

CITY OF MARSHALLTOWN
COUNCIL AGENDA
CITY HALL COUNCIL CHAMBERS
10 W STATE STREET
AUGUST 12, 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 - August
Ann Rolston - 10 years
Vern Jefferson - 15 years
Greg Pepper - 15 years
Joa LaVille - 20 years

F. CONSENT AGENDA

1. Approve Minutes, July 22, 2019, And Bill List \$2,582,750.77

Documents:

[2019-07-22_Council-minutes.pdf](#)
[2019-08-12_BillList.pdf](#)

2. Receipt Of Civil Service New Hire Lists- Civil Engineer Assistant II And Street Mechanic

Documents:

[08-12-2019_Civil EngAssistII New Hire List.pdf](#)
[08-12-2019_Street Mech New Hire List.pdf](#)

3. Appoint Cynthia Ragland To Fisher Center Board

Documents:

[2019-08-12_Ragland,Cynthia - Fisher Center Board.pdf](#)
[rpt_BoardsRoster-Fisher Board.pdf](#)

4. Appoint Jon Boston To Electrical Appeals Board

Documents:

[2019-07-25_Jon Boston Electrical Appeals Board.pdf](#)
[rpt_BoardsRoster-Electrical Appeals.pdf](#)

5. RESOLUTION 2019-189 DECLARING CERTAIN PROPERTY SURPLUS PROPERTY AND AUTHORIZING SALE AND DISPOSAL THEREOF, 1999 CHEVROLET, STREET DEPARTMENT

Documents:

[08-12-2019_2019-_Declare Surplus Equipment 1999 Chev traded with purchase appv 12-10-2018 RES 2018-229.pdf](#)

6. RESOLUTION 2019-190 REJECTING ALL BIDS AND AUTHORIZING THE RE-ADVERTISEMENT OF BIDS FOR THE WPCP PHASE III CONCRETE RENOVATION IN THE CITY OF MARSHALLTOWN, IOWA BEING PROJECT NO. WPC19001

Documents:

[Bid Rejection.pdf](#)

7. RESOLUTION 2019-192 APPROVING CONTRACT CHANGE ORDER #1 FOR THE 2019 CHIPPING OF TORNADO RELATED TREE DEBRIS PROJECT

Documents:

[Res Change order 2019.pdf](#)

8. RESOLUTION 2019-195 APPROVING A LEASE AGREEMENT WITH UNION PACIFIC RAILROAD FOR THE BIKE TRAIL WEST OF 12TH STREET ON UNION PACIFIC RIGHT OF WAY

Documents:

[08-12-2019_2019_Memo on Lease Agreement with Union Pacific Railroad for Bike Trail West of 12th Street.pdf](#)
[212-94 Lease Agreement with Union Pacific Railroad for Bike Trail West of 12th Street.pdf](#)
[08-12-2019_2019_Bike Path_UP ROW.pdf](#)
[08-12-2019_2019-195_Res Approving Lease Agreement with Union Pacific Railroad for Bike Trail west of 12th Street \(2\).pdf](#)

9. RESOLUTION 2019-196 AMENDING THE CITY OF MARSHALLTOWN PROJECT IN THE MARSHALL COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN TO INCLUDE A TORNADO SHELTER AT WEST END PARK

Documents:

[Res for Amend Hazard Mit Plan West End Park.pdf](#)

10. RESOLUTION 2019-197 APPROVING CONTRACT CHANGE ORDER #2 FOR THE WPCP BIOGAS ENGINE REPLACEMENT PROJECT # 52015014 A DECREASE OF \$12,000.00

Documents:

[WPCP Change order.pdf](#)
[CO-2 MWPCP 2019-0219 Biogas Const C-941 Change Order.pdf](#)

11. RESOLUTION 2019-205 APPROVING AMENDED ENGINEERING SERVICES AGREEMENT FOR THE WPCP BIOGAS ENGINE REPLACEMENT PROJECT 52015014 FOR FOX ENGINEERING ASSOCIATES, INC AN INCREASE OF \$12,000.00

Documents:

[Fox Engineering change.pdf](#)
[FOX Amendment 2 \(E-500\).pdf](#)

12. RESOLUTION 2019-198 APPROVING ENGINEER'S STATEMENT OF COMPLETION AND ACCEPTING THE WPCP BIOGAS ENGINE REPLACEMENT, BEING PROJECT NO. 52015014, WITH A FINAL PROJECT COST IN THE AMOUNT OF \$853,758.80

Documents:

[Res Completion.pdf](#)
[Marshalltown Statement of Final Completion.pdf](#)
[08-12-2019_2019-198 Marshalltown Biogas Gen- Final Completion Memo.pdf](#)
[Marshalltown Biogas Gen- Final Completion Memo.pdf](#)

13. RESOLUTION 2019-199 APPROVING INTERLOCAL GRANT AGREEMENT FOR THE IOWA/BYRNE-JUSTICE ASSISTANCE GRANT PROGRAM (JAG) \$18,918.00 SPLIT 50% WITH MARSHALL COUNTY, TO ASSIST WITH LAW ENFORCEMENT PROGRAMMING OR EQUIPMENT PURCHASES, AND APPROVAL OF MEMORANDUM OF UNDERSTANDING TO SHARE GRANT FUNDS WITH MARSHALL COUNTY

Documents:

[MPD Byrne JAG Funding Memo FY 19 20.pdf](#)
[08-12-2019_199_PD Byrne JAG-Res.pdf](#)

14. RESOLUTION 2019-203 APPROVING ENGINEER'S STATEMENT OF COMPLETION AND ACCEPTING THE FAHRNER ASPHALT SEALERS MICROSURFACING PROJECT, BEING PROJECT NO. STR18001, WITH A FINAL PROJECT COST IN THE AMOUNT OF \$356,332.12

Documents:

[Memo_Statement of Completion.pdf](#)
[Fahrner Complet.pdf](#)
[Res Completion Micro.pdf](#)

G. MOTIONS

1. Approve Alcohol License, 13th Street District, September 13
The council previously authorized alcohol in the area, see attached Resolution.

Documents:

[06-24-2019_2019-129_SIGNED RES ALLOWING OPEN CONTAINERS 13TH ST DISTRICT EVENTS.pdf](#)
[PKT 13th Street District - Harvest Market - Alcohol Application 9.13.19.pdf](#)

2. Approve Outdoor Service Area, THE918, 918 N 4th Ave, August 24-25 Event

Documents:

[PKT OutdoorServiceTHE918 and map Aug24-25.pdf](#)

H. RESOLUTIONS

1. RESOLUTION 2019-191 AUTHORIZING THE PURCHASE OF PROPERTY AT 105 NORTH 6TH STREET

Documents:

[ZIEL AGREEMENT.pdf](#)
[Res to Purchase 105 N 6th St.pdf](#)

2. RESOLUTION 2019-193 AWARDING BANKING SERVICES FOR A PERIOD OF FIVE YEARS AND COMMENCING NO LATER THAN SEPTEMBER 11, 2019

Documents:

[Resolution Awarding Banking Services for a Period of Five Years and Commencing No Later Than September 11, 2019.pdf](#)
[Banking Services Memo.pdf](#)
[Banking Services Agreement Aug 2019.pdf](#)

3. RESOLUTION 2019-194 AWARDING THE BID FOR THE

ASBESTOS ABATEMENT AND DEMOLITION OF NINE
RESIDENTIAL PROPERTIES TO LANSING BROTHERS
CONSTRUCTION COMPANY INC. AT A COST OF \$138,650

Documents:

[Res Awarding Abatement Demo Bid.pdf](#)
[2019 Res Demo.Abatement Bid Tab.pdf](#)
[Asbestos Remediation and Demolition Agreement.pdf](#)

4. RESOLUTION 2019-202 ACCEPTING BID AND AUTHORIZING
THE AWARD AND APPROVAL OF CONTRACT AND BOND WITH
CALIBER CONCRETE FOR THE ANSON PARK PROJECT IN THE
CITY OF MARSHALLTOWN, IOWA BEING PROJECT NO.
PRK19001 IN THE AMOUNT OF \$175,911.95

Documents:

[08-12-2019_2019_Memo on Contract for Anson Park
Improvements.pdf](#)
[08-12-2019_118742 Contract Anson Park.pdf](#)
[08-12-2019_118742 Recommendation of Award Anson
Park.pdf](#)
[08-12-2019_118742 Bid Tab Anson Park.pdf](#)
[08-12-2019_2019-202_Res Auth Award of Bid Approve
Contract Bond Anson Park_PRK19001.pdf](#)

5. RESOLUTION 2019-204 APPROVING AN AGREEMENT WITH
BOLTON AND MENK FOR THE PRELIMINARY PLATTING OF
73.76 ACRES OF CITY-OWNED LAND NORTH OF MARION
STREET

Documents:

[Res Approving Agreement for Prelim Plat for Bypass
Road.pdf](#)
[Memo on Prelim Plat Agreement.pdf](#)
[2019.8.8 - Edgewood Preliminary Plat Agreement.pdf](#)

6. RESOLUTION NO. 2019-206 Setting Date For Public Hearing On A
Development Agreement With Flint Hills Holdings, Including
Economic Development Payments In An Estimated Amount Not To
Exceed \$_____

Documents:

[SetHrngRebateAgmtFlintHillsHousingMarshalltown422742-
36-v1.pdf](#)

7. PUBLIC HEARING AND RESOLUTION 2019-200 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, 707 S 4TH ST AND

AUTHORIZING EXECUTION AND DELIVERY OF QUIT CLAIM DEED

Documents:

[ADOPT TENT REST SALE PROPERTY WATER WORKS 707 S 4TH ST.pdf](#)

8. PUBLIC HEARING AND RESOLUTION 2019-201 ADOPTING TENTATIVE RESOLUTION PROVIDING FOR THE CONVEYANCE AND TRANSFER OF TITLE BY THE CITY OF MARSHALLTOWN, IOWA TO DAN OSWALD TO THE PROPERTY DESCRIBED HEREIN, 108 N 7TH AVENUE, AND AUTHORIZING EXECUTION AND DELIVERY OF QUIT CLAIM DEED

Documents:

[ADOPT TENT REST SALE PROPERTY DAN OSWALD 108 N 7TH AVE.pdf](#)
[07-22-2019_2019-170_OSWALD BID.pdf](#)
[07-22-2019_2019-170_108 N 7TH AVE SALE NPH .pdf](#)

I. DISCUSSION

1. 12th Avenue Shared Use Path Project Update
2. Addition Of Planner Position To Housing & Community Development Department

Documents:

[CC Memo Planner Addition.pdf](#)

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. CLOSED SESSION - PENDING LITIGATION

Closed session pursuant to Section 21.5, subsection 1, paragraph c, of the Code of Iowa, to discuss strategy with counsel in matters where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the city in that litigation. The City of Marshalltown has an attorney-client relationship with Attorney Roger Schoell, appointed as City Attorney on May 5, 2014, by Council Resolution #2014-047. and with Lynch Dallas P.C., by Council Resolution #2017-093, approved May 8, 2017.

Motion following closed session directing staff to proceed as discussed during closed session.

L. **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