

**CITY COUNCIL MEETING
RAND CENTER
May 15, 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: Eliza Martens, Brad Herman, Carey Herman, Chris Nelsen, Marlin Lustgraaf, Mike Blackley, Dennis Smith, Larry Meyer, Nancy Meyer, Troy Cooper, Tracy Stueve, Steve Keller, Mary Jo Buckley, Judy Holcombe, Annette Deakins, Sally Salter, Jerry Kenkel, Leonard Johnson, Jan Johnson, Dave Mouw, Anita Salter, Jim Dozier, and Robert Wagner.

The Pledge of Allegiance was recited.

Kelly asked Council for any comments or additions-Gunderson, requested and will be 15a.

Motion by Struble, seconded by Stueve to approve the agenda for the May 1, 2018 meeting. Motion carried on a 5-0 vote.

Motion by Stueve, seconded by Struble to approve the following items on the consent agenda: a) May 1, 2018 minutes b) claims list c) Water and Park Board reports d) Clerk's financial report e) liquor license for Quik-Pik. Motion carried on a 5-0 vote.

Sally Salter addressed the Council about a Small Cell Tower that was erected in the City Right-of-Way by her house. She is very upset about the location of the tower. Verizon called and they will level her yard, reseed the grass, and remove the gravel.

Annette Deakins, Chamber Director, spoke to the Council about 401 E. Erie Street. There is false information being distributed about the property. The building has not been condemned. All of the legal tenants have power. She has contacted the Fire Marshalls office and they are working with the owner on a list of recommendations.

Ken Dooley had his basement flooded from the water main break on April 24, 2018. The claim was submitted to the City's insurance. Insurance said there is previous damage and will not cover all the repairs. Ken is very upset about the situation and would like the City to figure out a way to help him.

Jim Olmsted, City Engineer, gave an update on multiple projects. Progress on 5th Street has slowed down because of the weather. Paving will start at 4th Street & Michigan tomorrow. Compass Utility made a proposal in the amount of \$40,144.95, lower than the engineers estimate. The Water Treatment Plant repairs are still ongoing. Filter sand will be put in the 1st cell next week. Sherman Co. is working on the 2nd cell and it will be approximately two weeks before the media is completely removed. Sherman Co. is working on Well #1 and it should be running within a week. Jim is getting an estimate for the Control System Booster for the next budget. He is also looking to coordinate the Jopine intersection with work that the County is completing. He will get an estimate and bring it back to Council.

Motion by Struble, seconded by Tiffey to approve they payment to Sherman Company LLC in the amount of \$25,436.00. Motion carried on a 5-0 vote.

Motion by Stueve, seconded by Pfouts to accept proposal from Compass Construction to reconstruct 4th & Michigan intersection. Motion carried on a 5-0 vote.

A question and answer forum was held with representatives, Kelli O'Brien and Tim Brandt, from Union Pacific.

Motion by Stueve, seconded by Struble to approve Mike Dworak and Lyle Waterhouse to the Planning & Zoning Board. Motion carried on a 5-0 vote.

Discussion was held on creating a no parking zone on the west side of North Harrison Street, Block 80. This would help the Street Department with snow removal. Council would like the City Clerk to contact the City Attorney to amend the parking ordinance.

Resolution 18-11 was introduced Setting Wages (Seasonal). Motion by Struble, seconded by Stueve that Resolution 18-11 is adopted. Motion carried on a 5-0 vote.

Resolution 18-12 was introduced Relating to the Financing of a Proposed Project to be Undertaken by the City of Missouri Valley, Iowa; Establishing Compliance with Reimbursement Bond Regulations under the Internal Revenue System. Motion by Struble, seconded by Stueve that Resolution 18-12 is adopted. Motion carried on a 5-0 vote.

Motion by Pfouts, seconded by Struble to set the Public Hearing for FY 17/18 Budget Amendment for May 29, 2018 at 6 p.m. at City Hall. Motion carried on a 5-0 vote.

Mayor Kelly read and signed the Home Rule Proclamation.

Flaherty encouraged Council to drive by the dilapidated baseball field on Harrison Street and West St. Clair. She would like to turn this area into a green space. Pfouts said that Woodbine has recently turned a vacant lot into usable space and Annette Deakins helped with the project. Annette stated that Main Street Iowa evaluates spaces and they come up with new ways to use space. In Woodbine, teenagers wanted usable space to play volleyball. They got two groups together, adults and kids, to see what they would like to do with the space.

Kelly had no Mayor Comments.

Motion by Struble, seconded by Stueve to adjourn at 7:27 p.m. Motion carried on a 5-0 vote.

Shawn Kelly, Mayor

Attest:

Jodie Flaherty, City Clerk

RESOLUTION 18-11

RESOLUTION SETTING WAGES (SEASONAL)

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>
Pool, Manager	Dallas Lokey	\$12.25
Pool, Assistant Manager	Kyrin Davis	\$11.00
Lifeguards w/WSI	TBD	\$ 8.83 (+.25 if returning from prev yr)
Lifeguards	TBD	\$ 8.00 (+.25 if returning from prev yr)
Pool Counter/Concession	TBD	\$ 7.25 (+.25 if returning from prev yr)
Park Groundskeeper Part-Time	Taylor Clark	\$12.50

Passed and approved this 15th day of May, 2018.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty, City Clerk

RESOLUTION 18-12

RESOLUTION RELATING TO THE FINANCING OF A PROPOSED PROJECT TO BE UNDERTAKEN BY THE CITY OF MISSOURI VALLEY, IOWA; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE SERVICE

BE IT RESOLVED by the City Council (the “Council”) of the City of Missouri Valley, Iowa (the “City”), as follows:

Section 1. Recitals.

(a) The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse the City for project expenditures made by the City prior to the date of issuance.

(b) The Regulations generally require that the City make a prior declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing and that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within a certain period after the payment of the expenditure or the date the project is placed in service; and

(c) The City desires to comply with requirements of the Regulations with respect to a certain project hereinafter identified.

Section 2. Official Intent Declaration.

(a) The City proposes to undertake the following project and to make original expenditures with respect thereto prior to the issuance of bonds, notes or other obligations (the “Bonds”) and reasonably expects to issue the Bonds for such project in the maximum principal amount shown below:

<u>Project</u>	<u>Maximum Amount of Bonds Expected to be Issued for Project</u>
Street Improvements	\$100,000
Improvements to the Municipal Waterworks System	\$200,000

(b) Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds or (ii) expenditures made not earlier than sixty days prior to

the date of this Resolution or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the project have heretofore been made by the City for which the City will seek reimbursement from the proceeds of the Bonds.

(c) This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. Budgetary Matters.

As of the date hereof, there are no City funds reserved, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the project, other than pursuant to the issuance of the Bonds. This resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Section 4. Reimbursement Allocations.

The City's financial officer shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Bonds, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the Bonds from any restriction under the bond resolution or other relevant legal documents for the Bonds, and under any applicable state statute, which would apply to the unspent proceeds of the Bonds.

Section 5. Repealer.

All resolutions, parts of resolutions, or actions of the City Council in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved May 15, 2018.

Shawn Kelly, Mayor

Attest:

Jodie Flaherty, City Clerk