

Council Proceedings
July 8, 2019

Senior Council Member Hoop called the meeting to order in the absence of the Mayor and Pro-tem at 5:30 PM, July 8, 2019, in the Council Chambers at 10 W State Street and led the pledge of allegiance. Roll call- Present: Cahill, Hoop, Isom, Lamer, Martin. Absent: Gowdy and Wirin. Cahill asked for a moment of silence in memory of Jasmine Reyes Raya. Hoop thanked all the volunteers that helped at the Jason Brown Concert fund raising event for the Veterans Memorial Coliseum, Lamer thanked the organizers of the Fourth of July festivities.

CONSENT AGENDA: Martin moved to adopt the consent agenda: Approve City Council Minutes, June 24, 2019, June 27, 2019, And Bill List Of \$1,657,840.63; RESOLUTION 2019-150 ACCEPTING AND AWARDING THE BID FOR PROVIDING SALT FOR ICE AND SNOW CONTROL FOR THE 2019-2020 FISCAL YEAR IN THE CITY OF MARSHALLTOWN, IOWA IN THE AMOUNT OF \$81.45 PER TON; RESOLUTION 2019-151 ORDERING CONSTRUCTION OF THE ANSON PARK PROJECT IN THE CITY OF MARSHALLTOWN, IOWA, SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST AND DIRECTING PUBLICATION OF NOTICE TO BIDDERS, BEING PROJECT NUMBER PRK19001; RESOLUTION 2019-152 APPROVING CITY FEES; RESOLUTION 2019-153 DECLARING CERTAIN PROPERTY SURPLUS PROPERTY AND AUTHORIZING SALE AND DISPOSAL THEREOF, 1978 CASE BACKHOE 580 AND THE HYDRAULIC PAVING BREAKER; RESOLUTION 2019-154 AUTHORIZING THE PURCHASE OF A 2019 CASE 721G ENDLOADER FOR THE STREET DEPARTMENT, FROM FOR THE PRICE OF \$146,500.00; RESOLUTION 2019-155 ORDERING CONSTRUCTION OF THE WPCP CONCRETE REPAIR PHASE 3 IN THE CITY OF MARSHALLTOWN, IOWA, SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST AND DIRECTING PUBLICATION OF NOTICE TO BIDDERS; RESOLUTION 2019-157 AUTHORIZING THE CITY OF MARSHALLTOWN TO REQUEST ASSIGNMENT OF CERTAIN TAX CERTIFICATES HELD BY MARSHALL COUNTY FOLLOWING THE PUBLIC NUISANCE TAX SALE; Approve Renewal Tree Trimmers License: Top Notch Tree Service; second by Isom. Motion carried 5-0.

Isom moved to approve Vaughns' Liquor License, @ 3700 S Center Street For July 19, 2019, Event, second by Cahill. Motion carried 4-1, Hoop dissenting.

RESOLUTIONS

Isom moved to adopt RESOLUTION 2019-156 APPROVING CONTRACT CHANGE ORDER #2 FOR THE 2018 MICROSURFACING PROJECT #STR148001 FOR GENERAL SUPPLIES FOR FAHRNER ASPHALT SEALERS, LLC AN INCREASE OF \$18,781.05, second by Lamer. Public Works Director Nickel explained microsurfacing seals the surface and protects the pavement from freeze/thaw damage and explained that a mill and overlay is a 2-3" surface replacement. Resolution adopted 5-0.

Isom moved to adopt RESOLUTION 2019-158 TO ADOPT UPDATED STANDARD SPECIFICATIONS FOR SANITARY SEWER WORK, STORM SEWER CONSTRUCTION, STREET EXCAVATION AND PAVEMENT RESTORATION AND SIDEWALKS AND DRIVEWAYS, second by Martin. Resolution adopted 5-0.

Isom moved to adopt RESOLUTION 2019-159 ACCEPTING BID AND AUTHORIZING THE AWARD AND EXECUTION OF CONTRACT FOR THE SOUTH 4TH AVENUE IMPROVEMENT PROJECT IN THE CITY OF MARSHALLTOWN, IOWA IN THE AMOUNT OF \$135,692.00, second by Cahill. Resolution adopted 5-0.

Isom moved to adopt RESOLUTION 2019-161 AUTHORIZING THE PURCHASE OF PROPERTY AT 310 BROMLEY STREET, second by Cahill. Resolution adopted 5-0.

ORDINANCES

Lame moved to adopt the second reading of Ordinance 14984 Adopting 2015 Building Code, second by Isom. 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 HEREFTER 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. Second reading adopted 6-0.

Martin moved to amend Ordinance 14985 Adopting 2015 Fire Code, second by Cahill, to allow amenable neighbors to combine burning materials. Motion carried 4-1, Hoop dissenting. Lamer moved to adopt the second reading of the amended Ordinance 14985, second by Martin. Fire Chief Rierson pointed out the ordinance includes provisions restricting open burning to a few months in both the spring and fall, and allows open burning every day of the week, with time restrictions. It is proposed open burning remain prohibited on holidays recognized by the City of Marshalltown. 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 HEREFTER 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. Second reading adopted 4-1, Hoop dissenting.

Martin moved to adopt the second 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 Cahill. Second reading adopted 5-0.

DISCUSSION:

Lamer directed staff to prepare bids to sell 108 N 7th Avenue, second by Cahill. The city obtained this property by county held tax certificate. Motion carried 5-0.

City Administrator Kinser reviewed the Sidewalk Gap Project, Year 2. Identified areas include areas near Fisher Elementary, W Southridge and Wauconda, the east side South Center Street north of the mall at 3600 S Center Street, and the north side of South Street by Anson. The estimated budget available is \$540,000 - \$550,000, with funding options of bonding, road use tax, or council designated local option sales tax. Lamer asked the project be put in the budget, without using bonding funds. Mark Eaton, 1007 S 10th Avenue suggesting using Iowa Transportation funds/grants for the project.

The council discussed the plans for the South 7th Avenue street extension and the availability of the city owned property for residential use. The city does not plan on being the developer, however, the council would be approving a preliminary concept plan for sale of the property to a developer. The council discussed the restrictions and rezoning of the parcels along Southridge to protect the property valuation of the developed subdivision. The developer should have not developed that many parcels without a second exit to the area, which necessitated the city acquiring the property for safety reasons for those residents, as the developer of the Cross Country Estates was unable to purchase the land required for a secondary access. Council members have heard from residents in the area they would like to see “nice” residential units, in excess of 1,000 square feet planned in that area. Cahill asked that council consider nice, affordable housing and to be careful with the restrictions, as the housing study identified a need for smaller market-rate housing opportunities. There will be no further action by the council regarding this topic until Clapsaddle Garber Associates has finalized the Preliminary Concept Plan for the area.

PUBLIC COMMENT:

Anna Wolvers, citizen at unspecified address, offered up a radar trap location on South 3rd Avenue near her residence. Brianna Newbury, 1406 W Boone, spoke about a front yard parking ticket with no signage. Lamer would enjoy conversation at the council meeting about financing opportunities available for new buildings downtown at the next meeting.

ADJOURNED:

The meeting adjourned at 6:33 PM

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

Joel T.S. Greer, Mayor

Shari L. Coughenour, CMC, City Clerk