

**CITY OF MISSOURI VALLEY
CITY COUNCIL MEETING
RAND COMMUNITY CENTER
TUESDAY, JULY 6, 2021**

Mayor Pro-Tem Struble presided over the meeting and called it to order at 6:09 p.m. with the following Council members present: Ford, Stueve, Struble, and Pfouts. Absent: Dooley, Sr
Also Present: Jeannie Wortman, Mary Jo Buckley, Delila Bertelsen, Arthur Wisecup, Amy Ford, Milinda Coddington, Linda Coddington, Lisa Hember, Rachael Rea, Minnie Fisher, Robert Fairchild, Caleb Wohlers, Mary C Blackley, Sally Salter, Clint Sargent.

The Pledge of Allegiance was recited.

Struble asked Council for any comments or additions. There were none.

Motion by Pfouts, seconded by Ford to approve the agenda for July 6, 2021. Motion carried unanimously.

Motion by Struble, seconded by Stueve to approve the following items on the consent agenda: a) Minutes from June 15, 2021 City Council Meeting b) Claims list c) Liquor Licenses for Buck Snort. Motion carried unanimously.

Jeannie Wortman, Chamber, stated the 150th Celebration was a successful event. She thanked the Mayor and City Departments for their help with the event and thanked the Council for their support. She also thanked the volunteers. Music in the Park is scheduled thru August. The last event included Law Enforcement Appreciation and 200 people were in attendance. The Chamber is working on their Annual Appreciation BBQ and a job fair.

Minnie Fisher presented a signed petition to Council. She would like Council to reduce the number of days allowing fireworks to be discharged. Fisher also presented a spreadsheet showing what other City's have for dates.

Lisa Hember believes the dates are to long for discharging fireworks and the ordinance is not enforced adequately. She encourages Council to look at comparisons.

Robert Fairchild asked for an update on the Bypass Project and inquired if the State was going through with the project. He would also like to know how the Council will grow the community.

Sally Salter said that there are currently 50 contestants registered for the Hairy-son County Heartthrob Contest and encourages Council to vote.

Mattingly Marcum owns a building at 423 E Erie. The water bill is extremely high and he would like Council to look at the usage. He would like Council to waive his late fees since he could not

dial into the June 15th meeting. Flaherty will put waiving the late fees on the next agenda and provide Council the last years' worth of usage at the property.

Library Director Kocher gave the Library report. Library Board members helped pour concrete to deter drainage issues. There were multiple events held for the summer reading program.

Jake Zimmer, Olmsted & Perry, gave an update on current projects. The Willow Park Street/Drainage project started today with stump removal. The drainage contractor hopes to be done within 3 to 4 weeks. Motion by Pfouts, seconded by Ford to approve Change Order #2 for Midwest Mechanical to extend the Completion Dates due to CDBG Funding Delays. Motion carried unanimously.

Zimmer stated the USDA application should be finalized on July 23rd. After the loan is approved, they will start on the design and then the project will go out to bid. Motion by Ford, seconded by Stueve to approve the Contract with Bluffs Paving for the Curb & Guttering Replacement on Erie Street in the amount of \$47,117.40. Motion carried unanimously.

Zimmer stated that a portion of 8th and Maple was paved and the contractor will be working on the storm sewer.

Motion by Stueve, seconded by Pfouts to Approve Preliminary and Final Plat of Lot 7 of the Auditor's Subdivision of the S.E. ¼ of the N.E ¼ of Section 16, T78N, R44W of the 5th P.M. and to have the Plat Recorded. Motion carried unanimously.

Motion by Stueve, seconded by Ford to allow Harrison County Fair to hang a banner on the Pool Fence. Motion carried unanimously. Council would like the Administrator to make the decisions on allowing banners to be placed at the fence.

Discussion was held on Learning for Life. They would like free pool admission for their families. No one was present to discuss the program and Council does not want to give free admission.

Discussion was held on re-averaging the sewer consumption at 817 East Elm Street, 507 ½ East Erie Street, 587 North 1st Street, 210 West Erie Street, 601 E Ontario Street. Council reviewed the property's water usage over the last 13 months. Motion by Ford, seconded by Pfouts to re-average 507 ½ East Erie Street and 601 East Ontario Street and have it retroactive to include June. Motion carried unanimously.

Discussion was held on re-averaging the sewer consumption at 223 West Erie. Flaherty stated the property did not have a leak and the owner would like re-averaged since the average months are their busy months. Council does not want to re-average the property. Council would like to look at sewer charges by consumption.

Delila Bertelson would like Council to consider waiving late fees at her rental property. She misinterpreted the letter that the City sent. She feels the registration is an additional tax and she is being taxed without representation. She believes there are other ways to clean up properties. Council does not want to remove the late fees.

Flaherty stated the Police Officer Agreement needs to be updated. Council would like the City Attorney to update the agreement.

Discussion was held on adopting a City UTV/Golf Cart Ordinance. Ford would like to adopt an ordinance allowing UTV's and Golf Carts within city limits. Pfouts is worried about enforcement. Flaherty stated the Mayor spoke with Interim Chief Lange and Lange suggests adopting the County's ordinance. Council would like to have this on the next agenda for more discussion.

Motion by Ford, seconded by Pfouts for the City Attorney to pursue abandonment proceedings, including a potential quiet title action, concerning 323 West Erie. Motion carried unanimously.

Flaherty stated that there were no bids received for the used Christmas Decorations. Council would like Flaherty to extend the deadline and reach out to the community that was interested.

Motion by Pfouts, seconded by Stueve to approve the quote from General Traffic Controls for Gridsmart Camera Detection Equipment for the amount of \$35,820.00. Motion carried unanimously.

Ordinance #575 was introduced amending Section 106.07 of the Code of Ordinances of the City of Missouri Valley, Iowa, by Amending Landfill Fees. Motion by Pfouts, seconded by Stueve to adopt 3rd reading. Motion carried unanimously. Motion by Stueve, seconded by Pfouts to adopt the ordinance. Motion carried unanimously.

Flaherty stated People Service has been working with MidAmerican on their tower upgrade. Brent Messerschmidt with People Service explained the new tower will be on the water main and MidAmerican is requesting an easement. MidAmerican will complete the paperwork for Council to review and potentially approve. Messerschmidt also requested the City purchase an updated handheld. The current handheld has not been updated since 2009. Flaherty inquired about the Police Chief hiring process. Council would like Flaherty to post the ad in the same places the agenda is posted.

Motion by Ford, seconded by Stueve to adjourn at 7:13 p.m. Motion carried unanimously.

Sherman Struble, Mayor Pro-Tem

Attest: Jodie Flaherty, City Administrator

ORDINANCE #575

AN ORDINANCE AMENDING SECTION 106.07 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI VALLEY, IOWA, BY AMENDING LANDFILL FEES

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

SECTION 1. SECTION MODIFIED. Section 106.07 of the Code of Ordinances of the City of Missouri Valley, Iowa, is repealed and the following adopted in lieu thereof:

106.07 LANDFILL FEE. In order to collect sufficient revenues to pay the City's annual assessment for the operation of the Harrison County Sanitary Landfill, the Clerk shall assess and collect a monthly fee of \$5.16 from each customer. All fees are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 92.04 and Section 99.05 of this Code of Ordinances. If the landfill assessment fee is not timely paid by the owner or responsible party, the Clerk shall certify the assessment to the County Treasurer for collection in the same manner as property taxes.

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 3. 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 6th day of July, 2021, and approved this 6th day of July, 2021.

Sherman Struble, Mayor Pro-Tem

ATTEST:

Jodie Flaherty, City Administrator

1st reading: 6-01-2021

2nd reading: 6-15-2021

3rd reading: 7-06-2021

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