

**CITY OF CLARKSVILLE
CITY COUNCIL DEPARTMENT MEETING
March 19, 2018**

The Clarksville City Council met in regular session March 19, 2018, in the temporary Council Chambers at 7:00 p.m. with Mayor Val Swinton in the chair and Council members Roger Doty, Todd Fails, and Kenny Smith present. Jeff Kolb joined the meeting at 7:20 p.m. Diane Renning absent.

The following Department Heads were in attendance: Kristen Clark, Library Director; Barry Mackey, Police Chief; Jeff Tiedt, Police Captain; Matt Kampman, Maintenance Superintendent; Ryan McCully, Maintenance Assistant; Lori Peterson and Kayla Hinders, Financial Administration.

Motion Kolb, Fails, to accept resignation from ambulance crew member Jessica Muttart.

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

Motion Smith, Doty, to approve house building permit for Frank Vance, 502 S Church St.

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

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

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

Motion Kolb, Fails, to approve March expenditures and February financial reports as presented by the City Clerk.

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

Motion Kolb, Fails, to approve purchase of 250 feet of Hesco Barriers for approximately \$6,750.00 plus shipping and handling fees for flood mitigation.

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

Motion Fails, Doty, to approve final payment to Steege Construction, Inc. for the 2016 Ambulance Shed Project in the amount of \$10,024.20.

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

Motion Smith, Fails, to approve Dorsey & Whitney LLP estimated fees and expenses for serving as bond counsel not to exceed \$6,000.00.

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

Council Member Kolb introduced the resolution hereinafter next set out and moved its adoption, seconded by Council Member Smith; and after due consideration thereof by the City Council, the Mayor put the question upon the adoption of the said resolution and the roll being called, the following named Council Members voted:

Ayes: Doty, Fails, Kolb, Smith

Absent: Renning

Nays: None

Whereupon, the Mayor declared the resolution duly adopted as hereinafter set out.

RESOLUTION NO. 18-658

Resolution setting the date for public hearing on proposal to enter into a General Obligation Municipal Building Loan/Lease-Purchase Agreement and to borrow money thereunder in a principal amount not to exceed \$400,000

WHEREAS, the City of Clarksville (the "City"), in Butler County, State of Iowa, pursuant to the provisions of Section 384.24A or Section 364.4 of the Code of Iowa, proposes to enter into a General Obligation Municipal Building Loan/Lease-Purchase Agreement (the "Financing Agreement") and to borrow money thereunder in a principal amount not to exceed \$400,000 for the purpose of paying the costs, to that extent, of acquiring or constructing, furnishing and equipping a city hall facility (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 Financing Agreement and to give notice thereof as required by such law and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Financing Agreement and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal;

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

Section 1. This City Council shall meet on April 2, 2018, at the temporary City Hall, Clarksville, Iowa, at 7 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 Financing Agreement described in the preamble hereof.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Financing 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 ten (10) and not more than twenty (20) days before the date of said 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 OR A LEASE-PURCHASE AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$400,000
(GENERAL OBLIGATION)

The City Council of the City of Clarksville, Iowa (the "City"), will meet on April 2, 2018, at the temporary City Hall, Clarksville, Iowa, at 7 o'clock p.m., for the purpose of instituting proceedings and taking action to enter into either a loan agreement (the "Loan Agreement") or a lease-purchase agreement (the "Lease Agreement") and to borrow money thereunder in a principal amount not to exceed \$400,000 for the purpose of paying the costs, to that extent, of acquiring or constructing, furnishing and equipping a city hall facility.

The Loan Agreement or Lease Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A or Section 364.4 of the Code of Iowa, as applicable, and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement or Lease Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement or the Lease Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement or Lease Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa.

By order of the City Council of the City of Clarksville, Iowa.

Lori Peterson
City Clerk

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 \$400,000, (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 March 19, 2018.

Mayor

Attest:

City Clerk

Motion Fails, to adjourn the regular City Council meeting at 8:24 p.m.

Val Swinton
Mayor

Attest: Lori A. Peterson
City Clerk/Treasurer