

CITY COUNCIL MEETING
RAND CENTER
DECEMBER 3, 2013
6:00 P.M.

Mayor Sargent opened the Public Hearing at 6:00 p.m. for voluntary annexation of ground west of I-29. There were no written or oral comments and he then closed the meeting.

Mayor Sargent presided over the meeting and called it to order at 6:00 p.m. with the following Council members present: Struble, Isom, Johnson, Ratliff, Dillinger. Also present was City Clerk/Administrator Miller and visitors: Judy Holcombe, Tina Stueve, Roger Gunderson, Mary Jo Buckley, Georgia Johnson, Debbie Straight, John Straight and John Riley.

The Pledge of Allegiance was recited.

Moved by Council member Dillinger to approve the agenda with the deletion of Item #12, 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 Struble. Motion carried on a 5-0 vote.

A citizen asked that the intersection of 5th/Huron be looked at to make it safer for pedestrian traffic. No action was taken. He stated the recycle bins have been full and was told to contact City Hall, who would notify the Harrison County Landfill. He also stated he felt the caboose should be painted before it was moved to the new location and was informed the Caboose Committee has the paint.

Chief Walker gave a status report on fundraising for the fire station. He reported about \$10,000 has been raised. Some grants have been submitted and denied. He stated there are no grants available for the actual structure but they are pursuing grants for equipment and vehicle replacement and then put funds that would have been used on those toward the new building. He recommended the building design be revisited to be less elaborate and more financially feasible (around \$900,000 – 1M). Council consensus was to bring the Building Committee back together to look at options. Council member Johnson will take Council member Dinsmore's place on the committee.

Moved by Council member Struble to approve Resolution 13-22, "A Resolution Accepting The Application For Voluntary Annexation Of Real Estate Adjoining The City Of Missouri Valley, And Directing The Planning And Zoning Commission To Review The Said Tract And Report To The City Council Its Recommendations Regarding Zoning Thereon", seconded by Council member Dillinger. Motion carried on a 5-0 vote.

RESOLUTION 13-22

A RESOLUTION ACCEPTING THE APPLICATION FOR VOLUNTARY ANNEXATION OF REAL ESTATE ADJOINING THE CITY OF MISSOURI VALLEY, AND DIRECTING THE PLANNING AND ZONING COMMISSION TO REVIEW THE SAID TRACT AND REPORT TO THE CITY COUNCIL ITS RECOMMENDATIONS REGARDING ZONING THEREON

WHEREAS, the City of Missouri Valley, State of Iowa, is a duly organized municipal corporation; and

WHEREAS, there has been an Application for Annexation presented to the City Council of said City, as required by Section 368.7 of the 2013 Code of Iowa, being executed by property owners William F. Schwertley and Dwight Schwertley, both owners of the real estate to be annexed, said real estate lying adjacent to the existing City limits of the City with owners of the parcel shown, on accompanying plat in Exhibit "A" attached hereto; and

WHEREAS, the City of Missouri Valley, Iowa desires to annex said territory upon the Applications presented; and

WHEREAS, the City Council has determined that the land contained therein will be zoned ML (light manufacturing) under the provisions of City Code Chapter 165 unless the zone is modified by the City Council;

Now, **THEREFORE, IT IS HEREBY RESOLVED**, by the City Council of the City of Missouri Valley, Iowa as follows:

1. That the Application for annexation of the real estate as described in Exhibit "A" attached hereto are approved.
2. That the City council directs the Planning and Zoning Commission to review the tract herein described in Exhibit "A" and submit to the City Council its recommendation of the zoning classification of light manufacturing (ML) for this tract of land.
4. That the Clerk shall forthwith cause this Resolution and the exhibit attached hereto be filed with the following parties as required by Section 368.7 of the 2013 Code of Iowa :
 1. The Secretary of State
 2. The Harrison County Board of Supervisors
 3. Each affected public utility
 4. The Iowa Department of Transportation

Passed and approved by the City Council of the City of Missouri Valley, Iowa, the 3rd day of December 2013.

Ayes: Dillinger, Isom, Johnson, Ratliff, Struble

Nays: None

Clint Sargent, Mayor

Attested:

Rita Miller, City Clerk




CLERK'S CERTIFICATE

I, the duly appointed, qualified, and acting City Clerk of the City of Missouri Valley, Iowa, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council of Missouri Valley, Iowa on December 3rd, 2013.

City Clerk
(SEAL)

Exhibit "A"
 Proposed City of Missouri Valley, Iowa
 100% Voluntary Annexation of the SW Territory



Legend	
Current City Limits	
Proposed Annexation Area	
Proposed City Limit Amendment	

Legal Description of Property to be Annexed: All that part of the SE ¼ of the NE ¼ of Section 20, Township 78 North, Range 44 West of the 5th P.M. , lying West of Interstate Highway No. 29, in Harrison County, Iowa

Moved by Council member Dillinger to approve Resolution 13-23, "A Resolution To Accept Control And Maintenance Of A Portion Of Joliet Avenue", seconded by Council member Struble. Motion carried on a 5-0 vote.

RESOLUTION 13-23

**A RESOLUTION TO ACCEPT CONTROL AND MAINTENANCE OF
A PORTION OF JOLIET AVENUE**

WHEREAS, the City of Missouri Valley has recently received an application for annexation of the property legally described as:

"All that part of the SE ¼ of the NE ¼ of Section 20, Township 78 North, Range 44 West of the 5th P.M., lying West of Interstate Highway No. 29, in Harrison County"; and

WHEREAS, the City Council of Missouri Valley has approved a resolution accepting the annexation at its December 3, 2013 City Council meeting; and

WHEREAS, that portion of Joliet Avenue abutting the above described property is currently located in the unincorporated area of Harrison County; and

WHEREAS, the City of Missouri Valley currently controls that portion of Joliet Avenue located north of the above described property; and

NOW, THEREFORE IT IS HEREBY RESOLVED, that the City of Missouri Valley hereby accepts control and maintenance of that portion of Joliet Avenue abutting the annexed property, as legally described above.

Passed and approved by the City Council of the City of Missouri Valley, Iowa, this _____ day of _____, 2013.

CITY OF MISSOURI VALLEY

Clint Sargent, Mayor

ATTEST:

Rita M. Miller
City Clerk/Administrator

Greg Perry reported the Ontario Street project is completed with the exception of one item on the punch list and is ready to be closed out.

Moved by Council member Struble to approve Change Order #2 for Bluffs Paving in the amount of \$851.75, seconded by Council member Dillinger. Motion carried on a 5-0 vote.

Moved by Council member Struble to approve Pay Request #3 from Bluffs Paving in the amount of \$27,710.79, seconded by Council member Dillinger. Motion carried on a 5-0 vote.

Moved by Council member Johnson to approve Pay Request #4 (final) from Bluffs Paving in the amount of \$10,610.76, seconded by Council member Struble. Motion carried on a 5-0 vote. This is the 5% retainage amount and will be held for 30 days.

Moved by Council member Johnson to approve Resolution 13-24, "A Resolution Accepting And Closing Out The Ontario Street Pavement Reconstruction Project And Authorizing The Mayor To Sign The Certificate Of Substantial Completion", seconded by Council member Struble. Motion carried on a 5-0 vote.

RESOLUTION 13-24

A RESOLUTION ACCEPTING AND CLOSING OUT THE ONTARIO STREET PAVEMENT RECONSTRUCTION PROJECT AND AUTHORIZING THE MAYOR TO SIGN THE CERTIFICATE OF SUBSTANTIAL COMPLETION

WHEREAS, the City of Missouri Valley, Iowa has previously authorized the Ontario Street Improvements project; and,

WHEREAS, the City has previously entered into a contract with Bluffs Paving and Utility Co. 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 Ontario Street Pavement Reconstruction 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 3rd day of December, 2013.

CITY OF MISSOURI VALLEY

Clint Sargent, Mayor

ATTEST:

Rita M. Miller
City Clerk/Administrator

John Straight, Fair Board President, gave an update of their plans. They would like to put fencing in the area by the old horse arena to be able to better control crowds. Moved by Council member Dillinger to grant the Fair Board permission to put up the fence at their expense, seconded by Council member Johnson. Motion carried on a 5-0 vote. They also are updating their bathrooms in one of their buildings and put in a sidewalk to the grandstand.

The Park Board presented their 1-year plan and requested it be included in the FY15 budget. This will be reviewed during budget workshops. The Board discussed the request to increase camper fees and also add a charge for using the dump station in the park. A resolution will be prepared for the next meeting. The Board asked if a sidewalk could be put in north and south of the gazebo this spring. Council agreed to look into it. WIFI at the park was discussed.

City Clerk/Administrator Miller informed Council of a request to allow alcohol in a building in the park for a wedding reception. Moved by Council member Dillinger to approve the request, seconded by Council member Struble. Motion carried on a 5-0 vote.

Moved by Council member Dillinger to allow the gazebo to be reserved under special circumstances, seconded by Council member Johnson. Motion carried on a 5-0 vote.

Moved by Council member Dillinger to allow City Clerk/Administrator Miller discretion to approve requests for alcohol in a park building, seconded by Council member Johnson. Motion carried on a 5-0 vote.

Moved by Council member Dillinger to approve Resolution 13-25, "Setting Date For A Public Hearing On Designation Of The 2014 Missouri Valley Urban Renewal Area And On Urban Renewal Plan And Project", with legal description to be determined by City Clerk/Administrator Miller, City Engineer Olmsted and John Danos, seconded by Council member Struble. Motion carried on a 5-0 vote.

RESOLUTION 13-25

SETTING DATE FOR A PUBLIC HEARING ON DESIGNATION OF THE 2014 MISSOURI VALLEY URBAN RENEWAL AREA AND ON URBAN RENEWAL PLAN AND PROJECT

WHEREAS, a proposal has been made which shows the desirability of designating a portion of the City of Missouri Valley, Iowa as the 2014 Missouri Valley Urban Renewal Area (the "Urban Renewal Area"), pursuant to the provisions of Chapter 403, Code of Iowa; and

WHEREAS, under the proposal, the real property lying within the boundaries set out in Exhibit A would be designated as the Urban Renewal Area; and

WHEREAS, this City Council is desirous of obtaining as much information as possible from the residents of the City before making this designation; and

WHEREAS, a proposed urban renewal plan (the "Plan") has been prepared for the governance of projects and initiatives to be undertaken in the proposed Urban Renewal Area and which authorizes the initial urban renewal projects to be undertaken therein consisting of using tax increment financing (1) to pay the costs of planning, designing and constructing sanitary sewer improvements; and (2) to fund economic development support payments to Longview Home, Inc.; and

WHEREAS, it is now necessary that a date be set for a public hearing on the designation of the Urban Renewal Area and on the Plan;

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

Section 1. This City Council will meet at the Rand Center, Missouri Valley, Iowa, on the 7th day of January, 2014, at 6:00 p.m., at which time and place it will hold a public hearing on the designation of the proposed Urban Renewal Area described in the preamble hereof and on the proposed Plan for said Area.

Section 2. The City Clerk shall publish notice of said hearing, the same being in the form attached to this resolution, which publication shall be made in a legal newspaper of general circulation in Missouri Valley, which publication shall be not less than four (4) nor more than twenty (20) days before the date set for the hearing.

Section 3. Pursuant to Section 403.5 of the Code of Iowa, the City Administrator is hereby designated as the City's representative in connection with the consultation process which is required under that section of the urban renewal law.

Passed and approved December 3, 2013.

Mayor

Attest:

City Clerk/Administrator

NOTICE OF A PUBLIC HEARING ON DESIGNATION OF THE
2014 MISSOURI VALLEY URBAN RENEWAL AREA, AND ON PROPOSED
URBAN RENEWAL PLAN AND PROJECT

Notice Is Hereby Given: That at 6:00 p.m., at the Rand Center, Missouri Valley, Iowa, on the 7th day of January, 2014 the City Council will hold a public hearing on the question of designating as the 2014 Missouri Valley Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403, Code of Iowa, the property described as follows:

Certain real property situated in the City of Missouri Valley, County of Harrison,
State of Iowa more particularly described as follows:

"Property in and near the northeast portion of the City of Missouri Valley described generally as west of Hwy 30, east of Longview Road and north of the Missouri Valley High School, including the current locations of Sunnyside Village, Longview Home, Sunrise Community Church of the Nazarene and the future site of the MV Fire Station."

The subject matter of the public hearing will also include a proposed urban renewal plan and project for the Urban Renewal Area identified above, pursuant to Chapter 403, Code of Iowa, a copy of which plan is on file for public inspection in the office of the City Clerk.

The general scope of the proposed urban renewal plan, as more specifically described therein, includes the following:

Increasing the tax base and promoting economic growth in Missouri Valley by encouraging economic development, constructing necessary public improvements and assisting private enterprise through tax increment financing incentives. The initial projects to be undertaken under the plan will consist of the use of tax increment financing (1) to pay the costs of planning, designing and constructing sanitary sewer improvements; and (2) to fund economic development support payments to the Longview Home, Inc..

At the hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matter of the hearing.

Rita Miller

City Clerk/Administrator

EXHIBIT A
LEGAL DESCRIPTION
2014 MISSOURI VALLEY URBAN RENEWAL AREA

Certain real property situated in the City of Missouri Valley, Harrison County, Iowa, more particularly described as follows:

“Property in and near the northeast portion of the City of Missouri Valley described generally as west of Hwy 30, east of Longview Road and north of the Missouri Valley High School, including the current locations of Sunnyside Village, Longview Home, Sunrise Community Church of the Nazarene and the future site of the MV Fire Station.”

*A legal description for the 2014 Missouri Valley Urban Renewal Area is being prepared and will be submitted herein upon its completion.

STATE OF IOWA
COUNTY OF HARRISON
CITY OF MISSOURI VALLEY

SS:

I, the undersigned, City Clerk of the aforementioned City, do hereby certify that as such I have in my possession or have access to the complete corporate records of the City and of its officers; and that I have carefully compared the transcript hereto attached with the aforesaid records and that the attached is a true, correct and complete copy of the corporate records relating to the action taken by the City Council preliminary to and in connection with setting a date for a public hearing on designating the 2014 Missouri Valley Urban Renewal Area for the City and on an urban renewal plan and project.

WITNESS my hand this ____ day of _____, 201__.

City Clerk/Administrator

Moved by Council member Johnson to approve Resolution 13-26, “Resolution Approving Volunteer Grant Writer And Authorization To Represent The City Of Missouri Valley”, seconded by Council member Dillinger. Motion carried on a 5-0 vote.

RESOLUTION 13-26

**RESOLUTION APPROVING VOLUNTEER GRANT WRITER AND
AUTHORIZATION TO REPRESENT THE CITY OF MISSOURI VALLEY**

WHEREAS, the City of Missouri Valley, Iowa has the need for assistance in procuring grants; and,

WHEREAS, in the course of writing grants, certain information and data are required to be obtained; and,

WHEREAS, Brent Saron has volunteered his time and efforts to assist in the grant writing process;

NOW, THEREFORE BE IT RESOLVED that the City of Missouri Valley approve Brent Saron as a grant writer for the City and authorize him to contact organizations or entities on the City's behalf to obtain information or data for grant requests.

PASSED AND APPROVED this 3rd day of December, 2013.

CITY OF MISSOURI VALLEY

Clint Sargent, Mayor

ATTEST:

Rita M. Miller
City Clerk/Administrator

City Clerk/Administrator Miller informed Council of costs to repair/replace the septic system at 2213 Hwy 30. Following discussion, moved by Council member Johnson to not do anything additional with the septic system at this time, seconded by Council member Dillinger. Motion carried on a 5-0 vote. Council was in agreement to continue to accept any proposals for purchase and removal of the house.

Clean-up of bat guano in City Hall was discussed. Only one proposal had been received. Council member Dillinger moved to accept the proposal from Midwest Wildlife & Animal Removal Specialists if no other bids could be obtained. Motion died for lack of second. City Clerk/Administrator Miller was directed to seek additional bids for the next meeting.

Moved by Council member Dillinger to accept the renewal plan for the city employee group health insurance, seconded by Council member Struble. Motion carried on a 5-0 vote.

City Clerk/Administrator Miller informed Council the DOT Tree Study is available in her office and a kick-off meeting with the Corps of Engineers on the 205 Study regarding flood control is set for December 18th, 8:30 a.m. at City Hall.

Moved to adjourn by Council member Struble, seconded by Council member Johnson.
Motion carried on a 5-0 vote. Meeting adjourned at 7:28 p.m.

Clint Sargent, Mayor

Attest:
Rita Miller
City Clerk/Administrator