

**CITY OF CLARKSVILLE  
CITY COUNCIL DEPARTMENT MEETING  
JUNE 20, 2016**

The Clarksville City Council met in regular session June 20, 2016, in the Council Chambers at 7:00 p.m. with Mayor Val Swinton in the chair and Council members Roger Doty, Jeff Kolb, Kenneth Smith, and Travis Sterken present, Diane Renning absent.

The following Department Heads were in attendance: Barry Mackey, Police Chief; Matt Kampman, Maintenance Superintendent; Lori Peterson, Financial Administration.

Motion Kolb, Doty, to approve Ashley Lorenz as a member on the Clarksville Ambulance Service.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning. MC.

Motion Sterken, Smith, to approve request by Jerry Schunk for a 30-day extension of removing items from properties at 112 S Main and 114 S Main (previously sold to the City) by August 1, 2016.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning. MC.

Motion Kolb, Smith, to approve building permit for Andrew Clark, 303 E Poisal, for the constructions of a six foot fence.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning. MC.

Motion Smith, Doty, to approve building permit for Ian Learmonth, 609 N Elizabeth, for the construction of a five foot fence.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning. MC.

Motion Smith, Kolb, to approve consent agenda: Monthly Departmental Reports as submitted by Department Heads.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning. MC.

Motion Kolb, Smith, to approve June expenditures and May Financial Reports as presented by the Deputy City Clerk.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning. MC.

Motion Kolb, Smith, to adopt a policy for Security Cameras at the Clarksville City Hall:

**Clarksville City Hall  
Security Cameras Policy**

- A. The City of Clarksville's cameras shall not record or retain any audio conversations.
- B. The City of Clarksville videos shall be retained on a DVR and said DVR shall only be accessible by the Mayor or his designee.
- C. That in the event an open records request is made for said video surveillance information, or said video surveillance recording, said surveillance shall not be released until the City Attorney confirms it is indeed a public record.
- D. The Mayor's designee, until further notice or resolution by Council, shall be the City Attorney.
- E. This policy shall not apply to the Clarksville Police Department.
- F. The Clarksville Police Department is allowed to retain any and all DVR video recording deems advisable and necessary for the enforcement of the law.
  1. That until further notice and resolution, only the Clarksville Mayor and his designee shall be records custodians of said video equipment.
  2. That this Resolution does not apply to law enforcement as set forth above.
  3. That any request for review or a copy of said video surveillance information shall be made through the City Attorney and the custodian shall remain the Mayor.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning. MC.

Motion Kolb, Smith, to adopt Resolution 16-599: RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF CLARKSVILLE, IOWA FOR VIDEO AND AUDIO RECORDING AT CITY HALL.

WHEREAS, the City has installed video security equipment that digitally records video and audio in City Hall; and

WHEREAS, the City has been given the option of allowing said equipment to be both video and audio; and

WHEREAS, the City has made a determination that audio is not in the best interest of its citizens and that only video shall be recorded and retained; and

WHEREAS, the City has determination that it is in the best interest of the City and its citizens to establish a policy regarding the recording and retention of said video surveillance.

IT IS HEREBY RESOLVED:

1. That the City has adopted a policy (the Clarksville Public Library has adopted their own policy and any video regulations at the Library shall be in reference to that policy) and it specifically reads as follows:

G. The City of Clarksville's cameras shall not record or retain any audio conversations.

H. The City of Clarksville videos shall be retained on a DVR and said DVR shall only be

accessible by the Mayor or his designee.

- I. That in the event an open records request is made for said video surveillance information, or said video surveillance recording, said surveillance shall not be released until the City Attorney confirms it is indeed a public record.
- J. The Mayor's designee, until further notice or resolution by Council, shall be the City Attorney.
- K. This policy shall not apply to the Clarksville Police Department.
- L. The Clarksville Police Department is allowed to retain any and all DVR video recording deems advisable and necessary for the enforcement of the law.
  - 2. That until further notice and resolution, only the Clarksville Mayor and his designee shall be records custodians of said video equipment.
  - 3. That this Resolution does not apply to law enforcement as set forth above.
  - 4. That any request for review or a copy of said video surveillance information shall be made through the City Attorney and the custodian shall remain the Mayor.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning. MC.

Resolution declared adopted, signed by the Mayor and hereby made a portion of these minutes.

Motion Sterken, Doty, to adopt Resolution 16-603: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, IOWA, TO APPROVE AMENDING CHARGES AT THE LYN-WOOD CEMETERY.

BE IT RESOLVED, by the City Council of the City of Clarksville, Iowa:

A. The price of lots within the Lyn-Wood Cemetery:

- 1. The price of lots within the Lyn-Wood Cemetery shall be \$300.00 for each grave space within the lot.
- 2. The price of lots within (Babyland section) of the Lyn-Wood Cemetery shall be \$200.00 for each grave space.
- 3. Price includes perpetual care set at ten percent (10%) of the cost per gravesite.

B. The fee set for opening and closing:

- 1. The fee for opening and closing shall be \$450.00 on week days and \$550.00 on weekends and holidays.
- 2. The fee for opening and closing (infant or cremation) shall be \$250.00 and \$350.00 for after hours, weekends and holidays.
- 3. Opening and closing service for cremation requires a 48 hour notice with a maximum 1 hour service, unless prior arrangements are made.

C. This Resolution shall be effective upon its approval.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning. MC.

Resolution declared adopted, signed by the Mayor and hereby made a portion of these minutes.

Council Member Sterken introduced the following Resolution 16-604 entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF CLARKSVILLE, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member Smith seconded the motion to adopt. The roll was called and the vote was,

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning.

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF CLARKSVILLE, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Clarksville, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000, as authorized by Sections 384.24A and 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, the Issuer has a population of less than 5,000, and the Notes for these purposes do not exceed \$400,000; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the City to such action; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF CLARKSVILLE, STATE OF IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 115 W. Superior Street, Clarksville, Iowa 50619-0309, at 7:00 P.M., on the 5<sup>th</sup> day of July, 2016, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$300,000 General Obligation Capital Loan Notes, for general corporate purposes, the proceeds of which notes will be used to provide funds to pay the costs of the acquisition, construction, improvement and equipping of public buildings, including an ambulance shed and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Clerk is authorized and directed to proceed on behalf of the City with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the City's obligations to a principal amount of not to exceed \$300,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the City and acceptable to the Council.

Section 3. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY (FOR GENERAL CORPORATE PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Clarksville, State of Iowa, will hold a public hearing on the 5<sup>th</sup> day of July, 2016, at 7:00 P.M., in the Council Chambers, City Hall, 115 W. Superior Street, Clarksville, Iowa 50619-0309, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes, for general corporate purposes, bearing interest at a rate of not to exceed 9 per centum per annum, the Notes to be issued to provide funds to pay the costs of the acquisition, construction, improvement and equipping of public buildings, including an ambulance shed. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24A and 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the City Council of the City of Clarksville, State of Iowa, as provided by Sections 384.24A and 384.26 of the Code of Iowa.

(The Ambulance Shed 2016 project is the 2<sup>nd</sup> phase of the Fire Station Remodeling project of 2007. The tax levy is projected to remain approximately the same as the notes for the 2007 Fire Station and 2012 Equipment loans will be paid off in 2017)

Resolution declared adopted, signed by the Mayor and hereby made a portion of these minutes.

Council Member Kolb introduced the following Resolution 16-605 entitled "RESOLUTION APPROVING POST-ISSUANCE COMPLIANCE POLICY" and moved that it be adopted. Council Member Sterken seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning.

Whereupon, the Mayor declared the Resolution duly adopted as follows:

#### RESOLUTION APPROVING POST-ISSUANCE COMPLIANCE POLICY

WHEREAS, the City of Clarksville, sometimes hereinafter referred to as the City, is a municipal corporation duly incorporated, organized and existing under and by virtue of the Constitution and laws of the State of Iowa; and

WHEREAS, various requirements apply under the Internal Revenue Code and Income Tax Regulations (hereinafter "IRS Requirements") including information filing and other requirements related to issuance, the proper and timely use of bond-financed property, and arbitrage yield restriction and rebate requirements; and

WHEREAS, to comply with the IRS Requirements, governmental bond issuers must ensure that the rules are met at the time the bonds, capital loan notes or lease-purchase obligations (hereinafter "bonds") are issued and throughout the term of the bonds; and

WHEREAS, this includes the continued review of post-issuance obligations and maintenance of records:

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, IOWA, THAT THE FOLLOWING WRITTEN PROCEDURES ARE ADOPTED WHICH SHALL APPLY WITH RESPECT TO ALL TAX EXEMPT OBLIGATIONS INCURRED BY THE CITY:

Section 1. The "Post-Issuance Compliance Policy" (hereinafter "Policy") attached hereto as Exhibit A is hereby adopted and approved.

Section 2. The official designated in said policy shall take any and all action necessary to properly implement the policy.

Resolution declared adopted, signed by the Mayor and hereby made a portion of these minutes.

Motion Sterken, to adjourn the meeting at 8:20 p.m.

Val Swinton  
Mayor

Attest: Lori A. Peterson  
Deputy City Clerk