

CITY COUNCIL MEETING  
RAND CENTER  
FEBRUARY 5, 2013  
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, Dillinger, Ratliff, Dinsmore. Council member Struble was absent. Also present were City Clerk/Administrator Miller, City Engineer Olmsted and visitors: John Riley, Zack Jensen, Darin Smith, Mark Mahoney, Kelly Sherer, Caleb Wohlers, Trevor Collier and Conner Mace.

The Pledge of Allegiance was recited.

Moved by Council member Dillinger to approve the agenda, seconded by Council member Dinsmore. Motion carried on a 4-0 vote.

Moved by Council member Dinsmore to approve the Consent Agenda, seconded by Council member Dillinger. Motion carried on a 4-0 vote.

Mayor Sargent presented the recommendation from the Building Committee to accept the proposal from Kenneth Hahn Architects for a feasibility study on renovating City Hall (\$16,033) and the proposal from Emswiler Architecture for the feasibility study on a fire station (\$3,400 plus renderings at \$1,500/ea). Moved by Council member Dinsmore to accept the Building Committee's recommendation and proceed with the feasibility studies, seconded by Council member Dillinger. Motion carried on a 4-0 vote.

Moved by Council member Dinsmore to approve the 1<sup>st</sup> reading of Ordinance #492, "An Ordinance Amending The Code Of Ordinances Of The City Of Missouri Valley, Iowa, Chapter 69, Section 8, "No Parking Zones", By Adding An Additional No Parking Zone", and waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings, seconded by Council member Dillinger. Motion carried on a 4-0 vote.

ORDINANCE #492

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MISSOURI VALLEY, IOWA, CHAPTER 69, SECTION 8, "NO PARKING ZONES", BY ADDING AN ADDITIONAL NO PARKING ZONE

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

**SECTION 1. ESTABLISHMENT.** Pursuant to the City of Missouri Valley, Iowa, Code of Ordinances, 2010, and Section 321.358 of the Code of Iowa, there is hereby established a "no parking zone" on the south side of Grove Street between 6<sup>th</sup> and 7<sup>th</sup> Street.

No motor vehicle shall be left standing, parked, stopped, or otherwise restrict traffic in any manner except in emergency situations. Said ordinance shall modify the City of Missouri Valley Code of Ordinances, 2010, Chapter 69.08 and be implemented as No Parking Zone No. 27.

**SECTION 2. PUBLIC INTEREST.** This ordinance is in the interest of public safety in the City of Missouri Valley, Iowa.

**SECTION 3. 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 4. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its' final passage, approval, and publication as provided by law.

Passed by the Council on the \_\_\_ day of \_\_\_\_\_, 2013 and approved this \_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Clint Sargent, Mayor

ATTEST:

\_\_\_\_\_  
Rita M. Miller, City Clerk/Administrator

Mayor Sargent declared Ordinance #492 passed and adopted upon publication.

Moved by Council member Dillinger to approve the 1<sup>st</sup> reading of Ordinance #493, "An Ordinance Amending The Code Of Ordinances Of The City Of Missouri Valley, Iowa, By Amending Provisions Pertaining To Sanitary Landfill Fees", seconded by Council member Dinsmore. Motion carried on a 4-0 vote.

#### ORDINANCE #493

#### AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MISSOURI VALLEY, IOWA, BY AMENDING PROVISIONS PERTAINING TO SANITARY LANDFILL FEES

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

**SECTION 1. SECTION MODIFIED.** Section 106.07 of the Code of Ordinances of the City of Missouri Valley, Iowa, is repealed and the following adopted in lieu thereof:

106.7 Landfill Fee. In order to collect sufficient revenues to pay the City's annual assessment for the operation of the Harrison County Sanitary Landfill,

the Clerk shall assess and collect a monthly fee of \$4.50 from each customer. All fees are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 92.04 of this Code of Ordinances. If the landfill assessment fee is not timely paid by the owner or responsible party, the Clerk shall certify the assessment to the County Treasurer for collection in the same manner as property taxes.

**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 Council on the \_\_\_ day of \_\_\_\_\_, 2013 and approved this \_\_\_ day of \_\_\_\_\_, 2013.

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Clint Sargent, Mayor

ATTEST:

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Rita M. Miller, City Clerk/Administrator

Darin Smith explained the Longview Home expansion project and funding, which would be through an IEDA grant. They need the City's support for the grant application. He explained there would be 10 units and 6 of those would be rented to low-to-moderate-income individuals, per grant requirements. Kelly Sherer informed the Council that Longview Home's objective is to provide needed housing for the elderly to keep them in the community. Council felt this would be a benefit to the community and fit in with the City's Comprehensive Plan.

Moved by Council member Dillinger to authorize the Mayor to sign the IEDA application and a letter of support from the City, seconded by Council member Dinsmore. Motion carried on a 4-0 vote.

Jim Olmsted reminded Council that Sunnyside Village had asked that city water be extended to them and now that Longview Home is proposing this development, he suggested this would be a good opportunity to service both entities at the same time. It would be preferable to run Longview's sewer down into the line going through Sunnyside Village rather than pumping it up to Grove Street if that main's condition and capacity could handle it. He recommended the sewer be televised to determine its' condition. Moved by Council member Dinsmore that OPCE provide a cost estimate for televising the Sunnyside sewer for the next meeting, seconded by Council member Dillinger. Motion carried on a 4-0 vote.

Moved by Council member Dinsmore to provide a youth pool pass to the Missouri Valley PTO raffle and a family pool pass to the Kiwanis Club fundraiser, seconded by Council member Ratliff. Motion carried on a 4-0 vote.

Mayor Sargent reviewed the letter of annual adjustments from PeopleService Inc., which is in accordance with the Operations and Maintenance Agreement. Moved by Council member Dinsmore to approve the adjustments, seconded by Council member Ratliff. Motion carried in a 4-0 vote.

Council reviewed the request from the Rand Community Center in regard to the proposed generator for the emergency shelter. They have received \$15,500 in grant money to be used toward the generator, which has to be expended by March 31<sup>st</sup>. City Clerk/Administrator Miller informed Council the insurance agent had checked with both companies involved and the insurance would have to be on the Rand Community Center policy, with the City listed as an additional insured. The City could reimburse the additional cost of approximately \$250 and should have an agreement for the repairs and maintenance of the generator. Council discussed whether the minimal amount of use justified the costs.

Moved by Council member Ratliff to cancel the project for a generator at the Rand Center, seconded by Council member Dinsmore. Motion carried in a 4-0 vote. A letter will be sent to the Rand Center Board informing them of the Council's decision.

Moved by Council member Dillinger to accept the proposed FY14 budget and set the public hearing for February 19, 2013, seconded by Council member Dinsmore. Motion carried on a 4-0 vote.

City Clerk/Administrator Miller informed Council the hot water pressure washer at the Street Department is in bad shape and could become unusable at any time. It would cost more to repair it than to replace. She asked Council's permission to purchase a new one for \$4,295. Moved by Council member Dillinger to approve the purchase of a new Hotsy pressure washer, seconded by Council member Dinsmore. Motion carried on a 4-0 vote.

She informed Council there had been a concern about the location of the handicapped parking space at the Library being too far from the door. It was pointed out this space is adjacent to the corner curb, making it accessible to the sidewalk and if the space was moved to right in front of the door, parking there would be limited to only handicapped at all times. Council consensus was to leave as is and if there are more complaints to revisit the issue.

Fire Chief Walker addressed the Council regarding billing for fire services the same as EMS is billed out for those using the services. He noted donations are down in most fire departments and this is a way of bringing in additional revenue to meet increasing costs of operating without putting the burden on taxpayers. The fees are set by the County ordinance and each town could adopt its own ordinance referencing the County's fee schedule. No town in Harrison County has adopted yet but Walker believes several are considering it. Harlan adopted an ordinance about a year ago and the City's draft of the proposed ordinance is based on that. City Clerk/Administrator Miller informed Council she would send the draft to the City Attorney for his review and bring it back to the next meeting if they wished to pursue this. Council was

asked to bring any questions they might have to her so additional information could be provided as well. She will contact the other cities in the County to see if they plan to adopt the ordinance.

Moved to adjourn by Council member Dillinger, seconded by Council member Dinsmore. Motion carried on a 4-0 vote. Meeting adjourned at 7:06 p.m.

Clint Sargent, Mayor

Attest:  
Rita Miller  
City Clerk/Administrator