

CITY COUNCIL MEETING
RAND CENTER
DECEMBER 6, 2016
6:00 P.M.

Mayor Sargent presided over the meeting and called it to order at 6:00 p.m. with the following Council members present: Struble, Gunderson, Thompson, Johnson. Council member Tiffey was absent. Also present were City Clerk/Administrator Miller and visitors: Leonard Ratliff, Ben Rand, Anita Salter, Sally Salter, John Riley, Bruce Kocher, Jesusa Christians, Vonda Ford, Lee Wisecup, Brad Taylor, Tom Jarosz.

The Pledge of Allegiance was recited.

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

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

Anita Salter, Brad Taylor and Lee Wisecup addressed the Council with concerns about the new drainage tube put in by Horizon Equipment. Following discussion, City Clerk/Administrator Miller was directed to contact the city engineer to check the elevation and other drainage in the area.

Bruce Kocher gave an update on the ancestry.com program at the Library. He also invited everyone to their Christmas open house on Thursday between 1:30 – 6:30 p.m.

Moved by Council member Struble to approve Resolution 16-26, “Resolution Setting Date For Public Hearing On Urban Renewal Plan Amendment”, seconded by Council member Thompson. Motion carried on a 4-0 vote.

Moved by Council member Johnson to approve Resolution 16-27, “Resolution Setting A Date Of Meeting At Which It Is Proposed To Approve A Development Agreement With Tamarack Development, LLC, Including Annual Appropriation Tax Increment Payments”, seconded by Council member Struble. Motion carried on a 4-0 vote.

Council considered the proposal from Prochaska and Associates for professional services (planning phase) on the proposed fire hall/city hall facility. Following discussion, moved by Council member Thompson to accept the proposal from Prochaska and Associates, seconded by Council member Struble. Motion carried on a 4-0 vote.

Moved by Council member Thompson to accept the employee health insurance renewal from Blue Cross Wellmark, seconded by Council member Struble. Motion carried on a 4-0 vote.

Julie Dake Abel presented the initial proposal of the Missouri Valley Police Protective League to the Council.

City Clerk/Administrator Miller presented the draft resolution creating a safety coordinator position and job description. She explained that, as discussed at the previous meeting, this would be an expansion of duties for an existing position that already includes many of the duties in the job description. She asked Council to approve the job description only as to form with the intention of adding language limiting any liability for unknown safety hazards. Vonda Ford had come forward to the Council table indicating she wished to address the Council on this matter. She stated she felt the responsibility and duties of safety coordinator were more than had been portrayed. Miller stated she had based her information to the Council on her understanding from the City's risk management representative of what additional duties were involved. Adjustments could be made as needed if it was determined to be different. Following discussion, it was agreed to review time required for performing safety compliance duties in 90 days, once procedures had been put in place and work load determined. Moved by Council member Johnson to approve the job description as to form, seconded by Council member Gunderson. Motion carried on a 4-0 vote.

Moved by Council member Struble to approve Resolution 16-28, "Resolution Creating Safety Coordinator Position And Approving Job Description", seconded by Council member Johnson. Motion carried on a 4-0 vote. City Clerk/Administrator will report back to Council in 90 days.

Council member Thompson asked Council to consider exceptions to the zoning ordinance to allow re-building on narrow lots. Mayor Sargent explained it is the function of the Planning & Zoning Board to change the lot widths in specific zones within the City. They would then make a recommendation to the City. Individual exceptions would go through the Board of Adjustment. Moved by Council member Thompson to request Planning & Zoning Board consider ways to accommodate building on lots narrower than widths specified in Zoning Ordinances, seconded by Council member Struble. Motion carried on a 4-0 vote.

Council considered cat control. City Clerk/Administrator will check into programs or grants available and bring the information back to Council for consideration at a budget workshop.

Sally Salter addressed the Council in regard to dog parks and presented information about parks in Omaha. She suggested Little Willow Park would be a good location. She was directed to meet with the Park Board and come back with recommendations for site, design, cost and fundraising.

Moved by Council member Johnson to authorize the mayor to execute the Resolution For Transactions Involving Treasury Securities, seconded by Council member Struble. Motion carried on a 4-0 vote.

City Clerk/Administrator Miller asked Council's approval to extend the 3-year agreement with CenturyLink for phone discounts. Council agreed.

Council re-appointed Council member Struble to the Harrison County Landfill Commission with Leonard Johnson as alternate.

Moved to adjourn by Council member Johnson, seconded by Council member Thompson. Motion carried on a 4-0 vote. Meeting adjourned at 8:23 p.m.

Clint Sargent, Mayor

Attest:
Rita Miller
City Clerk/Administrator

RESOLUTION 16-26

**RESOLUTION SETTING DATE FOR PUBLIC HEARING ON URBAN
RENEWAL PLAN AMENDMENT**

WHEREAS, the City Council of the City of Missouri Valley, Iowa by resolution previously established the 2014 Missouri Valley Urban Renewal Area (the “Urban Renewal Area”) and adopted an urban renewal plan (the “Plan”) for the governance of initiatives and projects therein; and

WHEREAS, an amendment to the Plan has been prepared which would facilitate the undertaking of a new urban renewal project in the Urban Renewal Area consisting of using tax increment financing to pay the costs of constructing water system, storm water drainage, and sanitary sewer system extensions and improvements in connection with the development of a residential housing subdivision, and it is now necessary that a date be set for a public hearing on that plan amendment;

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 January 3, 2017, at 6:00 o’clock p.m., at which time and place it will hold a public hearing on the proposed amendment to the Plan for the Urban Renewal Area.

Section 2. The City Clerk shall publish notice of said hearing, the same being in the form attached hereto, which publication shall be made in a legal newspaper of general circulation in Missouri Valley, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for 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 this December 6, 2016.

Clint Sargent, Mayor

Attest:

Rita M. Miller
City Clerk/Administrator

**NOTICE OF PUBLIC HEARING ON PROPOSED URBAN RENEWAL
PLAN AMENDMENT**

Notice Is Hereby Given: That at 6:00 o'clock p.m., at the Rand Center, Missouri Valley, Iowa, on January 3, 2017, the City Council of the City of Missouri Valley, Iowa, will hold a public hearing on the question of amending the urban renewal plan for the 2014 Missouri Valley Urban Renewal Area (the "Urban Renewal Area") to facilitate the undertaking of a new urban renewal project in the Urban Renewal Area consisting of using tax increment financing to pay the costs of constructing water system, storm water drainage, and sanitary sewer system extensions and improvements in connection with the development of a residential housing subdivision. A copy of the amendment is on file for public inspection in the office of the City Clerk.

At said 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 Administrator/Clerk

RESOLUTION 16-27

**RESOLUTION SETTING A DATE OF MEETING AT WHICH IT IS
PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH
TAMARACK DEVELOPMENT, LLC, INCLUDING ANNUAL
APPROPRIATION TAX INCREMENT PAYMENTS**

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 City 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, 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 now proposes to enter into a certain development agreement (the "Development Agreement") with Tamarack Development, LLC (the "Developer") in connection

with the development of a market-rate residential housing subdivision and the corresponding provision of public and private infrastructure in the 2014 Missouri Valley Urban Renewal Area; and

WHEREAS, the Development Agreement would provide financial incentives to the Developer in the form of annual appropriation incremental property tax payments in an amount not to exceed \$125,000 under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa;

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

Section 1. This City Council shall meet on January 3, 2017, at 6:00 o'clock p.m., at the Rand Center, in the City, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the annual appropriation incremental property tax payments.

Section 2. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City. Said notice shall be in substantially the following form:

**NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT AGREEMENT WITH
TAMARACK DEVELOPMENT, LLC AND AUTHORIZATION OF ANNUAL
APPROPRIATION TAX INCREMENT PAYMENTS**

The City Council of the City of Missouri Valley, Iowa, will meet at the Rand Center, on January 3, 2017, at 6:00 o'clock p.m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement between the City and Tamarack Development, LLC (the "Developer"), in connection with the development of a market-rate residential housing subdivision and the corresponding provision of public and private infrastructure in the 2014 Missouri Valley Urban Renewal Area, which Agreement provides for certain financial incentives in the form of incremental property tax payments to the Developer in a total amount not exceeding \$125,000 as authorized by Section 403.9 of the Code of Iowa.

The Agreement to make incremental property tax payments to the Developer will not be a general obligation of the City, but will be payable solely and only from incremental property tax revenues generated within the 2014 Missouri Valley Urban Renewal Area. Some or all of the payments under the Development Agreement may be made subject to annual appropriation by the City Council.

At the meeting, the City Council will receive oral or written objections from any resident or property owner of the City. Thereafter, the Council may, at the meeting or at an adjournment thereof, take additional action to approve the Development Agreement or may abandon the proposal.

This notice is given by order of the City Council of Missouri Valley, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Rita Miller
City Administrator/Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith 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 December 6, 2016.

Clint Sargent, Mayor

Attest:

Rita M. Miller
City Clerk/Administrator

RESOLUTION 16-28

RESOLUTION CREATING SAFETY COORDINATOR POSITION AND APPROVING JOB DESCRIPTION

WHEREAS, the City of Missouri Valley, Iowa wishes to promote safety within the workplace; and

WHEREAS, the City of Missouri Valley's workers' compensation provider has recommended it create the position of Safety Coordinator to facilitate the safety functions between the City departments; and

WHEREAS, the Payroll Clerk's position encompasses many of the functions of Safety Coordinator and the Council wishes to expand upon and formalize those duties;

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

Section 1. The position of Safety Coordinator is thereby created.

Section 2. The job description for Safety Coordinator is adopted and included in the regular duties of the Payroll Clerk.

Section 3. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

PASSED AND APPROVED this 6th day of December, 2016.

Clint Sargent, Mayor

ATTEST:

Rita M. Miller
City Clerk/Administrator