

CITY COUNCIL MEETING  
RAND CENTER  
JUNE 16, 2015  
6:00 P.M.

Mayor Sargent presided over the meeting and called it to order at 6:00 p.m. with the following Council members present: Ratliff, Isom, Struble, Thompson. Council member Johnson was absent. Also present were City Clerk/Administrator Miller and visitors: Deidre Drees, Mary Jo Buckley, Dave Scott, Jesusa Christians, John Riley, Everett Ellithorpe, Judy Hodgson, Scott Hochstein, Brenda Dooley, Michael Dorland, Damien Conant, Ian Callaghan, Shane Voss, Ben Dorland.

The Pledge of Allegiance was recited.

Moved by Council member Isom to approve the amended Agenda (Item #10 deleted), seconded by Council member Struble. Motion carried on a 4-0 vote.

Moved by Council member Struble to approve the Consent Agenda, seconded by Council member Ratliff. Motion carried on a 4-0 vote.

Mayor Sargent welcomed the Boy Scouts in attendance.

Dave Scott asked questions about the Harrison Street railroad crossing, parking in front of American National Bank on Harrison Street and sidewalk nuisance abatements. Mayor Sargent replied the police will review the parking and complaints are filed at City Hall.

Everett Ellithorpe announced Ben Carson will be in Missouri Valley on June 25<sup>th</sup> at 3:30 p.m. at the Rand Center.

Missouri Valley Community School District Superintendent Drees addressed the Council with their request that the City waive the building permits fees for their master campus project. The fees would amount to approximately \$19,000. She stated other cities have waived permit fees because schools are public entities and that the school has made \$121,000 in upgrades and contributions at the city-owned football field since 2002. Council member Ratliff stated he was opposed to waiving the fees because the school district gets funds from a larger area than the City and the City has projects that need funding for as well. A question was asked about the City's expenses that the permit fees cover with the response that the wages for the building inspector to review plans and perform the inspections are paid from permit fees. Following discussion, moved by Council member Isom to waive the building permit fee for the Missouri Valley Community School District on a one-time basis, seconded by Council member Struble.

AYES: Isom, Struble, Thompson

NAYS: Ratliff. Motion carried on a 3-1 vote.

Scott Hochstein, Missouri Valley Park Board, addressed the Council with a proposal from Spray & Play for equipment and installation of a splash pad. They would provide the product,

design, and mechanical drawings – everything but the concrete and installation of plumbing. The Park Board is checking into donation of labor for those two items. The Park Board will come back to the next council meeting with drawings and firm plan on construction.

Motion by Council member Struble to authorize the Mayor to sign a Joint Participation Agreement with SWIPCO for the SWITA Transit, seconded by Council member Thompson. Motion carried on a 4-0 vote.

Moved by Council member Thompson to approve the Library Board's recommendation of Bruce Kocher as Library Director effective June 21, 2015 at a wage of \$32,500, seconded by Council member Struble. Motion carried on a 4-0 vote.

Moved by Council member Struble to approve Resolution 15-21, "Resolution Accepting Work Covering The 2014 Longview/Sunnyside Sewer Project", seconded by Council member Thompson. Motion carried on a 4-0 vote.

## **RESOLUTION 15-21**

### **RESOLUTION ACCEPTING WORK COVERING THE 2014 LONGVIEW/SUNNYSIDE SEWER PROJECT**

WHEREAS, the Project Engineers for the 2014 Longview/Sunnyside Sewer Project (the "Project") in the City of Missouri Valley, Iowa, have duly filed a certificate in accordance with Section 384.58 of the Code of Iowa showing that they have inspected completed work for the Project and that the same has been performed in compliance with the terms of the contract and showing the total cost thereof;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Missouri Valley, Iowa, as follows:

Section 1. It is hereby found and determined that the work of constructing the Project has been duly and fully completed by the contractor in accordance with the terms of the contract, and the same is hereby accepted and approved.

Section 2. It is hereby found and determined that the total cost of the Project is in the total amount of \$233,658.50, of which the sum of \$203,100 (\$143,100 of which has already been paid) shall be assessed against private property within the assessable district.

Section 3. Except for the amount being retained by the City pursuant to Chapter 573 of the Code of Iowa, which shall be paid to the contractor not less than 30 days after the acceptance of the work, the amount due the contractor is hereby ordered paid from available funds from which payment for the work may be made.

Section 4. The Project Engineers are hereby instructed to prepare the final schedule of assessments, as provided in Section 384.59 of the Code of Iowa.

Section 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved June 16, 2015.

Attest:

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Rita M. Miller  
City Clerk/Administrator

Moved by Council member Struble to approve Resolution 15-22, "Resolution Adopting Final Assessment Schedule For The 2014 Longview/Sunnyside Sewer Project And Confirming And Levying The Assessments", seconded by Council member Thompson. Motion carried on a 4-0 vote.

### **RESOLUTION 15-22**

#### **RESOLUTION ADOPTING FINAL ASSESSMENT SCHEDULE FOR THE 2014 LONGVIEW/SUNNYSIDE SEWER PROJECT AND CONFIRMING AND LEVYING THE ASSESSMENTS**

WHEREAS, certain property owners filed a Petition, Contract and Waiver (the "Petition") with the City Council of the City of Missouri Valley, Iowa (the "City"), requesting that the City undertake the 2014 Longview/Sunnyside Sewer Project (the "Project") and agreeing to be assessed for a portion of the total cost of the Project, which Petition was approved by the City Council on April 15, 2014; and

WHEREAS, heretofore and in strict compliance with Chapter 384 of the Code of Iowa, the City Council did, pursuant to a Resolution of Necessity duly adopted, order the construction of the Project, such improvement having been duly completed, the work accepted and the Project Engineers having filed the final assessment schedule, which has been fully considered by this Council;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Missouri Valley, Iowa, as follows:

Section 1. The final assessment schedule filed by the Project Engineers covering the 2014 Longview/Sunnyside Sewer Project is hereby amended as follows:

None.

Section 2. The final assessment schedule is hereby approved and adopted.

Section 3. Each and all of the assessments upon the benefited property in the amounts and upon the various lots and tracts described in such final assessment schedule are hereby confirmed and levied.

Section 4. Each of such assessments is hereby divided into twelve (12) equal installments, of \$5,000.

Section 5. All unpaid installments shall bear interest at the rate of 4.00% per annum from June 16, 2015 (that being the date of acceptance of the work); provided, however, that any such assessments may be paid in full or in part without interest within 30 days (the "30-day Payment Period") after the date after the date on which an invoice is sent to each property owner notifying them of the amount due and owing. The invoice shall state that the property owner will make the first assessment installment either: (1) without interest during the 30-day Payment Period; or (ii) with interest calculated through December 1, 2015, on or before October 1, 2015. The first installment shall be paid at City Hall and shall not be billed by the County with property taxes.

Section 6. The second assessment installment shall be due and payable at the office of the County Treasurer of Harrison County on October 1, 2016, and shall become delinquent from January 1, 2017, and then bear the same interest with the same penalties as ordinary taxes. Succeeding installments shall become due and payable in like manner on the first day of October in each of the years 2017 to 2026, inclusive.

Section 7. All unpaid installments of any assessment may be paid in full on any date, in which case interest shall be computed on the outstanding balance to December 1 following the date of such payment; and additional annual installments may be paid after the current installment has been paid before December 1 without interest.

Any property owner may elect to pay one half or all of the next annual installment of principal and interest of the special assessment prior to the delinquency date of the installment.

Section 8. The City Clerk is hereby authorized and directed to certify and file the final assessment schedule, herein referred to, with the County Treasurer of Harrison County.

The City Clerk shall thereupon send an invoice to each property owner by regular mail as set forth in Section 5 hereof.

Section 9. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Section 10. This resolution shall be in full force and effect immediately upon is adoption and approval, as provided by law.

Passed and approved June 16, 2015.

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Clint Sargent, Mayor

Attest:

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Rita M. Miller  
City Clerk/Administrator

Moved by Council member Struble to authorize the Mayor to sign the Street Lighting Installation Agreement with MidAmerican Energy, seconded by Council member Isom. Motion carried on a 4-0 vote. Mayor Sargent informed Council that, due to the difference in the LED light shining straight down, there may be areas where the City will need to add some additional lighting.

Moved by Council member Struble to approve Resolution 15-23, "A Resolution Approving The Transfer Of Funds From The Emergency Fund To The General Fund", seconded by Council member Thompson. Motion carried on a 4-0 vote.

### **RESOLUTION 15-23**

#### **A RESOLUTION APPROVING THE TRANSFER OF FUNDS FROM THE EMERGENCY FUND TO THE GENERAL FUND**

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

That the City Clerk is hereby authorized to transfer \$18,961 from the Emergency Fund to the General Fund.

Passed and approved this 16<sup>th</sup> day of June, 2015.

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Clint Sargent, Mayor

ATTEST:

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Rita M. Miller  
City Clerk/Administrator

Moved by Council member Struble to approve Resolution 15-24, "Resolution Setting Wages Of City Employees For Fiscal Year 2015/2016", seconded by Council member Isom. Motion carried on a 4-0 vote.

### **RESOLUTION 15-24**

#### **RESOLUTION SETTING WAGES OF CITY EMPLOYEES FOR FISCAL YEAR 2015/2016**

WHEREAS, the City Council has approved the following pay schedule for employees for Fiscal Year 2015/2016 as follows:

Derek Aistrope	\$19.01/hr
Vonda Ford	\$17.20/hr
Christopher Haken	\$19.01/hr
Tom Jarosz	\$17.18/hr
Bruce Kocher	\$32,500 Salary
DeAnn Kruempel	\$30,275 Salary
Lee Lange	\$21.88/hr
Trever Melby	\$18.42/hr
Rita Miller	\$75,623 Salary
Robert Millin	\$19.01/hr
Keith Monroe	\$18.34/hr
Edward Murray	\$64,043 Salary
Jacob Musfeldt	\$19.01/hr
Zachary Olinger	\$19.54/hr
Brenda Osborn	\$18.70/hr
Robert Riesland	\$22.82/hr
John Tiffey	\$18.34/hr
Beverly Winans	\$17.20/hr
Library part-time	8.75/hr

Pool Staff as Set

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSOURI VALLEY, IOWA:

That the employees shall be paid the wages as indicated above effective July 1, 2015.

Passed and approved this 16th day of June, 2015.

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Clint Sargent, Mayor

Attest:

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Rita Miller  
City Clerk/Administrator

Moved by Council member Struble to approve Resolution 15-25, "A Resolution Approving The Transfer Of Funds From The Local Option Sales Tax Fund To The Debt Service Fund", seconded by Council member Isom. Motion carried on a 4-0 vote.

**RESOLUTION 15-25**

**A RESOLUTION APPROVING THE TRANSFER OF FUNDS  
FROM THE LOCAL OPTION SALES TAX FUND TO THE DEBT SERVICE FUND**

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

That the City Clerk is hereby authorized to transfer \$ 78,092.00 from the LOST Fund to the Debt Service Fund to pay 75% of the 3<sup>rd</sup> Street paving portion of the bond debt.

Passed and approved this 16th day of June, 2015.

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Clint Sargent, Mayor

ATTEST:

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Rita M. Miller  
City Clerk/Administrator

Moved by Council member Thompson to approve Resolution 15-26, "A Resolution Authorizing The Approval Of And Participation In A Joint Powers Agreement And Declaration Of Trust For The Iowa Public Agency Investment Trust, Authorizing Investments Through The Fixed Term Automated Investment Program Of IPAIT And Authorizing IPAIT To Designate And Name Depositories", seconded by Council member Struble. Motion carried on a 4-0 vote.

RESOLUTION NO 15-26  
IOWA PUBLIC AGENCY INVESTMENT TRUST (IPAIT)  
RESOLUTION

FORM A

Date June 16, 2015

A RESOLUTION AUTHORIZING THE APPROVAL OF AND PARTICIPATION IN A JOINT POWERS AGREEMENT AND DECLARATION OF TRUST FOR THE IOWA PUBLIC AGENCY INVESTMENT TRUST, AUTHORIZING INVESTMENTS THROUGH THE FIXED TERM AUTOMATED INVESTMENT PROGRAM OF IPAIT AND AUTHORIZING IPAIT TO DESIGNATE AND NAME DEPOSITORIES.

WHEREAS, Iowa Code section 28E.1 permits political subdivisions to make efficient use of their powers by enabling them to provide joint services with other Public Agencies and to cooperate in other ways of mutual advantage, and to exercise and enjoy jointly any powers, privileges or authority exercised or capable of being exercised by one Public Agency of this state or private agencies for the joint or cooperative action; and

WHEREAS, Iowa Code sections 331.555 and 384.21 empowers Cities, City Utilities, and Counties to invest their monies pursuant to a joint investment agreement; and

WHEREAS, the City of Fairfield, the Maquoketa Municipal Utility, and Buchanan County are political subdivisions organized and existing under and by virtue of the laws and Constitution of the State of Iowa and have approved the Joint Powers Agreement and Declaration of Trust and thereby they have established the Iowa Public Agency Investment Trust as of October 1, 1987, and amended as of May 1, 1993; and

WHEREAS, this Governing Body desires to adopt and enter into the Joint Powers Agreement and Declaration of Trust, and it is in the best interest of this Governing Body to participate in the Iowa Public Agency Investment Trust for the purpose of joint investment of monies with other cities, city utilities and counties to enhance investment earnings to each; and

WHEREAS, this Governing Body deems it to be advisable for this Public Agency to make use, from time to time, of the Fixed Term Automated Investment Program available to Participants of IPAIT;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Joint Powers Agreement and Declaration of Trust is approved and adopted. This Public Agency joins with the other public agencies in accordance with the Joint Powers Agreement and Declaration of Trust, as amended, (the "Declaration of Trust") which is incorporated herein by reference with the same effect as if it had been set out in this resolution by becoming a Participant of IPAIT. The Joint Powers Agreement and Declaration of Trust is filed in the minutes of the meeting at which this Resolution is adopted. The authorized officials of this Public Agency are directed and authorized to take such actions and execute documents as may be deemed necessary and appropriate to effect the entry of this Public Agency into the Declaration of Trust and adoption thereof by this Public Agency and to carry out the intent and purpose of this Resolution.

Section 2. This Public Agency is authorized to invest its available monies from time to time and to withdraw such monies from time to time in accordance with the provisions of the Declaration of Trust and the Fixed Term Automated Investment Program of IPAIT.

Payment for any investments made within the Fixed Term Automated Investment Program is authorized from the Public Agency's specified IPAIT Account. Interest and principal payments must be credited to the Public Agency's designated Trust Account. The Custodian will hold investments in the name of IPAIT for the account of the Public Agency.

The following officers and officials of this Public Agency and their respective successors in office each are designated as "Authorized Officials" with full power and authority to effectuate the investment and withdrawal of monies with this Public Agency from time to time in accordance with the Joint Powers Agreement and Declaration of Trust.

<u>Clint Sargent</u> Printed Name	<u>Mayor</u> Title
<u>Rita Miller</u> Printed Name	<u>City Clerk/Administrator</u> Title
_____ Printed Name	_____ Title

IPAIT must be advised of any changes in Authorized Officials in accordance with procedures established by IPAIT.

Section 3. The Trustees of IPAIT are designated as having official custody of this Public Agency's monies which are invested in accordance with the Joint Powers Agreement and Declaration of Trust and any monies invested in accordance with the Trust's Fixed Term Automated Investment Program.

Section 4. IPAIT is authorized to designate and name depositories and to file form CPE-31019, to execute documents, and to take actions as may be necessary to purchase and make payment, sell, secure, or take payment of principal and interest. Certificates of deposit must be purchased only from financial institutions designated by IPAIT which are approved depositories as prescribed by Iowa Code chapters 12B and 12C..

Section 5. Authorization is given for members and officials of this Public Agency to serve as Trustees of IPAIT from time to time if selected as such pursuant to the provisions of the Declaration of Trust.

Section 6. Unless otherwise expressly defined, words that are capitalized in the Resolution have meanings defined in the Joint Powers Agreement and Declaration of Trust.

Passed and approved this 16th day of June, 2015.

City of Missouri Valley  
Name of Public Agency

\_\_\_\_\_  
Signature of Presiding Officer

ATTEST:

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Clerk/~~Secretary~~

City Clerk/Administrator Miller gave update on property at 317 N 5<sup>th</sup> Street. The Order has been received giving property to the City but there is a 30-day appeal process before City will

receive title. The asbestos inspection was done this morning (6-16-15) and the results should be back within a few days. City Clerk/Administrator Miller presented proposal from SWIPCO to oversee the demolition process including notices, abatement procedures, bid letting and contract for the property. Moved by Council member Struble to accept the proposal from SWIPCO, seconded by Council member Isom. Motion carried on a 4-0 vote.

Moved to adjourn by Council member Struble, seconded by Council member Thompson. Motion carried on a 4-0 vote. Meeting adjourned at 6:49 p.m.

Clint Sargent, Mayor

Attest:

Rita Miller

City Clerk/Administrator