

**CITY OF MISSOURI VALLEY  
CITY COUNCIL MEETING  
MISSOURI VALLEY PUBLIC LIBRARY  
Tuesday, March 26, 2019  
6:00 P.M.**

Mayor Kelly presided over the meeting and called it to order at 6:00 P.M. with the following Council members present: Gunderson, Pfouts, Struble, and Stueve. Absent: Tiffey. Also present: Jonathan McDonald, Dave Riedemann, Leonard Ratliff, Connie McWilliams, Mary Jo Buckley, Jeannie Wortman, Melba Struble, Shelia Phillips, Dave Hodges, John Ratliff, Cindy Ratliff, Brent Watkins, Tami Hoffman, Paul Vorthmann III, Dave Scott, Tom Jarosz, Zack Olinger, Sally Salter, Virginia Dewaele, Doug Dewaele, Robert Wagner, and John Harrison

The Pledge of Allegiance was recited.

Kelly asked Council for any comments or additions-Gunderson, Stueve, and Pfouts requested and will be 19a, 19b, and 19c.

Motion by Struble, seconded by Stueve to approve the agenda for the March 26, 2019 meeting. Motion carried on a 4-0 vote.

Motion by Struble, seconded by Pfouts to approve the following items on the consent agenda: a) Minutes from March 5, 2019 and March 11, 2019 City Council Meetings b) Claims list c) Water, Park Board reports d) Clerks Financial Report e) Liquor Licenses for Harrison County Fair, Petro Mart Travel Stop, and Billy C's Papa Joe's. Motion carried on a 4-0 vote.

Connie McWilliams, CHI Missouri Valley, stated that CHI will be offering complimentary Tetanus shots to flood victims.

Melba Struble stated that the Harrison County Food Pantry & Clothing Exchange is fully operational.

Jeannie Wortman with the Chamber stated the Iowa Workforce Development will be at the Rand Center on March 29<sup>th</sup> and April 2<sup>nd</sup> from 9 a.m. to 4 p.m. They will help with unemployment claims and file other flood related forms. She also invited Mayor and Council to the Chamber's Annual Awards Banquet on April 6, 2019.

Dave Scott inquired about his drainage ditch. Flaherty said it is scheduled to be worked on this Spring and it will be included in the Street Study that will be completed by Olmsted & Perry.

Paul Vorthmann stated it would be cheaper to put in a tube at Dave Scott's property.

Brent Watkins stated that this is the 8<sup>th</sup> year for the Mighty Mo Rodeo. They are creating more children events. They had a great turn out last year. The dates are May 31<sup>st</sup> and June 1<sup>st</sup>. Motion by Stueve, seconded by Struble to approve Mighty Mo Rodeo as a City Sponsored Event. Motion carried on a 4-0 vote.

Motion by Struble, seconded by Pfouts to approve the PTO donation for a Family Pool Pass. Motion carried on a 4-0 vote.

Jim Olmsted with Olmsted & Perry gave an update on projects. They did an assessment on City streets that were affected by the flood. The damages are approximately \$1.1 million. The Water Plant is running ok. They are still waiting for the weather before starting on 5<sup>th</sup> Street. The studies will start soon. Staff attended a meeting with the DOT and will be attending future meetings. Jim is waiting to see the structural engineer's report on the Library's foundation. He has not found any information in regards to the City Hall/Fire Station project.

Zach Olinger gave the Park Board update. They have been working with Burbach Aquatics on the splash pad. They have decided on a flow thru system. This will run off the existing system and will use the pool water to recirculate. Burbach will help with grant writing. They are hoping to complete the project in FY 20/21. Zach would like to turn the pea gravel area into green space. They are going to build a wall for the vending machines. Zach is starting to hook up the bathrooms and would like to turn on the water by April 15<sup>th</sup>. Council would like to give flood victims a discount on camping fees. Flaherty will put it on the next agenda.

Shelia Phillips, Harrison County Treasurer, spoke with the Board of Supervisors in regards to tax sale properties. The Supervisors agreed to reduce the taxes by \$500.00. This would reduce the property at 821 East Huron to \$2,623. The City would receive their apportionment and penalties back. Motion by Struble, seconded by Stueve not to purchase the property at 821 East Huron. Council did not discuss the property on South 10<sup>th</sup> Street. Motion by Stueve, seconded by Struble not to purchase the property on South 10<sup>th</sup> Street. Motion carried on a 4-0 vote.

Dave Riedemann with SWIPCO was present to discuss the 2015 International Property Maintenance Code. He stated this would help with general maintenance on properties that need roof repairs, painted, broken windows, etc. This would apply to both residential and commercial properties. If the City would adopt a rental property inspection program, the code would also apply to the program. This inspection program would protect both renters and landlords. The costs would depend on dwelling size and would be inspected every three years. SWIPCO recommends having a landlord/tenant meeting so they can answer questions and concerns then having a public hearing before adopting an ordinance. Council would like Flaherty to set up a meeting with the landlords.

Motion by Pfouts, seconded by Stueve to create a City Facebook page. Motion carried on a 4-0 vote.

Resolution #19-06 was introduced Setting a Social Media Policy for the City of Missouri Valley. Motion by Pfouts, seconded by Stueve to adopt the resolution with the verbage change of City Administrator to City Clerk. Motion carried on a 4-0 vote.

Motion by Struble, seconded by Pfouts to authorize the Mayor to sign Disaster Declaration for the March 2019 Flood. Motion carried on a 4-0 vote.

Discussion was held on the Disaster Cleanup. Flaherty stated affected property owners can contact volunteers and they will help citizens remove items and property from their dwellings. The City will pick up debris and discarded items curb side only. There are two individuals that can be contacted for appliance removal. There are clean up kits and supplies located at City Hall. The Salvation Army will be providing meals and water. City Hall will contact individuals and let them know about the cleanup. It will also be published in the paper. Motion by Pfouts, seconded by Stueve to approve the Disaster Cleanup. Motion carried on a 4-0 vote.

Discussion was held on waiving permit fees for flood victims. Flaherty stated that permits would still have to be issued but the fees would be waived. Electrical fees and permits are issued thru the State of Iowa. Motion by Struble, seconded by Gunderson to waive the permit fees for flood victims. Motion carried on a 4-0 vote.

Motion by Pfouts, seconded by Gunderson to ratify the contract with the Missouri Valley Police Protective League Collective Bargaining Unit. Roll call: Ayes: Pfouts, Gunderson, Struble Nays: Stueve. Motion carried on a 3-1 vote.

Gunderson would like to remove City Hall from future City Hall/Fire Station meetings. He was under the impression it was for the Fire Station only.

Stueve inquired about the Flood Flaps on the Union Pacific property. Kelly stated the City has been in contact with Union Pacific.

Pfouts thanked the Police Department for their response at the school today.

Kelly thanked all of the entities and volunteers who helped with the flood. He also apologized to all that have been affected.

Motion by Pfouts, seconded by Stueve to enter into closed session at 7:15 p.m. per IA Code 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation. Motion carried on a 4-0 vote.

Motion by Stueve, seconded by Pfouts to return to open session at 7:47 p.m. with no action taken. Motion carried on a 4-0 vote.

Motion by Pfouts, seconded by Stueve to adjourn at 7:47 p.m. Motion carried on a 4-0 vote.

Shawn Kelly, Mayor

Attest: Jodie Flaherty, City Clerk

## **RESOLUTION 19-06**

### **RESOLUTION SETTING A SOCIAL MEDIA POLICY FOR THE CITY OF MISSOURI VALLEY**

#### **CITY OF MISSOURI VALLEY**

##### **Social Media Policy**

###### **Purpose:**

The purpose of this Policy is to set forth guidelines for the establishment and use by the City of Missouri Valley for social media sites as a means of conveying City of Missouri Valley information to the public. The intended purpose behind the use of City social media sites is to provide information from the City, about the City, to the public.

The City of Missouri Valley has an overriding interest and expectation in deciding what is ‘spoken’ on behalf of the City on City social media sites. For this policy, social media includes any facility for online publication and commentary including but not limited to blogs, wikis, content hosting sites such as YouTube, and social networking sites such as Facebook and Twitter. This policy is in addition to any existing or future City policies regarding the use of technology, computers, e-mail, internet, cellular phone and electronic communication.

###### **Scope:**

This Policy covers all City employees under the administrative control of the City Council & Mayor.

###### **General Policy:**

1. The establishment and use by any City Department of City social media sites are subject to approval by the City Council.
2. City social media sites shall make clear that they are maintained by the City of Missouri Valley. The city logo or approved department logo shall be used on all social media accounts to confirm authenticity of the site.
3. A minimum of 2 employees must be appointed as Administrators for the sites. These Administrators names will be kept on file with the City Clerk.
4. City social media accounts will only join a group or become a page if it is related to official City business, services, and events.
5. Wherever possible, City social media sites should link back to the official City website for forms, documents, online services & other information.  
<http://www.cityofmissourivalley.com/>
6. The City of Missouri Valley will monitor content on City social media sites to ensure adherence to both the social media policy and the interest and goals of the City of Missouri Valley.
7. Users of all City social media shall adhere to applicable federal, state & local laws, regulations and policies.

8. Freedom of Information Act and e-discovery laws and policies apply to social media content and therefore content must be able to be managed, stored and retrieved to comply with these laws.
9. City of Missouri Valley social media sites are subject to State of Iowa Public records laws. Any content maintained in a social media format that is related to City business, including a list of subscribers and posted communication, is a public record. The Administrators maintaining the site are responsible for responding completely and accurately to any public records request for on social media. Content related to City business shall be maintained in an accessible format pursuant to City policy and practice so that it can be produced in response to a request. Whenever possible, such sites shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure.
10. Employees representing the City of Missouri Valley via social media accounts must conduct themselves at all times as a representative of the City of Missouri Valley. Employees that fail to conduct themselves in an appropriate manner shall be subject to the Disciplinary Action Procedures outlined in the Personnel Policy Manual.

**Comment Policy:**

1. A comment posted by a member of the public on any City of Missouri Valley social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City of Missouri Valley, nor do such comments necessarily reflect the opinions or policies of the City of Missouri Valley.
2. Comments containing any of the following inappropriate forms of content shall not be permitted on the City of Missouri Valley social media sites and are subject to removal and/or restriction by the Social Media Administrators.
  - a. Comments not related to the original topic.
  - b. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, sex, national origin, religion, age, sexual orientation, gender identity, marital status or mental or physical disability.
  - c. Defamatory or personal attacks
  - d. Threats to any person or organization
  - e. Comments in support of, or in opposition to, any political campaigns or ballot measures.
  - f. Solicitation of commerce, including but not limited to advertising of any business or product for sale.
  - g. Conduct in violation of any federal, state or local law.
  - h. Encouragement of illegal activity.
  - i. Information that may tend to compromise the safety or security of the public or public systems.
  - j. Content that violates a legal ownership interest, such as a copyright, of any party.
3. The City of Missouri Valley reserves the right to deny access of City social

media sites for any individual who violates the City social media policy, at any time without prior notice. The City reserves the right to restrict or remove any content that is deemed in violation of the social media policy or applicable law.

4. The following verbiage can be used to warn individuals about their content: “Your recent post is in violation of the City of Missouri Valley’s Social Media Policy. Please refrain from posting inappropriate content in the future. If you do not refrain from posting such content, we will block you from this forum. Thank you for understanding.”
5. The City of Missouri Valley shall monitor its social media sites for comments requesting responses from the City and for usage in violation of this policy.

**Personal Use of Social Media:**

1. Employees should make certain any online activities do not interfere with their effectiveness at work and ensure any on-duty personal use is limited in nature. If on-duty personal use is interfering with work effectiveness, employees will be subject to disciplinary action.
2. Employees should be mindful of blurring their personal and professional lives when using or accessing social media sites.
3. Employees may not use social media to engage in libelous, defamatory, obscene, or maliciously false behavior directed at the City, Departments, elected officials, appointed officials, other employees, or members of the public.
4. Employees may not post confidential information which they have learned through their employment with the City.
5. Posting of HIPPA protected information is not permitted.
6. Employees may not use their City email account in connection with a personal social networking account.
7. Employees shall not participate in online social media or forums on behalf of the City or their Department unless they are authorized to do so by the City Clerk or their Supervisor.
8. When violations of these guidelines occur, the City reserves the right to exercise judgment in determining the appropriate level of discipline by reviewing each incident on a case-by-case basis.

These guidelines must be displayed to users or made available by hyperlink.

NOW, THEREFORE BE IT RESOLVED, by the City Council of Missouri Valley, Iowa, that the Social Media Policy as shown above is hereby adopted.

BE IT FURTHER RESOLVED, by the City Council of Missouri Valley, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute this resolution.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Shawn Kelly, Mayor

Attest: \_\_\_\_\_  
Jodie Flaherty, City Clerk