

CITY COUNCIL MEETING

RAND CENTER

April 17, 2018

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, Stueve, and Tiffey. Also present were: Melba Struble, Tom Jarosz, Jeff Frey, Dennis Smith, Jim Olmsted, Paul Messerschmidt, Jay Smith, Caleb Wohlers, Brent Watkins, Vonda Ford, and Randy Moore.

The Pledge of Allegiance was recited.

Kelly asked Council for any comments or additions-Kelly would like to table item 16, discussion on FHLB New Construction Program as there are no buildable lots, Gunderson and Stueve requested and will be 17a and 17b.

Motion by Struble, seconded by Stueve to approve the agenda for the April 17, 2018 meeting. Motion carried on a 5-0 vote.

Motion by Struble, seconded by Tiffey to approve the following items on the consent agenda: a) April 3, 2018 minutes b) claims list c) Water, Park Board, and Safety Committee reports d) Clerk's financial report e) liquor licenses for Taylor Quik-Pik #28 and Billy C's Papa Joe's. Motion carried on a 5-0 vote.

Paul Messerschmidt spoke to the Council about the Fire Department Code of Ethics and he believes it is being violated. The Mayor stated the matter has been investigated and allegations were unfounded.

Jim Olmsted and Jeff Frey gave an update on the 5th Street Project. The water main is installed and tested. There are three repairs on the sewer line yet. They are working on service lines to the houses. They will notify residents that the street will be torn out. It will be torn out by the end of this week or beginning of next week.

Motion by Struble, seconded by Tiffey to approve the Contractor's Application for Payment #3 from Compass Utility LLC, in the amount of \$92,080.31. Motion carried on a 5-0 vote.

Jim Olmsted and Jeff Frey gave an update on the repairs at the Water Treatment plant. The first cell should be completed by next week. The nozzles will be tested once the media has been completely removed. The contractor thinks the total price for labor on the first cell will be approximately \$50,000.00 and approximately \$40,000.00 for the second cell. The other two cells are working properly and will be tested.

Motion by Struble, seconded by Stueve to approve the pay request from Sherman Well in the amount of \$27,296.00. Motion carried on a 5-0 vote.

The Swim Team would like permission to place a banner on the Aquatic Center fence. Consensus was to let the Swim Team hang the banner on the fencing.

Motion by Struble, seconded by Tiffey to approve the Mighty Mo Rodeo for June 1, 2018 and June 2, 2018. Motion carried on a 5-0 vote.

(Second Reading) Ordinance was introduced Amending Portions of Section 90.06 Of The Code Of Ordinances Of The City Of Missouri Valley, Iowa To Include Provisions For Water Treatment Capital Facilities Charges Due For All New Residential, Commercial, Industrial and Institutional Property Development Desiring To Connect To The City's Public Water System. Motion by Pfouts, seconded by Stueve to adopt the 2nd reading. Motion carried on a 5-0 vote.

(Second Reading) Ordinance was introduced Amending Portions of Section 90.06 Of The Code Of Ordinances Of The City Of Missouri Valley, Iowa To Include Provisions For Water Hookup (Tap) Fees Due For All New Residential, Commercial, Industrial and Institutional Property Development Desiring To Connect To The City's Public Water System. Motion by Struble, seconded by Tiffey to adopt the 2nd reading. Motion carried on a 5-0 vote.

(Second Reading) Ordinance was introduced Amending Portions of Section 96.02 Of The Code Of Ordinances Of The City Of Missouri Valley, Iowa To Include Provisions For Sanitary Sewer Capital Facilities Charges Due For All New Residential, Commercial, Industrial and Institutional Property Development Desiring To Connect To The City's Public Sewer System. Motion by Struble, seconded by Tiffey to adopt the 2nd reading. Motion carried on a 5-0 vote.

(Second Reading) Ordinance was introduced Amending Portions of Section 96.02 Of The Code Of Ordinances Of The City Of Missouri Valley, Iowa To Include Provisions For Sewer Hookup (Tap) Fees Due For All New Residential, Commercial, Industrial and Institutional Property Development Desiring To Connect To The City's Public Sewer System. Motion by Struble, seconded by Pfouts to adopt the 2nd reading. Motion carried on a 5-0 vote.

Discussion was held on the delivery of agenda packets. Currently the Police Department is delivering the packets. Packets are being sent electronically to various entities. Pfouts believes that it will be faster and less costly to email them to Council. There are Council members that currently do not have access to computers or able to print the packets. Flaherty will look at the costs of tablets and see what the savings will be. Consensus was to keep packets being delivered and to contact City Hall if any Council members would like them to be delivered by email.

Gunderson was approached by a citizen regarding the condition of an access road the City owns, and a stop sign on the road. The street lines need to be painted on Willow Road. Flaherty will have the street department look at the issues. The Parks Department has cleaned and painted the flag poles. The flags will be displayed on Federal holidays. Stueve would like the flags to be displayed during the rodeo.

Stueve inquired about the Tamarack Addition and where the project was. Olmsted stated the developer was still working on the project.

Flaherty stated that she will be attending a conference Wednesday, April 18, 2018 thru Friday, April 20, 2018 in Des Moines. The women's bathroom has been completed and looks great.

Kelly has been in contact with Union Pacific. They will be at the May 15, 2018 Council meeting. He will put together a list of frequently asked questions for the representative to answer. Council would like the newspaper to publish an article about the meeting and encourage the public to attend.

Motion by Struble, seconded by Tiffey to enter into closed session at 7:01 p.m. per IA Code 21.5(1)(j) to discuss the sale of real estate. The Mayor invited Jim Olmsted to come into closed session. Motion carried on a 5-0 vote.

Motion by Struble, seconded by Stueve to return to open session at 7:18 p.m. with no action taken in closed session.

Motion by Struble, seconded by Pfouts to have a special meeting on Tuesday, April 24, 2018 at 6 p.m. at City Hall to enter into closed session. Motion carried on a 5-0 vote.

Motion by Struble, seconded by Pfouts to adjourn at 7:20 p.m. Motion carried on a 5-0 vote.

Shawn Kelly, Mayor

Attest:

Jodie Flaherty, City Clerk

ORDINANCE # _____

AN ORDINANCE TO AMEND PORTIONS OF SECTION 90.06 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI VALLEY, IOWA TO INCLUDE PROVISIONS FOR WATER TREATMENT CAPITAL FACILITIES CHARGES DUE FOR ALL NEW RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL PROPERTY DEVELOPMENT DESIRING TO CONNECT TO THE CITY'S PUBLIC WATER SYSTEM.

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

SECTION 1. **SECTION MODIFIED.** Section 90.06 of the Code of Ordinances of the City of Missouri Valley, Iowa is repealed and the following adopted in lieu thereof:

90.06 WATER CAPITAL FACILITY CHARGES. All new residential, commercial, industrial and institutional development shall pay a Capital Facility Charge for water service at the time such development files for a permit to connect to the City's public water system. New development is defined as 1) a land improvement of facility needing water service for the first time, or 2) a land improvement or facility whose use will result in a change in its present classification or water demand.

The Capital Facility Charge shall compensate the City for the expense of providing the capital facilities needed to process treated water and provide pressure and storage of the treated water to be used by the land improvement of facility. The Capital Facility Charge shall apply to areas both inside and outside the existing city limits of Missouri Valley. The City Limit lines which define inside or outside development, and which apply to this ordinance, are as shown on the attached map of 12-13-2017.

1. WATER CAPITAL FACILITY CHARGES for new inside City Limits users shall be in accordance with the following schedule:

<u>Classification</u>	<u>Charge</u>
Residential Lot	\$450.00 per lot
Multi-Family Complex	\$350.00 per each unit
Commercial Parcel	\$1,300.00 per acre (one acre minimum)
Industrial Parcel	\$1,300.00 per acre (one acre minimum)
Institutional Parcel	\$1,300.00 per acre (one acre minimum)

2. WATER CAPITAL FACILITY CHARGES for new outside City Limits users shall in accordance with the following schedule:

<u>Classification</u>	<u>Charge</u>
Residential Lot	\$1,300.00 per lot
Multi-Family Complex	\$1,000.00 per unit
Commercial Parcel	\$3,900.00 per acre (one acre minimum)
Industrial Parcel	\$3,900.00 per acre (one acre minimum)
Institutional Parcel	\$3,900.00 per acre (one acre minimum)

For a land improvement or facility whose use will result in a change from its present classification or water demand, to a new stepped up classification or water demand, the Capital Facility Charge shall be the difference between the original classification charge rate and the new classification charge rate.

3. ALL CAPITAL FACILITY CHARGES shall be paid prior to the issuance of the permit to connect, except for new multiple-lot subdivisions, which shall be as follows:
- For new multiple-lot subdivisions, the first one-half of the Capital Facility Charge for all residential, commercial, industrial, and institutional lots shall be paid by the developer of the new subdivision prior to the City's approval and signing of the subdivision's preliminary plat.
 - For new multiple-lot subdivisions, the second one-half of the Capital Facility Charge for all residential, commercial, industrial, and institutional lots shall be paid by the owner of the lots within the new subdivision, at the time each owner requests a permit to connect to the water system.

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 AND APPROVED BY THE COUNCIL THIS ___ DAY OF _____, 2018.

CITY OF MISSOURI VALLEY, IOWA

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty, City Clerk

I certify that the foregoing was published as Ordinance # _____ on the ___ day of _____, 2018.

Jodie Flaherty, City Clerk

1st reading: 4-3-2018
2nd reading: 4-17-2018
3rd reading:
Published:

ORDINANCE # _____

AN ORDINANCE TO AMEND PORTIONS OF SECTION 90.06 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI VALLEY, IOWA TO INCLUDE PROVISIONS FOR WATER HOOKUP (TAP) FEES DUE FOR ALL NEW RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL PROPERTY DEVELOPMENT DESIRING TO CONNECT TO THE CITY'S PUBLIC WATER SYSTEM.

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

SECTION 1. **SECTION MODIFIED.** Section 90.06 of the Code of Ordinances of the City of Missouri Valley, Iowa is repealed and the following adopted in lieu thereof:

90.06 WATER HOOKUP (TAP) FEES. All new residential, commercial, industrial and institutional development shall pay a Water Hookup (Tap) Fee for water service at the time they file for a permit to connect to the City's public water system. New development is defined as 1) a land improvement or facility needing water service for the first time, or 2) a land improvement or facility whose water use will result in a change from its present water demand.

The Water Hookup (Tap) Fee shall compensate the City for the expense of processing a permit for connection and the inspection of the connection of the customer's water service to the City's water system. The hookup (tap) fee shall apply to all new connections regardless of whether they are located inside or outside of the city limits of Missouri Valley.

1. WATER HOOKUP (TAP) FEES shall be in accordance with the following schedule:

Water Meter Size	Flow Rate	Ratio	Hookup Charge
5/8 inch	10 gpm	1.0	\$ 250.00
¾ inch	15 gpm	1.5	\$ 375.00
1 inch	25 gpm	2.5	\$ 625.00
1 ½ inch	50 gpm	5.0	\$ 1,250.00
2 inch	80 gpm	8.0	\$ 2,000.00

For meter sizes larger than 2 inch, the fee shall be \$25.00 per each gallon-per-minute of flow rate capacity of the meter.

2. ALL HOOKUP (TAP) FEES shall be paid by the owner of the lots or property to be connected at the time each owner requests a permit to connect to the water system.
3. For a land improvement or facility whose use will result in a change from its present classification or water demand, to a new stepped up classification or water demand, the Hookup (Tap) Fee shall be the difference between the original classification fee and the new classification fee.

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.

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CITY OF MISSOURI VALLEY, IOWA

Shawn Kelly, Mayor

ATTEST:

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Jodie Flaherty, City Clerk

1st reading: 4-3-2018

2nd reading: 4-17-2018

3rd reading:

Published:

ORDINANCE # _____

AN ORDINANCE TO AMEND PORTIONS OF SECTION 96.02 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI VALLEY, IOWA TO INCLUDE PROVISIONS FOR SANITARY SEWER CAPITAL FACILITIES CHARGES DUE FOR ALL NEW RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL PROPERTY DEVELOPMENT DESIRING TO CONNNECT TO THE CITY'S PUBLIC SEWER SYSTEM.

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

SECTION 1. SECTION MODIFIED. Section 96.02 of the Code of Ordinances of the City of Missouri Valley is hereby repealed and the following adopted in lieu thereof:

96.02 SEWER CAPITAL FACILITY CHARGES. All new residential, commercial, industrial and institutional development shall pay a Capital Facility Charge for sanitary sewer service at the time such development files for a permit to connect to the City’s public sanitary sewer system. New development is defined as 1) a land improvement or facility needing sewer service for the first time, or 2) a land improvement or facility whose use will result in a change in its present classification or sewer demand.

The Capital Facility Charge shall compensate the City for the expense of providing the capital facilities needed to treat raw sewage and provide interceptor sewers to convey raw sewage from collection mains to the sewage treatment plant. The Capital Facility Charge shall apply to areas both inside and outside the existing city limits of Missouri Valley. The City Limit lines which define inside or outside development, and which apply to this ordinance, are as shown on the attached map of 12-13-2017.

For a land improvement or facility needing sewer service for the first time, the Capital Facility Charge shall be in accordance with the following schedules:

1. SEWER CAPITAL FACILITY CHARGES for new inside City Limits users shall be in accordance with the following schedule:

<u>Classification</u>	<u>Charge</u>
Residential Lot	\$350.00 per lot
Multi-Family Complex	\$275.00 per each unit
Commercial Parcel	\$1,000.00 per acre (one acre minimum)
Industrial Parcel	\$1,000.00 per acre (one acre minimum)
Institutional Parcel	\$1,000.00 per acre (one acre minimum)

2. SEWER CAPITAL FACILITY CHARGES for new outside City Limit users shall be in accordance with the following schedule:

<u>Classification</u>	<u>Charge</u>
Residential Lot	\$1,000.00 per lot
Multi-Family Complex	\$ 800.00 per each unit
Commercial Parcel	\$3,000.00 per acre (one acre minimum)
Industrial Parcel	\$3,000.00 per acre (one acre minimum)
Institutional Parcel	\$3,000.00 per acre (one acre minimum)

For a land improvement or facility whose use will result in a change from its present classification or sewer demand, to a new stepped up classification or sewer demand, the Capital Facility Charge shall be the difference between the original classification charge rate and the new classification charge rate.

3. ALL CAPITAL FACILITY CHARGES shall be paid prior to the issuance of the permit to connect, except for new multiple-lot subdivisions, which shall be as follows:
 - a. For new multiple-lot subdivisions, the first one-half of the Capital Facility Charge for all residential, commercial, industrial and institutional lots shall be paid by the developer of the new subdivision prior to the City’s approval and signing of the subdivision’s preliminary plat.
 - b. For new multiple-lot subdivisions, the second one-half of the Capital Facility Charge for all residential, commercial, industrial and

institutional lots shall be paid by the owner of the lots within the new subdivision, at the time each owner requests a permit to connect to the sanitary sewer system.

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.

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

SECTION 1. SECTION MODIFIED. Section 96.02 of the Code of Ordinances of the City of Missouri Valley is hereby repealed and the following adopted in lieu thereof:

96.02 SEWER HOOKUP (TAP) FEES. All new residential, commercial, industrial and institutional development shall pay a Sewer Hookup (Tap) Fee for sanitary sewer service at the time they file for a permit to connect to the City's public sanitary sewer system. New development is defined as 1) a land improvement or facility needing sewer service for the first time, or 2) a land improvement or facility whose sewer use will result in a change from its present sewer demand.

The Sewer Hookup (Tap) Fee shall compensate the City for the expense of processing a permit for connection and the inspection of the connection of the customer's building sewer to the City's

collection mains. The hookup (tap) fee shall apply to all new connections regardless of whether they are located inside or outside the city limits of Missouri Valley.

1. SEWER HOOKUP (TAP) FEES shall be in accordance with the following schedule:

Building Sewer Line Size	Ratio	Hookup Charge
4 inch	1.0	\$ 250.00
6 inch	2.0	\$ 500.00
8 inch	4.0	\$ 1,000.00

For line sizes larger than 8 inch, the fee shall be determined by the City.

2. ALL HOOKUP (TAP) FEES shall be paid by the owner of the lots or property to be connected at the time each owner requests a permit to connect to the sanitary sewer system.
3. For a land improvement or facility whose use will result in a change from its present classification or sewer demand, to a new stepped up classification or sewer demand, the Hookup (Tap) Fee shall be the difference between the original classification fee and the new classification fee.

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