VILLISCA CITY COUNCIL REGULAR MEETING

TUESDAY September 9, 2014 6PM COMMUNITY BUILDING

Meeting called to order at 6pm September 9, 2014 by Mayor Halda with the following roll call:

PRESENT: Shepherd, Haidsiak, Leonard, Mullen ABSENT: Heimbach

Also present, Meri Kernen, Helen Lowe, Gloria Jones, Dale Sturm, Attorney Carl Sonksen and City Clerk Owen.

Motion Haidsiak second Shepherd and unanimous vote to approve the agenda.

The consent agenda including past minutes, report of receipts and disbursements, Clerk, VMPP and Sheriff’s reports were reviewed by copy. Motion Shepherd second Leonard and unanimous vote to approve the consent agenda.



**Disbursements August 2014**

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| --- | --- | --- |
| CLAIMS REPORT |  |  |
| VENDOR | REFERENCE | AMOUNT |
| ACCO | CHEMICALS | 4,237.30 |
| ADVANTAGE ADMINISTRATORS | PLAN #105-532 | 24.5 |
| ALCO STORES | INK | 24.99 |
| Alliant Energy | NATURAL GAS | 176.14 |
| Allied Systems, Inc | SUPPLIES | 867.82 |
| ANNA STOYSICH | KIDS PROGRAMS/EXTRA COST | 10.35 |
| BLUE TARP FINANCIAL | MISC SUPPLIES | 692.94 |
| RONALD A BROWN | SERVICE/AUG | 65 |
| CAPITAL SANITARY SUPPLY | COMM BLDG SUPPLIES | 89.55 |
| CARD SERVICES - VISA | BOOKS | 666.63 |
| CASEY'S | FUEL | 391.99 |
| CENTER POINT LARGE PRINT | BOOKS | 41.94 |
| CHAT MOBILITY | CELL PHONE AMB/CITY | 82.62 |
| CITY OF RED OAK AMBULANCE | TIER-AMB | 660 |
| ROBERT A GRAF | PROPERTY CLEAN UP | 610 |
| CRYSTAL EIGHMY | INK/DRY ERASE/CRATES/LAMIN | 235.47 |
| Data Technologies | CINDY/TRAINING | 95 |
| DETER MOTOR CO. | 2015 CHEVY TRUCK | 27,840.00 |
| FCX PERFORMANCE | REMOTE MOUNT/WATER | 2,643.97 |
| FARMERS MUTUAL TELEPHONE CO | SERVICE | 457.5 |
| GRAINGER | REPAIRS/COMMUNITY BUILDING | 349.2 |
| HOLIDAY INN AIRPORT DM | IMFOA CONFERENCE | 185.92 |
| IMFOA | FALL MEETING 10-15/17 | 105 |
| JASON SHEPHERD | GUITAR BOOKS | 80 |
| Julie A LAYTHE | COMM BLDG CLEANING AUG 14 | 320 |
| GAYLE E HEARD | REPAIRS/SUPPLIES | 415.38 |
| CYNTHIA L STURM | OFFICE SUPPLIES | 86.43 |
| MANGOLD ENVIRONMENTAL | TESTING/WATER | 230 |
| MATHESON TRI-GAS/LINWELD | RENTAL ON TANK | 127.83 |
| MIDWEST ENVIRONMENTAL | vbainmesi@iowatelecom.net | 888 |
| MIDWEST RECYCLING | AUGUST RECYCLING FEES | 604.8 |
| MUNICIPAL SUPPLY, INC | SUPPLIES | 1,151.52 |
| NORRIS ASPHALT PAVING | ROCK | 6,000.00 |
| ORSCHELN | SUPPLIES | 492.19 |
| PALFLEET TRUCK EQUIP CO | INSTALLED SNOW BLADE PARTS | 1,871.05 |
| QUALITY STEEL ROOFS/SIDIN | LIBRARY ROOF 1/2 PAYMENT | 18,125.00 |
| RICOH USA | CONTRACT #3330552 | 52.55 |
| STATE HYGIENIC LABORATORY-AR | Testing | 450 |
| SOUTHWEST IOWA RURAL ELE | SE SERVICE | 63.43 |
| SWICA | DUES | 30 |
| TJ'S CAFE | CONCESSION/ICE CREAM | 81.25 |
| TRISHA OWEN | REIMBURSE MILEAGE SFR 8/27 | 53.07 |
| UNITED FARMERS COOP | DIESEL/GASOHOL | 1,773.05 |
| UPS | SHIPPING | 295.06 |
| Villisca Foods | CLEANING SUPPLIES | 29.61 |
| VILLISCA POWER PLANT | ELECTRIC | 7,946.45 |
| XPUBLISHING LLC | MINUTES PRINTED | 325.52 |
| WELLMARK | INSURANCE | 6,617.77 |
| \*\*\*\* PAID TOTAL \*\*\*\*\* |  | 55,355.02 |
| \*\*\*\* SCHED TOTAL \*\*\*\*\* |  | 33,308.77 |
| \*\*\*\* OPEN TOTAL \*\*\*\*\* |  |  |
| \*\*\*\*\* REPORT TOTAL \*\*\*\*\* |  | 88,663.79 |

Richard Mullen Marilyn Halda Marsha Shepherd Lee Haidsiak TJ Leonard Trisha Owen

Council Member Mayor Council Member Council Member City Council City Clerk

The above bills were approved for payment by signature September 9, 2014.

Mayor Halda opened the Public Hearing. With no comments from the public, Halda closed the Public Hearing.

Motion Haidsiak second Mullen to approve Resolution No. 14-09-01, Approve Annual Financial Report

AYES: Leonard, Mullen, Shepherd, Haidsiak NAYS: None

RESOLUTION NO. 14-09-01

APPROVE ANNUAL FINANCIAL REPORT

WHEREAS: The State of Iowa requires an annual financial report be published and filed with the state and;

WHEREAS: The required reports have been completed and submitted to the council for approval;

THEREFORE BE IT RESOLVED by the City Council of the City of Villisca the report is approved and the council orders publication and submission to the state the annual financial report for 2013/2014.

Motion Haidsiak second Mullen to approve Resolution No. 14-09-02 RESOLUTION SETTING PUBLIC HEARING REGARDING SALE OF CITY OWNED PROPERTY LOCATED AT 404 East 6th street, 139 West 4th Street, AND 5th Avenue and 9th Street, IN THE CITY OF VILLISCA, IOWA.

AYES: Leonard, Shepherd, Haidsiak, Mullen NAYS: None

**RESOLUTION No. 14-09-02**

**RESOLUTION SETTING PUBLIC HEARING REGARDING SALE OF CITY OWNED PROPERTY LOCATED AT 404 East 6th Street, 139 West 4th Street, AND 5th Avenue and 9th Street, IN THE CITY OF VILLISCA, IOWA.**

**WHEREAS,** Chapter 364, Code of Iowa, provides for procedures to sell city owned real property, including holding a public hearing on any such sale, AND

**WHEREAS,** the City of Villisca, Iowa owns three parcels of land commonly known as Lot 307 - 404 East 6th street, Lot 9 - 139 West 4th Street, AND Lot 325 - 5th Avenue and 9th Street, and the City wishes to explore the potential sale of those parcels of real property, AND

**WHEREAS,** the public is encouraged to attend the public hearing,

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Villisca, Iowa, as follows:

**SECTION 1.** A public hearing shall be set to allow for public comment regarding the proposed sale of three individual parcels of land located within the city limits of Villisca, Iowa, Such public hearing shall be set for October 7, 2014 at the Villisca Community Building at 6:00 p.m. and notice of such hearing shall provide pursuant to Iowa Code Section 362.3.

**SECTION 2.** This Resolution shall be in effect upon its passage and approval as provided by law.

Motion Haidsiak second Leonard to approve Resolution No. 14-09-03, Transfer Funds From Local Option to General & Water Fund

Ayes: Haidsiak, Mullen, Leonard, Shepherd NAYS: None

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RESOLUTION NO. 14-09-03

TRANSFER FUNDS FROM

LOCAL OPTION TO GENERAL & WATER FUND

WHEREAS: The City Council of the City of Villisca has decided it is in the city’s best interest to eliminate the projected deficit balances for FY15 and

WHEREAS: The City’s Local Option Sales Tax fund is projected to have a surplus balance at the end of FY15 and

WHEREAS: The Local Option Sales Tax fund can be used for this purpose.

THEREFORE BE IT RESOLVED by the City Council of Villisca that $40,000 of Local Option Sales Tax be transferred to the General fund and

BE IT FURTHER RESOLVED that $70,000 of Local Option Sales Tax be transferred to the Water fund

Motion Shepherd second Haidsiak to approve Resolution No. 14-09-04, Upgrading Bank Account

Ayes: Mullen, Haidsiak, Leonard, Shepherd NAYS: None

RESOLUTION NO. 14-09-04

A RESOLUTION UPGRADING BANK ACCOUNT

WHEREAS, the City of Villisca’s financial institution is Bank Iowa; and

WHEREAS, the City currently has a money market at Bank Iowa and wishes to upgrade to a Premier money market account

WHEREAS, the premier money market interest rate has a higher percentage than the current interest rate of the money market

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Villisca, Iowa, approves the upgrade/change to a premier money market account. The City Clerk is hereby authorized to make this change at Bank Iowa.

Motion Haidsiak second Shepherd to approve Resolution No. 14-09-05, Access To Library Accounts, Lock Boxes, and Safety Deposit Boxes

Ayes: Leonard, Haidsiak, Shepherd, Mullen NAYS: None

RESOLUTION NO. 14-09-05

ACCESS TO LIBRARY ACCOUNTS, LOCK BOXES, AND SAFETY DEPOSIT BOXES

WHEREAS: The City of Villisca provides budgetary funding for the City’s Public Library; AND

WHEREAS: The Library maintains a certificate of deposit at Bank Iowa and a certificate of deposit at Houghton State Bank, as well as lock boxes and/or safety deposit boxes at one or more of the above named banks; AND

WHEREAS: For purposes of annual auditing, the City Clerk, Mayor, and Director of the Library should from time to time as necessary, be granted access to the Library’s certificate of deposit accounts for purposes of balance inquiries; AND

WHEREAS: For purposes of annual auditing, the City Clerk, Mayor, and Director of the Library should from time to time as necessary, be granted access to the Library’s Safety Deposit Box or Lock Box for the purposes of balance inquiries and accounting; AND

WHEREAS: For purposes of transferring funds into the Library’s certificate of deposit accounts, the authority to make such deposits should be limited to the City Clerk; AND

THEREFORE BE IT RESOLVED by the City Council of the City of Villisca that the City Clerk, Mayor, and Director of the Library shall be granted access to the Library’s certificate of deposit accounts for purposes of balance inquiries, that the City Clerk, Mayor, and Director of the Library shall be granted access to the Library’s Safety Deposit Box and any Lock Box for the purposes of balance inquiries, and that authority to transfer funds into the Library’s certificate of deposit accounts be limited to the City Clerk.

Motion Haidsiak second Leonard to approve Resolution No. 14-09-06, Invest Funds

Ayes: Mullen, Shepherd, Haidsiak, Leonard NAYS: None

RESOLUTION NO. 14-09-06

INVEST FUNDS

WHEREAS: The City of Villisca has received payments from Rural Trustees for Fire protection; AND

WHEREAS: There being an excess of funds from these payments it is in the best interest of the citizens to invest the funds; AND

WHEREAS: When the 2 current Rural Trustees CD are up they will be transferred into the premier money market; AND

THEREFORE BE IT RESOLVED by the City Council of the City of Villisca that $19,000 be transferred for fire purchases. Funds shall be transferred from the cities general checking account to a premier money market at Bank Iowa.

Motion Shepherd second Haidsiak to approve Resolution No. 14-09-07,Approving Development Agreement with UFMC

Ayes: Leonard, Haidsiak, Shepherd, Mullen NAYS: None

RESOLUTION No. 14-09-07

Resolution Approving Development Agreement with United Farmers Mercantile Cooperative, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

WHEREAS, the City of Villisca, Iowa (the “City”), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Villisca Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, this City Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa (the “Urban Renewal Tax Revenue Fund”), which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, a certain development agreement (the “Agreement”) between the City and United Farmers Mercantile Cooperative (the “Cooperative”) has been prepared in connection with the expansion of its agricultural cooperative facilities including the construction of a new grain bin on certain property situated at 701 South U Avenue in the Urban Renewal Area (the “UFMC Project”); and

WHEREAS, under the Agreement, the City would provide annual appropriation tax increment payments to the Cooperative in a total amount not exceeding $150,000; and

WHEREAS, this City Council, pursuant to Section 403.9 of the Code of Iowa, has published notice, has held a public hearing on the Agreement on September 9, 2014, and has otherwise complied with statutory requirements for the approval of the Agreement; and

WHEREAS, Chapter 15A of the Code of Iowa (“Chapter 15A”) declares that economic development is a public purpose for which a City may provide grants, loans, tax incentives, guarantees and other financial assistance to or for the benefit of private persons; and

WHEREAS, Chapter 15A requires that before public funds are used for grants, loans, tax incentives or other financial assistance, a City Council must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

WHEREAS, Chapter 15A requires that in determining whether funds should be spent, a City Council must consider any or all of a series of factors;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Villisca, Iowa, as follows:

Section 1. Pursuant to the factors listed in Chapter 15A, the City Council hereby finds that:

(a) The UFMC Project will add diversity and generate new opportunities for the Villisca and Iowa economies;

(b) The UFMC Project will generate public gains and benefits, particularly in the creation of new jobs, which are warranted in comparison to the amount of the proposed financial incentives.

Section 2. The City Council further finds that a public purpose will reasonably be accomplished by entering into the Agreement and providing the incremental property tax payments to the Cooperative.

Section 3. The Agreement is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute and deliver the Agreement on behalf of the City, in substantially the form and content in which the Agreement has been presented to this City Council, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement.

Section 4. All payments by the City under the Agreement shall be subject to annual appropriation by the City Council, in the manner set out in the Agreement. As provided and required by Chapter 403 of the Code of Iowa, the City’s obligations under the Agreement shall be payable solely from a subfund (the “UFMC Subfund”) which is hereby established, into which shall be paid that portion of the income and proceeds of the Urban Renewal Tax Revenue Fund attributable to property taxes derived from the property described as follows:

*Certain real property situated at 701 South U Avenue in the City of Villisca, County of Montgomery, State of Iowa bearing Montgomery County Property Tax Identification Parcel Number 641227151001000.*

Section 5. The City hereby pledges to the payment of the Agreement the UFMC Subfund and the taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Subfund, provided, however, that no payment will be made under the Agreement unless and until monies from the UFMC Subfund are appropriated for such purpose by the City Council.

Section 6. After its adoption, a copy of this resolution shall be filed in the office of the County Auditor of Montgomery County to evidence the continuing pledging of UFMC Subfund and the portion of taxes to be paid into such Subfund and, pursuant to the direction of Section 403.19 of the Code of Iowa, the Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof.

Section 7. All resolutions or parts thereof in conflict herewith are hereby repealed.

Passed and approved this 9th day of August 2014.

Motion Haidsiak second Leonard and unanimous vote to approve the Urban Renewal Report. Dale Sturm came to the council to discuss their high water bill at the Catholic Church. The Catholic Church had a leaking toilet in the basement. Motion Haidsiak second Mullen and unanimous vote to table until next months meeting and to not penalize the church for late payment. Dale Sturm left the meeting at 6:20 p.m. Motion Haidsiak second Shepherd and unanimous vote to approve the recommendations of Nina Sturm and Ronnie Riggle for EMS Training. Clerk Owen gave an update on the PWD monthly report. Haidsiak gave the council a report on the Advisory and Trustee’s meeting held last month.

Public Comment: NONE

Motion Haidsiak second Leonard and unanimous vote to adjourn 6:37 p.m.

Next regular meeting will be Tuesday, October 7, 2014 6pm at the community building. (NOTE THIS IS A CHANGE! WILL BE THE 1st TUESDAY)

ATTEST:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Trisha Owen, City Clerk Marilyn Halda, Mayor