

**CITY OF MISSOURI VALLEY  
CITY COUNCIL MEETING  
CITY HALL CONFERENCE ROOM  
TELECONFERENCE  
TUESDAY, FEBRUARY 2, 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, Ford, Pfouts, Struble, and Stueve. Also present: Caleb Wohlers

The Pledge of Allegiance was recited.

Kelly asked Council for any comments or additions-Stueve requested and will be 15a.

Motion by Pfouts, seconded by Stueve to approve the agenda for the February 2, 2021 meeting. Motion carried unanimously.

Motion by Pfouts, seconded by Stueve to approve the following items on the consent agenda: a) Minutes from January 19, 2021 City Council Meeting and January 26, 2021 Special City Council Meeting b) Claims list c) Change of Ownership for Casey's General Store #2612 d) Liquor Licenses for Casey's General Store #2612. Motion carried unanimously.

There were no inquiries from citizens.

Jeannie Wortman with the Chamber stated the Chamber is sponsoring a Community Recycle Day on March 6<sup>th</sup>. They will be offering paper shredding, electronic recycling, TV recycling, and a business will pick up washer, dryers, and refrigerators. There is no charge for this service. The next 150<sup>th</sup> meeting will be on February 11, 2021 at the Eagle's Club at 6 p.m.

Jim Olmsted gave an update on current projects. They will be meeting with City staff to go over the Willow Park plans. They are in the process of answering citizen questions. The design is almost complete for the Interstate Watermain Replacement Project. He is currently working on the preliminary engineering report for the USDA application. Flaherty sent an email to the DOT and Army Corps regarding their final reports and meeting schedules. He is going to meet with Jonathan on Thursday about the control panel issues. He thinks this would qualify under the USDA funding.

Motion by Struble, seconded by Ford to allow the Mayor to sign the Proclamation for Career and Technical Education Month in Missouri Valley. Motion carried unanimously.

Dave Eaton with IAMU presented the completed Risk Management Assessment. The assessment included walk-thru's, a claims analysis, and review of the safety program. Recommendations were made and are being look at and completed by staff.

Motion by Struble, seconded by Ford to approve the Side Letter of Agreement with the Missouri Valley Police Protective League. Roll call: Ayes: Struble, Ford, Dooley, Pfouts Nays: Stueve. Motion carried on a 4-1 vote.

Discussion was held on increasing the MidAmerican franchise fees for both gas and electric to 5 percent. Motion by Stueve, seconded by Pfouts to Approve Resolution 21-06 to Set a 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. The Public Hearing will be on Tuesday, February 16, 2021 at 6:10 p.m.

Ordinance #569 was Introduced Amending the Code of Ordinances of the City of Missouri Valley, Iowa, by Amending Provisions Pertaining to Parking Regulations. Motion by Struble, seconded by Ford to adopt the 1<sup>st</sup> reading. Motion carried unanimously.

Discussion was held on nonresidential on Sewer Rates. Flaherty prepared a spreadsheet showing different businesses and their usage.

Stueve thanked the Street and the Park Departments for their hard work on the snow removal.

There were no City Administrator comments.

There were no Mayor Comments.

Motion by Pfouts, seconded by Stueve to adjourn at 7:05 p.m. Motion carried unanimously.

Shawn Kelly, Mayor

Attest: Jodie Flaherty, City Administrator

#### **RESOLUTION 21-06**

**RESOLUTION TO SET A PUBLIC HEARING TO CONSIDER AMENDING THE FRANCHISE FEE PERTAINING TO MID-AMERICAN ENERGY COMPANY, AND THE FRANCHISES THEY HOLD FOR NON-EXCLUSIVE ELECTRIC SUPPLY AND NON-EXCLUSIVE NATURAL GAS SUPPLY.**

**WHEREAS**, the City of Missouri Valley has a franchise agreement with Mid-American Energy Company (“Mid-American”, herein) wherein Mid-American supplies the City with electricity and natural gas; and

**WHEREAS**, the Mid-American electric supply franchise has a fee based upon 1% of the gross revenues, minus uncollectible accounts, generated from sales of electricity and distribution pursuant to the tariffs, by Mid-American within the corporate limits of Missouri Valley; and

**WHEREAS**, the Mid-American natural gas supply franchise has a fee based upon 1% of the gross revenues, minus uncollectible accounts, generated from sales of natural gas and distribution pursuant to the tariffs, by Mid-American within the corporate limits of Missouri Valley; and

**WHEREAS**, the City may elect to change the 1% franchise fee as it pertains to the electric supply, to the natural gas supply, to both services or to neither service.

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

That the date of February 16, 2021, at 6:10 p.m. in the Missouri Valley Public Library located at 420 East Huron Street, Missouri Valley, Iowa, be scheduled for the public hearing to consider and approve this franchise fee pertaining to Mid-American Energy Company and notice of said hearing to be published in accordance with §362.3 and §364.7 of the Code of Iowa.

PASSED AND APPROVED this 2<sup>nd</sup> day of February, 2021.

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Shawn Kelly, Mayor

ATTEST:

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Jodie Flaherty, City Administrator

### **ORDINANCE #569**

#### **AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MISSOURI VALLEY, IOWA, BY AMENDING PROVISIONS PERTAINING TO PARKING REGULATIONS**

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

**SECTION 1. SECTION MODIFIED.** Section 69.08 of the Code of Ordinances of the City of Missouri Valley, Iowa, are repealed and the following adopted in lieu thereof:

#### **69.08 NO PARKING ZONES.**

No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal.

*(Code of Iowa, Sec. 321.236[1])*

1. Ninth Street, on the east side, from Erie Street to Superior Street;
2. Superior Street, on the north side, from Ninth Street to Eighth Street;
3. Eighth Street from Huron Street to Superior Street;
4. Third Street from Erie Street to Summit Street;
5. Sixth Street from Huron Street to Maple Street and the east side of Sixth Street from Maple Street to Grove Street;

6. Ninth Street from Erie Street to Canal Street;
7. Ninth Street, on the west side, from North Street to Elm Street;
8. Huron Street from Harrison Street to Willow Street;
9. Fourth Street, on the east side, from Huron Street to Linn Street;
10. Fourth Street, on the east side, from Huron Street to Summit Street;
11. Fifth Street, on the east side, from Huron Street to St. Clair Street and from Linn Street to Summit Street; and on the west side, from St. Clair Street to Lin Street.
12. First Street from Erie Street to Spring Street (north corporate limits);
13. North Street from Ninth Street to Elm Street;
14. Michigan Street, on the south side, from First Street to Seventh Street;
15. Superior Street, on the south side, from Eighth Street to Fourth Street;
16. St. Clair Street, on the north side, from Third Street north 60 feet, and on the south side between Third Street and Fourth Street;
17. St. Clair Street, on the south side, from Sixth Street to Seventh Street;
18. Ontario Street, on the south side, from Fifth Street to Ninth Street;
19. Beacon Avenue, on the east side, from Superior Street south to the alley;
20. St. Clair Street, on the south side, from Seventh to Ninth Street;
21. Sunnyside Avenue, on the east side or southeast side from Ninth Street to St. Clair Street;
22. West Street, on the east side, from the intersection of West Street with the north line of Erie Street, thence north 50 feet;
23. Superior Street, on the north side, from its intersection with the west line of Eighth Street, thence west 57 feet;
24. Harrison Street, on the east side, between St. Clair Street and Michigan Street;
25. Longview Road, on both sides, from the north line of North Street to 112 feet north;
26. Eighth Street, on the west side, from the intersection of Eighth Street with the north line of Linn Street, thence north 75 feet;
27. Grove Street, on the south side, between Sixth Street and Seventh Street;
28. Eighth Street, on the west side, between St. Clair Street and Linn Street;
29. Linn Street, on the south side, between 8<sup>th</sup> Street and 9<sup>th</sup> Street;
30. Grove Street, on the north side, from its intersection with Longview Road, 30' west;
31. Longview Road, on the east side, from its intersection with Longview Court, 15' south;
32. Harrison Street, on the west side, between St. Clair Street to Michigan Street;
33. Seventh Street, on the west side, between East Superior Street and East Huron Street.

**SECTION 2. SEVERABILITY CLAUSE.** 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 2. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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

ATTEST:

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Jodie Flaherty, City Administrator

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

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

1<sup>st</sup> reading: 2-2-2021

2<sup>nd</sup> reading: \_\_\_\_\_

3<sup>rd</sup> reading: \_\_\_\_\_

Published: \_\_\_\_\_