

**CITY OF MISSOURI VALLEY  
CITY COUNCIL MEETING  
MISSOURI VALLEY PUBLIC LIBRARY  
TELECONFERENCE  
TUESDAY, SEPTEMBER 1, 2020**

Due to the COVID-19 pandemic, the City of Missouri Valley offered the meeting via teleconference for the public.

Mayor Kelly presided over the meeting and called it to order at 6:00 p.m. with the following Council members present: Dooley, Sr., Ford, and Struble. Absent: Pfouts and Stueve. Also present: Caleb Wohlers, Jay Wheeldon, and Jim Olmsted

The Pledge of Allegiance was recited.

Kelly asked Council for any comments or additions-Ford requested and will be 18a.

Motion by Struble, seconded by Ford to approve the agenda for the September 1, 2020 meeting. Motion carried unanimously.

Motion by Struble, seconded by Dooley to approve the following items on the consent agenda: a) Minutes from August 18, 2020 City Council Meeting and August 25, 2020 City Council Workshop b) Claims list. Motion carried unanimously.

There were no inquiries from citizens.

Jim Olmsted gave an update on current projects. The 3<sup>rd</sup> Street Booster Station is almost complete. Olmsted stated there will be a walk-thru on Thursday.

Motion by Ford, seconded by Struble to approve Application for Payment No. 5 from Cahoy Pump Service, in the amount of \$60,716.07, for the 3<sup>rd</sup> Street Booster. Motion carried unanimously.

Olmsted stated the Tamarack Project is completed. Olmsted has the proposed dedication from Midstates Bank to the City.

Motion by Ford, seconded by Struble to Approve the Final Payment to Precision Concrete in the Amount of \$61,934.83. Motion carried unanimously.

Motion by Ford, seconded by Struble to Accept and Close out the Tamarack Project. Motion carried unanimously.

Olmsted stated FEMA is still reviewing the Archeological Study and should receive a response by September 30<sup>th</sup>. Flaherty stated that she filed an extension with the Iowa Department of Homeland Security and Emergency Management. Jake Zimmer with Olmsted and Perry gave Council an update on the proposed Street Projects. He gave Council updated numbers with the

full reconstruction of the Streets. Council now has options of either overlays or reconstructions. Flaherty has contacted the Harrison County Engineer to discuss the by-pass. There is a meeting scheduled next week and Olmsted and Flaherty will bring back their findings to the Council. Olmsted also stated that he has the final support documents from the Library Reconstruction Project.

Motion by Ford, seconded by Dooley to re-average the sewer at 118 South 5<sup>th</sup> Street using the last 3 months of usage. Motion carried unanimously.

Motion by Struble, seconded by Ford to Approve the Invoice for Harrison County Engineer in the Amount of \$5,742.51 for repairs on Liberty Avenue. Motion carried unanimously.

Motion by Ford, seconded by Struble to update City Ordinances to Coincide with changes to the Iowa Code (Relating to the Regulation of Persons Involved with Animals, Relating to the Criminal Justice System, and Relating to the Minimum Age for Tobacco Use.). Motion carried unanimously.

Motion by Struble, seconded by Ford to approve the title change for Jodie Flaherty, City Administrator. Motion carried unanimously.

Motion by Struble, seconded by Dooley to allow the Mayor to sign the Employment Agreement with Jodie Flaherty. Motion carried unanimously.

Resolution #20-28 was introduced Setting Wages of City Employees. Motion by Struble, seconded by Dooley. Motion carried unanimously.

Resolution#20-29 was introduced Requesting Reimbursement from the Iowa COVID-19 Government Relief Fund. Motion by Struble, seconded by Ford. Motion carried unanimously.

An Ordinance was introduced Adopting Building Codes to Regulate and Govern the Conditions and Maintenance of all Property, Buildings and Structure; to Provide the Standards for Supplied Utilities and Facilities and other Physical Things and Conditions Essential to Ensure that Structures are Safe, Sanitary and Fit for Occupation and Use; and the Condemnation of Buildings and Structures Unfit for Human Occupancy and Use and the Demolition of Such Structures in the City of Missouri Valley; Providing for the Issuance of Permits and Collection of Fees Therefor; Repealing all other Ordinances in Conflict Herewith. Motion by Ford, seconded by Struble to adopt the 1<sup>st</sup> reading. Motion carried unanimously.

Ford thanked Scott & Bridget at the Loess Moose for their business and welcomes Buck Snort to the community.

Flaherty stated that there was one sealed bid received in the amount of \$55.00 for the 1990 Ford Ranger Pickup. Motion by Struble, seconded by Dooley to reject the bid. On the next agenda Council would like to discuss the disposal of the Ford Ranger.

Resolution #20-30 was introduced approving the City of Missouri Valley Personnel Manual. Motion by Struble, seconded by Dooley. Motion carried unanimously.

Pfouts arrived at 6:31 p.m.

Mark Reinders from MidAmerican Energy shared information regarding franchise fees. The City currently has Local Option Sales Tax (LOST) on all utility bills. This is a 1 percent tax and the City receives a portion of the tax. If Council would charge a 1 percent franchise fee it would equal what is currently being charged and customers would not receive an increase. The City would receive the entire 1 percent. The City would have to create a general purpose statement for the funds. The City has the option to increase the franchise fees in the future. The current MidAmerican Agreement expires in 2023. If the City agrees to a new agreement, they recommend 20 or 25 years. Council is in favor of the 1 percent franchise fee and the general purpose statement that MidAmerican shared. Motion by Struble, seconded by Pfouts to set a public hearing on 10/06/2020 at 6 p.m. Motion carried unanimously.

There were no City Administrator Comments.

There were no Mayor Comments.

Motion by Struble, seconded by Pfouts to adjourn at 6:59 p.m. Motion carried unanimously.

Shawn Kelly, Mayor

Attest:

Jodie Flaherty, City Administrator

## RESOLUTION 20-28

### RESOLUTION SETTING WAGES OF CITY EMPLOYEES

WHEREAS, the City Council has approved the following pay schedule for employees as follows:

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>Wage</u>
City Administrator	Jodie Flaherty	\$60,327.10 (Salary)
Water Billing Clerk	Jody Meyer	\$14.75/Hour
Deputy Clerk	Vonda Ford	\$23.15/Hour

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

That the employees shall be paid the wage as indicated above effective September 1, 2020.

Passed and approve this 1st of September, 2020.

\_\_\_\_\_  
Shawn Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Jodie Flaherty, City Administrator

#### **RESOLUTION 20-29**

#### **RESOLUTION REQUESTING REIMBURSEMENT FROM THE IOWA COVID-19 GOVERNMENT RELIEF FUND**

A resolution by the City of Missouri Valley to request reimbursement for eligible costs related to the COVID-19 public health emergency from the Iowa COVID-19 Government Relief Fund.

WHEREAS, the United States Congress approved the Coronavirus Aid, Relief, and Economic Security (CARES) Act to provide economic relief related to the COVID-19 pandemic.

WHEREAS, Governor Kim Reynolds allocated \$125 million of the State of Iowa's CARES Act funding to local governments for direct expenses incurred in response to the COVID-19 emergency.

WHEREAS, local government funding reimbursements may only be used for necessary expenditures incurred due to the COVID-19 pandemic, were not accounted for in the current fiscal year city budget, were incurred during the time period of March 1, 2020 through December 30, 2020 and have not been reimbursed from other sources.

NOW, THEREFORE BE IT RESOLVED, the City of Missouri Valley requests a reimbursement of eligible expenditures in response to the COVID-19 public health emergency.

BE IT FURTHER RESOLVED, the City of Missouri Valley affirms that the above requests for reimbursement follow all formal published Federal and State of Iowa guidance on how the funds should be spent, and understand if the reimbursements are misrepresented, the local government will be liable for any applicable penalty and interest.

Hereby RESOLVED by the City Council of the City of Missouri Valley on this 1<sup>st</sup> day of September 2020.

\_\_\_\_\_  
Shawn Kelly, Mayor

\_\_\_\_\_  
ATTEST: Jodie Flaherty, City Administrator

### RESOLUTION 20-30

#### A RESOLUTION TO APPROVE THE PERSONNEL MANUAL

**WHEREAS**, the City of Missouri Valley, Iowa desires to have a personnel manual which explains their current policies and procedures; and

**WHEREAS**, the City of Missouri Valley, Iowa, has revised some sections of the personnel manual; and

**WHEREAS**, the City of Missouri Valley, Iowa employees desire to have a personnel manual to inform them of policies and procedures.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Missouri Valley, Iowa, that they adopt a revised personnel policy manual; and

**BE IT FURTHER RESOLVED**, by the Missouri Valley City Council of the City of Missouri Valley, Iowa, that the City Clerk is directed to distribute this manual to all employees and members of management and the Mayor and City Clerk are hereby directed to certify this resolution of approval.

Passed and approved this 1st day of September, 2020.

\_\_\_\_\_  
Shawn Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Jodie Flaherty, City Administrator

## ORDINANCE #556

AN ORDINANCE OF THE CITY OF MISSOURI VALLEY ADOPTING BUILDING CODES TO REGULATE AND GOVERN THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; TO PROVIDE THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES IN THE CITY OF MISSOURI VALLEY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSOURI VALLEY AS FOLLOWS:

### SECTION I. PURPOSE

The purpose of this ordinance is to designate the responsibilities of persons for new construction, additions, and modifications of structures within the City in order to provide for the safety and preserve the health and welfare of the citizens of the City.

### SECTION II. ADOPTION OF BUILDING CODE

Except as hereinafter added, deleted, modified or amended, there is hereby adopted following building codes as well as any amendments adopted to these codes heretofore by the State of Iowa:

1. *International Building Code, 2015 Edition*
2. *International Residential Code, 2015 Edition*
3. *International Fire Code, 2015 Edition*
4. *International Existing Building Code, 2015 Edition*
5. *National Electrical Code, 2017 Edition*
6. *International Mechanical Code, 2015 Edition*
7. *Uniform Plumbing Code, 2018 Edition*

The provisions of said Building Codes shall be controlling in maintaining minimum requirements and standards of structures and properties within the corporate limits of the City and shall be known inclusively as the Missouri Valley Building Code.

### SECTION III. AMENDMENTS, MODIFICATIONS, ADDITION, AND DELETIONS

The following sections to the *2015 International Building Code and 2015 International Residential Code* are hereby revised:

**Title.** Section 101.1 and Section R101.1 Insert "City of Missouri Valley" as name of jurisdiction

**Permit Required.** Section 105.1 and Section R105.1 shall read as follows:

Any owner or owner's authorized agent who intends to erect, construct, convert, alter, enlarge, extend, raise or demolish or move any building or structure or any portion thereof shall first make application to the City and obtain the required building permit.

**Application for Permit.** Section 105.3 and Section R105.3 shall be read as follows:

To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the City Administrator for that purpose. Such application shall include sufficient documentation to ensure compliance with the building code.

Section 105.3.1 **Action on Application.** The City Administrator shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the City Administrator shall reject such application in writing, stating the reasons therefor. If the City Administrator is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the City Administrator shall issue a permit therefor as soon as practicable.

**Expiration.** Section 105.5 and Section R105.5 shall read as follows:

Any building permit under which no construction work has been commenced within six (6) months after the date of issue of the permit, or under which the proposed construction has not been completed within two (2) years of the date of issue, shall expire by limitation; and no work or operations shall take place under any building permit after such expiration.

**Reinspection Fees.** Add a new Section 109.7 and Section R109.5 to read as follows:

A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made or incorrectly completed.

Re-inspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the City Administrator.

**Violations and Penalties.** Section 114.4 and Section R113.4 shall read as follows:

Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provisions of this Code is committed, continued, or permitted and upon conviction of any such violations such person shall be penalized in accordance with Chapter 4 of the Missouri Valley Code of Ordinances.

**Establishment of Flood Hazard Areas.** Section 1612.3 shall refer to the Flood Insurance Rate Map (FIRM) for Missouri Valley, Iowa dated August 1, 1977, or any other FIRM or amendments thereto adopted by the City Council.

SECTION IV ADMINISTRATION

The City Administrator or his/her designee, is charged with the administration of this ordinance.

SECTION V REPEALER

Any ordinance or portion of ordinances in conflict with this ordinance are repealed to the minimum extent necessary to conform with this ordinance.

SECTION V SEVERABILITY

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 VI EFFECTIVE DATE

This ordinance shall be in full force and effect upon its final passage and publication as required by law.

PASSED AND APPROVED BY THE COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

CITY OF MISSOURI VALLEY, IOWA

\_\_\_\_\_  
Shawn Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Jodie Flaherty, City Administrator

I certify that the foregoing was published as Ordinance \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jodie Flaherty, City Administrator

1<sup>st</sup> reading: 9-01-2020  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:  
Published: