

CITY COUNCIL MEETING  
RAND CENTER  
MARCH 15, 2016  
6:00 P.M.

Mayor Pro Tem Struble presided over the meeting and called it to order at 6:00 p.m. with the following Council members present: Tiffey, Gunderson, Thompson, Struble. Council members Johnson and Mayor Sargent were absent. Also present were City Clerk/Administrator Miller and visitors: Shawn Kelly, John Riley, Adam Bellis, Brent Watkins, Michele Watkins, Leonard Ratliff, Caleb Wohlers.

The Pledge of Allegiance was recited.

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

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

Brent Watkins addressed the Council requesting permission to hold the Mighty Mo Rodeo at the fairgrounds on June 3<sup>rd</sup> and 4<sup>th</sup>. Moved by Council member Thompson to approve the request, seconded by Council member Tiffey. Motion carried on a 4-0 vote.

Following discussion, moved by Council member Tiffey to approve Resolution 16-06, "Resolution Ratifying Authorization Of A Loan Agreement And A General Obligation Fire Truck Acquisition Note And Providing For The Levy Of Taxes To Pay The Same", seconded by Council member Thompson. Motion carried on a 4-0 vote.

Fire Chief Kelly and Captain Wohlers presented information on bids received for a new tanker. Following discussion, Council requested they attempt to get additional bids for the next meeting.

Moved by Council member Thompson to approve the 2<sup>nd</sup> reading of Ordinance #516, "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 Tiffey. Motion carried on a 4-0 vote.

Moved by Council member Tiffey to approve Resolution 16-07, "Resolution Setting Special Sewer Rate Pursuant To Section 99.03 Of The Code Of Ordinances Of The City Of Missouri Valley", seconded by Council member Thompson. Motion carried on a 4-0 vote.

Council considered whether to forgive the rehab mortgage at 711 E Elm due to special circumstances. Following discussion, moved by Council member Thompson to forgive the mortgage, seconded by Council member Tiffey. Motion carried on a 4-0 vote.

Council considered requests for donation of pool passes for fundraisers. Moved by Council member Thompson to provide a family pass to Kiwanis/YEA and a youth pass with

option to purchase up to family pass to MV Elementary PTO, same as last year, seconded by Council member Gunderson. Motion carried on a 4-0 vote.

Moved by Council member Tiffey to approve the hire of Randy McHugh for the park maintenance position, seconded by Council member Gunderson. Motion carried on a 4-0 vote.

Moved by Council member Tiffey to approve Resolution 16-08, "Resolution Setting Wage", seconded by Council member Gunderson. Motion carried on a 4-0 vote.

Mayor ProTem opened the bid received for mowing the cemetery. Following discussion of concerns and options, moved by Council member Thompson to accept the two-year contract with Bonham & Sons for mowing without the spraying option, seconded by Council member Gunderson. Motion carried on a 4-0 vote.

City Clerk/Administrator asked for direction in follow-up of a previous discussion regarding the Park Board. Council expressed concerns about the Board having difficulty getting a quorum for many meetings and that they have not provided budgetary or planning information to the Council. Council felt most of the oversight and planning in the parks is already handled by the Park Director and City Administrator in conjunction with the Fair Board. Moved by Council member Tiffey to pursue dissolution of the Park Board, seconded by Council member Gunderson. Motion carried on a 4-0 vote. City Clerk/Administrator will prepare an Ordinance for the next meeting.

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

Sherman Struble, Mayor Pro Tem

Attest:  
Rita Miller, City Clerk/Administrator

## **RESOLUTION 16-06**

### **RESOLUTION RATIFYING AUTHORIZATION OF A LOAN AGREEMENT AND A GENERAL OBLIGATION FIRE TRUCK ACQUISITION NOTE AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME**

WHEREAS, the City of Missouri Valley (the "City"), in Harrison County, State of Iowa, pursuant to the provisions of Section 384.24A of the Code of Iowa, heretofore proposed to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$260,000 for the purpose of paying the costs, to that extent, of acquiring a fire truck for use by the municipal fire department, and pursuant to notice duly published, the City Council has held a public hearing and taken additional action on such proposal on March 1, 2016; and

WHEREAS, the City intends to enter into the Loan Agreement and to issue a General Obligation Fire Truck Acquisition Note (the "Note") in a principal amount not to exceed \$260,000

in the future and anticipates that principal and interest will come due on the Note before July 1, 2017, and it is now necessary to make provision for the levy of a debt service property tax in the 2016-2017 fiscal year for the payment of such principal and interest;

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

Section 1. The City hereby ratifies and affirms its determination to enter into the Loan Agreement in the future, providing for a loan to the City in a principal amount not to exceed \$260,000 for the purpose or purposes set forth in the preamble hereof.

Section 2. Consistent with prior action by this City Council, the Note shall be issued in evidence of the City's obligation under the Loan Agreement at the time such funds are needed.

Section 3. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Note as the same become due, there is hereby ordered levied on all the taxable property in the City the following direct annual tax:

For collection in the fiscal year beginning July 1, 2016,  
sufficient to produce the net annual sum of \$56,543;

provided, however, that at the time the Note is issued, the actual tax levy amounts required to pay the principal of and interest on the Note in each year shall be determined based upon the interest rate or rates at which the Note is issued, and this resolution shall be supplemented by a resolution of the City Council to provide for such actual and necessary tax levy amounts.

Section 4. A certified copy of this resolution shall be filed with the County Auditor of Harrison County, and said Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Note hereby authorized and for no other purpose whatsoever.

Section 5. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved March 15, 2016.

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Sherman Struble, Mayor Pro Tem

Attest:

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Rita M. Miller  
City Clerk/Administrator

**ORDINANCE #516**

**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:

106.07 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 \$5.05 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 and Section 99.05 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             , 2016 and approved this     day of     , 2016.

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Clint Sargent, Mayor

ATTEST:

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Rita M. Miller, City Clerk/Administrator

I certify that the foregoing was published as Ordinance #     on the     day of     , 2016.

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Rita M. Miller, City Clerk/Administrator

1<sup>st</sup> reading: 3-01-2016

2<sup>nd</sup> reading: 3-15-2016

**RESOLUTION 16-07**

**RESOLUTION SETTING SPECIAL SEWER RATE  
PURSUANT TO SECTION 99.03 OF THE CODE OF ORDINANCES OF THE CITY OF  
MISSOURI VALLEY**

WHEREAS, the City of Missouri Valley provides sewer service to the property known as Sunnyside Village Mobile Home Park; and,

WHEREAS, the charges for such service are regulated through Chapter 99 of the Code of Ordinances of the City of Missouri Valley; and,

WHEREAS, all of the lots on the property are on city sewer, however, some of the lots are within city limits and some are outside city limits; and,

WHEREAS, the Code of Ordinances of the City of Missouri Valley differentiates in the rate charged to city residents versus the rate charged to anyone outside city limits, therefore two separate rates would be charged to this customer under these provisions which would be cumbersome and burdensome; and,

WHEREAS, Section 99.03 of the City Code of the City of Missouri Valley allows for a special rate to be set in special conditions to be fair and equitable to the City and to the customer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Missouri Valley, Iowa, that a special sewer rate shall be determined so the same rate applies to all lots in the Sunnyside Village Mobile Home Park. That rate shall be determined by averaging the inside city limits rate and the out-of-city limit rate. If there is a substantial change in the number of lots either in or out of city limits, or if the Landfill Fee, as provided for in Section 106.07 of the City Code of the City of Missouri Valley, is amended, this rate shall be adjusted accordingly.

Passed and approved this 15<sup>th</sup> day of March, 2016.

CITY OF MISSOURI VALLEY

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Sherman Struble, Mayor Pro Tem

ATTEST:

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Rita M. Miller  
City Clerk/Administrator

**RESOLUTION 16-08**

**RESOLUTION SETTING WAGE**

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

The following employee shall be paid the wage and salary indicated and the City Clerk is authorized to issue checks, less legally required or authorized deductions from the amount set out below, bi-weekly, and to make such contributions to IPERS and social security or other purposes as required by law or authorization of the Council, all subject to audit and review by the Council:

<u>Position</u>	<u>Name</u>	<u>Hourly Rate</u>
Park Maintenance	Randy McHugh	\$ 18.34

Passed and approved this 15<sup>th</sup> day of March, 2016.

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Sherman Struble, Mayor Pro Tem

ATTEST:

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Rita M. Miller  
City Clerk/Administrator