

CITY COUNCIL MEETING
RAND CENTER
JANUARY 7, 2014
6:00 P.M.

Mayor Sargent opened the Public Hearing at 6:00 p.m. on the urban renewal plan for the 2014 MV Urban Renewal Area and asked for any comments. There were none and he closed the meeting.

Mayor Sargent presided over the regular session and called it to order with the following Council members present: Dillinger, Struble, Isom, Ratliff, and Leonard Johnson by phone. Also present were: City Clerk/Administrator Miller and visitors: John Riley, David Hodges, Brent Saron, Tim Snyder, Jonathan McDonald, Renea Anderson, Mark Mahoney.

The Pledge of Allegiance was recited.

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

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

Mayor Sargent appointed Council member Struble as Mayor Pro Tem. Moved by Council member Struble to approve Mayor's appointment of Ed Murray as Police Chief, seconded by Council member Johnson. Motion carried on a 5-0 vote.

Moved to appoint Rita Miller as City Clerk by Council member Johnson, seconded by Council member Struble. Motion carried on a 5-0 vote.

Moved by Council member Dillinger to appoint Robert Riesland as Public Works Director, seconded by Council member Struble. Motion carried on a 5-0 vote.

Moved by Council member Struble to appoint Todd Argotsinger as City Attorney, seconded by Council member Dillinger. Motion carried on a 5-0 vote.

Moved by Council member Dillinger to approve Resolution 14-01, "Resolution Naming An Official Newspaper", seconded by Council member Struble. Motion carried on a 5-0 vote.

RESOLUTION 14-01

"RESOLUTION NAMING AN OFFICIAL NEWSPAPER"

WHEREAS, there is one newspaper published in the City of Missouri Valley, of which meets the legal requirements for publication of Public Notices as required by the Code of Iowa, that being the Missouri Valley Times-News; and

WHEREAS, it is necessary and desirable to designate the above newspaper as Official Newspaper for publication of all City of Missouri Valley Official Notices, Minutes, and other publications as required by State Law, for a specific period of time; and

WHEREAS, the term of contract shall be one year beginning January 1, 2014 for publishing all legal proceedings of the City of Missouri Valley, as required by law at the rate set out by the Code of Iowa.

NOW, THEREFORE, BE IT RESOLVED by the City of Missouri Valley, Iowa, that the Missouri Valley Times-News be and the same is hereby designated the Official Newspaper from January 1, 2014 to December 31, 2014 for publishing all City of Missouri Valley legal notices and publications required by law.

Dated this 7th day of January, 2014.

Clint Sargent, Mayor

ATTEST:

Rita M. Miller
City Clerk/Administrator

Moved by Council member Struble to approve Resolution 14-02, "Resolution Naming Depositories", seconded by Council member Johnson. Motion carried on a 5-0 vote.

RESOLUTION 14-02

"RESOLUTION NAMING DEPOSITORIES"

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

That the City does hereby designate the following named depositories for the City of Missouri Valley for funds in amounts not to exceed the amounts named opposite each of said designated depositories and the City Treasurer is hereby authorized to deposit the City funds in amounts not to exceed in the aggregate the amounts named for said depositories as follows, to-wit:

MidStates Bank	321 E. Erie	\$7,000,000.00
Peoples National Bank	306 W. Erie	\$5,000,000.00
Edward D Jones	508 E Erie	\$1,000,000.00

Dated this 7th day of January, 2014.

CITY OF MISSOURI VALLEY

Clint Sargent, Mayor

ATTEST:

Rita M Miller
City Clerk/Administrator

Moved by Council member Struble to approve Resolution 14-03, "A Resolution To Declare Necessity And Establish An Urban Renewal Area, Pursuant To Section 403.4 Of The Code Of Iowa And Approve Urban Renewal Plan And Project For The 2014 Missouri Valley Urban Renewal Area", seconded by Council member Isom. Motion carried on a 5-0 vote.

RESOLUTION 14-03

A RESOLUTION TO DECLARE NECESSITY AND ESTABLISH AN URBAN RENEWAL AREA, PURSUANT TO SECTION 403.4 OF THE CODE OF IOWA AND APPROVE URBAN RENEWAL PLAN AND PROJECT FOR THE 2014 MISSOURI VALLEY URBAN RENEWAL AREA

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa cities by Chapter 403 of the Code of Iowa, the "Urban Renewal Law," a municipality must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the municipality and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the municipality; and

WHEREAS, it has been recommended to the City Council of the City of Missouri Valley, Iowa that the 2014 Missouri Valley Urban Renewal Area (the "Urban Renewal Area") be established on the real property (the "Property") described on Exhibit A to this Resolution; and

WHEREAS, a proposal has been made which establishes the need to designate the Property as being appropriate for commercial, industrial and residential development; and

WHEREAS, the proposal demonstrates that sufficient need exists to warrant finding the Property to be an economic development area; and

WHEREAS, the initial project (the "Project") proposed for the Urban Renewal Area 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 Longview Home, Inc.; and

WHEREAS, notice of a public hearing by the City Council on the question of establishing the Urban Renewal Area and on a proposed urban renewal plan (the "Plan") and the Project was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Council has conducted said hearing on January 7, 2014; and

WHEREAS, copies of the Plan, notice of public hearing and notice of a consultation meeting with respect to the Plan were mailed to Harrison County and the Missouri Valley Community School District; the consultation meeting was held on the 20th day of December 2013; and responses to any comments or recommendations received following the consultation meeting were made as required by law;

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

Section 1. An economic development area as defined in Chapter 403 of the Code of Iowa is found to exist on the Property.

Section 2. The Property is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated the 2014 Missouri Valley Urban Renewal Area.

Section 3. The development and improvement of the Property is necessary in the interest of the public health, safety or welfare of the residents of the City of Missouri Valley, Iowa.

Section 4. It is hereby determined by this City Council as follows:

A. The Plan conforms to the general plan of the municipality as a whole;

B. Proposed development in the Urban Renewal Area is necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives;

C. The City will not displace families in connection with projects to be undertaken in the Urban Renewal Area.

Section 5. The Plan for the Urban Renewal Area is made a part hereof and is hereby in all respects approved in the form presented to this City Council, and the proposed project for such area based upon such Plan is hereby in all respects approved.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved January 7, 2014.

Mayor

Attest:

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:

URBAN RENEWAL AREA OVER PART OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHEAST QUARTER (SE1/4) SECTION 10, SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) SECTION 10, PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) SECTION 11, PART OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) SECTION 14, ALL IN TOWNSHIP 78 NORTH, RANGE 44 WEST OF THE FIFTH PRINCIPAL MERIDIAN, HARRISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AND BEGINNING AT THE NORTHWEST (NW) CORNER OF SAID SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) SECTION 11-78-44; THENCE S87°43'02"E A DISTANCE OF 404.80 FEET ALONG THE NORTH LINE OF THE SW1/4-SW1/4 OF SECTION 11-78-44; THENCE S34°03'12"E A DISTANCE OF 621.00 FEET; THENCE S51°04'18"W A DISTANCE OF 172.56 FEET; THENCE S01°14'58"W A DISTANCE OF 111.26 FEET; THENCE S46°08'47"E A DISTANCE OF 250.06 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30; THENCE SOUTHWESTERLY ON A 988.00' FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 176.89 FEET WITH A CHORD BEARING S37°47'34"W AND CHORD DISTANCE OF 176.65' FEET ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30; THENCE S32°39'49"W A DISTANCE OF 310.25 FEET ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 TO THE NORTH LINE OF THE NW1/4-NW1/4 OF SECTION 14-78-44; THENCE S32°39'49"W A DISTANCE OF 406.16 FEET ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30; THENCE N25°36'26"W A DISTANCE OF 24.57 FEET ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30; THENCE S32°42'17"W A DISTANCE OF 190.04 FEET ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30; THENCE S51°59'19"W A DISTANCE OF 318.88 FEET ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 TO THE WEST LINE OF THE NW1/4-NW1/4 OF SECTION 14-78-44; THENCE N01°56'05"E A DISTANCE OF 695.01 FEET ALONG THE WEST LINE OF THE NW1/4-NW1/4 OF SECTION 14-78-44 TO THE SOUTH LINE OF THE SW1/4-SW1/4 OF SECTION 11-78-44; THENCE N01°36'12"E A DISTANCE OF 530.08 FEET ALONG THE WEST LINE OF THE SW1/4-SW1/4 OF SECTION 11-78-44; THENCE N01°24'58"E A DISTANCE OF 47.00 FEET ALONG THE WEST LINE OF THE SW1/4-SW1/4 OF SECTION 11-78-44; THENCE N01°54'58"E A DISTANCE OF 96.60 FEET ALONG THE WEST LINE OF THE SW1/4-SW1/4 OF SECTION 11-78-44 TO THE NORTH LINE OF THE S1/2-SE1/4-SE1/4 OF SECTION 10-78-44; THENCE N87°40'22"W A DISTANCE OF 600.00 FEET ALONG THE NORTH LINE OF THE S1/2-SE1/4-SE1/4 OF SECTION 10-78-44; THENCE

S28°32'28"W A DISTANCE OF 170.90 FEET; THENCE S87°32'33"W A DISTANCE OF 306.30 FEET; THENCE S40°05'32"E A DISTANCE OF 56.00 FEET; THENCE S89°24'14"W A DISTANCE OF 391.90 FEET; THENCE N02°31'08"E A DISTANCE OF 207.16 FEET; THENCE N86°48'56"W A DISTANCE OF 143.62 FEET TO THE EAST RIGHT-OF-WAY LINE OF LONGVIEW ROAD; THENCE N02°00'14"E A DISTANCE OF 33.01 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF LONGVIEW ROAD TO THE SOUTH LINE OF THE N1/2-SE1/4-SE1/4 OF SECTION 10-78-44; THENCE N02°00'14"E A DISTANCE OF 503.34 FEET ALONG EAST RIGHT-OF-WAY LINE OF LONGVIEW ROAD; THENCE S61°31'32"E A DISTANCE OF 435.03 FEET; THENCE N81°34'58"E A DISTANCE OF 357.70 FEET; THENCE N37°36'42"E A DISTANCE OF 183.00 FEET; THENCE N21°50'02"W A DISTANCE OF 122.00 FEET TO THE SOUTH LINE OF THE NE1/4-SE1/4 OF SECTION 10-78-44; THENCE N06°21'17"W A DISTANCE OF 147.00 FEET; THENCE N58°25'43"E A DISTANCE OF 81.00 FEET; THENCE S50°34'17"E A DISTANCE OF 133.00 FEET; THENCE S32°56'59"E A DISTANCE OF 134.92 FEET TO NORTH LINE OF THE SE1/4-SE1/4 OF SECTION 10-78-44; THENCE S87°43'02"E A DISTANCE OF 671.91 FEET ALONG THE NORTH LINE OF THE SE1/4-SE1/4 OF SECTION 10-78-44 TO THE POINT OF BEGINNING; SAID PARCEL CONTAINS 46.34 ACRES, MORE OR LESS.

Moved by Council member Struble to approve Resolution 14-04, "Resolution Setting A Date Of Meeting At Which It Is Proposed To Approve A Development Agreement With Longview Home, Inc., Including Annual Appropriation Tax Increment Payments In An Amount Not To Exceed \$250,000", seconded by Council member Dillinger. Motion carried on a 5-0 vote.

RESOLUTION 14-04

RESOLUTION SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH LONGVIEW HOME, INC., INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS IN AN AMOUNT NOT TO EXCEED \$250,000

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 Longview Home, Inc. (the "Developer") in connection with the development of low and moderate income family housing and the corresponding construction of public infrastructure in the 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 \$250,000 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 21, 2014, 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
LONGVIEW HOME, INC. 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 21, 2014, 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 Longview Home, Inc. (the "Developer"), in connection with development of low and moderate income family housing and the corresponding construction of public infrastructure in the Missouri Valley Urban Renewal Area, which Agreement provides for certain financial incentives in the form of incremental property tax payments in a total amount not exceeding \$250,000 as authorized by Section 403.9 of the Code of Iowa.

The Agreement to make incremental property tax payments 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 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 January 7, 2014.

Mayor

Attest:

City Clerk/Administrator

Moved by Council member Struble to approve the 1st reading of Ordinance #500, "An Ordinance Providing For The Division Of Taxes Levied On Taxable Property In The 2014 Missouri Valley Urban Renewal Area, Pursuant To Section 403.19 Of The Code Of Iowa", seconded by Council member Johnson. Motion carried on a 5-0 vote.

ORDINANCE # 500

AN ORDINANCE PROVIDING FOR THE DIVISION OF TAXES LEVIED ON TAXABLE PROPERTY IN THE 2014 MISSOURI VALLEY URBAN RENEWAL AREA, PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA

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

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the 2014 Missouri Valley Urban Renewal Area, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the City of Missouri Valley to finance projects in such area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

"City" shall mean the City of Missouri Valley, Iowa.

"County" shall mean Harrison County, Iowa.

"Urban Renewal Area" shall mean the 2014 Missouri Valley Urban Renewal Area, the boundaries of which are set out below, such area having been identified in the Urban Renewal Plan approved by the City Council by resolution adopted on January 7, 2014:

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

URBAN RENEWAL AREA OVER PART OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHEAST QUARTER (SE1/4) SECTION 10, SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) SECTION 10, PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) SECTION 11, PART OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) SECTION 14, ALL IN TOWNSHIP 78 NORTH, RANGE 44 WEST OF THE FIFTH PRINCIPAL MERIDIAN, HARRISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AND BEGINNING AT THE NORTHWEST (NW) CORNER OF SAID SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) SECTION 11-78-44; THENCE S87°43'02"E A DISTANCE OF 404.80 FEET ALONG THE NORTH LINE OF THE SW1/4-SW1/4 OF SECTION 11-78-44; THENCE S34°03'12"E A DISTANCE OF 621.00 FEET; THENCE S51°04'18"W A DISTANCE OF 172.56 FEET; THENCE S01°14'58"W A DISTANCE OF 111.26 FEET; THENCE S46°08'47"E A DISTANCE OF 250.06 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30; THENCE SOUTHWESTERLY ON A 988.00' FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 176.89 FEET

WITH A CHORD BEARING S37°47'34"W AND CHORD DISTANCE OF 176.65' FEET ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30; THENCE S32°39'49"W A DISTANCE OF 310.25 FEET ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 TO THE NORTH LINE OF THE NW1/4-NW1/4 OF SECTION 14-78-44; THENCE S32°39'49"W A DISTANCE OF 406.16 FEET ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30; THENCE N25°36'26"W A DISTANCE OF 24.57 FEET ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30; THENCE S32°42'17"W A DISTANCE OF 190.04 FEET ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30; THENCE S51°59'19"W A DISTANCE OF 318.88 FEET ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 TO THE WEST LINE OF THE NW1/4-NW1/4 OF SECTION 14-78-44; THENCE N01°56'05"E A DISTANCE OF 695.01 FEET ALONG THE WEST LINE OF THE NW1/4-NW1/4 OF SECTION 14-78-44 TO THE SOUTH LINE OF THE SW1/4-SW1/4 OF SECTION 11-78-44; THENCE N01°36'12"E A DISTANCE OF 530.08 FEET ALONG THE WEST LINE OF THE SW1/4-SW1/4 OF SECTION 11-78-44; THENCE N01°24'58"E A DISTANCE OF 47.00 FEET ALONG THE WEST LINE OF THE SW1/4-SW1/4 OF SECTION 11-78-44; THENCE N01°54'58"E A DISTANCE OF 96.60 FEET ALONG THE WEST LINE OF THE SW1/4-SW1/4 OF SECTION 11-78-44 TO THE NORTH LINE OF THE S1/2-SE1/4-SE1/4 OF SECTION 10-78-44; THENCE N87°40'22"W A DISTANCE OF 600.00 FEET ALONG THE NORTH LINE OF THE S1/2-SE1/4-SE1/4 OF SECTION 10-78-44; THENCE S28°32'28"W A DISTANCE OF 170.90 FEET; THENCE S87°32'33"W A DISTANCE OF 306.30 FEET; THENCE S40°05'32"E A DISTANCE OF 56.00 FEET; THENCE S89°24'14"W A DISTANCE OF 391.90 FEET; THENCE N02°31'08"E A DISTANCE OF 207.16 FEET; THENCE N86°48'56"W A DISTANCE OF 143.62 FEET TO THE EAST RIGHT-OF-WAY LINE OF LONGVIEW ROAD; THENCE N02°00'14"E A DISTANCE OF 33.01 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF LONGVIEW ROAD TO THE SOUTH LINE OF THE N1/2-SE1/4-SE1/4 OF SECTION 10-78-44; THENCE N02°00'14"E A DISTANCE OF 503.34 FEET ALONG EAST RIGHT-OF-WAY LINE OF LONGVIEW ROAD; THENCE S61°31'32"E A DISTANCE OF 435.03 FEET; THENCE N81°34'58"E A DISTANCE OF 357.70 FEET; THENCE N37°36'42"E A DISTANCE OF 183.00 FEET; THENCE N21°50'02"W A DISTANCE OF 122.00 FEET TO THE SOUTH LINE OF THE NE1/4-SE1/4 OF SECTION 10-78-44; THENCE N06°21'17"W A DISTANCE OF 147.00 FEET; THENCE N58°25'43"E A DISTANCE OF 81.00 FEET; THENCE S50°34'17"E A DISTANCE OF 133.00 FEET; THENCE S32°56'59"E A DISTANCE OF 134.92 FEET TO NORTH LINE OF THE SE1/4-SE1/4 OF SECTION 10-78-44; THENCE S87°43'02"E A DISTANCE OF 671.91 FEET ALONG THE NORTH LINE OF THE SE1/4-SE1/4 OF SECTION 10-78-44 TO THE POINT OF BEGINNING; SAID PARCEL CONTAINS 46.34 ACRES, MORE OR LESS.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area each year by and for the benefit of the State of Iowa, the City, the County and any school district or other taxing district in which the Urban Renewal Area is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the

Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the City to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the City to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the City for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the City to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word "taxes" includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving 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 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and approved by the Council of the City of Missouri Valley, Iowa, on January 7, 2014.

Mayor

Attest:

City Clerk/Administrator

Moved by Council member Struble to waive the 2nd and 3rd reading of Ordinance #500 and approve its' adoption, seconded by Council member Isom. Motion carried on a 5-0 vote. Mayor Sargent declared Ordinance #500 passed and adopted upon publication.

Kelsey Dahir, with Schroer & Associates, presented the FY13 audit findings. Moved by Council member Dillinger to accept the FY audit, seconded by Council member Struble. Motion carried on a 5-0 vote.

Tim Snyder, PeopleService, introduced Jonathan McDonald. He presented proposals for replacement of the grinder at the lagoon. Following discussion, moved by Council member Struble to accept the quote of \$35.625 from Electric Pump for a Muffin Monster grinder, seconded by Council member Dillinger. Motion carried on a 5-0 vote.

Moved by Council member Dillinger to accept for consideration Planning & Zoning Board's recommendation on re-zoning recently annexed property to ML (light manufacturing), seconded by Council member Struble. Motion carried on a 5-0 vote.

Mayor Sargent opened the public hearing on re-zoning property described as: All that part of the SE ¼ NE ¼, Section 20, Township 78N, Range 44 W of 5th PM, lying west of I-29 in Harrison County, Iowa at 6:33 p.m. There were no comments and he closed the hearing.

Moved by Council member Isom to approve the 1st reading of Ordinance #501, "An Ordinance Amending The Official Zoning Map For The City Of Missouri Valley, Harrison County, Iowa: To Change Zoning Classification", seconded by Council member Struble. Motion carried on a 5-0 vote.

ORDINANCE #501

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF MISSOURI VALLEY, HARRISON COUNTY, IOWA: TO CHANGE ZONING CLASSIFICATION

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

SECTION 1. ZONING CLASSIFICATION OF:

All that part of the SE ¼ NE ¼, Section 20, Township 78N, Range 44 W of 5th PM, lying west of I-29 in Harrison County, Iowa is hereby changed from RS100 (Single Family Residential) to ML (Light Manufacturing Zone).

SECTION 2. PURPOSE: Pursuant to the Planning and Zoning Commission's recommendation, and following a public hearing on the matter, this zoning change is made to allow for the orderly growth of the City of Missouri Valley and to allow the proper use of land within the corporate boundaries.

The Clerk of the City of Missouri Valley, Iowa is hereby authorized to note said changes by the amendment on the zoning regulations map.

SECTION 3. REPEALER: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the minimum extent necessary to comply with this ordinance.

SECTION 4. SEVERABILITY CLAUSE: If any section, provision or part of this ordinance is adjudicated to be 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 5. EFFECTIVE DATE: 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 _____, 2014 and approved this ____ day of _____, 2014.

Clint Sargent, Mayor

ATTEST:

Rita M. Miller
City Clerk/Administrator

Dave Hodges explained his proposal for use of the Hwy 30 property. Council consensus was to table the matter to the next meeting and have the City Attorney review it for any legal concerns.

Moved by Council member Struble to go into closed session to discuss a real estate transaction pursuant to I.C.21(5)(j), seconded by Council member Ratliff. Roll call.

AYES: Dillinger, Struble, Isom, Ratliff, Johnson

NAYS: None. Motion carried.

Council went into closed session at 6:44 p.m.

Moved by Council member Struble to reconvene open session, seconded by Council member Dillinger. Motion carried on a 5-0 vote. (7:12 p.m.)

Moved by Council member Struble to direct Renea Anderson to proceed as discussed in closed session, seconded by Council member Dillinger. Motion carried on a 5-0 vote.

Moved by Council member Dillinger to enter into a Dissemination Agent Agreement with D. A. Davidson & Co for continuing disclosure on our bond issues, seconded by Council member Struble. Motion carried on a 5-0 vote.

Moved by Council member Dillinger to approve the ½ page ad in the Harrison County Visitors Guide for \$349, seconded by Council member Struble. Motion carried on a 5-0 vote. They chose not to include the interactive link.

Moved by Council member Dillinger to forego advertising in the Missouri River Valley Explorer, seconded by Council member Struble. Motion carried on a 5-0 vote.

City Clerk/Administrator explained the lease on the ground by the water plant specifies alfalfa be planted. The lessee would like to switch crops. Council consensus was to allow him to plant soybeans for one year and then go back to alfalfa.

City Clerk/Administrator asked who was interested in attending Transportation Day at the Capitol. The Hwy 30 Coalition is sponsoring a 7:30 a.m. meeting with Transportation representatives. Council members Isom, Dillinger and Mayor Sargent plan on attending.

City Clerk/Administrator reminded Council of the budget workshop on January 14, 2014 at 4:00 p.m. at City Hall.

Moved by Council member Struble to adjourn, seconded by Council member Ratliff. Motion carried on a 5-0 vote. Meeting adjourned at 7:30 p.m..

Clint Sargent, Mayor

Attest:
Rita Miller
City Clerk/Administrator