners.

Moved by Council member Johnson to approve the 2nd 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 Isom to approve the bid from Olson Contracting to clean out the ditch by the city tree dump, seconded by Council member Johnson. Motion carried on a 5-0 vote.

Council discussed alley reconstruction projects and directed City Clerk/Administrator to contact the city engineers to begin preliminary work on the project starting with #1 on the priority list and including as many as possible with the budgeted amount in the order of priority and including the remainder as alternates on the bid. The project will be let for spring work.

Moved by Council member Isom to approve Resolution 15-38, "Fiscal Year 2014-2015 Annual Urban Renewal Report", seconded by Council member Thompson. Motion carried on a 5-0 vote.

Moved by Council member Thompson to approve Resolution 15-39, "Moratorium On Burn Ban – Fall 2015 Extended", seconded by Council member Johnson. Motion carried on a 5-0 vote.

Moved by Council member Thompson to approve Resolution 15-40, "Resolution Amending The City Of Missouri Valley Personnel Manual In Regard To Longevity Plan", seconded by Council member Johnson. Motion carried on a 5-0 vote.

Moved by Council member Ratliff to approve Resolution 15-41, "Obligating Funds From The Urban Renewal Tax Revenue Fund For Appropriation To The Payment Of Annual Appropriation Tax Increment Financed Obligations Which Shall Come Due In The Next Succeeding Fiscal Year", seconded by Council member Thompson. Motion carried on a 5-0 vote.

Council member Thompson addressed the Council regarding setting up a youth volunteer committee to work on beautification projects around town. The students could possibly get school credit and the community service would help on college applications. He felt funding/grant opportunities would be better thru City than under Chamber for these projects. He asked for consensus of the Council to start the project and approach groups about it. Council was in agreement.

Moved to adjourn by Council member Isom, seconded by Council member Thompson. Motion carried on a 5-0 vote. Meeting adjourned at 6:36 p.m.

Sherman Struble, Mayor Pro-Tem

Attest:
Rita 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 15-38

FISCAL YEAR 2014 – 2015 ANNUAL URBAN RENEWAL REPORT

BE IT RESOLVED by the City Council of the City of Missouri Valley, Iowa that the Council has approved the Annual Urban Renewal Report for FY14-15 this 3rd day of November, 2015.

Sherman Struble, Mayor Pro-Tem

ATTEST:

Rita M. Miller
City Clerk/Administrator

RESOLUTION 15-39

MORATORIUM ON BURN BAN – FALL 2015 - EXTENDED

Be It Resolved by the City Council of the City of Missouri Valley:

The City has issued a moratorium on the open burning ban (Section 105.05 of Missouri Valley City Code) to allow for the burning of landscape waste during designated times. These dates and times are:

November 6, 7, 8, 13, 14, 15, 20, 21, 22

Between the hours of 10:00 a.m. and 5:00 p.m. on Friday, Saturday, Sunday

“Landscape Waste”, per Section 105.02(5) of the Missouri Valley City Code, is defined as any vegetable or plant waste except garbage. The term includes trees, tree trimmings, branches, stumps, brush, weeds, leaves, grass, shrubbery and yard trimmings.

Anyone violating the provisions of this Section shall be subject to penalties as outlined in Resolution 11-08.

Passed and Approved this 3rd day of November, 2015.

Sherman Struble, Mayor Pro-Tem

ATTEST:

Rita M. Miller
City Clerk/Administrator

RESOLUTION 15-40

RESOLUTION AMENDING THE CITY OF MISSOURI VALLEY PERSONNEL MANUAL IN REGARD TO LONGEVITY PAY

WHEREAS, the City has previously adopted the “City of Missouri Valley Personnel Manual”; and,

WHEREAS, the Council wishes to amend the manual with regard to the longevity pay for eligible employees.

NOW, THEREFORE, Be It Resolved by the City Council of the City of Missouri Valley:
Section VIII, Chapter 8.1, subsection #7 be amended as follows:

“7. Longevity Pay. Full-time employees will receive longevity pay annually of Two Hundred Dollars (\$200.00) after completion of five (5) years through nine (9) years of service and Four Hundred Dollars (\$400.00) after ten or more years of service.”

Passed and approved this 3rd day of November, 2015.

Sherman Struble, Mayor Pro-Tem

Attest:

Rita M. Miller
City Clerk/Administrator

RESOLUTION 15-41

OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR

WHEREAS, the City of Missouri Valley, Iowa (the “City”), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the 2014 Missouri Valley Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, this Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa (the “Urban Renewal Tax Revenue Fund”), which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City has scheduled payments in the amount of \$38,876 (the “Annual Payment”) which shall come due in the fiscal year beginning July 1, 2016 with respect to the City’s Development Agreement with Longview Townhomes, LLC approved by resolution of the City Council on January 21, 2014; and

WHEREAS, it is now necessary for the City Council to obligate for appropriation to the Annual Payment, funds anticipated to be received in Urban Renewal Tax Revenue Fund in the fiscal year beginning July 1, 2016;

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

Section 1. The City Council hereby obligates \$38,876 for appropriation from the Urban Renewal Tax Revenue Fund to the Annual Payment in the fiscal year beginning July 1, 2016.

Section 2. The City Clerk is hereby directed to certify the respective amounts obligated for appropriation in Section 1 above, with the City’s December 1, 2015 certification of debt payable from the Urban Renewal Tax Revenue Fund and to reflect such amount in the City’s budget for the next succeeding fiscal year.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved November 3, 2015.

Sherman Struble, Mayor Pro-Tem

ATTEST:

Rita M. Miller
City Clerk/Administrator