

Council Proceedings
June 24, 2019

Mayor Greer called the meeting to order at 5:30 PM, June 24, 2019, in the Council Chambers at 10 W State Street and led the pledge of allegiance. Roll call- Present: Cahill, Gowdy, Hoop, Isom, Lamer, Martin. Absent: Isom. Aaron Polley was recognized for volunteering 16 years as a police reserve officer. Justin Nickel was recognized for five year of service as Public Works Director.

CONSENT AGENDA: Gowdy moved to adopt the consent agenda: Approve Council Minutes, June 10, 2019, June 13, 2019, And Bill List Of \$2,537,025.59; Appoint Jonell Wittkop To Plan Zoning, Replacing Angela Lins-Eich; Receipt Of Building Permit Report, April 2019; Receipt Of Building Permit Report, May 2019; Approve New Tree Trimmer Licenses: Arbor Way All About Trees LLC; Avery's Tree Service, Eldora; RESOLUTION 2019-126 ACCEPTING QUOTE AND AUTHORIZING THE PURCHASE OF A TWO 2020 FORD INTERCEPTOR SUV POLICE PACKAGE VEHICLES FROM JENSEN FORD, MARSHALLTOWN, IOWA, PURCHASE COST WITH TRADE IN, \$54,012; RESOLUTION 2019-128 TRANSFERRING FUNDS FOR FISCAL YEAR 2019-2020; RESOLUTION 2019-141 AUTHORIZING THE PURCHASE OF A 2019 ELGIN PELICAN NP STREET SWEEPER FOR THE STREET DEPARTMENT, FROM MACQUEEN EQUIPMENT FOR THE PRICE OF \$204,280.00; Approve Renewal Alcohol Licenses: LC0029427 Applebee's Neighborhood Grill & Bar, 3101 S. Center Street; BC0029771 Zamora Fresh Market, 4 E Main Street; LC0037054 Legends American Grill, 2902 South Center Street; LE0001100 Wal-Mart Supercenter #581, 2802 S Center St; LE0002768 Casey's General Store #3508, 108 Iowa Ave W; LC0043793 Calvin Rockett, 2013 South Center St; BB0038045 La Raza Taco Shop, 822 North 3rd Avenue; LC0042931 Totem Bowl, 1101 S 6th Street; second by Wirin. Motion carried 6-0.

RESOLUTIONS

Lamer moved to adopt RESOLUTION 2019-129 ALLOWING OPEN CONTAINERS ON PUBLIC WAYS FOR THE "13TH STREET DISTRICT" EVENTS, JULY 13, 2019, AND SEPTEMBER 13, 2019, second by Martin. Resolution adopted 5-1, with Hoop dissenting.

Gowdy moved to adopt RESOLUTION 2019-130 ALLOWING OPEN CONTAINERS ON PUBLIC WAYS FOR IOWA RIVER BREWING AND APPROVAL OF EXPANSION OF OUTDOOR SERVICE AREA ON JULY 6, 2019, second by Cahill. Council discussed conflicting fundraising activities on the same date for the Veterans Memorial Coliseum. Resolution failed 3-3, Hoop, Lamer and Gowdy dissenting.

Cahill moved to adopt RESOLUTION 2019-131A ACCEPTING BID AND AUTHORIZING THE AWARD OF CONTRACT WITH LANSING BROS. CONSTRUCTION CO, LUXEMBURG, IOWA, FOR THE 20 E STATE STREET SENIOR CENTER DEMOLITION PROJECT IN THE CITY OF MARSHALLTOWN, IOWA BEING PROJECT NO. TOR18006 IN THE AMOUNT OF \$191,850.00, second by Martin. Resolution adopted 6-0.

Cahill moved to adopt RESOLUTION 2019-132 ACCEPTING THE MARSHALLTOWN DOWNTOWN MASTER PLAN PREPARED BY SHORT ELLIOTT HENDERICKSON INC. (SEH), second by Wirin. Lynn Olberding, endorsed the plan on behalf of the Chamber. Anna Wolvers suggested a splash pad. Council discussed funding opportunities for new construction, the difference between Development Agreements and the Façade / Building Code upgrade grants, for rehabilitation of existing properties. Resolution adopted 6-0.

Wirin moved to adopt RESOLUTION 2019-133 AUTHORIZING APPROVAL OF LEAD HAZARD ABATEMENT ACTIVITIES TO BE CONDUCTED IN THE INCORPORATED CITY LIMITS OF MARSHALLTOWN, IOWA Contract #IALHB0665-18, second by Gowdy. Resolution adopted 6-0.

Gowdy moved to adopt RESOLUTION 2019-134 APPROVING CITY FEES, second by Wirin. Resolution adopted 6-0.

Martin moved to adopt RESOLUTION 2019-135 AUTHORIZING AND APPROVING A LOAN AND DISBURSEMENT AGREEMENT AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF \$3,500,000 SEWER REVENUE BONDS, SERIES 2019, second by Wirin. Resolution adopted 6-0.

Wirin moved to adopt RESOLUTION 2019-136 APPROVING RENEWAL TOBACCO PERMITS THROUGH JUNE 30, 2020, second by Martin. Resolution adopted 5-1, Lamer dissenting.

Cahill moved to adopt RESOLUTION 2019-137 CLOSING CITY OFFICES TO THE PUBLIC AT 12PM ON FRIDAY, JULY 19, 2019, FOR COMMUNITY SERVICE, second by Wirin. Resolution adopted 6-0.

Wirin moved to adopt RESOLUTION 2019-142 APPROVING PURCHASING POLICY AND PROCEDURE MANUAL FOR THE CITY OF MARSHALLTOWN, second by Gowdy. Resolution passed 6-0.

Lamer moved to adopt RESOLUTION 2019-138 APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH CLAPSADDLE-GARBER ASSOCIATES, INC IN THE CITY OF MARSHALLTOWN, IOWA, IN THE AMOUNT OF \$54,100.00, RELATING TO TERMINAL BUILDING AND APPROACH PAVING, second by Martin. Resolution adopted 5-1, Hoop dissenting.

Wirin moved to adopt RESOLUTION 2019-139 APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH CLAPSADDLE-GARBER ASSOCIATES, INC IN THE CITY OF MARSHALLTOWN, IOWA, IN THE AMOUNT OF \$59,458.00, RELATING TO HANGAR IMPROVEMENTS, second by Gowdy. Resolution adopted 6-0.

Gowdy moved to adopt RESOLUTION 2019-140 TO AUTHORIZE FEDERAL GRANT ASSISTANCE APPLICATION FOR AIRPORT HANGAR IMPROVEMENTS FOR THE MARSHALLTOWN MUNICIPAL AIRPORT IN THE AMOUNT OF \$62,000.00, second by Wirin. Resolution adopted 6-0.

Lamer moved to adopt the following resolutions relating to the Police and Fire Building Project: RESOLUTION 2019-143 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#26-1 ELECTRICAL COMMUNICATIONS & SECURITY FOR DEVRIES ELECTRIC AN INCREASE OF \$8,264.97; RESOLUTION 2019-144 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#8-1 ALUMINUM STOREFRONTS, CURTAINWALLS & GLAZING FOR FORMAN FORD AN INCREASE OF \$6,806.00; RESOLUTION 2019-145 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#9-1 GYMPSUM WALL ASSEMBLIES FOR HILSABEK SCHACHT, INC. AN INCREASE OF \$360.00; RESOLUTION 2019-146 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP# 22-1 PLUMBING & MECHANICAL FOR TONY'S PLUMBING & HEATING LLC. AN INCREASE OF \$1,312.00; RESOLUTION 2019-149 AUTHORIZING THE MARSHALLTOWN POLICE DEPARTMENT TO PURCHASE FOUR OFFICE COPY MACHINES FOR THE NEW POLICE DEPARTMENT FACILITY UTILIZING FFE BUDGET DOLLARS FROM THE FIRE AND POLICE BUILDING PROJECT AND SURPLUS FUNDS IDENTIFIED IN THE FIRE AND POLICE BUILDING PROJECT BUDGET; second by Gowdy. Motion carried and Resolutions adopted 6-0.

PUBLIC HEARING

Mayor Greer declared the public hearing open at 6:33 PM regarding the plans and specifications for the South 4th Avenue Improvement project STR9001. There were no public or written comments. The improvement is for the portion of South 4th Avenue south of Anson, toward the school. The project will be paid for with road use tax, estimated at \$150,000. Mayor Greer closed the public hearing at 6:37 PM. Wirin moved to adopt RESOLUTION 2019-147 APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST FOR THE SOUTH 4TH AVENUE PROJECT, IN THE CITY OF MARSHALLTOWN, IOWA, BEING PROJECT NO. STR90011, second by Cahill. Resolution adopted 6-0.

PUBLIC HEARING

Mayor Greer declared the public hearing open at 6:37 PM for Amendment #7 to the Urban Renewal Plan for Area #3. The council briefly discussed statutory correspondence between the city and county, noting there were no attendees at the consultation meeting. There were no written comments. Tom Deimerly, representing the Chamber, spoke in favor of the amendment as it could potentially benefit economic development. Changes to the plan include adding land for development projects and identification of potential public improvement projects. City Administrator Kinser emphasized future projects need individual approval by the council prior to qualifying for plan benefit. Mayor Greer declared the public hearing closed at 6:51 PM. Wirin moved to adopt RESOLUTION 2019-148 TO APPROVE AMENDMENT NO. 7 TO THE URBAN RENEWAL PLAN FOR MARSHALLTOWN URBAN RENEWAL AREA NO. 3, second by Gowdy. Resolution adopted 5-1, with Lamer dissenting.

PUBLIC HEARING

Mayor Greer declared the public hearing open at 6:52 PM regarding the \$500,000 Iowa Economic Development Community Block Grant Project Application. There were no written comments. Region Six Executive Director Marty Wymore spoke in favor of the project application, which focuses on tornado housing reconstruction or loan buydown. Mayor Greer declared the public hearing closed at 6:55 PM. No action followed the public hearing, as the council had approved the application in May.

ORDINANCES:

Wirin moved to adopt the first reading of Ordinance 14984 Adopting 2015 Building Code, second by Martin. AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF MARSHALLTOWN, IOWA, BY REPEALING CHAPTER 151, SECTIONS 151.001 THROUGH 151.003 THEREOF ENTITLED “BUILDING CODE,” CONSISTING OF THE INTERNATIONAL BUILDING CODE (IBC), 2006 EDITION AS AMENDED; AND ENACTING AND ADOPTING A NEW CHAPTER 151, SECTIONS 151.001 THROUGH 151.003 IN LIEU THEREOF ENTITLED “BUILDING CODE,” BEING THIS ORDINANCE HEREAFTER SET OUT, WHICH ADOPTS BY REFERENCE, WITH CERTAIN AMENDMENTS, THE INTERNATIONAL BUILDING CODE 2015 EDITION, INTERNATIONAL RESIDENTIAL CODE 2015 EDITION, AND THE INTERNATIONAL EXISTING BUILDING CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., REGULATING BUILDING CONDITIONS AND REQUIREMENTS IN THE CITY OF MARSHALLTOWN, IOWA; AND CONTINUE A BUILDING DEPARTMENT AND PROVIDING FOR A BUILDING OFFICIAL THEREOF, AND DEFINING THEIR POWERS AND DUTIES IN THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREOF; AND BY REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THERE WITH. First reading adopted 6-0.

Cahill moved to adopt the first reading of Ordinance 14985 Adopting 2015 Fire Code, second by Wirin. AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF MARSHALLTOWN, IOWA, BY REPEALING CHAPTER 91 THERE OF ENTITLED “FIRE PREVENTION CODE,” CONSISTING OF THE INTERNATIONAL FIRE CODE (IFC), 2006 EDITION AS AMENDED; AND ENACTING AND ADOPTING A NEW CHAPTER 91 IN LIEU THEREOF ENTITLED “FIRE PREVENTION CODE,” BEING THIS ORDINANCE HEREAFTER SET OUT, WHICH ADOPTS BY REFERENCE, WITH CERTAIN AMENDMENTS, THE INTERNATIONAL FIRE CODE 2015 EDITION, INCLUDING APPENDICES A, B, C, D, E, F, G, H, I, J, K, L, AND M AND PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., REGULATING CONDITIONS HAZARDOUS TO LIFE AND/OR PROPERTY FROM FIRE OR EXPLOSION IN THE CITY OF MARSHALLTOWN, IOWA; AND CONTINUE A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREOF, AND DEFINING THEIR POWERS AND DUTIES IN THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREOF; AND REGULATION THE PROHIBITION, STORAGE, HANDING AND USE OF FLAMMABLE OR COMBUSTIBLE OR HAZARDOUS MATERIAL, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND BY REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THERE WITH. First reading adopted 6-0.

Gowdy moved to adopt the first reading of ORDINANCE 14986 PROVIDING FOR THE DIVISION OF TAXES LEVIED ON TAXABLE PROPERTY IN AMENDMENT NO. 7 TO THE URBAN RENEWAL PLAN FOR MARSHALLTOWN URBAN RENEWAL AREA NO. 3, PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA, second by Martin. First reading adopted 6-0.

PUBLIC COMMENT:

Several individuals addressed the council, topics ranging from fireworks, potholes and the Stave Storjohann from the All Veterans Committee thanked everyone for participating in the fundraiser activities for the Veterans Memorial Coliseum and thanked the Fisher Community Center for offering their building as a rain location for Memorial Day Services.

ADJOURNED:

The meeting adjourned at 7:15 PM

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

Joel T.S. Greer, Mayor

Shari L. Coughenour, CMC, City Clerk

