

COUNCIL PROCEEDINGS

December 12, 2016

The Marshalltown City Council met in regular session on December 12, 2016, at 5:30 PM, in the Council Chambers at City Hall. Mayor Lowrance called the meeting to order and led the Pledge of Allegiance. Present: Gowdy, Greer, Hoop, Lamar, Martin, Schubert, Wirin. Lamar fully participated via speakerphone, being ill at home. Chief Rierson introduced Chief Cross. Schubert moved to approve the agenda, second by Greer. Motion approved 7-0.

CONSENT AGENDA:

Greer moved to approve the Consent Agenda: Approve Council meeting Minutes of November 28, 2016; Approve Bill List in the amount of \$1,719,979.56; Approve August 2016 Financial Statements; Resolution 2016-244 Declaring 1992 Ontario Orion II and 2005 Optima Buses as Surplus Property; Tentative Resolution 2016-245 Accepting Subordination Agreement for Property Interest at 406 W State Street, Lead Abatement Project 533509192, Setting public hearing on December 27, 2016; STP Iowa Avenue East, Project 76015010, OMG Midwest, Inc.; Resolution 2016-246 Approving Contract Change Order #1, increase of \$3,237.95; Resolution 2016-247 Approving Certificate of Completion and final project costs of \$425,002.00; East Main Street Mill and Overlay Project 76015008, Manatt's, Inc.; Resolution 2016-248 Approving Contract Change Order #1, increase of \$18,139.37; Resolution 2016-249 Approving Certificate of Completion and final project costs of \$530,265.22; second by Martin. Consent agenda adopted 7-0.

REPORT

Kenn Vinson updated the council on the Alliant project, now being 97% complete.

RESOLUTIONS:

Schubert moved to adopt Resolution 2016-250 Approving 28E Agreement for Mutual Assistance for Polk County Area Fire/Rescue Services, second by Greer. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2016-251 Awarding Contract Boulder Contracting LLC, for Iowa River Trails Phase 1, project 40115012, 12th Street to Summit, \$779,613.50, second by Greer. Resolution adopted 7-0.

PUBLIC HEARING – conveyance of land

Mayor Lowrance declared the public hearing open regarding conveyance of land to Interstate Power and Light Company, DBA Alliant Energy. There were no written or public comments either for or against the project. Public Works Director Justin Nickel recommended approval. The public hearing notice was not published prior to November 14 council action. Mayor Lowrance declared the public hearing closed.

Schubert moved to Ratify Resolution 2016-221, passed by council on November 14, 2016, Adopting Tentative Resolution Providing for the Conveyance and Transfer of Title by the City to Interstate Power and Light Company, authorizing execution and delivery of warranty deed, second by Greer. Resolution adopted 7-0.

ORDINANCE:

The first reading of an Ordinance to Amend Section 26-93, changing Church Street and Linn Street to two way traffic except for Linn Street by the Post Office (segment from 3rd Avenue to 4th Avenue will remain one way), died for lack of a motion.

DISCUSSION:

Stanley Consultants, Deb Mathias, presented a storm water rate update and three options for rate structure. The council discussed using a tiered rate system or one based on "ERU", equivalent residential unit, a unit of measurement being 1 ERU equal to 2800 sq ft of impervious surface area. The utility rate is required to provide total support of the system, and it is important for bonding position to maintain a healthy ending fund balance. The current rate is not sufficient to support the system and the projected ending fund balance for June 30, 2017, is estimated to be below the \$500,000 goal. The council asked for time to consider the information presented and asked for the topic discussed at the first regular council meeting in January.

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The city obtained five acres on East LaFrentz Lane, specifically donated for installation of a fire department building or other public purpose. The previous owner requested the city return the property. Public Works Director Nickel recommended the property be returned as there is no foreseeable use for the property by the city in the next decade or so. The council anticipates action and a public hearing on the matter in January.

The council discussed the opinion of the Housing Board of Appeals and staff recommendation regarding sill height for basement bedrooms, rental housing code requirement, and whether an alternative of a step or other remedy is available. The rental housing code is set by ordinance, a change requires a change in the ordinance, and the remedy would be available to all affected properties. The council will consider the first reading of a change to the ordinance at noon on December 27, 2016. It is not the recommendation of staff to make the ordinance change, citing safety.

PUBLIC COMMENT:

Public Works Director Nickel informed the council Alliant will install the street light at Church Street and S 4th Street, as there was a light there at one time, at no cost.

CLOSED SESSION:

Schubert moved to enter into closed session pursuant to Section 20.17 subsection 3 of the Code of Iowa concerning strategy meetings of the public employer for collective bargaining purposes, as the City of Marshalltown has an attorney-client relationship with Michael Galloway, Ahlers & Cooney, PC, pursuant to an engagement letter dated July 1, 2011, second by Martin. Motion adopted 7-0.

Greer moved to enter into open session, second by Gowdy. Motion adopted 7-0. Roll call, all seven members present.

Greer moved to the following Resolutions approving collective bargaining agreements, July 1, 2017 – June 30, 2020: Resolution 2016-252, Street and Utility Division, Public Works Department, Public, Professional and Maintenance Employees Local No. 2003, IUPAT; Resolution 2016-253, Water Pollution Control Plant, Chauffeurs, Teamsters and Helpers Local No. 238 affiliated with the International Brotherhood of Teamsters; Resolution 2016-254, Fire Department, The International Association of Firefighters, Local Union No. 16; second by Schubert. Resolutions adopted 7-0.

ADJOURNMENT

The meeting adjourned at 7:13 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

James L. Lowrance, Mayor

Shari L. Coughenour, CMC, City Clerk