COUNCIL PROCEEDINGS
February 13, 2017

The Marshalltown City Council met in regular session on February 13, 2017, at 5:30 PM, in the Council Chambers at City Hall. Mayor Lowrance called the meeting to order and led the Pledge of Allegiance. Present: Gowdy, Greer, Hoop, Lamer, Martin, Schubert, Wirin. Chief Tupper thanked Officer Accola for leading the Pizza with the Cop event, as it was well attended and scheduled to repeat due to the success. Greer thanked the community for utilizing the city Library and Skatepark. Schubert moved to approve the agenda, second by Greer. Motion approved 7-0.

CONSENT AGENDA:

Lamer moved to approve the Consent Agenda Approve Council meeting Minutes of January 23, 2017, special council meeting minutes of January 30 and February 6, 2017; Approve Bill List in the amount of $1,517,128.14; Receipt of Building Report for December, 2016; Receipt of Civil Service New Hire List, Street Maintenance Worker II; Board and Commission Appointments: Appoint Aimee Deimerly-Snyder to Planning & Zoning Commission, term expires: 4/1/2022; Appoint Tammie Frederick to Board of Adjustment, term expires 4/1/2022; Resolution 2017-012 Approving Applications for Tax Abatement within Approved Urban Revitalization Areas of the City of Marshalltown, Iowa; Resolution 2017-013 Certifying Unpaid Bills as Property Tax for unpaid nuisance abatement and illegal fire charges; Resolution 2017-014 Approving the Renewal of Agreement with the Iowa Veterans Home relating to Police Protection through June 30, 2019; Resolution 2017-015 Authorizing The Grant Application to the State of Iowa, Governor's Traffic Safety Bureau, State and Community Highway Safety Grant Application, Contract Period 10-1-2017 through 9/30/2018; Resolution 2017-016 Approving Contract with GTG Companies for the Veterans Memorial Coliseum facility use study, in the amount of $25,000; Resolution 2017-017 Approving Contract Change Order #1 for the 2015 Oil Mix Streets Overlay Project 76015005, increase of $32,468.00; Resolution 2017-018 Approving Certificate of Completion and final Project Costs with OMG Midwest, Inc., dba Cessford Construction, in the amount of $457,928.00 for Construction of the 2015 Oil Mix Streets Overlay Project 76015005; Resolution 2017-019 Approving Contract Change Order #1 for the 2016 Mill & Overlay Project 76016004, increase of $153,334.30; Resolution 2017-020 Approving Certificate of Completion and final Project Costs with OMG Midwest, Inc., dba Cessford Construction, in the amount of $828,790.80 for the Construction of the 2016 Mill & Overlay Project 76016004; Renewal Liquor Licenses (pending fire inspection passage): Kwik Star #706, Jiffy Convenience Stores, Kwik Star #394, Grocery Store Y Tortilleria La Vecindad, Golden Land, Ocean City Chinese Restaurant, Elmwood Country Club, Vaughn's Pub, American Legion, Rumours Sports Bar & Grill, Smokin G's BBQ Restaurant and Catering, Iowa River Brewing Company, Inc., Hy Vee Food & Drug Store, Fareway Stores #467, Food & Gas Mart; second by Wirin. Consent agenda adopted 7-0.

MOTIONS:

Schubert moved to Approve new State of Iowa Tobacco Permit for Family Dollar Stores of Iowa, LLC, formerly known as Family Dollar Stores of Iowa, Inc., 327 S 3rd Avenue, effective January 27, 2017, expires June 30, 2017, second by Greer. Motion carried 6-1 with Lamer opposed.

Lamer moved to set the public hearing date of March 6, at noon, for Budget Amendment for the current fiscal year ending 6/30/2017, second by Wirin. Motion carried 7-0.

Martin moved to accept the proposed Budget for FY18 and setting the public hearing for March 6, at noon, for the proposed Budget and Tax Levy for fiscal year ending 6/30/2018, second by Gowdy. Motion carried 7-0.

Lamer moved to finalizing the Five Year Capital Improvement Plan and setting public hearing for March 6, 2017, at noon, second by Wirin. Motion carried 7-0.

REPORTS:

Kenn Vinson updated the council on the Alliant project. The project is mechanically complete and the facility is testing, April 1 is the expected substantially complete date.

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RESOLUTIONS:

Schubert moved to adopt Tentative Resolution 2017-021 Setting public hearing for February 27, 2017, for the sale of City Property, 1210 E Nevada Street, second by Wirin. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2017-022 Amending 2016 Marshall County Hazard Mitigation Plan, second by Greer. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2017-023 Approving Grant Application to the Martha-Ellen Tye Foundation for the Development of a Futsal/Tennis Court upgrade, second by Schubert. Resolution adopted 7-0. Greer disclosed he serves on the board of the Martha-Ellen Tye Foundation and has no financial gain.

Martin moved to adopt Resolution 2017-024 Approving Grant Application to the Martha-Ellen Tye Foundation for the Development of a Parks and Recreation Master Plan, second by Wirin. Resolution adopted 7-0. Greer disclosed he serves on the board of the Martha-Ellen Tye Foundation and has no financial gain.

Greer moved to adopt Resolution 2017-025 Authorizing the assignment of tax certificates held by Marshall County, second by Schubert. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2017-026 Approving Agreement Amendment No 2 by and between the City of Marshalltown, Iowa, and Clapsaddle-Garber Associates, Inc., for Engineering Services for Marshalltown Municipal Airport – Runway End 18/36, project 77016010, $12,485.00, second by Lamer. Resolution adopted 7-0. The mill and overlay project is 90% federally funded with a 10% match.

ORDINANCES

Lamer moved to adopt the second reading of an Ordinance to Amend the Code of Ordinances, Section 28-125 "Rate Structure and Storm Water Rate," Setting Storm Water rates, second by Greer. The rate is based on Equivalent Residential Units, setting the average residential unit as 2,800 square feet of impervious service as the base unit for assessing the utility rate. Non residential parcels will be assessed based on actual square foot of impervious surface, as a percentage of the ERU average of 2800 sq. ft. Individuals questioned the exception policy. City Administrator Kinser reminded the council the reason for the rate restructuring and increase is to comply with the DNR MS4 Permit. The council has discussed the need for storm water improvements several times over the past few years. Second reading adopted 7-0.

Greer moved to approve the first reading of the Ordinance amending Chapter 29 of the Zoning Ordinance, allowable special uses in the Office Park District, including full-service restaurants and limited service eating places, to include beer, wine and liquor as amended, second by Gowdy. Second reading adopted 4-3, with Lamer, Martin and Schubert opposed.

DISCUSSION:

Public Works Director Nickel reviewed the 2017 street improvement program map. Improvement includes mill and overlay segments and full depth rebuild with base stabilization. Combined improvement estimate is about $1.8 million. City Administrator Kinser recommended the nuisance ordinance be revised as staff considers procedure changes to be more efficient.

PUBLIC COMMENT:

Nona Eaton, 1717 Country Club Lane, addressed the council regarding storm sewer charges and questioned city services received by individuals on Odessa Drive and College View Lane.

ADJOURNMENT

The meeting adjourned at 7:03 PM.

Respectfully submitted,

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Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

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ATTEST:

_____
James L. Lowrance, Mayor

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Shari L. Coughenour, CMC, City Clerk