

**CITY OF MISSOURI VALLEY
CITY COUNCIL MEETING
RAND COMMUNITY CENTER
TUESDAY, APRIL 5, 2022**

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 Tuttle. Absent: Taylor. Also Present: Mary Jo Buckley, Jeannie Wortman, Dakota Tish, Steve Robinette, Jake Zimmerer, Lisa Hember, Jody Meyer, Garth Brown, Caleb Wohlers, Bruce Kocher, Maura Smith, Brandy Whitney

The Pledge of Allegiance was recited.

Kelly would like to add the Chamber update to the agenda as 11a. Tuttle requested and will be 19a.

Motion by Struble, seconded by Stueve to approve the agenda for April 5, 2022 with the addition of the Chamber update. Motion carried unanimously.

6:00 p.m. Public Hearing was held on the FY 21/22 Budget Amendment #1. There were no written or oral objections. Motion by Struble, seconded by Stueve to close the hearing. Motion carried unanimously.

6:05 p.m. Public hearing was held on the USDA Rural Development Public Meeting for City to file for Financial Assistance for Street and Sidewalk Improvements. There were no written or oral objections. Motion by Struble, seconded by Tuttle to close the hearing. Motion carried unanimously.

Motion by Struble, seconded by Stueve to approve the following items on the consent agenda: a) Minutes from March 15, 2022 City Council Meeting b) Claims list c) Liquor License for Petro Mart Travel Stop. Motion carried unanimously.

There were no inquiries from citizens.

Jake Zimmerer gave the Olmsted and Perry update. All comments and revisions have been submitted to the USDA. Zimmerer recommends bidding on May 16th and hopes the water main project can start by midsummer. Motion by Struble, seconded by Stueve to set the bid date for May 16, 2022 with the public hearing at 6 p.m. Motion carried unanimously.

Olmsted reviewed test hole bids for the potential well by Harrison Street. The following bids were received:

Cahoy Pump Service	\$10,105.00
Layne Christensen Company	\$7,780.00

Motion by Struble, seconded by Stueve to award the low bid to Layne Christensen Company in the amount of \$7,780.00. Motion carried unanimously. April 30th is the completion date for the project.

Olmsted's office will bid the well and the control panels at the same time. The IDOT sent the footprint of the proposed by-pass/levee. The water main project will have to be slightly adjusted. They are still finalizing the potential Canal Street bridge site. The City received notification that they did not receive the USDA funding for 2022 Street Projects. Flaherty is currently looking at different funding options.

Zimmerer will try to narrow down costs and send Flaherty updated numbers. The roofing bid documents have been submitted to ICAP for review. Zimmerer suggests a mid-May bid date. Tuttle would like to look at adding angled parking on 4th, 5th, and 6th Streets between Ontario and Erie Streets. Zimmerer will look at the streets and see if it is possible.

Library Director Kocher introduced Maura Smith and Brandy Whitney, current staff, to the Council. He reviewed current and upcoming programs.

Jeannie Wortman, Chamber Director went over past and current promotions and events including, Community Recycle Day, Awards Banquet, and Easter Egg Decorating Contest. There will be a new business opening, Mogart Fishing Company and an upcoming job fair.

Fire Chief Wohlers stated it is burning season and they are working on recruiting. Motion by Struble, seconded by Stueve to Allow Fire Department to fill Pools as a Fundraiser. Motion carried unanimously.

Motion by Struble, seconded by Stueve to allow the Fire Department to Burn a Structure for Wisecups. Motion carried unanimously.

Motion by Ford, seconded by Struble to Hire Mark Stuart as Seasonal Cemetery Sexton. Motion carried unanimously.

Resolution #22-15 was introduced Setting Wage-Stuart. Motion by Struble, seconded by Tuttle. Roll Call: Ayes: Struble, Tuttle, Ford Nays: Stueve. Motion carried on a 3-1 vote.

Resolution #22-16 was introduced Amending City Budget for FY 21/22. Motion by Struble, seconded by Stueve. Motion carried unanimously.

Resolution #22-17 was introduced to Set a Public Hearing to Consider a Lease of the Following Described Property: Blocks Six (6), Seven (7), Eighteen (18), and Nineteen (19), and the North and South Alley Through said Block Eighteen (18) in Willow Park Addition to the Town of Missouri Valley, Iowa. Motion by Stueve, seconded by Struble to set the public hearing for April 19, 2022 at 6 p.m. Motion carried unanimously.

Resolution #22-18 was introduced Issuing a Moratorium on the Open Burning Ban. Motion by Struble, seconded by Stueve. Motion carried unanimously.

Ordinance #595 was introduced Amending the Zoning Ordinances of the City of Missouri Valley, Iowa, by Amending the Official Zoning Map and by Amending the Zoning Designation of Parcel ID No. 610002502606000; Parcel ID No. 600002480101000, and Parcel ID No. 60000248010000, Fully Described on the Attached Exhibit "A" from their Current Respective Zoning Designation to the Zoning Designation of ML. Motion by Stueve, seconded by Struble to waive 3rd reading. Motion carried unanimously. Motion by Stueve, seconded by Struble to adopt Ordinance #595. Motion carried unanimously.

An Ordinance was introduced Amending the Code of Ordinances of the City of Missouri Valley, Iowa, by Amending the Provisions Pertaining to Parking Regulations, Angle Parking. Motion by Stueve, seconded by Struble to adopt the second reading. Motion carried unanimously.

Discussion was held on adding sewer services to the PeopleService contract. The additional costs would be \$540.00 per month. This would include locating, DNR reporting, inspections, sewer cleaning policy, oversee backups, or any sewer issues. The City would be responsible for hiring and payment of any contractors. Council would like this service to be added to the current agreement and placed on the next agenda for approval.

Discussion was held on City Clerk Hiring. Flaherty recommends changing the advertisement to City Clerk/Administrator. Council agreed. Council would like to include the Mayor, two Council members, Flaherty, and some community members to be included on the interview committee. Flaherty will see if the Library is available and come up with some potential dates. Flaherty will also research a salary.

Flaherty stated tuck pointing at City Hall/Fire Station will start next week and will take approximately 3 weeks to complete. It will be paid in July as it is budgeted for next fiscal year. The City received the demo grant for 323 West Erie Street. The City will be responsible for 50 percent of the costs up to \$15,000.00. SWIPCO does all of the paperwork and is in charge of the contractors. The City will be billed after the project is complete.

Kelly stated there are several new businesses opening and encourages citizen to support them.

Motion by Struble, seconded by Stueve to adjourn at 6:47 p.m. Motion carried unanimously.

Shawn Kelly, Mayor

Attest: Jodie Flaherty, City Administrator

RESOLUTION 22-15

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>
Seasonal Cemetery Sexton	Mark Stuart	\$14.00

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 April 5, 2022.

Passed and approved this 5th day of April, 2022.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty, City Administrator

RESOLUTION 22-16

**A RESOLUTION AMENDING THE CURRENT BUDGET FOR THE FISCAL YEAR
ENDING JUNE 30, 2022 (AS AMENDED LAST ON N/A)**

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

Section 1. Following notice published March 16, 2022 and the public hearing held, April 5, 2022, the current budget (as previously amended) is amended as set out here in and in the detail by fund type and activity that supports this resolution which was considered at that hearing:

REVENUES & OTHER FINANCING SOURCES		Total Budget as Certified or Last Amended	Current Amendment	Total Budget After Current Amendment
Taxes Levied on Property	1	1,713,095	3,600	1,716,695
Less: Uncollected Delinquent Taxes - Levy Year	2	0	0	0
Net Current Property Tax	3	1,713,095	3,600	1,716,695
Delinquent Property Tax Revenue	4	0	0	0
TIF Revenues	5	35,500	5,000	40,500
Other City Taxes	6	256,399	80,000	336,399
Licenses & Permits	7	186,675	0	186,675
Use of Money & Property	8	90,985	0	90,985
Intergovernmental	9	552,208	2,572,299	3,124,507
Charges for Service	10	1,252,992	26,400	1,279,392
Special Assessments	11	0	0	0
Miscellaneous	12	73,901	443,929	517,830
Other Financing Sources	13	0	2,000,000	2,000,000
Transfers In	14	147,491	999,346	1,146,837
Total Revenues & Other Sources	15	4,309,246	6,130,574	10,439,820
EXPENDITURES & OTHER FINANCING USES				
Public Safety	16	940,572	129,986	1,070,558
Public Works	17	682,824	1,649,202	2,332,026
Health and Social Services	18	0	0	0
Culture and Recreation	19	527,056	369,613	896,669
Community and Economic Development	20	35,500	515,000	550,500
General Government	21	293,998	57,994	351,992
Debt Service	22	520,907	0	520,907
Capital Projects	23	0	2,193,000	2,193,000
Total Government Activities Expenditures	24	3,000,857	4,914,795	7,915,652
Business Type/Enterprise	25	909,103	410,559	1,319,662
Total Gov Activities & Business Expenditures	26	3,909,960	5,325,354	9,235,314
Tranfers Out	27	147,491	999,346	1,146,837
Total Expenditures/Transfers Out	28	4,057,451	6,324,700	10,382,151

Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	251,795	-194,126	57,669
Beginning Fund Balance July 1, 2021	30	3,449,168	0	3,449,168
Ending Fund Balance June 30, 2022	31	3,700,963	-194,126	3,506,837

Passed and Approved this 5th day of April, 2022.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty, City Administrator

RESOLUTION 22-17

RESOLUTION TO SET A PUBLIC HEARING TO CONSIDER A LEASE OF THE FOLLOWING DESCRIBED PROPERTY: BLOCKS SIX (6), SEVEN (7), EIGHTEEN (18), AND NINETEEN (19), AND THE NORTH AND SOUTH ALLEY THROUGH SAID BLOCK EIGHTEEN (18) IN WILLOW PARK ADDITION TO THE TOWN OF MISSOURI VALLEY, IOWA.

WHEREAS, an application to lease City owned property legally identified as:

Blocks Six (6), Seven (7), Eighteen (18), and Nineteen (19), and the North and South Alley through said Block Eighteen (18) in Willow Park Addition to the Town of Missouri Valley, Iowa,

has been advanced by Spinnin Spokes BMX, LLC, of Omaha, Nebraska (“Tenant” herein), and

WHEREAS, the Tenant desires to lease the aforementioned property for five (5) years at the cost of \$1.00 per year upon terms and conditions provided for in the written lease, and

WHEREAS, the City Council of Missouri Valley will convene to determine if the lease should be approved.

NOW THEREFORE BE IT RESOLVED BY the City Council of the City of Missouri Valley, Iowa, that the date of April 19, 2022 at 6:00 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 5th day of April, 2022.

Shawn Kelly, Mayor

Attest:

Jodie Flaherty, City Administrator

RESOLUTION 22-18

RESOLUTION ISSUING A MORATORIUM ON THE OPEN BURNING BAN

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 – Remainder of Month 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 5th day of April, 2022.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty, City Administrator

ORDINANCE #595

AN ORDINANCE AMENDING THE ZONING ORDINANCES OF THE CITY OF MISSOURI VALLEY, IOWA, BY AMENDING THE OFFICIAL ZONING MAP AND BY AMENDING THE ZONING DESIGNATION OF PARCEL ID NO. 610002502606000; PARCEL ID NO. 600002480101000 AND PARCEL ID NO. 60000248010000, FULLY DESCRIBED ON THE ATTACHED EXHIBIT “A” FROM THEIR CURRENT RESPECTIVE ZONING DESIGNATION TO THE ZONING DESIGNATION OF ML.

SECTION 1: SUBSECTION ADDED. A subsection to Article IV, Section 4.3, titled AMENDMENTS TO OFFICIAL ZONING MAP of the Zoning Ordinances to the City of Missouri Valley, Iowa, is being added as subsection 4.34, to read as follows:

4.34 The following properties are designated on the Official Zoning Map as being ML:

See attached Exhibit "A".

SECTION 2: REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3: SEVERABILITY: 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 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 Council the 5th day of April, 2022, and approved this 5th day of April, 2022.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty, City Administrator

1st reading: March 15, 2022

2nd reading: April 5, 2022

3rd reading: Waived

Published: April 13, 2022

ORDINANCE

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 69.03 of the Code of Ordinances of the City of Missouri Valley, Iowa, are repealed and the following adopted in lieu thereof:

69.03 ANGLE PARKING.

Angle or diagonal parking is permitted only in the following locations:

(Code of Iowa, Sec. 321.361)

1. Fifth Street, on the east side, from Erie Street to Huron Street;
2. Huron Street, on the north side, from Seventh Street to the alley between Seventh Street and Sixth Street;
3. Huron Street, on the north side, from Sixth Street to Fifth Street;

4. Huron Street, on the south side, from Fourth Street to the alley between Fourth Street and Fifth Street;
5. Eighth Street, on the east side, from Maple Street to Elm Street;
6. Ninth Street, on the east side, from Maple Street to Elm Street;
7. Huron Street, on the north side, from Fifth Street to the alley between Fifth Street and Sixth Street;
8. Ontario Street, on the north side, from Sixth Street to the alley between Sixth Street and Seventh Street;
9. Longview Road, on the east side, from Grove Street north 108 ft;
10. Fourth Street, on the east side, from Erie Street to the alley between Erie Street and 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 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 _____ day of _____, _____, and approved this _____ day of _____, 2022.

Shawn Kelly, Mayor

ATTEST:

Jodie Flaherty, City Administrator

1st reading: March 29, 2022

2nd reading: April 5, 2022

3rd reading:

Published: