

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

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

Mayor Pro-Tem Struble presided over the meeting and called it to order at 6:00 p.m. with the following Council members present: Dooley, Sr., Ford, Stueve, Struble, and Pfouts. Also present: Jeff Frey and Jake Zimmer.

The Pledge of Allegiance was recited.

Struble asked if there were any Council comments or additions. Pfouts and Ford requested and will be 24a and 24b.

6:00 p.m. Public Hearing was held on the FY 21/22 Budget. There were no oral or written objections. Motion by Pfouts, seconded by Stueve to close the hearing. Motion carried unanimously.

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

Motion by Pfouts, seconded by Stueve to approve the following items on the consent agenda: a) Minutes from March 2, 2021 City Council Meeting b) Claims list c) City Administrator's Financial Report. Motion carried unanimously.

There were no inquiries from citizens.

Jeannie Wortman with the Chamber stated that there will be a Farms to Family event held at the Park on April 3<sup>rd</sup> at 10:30 a.m. The Chamber will have Easter Egg Decorating contest on March 27<sup>th</sup> at the Crossroad gazebo at 10:30 a.m.

Jake Zimmer and Jeff Frey with Olmsted & Perry gave Council an update on current projects. Over half of the trees have been removed for the Willow Park project. The rest should be removed before April 1<sup>st</sup>. Frey met with the Park Board and addressed their concerns with the project and how it relates to the Dog Park. After the contracts are signed, there will be a preconstruction meeting. Zimmer stated that they were working with SWIPCO on a CDBG grant. Frey will schedule a meeting between the property owners after the preconstruction meeting takes place. Motion by Pfouts, seconded by Stueve to pay Contractors Application #1 in the amount of \$9,987.50 to B & K Tree Service for the 2019 Flood Projects-Willow Park Addition. Motion carried unanimously.

Olmsted finished the preliminary engineering report for the USDA application for the West Highway 30 Watermain Replacement Project.

Jonathan McDonald gave the PeopleService report. He stated they have been changing 3 or 4 meters per month and the hydrant north of Longview will be fixed before the end of the month.

Motion by Stueve, seconded by Pfouts to Designate the Year 2021: City of Missouri Valley's 150<sup>th</sup> Anniversary. Motion carried unanimously.

Jeannie with the Chamber has been working acquiring proposals for new Christmas lights for the street poles. Council would like Wortman to get more pricing and bring back to the Council at the next meeting.

Motion by Pfouts, seconded by Stueve to allow the Missouri Valley Community School to place banners on the Light Poles at the Aquatic Center. Motion carried unanimously.

Motion by Ford, seconded by Stueve to waive kitchen fee and park fee for Eagle's Car Show on June 6, 2021. Roll Call: Ayes: Ford, Stueve, Struble, Dooley Nays: Pfouts. Motion carried on a 4-1 vote.

Resolution 21-09 was introduced adopting the Budget for FY 21/22. Motion by Pfouts, seconded by Ford. Motion carried unanimously.

Resolution 21-10 was introduced for a Moratorium on Burn Ban – Spring 2021. Motion by Pfouts, seconded by Stueve. Motion carried unanimously.

Flaherty stated the City received three bids for spraying the City facilities. The low bid was for Hornbeck Turf & Tree Services in the amount of \$4,399.00. Motion by Dooley, seconded by Ford to Award the Bid to Hornbeck Turf & Tree Service to spray City facilities. Motion carried unanimously.

Ordinance #572 was introduced Amending the Code of Ordinances of the City of Missouri Valley, Iowa, by Amending Provisions Pertaining to Parking Regulations. Motion by Pfouts, seconded by Ford to waive the 3<sup>rd</sup> reading. Motion carried unanimously. Motion by Pfouts, seconded by Ford to adopt the adopt Ordinance #572. Motion carried unanimously.

Ordinance #573 Was introduced amending Chapter 55 of the Code of Ordinances of Missouri Valley, Iowa, Pertaining to Animal Protection and Control, by Adding a New Section 55.18 Title at Large Penalty. Motion by Pfouts, seconded by Ford to waive the 3<sup>rd</sup> reading. Motion carried unanimously. Motion by Pfouts, seconded by Stueve to adopt the adopt Ordinance #573. Motion carried unanimously.

Motion by Pfouts, seconded by Stueve to have the Mayor sign lease agreement with Pitney Bowes for the Postage Machine. Motion carried unanimously.

Motion by Stueve, seconded by Ford to accept the Baycom quote for two Panasonic Toughbooks in the amount of \$9,952.00. Motion carried unanimously.

Motion by Stueve, seconded by Pfouts to accept the Rozel Proposal for the Arc Flash Hazard Analysis in the amount of \$11,925.00. Motion carried unanimously.

Presentations for Property, Liability, and Worker Compensation Insurance were made by Thams Agency, Blair Insurance, and Hoffman Agency.

Flaherty asked Council to set a special meeting to review the Property, Liability, and Workers Compensation proposals. The meeting will be Tuesday, March 23, 2021 at 6 p.m. at the Library. Flaherty stated the Parks Department are receiving bids for the boiler at the pool. The 150<sup>th</sup> Memorabilia Committee has requested the possible use of the City's seal for their commemorative coin. U.S. Cellular has issues with the lease they previously proposed to the City as they feel the costs are too high. Council would like the City Attorney to negotiate the proposed lease. They would like U.S. Cellular to pay for all costs associated with the previous and proposed lease and an increase in the lease amount.

Pfouts stated she has been contacted about opening Council meetings to the public and thanked the Chamber for hosting the recycling event.

Ford would like the Council to look at allowing UTV's within City limits.

There were no Mayor comments.

Motion by Pfouts, seconded by Stueve to enter into closed session at 7:45 p.m. per IA Code 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Motion carried unanimously.

Motion by Stueve, seconded by Pfouts to return to open session at 8:02 p.m. with no action taken. Motion carried unanimously.

Motion by Ford, seconded by Stueve to adjourn at 8:06 p.m. Roll call: Ayes: Ford, Stueve, Struble. Nays: Pfouts. Motion carried on a 4-1 vote.

Sherman Struble, Mayor Pro-Tem

Attest: Jodie Flaherty, City Administrator

**RESOLUTION 21-09**  
**A RESOLUTION ADOPTING THE ANNUAL BUDGET**  
**FOR THE FISCAL YEAR ENDING JUNE 30, 2021**

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

The annual budget for the fiscal year ending June 30, 2021, as set forth in the budget summary certificate and in the detailed budget in support thereof showing the revenue estimates and appropriations, expenditures and allocations to programs and activities for said fiscal year is adopted and the Clerk is directed to make the filing required by law and to set up her books in accordance with the summary and details as adopted.

PASSED AND ADOPTED this 16th day of March, 2021.

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Sherman Struble, Mayor Pro-Tem

ATTEST:

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Jodie Flaherty, City Administrator

### RESOLUTION 21-10

#### MORATORIUM ON BURN BAN – SPRING 2021

Be It Resolved by the City Council of the City of Missouri Valley:

The City has issued a moratorium on the open burning ban (Section 105.05 of Missouri Valley City Code) to allow for the burning of landscape waste during designated times. These dates and times are:

**April - complete month April 1 through April 30**

**May - complete month May 1 through May 31**

**Between the hours of 10:00 a.m. and 5:00 p.m.**

“Landscape Waste”, per Section 105.02(5) of the Missouri Valley City Code, is defined as any vegetable or plant waste except garbage. The term includes trees, tree trimmings, branches, stumps, brush, weeds, leaves, grass, shrubbery and yard trimmings.

Anyone violating the provisions of this Section shall be subject to penalties as outlined in Resolution 11-08.

Passed and Approved this 16th day of March, 2021.

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Sherman Struble, Mayor Pro-Tem

ATTEST:

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Jodie Flaherty, City Administrator

**ORDINANCE #572**

**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;
34. Willow Road from West Huron Street to City limits;
35. Beacon Avenue from West Huron Street to West St Clair Street;
36. Park Avenue from West Huron Street to West St Clair Street;
37. North Boston Avenue from West Huron Street to West St Clair Street;
38. Portland Avenue from West Huron Street to West St Clair Street;
39. Shawmutt Avenue from West Huron Street to West St Clair Street;
40. West Huron Street from Willow Road to Dean DeWaele Way;
41. West St Clair Street from Willow Road to Shawmutt Avenue;
42. West Michigan Street from Beacon Avenue to Shawmutt Avenue;
43. West Superior Street from Beacon Avenue to Shawmutt Avenue.

**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 16th day of March, 2021, and approved this 16<sup>th</sup> day of March, 2021.

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Sherman Struble, Mayor Pro-Tem

ATTEST:

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Jodie Flaherty, City Administrator

I certify that the foregoing was published as Ordinance #572 on the 24<sup>th</sup> day of March, 2021.

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Jodie Flaherty, City Administrator

1<sup>st</sup> reading: 3-02-2021  
2<sup>nd</sup> reading: 3-16-2021  
3<sup>rd</sup> reading: Waived  
Published: 3-24-2021

### ORDINANCE # 573

AN ORDINANCE AMENDING CHAPTER 55 OF THE CODE OF ORDINANCES OF MISSOURI VALLEY, IOWA, PERTAINING TO ANIMAL PROTECTION AND CONTROL, BY ADDING A NEW SECTION 55.18 TITLED **AT LARGE PENALTY**.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MISSOURI VALLEY, IOWA:

**Section 1. Statement of Purpose.** Adding a new Animal Protection and Control Section to Chapter 55 to read as follows:

55.8 **AT LARGE PENALTY:** The owner of a dog shall at all times restrain such dog from being or running at large within the corporate limits of the City. Failure to do so shall constitute a simple misdemeanor subject to the following penalty provisions.

1. Dog at Large:
  - A. First offense ..... \$100.00 fine
  - B. Second offense..... \$200.00 fine
  - C. Third offense..... \$300.00 fine
  - D. Fourth and subsequent offenses shall be fined the sum of \$500.00.
2. Vicious Dogs at Large:
  - A. First offense ..... \$100.00 fine
  - B. Second offense..... \$200.00 fine
  - C. Third offense..... \$300.00 fine
  - D. Fourth and subsequent offenses shall be fined the sum of \$500.00.

**Section 2. Severability Clause.** If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of this Ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

**Section 3. Repealer.** All Ordinances or parts of Ordinances in conflict with provisions of this Ordinance are hereby repealed.

**Section 4. Effective Date.** This Ordinance shall be effective upon its final passage and publication as by law provided.

Adopted by the City Council on the 16th day of March and approved this 16th day of March, 2021.

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Sherman Struble, Mayor Pro-Tem

ATTEST:

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Jodie Flaherty, City Administrator

I certify that the foregoing was published as Ordinance #573 on the 24th day of March, 2021.

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Jodie Flaherty, City Administrator

1st reading: 3-02-2021  
2<sup>nd</sup> reading: 3-16-2021  
3<sup>rd</sup> reading: Waived  
Published: 3-24-2021