

CITY COUNCIL MEETING
RAND CENTER
FEBRUARY 3, 2015
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: Isom, Ratliff, Struble. Council member Johnson was absent. Also present were City Clerk/Administrator Miller and visitors: Bill Gaukel, Roger Gunderson, Annette Deakins, Robert Millin, Melba Struble, Gary Thune, Adam Bellis, Bev Davis, John Riley, Robert Thompson, Johnnie Walker, Ed Murray, Jenna Hoelsing.

The Pledge of Allegiance was recited.

Moved by Council member Struble to approve the agenda for February 3, 2015, seconded by Council member Isom. Motion carried on a 3-0 vote.

Fire Chief Walker gave a breakdown on fire department officer responsibilities and answered questions about specific budget items.

Moved by Council member Struble to approve the consent agenda with the amended claims list, seconded by Council member Isom. Motion carried on a 3-0 vote.

During citizen inquiries, Melba Struble gave an update for the Caboose Committee. They have applied for a grant from the Harrison County Community Foundation for the painting and marking of the caboose. They are looking at having four parking spaces on the back of the lot off of the alley, along with sidewalk to the caboose and additional landscaping. They are not planning on electricity to the site.

Mayor Sargent introduced the candidates to fill the council vacancy. Moved by Council member Isom to appoint Jenna Hoelsing. Motion died for lack of a second. Moved by Council member Isom to appoint Robert Thompson, seconded by Council member Struble. Motion carried on a 3-0 vote. Mr. Thompson took a seat at the council table.

Bob Valentine, Gary Thune and Annette Deakins with the Chamber of Commerce addressed the Council with options for a windmill on the caboose lot. Questions were asked about the funding. The Chamber responded they felt it could be funded through grants and private sources. They also updated the Council on the sign wrap for the Welcome sign on the east end of town.

Bill Gaukel spoke on behalf of LongLines Communications about the proposed change in ownership whereby Schurz Communication would acquire control of the LongLines Cable franchise in Missouri Valley. The consent to transfer would not affect Missouri Valley's franchise agreement but would enable them to provide some improved services such as an increase in internet speed.

Moved by Council member Isom to approve Resolution 15-03, "Consent To Transfer Of Control", seconded by Council member Struble. Motion carried on a 3-0 vote.

RESOLUTION 15-03

CONSENT TO TRANSFER OF CONTROL

WHEREAS, LongLines Metro, LLC ("Franchisee") is the duly authorized holder of a franchise, as amended to date (the "Franchise"), authorizing Franchisee to serve the City of Missouri Valley, IA (the "Franchise Authority") and to operate and maintain a cable television system therein (the "System"); and

WHEREAS, Franchisee is owned and controlled by LongLines, LLC ("LongLines"), which in turn is owned and controlled by LongLines Communications, LLC ("LongLines Communications"); and

WHEREAS, on January 15, 2015, LongLines Communications, LongLines, and Schurz Communications, Inc. ("Schurz"), entered into a Membership Interest Purchase Agreement (the "Agreement"), pursuant to which Schurz will acquire from LongLines Communications all of the issued and outstanding membership interests in LongLines, and LongLines and Franchisee will thereby become wholly-owned subsidiaries of Schurz; and

WHEREAS, Franchisee now seeks approval of the Transaction and has filed an FCC Form 394 with the Franchise Authority with respect thereto; and

WHEREAS, the Franchise Authority has considered and approves of the Transaction.

NOW, THEREFORE, BE IT RESOLVED BY THE FRANCHISE AUTHORITY AS FOLLOWS:

1. The foregoing recitals are approved and incorporated herein by reference.
2. The Franchise Authority consents to the Transaction.
3. The Franchise Authority confirms that the Franchise is valid and outstanding and in full force and effect and there are no defaults under the Franchise. Subject to compliance with the terms of this Resolution, all action necessary to approve the transfer of control of the Franchisee to Schurz has been duly and validly taken.
4. Schurz or the Franchisee may (a) assign or transfer its assets, including the Franchise, provided that such assignment or transfer is to an entity directly or indirectly controlling, controlled by or under common control with Schurz; (b) restructure debt or change the ownership interests among existing equity participants in Schurz; (c) pledge or grant a security interest to any lender(s) of Schurz's assets, including, but not limited to, the Franchise, or of interest in Schurz, for purposes of securing any indebtedness; and (d) sell equity interests in Schurz or any Schurz's affiliates.
5. Upon closing of the Transaction, the Franchisee shall remain bound by the lawful terms and conditions of the Franchise.
6. This Resolution shall be deemed effective upon adoption.

7. This Resolution shall have the force of a continuing agreement with the Franchisee, and the Franchise Authority shall not amend or otherwise alter this Resolution without the consent of the Franchisee and Schurz.

Passed, adopted and approved this _____ day of _____, 2015.

Clint Sargent, Mayor

Attest:

Rita M. Miller
City Clerk/Administrator

Bev Davis presented information on short-term disability insurance. Council consensus was this would be an employee-paid option and directed Miller to set up an employee meeting for anyone interested in the insurance.

Moved by Council member Struble to approve Resolution 15-04, "Resolution Amending The City Of Missouri Valley Personnel Manual In Regard To Group Health Insurance", seconded by Council member Isom. Motion carried on a 3-0 vote.

RESOLUTION 15-04

RESOLUTION AMENDING THE CITY OF MISSOURI VALLEY PERSONNEL MANUAL IN REGARD TO GROUP HEALTH INSURANCE

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 Group Health Insurance deductible.

NOW, THEREFORE, Be It Resolved by the City Council of the City of Missouri Valley:
Section XV, Chapter 15.1, subsection #3 be amended as follows:

Delete "The City annually self-funds a portion of the employee's deductible up to \$1,000 per employee".

Add "The City will self-fund a portion of the employee's deductible up to the amount of a single deductible per employee".

Passed and approved this day of , 2015.

Clint Sargent, Mayor

Attest:

Rita M. Miller
City Clerk/Administrator

Moved by Council member Struble to authorize the Mayor to sign the Heartland Regional Compact and approve the FY16 funding request, seconded by Council member Isom. Motion carried on a 3-0 vote.

City Clerk/Administrator Miller informed Council the estimated RUT revenue from the proposed 10¢/gallon increase in fuel tax would amount to \$51,084. Mayor Sargent urged everyone to contact the local representatives to encourage their vote in support of the fuel tax increase. City Clerk/Administrator also informed Council she has received a \$150 stipend to attend the IMMI conference in Iowa City.

Mayor Sargent gave an update on Transportation Day at the Capitol.

Moved by Council member Struble to adjourn, seconded by Council member Isom. Motion carried on a 3-0 vote. Meeting adjourned at 6:52 p.m.

Clint Sargent, Mayor

Attest:
Rita Miller
City Clerk/Administrator