

**CITY OF MISSOURI VALLEY
CITY COUNCIL MEETING
MISSOURI VALLEY PUBLIC LIBRARY
TELECONFERENCE
TUESDAY, FEBRUARY 16, 2021**

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., Struble, and Pfouts via telephone. Absent: Ford and Stueve Also present: Jim Olmsted, Jake Zimmer, and Bruce Kocher.

The Pledge of Allegiance was recited.

6:00 p.m. Public Hearing on US Cellular Lease. There were no written or oral objections. Motion by Struble, seconded by Pfouts to close the hearing. Motion carried unanimously.

6:05 p.m. Public Hearing on FY 21/22 Max Levy. There were no written or oral objections. Motion by Struble, seconded by Dooley to close the hearing. Motion carried unanimously.

6:10 p.m. Public Hearing to Consider Amending the Franchise Fee Pertaining to MidAmerican Energy Company and the Franchises they Hold for Non-Exclusive Electric Supply and Non-Exclusive Natural Gas Supply. There were no written or oral objections. Motion by Struble, seconded by Dooley to close the hearing. Motion carried unanimously.

There were no Council comments or additions.

Motion by Struble, seconded by Pfouts to approve the agenda for the February 16, 2021 meeting. Motion carried unanimously.

Motion by Struble, seconded by Dooley to approve the following items on the consent agenda: a) Minutes from February 2, 2021 City Council Meeting b) Claims list c) Liquor Licenses for Harrison County Fair d) Motion to approve Mayor's appointment of Pat Skelton and Janeen Barrett to the Low Rent Housing Board, term expiring March 2023. Motion carried unanimously.

Jeannie Wortman with the Chamber stated the Chamber would like to update the garbage containers, planters, and benches in the business district. The Chamber may need an area to store the items and help assembling the items. They will fund the project. Council is in favor of the project.

Jim Olmsted gave an update on current projects. The Willow Park project bid opening will be held on March 2nd and Olmsted hopes the start date will be April 1st. Trees need to be removed before the start of the project. They will be asking for bids. The City is fine with contractors utilizing the tree dump. Olmsted is working on the USDA application and engineering report for

the West Highway 30 Watermain Replacement Project. There are issues with the control panel and system at the Water Treatment Plant. Olmsted recommends adding those costs into the USDA application. The Army Corps is planning on a Spring public hearing for the Willow Creek Levee project and the final report being completed mid-year. Flaherty is working on setting up a meeting with SWIPCO regarding funding options.

Library Director Kocher stated the Library had their boilers replace. The estimate was \$44,341.00 from Rasmussen's. He went over current and upcoming projects.

Jonathan McDonald, PeopleService, stated there was a water main break on Harrison Street. The touch screen went out on the backwash lagoon. Parts for pump 3 at the lagoon are in. There are multiple frozen service lines in town.

Resolution #21-07 was introduced approving City of Missouri Valley, Iowa, City Park Camping Rules. Motion by Struble, seconded by Pfouts. Motion carried unanimously.

Resolution #21-08 was introduced approving the Maximum Property Tax Dollar Requested for Fiscal Year July 1, 2021 to June 30, 2022. Motion by Struble, seconded by Dooley. Motion carried unanimously.

Motion by Pfouts, seconded by Struble to set the public hearing for FY 20/21 Budget for March 16, 2021 at 6:00 p.m. Motion carried unanimously.

Motion by Struble, seconded by Pfouts for the Mayor to sign the Memorandum of Lease with USCOC of Greater Iowa, LLC. Motion carried unanimously.

Motion by Struble, seconded by Pfouts for the Mayor to sign the Ground Lease with USCOC of Greater Iowa, LLC. Motion carried unanimously.

Flaherty stated she received two estimates for new windows at City Hall/Fire Station. The low bid was from SWI Windows-Doors & More for \$16,995.00. Motion by Pfouts, seconded by Struble to accept the estimate from SWI Windows-Doors & More for replacement windows at City Hall and the Fire Station in the amount of \$16,995.00. Motion carried unanimously.

Discussion on Parking Ordinance. Flaherty stated that during the preconstruction meeting for the Willow Park Addition, consensus was to ask Council to update the Parking ordinance to include the streets in the Willow Park Addition. The City believes it would be easier to have no parking in the area during the construction. Council would like Flaherty to add the streets to the Park Regulations ordinance.

Motion by Struble, seconded by Dooley to table the Ordinance Amending the Code of Ordinances of the City of Missouri Valley, Iowa, by Amending Provisions Pertaining to Parking Regulations and have Flaherty add the streets in the Willow Park addition. Motion carried unanimously.

An Ordinance was introduced Amending the Code of Ordinances of the City of Missouri Valley, Iowa, by Amending the Electric Franchise. Motion by Pfouts, seconded by Struble to adopt the 1st reading. Motion carried unanimously.

An Ordinance was introduced Amending the Code of Ordinances of the City of Missouri Valley, Iowa, by Amending the Natural Gas Franchise. Motion by Pfouts, seconded by Struble to adopt the 1st reading. Motion carried unanimously.

Discussion was held on adding a Penalty Ordinance. The City Attorney recommends the City adding a penalty ordinance. Council would like Flaherty to have the City Attorney prepare an ordinance with his recommendations for Council and see if there are more penalties he recommends adding.

Flaherty stated the application period has ended for the Building Inspector position. Per City Policy, two Council members are able to assist in interviews. Dooley volunteered. Flaherty stated she would look at dates and set up a time with Dooley.

Dave Roberts Insurance currently handles the City's vision insurance. There was a packet from Mr. Roberts included in Council packets. At this time, Council does not want to upgrade the vision insurance.

There were no Mayor Comments.

Motion by Struble, seconded by Pfouts to adjourn at 6:43 p.m. Motion carried unanimously.

Shawn Kelly, Mayor

Attest: Jodie Flaherty, City Administrator

RESOLUTION 21-07

RESOLUTION APPROVING CITY OF MISSOURI VALLEY, IOWA, CITY PARK CAMPING RULES

WHEREAS, the City of Missouri Valley has camping facilities that are available for use; and
WHEREAS, the City of Missouri Valley has established rules for camping at the City Park and have had these reviewed previously by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED that the Missouri Valley City Council does hereby establish the following rules for Camping at the City Park:

1. Campsites are first come, first served. No reserving of sites.
2. Camper must pay fees by the end of the day of arrival. Camper must pay camping fee regardless electrical hookup usage. Camping slips must be filled in completely and legibly.

3. The camping stub must be placed in a window or a spot that is easily visible by a park employee.
4. Campers may stay 14 days in one spot, after which they must move to a different spot. For an exemption, please contact a park employee or city hall. (712-642-3502, 8:00 A.M.-5:00 P.M., Monday through Friday)
5. Pets must be kept on a leash or tether. Campers must clean up after their pets. (Suggestion: The city dog park, three blocks north of the city park, is a good place to take them.)
6. Only one RV per campsite. Only one tent per RV.
7. NO campfires.
8. NO clotheslines permitted.
9. NO driving or parking inside the fenced area.
10. NO ground disposal of ANY drain water. Use the dump station.
11. NO camping in vehicles other than campers or RVs.
12. Camper is responsible for cleaning up campsite before leaving.
13. Restrooms are open from 7:00 A.M. to 12:00 A.M. They will be locked after midnight by the Police Department.
14. Quiet time: 10:00 P.M. to 7:00 A.M.
15. Check out time: 3:00 P.M.
16. Police have the right to remove campers causing problems with other campers or city employees.
17. Destruction of property will result in a police situation. This includes destruction of park trees, picnic tables, restrooms, other park property, etc.
18. All camping will be closed the week of the county fair. Campers in the park will be notified 2 weeks prior, and it will be posted

BE IT FURTHER RESOLVED, by the City Council of the City of Missouri Valley, Iowa, that the Mayor and City Administrator are hereby authorized and directed to execute said Resolution.

Passed and approved this 16th day of February, 2021.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty, City Administrator

RESOLUTION 21-08

A RESOLUTION APPROVING THE MAXIMUM PROPERTY TAX DOLLARS REQUESTED FOR FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022

WHEREAS, at the January 26, 2021 Special City Council Meeting, the Missouri Valley City Council approved setting a public hearing for February 16, 2021, on the maximum property tax dollars requested, and

WHEREAS, notice of said hearing, was posted on the City website and City Facebook page on January 28, 2021, and was published as required in the Missouri Valley Times News on February 3, 2021, and

WHEREAS, said hearing concerning the proposed city maximum property tax dollars was held on February 16, 2021, and

WHEREAS, the City Council of the City of Missouri Valley have considered the proposed FY 2020/2021 maximum property tax dollars for the affected levy total, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Missouri Valley, Iowa, that the maximum property tax dollars for the affected tax levies for FY 2021/2022 shall not exceed the following total:

Total maximum levy for affected property tax levies - \$1,330,053

The Maximum Property Tax dollars requested in the total maximum levy for affected property tax levies for the FY 2021/2022 represents a decrease of 4.46% from the Maximum Property Tax dollars requested for FY 2020/2021.

Passed and approved this 16th day of February, 2021, by the following roll call vote:

AYES: Dooley Sr, Struble, Pfouts

NAYES: none

Shawn Kelly, Mayor

Attest:

Jodie Flaherty, City Administrator

ORDINANCE # _____

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE CITY OF MISSOURI VALLEY, IOWA, BY AMENDING
THE ELECTRIC FRANCHISE**

WHEREAS, the City of Missouri Valley, Iowa, and MidAmerican Energy Company entered into an electric franchise agreement for Natural Gas Ordinance No. 561, adopted by the City Council on October 20, 2020, and

WHEREAS, the City of Missouri Valley and MidAmerican Energy Company agree the franchise must be amended

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Missouri Valley, Iowa, as follows:

1. That Section 13 of Ordinance No. 561 being:

Section 13. There is hereby imposed upon the customers a franchise fee of 1% upon the gross revenues, minus uncollectible accounts, generated from sales of electricity and distribution service, pursuant to the tariff, by the Company within the corporate limits of the City. The franchise fee shall be remitted by the Company to the City on or before the last business day of the calendar quarter following the close of the calendar quarter in which the franchise fee is charged.

is hereby struck and the following Section 13 is substituted therefore:

Section 13. There is hereby imposed upon the customers a franchise fee of 5% upon the gross revenues, minus uncollectible accounts, generated from sales of electricity and distribution service, pursuant to the tariff, by the Company within the corporate limits of the City. The franchise fee shall be remitted by the Company to the City on or before the last business day of the calendar quarter following the close of the calendar quarter in which the franchise fee is charged.:

Passed by the Council on the _____ day of _____, 2021, and approved this ____ day of _____, 2021.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty, City Administrator

I certify that the foregoing was published as Ordinance # ____ on the _____ day of _____, 2021.

Jodie Flaherty, City Administrator

1st reading: 2-16-2021

2nd reading:

3rd reading:

Published:

ORDINANCE # _____

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE CITY OF MISSOURI VALLEY, IOWA, BY AMENDING
THE NATURAL GAS FRANCHISE**

WHEREAS, the City of Missouri Valley, Iowa, and MidAmerican Energy Company entered into a natural gas franchise agreement for Natural Gas Ordinance No. 562, adopted by the City Council on October 20, 2020, and

WHEREAS, the City of Missouri Valley and MidAmerican Energy Company agree the franchise must be amended

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Missouri Valley, Iowa, as follows:

1. That Section 14 of Ordinance No. 562 being:

Section 14. A franchise fee of 1% is imposed upon, and shall be collected from, the natural gas customers of the Company receiving service and located within the corporate limits of the City. The franchise fee shall be imposed upon the gross receipts, minus uncollectible accounts, generated from sales of natural gas and distribution service:

is hereby struck and the following Section 14 is substituted therefore:

Section 14. A franchise fee of 5% is imposed upon, and shall be collected from, the natural gas customers of the Company receiving service and located within the corporate limits of the City. The franchise fee shall be imposed upon the gross receipts, minus uncollectible accounts, generated from sales of natural gas and distribution services:

Passed by the Council on the ____ day of _____, 2021, and approved this ____ day of _____, 2021.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty, City Administrator

I certify that the foregoing was published as Ordinance # ____ on the ____ day of _____, 2021.

Jodie Flaherty, City Administrator

1st reading: 2-16-2021

2nd reading:

3rd reading:

Published: