

**CITY OF MISSOURI VALLEY
CITY COUNCIL MEETING
RAND COMMUNITY CENTER
TUESDAY, JULY 20, 2021**

Mayor Kelly presided over the meeting and called it to order at 6:00 p.m. with the following Council members present: Ford, Stueve, Struble, and Pfouts via phone. Also Present: Clint Sargent, Jeannie Wortman, Mary Jo Buckley, Linda Coddington, MiLinda Coddington, Amy Ford, Stacie Harvey, Don Harvey, Brian Lazio, Amber Flock, John Harrison, Robert Fairchild, Claire White, Kevin Taylor, Mary C Blackley, Sally Salter, Larry Buss, and Brad Williams.

The Pledge of Allegiance was recited.

Kelly asked Council for any comments or additions. Ford requested and will be 27a.

Motion by Struble, seconded by Ford to approve the agenda for July 20, 2021. Motion carried unanimously.

6 p.m. Appeal Hearing was held for 123 North 9th Street. The property owner, Claire White, was present. Also present was the Building Inspector John Harrison. White received a letter from the City regarding her bushes blocking a stop sign at the corner of 9th and Huron. White hired an individual to trim her bushes but City ordinance requires the bushes to be no taller than 42 inches from the street line. White said her bushes have been trimmed the same as when she purchased the property. Harrison stated the first bush is causing the stop sign blockage. White thinks if she removes the bush then there will be erosion issues. Bob Riesland, Street Superintendent, stated that the stop sign must be 18 inches from the curb and at least 6 feet in height. Riesland can raise the stop sign. Motion by Struble, seconded by Stueve to raise the stop sign and have White trim the bush closest to the stop sign. Motion carried unanimously.

Motion by Stueve, seconded by Struble to approve the following items on the consent agenda: a) Approve Consent Agenda b) Minutes from July 6, 2021 City Council Meeting c) Claims list d) City Administrators Financial Report e) Utility Reconciliation Report. Motion carried unanimously.

Robert Fairchild asked for an update on the Bypass Project. Flaherty stated the meeting was cancelled.

Jeannie Wortman, Chamber, stated the Fair parade will be Saturday. Struble will be riding in the parade in place of the Mayor. The Chamber will have a booth with 150th memorabilia and will be working the concession stand during the Fair events. The Appreciation Lunch will be September 16th and they will be sponsoring a Job Fair on September 30th. The Chamber would like to use the Park for the 150th Events held in September. There will be multiple events held at the City Park for the September 150th celebration, including a goose call, games, food trucks, and a mobile museum. Flaherty will put waiving the Park fees on the next agenda.

Arthur Wisecup has been discussing a street dance for the September 150th with Papa Joe's and the Eagles. They would like to close 5th Street from Erie Street to Ontario Street on September 18th. Flaherty will put the Street Closing on the next agenda for formal approval.

Clay Bowman with Pheasants Forever said there will be a youth hunt on September 19th. They would like to use property inside City Limits north of the Willow Park addition and adjacent to George Street. The Property is owned by Willow Road Inc. Flaherty will contact the City Attorney to see if it is possible to adjust the Ordinance for this event.

Larry Buss would like to have the 150 Years of Harvest Progress Event be covered by the City's liability insurance policy. It will be held on September 18th and 19th at Wisecup Farms. There will be corn picking, thrashing, helicopter rides, and tractor rides. Council would like Flaherty to contact the insurance company.

Brian May would like temporary no parking on one side of the street in the Willow Park Addition during the Fair. Council will have the Street Department put up temporary no parking signs.

Sally Salter stated the Hairy-son County Heartthrob contest is complete. There were 59 dogs entered and 4,785 votes. She thanked everyone for voting and awards will be handed out at the Fair.

Don Harvey would like the City to adopt a UTV ordinance.

Jim Olmsted and Jeff Fry, Olmsted & Perry, gave an update on current projects. The Willow Park Street/Drainage project is in progress. They are working on grinding stumps and started digging on the west side. Equipment and pipe will be moved for the Fair. They will start on intersections next week. The manhole and storm sewer has been replaced at 8th and Maple. Olmsted is still working on the USDA application and Preliminary Engineering report. The application will be submitted by the end of the month. After funding is awarded, they will start on the design with the bidding process to occur in January and construction in the Spring. The Street Department is handling the Highway 30 Curb & Gutter replacement. The City Attorney is working on the documents needed to record the plats for the Water Treatment Plant property. Olmsted has provided the City and Attorney the legal descriptions. He recommends Council dedicate the streets at the next meeting.

Greg Skelton, President of the Eagle's Club spoke to Council about wanting to put a concrete patio on the north side of their building. They would like to purchase 9 feet of the City's parking. The City will figure out what has to be done to proceed.

Flaherty stated the School is asking to waive the permit fees for the A/C Replacement at the Elementary School. This will help mitigate COVID. Flaherty presented a spreadsheet showing Council what fees had been paid in the past. Motion by Struble, seconded by Ford not to waive the permit fees. Roll call: Ayes: Struble, Ford, Stueve Nays: Pfouts. Motion carried on a 3-1 vote.

Discussion was held on the water consumption for Randy Jones, 212 North 2nd Street. Council looked at the water usage and could see a leak. Motion by Ford, seconded by Stueve to re-average the sewer at 212 North 2nd Street. Motion carried unanimously.

Motion by Stueve, seconded by Ford to waive the June and July 2021 late fees for 423 East Erie Street. Roll Call: Ayes: Stueve, Ford, Pfouts Nays: Struble. Motion carried on a 3-1 vote.

Motion Ford, seconded by Stueve to approve \$300.00 donation to Harrison County Sheriff Department for use of Shooting Range/Facility. Motion carried unanimously.

Motion by Stueve, seconded by Struble to approve Caleb Wohlers as Fire Chief, effective August 1, 2021, per election results. Motion carried unanimously.

Motion by Struble, seconded by Stueve to accept Council member Dooley's resignation. Motion carried unanimously.

Discussion was held on the vacant Council seat. Motion by Struble, seconded by Ford to appoint the vacant Council seat at the August 3, 2021 Council meeting. Motion carried unanimously.

Motion by Stueve, seconded by Struble to accept the quote from Electric Pump in the amount of \$34,988.21 for Valves and VFD's. Motion carried unanimously.

Motion by Stueve, seconded by Struble to accept the quote from Municipal Supply Inc for a Sensus Handheld in the amount of \$6,975.00. Motion carried unanimously.

Flaherty stated that there were no bids received for the Christmas decorations. Council would like Flaherty to contact Little Sioux to see if we can donate all of the decorations to them or another City with the stipulation that they must take all decorations and pick up the decorations from Missouri Valley.

Discussion was held on adopting a City UTV/Golf Cart Ordinance. Kelly spoke with Interim Chief Lange and he recommends adopting the same ordinance as the County. Ford and Stueve agree. Struble does not want ATV's or golf carts. Pfouts is fine with UTV's and golf carts. Motion by Ford, seconded by Stueve for Flaherty to draft an UTV/ATV Ordinance that matches the County's ordinance. Roll Call : Ayes: Ford, Stueve, Struble. Nays: Pfouts. Motion carried on a 3-1 vote.

Discussion was held on Procuring a New Union Attorney. Flaherty stated the current Union Attorney, Derrick Franck has retired. He recommends the law firm Ahlers & Cooney. Council would like Flaherty to contact the firm and bring back a proposal.

Flaherty stated the Rand Center is having their parking lot repaired and they no longer have a location for the recycle bins. Council would like to look at the City owned property on the east side of town. Flaherty will see if the area can support a camera system. Council agreed a temporary location will be at the Aquatic Center Parking lot until a permanent location is found.

Motion by Struble, seconded by Stueve to use the pool parking lot as a temporary location for the recycle bins. Motion carried unanimously.

Flaherty would like to update the sewer rates for new customers. This would have sewer rates for new residential customers be averaged at 1,000 gallon per person and commercial and industrial users be averaged after 3 months of usage. The City also does not have a deposit for sewer only customers. Council would like Flaherty draft an ordinance.

Resolution 21-22 was introduced Approving City of Missouri Valley, Iowa, City Park Camping Rules. Motion by Struble, seconded by Ford. Motion carried Unanimously.

Resolution 21-23 was introduced Setting Wages for Part-Time Librarians. Motion by Struble, seconded by Stueve. Motion carried unanimously.

An Ordinance was introduced amending Chapter 66.03 of the Code of Ordinances of the City of Missouri Valley, Iowa, by Establishing Gross Weight Load Limits upon Certain Streets and in Creating a new Section 66.06 Titled "Exempt Vehicles". Motion by Struble, seconded by Ford to adopt the 1st reading. Motion carried unanimously.

Ford had his questions answered during the meeting and no longer had any comments.

Flaherty asked the Council to bring their Code Books to City Hall as they need updated. The Arc Flash Assessment is taking place. Flaherty has been working with John McCurdy with updating the City's fee schedule for the rental property registrations. She recommends implementing a fine for unregistered properties and then having the ability to file a municipal infraction. She will work with McCurdy on drafting a new resolution. The Army Corps would like to schedule a meeting to update the City on their progress with the levee project.

Kelly thanks everyone for their work on the 150th Celebration and looks forward to the September events.

Motion by Struble, seconded by Stueve to adjourn at 7:23 p.m. Motion carried unanimously.

Shawn Kelly, Mayor

Attest: Jodie Flaherty, City Administrator

RESOLUTION 21-22

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. Tent Campers may stay 2 days in one spot, after which they must move to a different spot.
6. 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.)
7. Only one RV per campsite. Only one tent per RV.
8. NO campfires.
9. NO clotheslines permitted.
10. NO Pools.
11. NO driving or parking inside the fenced area.
12. NO ground disposal of ANY drain water. Use the dump station.
13. NO camping in vehicles other than campers or RVs.
14. Camper is responsible for cleaning up campsite before leaving.
15. Restrooms are open from 7:00 A.M. to 12:00 A.M. They will be locked after midnight by the Police Department.
16. Quiet time: 10:00 P.M. to 7:00 A.M.
17. Check out time: 3:00 P.M.
18. Police have the right to remove campers causing problems with other campers or city employees.
19. Destruction of property will result in a police situation. This includes destruction of park trees, picnic tables, restrooms, other park property, etc.
20. 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.
21. Any person violating any of the provision of the foregoing sections shall be guilty of a simple misdemeanor.

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 20th day of July, 2021.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty, City Administrator

RESOLUTION 21-23

RESOLUTION SETTING WAGE

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>Hourly Wage</u>
Part-Time Librarian	Ashley Leusink	\$9.00

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 July 14, 2021.

Passed and approve this 20th of July, 2021.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty, City Administrator

ORDINANCE # _____

AN ORDINANCE AMENDING CHAPTER 66.03 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI VALLEY, IOWA, BY ESTABLISHING GROSS WEIGHT LOAD LIMITS UPON CERTAIN STREETS AND IN CREATING A NEW SECTION 66.06 TITLED “EXEMPT VEHICLES”.

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

SECTION 1. SECTION MODIFIED. Section 66.03 of the Code of Ordinances of the City of Missouri Valley, Iowa, is repealed and the following adopted in lieu thereof:

66.03 LOAD LIMITS UPON CERTAIN STREETS. When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amounts specified on such signs at any time upon any of the following streets or parts of streets: (Code of Iowa, Sec. 321.473 & 475).

1. South 9th Street from Erie Street to Canal Street – 10 Ton; except from September 15 to November 15 the limits shall be increased to 15 Ton;
2. Beacon Avenue from West Huron Street to West St. Clair Street – 10 Ton;
3. Park Avenue from West Huron Street to West St. Clair Street – 10 Ton;
4. North Boston Avenue from West Huron Street to West St Clair Street – 10 Ton;
5. Portland Avenue from West Huron Street to West St Clair Street – 10 Ton;
6. Shawmutt Avenue from West Huron Street to West St Clair Street – 10 Ton;
7. West St Clair Street from Willow Road to Shawmutt Avenue – 10 Ton;
8. West Michigan Street from Beacon Avenue to Shawmutt Avenue – 10 Ton;
9. West Superior Street from Beacon Avenue to Shawmutt Avenue – 10 Ton.

SECTION 2: SECTION ADDED. Section 66.06 shall be added to the Code of Ordinances of the City of Missouri Valley, Iowa, to be titled Exempt Vehicles and shall read as follows:

66.06 EXEMPT VEHICLES. Vehicles performing City of Missouri Valley services shall be exempt from this Chapter. Such vehicles include, but are not limited to, fire trucks and garbage trucks.

SECTION 3. 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 4. WHEN EFFECTIVE. 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 _____, 2021 and approved this ____ day of _____, 2021.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty, City Administrator

1st reading: 7-20-2021

2nd reading: _____

3rd reading: _____

Published: _____