Council Proceedings
October 28, 2019

Mayor Greer called the meeting to order at 5:30 PM, October 28, 2019, in the Council Chambers at 10 W State Street and led the pledge of allegiance. Roll call- Present: Cahill, Gowdy, Hoop, Isom, Lamer, Martin, Wirin. Fire Chief Rierson was honored for five years of service, Police Officer Whitmore for thirty years of service, and T Hannam for fifteen years of service at the library. Mayor Greer announced a special meeting was scheduled for October 29 regarding the Veterans Memorial Coliseum project.

CONSENT AGENDA:
Gowdy moved to adopt the Consent agenda: Approve Council Minutes For October 14, 2019, And Bill List In The Amount Of $975,639.49; Appoint Heidi Hogan, David Schulze And Kellissa Thurston To The Building Board Of Appeals; Approve July 2019 Monthly Financial Statements; New Tree Trimmer License - Devig Services; RESOLUTION 2019-268 APPROVING A CONTRACT WITH FRANK SWANSON FOR THE FINAL COMMISSION OF A PUBLIC ART PROJECT AT THE POLICE AND FIRE BUILDING; RESOLUTION 2019-269 TO NAME DEPOSITORIES, ESTABLISH MAXIMUM DEPOSIT AMOUNTS, AND IDENTIFY POSITIONS AUTHORIZED TO CONDUCT BUSINESS ON BEHALF OF THE CITY OF MARSHALLTOWN, second by Wirin. Motion carried 7-0.

REPORTS
The council heard from CGA project engineer regarding the design progress for the Airport Hangar And Terminal Design. The design concept includes improved arrangement for the terminal building and parking. The electrical vault needs to be relocated, which relocation is eligible for FAA funding. The entire project is eligible for 90% federal funding. Bids will be let in Spring 2020, with construction to begin in Fall 2020 or Spring 2021.

Parks Director Hubbard reviewed the 2019 Aquatic Center Report, noting revenues increased this past season, with the addition of accepting debit cards for admission and for concessions. Expenses remained about the same as prior years, $190,000.

RESOLUTIONS:
Isom moved to adopt RESOLUTION 2019-270 APPROVING A COMMUNICATION SYSTEM EASEMENT WITH CENTURYLINK QC, second by Cahill. Resolution adopted 7-0.

Isom moved to adopt RESOLUTION 2019-271 APPROVING AMENDED ENGINEERING SERVICES AGREEMENT FOR THE 12TH AVENUE SHARED USE PATH PROJECT TRL19002 FOR CLAPSADDLE-GARBER ASSOCIATES, INC AN INCREASE OF $8,400.00, second by Lamer. Resolution adopted 5-2, Hoop and Gowdy dissenting.

Wirin moved to adopt RESOLUTION 2019-272 APPROVING AMENDED ENGINEERING SERVICES AGREEMENT FOR THE 4TH STREET AND MEADOW LANE STORM SEWER ENHANCEMENTS PROJECT SMW17001 FOR HDR ENGINEERING, INC AN INCREASE OF $48,725.00, second by Gowdy. Resolution adopted 7-0.

Isom moved to adopt RESOLUTION 2019-273 APPROVING THE USE OF $7,000 OF COUNCIL-DESIGNATED LOCAL OPTION SALES TAX TO FUND A PORTION OF THE VISION MARSHALLTOWN'S WORK ON COMMUNITY MESSAGING, second by Wirin. Resolution failed 3-4, Lamer, Martin, Gowdy, Hoop dissenting.

Isom moved to adopt RESOLUTION 2019-274 OF SUPPORT AND FINANCIAL COMMITMENT FOR THE MARSHALLTOWN, IOWA, MAIN STREET PROGRAM, second by Wirin. Resolution adopted 7-0.

Wirin moved to adopt RESOLUTION 2019-275 APPROVING ENGINEER'S STATEMENT OF COMPLETION AND ACCEPTING THE POLICE AND FIRE TRAFFIC SIGNAL IMPROVEMENT PROJECT, WITH A FINAL PROJECT COST IN THE AMOUNT OF $67,480.00, second by Isom. Resolution adopted 7-0.

Wirin moved to adopt RESOLUTION 2019-276 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#9-3 PAINTING FOR HEARTLAND FINISHES AN INCREASE OF $13,241.20, second by Martin. Resolution adopted 7-0.

Wirin moved to adopt RESOLUTION 2019-279 APPROVING AMENDMENT TO AGREEMENT WITH MARSHALLTOWN CENTRAL BUSINESS DISTRICT, second by Isom. Resolution adopted 7-0.

PUBLIC HEARING
Mayor Greer declared the public hearing open at 6:28 PM regarding the Development Agreement to be paid out of the Downtown Area #4 Urban Renewal fund. There were no written comments received by the clerk. M Eaton, 1007 S 10th Avenue asked about the number of jobs and negative increment, as the building was demolished due to the July 2018 Tornado event. Kinser reviewed the project, noting the owner, Jose Regalado, is providing an estimated $3.6M investment, and recommended a development agreement, of 100% of the abatement over ten years, not to exceed $850,000. The amount of the investment is sufficient consideration for the agreement. Regalado clarified the number of employees will increase to 100, and currently has 30 employees, not counting family members. Mayor Greer closed the public hearing at 6:33 PM.

Wirin moved to adopt RESOLUTION 2019-284 APROVING DEVELOPMENT AGREEMENT WITH JOSE ANGEL REGALADO, AUTHORIZING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT, second by Cahill. Resolution adopted 7-0.

PUBLIC HEARING
Mayor Greer declared the public hearing open at 6:34 PM. There were no public comments, and no written comments received by the clerk. Finance Director Steiner reviewed the essential purposes, noting that the refunding of the sewer bonds, $3,230,000, will result in a lower interest rate. The $5,600,000 for new projects include: Timber Creek Bridge Replacement, $500,000; West End Park – Phase 1, $425,000; Sidewalk Gaps – Year 2, $375,000; Anson Park Shelter /Restrooms, $300,000; East Merle Hibbs Phase 1, $4,000,000. The council discussed the debt level of the city as a whole, Moody’s rating Aa2, the cash balances, steady tax valuations, development in the south east part of town, specifically the 46 new “roofs” requiring a secondary egress to the East Merle Hibbs Road. Staff responded to council debt concerns, noting the debt margin is within the 5% legal limit as well as below the council designated limit. Phase 1 of the East Merle Hibbs Rd project includes connection to South 5th Avenue. Mayor Greer closed the public hearing at 6:51 PM.

Lamer moved to amend the Resolution by reducing the General Obligation Essential Purposes Loan Agreement amount by eliminating the East Merle Hibbs Road project and including the Timber Creek Bridge Replacement, $500,000; West End Park – Phase 1, $425,000; Sidewalk Gaps – Year 2, $375,000; Anson Park Shelter /Restrooms, $300,000; and Sewer Revenue Refunding $3,230,000 , second by Martin. Motion carried 4-3. Wirin, Cahill and Isom dissenting.

Wirin moved to approve as amended, RESOLUTION 2019-280 EXPRESSING INTENT AND DETERMINING TO ENTER INTO A GENERAL OBLIGATION ESSENTIAL PURPOSES LOAN AGREEMENT IN AN AMOUNT NOT TO EXCEED $4,830,000, second by Isom. Resolution carried 4-3, Wirin, Cahill, Hoop dissenting.

PUBLIC HEARING

Mayor Greer opened the public hearing for bonding for shared purpose tennis courts, between the City and School District, at 7:10 PM. There were no written comments. Members of the public included John Catron, Anna Wolvers, Mark Eaton, Lonnie Hogland, Dr. Theron Schutte. Catron and Eaton agreed presented opinions the school district should tax for the improvement. Wolvers spoke about the splash pad. Dr. Schutte reminded the council the tennis courts have been a shared expense since about 1975. Mayor Greer declared the public hearing closed at 7:14 PM.

Wirin moved to adopt RESOLUTION 2019-281 EXPRESSING INTENT AND DETERMINING TO ENTER INTO A GENERAL OBLIGATION SCHOOL DISTRICT LOAN AGREEMENT IN AN AMOUNT NOT TO EXCEED $300,000, second by Isom. Resolution failed 3-4, Martin, Gowdy, Hoop, Lamer dissenting.

PUBLIC HEARING

Mayor Greer opened the public hearing for bonding for railroad quiet zones, at 7:16 PM. There were no written comments. Members of the public speaking for the proposal include Raymond Starks, Nate McCormick, those opposed included John Caton, Anna Wolvers, Karen Strong, Tyler Johnson, Diane Lewis, Jeff Linton. Staff reviewed the project, citing the Downtown Master Plan recommendation to abate the noise to enhance residential development downtown, safety improvement at the railroad intersections. Cahill reminded the public to keep an eye to the future, to increase the viability of the downtown, both for shopping and residential use, in the long term. Wirin also encouraged the council to consider the long-term investment, and asked for the 2nd Street crossing to be closed. Isom spoke that the safety concern can’t be ignored as well as some individuals have issue with the noise. Martin spoke that the city needs to consider timing for projects as well as budget. Mayor Greer declared the public hearing closed at 7:33 PM.

Wirin moved to adopt RESOLUTION 2019-282 EXPRESSING INTENT AND DETERMINING TO ENTER INTO A GENERAL OBLIGATION RAILROAD QUIET ZONE LOAN AGREEMENT IN AN AMOUNT NOT TO EXCEED $600,000, second by Cahill. Resolution failed 3-4, Gowdy, Hoop, Lamer and Martin dissenting.

Hoop moved to adopt RESOLUTION 2019-283 SETTING DATE FOR SALE OF $9,730,000 GENERAL OBLIGATION CORPORATE PURPOSE AND REFUNDING BONDS, SERIES 2019, AND APPROVING PRELIMINARY OFFICIAL STATEMENT, second by Martin. Resolution adopted 6-1, Hoop dissenting.

Wirin moved to Set a Special Council Meeting At Noon On Monday, Nov 18th For Results Of Bond Sale And Award, second by Gowdy. Motion carried 7-0.

ORDINANCES:

Wirin moved to TABLE the second reading of Ordinance No. 14989, 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, second by Isom, to the next meeting. Motion carried 7-0.

Martin moved to adopt the first reading of ORDINANCE NO. 14990 AN ORDINANCE APPROVING THE REZONING OF PARCEL 8318-12-126-010 FROM R-2A LOW DENSITY RESIDENTIAL TO R-2 LOW DENSITY RESIDENTIAL, second by Gowdy. M Eaton, spoke against the proposal. First reading adopted 4-3, with Isom, Wirin and Cahill dissenting.

DISCUSSION:

PUBLIC COMMENT:

Leigh Bauder spoke of safety and again asked for splash pad sites. Mark Eaton commented about dilapidated structures.

ADJOURNMENT:
Meeting Adjourned at 7:55 PM

Respectfully submitted,

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Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

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ATTEST: Joel T.S. Greer, Mayor

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Shari L. Coughenour, CMC, City Clerk