

CITY COUNCIL MEETING
RAND CENTER
SEPTEMBER 16, 2014
6:00 P.M.

Mayor Sargent opened the public hearing on re-zoning Lot 1, Auditor's Subdivision at 6:00 p.m. He asked for any comments. There were none and he closed the hearing.

Mayor Sargent announced the public hearing on the preliminary plat of the Tamarack Estates subdivision has been postponed and will be re-scheduled once the conditions from the Planning & Zoning Board have been met.

Mayor Sargent called the regular session to order at 6:00 p.m. with the following Council members present: Isom, Struble, Ratliff, Dillinger. Council member Johnson was absent. Also present were City Clerk/Administrator Miller and visitors: Roger Gunderson, Jan Guill, Tim Guill, Steven Robinette, John Riley, Bill Bugenhagen, Kim Bugenhagen, Marty Lager, Kirby Kaufman.

The Pledge of Allegiance was recited.

Moved by Council member Struble to approve the agenda as presented, seconded by Council member Dillinger. Motion carried on a 4-0 vote.

Moved by Council member Dillinger to approve the consent agenda with the amended Claims List, seconded by Council member Struble. Motion carried on a 4-0 vote.

During citizen inquiries, a comment was made that there is a problem with vehicles passing on the right at the 1st Street/Erie Intersection.

Tim Guill addressed the Council about TIF funding for his development project. The units will meet the LMI guidelines and the TIF funds would be used for infrastructure. He presented Council with a packet of information for their consideration. Council consensus was to review the information and put it on the agenda for the next meeting.

Questions were asked about the status of a house on N 5th Street that the City has started abandonment proceedings on. City Clerk/Administrator Miller reported it's been turned over to the attorney. The first step is a lien search, which has not yet been completed.

Moved by Council member Struble to approve the 1st reading of Ordinance #503, "An Ordinance Amending The Official Zoning Map For The City Of Missouri Valley, Harrison County, Iowa: To Change Zoning Classification", seconded by Council member Dillinger. Motion carried on a 4-0 vote.

ORDINANCE #503

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR
THE CITY OF MISSOURI VALLEY, HARRISON COUNTY, IOWA:
TO CHANGE ZONING CLASSIFICATION**

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

SECTION 1. ZONING CLASSIFICATION OF:

Lot 1, Auditor's Subdivision of Section 15-78-44, Missouri Valley, Harrison County, Iowa is hereby changed from BGH (Heavy General Business) to RD60 (Duplex Residential).

SECTION 2. PURPOSE: Pursuant to the Planning and Zoning Commission's recommendation, and following a public hearing on the matter, this zoning change is made to allow for the orderly growth of the City of Missouri Valley and to allow the proper use of land within the corporate boundaries.

The Clerk of the City of Missouri Valley, Iowa is hereby authorized to note said changes by the amendment on the zoning regulations map.

SECTION 3. REPEALER: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the minimum extent necessary to comply with this ordinance.

SECTION 4. SEVERABILITY CLAUSE: If any section, provision or part of this ordinance is adjudicated to be 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 5. EFFECTIVE DATE: This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the City Council on the _____ day of _____, 2014 and approved this _____ day of _____, 2014.

Clint Sargent, Mayor

ATTEST:

Rita M. Miller
City Clerk/Administrator

Gwyn Jarrett, U.S. Army Corps of Engineers Project Manager on the Section 205 Study, of the Willow Creek/Boyer River Flood Risk Management, gave a summary of the scope of work and answered questions about the cost share agreement. The City will be able to use in-kind work and partner with other agencies to fund its' cost share. This combined study is a more comprehensive study than the separate originally proposed Willow Creek Study and will increase the cost/benefit ratio needed to make the project feasible. This study will also be needed for pursuing a by-pass. The DNR, IDEA, and IDOT will be asked to partner with the City. Funding for the study was discussed with the most likely source being local option sales tax revenue. Following discussion, moved by Council member Struble to sign the Letter of Intent to enter into a contract with the Corps of Engineers, seconded by Council member Dillinger.

AYES: Struble, Dillinger

NAYS: Isom, Ratliff. Motion did not carry.

Mayor Sargent stated that when the Section 205 Study is done and the project found to be feasible, the project would go forward without having to go back to Congress for funding. It would be 55% federally funded, -35% nonfederal. If the City takes no action on the letter of intent and agreement, the study can't move forward and the City would be turning away dollars toward a project that will need to be done eventually. By doing this project, the City moves in the direction of the Comprehensive Plan passed by the Council in 2010 and will remove areas from the flood plain. Moved by Council member Dillinger to sign the letter of intent with the Corps of Engineers, seconded by Council member Isom. Motion carried on a 4-0 vote. Moved by Council member Dillinger to authorize the Mayor to sign the Agreement with the Department of the Army for the Willow Creek/Boyer River Section 205 Feasibility Study, seconded by Council member Struble. Motion carried on a 4-0 vote.

Moved by Council member Dillinger to table Item #10, seconded by Council member Struble. Motion carried on a 4-0 vote.

Moved by Council member Dillinger to accept the quote from D/C Electric for poles and installation of the emergency siren system, seconded by Council member Struble. Motion carried on a 4-0 vote.

Moved by Council member Dillinger to approve the quote from GPM for a flow meter at the lagoon for the effluent flow, seconded by Council member Struble. Motion carried on a 4-0 vote.

Council member Isom asked about additional mosquito control and enforcement of the weight limit on S. 9th Street.

City Clerk/Administrator Miller informed Council the Public Works Director is getting bids for painting the yellow line on N 1st and these will be brought to the Council.

The Housing Committee for the CDBG Housing Rehabilitation Project are Fonda Story, Trista Winchester, Pat Skelton, a member of the Ministerial Association and Council member Johnson.

Moved to adjourn by Council member Struble, seconded by Council member Isom. Motion carried on a 4-0 vote. Meeting adjourned at 6:56 p.m.

Clint Sargent, Mayor

Attest:

Rita Miller

City Clerk/Administrator