

**CITY COUNCIL MEETING
RAND CENTER
April 3, 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, and Stueve. Absent: Tiffey. Also present were: Caleb Wohlers, Jean Devine, Melba Struble, Bruce Kocher, Brad Swenson, Jim Olmsted, Bob Thomson, Leonard Ratliff, and Tom Jarosz.

The Pledge of Allegiance was recited.

Kelly asked Council for any comments/additions – Gunderson requested and will be added to 13a.

Motion by Pfouts, seconded by Struble to approve the agenda for the April 3, 2018 meeting. Motion carried on a 5-0 vote.

Motion by Struble, seconded by Stueve to approve the following items on the consent agenda: a) Minutes from the March 27, 2018 b) claims list c) Park & Fire Department Reports. Motion carried on a 4-0 vote.

Bruce Kocher presented the Library Report. He gave an update on sink hole and structural cracks. An engineer looked at the issue about 5 years ago. He will get a copy of the report and then report back to Council. Kocher gave an update on all of the current programs at the Library. The Library received a grant for \$2,000.00 to create a space for young adults.

Jean Devine asked Council permission to burn the embankment on her property and to put up a retaining wall. She will contact the Fire Chief about burning and the building inspector regarding the retaining wall.

Fire Chief Wohlers stated the department recently burned the dikes by the Willow and sewer lagoons and apologized to Council about the notification process regarding the previous controlled burn. They would like to burn additional City property in the future.

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 Struble, seconded by Pfouts to adopt the 1st reading. Motion carried on a 4-0 vote.

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 Pfouts to adopt the 1st reading. Motion carried on a 4-0 vote.

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 Stueve to adopt the 1st reading. Motion carried on a 4-0 vote.

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 Stueve to adopt the 1st reading. Motion carried on a 4-0 vote.

Resolution 18-10 was introduced for a Moratorium on Burn Ban-Spring 2018. Motion by Pfouts, seconded by Stueve. Motion carried on a 4-0 vote.

Discussion was held on a committee for Fire Station/City Hall. The purpose of the committee is to be a representative of the public and gain an outside perspective on the project. The Council would like the Mayor to contact the members of the City Clerk Search Committee and see if any of the individuals would be interested and would like the City Clerk to place something in the paper to see if any citizens would be interested.

Gunderson updated the Council on the E911 meeting he attended. He visited different City Halls in the area and all were under 20 years old and under \$1,000,000.00.

City Clerk Flaherty stated the property by the recycle bins was privately owned and is maintained by the property owner. The property west of the Rand Center is owned by the Rand Center. The Public Works Department will fill in holes when they cold patch pot holes. The Fair Board will be installing additional hydrants at the park at no cost to the City. SWIPCO sent out a letter regarding FHLB construction. They would like City's to look at vacant lots and see if the City is willing to donate lots towards the project. Flaherty will work with the building inspector and see if there are any lots that meet the requirements.

Mayor Kelly contacted Union Pacific and is still looking for a contact.

Gunderson found all but one of the City Limits signs. He will contact the Street Superintendent and see if he can help locate the sign.

Pfouts would like agendas to be delivered electronically. Struble and Stueve do not like the idea. Pfouts does not want the Police Department delivering agendas. The item will be put on the next agenda for discussion.

Motion by Struble, seconded by Stueve to adjourn at 7:06 p.m. Motion carried on a 4-0 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 be 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:

- 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 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:
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:

Jodie Flaherty, City Clerk

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Jodie Flaherty, City Clerk

1st reading: 4-3-2018
2nd reading:
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 CONNECT 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>
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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.

PASSED AND APPROVED 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:
3rd reading:
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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 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.

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.

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 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:
3rd reading:
Published:

RESOLUTION 18-10

MORATORIUM ON BURN BAN – SPRING 2018

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

The City has issued a moratorium on the open burning ban (Section 105.05 of Missouri Valley City Code) to allow for the burning of landscape waste during designated times. These dates and times are:

April 27, 28, 29, May 4, 5, 6, 11, 12, 13, 18, 19, 20, 25, 26, 27

Between the hours of 10:00 a.m. and 5:00 p.m. on Friday, Saturday, Sunday

“Landscape Waste”, per Section 105.02(5) of the Missouri Valley City Code, is defined as any vegetable or plant waste except garbage. The term includes trees, tree trimmings, branches, stumps, brush, weeds, leaves, grass, shrubbery and yard trimmings.

Anyone violating the provisions of this Section shall be subject to penalties as outlined in Resolution 11-08.

Passed and Approved this 3rd day of April, 2018.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty
City Clerk