

CITY COUNCIL MEETING  
RAND CENTER  
MARCH 21, 2017  
8:00 P.M.

Mayor Sargent opened the public hearing at 8:06 p.m. on the vacation of the alley in Block 70, Town Lot Company 4<sup>th</sup> Addition. There were no written or oral comments and he closed the hearing.

Mayor Sargent opened the regular session at 8:06 p.m. with the following Council members present: Struble, Gunderson, Thompson, Johnson. Tiffey was present by electronic means. Also present were City Clerk/Administrator Miller, Chief Murray and visitors: Jim Devine, Jean Devine, Jesusa Christians, Annette Deakins, Judy Holcombe, Cindy Ratliff, John Ratliff, Leonard Ratliff, Gary Thune.

The Pledge of Allegiance was recited.

Moved by Council member Johnson to approve the Agenda, seconded by Council member Gunderson. Motion carried on a 5-0 vote.

Moved by Council member Struble to approve the Consent Agenda, seconded by Council member Thompson. Motion carried on a 5-0 vote.

Jean Devine asked Council's permission to burn off the vegetation on their bank. Council approved their request contingent on them following any requirements from the fire department.

The Chamber of Commerce asked that a council member be an ex officio member of the Chamber board of directors to facilitate communication between the two entities. Moved by Council member Johnson to establish an annual appointment of a council member to the Chamber as an ex officio board member, seconded by Council member Struble. Motion carried on a 5-0 vote. Moved by Council member Struble to appoint Council member Thompson to that position for the remainder of 2017, seconded by Council member Johnson. Motion carried on a 5-0 vote.

Chamber Executive Director discussed what the Main Street program could do for the community versus what the Chamber does. She stated the new entity they are proposing would be a combination of Chamber and Main Street, and they are requesting the City increase its annual contribution to \$30,550 beginning FY18 (regardless of whether the Main Street application is approved) to promote the community outside the area and to help in the process of becoming a Main Street community. Discussion followed that, even if the initial application is denied, there are things that were identified in the downtown assessment that could be done now that will have an impact in the community and improve a future application for Main Street designation.

Moved by Council member Struble to approve the City commitment to becoming a Main Street community, seconded by Council member Johnson. Motion carried on a 5-0 vote.

Moved by Council member Thompson to authorize the mayor to sign the letter of intent for the Main Street application, seconded by Council member Tiffey. Motion carried on a 5-0 vote.

Moved by Council member Gunderson to provide an on-going commitment to budget for \$30,550 for Main Street until such time as the Main Street fails or the City is no longer a Main Street community, seconded by Council member Johnson.

Gary Thune gave an update on the electronic Welcome Sign. MidAmerican Energy will bring the electric to the pole at no cost, but an electrician will need to trench from the pole to the sign. He informed Council that the Chamber would take care of that, and also have an agreement drawn up with Wisecup Corporation giving the City a perpetual easement to the property the sign is located on.

Roger Smith explained to Council the road improvements the Catholic Church plans to make in the Mt. Carmel section of the cemetery. He asked if the City would be willing to make the upgrades to the Sixth Street entrance (from 6<sup>th</sup> Street west to the roadway coming from the 4<sup>th</sup> Street entrance). Council considered the bid for a 2 ½" asphalt overlay versus the City crew replacing the section with 7" concrete. Following discussion, moved by Council member Johnson to direct the city crew to do the concrete work, seconded by Council member Thompson. Motion carried on a 5-0 vote. Due to budget constraints, this work will be done in FY18.

Moved by Council member Struble to approve the 1<sup>st</sup> reading of Ordinance #526, "An Ordinance Vacating The Twenty Foot (20') Wide Alley Running North-South In Block Seventy (70), From Fourth Street To The Northerly Boundary Of Lot Fifteen, TLCO 4<sup>th</sup> Addition To Missouri Valley, Harrison County, Iowa And Transferring Ownership Thereof To The Adjacent Property Owners", seconded by Council member Johnson. Motion carried on a 5-0 vote.

Moved by Council member Struble to approve and authorize the Mayor to sign the lease with Harrison County Fair Board for the property known as Nissen Field, seconded by Council member Thompson. Motion carried on a 5-0 vote.

Council discussed creation of a pocket park at 419 E Erie. The board fence would be moved back so that ½ of the lot would be available to develop into a small park. The property owner is agreeable to that use and only requests the City install a motion light and assume liability for the area.

Moved by Council member Thompson to proceed with a lease proposal, seconded by Council member Struble. Motion carried on a 5-0 vote. Council member Thompson will contact the Park Board. Miller will contact ISU Extension to see if they can provide assistance in designing the park and possibly murals, and also the city attorney to draft lease.

Moved by Council member Struble to approve the half page ad with the 'link my ad' option in the Harrison County Visitor's Guide, seconded by Council member Johnson. Motion carried on a 5-0 vote.

Council reviewed the proposal from Alex George to swap a piece of ground he owns for a piece the City owns. Moved by Council member Thompson to deny the request, seconded by Council member Struble. Motion carried on a 5-0 vote. Council discussed whether to put the property up for sale on a sealed bid. Following discussion, moved by Council member Gunderson to start the process to sell the lot as excess property, seconded by Council member Thompson. Motion carried on a 5-0 vote.

Moved by Council member Thompson to allow the swim team to hang a banner on the pool fence, seconded by Council member Johnson. Motion carried on a 5-0 vote.

Chief Murray discussed speed enforcement on Hwy 30 with Council. He explained his department had been doing additional monitoring along the highway and showed a stack of 30 tickets that had been written in the past week for various offenses. Suggestions were made to put the speed trailer out or to look into getting a permanently installed sign that blinks the vehicle speed.

Chief Murray asked for Council's approval to bring Garrett Klutts on as a reserve officer. Klutts is already a certified officer and has worked for the City in the past. Moved by Council member Johnson to approve Garrett Klutts as a reserve police officer, seconded by Council member Thompson. Motion carried on a 5-0 vote.

Council member Thompson stated he felt the capital facilities charges for new development might be a disincentive to create new businesses and possibly should be reconsidered. No action was taken.

Moved by Council member Johnson to approve Resolution 17-09, "A Resolution Approving The Transfer Of Funds From The Local Option Sales Tax Fund To The General Fund For Section 205 Study", seconded by Council member Struble. Motion carried on a 5-0 vote.

City Clerk/Administrator Miller informed Council that in follow up to Council member Gunderson's idea for flags, the Park Director has come up with an option for flags downtown. Council was in agreement to put this on the agenda for the next meeting, as well as to get information on Mondamin's flag sponsorship. She informed Council that Brent Dillinger had resigned from the Library Board and the Board would be bringing a candidate to the Council for appointment to complete the remaining term. City Clerk/Administrator reported on her attendance at the IMMI conference and legislative updates that were given with regard to backfill for the commercial/industrial tax roll back and loss of funding for CDBG programs. She also informed Council the City had been awarded the Community Foundation grant she had applied for for the Summit playground resurfacing and the grant Library Director Kocher had applied for to digitize microfilm files.

Moved to adjourn by Council member Struble, seconded by Council member Johnson. Motion carried on a 5-0 vote. Meeting adjourned at 10:05 p.m.

Clint Sargent, Mayor

Attest:  
Rita Miller, City Clerk/Administrator

### **ORDINANCE #526**

**AN ORDINANCE VACATING THE TWENTY FOOT (20') WIDE ALLEY RUNNING NORTH-SOUTH IN BLOCK SEVENTY (70), FROM FOURTH STREET SOUTH TO THE NORTHERLY BOUNDARY OF LOT FIFTEEN, TLCO 4<sup>TH</sup> ADDITION TO MISSOURI VALLEY, HARRISON COUNTY, IOWA AND TRANSFERRING OWNERSHIP THEREOF TO THE ADJACENT PROPERTY OWNERS**

Be It Enacted by the City Council of Missouri Valley, Iowa:

SECTION 1. The purpose of this Ordinance is to vacate the 20' alley running north-south through Block Seventy from the south line of Fourth Street to the northerly boundary of Lot 15, Town Lot Company 4<sup>th</sup> Addition to Missouri Valley, Harrison County, Iowa; thereby relieving the City of the responsibility of its maintenance and supervision, and to have this vacation act as deed to the owners of said following lots: One through Twelve and Eighteen through Twenty-Six.

SECTION 2. FACTS FOUND. The City Council of Missouri Valley, Iowa makes the following findings:

A. The described alley was platted but never established or used, and is not now needed for the use of the public.

B. Notice of the intended vacation, including the date on which the Council will first consider the vacating Ordinance, has been published at least once, not less than four nor more than twenty days, prior to the date set for the public hearing.

SECTION 3. The vacation herein contemplated is under the provisions of Section 354 of the Code of Iowa 2017, as amended.

SECTION 4. VACATION. The north-south alley bisecting Block 70, from south line of Fourth Street to the northerly boundary of Lot 15, Town Lot Company 4<sup>th</sup> Addition to the Town of Missouri Valley, Harrison County, Iowa is hereby declared vacated.

SECTION 5. TITLE TO ADJOINING OWNERS. The title to said vacated alley is hereby conveyed to the adjoining owners: Brian McGrath; Darrel and Daryl Cates; Rene Meneses; Virginia Austin; Norman and Charlotte Burns; Cyria West; Ione Mason; Christopher and Tiffany Gilpin; Dennis Collier; Nicholas Bertelson; Brandy and Nicholas Zortman; LaVonne Morrison; Richard and Connie Shaeffer; Robert Church; Joel Acosta; Garrett and Angela Sazama; Zachary Hember; Wayne and Rita Miller.

SECTION 6. RECORDATION. The City Clerk of Missouri Valley, Iowa is hereby directed to record this vacation ordinance which will be the equivalent to a deed of conveyance to the proprietors of the adjoining land.

SECTION 7. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 8. 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 9. WHEN EFFECTIVE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Final passage by the Council at its regular meeting and approved this      day      of  
, 2017.

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Clint Sargent, Mayor

ATTEST:

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Rita M. Miller  
City Clerk/Administrator

CLERK'S CERTIFICATE

I, Rita M. Miller, the duly appointed and acting City Clerk of the City of Missouri Valley, Iowa having been sworn, on oath do certify that the above and foregoing Ordinance #      was duly passed by the City Council of Missouri Valley, Iowa on      the      day of      , 2017; and that the signatures above are those of the Mayor and the City Clerk respectively.

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Rita M. Miller  
City Clerk/Administrator

1<sup>st</sup> reading: 3-21-2017

**RESOLUTION 17-09**

**A RESOLUTION APPROVING THE TRANSFER OF FUNDS  
FROM THE LOCAL OPTION SALES TAX FUND TO THE GENERAL FUND FOR  
SECTION 205 STUDY**

Be It Resolved by the City Council of the City of Missouri Valley, Iowa:

That the City Clerk is hereby authorized to transfer \$200,000 from the LOST Fund to the General Fund for Section 205 Study.

Passed and approved this 21st day of March, 2017.

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Clint Sargent, Mayor

ATTEST:

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Rita M. Miller  
City Clerk/Administrator