

CITY OF MARSHALLTOWN
COUNCIL AGENDA
CITY HALL COUNCIL CHAMBERS
10 W STATE STREET
NOVEMBER 25, 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

AJ Accola - 10 years

Ramon Ortega - 15 years

Joan Helm - 20 years

F. CONSENT AGENDA

1. Approve Council Minutes, November 11, November 18, 2019, And Bill List In The Amount Of \$1,785,275.34

Documents:

[2019-11-25_BillList.pdf](#)

[2019-11-18_Special Council Minutes.pdf](#)

[2019-11-11_Council-minutes.pdf](#)

2. Receipt Of 11-5-2019, Election Abstract

Documents:

[11-25-2019_2019-11-05_ELECTION ABSTRACTS.pdf](#)

3. Receipt Of Civil Service List - Planner

Documents:

[11-25-2019_RECEIPT_PLANNER NEW HIRE LIST.pdf](#)

4. RESOLUTION 2019-301 ADOPTING THE 2020 IOWA FIRE SERVICE HAZARDOUS MATERIALS RESPONSE FEE SCHEDULE
2020 Iowa Fire Service Hazardous Materials Response Fee Schedule

Documents:

[Resolution HAZMAT Fee Schedule.pdf](#)
[2020 Hazmat Fee Schedule.pdf](#)

5. RESOLUTION 2019-302 APPROVING AN AGREEMENT BETWEEN THE CITY OF MARSHALL TOWN, IOWA, AND UNITI FIBER, LLC TO UTILIZE CERTAIN PUBLIC RIGHT OF WAYS FOR THE INSTALLATION, OPERATION, AND MAINTENANCE OF A COMMUNICATIONS NETWORK

Documents:

[11-25-2019_2019-302_Memo_Uniti Fiber.pdf](#)
[11-25-2019_2019-302_Uniti Fiber AGREEMENT .pdf](#)
[11-25-2019_2019-302_Uniti Fiber RESOLUTION.pdf](#)

6. RESOLUTION 2019-303 APPROVING THE MARSHALLTOWN MUNICIPAL AIRPORT FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM AND FEDERAL FUNDING APPLICATION

Documents:

[Res Approve 5yr Airport CIP .pdf](#)
[Airport 5 yr plan.pdf](#)

7. RESOLUTION 2019-304 APPROVING AN AGREEMENT FOR THE RESIGNATION OF EMPLOYMENT AND RELEASE OF CLAIMS

Documents:

[Res Resignation Release.pdf](#)

8. RESOLUTION 2019-305 AUTHORIZING INTERNAL DEBT REIMBURSEMENT TO TAX INCREMENT REVENUE FUND, FOR URBAN RENEWAL AREA NO. 3

Documents:

[11-25-2019_2019-_UR3 Internal TIF Debt.pdf](#)
[URA3 Expenses to be certified memo.pdf](#)

9. RESOLUTION 2019-307 APPROVING CONTRACT WITH POSPISIL PAINTING INC FOR THE PAINTING OF THE LAZY

RIVER AND PLUNGE POOL IN THE AMOUNT OF \$46,715.

Documents:

[11-25-2019_2019-307_Memo to City Council to Paint the Lazy River at MFAC.pdf](#)
[11-25-2019_2019-307_2019 Pospisil Painting Bid Contract.pdf](#)
[11-25-2019_2019-307_RES Painting of Lazy River at Marshalltown Family Aquatic Center.pdf](#)

10. RESOLUTION 2019-308 APPROVING CONTRACT BETWEEN THE CITY OF MARSHALLTOWN, IOWA, AND CXT, INC., FOR A FLUSH TOILET BUILDING FOR RIVERVIEW PARK IN THE AMOUNT OF \$50,432.

Documents:

[11-25-2019_2019-308_2019 CXT Cortez Quote Contract.pdf](#)
[11-25-2019_2019-308_Memo to City Council to Replace restroom building at the Riverview Park Log Cabin.pdf](#)
[11-25-2019_2019-308_RES CXT Restroom for Riverview Park Log Cabin.pdf](#)

11. Approve Renewal Tree Trimmer License, Ledford Tree And Lawn, Expires 5-12-2020

Documents:

[2020-05-12_LED FORD TREE AND LAWN.pdf](#)

12. Liquor License Renewals (January)
Dave's 207 E Main
EAST SIDE LIQUOR&GROCERY 1116 EAST NEVEDA STREET
Rumours Sports Bar 309 south 12th Ave. Place
7 Rayos Liquor Store 120 E Main St
MAMA DiGrado's PASTA & PIZZA 2500 S. Center St. Suite 1690
Iowa River Brewing Company, Inc. 107 N 1st Street

G. REPORTS

1. Lean Event Process Review - Special Event Ordinance Change Request

Documents:

[11-25-2019_report_SPECIAL EVENTS MEMO.pdf](#)

H. RESOLUTIONS

1. RESOLUTION 2019-306 TO APPROVE THE CODE BUILDING UPGRADE GRANT APPLICATION FOR 10 E. MAIN STREET, 2ND FLOOR, MARSHALLTOWN, IOWA

Documents:

[11-25-2019_2019-_10 E MAIN ST 2ND FLOOR Resolution to Approve Code Building Upgrade Grant Application-1.pdf](#)
[11-25-2019_2019-_10 E MAIN ST - SPRINKLER LIGHTING FIRE DOOR 2ND STORY PDI Code Code Upgrade Grant Request Mtown Council.pdf](#)
[FacadeGrantListing Updated Nov 2019.pdf](#)

2. RESOLUTION 2019-309 TO AMEND CITY OF MARSHALLTOWN EMPLOYEE POLICY MANUAL FOR EMPLOYEES BY REVISING POLICY 2.15, RESIDENCY REQUIREMENTS, BY AMENDING RESOLUTION 2010-186, TO AMEND CITY OF MARSHALLTOWN POLICY MANUAL FOR EMPLOYEES BY REVISING POLICY 2.15, RESIDENCY REQUIREMENTS, RELATING TO PUBLIC SAFETY PERSONNEL.

Documents:

[11-25-2019_2019-309_Resolution Policy Manual Change Residency PF Employees.pdf](#)

3. RESOLUTION 2019-310 AUTHORIZING THE MARSHALLTOWN FIRE DEPARTMENT AND THE MARSHALLTOWN POLICE DEPARTMENT TO PURCHASE A PUBLIC SAFETY UNMANNED AERIAL VEHICLE (DRONE), WITH A BUDGET NOT TO EXCEED \$35,000.00, UTILIZING SURPLUS DOLLARS FROM THE FIRE AND POLICE BUILDING PROJECT

Documents:

[11-25-2019_Resolution for MFD MPD Purchase of Public Safety UAV.pdf](#)
[MFD MPD UAV Purchase Proposal.pdf](#)

4. RESOLUTION 2019-311 APPROVING THE FY2019 ANNUAL FINANCIAL REPORT FOR THE CITY OF MARSHALLTOWN

Documents:

[11-25-2019_2019-_Resolution Approving Annual Financial Report for FY2019.pdf](#)
[Annual Financial Report for FY2019 memo.pdf](#)
[11-25-2019_REPORT_Annual Financial Report for FY19.pdf](#)

5. RESOLUTION 2019-312 AUTHORIZING THE ISSUANCE OF \$8,830,000 GENERAL OBLIGATION CORPORATE PURPOSE AND REFUNDING BONDS, SERIES 2019, AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME

Documents:

[SpeerAuction_AON Auction Results_Marshalltown.IA.GOCPRB.19.pdf](#)

11-18-2019_2019-300_Moodys Rpt - Award packet 19 and handouts from 11-18 meeting .pdf
11-25-2019_2019-312_IssncGOCorpPurpRfdg2019Marshalltown422742-38-v1.pdf

6. RESOLUTION 2019-313 APPROVING THE USE OF \$20,940 OF COUNCIL-DESIGNATED LOCAL OPTION SALES TAX TO FOR THE DEVELOPMENT OF DOWNTOWN DESIGN GUIDELINES

Documents:

Res for LOST for Downtown Design.pdf
design guidelines scope_Marshalltown.pdf
Downtown Priority Recommendations.pdf

7. RESOLUTION 2019-314 APPROVING AGREEMENT AMENDMENT NO. 3 BY AND BETWEEN THE CITY OF MARSHALLTOWN, IOWA, AND STORY CONSTRUCTION FOR TEMPORARY FACILITIES FOR THE POLICE AND FIRE PROJECT, BEING PROJECT NO. BLD 17001

Documents:

Police Fire amendment for temp facility.pdf
Nov Story_001.pdf
11-21-2019_Story AESA No 3 PF Memo.pdf

8. Police And Fire Building Change Orders:

1. RESOLUTION 2019-315 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#6-1 GENERAL SUPPLIES FOR GARLING CONSTRUCTION AN INCREASE OF \$2,066.28

Documents:

Garling CO.pdf
Nov Garling.pdf

2. RESOLUTION 2019-316 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#9-3 PAINTING FOR HEARTLAND FINISHES AN INCREASE OF \$3001.86

Documents:

Heartland Finishes.pdf
Heartland Finishes Nov.pdf

9. RESOLUTION 2019-317 APPROVING THE ANNUAL URBAN RENEWAL REPORT FOR THE CITY OF MARSHALLTOWN

Documents:

[11-25-2019_2019-_Resolution Annual Urban Renewal Report FY19.pdf](#)
[Annual Urban Renewal Report for FY2019.pdf](#)
[11-25-2019_2019-317_Annual Urban Renewal Report FY19.pdf](#)

10. PUBLIC HEARING And RESOLUTION 2019-318 APPROVING AGREEMENT FOR ECONOMIC DEVELOPMENT SERVICES WITH MARSHALLTOWN AREA CHAMBER OF COMMERCE. AUTHORIZING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT

Documents:

[2019-11-19_Public Hearing notice affidavit Chamber Agreement.pdf](#)
[Agreement Chamber ED Services.pdf](#)
[HrgApprvDevAgmtChamberCommerceMarshalltown422742-33-v1.pdf](#)

11. RESOLUTION 2019-319 AUTHORIZING CERTIFICATION OF CODE OF IOWA 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS TO THE COUNTY AUDITOR FOR EACH URBAN RENEWAL AREA WITHIN THE CITY OF MARSHALLTOWN

Documents:

[11-25-2019_201--_Resolution Certification of TIF Indebtedness and Certification.pdf](#)
[TIF Loans and Certifications for FY21 to County Auditor Memo.pdf](#)
[TIF2 EastSideCITYTIFIndebtednessCertification2 .pdf](#)
[TIF3 Southside CITYTIFIndebtednessCertification.pdf](#)
[TIF4 Uptown CITYTIFIndebtednessCertification.pdf](#)
[TIF5 Wandering Creek CITYTIFIndebtednessCertification.pdf](#)

I. ORDINANCES

1. PUBLIC HEARING And 3rd 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. Third Reading.

Third reading.

Public hearing scheduled for 11/25

A petition in opposition of the rezoning was filed with the City Clerk prior to the public hearing. When 20% of the property with 200' of the exterior boundary is represented a favorable vote of at least three-fourths (6 members) of all members of the Council is required.

Documents:

[11-25-2019_14989_MARQUESS LAW OFFICE PROTEST](#)

[PETITION ETC.pdf](#)
[2019-11-25_14989_CC Memo ORD M-2 rezone City Property_112519.pdf](#)
[Petition Address Verification.pdf](#)
[Petition Address Map.pdf](#)
[Rezoning Application_M-2 - City.pdf](#)
[2019.9.19 - PROPOSED LAYOUT.pdf](#)
[2019-11-14_NPH Rezone M2 WPCP farm area.pdf](#)
[ORD City M-2 rezoning_Amd_PH_112519.pdf](#)

2. ORDINANCE 14991 TO AMEND NUMBER OF HANDICAP PARKING SPACES, TO ADD ONE SPACE ON THE WEST SIDE OF S 6TH STREET IN THE 300 BLOCK, ONE SPACE AS SIGNED, Second Reading. Public Hearing Is Not Required.

Documents:

[14991_Ordinance Handicap spaces modified S 6th St 300 BLK 7th Day Adventist Church.pdf](#)

3. Ordinance 14991 - Option To Waive Third Reading?

J. DISCUSSION

1. Discussion Of IVCC Contract Ending 6/30/2020

Documents:

[Memo on IVCC Contract.MeetingRecording.pdf](#)
[IVCC Cable Agreement.pdf](#)

K. 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.

L. 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.

M. **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