

CITY OF MARSHALLTOWN
COUNCIL AGENDA
CITY HALL COUNCIL CHAMBERS
10 W STATE STREET
JULY 22, 2019, 5:30 PM

A. NOTICE TO PUBLIC

The Mayor and City Council welcome comment from the public during discussion of any of the agenda items. You are required to step to the microphone, state your name and address for the record and to limit the time used to present your remarks 3 minutes or less in order that others may be given the opportunity to speak. All speakers shall speak clearly and direct their comments to the Mayor and City Council and not to any Councilor specifically. It is at the discretion of the Mayor and Council to respond to specific questions and comments or to have staff respond during the meeting.

B. CALL TO ORDER

Mayor Joel T.S. Greer

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Cahill, Gowdy, Hoop, Isom, Lamer, Martin, Wirin.

E. MAYOR, COUNCIL AND ADMINISTRATOR COMMENTS

1. Years Of Service - July
Scott Doe - 30 years

F. CONSENT AGENDA

1. Approve Minutes For 7/8/2019, And Bill List Of \$1,832,156.31

Documents:

[2019-07-08_Council-minutes.pdf](#)
[2019-07-22_BillList.pdf](#)

2. Approve May 2019 Financial Statements

Documents:

[May 2019 Financials Memo.pdf](#)
[May 2019 Financial Statements.pdf](#)

3. Boards & Commissions:

Reappointments:

Library Board

Maureen Lyons, term expires 7/1/2025

Housing Appeals Board
Karen Shipley Cooper, term expires 9/1/2025

Solid Waste Commission
Merrill Price, term expires 9/1/2025

Resignation:
Fisher Center Board
Julie Squiers

4. Receipt Of Board & Commission Members Vacancy List

Fisher Center Board

Vacant - one public member, indefinite term.

Solid Waste Commission

Vacant - two public members, five year terms.
Monthly meetings at the Landfill office, mandatory meetings in
November and May.

Electrician Examining Board

Vacant - licensed journeyman, three years term.
Vacant - licensed as restricted, three years term.
Vacant - licensed contractor, three years term.
Vacant - council member appointment

Public Housing Advisory Governing Board

Vacant - Resident Advisory Board member, one year term.
Meets infrequently, as needed.

Dangerous Building Board of Appeals

Vacant - one public member, term is indefinite.
Meets infrequently, as needed.

Electric Appeals Board

Vacant - three public members, six year terms.
Meets infrequently, as needed.

Housing Appeals Board

Vacant - one member, indefinite terms.
Required experience: Iowa Registered Architect or Engineer
Meets infrequently, as needed.

Uniform Building Board of Appeals

Vacant - one member, five year term.
Meets infrequently, as needed.

5. RESOLUTION 2019-162 TRANSFERRING FUNDS FOR FISCAL
YEAR 2018-2019

Documents:

[Resolution Transferring Funds for Fiscal Year 2018-2019 Through May 2019.pdf](#)
[Transfer Funds in FY19 through May 31 2019.pdf](#)

6. RESOLUTION 2019-163 DECLARING CERTAIN PROPERTY SURPLUS PROPERTY AND AUTHORIZING SALE AND DISPOSAL THEREOF, 1978 CASE BACKHOE AND A HYDRAULIC PAVING BREAKER.

Documents:

[Res Sewer Surplus.pdf](#)

7. RESOLUTION 2019-164 APPROVING QUOTE AND AWARD TO HAY CONSTRUCTION SERVICES, INC. FOR THE INSTALLATION OF THE CITY HALL WEST ANNEX WALL IN THE CITY OF MARSHALLTOWN, IOWA, IN THE AMOUNT OF \$71,845.00

Documents:

[Res Annex Wall.pdf](#)
[Hay.pdf](#)

8. RESOLUTION 2019-165 APPROVING AMENDED ENGINEERING SERVICES AGREEMENT FOR THE 2014 SANITARY SEWER REHABILITATION PROJECT # 59014007 FOR FOX ENGINEERING ASSOCIATES, INC AN INCREASE OF \$14,303.00

Documents:

[Fox Engineering change.pdf](#)
[Fox Sewer.pdf](#)

9. RESOLUTION 2019-166 AUTHORIZING THE PURCHASE OF A FALCON ASPHALT RECYCLER & HOT BOX TRAILER FOR THE STREET DEPARTMENT, FROM FOR THE PRICE OF \$32,375.00

Documents:

[truck purchase resolution.pdf](#)
[Falcon.pdf](#)
[07-22-2019_asphalt patch wagon purchase Memo.pdf](#)

10. RESOLUTION 2019-167 APPROVING QUOTE AND AWARD TO CIRO DIORIO MASONRY & LANDSCAPING FOR THE REPAIR OF THE SALT STORAGE BUILDING PROJECT TOR18018 IN THE CITY OF MARSHALLTOWN, IOWA, IN THE AMOUNT OF \$99,090.00

Documents:

[Salt bin repair quote.pdf](#)

11. RESOLUTION 2019-168 APPROVING QUOTE AND AWARD TO CLEAR SPAN FABRIC STRUCTURES INTERNATIONAL FOR THE SALT STORAGE BUILDING REPAIR PROJECT TOR18018 IN THE CITY OF MARSHALLTOWN, IOWA, IN THE AMOUNT OF \$92,950.00

Documents:

[Clear Span quote.pdf](#)
[Clear Span.pdf](#)

12. RESOLUTION 2019-173 APPROVING ENGINEER'S STATEMENT OF COMPLETION AND ACCEPTING THE IOWA RIVER TRAIL PHASE 3, BEING PROJECT NO. TRL17001, WITH A FINAL PROJECT COST IN THE AMOUNT OF \$224,671.20

Documents:

[Res Completion.pdf](#)
[TRL17001 Completion Statement.pdf](#)

13. RESOLUTION 2019-174 APPROVING CONTRACT CHANGE ORDER #1 FOR THE IOWA RIVER TRAIL PHASE 3 PROJECT # TRL17001 A DECREASE OF \$20,666.65

Documents:

[Res Concrete Pros Change order 2017.pdf](#)
[TRL17001 Change Order1 to City.pdf](#)

14. Renewal Liquor Licenses (September)
Wal-Mart Supercenter #581, 2802 S Center St
Casey's General Store #3508, 108 Iowa Ave W
Calvin Rockett, 2013 South Center St
La Raza Taco Shop, 822 North 3rd Avenue
Totem Bowl, 1101 S 6th Street

G. RESOLUTIONS

1. RESOLUTION 2019-169 APPROVING THE CREATION OF A FULL-TIME TRANSIT OPERATIONS ASSISTANT II IN FISCAL YEAR 2019

Documents:

[07-22-2019_2019-169_RES Transit pos.pdf](#)

2. TENTATIVE RESOLUTION 2019-170 PROVIDING FOR THE CONVEYANCE AND TRANSFER OF TITLE TO THE PROPERTY HEREIN DESCRIBED, 108 N 7th AVENUE, FROM THE CITY OF MARSHALLTOWN, IOWA TO DAN OSWALD

One bid received. Public hearing set for August 12, 2019.

Documents:

108 N 7TH AVE BID REQUEST.pdf
108 N 7TH AVE SALE NPH .pdf
07-22-2019_2019-170_108 N 7TH AVE SALE TENT
RES .pdf
07-22-2019_2019-170_OSWALD BID.pdf

3. TENTATIVE RESOLUTION 2019-171 PROVIDING FOR THE
CONVEYANCE AND TRANSFER OF TITLE TO THE PROPERTY
HEREIN DESCRIBED, 707 S 4TH STREET, FROM THE CITY OF
MARSHALLTOWN, IOWA TO MARSHALLTOWN WATER WORKS
Public hearing on sale set for August 12, 2019.

Documents:

707 S 4TH ST SALE WATERWORKS Offer to Buy.pdf
707 S 4TH ST SALE NPH.pdf
707 S 4TH ST SALE TENT RES.pdf
707 S 4TH ST SALE RES ADOPT.pdf

4. RESOLUTION 2019-172 TO APPROVE FEDERAL GRANT
AGREEMENT #3-19-0058-016-2019 TO CONSTRUCT T-HANGAR:
PHASE 1 FOR THE MARSHALLTOWN MUNICIPAL AIRPORT
PROJECT ARP19001

Documents:

Airport Approve Grant .pdf
FFA Original.pdf
Airport letter.pdf
07-22-2019_FAA agreement Memo.pdf

5. Building Code And Facade Grant Items:

1. Resolution 2019-175 To Approve Code Building Upgrade At 30 E.
Main Street

Documents:

Resolution to Approve Code Building Upgrade Grant
Application for 30 E Main Street.pdf
Incentive Grant Applications Memo.pdf
07-22-2019_2019-175_City Code Building Upgrade Grant
Application for 30 E Main St.pdf
Grant Applications July 2019.pdf

2. Resolution 2019-176 To Approve Facade Application At 30 E.
Main Street

Documents:

07-22-2019_2019-176_Resolution to Approve Facade
Application for 30 E Main Street.pdf

6. Police And Fire Building Change Orders:

1. RESOLUTION 2019-177 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 \$468.56

Documents:

[Tonys Plumbing \(2\).pdf](#)

2. RESOLUTION 2019-178 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#21-1 FIRE SUPPRESSION FOR BLACKHAWK AUTOMATIC SPRINKLER A DECREASE OF \$193.15

Documents:

[Blackhawk Fire Suppression CO.pdf](#)

3. RESOLUTION 2019-179 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#26-1 ELECTRICAL COMMUNICATIONS & SECURITY FOR DEVRIES ELECTRIC A DECREASE OF \$1,360.50

Documents:

[Devries CO.pdf](#)

4. RESOLUTION 2019-180 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#3-1 CONCRETE FOUNDATIONS FOR CALIBER CONCRETE A DECREASE OF \$3867.38

Documents:

[Caliber \(2\).pdf](#)

5. RESOLUTION 2019-181 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#5-1 STEEL FOR CENTRAL WESTERN FABRICATORS A DECREASE OF \$16,373.11

Documents:

[Central Western Fabr.pdf](#)

6. RESOLUTION 2019-182 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#6-1 GENERAL SUPPLIES FOR GARLING

CONSTRUCTION AN INCREASE OF \$14,911.91

Documents:

[Garling CO.pdf](#)

7. RESOLUTION 2019-183 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#8-1 ALUMINUM STOREFRONTS,CURTAINWALLS RESOLUTION APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE & GLAZING FOR FORMAN FORD AN INCREASE OF \$18,678.64

Documents:

[Forman Ford CO.pdf](#)

8. RESOLUTION 2019-184 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#9-1 GYMPSUM WALL ASSEMBLIES FOR HILSABEK SCHACHT, INC. A DECREASE OF \$618.00

Documents:

[Hilsabek CO.pdf](#)

9. RESOLUTION 2019-185 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#9-2 FLOOR COVERINGS FOR ALLIED CONSTRUCTION SERVICES, INC. AN INCREASE OF \$6143.00

Documents:

[Allied Construction Services.pdf](#)
[7.12.19 CRS Recommendation Letter .pdf](#)

10. RESOLUTION 2019-186 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#9-3 PAINTING FOR HEARTLAND FINISHES AN INCREASE OF \$3798.65

Documents:

[Heartland Finishes.pdf](#)

7. PUBLIC HEARING AND RESOLUTION 2019-187 APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST FOR THE WPCP CONCRETE REPAIR PHASE 3 PROJECT, IN THE CITY OF MARSHALLTOWN, IOWA, BEING PROJECT NO. WPC19001

Documents:

[07-22-2019_2019-187_Estimate of Cost.pdf](#)
[07-22-2019_2019-187_RES APPV PLANS SPECS WPCP](#)

[CONCRETE PROJECT.pdf](#)

8. PUBLIC HEARING AND RESOLUTION 2019-188 APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST FOR THE ANSON PARK PROJECT, IN THE CITY OF MARSHALLTOWN, IOWA, BEING PROJECT NO. PRK190011

Documents:

[07-22-2019_2019-188_RES APPV PLANS SPECS ANSON PARK PROJECT.pdf](#)

H. ORDINANCES

1. PUBLIC HEARING And Ordinance 14984 Adopting 2015 Building Code, Third Reading

PUBLIC HEARING RE: ADOPTION OF CODE BY REFERENCE.

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.

Documents:

[ORD IBC BUILDING.pdf](#)
[14984_NPH ADOPTION OF CODES BY REFERENCE IBC IRH IEBC.pdf](#)

2. PUBLIC HEARING And Ordinance 14985 Adopting 2015 Fire Code As Amended, Third Reading.

Amended ordinance, changes to open burning language.

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

Documents:

[Ordinance 2015 IFC.doc](#)
[14985 FIRE AS AMENDED.pdf](#)

3. 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, THIRD READING

Documents:

[2019OrdinanceAmdmtNo.7URNo. 3Marshalltown422742-33-v1.pdf](#)

I. DISCUSSION

1. Quiet Zone Study Presentation

Documents:

[QZMemo.pdf](#)
[QuietZoneBrochure.pdf](#)
[Flow Chart.pdf](#)

2. 12th Avenue Shared Use Path Project Update
3. Discussion Of Incentives For Development In Downtown/Urban Renewal Area #4

Documents:

J. **PUBLIC COMMENT**

Members of the public may make comments on any item which was not on the agenda during this time. The speaker shall approach the microphone, and state his or her name and address. Comments shall be limited to three minutes, unless a longer comment is authorized by the Mayor. The speaker shall direct comments to the Mayor and to the Council as a whole. The Mayor and Councilors shall not engage in discussion or debate on items raised by members of the public, and no action may be taken on items raised in public comments in order to comply with open meetings laws.

K. **ADJOURN**

Please visit the City's website for the complete agenda packet and to subscribe to agenda notices and department news. www.marshalltown-ia.gov

Council Proceedings
July 8, 2019

Mayor Greer called the meeting to order 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 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. 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 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. 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

Advertising			Midwest.Tape/18	1,631.00
T-R/16	1,494.37		NEW.YORK.TIMES/1	1,508.00
Trending.Media/1	95.00		OVERDRIVE,INC./1	84.00
Buildings/Improvements			PrescottLibrary/1	20.00
D.C.Taylor/1	37,523.70		WaterlooLibrary/1	29.00
Story.Constr/1	15,245.75		Medical	
Consulting & Professional Fees			Bernie.Lowe/2	1,145.08
AHLERS.COONEY/1	90.00		HARTFORD.ACCTS/1	6,923.37
Bernie.Lowe/2	85.22		Lifeworks.Us/1	1,163.31
Bernie.Lowe.Asc/1	2,912.00		McMartin,B/1	520.40
Bolton&Menk.Inc/4	46,345.50		Medtrak.Service/1	920.92
Fox.Engrg.Assc/2	17,121.80		Wellmark.Inc./3	96,430.02
Grimes.Buck.Sch/1	2,610.00		Payroll.Deductions	
HDR.Engrg/1	42,859.42		American.Educa./1	64.41
Mid.IaBoyScouts/1	337.00		AMS.INC/2	47.59
Prochaska.Assoc/1	5,766.10		AXA/1	325.00
S.E.H.Inc./1	4,000.00		Collection.Svs./5	1,325.16
Story.Constr/1	31,383.81		Colonial.Life/1	522.21
Terracon.Conslt/1	11,984.50		Fidelity.Securi/2	412.69
Wellmark.Inc./1	10,809.76		I.M.W.C.A/1	5,811.00
Contracts			I.R.S./6	87,157.93
Affektive.Softw/1	434.70		IA.Treasurer/3	18,563.00
Aramark.Unfrm/5	179.27		ICMA.457/11	11,427.94
Atcher,R/3	2,940.00		IUPAT.PPME/1	950.96
Bolton&Menk.Inc/3	8,320.00		Meskwaki Nation/1	267.69
Construct/1	365,570.45		Teamsters238/2	1,602.84
Ia.Dept.Justice/1	41.10		Texas.Child.Sup/2	252.57
IA.Pump.Works/1	4,358.07		TotalAdmin.Serv/4	8,860.43
Inmar.Marine.Gr/4	9,231.80		Payroll.Net	
Iowa.Hometown.S/6	1,049.28		Payroll/1	309,833.30
Johnson.Control/1	262.78		Refund/Reimbursed	
Koch.Office/1	593.03		Baker.Taylor/2	34.71
Marsh.Co.Landfi/3	171.05		Barnard,B/1	24.76
Marsh.Co.Treas/8	80.00		BRODART.CO/1	27.76
Marshall.Co.Att/1	41.10		DeRuiter,K/1	23.06
Marshall.Co.Aud/1	2,500.00		Johnson,A/1	36.58
Midwest.Bsmnt/1	134.00		Johnson,D/1	21.76
Mtwn.Wtrwrks/2	42.00		Johnson,K/1	351.12
O.C.L.C.Inc/1	905.21		Kearse,A/1	6.99
Open.Edge/1	80.05		Ladehoff,M/1	24.64
Premier.Equip/1	137.30		Lekin,D/1	9.99
Region.6.Planng/1	654.00		M.Smith.Ia.Hous/1	85.00
RK.Dixon/1	556.06		MicroMarketing./1	4.99
Safety-Kleen/1	688.85		Midwest.Tape/3	53.95
Schendel.Pest.C/3	127.50		Nelson,M/1	32.64
Schumacher.Elev/2	434.11		Nissen,E/1	90.00
Servicemaster/2	2,772.00		Pohle,T/3	175.00
Stericycle.Inc/2	120.37		Saravia,V/1	24.76
Stone.Sanit/8	5,704.20		Sinn,T/1	38.68
Structural.Engr/2	11,940.00		Wellmark.Inc./1	-21,574.23
Thorp,R/1	59,980.00		WITTKOP,J/3	155.00
Titan.Machinery/1	145,000.00		Service/Repairs	
Unique.Mgmt.Svc/1	89.50		Accola,A/1	30.00
Verizon.Connect/3	798.70		Advance.Garage./1	247.64
Xerox.Corp/1	78.04		Background.Inv./3	107.55
Debt Service			Beecken,H/5	2,355.00
CRBT/2	8,707.57		Century.Link/100	1,431.14
Fire.Srvc.Trng/1	14,243.00		Centurylink.Id/5	10.05
Land & Improvements			Chamber.Commerc/1	440.00
Gregory,E/1	2,000.00		Child.Missing/1	200.00
Library Books			Cntrl.IA.Farm/1	486.87
Baker.Taylor/50	4,431.89		Construct/2	196,949.63
BRODART.CO/2	343.34		Devig,T/41	6,191.45
Cengage.Learnng/8	795.65		Dirt.to.Turf/3	3,280.00
Diamond.Lake/1	179.50		Fahrner.Asphalt/1	19,036.77
MicroMarketing./8	1,231.88		FEAGAN,C/1	150.00
			Gratopp,K/1	64.00

Hartwig.Plmbg/1	153.96	Mobotrex.Inc./1	3,938.00
Heart.of.Iowa/5	555.32	Napa.Auto/3	146.13
Hydro-Klean,LLC/1	2,850.13	Noble,C/1	11.99
I.R.S./1	1,340.15	Northern.Lights/5	2,592.52
IA.Dept.HumanSv/1	125.00	Office.Express/2	37.96
Jensen.Inc/1	110.25	Ohalloran.Inter/1	1,147.24
Kapaun.Brown/1	128.00	Permacard/1	1,313.20
LARRY'S.TOWING/1	75.00	Racom.Corp/2	134.50
Ledford,M/1	150.00	RECORDED.BOOKS/1	2,971.57
LENZ,D/1	460.00	Scharnweber.Wtr/1	15.00
LISKOWIAK,M/2	1,645.00	Servicemaster/1	11,200.00
M.Co.Recorder/2	14.00	Showcases,Inc/3	1,472.35
Mercy.Clinics/1	824.00	Sign.Creations/1	90.00
Midwest.Radar/1	620.00	Star.Equipmt/2	167.25
Mobotrex.Inc./1	842.50	Storey.Kenwrthy/1	1,114.14
Mtwn.Co/1	7,497.50	Streichers.Inc/1	19.98
Mtwn.Wtrwrks/3	8,786.93	Stucky.Vacuum.S/1	50.92
Noble,C/2	24.89	Terminal.Supply/1	466.94
Racom.Corp/1	112.50	Traffic.Control/3	5,650.00
Scharnweber.Wtr/1	27.00	Vajgrt.R/1	158.88
Schwarck,P/1	64.00	Workspace/2	22,513.16
Servicemaster/1	1,970.94	Travel/Training	
Tuttle.Plmbg/2	549.09	Fink,K/1	108.81
Tyler.Technolog/1	16.25	Hillers,C/1	16.00
UBT/2	128.35	Utilities	
UPHDM.Medicine/1	881.00	AlliantEnergy/40	38,437.28
US CELLULAR/1	260.92	Consumr.Energy/2	401.96
WICKHAM,M/1	360.00	I.R.U.A./1	148.92
Supplies/Parts		Mtwn.Wtrwrks/2	1,121.25
Acco.Unlimited/2	2,411.51	WoodRiver.Enrgy/1	4,242.61
Adland.Engrvg/2	60.75	Total/713	1,832,156.31
Advance.Garage./1	483.36		
Airgas.U.S.A./1	34.90		
Ann.Alteration/1	72.00		
Arnold.Motor.Su/16	815.97		
Baker.Taylor/12	708.14		
BDH/1	878.10		
Bens.Tire/1	75.00		
Bituminous.Mat/3	1,530.32		
Bowermaster,D/1	160.50		
Browns.Shoe.Fit/4	585.15		
Cessford.Constr/1	362.73		
City.Laundering/12	884.56		
Cntrl.IA.Distr/2	351.00		
Cntrl.IA.Machin/1	124.00		
Cntrl.Office/1	88.68		
Concrete/9	2,365.30		
Construct/1	-129.22		
Crescnt.Electrc/4	4,902.31		
Cummins.Service/2	126.49		
CustomAwards/1	70.00		
DEMCO.INCORP./1	385.66		
Environ.Resourc/1	385.40		
Findaway.World/1	73.56		
Galls.LLC/13	1,176.22		
GEAR.WASH/1	579.08		
Gillig.LLC/2	1,566.03		
Hillers,C/1	82.68		
IA.CountyAtty/1	70.00		
IA.Park.Rec.Ass/1	50.00		
Iowa.Hometown.S/1	113.64		
LIBRARY.STORE/1	1,325.76		
Lift.U/2	571.14		
Marsh.Co.Engr/25	17,893.38		
Midland.Concret/1	109.17		
Midland.Scienti/4	2,988.92		
Midwest.Bsmnt/1	375.00		
Miracle.Recreat/1	149.52		

MARSHALLTOWN

— I O W A —

Joel Greer, Mayor
Jessica Kinser, Administrator
Diana Steiner, Finance Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5760
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FINANCE DEPARTMENT

July 18, 2019

To: Mayor Joel Greer
Members of the City Council

From: Diana Steiner, Finance Director

Re: May Monthly Financial Statements

Policy Issue: N/A.

Recommendation: Staff recommends approving the May 2019 monthly financial statements.

Background: The Finance department has prepared and reconciled the May 2019 financial statements for your review. The attached reports include the following:

- Fund Balance Report, which includes the beginning balance at 6/30/18, the year-to-date revenues and expenses for 11 months and the ending fund cash balance.
- Cash & Investments Report, which includes current balances and interest rates for all city investments.
- Monthly Budget Report, which reflects monthly and year-to-date revenues and expenses by each fund and then in summary. If the YTD Activity amount is less than the YTD Budget amount, it will show as unfavorable for revenues and favorable for expenses.

Items of interest this month:

*The Police & Fire Building expenses in fund 354 were \$324,531.

*Tornado expenses in Funds 145-147 were \$109,326.

*The semi-annual bond payments were made to Bankers trust for approx.\$5.8 million.

*The quarterly motel tax was paid to Marshalltown Convention & Visitors Bureau for \$102,427.

Budget Impact: N/A

Attachment: May 2019 Financial Statements

cc: Jessica Kinser, City Administrator



**FUND BALANCE REPORT
AS OF 05/31/19**

Fund	Beginning Balance	Total Revenues	Total Expenses	Ending Balance
001 - GENERAL FUND	1,556,085.70	13,447,472.20	13,544,913.53	1,458,644.37
010 - CASH FLOW RESERVE FUND	2,086,100.92	206,876.80	-	2,292,977.72
030 - CAPITAL RESERVE	224,801.61	425,062.93	683,439.59	(33,575.05)
031 - CAPITAL RSRV-BLDG MAINT	440,029.28	7,714.48	174,441.00	273,302.76
032 - CIP LARGE VEHICLE/EQUIPMENT	106,000.00	106,000.00	-	212,000.00
110 - ROAD USE TAX	4,534,210.54	3,271,074.50	1,668,824.50	6,136,460.54
112 - EMPLOYEE BENEFITS FUND	2,443,812.88	2,568,949.58	1,748,642.82	3,264,119.64
117 - POLICE/FIRE RETIREMENT	423,994.86	1,216,933.88	839,689.66	801,239.08
119 - EMERGENCY FUND	-	229,776.75	132,894.95	96,881.80
121 - LOCAL OPTION SALES TAX	4,084,222.31	3,072,701.58	2,165,684.59	4,991,239.30
125 - TAX INCREMENT FINANCING	500,738.78	894,037.95	722,674.92	672,101.81
126 - TIF-LMI	-	-	-	-
130 - CITY TORT LIABILITY	71,645.60	43,423.90	31,584.62	83,484.88
132 - GRANTS-STATE/LOCAL AGENCIES	(5,261.13)	175,803.34	225,091.40	(54,549.19)
133 - UNDESIGNATED FEDERAL GRANTS	-	-	-	-
140 - PARK & REC DONATION FUND	67,724.68	36,932.95	10,194.46	94,463.17
141 - MTOWN TENNIS ASSOC	1,685.91	35.98	-	1,721.89
142 - SOFTBALL ASSOCIATION FUND	1,020.65	13,249.24	16,473.26	(2,203.37)
144 - LIVE HEALTHY IOWA	1,434.31	25.72	309.76	1,150.27
145 - TORNADO GENERAL	-	2,856,309.29	2,363,462.87	492,846.42
146 - FEMA VALOR	-	18,615.34	82,948.77	(64,333.43)
147 - FEMA DEMO	-	10,000.00	70,053.78	(60,053.78)
150 - COPS FAST GRANTS	(3,749.78)	40,381.61	55,439.01	(18,807.18)
151 - DEPT OF JUSTICE GRANTS	(685.68)	23,205.50	32,919.22	(10,399.40)
152 - POLICE UNDESIGNATED GRANTS	(3,264.76)	84,770.83	107,220.97	(25,714.90)
153 - POLICE DEPT DONATION FUND	151,172.19	61,233.23	117,474.53	94,930.89
156 - FIRE DEPT DONATION FUND	16,896.39	2,172.83	10,047.22	9,022.00
157 - FIRE DEPT GRANTS	4,608.45	98.52	-	4,706.97
160 - ECONOMIC DEVELOPMENT GIFT	50,000.17	1,068.81	-	51,068.98
161 - SURETY DEPOSITS/SUBDIVIDER	10,431.31	222.98	-	10,654.29
170 - LIBRARY DONATION FUND	97,429.97	33,328.41	26,276.55	104,481.83
177 - SEIZED ASSETS (POLICE)	40,445.23	16,577.69	16,676.79	40,346.13
179 - OTHER COMM AND ECON DEVELOPMENT	155,352.52	14,776.10	89,154.52	80,974.10
180 - HOUSING GRANTS	16,123.55	10,289.21	-	26,412.76
182 - #4 HUD LEAD GRANT	-	334.00	-	334.00
183 - FY 08 EDI (ECON DEV INCENTIVE)	(12,189.25)	-	640.00	(12,829.25)
184 - VOUCHERS - 002, 003	83,916.62	1,237,412.11	1,131,892.89	189,435.84
189 - #6 HUD LEAD GRANT	-	3,364.58	28,276.45	(24,911.87)
190 - 911 SURCHARGE	464.27	47,035.11	47,499.38	-
200 - GO BONDS DEBT FUND	86,909.39	3,025,975.83	4,112,485.00	(999,599.78)

Fund	Beginning Balance	Total Revenues	Total Expenses	Ending Balance
300 - CIP COLLECTION FUND	169,223.58	578,609.23	388,566.11	359,266.70
310 - FEDERAL STREET GRANTS	(66,984.26)	92,578.80	25,594.54	-
311 - RISE STREET GRANTS	(98,178.29)	98,178.29	-	-
312 - AIRPORT PROJECT FUND	(123,355.17)	124,986.90	23,767.15	(22,135.42)
320 - SPECIAL ASSESSMENT PROJECTS	(38,528.95)	14,445.00	-	(24,083.95)
340 - BIKE PATH PROJECT FUND	(225,706.49)	254,901.95	264,179.48	(234,984.02)
341 - TREES FOREVER PROJECT	2,196.27	8,406.81	7,444.93	3,158.15
350 - GO BONDS CAPITAL PROJECTS	8,498.01	181.66	-	8,679.67
354 - POLICE & FIRE STATIONS	11,912,130.55	169,421.50	8,657,239.66	3,424,312.39
355 - 2015 GO BONDS (D&D)	112,035.15	490,627.42	8,045.19	594,617.38
356 - 2016 BONDS - STREET PROJECTS	-	12,532.40	12,532.40	-
357 - 2018 CY STREET PROJECTS	(14.91)	5,014.91	5,000.00	-
381 - 2019 CY STREET, SIDEWALK, PARKING PROJECTS	-	2,434,524.32	89,685.85	2,344,838.47
383 - COLISEUM REMODEL	-	478,548.83	13,374.81	465,174.02
392 - TIF DISTRICT III CAP PROJECTS	(8,017.10)	-	-	(8,017.10)
393 - TIF DISTRICT IV CAP PROJECTS	-	-	24,866.56	(24,866.56)
395 - ECONOMIC DEVELOPMENT PROJECT FUND	-	35.95	119,285.51	(119,249.56)
610 - WATER POLLUTION CONTROL	5,778.00	5,143,032.57	5,144,896.31	3,914.26
611 - WPCP REVENUE	10,296,770.66	7,725,483.92	5,212,278.68	12,809,975.90
612 - WPCP REVENUE BOND FUND	(31.52)	78,233.66	95,696.18	(17,494.04)
614 - WPCP CAPITAL IMPROVEMENT RSRV	1,020,098.91	17,049.80	-	1,037,148.71
616 - SANITARY SEWER REHAB PROJECT	-	-	58,609.17	(58,609.17)
617 - SANITARY SEWER NEW CONSTRUCTN	89,981.26	12,165.25	-	102,146.51
618 - TORNADO-WPCP	-	-	4,402.42	(4,402.42)
690 - TRANSIT OPERATING	126,125.70	987,423.87	1,147,466.79	(33,917.22)
740 - STORM SEWER UTILITY	1,891,776.85	1,308,222.36	604,530.54	2,595,468.67
741 - 2016 GO STORM WATER PROJ	1,561,196.20	30,841.40	175,604.94	1,416,432.66
742 - TORNADO - STORM/SEWER	-	-	4,140.06	(4,140.06)
750 - COMPOSTING FACILITY	181,573.75	55,019.13	54,284.26	182,308.62
751 - TORNADO - COMPOST	-	-	463,058.08	(463,058.08)
760 - P&R CONCESSIONS ENTERPRISE	(13,460.81)	24,050.58	30,826.39	(20,236.62)
881 - OCCUPATIONAL INSURANCE ESCROW	84,635.27	124,456.04	144,580.10	64,511.21
884 - GROUP HEALTH INSURANCE ESCROW	2,369,657.85	2,588,777.78	2,652,497.81	2,305,937.82
885 - FLEXIBLE BENEFITS FUND	-	-	-	-
886 - WORKMAN'S COMP DEDUCTIBLE FUND	37,367.51	790.62	1,000.42	37,157.71
899 - INVENTORY FUND	-	-	-	-
910 - POLICE PENSION - T & A	-	7,958.43	9,673.44	(1,715.01)
913 - 911 COMMISION	(26,445.05)	781,323.52	924,988.55	(170,110.08)
950 - SUBDIVIDER IMPROVEMENT ESCROW	-	-	-	-
951 - SALES TAX REIMBURSEMENT	(2,113.56)	3,435.40	4,400.16	(3,078.32)
952 - SURETY BONDS/DEPOSITS	2,018.60	748.63	-	2,767.23
953 - IA STATE SLEUTH USR GRP	14,971.67	-	-	14,971.67
TOTAL	46,515,307.17	56,855,250.69	56,629,843.50	46,740,714.36

Account	Name	Ending Balance	Interest Rate
BalObject: 0111 - UB&T Operating			
999.0111.000	UB&T Operating	9,119,507.99	2.78
Total BalObject: 0111 - UB&T Operating:		9,119,507.99	
BalObject: 0112 - UB&T COLISEUM			
999.0112.000	UB&T COLISEUM	115,478.57	2.78
Total BalObject: 0112 - UB&T COLISEUM:		115,478.57	
BalObject: 0113 - UB&T Payroll			
999.0113.000	UB&T Payroll	43,172.79	2.78
Total BalObject: 0113 - UB&T Payroll:		43,172.79	
BalObject: 0114 - UB&T Dev Inspections			
999.0114.000	UB&T Dev Inspections	31,467.75	2.78
Total BalObject: 0114 - UB&T Dev Inspections:		31,467.75	
BalObject: 0115 - UB&T HUD Admin			
999.0115.000	UB&T HUD Admin	40,092.81	2.78
Total BalObject: 0115 - UB&T HUD Admin:		40,092.81	
BalObject: 0116 - UB&T HUD HAP			
999.0116.000	UB&T HUD HAP	132,117.28	2.78
Total BalObject: 0116 - UB&T HUD HAP:		132,117.28	
BalObject: 0117 - UB&T Police			
999.0117.000	UB&T Police	17,343.83	2.78
Total BalObject: 0117 - UB&T Police:		17,343.83	
BalObject: 0120 - PETTY CASH			
610.0120.000	PETTY CASH	200.00	0.00
750.0120.000	PETTY CASH	200.00	0.00
760.0120.000	PETTY CASH	300.00	0.00
Total BalObject: 0120 - PETTY CASH:		700.00	
BalObject: 0121 - PETTY CASH-SWIMMING POOLS			
001.0121.000	PETTY CASH-SWIMMING POOLS	300.00	0.00
Total BalObject: 0121 - PETTY CASH-SWIMMING POOLS:		300.00	
BalObject: 0122 - PETTY CASH-CITY CLERK			
001.0122.000	PETTY CASH-CITY CLERK	200.00	0.00
Total BalObject: 0122 - PETTY CASH-CITY CLERK:		200.00	
BalObject: 0123 - PETTY CASH-LIBRARY			
001.0123.000	PETTY CASH-LIBRARY	100.00	0.00
Total BalObject: 0123 - PETTY CASH-LIBRARY:		100.00	
BalObject: 0125 - PETTY CASH-PARK			
001.0125.000	PETTY CASH-PARK	200.00	0.00
Total BalObject: 0125 - PETTY CASH-PARK:		200.00	
BalObject: 0130 - CASH HELD BY INSUR ADMI			
885.0130.000	CASH HELD BY INSUR ADMI	1.00	0.00
Total BalObject: 0130 - CASH HELD BY INSUR ADMI:		1.00	

BalObject: 0216 - GREAT WESTERN BANK MM

354.0216.000	GREAT WESTERN BANK MM	2,423,218.11	2.48
381.0216.000	GREAT WESTERN BANK MM	44,838.47	2.48
741.0216.000	GREAT WESTERN BANK MM	1,416,432.66	2.48
999.0216.000	GREAT WESTERN BANK MM	4,980,703.30	2.48
Total BalObject: 0216 - GREAT WESTERN BANK MM:		8,865,192.54	

BalObject: 0217 - GREAT WESTERN BANK MM #2

999.0217.000	GREAT WESTERN BANK MM #2	343.12	2.51
Total BalObject: 0217 - GREAT WESTERN BANK MM #2:		343.12	

BalObject: 0225 - IPAIT CD (0-90 DYS)

112.0225.000	IPAIT CD (0-90 DAYS)	1,001,094.28	2.40
121.0225.000	IPAIT CD (0-90 DAYS)	500,547.14	2.40
354.0225.000	IPAID CD (0-90 DAYS)	1,001,094.28	2.40
999.0225.000	IPAIT CD (0-90 DAYS)	1,501,641.42	2.40
Total BalObject: 0225 - IPAIT CD (0-90 DYS):		4,004,377.12	

BalObject: 0240 - MIDWEST ONE CD (91-365 DAYS)

121.0240.000	MIDWEST ONE CD (91-365 DAYS)	500,000.00	2.70
381.0240.000	MIDWEST ONE CD (91-365 DAYS)	2,300,000.00	2.60
611.0240.000	MIDWEST ONE CD (91-365 DAYS)	2,000,000.00	2.55--2.73
884.0240.000	MIDWEST ONE CD (91-365 DAYS)	1,000,000.00	2.62--2.70
999.0240.000	MIDWEST ONE CD (91-365 DAYS)	4,500,000.00	2.55--2.75
Total BalObject: 0240 - MIDWEST ONE CD (91-365 DAYS):		10,300,000.00	

BalObject: 0245 - IPAIT CD (91-364 DAYS)

010.0245.000	IPAIT CD (91-364 DAYS)	500,000.00	2.55
121.0245.000	IPAIT CD (91-364 DAYS)	500,000.00	2.55
611.0245.000	IPAIT CD (91-364 DAYS)	1,000,000.00	2.55
614.0245.000	IPAIT CD (91-364 DAYS)	1,000,000.00	2.55
740.0245.000	IPAIT CD (91-364 DAYS)	1,000,000.00	2.55
Total BalObject: 0245 - IPAIT CD (91-364 DAYS):		4,000,000.00	

BalObject: 0252 - GNB 365 INV

010.0252.000	GNB CD (365 DAYS)	500,000.00	2.20
121.0252.000	GNB CD (365 DAYS)	500,000.00	2.82
999.0252.000	GNB CD (365 DAYS)	3,012,962.74	2.54--2.82
Total BalObject: 0252 - GNB 365 INV:		4,012,962.74	

BalObject: 0262 - GREAT WESTERN BANK (> 1 YR CD)

884.0262.000	GREAT WESTRN CD (365 DAYS)	500,000.00	2.52
999.0262.000	GREAT WESTRN CD (365 DAYS)	500,000.00	2.52
Total BalObject: 0262 - GREAT WESTERN BANK (> 1 YR CD):		1,000,000.00	

BalObject: 0265 - IPAIT CD (365)

999.0265.000	IPAIT CD (365 DAYS)	500,000.00	2.80
Total BalObject: 0265 - IPAIT CD (365):		500,000.00	

BalObject: 0266 - CENTRAL STATE BANK CD (> 1 YR)

010.0266.000	CENTRAL STATE BANK (365 DAYS)	506,679.45	2.65
121.0266.000	CENTRAL STATE BANK (365 DAYS)	506,166.85	2.46
999.0266.000	CENTRAL STATE BANK (365 DAYS)	1,520,020.68	2.60--2.70
Total BalObject: 0266 - CENTRAL STATE BANK CD (> 1 YR):		2,532,866.98	

BalObject: 0267 - FARMERS CD (> 1 YR)

611.0267.000	FRMRS SVGS BK CD (365)	500,000.00	2.83
884.0267.000	FRMRS SVGS BK CD (365 DAYS)	504,618.65	2.84
999.0267.000	FRMRS SVGS BK CD (365 DAYS)	1,011,587.53	2.83--2.84
Total BalObject: 0267 - FARMERS CD (> 1 YR):		2,016,206.18	

BalObject: 0999 - POOLED CASH

999.0999.000	POOLED CASH	8,083.66	0.00
Total BalObject: 0273 - IPAIT GOV SEC(> 1 YR):		8,083.66	

46,740,714.36



City of Marshalltown, IA

Monthly Budget Report - Marshalltown

Group Summary

For Fiscal: 2018-2019 Period Ending: 05/31/2019

Account Typ...	May Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
Fund: 001 - GENERAL FUND					
Revenue	991,579.81	14,122,467.26	13,447,472.20	-674,995.06	15,406,351.00
Expense	1,541,465.86	14,082,712.38	13,544,913.53	537,798.85	15,363,920.00
Total Fund: 001 - GENERAL FUND:	-549,886.05	39,754.88	-97,441.33	-137,196.21	42,431.00
Fund: 010 - CASH FLOW RESERVE FUND					
Revenue	1,776.68	168,376.01	206,876.80	38,500.79	183,683.00
Total Fund: 010 - CASH FLOW RESERVE FUND:	1,776.68	168,376.01	206,876.80	38,500.79	183,683.00
Fund: 030 - CAPITAL RESERVE					
Revenue	919.49	722,150.22	425,062.93	-297,087.29	788,056.00
Expense	22,896.02	928,046.35	683,439.59	244,606.76	1,012,557.00
Total Fund: 030 - CAPITAL RESERVE:	-21,976.53	-205,896.13	-258,376.66	-52,480.53	-224,501.00
Fund: 031 - CAPITAL RSRV-BLDG MAINT					
Revenue	617.54	2,750.00	7,714.48	4,964.48	3,000.00
Expense	12,021.35	235,054.60	174,441.00	60,613.60	256,454.00
Total Fund: 031 - CAPITAL RSRV-BLDG MAINT:	-11,403.81	-232,304.60	-166,726.52	65,578.08	-253,454.00
Fund: 032 - CIP LARGE VEHICLE/EQUIPMENT					
Revenue	0.00	97,166.63	106,000.00	8,833.37	106,000.00
Total Fund: 032 - CIP LARGE VEHICLE/EQUIPMENT:	0.00	97,166.63	106,000.00	8,833.37	106,000.00
Fund: 110 - ROAD USE TAX					
Revenue	332,171.39	3,208,333.26	3,271,074.50	62,741.24	3,500,000.00
Expense	69,053.53	3,244,093.82	1,668,824.50	1,575,269.32	3,539,422.00
Total Fund: 110 - ROAD USE TAX:	263,117.86	-35,760.56	1,602,250.00	1,638,010.56	-39,422.00
Fund: 112 - EMPLOYEE BENEFITS FUND					
Revenue	266,642.77	2,396,056.52	2,568,949.58	172,893.06	2,613,880.00
Expense	0.00	2,214,667.73	1,748,642.82	466,024.91	2,416,968.00
Total Fund: 112 - EMPLOYEE BENEFITS FUND:	266,642.77	181,388.79	820,306.76	638,917.97	196,912.00
Fund: 117 - POLICE/FIRE RETIREMENT					
Revenue	126,887.04	1,121,393.02	1,216,933.88	95,540.86	1,223,338.00
Expense	0.00	1,066,238.14	839,689.66	226,548.48	1,163,630.00
Total Fund: 117 - POLICE/FIRE RETIREMENT:	126,887.04	55,154.88	377,244.22	322,089.34	59,708.00
Fund: 119 - EMERGENCY FUND					
Revenue	23,705.65	213,108.39	229,776.75	16,668.36	232,482.00

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Account Typ...	May Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
Expense	0.00	213,108.50	132,894.95	80,213.55	232,482.00
Total Fund: 119 - EMERGENCY FUND:	23,705.65	-0.11	96,881.80	96,881.91	0.00
Fund: 121 - LOCAL OPTION SALES TAX					
Revenue	320,705.27	2,924,150.13	3,072,701.58	148,551.45	3,190,000.00
Expense	4,410.00	3,410,395.56	2,165,684.59	1,244,710.97	3,720,466.00
Total Fund: 121 - LOCAL OPTION SALES TAX:	316,295.27	-486,245.43	907,016.99	1,393,262.42	-530,466.00
Fund: 125 - TAX INCREMENT FINANCING					
Revenue	65,060.77	764,307.39	894,037.95	129,730.56	833,790.00
Expense	438,123.20	816,723.27	722,674.92	94,048.35	890,971.00
Total Fund: 125 - TAX INCREMENT FINANCING:	-373,062.43	-52,415.88	171,363.03	223,778.91	-57,181.00
Fund: 126 - TIF-LMI					
Revenue	0.00	8,120.75	0.00	-8,120.75	8,859.00
Total Fund: 126 - TIF-LMI:	0.00	8,120.75	0.00	-8,120.75	8,859.00
Fund: 130 - CITY TORT LIABILITY					
Revenue	602.74	39,049.12	43,423.90	4,374.78	42,611.00
Expense	5,040.30	33,659.78	31,584.62	2,075.16	36,724.00
Total Fund: 130 - CITY TORT LIABILITY:	-4,437.56	5,389.34	11,839.28	6,449.94	5,887.00
Fund: 132 - GRANTS-STATE/LOCAL AGENCIES					
Revenue	0.00	178,759.02	175,803.34	-2,955.68	195,010.00
Expense	8,698.90	229,148.26	225,091.40	4,056.86	250,000.00
Total Fund: 132 - GRANTS-STATE/LOCAL AGENCIES:	-8,698.90	-50,389.24	-49,288.06	1,101.18	-54,990.00
Fund: 140 - PARK & REC DONATION FUND					
Revenue	2,411.77	30,524.89	36,932.95	6,408.06	33,300.00
Expense	0.00	11,375.54	10,194.46	1,181.08	12,410.00
Total Fund: 140 - PARK & REC DONATION FUND:	2,411.77	19,149.35	26,738.49	7,589.14	20,890.00
Fund: 141 - MTOWN TENNIS ASSOC					
Revenue	3.89	18.26	35.98	17.72	20.00
Total Fund: 141 - MTOWN TENNIS ASSOC:	3.89	18.26	35.98	17.72	20.00
Fund: 142 - SOFTBALL ASSOCIATION FUND					
Revenue	5.41	26,887.63	13,249.24	-13,638.39	29,332.00
Expense	3,845.47	26,861.89	16,473.26	10,388.63	29,332.00
Total Fund: 142 - SOFTBALL ASSOCIATION FUND:	-3,840.06	25.74	-3,224.02	-3,249.76	0.00
Fund: 144 - LIVE HEALTHY IOWA					
Revenue	4.29	11,453.75	25.72	-11,428.03	12,500.00
Expense	0.00	6,737.61	309.76	6,427.85	7,351.00
Total Fund: 144 - LIVE HEALTHY IOWA :	4.29	4,716.14	-284.04	-5,000.18	5,149.00
Fund: 145 - TORNADO GENERAL					
Revenue	0.00	3,212,548.68	2,856,309.29	-356,239.39	3,506,002.00
Expense	105,930.33	4,249,551.35	2,363,462.87	1,886,088.48	4,637,449.00

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Total Fund: 145 - TORNADO GENERAL:	-105,930.33	-1,037,002.67	492,846.42	1,529,849.09	-1,131,447.00
Fund: 146 - FEMA VALOR					
Revenue	18,615.34	0.00	18,615.34	18,615.34	0.00
Expense	1,804.98	79,355.87	82,948.77	-3,592.90	86,605.00
Total Fund: 146 - FEMA VALOR:	16,810.36	-79,355.87	-64,333.43	15,022.44	-86,605.00
Fund: 147 - FEMA DEMO					
Revenue	0.00	22,907.50	10,000.00	-12,907.50	25,000.00
Expense	1,590.61	94,260.21	70,053.78	24,206.43	102,871.00
Total Fund: 147 - FEMA DEMO:	-1,590.61	-71,352.71	-60,053.78	11,298.93	-77,871.00
Fund: 150 - COPS FAST GRANTS					
Revenue	0.00	50,417.51	40,381.61	-10,035.90	55,001.00
Expense	11,036.21	45,266.76	55,439.01	-10,172.25	49,402.00
Total Fund: 150 - COPS FAST GRANTS:	-11,036.21	5,150.75	-15,057.40	-20,208.15	5,599.00
Fund: 151 - DEPT OF JUSTICE GRANTS					
Revenue	0.00	22,777.26	23,205.50	428.24	24,848.00
Expense	0.00	41,101.39	32,919.22	8,182.17	44,848.00
Total Fund: 151 - DEPT OF JUSTICE GRANTS:	0.00	-18,324.13	-9,713.72	8,610.41	-20,000.00
Fund: 152 - POLICE UNDESIGNATED GRANTS					
Revenue	7,002.41	84,687.46	84,770.83	83.37	92,423.00
Expense	15,367.42	98,765.26	107,220.97	-8,455.71	107,750.00
Total Fund: 152 - POLICE UNDESIGNATED GRANTS:	-8,365.01	-14,077.80	-22,450.14	-8,372.34	-15,327.00
Fund: 153 - POLICE DEPT DONATION FUND					
Revenue	2,822.34	51,883.26	61,233.23	9,349.97	56,600.00
Expense	469.77	120,746.23	117,474.53	3,271.70	131,726.00
Total Fund: 153 - POLICE DEPT DONATION FUND:	2,352.57	-68,862.97	-56,241.30	12,621.67	-75,126.00
Fund: 156 - FIRE DEPT DONATION FUND					
Revenue	1,925.39	4,583.26	2,172.83	-2,410.43	5,000.00
Expense	0.00	18,333.26	10,047.22	8,286.04	20,000.00
Total Fund: 156 - FIRE DEPT DONATION FUND:	1,925.39	-13,750.00	-7,874.39	5,875.61	-15,000.00
Fund: 157 - FIRE DEPT GRANTS					
Revenue	10.64	55.00	98.52	43.52	60.00
Total Fund: 157 - FIRE DEPT GRANTS:	10.64	55.00	98.52	43.52	60.00
Fund: 160 - ECONOMIC DEVELOPMENT GIFT					
Revenue	115.39	595.76	1,068.81	473.05	650.00
Total Fund: 160 - ECONOMIC DEVELOPMENT GIFT:	115.39	595.76	1,068.81	473.05	650.00
Fund: 161 - SURETY DEPOSITS/SUBDIVIDER					
Revenue	24.07	169.51	222.98	53.47	185.00
Total Fund: 161 - SURETY DEPOSITS/SUBDIVIDER:	24.07	169.51	222.98	53.47	185.00

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Account Typ...	May Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
Fund: 170 - LIBRARY DONATION FUND					
Revenue	4,206.10	19,708.26	33,328.41	13,620.15	21,500.00
Expense	2,169.94	29,883.15	26,276.55	3,606.60	32,600.00
Total Fund: 170 - LIBRARY DONATION FUND:	2,036.16	-10,174.89	7,051.86	17,226.75	-11,100.00
Fund: 177 - SEIZED ASSETS (POLICE)					
Revenue	977.01	14,680.05	16,577.69	1,897.64	16,015.00
Expense	231.00	15,482.39	16,676.79	-1,194.40	16,890.00
Total Fund: 177 - SEIZED ASSETS (POLICE):	746.01	-802.34	-99.10	703.24	-875.00
Fund: 179 - OTHER COMM AND ECON DEVELOPMENT					
Revenue	182.96	13,193.40	14,776.10	1,582.70	14,393.00
Expense	46.59	97,704.64	89,154.52	8,550.12	106,613.00
Total Fund: 179 - OTHER COMM AND ECON DEVELOPMENT:	136.37	-84,511.24	-74,378.42	10,132.82	-92,220.00
Fund: 180 - HOUSING GRANTS					
Revenue	59.68	9,133.52	10,289.21	1,155.69	9,964.00
Expense	0.00	23,904.43	0.00	23,904.43	26,088.00
Total Fund: 180 - HOUSING GRANTS:	59.68	-14,770.91	10,289.21	25,060.12	-16,124.00
Fund: 182 - #4 HUD LEAD GRANT					
Revenue	334.00	0.00	334.00	334.00	0.00
Total Fund: 182 - #4 HUD LEAD GRANT:	334.00	0.00	334.00	334.00	0.00
Fund: 183 - FY 08 EDI (ECON DEV INCENTIVE)					
Expense	0.00	586.41	640.00	-53.59	640.00
Total Fund: 183 - FY 08 EDI (ECON DEV INCENTIVE):	0.00	586.41	640.00	-53.59	640.00
Fund: 184 - VOUCHERS - 002, 003					
Revenue	107,087.30	1,258,243.69	1,237,412.11	-20,831.58	1,372,630.00
Expense	92,065.12	1,323,667.51	1,131,892.89	191,774.62	1,444,095.00
Total Fund: 184 - VOUCHERS - 002, 003:	15,022.18	-65,423.82	105,519.22	170,943.04	-71,465.00
Fund: 189 - #6 HUD LEAD GRANT					
Revenue	2,158.58	69,719.43	3,364.58	-66,354.85	76,088.00
Expense	19,805.60	172,243.50	28,276.45	143,967.05	187,937.00
Total Fund: 189 - #6 HUD LEAD GRANT:	-17,647.02	-102,524.07	-24,911.87	77,612.20	-111,849.00
Fund: 190 - 911 SURCHARGE					
Revenue	0.00	43,098.11	47,035.11	3,937.00	47,035.00
Expense	0.00	43,540.20	47,499.38	-3,959.18	47,499.00
Total Fund: 190 - 911 SURCHARGE:	0.00	-442.09	-464.27	-22.18	-464.00
Fund: 200 - GO BONDS DEBT FUND					
Revenue	439,001.56	3,824,334.80	3,025,975.83	-798,358.97	4,172,148.00
Expense	3,696,999.50	3,770,506.52	4,112,485.00	-341,978.48	4,113,282.00
Total Fund: 200 - GO BONDS DEBT FUND:	-3,257,997.94	53,828.28	-1,086,509.17	-1,140,337.45	58,866.00

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Account Typ...	May Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
Fund: 300 - CIP COLLECTION FUND					
Revenue	60,076.10	535,063.65	578,609.23	43,545.58	583,706.00
Expense	0.00	690,184.77	388,566.11	301,618.66	752,929.00
Total Fund: 300 - CIP COLLECTION FUND:	60,076.10	-155,121.12	190,043.12	345,164.24	-169,223.00
Fund: 310 - FEDERAL STREET GRANTS					
Revenue	0.00	84,878.42	92,578.80	7,700.38	92,579.00
Expense	0.00	23,462.01	25,594.54	-2,132.53	25,595.00
Total Fund: 310 - FEDERAL STREET GRANTS:	0.00	61,416.41	66,984.26	5,567.85	66,984.00
Fund: 311 - RISE STREET GRANTS					
Revenue	0.00	89,960.42	98,178.29	8,217.87	98,178.00
Total Fund: 311 - RISE STREET GRANTS:	0.00	89,960.42	98,178.29	8,217.87	98,178.00
Fund: 312 - AIRPORT PROJECT FUND					
Revenue	0.00	164,205.91	124,986.90	-39,219.01	179,143.00
Expense	0.00	67,619.75	23,767.15	43,852.60	73,767.00
Total Fund: 312 - AIRPORT PROJECT FUND:	0.00	96,586.16	101,219.75	4,633.59	105,376.00
Fund: 320 - SPECIAL ASSESSMENT PROJECTS					
Revenue	0.00	9,166.52	14,445.00	5,278.48	10,000.00
Total Fund: 320 - SPECIAL ASSESSMENT PROJECTS:	0.00	9,166.52	14,445.00	5,278.48	10,000.00
Fund: 340 - BIKE PATH PROJECT FUND					
Revenue	194,000.53	294,849.06	254,901.95	-39,947.11	321,680.00
Expense	2,107.66	240,297.53	264,179.48	-23,881.95	262,143.00
Total Fund: 340 - BIKE PATH PROJECT FUND:	191,892.87	54,551.53	-9,277.53	-63,829.06	59,537.00
Fund: 341 - TREES FOREVER PROJECT					
Revenue	518.07	11,855.14	8,406.81	-3,448.33	12,935.00
Expense	3,545.63	7,379.02	7,444.93	-65.91	8,050.00
Total Fund: 341 - TREES FOREVER PROJECT:	-3,027.56	4,476.12	961.88	-3,514.24	4,885.00
Fund: 350 - GO BONDS CAPITAL PROJECTS					
Revenue	19.61	91.63	181.66	90.03	100.00
Total Fund: 350 - GO BONDS CAPITAL PROJECTS:	19.61	91.63	181.66	90.03	100.00
Fund: 354 - POLICE & FIRE STATIONS					
Revenue	5,886.26	146,608.00	169,421.50	22,813.50	160,000.00
Expense	324,531.47	11,061,700.87	8,657,239.66	2,404,461.21	12,072,131.00
Total Fund: 354 - POLICE & FIRE STATIONS:	-318,645.21	-10,915,092.87	-8,487,818.16	2,427,274.71	-11,912,131.00
Fund: 355 - 2015 GO BONDS (D&D)					
Revenue	1,343.57	444,347.97	490,627.42	46,279.45	484,745.00
Expense	1,221.23	110,000.00	8,045.19	101,954.81	120,000.00
Total Fund: 355 - 2015 GO BONDS (D&D):	122.34	334,347.97	482,582.23	148,234.26	364,745.00
Fund: 356 - 2016 BONDS - STREET PROJECTS					
Revenue	0.00	11,483.89	12,532.40	1,048.51	12,533.00

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Expense	0.00	11,483.89	12,532.40	-1,048.51	12,533.00
Total Fund: 356 - 2016 BONDS - STREET PROJECTS:	0.00	0.00	0.00	0.00	0.00
Fund: 357 - 2018 CY STREET PROJECTS					
Revenue	0.00	100,794.76	5,014.91	-95,779.85	110,000.00
Expense	0.00	96,211.50	5,000.00	91,211.50	105,000.00
Total Fund: 357 - 2018 CY STREET PROJECTS:	0.00	4,583.26	14.91	-4,568.35	5,000.00
Fund: 381 - 2019 CY STREET,SIDEWALK,PARKING PROJECTS					
Revenue	93.10	2,262,852.02	2,434,524.32	171,672.30	2,468,566.00
Expense	12,288.20	150,812.20	89,685.85	61,126.35	164,535.00
Total Fund: 381 - 2019 CY STREET,SIDEWALK,PARKING PROJECTS:	-12,195.10	2,112,039.82	2,344,838.47	232,798.65	2,304,031.00
Fund: 383 - COLISEUM REMODEL					
Revenue	113,536.08	345,017.75	478,548.83	133,531.08	376,533.00
Expense	900.70	66,369.38	13,374.81	52,994.57	72,432.00
Total Fund: 383 - COLISEUM REMODEL:	112,635.38	278,648.37	465,174.02	186,525.65	304,101.00
Fund: 393 - TIF DISTRICT IV CAP PROJECTS					
Revenue	0.00	149,585.92	0.00	-149,585.92	163,250.00
Expense	14,816.56	149,591.86	24,866.56	124,725.30	163,250.00
Total Fund: 393 - TIF DISTRICT IV CAP PROJECTS:	-14,816.56	-5.94	-24,866.56	-24,860.62	0.00
Fund: 395 - ECONOMIC DEVELOPMENT PROJECT FUND					
Revenue	0.00	81,108.06	35.95	-81,072.11	88,517.00
Expense	30,768.51	81,108.06	119,285.51	-38,177.45	88,517.00
Total Fund: 395 - ECONOMIC DEVELOPMENT PROJECT FUND:	-30,768.51	0.00	-119,249.56	-119,249.56	0.00
Fund: 610 - WATER POLLUTION CONTROL					
Revenue	2,294,277.31	10,079.30	5,143,032.57	5,132,953.27	11,000.00
Expense	2,282,758.53	6,080,740.16	5,144,896.31	935,843.85	6,634,517.00
Total Fund: 610 - WATER POLLUTION CONTROL:	11,518.78	-6,070,660.86	-1,863.74	6,068,797.12	-6,623,517.00
Fund: 611 - WPCP REVENUE					
Revenue	763,867.10	6,725,854.19	7,725,483.92	999,629.73	7,337,296.00
Expense	2,293,661.75	29.15	5,212,278.68	-5,212,249.53	32.00
Total Fund: 611 - WPCP REVENUE:	-1,529,794.65	6,725,825.04	2,513,205.24	-4,212,619.80	7,337,264.00
Fund: 612 - WPCP REVENUE BOND FUND					
Revenue	0.00	3,208,362.41	78,233.66	-3,130,128.75	3,500,032.00
Expense	7,092.00	568,183.33	95,696.18	472,487.15	620,000.00
Total Fund: 612 - WPCP REVENUE BOND FUND:	-7,092.00	2,640,179.08	-17,462.52	-2,657,641.60	2,880,032.00
Fund: 614 - WPCP CAPITAL IMPROVEMENT RSRV					
Revenue	83.94	11,916.63	17,049.80	5,133.17	13,000.00
Total Fund: 614 - WPCP CAPITAL IMPROVEMENT RSRV:	83.94	11,916.63	17,049.80	5,133.17	13,000.00
Fund: 616 - SANITARY SEWER REHAB PROJECT					
Expense	53,305.17	4,862.00	58,609.17	-53,747.17	5,304.00

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Total Fund: 616 - SANITARY SEWER REHAB PROJECT:	53,305.17	4,862.00	58,609.17	-53,747.17	5,304.00
Fund: 617 - SANITARY SEWER NEW CONSTRUCTN					
Revenue	586.00	12,833.26	12,165.25	-668.01	14,000.00
Total Fund: 617 - SANITARY SEWER NEW CONSTRUCTN:	586.00	12,833.26	12,165.25	-668.01	14,000.00
Fund: 618 - TORNADO-WPCP					
Expense	0.00	4,034.03	4,402.42	-368.39	4,402.00
Total Fund: 618 - TORNADO-WPCP:	0.00	4,034.03	4,402.42	-368.39	4,402.00
Fund: 690 - TRANSIT OPERATING					
Revenue	63,197.20	1,085,785.36	987,423.87	-98,361.49	1,184,631.00
Expense	77,725.30	1,194,417.62	1,147,466.79	46,950.83	1,303,099.00
Total Fund: 690 - TRANSIT OPERATING:	-14,528.10	-108,632.26	-160,042.92	-51,410.66	-118,468.00
Fund: 740 - STORM SEWER UTILITY					
Revenue	128,535.00	1,363,083.26	1,308,222.36	-54,860.90	1,487,000.00
Expense	237,512.24	804,681.68	604,530.54	200,151.14	878,022.00
Total Fund: 740 - STORM SEWER UTILITY:	-108,977.24	558,401.58	703,691.82	145,290.24	608,978.00
Fund: 741 - 2016 GO STORM WATER PROJ					
Revenue	2,940.89	25,666.63	30,841.40	5,174.77	28,000.00
Expense	7,346.37	566,757.18	175,604.94	391,152.24	618,450.00
Total Fund: 741 - 2016 GO STORM WATER PROJ:	-4,405.48	-541,090.55	-144,763.54	396,327.01	-590,450.00
Fund: 742 - TORNADO - STORM/SEWER					
Expense	0.00	3,791.92	4,140.06	-348.14	4,140.00
Total Fund: 742 - TORNADO - STORM/SEWER:	0.00	3,791.92	4,140.06	-348.14	4,140.00
Fund: 750 - COMPOSTING FACILITY					
Revenue	7,858.48	63,166.29	55,019.13	-8,147.16	68,909.00
Expense	9,572.07	184,221.73	54,284.26	129,937.47	201,045.00
Total Fund: 750 - COMPOSTING FACILITY:	-1,713.59	-121,055.44	734.87	121,790.31	-132,136.00
Fund: 751 - TORNADO - COMPOST					
Expense	0.00	479,259.33	463,058.08	16,201.25	523,038.00
Total Fund: 751 - TORNADO - COMPOST:	0.00	479,259.33	463,058.08	16,201.25	523,038.00
Fund: 760 - P&R CONCESSIONS ENTERPRISE					
Revenue	2,083.31	36,666.63	24,050.58	-12,616.05	40,000.00
Expense	2,160.94	36,212.77	30,826.39	5,386.38	39,506.00
Total Fund: 760 - P&R CONCESSIONS ENTERPRISE:	-77.63	453.86	-6,775.81	-7,229.67	494.00
Fund: 881 - OCCUPATIONAL INSURANCE ESCROW					
Revenue	15,621.16	0.00	124,456.04	124,456.04	0.00
Expense	6,012.21	0.00	144,580.10	-144,580.10	0.00
Total Fund: 881 - OCCUPATIONAL INSURANCE ESCROW:	9,608.95	0.00	-20,124.06	-20,124.06	0.00

Monthly Budget Report - Marshalltown

For Fiscal: 2018-2019 Period Ending: 05/31/2019

Account Typ...	May Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
Fund: 884 - GROUP HEALTH INSURANCE ESCROW					
Revenue	224,205.36	0.00	2,588,777.78	2,588,777.78	0.00
Expense	346,894.69	0.00	2,652,497.81	-2,652,497.81	0.00
Total Fund: 884 - GROUP HEALTH INSURANCE ESCROW:	-122,689.33	0.00	-63,720.03	-63,720.03	0.00
Fund: 886 - WORKMAN'S COMP DEDUCTIBLE FUND					
Revenue	83.96	0.00	790.62	790.62	0.00
Expense	363.50	0.00	1,000.42	-1,000.42	0.00
Total Fund: 886 - WORKMAN'S COMP DEDUCTIBLE FUND:	-279.54	0.00	-209.80	-209.80	0.00
Fund: 910 - POLICE PENSION - T & A					
Revenue	0.00	0.00	7,958.43	7,958.43	0.00
Expense	929.70	0.00	9,673.44	-9,673.44	0.00
Total Fund: 910 - POLICE PENSION - T & A:	-929.70	0.00	-1,715.01	-1,715.01	0.00
Fund: 913 - 911 COMMISION					
Revenue	222,043.16	0.00	781,323.52	781,323.52	0.00
Expense	98,613.91	0.00	924,988.55	-924,988.55	0.00
Total Fund: 913 - 911 COMMISION:	123,429.25	0.00	-143,665.03	-143,665.03	0.00
Report Total:	-5,048,726.57	-7,414,042.46	225,623.32	7,639,665.78	-8,097,332.00

Fund Summary

Fund	May Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
001 - GENERAL FUND	-549,886.05	39,754.88	-97,441.33	-137,196.21	42,431.00
010 - CASH FLOW RESERVE FUND	1,776.68	168,376.01	206,876.80	38,500.79	183,683.00
030 - CAPITAL RESERVE	-21,976.53	-205,896.13	-258,376.66	-52,480.53	-224,501.00
031 - CAPITAL RSRV-BLDG MAINT	-11,403.81	-232,304.60	-166,726.52	65,578.08	-253,454.00
032 - CIP LARGE VEHICLE/EQUIPMI	0.00	97,166.63	106,000.00	8,833.37	106,000.00
110 - ROAD USE TAX	263,117.86	-35,760.56	1,602,250.00	1,638,010.56	-39,422.00
112 - EMPLOYEE BENEFITS FUND	266,642.77	181,388.79	820,306.76	638,917.97	196,912.00
117 - POLICE/FIRE RETIREMENT	126,887.04	55,154.88	377,244.22	322,089.34	59,708.00
119 - EMERGENCY FUND	23,705.65	-0.11	96,881.80	96,881.91	0.00
121 - LOCAL OPTION SALES TAX	316,295.27	-486,245.43	907,016.99	1,393,262.42	-530,466.00
125 - TAX INCREMENT FINANCING	-373,062.43	-52,415.88	171,363.03	223,778.91	-57,181.00
126 - TIF-LMI	0.00	8,120.75	0.00	-8,120.75	8,859.00
130 - CITY TORT LIABILITY	-4,437.56	5,389.34	11,839.28	6,449.94	5,887.00
132 - GRANTS-STATE/LOCAL AGEN	-8,698.90	-50,389.24	-49,288.06	1,101.18	-54,990.00
140 - PARK & REC DONATION FUNI	2,411.77	19,149.35	26,738.49	7,589.14	20,890.00
141 - MTOWN TENNIS ASSOC	3.89	18.26	35.98	17.72	20.00
142 - SOFTBALL ASSOCIATION FUN	-3,840.06	25.74	-3,224.02	-3,249.76	0.00
144 - LIVE HEALTHY IOWA	4.29	4,716.14	-284.04	-5,000.18	5,149.00
145 - TORNADO GENERAL	-105,930.33	-1,037,002.67	492,846.42	1,529,849.09	-1,131,447.00
146 - FEMA VALOR	16,810.36	-79,355.87	-64,333.43	15,022.44	-86,605.00
147 - FEMA DEMO	-1,590.61	-71,352.71	-60,053.78	11,298.93	-77,871.00
150 - COPS FAST GRANTS	-11,036.21	5,150.75	-15,057.40	-20,208.15	5,599.00
151 - DEPT OF JUSTICE GRANTS	0.00	-18,324.13	-9,713.72	8,610.41	-20,000.00
152 - POLICE UNDESIGNATED GRAI	-8,365.01	-14,077.80	-22,450.14	-8,372.34	-15,327.00
153 - POLICE DEPT DONATION FUN	2,352.57	-68,862.97	-56,241.30	12,621.67	-75,126.00
156 - FIRE DEPT DONATION FUND	1,925.39	-13,750.00	-7,874.39	5,875.61	-15,000.00
157 - FIRE DEPT GRANTS	10.64	55.00	98.52	43.52	60.00
160 - ECONOMIC DEVELOPMENT G	115.39	595.76	1,068.81	473.05	650.00
161 - SURETY DEPOSITS/SUBDIVIDI	24.07	169.51	222.98	53.47	185.00
170 - LIBRARY DONATION FUND	2,036.16	-10,174.89	7,051.86	17,226.75	-11,100.00
177 - SEIZED ASSETS (POLICE)	746.01	-802.34	-99.10	703.24	-875.00
179 - OTHER COMM AND ECON DE	136.37	-84,511.24	-74,378.42	10,132.82	-92,220.00
180 - HOUSING GRANTS	59.68	-14,770.91	10,289.21	25,060.12	-16,124.00
182 - #4 HUD LEAD GRANT	334.00	0.00	334.00	334.00	0.00
183 - FY 08 EDI (ECON DEV INCENT	0.00	-586.41	-640.00	-53.59	-640.00
184 - VOUCHERS - 002, 003	15,022.18	-65,423.82	105,519.22	170,943.04	-71,465.00
189 - #6 HUD LEAD GRANT	-17,647.02	-102,524.07	-24,911.87	77,612.20	-111,849.00
190 - 911 SURCHARGE	0.00	-442.09	-464.27	-22.18	-464.00
200 - GO BONDS DEBT FUND	-3,257,997.94	53,828.28	-1,086,509.17	-1,140,337.45	58,866.00
300 - CIP COLLECTION FUND	60,076.10	-155,121.12	190,043.12	345,164.24	-169,223.00

Monthly Budget Report - Marshalltown
For Fiscal: 2018-2019 Period Ending: 05/31/2019

310 - FEDERAL STREET GRANTS	0.00	61,416.41	66,984.26	5,567.85	66,984.00
311 - RISE STREET GRANTS	0.00	89,960.42	98,178.29	8,217.87	98,178.00
312 - AIRPORT PROJECT FUND	0.00	96,586.16	101,219.75	4,633.59	105,376.00
320 - SPECIAL ASSESSMENT PROJEC	0.00	9,166.52	14,445.00	5,278.48	10,000.00
340 - BIKE PATH PROJECT FUND	191,892.87	54,551.53	-9,277.53	-63,829.06	59,537.00
341 - TREES FOREVER PROJECT	-3,027.56	4,476.12	961.88	-3,514.24	4,885.00
350 - GO BONDS CAPITAL PROJECT	19.61	91.63	181.66	90.03	100.00
354 - POLICE & FIRE STATIONS	-318,645.21	-10,915,092.87	-8,487,818.16	2,427,274.71	-11,912,131.00
355 - 2015 GO BONDS (D&D)	122.34	334,347.97	482,582.23	148,234.26	364,745.00
356 - 2016 BONDS - STREET PROJEC	0.00	0.00	0.00	0.00	0.00
357 - 2018 CY STREET PROJECTS	0.00	4,583.26	14.91	-4,568.35	5,000.00
381 - 2019 CY STREET,SIDEWALK,P	-12,195.10	2,112,039.82	2,344,838.47	232,798.65	2,304,031.00
383 - COLISEUM REMODEL	112,635.38	278,648.37	465,174.02	186,525.65	304,101.00
393 - TIF DISTRICT IV CAP PROJECT	-14,816.56	-5.94	-24,866.56	-24,860.62	0.00
395 - ECONOMIC DEVELOPMENT P	-30,768.51	0.00	-119,249.56	-119,249.56	0.00
610 - WATER POLLUTION CONTROL	11,518.78	-6,070,660.86	-1,863.74	6,068,797.12	-6,623,517.00
611 - WPCP REVENUE	-1,529,794.65	6,725,825.04	2,513,205.24	-4,212,619.80	7,337,264.00
612 - WPCP REVENUE BOND FUND	-7,092.00	2,640,179.08	-17,462.52	-2,657,641.60	2,880,032.00
614 - WPCP CAPITAL IMPROVEMENT	83.94	11,916.63	17,049.80	5,133.17	13,000.00
616 - SANITARY SEWER REHAB PRC	-53,305.17	-4,862.00	-58,609.17	-53,747.17	-5,304.00
617 - SANITARY SEWER NEW CONS	586.00	12,833.26	12,165.25	-668.01	14,000.00
618 - TORNADO-WPCP	0.00	-4,034.03	-4,402.42	-368.39	-4,402.00
690 - TRANSIT OPERATING	-14,528.10	-108,632.26	-160,042.92	-51,410.66	-118,468.00
740 - STORM SEWER UTILITY	-108,977.24	558,401.58	703,691.82	145,290.24	608,978.00
741 - 2016 GO STORM WATER PRC	-4,405.48	-541,090.55	-144,763.54	396,327.01	-590,450.00
742 - TORNADO - STORM/SEWER	0.00	-3,791.92	-4,140.06	-348.14	-4,140.00
750 - COMPOSTING FACILITY	-1,713.59	-121,055.44	734.87	121,790.31	-132,136.00
751 - TORNADO - COMPOST	0.00	-479,259.33	-463,058.08	16,201.25	-523,038.00
760 - P&R CONCESSIONS ENTERPR	-77.63	453.86	-6,775.81	-7,229.67	494.00
881 - OCCUPATIONAL INSURANCE	9,608.95	0.00	-20,124.06	-20,124.06	0.00
884 - GROUP HEALTH INSURANCE I	-122,689.33	0.00	-63,720.03	-63,720.03	0.00
886 - WORKMAN'S COMP DEDUCT	-279.54	0.00	-209.80	-209.80	0.00
910 - POLICE PENSION - T & A	-929.70	0.00	-1,715.01	-1,715.01	0.00
913 - 911 COMMISSION	123,429.25	0.00	-143,665.03	-143,665.03	0.00
Report Total:	-5,048,726.57	-7,414,042.46	225,623.32	7,639,665.78	-8,097,332.00

RESOLUTION TRANSFERRING FUNDS FOR FISCAL YEAR 2018-2019

WHEREAS the fiscal year 2019 budget provides for certain transfers between funds and, whereas the

books should now indicate appropriate transfers;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA that the Finance Director

be directed to make said transfers as follows:

Transferred From	Transferred To	Explanation of activity	Per Original Budget	Amendment #1	Amendment #2	Final Budget Amount	Total Cash Transfers	Remaining Budget Available
Cash Transfers						-		
2016 GO Storm Water Project Fund	Local Option Sales Tax	Move cash to reimburse LOST fund for Storm Water Project expenses	-	45,000		45,000	44,920	80
CIP Tax Collection Fund	Airport capital project fund	City portion of Airport capital projects	-	37,300		37,300	37,300	-
CIP Tax Collection Fund	Capital Improvement Reserve Fund	Capital expenditures paid from governmental capital reserve fund. Cash is transferred from the capital improvement levy funds where the property taxes were receipted.	644,929	(35,300)		609,629	245,266	364,363
CIP Tax Collection Fund	CIP Large Vehicle/Equipment Fund	Move cash to CIP Large vehicle fund to fund future purchase.	106,000			106,000	106,000	-
Emergency Levy Fund	General	Property taxes collected in Emergency fund with the cash being transferred to the general fund	232,482			232,482	132,895	99,587
Employee benefits fund	Coliseum Activity Fund	Reimbursement to Coliseum Activity Fund for employee benefits	2,768	(2,768)		-		-
Employee benefits fund	General	Reimbursement to general fund for employee benefits (fica, medicare, ipers, group health insurance, workman 's comp, retirees health savings contributions (non-union payout in lieu of sick and vacation based upon guidelines for payouts)	2,528,638	(114,562)		2,414,076	1,745,751	668,325
General fund	Coliseum Activity Fund	City portion of operating expenses	11,502	(11,502)		-	-	-
General Fund	D&D Fund	Move landfills fee to Dangerous and Diplaced Project Fund, per council resolution.	-	478,745		478,745	478,745	-
General fund	Police grants	Close out unreimbursed expenses with police grants and transfers amongst three funds	-	871		871	871	0
General fund	Transit	Property taxes collected in general (as required) with the cash being transferred to the transit enterprise fund	256,481			256,481	150,787	105,694
City Tort Liability Fund	Coliseum Remodel Fund	\$10,000 deductible for tornado claim		10,000		10,000		10,000
Housing Grants	#6 HUD Lead Grant	Use as match		26,088		26,088		26,088
Local Option Sales Tax	2018 CY Street Projects Fund	Move cash to capitals projects to fund individual projects.	375,000	(270,000)		105,000	15	104,985
Local Option Sales Tax	Airport capital project fund	City match portion of airport projects	-	23,000		23,000	18,844	4,156

Transferred From	Transferred To	Explanation of activity	Per Original Budget	Amendment #1	Amendment #2	Final Budget Amount	Total Cash Transfers	Remaining Budget Available
Local Option Sales Tax	Debt Service Fund	Property tax relief from local option sales tax (LOST) collected	3,051,375			3,051,375	1,877,711	1,173,664
Local Option Sales Tax	General	Council designated funds from local option sales tax (LOST) collected	14,840			14,840	14,840	-
Local Option Sales Tax	Grant-State/Local Agencies Fund	Council designated funds from local option sales tax (LOST) collected to individual project funded		20,000		20,000		20,000
Local Option Sales Tax	Bike Path Project Fund	Council designated funds from local option sales tax (LOST) collected to individual project funded		65,000		65,000		65,000
Local Option Sales Tax	Economic Development Project Fund	Council designated funds from local option sales tax (LOST) collected to individual project funded		88,517		88,517		88,517
LOST - Council Desig -Cash Reserves	Cash Flow Reserve Fund	Transfer remaining Cash in cash flow reserve project to the Cash Flow Reserve fund.	158,683			158,683	158,683	-
Police & fire retirement	General	Reimbursement to general fund for civil service retirement payments to Municipal Fire & Police Retirement System of Iowa (MFPRSI)	1,180,865	(28,435)		1,152,430	831,703	320,727
Police grants	Police grants	Move Expenses to correct fund	-			-	516	(516)
Police grants	General	Move Revenue to Correct Fund	-	-		-	15	(15)
Road use tax fund	2016 GO Street Projects Fund	Move cash to capitals projects to close individual projects and fund.	-	12,533		12,533	12,532	1
Road use tax fund	CY 2018 Street Projects	Move cash to capitals projects to fund individual projects.	625,000	(620,000)		5,000	5,000	-
Road use tax fund	Federal Street Grants	Return City portion of Federal street grants	-	(39,069)		(39,069)	(39,069)	0
Road use tax fund	Federal Street Grants	Move cash to capitals projects to close individual projects and fund.				-		-
Road use tax fund	General	Reimbursement to general fund for employee wages associated with the public works department	1,217,588			1,217,588	651,897	565,691
Road use tax fund	WPCP funds	Cover Wages paid by the WPCP Fund.	-	11,000		11,000	8,372	2,628
TIF tax collection fund	Debt Service	Portion of 2015, 2011 B refunding bond & 2012A issue paid with tax increment financing property taxes	365,600			365,600	363,219	2,381
TIF tax collection fund	General	Façade project expenses paid by general fund. Cash is transferred from TIF collection fund where the property taxes are collected.	40,000	10,973		50,973	50,973	1
TIF tax collection fund	TIF District #4 Project Fund	Move cash to capitals projects to close individual projects	163,250			163,250	-	163,250
WPCP funds	WPCP funds	Cover consolidation of project funds within wpcp series and move dollars from wpcp revenue fund to wpcp expenditure fund	-			-	5,134,045	(5,134,045)
WPCP funds	WPCP Revenue Bond Fund	Move cash amongst capitals projects to close individual projects	-	32		32	78,234	(78,202)
Total amount of budgeted transfers between funds			10,975,001	(292,577)	-	10,682,424	12,110,063.94	(1,427,640)

Passed, approved and adopted this 22nd day of July 2019

Attest: _____ Attest: _____
Mayor City Clerk

MARSHALLTOWN

— I O W A —

Joel Greer, Mayor
Jessica Kinser, Administrator
Diana Steiner, Finance Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5760
Fax - (641) 754-5781

FINANCE DEPARTMENT

July 18, 2019

To: Mayor Joel Greer
Members of the City Council

From: Diana Steiner, Finance Director

Re: Approval of FY2019 Transfers between funds

Policy Issue: Council approves transfers between funds.

Recommendation: Staff recommends approving budgeted transfers and the additional transfers between funds for the first 11 months of this fiscal year.

Background: Effective April 13, 2019, the City Finance Committee, organized under Iowa Administrative Code, approved changes to Administrative Rules Code 545-2 requiring greater disclosures for all interfund transfers. The rules require cities to provide the originating fund and receiving fund, purpose, and amount of the transfer during the budget process and also require additional resolutions any time transfers exceed the original or amended budget amounts.

Within the attached resolution, staff have outlined the original adopted budget transfers, the changes related to the budget amendment approved in May, the actual transfers posted for the 11-month period ending May 31, 2019, and the remaining amount. See the explanation column more detail. In many instances, the revenue from property tax levies are shown in one fund and then transferred out to the fund where the expenditures are accounted for. Other times, the Council has designated Local Option Sales Tax (LOST) to fund specific items. More transfers will be posted in June when we finalize the fiscal year.

Budget Impact: N/A. Total transfers in always equal total transfers out.

Attachment: Resolution Transferring Funds for Fiscal Year 2018-2019 Through May 31, 2019

cc: Jessica Kinser, City Administrator

#2019-

**RESOLUTION DECLARING CERTAIN PROPERTY SURPLUS PROPERTY AND
AUTHORIZING SALE AND DISPOSAL THEREOF, 1978 CASE BACKHOE AND
A HYDRAULIC PAVING BREAKER.**

WHEREAS the City of Marshalltown (hereinafter referred to as the “City”), State of Iowa, is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the “State”); and

WHEREAS the City is the sole owner of the equipment listed in Section 1 which is to be declared surplus property; and

WHEREAS this surplus property should be disposed of or sold; and

WHEREAS the disposal of excess property is in the best interests of the City of Marshalltown.

THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, AS FOLLOWS:

Section 1. The property listed below is hereby declared as surplus property:

- A. 1978 Case Backhoe
- B. Hydraulic Paving Breaker

Section 2. The surplus property the subject of this resolution shall be sold or disposed of.

Passed this 8th day of July, 2019, and signed this _____ day of July, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor
ATTEST:

Shari L. Coughenour, CMC, City Clerk

RESOLUTION APPROVING QUOTE AND AWARD TO HAY CONSTRUCTION
SERVICES, INC. FOR THE INSTALLANTION OF THE CITY HALL WEST ANNEX WALL
IN THE CITY OF MARSHALLTOWN, IOWA,
IN THE AMOUNT OF \$71,845.00

WHEREAS, Hay Construction Services, Inc. submitted a quote which is now before this Council for final approval.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
MARSHALLTOWN, IOWA:

That the quote of Hay Construction Services, Inc., of Marshalltown IA, for the construction of the City Hall West Annex Wall, IN THE CITY OF MARSHALLTOWN, IOWA, IN THE AMOUNT OF Seventy- One Thousand Eight Hundred and Forty-five Dollars and no/100 Dollars (\$71,845.00) is hereby accepted and approved and shall be used to pay for said repairs.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be authorized and directed to accept the quote for and on behalf of the City of Marshalltown, Iowa.

Passed this 22nd day of July 2019, and signed this _____ day of July 2019.

CITY OF MARSHALLTOWN

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



General Contractors

16 South 18th Ave., Marshalltown, Iowa 50158

Phone: (641) 752-3551 Fax: (641) 752-3657

June 21, 2019

City of Marshalltown
24 North Center Street
Marshalltown, Iowa 50158
(641)691-8546

Attn: Mr. Dave Daters, Facilities Coordinator

Re: City Hall-West Annex Wall

Dear Mr. Daters,

As per your request, we have estimated the costs for installing a new brick veneer wall at your City Hall West Annex Building. The following is a scope of work that we have included in our cost estimate. Please refer to the attached drawing for reference.

OK TO PROCEED
David Daters
Fac. Supt.
CITY OF MARSHALLTOWN
P.O. 190709-5

Demolition:

- Remove concrete slab at former door on the south end of the wall.
- Cut off and remove concrete beam as needed to facilitate the installation of the new masonry.
- Remove 8'x12' concrete equipment pad.
- Partially remove corridor lean-to to facilitate the installation of the new masonry veneer wall.
- All debris will be loaded and hauled off site.

Sitework:

- Excavate for new footings at west wall.
- Backfill with excavated material.
- Rough grade site where it is disturbed.

Concrete:

- Install a new reinforced concrete footing at the west end of the building.
- Install new reinforced concrete wall at the west end of the building for masonry veneer bearing.

Masonry:

- A new 4" brick veneer will be installed at the west wall of the building.
- The veneer will be anchored to the existing building wall.

Woods:

- New 2x12 wood blocking will be at the top of the west parapet wall covering the new and existing walls.
- All wall framing material will be CCA treated.

Thermal & Moisture Protection:

- A new 24 ga. sheet metal parapet coping will be installed, color selected by owner.
- 3" Rigid insulation will be installed in the masonry cavity wall.

This work will be done for **Seventy-One Thousand Eight Hundred and Forty-Five Dollars (\$71,845.00)**.

The aforementioned work includes all supervision, general liability insurance, labor, materials, clean up, and equipment. We specifically exclude building permits, winter conditions, painting, roofing, mechanical work, security/alarm work, and electrical work. This quote is subject to review if not accepted within thirty (30) days.

If you have any questions or wish to change the scope please let us know. Thank you for the opportunity to present you with this proposal.

Sincerely,

Hay Construction Services



John A. Mahlstedt
Vice President

RESOLUTION APPROVING AMENDED ENGINEERING SERVICES AGREEMENT FOR
THE 2014 SANITARY SEWER REHABILITATION PROJECT # 59014007 FOR FOX
ENGINEERING ASSOCIATES, INC
AN INCREASE OF \$14,303.00

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with Fox Engineering Associates, Inc. dated May 7, 2019 for the engineering services for the 2014 Sanitary Sewer Rehabilitation Project #59014007

WHEREAS an increase is requested for items to complete the project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section1. That the new contract for the 2014 Sanitary Sewer Rehabilitation Project, in the increased amount of \$14,303.00 is hereby accepted and approved.

Passed this 24th day of June 2019, and signed this ____ day of _____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



AGREEMENT FOR ENGINEERING SERVICES

Aspen Business Park | 414 South 17th Street, Suite 107 | Ames, Iowa 50010

May 7, 2019

Justin Nickel, P.E.
Public Works Director
City Hall
24 N. Center Street
Marshalltown, Iowa 50158

RE: Amendment for Engineering Services
2014 Sanitary Sewer Rehabilitation - Scope of Services
Construction Phase - Scope of Services
Marshalltown PN 59014007
FOX Ref. No. 2407-14C

Dear Mr. Nickel:

We are pleased to submit this amendment to our scope of services to the current contract dated February 9, 2015, for your consideration regarding your need for engineering services related to the **2014 Sanitary Sewer Rehabilitation Project**, hereafter referred to as the Project.

Scope of Services

Items included in this task series are those that FOX has identified as likely required for completion of the project. Our Basic Services will consist of the following work items:

Task Series 601 - Construction Administration Additional Services

Complete sanitary sewer project administration as follows:

- Progress Meetings and meetings with the Contractor and City Staff
- Project Management during Construction Phase

Task Series 701 - Construction Observation Additional Services

FOX Engineering will complete construction observation services including:

- Part-time observation during construction activities
- Coordination with Contractor
- Review of pre and post videos
- Attendance at Progress Meetings
- Development of Punch list Items for out of specification work.

Fees and Schedule

The fees for the Project shall be as follows:

- Construction Administration Additional Services - \$1,181 - Fixed Fee
- Construction Observation Additional Services - \$13,122 - Fixed Fee

The following additional services have been completed:

- Construction Administration Additional Services
- Construction Observation Additional Services

This Amendment and the referenced City of Marshalltown Public Works Department Standard Agreement for Engineering consisting of eight (8) pages, with exhibits and appendix, represents the entire understanding between the City of Marshalltown and FOX Engineering Associates, Inc. in respect to the Project, and may only be modified in writing signed by both parties. If this Agreement satisfactorily sets forth your understanding of the Project, our services, and your responsibilities, please execute in the space provided in the attached Amendment.

Respectfully Submitted,
FOX Engineering Associates, Inc.



Project Manager
Steven P. Soupir, P.E.

FOX Engineering Associates, Inc.



Principal
Jean Sheets

(This Proposal is open for acceptance for 30 days from the date of issuance, unless extended in writing by us.)

References: City of Marshalltown Public Works Department Standard Agreement for Engineering - 8 pages
with Exhibits and Appendix

Exhibit K - Amendment No. 2

This is **EXHIBIT K**, consisting of 2 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated February 9, 2015.

AMENDMENT NO. 1 TO OWNER-ENGINEER AGREEMENT

1. Background Data:

- a. Effective Date of Owner-Engineer Agreement: February 9, 2015
- b. Owner: City of Marshalltown, Iowa
- c. Engineer: FOX Engineering Associates, Inc.
- d. Project: 2014 Sanitary Sewer Rehabilitation Project - Number 59014007

2. Nature of Amendment *[Check those that are applicable and delete those that are inapplicable.]*

- X Additional Services to be performed by Engineer
- X Modifications to Services of Engineer
- Modifications to Responsibilities of Owner
- X Modifications to Payment to Engineer
- X Modifications to Time(s) for rendering Services
- Modifications to other terms and conditions of the Agreement

3. Description of Modifications

Attachment 1, "Modifications"
Scope of Services - 2014 Sanitary Sewer Rehabilitation Project

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is May 25, 2015.

OWNER:

City of Marshalltown, Iowa

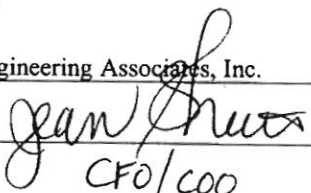
By: _____

Title: _____

Date Signed: _____

ENGINEER:

FOX Engineering Associates, Inc.

By: 

Title: CFO/COO

Date Signed: 5/7/2019

This is **Attachment K**, consisting of 2 pages, to
Amendment No.2, dated May 7, 2019.

Modifications

1. The Scope of Services currently authorized to be performed by Engineer in accordance with the Agreement and previous amendments, if any, is modified as outlined in detail in the 2014 Sanitary Sewer Rehabilitation Scope of Services dated February 9, 2015, attached to this exhibit. The amended contract includes construction services as included in the Scope of Services attached to this exhibit. This Exhibit O amendment includes the following:
 - a. Construction Administration Additional Services
 - b. Construction Observation Additional Services
2. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation:
 - a. Construction Administration Additional Services - \$1,181 - Fixed Fee
 - b. Construction Observation Additional Services - \$13,122 - Fixed Fee
3. The schedule for the additional services provided for this project is as follows:
 - a. Construction Administration Additional Services - Completed
 - b. Construction Observation Additional Services - Completed
 - c. Record Drawings - September, 2019

**RESOLUTION AUTHORIZING THE PURCHASE OF A FALCON ASPHALT
RECYCLER & HOT BOX TRAILER FOR THE STREET DEPARTMENT, FROM FOR
THE PRICE OF \$32,375.00**

WHEREAS Falcon Asphalt Repair Equipment submitted a price of \$32,375.00, and

WHEREAS acceptance of this amount is in the best interest of the City of Marshalltown.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALLTOWN,
IOWA:

Section 1. That the City of Marshalltown accepts the amount from Falcon Asphalt Repair Equipment for said asphalt recycler in the amount of \$32,375.00

Section 2. The Council of the City of Marshalltown is hereby authorized to enter into agreements on behalf of the City of Marshalltown to purchase said vehicle at the above referenced price and conditions.

Passed this 22nd day of July, 2019, and signed this 22nd day of July, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

\$ 32375.00



Joel T.S. Greer, Mayor
Jessica Kinser, Administrator
Justin Nickel, Public Works Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5734
Fax - (641) 754-5793

DEPARTMENT OF PUBLIC WORKS

July 17, 2019

To: Mayor Joel T.S. Greer
Members of the City Council

From: Rick Legg
Street Division, Public Works

Re: Purchase of an 4-Ton Falcon Asphalt Recycler & Hot Box Trailer for \$32,375.00 from Logan Contractor Supply in Urbandale, Iowa.

Policy Issue: City policy requires Governing Body approval of equipment purchases when consideration exceeds \$5,000.

Recommendation: Staff recommends approving the purchase of the 4-Ton Falcon Asphalt Recycler & Hot Box Trailer. Logan equipment is the supplier approved by the Minnesota DOT using state bid for this type of equipment. This equipment is used to keep pothole patching material warm and pliable for placement.

Background: The FY 2022 CIP includes the purchase of an asphalt hot box for the Street division of Public Works. The current hot box trailer required repairs estimated to cost \$5,000-\$10,000. Staff recommends accelerating the purchase of this equipment to avoid costly repair expenses.

Budget Impact: The Capital Improvement Plan has \$40,000 approved for the purchase. The recent purchase of a wheel loader cost \$84,000 less than estimated, so funds are available.

Attachment: Pricing Information

City Council
Leon Lamer, Mike Gowdy, Sue Cahill, Al Hoop
Gabe Isom, Bill Martin, Bethany Wirin



RESOLUTION APPROVING QUOTE AND AWARD TO CIRO DIORIO MASONRY &
LANDSCAPING FOR THE REPAIR OF THE SALT STORAGE BUILDING PROJECT
TOR18018 IN THE CITY OF MARSHALLTOWN, IOWA,
IN THE AMOUNT OF \$99,090.00

WHEREAS, Ciro DiIorio submitted quote which is now before this Council for final approval.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

That the quote of Ciro DiIorio of Marshalltown, IA, for the repair of the Salt Bin Project, IN THE CITY OF MARSHALLTOWN, IOWA, IN THE AMOUNT OF Ninety-Nine Thousand Ninety and 00/100 Dollars (\$99,090.00) is hereby accepted and approved and shall be used to pay for said construction.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be authorized and directed to accept the quote for and on behalf of the City of Marshalltown, Iowa.

Passed this 22nd day of July 2019, and signed this _____ day of July 2019.

CITY OF MARSHALLTOWN

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

Ciro DiIorio Masonry & Landscaping,
 LLC
 901 N. 3rd Ave
 Marshalltown, IA
 50158

Estimate

Date	Estimate #
11/15/2018	637

Name / Address
City of Marshalltown Marshalltown, IA 50158

			Project
Description	Qty	Rate	Total
Salt Storage Building at Marshalltown Public Works in Marshalltown, IA		23,830.00	23,830.00
Excavating: Saw cut concrete to allow for new footings under buttress walls. Excavate area to 42" in depth. Dispose of all unwanted material. Back fill and compact for new slab. Apply 8" of road rock throughout.			
Concrete Work: Install footing forms. Install epoxy coated steel according to plan. Pour footings using 4000 psi concrete. Form buttress and gable end walls. Pour buttress wall according to plan. Install reinforced epoxy coated steel throughout wall. Install necessary anchor bolts.		75,260.00	75,260.00
Payment Agreement: 10% Upon Scheduling 40% Upon Starting 25% Midway 25% Upon Completion			
		Total	\$99,090.00



Joel T.S. Greer, Mayor
Jessica Kinser, Administrator
Justin Nickel, Public Works Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5734
Fax - (641) 754-5793

DEPARTMENT OF PUBLIC WORKS

July 17, 2019

To: Mayor Joel T.S. Greer
Members of the City Council

From: Justin Nickel
Director of Public Works

Re: Salt Storage Facility Repairs and Improvements – Improve concrete structure wall and replace roof structure damaged by tornado. Ciro Dilorio quote of \$99,090 for concrete wall construction and ClearSpan quote of \$92,950.00 for fabric roof structure.

Policy Issue: City policy requires Governing Body approval of purchases

Recommendation: Staff recommends approving the agreement with Ciro Dilorio Masonry for reconstruction of concrete wall on south end of salt storage facility. Staff recommends approving the agreement with Clear Span to replace the roof of the storage facility that was damaged by the tornado.

Background: The roof of the storage facility was damaged during the tornado. The old roof was a metal structure, which promoted corrosion in a wet, salt storage environment. In order to secure the new roof structure, staff recommends replacing a stacked, concrete block wall with a poured in place, reinforced concrete buttress wall.

Budget Impact: The wall improvements will be funded with Road Use Tax monies. The roof repairs will be funded with an insurance payout of \$97,748.64.

Attachment: Agreements

cc: Jessica Kinser, City Administrator

City Council
Leon Lamer, Mike Gowdy, Joel Greer, Al Hoop
Bill Martin, Dan Kester, Bethany Wirin



RESOLUTION APPROVING QUOTE AND AWARD TO CLEAR SPAN FABRIC
STRUCTURES INTERNATIONAL FOR THE SALT STORAGE BUILDING REPAIR
PROJECT TOR18018
IN THE CITY OF MARSHALLTOWN, IOWA,
IN THE AMOUNT OF \$92,950.00

WHEREAS, Clear Span submitted a quote which is now before this Council for final approval.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

That the quote of Clear Span, of South Windsor, CT, for the repair of the Salt Storage Building, IN THE CITY OF MARSHALLTOWN, IOWA, IN THE AMOUNT OF Ninety-Two Thousand Nine Hundred and Fifty Dollars (\$92,950.00) is hereby accepted and approved and shall be used to pay for said repairs.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be authorized and directed to accept the quote for and on behalf of the City of Marshalltown, Iowa.

Passed this 22nd day of July 2019, and signed this ____ day of July 2019.

CITY OF MARSHALLTOWN

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



Corporate Offices

1395 John Fitch Blvd., South Windsor, CT 06074

Phone: 1.866.643.1010 • International Phone: 860.760.0046
Fax: 1.860.760.0210 • Website: www.clearspan.com

Customer ID: 8851300

Quote Number: 920537

QUOTE

Sourcewell Contract #: 030117-CSS

Page: 1 of 2

Quote To:DAVE DATERS
CITY OF MARSHALLTOWN
24 N CENTER ST
MARSHALLTOWN IA 50158-4911
UNITED STATES

Phone: 6416918546

DDATERS@MARSHALLTOWN-IA.GOV

Sales Person: BRAD WILLIAMS

Fax: 860-760-0210

BWILLIAMS@CLEARSPAN.COM

Ship To:CITY OF MARSHALLTOWN
24 N CENTER ST

MARSHALLTOWN, IA 50158-4911

Date: 7/15/2019

Expires: 7/31/2019

Quote Total 92,950.00

MARSHALLTOWN ENGINEER TO ASSESS AND SIGN OFF ON EXISTING WALL CONDITION AND CALL
OUT ANCHOR BOLT EMBEDMENT.

BASED ON NJPA CONTRACT

City of Marshalltown 24 N Center St. Marshalltown, IA 50158-4911

MEMBER ID# 2316

USD

Line	Part	Description	Expected Qty	Unit Price	Ext. Price
1	100106	60W RK BY 98L TRUSS BLDG 14'OC 25/90 CAT1	1.00	35,363.00	35,363.00
2	100106	60W END WALL PACKAGE	2.00	6,110.00	12,220.00
3	116042FK	48"W X 48"H WALL LOUVER FABRIC KIT	6.00	288.00	1,728.00
5	700001	STAMPED ENGINEERED DRAWING BUILDING	1.00	2,000.00	2,000.00
6	100007	SALE OF FREIGHT	1.00	921.00	921.00
7	700000	STANDARD WAGE BUILDING INSTALLATION	1.00	23,687.00	23,687.00
8	100106	HOT DIP GALVANIZED POST FABRICATION FULL FRAME	1.00	9,850.00	9,850.00

Proposal reflects NJPA Pricing. Only available through the purchasing CoOp. PO must state Sourcewell contract # to qualify.



Corporate Offices

1395 John Fitch Blvd., South Windsor, CT 06074

Phone: 1.866.643.1010 • International Phone: 860.760.0046
Fax: 1.860.760.0210 • Website: www.clearspan.com

Customer ID: 8851300

Sourcewell Contract #: 030117-CSS

Quote Number: 920537

QUOTE

Page: 2 of 2

9	GGDK2230W33F	22"W X 30"H FABRIC-GATHERING DOOR	1.00	5,339.00	5,339.00
10	100106	POWER WINCH FOR GATHER DOOR KIT	1.00	1,120.00	1,120.00
11	115670FK	36"X80" LH OUTSWING WALK-IN DOOR KIT (FABRIC BLDG)	1.00	722.00	722.00

Kit Components

Kit Seq.	Part Number	Description	Qty Per	
11.001	115670	36"X80" COMMERCIAL	1.00	EA
11.002	115745	36" SINGLE DOOR	1.00	EA

*Please Note:**Additional Sales Tax will apply for materials and installation if the project is not tax exempt.*

Lines Total	92,950.00
Line Miscellaneous Charges	0.00
Quote Miscellaneous Charges	0.00
Quote Total	92,950.00

RESOLUTION APPROVING ENGINEER'S STATEMENT OF COMPLETION AND
ACCEPTING THE IOWA RIVER TRAIL PHASE 3, BEING PROJECT NO. TRL17001,
WITH A FINAL PROJECT COST
IN THE AMOUNT OF \$224,671.20

WHEREAS, the City of Marshalltown, Iowa has heretofore entered into a contract for labor and material for the Iowa River Trail Phase 3 Project, and

WHEREAS, said project has been completed by Concrete Professionals, pursuant to the plans and specifications all as is set forth in the Engineer's Statement of Completion covering said project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA;

Section 1. That the labor and material for the Iowa River Trail Phase 3 Project, being project No. TRL17001, is hereby accepted pursuant to the Engineer's Statement of Completion and the City Clerk is hereby authorized and directed to do all things necessary to complete the contract with Concrete Professionals, including the payment of the items called for in said contract and Statement of Completion.

Passed this 22nd day of July, 2019 and signed this _____day of July, 2019

CITY OF MARSHALLTOWN

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, City Clerk

Engineer's Statement of Completion

Project: IOWA RIVER TRAIL PHASE 3 PROJECT

Shared Use Path in Marshall County

Project Let By: City of Marshalltown, Iowa

Iowa DOT PN: RT – 4797 (624) - - 9H – 64

City PN: TRL17001

CGA PN: 1670

Contractor: Berkey Homebuilders Inc dba Concrete Professionals

TO: City of Marshalltown:

I hereby state that the construction of the Iowa River Trail Phase 3 Project, with a contract dated June 25th, 2018 has been substantially completed in general compliance with the terms, conditions, and stipulations of said Contract. The final walk through was held on October 23rd, 2018 and several items were identified as needing additional work. Seeding was also to be completed within an upcoming allowable seeding window. Seeding and all additional work has been completed as of June 4th, 2019.

I further state that the total amount due to the Contractor for the fulfillment of said Contract is Two Hundred Twenty-Four Thousand, Six Hundred Seventy-One Dollars and Twenty Cents (\$224,671.20). The derivation of this amount is tabulated on Construction Pay Estimate No. 4 (RELEASE OF RETAINAGE).

I recommend approval of Change Order No. 1 (Final Quantity Adjustments) and payment of Pay Estimate No. 4, Release of Retainage at the July 22nd, 2019 council meeting, provided no claims of non-payment have been submitted by any subcontractors to the City.

CLAPSADDLE-GARBER ASSOCIATES, INC.



Heather Ann Thomas, P.E.

Iowa License No. 23208

Date: July 9, 2019

Distribution: 1670 File
City of Marshalltown

CGA PN 1670.06

RESOLUTION APPROVING CONTRACT CHANGE ORDER #1 FOR THE IOWA RIVER
TRAIL PHASE 3 PROJECT # TRL17001
A DECREASE OF \$20,666.65

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with Concrete Professionals, for the labor and material for the 2017 Iowa River Trail Phase 3 Project #TRL17001; and

WHEREAS a decrease is requested for items to complete the project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section1. That the contract Change Order #1 for the 2017 Iowa River Trail 3 Creek Project, in the decreased amount of \$20,666.65 is hereby accepted and approved.

Passed this 22nd day of July 2019, and signed this _____ day of _____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

Project: Iowa River Trail Phase 3 Project RT-4797(624)--9H-64	CGA PN: 1670.06	Change Order # 1
Owner: City of Marshalltown, Iowa	Contract Date: October 19, 2018	
Contractor: Concrete Professionals	Contract Amount: \$245,337.85	

List below or on a separate sheet each change proposed in this order describing briefly and giving reasons for the changes. Attach copy of supplemental agreement covering any contract amendment.

PROPOSED CHANGES				Amount Increase or Decrease
This Change Order adjusts plan quantities to final field measured quantities.				
- Item No. 7.01 – Shared Use Path, PCC, Class C, 6” Decrease 76.60 SY @ \$38.81/SY - Item No. 7.02 – Shared Use Path, PCC, Class C, Reinforced, 10” Increase 2.9 SY @ \$142.23/SY - Item No. 9.01 – Silt Fence, Installation Decrease 476 LF @ \$2.83/LF - Item No. 9.02 – Silt Fence, Removal of Sediment Decrease 780 LF @ \$0.28/LF - Item No. 9.03 – Silt Fence, Removal of Device Decrease 747 LF @ \$0.57/LF - Item No. 9.05 – Temporary Seeding and Mulching Decrease 0.3 AC @ \$5,650.00/AC - Item No. 9.06 – Stabilized Construction Entrance Decrease 2 EA @ \$1,420.00/EA - Item No. 11.02 – Creation and Restoration of Secondary Access Point Decrease 1 LS @ \$11,580.00/LS				
Net Change This Order (+ or -)				-\$20,666.65
Net Changes Previous Orders:				-
Total Net Changes to Date:				-\$20,666.65
Total Contract Time (Days)	Days Increased	Days Decreased	Total	
If and when approved, I hereby accept this order both as to work to be performed and prices on which payment shall be based.				
Contractor: CONCRETE PROFESSIONALS			Date: 6/7/2019	
By: <i>MM</i> <i>CM - KIRBY CARAVED</i>		Title: ESTIMATOR		
Recommended	By: <i>Heather M Thomas</i>		Title: Project Engineer	Date: 6/10/19
Approved	By:		Title:	Date:

**RESOLUTION APPROVING THE CREATION OF A FULL-TIME TRANSIT
OPERATIONS ASSISTANT II IN FISCAL YEAR 2019**

WHEREAS, the Public Works Department includes the Transit Division which is authorized to employ 6 full-time and 2 part-time transit drivers; and

WHEREAS, there is difficulty in hiring part-time transit drivers due to the hours required, resulting in only 0 of 2 positions filled; and

WHEREAS, lack of Operation Assistant has resulted in other Transit staff having to perform office duties, decreasing the operational efficiency of the division; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
MARSHALLTOWN, IOWA**, a full-time Transit Operations Assistant II are hereby authorized as a new position in the current fiscal year, ending June 30, 2020, and to be budgeted for in the fiscal year ending June 30, 2021.

Passed this 22nd day of July, 2019, and signed this ____ day of July, 2019.

CITY OF MARSHALLTOWN

Joel Greer, Mayor

Attest:

Shari L. Coughenour, City Clerk



**REQUEST FOR SEALED BIDS
FOR THE SALE OF
108 NORTH 7TH AVENUE**

The City of Marshalltown is accepting sealed bids for the sale of the property located at 108 North 7th Avenue, which is legally described as follows:

The South 44 feet of Lots 1 and 2 in Block 3 in Westlakes Addition to Marshall, Marshall County, Iowa

The City of Marshalltown is intending to convey this as a Quit Claim Deed without an abstract of title. The property was acquired by the City on a tax sale deed 2017 following a demolition of the residential structure on the property in 2016. No special assessments have been placed on the property by the City of Marshalltown.

Those interested in acquiring the property need to submit a written offer which includes the proposed purchase price of the property and the name, address, and phone number of the person submitting the offer. This should be in a sealed envelope which is identified as a sealed bid for 108 North 7th Avenue on the outside of the envelope. All bids must be submitted to the following:

City of Marshalltown
Attn: City Clerk
24 N. Center St.
Marshalltown, IA 50158

All bids must be received by **10:00 AM on Thursday, July 18**, at the address above. Bids not received by that time will not be considered. In addition to the proposed purchase price, the buyer will also be responsible for costs associated with the sale of a property including the recording of a deed.

Following the receipt of bids, the successful bidder will be contacted by the City Clerk's Office. The City Council must hold a public hearing before a property can be sold, and we anticipate the public hearing to occur on Monday, August 12, at 5:30pm in City Council Chambers.

Please contact Jessica Kinser, City Administrator, at 641-754-5799 or jkinser@marshalltown-ia.gov with any questions. All questions must be received prior to July 18, 2019.

NOTICE OF PUBLIC HEARING

PUBLIC NOTICE is hereby given that there is now on file in the Office of the Clerk of the CITY OF MARSHALLTOWN, IOWA, a Tentative Resolution wherein it is proposed to convey and transfer by Quit Claim Deed the following described properties in Marshalltown, Marshall County, Iowa, locally known as 108 North 7th Avenue and legally described as:

The South 44 feet of Lots 1 and 2 in Block 3 in Westlakes Addition to Marshall, Marshall County, Iowa;

from the City of Marshalltown to [NAME]. The consideration for such conveyance shall be the sum of \$ 1.00 (one and 00/100) Dollar, plus other good and valuable consideration, and costs of transfer and publication.

The final action on the Tentative Resolution now on file will be taken at a meeting of the City Council to be held in the City Council Chambers, City Hall, 10 W State Street, on August 12, 2019, at 5:30 PM, Central Standard Time, at which time and place hearing will be had on any bids or comments made in writing or orally at said hearing to the proposed conveyance and the Council will take final action on the resolution now on file.

This notice is given as required by Section 364.7 of the Code of Iowa.

Shari L. Coughenour, City Clerk of Marshalltown Iowa.

TENTATIVE RESOLUTION PROVIDING FOR THE
CONVEYANCE AND TRANSFER OF TITLE
TO THE PROPERTY HEREIN DESCRIBED, 108 N 7th AVENUE,
FROM THE CITY OF MARSHALLTOWN, IOWA
TO DAN OSWALD

WHEREAS the Council of the City of Marshalltown, Iowa finds it is in the best interest of the City and proposes to transfer property set out and described in Section 1 hereof to the adjacent property owners, DAN OSWALD; and

WHEREAS the consideration for the transfer of the real estate to DAN OSWALD, as set forth in Section 1, is the full sum of \$ 502.00 (Five hundred two and 00/100) Dollars including costs of transfer and publication, said sum payable to the City of Marshalltown; and

WHEREAS the property being transferred by the City of Marshalltown, Iowa to DAN OSWALD is real estate which is not being used to the full advantage of the City, and is not required for any other public purpose, and no rights of private persons will be adversely affected; and

WHEREAS the City of Marshalltown hereby proposes the transfer of said property, subject to easements being retained and rights of way of utilities, and access to and maintenance of said utilities. Said easements, rights of way and access will be retained until such time as the utility no longer utilizes or needs facilities in this location.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. The City of Marshalltown, Iowa, by this Tentative Resolution, proposes to transfer and convey title by Quit Claim Deed to the following described property DAN OSWALD and said property is described as follows, to-wit:

108 North 7th Avenue, legally described as follows:

The South 44 feet of Lots 1 and 2 in Block 3 in Westlakes Addition to Marshall, Marshall County, Iowa.

Section 2. That the consideration for the above-referred to real estate being transferred in Section 1 to DAN OSWALD, shall be the sum of \$ 502.00 (Five Hundred two and 00/100) Dollars, including costs of transfer and publication, payable to the City of Marshalltown, Iowa.

Section 3. The City of Marshalltown hereby proposes the transfer of said property, subject to easements being retained and rights of way of utilities, and access to and maintenance of said utilities. Said easements, rights of way and access will be retained until such time as the utility no longer utilizes or needs facilities in this location.

Section 4. The City Clerk shall cause to be published the notice required by law, by publication once in the Marshalltown Times-Republican, a newspaper having general circulation

in the City of Marshalltown, Iowa, the publication to be not less than four (4) days nor more than twenty (20) days prior to the date hereinafter fixed in the City Hall, 10 W State Street, Marshalltown, Iowa, on August 12, 2019, to consider any and all comments filed with the City Clerk or made in open council to the proposal for conveyance as herein contained and to take final action thereon.

Passed this 22nd day of July, 2019, and signed this ___ day of July, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer

ATTEST:

Shari L. Coughenour, CMC, City Clerk



Dan Oswald

PO Box 788

106 W Maple Ave.

Conrad, IA 50621

563-568-1010

Sealed Bid for 108

N 7th Ave. Marshalltown, IA

50158 in amount of

~~\$502~~ \$502

* Sealed bid for
108 N 7th Avenue
Marshalltown IA

City of Marshalltown
Attn: City Clerk
24 N. Cedar St.
Marshalltown, IA 50158

City of

JUL 17 2019

Marshalltown

8:57am

Slaughter

Dan Oswald
PO Box 788
Conrad, IA 50621

**OFFER TO BUY REAL ESTATE AND ACCEPTANCE
(NONRESIDENTIAL)**

TO: CITY OF MARSHALLTOWN, IOWA (SELLERS)

The undersigned BUYERS hereby offer to buy and the undersigned SELLERS by their acceptance agree to sell the real property situated in Marshall County, Iowa, legally described as:

Lot 4, except Parcel A, of Progress Second Addition to Marshall, Marshall County, Iowa,

together with any easements and appurtenant servient estates, but subject to any reasonable easements of record for public utilities or roads, any zoning restrictions customary restrictive covenants and mineral reservations of record, if any, herein referred to as the "Property."

1. PURCHASE PRICE. The Purchase Price shall be One Dollar (\$1.00) and shall be paid in full at Closing.

2. REAL ESTATE TAXES. SELLERS shall pay any unpaid real estate taxes payable in prior years. BUYERS shall pay all subsequent real estate taxes. Any proration of real estate taxes on the Real Estate shall be based upon such taxes for the year currently payable unless the parties state otherwise.

3. SPECIAL ASSESSMENTS.

A. SELLERS shall pay in full at time of closing all special assessments which are a lien on the Property as of the date of acceptance, _____, 2019.

B. All charges for solid waste removal, sewage and maintenance that are attributable to SELLERS' possession, including those for which assessments arise after closing, shall be paid by SELLERS.

C. Any preliminary or deficiency assessment which cannot be discharged by payment shall be paid by SELLERS through an escrow account with sufficient funds to pay such liens when payable, with any unused funds returned to SELLERS.

D. BUYERS shall pay all other special assessments or installments not payable by SELLERS.

4. RISK OF LOSS AND INSURANCE. SELLERS shall bear the risk of loss or damage to the Property prior to closing or possession, whichever first occurs. SELLERS agree to maintain existing insurance and BUYERS may purchase additional insurance. In the event of substantial damage or destruction prior to closing, this Agreement shall be null and void; provided, however, BUYERS shall have the option to complete the closing and receive insurance

proceeds regardless of the extent of damages. The property shall be deemed substantially damaged or destroyed if it cannot be restored to its present condition on or before the closing date.

5. POSSESSION AND CLOSING. If BUYERS timely perform all obligations, possession of the Property shall be delivered to Buyers on _____, 2019, and any adjustments of rent, insurance, interest and all charges attributable to the SELLERS' possession shall be made as of the date of possession. Closing shall occur after the approval of title by BUYERS and vacation of the Property by SELLERS, but prior to possession by BUYERS. SELLERS agree to permit BUYERS to inspect the Property within ____ hours prior to closing to assure that the premises are in the condition required by this Agreement. If possession is given on a day other than closing, the parties shall make a separate agreement with adjustments as of the date of possession. This transaction shall be considered closed:

A. Upon the delivery of the title transfer documents to BUYERS and receipt of all funds then due at closing from BUYERS under the Agreement.

6. CONDITION OF PROPERTY. BUYERS have examined the Property and are familiar with its condition and are purchasing the same in its "As Is" condition.

7. ABSTRACT AND TITLE. SELLERS, shall promptly obtain an abstract of title to the Property continued through the date of acceptance of this Agreement, _____, 2019, and deliver it to BUYERS' attorney for examination. It shall show marketable title in SELLERS in conformity with this Agreement, Iowa law, and title standards of the Iowa State Bar Association. The SELLERS shall make every reasonable effort to promptly perfect title. If closing is delayed due to SELLERS' inability to provide marketable title, this Agreement shall continue in force and effect until either party rescinds the Agreement after giving ten days written notice to the other party. The abstract shall become the property of BUYERS when the Purchase Price is paid in full. SELLERS shall pay the costs of any additional abstracting and title work due to any act or omission of SELLERS, including transfers by or the death of SELLERS or their assignees. Unless stricken, the abstract shall be obtained from an abstracter qualified by the Guaranty Division of the Iowa Housing Finance Authority.

8. ENVIRONMENTAL MATTERS.

A. SELLERS warrant to the best of their knowledge and belief that there are no abandoned wells, solid waste disposal sites, hazardous wastes or substances, or underground storage tanks located on the Property, the Property does not contain levels of radon gas, asbestos, or urea-formaldehyde foam insulation which require remediation under current governmental standards, and SELLERS have done nothing to contaminate the Property with hazardous wastes or substances. SELLERS warrant that the property is not subject to any local, state, or federal judicial or administrative action, investigation or order, as the case may be, regarding wells, solid waste disposal sites, hazardous wastes or substances, or underground storage tanks. SELLERS shall also provide BUYERS with a properly executed GROUNDWATER HAZARD STATEMENT showing no wells, private burial sites, solid waste disposal sites, private sewage disposal system, hazardous waste and underground

storage tanks on the Property unless disclosed here: _____.

B. BUYERS may at their expense, within ____ days after the date of acceptance, obtain a report from a qualified engineer or other person qualified to analyze the existence or nature of any hazardous materials, substances, conditions or wastes located on the Property. In the event any hazardous materials, substances, conditions or wastes are discovered on the Property, BUYERS' obligation hereunder shall be contingent upon the removal of such materials, substances, conditions or wastes or other resolution of the matter reasonably satisfactory to BUYERS. However, in the event SELLERS are required to expend any sum in excess of \$_____ to remove any hazardous materials, substances, conditions or wastes, SELLERS shall have the option to cancel this transaction and refund to BUYERS all earnest money paid and declare this Agreement null and void. The expense of any inspection shall be paid by BUYERS. The expense of any action necessary to remove or otherwise make safe any hazardous material, substances, conditions or waste shall be paid by SELLERS, subject to SELLERS' right to cancel this transaction as provided above.

9. DEED. Upon payment of the Purchase Price, SELLERS shall convey the Property to BUYERS by corporate warranty deed, free and clear of all liens, restrictions, and encumbrances except as provided in this Agreement. General warranties of the title shall extend to the time of delivery of the deed excepting liens and encumbrances suffered or permitted by BUYERS.

10. JOINT TENANCY IN PROCEEDS AND IN REAL ESTATE. If SELLERS, immediately preceding acceptance of the offer, hold title to the Property in joint tenancy with full rights of survivorship, and the joint tenancy is not later destroyed by operation of law or by acts of the SELLERS, then the proceeds of this sale, and any continuing or recaptured rights of SELLERS in the Property, shall belong to SELLERS as joint tenants with full rights of survivorship and not as tenants in common; and BUYERS in the event of death of any SELLER, agree to pay any balance of the price due SELLERS under this contract to the surviving SELLERS and to accept a deed from the surviving SELLERS consistent with Paragraph 15.

11. USE OF PURCHASE PRICE. At time of settlement, funds of the Purchase Price may be used to pay taxes and other liens and to acquire outstanding interests, if any, of others.

12. REMEDIES OF THE PARTIES.

A. If BUYERS fail to timely perform this Agreement, SELLERS may forfeit it as provided in the Iowa Code (Chapter 656), and all payments made shall be forfeited; or, at SELLERS' option, upon thirty days written notice of intention to accelerate the payment of the entire balance because of BUYERS' default (during which thirty days the default is not corrected), SELLERS may declare the entire balance immediately due and payable. Thereafter this Agreement may be foreclosed in equity and the Court may appoint a receiver.

B. If SELLERS fail to timely perform this Agreement, BUYERS have the right to have all payments made returned to them.

C. BUYERS and SELLERS are also entitled to utilize any and all other remedies or actions at law or in equity available to them, and the prevailing parties shall be entitled to obtain judgment for costs and attorney fees.

13. NOTICE. Any notice under this Agreement shall be in writing and be deemed served when it is delivered by personal delivery or mailed by certified mail, addressed to the parties at the addresses given below.

14. GENERAL PROVISIONS. In the performance of each part of this Agreement, time shall be of the essence. Failure to promptly assert rights herein shall not, however, be a waiver of such rights or a waiver of any existing or subsequent default. This Agreement shall apply to and bind the successors in interest of the parties. This Agreement shall survive the closing. This Agreement contains the entire agreement of the parties and shall not be amended except by a written instrument duly signed by SELLERS and BUYERS. Paragraph headings are for convenience of reference and shall not limit or affect the meaning of this Agreement. Words and phrases herein shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender according to the context.

15. NO REAL ESTATE AGENT OR BROKER. Neither party has used the service of a real estate agent or broker in connection with this transaction.

16. CERTIFICATION. Buyers and Sellers each certify that they are not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Each party hereby agrees to defend, indemnify and hold harmless the other party from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to my breach of the foregoing certification.

17. INSPECTION OF PRIVATE SEWAGE DISPOSAL SYSTEM. Seller represents and warrants to Buyer that the Property is not served by a private sewage disposal system, and there are no known private sewage disposal systems on the property.

18. ADDITIONAL PROVISIONS.

ACCEPTANCE. When accepted, this Agreement shall become a binding contract. If not accepted and delivered to BUYERS on or before _____, 2019, this Agreement shall be null and void and all payments made shall be returned immediately to BUYERS. If accepted by SELLERS at a later date and acceptance is satisfied in writing, then this contract shall be valid and binding.

SELLER

City of Marshalltown, Iowa

By _____
Joel Greer, Mayor

By _____
Shari Coughenour, City Clerk

Address:
24 North Center Street
Marshalltown, IA 50158
Telephone: (641) 754-5712

BUYER

Marshalltown Water Works

By _____
Shelli Lovell, General Manager

Address:
205 E. State Street
Marshalltown, IA 50158
Telephone: (641) 753-7913

NOTICE OF PUBLIC HEARING

PUBLIC NOTICE is hereby given that there is now on file in the Office of the Clerk of the CITY OF MARSHALLTOWN, IOWA, a Tentative Resolution wherein it is proposed to convey and transfer by Quit Claim Deed the following described properties in Marshalltown, Marshall County, Iowa, locally known as 707 S 4th St and legally described as:

Lot 4, except Parcel A, of Progress Second Addition to Marshall, Marshall County, Iowa;

from the City of Marshalltown to Marshalltown Water Works. The consideration for such conveyance shall be the sum of \$ 1.00 (one and 00/100) Dollar, plus other good and valuable consideration, and costs of transfer and publication.

The final action on the Tentative Resolution now on file will be taken at a meeting of the City Council to be held in the City Council Chambers, City Hall, 10 W State Street, on August 12, 2019, at 5:30 PM, Central Standard Time, at which time and place hearing will be had on any bids or comments made in writing or orally at said hearing to the proposed conveyance and the Council will take final action on the resolution now on file.

This notice is given as required by Section 364.7 of the Code of Iowa.

Shari L. Coughenour, City Clerk of Marshalltown Iowa.

TENTATIVE RESOLUTION PROVIDING FOR THE
CONVEYANCE AND TRANSFER OF TITLE
TO THE PROPERTY HEREIN DESCRIBED, 707 S 4TH STREET,
FROM THE CITY OF MARSHALLTOWN, IOWA
TO MARSHALLTOWN WATER WORKS

WHEREAS the Council of the City of Marshalltown, Iowa finds it is in the best interest of the City and proposes to transfer property set out and described in Section 1 hereof to the adjacent property owners, Marshalltown Water Works; and

WHEREAS the consideration for the transfer of the real estate to Marshalltown Water Works, as set forth in Section 1, is the full sum of \$ 1.00 (one and 00/100) Dollars including costs of transfer and publication, said sum payable to the City of Marshalltown; and

WHEREAS the property being transferred by the City of Marshalltown, Iowa to Marshalltown Water Works is real estate which is not being used to the full advantage of the City, and is not required for any other public purpose, and no rights of private persons will be adversely affected; and

WHEREAS the City of Marshalltown hereby proposes the transfer of said property, subject to easements being retained and rights of way of utilities, and access to and maintenance of said utilities. Said easements, rights of way and access will be retained until such time as the utility no longer utilizes or needs facilities in this location.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. The City of Marshalltown, Iowa, by this Tentative Resolution, proposes to transfer and convey title by Quit Claim Deed to the following described property Marshalltown Water Works and said property is described as follows, to-wit:

707 S 4th St, legally described as follows:

Lot 4, except Parcel A, of Progress Second Addition to Marshall, Marshall County, Iowa.

Section 2. That the consideration for the above-referred to real estate being transferred in Section 1 to Marshalltown Water Works, shall be the sum of \$ 1.00 (one and 00/100) Dollars, including costs of transfer and publication, payable to the City of Marshalltown, Iowa.

Section 3. The City of Marshalltown hereby proposes the transfer of said property, subject to easements being retained and rights of way of utilities, and access to and maintenance of said utilities. Said easements, rights of way and access will be retained until such time as the utility no longer utilizes or needs facilities in this location.

Section 4. The City Clerk shall cause to be published the notice required by law, by publication once in the Marshalltown Times-Republican, a newspaper having general circulation in the City of Marshalltown, Iowa, the publication to be not less than four (4) days nor more than

twenty (20) days prior to the date hereinafter fixed in the City Hall, 10 W State Street, Marshalltown, Iowa, on August 12, 2019, to consider any and all comments filed with the City Clerk or made in open council to the proposal for conveyance as herein contained and to take final action thereon.

Passed this 22nd day of July, 2019, and signed this ___ day of July, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer

ATTEST:

Shari L. Coughenour, CMC, City Clerk

RESOLUTION ADOPTING TENTATIVE RESOLUTION
PROVIDING FOR THE CONVEYANCE AND TRANSFER OF TITLE
BY THE CITY OF MARSHALLTOWN, IOWA
TO MARSHALLTOWN WATER WORKS
TO THE PROPERTY DESCRIBED HEREIN AND
AUTHORIZING EXECUTION AND DELIVERY OF QUIT CLAIM DEED

WHEREAS the Council of the City of Marshalltown, Iowa did, on the 22nd day of July, 2019, place on file a Tentative Resolution whereby it proposed to sell, dispose of and convey the title of the CITY OF MARSHALLTOWN, IOWA to MARSHALLTOWN WATER WORKS, the property, located in Marshalltown, Iowa, herein after described; and

WHEREAS published notice as required by law of the intended conveyance by the CITY OF MARSHALLTOWN, IOWA, of the real estate owned by it and described hereinafter has all been duly published and no other bids or objections to the proposed conveyance have been filed in writing with the City Clerk and no objections thereto are made in open Council meeting to the proposed conveyance for the consideration as therein described and as heretofore set forth and that this is the time and place provided for in said Tentative Resolution and in the published notice for this Council to take final action upon said Tentative Resolution; and

WHEREAS the purpose of this Resolution is to authorize the conveyance by the CITY OF MARSHALLTOWN, IOWA, to MARSHALLTOWN WATER WORKS, of the real estate hereinafter described subject to easements, rights of way and access for public utilities and sewers,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. The Tentative Resolution placed on file in the office of the Clerk of the CITY OF MARSHALLTOWN, IOWA, on the 22nd day of July, 2019, whereby it is proposed to sell and dispose of and convey title of the CITY MARSHALLTOWN, IOWA, subject to easements, rights of way and access for public utilities and sewers as set out in Section 2, to the real estate located in the City of Marshalltown described as:

707 S 4th St, legally described as follows:

Lot 4, except Parcel A, of Progress Second Addition to Marshall, Marshall County, Iowa, subject to reservation by the City for existing right-of-way as a public street,

to Marshalltown Water Works, is hereby approved and adopted.

Section 2. The conveyance of the real estate as is described in Section 1 of this Resolution shall be by Quit Claim Deed, from the CITY OF MARSHALLTOWN, subject to easements, rights of ways and access being retained for said property for utilities, access and maintenance of utilities, and for such other municipal easement as presently exists. Said easements, rights of way and access will be retained until such time as their retention is no longer desired by the City of Marshalltown, Iowa.

Section 3. The Mayor and Clerk are hereby authorized to execute the Quit Claim Deed, as referred to herein and upon receipt of the consideration therein, deliver the deed to the Buyer and to do all things necessary to carry out said sale.

Passed this 12th day of August, 2019, and signed this ____ day of August, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor
ATTEST:

Shari L. Coughenour, CMC, City Clerk

RESOLUTION TO APPROVE FEDERAL GRANT AGREEMENT #3-19-0058-016-2019
TO CONSTRUCT T-HANGAR: PHASE 1 FOR THE MARSHALLTOWN MUNICIPAL
AIRPORT PROJECT ARP19001

WHEREAS, there is herewith submitted to this Council a grant offer #3-19-0058-016-2019 for Federal Grant Assistance to CONSTRUCT T-HANGAR for the Marshalltown Municipal Airport, being City Project No. ARP19001 and

WHEREAS, the Council has examined said offer and approves of same.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. That the Mayor is hereby authorized and directed to execute the Grant Agreement #3-19-0058-016-2019 to CONSTRUCT T-HANGAR for the Marshalltown Municipal Airport and to submit same for and on behalf of the City of Marshalltown, Iowa.

Passed this _____ day of _____, 2019, and signed
this _____ day of _____, 2019.

Joel Greer, Mayor

ATTEST:

SHARI L. COUGHENOUR, City Clerk

FAA Original



U.S. Department
of Transportation
Federal Aviation
Administration

GRANT AGREEMENT

PART I –OFFER

Date of Offer

JUL 09 2019

Airport/Planning Area

Marshalltown Municipal

AIP Grant Number

3-19-0058-016-2019

DUNS Number

075852293

TO: City of Marshalltown, IA (MIW)

(herein called the "Sponsor")

FROM: **The United States of America** (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated , for a grant of Federal funds for a project at or associated with the **Marshalltown Municipal Airport**, which is included as part of this Grant Agreement; and

WHEREAS, the FAA has approved a project for the **Marshalltown Municipal Airport** (herein called the "Project") consisting of the following:

Construct T-Hangar: Phase 1 - Design Only

which is more fully described in the Project Application.

NOW THEREFORE, According to the applicable provisions of the former Federal Aviation Act of 1958, as amended and recodified, 49 U.S.C. § 40101, et seq., and the former Airport and Airway Improvement Act of 1982 (AAIA), as amended and recodified, 49 U.S.C. § 47101, et seq., (herein the AAIA grant statute is referred to as "the Act"), the representations contained in the Project Application, and in consideration of (a) the Sponsor's adoption and ratification of the Grant Assurances dated March 2014, as applied and interpreted consistent with the FAA Reauthorization Act of 2018 (see 2018 FAA Reauthorization grant condition.), (b) and the Sponsor's acceptance of this Offer; and, (c) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the Grant Assurances and conditions as herein provided.

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay Ninety (90%) percent of the allowable costs incurred accomplishing the Project as the United States share of the Project.

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is **\$55,800.00.**

The following amounts represent a breakdown of the maximum obligation for the purpose of establishing allowable amounts for any future grant amendment, which may increase the foregoing maximum obligation of the United States under the provisions of 49 U.S.C. § 47108(b):

\$0 for planning

\$55,800.00 for airport development or noise program implementation; and,

\$0 for land acquisition.

2. **Period of Performance.** The period of performance begins on the date the Sponsor formally accepts this agreement. Unless explicitly stated otherwise in an amendment from the FAA, the end date of the period of performance is 4 years (1,460 calendar days) from the date of formal grant acceptance by the Sponsor.

The Sponsor may only charge allowable costs for obligations incurred prior to the end date of the period of performance (2 CFR §200.309). Unless the FAA authorizes a written extension, the sponsor must submit all project closeout documentation and liquidate (pay off) all obligations incurred under this award no later than 90 calendar days after the end date of the period of performance (2 CFR §200.343).

The period of performance end date does not relieve or reduce Sponsor obligations and assurances that extend beyond the closeout of a grant agreement.

3. **Ineligible or Unallowable Costs.** The Sponsor must not include any costs in the project that the FAA has determined to be ineligible or unallowable.
4. **Indirect Costs - Sponsor.** Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the project application as accepted by the FAA, to allowable costs for Sponsor direct salaries and wages.
5. **Determining the Final Federal Share of Costs.** The United States' share of allowable project costs will be made in accordance with the regulations, policies, and procedures of the Secretary. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
6. **Completing the Project Without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the project without undue delays and in accordance with this agreement, and the regulations, policies, and procedures of the Secretary. Per 2 CFR § 200.308, the Sponsor agrees to report to the FAA any disengagement from performing the project that exceeds three months. The report must include a reason for the project stoppage. The Sponsor also agrees to comply with the assurances which are part of this agreement.
7. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
8. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs of the project unless this offer has been accepted by the Sponsor on or before **July 31, 2019**, or such subsequent date as may be prescribed in writing by the FAA.
9. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner for any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or dispersed by

the Sponsor, that were originally paid pursuant to this or any other Federal grant agreement. The Sponsor must obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.

10. **United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.
11. **System for Award Management (SAM) Registration And Universal Identifier.**
 - A. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in the SAM until the Sponsor submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
 - B. Data Universal Numbering System: DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D & B) to uniquely identify business entities. A DUNS number may be obtained from D & B by telephone (currently 866-705-5771) or on the web (currently at <http://fedgov.dnb.com/webform>).
12. **Electronic Grant Payment(s).** Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi eInvoicing System for Department of Transportation (DOT) Financial Assistance Awardees.
13. **Informal Letter Amendment of AIP Projects.** If, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000 or five percent (5%), whichever is greater, the FAA can issue a letter amendment to the Sponsor unilaterally reducing the maximum obligation.

The FAA can also issue a letter to the Sponsor increasing the maximum obligation if there is an overrun in the total actual eligible and allowable project costs to cover the amount of the overrun provided it will not exceed the statutory limitations for grant amendments. The FAA's authority to increase the maximum obligation does not apply to the "planning" component of condition No. 1.

The FAA can also issue an informal letter amendment that modifies the grant description to correct administrative errors or to delete work items if the FAA finds it advantageous and in the best interests of the United States.

An informal letter amendment has the same force and effect as a formal grant amendment.
14. **Air and Water Quality.** The Sponsor is required to comply with all applicable air and water quality standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this agreement.
15. **Financial Reporting and Payment Requirements.** The Sponsor will comply with all federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.

- 16. Buy American.** Unless otherwise approved in advance by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for which funds are provided under this grant. The Sponsor will include a provision implementing Buy American in every contract.
- 17. Maximum Obligation Increase For Nonprimary Airports.** In accordance with 49 U.S.C. § 47108(b), as amended, the maximum obligation of the United States, as stated in Condition No. 1 of this Grant Offer:
- A. May not be increased for a planning project;
 - B. May be increased by not more than 15 percent for development projects;
 - C. May be increased by not more than 15 percent or by an amount not to exceed 25 percent of the total increase in allowable costs attributable to the acquisition of land or interests in land, whichever is greater, based on current credible appraisals or a court award in a condemnation proceeding.
- 18. Audits for Public Sponsors.** The Sponsor must provide for a Single Audit or program specific audit in accordance with 2 CFR part 200. The Sponsor must submit the audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. Provide one copy of the completed audit to the FAA if requested.
- 19. Suspension or Debarment.** When entering into a "covered transaction" as defined by 2 CFR §180.200, the Sponsor must:
- A. Verify the non-federal entity is eligible to participate in this Federal program by:
 - 1. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if the non-federal entity is excluded or disqualified; or
 - 2. Collecting a certification statement from the non-federal entity attesting they are not excluded or disqualified from participating; or
 - 3. Adding a clause or condition to covered transactions attesting individual or firm are not excluded or disqualified from participating.
 - B. Require prime contractors to comply with 2 CFR §180.330 when entering into lower-tier transactions (e.g. Sub-contracts).
 - C. Immediately disclose to the FAA whenever the Sponsor (1) learns they have entered into a covered transaction with an ineligible entity or (2) suspends or debars a contractor, person, or entity.
- 20. Ban on Texting While Driving.**
- A. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
 - 1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.
 - 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
 - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

- B. The Sponsor must insert the substance of this clause on banning texting while driving in all subgrants, contracts and subcontracts.

21. AIP Funded Work Included in a PFC Application.

Within 90 days of acceptance of this award, Sponsor must submit to the Federal Aviation Administration an amendment to any approved Passenger Facility Charge (PFC) application that contains an approved PFC project also covered under this grant award. The airport sponsor may not make any expenditure under this award until project work addressed under this award is removed from an approved PFC application by amendment.

22. Exhibit "A" Property Map. The Exhibit "A" Property Map dated **July 03, 2014**, is incorporated herein by reference or is submitted with the project application and made part of this grant agreement.

23. Employee Protection from Reprisal.

A. Prohibition of Reprisals –

1. In accordance with 41 U.S.C. § 4712, an employee of a grantee or subgrantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in sub-paragraph (A)(2), information that the employee reasonably believes is evidence of:
 - i. Gross mismanagement of a Federal grant;
 - ii. Gross waste of Federal funds;
 - iii. An abuse of authority relating to implementation or use of Federal funds;
 - iv. A substantial and specific danger to public health or safety; or
 - v. A violation of law, rule, or regulation related to a Federal grant.
2. Persons and bodies covered: The persons and bodies to which a disclosure by an employee is covered are as follows:
 - i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Federal office or employee responsible for oversight of a grant program;
 - v. A court or grand jury;
 - vi. A management office of the grantee or subgrantee; or
 - vii. A Federal or State regulatory enforcement agency.
3. Submission of Complaint – A person who believes that they have been subjected to a reprisal prohibited by paragraph A of this grant term may submit a complaint regarding the reprisal to the Office of Inspector General (OIG) for the U.S. Department of Transportation.
4. Time Limitation for Submittal of a Complaint - A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.
5. Required Actions of the Inspector General – Actions, limitations and exceptions of the Inspector General's office are established under 41 U.S.C. § 4712(b)
6. Assumption of Rights to Civil Remedy - Upon receipt of an explanation of a decision not to conduct or continue an investigation by the Office of Inspector General, the person submitting a complaint assumes the right to a civil remedy under 41 U.S.C. § 4712(c).

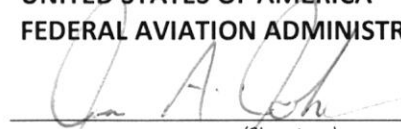
24. 2018 FAA Reauthorization. This grant agreement is subject to the terms and conditions contained herein including the terms known as the Grant Assurances as they were published in the Federal Register on April 3, 2014. On October 5, 2018, the FAA Reauthorization Act of 2018 made certain amendments to 49 U.S.C. chapter 471. The Reauthorization Act will require FAA to make certain amendments to the

assurances in order to best achieve consistency with the statute. Federal law requires that FAA publish any amendments to the assurances in the Federal Register along with an opportunity to comment. In order not to delay the offer of this grant, the existing assurances are attached herein; however, FAA shall interpret and apply these assurances consistent with the Reauthorization Act. To the extent there is a conflict between the assurances and Federal statutes, the statutes shall apply. The full text of the Act is at <https://www.congress.gov/bill/115th-congress/house-bill/302/text>.

25. **Protection of Runway Protection Zone - Airport Property.** The Sponsor agrees to prevent the erection or creation of any structure, place of public assembly, or other use in the runway protection zone, as depicted on the Exhibit "A": Property Map, except for NAVAIDS that are fixed by their functional purposes or any other structure permitted by the FAA. The Sponsor further agrees that any existing structures or uses within the Runway Protection Zone will be cleared or discontinued by the Sponsor unless approved by the FAA.
26. **Protection of Runway Protection Zone - Easement.** The Sponsor agrees to take any and all steps necessary to ensure that the owner of the land within the designated Runway Protection Zone will not build any structure in the Runway Protection Zone that is an airport hazard or which might create glare or misleading lights or lead to the construction of residences, fuel handling and storage facilities, smoke generating activities, or places of public assembly, such as churches, schools, office buildings, shopping centers, and stadiums.
27. **Plans and Specifications Prior to Bidding.** The Sponsor agrees that it will submit plans and specifications for FAA review prior to advertising for bids.
28. **Design Grant.** This grant agreement is being issued in order to complete the design of the project. The Sponsor understands and agrees that within 2 years after the design is completed that the Sponsor will accept, subject to the availability of the amount of federal funding identified in the Airport Capital Improvement Plan (ACIP), a grant to complete the construction of the project in order to provide a useful and useable unit of work. The Sponsor also understands that if the FAA has provided federal funding to complete the design for the project, and the Sponsor has not completed the design within four (4) years from the execution of this grant agreement, the FAA may suspend or terminate grants related to the design.
29. **Revenue Producing Project.** The Sponsor agrees and understands that the Sponsor has certified to the FAA that it has made adequate provisions for financing its airside needs. Further, the Sponsor agrees it will not seek AIP discretionary grant funds for the airside needs of the airport for the two fiscal years following the fiscal year in which this grant is issued. All revenue generated by this project must be used for the operation and maintenance of the Airport in accordance with the grant assurances.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**



(Signature)

Jim A. Johnson

(Typed Name)

Director, Central Region Airports Division

(Title of FAA Official)

PART II - ACCEPTANCE

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

I declare under penalty of perjury that the foregoing is true and correct.¹

Executed this _____ day of _____, _____.

City of Marshalltown

(Name of Sponsor)

By:

(Signature of Sponsor's Authorized Official)

(Typed Name of Sponsor's Authorized Official)

(Title of Sponsor's Authorized Official)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Iowa. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ (location) this _____ day of _____, _____.

By:

(Signature of Sponsor's Attorney)

¹Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.

Application for Federal Assistance SF-424

*** 1. Type of Submission:**

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

*** 2. Type of Application:**

- ☒ New
☐ Continuation
☐ Revision

*** If Revision, select appropriate letter(s):**

*** Other (Specify):**

*** 3. Date Received:**

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

3-19-0058-0016-2019

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*** a. Legal Name:** City of Marshalltown, Iowa

*** b. Employer/Taxpayer Identification Number (EIN/TIN):**

42-6004934

*** c. Organizational DUNS:**

0758522930000

d. Address:

*** Street1:**

24 N Center St

Street2:

*** City:**

Marshalltown

County/Parish:

*** State:**

IA: Iowa

Province:

*** Country:**

USA: UNITED STATES

*** Zip / Postal Code:**

50158-4912

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

*** First Name:**

Justin

Middle Name:

*** Last Name:**

Nickel

Suffix:

Title: Public Works Director

Organizational Affiliation:

*** Telephone Number:**

(641) 754-5734

Fax Number:

(641) 754-5717

*** Email:**

jnickel@ci.marshalltown.ia.us

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Federal Aviation Administration

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

* 12. Funding Opportunity Number:

3-19-0058-0016-2019

* Title:

Construct Hangar (Design)

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

Construct Hangar (Design)

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:**

* a Applicant

IA-1

* b Program/Project

IA-1

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a Start Date:

07/01/2019

* b End Date:

06/30/2020

18. Estimated Funding (\$):

* a Federal

55,800.00

* b Applicant

0.00

* c State

0.00

* d Local

6,200.00

* e Other

0.00

* f Program Income

0.00

* g TOTAL

62,000.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**☐ a This application was made available to the State under the Executive Order 12372 Process for review on☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☒ c. Program is not covered by E.O. 12372*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:

* First Name:

Joel

Middle Name:

* Last Name:

Greer

Suffix:

* Title:

Mayor

* Telephone Number:

(641) 754-5712

Fax Number:

(641) 754-5717

* Email:

mayor@ci.marshalltown.ia.us

* Signature of Authorized Representative:

* Date Signed:

06/24/2019

Application for Federal Assistance (Development and Equipment Projects)

PART II – PROJECT APPROVAL INFORMATION

Part II - SECTION A	
The term "Sponsor" refers to the applicant name provided in box 8 of the associated SF-424 form.	
Item 1. Does Sponsor maintain an active registration in the System for Award Management (www.SAM.gov)?	☒ Yes ☐ No
Item 2. Can Sponsor commence the work identified in the application in the fiscal year the grant is made or within six months after the grant is made, whichever is later?	☒ Yes ☐ No ☐ N/A
Item 3. Are there any foreseeable events that would delay completion of the project? If yes, provide attachment to this form that lists the events.	☐ Yes ☒ No ☐ N/A
Item 4. Will the project(s) covered by this request have impacts or effects on the environment that require mitigating measures? If yes, attach a summary listing of mitigating measures to this application and identify the name and date of the environmental document(s).	☐ Yes ☒ No ☐ N/A
Item 5. Is the project covered by this request included in an approved Passenger Facility Charge (PFC) application or other Federal assistance program? If yes, please identify other funding sources by checking all applicable boxes.	
☐ The project is included in an <i>approved</i> PFC application. If included in an approved PFC application, does the application <i>only</i> address AIP matching share? ☐ Yes ☐ No	
☐ The project is included in another Federal Assistance program. Its CFDA number is below.	
Item 6. Will the requested Federal assistance include Sponsor indirect costs as described in 2 CFR Appendix VII to Part 200, States and Local Government and Indian Tribe Indirect Cost Proposals?	
☐ Yes ☒ No ☐ N/A	
If the request for Federal assistance includes a claim for allowable indirect costs, select the applicable indirect cost rate the Sponsor proposes to apply:	
☐ De Minimis rate of 10% as permitted by 2 CFR § 200.414.	
☐ Negotiated Rate equal to	% as approved by (Date) (2 CFR part 200, appendix VII).
(the Cognizant Agency)	
<i>Note: Refer to the instructions for limitations of application associated with claiming Sponsor indirect costs.</i>	

PART II - SECTION B

Certification Regarding Lobbying

The declarations made on this page are under the signature of the authorized representative as identified in box 21 of form SF-424, to which this form is attached. The term "Sponsor" refers to the applicant name provided in box 8 of the associated SF-424 form.

The Authorized Representative certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Sponsor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Authorized Representative shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The Authorized Representative shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

PART II – SECTION C

The Sponsor hereby represents and certifies as follows:

1. Compatible Land Use – The Sponsor has taken the following actions to assure compatible usage of land adjacent to or in the vicinity of the airport:

The City of Marshalltown and Marshall County have a Tall Structure Ordinance in the City and County ordinances and provides administrative review of tall structure intrusions into FAR Part 77 surfaces.

2. Defaults – The Sponsor is not in default on any obligation to the United States or any agency of the United States Government relative to the development, operation, or maintenance of any airport, except as stated herewith:

The Sponsor is not in default on any obligations to an agency of the United States Government.

3. Possible Disabilities – There are no facts or circumstances (including the existence of effective or proposed leases, use agreements or other legal instruments affecting use of the Airport or the existence of pending litigation or other legal proceedings) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project or carry out the provisions of the Grant Assurances, either by limiting its legal or financial ability or otherwise, except as follows:

The Sponsor is not aware of any factors or circumstances that may create a disability to the completion of the project.

4. Consistency with Local Plans – The project is reasonably consistent with plans existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

The project is consistent with local development plans around the airport.

5. Consideration of Local Interest – It has given fair consideration to the interest of communities in or near where the project may be located.

The sponsor has given fair consideration to applicable community interest associated with the project.

6. Consultation with Users – In making a decision to undertake an airport development project under Title 49, United States Code, it has consulted with airport users that will potentially be affected by the project (§ 47105(a)(2)).

The sponsor has undertaken reasonable consultation with affected airport users.

7. Public Hearings – In projects involving the location of an airport, an airport runway or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

Public hearing was not required and all applicable requirements were met.

8. Air and Water Quality Standards – In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable and air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary.

Not applicable

PART II – SECTION C (Continued)

9. Exclusive Rights – There is no grant of an exclusive right for the conduct of any aeronautical activity at any airport owned or controlled by the Sponsor except as follows:

The airport has no exclusive rights provisions.

10. Land – (a) The sponsor holds the following property interest in the following areas of land, which are to be developed or used as part of or in connection with the Airport subject to the following exceptions, encumbrances, and adverse interests, all of which areas are identified on the aforementioned property map designated as Exhibit "A". [1]

The sponsor maintains fee simple property interest on tract 2 as depicted on the current ALP. The Exhibit "A" Property Map dated 7/3/2014 and prepared under 3-19-0058-013-2014 is incorporated herein by reference.

The Sponsor further certifies that the above is based on a title examination by a qualified attorney or title company and that such attorney or title company has determined that the Sponsor holds the above property interests.

(b) The Sponsor will acquire within a reasonable time, but in any event prior to the start of any construction work under the Project, the following property interest in the following areas of land on which such construction work is to be performed, all of which areas are identified on the aforementioned property map designated as Exhibit "A". [1]

No additional land is required for this project.

(c) The Sponsor will acquire within a reasonable time, and if feasible prior to the completion of all construction work under the Project, the following property interest in the following areas of land which are to be developed or used as part of or in connection with the Airport as it will be upon completion of the Project, all of which areas are identified on the aforementioned property map designated as Exhibit "A". [1]

No additional land is required for this project.

¹ State the character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. The separate areas of land need only be identified here by the area numbers shown on the property map.

PART III – BUDGET INFORMATION – CONSTRUCTION

SECTION A – GENERAL	
1. Federal Domestic Assistance Catalog Number: 20-106	
2. Functional or Other Breakout:	Airport Improvement Program

SECTION B – CALCULATION OF FEDERAL GRANT			
Cost Classification	Latest Approved Amount (Use only for revisions)	Adjustment + or (-) Amount (Use only for revisions)	Total Amount Required
1. Administration expense			\$ 2,542
2. Preliminary expense			
3. Land, structures, right-of-way			
4. Architectural engineering basic fees			51,132
5. Other Architectural engineering fees			8,326
6. Project inspection fees			
7. Land development			
8. Relocation Expenses			
9. Relocation payments to Individuals and Businesses			
10. Demolition and removal			
11. Construction and project improvement			
12. Equipment			
13. Miscellaneous			
14. Subtotal (Lines 1 through 13)			\$ 62,000
15. Estimated Income (if applicable)			
16. Net Project Amount (Line 14 minus 15)			62,000
17. Less: Ineligible Exclusions (Section C, line 23 g.)			
18. Subtotal (Lines 16 through 17)			\$ 62,000
19. Federal Share requested of Line 18			55,800
20. Grantee share			6,200
21. Other shares			
22. TOTAL PROJECT (Lines 19, 20 & 21)			\$ 62,000

SECTION C – EXCLUSIONS

23. Classification (Description of non-participating work)	Amount Ineligible for Participation
a.	
b.	
c.	
d.	
e.	
f.	
g. Total	

SECTION D – PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE

24. Grantee Share – Fund Categories	Amount
a. Securities	
b. Mortgages	
c. Appropriations (by Applicant)	6,200
d. Bonds	
e. Tax Levies	
f. Non-Cash	
g. Other (Explain):	
h. TOTAL - Grantee share	\$ 6,200
25. Other Shares	Amount
a. State	
b. Other	
c. TOTAL - Other Shares	\$ 0
26. TOTAL NON-FEDERAL FINANCING	\$ 6,200

SECTION E – REMARKS

(Attach sheets if additional space is required)

The following item is incorporated: Exhibit A dated July 3, 2014.

PART IV – PROGRAM NARRATIVE
(Suggested Format)

PROJECT: 3-19-0058-016-2019
AIRPORT: Marshalltown Municipal Airport
1. Objective: This project provides for the design of a storage hangar capable of storing frequent large itinerent aircraft. The hangar would be a conventional hangar with door opening tall enough to accommodate a Falcon 900 and a Falcon 2000.
2. Benefits Anticipated: The existing maintenance hangar at Marshalltown is an 80' x 80' building having a door with a clear opening of 53' x 15'. The airport has a frequent need to house itinerant aircraft needing a larger door. Specific aircraft makes/models include: Falcon 50, Hawker 800, Hawker 900XP, Falcon 900, Falcon 2000 and Challenger 604. It is currently not possible to get many of these aircraft inside and protected from the weather. As a result they are forced to relocate to another airport, even though their business is in Marshalltown.
3. Approach: (See approved Scope of Work in Final Application) Detailed drawings and project manual describing the proposed improvements will be developed by Clapsaddle-Garber Associates in consultation with the Owner and the FAA. The project will be bid in Federal Fiscal Year 2020 and constructed with a potential FAA grant in 2020. Owner: City of Marshalltown Prime Consultant: Clapsaddle-Garber Associates, Inc.
4. Geographic Location: The Marshalltown Airport is located in Marshall County, four miles north of Marshalltown.
5. If Applicable, Provide Additional Information: None
6. Sponsor's Representative: (include address & telephone number) Justin Nickel 24 N Center St. Marshalltown, IA 50158-4912 Telephone: (641) 754-5734

PROJECT COST BREAKDOWN
 CONSTRUCT HANGAR (DESIGN)
 MARSHALLTOWN MUNICIPAL AIRPORT
 AIP NO. 3-19-0058-016-2019

	Estimated	Total
1 Administrative expense		\$2,542.00
4 Architectural Engineering Basic Fees Preliminary Design		\$51,132.00
5 Other Architectural Engineering Fees Grant Administration - Preliminary Design Phase		\$8,326.00
6 Project Inspection Fees		
11 Construction and Project Improvements Cost		\$0.00
14 Total Project		\$62,000.00
17 In-eligible Exclusions		\$0.00
18 Net Project Total		\$62,000.00
19 Federal Share to Date 90% of line p.		\$55,800.00
20 Grantee Share		\$6,200.00

Certification and Disclosure Regarding Potential Conflicts of Interest

Airport Improvement Program Sponsor Certification

Sponsor: City of Marshalltown, Iowa

Airport: Marshalltown Municipal

Project Number: 3-19-0058-016-2019

Description of Work: Construct Hangar - Design

Application

Title 2 CFR § 200.112 and § 1201.112 address Federal Aviation Administration (FAA) requirements for conflict of interest. As a condition of eligibility under the Airport Improvement Program (AIP), sponsors must comply with FAA policy on conflict of interest. Such a conflict would arise when any of the following have a financial or other interest in the firm selected for award:

- a) The employee, officer or agent,
- b) Any member of his immediate family,
- c) His or her partner, or
- d) An organization which employs, or is about to employ, any of the above.

Selecting "Yes" represents sponsor or sub-recipient acknowledgement and confirmation of the certification statement. Selecting "No" represents sponsor or sub-recipient disclosure that it cannot fully comply with the certification statement. If "No" is selected, provide support information explaining the negative response as an attachment to this form. This includes whether the sponsor has established standards for financial interest that are not substantial or unsolicited gifts are of nominal value (2 CFR § 200.318(c)). The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance.

Certification Statements

1. The sponsor or sub-recipient maintains a written standards of conduct governing conflict of interest and the performance of their employees engaged in the award and administration of contracts (2 CFR § 200.318(c)). To the extent permitted by state or local law or regulations, such standards of conduct provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the sponsor's and sub-recipient's officers, employees, or agents, or by contractors or their agents.

☒ Yes ☐ No

2. The sponsor's or sub-recipient's officers, employees or agents have not and will not solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements (2 CFR § 200.318(c)).

☒ Yes ☐ No

3. The sponsor or sub-recipient certifies that it has disclosed and will disclose to the FAA any known potential conflict of interest (2 CFR § 1200.112).

☒ Yes ☐ No

Attach documentation clarifying any above item marked with "no" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and have the explanation for any item marked "no" is correct and complete.

Executed on this 24th day of June, 2019

Name of Sponsor: City of Marshalltown, Iowa

Name of Sponsor's Authorized Official: Justin Nickel

Title of Sponsor's Authorized Official: Public Works Director

Signature of Sponsor's Authorized Official: 

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Drug-Free Workplace Airport Improvement Program Sponsor Certification

Sponsor: City of Marshalltown, Iowa

Airport: Marshalltown Municipal

Project Number: 3-19-0058-016-2019

Description of Work: Construct Hangar - Design

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements on the drug-free workplace within federal grant programs are described in 2 CFR part 182. Sponsors are required to certify they will be, or will continue to provide, a drug-free workplace in accordance with the regulation. The AIP project grant agreement contains specific assurances on the Drug-Free Workplace Act of 1988.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. A statement has been or will be published prior to commencement of project notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the sponsor's workplace, and specifying the actions to be taken against employees for violation of such prohibition (2 CFR § 182.205).

☒ Yes ☐ No ☐ N/A

2. An ongoing drug-free awareness program (2 CFR § 182.215) has been or will be established prior to commencement of project to inform employees about:

- a. The dangers of drug abuse in the workplace;
- b. The sponsor's policy of maintaining a drug-free workplace;
- c. Any available drug counseling, rehabilitation, and employee assistance programs; and
- d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

☒ Yes ☐ No ☐ N/A

3. Each employee to be engaged in the performance of the work has been or will be given a copy of the statement required within item 1 above prior to commencement of project (2 CFR § 182.210).

☒ Yes ☐ No ☐ N/A

4. Employees have been or will be notified in the statement required by item 1 above that, as a condition employment under the grant (2 CFR § 182.205(c)), the employee will:

- a. Abide by the terms of the statement; and
- b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

☒ Yes ☐ No ☐ N/A

5. The Federal Aviation Administration (FAA) will be notified in writing within 10 calendar days after receiving notice under item 4b above from an employee or otherwise receiving actual notice of such conviction (2 CFR § 182.225). Employers of convicted employees must provide notice, including position title of the employee, to the FAA (2 CFR § 182.300).

☒ Yes ☐ No ☐ N/A

6. One of the following actions (2 CFR § 182.225(b)) will be taken within 30 calendar days of receiving a notice under item 4b above with respect to any employee who is so convicted:

- a. Take appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; and
- b. Require such employee to participate satisfactorily in drug abuse assistance or rehabilitation programs approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

☒ Yes ☐ No ☐ N/A

7. A good faith effort will be made, on a continuous basis, to maintain a drug-free workplace through implementation of items 1 through 6 above (2 CFR § 182.200).

☒ Yes ☐ No ☐ N/A

Site(s) of performance of work (2 CFR § 182.230):

Location 1

Name of Location: Marshalltown Municipal Airport

Address: 2651 170th Street, Marshalltown, Iowa 50158

Location 2 (if applicable)

Name of Location:

Address:

Location 3 (if applicable)

Name of Location:

Address:

Attach documentation clarifying any above item marked with a "No" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

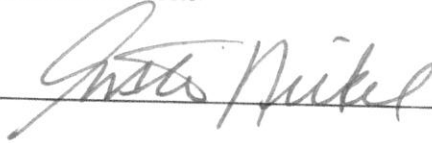
Executed on this 24th day of June 2019

Name of Sponsor: City of Marshalltown, Iowa

Name of Sponsor's Authorized Official: Justin Nickel

Title of Sponsor's Authorized Official: Public Works Director

Signature of Sponsor's Authorized Official: _____



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



Selection of Consultants

Airport Improvement Program Sponsor Certification

Sponsor: City of Marshalltown, Iowa

Airport: Marshalltown Municipal

Project Number: 3-19-0058-016-2019

Description of Work: Construct Hangar - Design

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements for selection of consultant services within federal grant programs are described in 2 CFR §§ 200.317-200.326. Sponsors may use other qualifications-based procedures provided they are equivalent to standards of Title 40 chapter 11 and FAA Advisory Circular 150/5100-14, Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. Sponsor acknowledges their responsibility for the settlement of all contractual and administrative issues arising out of their procurement actions (2 CFR § 200.318(k)).
☒ Yes ☐ No ☐ N/A
2. Sponsor procurement actions ensure or will ensure full and open competition that does not unduly limit competition (2 CFR § 200.319).
☒ Yes ☐ No ☐ N/A
3. Sponsor has excluded or will exclude any entity that develops or drafts specifications, requirements, or statements of work associated with the development of a request-for-qualifications (RFQ) from competing for the advertised services (2 CFR § 200.319).
☒ Yes ☐ No ☐ N/A

4. The advertisement describes or will describe specific project statements-of-work that provide clear detail of required services without unduly restricting competition (2 CFR § 200.319).
☒ Yes ☐ No ☐ N/A
5. Sponsor has publicized or will publicize a RFQ that:
a. Solicits an adequate number of qualified sources (2 CFR § 200.320(d)); and
b. Identifies all evaluation criteria and relative importance (2 CFR § 200.320(d)).
☒ Yes ☐ No ☐ N/A
6. Sponsor has based or will base selection on qualifications, experience, and disadvantaged business enterprise participation with price not being a selection factor (2 CFR § 200.320(d)).
☒ Yes ☐ No ☐ N/A
7. Sponsor has verified or will verify that agreements exceeding \$25,000 are not awarded to individuals or firms suspended, debarred or otherwise excluded from participating in federally assisted projects (2 CFR § 180.300).
☒ Yes ☐ No ☐ N/A
8. A/E services covering multiple projects: Sponsor has agreed to or will agree to:
a. Refrain from initiating work covered by this procurement beyond five years from the date of selection (AC 150/5100-14); and
b. Retain the right to conduct new procurement actions for projects identified or not identified in the RFQ (AC 150/5100-14).
☒ Yes ☐ No ☐ N/A
9. Sponsor has negotiated or will negotiate a fair and reasonable fee with the firm they select as most qualified for the services identified in the RFQ (2 CFR § 200.323).
☒ Yes ☐ No ☐ N/A
10. The Sponsor's contract identifies or will identify costs associated with ineligible work separately from costs associated with eligible work (2 CFR § 200.302).
☒ Yes ☐ No ☐ N/A
11. Sponsor has prepared or will prepare a record of negotiations detailing the history of the procurement action, rationale for contract type and basis for contract fees (2 CFR § 200.318(i)).
☒ Yes ☐ No ☐ N/A
12. Sponsor has incorporated or will incorporate mandatory contract provisions in the consultant contract for AIP-assisted work (49 U.S.C. Chapter 471 and 2 CFR part 200 Appendix II)
☒ Yes ☐ No ☐ N/A

13. For contracts that apply a time-and-material payment provision (also known as hourly rates, specific rates of compensation, and labor rates), the Sponsor has established or will establish:

- a. Justification that there is no other suitable contract method for the services (2 CFR §200.318(j));
- b. A ceiling price that the consultant exceeds at their risk (2 CFR §200.318(j)); and
- c. A high degree of oversight that assures consultant is performing work in an efficient manner with effective cost controls in place 2 CFR §200.318(j)).

☒ Yes ☐ No ☐ N/A

14. Sponsor is not using or will not use the prohibited cost-plus-percentage-of-cost (CPPC) contract method. (2 CFR § 200.323(d)).

☒ Yes ☐ No ☐ N/A

Attach documentation clarifying any above item marked with "no" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

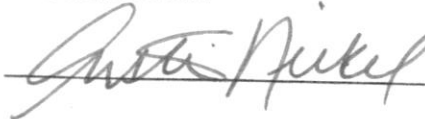
Executed on this 24th day of June, 2019

Name of Sponsor: City of Marshalltown, Iowa

Name of Sponsor's Authorized Official: Justin Nickel

Title of Sponsor's Authorized Official: Public Works Director

Signature of Sponsor's Authorized Official:



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Project Plans and Specifications

Airport Improvement Program Sponsor Certification

Sponsor: City of Marshalltown, Iowa

Airport: Marshalltown Municipal

Project Number: 3-19-0058-016-2019

Description of Work: Construct Hangar - Design

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). Labor and civil rights standards applicable to AIP are established by the Department of Labor (www.dol.gov/). AIP Grant Assurance C.1—General Federal Requirements identifies applicable federal laws, regulations, executive orders, policies, guidelines and requirements for assistance under AIP. A list of current advisory circulars with specific standards for procurement, design or construction of airports, and installation of equipment and facilities is referenced in standard airport sponsor Grant Assurance 34 contained in the grant agreement.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. The plans and specifications were or will be prepared in accordance with applicable federal standards and requirements, so that no deviation or modification to standards set forth in the advisory circulars, or FAA-accepted state standard, is necessary other than those explicitly approved by the Federal Aviation Administration (FAA) (14 USC § 47105).
☒ Yes ☐ No ☐ N/A

2. Specifications incorporate or will incorporate a clear and accurate description of the technical requirement for the material or product that does not contain limiting or proprietary features that unduly restrict competition (2 CFR §200.319).
☒ Yes ☐ No ☐ N/A

3. The development that is included or will be included in the plans is depicted on the current airport layout plan as approved by the FAA (14 USC § 47107).
☒ Yes ☐ No ☐ N/A
4. Development and features that are ineligible or unallowable for AIP funding have been or will be omitted from the plans and specifications (FAA Order 5100.38, par. 3-43).
☒ Yes ☐ No ☐ N/A
5. The specification does not use or will not use "brand name" or equal to convey requirements unless sponsor requests and receives approval from the FAA to use brand name (FAA Order 5100.38, Table U-5).
☒ Yes ☐ No ☐ N/A
6. The specification does not impose or will not impose geographical preference in their procurement requirements (2 CFR §200.319(b) and FAA Order 5100.38, Table U-5).
☒ Yes ☐ No ☐ N/A
7. The use of prequalified lists of individuals, firms or products include or will include sufficient qualified sources that ensure open and free competition and that does not preclude potential entities from qualifying during the solicitation period (2 CFR §319(d)).
☒ Yes ☐ No ☐ N/A
8. Solicitations with bid alternates include or will include explicit information that establish a basis for award of contract that is free of arbitrary decisions by the sponsor (2 CFR § 200.319(a)(7)).
☒ Yes ☐ No ☐ N/A
9. Concurrence was or will be obtained from the FAA if Sponsor incorporates a value engineering clause into the contract (FAA Order 5100.38, par. 3-57).
☒ Yes ☐ No ☐ N/A
10. The plans and specifications incorporate or will incorporate applicable requirements and recommendations set forth in the federally approved environmental finding (49 USC §47106(c)).
☒ Yes ☐ No ☐ N/A
11. The design of all buildings comply or will comply with the seismic design requirements of 49 CFR § 41.120. (FAA Order 5100.38d, par. 3-92)
☒ Yes ☐ No ☐ N/A
12. The project specification include or will include process control and acceptance tests required for the project by as per the applicable standard:
- a. Construction and installation as contained in Advisory Circular (AC) 150/5370-10.
☒ Yes ☐ No ☐ N/A

b. Snow Removal Equipment as contained in AC 150/5220-20.

☐ Yes ☐ No ☒ N/A

c. Aircraft Rescue and Fire Fighting (ARFF) vehicles as contained in AC 150/5220-10.

☐ Yes ☐ No ☒ N/A

13. For construction activities within or near aircraft operational areas(AOA).

a. The Sponsor has or will prepare a construction safety and phasing plan (CSPP) conforming to Advisory Circular 150/5370-2.

b. Compliance with CSPP safety provisions has been or will be incorporated into the plans and specifications as a contractor requirement.

c. Sponsor will not initiate work until receiving FAA's concurrence with the CSPP (FAA Order 5100.38, Par. 5-29).

☒ Yes ☐ No ☐ N/A

14. The project was or will be physically completed without federal participation in costs due to errors and omissions in the plans and specifications that were foreseeable at the time of project design (49 USC §47110(b)(1) and FAA Order 5100.38d, par. 3-100).

☒ Yes ☐ No ☐ N/A

Attach documentation clarifying any above item marked with "No" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 24th day of June, 2019.

Name of Sponsor: City of Marshalltown, Iowa

Name of Sponsor's Authorized Official: Justin Nickel

Title of Sponsor's Authorized Official: Public Works Director

Signature of Sponsor's Authorized Official:



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

ASSURANCES

AIRPORT SPONSORS

A. General.

- a. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
- b. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
- c. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this grant agreement.

B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

The terms, conditions and assurances of this grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. **Airport Planning Undertaken by a Sponsor.**

Unless otherwise specified in this grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 25, 30, 32, 33, and 34 in Section C apply to planning projects. The terms, conditions, and assurances of this grant agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport.

C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

1. **General Federal Requirements.**

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

FEDERAL LEGISLATION

- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act - 40 U.S.C. 276(a), et seq.¹
- c. Federal Fair Labor Standards Act - 29 U.S.C. 201, et seq.
- d. Hatch Act – 5 U.S.C. 1501, et seq.²
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et seq.^{1 2}
- f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).¹
- g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.¹
- h. Native Americans Grave Repatriation Act - 25 U.S.C. Section 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.¹
- l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f))
- m. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968 -42 U.S.C. 4151, et seq.¹
- s. Power plant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.¹
- t. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.¹
- u. Copeland Anti-kickback Act - 18 U.S.C. 874.1
- v. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.¹
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- x. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.²
- y. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.
- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

EXECUTIVE ORDERS

- a. Executive Order 11246 - Equal Employment Opportunity¹
- b. Executive Order 11990 - Protection of Wetlands
- c. Executive Order 11998 –Flood Plain Management

- d. Executive Order 12372 - Intergovernmental Review of Federal Programs
- e. Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction¹
- f. Executive Order 12898 - Environmental Justice

FEDERAL REGULATIONS

- a. 2 CFR Part 180 - OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [OMB Circular A-87 Cost Principles Applicable to Grants and Contracts with State and Local Governments, and OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations].^{4, 5, 6}
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment
- d. 14 CFR Part 13 - Investigative and Enforcement Procedures 14 CFR Part 16 - Rules of Practice For Federally Assisted Airport Enforcement Proceedings.
- e. 14 CFR Part 150 - Airport noise compatibility planning.
- f. 28 CFR Part 35- Discrimination on the Basis of Disability in State and Local Government Services.
- g. 28 CFR § 50.3 - U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- h. 29 CFR Part 1 - Procedures for predetermination of wage rates.¹
- i. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.¹
- j. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).¹
- k. 41 CFR Part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements).¹
- l. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.³
- m. 49 CFR Part 20 - New restrictions on lobbying.
- n. 49 CFR Part 21 – Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 - Participation by Disadvantage Business Enterprise in Airport Concessions.
- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.^{1, 2}
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.¹

- s. 49 CFR Part 28 –Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- t. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- u. 49 CFR Part 32 –Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)
- v. 49 CFR Part 37 –Transportation Services for Individuals with Disabilities (ADA).
- w. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.

SPECIFIC ASSURANCES

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this grant agreement.

FOOTNOTES TO ASSURANCE C.1.

- ¹ These laws do not apply to airport planning sponsors.
- ² These laws do not apply to private sponsors.
- ³ 49 CFR Part 18 and 2 CFR Part 200 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- ⁴ On December 26, 2013 at 78 FR 78590, the Office of Management and Budget (OMB) issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. 2 CFR Part 200 replaces and combines the former Uniform Administrative Requirements for Grants (OMB Circular A-102 and Circular A-110 or 2 CFR Part 215 or Circular) as well as the Cost Principles (Circulars A-21 or 2 CFR part 220; Circular A-87 or 2 CFR part 225; and A-122, 2 CFR part 230). Additionally it replaces Circular A-133 guidance on the Single Annual Audit. In accordance with 2 CFR section 200.110, the standards set forth in Part 200 which affect administration of Federal awards issued by Federal agencies become effective once implemented by Federal agencies or when any future amendment to this Part becomes final. Federal agencies, including the Department of Transportation, must implement the policies and procedures applicable to Federal awards by promulgating a regulation to be effective by December 26, 2014 unless different provisions are required by statute or approved by OMB.
- ⁵ Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- ⁶ Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability.

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this grant agreement which it will own or control.

4. Good Title.

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.
- b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.

- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations and the terms, conditions and assurances in this grant agreement and shall insure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

6. Consistency with Local Plans.

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

7. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where the project may be located.

8. Consultation with Users.

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. Public Hearings.

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. Metropolitan Planning Organization.

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy

of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

11. Pavement Preventive Maintenance.

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. Terminal Development Prerequisites.

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under section 44706 of Title 49, United States Code, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

13. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this grant, the total cost of the project in connection with which this grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

14. Minimum Wage Rates.

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

15. Veteran's Preference.

It shall include in all contracts for work on any project funded under this grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title

49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. Conformity to Plans and Specifications.

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this grant agreement.

17. Construction Inspection and Approval.

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

18. Planning Projects.

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

19. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be

required or prescribed by applicable Federal, state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for-

- 1) Operating the airport's aeronautical facilities whenever required;
 - 2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 - 3) Promptly notifying airmen of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-
 - 1) furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
 - 2) charge reasonable, and not unjustly discriminatory, prices for each unit or service,

provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

- a.) Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
- b.) Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
- c.) Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
- d.) It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform.
- e.) In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
- f.) The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- g.) The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights.

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental

and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure.

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues.

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
 - 1) If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.
 - 2) If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
 - 3) Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at Section 47102 of title 49 United States Code), if the FAA determines the airport sponsor meets the requirements set forth in Sec. 813 of Public Law 112-95.
 - a.) As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a

manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.

b.) Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

26. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and
- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 - 1) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 - 2) all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that –

- a. by gross weights of such aircraft) is in excess of five million pounds Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied.

28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at

Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

29. Airport Layout Plan.

- a. It will keep up to date at all times an airport layout plan of the airport showing:
 - 1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
 - 2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;
 - 3) the location of all existing and proposed nonaviation areas and of all existing improvements thereon; and
 - 4) all proposed and existing access points used to taxi aircraft across the airport's property boundary. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.
- a.) If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this grant.

- a. Using the definitions of activity, facility and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR § 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by, or pursuant to these assurances.
- b. Applicability
 - 1) Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the

sponsor's programs and activities.

- 2) Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
- 3) Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

- 1) So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
- 2) So long as the sponsor retains ownership or possession of the property.

d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this grant agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

"The **(Name of Sponsor)**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

e. Required Contract Provisions.

- 1) It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
- 2) It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
- 3) It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
- 4) It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
 - a.) For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and

- b.) For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
- g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

31. Disposal of Land.

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order, (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund. If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.
- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order: (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund.
- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was

notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.

- d. Disposition of such land under (a) (b) or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. Engineering and Design Services.

It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. Foreign Market Restrictions.

It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

34. Policies, Standards, and Specifications.

It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated January 24, 2017 and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.

35. Relocation and Real Property Acquisition.

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

36. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

37. Disadvantaged Business Enterprises.

The sponsor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its DBE and ACDBE programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure

nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. 3801).

38. Hangar Construction.

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. Competitive Access.

- a. If the airport owner or operator of a medium or large hub airport (as defined in section 47102 of title 49, U.S.C.) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that-
 - 1) Describes the requests;
 - 2) Provides an explanation as to why the requests could not be accommodated; and
 - 3) Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.



FAA
Airports

Current FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects

Updated: 4/18/2019

View the most current versions of these ACs and any associated changes at:

http://www.faa.gov/airports/resources/advisory_circulars and

http://www.faa.gov/regulations_policies/advisory_circulars/

NUMBER	TITLE
70/7460-1L Change 2	Obstruction Marking and Lighting
150/5000-9A	Announcement of Availability Report No. DOT/FAA/PP/92-5, Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations
150/5000-17	Critical Aircraft and Regular Use Determination
150/5020-1	Noise Control and Compatibility Planning for Airports
150/5070-6B Changes 1 - 2	Airport Master Plans
150/5070-7 Change 1	The Airport System Planning Process
150/5100-13B	Development of State Standards for Nonprimary Airports
150/5200-28F	Notices to Airmen (NOTAMs) for Airport Operators
150/5200-30D Change 1	Airport Field Condition Assessments and Winter Operations Safety
150/5200-31C Changes 1 - 2	Airport Emergency Plan
150/5210-5D	Painting, Marking, and Lighting of Vehicles Used on an Airport
150/5210-7D	Aircraft Rescue and Fire Fighting Communications
150/5210-13C	Airport Water Rescue Plans and Equipment

NUMBER	TITLE
150/5210-14B	Aircraft Rescue Fire Fighting Equipment, Tools and Clothing
150/5210-15A	Aircraft Rescue and Firefighting Station Building Design
150/5210-18A	Systems for Interactive Training of Airport Personnel
150/5210-19A	Driver's Enhanced Vision System (DEVs)
150/5220-10E	Guide Specification for Aircraft Rescue and Fire Fighting (ARFF) Vehicles
150/5220-16E, Change 1	Automated Weather Observing Systems (AWOS) for Non-Federal Applications
150/5220-17B	Aircraft Rescue and Fire Fighting (ARFF) Training Facilities
150/5220-18A	Buildings for Storage and Maintenance of Airport Snow and Ice Control Equipment and Materials
150/5220-20A	Airport Snow and Ice Control Equipment
150/5220-21C	Aircraft Boarding Equipment
150/5220-22B	Engineered Materials Arresting Systems (EMAS) for Aircraft Overruns
150/5220-23	Frangible Connections
150/5220-24	Foreign Object Debris Detection Equipment
150/5220-25	Airport Avian Radar Systems
150/5220-26, Changes 1 - 2	Airport Ground Vehicle Automatic Dependent Surveillance - Broadcast (ADS-B) Out Squitter Equipment
150/5300-13A, Change 1	Airport Design
150/5300-14C	Design of Aircraft Deicing Facilities
150/5300-16A	General Guidance and Specifications for Aeronautical Surveys: Establishment of Geodetic Control and Submission to the National Geodetic Survey
150/5300-17C Change 1	Standards for Using Remote Sensing Technologies in Airport Surveys
150/5300-18B Change 1	General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards
150/5320-5D	Airport Drainage Design

NUMBER	TITLE
150/5320-6F	Airport Pavement Design and Evaluation
150/5320-12C, Changes 1 - 8	Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces
150/5320-15A	Management of Airport Industrial Waste
150/5325-4B	Runway Length Requirements for Airport Design
150/5335-5C	Standardized Method of Reporting Airport Pavement Strength - PCN
150/5340-1L	Standards for Airport Markings
150/5340-5D	Segmented Circle Airport Marker System
150/5340-18F	Standards for Airport Sign Systems
150/5340-26C	Maintenance of Airport Visual Aid Facilities
150/5340-30J	Design and Installation Details for Airport Visual Aids
150/5345-3G	Specification for L-821, Panels for the Control of Airport Lighting
150/5345-5B	Circuit Selector Switch
150/5345-7F	Specification for L-824 Underground Electrical Cable for Airport Lighting Circuits
150/5345-10H	Specification for Constant Current Regulators and Regulator Monitors
150/5345-12F	Specification for Airport and Heliport Beacons
150/5345-13B	Specification for L-841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits
150/5345-26D	FAA Specification For L-823 Plug and Receptacle, Cable Connectors
150/5345-27E	Specification for Wind Cone Assemblies
150/5345-28G	Precision Approach Path Indicator (PAPI) Systems
150/5345-39D	Specification for L-853, Runway and Taxiway Retroreflective Markers
150/5345-42H	Specification for Airport Light Bases, Transformer Housings, Junction Boxes, and Accessories
150/5345-43J	Specification for Obstruction Lighting Equipment

NUMBER	TITLE
150/5345-44K	Specification for Runway and Taxiway Signs
150/5345-45C	Low-Impact Resistant (LIR) Structures
150/5345-46E	Specification for Runway and Taxiway Light Fixtures
150/5345-47C	Specification for Series to Series Isolation Transformers for Airport Lighting Systems
150/5345-49D	Specification L-854, Radio Control Equipment
150/5345-50B	Specification for Portable Runway and Taxiway Lights
150/5345-51B	Specification for Discharge-Type Flashing Light Equipment
150/5345-52A	Generic Visual Glideslope Indicators (GVGI)
150/5345-53D	Airport Lighting Equipment Certification Program
150/5345-54B	Specification for L-884, Power and Control Unit for Land and Hold Short Lighting Systems
150/5345-55A	Specification for L-893, Lighted Visual Aid to Indicate Temporary Runway Closure
150/5345-56B	Specification for L-890 Airport Lighting Control and Monitoring System (ALCMS)
150/5360-12F	Airport Signing and Graphics
150/5360-13A	Airport Terminal Planning
150/5360-14A	Access to Airports By Individuals With Disabilities
150/5370-2G	Operational Safety on Airports During Construction
150/5370-10H	Standard Specifications for Construction of Airports
150/5370-11B	Use of Nondestructive Testing in the Evaluation of Airport Pavements
150/5370-13A	Off-Peak Construction of Airport Pavements Using Hot-Mix Asphalt
150/5370-15B	Airside Applications for Artificial Turf
150/5370-16	Rapid Construction of Rigid (Portland Cement Concrete) Airfield Pavements
150/5370-17	Airside Use of Heated Pavement Systems
150/5390-2C	Heliport Design
150/5395-1B	Seaplane Bases

THE FOLLOWING ADDITIONAL APPLY TO AIP PROJECTS ONLY

Updated: 3/22/2019

NUMBER	TITLE
150/5100-14E, Change 1	Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects
150/5100-17, Changes 1 - 7	Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects
150/5300-15A	Use of Value Engineering for Engineering and Design of Airport Grant Projects
150/5320-17A	Airfield Pavement Surface Evaluation and Rating Manuals
150/5370-12B	Quality Management for Federally Funded Airport Construction Projects
150/5380-6C	Guidelines and Procedures for Maintenance of Airport Pavements
150/5380-7B	Airport Pavement Management Program
150/5380-9	Guidelines and Procedures for Measuring Airfield Pavement Roughness



U.S. Department
of Transportation
**Federal Aviation
Administration**

Airports Division
Central Region
Iowa, Kansas, Missouri, Nebraska

FAA ACE-600
901 Locust
Kansas City, MO 64106

July 2, 2019

Mr. Justin Nickel
Public Works Director
Marshalltown Municipal Airport
24 North Center Street
P.O. Box 757
Marshalltown, IA 50158

Dear Mr. Nickel:

We are enclosing the original and one copy of the Grant Offer for Airport Improvement Program (AIP) Project No. 3-19-0058-016-2019 at Marshalltown Municipal Airport in Marshalltown, IA. This letter outlines expectations for success. Please read the conditions and assurances carefully.

To properly enter into this agreement, you must do the following:

- a. The governing body must provide authority to execute the grant to the individual signing the grant; i.e. the sponsor's authorized representative.
- b. The sponsor's authorized representative must execute the grant, followed by the attorney's certification, no later than **7/31/2019**, in order for the grant to be valid.
 - The date of the attorney's signature must be on or after the date of the sponsor's authorized representative's signature.
 - All signatures must be made with blue or black ink; Signature stamps will not be accepted.
- c. You may not make any modification to the text, terms or conditions of the grant offer.
- d. After you properly execute the grant agreement:
 - Return one executed original Grant Agreement to our office via US mail or commercial courier.
 - Retain one copy of the executed Grant Agreement for your records.
- e. Because time is now critical for entering the executed grant into the FAA system, we request you send a copy of the signed agreement to our office by facsimile, (816) 329-2610, or email, anthony.pollard@faa.gov, prior to sending the hardcopy document through U.S. mail or commercial courier.

Subject to the requirements in 2 CFR §200.305, each payment request for reimbursement under this grant must be made electronically via the Delphi eInvoicing System. Please see the attached Grant Agreement for more information regarding the use of this System.

The terms and conditions of this agreement require you to complete the project without undue delay. We will be monitoring your progress to ensure proper stewardship of these Federal funds. **We expect you to submit payment requests for reimbursement of allowable incurred project expenses**

consistent with project progress. Should you fail to make draws on a regular basis, your grant may be placed in "inactive" status, which will affect your ability to receive future grant offers.

Until the grant is completed and closed, you are responsible for submitting formal reports as follows:

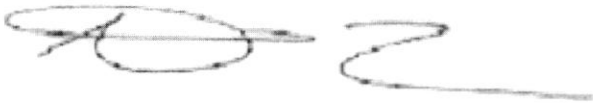
- A signed/dated SF-270 (non-construction projects) or SF-271 or equivalent (construction projects) and SF-425 annually, due 90 days after the end of each federal fiscal year in which this grant is open (due December 31 of each year this grant is open); and
- Performance Reports, which are due within 30 days of the end of a reporting period as follows:
 1. Non-construction project: Due annually at end of the Federal fiscal year.
 2. Construction project: Submit FAA form 5370-1, Construction Progress and Inspection Report at the end of each fiscal quarter.

As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in Federal awards to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to assure your organization will comply with applicable audit requirements and standards.

Once the project(s) is completed and all costs are determined, we ask that you close the project without delay and submit the necessary final closeout documentation as required by your Region/Airports District Office.

I am the assigned program manager for this grant and am readily available to assist you and your designated representative with the requirements stated herein. We sincerely value your cooperation in these efforts and look forward to working with you to complete this important project.

Sincerely,

A handwritten signature in black ink, appearing to read 'APollard', with a long horizontal flourish extending to the right.

Anthony Pollard
State Airport Engineer - Iowa



Joel T.S. Greer, Mayor
Jessica Kinser, Administrator
Justin Nickel, Public Works Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5734
Fax - (641) 754-5793

DEPARTMENT OF PUBLIC WORKS

July 17, 2019

To: Mayor Joel T.S. Greer
Members of the City Council

From: Justin Nickel
Director of Public Works

Re: Federal Aviation Administration Grant Agreement—for engineering design of a 120' x 100' Hangar (ARP19001)

Policy Issue: City policy requires Governing Body approval of all intergovernmental agreements

Recommendation: Staff recommends approving the Agreement with FAA for funding engineering design not to exceed \$55,800.

Background: The funding agreement allows the City to design a 120' x 100' storage hangar at the Marshalltown Airport.

Budget Impact: The design of this project will be funded with 90% FAA funds and 10% local match from the general fund.

Attachment: FAA Agreement.

cc: Jessica Kinser, City Administrator

City Council
Leon Lamer, Mike Gowdy, Sue Cahill, Al Hoop
Gabe Isom, Bill Martin, Bethany Wirin



2019-__

**RESOLUTION TO APPROVE THE CODE BUILDING UPGRADE GRANT
APPLICATION FOR
30 E. MAIN STREET, MARSHALLTOWN, IOWA**

WHEREAS, the City created a program under which grants are provided to owners or business tenants of buildings in the Urban Renewal Area No. 4 historic district to help rehabilitate and restore eligible buildings and upgrade to City code. The Marshalltown Central Business District administers the Code Building Upgrade Grant Program; and

WHEREAS, the Downtown Incentive Grant Committee has received an application for 30 E. Main St., which is owned by Julie Miller (business name is Escape on Main), for demolition of the old basement and wood structure and replace with a new deck, stairway, and commercial door; and

WHEREAS, the property owners or business tenants who will make at least \$5,000 in qualifying improvements are eligible to receive a matching grant and the grant can reimburse eligible construction costs up to 25% or up to \$20,000, whichever is less; and

WHEREAS, the owner has provided an estimate of construction costs of \$61,137.00 so 25% would be eligible, which is \$15,284.25; and

WHEREAS, the Downtown Incentive Grant Committee is recommending that Council approve this grant application since the project meets the requirements and funds certified for the code building upgrade grant are available to cover this expenditure.

THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, to approve the grant up to \$15,284.25 for the reimbursement to Julie Miller for the code building upgrade improvement at 30 E. Main Street.

PASSED this 22nd day of July, 2019, and signed this ____ day of July, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

MARSHALLTOWN

— I O W A —

Joel Greer, Mayor
Jessica Kinser, Administrator
Diana Steiner, Finance Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5760
Fax - (641) 754-5781

FINANCE DEPARTMENT

July 18, 2019

To: Mayor Joel Greer
Members of the City Council

From: Diana Steiner, Finance Director

Re: Incentive Grant Applications

Policy Issue: Council must approve recommendations made by the Incentive Grant Committee.

Recommendation: The Incentive Grant Committee recommends approving the façade and code building upgrade grant applications for 30 E. Main Street known as Escape on Main and owned by Julie Miller.

Background: The Incentive Grant Committee members have met and reviewed grant requests from Julie Miller. After a review of the applications and discussions were held the committee voted to recommend the requests be approved by Council. Grant applications and associated materials have been provided to you for your review as well as an overview of current funds available for these grants.

Budget Impact: Before this request, the balance available for this program was \$43,722. If approved, the balance remaining for other projects would be \$22,060.

Attachment: Façade Grant Application for 30 E. Main Street
City Code Building Upgrade Grant Application for 30 E. Main Street
Grant Applications July 2019

cc: Jessica Kinser, City Administrator

Note: Applicant must provide a copy of all proposed materials and design drawings for estimated scope of work and, upon completion, a copy of the contractor's waiver of lien for evidence of payment. The Main Street Downtown Incentive Committee/City reserves the right to request additional information.

I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The owner invites Main Street Downtown Incentive Committee/City representatives to make all reasonable inspections, investigations and take pictures of the subject property during the processing period of this request.

I understand that this is a voluntary program. I also understand the Main Street Downtown Incentive Committee/City has the right and discretion to approve or deny any project portions thereof.

I authorize the use of any pictures involving this project by the Main Street Downtown Incentive Committee/City

Signature of Applicant

5-16-19

Date

Signature of Owner

5-16-19

Date

Return to:
Marshalltown Central Business District, Jenny Etter, Director
16 E Main St Suite #280
Marshalltown, IA 50158
Phone: 641-844-2001 Fax: 641-844-2002
director@marshalltownmainstreet.org

Work commenced prior to Approval of the City Code
Building Upgrade Application is not eligible.

Ciro DiIorio Masonry & Landscaping,
LLC
901 N. 3rd Ave
Marshalltown, IA
50158

Estimate

Date	Estimate #
4/5/2019	682

Name / Address
Simms Constrution 609 Iowa Ave. W Marshalltown, IA 50158

			Project
Description	Qty	Rate	Total
Julie Miller - Main Street Marshalltown		10,468.00	10,468.00
Demolition: Remove and dispose of wood structure and roof (18' x 41'). Remove and dispose of concrete and brick foundation and slab.			
Close off opening to basement.		2,920.00	2,920.00
Stucco/Water proofing: Apply stucco with Acrylic 60 additive to exposed foundation. Apply HML 5000 membrane over stucco. Install 2" Styrofoam over membrane. Install drainage tile around foundation and connect to interior sump pump.		9,276.00	9,276.00
Backfill: Back fill and compact at proper lifts with road stone.		5,871.00	5,871.00
Patio (41' x 18'): Prepare and pour concrete patio.		5,535.00	5,535.00
Asbestos Removal.		4,500.00	4,500.00
Moving gas lines and meters.		7,967.00	7,967.00
Alliant Energy Fees ALLOWANCE.		4,000.00	4,000.00
Carpentry Deck: Construct small deck and staircase using pressure treated lumber.		3,500.00	3,500.00
Payment Agreement: 10% Upon Scheduling 40% Upon Starting 25% Midway 25% Upon Completion			
		Total	\$54,037.00

Simms Construction 811 Iowa Ave W Marshalltown, IA 50158	 SIMMS CONSTRUCTION	Estimate	
		Date	Estimate #
		4/29/2019	1032

Name / Address
julie miller main st building alley

This is an estimate, not a contract for service. This estimate is for completing the job as described below. It is based on our evaluation and does not include material price increases or additional labor and materials which may be required should unforeseen problems arise after the work has started. Thank you for your business. We look forward to working with you.		Project
Description		Rate
Rear of building repair Manage masonry demolition, filling of old basement, and concrete patio.		5,400.00
simmsbuild@gmail.com	641-758-3113	Total \$5,400.00

Item Description	Quantity	Price Per	Total
New Commercial Door w/Security Window Demo Old - Install New			1,200 <u>500</u> 1,700 - Include
Deck Repair Demo Build New Structure For Deck Decking & Railing - Treated Wood Materials		>	1,500 Not <u>350</u> 1,850 included
TOTAL			3,550 -

MCBD - Main Street Program, Façade and Code Grants - since inception

<u>Year</u>	<u>Address</u>	<u>Owner</u>	<u>Grant Amt</u>	<u>Total Investment</u>
2006	36 E Main St	Those Ink Guys	5,003.00	\$20,015
2007	219 E Main St	Bob's Furniture	7,110.00	\$30,325
2007	117 W Main St	Mike's Bikes	7,395.00	\$31,927
2008	118 W Main St	Headliner	5,743.00	\$22,973
2010	107 N Center St	Showroom Auto	21,698.00	\$179,528
2010	118 E Main St	Peglow Law	8,500.00	\$49,545
2010	101 W Main St	Devaul Inc	14,994.00	\$105,000
2010	23 W Main St	Lillie Mae - approved not funded		
2010	5 W Main St	Ocean City	16,693.00	\$91,243
2011	4 E Main St	Zamora Market	2,688.50	\$50,000
2012	5 W Boone St	Don Anderson	13,121.50	\$160,609
2013	134 E Main St	Common Bond	45,500.00	\$8,000,000
2013	119 E Main St	Kester	20,000.00	\$160,000
2014	105 W Main St: Downtown Leases &	McGregor - Antique	12,500.00	\$180,000
2015	125-131 E Main St	Hagstrand - Kibbey (Downtown Leases & Lofts)	50,972.50	\$282,776
2015	208 E Church St	Aaron Benscoster	20,000.00	\$490,000
2015	16 E Main St	CGA	5,740.00	\$22,960
2015	119 E Main St	Kester	5,445.70	\$24,053
2015	207 E Church St	Stufflebeam Plaza	2,583.75	\$29,622
2017	116 W Main St; Optical Center	Julie Schossow	8,500.00	\$38,650
2019	216-218 E. Main St.	Hawkins & Urbanowski	2,539.50	\$10,158
2019	14 E. Main: Northwestern	CGA Properties	8,500.00	\$48,460
2019	17 N. 1st St.	Avalos	8,500.00	\$43,675
2019	19-21 S. 2nd Ave	Hagstrand	10,728.00	\$42,915
SUB-TOTAL			304,455.45	\$10,114,434
PROJECT APPROVED BUT NOT PAID (Iowa Valley Antiques 12/27/17)			1,822.00	\$7,300
COUNCIL REALLOCATED TO MCB D FOR OPERATIONS DUE TO TORNADO			40,000.00	
TOTAL COMMITTED			346,277.45	
CERTIFIED FUNDS			390,000.00	
BALANCE REMAINING BEFORE COUNCIL APPROVAL MAY 13, 2019			43,722.55	
Requests for consideration:				
30 E Main (Façade)	Miller	\$	(6,378.00)	\$ 25,512.00
30 E. Main (Code Upgrade)	Miller	\$	(15,284.25)	\$ 61,137.00
			(21,662.25)	
Balance if requests approved			22,060.30	

**RESOLUTION TO APPROVE THE FAÇADE GRANT APPLICATION FOR
30 E. MAIN STREET, MARSHALLTOWN, IOWA**

WHEREAS, the City created a program under which grants are provided to owners or business tenants of buildings in the Urban Renewal Area No. 4 for the purpose of improving building facades (the “Façade Improvement Program”) and the Marshalltown Central Business District administers the Façade Improvement Program; and

WHEREAS, the Downtown Incentive Grant Committee has received an application for 30 E. Main St., which is owned by Julie Miller (business name is Escape on Main), for removal of old signage, fascia, soffit, and corbels and replace with new windows, trim and backing support for new signage, and

WHEREAS, the property owners or business tenants who will make at least \$5,000 in qualifying improvements are eligible to receive a matching grant and the grant can reimburse eligible construction costs up to 25% or up to \$8,500 for a 1 story structure or \$12,500 if it also relates to upper story improvements, whichever is less; and

WHEREAS, the owner has provided an estimate of construction costs of \$25,512.00 so 25% would be eligible, which is \$6,378.00; and

WHEREAS, the Downtown Incentive Grant Committee is recommending that Council approve this grant application since the project meets the requirements and funds certified for the façade grant are available to cover this expenditure.

THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, to approve the grant up to \$6,378.00 for the reimbursement to Julie Miller for the façade improvement at 30 E. Main Street.

PASSED this 22nd day of July, 2019, and signed this ____ day of July, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

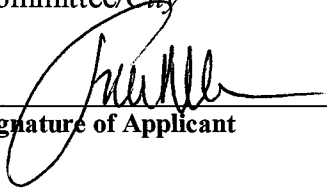
ATTEST:

Shari L. Coughenour, CMC, City Clerk

I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The owner invites M CBD representatives to make all reasonable inspections, investigations and take pictures of the subject property during the processing period of this request.

I understand that this is a voluntary program. I also understand the Main Street Downtown Incentive Committee/City has the right and discretion to approve or deny any project portions thereof.

I authorize the use of any pictures involving this project by the Main Street Downtown Incentive Committee/City



Signature of Applicant

6-20-19

Date

Signature of Owner

Date

Return to:
Marshalltown CBD, Jenny Etter, Executive Director
16 E Main St Suite 280
Marshalltown, IA 50158
Phone: 641-844-2001 Fax: 641-844-2002
director@marshalltownmainstreet.org

Work commenced prior to approval of the Façade Grant Application is not eligible.

Simms Construction
811 Iowa Ave W
Marshalltown, IA 50158



Estimate

Date

Estimate #

4/29/2019

1031

Name / Address

julie miller main st building

This is an estimate, not a contract for service. This estimate is for completing the job as described below. It is based on our evaluation and does not include material price increases or additional labor and materials which may be required should unforeseen problems arise after the work has started. Thank you for your business. We look forward to working with you.

Project

Description

Rate

Front facade repair and remodel

25,512.00

Scaffolding and lift rental

Demolition of old signage

Demolition of rotted fascia

Demolition of rotted soffit

Remove Corbels

Replace three windows/Install trim

Repair or replace any architectural trim that is rotted

Install new backing support for new signage

Clean up and disposal

simmsbuild@gmail.com

641-758-3113

Total

\$25,512.00

RESOLUTION 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 \$468.56

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with Tony's Plumbing & Heating LLC for the labor and material for the POLICE & FIRE HEADQUARTERS Project #BLD17001; and

WHEREAS an increase is requested for additional items to complete the project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section1. That the contract Change Order for the Police & Fire Headquarters Project, in the increased amount of \$1,831,938.52 is hereby accepted and approved.

Passed this 22nd day of July 2019, and signed this ____ day of _____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

RESOLUTION APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE
HEADQUARTERS PROJECT # BLD17001 BP#21-1 FIRE SUPPRESSION FOR
BLACKHAWK AUTOMATIC SPRINKLER
A DECREASE OF \$193.15

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with
Blackhawk Automatic Sprinkler for the labor and material for the POLICE & FIRE
HEADQUARTERS Project #BLD17001; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
MARSHALLTOWN, IOWA:

Section1. That the contract Change Order for the Police & Fire Headquarters Project, in the
decreased amount of \$105,856.85 is hereby accepted and approved.

Passed this 22nd day of July 2019, and signed this _____ day of _____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

RESOLUTION APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE
HEADQUARTERS PROJECT # BLD17001 BP#26-1 ELECTRICAL COMMUNICATIONS
& SECURITY FOR DEVRIES ELECTRIC
A DECREASE OF \$1,360.50

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with DeVries Electric for the labor and material for the POLICE & FIRE HEADQUARTERS Project #BLD17001; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section1. That the contract Change Order for the Police & Fire Headquarters Project, in the decreased amount of \$1,360,987.20 is hereby accepted and approved.

Passed this 22nd day of July 2019, and signed this _____ day of _____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

RESOLUTION APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE
HEADQUARTERS PROJECT # BLD17001 BP#3-1 CONCRETE FOUNDATIONS FOR
CALIBER CONCRETE
A DECREASE OF \$3867.38

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with Caliber Concrete for the labor and material for the POLICE & FIRE HEADQUARTERS Project #BLD17001; and

WHEREAS a decrease is requested for additional items to complete the project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section1. That the contract Change Order for the Police & Fire Headquarters Project, in the decreased amount of \$705,603.51 is hereby accepted and approved.

Passed this 22nd day of June 2019, and signed this ____ day of _____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

RESOLUTION APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE
HEADQUARTERS PROJECT # BLD17001 BP#5-1 STEEL FOR CENTRAL WESTERN
FABRICATORS
A DECREASE OF \$16,373.11

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with Central Western Fabricators for the labor and material for the POLICE & FIRE HEADQUARTERS Project #BLD17001; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section1. That the contract Change Order for the Police & Fire Headquarters Project, in the decreased amount of \$825,839.72 hereby accepted and approved.

Passed this 22nd day of July 2019, and signed this ____ day of_____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

RESOLUTION APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE
HEADQUARTERS PROJECT # BLD17001 BP#6-1 GENERAL SUPPLIES FOR GARLING
CONSTRUCTION
AN INCREASE OF \$14,911.91

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with Garling Construction for the labor and material for the POLICE & FIRE HEADQUARTERS Project #BLD17001; and

WHEREAS an increase is requested for additional items to complete the project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section1. That the contract Change Order for the Police & Fire Headquarters Project, in the increased amount of \$1,391,328.42 is hereby accepted and approved.

Passed this 22nd day of July 2019, and signed this ____ day of_____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

RESOLUTION APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE
HEADQUARTERS PROJECT # BLD17001 BP#8-1 ALUMINUM
STOREFRONTS,CURTAINWALLS RESOLUTION APPROVING CONTRACT CHANGE
ORDER FOR THE POLICE & FIRE & GLAZING FOR FORMAN FORD
AN INCREASE OF \$18,678.64

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with
Forman Ford for the labor and material for the POLICE & FIRE HEADQUARTERS Project
#BLD17001; and

WHEREAS an increase is requested to complete the project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
MARSHALLTOWN, IOWA:

Section1. That the contract Change Order for the Police & Fire Headquarters Project, in the
increased amount of \$689,148.64 is hereby accepted and approved.

Passed this 22nd day of July 2019, and signed this _____ day of _____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

RESOLUTION APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE
HEADQUARTERS PROJECT # BLD17001 BP#9-1 GYMPSUM WALL ASSEMBLIES FOR
HILSABEK SCHACHT, INC.
A DECREASE OF \$618.00

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with
Hilsabek Schacht, Inc. for the labor and material for the POLICE & FIRE HEADQUARTERS
Project #BLD17001; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
MARSHALLTOWN, IOWA:

Section1. That the contract Change Order for the Police & Fire Headquarters Project, in the
increased amount of \$1,125,135.00 is hereby accepted and approved.

Passed this 22nd day of July 2019, and signed this _____ day of _____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

RESOLUTION APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE
HEADQUARTERS PROJECT # BLD17001 BP#9-2 FLOOR COVERINGS FOR ALLIED
CONSTRUCTION SERVICES, INC.
AN INCREASE OF \$6143.00

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with Allied Construction Services, Inc. for the labor and material for the POLICE & FIRE HEADQUARTERS Project #BLD17001; and

WHEREAS an increase is requested for items to complete the project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section1. That the contract Change Order for the Police & Fire Headquarters Project, in the increased amount of \$238,118.00 is hereby accepted and approved.

Passed this 22nd day of July 2019, and signed this ____ day of _____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



July 12, 2019

Mr. Justin Nickel, P.E.
Public Works Director
City of Marshalltown
24 N. Center Street
Marshalltown, IA 50518

RE: Marshalltown Police & Fire Headquarters Project

Dear Justin,

Story has reviewed the attached Change Requests and recommends approval and incorporation into the appropriate Bid Packages.

Change Requests Required by Scope & Design Changes

<u>Change Request #</u>	<u>Description</u>	<u>Dollar amount</u>
CR 077R	Misc. Tile Field Work Orders	\$ 4,485.50
CR 085	True-up of Contracts for Bid Package Contractors	(\$ 1,674.15)
CR 087R	Misc. Tony's Field Work Orders	\$ 930.00
CR 091	Misc. Garling Field Work Orders	\$ 4,136.90
CCD 029	Additional Steel Work	\$ 10,280.37
CCD 034	Add Metal Stud & Drywall Bulkhead at Lobby Corridor	\$ 1,670.00
CCD 037	Add Aluminum Trim at Hose Tower & Fitness Room Windows	\$ 1,760.00
	TOTAL	\$ 21,588.62

Sincerely,

STORY CONSTRUCTION CO.

A handwritten signature in black ink, appearing to read 'Mike Welter', is written over a light blue horizontal line.

Mike Welter
Project Manager

MW:rl
enclosures: Change Request Summaries

RESOLUTION APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE
HEADQUARTERS PROJECT # BLD17001 BP#9-3 PAINTING FOR HEARTLAND
FINISHES
AN INCREASE OF \$3798.65

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with Heartland Finishes for the labor and material for the POLICE & FIRE HEADQUARTERS Project #BLD17001; and

WHEREAS an increase is requested for additional items to complete the project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section1. That the contract Change Order for the Police & Fire Headquarters Project, in the increased amount of \$180,747.65 is hereby accepted and approved.

Passed this 22nd day of July, 2019, and signed this _____ day of _____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



▷ 5525 Merle Hay Road | Suite 200 | Johnston, IA 50131
Main 515.278.2913 + Fax 515.278.1846

▷ HRGREEN.COM

July 12, 2019

Mr. Bob Ranson
City of Marshalltown, WPCP Superintendent
1001 Woodland St.
Marshalltown, IA 50158

Re: Marshalltown WPCP – Phase III Concrete Renovation – Opinion of Cost

Dear Bob:

The latest Opinion of Probable Construction Cost for the Phase III Concrete Renovation at the Marshalltown WPCP improvements project is approximately \$242,000. This opinion of cost is based on a detailed breakdown of quantities of materials and equipment planned for the project. This cost opinion represents an estimate of the construction cost at the time the contract documents are placed on file with the City.

If you have questions or comments, please don't hesitate to contact me.

Sincerely,

HR Green, Inc.

A handwritten signature in blue ink that reads 'James R. Rasmussen'.

James R. Rasmussen, P.E.
Senior Project Manager/Vice President

Cc : Shari Coughenour, City Clerk

Enclosure

Marshalltown Pollution Control Plant - Engineer's Opinion of Probable Cost - 7/12/19

Item	Item Description	Unit	Quantity	Unit Cost	Item Cost
1	Spalled Concrete Repair	SF	1000	\$10	\$10,000.00
2		SF	1000	\$16	\$16,000.00
3	Crack Repair	LF	600	\$15	\$9,000.00
4	Construction Joint Repair	LF	200	\$10	\$2,000.00
5	Expansion Joint Repair	LF	400	\$10	\$4,000.00
6	Watertight Joint Repair	LF	150	\$40	\$6,000.00
7	Wall and Elevated Slab Repair	CY	7	\$1,000	\$7,000.00
8		CY	7	\$2,000	\$14,000.00
9	Slab on Grade Repair	CY	4	\$200	\$800.00
10		CY	4	\$450	\$1,800.00
11	Tank Surface Repair	SF	5	\$30	\$150.00
12		SF	5	\$50	\$250.00
13	Concrete Surface Replacement	SF	50	\$10	\$500.00
14		SF	50	\$14	\$700.00
15	Concrete General Repair	SF	20	20	\$400.00
16	Surface General Repair w/Seal Coat	SF	10000	\$5	\$50,000.00
17	Concrete Hardener Application	SF	10000	\$2	\$20,000.00
18	Iron Metal Surface Repair	SF	100	15	\$1,500.00
19	Aluminum Stair	#	1	\$1,000	\$1,000.00
20	Railing Reinstallation/Repair	LF	20	\$12	\$240.00
21	Electrical Conduit Repair	LF	200	\$10	\$2,000.00
22	Smooth Coat	SF	100	\$10	\$1,000.00
23	Earthwork	CY	16	\$297	\$4,752.00
24	Power Wash Tanks and Trenches	SF	25000	\$2.00	\$50,000.00
25	Sand Blasting	SF	1000	\$7	\$7,000.00
				SUBTOTAL	\$210,092.00
	Bonds & Insurance	LS		5%	\$10,504.60
	Mobilization	LS		5%	\$10,504.60
	Contingencies	LS		5%	\$10,504.60
				TOTAL	\$241,605.80

RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND
COST FOR THE WPCP CONCRETE REPAIR PHASE 3 PROJECT, IN THE CITY OF
MARSHALLTOWN, IOWA, BEING PROJECT NO. WPC19001

WHEREAS there was placed on file in the office of the Clerk of the City of Marshalltown, Iowa, proposed plans and specifications, proposed form of contract and estimated cost for a public improvement in the City of Marshalltown, Iowa, for the WPCP CONCRETE REPAIR PHASE 3 PROJECT, Project No. WPC19001, as fully set forth in the resolution ordering same, and that public notice of hearing on such plans, specifications and form of contract were duly published in the Marshalltown Times-Republican in time for hearing now before the Council, and

WHEREAS written objections to the plans, specifications and form of contract have been called for and no such written objections have been filed with the City Clerk, and oral objections being called for and no oral objections being made in open Council, it is the decision of this Council that such plans, specifications, form of contract and estimate of cost should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, that the plans, specifications, form of contract and estimated cost heretofore placed on file and upon which public notice has been duly given and no objections thereto have been made either in writing or in open council, the Council does now adopt and approve the plans, specifications, form of contract and estimate of cost for Project No WPC19001, being the WPCP CONCRETE REPAIR PHASE 3 PROJECT in the city of Marshalltown, Iowa.

Passed this ____ day of July, 2019, and signed this ____ day of July, 2019.

CITY OF MARSHALLTOWN

Joel Greer, Mayor

Attest:

Shari L. Coughenour, City Clerk

RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND
COST FOR THE ANSON PARK PROJECT, IN THE CITY OF MARSHALLTOWN, IOWA,
BEING PROJECT NO. PRK190011

WHEREAS there was placed on file in the office of the Clerk of the City of Marshalltown, Iowa, proposed plans and specifications, proposed form of contract and estimated cost for a public improvement in the City of Marshalltown, Iowa, for the ANSON PARK PROJECT, Project No. PRK19001, as fully set forth in the resolution ordering same, and that public notice of hearing on such plans, specifications and form of contract were duly published in the Marshalltown Times-Republican in time for hearing now before the Council, and

WHEREAS written objections to the plans, specifications and form of contract have been called for and no such written objections have been filed with the City Clerk, and oral objections being called for and no oral objections being made in open Council, it is the decision of this Council that such plans, specifications, form of contract and estimate of cost should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, that the plans, specifications, form of contract and estimated cost heretofore placed on file and upon which public notice has been duly given and no objections thereto have been made either in writing or in open council, the Council does now adopt and approve the plans, specifications, form of contract and estimate of cost for Project No PRK19001, being the ANSON PARK PROJECT in the city of Marshalltown, Iowa.

Passed this ____ day of July, 2019, and signed this ____ day of July, 2019.

CITY OF MARSHALLTOWN

Joel Greer, Mayor

Attest:

Shari L. Coughenour, City Clerk

#2019-

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.

THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, AS FOLLOWS:

Article I. Chapter 151 of the Code of Ordinances, City of Marshalltown, Iowa, is amended by striking Sections 151.001 through 151.003 and inserting in lieu thereof the following:

"CHAPTER 151"
BUILDING REGULATIONS; CONSTRUCTION

Sec. 151.001. Adoption of building code.

- a.) Procedure Approved. An ordinance, proposing the adoption of a building code and following notice and hearing as required by law, was duly adopted, and pursuant to published notice a public hearing was duly held.
- b.) Adoption of International Building Code. That after following the procedure required by law and after due consideration the International Building Code (IBC), the International Residential Code (IRC), and the International Existing Building Code (IEBC) as published by the International Code Council, 2015 Editions are adopted in full as the Building Code and Building Ordinance of the City of Marshalltown, Iowa except portions that are deleted, modified, or amended by this ordinance. From the effective date of this ordinance, all building and construction shall be performed in accordance with the provisions of said code, as modified or amended by this ordinance.
- c.) Enforcement and Penalty. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, move, remove, convert or demolish, occupy, or maintain any building or structure in the city, or cause such to be done contrary to or in violation of any provisions of the building code. Any buildings or additions to any buildings erected or in the process of erection contrary to

the provisions of the Building Code as amended shall, after notice and failure to comply, be deemed a nuisance and may be abated as such.

Sec. 151.002. Amendments, modifications, additions and deletions to building code.

The following amendments, modifications, additions and deletions to the 2015 IBC and the 2015 IRC and the 2015 IEBC are made:

Section 101.1 Title is amended to read as follows:

These regulations shall be known as the Building Code of the City of Marshalltown, hereinafter referred to as “this code”. Any reference to a Section number shall mean to this code unless stated otherwise.

Section 103.2 Appointment (IBC & IRC) are deleted.

Section 104.2 Applications and permits (IBC & IRC) is amended to read as follows”

The Building Official shall receive applications, review construction documents and issue permits for the erection and alteration of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

1. To obtain a permit the applicant shall first file:
 - a) For the contractors required to be registered with the State of Iowa as a construction contractor, proof of registration must be presented to the Building Official or specified intergovernmental agency, if so designated by the Building Official.
 - b) All contractors requesting a building permit shall execute and file with the Marshalltown Building Official or specified intergovernmental agency, if so designated by the Building Official, a certificate of insurance written by a company authorized to transact business in the State of Iowa. Limits shall not be less than \$500,000.00 in personal injury or death and \$100,000.00 in property damage.
 - c) Certificate shall be written on a standard form and carrying an endorsement naming the City of Marshalltown, Iowa and its employees, or specified intergovernmental agency, if so designated by the Building Official, as additional insured, as its interest may appear and conditioned upon the faithful performance of all duties required of such contractor by any ordinances, rules, and regulations of the City. It shall be further a condition of said certificate of insurance, that the obligator will hold the City, or specified intergovernmental agency if so designated by the Building Official, harmless from any and all damages sustained by reason of neglect or incompetence on the part of such contractor, his/her agents or employees in the performance of the work done under a license or permit issued upon the filing of said certificate.

- d) The certificate of insurance shall be issued by December 31st of each year, and shall be refilled on or before said date for each subsequent year and shall be continuous full force and effect. It is the intent and purpose of said certificate of insurance to also bind the individual, company, firm, association or partnership, whether it is trade name, corporation, or other business association or arrangement with which the principal is associated.
 - e) Homeowners working in their own principal residence shall be exempt from filing said certificate.
2. Where a person desires to remodel or repair any residential building or structure of which they are the owner or owner of record:
- a) Such work may be done by a member of the household, without requiring the certificate of insurance otherwise required by this section.
 - b) Required permits shall be necessary for all remodel or repair work.
 - c) No owner or owner of record shall replace, remodel or repair any electrical or heating on any property that they are not the owner/occupant.
 - d) Plumbing in any building is required to be performed by a licensed plumbing contractor, licensed with the City of Marshalltown.

Section 105.2 Work exempt from permit (IBC & IRC) is amended to read as follows:

Delete references to electrical, plumbing, gas, and mechanical in this section.

Permits shall not be required for the following exemption from the permit requirements of this code, which shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any laws or ordinances of this jurisdiction.

Building

- a) One-story detached accessory buildings used as tool or storage sheds, playhouses and similar uses, provided the floor area is less than 120 square feet.
- b) Fences not over 6 feet (1829 mm) sidewalks and driveways high.
- c) Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or IIIA liquids.
- d) Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
- e) Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and not part of an accessory route.

- f) Painting, papering, tiling, and carpeting.
- g) Prefabricated swimming pools that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18,925 L) and are installed entirely above ground.
- h) Swings and other playground equipment accessory to a detached one and two family dwellings.
- i) Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from an exterior wall and do not require additional support.
- j) Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

Section 105.8 (IBC) and R105.10 (IRC) Demolition permit required is added to read as follows:

A demolition permit shall be required for the removal of any building or structure, or the removal of any portion of a building.

Section 109.2 (IBC) and Section R108.2 (IRC) Schedule of fees is amended to read as follows:

Permits shall not be issued until the fees, as set forth and established by resolution of the City Council, have been paid. An amended or supplemental permit for additional construction shall not be issued until the fee(s) for the additional work have been paid.

Section 109.3 (IBC) and Section R108.3 (IRC) Building permit valuations is amended to read as follows:

The determination of value or valuations under any provision of this code shall be made by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire extinguishing systems and any other permanent equipment. Valuations shall be established using square foot values with regional modifiers for the use and construction type most closely resembling those published by the International Code Council (ICC). Where no category resembles the proposed construction, a reasonable value will be assigned by the Building Official. The latest published valuations established by the ICC are hereby adopted and shall be reviewed and revised annually to incorporate newly published values. The Building Official shall correct the determination of value of work for which a permit is issued if such valuation appears to be in error or misstated. If the permit or plan review fees are reduced as a result of such correction, a refund may be issued to the applicant. If such fees are increased, the applicant shall pay all additional fees. Failure to pay such additional fees may result in revocation of any permit issued, or work stoppage as otherwise provided in this code.

Section 109.6 (IBC) and Section R108.5 (IRC) Refunds is amended to read as follows:

The Building Official may authorize the refunding of any fee paid hereunder, which was erroneously paid or collected. The Building Code Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee, within one hundred eighty (180) days from the date of the fee payment.

Section 109.4 (IBC) and Section R108.6 Work commencing before permit issuance is amended to read as follows:

Any person who commences work on a building, structure, electrical, gas, mechanical, or plumbing system before obtaining the necessary permits shall be subject to an investigation fee equal to the amount of the permit fee if the permit were issued. This fee shall be collected whether or not a permit is issued. The payment of such fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law. Only the Building Official may reduce this fee, when demonstrated that an emergency existed, which required the work to be done without a permit.

Section 113 (IBC) and Section R112 (IRC) Board of Appeals is amended to read as follows:

In order to determine the suitability of alternative materials and types of construction, and to provide for reasonable interpretation of all the provisions of this code, there shall be and hereby enacted a Board of Appeals consisting of five members who are qualified by experience and training to pass upon matters pertaining to building construction. The Building Official shall be an ex-officio member and shall act as Secretary of the Board. The Board of appeals shall be appointed by the Mayor, subject to the approval of the City Council, and said Board shall render a decision within thirty days from the time any matter is submitted to it. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant, and may recommend to the City Council such new legislation as is consistent therewith. The terms of each member shall be five years provided, however that the original appointments to the Board shall be as follows:

- a) One (1) member appointed for an initial one (1) year term.
- b) One (1) member appointed for an initial two (2) year term.
- c) One (1) member appointed for an initial three (3) year term.
- d) One (1) member appointed for an initial four (4) year term.
- e) One (1) member appointed for an initial five (5) year term.

The present existing Board shall continue under current appointments. The Board of Appeals shall have no authority relative to interpretation of the administrative portions of this code, nor shall the Board be empowered to waive requirements of this code.

Section 116 (IBC) Unsafe structures and equipment is deleted in its entirety. Refer to Chapter 151, Building Regulations; Dangerous Buildings of the City of Marshalltown Code of Ordinances.

Table R301.2 (1) (IRC) Climatic and geographic design criteria is amended to read as follows:

Ground Snow Load	30 PSF
Wind Speed	90 MPH
Seismic Design Category	A
Subject to Damage Weathering	Severe
Frost Line Depth	42" minimum
Termite	Moderate – Heavy
Decay	Slight – Moderate
Winter	- 5 degrees F
Ice Shield Underlay Req.	Yes
Flood Hazards	
NFIP	12/27/84
Firm Maps	04/17/84
Air Freeze Index	2500
Mean Annual Temp	48

Section 308.6.4 (IBC) Five or fewer persons receiving care in a dwelling unit is amended to read as follows:

A facility such as the above within a dwelling unit and having eight or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

Section 310.5 (IBC) Residential Group R-3 is amended to read as follows:

Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

- a) Buildings that do not contain more than two dwelling units.
- b) Boarding houses (nontransient) with 16 or fewer occupants.
- c) Boarding houses (transient) with 10 or fewer occupants.
- d) Care facilities as identified in Sections 308.3.4 or 308.4.2 that provide accommodations for five or fewer persons receiving care.
- e) Day care facilities as identified in section 308.6.4 located within single family dwellings with 8 or fewer persons receiving custodial care.
- f) Congregate living facilities (nontransient) with 16 or fewer occupants.
- g) Congregate living facilities (transient) with 10 or fewer occupants.

- h) Lodging houses with five or fewer guest rooms.

Section 310.5.1 (IBC) Care facilities within a dwelling is amended to read as follows:

Care facilities that are located within a single-family dwelling are permitted to comply with the International Residential Code in accordance with this section

Section 310.5.1.1 (IBC) 24-hour care facilities within a dwelling is added as follows:

Care facilities as identified in sections 308.3.4 or 308.4.2 that provide accommodations for 5 or fewer persons receiving custodial care in a single-family dwelling for 24-hours per day are permitted to comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or Section P2904 of the International Residential Code.

Section 310.5.1.2 (IBC) Day care facilities within a dwelling is added as follows:

Day care facilities as identified in section 308.6.4 that provide custodial care for 8 or fewer persons for less than 24-hours per day in a single-family dwelling are permitted to comply with the International Residential Code.

Exception:

Day care facilities as identified in section 308.6.4 that provide custodial care for 16 or fewer persons for less than 24-hours per day in a single-family dwelling, and are registered with the State of Iowa Department of Human Services as child development homes on or before January 1, 2017, are permitted to comply with the International Residential Code.

Section R403.1.4.1 (IRC) Frost protection is amended by deleting listed exceptions and inserting in lieu of the following:

Exceptions:

- a) One story wood or metal frame building not used for human occupancy and not more than four hundred (400) square feet in floor area may be constructed with walls supported on a treated wood foundation plate when approved by the Building Official.
- b) A one story detached wood frame building which is not used for human occupancy and does not exceed one thousand (1,000) square feet in area including additions, may be constructed upon four (4) inch wire reinforced concrete slab without frost footings. Reinforcement of the slab shall be a minimum 6 x 6 x 10 welded mesh wire, or #4 deformed reinforcing bars at twenty-four (24) inches on center either way.

Section R404.1.1 (IRC) Design required is amended to read as follows:

1. The minimum height of the foundation wall shall be seven feet eight inches measured between the foundation plate and a concrete floor slab having a minimum thickness of three and one-half inches. If such floor slab is not provided, a specially designed means of providing lateral support at the bottom to the wall shall be required.
2. Hollow concrete masonry units shall be set in Type “M” or Type “S” mortar.
3. All footings shall be continuous cast in place concrete having a minimum compressive strength of 3,000 pounds per square inch at 28 days, and shall be reinforced longitudinally with not less than two one half inch diameter steel bar for one story of construction, and two one half inch diameter steel bars for two story construction.
4. Footing reinforcement shall be symmetrically placed and so located as to ensure no less than three inches of concrete cover on all sides.
 - a. Foundation walls having a nominal thickness of not less than twelve inches may be unreinforced. Other foundation walls shall comply with the following requirements:
 - i. The nominal thickness of concrete masonry units shall not be less than eight inches.
 - ii. When a foundation wall has a horizontal clear span or more than twelve feet between supporting cross wall or corners, fully grouted vertical reinforcing shall be provided in the center of said wall in the amount of 0.075 square inches of ASTM A615 grade 40 steel per lineal foot of wall. All reinforcing steel shall be deformed bars spaced no more than eight feet on center. All grout shall comply with this code.
 - iii. Cast in place plain concrete foundation wall constructed under the provisions of this subsection shall be of concrete having a minimum compressive strength at 28 days of not less than 3,000 pounds per square inch. All materials, proportioning, and placing shall conform to the requirements of this code.
 1. The minimum wall thickness shall be 7 ½ inches.
 2. Walls shall be reinforced with no less three one-half inch diameter deformed ASTM A615 grade 40 steel bars placed horizontally at the corner wall, with one bar located at the top, one located near mid-height, and one located near the bottom. Vertical bars need to be placed no more than four foot on center.
 3. Prior to backfilling operations the top and bottom of foundation walls shall be laterally supported.
 4. Bottom lateral support may consist of one of the following:
 - a. A nominal two inch by four inch keyway may be formed into the footing.
 - b. 36 inch #4 rebar may be embedded into the footing at not more than four foot on center.
 - c. Minimum 3 ½ inch thick interior cast in place concrete floor slab.

Section R405.1 (IRC) Foundation drainage is amended to read as follows:

1. Every building hereafter erected with a basement shall have a subsoil drainage system placed under the basement floor and surrounding the outer walls of the building, with the tile invert set a minimum of eight (8) inches below the elevation of the basement floor. Such subsoil drainage system shall discharge water therefrom into a receptacle inside the foundation wall. Such receptacle shall terminate at least twenty-four (24) inches below the bottom of the basement floor and shall be at least twenty-four (24) inches in diameter or twenty (20) inches square. Materials of the drainage system shall be made of open jointed, horizontally split, or perforated bituminized fiber, pipe, or perforated plastic pipe not less than four (4) inches in diameter. The receptacle of sump water shall be made of concrete pipe, plastic manufactured, or a material approved by the Building Official, and a sump pump of suitable capacity shall be provided.
2. Construction of the drainage system. Subsoil drainage tile shall be installed on stable soil with coarse gravel backfill, size $\frac{1}{2}$ inch to 2 $\frac{1}{2}$ inch, over tile or other material approved by the Building Official, and at least twelve (12) inches in depth. The joints of open tile shall be covered with an approved asphalt saturated felt paper. Backfill should be placed to the original soil wall, whichever is less, in no case less than twelve (12) inches.
3. Discharge of subsoil water collected by the subsoil drainage system shall be lifted by the use of a sump pump and shall be discharged outside of the foundation wall. The discharge pipe shall be a minimum of 1 $\frac{1}{4}$ inch rigid pipe. When subsoil drainage system is so installed as to provide natural drainage by gravity, the sump pump will not be required.
4. Required inspections. The Building Official, upon notification from the permit holder or his agent, shall make the following inspections and shall either approve the subsoil drainage system or shall notify the permit holder or his or her agent wherein the same fails to comply with this code. Subsoil drainage inspection shall be made before the excavated areas are covered. If subsoil drainage system is to be drained by natural gravity, the Building Official may require water to flow through the system as proof that said system is working properly. Subsoil water shall not drain into the sanitary sewer system.
5. Existing buildings. If subsoil water is present in existing buildings draining into the sanitary sewer, the City Engineer or the Superintendent of the Water Pollution Control Plant shall require such drainage system as may be deemed adequate to eliminate said water from draining into the sanitary sewer.

Section 423.4 (IBC) Group E Occupancies adds the following exception:

4. Existing schools undergoing alterations, additions, or construction of new accessory buildings.

Section 901.8 (IBC) Fire Sprinkler Riser Room is amended as follows:

A fire sprinkler riser room shall be separated from the electrical room. The riser room shall have no electrical panels, devices, or apparatus inside the room other than the outlets or support equipment (lighting, air compressor, and heater) required for the use of the fire sprinkler system and/or the fire alarm panel. The sprinkler riser room shall not be accessed from the electrical room, but the electrical room may be accessed from the fire riser room.

Section 903.2.8.5 (IBC) & Section 313.2 (IRC) Group R One - and Two-Family Dwellings is added as follows:

An automatic residential fire sprinkler system shall be installed in one and two-family dwellings.

Exceptions:

1. An automatic fire sprinkler system shall not be required where additions or alterations are made to existing buildings that are not already provided with an automatic residential fire sprinkler system.
2. One and two-family dwellings containing less than eight thousand (8,000) square feet of floor space, excluding attached garages and other unenclosed areas.

Section 903.4.2 (IBC) Alarms is amended as follows:

An approved weather proof audible device suitable for outdoor use with 110 candela visual signal shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 907.2.2 (IBC) Group B is amended as follows:

A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B occupant load of all floors is 500 or more.
2. The Group B occupant load is more than 100 persons above or below the lowest level of exit discharge.
3. The Group B fire area contains an educational occupancy for students above the twelfth (12th) grade with an occupant load greater than 50 persons.
4. The fire area contains an ambulatory care facility.

Section 907.2.3 (IBC) Group E is amended as follows:

In the absence of a complete automatic sprinkler system, a complete automatic detection system utilizing an emergency voice/alarm communication system shall be installed throughout the entire Group E occupancy. A Group E occupancy with a complete automatic sprinkler system shall be provided with a fire alarm system with a minimum of corridor smoke detection, at a maximum spacing of 30 feet on center, and heat or smoke detection in any hazardous or non-occupied area utilizing an emergency voice/alarm communication system in compliance with Section 907.5.2.2 and installed in accordance with Section 907.6. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exception:

1. Group E occupancies with an occupant load of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
 - a. Interior corridors are protected by smoke detectors with alarm verification.
 - b. Auditoriums, cafeterias, gymnasiums and the like are protected by heat detectors or other approved detection devices.
 - c. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.
 - d. Off-premises monitoring is provided.
 - e. The capability to activate the evacuation signal from a central point is provided.
 - f. In buildings where normally occupied spaces are provided with a two-way communication system between such spaces and a constantly attended receiving station from which a general evacuation alarm can be sounded, except in locations specifically designated by the fire code official.
 - g. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system, the notification devices will activate on sprinkler water flow, and manual activation is provided from a normally occupied location.
 - h. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided that activation of the fire alarm system initiates an approved occupant notification signal in accordance with Section 907.5.

Section 910.2.1 (IBC) Group F-1 or S-1 is amended as follows:

Smoke and heat vents installed in accordance with Section 910.3 or a mechanical smoke removal system installed in accordance with Section 910.4 shall be installed in buildings and portions thereof used as a Group F-1 or S-1 occupancy having more than 30,000 square feet (2787 m²) of undivided area. In occupied portions of a building equipped throughout with an automatic sprinkler system in accordance with 903.3.1.1, where the upper surface of the story is not a roof assembly, a mechanical smoke removal system in accordance with Section 910.4 shall be installed.

Exception:

Group S-1 aircraft repair hangars.

Section 915.1 (IBC) Carbon monoxide general is amended as follows:

Carbon monoxide detection shall be installed in new and existing buildings in accordance with Sections 915.1.1 through 915.6 and Iowa Administrative Code 661-211.

Section 1008.3.1 (IBC) Emergency power general is amended as follows:

In the event of the power supply failure in rooms and spaces that require two or more means of egress or are more than 400 square feet or greater, an emergency electrical system shall automatically illuminate all of the following areas:

1. Aisles.
2. Corridors.
3. Exit access stairways and ramps.

Section 1008.3.2 (IBC) Buildings is amended as follows:

In the event of the power supply failure in rooms and spaces that require two or more means of egress or are more than 400 square feet or greater, an emergency electrical system shall automatically illuminate all of the following areas:

1. Interior exit access stairways and ramps.
2. Interior and exterior exit stairways and ramps.
3. Exit passageways.
4. Vestibules and areas on the level of exit discharge used for exit discharge in accordance with Section 1028.1

5. Exterior landings as required by Section 1010.1.6 for exit doorways that lead directly to the exit discharge.

Section 1009.2 (IBC) Continuity and components is amended as follows:

Each required accessible means of egress shall be continuous to a public way and shall consist of one or more of the following:

1. Accessible route complying with Section 1104.
2. Interior exit stairways complying with Sections 1009.3 and 1023.
3. Exit access stairways complying with Section 1009.3 and 1019.3 or 1019.4.
4. Exterior exit stairways complying with Sections 1009.3 and 1027 and serving levels other than the level of exit discharge.
5. Elevators complying with Section 1009.4.
6. Platform lifts complying with Section 1009.5.
7. Horizontal exits complying with Section 1026.
8. Ramps complying with Section 1012.
9. Areas of refuge complying with Section 1009.6.
10. Exterior areas for assisted rescue complying with Section 1009.7 serving exits at the level of exit discharge.
11. Components of exterior walking surfaces shall be concrete, asphalt, or other approved hard surface.

Section 1010.1.6 (IBC) Landings at doors is amended as follows:

Landings shall have a width not less than the width of the stairway or door, whichever is greater. Doors in the fully open position shall not reduce a required dimension by more than 7 inches (178 mm). Where a landing serves an occupant load of 50 or more, doors in any position shall not reduce the landing to less than one-half its required width. Landings shall have a length measured in the direction of travel of not less than 44 inches (1118 mm). For landings required by Section 1010.1.5 to be the same elevation on each side of the door, exterior landings shall be provided with frost protection. **Exception:**

1. Landing length in the direction of travel in Groups R-3 and U and within individual units of Group R-2 need not exceed 36 inches (914 mm).

Section 1010.1.6.1 (IBC) Frost protection at exterior landings is added as follows:

Exterior landings at doors shall be provided with frost protection.

Section 1010.1.9.1 (IBC) Hardware is amended as follows:

Door handles, pulls, latches, locks, and operating devices on doors required to be accessible by Chapter 11 shall not require tight grasping, tight pinching or twisting of the wrist to operate. Thumb turn locks shall not be allowed.

Section 1013.1.1 (IBC) Additional exit signs is added as follows:

Exit signs may be required at the discretion of the Code Official to clarify an exit or exit access.

Section 1028.6 (IBC) Exit discharge pathway is added as follows:

Components of exterior walking surfaces shall be concrete, asphalt, or other approved hard surface.

Section 1029.1.1 (IBC) Bleachers is amended as follows:

Bleachers, grandstands, and folding and telescopic seating that are not building elements shall comply with International Code Council (ICC) 300, Standard for Bleachers, Folding and Telescopic Seating, and Grandstands, 2012 Edition, with the following amendments to ICC-300

ICC-300 105.2 Yearly inspection required. The owner shall cause all bleachers and folding and telescopic seating installed on or after December 1, 2011, to be inspected at least once a year in order to verify that the structure is maintained in compliance with the provisions of this standard. All folding and telescopic seating shall also be inspected to evaluate compliance with the manufacturer's installation and operational instructions during the opening and closing of such seating. Any inspection conducted in compliance with this section may be conducted by any knowledgeable person including, but not limited to, a person who has been instructed by the manufacturer or installer as to procedures and standards for inspections of the structure being inspected and including, but not limited to, the owner of the structure or an employee of the owner of the structure. There are no further restrictions on the identity or employment of the person conducting the inspection unless otherwise provided by law. The owner shall maintain documentation of the required annual inspections, which shall show the date and name of the person conducting the inspection and shall be initialed by the person conducting the inspection.

ICC-300 501.2 Inspections. All tiered seating that was installed prior to December 1, 2011, shall be inspected at least once a year. The required inspection may be conducted by any knowledgeable person including, but not limited to, a person who has been instructed by the manufacturer or installer as to procedures and standards for inspections of the structure being inspected and including, but not limited to, the owner of the structure or an employee of the owner of the structure. There are no further restrictions on the identity or employment of the person conducting the inspection unless otherwise provided by law. All folding and telescopic seating shall be inspected to evaluate compliance with the manufacturer's installation and operational instructions and shall be

inspected during the opening and closing of such seating. The owner shall maintain documentation of the required annual inspections, which shall show the date and name of the person conducting the inspection and shall be initialed by the person conducting the inspection.

Section 1030.5.3 (IBC) Window well drainage is added as follows:

All window wells shall be provided with approved drainage.

Section 1608.2 (IBC) Ground snow load is amended to read as follows:

The ground snow load to be used in determining the design snow load for roofs is hereby established at thirty (30) pounds per square foot. Subsequent increases or decreases shall be allowed as otherwise provided in this code, except that the minimum allowable flat roof load may not be reduced to not less than eighty (80) percent of the ground snow load.

Section 1809.5 (IBC) Frost protection is amended to read as follows:

Except where otherwise protected from frost, foundations and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

- a.) Extending below the frost line of the locality.
- b.) Constructing in accordance with ASCE 32.
- c.) Erecting on solid rock.

Exception: Free standing buildings meeting all of the following conditions shall not be required to be protected:

- a.) Detached garages, accessory to Group R-3 and R-3 occupancies and not meant for human occupancy.
- b.) 1,000 square feet or less in size and more than ten feet from a dwelling or attached garage may be provided with a floating slab which shall include a thickened slab edge of a minimum eight inches thick and tapered or squared from a width of six to 12 inches and have floors of Portland cement concrete not less than four inches thick.
- c.) Garage areas shall have all sod and debris removed before pouring.

Sec. 151.003. Deletions and miscellaneous provisions.

- a.) Delete in their entirety Chapters 27, 28, and 29 and all appendix chapters of the IBC.
- b.) Delete all appendix chapters of the International Existing Building Code (IEBC).

- c.) Delete any references of the International Plumbing Code and the International Electrical Code and substitute the Uniform Plumbing Code and National Electrical Code.
- d.) Copies of the IBC, IRC, and IEBC shall be kept available at the office of the Building Official or library for public inspection.
- e.) Structures existing prior to October 7, 1937, in which there is work involving additions, alterations or changes of occupancy, shall be made to conform to the requirements of the IBC (2015) and the IEBC (2015) as adopted by resolution of the city council. This shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S, and U. These provisions shall not apply to buildings with occupancies in the Group H or I.
- f.) It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, move, remove, convert or demolish, equip, use, or maintain any building or structure in the city, or cause the same to be done, contrary to or in violation of any of the provisions of this code.
- g.) Any building or additions to any building erected or in the process of erection, contrary to the provisions of the Building Code as herein amended, shall after notice and failure to comply, be deemed a nuisance and may be abated as such.

Article II. Any previous amendments thereto, which are inconsistent with the attachment are hereby specifically repealed and the attachment is enacted as a substitute therefore.

Article III. The public hearing required on this amendment shall be held in the Council Chambers of City Hall, 24 N. Center Street, Marshalltown, Iowa at 5:30 p.m. local time, on the 22nd day of July, 2019, and the City Clerk is directed to cause a publication of the notice of public hearing in one issue of the Marshalltown Times Republican, a newspaper in Marshalltown, Marshall County, Iowa, not less than 4 days nor more than 10 days prior to the date of public hearing fixed herein.

Article IV. This ordinance shall be in full force and effect from and after public notice of hearing on this amendment has been duly given as required by the statutes of the State of Iowa and said public hearing has been duly held and after passage by the Council and publication as is provided by law.

Passed this ____ day of July, 2019, and signed this ____ day of July, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

ORDINANCE 14984

Public Hearing Notice

The Marshalltown City Council will hold a public hearing on a proposal for adoption by reference, with certain amendments, the following codes published by the International Code Council: International Building Code, 2015 edition (IBC); International residential Code, 2015 edition (IRC); and the International Existing Building Code, 2015 edition (IEBC).

The hearing will occur in conjunction with the final reading of Ordinance 14984 amending the code of ordinances, City of Marshalltown, Iowa, by adopted the 2015 editions of the International Building Code, International Residential Code, and International Existing Building Code, by reference as amended at 5:30 PM on Monday, July 22, 2019, at the Marshalltown City Council Chambers at 10 West State Street, Marshalltown, Iowa. Any individual may file written comments and/or be heard at said hearing. More information on the proposed ordinance and the codes as referenced are available for public inspection at the City Clerk's office during normal business hours. This notice is published by order of the City Council pursuant to sections 362.3 and 380.10 of the Code of Iowa.

/s/ Shari Coughenour, City Clerk, City of Marshalltown, Iowa.

#2019-

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.

WHEREAS the City of Marshalltown Fire Department reviews fire regulations as necessary and recommends approval of the International Fire Code, 2015 Edition (hereinafter to be known as the **IFC**), including Appendices A, B, C, D, E, F, G, H, I, J, K, L, and M as published by the International Code Council, Inc. in cooperation with the International Conference of Building Officials of Whittier, California. The provisions of said fire code shall be controlling for the safeguarding of life and property from the hazards of fire and explosion arising from the storage, handling and using of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the use of occupancy of buildings or premises and in all matters covered by said Fire Code within the corporate limits of the City of Marshalltown, Iowa, and shall be known as the Marshalltown Fire Code.

THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, AS FOLLOWS:

Article I. Chapter 91 of the Code of Ordinances, City of Marshalltown, Iowa, is amended by striking Sections 91.001 through 91.002 and Sections 91.020 through 91.026 inserting in lieu thereof the following:

"CHAPTER 91"
FIRE CODE

Sec. 91.001. Adoption of fire prevention code.

Unless specifically provided for in other codes or city ordinances, the International Fire Code, 2015 Edition (hereinafter to be known as the **IFC**), including Appendices A,B, C, D, E, F, G, H, I, J,K, L, and M as published by the International Code Council, Inc. in cooperation with the International Conference of Building Officials of Whittier, California, and except as modified as to portions thereof as are deleted, substituted, redefined or inserted in this article, is adopted by reference, is on file with the city clerk and is fully incorporated as the Fire Prevention Code of the city. The provisions of said Fire Code shall be controlling for the safeguarding of life and property from the hazards

substances, materials, and devices, and from conditions hazardous to life or property in the use of occupancy of buildings or premises and in all matters covered by said Fire Code within the corporate limits of the City of Marshalltown, Iowa, and shall be known as the Marshalltown Fire Code.

Sec. 91.002. Amendments, definitions, substitutions or deletions.

The Fire Prevention Code adopted in section 91.001 is amended in the following respects:

Section 101.1 Title is amended to read as follows:

These regulations shall be known as the Fire Code of Marshalltown, hereinafter referred to as “this code”. Any reference to a Section number shall mean to this code unless stated otherwise.

Section 105.1.1 Permits required is amended to read as follows:

A property owner or owner’s authorized agent who intends to conduct an operation or business, or install or modify systems and equipment that are regulated by this code, or cause any such work to be performed, shall first make application to the fire code official and obtain the required permits. The minimum permit fee shall be established by Resolution of the City Council without amending this ordinance.

Section 109.4 Violation penalty is amended to read as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a municipal infraction, punishable as outlined in Section 10.999(c), Code Of Ordinances for the City of Marshalltown. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 307.1 Open burning – General is amended to read as follows:

A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with Sections 307.1.1 through 307.5 and Section 91.020 of the Marshalltown City Code.

Section 308.1.4 Open-flame cooking device is amended to read as follows:

Charcoal burners, other open-flame cooking devices, and other devices that produce ashes or embers shall not be operated on balconies or within 20 feet (3048 mm) of combustible construction. Location of LP containers shall comply with Section 6104.

Exceptions:

1. One and two-family dwellings, constructed in accordance with the International Building Code.
2. LP-gas cooking devices having LP-gas container with a water capacity not greater than 20 pounds.

Section 315.3.3 Equipment room is amended as follows:

Combustible material shall not be stored in boiler rooms, mechanical rooms, and electrical rooms or in fire command centers as specified in Section 508.1.5.

Exception:

1. In sprinklered equipment rooms that have sufficient space to allow a minimum of 10 feet between all combustible storage and the heating, mechanical, or electrical equipment in the room.

Table 405.2 Fire and Evacuation Drill Frequency and Participation is amended as follows:

<u>GROUP OR OCCUPANCY</u>	<u>FREQUENCY</u>	<u>PARTICIPATION</u>
Group A	Quarterly	Employees
Group B(c)	Annually	Employees
Group E	See (a) below	All occupants
Group I	Quarterly on each shift	Employees
Group I-1(b) and Group R-4	Quarterly	All occupants
Group R-1	Quarterly on each shift	Employees
Group R-2(d)	Four annually	All occupants
High-rise	Annually	Employees

- a. Quarterly (4 fire and four tornado) in accordance with Iowa Code Chapter 100. In severe climates, the fire code official shall have the authority to modify the emergency evacuation drill frequency.
- b. Fire and evacuation drills in assisted living facilities shall include complete evacuation of the premises in accordance with Section 403.10.3.6. Drills shall be conducted not less than six times per year on a bi-monthly basis, with not less than two drills conducted during the night when residents could reasonably be expected to be sleeping. The drills shall be permitted to be announced in advance to the residents. Where occupants receive habilitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training.
- c. Group B buildings that have an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of discharge.
- d. Applicable to Group R-2 college and university buildings in accordance with Section 403.10.2.

Section 503.2.1 Dimensions is amended as follows:

Fire apparatus roads shall have an unobstructed width of not less than 20 feet (6096 mm) exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4268 mm).

Section 505.1 Address identification is amended as follows:

New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible the street or road fronting the property. These numbers shall be black or white and shall contrast with their background. Where required by the fire code official, address numbers shall be provided in greater dimension or additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers and letters shall be a minimum height and stroke width as delineated by Table 505.1. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign shall be used to identify the structure. Address number shall be maintained.

Table 505.1 Minimum height and stroke width is added as follows:

Table 505.1

Minimum Height and Stroke Width (a, b)

Distance from the centerline of the public way (ft)		Minimum Height (in)	Minimum Stroke Width (in)
Less than 100		4	1/2"
100	199	6	3/4"
200	299	8	1
Each additional 100		Add 2"	Add 1/2"

- a. Exterior suite identification, minimum height shall be 4 inches and stroke width shall be 1/2 inch
- b. Interior suite identification, minimum height shall be 2 inches and stroke width shall be 1/2 inch.

Section 507.5.1 Hydrant for fire department connections is amended as follows:

Buildings equipped with a fire department connection installed in accordance with Section 912 shall have a fire hydrant located on a fire access road within 100 feet (30 m) of the fire department connection as measured by an approved route around the exterior of the building.

Exception:

The distance shall be permitted to exceed 100 feet (30 m) where approved by the fire code official.

Section 511 Fire and emergency vehicle lane is added.

Section 511.1 General is added as follows:

Fire and emergency vehicle lanes shall be provided and maintained in accordance with Section 511.1 through 511.6 and referred to as fire lanes in this ordinance.

Section 511.2 Purpose is added as follows:

The requirement that Fire Lanes be established in certain areas and the enforcement of restrictions on parking in such Fire Lanes established in this Chapter are designed to ensure adequate access to commercial, office, multi-family, and other high density facilities by fire-fighting and other emergency vehicles.

Section 511.3 Designation is added as follows:

The Fire Code Official may designate fire lanes on public and private property as deemed necessary for the protection of life and property.

Section 511.4 Obstruction is added as follows:

No person shall park or place a vehicle or other obstruction in a designated fire lane that would prevent such fire lane from being immediately accessible to emergency vehicles, or deter or hinder emergency vehicles from gaining immediate access to the fire lane. A written request for a temporary obstruction of a fire lane shall be submitted to the fire code official for approval.

Section 511.5 Signs and markings is added as follows:

Whenever a fire lane has been designated, the fire code official shall cause appropriate signs and markings to be placed identifying such fire lanes. Signs and markings shall be maintained in a clean and legible condition at all times and shall be replaced or repaired to provide adequate visibility. Fire lanes may be established or relocated at the time of plan review, site inspection, and/or during post construction site inspection, as well as any time during the life of the occupancy. All designated fire lanes shall be clearly marked in the following manner:

1. Vertical curbs shall be painted red on the top and side, extending the length of the designated fire lane. Rolled curbs or surfaces without curbs shall have a red (6) inch wide stripe painted the length of the designated fire lane. One of the following lettering methods shall be utilized:
 - a. The words “NO PARKING – FIRE LANE” shall be stenciled with three (3) inch white letters and a minimum three-quarter (3/4) inch stroke on the face of the curbing, or in the absence of vertical curbing, on the painted red stripe. Spacing shall be at fifty (50) foot intervals or portions thereof
2. Signage identifying fire lanes shall conform with the following:
 - a. Eighteen (18) inches tall and twelve (12) inches wide with red letters on a white reflective background.
 - b. Verbiage to read “Fire Lane – No Parking”.
 - c. Signs shall be placed two (2) to four (4) feet from the edge of the fire lane with the bottom of the sign no less than five (5) feet from the ground and spaced every one-hundred (100) feet.

- d. Sign may be placed on a building when approved by the fire code official.

Section 604.8 Shutdown of emergency and standby power is added as follows:

In addition to the requirements of NFPA 110 for a remote manual stop, a switch of an approved type shall be provided to shut down the generator. The switch shall be provided at a location approved by the fire code official.

Section 604.9 Emergency generator sign is added as follows:

Main electrical disconnects and main breaker panels supplied by the generator shall be provided with approved signs. Additionally, doors accessing emergency and standby power systems shall be provided with approved signs. Approved signs shall contain the word "CAUTION" in black letters at least two (2) inches high on a yellow background. Signs shall be placed so as to be readily discernible.

Section 609.1 General is amended as follows:

Commercial kitchen exhaust hoods shall comply with the requirements of National Fire Protection Association (NFPA) 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, 2017 edition.

Section 703.2.3 Door operation is amended as follows:

Swinging fire doors shall close from the full open position and latch automatically. The door closer shall:

1. Exert enough force to close and latch the door from any partially open position.
2. Be Underwriters Laboratory (UL) listed and of hydraulic type, spring type shall not be allowed.

Section 807.5.2.1 Storage in corridors and lobbies is amended as follows:

Clothing and personal effects shall not be stored in corridors and lobbies.

Exceptions:

1. Corridors protected by an approved automatic sprinkler system installed in accordance with Section 907.3.3.1.
2. Storage in metal lockers provided the minimum required egress width is maintained.

Section 901.4.6.1 Fire sprinkler riser room is added as follows:

A fire sprinkler riser room shall be separate from the electrical room. The riser room shall have no electrical panels, devices, or apparatus inside the room other than the outlets or support equipment (lighting, air compressor, and heater) required for the use of the fire

sprinkler system and/or the fire alarm panel. The sprinkler riser room shall not be exclusively accessed from the electrical room, but the electrical room may be accessed from the riser room.

Section 903.2.8.5 Residential Sprinkler is added as follows:

An automatic residential fire sprinkler system shall be installed in one and two-family dwellings.

Exceptions:

1. An automatic fire sprinkler system shall not be required where additions or alterations are made to existing buildings that are not already provided with an automatic residential fire sprinkler system.
2. One and two-family dwellings containing less than eight thousand (8,000) square feet of floor space, excluding attached garages and other unenclosed areas.

Section 903.4.2 Alarms is amended as follows:

An approved weather-proof audible device suitable for outdoor use with 110 candela visual signal shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 907.2.2 Group B is amended as follows:

A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B occupant load of all floors is 500 or more.
2. The Group B occupant load is more than 100 persons above or below the lowest level of exit discharge.
3. The Group B fire area contains an educational occupancy for students above the twelfth (12th) grade with an occupant load greater than 50 persons.
4. The fire area contains an ambulatory care facility.

Section 907.2.3 Group E is amended as follows:

In the absence of a complete automatic sprinkler system, a complete automatic detection system utilizing an emergency voice/alarm communication system shall be installed throughout the entire Group E occupancy. A Group E occupancy with a complete

automatic sprinkler system shall be provided with a fire alarm system with a minimum of corridor smoke detection, at a maximum spacing of 30 feet on center, and heat or smoke detection in any hazardous or non-occupied area utilizing an emergency voice/alarm communication system in compliance with Section 907.5.2.2 and installed in accordance with Section 907.6. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exception:

1. Group E occupancies with an occupant load of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply :
 - a. Interior corridors are protected by smoke detectors with alarm verification.
 - b. Auditoriums, cafeterias, gymnasiums and the like are protected by heat detectors or other approved detection devices.
 - c. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.
 - d. Off-premises monitoring is provided.
 - e. The capability to activate the evacuation signal from a central point is provided.
 - f. In buildings where normally occupied spaces are provided with a two-way communication system between such spaces and a constantly attended receiving station from which a general evacuation alarm can be sounded, except in locations specifically designated by the fire code official.
 - g. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system, the notification devices will activate on sprinkler water flow, and manual activation is provided from a normally occupied location.
 - h. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided that activation of the fire alarm system initiates an approved occupant notification signal in accordance with Section 907.5.

Section 915.1 Carbon monoxide general is amended as follows:

Carbon monoxide detection shall be installed in new and existing buildings in accordance with Sections 915.1.1 through 915.6, Section 1103.9, and Iowa Administrative Code 661-211.

Section 1003.8 Frost protection is added as follows:

Exterior landings at doors shall be provided with frost protection.

Section 1008.3.1 General is amended as follows:

In the event of the power supply failure in rooms and spaces that require two or more means of egress or are more than 400 square feet or greater, an emergency electrical system shall automatically illuminate all of the following areas:

1. Aisles.
2. Corridors.
3. Exit access stairways and ramps.

Section 1008.3.2 Buildings is amended as follows:

In the event of the power supply failure in rooms and spaces that require two or more means of egress or are more than 400 square feet or greater, an emergency electrical system shall automatically illuminate all of the following areas:

1. Interior exit access stairways and ramps.
2. Interior and exterior exit stairways and ramps.
3. Exit passageways.
4. Vestibules and areas on the level of exit discharge used for exit discharge in accordance with Section 1028.1
5. Exterior landings as required by Section 1010.1.6 for exit doorways that lead directly to the exit discharge.

Section 1009.2 Continuity and components is amended as follows:

Each required accessible means of egress shall be continuous to a public way and shall consist of one or more of the following:

1. Accessible route complying with Section 1104.
2. Interior exit stairways complying with Sections 1009.3 and 1023.
3. Exit access stairways complying with Section 1009.3 and 1019.3 or 1019.4.
4. Exterior exit stairways complying with Sections 1009.3 and 1027 and serving levels other than the level of exit discharge.

5. Elevators complying with Section 1009.4.
6. Platform lifts complying with Section 1009.5.
7. Horizontal exits complying with Section 1026.
8. Ramps complying with Section 1012.
9. Areas of refuge complying with Section 1009.6.
10. Exterior areas for assisted rescue complying with Section 1009.7 serving exits at the level of exit discharge.
11. Components of exterior walking surfaces shall be concrete, asphalt, or other approved hard surface.

Section 1010.1.6. Landings at doors is amended as follows:

Landings shall have a width not less than the width of the stairway or door, whichever is greater. Doors in the fully open position shall not reduce a required dimension by more than 7 inches (178 mm). Where a landing serves an occupant load of 50 or more, doors in any position shall not reduce the landing to less than one-half its required width. Landings shall have a length measured in the direction of travel of not less than 44 inches (1118 mm). For landings required by Section 1010.1.5 to be the same elevation on each side of the door, exterior landings shall be provided with frost protection.

Exception:

1. Landing length in the direction of travel in Groups R-3 and U and within individual units of Group R-2 need not exceed 36 inches (914 mm).

Section 1010.1.6.1 Frost protection at exterior landings is added as follows:

Exterior landings at doors shall be provided with frost protection.

Section 1010.1.9.1 Hardware is amended as follows:

Door handles, pulls, latches, locks, and operating devices on doors required to be accessible by Chapter 11 shall not require tight grasping, tight pinching or twisting of the wrist to operate. Thumb turn locks shall not be allowed.

Section 1028.6 Exit discharge pathway is added as follows:

Components of exterior walking surfaces shall be concrete, asphalt, or other approved hard surface.

Section 1029.1.1 Bleachers is amended as follows:

Bleachers, grandstands, and folding and telescopic seating that are not building elements shall comply with International Code Council (ICC) 300, Standard for Bleachers, Folding and Telescopic Seating, and Grandstands, 2012 Edition, with the following amendments

to ICC-300

ICC-300 105.2 Yearly inspection required. The owner shall cause all bleachers and folding and telescopic seating installed on or after December 1, 2011, to be inspected at least once a year in order to verify that the structure is maintained in compliance with the provisions of this standard. All folding and telescopic seating shall also be inspected to evaluate compliance with the manufacturer's installation and operational instructions during the opening and closing of such seating. Any inspection conducted in compliance with this section may be conducted by any knowledgeable person including, but not limited to, a person who has been instructed by the manufacturer or installer as to procedures and standards for inspections of the structure being inspected and including, but not limited to, the owner of the structure or an employee of the owner of the structure. There are no further restrictions on the identity or employment of the person conducting the inspection unless otherwise provided by law. The owner shall maintain documentation of the required annual inspections, which shall show the date and name of the person conducting the inspection and shall be initialed by the person conducting the inspection.

ICC-300 501.2 Inspections. All tiered seating that was installed prior to December 1, 2011, shall be inspected at least once a year. The required inspection may be conducted by any knowledgeable person including, but not limited to, a person who has been instructed by the manufacturer or installer as to procedures and standards for inspections of the structure being inspected and including, but not limited to, the owner of the structure or an employee of the owner of the structure. There are no further restrictions on the identity or employment of the person conducting the inspection unless otherwise provided by law. All folding and telescopic seating shall be inspected to evaluate compliance with the manufacturer's installation and operational instructions and shall be inspected during the opening and closing of such seating. The owner shall maintain documentation of the required annual inspections, which shall show the date and name of the person conducting the inspection and shall be initialed by the person conducting the inspection.

Section 1030.5.3 Window well drainage is added as follows:

All window wells shall be provided with approved drainage.

Section 1103.7.1 Existing Group E shall be amended as follows:

Existing Group E occupancies shall be provided with a fire alarm system utilizing an emergency voice/alarm communication system in conjunction with Section 907.5.2.2 and installed in accordance with Section 907.6. As a minimum, smoke detection shall be provided in corridors at a maximum spacing of 30 feet on center, and heat or smoke detection shall be provided in any hazardous or non-occupied areas.

Exceptions:

1. A building with a maximum area of 1,000 square feet that contains a single classroom and is located no closer than 50 feet of another building.
2. Group E occupancy with an occupant load of less than 50.

3. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided the activation of the fire alarm system initiates an approved notification signal in accordance with Section 907.5.

Section 1103.8 Single and multiple-station smoke alarms is amended as follows:

Single and multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 1103.8.1 through 1103.8.4.

Section 1103.8.4 Smoke alarm service life is added as follows:

Single-station battery operated smoke alarms shall be replaced in accordance with the manufacturer's instructions.

Section 1103.9 Carbon monoxide alarms is amended as follows:

Existing I-1, I-2, I-4, and R occupancies shall be equipped with carbon monoxide alarms in accordance with Section 915 and Iowa Administrative Code 661-211.

Section 1107 Requirements for fuel fired appliances is added.

Section 1107.1 Protection of fuel fired appliances is added as follows:

Where required or upon notification from the fire code official an existing building or tenant space containing a fuel fired appliance(s) shall be protected as required in Table 509, Incidental Uses, in the International Building Code 2015 edition.

Chapter 38 Special Events is added.

Section 3801 General is added.

Section 3801.1 Scope is added as follows:

Special events including trade shows and exhibitions, outdoor assembly events, and special amusement buildings shall comply with this chapter and Section 1028. Temporary indoor vehicle displays and vehicle competition or demonstrations shall comply with this chapter and Section 314.

Section 3801.2 Site plan is added as follows:

A detailed site plan shall be submitted to the fire code official with each permit application for approval. Permit application and site plan shall be submitted a minimum of 30 business days prior to the event. Site plans shall include, but not be limited to:

1. Location of fencing or means to confine attendees.

2. The means of egress.
3. Location and width of exits and aisles.
4. Location of exit signs.
5. Total square footage of the enclosed space.
6. Location and arrangement of all tents, booths, and cooking equipment.
7. Location of all fire protection equipment.
8. Type and location of heating and electrical equipment where applicable.
9. Location of fire and emergency service access roads where applicable.

Section 3802 General Requirements is added.

Section 3802.1 Access for firefighting and medical services is added as follows:

Approved vehicle access for firefighting and medical services shall be provided in accordance with Sections 503 and 512.

Section 3802.2 Combustible storage is added as follows:

Combustible materials stored at special events shall be stored in approved locations and containers.

Section 3802.3 Fire protection equipment clearance is added as follows:

Clearance around all fire protection equipment shall be in accordance with Section 507.5.4 and 507.5.5.

Section 3802.4 Fire extinguishers is added as follows:

Fire extinguishers shall be in accordance with Section 906 and NFPA 10.

Section 3802.5 Fire watch is added as follows:

Fire watch, if required, shall be in accordance with Section 403.12.1.

Section 3802.6 Housekeeping is added as follows:

The special event area and related areas shall be kept free from combustible debris.

Section 3802.7 LP-gas heater is added as follows:

Fuel supplies for liquefied-petroleum gas-fires heaters shall comply with Chapter 61 of the International Fire Code.

Section 3802.8 Open flame device is added as follows:

Open flame devices shall comply with Section 308.

Section 3802.8 Waste disposal is added as follows:

Combustible debris shall not be allowed to accumulate at special events. Combustible debris, rubbish, and waste material shall be removed from special events at the end of each shift worked. Combustible debris, rubbish, and waste material shall not be disposed of by burning on the site.

Section 3803 Trade shows and exhibitions is added.

Section 3803.1 General is added as follows:

Trade shows and exhibitions conducted within any occupancy shall comply with Chapter 38.

Section 3803.2 Vehicles is added as follows:

Liquid and gas fueled and electric vehicles, boats, or other motor-craft and equipment used for display or demonstration within a building shall be in accordance with Section 314.

Section 3803.3 Means of egress is added as follows:

Means of egress shall comply with this section and the requirements of Chapter 10.

Section 3803.4 Travel distance is added as follows:

The maximum travel distance from any point in an exhibit to an exit access aisle shall not exceed 50 feet.

Section 3803.5 Aisle width is added as follows:

Minimum aisle width inside a trade show or exhibition shall comply with the following:

<u>Square Footage of Exhibition</u>	<u>Minimum Aisle Width</u>
Less than 5,000 square feet	6 feet
5,000 to 15,000 square feet	8 feet
Greater than 15,000 square feet	10 feet

Section 3803.5.1 Obstructions is added as follows:

Aisles shall be kept clear of all obstructions, including but not limited to, fixtures and displays of goods for sale, chairs, tables, products, and displays.

Section 3803.5.2 Exit signs is added as follows:

Exit signs shall be visible from all locations in the occupancy.

Section 3803.6 Demonstration cooking and warming equipment or devices is added as follows:

Equipment and devices shall be isolated from the public by not less than 4 feet or by a non-combustible 3-sided barrier between the equipment and the public.

Section 3803.6.1 Protection is added as follows:

Single-well cooking equipment using combustible oils shall meet the following:

1. A noncombustible lid of sufficient size to cover the cooking well completely shall be immediately available.
2. The cooking surface shall not exceed 288 square inches.
3. The equipment shall be placed on a noncombustible surface.
4. Cooking equipment shall be separated from combustible materials by a horizontal distance of at least 2 feet.

Section 3803.6.2 Butane is added as follows:

Butane for cooking equipment shall be limited to one 10 ounce cylinder and one spare of the same size in storage, per appliance.

Section 3804 Outdoor assembly events is added.

Section 3804.1 General is added as follows:

Outdoor assembly events shall be in accordance with Section 3804 and Chapter 10.

Section 3804.2 Occupant load is added as follows:

The fire code official shall establish an occupant load for the event site.

Section 3804.3 Exits is added as follows:

Exits shall comply with Chapter 10 and be as remote from each other as practical and shall be provided as follows:

<u>Occupant Load</u>	<u>Minimum Number of Exits</u>
1 to 500	2
501 to 1,000	3
1,001 to 1,500	4
Each additional 500	Add 36 additional inches of exit width

Section 3804.4 Exit Width is added as follows:

The aggregate clear width of exits shall be a minimum of 36 inches wide for each 500 persons accommodated.

Section 3804.5 Exit sign is added as follows:

Exits shall be identified with signs. The signs shall be weather-resistant with lettering on a contrasting background. The lettering shall be of sufficient height to be visible from 75 feet. Placement of exit signs shall be approved by the fire code official.

Section 3804.6 Concession stands, food booths, and retail booths is added.

Section 3804.6.1 General is added as follows:

Concession stands, food booths, and retail booths shall be in accordance with Section 3804.6.

Section 3804.6.2 Distances is added as follows:

A minimum of 20 feet shall be provided between every 150 linear feet of booth space. A minimum of 30 feet shall be provided between booths used for cooking and vehicles, generators, or any other internal combustion engines. A minimum of 30 feet shall be provided between booths used for cooking and amusement rides.

Section 3804.6.3 Cooking appliances and devices is added as follows:

Cooking equipment and devices shall be isolated from the public by not less than 4 feet or by a non-combustible 3-sided barrier between the equipment and the public. Single-well cooking equipment using combustible oils shall meet the following:

1. A noncombustible lid of sufficient size to cover the cooking well completely shall be immediately available.
2. The cooking surface shall not exceed 288 square inches.
3. The equipment shall be placed on a noncombustible surface.

4. Cooking equipment shall be separated from combustible materials by a horizontal distance of at least 2 feet.

Section 3804.6.4 Liquefied petroleum gas (LP-gas) is added as follows:

LP-gas shall be in accordance with Chapter 61 and NFPA 58.

Section 3804.6.5 Maximum number and quantity is added as follows:

A maximum of a total aggregate water capacity of 50 gallons of LP-gas is permitted at one concession stand or booth used for cooking.

Section 3804.6.6 Storage of containers is added as follows:

LP-gas containers shall be stored in accordance with Chapter 61.

Section 3804.6.7 Generators /electrical is added as follows:

Generators shall be installed at least 10 feet from combustible materials and shall be isolated from the public by physical guard, fence, or enclosure installed at least 3 feet away from the power source, and be provided with a fire extinguisher per Section 906 and NFPA 10.

Section 3805 Mobile food vehicles is added.

Section 3805.1 General is added as follows:

Mobile food vehicles which are temporarily or permanently stored on a property where food items are processed or prepared and sold to the public shall comply with this section.

Exception:

Food peddlers operating a retail food establishment from a vehicle designated to be readily movable in which food is sold or given away, but not composed, compounded, thawed, reheated, cut, cooked, processed or prepared.

Section 3805.2 Type I hood is added as follows:

A type I hood shall be installed at or above all commercial cooking equipment and domestic cooking appliances used for commercial purposes that produce grease vapors.

Section 3805.2.1 Maintenance is added as follows:

Hoods shall be inspected, tested, and maintained in accordance with this code.

Section 3805.2.2 Inspection and tests is added as follows:

Kitchen hood extinguishment systems shall be inspected and tested annually by a State if Iowa licensed fire protection contractor. Mobile food vehicles shall be inspected annually by the fire code official for compliance with this section. Inspection shall occur in conjunction with annual Peddler/Solicitor/Transient Merchant application process.

Section 3805.3 Fire extinguisher is added as follows:

An approved 2A:20 B:C rated dry chemical extinguisher shall be provided within 30 feet of any commercial cooking equipment. Additionally, cooking equipment involving solid fuels or vegetable or animal fats and oils shall be protected by a Class K rated portable fire extinguisher in accordance with Section 904.12.5.1 or 904.12.5.2 as applicable.

Section 3805.4 Liquefied petroleum gas (LP-gas) is added as follows:

LP-gas shall be in accordance with Chapter 61 and NFPA 58.

Section 3805.4.1 Maximum quantity is added as follows:

A maximum of two LP-gas containers with a total aggregate water capacity of 50 gallons (190 L) is permitted at one mobile food vehicle.

Section 3805.4.2 LP-gas cylinder hose is added as follows:

Hoses shall be designed for a working pressure of 350 psig with a safety factor of 5 to 1 and shall be continuously marked with LP-Gas, Propane, and 350 PSI working pressure and the manufacturer's name or trademark. Hose assemblies, after the application of couplings, shall have a design capacity of 700 psig. Hose assemblies shall be leak tested at the time of installation at not less than the operating pressure of the system in which they are installed.

Section 3805.5 Location is added as follows:

Mobile food vehicles shall not be located within 20 feet of buildings, tents, canopies, or membrane structures.

Section 3806 Special amusement buildings is added

Section 3806.1 General is added as follows:

Special amusement buildings shall be in accordance with this section and Section 411 of the International Building Code.

Exception:

Amusement buildings or portions thereof, which are without walls or a roof and are constructed to prevent the accumulation of smoke.

Section 3806.2 Use of combustible decorative material is added as follows:

Use of decorative combustible materials shall be in accordance with Chapter 8.

Section 3806.3 Assistance is added as follows:

Adult monitors with flashlights shall be available to provide assistance in the event someone becomes disoriented or lost. One adult monitor shall be provided for every 60 persons.

Section 3806.4 Automatic sprinkler system is added as follows:

Special amusement buildings shall be equipped throughout with an automatic sprinkler system in accordance with Chapter 9.

Section 3806.5 Temporary special amusement building is added as follows:

Where the special amusement building is temporary, the sprinkler water supply shall be of an approved temporary means. The sprinkler piping shall be connected to a temporary water supply having sufficient capacity (flow and pressure) to supply residential or standard quick spray response heads at a minimum design density of 0.15 gpm per square foot of protected floor space. The temporary water supply may be connected to a domestic water line, a fire line, or temporary on-site storage tank as long as the minimum design densities are met.

Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited is amended as follows:

Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.

Exception:

Areas zoned as M1 and M2.

**“CHAPTER 91”
OPEN BURNING**

Sec. 91.020 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Backyard. Backyard means any area as defined under Ch. 158 of the code of ordinances.

Backyard burning. The burning of natural vegetation originating or deposited on the premises or and burnt by individuals domiciled on or owning the premises. Natural vegetation includes, but is not limited to leaves, grass, small branches, flower remains and trimmings.

Bonfire. An outdoor fire utilized for ceremonial purposes that exceeds the size requirements of a recreational fire.

Garbage. All solid and semi-solid putrescible and nonputrescible animal and vegetable wastes resulting from the handling, preparing, cooking, storing and serving of food or of material intended for use as food.

Hazardous conditions. Environmental factors, such as wind, temperature, and relative humidity that contribute to hazardous burning conditions.

Open burning. Any burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber as defined by the International Fire Code as adopted by the City of Marshalltown. Open burning does not include recreational fires or the use of outdoor portable fireplaces.

Portable outdoor fireplace. Portable outdoor fireplace means a portable, outdoor, solid-fuel burning fireplace that may be constructed of steel, concrete, clay, or other non-combustible material.

Recreational fire. An outdoor fire burning material other than rubbish or yard waste where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, and barbeque grill and has a total fuel area of three (3) feet or less in diameter and two (2) feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

Rubbish. Rubbish means all waste materials of nonputrescible nature.

Sec. 91.021. Burning Garbage Prohibited.

No person, firm, or corporation shall dispose of garbage at any time by burning same.

Sec. 91.022. Burning of Rubbish Prohibited.

It shall be unlawful for any person, firm, or corporation to do open burning of rubbish.

Sec. 91.023. Burning Diseased Trees.

Diseased trees may be burned in areas designated by the Fire Chief or his designee and upon terms and conditions he or she may prescribe.

Sec. 91.024 Permissible Open Burning.

It shall be lawful to engage in open burning of plant material grown on the premises or deposited thereon by the elements by the owner or occupant of the premises involved, subject to the following:

- a.) Open burning is allowed between the dates of April 1st through June 30th and October 1st through November 30th.
- b.) Open burning shall occur in the backyard Monday through Sunday between the hours of 10 a.m. and 7 p.m. and is limited to single family dwellings only. Burning on public streets and alleys is prohibited. Burning on the property of another is prohibited unless the property owner grants permission, i.e. neighbors, neighborhoods, and all open burning regulations shall apply. All open burning piles shall be extinguished by 7 p.m.
- c.) Open burning of any material is not allowed by an owner or occupant of premises upon which more than one family dwelling unit is found.
- d.) Open burning is not allowed on holidays as defined: Good Friday, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas, and New Year's Day.
- e.) Open burning shall be prohibited when atmospheric conditions make such fires hazardous and includes:
 - a. Wind speed greater than 15 mph.
 - b. Extended dry weather conditions.
- f.) Open burning shall not be less than 50 feet from any structure. Fire in enclosed containers with a cover to control flying embers shall not be less than 15 feet from any structure.
- g.) Any opening burning must be constantly supervised by a competent person equipped with a satisfactory means of fire control.
- h.) Burning by commercial business is prohibited unless a burn permit is obtained from the Fire Department. If a permit is issued, all requirements for open burning shall be followed.

- i.) All open burning must be in compliance with the International Fire Code as adopted by the City of Marshalltown.

Sec. 91.025. Recreational Burning Allowed; Rear and side yard restrictions, and spruce trees.

1. Recreational burning shall be allowed for food preparation and camping purposes – or as defined in the definition section. The material to be burned is limited to seasoned wood, and the fire shall comply with all other applicable codes related to open burning.
 - a.) Recreational fires are allowed both on the ground and in a container designed for this purpose at one-and two-family dwellings.
 - b.) Recreational fires on the ground shall not be conducted within 25 feet of a structure or combustible material.
 - c.) Recreational fires contained in appliances specifically designed for this purpose shall not be operated within 15 feet of a structure or combustible material.
 - d.) Bonfires shall follow the listed requirements for recreational burning with the following exceptions:
 - a. A permit is required from the fire code official.
 - b. Bonfires are required to be 50 feet from any structure and 15 feet from property lines.
 - e.) The responsible party must provide a means to control flying embers.
 - f.) All recreational fires must be extinguished by 2:00 A.M.
 - g.) Recreational fires shall be attended at all times until the fire is extinguished.
 - h.) Responsible party shall have available at all times a sufficient means of extinguishment to include any of the following:
 - a. Garden hose connected to a continuous water supply.
 - b. Fire extinguisher complying with Section 906 of the International Fire Code.
 - c. Dirt or sand
 - i.) Municipal camping areas are exempt from the requirements of this section except for the restrictions on size.
 - j.) Recreational fires are allowed year round.
2. Subject to contrary provisions of the International Fire Code, as adopted by the city, open burning of permitted plant material, on permitted premises, shall be at least 15 feet from side and rear yard boundary lines.
3. It shall be unlawful to engage in open burning within 20 feet of any part of a pine or spruce tree.

Sec. 91.026. Fire department response fee.

Any violation of the rules concerning prohibited and open burning, which require a response by the city's fire department to control or extinguish, will be subject to a response fee as established by resolution. Commercial property found in violation of this subchapter shall be charged the permit fee for open burning as established by resolution.

Article II. Any previous amendments thereto, which are inconsistent with this attachment are hereby specifically repealed and the attachment is enacted as a substitute therefore.

Article III. The public hearing required on this amendment shall be held in the Council Chambers of City Hall, 24 N. Center Street, Marshalltown, Iowa at 5:30 p.m. local time, on the 22nd day of July, 2019, and the City Clerk is directed to cause a publication of the notice of public hearing in one issue of the Marshalltown Times Republican, a newspaper in Marshalltown, Marshall County, Iowa, not less than 4 days nor more than 10 days prior to the date of public hearing fixed herein.

Article IV. This ordinance shall be in full force and effect from and after public notice of hearing on this amendment has been duly given as required by the statutes of the State of Iowa and said public hearing has been duly held and after passage by the Council and publication as is provided by law.

Passed this ____ day of July, 2019, and signed this ____ day of July, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

#2019-

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.

WHEREAS the City of Marshalltown Fire Department reviews fire regulations as necessary and recommends approval of the International Fire Code, 2015 Edition (hereinafter to be known as the **IFC**), including Appendices A, B, C, D, E, F, G, H, I, J, K, L, and M as published by the International Code Council, Inc. in cooperation with the International Conference of Building Officials of Whittier, California. The provisions of said fire code shall be controlling for the safeguarding of life and property from the hazards of fire and explosion arising from the storage, handling and using of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the use of occupancy of buildings or premises and in all matters covered by said Fire Code within the corporate limits of the City of Marshalltown, Iowa, and shall be known as the Marshalltown Fire Code.

THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, AS FOLLOWS:

Article I. Chapter 91 of the Code of Ordinances, City of Marshalltown, Iowa, is amended by striking Sections 91.001 through 91.002 and Sections 91.020 through 91.026 inserting in lieu thereof the following:

"CHAPTER 91"
FIRE CODE

Sec. 91.001. Adoption of fire prevention code.

Unless specifically provided for in other codes or city ordinances, the International Fire Code, 2015 Edition (hereinafter to be known as the **IFC**), including Appendices A,B, C, D, E, F, G, H, I, J,K, L, and M as published by the International Code Council, Inc. in cooperation with the International Conference of Building Officials of Whittier, California, and except as modified as to portions thereof as are deleted, substituted, redefined or inserted in this article, is adopted by reference, is on file with the city clerk and is fully incorporated as the Fire Prevention Code of the city. The provisions of said Fire Code shall be controlling for the safeguarding of life and property from the hazards

substances, materials, and devices, and from conditions hazardous to life or property in the use of occupancy of buildings or premises and in all matters covered by said Fire Code within the corporate limits of the City of Marshalltown, Iowa, and shall be known as the Marshalltown Fire Code.

Sec. 91.002. Amendments, definitions, substitutions or deletions.

The Fire Prevention Code adopted in section 91.001 is amended in the following respects:

Section 101.1 Title is amended to read as follows:

These regulations shall be known as the Fire Code of Marshalltown, hereinafter referred to as “this code”. Any reference to a Section number shall mean to this code unless stated otherwise.

Section 105.1.1 Permits required is amended to read as follows:

A property owner or owner’s authorized agent who intends to conduct an operation or business, or install or modify systems and equipment that are regulated by this code, or cause any such work to be performed, shall first make application to the fire code official and obtain the required permits. The minimum permit fee shall be established by Resolution of the City Council without amending this ordinance.

Section 109.4 Violation penalty is amended to read as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a municipal infraction, punishable as outlined in Section 10.999(c), Code Of Ordinances for the City of Marshalltown. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 307.1 Open burning – General is amended to read as follows:

A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with Sections 307.1.1 through 307.5 and Section 91.020 of the Marshalltown City Code.

Section 308.1.4 Open-flame cooking device is amended to read as follows:

Charcoal burners, other open-flame cooking devices, and other devices that produce ashes or embers shall not be operated on balconies or within 20 feet (3048 mm) of combustible construction. Location of LP containers shall comply with Section 6104.

Exceptions:

1. One and two-family dwellings, constructed in accordance with the International Building Code.
2. LP-gas cooking devices having LP-gas container with a water capacity not greater than 20 pounds.

Section 315.3.3 Equipment room is amended as follows:

Combustible material shall not be stored in boiler rooms, mechanical rooms, and electrical rooms or in fire command centers as specified in Section 508.1.5.

Exception:

1. In sprinklered equipment rooms that have sufficient space to allow a minimum of 10 feet between all combustible storage and the heating, mechanical, or electrical equipment in the room.

Table 405.2 Fire and Evacuation Drill Frequency and Participation is amended as follows:

<u>GROUP OR OCCUPANCY</u>	<u>FREQUENCY</u>	<u>PARTICIPATION</u>
Group A	Quarterly	Employees
Group B(c)	Annually	Employees
Group E	See (a) below	All occupants
Group I	Quarterly on each shift	Employees
Group I-1(b) and Group R-4	Quarterly	All occupants
Group R-1	Quarterly on each shift	Employees
Group R-2(d)	Four annually	All occupants
High-rise	Annually	Employees

- a. Quarterly (4 fire and four tornado) in accordance with Iowa Code Chapter 100. In severe climates, the fire code official shall have the authority to modify the emergency evacuation drill frequency.
- b. Fire and evacuation drills in assisted living facilities shall include complete evacuation of the premises in accordance with Section 403.10.3.6. Drills shall be conducted not less than six times per year on a bi-monthly basis, with not less than two drills conducted during the night when residents could reasonably be expected to be sleeping. The drills shall be permitted to be announced in advance to the residents. Where occupants receive habilitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training.
- c. Group B buildings that have an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of discharge.
- d. Applicable to Group R-2 college and university buildings in accordance with Section 403.10.2.

Section 503.2.1 Dimensions is amended as follows:

Fire apparatus roads shall have an unobstructed width of not less than 20 feet (6096 mm) exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4268 mm).

Section 505.1 Address identification is amended as follows:

New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible the street or road fronting the property. These numbers shall be black or white and shall contrast with their background. Where required by the fire code official, address numbers shall be provided in greater dimension or additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers and letters shall be a minimum height and stroke width as delineated by Table 505.1. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign shall be used to identify the structure. Address number shall be maintained.

Table 505.1 Minimum height and stroke width is added as follows:

Table 505.1

Minimum Height and Stroke Width (a, b)

Distance from the centerline of the public way (ft)		Minimum Height (in)	Minimum Stroke Width (in)
Less than 100		4	1/2"
100	199	6	3/4"
200	299	8	1
Each additional 100		Add 2"	Add 1/2"

- a. Exterior suite identification, minimum height shall be 4 inches and stroke width shall be 1/2 inch
- b. Interior suite identification, minimum height shall be 2 inches and stroke width shall be 1/2 inch.

Section 507.5.1 Hydrant for fire department connections is amended as follows:

Buildings equipped with a fire department connection installed in accordance with Section 912 shall have a fire hydrant located on a fire access road within 100 feet (30 m) of the fire department connection as measured by an approved route around the exterior of the building.

Exception:

The distance shall be permitted to exceed 100 feet (30 m) where approved by the fire code official.

Section 511 Fire and emergency vehicle lane is added.

Section 511.1 General is added as follows:

Fire and emergency vehicle lanes shall be provided and maintained in accordance with Section 511.1 through 511.6 and referred to as fire lanes in this ordinance.

Section 511.2 Purpose is added as follows:

The requirement that Fire Lanes be established in certain areas and the enforcement of restrictions on parking in such Fire Lanes established in this Chapter are designed to ensure adequate access to commercial, office, multi-family, and other high density facilities by fire-fighting and other emergency vehicles.

Section 511.3 Designation is added as follows:

The Fire Code Official may designate fire lanes on public and private property as deemed necessary for the protection of life and property.

Section 511.4 Obstruction is added as follows:

No person shall park or place a vehicle or other obstruction in a designated fire lane that would prevent such fire lane from being immediately accessible to emergency vehicles, or deter or hinder emergency vehicles from gaining immediate access to the fire lane. A written request for a temporary obstruction of a fire lane shall be submitted to the fire code official for approval.

Section 511.5 Signs and markings is added as follows:

Whenever a fire lane has been designated, the fire code official shall cause appropriate signs and markings to be placed identifying such fire lanes. Signs and markings shall be maintained in a clean and legible condition at all times and shall be replaced or repaired to provide adequate visibility. Fire lanes may be established or relocated at the time of plan review, site inspection, and/or during post construction site inspection, as well as any time during the life of the occupancy. All designated fire lanes shall be clearly marked in the following manner:

1. Vertical curbs shall be painted red on the top and side, extending the length of the designated fire lane. Rolled curbs or surfaces without curbs shall have a red (6) inch wide stripe painted the length of the designated fire lane. One of the following lettering methods shall be utilized:
 - a. The words “NO PARKING – FIRE LANE” shall be stenciled with three (3) inch white letters and a minimum three-quarter (3/4) inch stroke on the face of the curbing, or in the absence of vertical curbing, on the painted red stripe. Spacing shall be at fifty (50) foot intervals or portions thereof
2. Signage identifying fire lanes shall conform with the following:
 - a. Eighteen (18) inches tall and twelve (12) inches wide with red letters on a white reflective background.
 - b. Verbiage to read “Fire Lane – No Parking”.
 - c. Signs shall be placed two (2) to four (4) feet from the edge of the fire lane with the bottom of the sign no less than five (5) feet from the ground and spaced every one-hundred (100) feet.

- d. Sign may be placed on a building when approved by the fire code official.

Section 604.8 Shutdown of emergency and standby power is added as follows:

In addition to the requirements of NFPA 110 for a remote manual stop, a switch of an approved type shall be provided to shut down the generator. The switch shall be provided at a location approved by the fire code official.

Section 604.9 Emergency generator sign is added as follows:

Main electrical disconnects and main breaker panels supplied by the generator shall be provided with approved signs. Additionally, doors accessing emergency and standby power systems shall be provided with approved signs. Approved signs shall contain the word "CAUTION" in black letters at least two (2) inches high on a yellow background. Signs shall be placed so as to be readily discernible.

Section 609.1 General is amended as follows:

Commercial kitchen exhaust hoods shall comply with the requirements of National Fire Protection Association (NFPA) 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, 2017 edition.

Section 703.2.3 Door operation is amended as follows:

Swinging fire doors shall close from the full open position and latch automatically. The door closer shall:

1. Exert enough force to close and latch the door from any partially open position.
2. Be Underwriters Laboratory (UL) listed and of hydraulic type, spring type shall not be allowed.

Section 807.5.2.1 Storage in corridors and lobbies is amended as follows:

Clothing and personal effects shall not be stored in corridors and lobbies.

Exceptions:

1. Corridors protected by an approved automatic sprinkler system installed in accordance with Section 907.3.3.1.
2. Storage in metal lockers provided the minimum required egress width is maintained.

Section 901.4.6.1 Fire sprinkler riser room is added as follows:

A fire sprinkler riser room shall be separate from the electrical room. The riser room shall have no electrical panels, devices, or apparatus inside the room other than the outlets or support equipment (lighting, air compressor, and heater) required for the use of the fire

sprinkler system and/or the fire alarm panel. The sprinkler riser room shall not be exclusively accessed from the electrical room, but the electrical room may be accessed from the riser room.

Section 903.2.8.5 Residential Sprinkler is added as follows:

An automatic residential fire sprinkler system shall be installed in one and two-family dwellings.

Exceptions:

1. An automatic fire sprinkler system shall not be required where additions or alterations are made to existing buildings that are not already provided with an automatic residential fire sprinkler system.
2. One and two-family dwellings containing less than eight thousand (8,000) square feet of floor space, excluding attached garages and other unenclosed areas.

Section 903.4.2 Alarms is amended as follows:

An approved weather-proof audible device suitable for outdoor use with 110 candela visual signal shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 907.2.2 Group B is amended as follows:

A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B occupant load of all floors is 500 or more.
2. The Group B occupant load is more than 100 persons above or below the lowest level of exit discharge.
3. The Group B fire area contains an educational occupancy for students above the twelfth (12th) grade with an occupant load greater than 50 persons.
4. The fire area contains an ambulatory care facility.

Section 907.2.3 Group E is amended as follows:

In the absence of a complete automatic sprinkler system, a complete automatic detection system utilizing an emergency voice/alarm communication system shall be installed throughout the entire Group E occupancy. A Group E occupancy with a complete

automatic sprinkler system shall be provided with a fire alarm system with a minimum of corridor smoke detection, at a maximum spacing of 30 feet on center, and heat or smoke detection in any hazardous or non-occupied area utilizing an emergency voice/alarm communication system in compliance with Section 907.5.2.2 and installed in accordance with Section 907.6. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exception:

1. Group E occupancies with an occupant load of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply :
 - a. Interior corridors are protected by smoke detectors with alarm verification.
 - b. Auditoriums, cafeterias, gymnasiums and the like are protected by heat detectors or other approved detection devices.
 - c. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.
 - d. Off-premises monitoring is provided.
 - e. The capability to activate the evacuation signal from a central point is provided.
 - f. In buildings where normally occupied spaces are provided with a two-way communication system between such spaces and a constantly attended receiving station from which a general evacuation alarm can be sounded, except in locations specifically designated by the fire code official.
 - g. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system, the notification devices will activate on sprinkler water flow, and manual activation is provided from a normally occupied location.
 - h. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided that activation of the fire alarm system initiates an approved occupant notification signal in accordance with Section 907.5.

Section 915.1 Carbon monoxide general is amended as follows:

Carbon monoxide detection shall be installed in new and existing buildings in accordance with Sections 915.1.1 through 915.6, Section 1103.9, and Iowa Administrative Code 661-211.

Section 1003.8 Frost protection is added as follows:

Exterior landings at doors shall be provided with frost protection.

Section 1008.3.1 General is amended as follows:

In the event of the power supply failure in rooms and spaces that require two or more means of egress or are more than 400 square feet or greater, an emergency electrical system shall automatically illuminate all of the following areas:

1. Aisles.
2. Corridors.
3. Exit access stairways and ramps.

Section 1008.3.2 Buildings is amended as follows:

In the event of the power supply failure in rooms and spaces that require two or more means of egress or are more than 400 square feet or greater, an emergency electrical system shall automatically illuminate all of the following areas:

1. Interior exit access stairways and ramps.
2. Interior and exterior exit stairways and ramps.
3. Exit passageways.
4. Vestibules and areas on the level of exit discharge used for exit discharge in accordance with Section 1028.1
5. Exterior landings as required by Section 1010.1.6 for exit doorways that lead directly to the exit discharge.

Section 1009.2 Continuity and components is amended as follows:

Each required accessible means of egress shall be continuous to a public way and shall consist of one or more of the following:

1. Accessible route complying with Section 1104.
2. Interior exit stairways complying with Sections 1009.3 and 1023.
3. Exit access stairways complying with Section 1009.3 and 1019.3 or 1019.4.
4. Exterior exit stairways complying with Sections 1009.3 and 1027 and serving levels other than the level of exit discharge.

5. Elevators complying with Section 1009.4.
6. Platform lifts complying with Section 1009.5.
7. Horizontal exits complying with Section 1026.
8. Ramps complying with Section 1012.
9. Areas of refuge complying with Section 1009.6.
10. Exterior areas for assisted rescue complying with Section 1009.7 serving exits at the level of exit discharge.
11. Components of exterior walking surfaces shall be concrete, asphalt, or other approved hard surface.

Section 1010.1.6. Landings at doors is amended as follows:

Landings shall have a width not less than the width of the stairway or door, whichever is greater. Doors in the fully open position shall not reduce a required dimension by more than 7 inches (178 mm). Where a landing serves an occupant load of 50 or more, doors in any position shall not reduce the landing to less than one-half its required width. Landings shall have a length measured in the direction of travel of not less than 44 inches (1118 mm). For landings required by Section 1010.1.5 to be the same elevation on each side of the door, exterior landings shall be provided with frost protection.

Exception:

1. Landing length in the direction of travel in Groups R-3 and U and within individual units of Group R-2 need not exceed 36 inches (914 mm).

Section 1010.1.6.1 Frost protection at exterior landings is added as follows:

Exterior landings at doors shall be provided with frost protection.

Section 1010.1.9.1 Hardware is amended as follows:

Door handles, pulls, latches, locks, and operating devices on doors required to be accessible by Chapter 11 shall not require tight grasping, tight pinching or twisting of the wrist to operate. Thumb turn locks shall not be allowed.

Section 1028.6 Exit discharge pathway is added as follows:

Components of exterior walking surfaces shall be concrete, asphalt, or other approved hard surface.

Section 1029.1.1 Bleachers is amended as follows:

Bleachers, grandstands, and folding and telescopic seating that are not building elements shall comply with International Code Council (ICC) 300, Standard for Bleachers, Folding and Telescopic Seating, and Grandstands, 2012 Edition, with the following amendments

to ICC-300

ICC-300 105.2 Yearly inspection required. The owner shall cause all bleachers and folding and telescopic seating installed on or after December 1, 2011, to be inspected at least once a year in order to verify that the structure is maintained in compliance with the provisions of this standard. All folding and telescopic seating shall also be inspected to evaluate compliance with the manufacturer's installation and operational instructions during the opening and closing of such seating. Any inspection conducted in compliance with this section may be conducted by any knowledgeable person including, but not limited to, a person who has been instructed by the manufacturer or installer as to procedures and standards for inspections of the structure being inspected and including, but not limited to, the owner of the structure or an employee of the owner of the structure. There are no further restrictions on the identity or employment of the person conducting the inspection unless otherwise provided by law. The owner shall maintain documentation of the required annual inspections, which shall show the date and name of the person conducting the inspection and shall be initialed by the person conducting the inspection.

ICC-300 501.2 Inspections. All tiered seating that was installed prior to December 1, 2011, shall be inspected at least once a year. The required inspection may be conducted by any knowledgeable person including, but not limited to, a person who has been instructed by the manufacturer or installer as to procedures and standards for inspections of the structure being inspected and including, but not limited to, the owner of the structure or an employee of the owner of the structure. There are no further restrictions on the identity or employment of the person conducting the inspection unless otherwise provided by law. All folding and telescopic seating shall be inspected to evaluate compliance with the manufacturer's installation and operational instructions and shall be inspected during the opening and closing of such seating. The owner shall maintain documentation of the required annual inspections, which shall show the date and name of the person conducting the inspection and shall be initialed by the person conducting the inspection.

Section 1030.5.3 Window well drainage is added as follows:

All window wells shall be provided with approved drainage.

Section 1103.7.1 Existing Group E shall be amended as follows:

Existing Group E occupancies shall be provided with a fire alarm system utilizing an emergency voice/alarm communication system in conjunction with Section 907.5.2.2 and installed in accordance with Section 907.6. As a minimum, smoke detection shall be provided in corridors at a maximum spacing of 30 feet on center, and heat or smoke detection shall be provided in any hazardous or non-occupied areas.

Exceptions:

1. A building with a maximum area of 1,000 square feet that contains a single classroom and is located no closer than 50 feet of another building.
2. Group E occupancy with an occupant load of less than 50.

3. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided the activation of the fire alarm system initiates an approved notification signal in accordance with Section 907.5.

Section 1103.8 Single and multiple-station smoke alarms is amended as follows:

Single and multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 1103.8.1 through 1103.8.4.

Section 1103.8.4 Smoke alarm service life is added as follows:

Single-station battery operated smoke alarms shall be replaced in accordance with the manufacturer's instructions.

Section 1103.9 Carbon monoxide alarms is amended as follows:

Existing I-1, I-2, I-4, and R occupancies shall be equipped with carbon monoxide alarms in accordance with Section 915 and Iowa Administrative Code 661-211.

Section 1107 Requirements for fuel fired appliances is added.

Section 1107.1 Protection of fuel fired appliances is added as follows:

Where required or upon notification from the fire code official an existing building or tenant space containing a fuel fired appliance(s) shall be protected as required in Table 509, Incidental Uses, in the International Building Code 2015 edition.

Chapter 38 Special Events is added.

Section 3801 General is added.

Section 3801.1 Scope is added as follows:

Special events including trade shows and exhibitions, outdoor assembly events, and special amusement buildings shall comply with this chapter and Section 1028. Temporary indoor vehicle displays and vehicle competition or demonstrations shall comply with this chapter and Section 314.

Section 3801.2 Site plan is added as follows:

A detailed site plan shall be submitted to the fire code official with each permit application for approval. Permit application and site plan shall be submitted a minimum of 30 business days prior to the event. Site plans shall include, but not be limited to:

1. Location of fencing or means to confine attendees.

2. The means of egress.
3. Location and width of exits and aisles.
4. Location of exit signs.
5. Total square footage of the enclosed space.
6. Location and arrangement of all tents, booths, and cooking equipment.
7. Location of all fire protection equipment.
8. Type and location of heating and electrical equipment where applicable.
9. Location of fire and emergency service access roads where applicable.

Section 3802 General Requirements is added.

Section 3802.1 Access for firefighting and medical services is added as follows:

Approved vehicle access for firefighting and medical services shall be provided in accordance with Sections 503 and 512.

Section 3802.2 Combustible storage is added as follows:

Combustible materials stored at special events shall be stored in approved locations and containers.

Section 3802.3 Fire protection equipment clearance is added as follows:

Clearance around all fire protection equipment shall be in accordance with Section 507.5.4 and 507.5.5.

Section 3802.4 Fire extinguishers is added as follows:

Fire extinguishers shall be in accordance with Section 906 and NFPA 10.

Section 3802.5 Fire watch is added as follows:

Fire watch, if required, shall be in accordance with Section 403.12.1.

Section 3802.6 Housekeeping is added as follows:

The special event area and related areas shall be kept free from combustible debris.

Section 3802.7 LP-gas heater is added as follows:

Fuel supplies for liquefied-petroleum gas-fires heaters shall comply with Chapter 61 of the International Fire Code.

Section 3802.8 Open flame device is added as follows:

Open flame devices shall comply with Section 308.

Section 3802.8 Waste disposal is added as follows:

Combustible debris shall not be allowed to accumulate at special events. Combustible debris, rubbish, and waste material shall be removed from special events at the end of each shift worked. Combustible debris, rubbish, and waste material shall not be disposed of by burning on the site.

Section 3803 Trade shows and exhibitions is added.

Section 3803.1 General is added as follows:

Trade shows and exhibitions conducted within any occupancy shall comply with Chapter 38.

Section 3803.2 Vehicles is added as follows:

Liquid and gas fueled and electric vehicles, boats, or other motor-craft and equipment used for display or demonstration within a building shall be in accordance with Section 314.

Section 3803.3 Means of egress is added as follows:

Means of egress shall comply with this section and the requirements of Chapter 10.

Section 3803.4 Travel distance is added as follows:

The maximum travel distance from any point in an exhibit to an exit access aisle shall not exceed 50 feet.

Section 3803.5 Aisle width is added as follows:

Minimum aisle width inside a trade show or exhibition shall comply with the following:

<u>Square Footage of Exhibition</u>	<u>Minimum Aisle Width</u>
Less than 5,000 square feet	6 feet
5,000 to 15,000 square feet	8 feet
Greater than 15,000 square feet	10 feet

Section 3803.5.1 Obstructions is added as follows:

Aisles shall be kept clear of all obstructions, including but not limited to, fixtures and displays of goods for sale, chairs, tables, products, and displays.

Section 3803.5.2 Exit signs is added as follows:

Exit signs shall be visible from all locations in the occupancy.

Section 3803.6 Demonstration cooking and warming equipment or devices is added as follows:

Equipment and devices shall be isolated from the public by not less than 4 feet or by a non-combustible 3-sided barrier between the equipment and the public.

Section 3803.6.1 Protection is added as follows:

Single-well cooking equipment using combustible oils shall meet the following:

1. A noncombustible lid of sufficient size to cover the cooking well completely shall be immediately available.
2. The cooking surface shall not exceed 288 square inches.
3. The equipment shall be placed on a noncombustible surface.
4. Cooking equipment shall be separated from combustible materials by a horizontal distance of at least 2 feet.

Section 3803.6.2 Butane is added as follows:

Butane for cooking equipment shall be limited to one 10 ounce cylinder and one spare of the same size in storage, per appliance.

Section 3804 Outdoor assembly events is added.

Section 3804.1 General is added as follows:

Outdoor assembly events shall be in accordance with Section 3804 and Chapter 10.

Section 3804.2 Occupant load is added as follows:

The fire code official shall establish an occupant load for the event site.

Section 3804.3 Exits is added as follows:

Exits shall comply with Chapter 10 and be as remote from each other as practical and shall be provided as follows:

<u>Occupant Load</u>	<u>Minimum Number of Exits</u>
1 to 500	2
501 to 1,000	3
1,001 to 1,500	4
Each additional 500	Add 36 additional inches of exit width

Section 3804.4 Exit Width is added as follows:

The aggregate clear width of exits shall be a minimum of 36 inches wide for each 500 persons accommodated.

Section 3804.5 Exit sign is added as follows:

Exits shall be identified with signs. The signs shall be weather-resistant with lettering on a contrasting background. The lettering shall be of sufficient height to be visible from 75 feet. Placement of exit signs shall be approved by the fire code official.

Section 3804.6 Concession stands, food booths, and retail booths is added.

Section 3804.6.1 General is added as follows:

Concession stands, food booths, and retail booths shall be in accordance with Section 3804.6.

Section 3804.6.2 Distances is added as follows:

A minimum of 20 feet shall be provided between every 150 linear feet of booth space. A minimum of 30 feet shall be provided between booths used for cooking and vehicles, generators, or any other internal combustion engines. A minimum of 30 feet shall be provided between booths used for cooking and amusement rides.

Section 3804.6.3 Cooking appliances and devices is added as follows:

Cooking equipment and devices shall be isolated from the public by not less than 4 feet or by a non-combustible 3-sided barrier between the equipment and the public. Single-well cooking equipment using combustible oils shall meet the following:

1. A noncombustible lid of sufficient size to cover the cooking well completely shall be immediately available.
2. The cooking surface shall not exceed 288 square inches.
3. The equipment shall be placed on a noncombustible surface.

4. Cooking equipment shall be separated from combustible materials by a horizontal distance of at least 2 feet.

Section 3804.6.4 Liquefied petroleum gas (LP-gas) is added as follows:

LP-gas shall be in accordance with Chapter 61 and NFPA 58.

Section 3804.6.5 Maximum number and quantity is added as follows:

A maximum of a total aggregate water capacity of 50 gallons of LP-gas is permitted at one concession stand or booth used for cooking.

Section 3804.6.6 Storage of containers is added as follows:

LP-gas containers shall be stored in accordance with Chapter 61.

Section 3804.6.7 Generators /electrical is added as follows:

Generators shall be installed at least 10 feet from combustible materials and shall be isolated from the public by physical guard, fence, or enclosure installed at least 3 feet away from the power source, and be provided with a fire extinguisher per Section 906 and NFPA 10.

Section 3805 Mobile food vehicles is added.

Section 3805.1 General is added as follows:

Mobile food vehicles which are temporarily or permanently stored on a property where food items are processed or prepared and sold to the public shall comply with this section.

Exception:

Food peddlers operating a retail food establishment from a vehicle designated to be readily movable in which food is sold or given away, but not composed, compounded, thawed, reheated, cut, cooked, processed or prepared.

Section 3805.2 Type I hood is added as follows:

A type I hood shall be installed at or above all commercial cooking equipment and domestic cooking appliances used for commercial purposes that produce grease vapors.

Section 3805.2.1 Maintenance is added as follows:

Hoods shall be inspected, tested, and maintained in accordance with this code.

Section 3805.2.2 Inspection and tests is added as follows:

Kitchen hood extinguishment systems shall be inspected and tested annually by a State if Iowa licensed fire protection contractor. Mobile food vehicles shall be inspected annually by the fire code official for compliance with this section. Inspection shall occur in conjunction with annual Peddler/Solicitor/Transient Merchant application process.

Section 3805.3 Fire extinguisher is added as follows:

An approved 2A:20 B:C rated dry chemical extinguisher shall be provided within 30 feet of any commercial cooking equipment. Additionally, cooking equipment involving solid fuels or vegetable or animal fats and oils shall be protected by a Class K rated portable fire extinguisher in accordance with Section 904.12.5.1 or 904.12.5.2 as applicable.

Section 3805.4 Liquefied petroleum gas (LP-gas) is added as follows:

LP-gas shall be in accordance with Chapter 61 and NFPA 58.

Section 3805.4.1 Maximum quantity is added as follows:

A maximum of two LP-gas containers with a total aggregate water capacity of 50 gallons (190 L) is permitted at one mobile food vehicle.

Section 3805.4.2 LP-gas cylinder hose is added as follows:

Hoses shall be designed for a working pressure of 350 psig with a safety factor of 5 to 1 and shall be continuously marked with LP-Gas, Propane, and 350 PSI working pressure and the manufacturer's name or trademark. Hose assemblies, after the application of couplings, shall have a design capacity of 700 psig. Hose assemblies shall be leak tested at the time of installation at not less than the operating pressure of the system in which they are installed.

Section 3805.5 Location is added as follows:

Mobile food vehicles shall not be located within 20 feet of buildings, tents, canopies, or membrane structures.

Section 3806 Special amusement buildings is added

Section 3806.1 General is added as follows:

Special amusement buildings shall be in accordance with this section and Section 411 of the International Building Code.

Exception:

Amusement buildings or portions thereof, which are without walls or a roof and are constructed to prevent the accumulation of smoke.

Section 3806.2 Use of combustible decorative material is added as follows:

Use of decorative combustible materials shall be in accordance with Chapter 8.

Section 3806.3 Assistance is added as follows:

Adult monitors with flashlights shall be available to provide assistance in the event someone becomes disoriented or lost. One adult monitor shall be provided for every 60 persons.

Section 3806.4 Automatic sprinkler system is added as follows:

Special amusement buildings shall be equipped throughout with an automatic sprinkler system in accordance with Chapter 9.

Section 3806.5 Temporary special amusement building is added as follows:

Where the special amusement building is temporary, the sprinkler water supply shall be of an approved temporary means. The sprinkler piping shall be connected to a temporary water supply having sufficient capacity (flow and pressure) to supply residential or standard quick spray response heads at a minimum design density of 0.15 gpm per square foot of protected floor space. The temporary water supply may be connected to a domestic water line, a fire line, or temporary on-site storage tank as long as the minimum design densities are met.

Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited is amended as follows:

Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.

Exception:

Areas zoned as M1 and M2.

**“CHAPTER 91”
OPEN BURNING**

Sec. 91.020 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Backyard. Backyard means any area as defined under Ch. 158 of the code of ordinances.

Backyard burning. The burning of natural vegetation originating or deposited on the premises or and burnt by individuals domiciled on or owning the premises. Natural vegetation includes, but is not limited to leaves, grass, small branches, flower remains and trimmings.

Bonfire. An outdoor fire utilized for ceremonial purposes that exceeds the size requirements of a recreational fire.

Garbage. All solid and semi-solid putrescible and nonputrescible animal and vegetable wastes resulting from the handling, preparing, cooking, storing and serving of food or of material intended for use as food.

Hazardous conditions. Environmental factors, such as wind, temperature, and relative humidity that contribute to hazardous burning conditions.

Open burning. Any burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber as defined by the International Fire Code as adopted by the City of Marshalltown. Open burning does not include recreational fires or the use of outdoor portable fireplaces.

Portable outdoor fireplace. Portable outdoor fireplace means a portable, outdoor, solid-fuel burning fireplace that may be constructed of steel, concrete, clay, or other non-combustible material.

Recreational fire. An outdoor fire burning material other than rubbish or yard waste where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, and barbeque grill and has a total fuel area of three (3) feet or less in diameter and two (2) feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

Rubbish. Rubbish means all waste materials of nonputrescible nature.

Sec. 91.021. Burning Garbage Prohibited.

No person, firm, or corporation shall dispose of garbage at any time by burning same.

Sec. 91.022. Burning of Rubbish Prohibited.

It shall be unlawful for any person, firm, or corporation to do open burning of rubbish.

Sec. 91.023. Burning Diseased Trees.

Diseased trees may be burned in areas designated by the Fire Chief or his designee and upon terms and conditions he or she may prescribe.

Sec. 91.024 Permissible Open Burning.

It shall be lawful to engage in open burning of plant material grown on the premises or deposited thereon by the elements by the owner or occupant of the premises involved, subject to the following:

- a.) Open burning is allowed between the dates of April 1st through June 30th and October 1st through November 30th.
- b.) Open burning shall occur in the backyard Monday through Sunday between the hours of 10 a.m. and 7 p.m. and is limited to single family dwellings only. Burning on public streets and alleys is prohibited. Burning on the property of another is prohibited unless the property owner grants permission, i.e. neighbors, neighborhoods, and all open burning regulations shall apply. All open burning piles shall be extinguished by 7 p.m.
- c.) Open burning of any material is not allowed by an owner or occupant of premises upon which more than one family dwelling unit is found.
- d.) Open burning is not allowed on holidays as defined: Good Friday, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas, and New Year's Day.
- e.) Open burning shall be prohibited when atmospheric conditions make such fires hazardous and includes:
 - a. Wind speed greater than 15 mph.
 - b. Extended dry weather conditions.
- f.) Open burning shall not be less than 50 feet from any structure. Fire in enclosed containers with a cover to control flying embers shall not be less than 15 feet from any structure.
- g.) Any opening burning must be constantly supervised by a competent person equipped with a satisfactory means of fire control.
- h.) Burning by commercial business is prohibited unless a burn permit is obtained from the Fire Department. If a permit is issued, all requirements for open burning shall be followed.

- i.) All open burning must be in compliance with the International Fire Code as adopted by the City of Marshalltown.

Sec. 91.025. Recreational Burning Allowed; Rear and side yard restrictions, and spruce trees.

1. Recreational burning shall be allowed for food preparation and camping purposes – or as defined in the definition section. The material to be burned is limited to seasoned wood, and the fire shall comply with all other applicable codes related to open burning.
 - a.) Recreational fires are allowed both on the ground and in a container designed for this purpose at one-and two-family dwellings.
 - b.) Recreational fires on the ground shall not be conducted within 25 feet of a structure or combustible material.
 - c.) Recreational fires contained in appliances specifically designed for this purpose shall not be operated within 15 feet of a structure or combustible material.
 - d.) Bonfires shall follow the listed requirements for recreational burning with the following exceptions:
 - a. A permit is required from the fire code official.
 - b. Bonfires are required to be 50 feet from any structure and 15 feet from property lines.
 - e.) The responsible party must provide a means to control flying embers.
 - f.) All recreational fires must be extinguished by 2:00 A.M.
 - g.) Recreational fires shall be attended at all times until the fire is extinguished.
 - h.) Responsible party shall have available at all times a sufficient means of extinguishment to include any of the following:
 - a. Garden hose connected to a continuous water supply.
 - b. Fire extinguisher complying with Section 906 of the International Fire Code.
 - c. Dirt or sand
 - i.) Municipal camping areas are exempt from the requirements of this section except for the restrictions on size.
 - j.) Recreational fires are allowed year round.
2. Subject to contrary provisions of the International Fire Code, as adopted by the city, open burning of permitted plant material, on permitted premises, shall be at least 15 feet from side and rear yard boundary lines.
3. It shall be unlawful to engage in open burning within 20 feet of any part of a pine or spruce tree.

Sec. 91.026. Fire department response fee.

Any violation of the rules concerning prohibited and open burning, which require a response by the city's fire department to control or extinguish, will be subject to a response fee as established by resolution. Commercial property found in violation of this subchapter shall be charged the permit fee for open burning as established by resolution.

Article II. Any previous amendments thereto, which are inconsistent with this attachment are hereby specifically repealed and the attachment is enacted as a substitute therefore.

Article III. The public hearing required on this amendment shall be held in the Council Chambers of City Hall, 24 N. Center Street, Marshalltown, Iowa at 5:30 p.m. local time, on the 22nd day of July, 2019, and the City Clerk is directed to cause a publication of the notice of public hearing in one issue of the Marshalltown Times Republican, a newspaper in Marshalltown, Marshall County, Iowa, not less than 4 days nor more than 10 days prior to the date of public hearing fixed herein.

Article IV. This ordinance shall be in full force and effect from and after public notice of hearing on this amendment has been duly given as required by the statutes of the State of Iowa and said public hearing has been duly held and after passage by the Council and publication as is provided by law.

Passed this ____ day of July, 2019, and signed this ____ day of July, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

MINUTES PROVIDING FOR PASSAGE OF
AN ORDINANCE RELATED TO TAXABLE
PROPERTY INCLUDED IN AMENDMENT
NO. 7 TO THE URBAN RENEWAL PLAN
FOR MARSHALLTOWN URBAN
RENEWAL AREA NO. 3

(Ord.–Initial Consideration)

422742-33

Marshalltown, Iowa

June 24, 2019

The City Council of the City of Marshalltown, Iowa, met on June 24, 2019, at 5:30 o'clock p.m., at the Council Chamber.

The Mayor presided and the roll was called showing members present and absent, as follows:

Present: _____

Absent: _____.

It was reported that it was necessary for the Council to adopt an ordinance in order to add the property that had been added to Urban Renewal Area No. 3 by Amendment No. 7 to the ordinance that designates property in Urban Renewal Area No. 3 that is subject to the tax increment provisions of Chapter 403 of the Code of Iowa.

Council Member _____ introduced an ordinance entitled “Ordinance No. _____. An Ordinance 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.”

It was moved by Council Member _____ and seconded by Council Member _____ that the ordinance be given its first consideration and that it be adopted.

The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its initial consideration.

• • • • •

There being no further business to come before the meeting, it was upon motion adjourned.

Mayor

Attest:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE 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

BE IT ENACTED by the Council of the City of Marshalltown, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property included in Amendment No. 7 to the urban renewal plan for Marshalltown Urban Renewal Area No. 3 each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the City of Marshalltown to finance projects in Urban Renewal Area No. 3.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

“City” shall mean the City of Marshalltown, Iowa.

“County” shall mean Marshall County, Iowa.

“Urban Renewal Area” shall mean Marshalltown Urban Renewal Area No. 3, as from time to time amended.

“Urban Renewal Area Amendment” shall mean the taxable property included in Amendment No. 7 to the urban renewal plan for Marshalltown Urban Renewal Area No. 3 of the City of Marshalltown, the description of which taxable property is set out below, approved by the City Council by resolution adopted on June 24, 2019:

Beginning at the Northeast corner of the NW $\frac{1}{4}$ of Section 15, Township 83 North, Range 18 West of the 5th P.M.;
thence Southerly along the East line of the NW $\frac{1}{4}$ of Section 15, Township 83 North, Range 18 West of the 5th P.M., to the Southeast corner of Lot 1 of the Subdivision of the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 15, Township 83 North, Range 18 West of the 5th P.M.;
thence westerly 673.0' along the South line of Lot 1 and Lot 2 of the Subdivision of the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 15, Township 83 North, Range 18 West of the 5th P.M., to a point 66.0' East of the Southwest corner of said Lot 2;
thence northerly 353.4' parallel to and 66.0' east of the West line of said Lot 2 to the North line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, Township 15 North, Range 18 West of the 5th P.M.;
thence westerly 66.0' along said North line to the Northwest Corner of Lot 2 of the Subdivision of the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 15, Township 83 North, Range 18 West of the 5th P.M.;
thence southerly 353.4' along the Westerly line of said Lot 2 to the Southwest Corner thereof;

thence westerly along the south line of Lot 3 and Lot 4 of the Subdivision of the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 15, Township 83 North, Range 18 West of the 5th P.M., to the Southwest corner of said Lot 4;

thence northerly along the West line of said Lot 4 to the NW corner of Section 15, Township 83 North, Range 18 West of the 5th P.M.;

thence North along the West line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 83 North, Range 18 West of the 5th P.M. to the Northwest corner thereof;

thence East along the North line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10 a distance of 289.96' to the Northeast corner of Parcel "D" in Lot 4 of the Subdivision of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 10;

thence South along the East line of said Parcel "D" to the Northwest corner of Lot 5, Block 3, Pioneer Village First Addition to Marshall;

thence Easterly along the North lines of Lots 5, 6, 7, 8, 9, 10, 11, 12, and 13, Block 3, Pioneer Village First Addition to the Northeast corner of said Lot 13;

thence Southeast to the Northwest corner of Lot 14, Block 3, Pioneer Village First Addition to Marshall;

thence Southeast to the Northeast corner of Lot 16, Block 3, Pioneer Village First Addition to Marshall;

thence Easterly parallel to and 60.0' North of the South line of said Lot 14 extended to a point on the East right of way line of S. 14th St.;

thence North along said East right of way line to the Southwest corner of Lot 1, Block 3, Rolling Meadows 2nd Addition to Marshall;

thence East along the South line of Rolling Meadows 2nd Addition to Marshall to the Southeast corner of Lot 9, Block 3, Rolling Meadows 2nd Addition to Marshall;

thence South to the Northwest corner of Parcel "A" in Lot 1 of the Subdivision of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 10, Township 83 North, Range 18 West of the 5th P.M.;

thence East along the North line of said Parcel "A" extended to a point 224.0' North of the Southeast corner of Lot 1 of the Subdivision of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 10, Township 83 North, Range 18 West of the 5th P.M.;

thence South along the West line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, Township 83 North, Range 18 West of the 5th P.M. to the Northwest corner of the NE $\frac{1}{4}$ of Section 15, Township 83 North, Range 18 West of the 5th P.M., and the Point of Beginning.

AND

The North One-Half of the Southwest Quarter of Section 12, Township 83 North, Range 18 West of the 5th P.M., Marshall County, Iowa.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area Amendment. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area Amendment each year by and for the benefit of the State of Iowa, the City, the County and any school district or other taxing district in which the Urban Renewal Area Amendment is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area Amendment, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City certifies to

the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area Amendment on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area Amendment to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the City to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the City to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, to the extent authorized in Section 403.19(2) of the Code of Iowa, taxes for the instructional support program levy of a school district imposed pursuant to Section 257.19 of the Code of Iowa, to the extent authorized in Section 403.19(2) of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area Amendment exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area Amendment shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area Amendment shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the City for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the City to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word “taxes” includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed by the Council of the City of Marshalltown, Iowa, the ____ day of _____, 2019.

Mayor

Attest:

City Clerk

Approved this ____ day of _____, 2019.

Mayor

Attest:

City Clerk

MINUTES PROVIDING FOR PASSAGE OF
AN ORDINANCE RELATED TO TAXABLE
PROPERTY INCLUDED IN AMENDMENT
NO. 7 TO THE URBAN RENEWAL PLAN
FOR MARSHALLTOWN URBAN
RENEWAL AREA NO. 3

422742-33

(Ord.–Second Consideration)

Marshalltown, Iowa

_____, 2019

The City Council of the City of Marshalltown, Iowa, met on the ____ day of _____, 2019, at _____ o'clock ____m., at the Council Chambers.

The Mayor presided and the roll was called showing members present and absent, as follows:

Present: _____

Absent: _____.

It was reported that, on June 24, 2019, the Council had given its initial consideration to an ordinance entitled “Ordinance No. _____. An Ordinance 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.”

It was moved by Council Member _____ and seconded by Council Member _____ that the ordinance be given its second consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its second consideration.

* * * *

There being no further business to come before the meeting, it was upon motion adjourned.

Mayor

Attest:

City Clerk

MINUTES PROVIDING FOR PASSAGE OF
AN ORDINANCE RELATED TO TAXABLE
PROPERTY INCLUDED IN AMENDMENT
NO. 7 TO THE URBAN RENEWAL PLAN
FOR MARSHALLTOWN URBAN
RENEWAL AREA NO. 3

422742-33

(Final Consideration And Adoption)

Marshalltown, Iowa

_____, 2019

The City Council of the City of Marshalltown, Iowa, met on the ____ day of _____, 2019, at _____ o'clock ____m., at the Council Chambers.

The Mayor presided and the roll was called showing members present and absent, as follows:

Present: _____

Absent: _____.

It was reported that on June 24, 2019, and on _____, 2019, the Council had given initial and second consideration to an ordinance entitled "Ordinance No. _____. An Ordinance 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".

It was moved by Council Member _____ and seconded by Council Member _____ that the ordinance be given its final consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its final consideration and had been adopted.

* * * *

There being no further business to come before the meeting, it was upon motion adjourned.

Mayor

Attest:

City Clerk

STATE OF IOWA

SS:

MARSHALL COUNTY

CITY OF MARSHALLTOWN

I, the undersigned, City Clerk of the City of Marshalltown, Iowa, do hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Marshalltown, and that as such I have in my possession or have access to the complete corporate records of the City and of its officers; and that I have carefully compared the transcript hereto attached with those records and that the attached is a true, correct and complete copy of the corporate records relating to the action taken by the City Council preliminary to and in connection with approving "Ordinance No._____. An Ordinance 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".

I also certify that I caused to be published a summary of "Ordinance No._____. An Ordinance 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", of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in the City.

WITNESS MY HAND this ____ day of _____, 2019.

City Clerk

(Attach hereto publisher's affidavit of publication with clipping of summary of ordinance as published.)

STATE OF IOWA

SS:

MARSHALL COUNTY

I, the undersigned, County Auditor of Marshall County, Iowa, do hereby certify that on the ____ day of _____, 2019, the City Clerk of the City of Marshalltown, Iowa, filed in my office a copy of an ordinance of the City, shown to have been adopted by the City Council and approved by the Mayor thereof on _____ 2019, entitled: "Ordinance No. _____. An Ordinance 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", and that I have duly placed a copy of the ordinance on file in my records.

WITNESS MY HAND this ____ day of _____, 2019.

County Auditor

June 21, 2019

Shari Coughenour
City Clerk/City Hall
24 North Center Street
Marshalltown, Iowa 50158

Re: Ordinance for Amendment No. 7 to urban renewal plan for Marshalltown Urban
Renewal Area No. 3
Our File No. 422742-33

Dear Shari:

Enclosed are proceedings that may be used by your City Council to consider an Ordinance related to taxable property included in Amendment No. 7 to the urban renewal plan for Urban Renewal Area No. 3 at three separate meetings, beginning with the first consideration on June 24.

After final consideration and adoption of the Ordinance, it must be filed in the office of the County Auditor, and the Ordinance, or a summary of the Ordinance, must be published. I can prepare an appropriate summary for you.

We will appreciate receiving executed copies of these proceedings as soon as they are available. Please contact me if you have any questions.

Sincerely,

Robert E. Josten

Cc by email: Jessica Kinser
Justin Yarosevich

MARSHALLTOWN

— I O W A —

City Administrator's Office

Joel Greer, Mayor
Jessica Kinser, Administrator
Shari L. Coughenour, Clerk
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5799
Fax - (641) 754-5717

To: Mayor Greer and the City Council
From: Jessica Kinser, City Administrator
Date: July 17, 2019
RE: Quiet Zone Discussion

In 2010, the City hired Bolton & Menk to conduct a Quiet Zone study or review of safety improvements for railroad crossings at 2nd, 6th and 12th Streets. A project to install a median along 6th Street moved forward, but was ultimately not approved by the City Council. No further discussions were had until 2017, when we contracted with Bolton & Menk to update the 2010 study. The scope was included to add 12th Avenue, which is improved, but still required review for any updates in improvements. Bolton & Menk concluded their report in mid-2018. This was set to come before the Council in 2018, but was put on hold due to the tornado.

Since 2018, we now have a new Downtown Master Plan which recognized that the train noise could be an impediment to downtown living. Therefore it was the 6th high priority recommendation in the Downtown Master Plan. While the Quiet Zone would impact the crossings, it does not have an impact on the railyard, so it will not eliminate all train noise.

Bolton & Menk will be presenting the proposed improvements and costs for each of the 4 areas and be open for questions you might have. The recommended next step is to hold a public input session and then come back to the Council with that information. At this meeting, we are looking for consensus to move forward with the public input session.

City Council

Susan Cahill, Michael Gowdy, Al Hoop,
Gabriel Isom, Leon Lamer, Bill Martin, Bethany Wirin





GUIDE TO THE QUIET ZONE ESTABLISHMENT PROCESS

AN INFORMATION GUIDE

Federal Railroad Administration

1200 New Jersey Avenue S.E.

Washington, DC 20590

Telephone: 202-493-6299

www.fra.dot.gov

Federal Railroad Administration

Highway-Rail Crossing and Trespasser Programs Division

Follow FRA on [Facebook](#) and [Twitter](#)

Purpose of the Guide

This brochure was developed to serve as a guide for local decision makers seeking a greater understanding of train horn sounding requirements and how to establish quiet zones. Its purpose is to provide a general overview and thus does not contain every detail about the quiet zone establishment process. For more detailed and authoritative information, the reader is encouraged to review the official regulations governing the use of locomotive horns at public highway-rail grade crossings and the establishment of quiet zones that are contained in 49 CFR Part 222. A copy of the rule can be downloaded or printed at <http://www.fra.dot.gov/eLib/Details/L02809>.

About Quiet Zones



FRA is committed to reducing the number of collisions at highway-rail grade crossings, while establishing a consistent standard for communities who opt to preserve or enhance quality of life for their residents by establishing quiet zones within which routine use of train horns at crossings is prohibited.

Federal regulation requires that locomotive horns begin sounding 15–20 seconds before entering public highway-rail grade crossings, no more than one-quarter mile in advance. Only a public authority, the governmental entity responsible for traffic control or law enforcement at the crossings, is permitted to create quiet zones.

A quiet zone is a section of a rail line at least one-half mile in length that contains one or more consecutive public highway-rail grade crossings at which locomotive horns are not routinely sounded when trains are approaching the crossings. The prohibited use of train horns at quiet zones only applies to trains when approaching and entering crossings and does not include train horn use within passenger stations or rail yards. Train horns may be sounded in emergency situations or to comply with other railroad or FRA rules even within a quiet zone. Quiet zone regulations also do not eliminate the use of locomotive bells at crossings. Therefore, a more appropriate description of a designated quiet zone would be a “reduced train horn area.”

Communities wishing to establish quiet zones must work through the appropriate public authority that is responsible for traffic control or law enforcement at the crossings.

Historical Context

Historically, railroads have sounded locomotive horns or whistles in advance of grade crossings and under other circumstances as a universal safety precaution. Some States allowed local communities to create whistle bans where the train horn was not routinely sounded. In other States, communities created whistle bans through informal agreements with railroads.

In the late 1980's, FRA observed a significant increase in nighttime train-vehicle collisions at certain gated highway-rail grade crossings on the Florida East Coast Railway (FEC) at which nighttime whistle bans had been established in accordance with State statute. In 1991, FRA issued Emergency Order #15 requiring trains on the FEC to sound their horns again. The number and rate of collisions at affected crossings returned to pre-whistle ban levels.



In 1994, Congress enacted a law that required FRA to issue a Federal regulation requiring the sounding of locomotive horns at public highway-rail grade crossings. It also gave FRA the ability to provide for exceptions to that requirement by allowing communities under some circumstances to establish "quiet zones."

The Train Horn Rule became effective on June 24, 2005. The rule set nationwide standards for the sounding of train horns at public highway-rail grade crossings. This rule changed the criteria for sounding the horn from distance-based to time-based. It also set limits on the volume of a train horn. The rule also established a process for communities to obtain relief from the routine sounding of train horns by providing criteria for the establishment of quiet zones. Locomotive horns may still be used in the case of an emergency and to comply with Federal regulations or certain railroad rules.

Because the absence of routine horn sounding increases the risk of a crossing collision, a public authority that desires to establish a quiet zone usually will be required to mitigate this additional risk. At a minimum, each public highway–rail crossing within a quiet zone must be equipped with active warning devices: flashing lights, gates, constant warning time devices (except in rare circumstances) and power out indicators.

In order to create a quiet zone, one of the following conditions must be met

1. ***The Quiet Zone Risk Index (QZRI) is less than or equal to the Nationwide Significant Risk Threshold (NSRT)*** with or without additional safety measures such as Supplementary Safety Measures (SSMs) or Alternative Safety Measures (ASMs) described below. The QZRI is the average risk for all public highway-rail crossings in the quiet zone, including the additional risk for absence of train horns and any reduction in risk due to the risk mitigation measures. The NSRT is the level of risk calculated annually by averaging the risk at all of the Nation's public highway-rail grade crossings equipped with flashing lights and gates where train horns are routinely sounded.
2. ***The Quiet Zone Risk Index (QZRI) is less than or equal to the Risk Index With Horns (RIWH)*** with additional safety measures such as SSMs or ASMs. The RIWH is the average risk for all public highway-rail crossings in the proposed quiet zone when locomotive horns are routinely sounded.
3. ***Install SSMs at every public highway-rail crossing.*** This is the best method to reduce to reduce risks in a proposed quiet zone and to enhance safety.

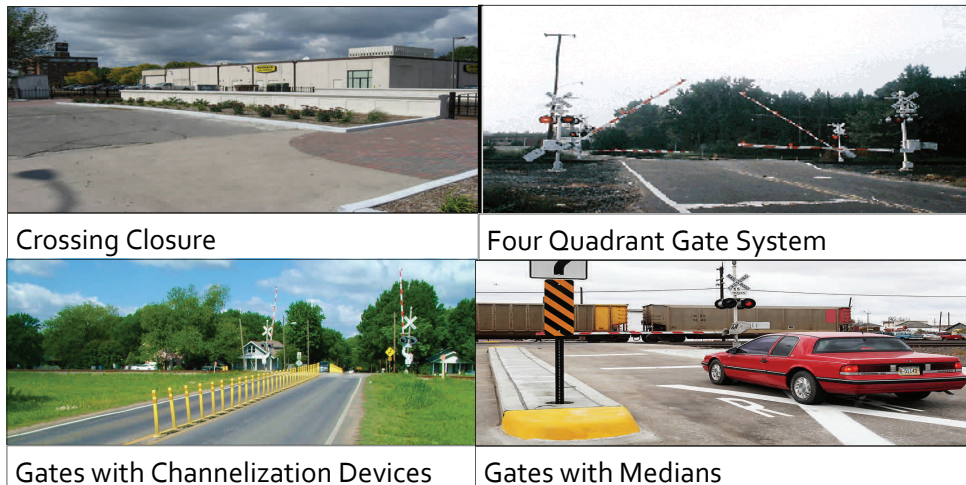
SSMs are pre-approved risk reduction engineering treatments installed at certain public highway-rail crossings within the quiet zone and can help maximize safety benefits and minimize risk. SSMs include: medians or channelization devices, one-way streets with gates, four quadrant gate systems, and temporary or permanent crossing closures. Examples of SSMs are shown on the next page.

ASMs are safety systems, other than SSMs, that are used to reduce risk in a quiet zone. ASMs typically are improvements that do not fully meet the requirements to be SSMs and their risk reduction effectiveness must be submitted in writing and approved by FRA.

FRA strongly recommends that all crossings in the quiet zone be reviewed by a diagnostic team. A diagnostic team typically consists of representatives from the public authority, railroad, and State agency responsible for crossing safety and FRA grade crossing managers.

Public Safety Considerations continued

Examples of SSMs



Wayside Horns The train horn rule also provides another method for reducing the impact of routine locomotive horn sounding when trains approach public highway-rail grade crossings. A wayside horn may be installed at highway-rail grade crossings that have flashing lights, gates, constant warning time devices (except in rare circumstances), and power out indicators. The wayside horn is positioned at the crossing and will sound when the warning devices are activated. The sound is directed down the roadway, which greatly reduces the noise footprint of the audible warning. Use of wayside horns is not the same as establishing a quiet zone although they may be used within quiet zones.

Cost Considerations

The enabling Federal statute did not provide funding for the establishment of quiet zones. Public authorities seeking to establish quiet zones should be prepared to finance the installation of SSMs and ASMs used. Costs can vary from \$30,000 per crossing to more than \$1 million depending on the number of crossings and the types of safety improvements required.

Legal Considerations

The courts will ultimately determine who will be held liable if a collision occurs at a grade crossing located within a quiet zone, based upon the facts of each case, as a collision may have been caused by factors other than the absence of an audible warning. FRA's rule is intended to remove failure to sound the horn as a cause of action in lawsuits involving collisions that have occurred at grade crossings within duly established quiet zones.

The Quiet Zone Establishment Process

Under the Train Horn Rule, only public authorities are permitted to establish quiet zones. Citizens who wish to have a quiet zone in their neighborhood should contact their local government to pursue the establishment of a quiet zone. The following is a typical example of the steps taken to establish a quiet zone:

1. **Determine** which crossings will be included in the quiet zone. All public highway-rail crossings in the quiet zone must have, at a minimum, an automatic warning system consisting of flashing lights and gates. The warning systems must be equipped with constant warning time devices (except in rare circumstances) and power out indicators. The length of the quiet zone must be at least one-half mile in length.
2. **Identify** any private highway-rail grade crossings within the proposed quiet zone. If they allow access to the public or provide access to active industrial or commercial sites, a diagnostic review must be conducted and the crossing(s) treated in accordance with the recommendations of the diagnostic team.
3. **Identify** any pedestrian crossings within the proposed quiet zone and conduct a diagnostic review of those crossings too. They also must be treated in accordance with the diagnostic team's recommendations. *NOTE:* While it is not required by the regulations, FRA recommends that every crossing within a proposed quiet zone be reviewed for safety concerns.
4. **Update** the U.S. DOT Crossing Inventory Form to reflect current physical and operating conditions at each public, private, and pedestrian crossing located within a proposed quiet zone.
5. **Provide** a Notice of Intent (NOI) to all of the railroads that operate over crossings in the proposed quiet zone, the State agency responsible for highway safety and the State agency responsible for crossing safety. The NOI must list all of the crossings in the proposed quiet zone and give a brief explanation of the tentative plans for implementing improvements within the quiet zone. Additional required elements of the NOI can be found in 49 CFR 222.43(b). The railroads and State agencies have 60 days in which to provide comments to the public authority on the proposed plan.
6. **Alternative Safety Measures** – If ASMs are going to be used to reduce risk, an application to FRA must be made. The application must include all of the elements provided in 49 CFR 222.39(b)(1) and copies of the application must be sent to the entities listed in 49 CFR 222.39(b)(3). They will have 60 days to provide comments to FRA on the application. FRA will provide a written decision on the application typically within three to four months after it is received.

The Quiet Zone Establishment Process continued

7. **Determine** how the quiet zone will be established using one of the following criteria:
(Note that Options 2 through 4 will require the use of the FRA Quiet Zone Calculator available at <http://safetydata.fra.dot.gov/quiet/>.)

1. Every public highway-rail crossing in the proposed quiet zone is equipped with one or more SSMs.
2. The Quiet Zone Risk Index (QZRI) of the proposed quiet zone is less than or equal to the Nationwide Significant Risk Threshold (NSRT) without installing SSMs or ASMs.
3. The QZRI of the proposed quiet zone is less than or equal to the Nationwide Significant Risk Threshold (NSRT) after the installation of SSMs or ASMs.
4. The QZRI of the proposed quiet zone is less than or equal to the Risk Index with Horns (RIWH) after the installation of SSMs or ASMs.



8. **Complete** the installation of SSMs and ASMs and any other required improvements determined by the diagnostic team at all public, private, and pedestrian crossings within the proposed quiet zone.

9. **Ensure** that the required signage at each public, private, and pedestrian crossing is installed in accordance with 49 CFR Sections 222.25, 222.27, and 222.35, and the standards outlined in the Manual on Uniform Traffic Control Devices. These signs may need to be covered until the quiet zone is in effect.

10. **Establish** the quiet zone by providing a Notice of Quiet Zone Establishment to all of the parties that are listed in 49 CFR Section 222.43(a)(3). Be sure to include all of the required contents in the notice as listed in 49 CFR Section 222.43(d). The quiet zone can take effect no earlier than 21 days after the date on which the Notice of Quiet Zone Establishment is mailed.

*****Appendix C to the Train Horn Rule provides detailed, step by step guidance on how to create a quiet zone.*****

Required Documentation

Public authorities interested in establishing a quiet zone are required to submit certain documentation during the establishment process. FRA has provided checklists for the various documents that can be found at <http://www.fra.dot.gov/Elib/Details/L03055>.

FRA's Regional Grade Crossing Managers are available to provide technical assistance. A State's department of transportation or rail regulatory agency also may be able to provide assistance to communities pursuing quiet zones.

Public authorities are encouraged to consult with the agencies in their State that have responsibility for crossing safety. Some States may have additional administrative or legal requirements that must be met in order to modify a public highway-rail grade crossing.

Role of Railroads

Communities seeking to establish a quiet zone are required to send a Notice of Intent and a Notice of Quiet Zone Establishment to railroads operating over the public highway-rail grade crossings within the proposed quiet zone. Railroad officials can provide valuable input during the quiet zone establishment process and should be included on all diagnostic teams. Listed below are links to the Class I Railroads and Amtrak.

BNSF Railway (BNSF)	Canadian Pacific (CP)
CSX Transportation (CSX)	Norfolk Southern (NS)
Canadian National (CN)	Union Pacific (UP)
Kansas City Southern (KCS)	Amtrak (ATK)

FINAL NOTE

The information contained in this brochure is provided as general guidance related to the Quiet Zone Establishment Process and should not be considered as a definitive resource. FRA strongly recommends that any public authority desiring to establish quiet zones take the opportunity to review all aspects of safety along its rail corridor. Particular attention should be given to measures that prevent trespassing on railroad tracks since investments made to establish a quiet zone may be negated if the horn has to be routinely sounded to warn trespassers.

POINTS OF CONTACT

General Questions:

Inga Toye, 202-493-6305

Debra Chappell, 202-493-6018

Ron Ries, 202-493-6285

Regional Contacts

Region 1 Connecticut, Maine, Massachusetts, New Hampshire, New Jersey,
New York, Rhode Island, and Vermont
1-800-724-5991

Region 2 Delaware, Maryland, Ohio, Pennsylvania, Virginia, West Virginia ,
and Washington, D.C.
1-800-724-5992

Region 3 Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina,
South Carolina, and Tennessee
1-800-724-5993

Region 4 Illinois, Indiana, Michigan, Minnesota, and Wisconsin
1-800-724-5040

Region 5 Arkansas, Louisiana, New Mexico, Oklahoma, and Texas
1-800-724-5995

Region 6 Colorado, Iowa, Kansas, Missouri, and Nebraska
1-800-724-5996

Region 7 Arizona, California, Nevada, and Utah
1-800-724-5997

Region 8 Alaska, Idaho, Montana, North Dakota, South Dakota, Oregon,
Washington, and Wyoming
1-800-724-5998



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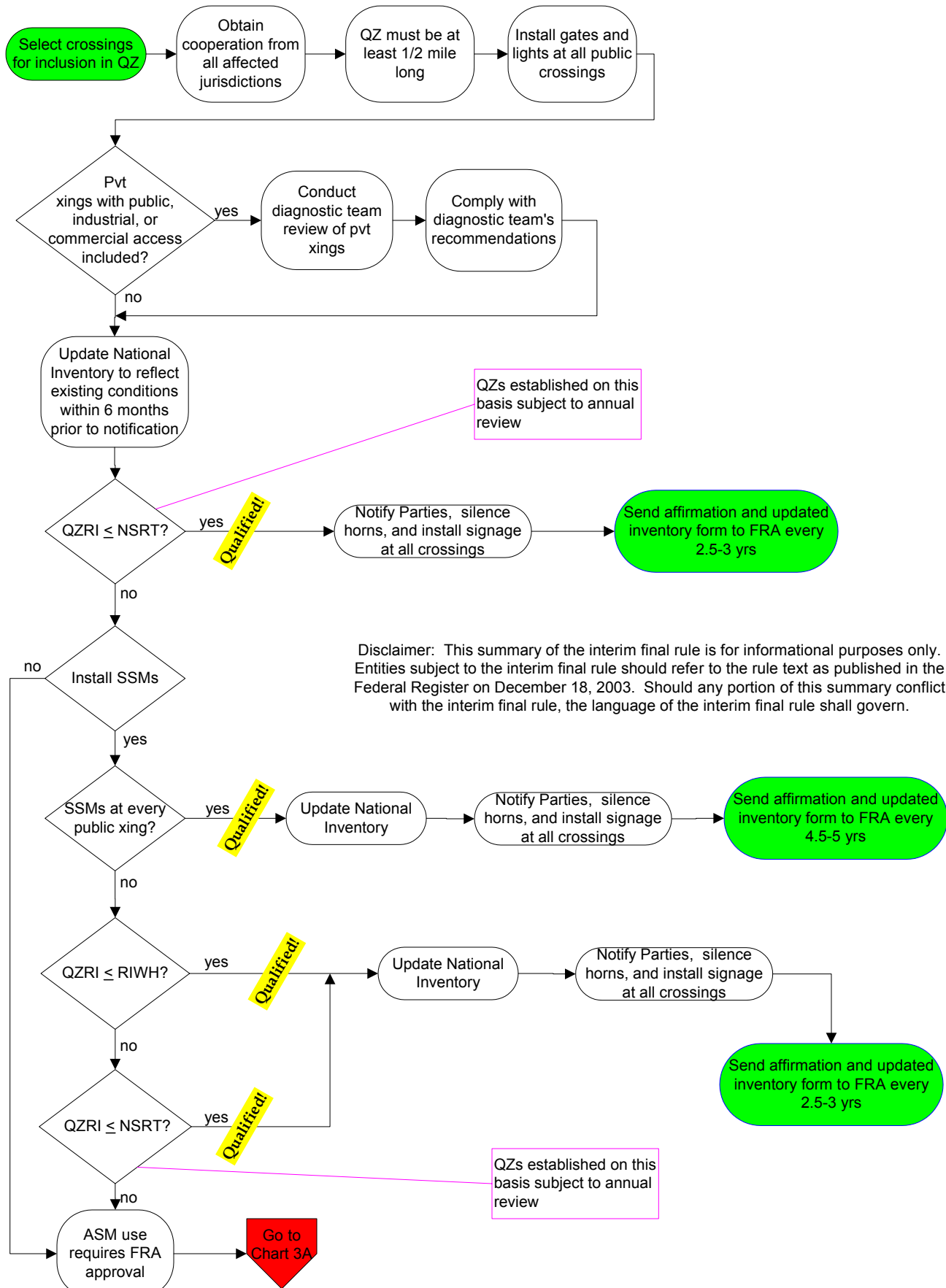
Telephone: 202-493-6299

www.fra.dot.gov

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September 2013

Chart 2 - Creating a New Quiet Zone using SSMs



AMENDMENT NO. 2

to the

CITY OF MARSHALLTOWN URBAN RENEWAL AREA NO. 4 DOWNTOWN 2000 PLAN

for the

URBAN RENEWAL AREA NO. 4 DOWNTOWN 2000 URBAN RENEWAL AREA

CITY OF MARSHALLTOWN, IOWA

Original Plan – July 1998

Amendment No. 1 – February 2013

Amendment No. 2 – August 2017

Local Government Professional Services

DBA Simmering-Cory

**AMENDMENT NO. 2
to the
URBAN RENEWAL AREA NO. 4
DOWNTOWN 2000 URBAN RENEWAL PLAN
for the
URBAN RENEWAL AREA NO. 4
DOWNTOWN 2000 URBAN RENEWAL AREA
CITY OF MARSHALLTOWN, IOWA**

The Urban Renewal Area No. 4 Downtown 2000 Urban Renewal Plan (the “Plan” or “Urban Renewal Plan”) for the Urban Renewal Area No. 4 Downtown 2000 Urban Renewal Area (the “Area” or “Urban Renewal Area”), adopted in 1998 and amended in 2013 is being further amended for the purpose of identifying new urban renewal projects to be undertaken within the Urban Renewal Area by this Amendment No. 2 (“Amendment No. 2” or “Amendment”) in accordance with the provisions of Chapter 403 of the *Code of Iowa*.

Except as modified by this Amendment, the provisions of the Urban Renewal Plan, as previously amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control.

AREA DESIGNATION

The Urban Renewal Area was originally designated as both an economic development area appropriate for the promotion of commercial and industrial development and an area in which blighted conditions exist that is appropriate for blight remediation activities.

This Amendment makes no change in the Area designation.

ELIGIBLE URBAN RENEWAL PROJECTS (AMENDMENT NO. 2)

In addition to previously authorized projects, the eligible urban renewal projects under this Amendment No. 2 include:

1. Public Improvements:

Project	Estimated Date	Estimated Cost to be Funded by TIF Funds	Rationale
Demolition of Blighted Structures	2017-2022	\$1,000,000	Funding to acquire, demolish, and clean up dangerous and dilapidated buildings that contribute to blighted conditions within the Urban Renewal Area. These would include, but are not limited to, properties currently owned by the City at 4 W. Grant St. and 6 W. Grant St.
Security Camera Network	2017-2020	\$250,000	A contributing factor to the Area's blighting designation was increased crime and police calls for service. Installation of a security camera network within the Central Business District will aid in crime prevention and remediation of blighting influences.
Parking Lot Improvements	2017-2025	\$500,000	Improvements to City owned parking lots including replacement of concrete and needed structural repairs. Parking lots that may be included within this project include Lots A, D, F, H, J, K, N, O, P, T, W, and Z.
Sidewalk Improvements	2018-2025	\$200,000	A safe pedestrian transportation system is an important component to a successful economic environment in a downtown business district. The City anticipates providing funding to improve pedestrian access within the Central Business District and meet ADA accessibility standards. Combined these improvements will enhance the economic vitality of the Area.
Farmer's Market Improvement	2018-2025	\$250,000	Replacement of the existing pavilion to a more modern facility, including restrooms, to increase the role of the farmer's market in the overall economy of the downtown area.
Storm Water Infrastructure Improvements	2018-2025	\$1,000,000	This project would improve storm water management and treatment utilizing green infrastructure within the downtown area to remediate potential flash flooding events and damage to local infrastructure and minimize loss of access to the business district.

Alley Renovations	2018-2025	\$100,000	Project includes improvements to alleyways within the Central Business District to improve pedestrian access while creating and enhancing an atmosphere that is conducive to economic development and growth in housing within the area.
Highway 14 Improvements	2018-2021	\$500,000	Improvements to Highway 14 within the Area, including a section of 3 rd Avenue to 5 th Avenue from Bromley Street to Madison Street, in coordination with the Iowa DOT, to enhance safety and accessibility within the downtown business district.
State Street Visioning and Streetscape Project	2017-2020	\$1,000,000	Enhancements to a major downtown corridor to include enhancements to remediate blight and stimulate the economic development. Potential projects include improving safety and access for pedestrians and creating a more aesthetic environment.
Street Lighting Replacement	2017-2025	\$700,000	This project would result in improved street lighting within the Central Business District. Improved lighting will help to revitalize the downtown area, create a safe atmosphere to conduct business, enhance livability of the area, and support existing and new businesses. In addition, these improvements may stimulate other investment in the downtown area.

2. Public Facility Improvements:

A. City Hall/Carnegie Building. This project involves the restoration and renovation of City Hall. The City is currently constructing a new Police Station and will move the department out of their current building in 2018-2019 which is attached to City Hall. The two buildings share critical mechanical systems and ADA access facilities. In addition, City Hall has several façade issues including deteriorating brick and stone and water damage inside the building. Improvements to City Hall are needed to ensure ADA accessibility, efficient and reliable building systems, and the long-term preservation of the building.

The City plans to utilize a consultant to identify potential solutions and cost options on both the police facility and City Hall. Upon completion of the study the City plans a project that will ensure long term use of the City Hall building including ADA improvements, updates to the building's critical systems (heating, cooling, electrical, etc.) and restoring the façade and exterior condition of the building to improve safety and

remediate current deteriorating conditions. Improvements could potentially involve the use of the existing Police Station.

It is anticipated that renovations and restoration to the two buildings will occur in 2019-2023. Total project costs are estimated to not exceed \$1,500,000. It is estimated that approximately \$500,000 of the project costs will be paid from a combination of property taxes, General Obligation Bonds, and grants, and no more than \$1,000,000 of the project costs will be paid with funds from tax increment financing (“TIF”).

B. Library Addition. The City expects to undergo a project to expand the current Marshalltown Library facilities to include additional space for increased programming that will also be available to local and regional groups for meetings and events. The library is well utilized by both residents of the community and the surrounding area. The library’s strategic location, near the central business district, contributes to a healthy and vibrant downtown area.

The City anticipates construction of the project in 2018-2020. Total project costs are estimated not to exceed \$1,000,000. It is estimated that approximately \$300,000 of the project costs will be paid from a combination of community donations, grants, and local sources, and no more than \$700,000 of the project costs will be paid with funds from TIF.

C. Veterans Memorial Coliseum. The City has conducted a feasibility and use study to determine needed improvements and renovations to make the facility ADA compliant and to provide more usable space for local and regional activities organized by the City’s Parks and Recreation Department. The facility is used for weddings, birthdays, meetings, and various community events and for several recreational programs run by the City’s Parks and Recreation Department. These Parks and Recreation programs are attended by youth from the surrounding rural areas, students from the Marshalltown School District as well as three other regional school districts. Following the study the City anticipates renovation of the facility during 2019-2025. Total project costs are estimated to not exceed \$6,000,000. It is estimated that \$1,500,000 of the project costs will be paid from a combination of property taxes, General Obligation Bonds, and grants, and no more than \$4,500,000 of the project costs will be paid with funds from TIF.

D. Senior Center. This project involves conducting a feasibility and use study to determine the possibility of potential updates and renovations to the existing facility used as a Senior Center and built in the 1920’s. Since its original construction, the building has had minimal updates or upgrades. Improvements to the facility may include ADA accessibility and enhancements to the building’s core systems such as lighting, electrical, plumbing, and heating and cooling systems. Based on the results of the facility and use study the City may also consider demolition of the building. A facility and use study and project development plans are expected to be completed during 2018-2020 with construction during 2020-2022. The total project cost is estimated not to exceed \$4,000,000. It is estimated that approximately \$2,000,000 of the project costs will be

paid from a combination of property taxes, General Obligation Bonds, and grants, and no more than \$2,000,000 of the project costs will be paid with funds from TIF.

3. **Community Development Programs**

The City Council acknowledges the importance of the role that local community organizations play in the overall growth and sustainability of the Area. These groups working in partnership with the City provide support for the ongoing promotion of economic development and blight remediation activities in the Urban Renewal Area.

A. **Marshalltown Central Business District.** The Marshalltown Central Business District provides daily operations of the Marshalltown Main Street program and support to the City and businesses in the Central Business District through promotion, beautification, and operation of grant and low interest loan programs within the district to support a growing economic and draw people to the area.

The City anticipates continuation of the existing partnership with the Marshalltown Central Business District with an annual contribution not to exceed \$50,000 to be used for business recruitment and retention within the Area.

B. **Façade Restoration Grant Program.** The City anticipates providing increment funds to the Marshalltown Central Business District in the amount of \$50,000 annually to fund a Façade Restoration and Protection Grant Program. The grant program is administered by the Marshalltown Central Business District and will provide funding to match private investment for the long-term preservation of buildings within the central business district and to encourage future economic development within the Area.

Funding through this program will also help to remediate blighting influences and blighted buildings within the Area.

C. **Development Incentive Program.** The City also anticipates the funding of a new Development Incentive Program, in conjunction with the Marshalltown Central Business District, to assist property owners within the Area to make improvements to their buildings including energy efficiency improvements, creation and restoration of second story housing, and funds for planning and construction of improvements for historical preservation. These improvements will be designed to preserve and improve the overall economic conditions of the Area and remediate blighting influences.

Funding for this program, with the Marshalltown Central Business District, is anticipated to be on an annual basis in an amount not-to-exceed \$100,000 annually from available increment funds.

D. **Public Art Program.** The City anticipates potential funding of a new Public Art Program in partnership with the Marshall County Arts and Culture Alliance to provide grants to fund public art projects within the Urban Renewal Area. Projects will be designed to improve the overall economic conditions of the area and remediate blighting influences.

Funding for this program, with the Marshall County Arts and Culture Alliance, is anticipated to be on an annual basis in an amount not-to-exceed \$100,000 annually from available increment funds.

E. Marshalltown Central Business District Development Program. The City acknowledges the importance of various partners as well as individual business owners and developers in the ongoing promotion of economic development within the Urban Renewal Area. As such, the City expects to consider requests for Development Agreements for projects that are consistent with this Plan, in the City's sole discretion.

The City anticipates that priority funding will be given to projects that involve construction of public infrastructure improvements and facilitate the development of upper floor residential uses. It is the goal of the project is to assist the Marshall County Arts and Culture Alliance and Marshalltown Central Business District, as well as, potentially private developers and property owners, in achieving projects that enhance the overall economic development and blight remediation efforts of the central business district.

Projects may include wayfinding signage, development and implementation of a comprehensive private signage plan, energy efficiency projects, and providing assistance to property owners for rehabilitation and historic preservation of buildings within the Area. The costs of such agreements will not exceed \$1,000,000 individually or \$10,000,000 in total.

4. Planning, Engineering Fees (for Urban Renewal Plans), Attorney Fees, Administrative, and Other Related Costs to Support Urban Renewal Projects and Planning:

Project	Estimated Date	Estimated Cost to be Funded by TIF Funds
Fees & Costs	Undetermined	Not to Exceed \$100,000

FINANCIAL INFORMATION

1.	July 1, 2016 Constitutional Debt Limit:	\$68,225,606
2.	Outstanding General Obligation Debt:	\$33,430,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects (Amendment No. 2) has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on	\$23,800,000 plus \$300,000 in annual funding to economic development and blight remediation programs. This does not include

the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area, as amended. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects (Amendment No. 2) as described above will be approximately as stated in the next column:	financing costs related to debt issuance, which may be incurred over the life of the Area.
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PUBLIC BUILDING ANALYSIS

Amendment No. 2 includes four projects that would involve public buildings. If these projects are approved by the City, the City intends to finance some of the costs through tax increment financing. Specifically, under these circumstances, Iowa law requires an analysis of alternative development options and funding for the projects and reasons why such options would be less feasible than the use of incremental tax revenues for the projects.

City Hall/Carnegie Building:

This project involves a public building. The project involves the renovation of two existing buildings, City Hall and the current Police Station, to improve service delivery and ensure long term use of the facilities for City business, including economic development activities. If the project is ultimately approved by the City, the City intends to finance a portion of the cost of the project through tax increment financing. For the costs of this project to be paid with tax increment funds, the City proposes to issue general obligation bonds and abate a part of the principal and interest payments utilizing available incremental tax revenues within the Area, if available. The City anticipates that tax increment revenue, if available, will fund up to \$1,000,000 of the total project costs. Total project costs for renovations and updates to the facility are estimated to not exceed \$1,000,000.

Marshalltown's City Hall building is a historic building and is connected to the historic Carnegie Building. Both facilities have façade deterioration causing safety issues around the exterior and water damage inside the buildings. In addition, ADA improvements and upgrades to critical building systems, including heating, cooling, and emergency electrical backup components are needed. Completion of these projects will ensure the long-term preservation of the historic building and the safety of the citizens who utilize the building.

The facility houses the City Council Chambers and administration offices, including Finance, Housing, Community Development, Engineering, and Parks and Recreation Departments. The building is also available for and used by various groups for meetings including the Iowa League of Cities, State Fire Marshall's office and others. The rehabilitation efforts outlined in the proposed project are critical for the long-term use of the building by all the various groups as well as the continued use by City staff working to enhance economic development opportunities within the City. Additional economic development activity and an increased tax base benefits the community as a whole, including the school district and the County. The rehabilitation of

this building will improve a resource that provides regional benefits. The City has estimated that 20% of the building usage is related to and provides benefits to the overall economic vitality of the region including benefits that extend to the school district and the County.

Alternative Funding Options:

One alternative funding option for this project would have the City go through a process that would result in the issuance of general obligation bonds paid only by the City's debt service levy. The issuance of General Obligation Bonds, payable from a debt service levy would require the City to follow State of Iowa statutory rules that require providing notice to voters of their right to petition the City for a referendum on the issuance of bonds. If a referendum was petitioned, and if the necessary 60% approval was not obtained, the City would not be able to finance the project utilizing General Obligation Bonds.

A second alternative for funding the project is through use of the City's General Fund levy. The City is currently at the \$8.10 per thousand dollars of taxable valuation rate which is the maximum rate allowable under state law. Additionally, the City is allowed to establish a capital improvement reserve fund and certify taxes to fund the projects within a specific capital improvement plan. The City has established this fund and is levying taxes at the maximum allowed by law for this levy. The taxes received under this levy are allocated for other projects and would not be available for the proposed project.

The use of Local Option Sales Tax (LOST) funding received by the City is another alternative for funding of this project. LOST revenues are not available for this project, as the City has already obligated available LOST revenues to fund other projects and tax relief.

Other alternatives for funding this project could include grant programs available for historic restoration. The City will be pursuing grant opportunities as they become available. However, funding from grant programs is extremely competitive and, even if successful, generally only provides a small percentage of the total capital needed for a renovation project.

Based on the analysis of potentially available resources for funding this project the most feasible method of financing the proposed eligible project is through the use of a combination of tax increment financing funds along with other available revenues as they are available. In addition, the proposed project demonstrates regional benefits to both County and school district residents and the use of tax increment to pay for a portion of the project is appropriate. For the aforementioned reasons, the use of tax increment revenue (debt abated by incremental tax revenues) for this project is the most feasible and equitable mechanism for helping to fund the proposed project.

Library Addition:

This project involves a public building. The project involves the expansion of the existing Marshalltown Public Library to provide additional meeting space for library and community

events. If this project is ultimately approved by the City, the City intends to finance a portion of the cost of the project through tax increment financing. For the costs of this project to be paid with tax increment funds, the City proposes to issue general obligation bonds and abate a part of the principal and interest payments utilizing available incremental tax revenues within the Area, if available. The City anticipates that tax increment revenues, if available, will fund up to \$700,000 of the total project costs. Total project costs for the Library expansion project are estimated not to exceed \$1,000,000. Specifically, under these circumstances, Iowa law requires an analysis of alternative development options and funding for the project and reasons why such options would be less feasible than the use of incremental tax revenues for the project.

The Marshalltown Public Library is a facility utilized by both local residents, County citizens, area groups, and school district residents. Library records show that 25% of the registered users live outside the City of Marshalltown. In addition, groups and organization from outside the corporate limits of Marshalltown account for 15% of the use of the existing meeting room space.

Public libraries are an important part of communities, providing access to free programing and materials for all classes of residents. Libraries can be an important quality of life factor for employers and companies choosing to locate or expand their business. Additionally, facilities such as the Marshalltown Public Library are a factor for employees when choosing a place to live. The City recognizes the importance of providing a high quality-of-life and public library amenities in order to retain and draw new businesses to the City and the region.

Alternative Funding Options:

One alternative funding option for this project would have the City go through a process that would result in the issuance of general obligation bonds paid only by the City's debt service levy. The issuance of General Obligation Bonds, payable from a debt service levy would require the City to follow State of Iowa statutory rules that require providing notice to voters of their right to petition the City for a referendum on the issuance of bonds. If a referendum was petitioned, and if the necessary 60% approval was not obtained, the City would not be able to finance the project utilizing General Obligation Bonds.

A second alternative for funding the project is through use of the City's General Fund levy. The City is currently at the \$8.10 per thousand dollars of taxable valuation rate which is the maximum rate allowable under state law. Additionally, the City is allowed to establish a capital improvement reserve fund and certify taxes to fund the projects within a specific capital improvement plan. The City has established this fund and is levying taxes at the maximum allowed by law for this levy. The taxes received under this levy are allocated for other projects and would not be available for the proposed project.

The use of Local Option Sales Tax (LOST) funding received by the City is another alternative for funding of this project. LOST revenues are not available for this project, as the City has already obligated available LOST revenues to fund other projects and tax relief.

Other alternatives for funding this project could include grant programs and private donations for library renovations and expansion, and establishing library user fees. The Library Board will be pursuing grant opportunities as they become available. However, funding from most grant programs is extremely competitive and, even if successful, generally only provides a small percentage of the total capital needed for an expansion project.

Another potential funding source could be user fees. The Iowa Library Association urges libraries not to charge user fees for the use of a library. Libraries have historically been a free service for patrons.

Based on the analysis of potentially available resources for funding this project the most feasible method of financing the proposed eligible project is through the use of a combination of tax increment financing funds along with other available revenues as they are available. In addition, the proposed project demonstrates regional benefits to both County and school district residents and the use of tax increment to pay for a portion of the project is appropriate. For the aforementioned reasons, the use of tax increment revenue (debt abated by incremental tax revenues) for this project is the most feasible and equitable mechanism for helping to fund the proposed project.

Veterans Memorial Coliseum:

This project involves a public building. The project involves the renovation of the existing 1929 building to include improved and more efficient building systems, heating, cooling, lighting, electrical, plumbing, ADA accessibilities upgrades, as well as, repairs to the general exterior of the building to potentially include, façade improvements and window and roof replacement. If this project is ultimately approved by the City, the City intends to finance a portion of the cost of the project through tax increment financing. For the costs of this project to be paid with tax increment funds, the City proposes to issue general obligation bonds and abate a part of the principal and interest payments utilizing available incremental tax revenues within the Area, if available. The City anticipates that tax increment revenue, if available, will fund up to \$4,500,000 of the total project costs. Total project costs for renovations and updates to the facility are estimated to not exceed \$6,000,000.

Originally constructed in 1929, the Coliseum has served as a community gathering facility, hosting various community and regional activities including sporting events, recreational leagues, community exhibits and shows. According to the City's Parks and Recreation Department, utilization of the building, including participation in their programs, draws residents of Marshalltown as well as rural families and students from three surrounding school districts. In addition to community programming facilitated by the Parks and Recreation Department they also provide specific programs on behalf of the Marshalltown School District.

The Coliseum has historically drawn people to the downtown area for recreational and community-based activities. The City hopes that renovation of the building will continue to

draw individuals to the downtown area as well as, increase the amount of traffic in the Central Business District. Recreational activities, such as those occurring in the Coliseum, are an important quality-of-life factor for existing residents and companies choosing to locate or expand their business. Facilities such as the Coliseum are also factors for employees when choosing a place to live. The City recognizes the importance of providing a high quality-of-life and recreational amenities in order for existing and potential employers to locate and expand within the City and the region.

Alternative Funding Options:

One alternative funding option for this project would have the City go through a process that would result in the issuance of general obligation bonds paid only by the City's debt service levy. The issuance of General Obligation Bonds, payable from a debt service levy would require the City to follow State of Iowa statutory rules that require providing notice to voters of their right to petition the City for a referendum on the issuance of bonds. If a referendum was petitioned, and if the necessary 60% approval was not obtained, the City would not be able to finance the project utilizing General Obligation Bonds

A second alternative for funding the project is through use of the City's General Fund levy. The City is currently at the \$8.10 per thousand dollars of taxable valuation rate which is the maximum rate allowable under state law. Additionally, the City is allowed to establish a capital improvement reserve fund and certify taxes to fund the projects within a specific capital improvement plan. The City has established this fund and is levying taxes at the maximum allowed by law for this levy. The taxes received under this levy are allocated for other projects and would not be available for the proposed project.

The use of Local Option Sales Tax (LOST) funding received by the City is another alternative for funding of this project. LOST revenues are not available for this project, as the City has already obligated available LOST revenues to fund other projects and tax relief.

Other alternatives for funding this project could potentially include grant programs available for buildings of this type and use including the Martha Ellen Tye Foundation and the CDBG program. However, funding from most grant programs is extremely competitive and, even if successful, generally only provides a small percentage of the total capital needed for an expansion project.

The City may also investigate the potential for involving a private developer in the restoration and rehabilitation of the building.

Based on the analysis of potentially available resources for funding this project the most feasible method of financing the proposed eligible project is through the use of a combination of tax increment financing funds along with other available revenues as they are available. In addition, the proposed project demonstrates regional benefits to both County and school district residents

and the use of tax increment to pay for a portion of the project is appropriate. For the aforementioned reasons, the use of tax increment revenue (debt abated by incremental tax revenues) for this project is the most feasible and equitable mechanism for helping to fund the proposed project.

Senior Center:

This project involves a public building. The project involves conducting a feasibility and use study to determine options and potential costs of renovations of the Marshalltown Senior Center which is owned by the City of Marshalltown. If this project is ultimately approved by the City, the City intends to finance a portion of the cost of the project through tax increment financing. For the costs of this project to be paid with tax increment funds, the City proposes to issue general obligation bonds and abate a part of the principal and interest payments utilizing available incremental tax revenues within the Area, if available. The City anticipates that tax increment revenue, if available, will fund up to \$2,000,000 of the total project costs. Total project costs for renovations and updates to the facility are estimated not to exceed \$4,000,000.

The current facility was constructed in 1920 and has had limited updates to the building since that time. The City currently leases the building to two agencies who provide programing and services for senior citizens in Marshalltown and the surrounding region. Based on the results of a feasibility study the City may choose to expend funds to renovate and update the existing facility to include ADA accessibility updates, building system upgrades, and other general facility improvements as determined by the results of the study. The City may also choose to relocate the existing services provided in the building to another facility and demolish the existing structure to open up the area for future economic development uses.

An efficient, functional, and accessible senior center facility can be a quality-of-life asset for a community. Marshalltown's Senior Center provides benefits not only for Marshalltown residents but also residents of the surrounding area. The City recognizes the importance of providing a high quality-of-life in order for existing and potential employers to locate and expand within the City and region.

Alternative Funding Options:

One alternative funding option for this project would have the City go through a process that would result in the issuance of general obligation bonds paid only by the City's debt service levy. The issuance of General Obligation Bonds, payable from a debt service levy would require the City to follow State of Iowa statutory rules that require providing notice to voters of their right to petition the City for a referendum on the issuance of bonds. If a referendum was petitioned, and if the necessary 60% approval was not obtained, the City would not be able to finance the project utilizing General Obligation Bonds

A second alternative for funding the project is through use of the City's General Fund levy. The City is currently at the \$8.10 per thousand dollars of taxable valuation rate which is the

maximum rate allowable under state law. Additionally, the City is allowed to establish a capital improvement reserve fund and certify taxes to fund the projects within a specific capital improvement plan. The City has established this fund and is levying taxes at the maximum allowed by law for this levy. The taxes received under this levy are allocated for other projects and would not be available for the proposed project.

The use of Local Option Sales Tax (LOST) funding received by the City is another alternative for funding of this project. LOST revenues are not available for this project, as the City has already obligated available LOST revenues to fund other projects and tax relief.

Other alternatives for funding this project could include grant programs and private donations for renovations to the senior center. The City will be pursuing grant opportunities as they become available. However, funding from most grant programs is extremely competitive and, even if successful, generally only provides a small percentage of the total capital needed for a renovation project.

The City may also investigate the potential for involving a private developer in the restoration and rehabilitation of the building.

Based on the analysis of potentially available resources for funding this project the most feasible method of financing the proposed eligible project is through the use of a combination of tax increment financing funds along with other available revenues as they are available. In addition, the proposed project demonstrates regional benefits to both County and school district residents and the use of tax increment to pay for a portion of the project is appropriate. For the aforementioned reasons, the use of tax increment revenue (debt abated by incremental tax revenues) for this project is the most feasible and equitable mechanism for helping to fund the proposed project.

EFFECTIVE PERIOD

This Amendment No. 2 will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution, or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council, and the use of incremental property tax revenues, or the “division of revenue,” as those words are used in Chapter 403 of the *Code of Iowa*, will be consistent with Chapter 403 of the *Code of Iowa*. The division of revenues shall continue on the Area for the maximum period allowed by law.

At the time the original Urban Renewal Area was adopted in 1998, the plan was designated as a mixed economic development and blighted area and therefore the Area is not subject to the statutorily required expiration on the ability to collect incremental taxes set out in the *Code of Iowa* section 403.17(10). Amendment No. 1, adopted in 2013, removed a self-imposed

expiration date and clarified that the division of revenue in the Area is not subject to any sunset. This Amendment No. 2 makes no change to the effective period of the Area.

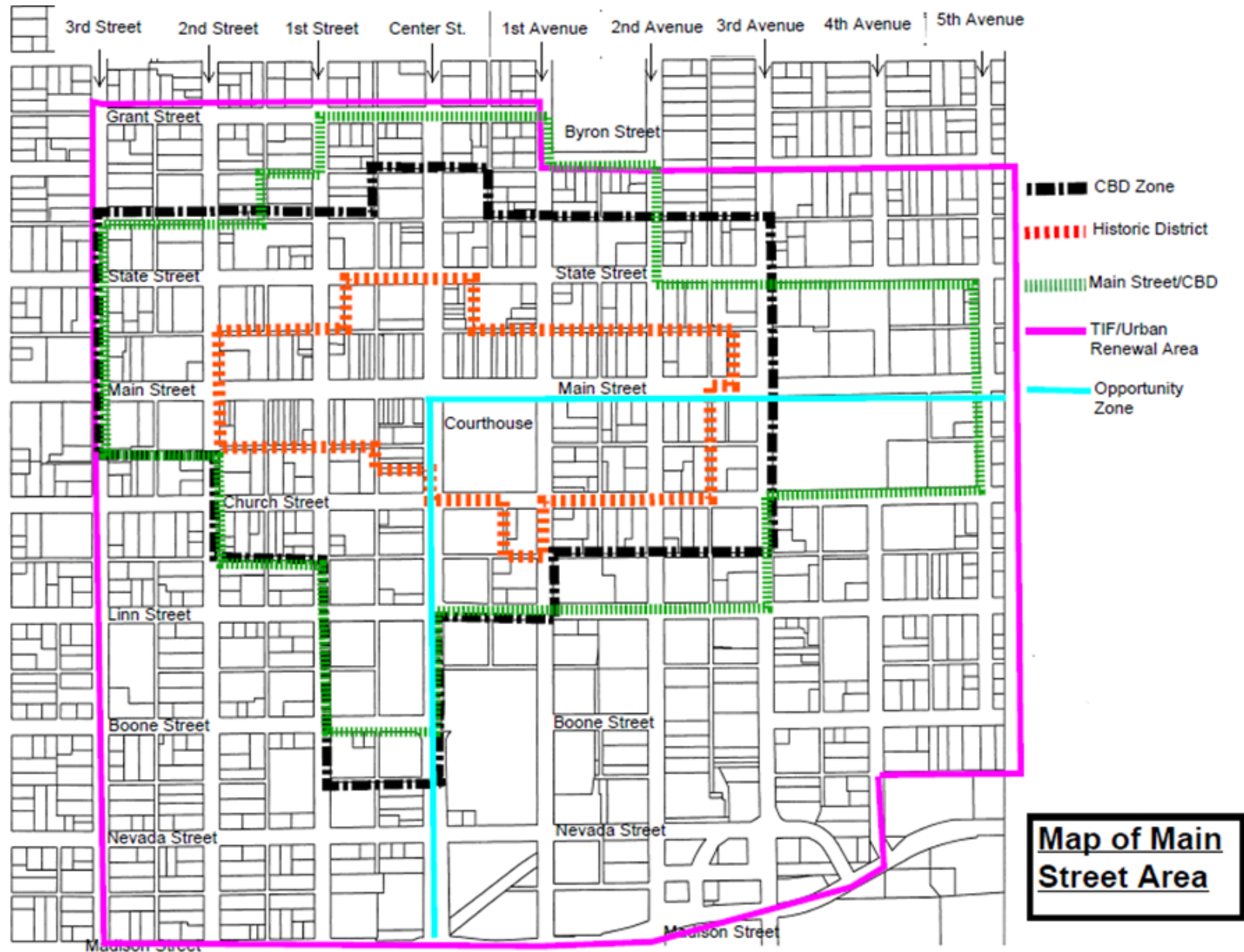
At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

REPEALER

Any parts of the Plan, as previously amended, in conflict with this Amendment are hereby repealed.

SEVERABILITY CLAUSE

If any part of this Amendment No. 2 is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole or the previous amendments to the Plan, or any part of the Plan not determined to be invalid or unconstitutional.



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