COUNCIL PROCEEDINGS
December 27, 2016

The Marshalltown City Council met in regular session on December 27, 2016, at noon, in the Council Chambers at City Hall. Mayor Lowrance called the meeting to order and led the Pledge of Allegiance. Present: Gowdy, Greer, Hoop, Schubert, Wirin. Absent: Lamer and Martin. Schubert moved to approve the agenda, second by Greer. Motion approved 5-0.

CONSENT AGENDA:

Gowdy moved to approve the Consent Agenda: Approve Council meeting Minutes of December 12, 2016; Approve Bill List in the amount of $2,328,855.55; Receipt of November 2016, Building Report; Approve September 2016 Financial Reports; second by Wirin. Consent agenda adopted 5-0.

RESOLUTIONS

The council discussed the four parcels for which severance applications were received. Property owners Gruening and Eaton were present and addressed the council regarding the deficiency of services. The parcels are located off of Highway 14 on the southern edge of city limits along a private street known as College View Lane. City Attorney Schoell instructed the council the Iowa Code provides for severance of city territory by simple Resolution of the council, there was no mandate or specific instruction or guidance within the Iowa Code on the issue, with the action being discretionary by the council. Two of the four parcels have applied for and received tax abatement for improvements. Hoop moved to adopt all four Resolutions Approving the Voluntary Severing of Territory from the City of Marshalltown, Iowa, being: Resolution 2016-255 – 102 College View Lane, PIN 8318-14-453-002; Resolution 2016-256 – 2460A Reed Avenue, PIN 8318-14-453-005; Resolution 2016-257 – adjacent to 2460A Reed Avenue, PIN 8318-14-453-004; Resolution 2016-258 – adjacent to 2460B Reed Avenue, PIN 8318-14-454-005; second by Schubert. Resolutions failed on 2-3 vote. Wirin, Gowdy and Greer dissenting. Voluntary applications for annexation were rejected.

Wirin moved to adopt Tentative Resolution 2016-259 Providing for the Conveyance and transfer of Real Estate to Hibbs Real Estate, Inc., pursuant to right of reversion, setting public hearing for January 23, 2017, relating to the five acres donated to the city for city purposes/south side fire station, second by Greer. Resolution adopted 5-0.

Wirin moved to adopt Resolution 2016-260 to Increase the CIP for Parks and Recreation to Upgrade Active Net Software to include facility rentals, second by Greer. Resolution adopted 5-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open regarding the subordination agreement for lead abatement project at 406 W State Street. There were no written or public comments either for or against the project. Housing and Community Development Director Spohnheimer recommended approval. Mayor Lowrance declared the public hearing closed.

Hoop moved to adopt Resolution 2016-261 Adopting Tentative Resolution 2016-245 Accepting Subordination Agreement for Property Interest at 406 W State Street, Lead Abatement Project 533509192, second by Gowdy. Resolution adopted 5-0.

ORDINANCE:

Gowdy moved to adopt the first reading of Ordinance 14954 Amending Chapter 15.5, "Housing Code" relating to Window Sill Height of Windows used for Egress in Rental Housing Units within the City of Marshalltown, second by Hoop. Council members expressed concern with allowing a step to reach the window, citing possible trip hazard. First reading failed, 1-4. Wirin, Gowdy, Greer and Hoop dissenting.

PUBLIC COMMENT:

Finance Director Steiner distributed the annual financial report and announced the highlights will be presented at the next council meeting. Chiefs Tupper and Rierson thanked individuals working to raise money for the Salvation Army.

ADJOURNMENT

The meeting adjourned at 12:47 PM.

Respectfully submitted,

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Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

_____
James L. Lowrance, Mayor

ATTEST:

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Shari L. Coughenour, CMC, City Clerk

(postscript: Property owners Marvin R. Farni and Marie A. Farnie made application for Voluntary Annexation of Lot 9 of the subdivision of the Southwest ¼ of the Southeast ¼ of Section 14, Township 83 North, Range 18 West of the 5th P.M., Marshall County, Iowa, and the voluntary annexation was approved by council Resolution dated 12/1/1969. The four parcels requesting severance are located in that Lot 9.)