

**CITY OF MISSOURI VALLY
CITY COUNCIL MEETING
RAND CENTER
Tuesday, August 21, 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: Annette Deakins, Josh Hansen, Steven Riley, Dave Scott, Leonard Ratliff, Jesusa Christians, Bruce Kocher.

The Pledge of Allegiance was recited.

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

Motion by Struble, seconded by Tiffey to approve the agenda for the August 21, 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) August 7, 2018 minutes b) claims list c) Water and Park Board Reports d) Clerk's Financial Report. Motion carried on a 5-0 vote.

Dave Scott contacted the ADA regarding the use of podiums. Gunderson has a disability and the City needs to provide the appropriate equipment for him to hear. There are grant funds available for the purchase of equipment. Dave also would like the City to investigate the drainage issues in the Willow Park area.

David Larson inquired about the reservoir project and if the Clerk has found any information. Flaherty stated she previously emailed the City Engineer and will see if he has found any information.

Motion by Tiffey, seconded by Struble to waive the tent camping fees for the Boy Scouts/Cub Scouts for their Summer Camp Out. Motion carried on a 5-0 vote.

Motion by Struble, seconded by Tiffey to hire Justin McMurray as a part-time Police Officer. Motion carried on a 5-0 vote.

Resolution 18-21 was introduced Setting Wage for Justin McMurray as a part-time Police Officer. Motion by Stueve, seconded by Struble. Motion carried on a 5-0 vote.

Motion by Struble, seconded by Gunderson to approve payment to Sherman Company LLC in the amount of \$9,852.50. Motion carried on a 5-0 vote.

Motion by Tiffey, seconded by Stueve to authorize the City Clerk to sign a Uniform Rental Agreement with Cintas. Motion carried on a 5-0 vote.

Motion by Pfouts, seconded by Stueve to approve the proposal with Heartland Bat Removal to remove bats and guano at City Hall in the amount of \$3,100.00. Motion carried on a 5-0 vote.

Resolution 18-22 was introduced authorizing and approving a Loan Agreement and providing for the issuance of a \$219,042.31 General Obligation Corporate Purpose Note, Series 2018. Motion by Struble, seconded by Tiffey. Motion carried on a 5-0 vote.

Discussion was held on the purchase of a camera system. The camera system will be used to collect data at problem areas with known traffic blockage. When the City is done collecting data the cameras will be able to be used at different locations. The City will need to provide power, access to all facilities, and a bucket truck. Motion by Struble, seconded by Stueve to approve the purchase of a camera system from Light Box Systems. Motion carried on a 5-0 vote.

Pfouts would like the Council to have a special meeting to discuss long term planning and would like to involve the community. She asked Kelly to clarify on what the Fire Hall Committee is being asked to do. Mayor Kelly stated that the committee would be citizens that would give their input on the Fire Department and the Department's needs. Pfouts would like Council to put a limit on what an employee can spend on safety glasses and boots. Flaherty will see what the average has been for past purchases and will see what other cities do.

Annette Deakins with the Chamber stated that Main Street Iowa is willing to come back and give Council an update on their findings. Council would like Annette to arrange a meeting with Main Street Iowa. The Chamber will be applying for the Community Catalyst Grant in October.

Gunderson thanked Dennis Smith for the providing the speaker equipment. He also thanked Dave Scott for providing Council with the information from the ADA and speaking about the drainage issues. Gunderson would like to have a turning light installed at 1st and Erie. There is unsafe passing occurring and he believes a turning light would solve the issue.

Stueve inquired about the parking issues at Harrison and Superior. There are vehicles that have not moved in three weeks. Flaherty stated that parking complaints must go thru the Police Department.

Discussion was held on the Ordinance Amending the Library Board of Trustees. This item must be placed on the ballot in November. Kocher needs Council to approve the language for the ballot. Motion by Pfouts, seconded by Stueve to table the Ordinance Amending the Code of Ordinances of the City of Missouri Valley, IA Amending Library Board of Trustees. Motion carried on a 5-0 vote. Council will have a special meeting to approve the ballot language.

Flaherty stated she handed out the timeline for the Water Treatment Plant. The City is hoping the plant will be running at full capacity by the beginning of September. The repairs have been completed at the bingo shelter. North 5th Street will be closed on September 1st and 2nd for tree removal.

Kelly thanked the Clerk and Staff for the great job they have been doing.

Motion by Struble, seconded by Tiffey to adjourn at 7:10 p.m. Motion carried on a 5-0 vote.

Shawn Kelly, Mayor

Attest:
Jodie Flaherty, City Clerk

RESOLUTION 18-21

RESOLUTION SETTING WAGE

BE IT RESOLVED by the City Council of the City of Missouri Valley, Iowa:

The following employees 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>
Part-time Police Officer	Justin McMurray	\$20.81

Passed and approved this 21st day of August, 2018.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty
City Clerk

RESOLUTION 18-22

**RESOLUTION AUTHORIZING AND APPROVING A LOAN AGREEMENT
AND PROVIDING FOR THE ISSUANCE OF A \$219,042.31 GENERAL
OBLIGATION CORPORATE PURPOSE NOTE, SERIES 2018**

WHEREAS, the City of Missouri Valley (the "City"), in Harrison County, State of Iowa, heretofore proposed to enter into a General Obligation Corporate Purpose Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed

\$300,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the costs, to that extent, of constructing street and water system improvements, and pursuant to law and duly published notice of the proposed action has held a hearing thereon on July 17, 2018;

WHEREAS, the City Council has authorized D.A. Davidson & Co. (the "Placement Agent") to negotiate the Loan Agreement and to provide for the sale of a General Obligation Corporate Purpose Note, Series 2018 (the "Note"); and

WHEREAS, upon due consideration and advice from the Placement Agent, the proposal of American National Bank, Missouri Valley, Iowa (the "Lender"), was determined to be the best, and the City has determined to enter into the Loan Agreement with the Lender; and

WHEREAS, it is now necessary to make final provision for the approval of the Loan Agreement and to authorize the issuance of the Note;

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

Section 1. The City hereby determines to enter into the Loan Agreement with the Lender, providing for a loan to the City in the principal amount of \$219,042.31 for the purpose or purposes set forth in the preamble hereof.

The Mayor and City Clerk are hereby authorized and directed to sign the Loan Agreement on behalf of the City, and the Loan Agreement is hereby approved.

Section 2. The Note is hereby authorized to be issued in the principal amount of \$219,042.31, shall be dated as of the date of its delivery to the Lender (such date is anticipated to be August 30, 2018) and shall be payable in the manner hereinafter specified.

The City Clerk is hereby designated as the registrar and paying agent for the Note and may be hereinafter referred to as the "Registrar" or the "Paying Agent."

Principal of this Note shall not bear interest. All of the principal of this Note shall be payable directly to the Lender on August 31, 2018. A loan origination fee of \$230.01 shall be payable on August 30, 2018.

The Note shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the City Clerk and shall be a fully registered Note without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Note shall cease to be such officer before the delivery of the Note, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Note shall be fully registered as to principal and interest in the name of the owner on the registration books of the City kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owner or its legal

representatives or assigns. The Note shall be transferable only upon the registration books of the City upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of any owners of the Note shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 3. The Note shall be in substantially the following form:

(Form of Note)

UNITED STATES OF AMERICA
STATE OF IOWA HARRISON COUNTY
CITY OF MISSOURI VALLEY

GENERAL OBLIGATION CORPORATE PURPOSE NOTE, SERIES 2018

No. 1 \$219,042.31

RATE	MATURITY DATE	NOTE DATE
0%	August 31, 2018	August 30, 2018

The City of Missouri Valley (the “City”), in Harrison County, State of Iowa, for value received, promises to pay in the manner hereinafter provided to

American National Bank
Missouri Valley, Iowa (the “Lender”)

or registered assigns (the “Lender”), the principal sum of TWO HUNDRED NINETEEN THOUSAND FORTY-TWO DOLLARS AND THIRTY-ONE CENTS.

Principal of this Note shall not bear interest. All of the principal of this Note shall be payable directly to the Lender on August 31, 2018. A loan origination fee of \$230.01 shall be payable on August 30, 2018.

This Note is issued by the City to evidence its obligation under a certain Loan Agreement, dated as of the date hereof (the “Loan Agreement”) entered into by the City for the purpose of paying the costs, to that extent, of constructing street and water system improvements.

This Note is issued pursuant to and in strict compliance with the provisions of Chapter 76 and Chapter 384 of the Code of Iowa, 2017, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the City Council authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of this Note (the “Resolution”), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of this Note and the rights of the holder of this Note.

This Note is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Note to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Note were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of this Note as the same will respectively become due; and that the total indebtedness of the City, including this Note, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the City of Missouri Valley, Iowa, by its City Council, has caused this Note to be executed by its Mayor and attested by its City Clerk, on August 30, 2018.

CITY OF MISSOURI VALLEY, IOWA

By (DO NOT SIGN)
Mayor

Attest:

(DO NOT SIGN)
City Clerk

ABBREVIATIONS

The following abbreviations, when used in this Note, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	- as tenants in common	UTMA	_____
			(Custodian)
TEN ENT	- as tenants by the entireties	As Custodian for	_____
JT TEN	- as joint tenants with		(Minor)
	right of survivorship and	under Uniform Transfers to Minors Act	
	not as tenants in common	_____	(State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Note to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____,
Attorney, to transfer this Note on the books kept for registration thereof with full power of
substitution.

Dated: _____

Signature guaranteed:

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Note in every particular, without alteration or enlargement or any change whatever.

Section 4. The Note shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon shall be delivered to the Registrar for registration and delivery to the Lender on August 30, 2018, upon receipt of the loan proceeds, and all action heretofore taken in connection with the Loan Agreement is hereby ratified and confirmed in all respects.

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

Section 6. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved on August 21, 2018.

Shawn Kelly, Mayor

Attest:

Jodie Flaherty, City Clerk