

CITY OF MARSHALLTOWN
COUNCIL AGENDA
CITY HALL COUNCIL CHAMBERS
10 W STATE STREET
OCTOBER 14, 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

F. CONSENT AGENDA

1. Approve Council Minutes, September 23, September 30, 2019 And Bill List Of \$2,089,121.23

Documents:

[2019-10-14_BillList.pdf](#)

[2019-09-23_Council-minutes.pdf](#)

[2019-09-30_Special Council-minutes.pdf](#)

2. Motion Amending Minutes Re Settlement Agreement Per Legal Counsel

Documents:

[08-12-2019 minutes amended legal counsel guidance.pdf](#)

[2019-08-12_AMENDED Council-minutes.pdf](#)

3. RESOLUTION 2019-248 AUTHORIZING TRANSFER OF DISPATCH EQUIPMENT TO MARSHALL COUNTY COMMUNICATIONS COMMISSION

Documents:

Resolution Transferring Dispatch Equipment to Marshall
County Communications Commission.pdf

G. **MOTIONS**

1. Tannin, Inc., Temporary Liquor License Transfer For Event, At 2 N
2nd Ave For Event, November 5,2019

Documents:

[10-14-2019_Tannin Event 11-5-2019.pdf](#)

H. **REPORTS**

1. Marshall County Arts & Culture Alliance, Executive Director, Amber
Danielson

Selection of Public Art Finalist for Police and Fire Safety Building

Documents:

[Selection Committee Talking Points for finalist.pdf](#)
[Press Release - Public Art Finalist Selected Oct 2019 - Arts
and Culture Alliance.pdf](#)

I. **RESOLUTIONS**

1. RESOLUTION 2019-249 WAIVING THE POLICY FOR THE
NAMING, DEDICATION, AND SPONORSHIP OF CITY FACILITIES
TO DEDICATE THE POLICE AND FIRE BUILDING TO MAYOR
TOMMY THOMPSON AND THE TRAINING ROOM TO COUNCIL
MEMBER ROBERT SCHUBERT

Documents:

[Res Waiving Policy for Dedication of PF Bldg Training
Room.pdf](#)

2. RESOLUTION 2019-250 CREATING A \$50,000 INCENTIVE FOR
NEW CONSTRUCTION PROJECTS LOCATED IN URBAN
RENEWAL AREA #4

Documents:

[Res Creating Downtown New Construction Incentive.pdf](#)
[Council Designated LOST updated Sept 30 2019.pdf](#)

3. RESOLUTION 2019-251 APPROVING AN ECONOMIC
DEVELOPMENT GRANT TO GARRET GOODMAN FOR 7 ½ EAST
STATE STREET

Documents:

[Res for Demo Assistance 7.5 E State.pdf](#)
[20191010165631811.pdf](#)

4. RESOLUTION 2019-252 APPROVING AGREEMENT WITH IMPACT7G, INC., RELATING TO INSPECTION RELATED SERVICES ASSOCIATED WITH THE HUD LEAD BASED PAINT HAZARD REDUCTION PROGRAM (IALHB0665-18)

Documents:

[CC Memo RES Agreement Impact7G.pdf](#)
[RES Appv Impact7G Agreement_Lead Program.pdf](#)

5. RESOLUTION 2019-253 TO FIX A DATE FOR PUBLIC HEARINGS ON LOAN AGREEMENTS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$9,730,000

Set three hearings to be held on October 28, 2019, at the 5:30 PM Regular City Council Meeting:

1. GENERAL OBLIGATION ESSENTIAL PURPOSES -

\$8,830,000 for the purposes of paying the cost, to that extent, of constructing improvements to streets, sidewalks, storm sewers, and municipal parks; replacing a bridge; and refunding the outstanding balance of the City's General Obligation Corporate Purpose Bonds, Series 2011

2. GENERAL OBLIGATION SCHOOL DISTRICT TENNIS COURTS

- not to exceed \$300,000 for the purpose of entering into a cooperative agreement with the Marshalltown Community School District and paying a portion of the costs of constructing tennis courts on property owned by the School District.

3. GENERAL OBLIGATION RAILROAD QUIET ZONE - not to exceed

\$600,000 for the purpose of paying a portion of the costs of projects to be undertaken by Union Pacific Railroad to reconstruct certain railroad street crossings and replace existing crossing gates, as part of the establishment of a Quiet Zone.

Documents:

[10-14-2019_2019-253_SetHrngs2019GO CorpPurp LA Marshalltown422742-38-v1.pdf](#)
[Memo for CY2019 Borrowing Oct 14 2019 meeting.pdf](#)

6. RESOLUTION NO. 2019-267 SETTING DATE FOR PUBLIC HEARING ON A DEVELOPMENT AGREEMENT WITH JOSE ANGEL REGALADO, INCLUDING ECONOMIC DEVELOPMENT PAYMENTS IN AN ESTIMATED AMOUNT NOT TO EXCEED \$850,000

Documents:

[SetHrngRebateAgmtGroceryStoreMarshalltown422742-36-v1.pdf](#)
[Regalado TIF Memo.pdf](#)

7. RESOLUTION 2019-254 APPROVING CONTRACT CHANGE

ORDER FOR THE DEMOLITION OF THE SENIOR CITIZENS
BUILDING PROJECT #TOR18006 FOR LANSING
CONSTRUCTION, AN INCREASE OF \$39,298.11

Documents:

[Res CO1 Lansing Construction.pdf](#)
[City of Marshalltown Senior Center Demolition Change
Order 1.pdf](#)
[Change order1.pdf](#)

8. RESOLUTION 2019-255 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 \$1,600.00

Documents:

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

9. RESOLUTION 2019-256 APPROVING CONTRACT CHANGE
ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT #
BLD17001 BP#3-1 CONCRETE FOUNDATIONS FOR CALIBER
CONCRETE AN INCREASE OF \$1,626.50

Documents:

[Caliber 3-1 \(2\).pdf](#)
[Sept Caliber 3.pdf](#)

10. RESOLUTION 2019-257 APPROVING CONTRACT CHANGE
ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT #
BLD17001 BP#5-1 STEEL FOR CENTRAL WESTERN
FABRICATORS AN INCREASE OF \$3595.00

Documents:

[Central Western Fabr.pdf](#)
[Sept Central West Fab.pdf](#)

11. RESOLUTION 2019-258 APPROVING CONTRACT CHANGE
ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT #
BLD17001 BP#6-1 GENERAL SUPPLIES FOR GARLING
CONSTRUCTION AN INCREASE OF \$1958.14

Documents:

[Garling CO.pdf](#)
[Sept Garling.pdf](#)

12. RESOLUTION 2019-259 APPROVING CONTRACT CHANGE
ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT #
BLD17001 BP#7-1 MEMBRANE ROOFING AND WALL PANELS
FOR BLACK HAWK ROOF COMPANY AN INCREASE OF

\$9,494.00

Documents:

[Black Hawk Roof Co CO.pdf](#)
[September Black Hawk Roof.pdf](#)

13. RESOLUTION 2019-260 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#8-1 ALUMINUM STOREFRONTS,CURTAINWALLS & GLAZING FOR FORMAN FORD AN INCREASE OF \$120,681.00

Documents:

[Forman Ford CO.pdf](#)
[Sept Forman.pdf](#)

14. RESOLUTION 2019-261 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#9-1 GYMPSUM WALL ASSEMBLIES FOR HILSABEK SCHACHT, INC. AN INCREASE OF \$43,075.33

Documents:

[Hilsabek CO.pdf](#)
[Sept Hilsabeck.pdf](#)

15. RESOLUTION 2019-262 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#9-3 PAINTING FOR HEARTLAND FINISHES AN INCREASE OF \$5,711.49

Documents:

[Heartland Finishes.pdf](#)
[Sept Heartland.pdf](#)

16. RESOLUTION 2019-263 APPROVING THE PRELIMINARY PLAT FOR SOUTHRIDGE ESTATES

Documents:

[CC Memo_Southridge_Preliminary Plat_100719.docx](#)
[RES Southridge Estates Preliminary Plat.pdf](#)
[Southridge Estates Preliminary Plat 100719.pdf](#)

17. PUBLIC HEARING AND RESOLUTION 2019-264 ADOPTING TENTATIVE RESOLUTION APPROVING 28E AGREEMENT FOR LEASE OF SPACE WITH THE MARSHALL COUNTY COMMUNICATIONS COMMISSION OF MARSHALLTOWN, IOWA

Documents:

[10-14-2019_2019-_Adopting Res Agrmt MCCC Commission Lease indefinite.pdf](#)

18. PUBLIC HEARING AND RESOLUTION 2019-265 APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST FOR THE VETERANS MEMORIAL COLISEUM RENOVATION, IN THE CITY OF MARSHALLTOWN, IOWA, BEING PROJECT NO. BLD19001

Documents:

[VMC HEARING RESOLUTION APPROVING PLANS.pdf](#)

19. PUBLIC HEARING AND RESOLUTION 2019-266 EXPRESSING INTENT TO ENTER INTO A SEWER REVENUE REFUNDING LOAN AGREEMENT, SERIES 2012 AND SERIES 2014

Documents:

[Hrg 2019SewerRevRfdg Marshalltown422742-37-v1.pdf](#)
[Refunding Sewer Revenue bonds memo.pdf](#)

J. ORDINANCES

1. Ordinance No. Rezoning Parcels 8418-26-229-015, 8418-25-151-001 & 8418-25-101-002 From R-2, Low Density Residential To M-2, Heavy Industry, First Reading.

Public Hearing set for November 11, 2019.

Documents:

[CC Memo ORD M-2 rezone City Property.pdf](#)
[ORD City M-2 rezoning.pdf](#)
[Rezoning Application_M-2 - City.pdf](#)
[2019.9.19 - PROPOSED LAYOUT.pdf](#)

K. DISCUSSION

1. MCBD Incentive Grant Funding Request

Documents:

[City Council Incentive Grant Letter FY2020.pdf](#)

2. MCBD Request For Annual Funding

Documents:

[City Council Support Letter FY2020.pdf](#)
[MCBD Funding Request Memo.pdf](#)

3. Rezoning Discussion Of Parcel 8318-12-126-010 From R-2A, Low Density Residential To R-2, Low Density Residential
4. Scope Of Project For 12th Avenue South Sidewalk

5. Police & Fire Building Cost Update

Documents:

[Police Fire Building Budget Update Memo Oct 2019.pdf](#)
[Costs for Police and Fire Building through Oct 15 2019 payments.pdf](#)

L. **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.

M. **CLOSED SESSION - REAL ESTATE (PARCEL A)**

Closed session pursuant to Section 21.5 subsection (1) paragraph (j) OF THE CODE OF IOWA to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. 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.

There may be council action by motion following the closed session if directed by the city's attorney.

N. **CLOSED SESSION - REAL ESTATE (PARCEL B)**

Closed session pursuant to Section 21.5 subsection (1) paragraph (j) OF THE CODE OF IOWA to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. 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.

There may be council action by motion following the closed session if directed by the city's attorney.

O. **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