

**CITY OF MISSOURI VALLEY
CITY COUNCIL MEETING
MISSOURI VALLEY COMMUNITY LIBRARY
TUESDAY, MARCH 1, 2022**

Mayor Pro-Tem Struble presided over the meeting and called it to order at 6:00 p.m. with the following Council members present: Ford, Struble, Stueve, and Taylor. Absent: Tuttle, Kelly. Also Present: Jeannie Wortman, Bruce Kocher, Mary Jo Buckley, Daryl Cates, James Newton, Toni Kester, Wayne Kester, Jessilyn King, Sally Salter.

The Pledge of Allegiance was recited.

Taylor would like the flags changed at the Veteran's Memorial.

Motion by Stueve, seconded by Taylor to approve the agenda for March 1, 2022. Motion carried unanimously.

Tuttle arrived at 6:01 p.m.

Motion by Ford, seconded by Stueve to approve the following items on the consent agenda: a) Minutes from February 8, 2022 Special Council Meeting and February 15, 2022 City Council Meeting b) Claims list c) City Administrators Financial Report d) Utility Reconciliation Report e) Safety Committee Minutes. Motion carried unanimously.

There were no inquires from citizens.

Kelsey Peterson with Schroer and Associates presented the City's annual audit and went over recommendations.

Jake Zimmerer gave the Olmsted and Perry update. They are working on the USDA Water Improvements. Permits have been pulled and they are reviewing the USDA's comments. They would like to look at another area for the new well site. Flaherty and Olmsted attended a DOT Bypass update. The City received notification that they received funding to replace the Canal Street bridge. This will require a new location. Flaherty and Olmsted will work in conjunction to select an appropriate location. Motion by Ford, seconded by Stueve to accept the City Bridge Funding. Motion carried unanimously. Olmsted will help find a structural engineer.

Council will review the street repair recommendations and will bring their ideas to the next Council meeting. Olmsted's office is working on the roofing bids. Zimmerer also stated that 3rd Street held up with the oversized loads. They will inspect after the project is completed and have pictures in their file.

Wayne Kester and Jessilyn King stated they would like to see additional parking spaces on 4th Street between Erie and Huron. Kester has three businesses moving in and 7 apartments total. He suggests making angled parking and potentially making the Street one way. Flaherty spoke with Chief Lange and he recommends angled parking from Erie to the alley. Council will look at the options and have a decision at the March 15th meeting. Olmsted's office will look at the street and see if they have any recommendations.

James Newton would like to plant trees for his Eagle Scout Project. He would like to plant trees in the City Park (West side of camping area) or FEMA lots (218 W Huron or 313 W Michigan St). Motion by Ford, seconded by Taylor to allow James Newton to plant trees for his Eagle Scout Project. Motion carried unanimously.

Jeannie Wortman, Chamber Director went over current promotions and events including, Community Recycle Day, Awards Banquet, Easter Egg Decorating Contest. They would like to have an annual community festival similar to the Sesquicentennial events. Motion by Tuttle, seconded by Stueve to approve the festival, the Chamber in charge of the event, and waiving the City Park fees for September 17 and September 18, 2022. Motion carried unanimously.

Library Director Kocher stated that DeAnn retired in February. He reviewed current and upcoming programs.

Motion by Ford, seconded by Taylor to Allow the Fire Chief to sign the Billing Services Agreement and Business Associate Agreement with One Billing Solution, LLC. Motion carried unanimously.

Motion by Ford, seconded by Stueve to Allow the Mayor to sign the Letter of Conditions, Letter of Intent to Meet Conditions, Request for Obligation of Funds for the USDA Fire Station Addition Grant in the amount of \$500,000. Motion carried unanimously.

Discussion was held on Lease Terms for the BMX Track Proposal. Guy Tomcykowski contacted Flaherty and stated USA BMX would like a 5-year lease. Council agreed and would like Flaherty to contact the City Attorney regarding the lease.

Motion by Ford, seconded by Stueve to approve the proposal form Overhead Door Company of Omaha/Council Bluffs in the amount of \$1,145.00 for a door panel at the Water Treatment Plant. Roll Call: Ayes: Ford, Stueve, Tuttle, Struble Nays: Taylor. Motion carried on a 4-1 vote.

Motion by Stueve, seconded by Ford to approve the Quote for VESSCO Inc in the amount of \$7,800.00 for a Potassium Pump. Motion carried unanimously.

Motion by Stueve, seconded by Taylor to approve the hiring of Richard Gochenour as Street Superintendent effective 04/11/2022. Motion carried unanimously.

Resolution #22-08 was introduced Setting Wage-Street Superintendent. Motion by Stueve, seconded by Taylor. Motion carried unanimously.

Resolution #22-09 was introduced to fix a date for a public hearing on proposal to enter into a Water Revenue Improvement and Refunding Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$2,000,000. Motion by Ford, seconded by Taylor to set the public hearing for March 15, 2022 at 6:05 p.m. Motion carried unanimously.

Motion by Ford, seconded by Tuttle for the Mayor to sign the Engagement Letter with Dorsey & Whitney LLP. Motion carried unanimously.

Resolution #22-10 was introduced to Set a Public Hearing to Consider Amending the City of Missouri Valley Zoning Ordinance by Amending the Official Zoning Map as it Pertains to Parcel ID No. 610002502606000; Parcel ID No. 600002480101000, and Parcel ID No. 600002480100000. Motion by Ford, seconded by Taylor to set the public hearing for March 15, 2022 at 6:10 p.m. Motion carried unanimously.

Motion by Stueve, seconded by Taylor to set Public Hearing for FY 21/22 Budget Amendment #1 for April 5, 2022 at 6 p.m. Motion carried unanimously.

Motion by Taylor, seconded by Stueve to Approve the Demo Application to SWIPCO for 323 West Erie Street. Motion carried unanimously.

Mayor Pro-Tem Struble presented DeAnn Kruempel with a plaque for her retirement.

Flaherty stated she reached out to tuckpointing contractors regarding a bid. She only received one bid in the amount of \$32,239. It will be on the next agenda for approval with the work scheduled to be done in July. Flaherty stated the Park Department combined two file rooms and did a great job. There is an abundance of broken or unused equipment at City Hall. Flaherty would like to dispose of anything broken or ask for sealed bids for the unused equipment. Council agreed. Flaherty is going to start updating the employee handbook and would like to do so every two years.

There were no Mayor comments.

Motion by Ford, seconded by Tuttle to adjourn at 7:11 p.m. Motion carried unanimously.

Sherman Struble, Mayor Pro-Tem

Attest: Jodie Flaherty, City Administrator

RESOLUTION 22-08

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>
Street Superintendent	Richard Gochenour	\$27.64

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 April 11, 2022.

Passed and approve this 1st day of March, 2022.

Sherman Struble, Mayor Pro-Tem

ATTEST:

Jodie Flaherty, City Administrator

RESOLUTION 22-09

RESOLUTION TO FIX A DATE FOR A PUBLIC HEARING ON PROPOSAL TO ENTER INTO A WATER REVENUE IMPROVEMENT AND REFUNDING LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000

WHEREAS, the City of Missouri Valley (the "City"), in Harrison County, State of Iowa, did heretofore establish a Municipal Waterworks Utility System (the "Utility") in and for the City which has continuously supplied water service in and to the City and its inhabitants since its establishment; and

WHEREAS, the management and control of the Utility are vested in the City Council (the "Council") and no board of trustees exists for this purpose; and

WHEREAS, pursuant to a prior resolution of the Council (the "Outstanding Bond Resolution"), the City has heretofore issued its \$1,360,000 Water Revenue Refunding Bonds, Series 2012B, dated April 25, 2012 (the "Outstanding Bonds"), a portion of which remain outstanding; and

WHEREAS, pursuant to the Outstanding Bond Resolution, the City reserved the right to call the Outstanding Bonds for optional early redemption subject to the provisions of the Outstanding Bond Resolution; and

WHEREAS, the City heretofore proposed to contract indebtedness and enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$2,000,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the costs, to that extent, of (1) current refunding the Outstanding Bonds; and (2) planning, designing, and constructing improvements and extensions to the Utility (the "Project"); and it is necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Missouri Valley, Iowa, as follows:

Section 1. This City Council shall meet on March 15, 2022, at the Rand Community Center, 100 South 4th Street, Missouri Valley, IA 51555, in the City, at 6:05 o'clock p.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once, not less than four (4) and not more than twenty (20) days before the meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE
PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000

(WATER REVENUE)

The City Council of the City of Missouri Valley, Iowa, will meet on March 15, 2022, at the Rand Community Center, 100 South 4th Street, Missouri Valley, Iowa 51555, in the City, at 6:05 o'clock p.m., for the purpose of instituting proceedings and taking action to enter into a loan agreement (the "Loan Agreement") and borrow money thereunder in a principal amount not to exceed \$2,000,000, for the purpose of paying the costs, to that extent, of (1) current refunding the City's outstanding Water Revenue Refunding Bonds, Series 2012, dated April 25, 2012; and (2) planning, designing, and constructing improvements and extensions to the Municipal Waterworks Utility System (the "Utility").

The Loan Agreement will not constitute a general obligation of the City, nor will it be payable in any manner by taxation, but, together with any additional obligations of the City as may be hereafter issued and outstanding from time to time ranking on a parity therewith, will be payable solely and only from the net revenues of the Utility.

At the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Missouri Valley, Iowa.

Jodie Flaherty
City Administrator

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the “Regulations”) of the Internal Revenue Service, the City declares (a) that it intends to undertake the Project which is reasonably estimated to cost approximately \$1,405,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the “Bonds”), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved this March 1, 2022.

Sherman Struble, Mayor Pro-Tem

Attest:

Jodie Flaherty, City Administrator

RESOLUTION 22-10

RESOLUTION TO SET A PUBLIC HEARING TO CONSIDER AMENDING THE CITY OF MISSOURI VALLEY ZONING ORDINANCE BY AMENDING THE OFFICIAL ZONING MAP AS IT PERTAINS TO PARCEL ID NO. 610002502606000; PARCEL ID NO. 600002480101000 AND PARCEL ID NO. 600002480100000, FULLY DESCRIBED ON THE ATTACHED EXHIBIT “A”.

WHEREAS, an application to amend the official Zoning Map for the City of Missouri Valley was presented to the Planning and Zoning Commission at public hearing pertaining to the following property:

See attached Exhibit “A”

WHEREAS, the above listed properties are currently placed in the following districts:

Parcel ID No. 610002502606000 AG

Parcel ID No. 600002480101000 BGH

Parcel ID No. 600002480100000 AG

WHEREAS, the Planning and Zoning Commission has approved the aforementioned properties being rezoned ML and to be so described on the Official Zoning Map.

WHEREAS, the City Council of Missouri Valley will convene to determine if the recommendations of the Planning and Zoning Commission are appropriate.

NOW THEREFORE BE IT RESOLVED BY the City Council of the City of Missouri Valley, Iowa, that the date of March 15, 2022 at 6:10 p.m., in the Rand Center, 100 S. 4th Street, Missouri Valley, Iowa, be scheduled for the public hearing to consider and approve the rezoning of the address and to amend the Official Zoning Map of the City of Missouri Valley accordingly. Notice of this hearing shall be published in accordance with §362.3 and §364.7 of the Code of Iowa.

Passed and approved this 1st day of March, 2022.

Sherman Struble, Mayor Pro-Tem

Attest:

Jodie Flaherty, City Administrator