

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

BILL LIST - NOVEMBER 25, 2019

Advertising		Unity.Point.Clc/3	168.00
T-R/24	1,584.30	Payroll.Deductions	
US.Yellow.Pgs/1	51.00	American.Educa./1	64.41
Buildings/Improvements		AXA/1	325.00
BLACK.HAWK.ROOF/110	783.54	Collection.Svs./5	1,325.16
Garling.Constr/1	143,277.55	Colonial.Life/1	522.21
Goods.Gutters/1	620.00	Fidelity.Securi/2	409.97
Consulting & Professional Fees		Galls.LLC/2	58.58
Bernie.Lowe/2	516.70	I.R.S./6	84,234.23
Bernie.Lowe.Asc/1	2,996.00	IA.Treasurer/4	19,135.00
Bolton&Menk.Inc/7	23,091.50	ICMA.457/11	12,716.28
E.M.S.I.INC/1	135.00	IUPAT.PPME/1	1,002.35
Fox.Engrg.Assc/2	30,885.75	Teamsters238/1	1,429.08
RDG.Planning/1	9,979.70	Texas.Child.Sup/2	252.57
WHKS.Co/2	6,410.64	TotalAdmin.Serv/4	8,702.10
Contracts		Payroll.Net	
Animal.Clinic/1	111.15	Payroll/1	296,571.36
Aramark.Unfrm/2	39.36	Refund/Reimbursed	
ARL/1	4,333.33	Baker.Taylor/5	96.74
Backflow.Preven/3	300.00	BRODART.CO/3	564.38
Bolton&Menk.Inc/1	1,105.00	GOODING.B/1	828.29
Fisher.Comm.Ctr/1	8,333.33	IA.Treasurer/1	35.00
Hogeland.Auto.P/2	400.00	Mastin,C/1	8.99
Johnson.Lawn/1	95.00	Weatherman,M/1	70.00
KW.Electric/1	3,374.00	Service/Repairs	
Marco.Holdings/1	37.50	AAA.Septic/2	120.00
MarshallgaamLLC/1	28,101.09	Airgas.U.S.A./1	38.44
Menards/1	39,324.33	Arnold.Motor.Su/1	29.40
Midw.Auto.Fire/1	62.50	BDH/1	390.00
Mtwn.Wtrwrks/1	14.00	Beecken,H/1	795.00
O.C.L.C.Inc/1	939.15	Cal-Cert.Co/1	595.00
Plumb.Supply/1	3,187.50	Century.Link/25	245.71
Premier.Equip/1	73.01	Centurylink.ld/5	9.66
Region.6.Planng/1	504.00	Construct/2	6,237.30
SAFETY.KLEEN/1	90.00	Daves.Crane/1	780.00
Schendel.Pest.C/2	102.50	DELAY,J/1	23.50
Servicemaster/1	1,772.00	Devig,T/12	1,751.00
Sirsi.Corp/2	17,742.47	Ethington.Htg/1	100.00
Sterling.Fire/1	187.75	Gale-Hazen,E/1	75.00
Stone.Sanit/1	115.56	Gale-Hazen,K/1	90.00
Strategic.Insgh/1	2,175.00	Hartwig.Plmbg/1	104.00
Teamwork1/1	6,640.61	Heart.of.Iowa/6	2,640.46
Theisens.Supply/1	22,969.02	Hogeland.Auto.P/4	325.00
Unique.Mgmt.Svc/1	98.45	IA.Treasurer/2	17,802.00
Verizon.Connect/1	435.30	IDALS/1	30.00
Debt Service		Language.Line.S/1	1,117.50
UMB.Bank.NA/17	779,169.60	Lechnir,J/1	65.50
Library Books		LENZ,D/1	230.00
Baker.Taylor/42	2,079.58	McAtee.Tire/7	347.80
BRODART.CO/10	938.62	McFarland.Cl/1	27.28
Cengage.Learng/7	353.84	Midw.Auto.Fire/1	240.00
CenterPoint.Prn/1	177.24	Mikes.Turf.Righ/1	378.00
Findaway.World/1	231.95	Nfap.Natl.Fire./1	1,695.00
Info.Group/1	1,000.00	ONE.SOURCE/1	15.00
MicroMarketing./6	1,112.15	Opperman,S/1	500.00
Midwest.Tape/3	364.29	QMG.Inc./2	612.00
Niche.Academy/1	2,100.00	Racom.Corp/1	1,186.01
PENWORTHY.CO/2	303.52	Rasmusson.Svc/1	1,695.00
Sentimental.Pro/1	130.00	Salvation.Army/1	1,100.00
Medical		Sterling.Fire/2	456.50
Bernie.Lowe/2	4,823.78	Titan.Machinery/1	890.00
McFarland.Cl/3	196.24	Tri.State.Lock/1	60.00
Medtrak.Service/2	1,182.93	Unity.Point/1	844.00

BILL LIST - NOVEMBER 25, 2019

US CELLULAR/1	261.22	Tri.State.Lock/1	35.00
Verizon.Wireles/5	477.65	Vajgrt.R/3	465.32
WICKHAM,M/1	360.00	Volco.Co./2	1,785.20
Wolfe.Eye.Clinic/11	245.00	Travel/Training	
Supplies/Parts		Ash,S/1	141.80
Airgas.U.S.A./1	132.07	Petermeier,J/1	69.42
Amazon/1	144.99	ROSENBLUM,S/6	516.57
Arnold.Motor.Su/19	1,414.10	Utilities	
Baker.Taylor/13	1,256.49	AlliantEnergy/78	74,529.80
Barco.MuniProd/4	1,236.92	Consumr.Energy/2	435.03
BDH/1	520.00	Mtwn.Wtrwrks/13	910.25
Big.Belly.Solar/1	94.00	Total/626	1,785,275.34
BLUEGLOBES.INC/1	131.59		
Browns.Shoe.Fit/1	179.94		
Carl.Zeiss.Visn/1	176.96		
Cessford.Constr/1	1,177.66		
Clarion.Distrib/1	85.00		
Cntrl.IA.Distr/1	116.00		
Cntrl.IA.Farm/1	114.18		
Concrete/2	390.00		
Consolidated.Wa/1	1,084.45		
Cummins.Service/1	425.15		
Diamond.Vogel/1	39.36		
EBSCO.Subscr/1	7,313.28		
Electric.Supply/1	89.88		
Employee.Data/1	28.25		
Engineered.Equi/1	1,360.61		
Ethington.Htg/1	86.00		
Fastenal.Co/5	238.78		
FBINAA/1	260.00		
Galls.LLC/9	591.84		
Gervich.Sons/1	127.00		
Gillig.LLC/2	2,796.52		
Graphic.Edge/1	505.26		
Graymont.Lime/1	4,801.05		
Hach.Co/2	4,894.91		
Hero.Design/1	2,800.00		
Hogan.Mfg/2	167.17		
Keystone.Lab/1	45.00		
LIBRARY.STORE/1	18.87		
Marsh.Co.Engr/26	18,263.49		
Martin.Marietta/1	9.75		
McAtee.Tire/5	1,726.36		
Menards/5	174.11		
Mid.Iowa.Ent/1	40.00		
Midland.Scienti/5	801.12		
Napa.Auto/8	429.10		
Nutrien.Ag.Sol/4	2,572.34		
Office.Express/3	103.92		
Ohalloran.Inter/3	28.75		
QMG.Inc./1	367.45		
RAINBOW.PRINTIN/1	622.20		
Rasmusson.Svc/1	2,700.00		
ROSENBLUM,S/1	15.00		
SAFETY.KLEEN/1	280.00		
Sho.Biz Inc/3	196.67		
Spahn.Rose.Lmbr/3	665.53		
STAPLES/1	138.54		
Sterling.Fire/2	790.50		
Storey.Kenwrthy/1	139.72		
Streichers.Inc/3	199.15		
Theisens.Supply/4	335.00		
Thompson.Tr.V/2	102.95		
Titan.Machinery/1	179.06		

COUNCIL PROCEEDINGS

November 18, 2019

The Marshalltown City Council met in special session on November 18, 2019, at 12:00pm, in Council Chambers at City Hall. Mayor Greer called the meeting to order. Present: Cahill, Gowdy, Hoop, Isom, Lamer, Martin, Wirin.

Gowdy moved to approve the resolution 2019-300 Awarding Sale of General Obligation Corporate Purpose and Refunding Bonds, Series 2019; seconded by Isom. In discussion, Maggie Burger from Speer Financial noted that the combined interest rate of 1.79% bid by RW Baird of Milwaukee, Wisconsin, was very competitive. The City is receiving a \$91,000 premium which will be used to pay for the costs of issuance. Lamer asked what the total bond included, with Burger replying that it was refunding a prior bond and had some new dollars as well. On a roll call vote, Resolution adopted 5-2, with Hoop and Lamer dissenting.

With no other business, the meeting adjourned at 12:08pm.

Council Proceedings
November 11, 2019

Mayor Greer called the meeting to order at 5:30 PM, November 11, 2019, in the Council Chambers at 10 W State Street and led the pledge of allegiance. Roll call- Present: Cahill, Gowdy, Isom, Lamer, Martin, Wirin. Absent: Hoop.

CONSENT AGENDA:

Gowdy moved to adopt the Consent agenda: Approve Minutes For 10/28/19 And Special Minutes For 10/29/19, 11/4/19, And Bill List In The Amount Of \$2,472,912.60; Receipt Of Civil Service List - Water Pollution Control Plant Maintenance/Operator; Receipt Of Building Permit Report, September & October 2019; Set Dec 23, 2019, 5:30 PM, As Last Regular Meeting Of December; Receive Proposed Meeting Calendar For 2020; RESOLUTION 2019-288A ACCEPTING BID AND AUTHORIZING THE PURCHASE OF A 2020 CHEVY SILVERADO 2WD 3500HD FROM KARL CHEVROLET FOR THE PRICE OF \$59,991.64 AND A 2020 CHEVY SILVERADO 4WD 3500HD FROM KARL CHEVROLET FOR THE PRICE OF \$63,464.20 FOR USE IN THE STREET DEPARTMENT; RESOLUTION 2019-288B DECLARING CERTAIN PROPERTY SURPLUS PROPERTY AND AUTHORIZING SALE AND DISPOSAL THEREOF, 2000 CHEVY 4 X 4 PICKUP TRUCK AND A 2011 FORD F250 SD; RESOLUTION 2019-289 APPROVING CONTRACT CHANGE; ORDER #3 FOR THE SOUTH 4TH AVENUE PROJECT #STR19001 AN INCREASE OF \$1,221.70; RESOLUTION 2019-290 APPROVING ENGINEER'S STATEMENT OF COMPLETION AND ACCEPTING THE SOUTH 4TH AVENUE PROJECT, WITH A FINAL PROJECT COST IN THE AMOUNT OF \$141,562.70; Liquor License Renewals (December): Plaza Mexico 903 W Lincoln Way, B.P.O.E. Lodge #312 101 W. Church St., second by Isom. Motion carried 6-0.

REPORTS

Neil Dalal thanked the council for the city's partnership with the installation of public safety cameras in the 13th Street District.

RESOLUTIONS:

Wirin moved to adopt RESOLUTION 2019-291 ENDORSING COMMUNITY CATALYST BUILDING REMEDIATION GRANT APPLICATIONS FOR 105 WEST MAIN STREET (\$75k), 4 EAST MAIN STREET (\$250k), 201 EAST MAIN (\$75k) AND 107 NORTH CENTER STREET (\$250k), second by Isom. The catalyst agreements are pending state review. Resolution adopted 6-0.

Wirin moved to adopt RESOLUTION 2019-292 AUTHORIZING THE CITY TO SUBMIT AN US ENVIRONMENTAL PROTECTION AGENCY (EPA) BROWNFIELDS ASSESSMENT GRANT, second by Cahill. The \$300k grant is split into two parts, with \$200k for hazardous materials and \$100k for petroleum. The grant will focus on areas identified in the Highway 14 improvement, the Downtown Study Plan and include two Opportunity Zone census tracts. There is no city match required for the grant, and if awarded, preliminary work will be begin late summer 2020. Resolution adopted 6-0.

Isom moved to adopt RESOLUTION 2019-293 SETTING DATE FOR PUBLIC HEARING ON AN AGREEMENT FOR ECONOMIC DEVELOPMENT CONSULTING SERVICES WITH THE MARSHALLTOWN AREA CHAMBER OF COMMERCE, INCLUDING ECONOMIC DEVELOPMENT PAYMENTS IN AN AMOUNT NOT TO EXCEED \$250,000, second by Wirin. Council authority for the payment is required even though a five-year agreement is in place, for annual appropriation of \$50k for each of five years. The hearing is scheduled for November 25, with an agreement to be considered following the public hearing. Resolution adopted 6-0.

Isom moved to adopt RESOLUTION 2019-294 AWARDING LANSING BROTHERS CONSTRUCTION THE BID FOR THE ASBESTOS ABATEMENT AND DEMOLITION OF TWO

TORNADO-DAMAGED PROPERTIES, second by Wirin. Bids were let with two property demolition contracts requiring council approval, for 103 N 3rd Avenue, and 105 N 6th Street. A third demolition, for 310 Bromley Street, did not require council approval, will be contracted with Lanphier Excavating. Staff recommended approval. Weather permitting, work will be completed by December 31, 2019, with possible extension through March 11, 2020. Resolution adopted 6-0.

Martin moved to adopt RESOLUTION 2019-295 APPROVING THE MARSHALLTOWN MUNICIPAL AIRPORT STATE GENERAL AVIATION VERTICAL INFRASTRUCTURE PROGRAM (GAVI) GRANT ASSISTANCE APPLICATION, second by Isom. Resolution adopted 6-0.

Wirin moved to adopt RESOLUTION 2019-296 APPROVING PRIVATE PLACEMENT ENGAGEMENT LETTER WITH PIPER JAFFRAY & CO. NOT TO EXCEED \$52,000 AND APPROVING THE DISTRIBUTION OF TERM SHEET, second by Isom. Resolution adopted 6-0.

Isom moved to adopt the following change order Resolutions: RESOLUTION 2019-297 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#5-1 STEEL FOR CENTRAL WESTERN FABRICATORS AN INCREASE OF \$1,901.43; RESOLUTION 2019-298 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#6-1 GENERAL SUPPLIES FOR GARLING CONSTRUCTION AN INCREASE OF \$16,169.56; RESOLUTION 2019-299 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 \$2,719.50; second by Lamer. Resolutions adopted 6-0.

ORDINANCES:

Isom moved to remove from the 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 Wirin. Motion carried 6-0.

Wirin moved to adopt 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. Residents from the Edgeland Street area were present, 817 N 5th Avenue, 902 N 5th Avenue, and spoke against changing of the residential character of the area. Second reading adopted 4-2, with Lamer and Cahill dissenting. The public hearing is scheduled for November 25, 2019.

Gowdy moved to adopt the second 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 Cahill. These parcels are located south of Southridge Road, west of 12th Avenue. Plan Zoning Commission recommended no change to the area. Wirin and Cahill agreed the lots have more resale value zoned as R-2A. Second reading failed 3-3, with Isom, Wirin and Cahill dissenting.

Isom moved to adopt the first reading of ORDINANCE 14991 TO AMEND THE 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 by Martin. This ordinance does not require a public hearing. The Seventh Adventist Church requested an additional handicap space in front of their building. First reading adopted 6-0.

DISCUSSION:

Lamer moved to direct staff to prepare for a public auction, without a time limit, for the sale of 109 S 1st Avenue, the building last used by the Fire Department as a fire station, second by Isom. Staff presented two options for sale, a traditional sale, with bids for the real estate potentially taking into account the city reuse of the boiler and generator if the building is to be demolished, and an RFP for use, as the building is

located in an Urban Renewal Area. Kinser recommended using an realtor for the auction services by soliciting a RFP for service. Motion carried 6-0.

Police Chief Tupper asked the council to consider a Police Department Residency policy change, citing employee recruitment and retention is a challenge as Marshalltown competes with other urban cities for applicants. Tupper recommended removing the 30-minute requirement for all police staff with the Police Chief living within city limits. Cahill directed staff to prepare a resolution as discussed, removing residential requirements for police staff except for the Chief, second by Wirin. Motion carried 6-0.

Fire Deputy Chris Cross asked the council to revise the Fire Department Residency policy to allow 30 minute drive time for line staff, with the Fire Chief to live within city limits. Lamer directed staff to prepare a resolution as discussed for fire staff, second by Cahill. Motion carried 6-0.

PUBLIC COMMENT:

Leigh Bauder, 404 Orchard Drive, commented on the sale of public buildings.

ADJOURNMENT:

Meeting Adjourned at 6:32 PM

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

Joel T.S. Greer, Mayor

Shari L. Coughenour, CMC, City Clerk

State of Iowa
Abstract of Votes

Marshall County, Iowa

We, the undersigned members of the County Board of Canvassers, hereby certify the following to be a true and correct abstract of the votes cast in this county, at the 2019 City-School Election held on Tuesday, November 05, 2019, as shown by the tally lists returned from the several election precincts.

City of Marshalltown - City Council At-Large

Gary Thompson	Received One Thousand One Hundred and Seventy-Three (1,173) votes
Dex Walker	Received One Thousand and Fifty-Nine (1,059) votes
Bruce McConnell	Received Two Hundred and Eighty (280) votes
Scattering	Received Twenty-Four (24) votes
Mark Eaton	Received Twenty-Six (26) votes
Total	Two Thousand Five Hundred and Sixty-Two (2,562) votes

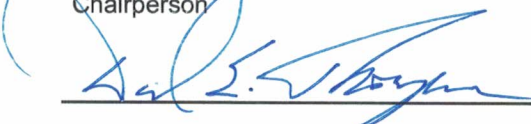
We therefore declare :

Gary Thompson to be duly nominated for the office of City of Marshalltown - City Council At-Large.

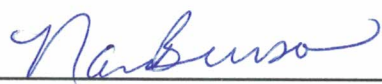
IN TESTIMONY WHEREOF, we have hereunto set our hands and caused to be affixed the seal of this county by the Clerk of the Board of Supervisors at Marshalltown, the county seat of Marshall County, this Tuesday, November 12, 2019.

(Seal)


Chairperson







Attest: County Auditor and Clerk of the Board of Supervisors

Members of
the Board
of
Supervisors
and ex-
officio
County
Board of
Canvassers

State of Iowa
Abstract of Votes

Marshall County, Iowa

We, the undersigned members of the County Board of Canvassers, hereby certify the following to be a true and correct abstract of the votes cast in this county, at the 2019 City-School Election held on Tuesday, November 05, 2019, as shown by the tally lists returned from the several election precincts.

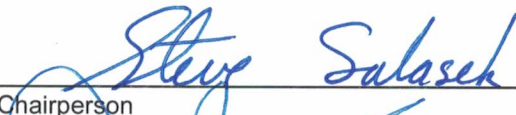
City of Marshalltown - City Council Ward 4

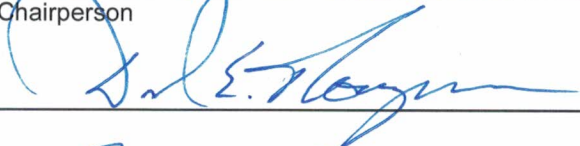
Al Hoop	Received Five Hundred and Forty-Seven (547) votes
Scattering	Received Thirty-Six (36) votes
Mark Eaton	Received One Hundred and Sixteen (116) votes
Total	Six Hundred and Ninety-Nine (699) votes

We therefore declare :

Al Hoop to be duly nominated for the office of City of Marshalltown - City Council Ward 4.

IN TESTIMONY WHEREOF, we have hereunto set our hands and caused to be affixed the seal of this county by the Clerk of the Board of Supervisors at Marshalltown, the county seat of Marshall County, this Tuesday, November 12, 2019.


Chairperson





(Seal)

Members of
the Board
of
Supervisors
and ex-
officio
County
Board of
Canvassers


Attest: County Auditor and Clerk of the Board of Supervisors

State of Iowa
Abstract of Votes

Marshall County, Iowa

We, the undersigned members of the County Board of Canvassers, hereby certify the following to be a true and correct abstract of the votes cast in this county, at the 2019 City-School Election held on Tuesday, November 05, 2019, as shown by the tally lists returned from the several election precincts.

City of Marshalltown - City Council Ward 2

Tyler Johnson	Received Two Hundred and Fifty-Two (252) votes
Gabriel Isom	Received Three Hundred and Ninety-Nine (399) votes
Scattering	Received Four (4) votes
Total	Six Hundred and Fifty-Five (655) votes

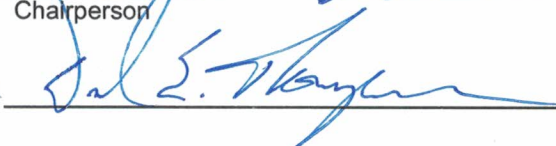
We therefore declare :

Gabriel Isom to be duly nominated for the office of City of Marshalltown - City Council Ward 2.

IN TESTIMONY WHEREOF, we have hereunto set our hands and caused to be affixed the seal of this county by the Clerk of the Board of Supervisors at Marshalltown, the county seat of Marshall County, this Tuesday, November 12, 2019.



Chairperson





(Seal)

Members of
the Board
of
Supervisors
and ex-
officio
County
Board of
Canvassers



Attest: County Auditor and Clerk of the Board of Supervisors



Jill Petermeier
Human Resource Director
24 North Center Street
Marshalltown, IA 50158
Tel (641) 754-5704 Fax (641) 844-1899
jpetermeier@marshalltown-ia.gov

To: Civil Service Commission

From: Jill Petermeier, Human Resource Director
Michelle Spohnheimer, Housing and Community Development Director

Re: Planner

After reviewing all applicants and their qualifications, the following persons were tested and considered to best meet the qualifications for the above listed position:

Caleb Knutson (262)
Laurel Stelter (169)

This list shall be valid for a period not to exceed November 20, 2020.

Date List Certified by Civil Service Commission:

November 20, 2019

A handwritten signature in blue ink, appearing to read "Mary Stevens", is written over a horizontal line.

Mary Stevens, Civil Service Commission Chair

Attest:

A handwritten signature in blue ink, appearing to read "Shari Coughenour", is written over a horizontal line.

Shari Coughenour, Clerk of the Commission

RESOLUTION ADOPTING THE 2020 IOWA FIRE SERVICE
HAZARDOUS MATERIALS RESPONSE FEE SCHEDULE

WHEREAS the City of Marshalltown bills for hazardous materials response; and

WHEREAS the City of Marshalltown uses the Iowa Fire Service Hazardous Materials response fee schedule; and

WHEREAS, the Iowa Fire Service Hazardous Materials response fee schedule has been revised for calendar year 2020; and

WHEREAS, the Council has found this agreement to be in the best interests of the City of Marshalltown, Iowa, and that same should now be approved and accepted.

THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, AS FOLLOWS:

Section 1. The City of Marshalltown, Iowa adopts the 2020 Iowa Fire Service Hazardous Materials response fee schedule.

Section 2. This Resolution is in full force and effect from and after its passage.

Passed this 25th day of November, 2019, and signed this 25th day of November, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

Iowa Fire Service
Annual Hazardous Materials Response Fee Structure
Calendar Year 2020

Category	Examples	Hourly Cost*
Heavy Response Apparatus with 4 personnel	Engine, ladder, heavy rescue, etc.	\$308.55
Light Response Apparatus with 2 personnel	Tanker, brush truck, ambulance, staff car, etc.	\$246.83
Extra Response Personnel		\$24.71
Expendable Materials	Foam, containment booms, sand, absorbent, etc.	Replacement cost, including shipping.
Equipment Repair and/or Cleaning	Personal protective equipment, hose, nozzles; apparatus, etc.	Cost (parts plus labor), including shipping.
Damaged Equipment and/or Property	May include injury to, destruction of, or loss of natural resources, etc.	Replacement and/or repair cost, including shipping.
Other	Contracted services, contracted equipment, evacuation of people, etc.	Billed as used.

*Minimum of one hour. Billed in 15-minutes increments beyond the first hour.

This fee structure will be updated in January of each year according to the CPI-U, US City Average, All Items, 12-month percentage change for the period ending in October of the preceding year. (Reference: <http://www.bls.gov/cpi/>)

References:

- Hazardous Materials Response Billing Protocol for Iowa Fire Departments, Authored by Iowa Firemen's Association and the Iowa Hazardous Materials Taskforce, December 2002.
- Iowa Code 455B.392

Supporting Fire Service Organizations:

- Iowa Firefighter's Association
- Iowa Fire Chief's Association
- Iowa Association of Professional Fire Chiefs
- Iowa Hazardous Materials Task Force



Joel Greer, Mayor
Jessica Kinser, Administrator
Justin Nickel, Public Works Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5760
Fax - (641) 754-5781

DEPARTMENT OF PUBLIC WORKS

November 19th, 2019

To: Mayor Joel Greer
Members of the City Council

From: Justin Nickel
Public Works Director

Re: Enter into an agreement with Uniti Fiber, LLC to allow them to utilize public right of way for the installation, operation, and maintenance of a communications network.

Policy Issue: City policy requires Governing Body approval of agreements.

Recommendation: Staff recommends the agreement between Uniti Fiber, LLC and the City of Marshalltown to utilize public right of way for the installation, operation, and maintenance of a communications network.

Background: The new agreement will replace the agreement the city had with McLeod USA Telecommunications Services, INC. as set forth by a resolution in February of 2000. McLeod USA is being purchased by Uniti Fiber, LLC and this agreement will take the place of the original McLeod agreement.

Budget Impact: This agreement will have no impact on the budget.

Attachment: Original Agreement with McLeod
Agreement w/Uniti Fiber, LLC

cc: Jessica Kinser, City Administrator

City Council
Susan Cahill, Leon Lamer, Mike Gowdy,
Al Hoop, Gabriel Isom, Bill Martin, Bethany Wirin



**AN AGREEMENT BETWEEN UNITI FIBER, LLC, AND THE CITY OF MARSHALLTOWN TO
UTILIZE PUBLIC RIGHT OF WAYS FOR THE INSTALLATION, OPERATION AND
MAINTENANCE OF A COMMUNICATIONS NETWORK**

Agreement entered this ____ day of _____ 20__, by and between the City of Marshalltown, Iowa (City), and Uniti Fiber, LLC (Uniti).

SECTION 1. DEFINITIONS

- a. "City" shall mean the City of Marshalltown, Iowa, and where appropriate, shall include its officers, employees and agents.
- b. "Public Improvements" shall mean any improvements on Public Property, including but not limited to paving, sidewalks, grass, vegetation, trees, street lights, traffic signals, water mains, sewers, electric transmission lines and equipment related thereto.
- c. "Public Property" shall mean City-owned property or City-controlled public rights-of-way, and easements and bridges.
- d. "Uniti" shall mean Uniti Fiber, LLC and all equipment owned, operated, leased, or subleased in connection with the operation of the Uniti fiber optic network, and shall include but is not limited to poles, wires, pipes, cables, underground conduits, ducts, manholes, vaults, fiber optic cables, and other structures or appurtenances.

SECTION 2. BASIC GRANT; FEES AND RESERVATION OF RIGHTS

- a. Uniti is hereby granted a license to construct, maintain, inspect, protect, repair, replace, and maintain a communications system in, under, upon, along, and across the Public Property in accordance with Section 3 hereunder, subject to the regulatory powers of the City and subject to the conditions hereinafter set forth.
- b. This Agreement and the rights conferred hereunder shall commence on the date Uniti provides notice to the City, in accordance with Section 15 of this Agreement, that it has begun operating the communications system (the "Effective Date"), and shall continue for such period of time as Uniti, or its successors and assigns, operates the system.
- c. Uniti shall pay to City an administrative license fee in the amount of Two-Hundred and Fifty Dollars (\$250.00), payable upon the Effective Date of this Agreement.
- d. If during the term of this Agreement the City enacts a right-of-way ordinance requiring compensation from telecommunications providers and collects right-of-way fees from all telecommunications providers on a competitively neutral and nondiscriminatory basis, then Uniti shall within sixty (60) days after request by City, pay the fees required by such Ordinance. Any fees paid during the term of this Agreement, however, shall be credited toward the fees required by such Ordinance.

**SECTION 3. INSTALLATION, REPAIR, EXTENSION
OR EXPANSION OF THE NETWORK**

Before commencing any extension or expansion of its system, or any repair work, or the installation of any new system in the City, Uniti shall file with the City a written statement verifying the Public Property under which or upon which it proposes to extend, expand, install, or repair its system. The City may require that the statement be accompanied by a map, plan, or specifications showing the proposed location of the system components with reference to streets and alleys, the size and dimensions of all facilities, and the distance above or beneath the surface of the ground where it is proposed that a repair or installation is to occur. If the proposed locations of any facilities shall interfere with the

reasonable and proper use, construction, reconstruction, and maintenance of any Public Improvements or any existing City owned public utility system component, or other structure upon or under Public Property, the City shall within a reasonable time after the filing of such plan, map, or specifications, note the changes necessary to eliminate all interference with a Public Improvement or existing City owned public utility system facility and refer the same back to Uniti for amendment. Such map, plan, or specifications, when properly changed and corrected, shall be filed with the City, and after the approval of the same by the City, a permit shall be issued authorizing Uniti to proceed in accordance with the approved maps, plans, or specifications. No such excavation, construction, or erection shall be commenced before the issuance of the permit herein provided for, unless it is an emergency as described in Section 5, and all work shall be in accordance with the approved maps plans or specifications.

SECTION 4. CONSTRUCTION AND REPAIR OF NETWORK

In the process of location, construction, reconstruction, replacement, or repair of any system component, the excavation or obstruction made or placed in Public Property at any time or for any purpose by Uniti shall, to protect the public and to assure the safe and efficient movement of traffic, be properly barricaded to comply, at a minimum, with requirements set forth in the Uniform Manual for Traffic Control. All pavement taken up or damaged shall be properly and speedily replaced in accordance with the City's Regulations. As a condition to use of Public Property, Uniti shall, at its own expense, repair or cause repair to any private property, public utility system component, Public Improvement, or Public Property damaged by such location, construction, reconstruction, replacement, or repair work. If Uniti fails to repair or arrange with the City for the proper repair of any Public Property after excavations have been made, and after thirty days' notice in writing to do so given to its designated representative, then the City may make such repairs at the expense of Uniti.

SECTION 5. EXCAVATIONS

Uniti is authorized to make excavations in City streets, avenues, alleys and public places for purposes of routine repair, replacement, and maintenance of poles, wires, or other system components associated with the Uniti network. In making such excavations, Uniti shall obtain a permit pursuant to City Ordinances and Regulations, shall not unnecessarily obstruct the use of streets, avenues, alleys, or public places, shall provide the City with 24 hours' notice prior to the actual commencement of the work, and shall comply with all provisions, requirements, and regulations in performing such work. In emergencies which require immediate excavation, Uniti may proceed with the work without first applying for or obtaining the permit, provided, however, that Uniti shall apply for and obtain the permit as soon as possible after commencing such emergency work.

Failure to Comply; Remedies. If Uniti fails to comply with the provisions of this Section, the City may repair or restore the Public Property to a condition as good as the condition of the property prior to the disturbance by Uniti. Uniti shall pay the costs of such repair or restoration. Uniti shall pay to the City its costs and charges for such work within sixty days after receipt of the City's billing.

SECTION 6. WORK BY OTHERS, ALTERATION TO CONFORM WITH PUBLIC IMPROVEMENTS

The City reserves the right to lay, and permit to be laid, wires, pipes, cables, conduits, ducts, manholes, and other appurtenances, and to do, or permit to be done, any underground and overhead installation or improvement that may be deemed necessary or proper by the City in, across, along, over, or under any Public Property occupied by Uniti, and to change any curb or sidewalk or the grade of any street. In permitting others to do such work, the City shall not be liable to Uniti for any damages arising out of the performance of such work by other parties. Nothing in this Agreement shall be construed as to relieve any other person or corporation from liability for damage to Uniti's facilities.

SECTION 7. UNITI CONTRACTORS

The requirements of this Agreement shall apply to all persons, firms, or corporations performing work for Uniti under a contract, subcontract, or other type of work order.

SECTION 8. CONDITIONS OF STREET OCCUPANCY

The fiber optic cable systems and other components of the facilities erected by Uniti within the City shall conform to established grades of streets, alleys, and sidewalks, and be so located as to cause minimum interference with other public utilities located in or upon Public Property, and to cause minimum interference with the rights or reasonable convenience of property owners who adjoin Public Property.

Uniti shall conduct its work hereunder in such manner as to cause as little interference as possible with pedestrian and vehicular traffic, and shall abide by scheduling directions, if any, given by the City.

Uniti shall, upon reasonable notice and at its sole cost and expense, remove, locate and relocate its facilities in, on, over, or under Public Property in such manner as the City may at any time require for the purpose of facilitating the construction, reconstruction, maintenance, repair, or change in grade of any Public Improvement on, in, or about any such Public Property, for the purpose of promoting the efficient operation of any such improvement, or for the purposes of facilitating the vacation and/or redevelopment of public right-of-way by the City. In the event Uniti fails to act within a reasonably allocated time, the City may cause Uniti facilities to be relocated, and the costs thereof shall be to Uniti and shall be paid as provided in Section 5 hereof.

Uniti shall not place its facilities in the Public Property where the same will interfere with the normal use or maintenance of any Public Improvement, including, but not limited to, streets, alleys, sidewalks, traffic control devices, sanitary sewers, storm sewers, storm drains or water mains, or electrical transmission lines, or any public utility facility.

Upon request, Uniti agrees to assist in locating underground facilities which are part of its system. Such assistance will be provided in a timely manner, but not more than forty-eight hours after the time of request. As a condition of this Agreement, Uniti shall enroll as a member of the "Iowa One-Call System" and shall respond to all requests and notifications placed to the toll free "One-Call" number.

Installation, repair, or replacement work completed by Uniti on any facilities requiring excavation of Public Property or public right-of-way shall require restoration and replacement of surface vegetation in conformance with City ordinances and in accordance with standard local practices.

SECTION 9. POWERS OF CITY

Nothing in this Agreement shall be construed to abridge the right or power of the City to make further regulations relative to the use of the streets, alleys, and public grounds by anyone using the same for the erection and maintenance of utility systems.

SECTION 10. PLANS AND COORDINATION

Upon completion of the work, Uniti shall promptly furnish to the City copies of "as-built" plans related to its facilities located on Public Property.

Uniti shall keep complete and accurate maps and records on the locations and operations of its facilities in connection with this Agreement.

SECTION 11. VIOLATIONS OF AGREEMENT

Upon evidence being received by the City that a violation or breach of this Agreement or codes or

ordinances lawfully regulating Uniti in the operation of its facilities, or in the use of Public Property therefore, is occurring, or has occurred, (hereinafter referred to as a "default") the City shall cause an investigation to be made. If the City finds that a default exists or has occurred, the City may take appropriate steps to secure compliance with the terms of this Agreement or the codes or ordinances.

The City shall notify Uniti of the default and Uniti shall cure such default within thirty days after receipt of such notice. However, if it is determined that an emergency exists by reason of such default, the City by itself or through a contractor may perform without prior notice any action which may be required under this Agreement. Notice shall be given Uniti as soon as practicable.

If Uniti fails to cure a default within the time allowed or in an emergency condition, the City shall have the right to:

- (i) seek specific performance; or
- (ii) remedy the default by doing the act itself, or through a contractor, and charge the costs of such work to Uniti; or
- (iii) seek damages for such default; or
- (iv) any combination of (i), (ii) and (iii).

SECTION 12. LIABILITY, INDEMNIFICATION AND INSURANCE

Uniti covenants to indemnify, defend, and save the City and its officers, agents, and employees harmless from any and all damages arising directly from the exercise of the rights granted herein. Uniti agrees to require contractors and subcontractors engaged in work for Uniti within the public rights-of-way or on Public Property to maintain in effect during the term of work liability insurance in comprehensive form and in the minimum sum and extent of one million dollars (\$1,000,000) for any one accident resulting in injury to or death of one or more persons, to the sum and extent of five-hundred thousand dollars (\$500,000) for damage resulting in a single case to public or private property.

SECTION 13. ASSIGNMENT

Neither party shall assign or otherwise transfer this Agreement or any of its rights and interest to any firm, corporation, or individual without the prior written consent of the other party, except either party shall have the right to assign, convey, or otherwise transfer its rights, title, interest, and obligations under this Agreement, in whole or in part, to any entity controlled by, controlling, or under common control with a party hereto, or any entity into which a party may be merged or consolidated or which purchases all or substantially all of the assets of such party.

SECTION 14. VACATION OF STREETS AND ALLEYS

So long as Uniti exercises the rights granted to it hereunder, the City will not, by ordinance or otherwise, vacate any street, alley, or public way in which Uniti has installed its facilities without reserving such rights as necessary to allow continued use of such property for the said facilities in accordance with the terms of this Agreement, provided that nothing herein shall limit the City's right to require Uniti to relocate its facilities as provided in Section 8 hereof.

SECTION 15. DELIVERY OF NOTICES

Except as may be expressly provide herein, any notices hereunder shall be in writing and shall be delivered via certified mail and, addressed as follows, unless indicated otherwise in the future:

If to City: City Clerk
City of Marshalltown
24 N. Center St.
Marshalltown, LA 50158

If to Uniti: Uniti Fiber, LLC
Attn: Allison W. Taylor, Vice President, Operations
10802 Executive Center Drive
Benton Building Suite 300
Little Rock, AR 72211
Phone: 501-850-0850

With a copy to: Robert P. Williams, Esquire
Outside Counsel
600 Peachtree Street, NE
Suite 3000
Atlanta, GA 30308
Phone: 404-885-3438
Fax: 404-885-3900
Email: robert.williams@troutman.com

provided, however, that in the case of an emergency, notices may be given verbally to the above-named persons. In such case, written confirmation should be provided. Nothing contained herein shall prevent other forms of notice if actually received by the addressee. Notice shall be deemed given on date of mailing in lieu of certified mail, or otherwise on the date actual notice is received.

SECTION 16. 1996 TELECOMMUNICATIONS ACT

This Agreement is subject to all applicable federal, state, and local laws, regulations, and orders of governmental agencies as amended, including, but not limited to, the Communications Act of 1934, as amended by the Telecommunication Act of 1996, Pub. L. No. 104-104 § 101(a), 110 Stat. 70 codified at 47 U.S.C., and all orders, rules, tariffs, and regulations issued by the Federal Communications Commission or the governing State authority pursuant thereto, as well as all other applicable State, Federal, or local law ("Law").

If during the term of this Agreement the City enacts an ordinance regulating the use of rights of way in the City requiring compensation and collects right-of-way fees from all telecommunications providers on a competitively neutral and nondiscriminatory basis, then Uniti shall within sixty (60) days after request by City, pay the fees required by such ordinance. Any provision of such Ordinance which may conflict or violate the Law shall be invalid and unenforceable even if such ruling, interpretation, or regulation is enacted subsequent to the execution of this Agreement, it being the intention of both the City and Uniti to preserve any rights or remedies at Law; however, the execution of this Agreement is not a waiver of any rights or obligations under the Law.

SECTION 17. SEVERABILITY

The provisions of this Agreement are severable, and if any provision of this Agreement is found invalid, unenforceable, unconstitutional, or inapplicable by a court or agency of competent jurisdiction, such invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Agreement.

THIS AGREEMENT is entered into as of the ____ day of _____, 20__.

UNITI

By: Allison W. Taylor
Title: SVP, Operations

CITY OF MARSHALLTOWN, IA

By: _____

Title: _____

ATTEST:

By: _____

Title: _____

Troutman Sanders LLP
600 Peachtree Street NE, Suite 3000
Atlanta, GA 30308-2216

troutman.com



Melissa Horne
melissa.horne@troutman.com

November 14, 2019

VIA FEDEX

Brad Bateman
City of Marshalltown
Engineering Department
24 North Center Street
Marshalltown, IA 50158

Re: Uniti Fiber LLC Right of Way Agreement

Dear Brad:

Attached to this letter please find a partially executed copy of the Right of Way Agreement between Uniti Fiber, LLC (Uniti) and the City of Marshalltown. Thank you for including this on the city council's agenda for its meeting on November 25th. Presuming the council approves the agreement, please have the appropriate City representative sign the Agreement, and upon execution, please send me a copy.

Thank you so much for your assistance with this matter, Brad.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Melissa".

Melissa Horne

Attachment: Right of Way Agreement

2019-

RESOLUTION 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

WHEREAS, there is herewith submitted to the City Council of Marshalltown, Iowa, an agreement by and between the CITY OF MARSHALLTOWN, IOWA, and UNITI FIBER, LLC. TO UTILIZE CERTAIN PUBLIC RIGHT OF WAYS FOR THE INSTALLATION, OPERATION, AND MAINTENANCE OF A COMMUNICATIONS NETWORK.

WHEREAS, the Council has fully examined same and has found same to be in the best interests of the CITY OF MARSHALLTOWN, IOWA and that same should now be approved and accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MARSHALLTOWN, IOWA:

Section 1. That the agreement by and between the City of Marshalltown, Iowa, and the UNITI FIBER, LLC, is hereby fully approved in all respects and particulars and the Mayor and City Clerk are hereby authorized and directed to execute same for and on behalf of said City

Section 2. The Mayor and City Clerk are hereby authorized and directed to execute said Agreement on behalf of the City of Marshalltown.

Passed on this 25TH day of NOVEMBER, 2019, and signed on this ____day of NOVEMBER, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

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

WHEREAS, there is herewith submitted to the City Council of Marshalltown, Iowa, a proposed annual update of the Marshalltown Municipal Airport Five-Year Capital Improvement Program and Federal Funding Application.

. WHEREAS, the Council has fully examined same and has found same to be in the best interests of the City of Marshalltown, Iowa and that same should now be approved and accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MARSHALLTOWN,
IOWA:

Section 1. That the Five Year Capital Improvement Program and Federal Funding Application is hereby fully approved in all respects and particulars and the Mayor and City Clerk are hereby authorized and directed to execute same for and on behalf of said City.

Passed this 25th day of November, 2019, and signed this _____ day of November, 2019.

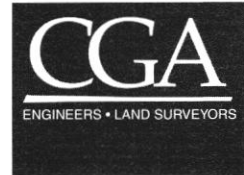
CITY OF MARSHALLTOWN

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



November 14, 2019

Mr. Justin Nickel
Public Works Director
City of Marshalltown
24 North Center Street
Marshalltown, IA 50158

RE: Airport Capital Improvement Plan
FAA Federal AIP FFY21 Pre-application
Marshalltown Municipal Airport
CGA PN 4046.02

Dear Justin:

Enclosed are three copies of the FAA Federal Airport Improvement Program (AIP) FFY 2021 CIP and application package. Please sign the Five-Year CIP on page 3 of each copy of the application package. Also please sign the CIP Data Sheet and Program Narrative on page 5 and page 8 of each copy of the application package.

Please return to me one signed copy of the FAA AIP FFY 21 CIP application package for further distribution and keep the other copies for your records. The applications are due to the FAA by December 20, 2019.

Sincerely,

CLAPSADDLE-GARBER ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "J. P. Roenfeldt", is positioned above the printed name of the sender.

Joseph P. Roenfeldt, P.E.
Project Manager

Enclosures

**FEDERAL AIRPORT IMPROVEMENT PROGRAM (AIP)
PREAPPLICATION FEDERAL FISCAL YEAR 2021
CHECKLIST**

Please attach the following documents with your application.

- ☒ Sponsor Identification Sheet for the Airport
- ☒ Capital Improvement Program (CIP) Data Sheet (one for each project listed in the first three years of the CIP) and detailed cost estimate for each data sheet
- ☒ Five-Year CIP
- ☒ Long-Range Needs Assessment
- ☒ Verification of an updated airport layout plan (ALP) (when applying for new construction of buildings or airfield expansion)
- ☒ Verification of completed environmental processing in accordance with National Environmental Policy Act of 1969
- ☐ Verification of completed land acquisition or signed purchase agreement
- ☐ Verification of pavement maintenance program (when applying for pavement preservation or reconstruction)
- ☐ If requesting federal assistance for snow removal equipment, please include an inventory of the existing equipment and calculations based on Chapters 4 and 5 of the Airport Winter Safety and Operations Advisory Circular (AC) 150/5200-30 and the Airport Snow and Ice Control Equipment AC 150/5220-20 showing the minimum equipment needed, along with the Airport Capital Improvement Plan (ACIP) Data Sheet, include a copy of a completed Federal Aviation Administration's snow removal equipment spreadsheet.
- ☐ If requesting federal assistance for general aviation apron expansion, include a copy of a completed FAA apron design spreadsheet.
- ☐ If requesting pavement reconstruction, submit an engineering report showing the need for the reconstruction as part of the CIP justification.
- ☐ For revenue-producing facilities (i.e., fueling facilities and hangars), please submit:
 - 1) A statement that airside development needs are met or include a financial plan to fund airside needs over the next three years.
 - 2) A statement that runway approach surfaces are clear of obstructions (the FAA Airport 5010 should show at least a 20:1 clear approach).
 - 3) Justification for the project.
- ☒ System for Award Management (SAM) registration is up to date (www.sam.gov)

Please e-mail this form with supporting documents identified in the checklist to shane.wright@iowadot.us.

Attn.: Program Manager
Aviation Bureau
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

E-mail: shane.wright@iowadot.us
FAX: 515-233-7983
Phone: 515-239-1048

AIRPORT SPONSOR IDENTIFICATION SHEET

***** PLEASE ONLY SUBMIT IT YOU HAVE CHANGES FROM PREVIOUS YEAR. *****

Airport Name: Marshalltown Municipal

Airport ponsor(s) Name: City of Marshalltown, Iowa

Contact Person: Justin Nickel

Title: Public Works Director

Email Address: jnickel@marshalltown-ia.gov

Physical Mailing Address: 24 North Center Street

P.O. Box (if applicable): _____

City: Marshalltown

State: IA

ZIP Code: 50158-4912

Phone: (641) 754-5734

U.S. Congressional District Number: IA-1

Tax Identification Number: 42-6004934

Dun and Bradstreet Number (DUNS): 075852293

You **must** have a current System for Award Management (SAM) registration to receive a grant.
Register at: <https://www.sam.gov>.

Please email (PDF) your completed preapplication, Capital Improvement Program (CIP), long-range needs assessment, signed CIP data sheets, and all supporting documents to your state agency and Federal Aviation Administration planner at jeff.deitering@faa.gov.

**FIVE-YEAR AIRPORT
CAPITAL IMPROVEMENT PROGRAM (CIP)**
Attach additional sheets if necessary.

Airport name, LOCID, city, state Marshalltown Municipal, MIW, Marshalltown, Iowa

Prepared by Clapsaddle Garber Associates

Sponsor's email jnickel@marshalltown-ia.gov

Date prepared 11-14-19

Sponsor's signature _____

Sponsor's phone (641) 754-5434

Printed name Justin Nickel

FY	Detailed project/scope description	Funding source	Total estimated cost
2023	Pavement Rehabilitation - Runway 18/36	Federal \$	1,170,000
		State \$	0
		Local \$	130,000
		Total \$	1,300,000
2023	Pavement Rehabilitation - Taxiways	Federal \$	1,710,000
		State \$	0
		Local \$	190,000
		Total \$	1,900,000
2025	Pavement Rehabilitation - Runway 13/31	Federal \$	3,510,000
		State \$	
		Local \$	390,000
		Total \$	3,900,000
		Federal \$	0
		State \$	0
		Local \$	0
		Total \$	0
		Federal \$	
		State \$	0
		Local \$	
		Total \$	0

LONG-RANGE NEEDS ASSESSMENT YEARS SIX TO 20

Attach additional sheets if necessary.

Airport name Marshalltown Municipal

Estimated FY	Description of project	Funding source	Total estimated cost
	Extend Runway 13/31 including Land Acquisition, Grading, Design, Construction and Taxiway Improvements	Federal	\$ 7,357,500
		State	\$
		Local	\$ 817,500
		Total	\$ 8,175,000
		Federal	\$
		State	\$
		Local	\$
		Total	\$
		Federal	\$
		State	\$
		Local	\$
		Total	\$
		Federal	\$ 0
		State	\$
		Local	\$
		Total	\$ 0
		Federal	\$
		State	\$
		Local	\$
		Total	\$
		Federal	\$
		State	\$
		Local	\$
		Total	\$

FEDERAL AVIATION ADMINISTRATION

CIP DATA SHEET

CAPITAL IMPROVEMENT PROGRAM (CIP)

AIRPORTS DIVISION - CENTRAL REGION

SEE INSTRUCTIONS TO COMPLETE THIS INFORMATION

Airport Name, LOCID, City, State:	Marshalltown Municipal, MIW, Marshalltown, Iowa		
AIP Project Type:	Pavement Rehabilitation – Runway 18/36		
Local Priority:	1 - Very High	Federal Share:	\$1,170,000
FFY Requested:	FFY 2023	State Share:	\$0
Provide Detailed Project Scope and Justification Below. You must attach a sketch/drawing that clearly identifies the scope of the project.	Local Share:		\$130,000
	Total Project Cost:		\$1,300,000

Project Description: (include dimensions, PCI scores)

This project is for the design and construction to rehabilitate Runway 18-36. Runway 18-36 shows a need for rehabilitation with 2018 PCI scores of 50 to 62. The runway is showing deteriorated patches, cracking and oxidation. There has been no major rehabilitation done on Runway 18-36 since 1997. Partial depth patches were last performed in 2011 and Runway End 18 received partial depth patches in 2017. This project would include full depth patches, crack sealing and an HMA overlay.

Justification:

This project is justified based on the 2018 PCI scores and the observed condition of the runway. The runway was originally constructed in 1969, and the overlay in 1997 is the only major rehabilitation performed on the runway.

ALP Date: 11/29/2010

NEPA Categorical Exclusion or Date of FAA determination: Order 1050.1F paragraph 5-6.4.e Rehabilitating existing runway

Pavement Program: PCI was done in 2018 as part of the Iowa DOT pavement maintenance program. The airport does routine inspections and has performed routine maintenance.

Approaches are clear according the 150/5300-13 Airport Design and Order 8260.3 TERPS. Approaches are clear.

FAA equipment impacted by project: None

Land ownership: The current Exhibit A dated 7/3/2014 shows that land impacted by the project is controlled by the sponsor.

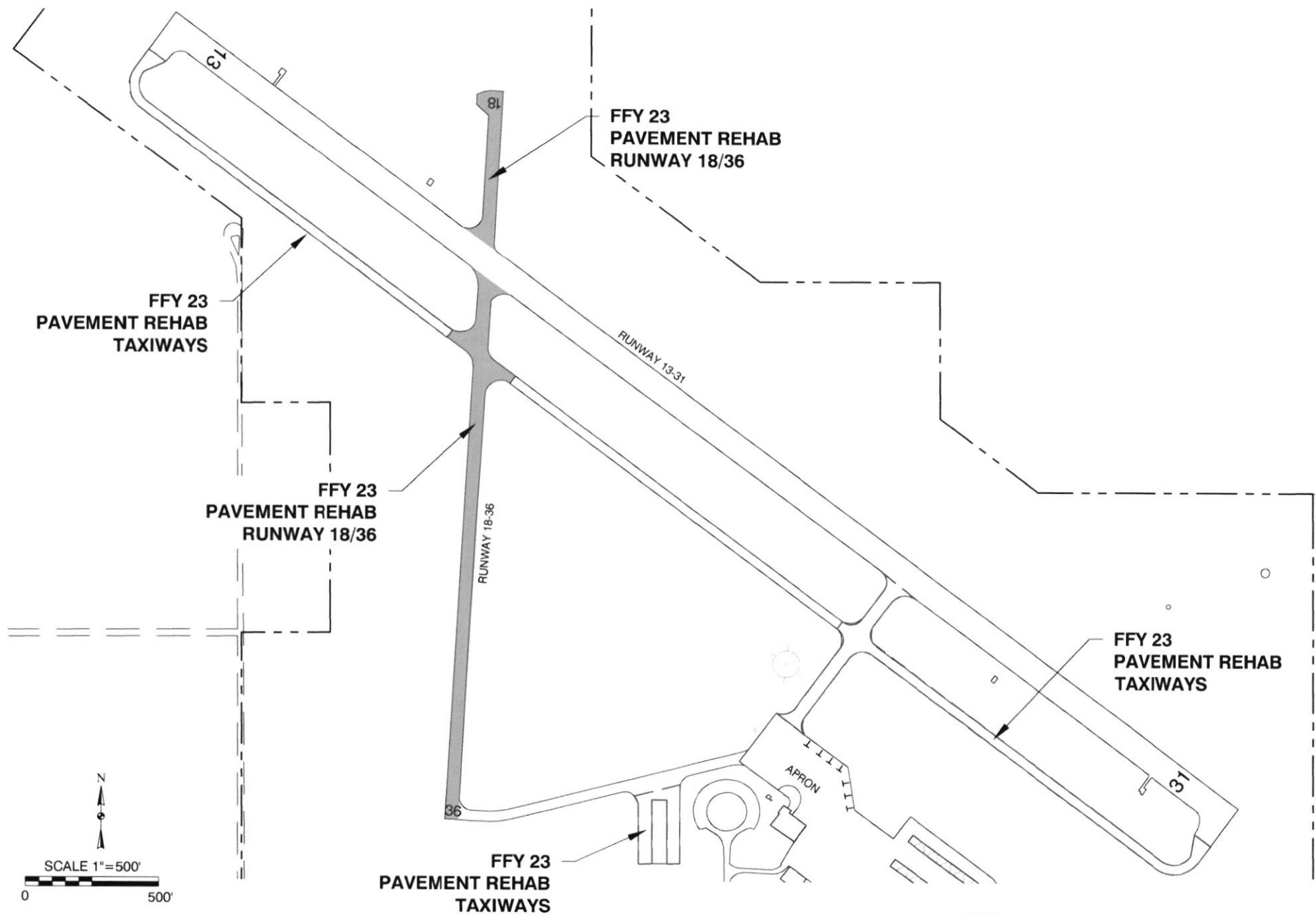
SPONSOR SIGNATURE BLOCK

Signature:		Date:	11/25/2019
Printed Name:	Justin Nickel	Title:	Public Works Director
Phone Number:	641-754-5734	Email:	jnickel@marshalltown-ia.gov

Five Year Capital Improvement Program
Marshalltown Municipal Airport
 Opinion of Probable Costs

HMA Pavement Rehabilitaiton - Runway 18/36
 FFY 2023 - Federal Fiscal Year Starting October 1, 2022

<i>Item No.</i>	<i>Description</i>	<i>Quantity</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total Cost</i>
1.	Traffic Control, Safety Plan and Mobilization	1	LS	\$93,000.00	\$93,000.00
2.	Pavement Milling:	17,500	SY	\$5.00	\$87,500.00
3.	Fill and Patch Cracks:	1	LS	\$100,000.00	\$100,000.00
4.	Partial Depth HMA Patching	800	SY	\$125.00	\$100,000.00
5.	3" HMA Overlay:	3,600	TN	\$165.00	\$594,000.00
6.	Pavement Marking:	5,000	SF	\$1.50	\$7,500.00
7.	Miscellaneous Construction		15%		\$148,000.00
8.	Legal, Administration, & Engineering		15%		\$170,000.00
TOTAL - HMA PAVEMENT REHABILITATION - RUNWAY 18/36					\$1,300,000.00
FAA Share @ 90%					\$1,170,000.00
Local Share @ 10%					\$130,000.00



Clapsaddle-Garber Associates, Inc
 16 East Main Street
 Marshalltown, Iowa 50158
 Ph 641-752-6701
www.cgaconsultants.com

FFY 23
 PAVEMENT REHABILITATION - RUNWAY 18/36
 PROJECT EXHIBIT
 MARSHALLTOWN MUNICIPAL AIRPORT

FEDERAL AVIATION ADMINISTRATION

CIP DATA SHEET

CAPITAL IMPROVEMENT PROGRAM (CIP)

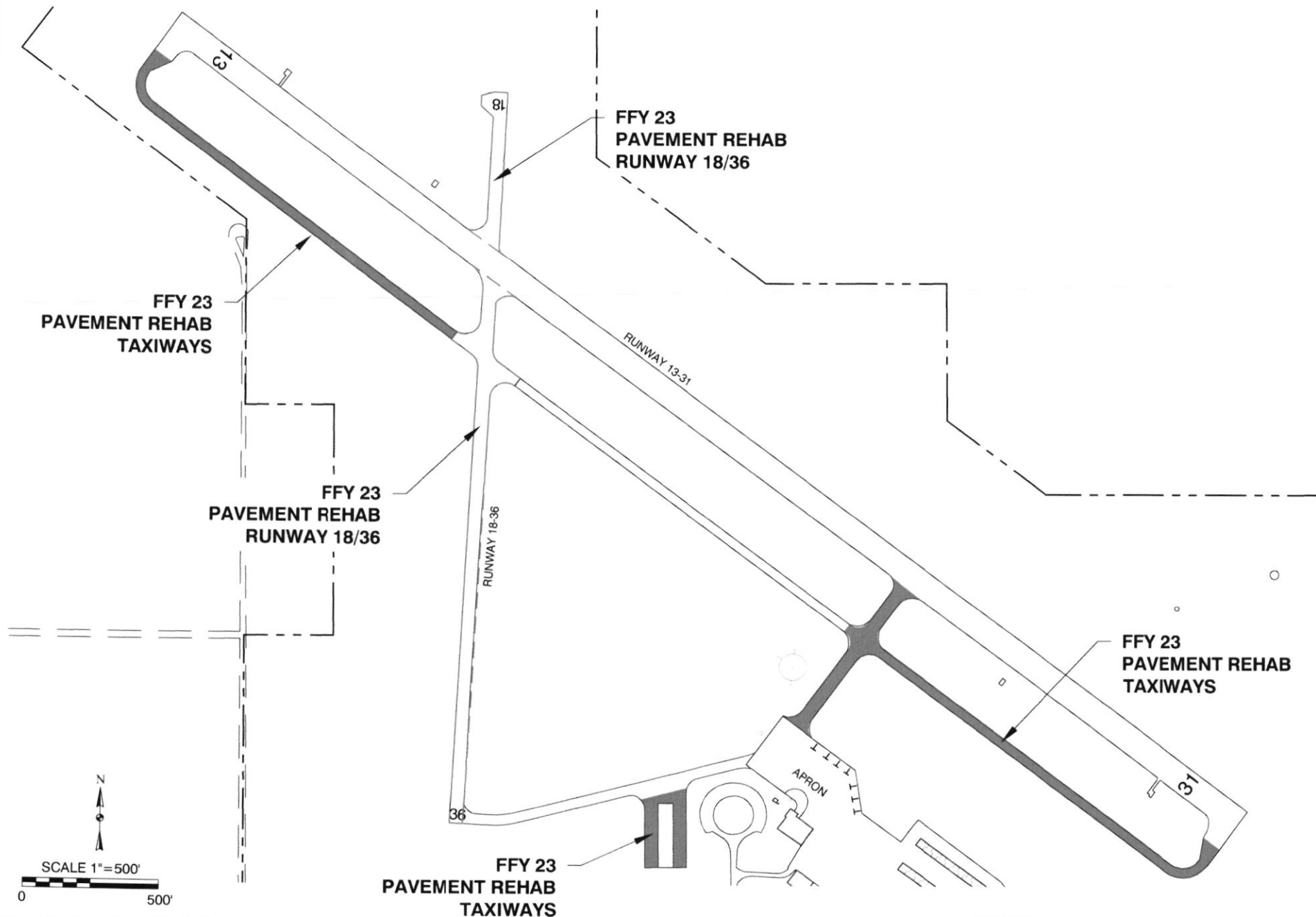
AIRPORTS DIVISION - CENTRAL REGION

SEE INSTRUCTIONS TO COMPLETE THIS INFORMATION			
Airport Name, LOCID, City, State:	Marshalltown Municipal, MIW, Marshalltown, Iowa		
AIP Project Type:	Pavement Rehabilitation – Taxiways		
Local Priority:	1 - Very High	Federal Share:	\$1,710,000
FFY Requested:	FFY 2023	State Share:	\$0
Provide Detailed Project Scope and Justification Below. You must attach a sketch/drawing that clearly identifies the scope of the project.		Local Share:	\$190,000
		Total Project Cost:	\$1,900,000
Project Description: (include dimensions, PCI scores) This project is for the design and construction to rehabilitate taxiways. The taxiways show a need for rehabilitation with 2018 PCI scores ranging from 29 to 69. The taxiways are showing deteriorated patches, cracking and oxidation. The apron taxiway connector (PCI 59) has received previous overlays. The parallel taxiway (PCI49-69) has only seen minor patching. The T-hangar taxiways (PCI 29) has never been rehabilitated. This project would include full depth patches, crack sealing and an HMA overlay. Justification: This project is justified based on the 2018 PCI scores and the observed conditions of the taxiways. The taxiway connector from the Apron to Runway 13-31 was originally constructed in 1963, the North and South ends of the parallel taxiway were originally constructed in 1994 and the T-hangar taxiways were constructed in 1979. Only the taxiway connector has received major rehabilitation occurring in 1979 and 2005. ALP Date: 11/29/2010 NEPA Categorical Exclusion or Date of FAA determination: Order 1050.1F paragraph 5-6.4.e Rehabilitating existing runway Pavement Program: PCI was done in 2018 as part of the Iowa DOT pavement maintenance program. The airport does routine inspections and has performed routine maintenance. Approaches are clear according the 150/5300-13 Airport Design and Order 8260.3 TERPS. Approaches are clear. FAA equipment impacted by project: None Land ownership: The current Exhibit A dated 7/3/2014 shows that land impacted by the project is controlled by the sponsor.			
SPONSOR SIGNATURE BLOCK			
Signature:		Date:	11/25/2019
Printed Name:	Justin Nickel	Title:	Public Works Director
Phone Number:	641-754-5734	Email:	jnickel@marshalltown-ia.gov

Five Year Capital Improvement Program
Marshalltown Municipal Airport
Opinion of Probable Costs

HMA Pavement Rehabilitation - Taxiways
FFY 2023- Federal Fiscal Year Starting October 1, 2022

<i>Item No.</i>	<i>Description</i>	<i>Quantity</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total Cost</i>
1.	Traffic Control, Safety Plan and Mobilization	1	LS	\$149,000.00	\$149,000.00
2.	Pavement Milling:				
	a. Partial Parallel Taxiway to Runway End 31	7,000	SY	\$5.00	\$35,000.00
	b. Partial Parallel Taxiway to Runway End 13	7,000	SY	\$5.00	\$35,000.00
	c. Connecting Taxiway to Runway 13/31	5,000	SY	\$5.00	\$25,000.00
	d. West Hangar Area	3,600	SY	\$5.00	\$18,000.00
3.	Fill and Patch Cracks:				
	a. Partial Parallel Taxiway to Runway End 31	1	LS	\$70,000.00	\$70,000.00
	b. Partial Parallel Taxiway to Runway End 13	1	LS	\$70,000.00	\$70,000.00
	c. Connecting Taxiway to Runway 13/31	1	LS	\$30,000.00	\$30,000.00
	d. West Hangar Area	1	LS	\$20,000.00	\$20,000.00
4.	Partial Depth HMA Patching				
	a. Partial Parallel Taxiway to Runway End 31	420	SY	\$125.00	\$52,500.00
	b. Partial Parallel Taxiway to Runway End 13	420	SY	\$125.00	\$52,500.00
	c. Connecting Taxiway to Runway 13/31	300	SY	\$125.00	\$37,500.00
	d. West Hangar Area	220	SY	\$125.00	\$27,500.00
5.	3" HMA Overlay:				
	a. Partial Parallel Taxiway to Runway End 31	1,500	TN	\$165.00	\$247,500.00
	b. Partial Parallel Taxiway to Runway End 13	1,500	TN	\$165.00	\$247,500.00
	c. Connecting Taxiway to Runway 13/31	1,100	TN	\$165.00	\$181,500.00
	d. West Hangar Area	800	TN	\$165.00	\$132,000.00
6.	Pavement Marking:				
	a. Yellow Taxiway markings	5,000	SF	\$1.50	\$7,500.00
7.	Miscellaneous Construction		15%		\$215,000.00
8.	Legal, Administration, & Engineering		15%		\$247,000.00
TOTAL - HMA PAVEMENT REHABILITATION - TAXIWAYS					\$1,900,000.00
FAA Share @ 90%					\$1,710,000.00
Local Share @ 10%					\$190,000.00



**RESOLUTION APPROVING AN AGREEMENT FOR THE RESIGNATION OF
EMPLOYMENT AND RELEASE OF CLAIMS**

WHEREAS, the City of Marshalltown employs Ray Maxey; and

WHEREAS, by mutual agreement, the City of Marshalltown and Ray Maxey have agreed to an end date in Maxey's employment which is stated in a Resignation of Employment and Release Agreement; and

WHEREAS, the City Council must ratify said Agreement for it to be effective;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, the Mayor is hereby authorized to execute the Resignation of Employment and Release Agreement with Ray Maxey.

Passed this 25th day of November, 2019 and signed this ____ day of November, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

**RESOLUTION AUTHORIZING INTERNAL DEBT REIMBURSEMENT TO
TAX INCREMENT REVENUE FUND, FOR URBAN RENEWAL AREA NO.3**

WHEREAS, the City of Marshalltown, Iowa (the “City”), has established the Southside TIF, Urban Renewal Area No. 3 (the “Urban Renewal Area”) and has created the Southside TIF, Urban Renewal Area No. 3 Tax Increment Revenue Fund (the “Tax Increment Fund”) in connection therewith; and

WHEREAS, the City has undertaken an urban renewal projects consistence with the Plan for and in the Urban Renewal Area (the “Project”); and

WHEREAS, in order to cover the costs of the Project and to make such costs eligible to be reimbursed from future incremental property tax revenues, it is necessary to make an internal loan transfer;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Marshalltown, Iowa, as follows:

Section 1. The following costs have been incurred and are eligible to be repaid out of future incremental property tax revenues received with respect to the Urban Renewal Area, for the following expenses:

<u>Vendor</u>	<u>Service</u>	<u>Amount</u>	<u>Invoice Date</u>
Clapsaddle Garber Associates	Engineering Services	\$460	11/27/2018
Bolton & Menk	Map Development	810	5/24/2019
		1,170	4/25/2019
		2,115	3/25/2019
Simmering Cory	Technical Services:	1,475	7/1/2019
		1,195	6/15/2018
Dorsey & Whitney	Legal Services	7,178	3/1/2018
	Total to be reimbursed	\$14,403	

Passed this 25th day of November, 2019 and signed this ____ day of November, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor
ATTEST:

Shari L. Coughenour, CMC, City Clerk

MARSHALLTOWN

— I O W A —

Joel Greer, Mayor
Jessica Kinser, Administrator
Diana Steiner, Finance Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5760
Fax - (641) 754-5781

FINANCE DEPARTMENT

November 22, 2019

To: Mayor Joel Greer
Members of the City Council

From: Diana Steiner, Finance Director

Re: **Authorizing internal debt reimbursement to tax increment revenue fund for Urban Renewal Area No. 3 (South side)**

Policy Issue: Council must authorize TIF loans and certifications

Recommendation: Staff recommends approving the reimbursement of professional costs to update the Urban Renewal Area No. 3 plan.

Background: Expenses have been incurred during fiscal years 2018 2020 that relate to updating the Urban Renewal Plan. By authorizing this reimbursement from TIF, the City will include this on our Certification to the County (later in the Council agenda) and will receive funds in fiscal year 2021.

<u>Vendor</u>	<u>Service</u>	<u>Amount</u>	<u>Invoice Date</u>
Clapsaddle Garber Associates	Engineering Services	\$460	11/27/2018
Bolton & Menk	Map Development	810	5/24/2019
		1,170	4/25/2019
		2,115	3/25/2019
Simmering Cory	Technical Services:	1,475	7/1/2019
		1,195	6/15/2018
Dorsey & Whitney	Legal Services	7,178	3/1/2018
	Total to be reimbursed	\$14,403	

Budget Impact: City will receive \$14,403 from TIF collected by the County.

Attachment: None.

cc: Jessica Kinser, City Administrator

MARSHALLTOWN

— I O W A —

Parks & Recreation Department

Joel Greer, Mayor
Jessica Kinser, Administrator
Shari L. Coughenour, Clerk
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5799
Fax - (641) 754-5717

To: Mayor Greer and the City Council
From: Geoff Hubbard, Parks & Recreation Director
Date: November 19, 2019
RE: Marshalltown Family Aquatic Center Lazy River Pool Painting

Policy Issue: City policy requires Governing Body approval of all purchases over \$45,000.

Recommendation: Staff recommends awarding a contract to paint the lazy river and plunge pool to Pospisil Painting Inc in the amount of \$46,715.

Background: The City received 4 bids for painting the lazy river and plunge pool areas, to be completed by April 2020. This project is in the FY20 CIP Fund, under project 20PR001 and is budgeted for \$60,000. The lazy river and plunge pool areas are severely chipping away in many places and showing bare concrete. Several cracks and holes in the concrete will be repaired at the time of painting. This painting will seal the concrete and prolong the life expectancy of the pool.

Bids were sent out to:

Pospisil Painting Inc, Cedar Rapids, IA (\$46,715, less \$9400 if we supply the paint. Staff will be reaching out to local paint suppliers to get the paint donated or at a reduced price.)

Mongan Painting, Cherokee, IA (\$29,768, was for labor only and did not include paint, concrete repairs, caulking, and joint repairs. Staff figured those costs to put this bid higher than \$47,000 due to the amount of work needed before painting could occur)

A1A Sandblasting, Menahga, MN (\$59,200)

USA Management, Roswell, GA (\$149,560)

Clausen Painting, RPM Revival, Hare Painting, Wittrock Sandblasting & Painting, Dreyer Painting, Wes Taragin Painting, and Pro Finish Painting did not submit bids.

Budget Impact: The project is funded in the FY20 CIP Fund, under project 20PR001. The Fund has \$60,000 which covers the cost of painting the lazy river and plunge pool.

Attachment: none

City Council

Susan Cahill, Michael Gowdy, Al Hoop,
Gabriel Isom, Leon Lamer, Bill Martin, Bethany Wirin





COMMERCIAL - INDUSTRIAL
Specialists in Painting, Coating, Lining, Flooring

728 58th Ave. Ct. SW
CEDAR RAPIDS, IA 52404
PHONE 319-362-4356
FAX 319-362-6822

Proposal Date: 11/1/2019

Customer Information:

Geoff Hubbard
Marshalltown Park and Recreation
803 North 3rd Ave
Marshalltown, IA 50158-1830

Project Description:

Lazy River Pool Painting, 2020

We hereby submit specifications and estimates for:

Included Areas: Lazy River, Entry Area, Slide Plunge Pool.

Remove Gutter at plunge area to access edge area for painting.
Abrasive blast pool walls, floor and gutter surfaces to clean, profile, remove loose coatings and prepare surfaces for new coating. Protect surface not being painted. Cover and protect outlets drains, lights, etc.
Clean up abraive and debris after preparation and rinse clean.

Apply two coats of white Tnemec Epoxy to all surfaces. Apply two coats of light blue to the perimeter gutter area. Apply black accents to stairs. Non slip texture on stairs and ramp.

Fill cracks as needed. Clean up all materials. Please allow 3-5 days curing before filling.

Labor, Equipment, & Materials:	\$46,715.00 *
Tax:	\$0.00
	<u>\$46,715.00</u>

* If owner supplies materials, deduct \$9,400.00

Please call if you have any questions. Prepared by Cliff Mohling, President

Payment to be made as follows: Payment in full upon completion: Net 30 or 2% discount for Net 10 days.

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over & above the estimate. All agreements contingent upon strikes, insurance. Our workers are fully covered by Worker's Compensation Insurance.

Authorized Signature:

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature

Acceptance Date

Honor God, Serve Others, Build the Kingdom

12 gal blue
2 gal black
120 white

RESOLUTION APPROVING CONTRACT WITH POSPISIL PAINTING INC FOR THE
PAINTING OF THE LAZY RIVER AND PLUNGE POOL IN THE AMOUNT OF \$46,715.

WHEREAS there is herewith submitted to the City Council of Marshalltown, Iowa, a pool painting project to involve the entire pool floor and walls of the lazy river and plunge pool through the bid process contracted by and between the City of Marshalltown, Iowa and Pospisil Painting Inc.

WHEREAS the Pospisil Painting Inc., bid consists of painting the lazy river and plunge pool areas in the amount of \$46,715.

WHEREAS the Council has fully examined same and has found same to be in the best interests of the City of Marshalltown, Iowa and that same should now be approved and accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MARSHALLTOWN, IOWA:

Section 1. That the contract by and between the City of Marshalltown, Iowa and Pospisil Painting Inc for painting the lazy river and plunge pool in the amount of \$46,715 is hereby fully approved in all respects and particulars.

Section 2. The Mayor and City Clerk are hereby authorized and directed to execute said Services Agreement on behalf of the City of Marshalltown, Iowa.

Passed this 25th day of November, 2019, and signed this 26th day of November, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor
ATTEST:

Shari L. Coughenour, CMC, City Clerk



Cortez with chase restroom building. Standard features include simulated barnwood texture walls, simulated cedar shake textured roof, vitreous china fixtures, interior and exterior lights, off loaded and set up at site.

Cortez

Base Price \$ 41,332.00

Optional Sections:

Restroom \$41,332 Qty: = \$0.00	Shower* \$50,545 Qty: = \$0.00
Family Assist Shower/Restroom Combo* \$48,700 Qty: = \$0.00	Storage \$38,570 Qty: = \$0.00
Concession \$47,780 Qty: = \$0.00	

*Includes hot water tank.

Total Optional Sections 0.00

Added Cost Options:

		Price Per Unit	
Final Connection to Utilities		\$ 2,370.00	☐
Optional Wall Texture -choose one	☐ Split Face Block (\$2,370) ☐ Struck Trowel (\$2,370) ☐ Stone (\$3,150)	Reset Wall Texture	
Optional Roof Texture -choose one	☐ Delta Rib	\$ 975.00	
Two-Tone Color Scheme		\$ 265.00	☐
Stainless Steel Plumbing Fixtures (1 water closet & 1 sink)	Qty:	\$ 1,460.00	0.00
Electric Hand Dryer (each)	Qty:	\$ 625.00	0.00
Electronic Flush Valves (1 water closet & 1 sink)	Qty:	\$ 1,320.00	0.00
Exterior Mounted ADA Drinking Fountain w/Cane Skirt		\$ 3,600.00	☒ 3,600.00
4-gallon Electric Water Heater		\$ 350.00	☐
Skylight in Restroom (each)	Qty:	\$ 450.00	0.00
Marine Grade Skylight in Restroom (each)	Qty:	\$ 1,525.00	0.00
Marine Package for Extra Corrosion Resistance		\$ 3,415.00	☐
Fiberglass Entry and Chase Doors and Frames		\$ 4,275.00	☐
Tile Floor in Restroom		\$ 2,625.00	☐
Defense Shield - Anti-Graffiti Coating		\$ 2,995.00	☐ 0.00
Timed Electric Lock System (does not include chase door)		\$ 3,830.00	☐
Exterior Frostproof Hose Bib with Box		\$ 410.00	☐
Paper Towel Dispenser (each)	Qty:	\$ 180.00	0.00
Toilet Seat Cover Dispenser (each)	Qty:	\$ 80.00	0.00
Sanitary Napkin Disposal (each)	Qty:	\$ 55.00	0.00
Baby Changing Station (each)	Qty:	\$ 450.00	0.00
CXT Wastebasket (each)	Qty:	\$ 130.00	0.00
Paint Touch up Kit - Single Color		\$ 60.00	☐
Paint Touch up Kit - Two Tone Color		\$ 65.00	☐

Total Cost of Selected Accessories from Accessories Price List: \$ 3,600.00

Estimated One-Way Transportation Costs to Site (quote): \$ 5,500.00

Custom Options:

\$

Total Cost per Unit Placed at Job Site:
(excludes all taxes)

\$ 50,432.00

Disclaimer: Please call to confirm selected sections are compatible.**Estimated monthly payment on 5 year lease \$1,013.68**

This price quote is good for 60 days from date below, and is accurate and complete.

Rich
EdwardsDigitally signed
by Rich Edwards
Date: 2019.08.23
10:01:42 -05'00'

CXT Sales Representative

Date



I accept this quote. Please process this order.

Company Name

Customer

Date

MARSHALLTOWN

I O W A

Parks & Recreation Office

Joel Greer, Mayor
Jessica Kinser, Administrator
Shari L. Coughenour, Clerk
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5799
Fax - (641) 754-5717

To: Mayor Greer and the City Council
From: Geoff Hubbard, Parks & Recreation Director
Date: November 19, 2019
RE: Replace restroom building at the Riverview Park Log Cabin

Policy Issue: City policy requires Governing Body approval of all purchases over \$45,000.

Recommendation: To purchase a new restroom building from CXT Precast Products in the amount of \$50,432.

Background: The City received 4 quotes for prefabricated restroom facilities to replace the aging restroom next to the Log Cabin in Riverview Park and CXT Precast Productions was the lowest at \$50,432. The replacement of the restroom is in the current CIP Fund under project 19PR002 with a budget of \$80,000. There will be site work including grading, plumbing and electrical that will need to go along with this project. Once ordered it will take 60-90 to build, we hope to have this installed in early April before the rentals of the Log Cabin begin.

Other bidders included Green Flush Technologies (\$74,950), Public Restroom Company (\$129,000) and Easi-Set Buildings (\$56,000).

This cost includes the construction, delivery, and set up of the new restroom. We have similar restroom facilities in Riverview Park and West End Park, and having similar buildings makes it easier for repairs and replacement parts.

Budget Impact: The project is funded in the FY20 CIP Fund, under project 19PR002. The Fund has \$80,000 which cover the cost of the prefabricated restroom building of \$50,432 and site work needed for installation.

Attachment: none

City Council
Susan Cahill, Michael Gowdy, Al Hoop,
Gabriel Isom, Leon Lamer, Bill Martin, Bethany Wirin



RESOLUTION APPROVING CONTRACT WITH CXT, INC., FOR A FLUSH TOILET
BUILDING FOR RIVERVIEW PARK'S LOG CABIN IN THE AMOUNT OF \$50,432.

WHEREAS there is herewith submitted to the City Council of Marshalltown, Iowa, a proposed contract by and between the City of Marshalltown, Iowa, and CXT, Incorporated, of Spokane, Washington, for a Cortez style flush toilet building; and

WHEREAS the CXT, Inc., bid consists of a furnished toilet building including fixtures, shipping and being off-loaded and set in place; and

WHEREAS the Council has fully examined same and has found same to be in the best interests of the City of Marshalltown, Iowa and that same should now be approved and accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MARSHALLTOWN, IOWA:

Section 1. The Contract with CXT, INC., providing for a furnished toilet building including fixtures, shipping and being off-loaded and set in place is hereby fully approved in all respects and particulars, in the amount of \$50,432.

Section 2. The Mayor and City Clerk are hereby authorized and directed to execute said Contract on behalf of the City of Marshalltown.

Passed this 25th day of November, 2019, and signed this 26th day of November, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor
ATTEST:

Shari L. Coughenour, CMC, City Clerk

248
5-12-2020

CITY OF MARSHALLTOWN

APPLICATION FOR A TREE TRIMMER LICENSE

TREE TRIMMER LICENSES MUST BE APPROVED BY THE CITY COUNCIL OF MARSHALLTOWN

Name of Business: Ledford tree & Lawn
Address of Business: 3206 S 12th St
Business Telephone: 641 751 5128
Owner(s) of Business: MARVIN LEDFORD
Home Address/
Telephone of Owners: 641 751 5128

If incorporated, is business authorized to transact business in the State of Iowa? _____

Sales Tax Number: _____

If title is a trade name, has such name been registered? _____

Date of commencement of business: 1992 ?

Has Owner(s) ever been convicted for violation of the law other than minor traffic offenses?

Yes ☐ No ☒ (A conviction record will not necessarily be a bar to approval. Factors such as nature and seriousness of the violation, age at time of the offense, and rehabilitation will be taken into account.) If you answered yes or if you are unsure, please explain:

EQUIPMENT TO BE USED IN TREE TRIMMING BUSINESS:

VEHICLES/MAJOR EQUIPMENT	LICENSE PLATE NUMBERS	OWNER(S)
F250 Pickup		
Gmc 6500	Bucket truck	
FL 112	Dump truck	
F350	Dump truck	
FL112	Bucket truck	

An Up-To-Date Certificate of Insurance showing liability insurance and worker's compensation coverage must be filed with the City Clerk prior to Issuance of a Tree Trimmer License

Date Insurance Certificate Received ins. valid thru 5/12/2020

M. Ledford
Applicant

MARVIN LEDFORD
Applicant

Date: 11-20-19
\$25.00 Fee paid _____

Approved by City Council on 11-25-2019

City Administrator

7/98

Please remember that all brush and tree trimmings must be disposed of in a proper and legal fashion

November 22, 2019

To: Mayor, Members of the City Council and City Administrator

From: Shari L. Coughenour, CMC, City Clerk

Re: **Special Events** Lean Process review report

Policy Issue: **Goal 2. Enhance Marshalltown's public image.** Make it easier to hold Special Events in our vibrant community.

Goal 3: Continually improve the City's organization & services. Increase the efficiency of approval sequences for the application process, approval notifications and potentially improve the process of barricade and cone setup for Special Events.

Goal 4: Partner with citizens, for-profit, non-profit & others to improve quality of life. Improvement of a cumbersome process will allow our community stakeholders to help improve our community's quality of life by increasing the number of events in our community.

Recommendation: For the Council to consider two amendments to the Code of Ordinances as identified in item #9 below, first readings to be considered at the next council meeting.

Background: City employees involved with special events met with Lynn Olberding, Executive Director, Marshalltown Area Chamber of Commerce and Amber Danielson, Executive Director of the Marshall County Arts & Culture Alliance, for a Lean Process review of the Special Events permit process, with the focus being to make it easier for all stakeholders. The Special Events process covers everything from small block parties blocking the street, 5K Runs, small and large parades, Oktoberfest activities, 13th Street District activities, fundraisers like the Jason Brown Concert, and events held in the City's Parks and Trails. This group identified ways to improve not only the internal process for issuing and review of those requests, as well as how to streamline the application process. Some changes were made immediately, some are in process, and some changes require council action to amend existing ordinances.

The lean process review identified key ways to achieve council goals.

- 1) Immediate change of the name to "SPECIAL EVENTS" to remove any perceived stigma from the old name "Public Use Permit."
- 2) Development of a single, improved form to make it easier for applicants to understand the process. (improved form in process)
- 3) Development of a staff list, with input from the Park Advisory Committee, of recommended areas for special events requesting alcohol consumption. (in process)

- 4) Development of a 5K Run recommended list of safer streets, set the expectation for the responsibility for route intersections to be monitored by volunteers. (not yet started)
- 5) Changing approval routings resulted in faster response time for a majority of the Special Events. (completed)
- 6) Encourage all applicants to get their Special Event on the Chamber Community Calendar and the form will help assist the applicant to get that done as part of the approval process. (improved form in process)
- 7) Creation of a resource list by the Chamber for Special Event supplies, utilizing Community Partnerships for things like port-a-potties, generators and canopies, ice, and other consumables. (in process)
- 8) Consideration of a special events trailer to house a limited number of barricades and blue trash barrels, some signage, and cones. A fee could be imposed to assist with replacement of materials damaged by normal wear and tear. This trailer will increase staff efficiency potentially by having dedicated materials for Special Events, reducing time in set up for those events, and make it easier for applicants to receive materials so the applicant can set them up. (funding for the trailer & dedicated materials not yet designated)
- 9) Ordinance changes can provide additional efficiencies relating to beer and wine consumption on public property. The group felt there are enough eyes on the revised Special Event process to evaluate potential public risk without requiring specific council approval for managing alcohol at these Special Events, within set parameters of internal control. The lean process identified two ordinance changes:
 - a. Allow attendees of Special Events to bring in their own beer and wine in limited Park Areas, Main Street/Downtown, 13th Street District and perhaps including the M CBD Pedestrian Alley in the downtown, or other areas, only for an approved Special Event. (Examples: Family Movie Night or Art in the Park) Staff recommends limiting open container to Riverview Park and West End Park if the council moves this direction.
 - b. Eliminate the Ordinance requirement for the Resolution allowing open container only for approved Special Events, substituting City Administrator approval for the Resolution. (Example: Oktoberfest, Downtown Art Fest, 13th Street District Harvest Markets)

Procedure will be changing for the agenda relating to new liquor licenses, with all new liquor licenses being approved by council resolution, and if open container is requested, the resolution will include the city administrator's approval. Liquor license renewals will continue to be presented as a motion on the consent agenda.

Please contact me with any questions you may have regarding the process and these recommendations.

Budget Impact: Increased staff efficiency. Increased Happy Meter of our Citizens.

Attachment: Current ordinance language, proposed changes in markup.

93.007 ALCOHOLIC BEVERAGES

(A) No person shall possess, use or consume beer, wine or alcoholic liquor in a public park or nature area, including park roads and parking areas, except the following:

- (1) Premises covered by a liquor control license; and
- (2) Beer gardens associated with an approved special event, with City Administrator approval.

(B) The following designated areas within park shelters and on cement patios attached to park shelters:

(1) Log Cabin, Riverview Park; Reunion Hall, Riverview Park; Community Building, Riverview Park; provided, the lessee:

(a) Has notified the Park and Recreation Department of the intent to serve alcoholic beverages at the time of the rental reservation;

(b) Has signed a responsibility agreement permitting this use;

(c) Shall be available for personal contact by park and recreation personnel at all times during the rental period; and

(d) Shall comply with all state and city codes regarding the use of alcoholic beverages.

(2) Within the campground at Riverview Park; provided, the person is a registered camper or the guest of a registered camper.

130.030 INTOXICATION; OPEN CONTAINERS

(A) Intoxication; simulated intoxication in a public place. It is unlawful and an offense against the peace and dignity of the city for any person to be intoxicated or simulate intoxication in a public place.

(B) Open containers prohibited on public ways.

(1) It shall be unlawful for any person to possess an open or unsealed bottle, can, jar or other receptacle containing an alcoholic beverage on any public sidewalk, street, alley or parking lot, or within a motor vehicle.

(2) The City Administrator shall have the power to grant exceptions to this division (B) for special events and activities.

No changes are being requested for this code section.

130.003 ASSEMBLIES, PARADES AND DEMONSTRATIONS; PERMITS.

(A) Required. It is unlawful for any person to be or be concerned in or join or participate in any assembly, meeting, concert, procession or other exercise or display or demonstration upon any street, sidewalk or public ground or other public place without a written permit issued to one or more of the participants thereof by the Chief of Police.

(B) Contents of application. Any application for a permit shall state the following:

- (1) The name and address of the applicant;
- (2) The organization the applicant represents, if any;
- (3) The applicant's position in the organization and that the organization has authorized the applicant to make application in its behalf;
- (4) Whether or not the applicant or organization has ever been issued a permit before;
- (5) The anticipated number of participants in the parade or demonstration;
- (6) The exact location of the demonstration or the exact starting and ending points of the parade as well as the exact route to be followed;
- (7) Exactly what provisions have been made for dispersal of the demonstration or parade, so such may be accomplished in a reasonable manner;
- (8) What contingency plans exist to maintain order and to control the group, if any;
- (9) The exact time the demonstration or parade is to commence and terminate;
- (10) Devices or things that may produce noise, dirt, smoke, litter or odor and the applicant's means of limiting, controlling or removing such; and
- (11) Such other and further information the Council may request.

(C) Conditions. All such permits shall be issued on the express condition that all laws, statutes or ordinances be observed and obeyed and that all activities be organized, peaceful and controlled.

(D) Restrictions.

- (1) The Chief of Police may put such reasonable restrictions that he or she may deem necessary to preserve peace and order or to promote traffic and pedestrian control and to generally protect the rights of others.
- (2) The Chief of Police may bill for the use of equipment or overtime due to parades, assemblies or demonstration.

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

WHEREAS, the City created a program under which grants are provided to owners or business tenants of buildings in the Urban Renewal Area No. 4 historic district to help rehabilitate and restore eligible buildings and upgrade to City code. The Marshalltown Central Business District administers the Code Building Upgrade Grant Program; and

WHEREAS, the Downtown Incentive Grant Committee has received an application for 10 E. Main St., which is owned by PROFESSIONAL DEVELOPERS, INC., (PDI), for sprinklers, electrical/lighting, and fire doors for the 2nd floor; and

WHEREAS, the property owners or business tenants who will make at least \$5,000 in qualifying improvements are eligible to receive a matching grant and the grant can reimburse eligible construction costs up to 25% or up to \$20,000, whichever is less; and

WHEREAS, the owner has provided an estimate of construction costs of \$31,722.00 so 25% would be eligible, which is \$7,930.50; and

WHEREAS, the Downtown Incentive Grant Committee is recommending that Council approve this grant application since the project meets the requirements and funds certified for the code building upgrade grant are available to cover this expenditure.

THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, to approve the grant up to \$7,930.50 for the reimbursement to PROFESSIONAL DEVELOPES, INC., for the code building upgrade improvement at 10 E. Main Street.

PASSED this 25th day of November, 2019, and signed this ____ day of November, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



Marshalltown Central Business District
16 East Main St., Ste. 280
Marshalltown, IA 50158
director@marshalltownmainstreet.org
641-844-2001 – Office

City Council
Marshalltown, IA

Dear Mayor and Councilors,

I am writing this to submit a City Code Upgrade Grant request, on behalf of Professional Developers, Inc. (PDI). They would like to put in a sprinkler system, lighting and a double fire door into the second story of 10 East Main. The Downtown Incentive Committee met on November 7th, to review the request. The request is as follows:

Sprinklers \$24,364

Electrical/Lighting \$3500

Double Fire Doors \$3858

Total Expense \$31,722 x 25% Reimbursement = **\$7, 930.50 Reimbursable Expense**

This request complies with the City Code Upgrade Grant guidelines. Committee members Doug Husak, Diana Steiner, and Deb Millizer approve this request. Committee member, Joe Roenfeldt abstained from this review as he is an employee of the Garber's.

On behalf of the downtown community, thank you for your continued support of downtown Marshalltown.

Regards,

Deb Millizer
Executive Director
Marshalltown Central Business District

Marshalltown Central Business District City Code Building Upgrade Grant Application

Property Information:

Address: Second Floor of 10 East Main St.
 Current Tenant (Business Name): Professional Developers, Inc (PDI)
 Use: Document Storage Zoning: _____

Applicant Information:

Name of Applicant: PDI - Dwayne C. Garber / Owner
 Mailing Address: 116 East Main St. Marshalltown Ia 50158
 Street City, State Zip
 Phone: 641-751-2027 Fax: _____ Cell: Same

Owner Information (If different from applicant information):

Name of Applicant: Same
 Mailing Address: _____
 Street City, State Zip
 Phone: _____ Fax: _____ Cell: _____

Proposed use of funds City Code Expense

Est. Cost

Examples - Code Upgrade Costs

☒ Sprinklers _____ Code Upgrade ☒ Not Code Upgrade _____ \$ 24,364
 _____ Stairway _____ Code Upgrade ☒ Not Code Upgrade _____ \$ _____

Examples - Non-Code Upgrade Costs

_____ Dry Wall _____ Code Upgrade _____ Not Code Upgrade ☒ \$ _____
 _____ Painting _____ Code Upgrade _____ Not Code Upgrade ☒ \$ _____

List all work and check aspects that are to meet code (Attach sheet in this format if needed)

Elec. Lighting _____ Code Upgrade ☒ Not Code Upgrade _____ \$ 3500.00
Double Fire Doors _____ Code Upgrade ☒ Not Code Upgrade _____ \$ 38.58.00
 _____ Code Upgrade _____ Not Code Upgrade _____ \$ _____
 _____ Code Upgrade _____ Not Code Upgrade _____ \$ _____
 _____ Code Upgrade _____ Not Code Upgrade _____ \$ _____
 _____ Code Upgrade _____ Not Code Upgrade _____ \$ _____

Total estimated cost \$ 31,722

Grant amount requested \$ 7,930.50

Low Interest Loan amount requested \$ _____

(Low Interest Loan Available with Participating Banks - See overview)

Note: Applicant must provide a copy of all proposed materials and design drawings for estimated scope of work and, upon completion, a copy of the contractor's waiver of lien for evidence of payment. The Main Street Downtown Incentive Committee/City reserves the right to request additional information.

I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The owner invites Main Street Downtown Incentive Committee/City representatives to make all reasonable inspections, investigations and take pictures of the subject property during the processing period of this request.

I understand that this is a voluntary program. I also understand the Main Street Downtown Incentive Committee/City has the right and discretion to approve or deny any project portions thereof.

I authorize the use of any pictures involving this project by the Main Street Downtown Incentive Committee/City

Shwayne C. Harshy / PRES. PDI 10/31/2012
Signature of Applicant Date

Signature of Owner

Date

Return to:
Marshalltown Central Business District, Debbie Millizer, Director
216 E Main St, Suite #280
Marshalltown, IA 50158
Phone: 641-844-2001 Fax: 641-844-2002

**Work commenced prior to Approval of the City Code
Building Upgrade Application is not eligible.**

**Marshalltown Central Business District/City
City Code Building Upgrade Grant Application**



601 SW 9th Street, Suite B
Des Moines, IA 50309
main 515.289.0071 | fax 515.289.0073
www.ahernfire.com

April 25, 2019

Work Location: Browns Shoe Fit
10 East Main Street
Marshalltown, IA 50158

Dwayne Garber
CGA Properties LLC
16 East Main Street
Marshalltown IA 50158

Phone: (641)752-6701

Email: dcgarber@heartofiowa.net

Send Via: Email
Quote #: 236358 / 1

FIRE PROTECTION SYSTEM WORK ORDER SERVICE PROPOSAL

Dear Dwayne,

We are pleased to submit our proposal for Sprinkler System services at the above-referenced facility based upon our conversation and / or job site visit.

We will perform the proposed services, which are broken out by system in the attachments to this document, per your written approval. Should you elect to proceed with this work, please sign the attached agreement and return it to us. Once returned to us, we will call to set up an appointment.

We have licensed inspectors and service technicians in your area and can provide you with service 24-hours a day, 7-days a week.

Thank you for this opportunity to provide this proposal. If you have any questions or require further details, please feel free to call me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Justin Malloy', is written over a light blue horizontal line.

Justin Malloy
Service Manager

Phone: (515)446-4557

Email: jmalloy@ahernfire.com

Enclosure



601 SW 9th Street, Suite B
Des Moines, IA 50309
main 515.289.0071 | fax 515.289.0073
www.ahernfire.com

Sprinkler Service Agreement for City Centre

Dwayne Garber
CGA Properties LLC
16 East Main Street
Marshalltown IA 50158

Phone: (641)752-6701

Email: dcgarber@heartofiowa.net

Send Via: Email

Quote #: 236358/1

FIRE PROTECTION SYSTEM SERVICES

Scope of Work/Clarifications:

Ahern Fire to come off of the existing system of 10 east main and sprinkle the second floor which is currently not sprinkled per NFPA 13. This proposal is based off of the walkthrough on April 10, 2019. This is for the second floor only. Ahern will install black schedule 10 lines and mains. Ahern to install brass uprights in the space. . Ahern to install a new dry valve for the second floor in a closet where it stubs up. Owner to maintain 40 degrees in the closet. Ahern to come off of the 4" that is stubbed up. Ahern has included a dry system for this building as the space is not heated. Riser room to be heated at a minimum of 40 degrees. Ahern has not included any wiring besides the alarm tampers (Which is on a Separate proposal, Not included in this proposal). Owner to provide power and wiring of air compressor.

Ahern has provided an additional price to sprinkle the rear of the space at the same time as the main room as requested. This is in addition to the main room.

Service Location:

Browns Shoe Fit
10 East Main Street
Marshalltown, IA 50158

1	Date Requested:	Fixed Price	\$17,716.00	Initial if Accepted
Description:	10 East Main Sprinkler Installation 2nd Floor (Main Room)			
Item Notes:				
<u>Equipment</u>	<u>System ID</u>	<u>System Loc</u>		
2	Date Requested:	Fixed Price	\$2,898.00	Initial if Accepted
Description:	10 East Main Sprinkler Installation 2nd Floor (Room in the Rear of the Space)			
Item Notes:				
<u>Equipment</u>	<u>System ID</u>	<u>System Loc</u>		

Total for All Services:		\$20,614.00	
Contract Representative		Customer Authorized Representative Signature	
Name:	Justin Malloy	Print Name:	Dwayne Garber
Title:	Service Manager	Signature:	
Date:	04/25/2019	Date:	

Signed acknowledgement of this agreement confirms acceptance of all the above scope of work and clarifications as well as all the attached Notes and Clarification and General Terms and Conditions.



601 SW 9th Street, Suite B
Des Moines, IA 50309
main 515.289.0071 | fax 515.289.0073
www.ahernfire.com

April 25, 2019

Dwayne Garber
CGA Properties LLC
16 East Main Street
Marshalltown IA 50158

Phone: (641)752-6701

Email: dcgarber@heartofiowa.net

**RE: CGA PROPERTIES LLC
Marshalltown, IA
Fire Sprinkler Monitoring Proposal**

Dear Dwayne,

We are pleased to provide our proposal to supply a Dry-pipe Sprinkler Monitoring addition for the above-referenced facility. This proposal is based on information obtained during a walk-through.

This proposal constitutes the contract between the parties until and unless it is replaced by a new document signed by both parties. This proposal is based on a subcontract being issued to Ahern in accordance with AGC / ASA Joint Standard Subcontract Agreement. This proposal is intended to be made a part of the Subcontract Agreement.

Thank you for this opportunity to assist with this project. If you have any questions or require further details, please do not hesitate to contact me at 608-572-0869 (mobile) or mfobes@Ahernfire.com (e-mail).

Respectfully Submitted,

Ahern Fire Protection
A division of J. F. Ahern Co.

Michael J Fobes

Michael J Fobes
Special Hazards Fire Alarm Specialist

MJF/mjf

CC:
Via Email

\\\\FDLFS3\\Jobs\\Estimating\\610 - AFP Fire Systems-Equipment\\Mike Fobes\\- CGA Marshalltown, IA\\3. Proposal Letters\\CGA Marshalltown Dry Pipe Monitoring.docx

Last year, 100% of client survey responders
reported they would work with us again.

Description of Building:

The existing building is currently protected with one (1) Wet Sprinkler System. A Dry-pipe riser is being added on second floor. The proposed Sprinkler Monitoring System addition will monitor the sprinkler alarm-air, low-air and tamper switches.

Basis of Design:

The system will be designed to meet the requirements of NFPA 72 for monitoring a sprinkler system.

Equipment and Services to be provided:

- (3) Addressable monitor modules
- Design, riser drawing and equipment submittals
- Low voltage installation labor and material budget
- System programming, testing, start-up service, and owner training
- Necessary shipping, handling, and freight charges
- Project coordination with other trades

Notes and Clarifications:

1. Price does include electrical installation labor and materials.
2. Price includes sales tax.
3. We must be provided with fire alarm programming password from current service provider if it has been changed from factory default.
4. All work is to be done during normal working hours of 7:00 am to 4:00 pm, Monday through Friday excluding Holidays.
5. Equipment delivery is 2 to 3 weeks after approvals are received.
6. J. F. Ahern cannot be responsible for any costs or fees assessed by local fire departments or municipalities resulting from unintended emergency calls.
7. No allowance has been made for any inspection items in excess of those detailed above which may be requested by any particular insurance agency/underwriter or Authority Having Jurisdiction.
8. The attached General Terms and Conditions shall be made part of this proposal.
9. **Standard Agreement** – This proposal constitutes the contract between the parties until and unless it is replaced by a new document signed by the parties. This proposal is based on a subcontract being issued to Ahern in accordance with AGC/ASA Joint Standard Subcontract Agreement. This proposal is intended to be made a part of the Subcontract Agreement.

Choose the most relevant statement
from the RFP sheet

Exclusions:

1. Price does **not** include any other fire alarm devices for the remainder of the building. This proposal is strictly for sprinkler system monitoring.
2. Price does **not** include any patching or painting that might be required.
3. Price does **not** include any troubleshooting or rewiring any of the existing field wiring. If required, this be billed out on a T&M basis.

Price:

Our base price for the above is:

Three Thousand Seven Hundred Fifty and 00/100 Dollars: \$3,750.00





General Contractors

16 South 18th Ave., Marshalltown, Iowa 50158

Phone: (641) 752-3551 Fax: (641) 752-3657

April 14, 2019

Dwayne Garber

Re: Marshalltown Brown's Shoe Fit 2nd Floor Improvements

Dear Dwayne,

I have figured the following costs for work to the 2nd floor of the Brown Shoe Fit building:

New Double Door:

To install a 6'0" x 7'0" double steel door and frame allowing entrance from the CGA offices into this space please allow Three Thousand Eight Hundred Fifty Eight Dollars (\$3,858.00). One door will be inactive and will be latched with flush head and foot bolts. The other door will be operating and will have a keyed latch. I have made no allowance for painting.

Grant Application

New Single Door:

To install a 3'0" x 7'0" single steel door and frame to replace the fire escape door please allow Two Thousand Five Hundred Ninety One dollars (\$2,591.00). This door will include a keyed latch, perimeter weather-strip, sweep and threshold. No allowance has been included for painting. Add \$190 is you would like an insulated ½ glass installed.

Single Hung Windows:

To install a Marvin Integrity pultruded fiberglass window in one of the existing west window openings please allow One Thousand Seven Hundred Fifty Five Dollars (\$1,755.00) each. The top sash would be fixed and the bottom sash would rise for ventilation and includes a screen.

Infill Large Window Openings

To infill the large window openings with a painted MDO plywood or aluminum laminated panel (in lieu of a single hung) please allow Nine Hundred Fifty Eight Dollars each (\$958.00).

Fixed Upper Window:

To replace the fixed small upper windows with a pultruded fiberglass fixed unit please allow Seven Hundred Eighty Nine Dollars each (\$789.00)

Remove Wall Framing Supporting Skylight Opening

To get support for the skylight opening off of a wall section and back on the roof framing as was probably the way it was originally designed I'd figure a day's work for a carpenter and assistant. Please budget approximately \$760.00 plus \$200.00 in material.

Don't hesitate to call if you have any questions.

Sincerely,

Hay Construction Services, Inc.

Mark J. Tichy

\$10,911 Total

WEB Electric, Inc
711 W Madison St
Marshalltown, IA 50158
PHONE: 641-752-6474
FAX: 641-752-0875

Quote

Quote submitted to:

City Centre
16 E Main St
Marshalltown, IA 50158

Date: April 17, 2019

Install lights in warehouse, add two outlets and two 3-way switches, and move power:

Option #1: 6 low bay lights \$3500.00 

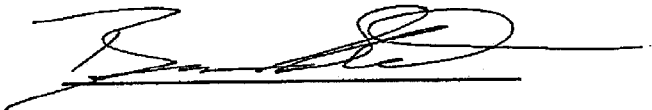
Option #2: 12 LED strips \$2900.00

The second option will not light up the area a lot. The low bays will give you much more light coverage, where the LED strips will only light up the walkway.

WE PROPOSE, HEREBY, TO FURNISH MATERIAL AND LABOR—COMPLETE IN ACCORDANCE WITH ABOVE SPECIFICATIONS.

AUTHORIZED SIGNATURE:

Beau Starn



THE ABOVE PRICES, SPECIFICATIONS, AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO DO THE WORK SPECIFIED.

ACCEPTED SIGNATURE:

DATE:

Please sign, date, and return to us at your convenience

This quote may be withdrawn by WEB Electric, Inc. if not accepted within 30 days.

MCBD - Main Street Program, Façade and Code Grants - since inception

<u>Year</u>	<u>Address</u>	<u>Owner</u>	<u>Grant Amt</u>	Total <u>Investment</u>
2006	36 E Main St	Those Ink Guys	5,003.00	\$20,015
2007	219 E Main St	Bob's Furniture	7,110.00	\$30,325
2007	117 W Main St	Mike's Bikes	7,395.00	\$31,927
2008	118 W Main St	Headliner	5,743.00	\$22,973
2010	107 N Center St	Showroom Auto	21,698.00	\$179,528
2010	118 E Main St	Peglow Law	8,500.00	\$49,545
2010	101 W Main St	Devaul Inc	14,994.00	\$105,000
2010	23 W Main St	Lillie Mae - approved not funded		
2010	5 W Main St	Ocean City	16,693.00	\$91,243
2011	4 E Main St	Zamora Market	2,688.50	\$50,000
2012	5 W Boone St	Don Anderson	13,121.50	\$160,609
2013	134 E Main St	Common Bond	45,500.00	\$8,000,000
2013	119 E Main St	Kester	20,000.00	\$160,000
2014	105 W Main St: Downtown Leases &	McGregor - Antique	12,500.00	\$180,000
2015	125-131 E Main St	Hagstrand - Kibbey (Downtown Leases & Lofts)	50,972.50	\$282,776
2015	208 E Church St	Aaron Benscoster	20,000.00	\$490,000
2015	16 E Main St	CGA	5,740.00	\$22,960
2015	119 E Main St	Kester	5,445.70	\$24,053
2015	207 E Church St	Stufflebeam Plaza	2,583.75	\$29,622
2017	116 W Main St; Optical Center	Julie Schossow	8,500.00	\$38,650
2019	216-218 E. Main St.	Hawkins & Urbanowski	2,539.50	\$10,158
2019	14 E. Main: Northwestern	CGA Properties	8,371.75	\$33,487
2019	17 N. 1st St.	Avalos	8,500.00	\$35,303
2019	19-21 S. 2nd Ave	Hagstrand	10,728.00	\$42,915
2019	30 E Main (Façade)	Miller	6,378.00	\$25,512
2019	30 E. Main (Code Upgrade)	Miller	15,284.25	\$61,137
SUB-TOTAL			325,989.45	\$10,177,738
COUNCIL REALLOCATED TO MCBD FOR OPERATIONS DUE TO TORNADO FY19			40,000.00	
TOTAL COMMITTED			365,989.45	
CERTIFIED FUNDS			390,000.00	
9-28-19 Council approved additional funding for FY20 from TIF Cash on Hand			20,000.00	
BALANCE REMAINING BEFORE COUNCIL APPROVAL NOV 25, 2019			44,010.55	
Requests for consideration 11/25/2019:				
	10 E. Main 2nd Floor (Code Upgrade)	Professional Developers	(7,930.50)	
Balance if requests approved			36,080.05	

RESOLUTION 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.

WHEREAS the City Council discussed the residency requirements on November 11, 2019, directing staff to prepare a Resolution to remove the residency requirements for police personnel, change the driving distance for sworn fire personnel, requiring the Police and Fire Chief to reside within city limits, according to recommendations from both the Fire Chief and Police Chief; and

WHEREAS the city council has determined it is in the best interest to make the changes to this policy.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. That the City of Marshalltown Policy Manual for Employees is hereby amended by Amending Resolution 2010-186, adopted 12/13/2010, To Amend City of Marshalltown Policy Manual for Employees by Revising Policy 2.15, Residency Requirements, by amending Policy 2.15 as follows:

Policy 2.15; RESIDENCY REQUIREMENTS

Effective for: Police Chief, Fire Chief, & Fire Sworn Personnel

All Fire Department sworn personnel's primary place of residence shall be within a thirty-minute (30) driving time of the Marshalltown City limits. The Police Chief and Fire Chief shall reside within City of Marshalltown limits.

I. Procedure: The Chief of the department or designee of the Chief shall drive, using the most direct route, under normal driving conditions and within speed limits, the time between the primary place of residence and the City limits to determine if the requirement has been met.

II. New Employee Compliance: New employees shall comply with the residency requirement within 90 days of completion of the department probationary period. If the requirement is not met within this timeframe, the employee's signature on this policy will serve as the employee's voluntary resignation of employment with the City and will be effective on the 91st day after the completion of the probationary period.

III. Existing Employee Compliance: An existing employee, whose primary residence changes, shall notify the Chief in writing as to the new address and the effective date at least 30 days prior to the change.

Section 2. The City of Marshalltown Human Resources Director is hereby directed to distribute this policy change electronically to all effected municipal employees.

Section 3. This Resolution shall be in full force and effect from and after its passage.

Passed this 25th day of November, 2019, and signed this 25th day of November, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

2019-____

RESOLUTION 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

WHEREAS the City of Marshalltown (hereinafter referred to as the "City"), State of Iowa, is a political subdivision organized and existing under the laws of the State of Iowa and the Constitution of the State of Iowa (the "State"); and

WHEREAS the Marshalltown Fire Department and the Marshalltown Police Department request authorization to purchase a public safety unmanned aerial vehicle (drone), with a budget not to exceed \$35,000.00; and

WHEREAS the new fire and police building project has a budget surplus that would allow for the purchase of this public safety equipment; and

WHEREAS the Council has found it to be in the best interests of the City of Marshalltown, Iowa, and the Marshalltown Fire and Police Departments that said purchase should be made.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, AS FOLLOWS:

Section 1. The City of Marshalltown, Iowa authorizes the Fire Chief and the Chief of Police to purchase a public safety unmanned aerial vehicle (drone), with a budget not to exceed \$35,000.00.

Section 2. The Fire Chief and the Chief of Police are authorized to utilize unobligated funds from the fire and police building project to accomplish this purchase.

Passed this 25th day of November 2019, and signed this _____ day of November 2019.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor
ATTEST:

Shari L. Coughenour, CMC, City Clerk



POLICE DEPARTMENT

Joel Greer, Mayor
Jessica Kinser, City Administrator
Michael W. Tupper, Chief of Police
909 South Second Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5725
Fax - (641) 752-1211

TO: Mayor Joel Greer
Members of the City Council
Jessica Kinser, City Administrator

FROM: Michael W. Tupper
Chief of Police

DATE: 19 November 2019

RE: Purchase of Public Safety Unmanned Aerial Vehicle (Drone)

Policy Issue:

City policy requires governing body approval of large purchases.

Recommendation:

Staff recommends Council authorize the Fire Chief and Chief of Police to purchase a public safety unmanned aerial vehicle (drone) with a budget not to exceed \$35,000.00. Funds for this purchase would be taken out of the new fire and police building project. There are still sufficient surplus funds available in the building project to allow for the purchase of this public safety equipment which will be shared by the fire and police departments.

Background:

The Marshalltown Fire and Police Departments respond to increasingly complex and challenging public safety incidents. Public safety personnel resources are costly and limited. 21st Century technology offers a solution for some of these challenges. Technology can also serve as a force multiplier and allows public safety agencies to more effectively and efficiently utilize already limited resources.

Unmanned aerial vehicles, better known as UAVs or drones, are beginning to be embraced by local fire and law enforcement agencies across the United States. As of 8/7/2019 there are over 910 public agencies in the US using UAVs (PoliceOne.com/DJI). In 2019 alone, the Marshalltown Police Department investigated three high profile and challenging missing person events. These investigations were personnel intensive and expensive to conduct. Having immediate access to a drone with public safety level cameras and equipment would have greatly assisted with these investigations. Our work was made much more difficult and time intensive because we lacked the search capabilities that drone equipment would have brought to the table.

Advantages for UAVs (Unmanned Aerial Vehicles)/Drones for Police and Fire

POLICE

- Search/Locate missing persons
 - Survey immediate and surrounding search area in minutes vs hours
 - Reduction in Officer Hours on the ground
 - Thermal Technology aids in locating missing persons at night or concealed missing persons during the day

CITY COUNCIL

Sue Cahill, Mike Gowdy, Al Hoop, Gabe Isom,
Leon Lamer, Bill Martin, Bethany Wirin

- Prevent a rescue operation from becoming a recovery operation
- *Inspect Crime Scenes, Collisions, Explosives and Hazardous Material Spills*
 - UAVs (Drones) give you a 360-degree high vantage point in minutes
 - Assess scenes at a safe distance, mitigating risk and keeping responders safer
- *Locate Evidence and Suspects not visible from the ground*
- *Locate Fleeing Vehicles*
- *Map Crime and Accident Scenes*
- *Survey Disaster Sites*
- *Assist Schools and Businesses in planning mass evacuations*

FIRE

- *Assess and Monitor Fires from a safe distance*
- *Locate "hot spots" on buildings where the structure may be compromised BEFORE deploying firefighters*
- *Track Firefighters during rapidly evolving situations (Search and Rescue, Fires)*
- *Make Tactical Decisions based on Real-Time Information*
- *Monitor ongoing fire-suppression efforts while keeping personnel out of harm's way*
- *Rapid 360 degree survey of buildings and the surrounding areas*
 - Thermal Imaging can see through foliage and smoke
 - Overhead view Photos/Videos – Used for After-Action Reviews and Future Trainings
- *Provides safe Ingress/Egress routes for First Responders after traffic accidents, storms or tornados*
 - Trees, utility poles, vehicles or other debris may be blocking most direct routes
 - Prevent response times from turning into hours instead of minutes

The fire and police department share a brand new facility. There are new and exciting opportunities for these departments to collaborate and partner on programs that will enhance public safety in Marshalltown. The purchase of a public safety UAV will allow our departments to better serve our community and will better prepare us for the public safety challenges that lie ahead. If this proposal is approved, the departments will work together to research public safety UAV equipment and ultimately purchase this equipment.

Budget Impact:

\$35,000.00 maximum.

Staff is seeking council approval to utilize surplus funds from the fire and police building project to assist in paying for this equipment.

Attachment:

None

RESOLUTION APPROVING THE FY2019 ANNUAL FINANCIAL REPORT FOR THE
CITY OF MARSHALLTOWN

WHEREAS the City's Finance Staff have completed the FY2019 Annual Financial Report;

WHEREAS, the Council must approve the report;

WHEREAS the Council finds this action is in the best interest of the City of Marshalltown,
Iowa;

WHEREAS the Council directs the City Finance Director to submit the report to the Auditor of
State on or prior to December 2, 2019;

THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF
MARSHALLTOWN, IOWA: to approve the FY2019 Annual Financial Report.

Passed this 25th day of November, 2019, and signed this ____ day of November, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor
ATTEST:

Shari L. Coughenour, CMC, City Clerk

MARSHALLTOWN

— I O W A —

Joel Greer, Mayor
Jessica Kinser, Administrator
Diana Steiner, Finance Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5760
Fax - (641) 754-5781

FINANCE DEPARTMENT

November 22, 2019

To: Mayor Joel Greer
Members of the City Council

From: Diana Steiner, Finance Director

Re: **FY2019 Annual Financial Report (AFR)**

Policy Issue: Council must approve the annual report.

Recommendation: Staff recommends approving the Annual Financial Report (AFR) for FY2019. The first page of the report will be published in the newspaper on Wednesday, November 27th. This report is due to the Auditor of State by December 2, 2019

Background: The Finance Department has prepared the Annual Financial Report for your review. This report reflects the final numbers for fiscal year 2019 which ended June 30, 2019 on a cash-basis, which is different than our audit report which is prepared on an accrual basis. The report also includes amounts from Marshalltown Water Works (MWW). The actual expenditures came in lower than the budgeted amounts. The budget used on the first page in column (d) is what Council approved in May 2019, which was the only budget amendment for the year. Significant events during the year were costs associated with the tornado damage and cleanup and insurance proceeds received. Reimbursements from FEMA were \$9,068. The majority of FEMA reimbursements will arrive during this current fiscal year. In FY19, other major activity included the ongoing construction of the Police & Fire Building, which was near completion at the end of the fiscal year. On the last page, you will find the debt activity during the fiscal year. The City issued debt for \$2.4 million and MWW issued 58,452.

Budget Impact: N/A.

Attachment: Annual Financial Report for FY19.

cc: Jessica Kinser, City Administrator

STATE OF IOWA 2019 FINANCIAL REPORT FISCAL YEAR ENDED JUNE 30, 2019 CITY OF MARSHALLTOWN, IOWA DUE: December 1, 2019		1620640080000 CITY OF MARSHALLTOWN 24 N Center Street MARSHALLTOWN IA 50158-4912 POPULATION: 27552	
NOTE - The information supplied in this report will be shared by the Iowa State Auditor's Office, the U.S. Census Bureau, various public interest groups, and State and federal agencies.			
ALL FUNDS			
	Governmental (a)	Proprietary (b)	Total Actual (c) Budget (d)
Revenues and Other Financing Sources			
Taxes Levied on Property	11,333,177		11,333,177 11,502,245
Less: Uncollected Property Taxes-Levy Year	0		0
Net Current Property Taxes	11,333,177		11,333,177 11,502,245
Delinquent Property Taxes	1,081		1,081
TIF Revenues	963,037		963,037 837,649
Other City Taxes	5,379,616	0	5,379,616 5,265,937
Licenses and Permits	379,899	34,083	413,982 315,669
Use of Money and Property	754,400	515,671	1,270,071 757,118
Intergovernmental	6,495,726	788,620	7,284,346 7,328,059
Charges for Fees and Service	936,367	14,606,610	15,542,977 14,381,723
Special Assessments	10,292	0	10,292 10,000
Miscellaneous	5,288,452	13,840	5,302,292 4,460,215
Other Financing Sources	2,442,467	58,452	2,500,919 5,941,241
Transfers In	10,033,827	263,552	10,297,379 10,682,424
Total Revenues and Other Sources	44,018,341	16,280,828	60,299,169 61,482,280
Expenditures and Other Financing Uses			
Public Safety	9,467,187		9,467,187 9,794,900
Public Works	4,096,007		4,096,007 5,689,509
Health and Social Services	98,668		98,668 914,961
Culture and Recreation	4,205,926		4,205,926 4,670,652
Community and Economic Development	2,505,752		2,505,752 2,803,467
General Government	1,897,749		1,897,749 2,217,748
Debt Service	4,112,485		4,112,485 4,113,282
Capital Projects	10,236,367		10,236,367 13,167,953
Total Governmental Activities Expenditures	36,620,141	0	36,620,141 43,372,472
BUSINESS TYPE ACTIVITIES		12,780,524	12,780,524 15,152,241
Total All Expenditures	36,620,141	12,780,524	49,400,665 58,524,713
Other Financing Uses	0	0	0
Transfers Out	10,250,585	46,794	10,297,379 10,682,424
Total All Expenditures/and Other Financing Uses	46,870,726	12,827,318	59,698,044 69,207,137
Excess Revenues and Other Sources Over (Under) Expenditures/and Other Financing Uses	-2,852,385	3,453,510	601,125 -7,724,857
Beginning Fund Balance July 1, 2018	28,875,290	18,838,187	47,713,477 47,713,477
Ending Fund Balance June 30, 2019	26,022,905	22,291,697	48,314,602 39,988,620
NOTE - These balances do not include the following, which were not budgeted and are not available for city operations:			
Non-budgeted Internal Service Funds 2,419,444		Pension Trust Funds	
Private Purpose Trust Funds		Agency Funds -49,180	
Indebtedness at June 30, 2019	Amount	Indebtedness at June 30, 2019	Amount
General Obligation Debt	37,015,000	Other Long-Term Debt	294,408
Revenue Debt	18,787,531	Short-Term Debt	0
TIF Revenue Debt	0		
		General Obligation Debt Limit	78,797,374
CERTIFICATION			
The forgoing report is correct to the best of my knowledge and belief			
		Publication	
Signature of Preparer		Phone Number	
Printed name of Preparer Diana Steiner		641-754-5760 Ext. 2100	
		Date Signed	
Signature of Mayor or other City official (Name and Title)			
PLEASE PUBLISH THIS PAGE ONLY			

REVENUE P2
CITY OF MARSHALLTOWN
REVENUE AND OTHER FINANCING SOURCES FOR YEAR ENDED JUNE 30, 2019
NON-GAAP/CASH BASIS

Item Description		General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of (a) through (f)) (g)	Proprietary (h)	Grand Total (Sum of (g) and (h)) (i)	
Section A - Taxes	1										1
Taxes levied on property	2	6,775,190	3,381,691		671,940	504,356		11,333,177		11,333,177	2
Less: Uncollected Property Taxes - Levy Year	3							0		0	3
Net Current Property Taxes	4	6,775,190	3,381,691		671,940	504,356	0	11,333,177		11,333,177	4
Delinquent Property Taxes	5	638	300		95	48		1,081		1,081	5
Total Property Tax	6	6,775,828	3,381,991		672,035	504,404	0	11,334,258		11,334,258	6
TIF Revenues	7			963,037				963,037		963,037	7
Other City Taxes											
Utility Tax Replacement Excise Taxes	8	761,362	397,755		71,310	56,861		1,287,288		1,287,288	8
Utility Franchise Tax (Chapter 364.2, Code of Iowa)	9	206,346						206,346		206,346	9
Parimutuel Wager Tax	10							0		0	10
Gaming Wager Tax	11							0		0	11
Mobile Home Tax	12	8,074	4,183		837	609		13,703		13,703	12
Hotel / Motel Tax	13	567,753						567,753		567,753	13
Other Local Option Taxes	14		3,304,526					3,304,526		3,304,526	14
Total Other City Taxes	15	1,543,535	3,706,464		72,147	57,470	0	5,379,616	0	5,379,616	15
Section B - Licenses and Permits	16	379,846	53					379,899	34,083	413,982	16
Section C - Use of Money and Property	17										17
Interest	18	302,526	138,700	31,182	23,920	229,417		725,745	460,976	1,186,721	18
Rents and Royalties	19	28,655						28,655	54,695	83,350	19
Other Miscellaneous Use of Money and Property	20							0		0	20
	21							0		0	21
Total Use of Money and Property	22	331,181	138,700	31,182	23,920	229,417	0	754,400	515,671	1,270,071	22
Section D - Intergovernmental	24										24
Federal Grants and Reimbursements	26										26
Federal Grants	27		155,775			215,229		371,004	632,377	1,003,381	27
Community Development Block Grants	28							0		0	28
Housing and Urban Development	29		1,273,414					1,273,414		1,273,414	29
Public Assistance Grants	30							0		0	30
Payment in Lieu of Taxes	31							0		0	31
	32							0		0	32
Total Federal Grants and Reimbursements	33	0	1,429,189		0	215,229	0	1,644,418	632,377	2,276,795	33

REVENUE P3
CITY OF MARSHALLTOWN
REVENUE AND OTHER FINANCING SOURCES FOR YEAR ENDED JUNE 30, 2019
NON-GAAP/CASH BASIS

Item Description		General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of (a) through (f)) (g)	Proprietary (h)	Grand Total (Sum of (g) and (h)) (i)	
Section D - Intergovernmental - Continued	41										41
State Shared Revenues	43										43
Road Use Taxes	44		3,559,454					3,559,454		3,559,454	44
Other state grants and reimbursements	48										48
State grants	49	120,589	17,987					138,576		138,576	49
Iowa Department of Transportation	50	40,907	1,945			393,122		435,974	156,243	592,217	50
Iowa Department of Natural Resources	51							0		0	51
Iowa Economic Development Authority	52							0		0	52
CEBA grants	53							0		0	53
Commercial & Industrial Replacement Claim	54	238,775	178,594		24,272	17,832		459,473		459,473	54
	55							0		0	55
	56							0		0	56
	57							0		0	57
	58							0		0	58
	59							0		0	59
Total State	60	400,271	3,757,980	0	24,272	410,954	0	4,593,477	156,243	4,749,720	60
Local Grants and Reimbursements											
County Contributions	63							0		0	63
Library Service	64	36,168						36,168		36,168	64
Township Contributions	65							0		0	65
Fire/EMT Service	66	10,000						10,000		10,000	66
Recreation-school	67	11,080						11,080		11,080	67
Police-school	68		49,745					49,745		49,745	68
Local grants	69		150,000			838		150,838		150,838	69
Total Local Grants and Reimbursements	70	57,248	199,745	0	0	838	0	257,831	0	257,831	70
Total Intergovernmental (Sum of lines 33, 60, and 70)	71	457,519	5,386,914	0	24,272	627,021	0	6,495,726	788,620	7,284,346	71
Section E -Charges for Fees and Service	72										72
Water	73							0	5,007,096	5,007,096	73
Sewer	74							0	9,433,332	9,433,332	74
Electric	75							0		0	75
Gas	76							0		0	76
Parking	77	75,715						75,715		75,715	77
Airport	78	4,153						4,153		4,153	78
Landfill/garbage	79	149,526						149,526	58,190	207,716	79
Hospital	80							0		0	80

REVENUE P4

CITY OF

REVENUE AND OTHER FINANCING SOURCES FOR YEAR ENDED JUNE 30,

NON-GAAP/CASH BASIS

Item Description		General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of (a) through (f) (g)	Proprietary (h)	Grand Total (Sum of (g) and (h)) (i)	
Section E - Charges for Fees and Service - Continued	81										81
Transit	82							0	67,016	67,016	82
Cable TV	83							0		0	83
Internet	84							0		0	84
Telephone	85							0		0	85
Housing Authority	86							0		0	86
Storm Water	87							0		0	87
Other:	88										88
Nursing Home	89							0		0	89
Police Service Fees	90	60,016						60,016		60,016	90
Prisoner Care	91							0		0	91
Fire Service Charges	92	81,787						81,787		81,787	92
Ambulance Charges	93							0		0	93
Sidewalk Street Repair Charges	94							0		0	94
Housing and Urban Renewal Charges	95	88,317	102					88,419		88,419	95
River Port and Terminal Fees	96							0		0	96
Public Scales	97							0		0	97
Cemetery Charges	98							0		0	98
Library Charges	99	24,512						24,512		24,512	99
Park, Recreation, and Cultural Charges	100	300,702				315		301,017	40,976	341,993	100
Animal Control Charges	101							0		0	101
Health&Social Services, Public Works, General Govt	102	149,396				1,826		151,222		151,222	102
	103							0		0	103
Total Charges for Service	104	934,124	102	0	0	2,141	0	936,367	14,606,610	15,542,977	104
Section F - Special Assesments	106					10,292		10,292		10,292	106
Section G - Miscellaneous	107										107
Contributions	108	4,244	137,238			158,315		299,797		299,797	108
Deposits and Sales/Fuel Tax Refunds	109							0		0	109
Sale of Property and Merchandise	110							0		0	110
Fines	111	12,954						12,954		12,954	111
Internal Service Charges	112							0		0	112
Refunds & Reimbursements (incl. tornado insurance proceeds)	113	256,634	4,261,307			457,760		4,975,701	13,840	4,989,541	113
	114							0		0	114
	115							0		0	115
	116							0		0	116
	117							0		0	117
	118							0		0	118
	119							0		0	119
Total Miscellaneous	120	273,832	4,398,545	0	0	616,075	0	5,288,452	13,840	5,302,292	120

REVENUE P5

CITY OF

REVENUE AND OTHER FINANCING SOURCES FOR YEAR ENDED JUNE 30,

NON-GAAP/CASH BASIS

Item Description		General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of (a) through (f)) (g)	Proprietary (h)	Grand Total (Sum of (g) and (h)) (i)	
Total All Revenues (Sum of lines 6, 7, 15,16,22, 71, 104, 106, and 120)	121	10,695,865	17,012,769	994,219	792,374	2,046,820	0	31,542,047	15,958,824	47,500,871	121
Section H - Other Financing Sources	123										123
Proceeds of capital asset sales	124	4,900				4,001		8,901		8,901	124
Proceeds of long-term debt (Excluding TIF internal borrowing)	125					2,433,566		2,433,566	58,452	2,492,018	125
Proceeds of anticipatory warrants or other short-term debt	126							0		0	126
Regular transfers in and interfund loans	127	5,373,387	64,995		3,016,268	1,007,564		9,462,214	263,552	9,725,766	127
Internal TIF loans and transfers in	128	61,884			363,219	146,510		571,613		571,613	128
	129							0		0	129
	130							0		0	130
Total Other Financing Sources	131	5,440,171	64,995	0	3,379,487	3,591,641	0	12,476,294	322,004	12,798,298	131
Total Revenues Except for Beginning Balances (Sum of lines 121 and 131)	132	16,136,036	17,077,764	994,219	4,171,861	5,638,461	0	44,018,341	16,280,828	60,299,169	132
Beginning Fund Balance July 1, 2018	134	4,412,931	12,246,296	485,856	86,909	11,643,298		28,875,290	18,838,187	47,713,477	134
Total Revenues and Other Financing Sources (Sum of lines 132 and 134)	136	20,548,967	29,324,060	1,480,075	4,258,770	17,281,759	0	72,893,631	35,119,015	108,012,646	136

EXPENDITURES P6
CITY OF MARSHALLTOWN
EXPENDITURES AND OTHER FINANCING USES FOR FISCAL YEAR ENDED JUNE 30, 2019
NON-GAAP/CASH BASIS

Item Description	Line	General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of cols. (a) through (f)) (g)	Proprietary (h)	Grand Total (Sum of col. (g)) (i)	Line
Section A — Public Safety	1										1
Police Department/Crime Prevention	2	4,958,639	570,311					5,528,950		5,528,950	2
Jail	3							0		0	3
Emergency Management	4	33,629	64					33,693		33,693	4
Flood control	5	48	46,794					46,842		46,842	5
Fire Department	6	3,128,382	22,545					3,150,927		3,150,927	6
Ambulance	7							0		0	7
Building Inspections	8	601,792	52,983					654,775		654,775	8
Miscellaneous Protective Services	9							0		0	9
Animal Control	10	52,000						52,000		52,000	10
Other Public Safety	11							0		0	11
	12							0		0	12
	13							0		0	13
Total Public Safety	14	8,774,490	692,697		0	0	0	9,467,187		9,467,187	14
Section B — Public Works	15										15
Roads, Bridges, Sidewalks	16	765,908	849,382					1,615,290		1,615,290	16
Parking Meter and Off-Street	17	82,409						82,409		82,409	17
Street Lighting	18	22,614	272,478					295,092		295,092	18
Traffic Control Safety	19	135,544	159,015					294,559		294,559	19
Snow Removal	20	157,220	128,344					285,564		285,564	20
Highway Engineering	21	334,241	197,823					532,064		532,064	21
Street Cleaning	22		13,205					13,205		13,205	22
Airport (if not an enterprise)	23	63,983						63,983		63,983	23
Garbage (if not an enterprise)	24	113,289	149,204					262,493		262,493	24
Other Public Works	25		121,054					121,054		121,054	25
Tree removal	26	13,232	513,874					527,106		527,106	26
Mosquito/Pest Control	27	3,188						3,188		3,188	27
Total Public Works	28	1,691,628	2,404,379		0	0	0	4,096,007		4,096,007	28
Section C — Health and Social Services	29										29
Welfare Assistance	30							0		0	30
City Hospital	31							0		0	31
Payments to Private Hospitals	32							0		0	32
Health Regulation and Inspections	33	11,830	44,734					56,564		56,564	33
Water, Air, and Mosquito Control	34							0		0	34
Community Mental Health	35							0		0	35
Other Health and Social Services	36	13,758	28,346					42,104		42,104	36
	37							0		0	37
	38							0		0	38
Total Health and Social Services	39	25,588	73,080		0	0	0	98,668		98,668	39
Section D — Culture and Recreation	40										40
Library Services	41	1,278,127	36,695					1,314,822		1,314,822	41
Museum, Band, Theater	42	12,865						12,865		12,865	42
Parks	43	697,887	91,260					789,147		789,147	43
Recreation	44	463,468	27,109					490,577		490,577	44
Cemetery	45							0		0	45
Community Center, Zoo, Marina, and Auditorium	46	76,760						76,760		76,760	46
Other Culture and Recreation	47							0		0	47
Coliseum (repairs from Tornado)	48	18,532	1,503,223					1,521,755		1,521,755	48
	49							0		0	49
Total Culture and Recreation	50	2,547,639	1,658,287		0	0	0	4,205,926		4,205,926	50

EXPENDITURES P7

CITY OF

EXPENDITURES AND OTHER FINANCING USES FOR FISCAL YEAR ENDED JUNE 30, -- Continued

NON-GAAP/CASH BASIS

Item description	Line	General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of cols. (a) through (f)) (g)	Proprietary (h)	Grand Total (Sum of col. (g)) (i)	Line
Section E — Community and Economic Development	51										51
Community beautification	52	16,682	34,432					51,114		51,114	52
Economic development	53	61,950	122,840	135,415				320,205		320,205	53
Housing and urban renewal	54		1,238,564					1,238,564		1,238,564	54
Planning and zoning	55	73,149	8,480					81,629		81,629	55
Other community and economic development	56	380,395	179,557					559,952		559,952	56
TIF Rebates	57			254,288				254,288		254,288	57
	58							0		0	58
Total Community and Economic Development	59	532,176	1,583,873	389,703	0	0	0	2,505,752		2,505,752	59
Section F — General Government	60										60
Mayor, Council and City Manager	61	175,698	30,458					206,156		206,156	61
Clerk, Treasurer, Financial Administration	62	872,259	31,700					903,959		903,959	62
Elections	63							0		0	63
Legal Services and City Attorney	64	102,746						102,746		102,746	64
City Hall and General Buildings	65	238,443	356,074					594,517		594,517	65
Tort Liability	66							0		0	66
Other General Government	67	5,575	33,428					39,003		39,003	67
Cable TV (Channel 12)	68	51,368						51,368		51,368	68
	69							0		0	69
Total General Government	70	1,446,089	451,660		0	0	0	1,897,749		1,897,749	70
Section G — Debt Service	71				4,112,485			4,112,485		4,112,485	71
	72							0		0	72
	73							0		0	73
Total Debt Service	74	0	0	0	4,112,485	0	0	4,112,485		4,112,485	74
Section H — Regular Capital Projects — Specify	75										75
Police & Fire Building	76					9,200,450		9,200,450		9,200,450	76
Streets, Parks, Coliseum, Airport, Demolitions	77					1,035,917		1,035,917		1,035,917	77
Subtotal Regular Capital Projects	78	0	0		0	10,236,367	0	10,236,367		10,236,367	78
TIF Capital Projects — Specify	79										79
	80							0		0	80
	81							0		0	81
Subtotal TIF Capital Projects	82	0	0		0	0	0	0		0	82
Total Capital Projects	83	0	0		0	10,236,367	0	10,236,367		10,236,367	83
Total Governmental Activities Expenditures	84	15,017,610	6,863,976	389,703	4,112,485	10,236,367	0	36,620,141		36,620,141	84
(Sum of lines 14, 28, 39, 50, 59, 70, 74, 83)	85										85

TIF Rebates are expended out of the TIF Special Revenue Fund within the Community and Economic Development program's activity "Other"

EXPENDITURES P8

CITY OF

EXPENDITURES AND OTHER FINANCING USES FOR FISCAL YEAR ENDED JUNE 30, -- Continued

NON-GAAP/CASH BASIS

Item description	Line	General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of cols. (a) through (f)) (g)	Proprietary (h)	Grand Total (Sum of col. (g)) (i)	Line
Section I — Business Type Activities	87										87
Water — Current Operation	88								3,445,100	3,445,100	88
Capital Outlay	89								328,385	328,385	89
Debt Service	90								498,897	498,897	90
Sewer and Sewage Disposal — Current Operation	91								2,849,626	2,849,626	91
Capital Outlay	92								265,317	265,317	92
Debt Service	93								2,426,038	2,426,038	93
Electric — Current Operation	94									0	94
Capital Outlay	95									0	95
Debt Service	96									0	96
Gas Utility — Current Operation	97									0	97
Capital Outlay	98									0	98
Debt Service	99									0	99
Parking — Current Operation	100									0	100
Capital Outlay	101									0	101
Debt Service	102									0	102
Airport — Current Operation	103									0	103
Capital Outlay	104									0	104
Debt Service	105									0	105
Landfill/Garbage — Current operation	106								522,432	522,432	106
Capital Outlay	107									0	107
Debt Service	108									0	108
Hospital — Current Operation	109									0	109
Capital Outlay	110									0	110
Debt Service	111									0	111
Transit — Current Operation	112								691,166	691,166	112
Capital Outlay	113								517,508	517,508	113
Debt Service	114									0	114
Cable TV, Telephone, Internet — Current Operation	115									0	115
Capital Outlay	116									0	116
Housing Authority — Current Operation	117									0	117
Capital Outlay	118									0	118
Debt Service	119									0	119
Storm Water — Current Operation	120								417,279	417,279	120
Capital Outlay	121								568,745	568,745	121
Debt Service	122								207,900	207,900	122
Other Business Type — Current Operation	123								42,131	42,131	123
Capital Outlay	124									0	124
Debt Service	125									0	125
Internal Service Funds — Specify	126										126
	127									0	127
	128									0	128
Total Business Type Activities	129								12,780,524	12,780,524	129

EXPENDITURES P9

CITY OF MARSHALLTOWN

EXPENDITURES AND OTHER FINANCING USES FOR FISCAL YEAR ENDED JUNE 30, 2019 -- Continued

NON-GAAP/CASH BASIS

Item description	Line	General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of cols. (a) through (f)) (g)	Proprietary (h)	Grand Total (Sum of col. (g)) (i)	Line
Subtotal Expenditures (Sum of lines 84 and 129)	130	15,017,610	6,863,976	389,703	4,112,485	10,236,367	0	36,620,141	12,780,524	49,400,665	130
Section J — Other Financing Uses Including Transfers Out	131										131
Regular transfers out	132	750,380	8,260,502			668,090		9,678,972	46,794	9,725,766	132
Internal TIF loans/repayments and transfers out	133			571,613				571,613		571,613	133
	134							0		0	134
Total Other Financing Uses	135	750,380	8,260,502	571,613	0	668,090	0	10,250,585	46,794	10,297,379	135
Total Expenditures and Other Financing Uses (Sum of lines 130 and 135)	136	15,767,990	15,124,478	961,316	4,112,485	10,904,457	0	46,870,726	12,827,318	59,698,044	136
	137										137
Ending fund balance June 30, :	138										138
Governmental:	139										139
Nonspendable	140							0		0	140
Restricted	141	598,170	14,199,582	518,759	146,285	6,377,302		21,840,098		21,840,098	141
Committed	142	250,000						250,000		250,000	142
Assigned	143							0		0	143
Unassigned	144	3,932,807						3,932,807		3,932,807	144
Total Governmental	145	4,780,977	14,199,582	518,759	146,285	6,377,302	0	26,022,905		26,022,905	145
Proprietary	146								22,291,697	22,291,697	146
Total Ending Fund Balance June 30,	147	4,780,977	14,199,582	518,759	146,285	6,377,302	0	26,022,905	22,291,697	48,314,602	147
Total Requirements (Sum of lines 136 and 147)	148	20,548,967	29,324,060	1,480,075	4,258,770	17,281,759	0	72,893,631	35,119,015	108,012,646	148

OTHER P10

Part III Intergovernmental Expenditures Please report below expenditures made to the State or to other local governments on a reimbursement or cost sharing basis. Include these expenditures in part II. Enter amount.										
Purpose		Amount paid to other local governments				Purpose		Amount paid to State		
Correction						Highways				
Health						All other				
Highways										
Transit Subsidies										
Libraries										
Police protection										
Sewerage										
Sanitation										
All other										
Part IV Wages & Salaries Report here the total salaries and wages paid to all employees of your government before deductions of social security, retirement, etc. Include also salaries and wages paid to employees of any utility owned and operated by your government, as well as salaries and wages of municipal employees charged to construction projects.										
YOU ARE REQUIRED TO ENTER SALARY DOLLARS IN THE Amount areas FOR SALARIES AND WAGES PAID										Amount
Total Salaries and Wages Paid										12,236,174
Part V Debt Outstanding, Issued, and Retired Transit subsidies A. Long-Term Debt										
Debt During the Fiscal Year					Debt Outstanding JUNE 30, 2019					
Purpose	Line	Debt Outstanding JULY 1, 2018	Issued	Retired	General Obligation	TIF Revenue	Revenue	Other	Interest Paid This Year	
Water Utility	1.	7,077,079	58,452	357,000			6,778,531		141,897	
Sewer Utility	2.	17,422,152		1,959,959	3,230,000		12,009,000	223,193	466,079	
Electric Utility	3.									
Gas Utility	4.									
Transit-Bus	5.									
Industrial Revenue	6.									
Mortgage Revenue	7.									
TIF Revenue	8.	2,875,389		301,870	2,573,519				61,349	
Other Purposes / Miscellaneous	9.	109,976		38,761				71,215		
GO	10.	29,584,611	2,400,000	3,008,130	28,976,481				708,446	
Parking	11.									
Airport	12.									
Stormwater	13.	2,395,000		160,000	2,235,000				47,900	
Section 108	14.									
Total Long-Term		59,464,207	2,458,452	5,825,720	37,015,000	0	18,787,531	294,408	1,425,671	
B. Short-Term Debt Amount										
Outstanding as of July 1, 2018										
Outstanding as of JUNE 30, 2019										
DEBT LIMITATION FOR GENERAL OBLIGATIONS						Amount				
Part VI Actual valuation -- January 1, 2017						1,575,947,498 x.0.5 = \$ 78,797,374.9				
Part VII CASH AND INVESTMENT ASSETS AS OF JUNE 30, 2019										
Type of asset Cash and investments - Include cash on hand, CD's, time, checking and savings deposits, Federal securities, Federal agency securities, State and local government securities, and all other securities. Exclude value of real property.					Amount					
					Bond and interest funds (a)	Bond construction funds (b)	Pension/retirement funds (c)	All other Funds (d)	Total (e)	
					146,285	6,359,675		44,178,906	50,684,866	
					If you budget on a NON-GAAP CASH BASIS, the amount in the Total above SHOULD EQUAL the above summed amounts on the sheet All Funds P1: Ending fund balance, column C PLUS the amounts in the shaded Note area.					
REMARKS										
-										



SPEERAUCTION.COM

Observation

Auction Date Mon., Nov 18, 2019
Type AON
Start 11:00:00 am
End 11:30:00 am
Time Now 11:31:33 am EST
Status Over
 Connected to server

\$8,830,000*

City of Marshalltown, Marshall County, Iowa

Refresh General Obligation Corporate Purpose and Refunding Bonds, Series 2019

	Bidder	Firm	TIC	Time	Gross Interest	+ Discount/ (Premium)	Total Interest
1st	RWBA-DK	Robert Baird	1.796640%	11:24:29 am	\$961,485.00	(91,651.75)	\$869,833.25
2nd	PIPE-DD	Piper Jaffray	1.799388%	11:22:37 am	\$961,485.00	(90,404.80)	\$871,080.20
3rd	FTNF-MM	FTN Financial	1.826545%	11:27:09 am	\$961,485.00	(78,094.46)	\$883,390.54
4th	NORT-DS	Northland	1.898742%	11:22:29 am	\$961,485.00	(45,481.85)	\$916,003.15
5th	DADA-JS	DA Davidson	1.965572%	11:24:09 am	\$1,442,227.50	(463,368.25)	\$978,859.25
6th	BNYM-AR	BNY Mellon	2.156730%	11:22:14 am	\$1,922,970.00	(820,142.90)	\$1,102,827.10

*Preliminary, subject to change

Click below to see other bidder results

AON bids:

(7 bidders on Auction Page; 6 bidders submitted bids)

[BNYM-AR](#), [DADA-JS](#), [FTNF-MM](#), [NORT-DS](#), [PIPE-DD](#), [RWBA-DK](#), [UMBB-KK](#), [Best Bid](#), [Cover Bid](#)

Note: **Green** links indicate Bidders using MuniComp. **Gray** links indicate Bidders who have not submitted bids.

Active Observers:

[SPEE-BF](#) [SPEE-CN](#) [SPEE-LB](#) [SPEE-MB](#) [SPEE-MR](#)

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Exit to: [SpeerAuction Home Page](#), [Log Out](#)

*For information about this bond sale, call Speer Financial, Inc. at (312) 346-3700.
Please direct questions and comments regarding bidding procedures to the [Auction Administrator](#) or call (412) 391-5555.*



KEVIN
McCANNA
Chairman

DANIEL
FORBES
President

RAPHALIATA
McKENZIE
Senior VP

MAGGIE
BURGER
Senior VP

ANTHONY
MICELI
Senior VP

LARRY
BURGER
Vice President

MARK
JERETINA
Vice President

November 18, 2019

The Honorable Joel Greer, Mayor
and Members of the City Council
City of Marshalltown
24 N. Center Street
Marshalltown, IA 50158

Dear Mayor Greer and Council Members:

Bids were received today for the **\$8,830,000 General Obligation Corporate Purpose and Refunding Bonds, Series 2019**. There were six bids received, which are listed at the bottom of this letter.

A portion of the Bonds was used to currently refund the outstanding portion of the General Obligation Corporate Purpose Bonds, Series 2011. By the City choosing to currently refund the Series 2011 Bonds, the City will realize a gross savings of **\$162,075.00**, with a net present value saving of **\$152,160.99** or **4.711%** of the principal amount of the Refunded Bonds.

Upon examination, it is our opinion that the bid of **Robert W. Baird & Co., Inc., Milwaukee, Wisconsin**, is the best bid received, and it is further our opinion that the bid is favorable to the City and should be accepted. We therefore recommend that the Bonds be awarded to that bidder at a price of **\$8,921,651.75**, being at a true interest rate of **1.7966%**.

Account Managers

True
Interest Rate

Robert W. Baird & Co., Inc., Milwaukee, Wisconsin	1.7966%
Piper Jaffray & Co., Minneapolis, Minnesota	1.7993%
FTN Financial Capital Markets, Memphis, Tennessee	1.8265%
Northland Securities, Inc., Minneapolis, Minnesota	1.8987%
D.A. Davidson Company, Denver, Colorado	1.9655%
BNY Mellon Capital Markets, New York, New York	2.1567%

Respectfully submitted,

SPEER FINANCIAL, INC.



Maggie Burger, Sr. Vice President

MB/mr

Enclosures

Investment Rating:
Moody's Investors Service ... Aa2

\$8,830,000
CITY OF MARSHALLTOWN
Marshall County, Iowa
General Obligation Corporate Purpose and Refunding Bonds, Series 2019

Date of Sale: November 18, 2019
Average Life: 5.444 Years
(Based on TIC)

<u>Bidders*</u>	<u>Price</u>	<u>Maturities</u>	<u>Rates</u>	<u>True Interest**</u>
Robert W. Baird & Co., Inc. Milwaukee, Wisconsin	101.037% \$8,921,651.75	2020 - 2030	2.000%	1.7966% \$869,833

In association with:

C.L. King & Associates WMBE
Dougherty & Company, LLC
Crews & Associates, Inc.
Ross, Sinclaire & Associates, LLC
Davenport & Co., L.L.C.
Duncan-Williams, Inc.
Country Club Bank
Oppenheimer & Co.
Sierra Pacific Securities
SumRidge Partners
Loop Capital Markets
Wintrust Investments, LLC
Central States Capital Markets

FMS Bonds Inc.
Commerce Bank, N.A.
First Kentucky Securities Corp.
Alamo Capital WMBE
Isaak Bond Investments, Inc.
Midland Securities
First Southern Securities
Multi-Bank Securities Inc.
Dinosaur Securities
First Bankers' Banc Securities, Inc.
Tribal Capital Markets LLC
Mountainside Securities LLC
UMB Bank, n.a.

**Syndicate information is provided by the underwriter. The information contained in this report is the most current available.*

***The true interest rate reflects the time value of money where dollars spent in early years have a greater weight than dollars spent in later years.*

<u>Bidders*</u>	<u>Price</u>	<u>Maturities</u>	<u>Rates</u>	<u>True Interest**</u>
Piper Jaffray & Co. Minneapolis, Minnesota	101.023% \$8,920,404.80	2020 - 2030	2.000%	1.7993% \$871,080
Cantor Fitzgerald & Co.				
FTN Financial Capital Markets Memphis, Tennessee	100.884% \$8,908,094.46	2020 - 2030	2.000%	1.8265% \$883,391
Northland Securities, Inc. Minneapolis, Minnesota	100.515% \$8,875,481.85	2020 - 2030	2.000%	1.8987% \$916,003
D.A. Davidson Company Denver, Colorado	105.247% \$9,293,368.25	2020 - 2030	3.000%	1.9655% \$978,859
BNY Mellon Capital Markets New York, New York	109.288% \$9,650,142.90	2020 - 2030	4.000%	2.1567% \$1,102,827

*Syndicate information is provided by the underwriter. The information contained in this report is the most current available.

**The true interest rate reflects the time value of money where dollars spent in early years have a greater weight than dollars spent in later years.

City of Marshalltown, Iowa

\$7,620,000 General Obligation Corporate Purpose Bonds, Series 2011

***** FINAL for current refunding 2019 *****

Total Refunded Debt Service

Date	Principal	Coupon	Interest	Total P+I
06/01/2020	410,000.00	2.650%	50,270.00	460,270.00
06/01/2021	425,000.00	2.900%	89,675.00	514,675.00
06/01/2022	440,000.00	3.000%	77,350.00	517,350.00
06/01/2023	460,000.00	3.100%	64,150.00	524,150.00
06/01/2024	475,000.00	3.200%	49,890.00	524,890.00
06/01/2025	500,000.00	3.350%	34,690.00	534,690.00
06/01/2026	520,000.00	3.450%	17,940.00	537,940.00
Total	\$3,230,000.00	-	\$383,965.00	\$3,613,965.00

City of Marshalltown, Iowa

\$3,220,000 General Obligation Corporate Purpose and Refunding Bonds, Series 2019

*** FINAL - Current Refunding 2011 Portion ***

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
06/01/2020	410,000.00	2.000%	30,590.00	440,590.00
06/01/2021	435,000.00	2.000%	56,200.00	491,200.00
06/01/2022	445,000.00	2.000%	47,500.00	492,500.00
06/01/2023	465,000.00	2.000%	38,600.00	503,600.00
06/01/2024	475,000.00	2.000%	29,300.00	504,300.00
06/01/2025	495,000.00	2.000%	19,800.00	514,800.00
06/01/2026	495,000.00	2.000%	9,900.00	504,900.00
Total	\$3,220,000.00	-	\$231,890.00	\$3,451,890.00

Yield Statistics

Bond Year Dollars	\$11,594.50
Average Life	3.601 Years
Average Coupon	2.0000000%
Net Interest Cost (NIC)	1.6799217%
True Interest Cost (TIC)	1.6659944%
Bond Yield for Arbitrage Purposes	1.6174413%
All Inclusive Cost (AIC)	1.8615991%

IRS Form 8038

Net Interest Cost	1.4373517%
Weighted Average Maturity	3.615 Years

City of Marshalltown, Iowa

\$3,220,000 General Obligation Corporate Purpose and Refunding Bonds, Series 2019

*** FINAL - Current Refunding 2011 Portion ***

Debt Service Comparison

Date	Total P+I	Net New D/S	Old Net D/S	Savings
06/01/2020	440,590.00	440,590.00	460,270.00	19,680.00
06/01/2021	491,200.00	491,200.00	514,675.00	23,475.00
06/01/2022	492,500.00	492,500.00	517,350.00	24,850.00
06/01/2023	503,600.00	503,600.00	524,150.00	20,550.00
06/01/2024	504,300.00	504,300.00	524,890.00	20,590.00
06/01/2025	514,800.00	514,800.00	534,690.00	19,890.00
06/01/2026	504,900.00	504,900.00	537,940.00	33,040.00
Total	\$3,451,890.00	\$3,451,890.00	\$3,613,965.00	\$162,075.00

PV Analysis Summary (Net to Net)

Net PV Cashflow Savings @ 1.862%(AIC) 152,160.99

Net Present Value Benefit **\$152,160.99**

Net PV Benefit / \$3,230,000 Refunded Principal 4.711%

Net PV Benefit / \$3,220,000 Refunding Principal 4.725%

Refunding Bond Information

Refunding Dated Date 12/10/2019

Refunding Delivery Date 12/10/2019

CREDIT OPINION

14 November 2019

✓ Rate this Research

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Marshalltown (City of) IA

Update to credit analysis

Summary

Marshalltown, IA (Aa2) has a healthy credit profile driven by growth in reserves and tax base valuation growth. While the city experienced a strong tornado in the summer of 2018 and initially projected tax base loss starting in fiscal 2021, recent reports suggest continued modest growth due to large scale rebuilding and new construction, as well as adjustments in property class. Additional credit factors for the city is a moderate debt burden and moderate pension liabilities, along with weak resident income levels compared to peers.

Credit strengths

- » Healthy financial profile with strong reserves
- » Modest tax base growth

Credit challenges

- » Moderate debt and pension liabilities
- » Weaker resident income levels than peers

Rating outlook

Outlooks are generally not assigned to local governments with this amount of debt.

Factors that could lead to an upgrade

- » Continued growth in reserves
- » Increases to valuation paired with growth in resident income levels
- » Moderation of the city's debt burden

Factors that could lead to a downgrade

- » Substantial reduction in reserves
- » Contraction of the tax base
- » Any unexpected financial losses related to a tornado from summer 2018

Key indicators

Marshalltown (City of) IA	2014	2015	2016	2017	2018
Economy/Tax Base					
Total Full Value (\$000)	\$1,332,843	\$1,367,001	\$1,455,236	\$1,578,220	\$1,653,366
Population	27,749	27,770	27,637	27,440	27,440
Full Value Per Capita	\$48,032	\$49,226	\$52,655	\$57,515	\$60,254
Median Family Income (% of US Median)	82.9%	82.5%	85.4%	78.2%	78.2%
Finances					
Operating Revenue (\$000)	\$20,553	\$21,034	\$22,686	\$23,852	\$21,611
Fund Balance (\$000)	\$7,373	\$7,994	\$8,834	\$11,043	\$10,952
Cash Balance (\$000)	\$9,095	\$10,611	\$12,380	\$16,856	\$15,978
Fund Balance as a % of Revenues	35.9%	38.0%	38.9%	46.3%	50.7%
Cash Balance as a % of Revenues	44.3%	50.4%	54.6%	70.7%	73.9%
Debt/Pensions					
Net Direct Debt (\$000)	\$21,514	\$20,375	\$19,308	\$23,534	\$32,570
3-Year Average of Moody's ANPL (\$000)	\$38,318	\$35,881	\$37,441	\$44,469	\$50,689
Net Direct Debt / Full Value (%)	1.6%	1.5%	1.3%	1.5%	2.0%
Net Direct Debt / Operating Revenues (x)	1.0x	1.0x	0.9x	1.0x	1.5x
Moody's - adjusted Net Pension Liability (3-yr average) to Full Value (%)	2.9%	2.6%	2.6%	2.8%	3.1%
Moody's - adjusted Net Pension Liability (3-yr average) to Revenues (x)	1.9x	1.7x	1.7x	1.9x	2.3x

Tax base data is displayed on a levy year basis, while financial information is displayed on a fiscal year basis. The above chart does not reflect an upcoming debt issuance, see debt section below.

Source: Moody's Investors Service, Marshalltown audited financials, U.S. Census Bureau

Profile

Marshalltown is a moderately sized community located in central Iowa. The city is the county seat of Marshall County and provides a variety of services to approximately 27,000 residents.

Detailed credit considerations

Economy and tax base: moderately sized tax base in central Iowa; recent affects from a tornado

Marshalltown's tax base is expected to maintain modest growth despite a tornado that hit the city in the summer of 2018. Currently valued at \$1.6 billion, the tax base has seen 5.1% on average growth over the last five years. Initially, the city expected a slight decline in valuation starting in fiscal 2021; however, city officials report that recent indications by the county show an increase in valuation due to large scale rebuilding and new construction since the tornado, as well as adjustments to property class.

The city does have slight taxpayer concentration, with the largest taxpayer, Interstate Power and Light, which represents 10.7% of valuation. Marshalltown also has below average resident income levels at just 78.2% of the national median. September 2019 unemployment for the city was a low 3.6%, which while above the state at 2.5%, is right on par with the nation at 3.6%.

Financial operations and reserves: healthy financial profile with strong reserves

The city's financial profile is expected to remain healthy given expectations of fiscal 2019 financials as well as better than expected projected assessed valuations following a recent tornado. The city closed fiscal 2018 with an operating funds (general, debt service, road use tax, local option sales tax, property tax) available balance of \$11.0 million, or 50.7% of revenues, down approximately \$100,000 from fiscal 2017. Projected fiscal 2019 financials include a \$360,000 general fund surplus, driven mainly by reimbursement of FEMA dollars from the summer of 2018 tornado. The city put together essentially a balanced budget for fiscal 2020, with revenues and expenditures tracking closely to budget thus far.

This publication does not announce a credit rating action. For any credit ratings referenced in this publication, please see the ratings tab on the issuer/entity page on www.moody's.com for the most updated credit rating action information and rating history.

The largest source of revenue for the city is property tax at 46.5%, followed by intergovernmental revenues at 23.6% and other city taxes at 22.3%. We expect these revenue sources to remain stable in the short term.

City management maintains reserves well above its fund balance target of 20% of budgeted expenditures. Like most Iowa cities, Marshalltown levies the statutory maximum rate of \$8.10 within the General Fund. The city also levies the full \$0.27 for its emergency levy. A voter-approved \$0.67 capital improvement levy, which does not sunset, helps support the city's capital needs.

LIQUIDITY

Liquidity across the operating funds are healthy at \$16.0 million, or 73.9% of revenues, at the end of fiscal 2018.

Debt and pensions: moderate debt burden and pension liabilities

The debt burden is expected to remain moderate given the city's borrowing habits. Inclusive of the 2019 issuance, the city's debt burden is 1.7x operating revenues and 2.3% of full valuation. Marshalltown's three year average Moody's adjusted net pension liability (ANPL), under our methodology for adjusting reported pension data, through fiscal 2018 is \$50.7 million, net of self-supporting enterprises, or 2.3x operating revenues and 3.1% of full valuation. Total fixed costs, inclusive of debt service, pensions, and OPEB, is a slightly elevated 20.5% of operating revenues.

DEBT STRUCTURE

All of the city's debt is fixed rate and amortizes over the long-term, with an average 77.9% of principal retired within the next ten years.

DEBT-RELATED DERIVATIVES

The city is not a party to any debt-related derivatives.

PENSIONS AND OPEB

The city participates in two defined benefit multi-employer cost sharing plans, the Iowa Public Employees' Retirement System (IPERS) and Municipal Fire and Police Retirement System of Iowa (MFPRSI). On an annual basis, the plans establish local government retirement contributions as a share of annual payroll based on actuarial requirements. The city has routinely made its full statutory contributions. Additionally, the city has a single employer Marshalltown Water Works Supplemental Retirement and Pension Plan, which is self-supported from the city's utilities.

Currently, employer contribution rates are under 10% of payroll while employee contributions rates are approximately 7% of payroll for fiscal 2020. The city has routinely made its full required contributions.

The Moody's ANPL referenced above uses the cost-sharing plan allocation of plan liabilities and fair market value of assets reported by the city under GASB 68 but reflects the use of the FSTE Pension Liability Index, a high investment-grade long-term taxable bond index, to value the plan's liabilities.

While the plan's (IPERS) current discount rate is 7.00%, the FSTE Pension Liability Index used to value liabilities was 3.87% as of the plan's last measurement date of June 30, 2017. Our pension adjustments are not intended to as a guide, but rather to enhance the comparability of rated entities in our credit analysis since discount rates and plan assumptions often vary from plan to plan.

In aggregate, all participating governments contributed well below the 'tread water' indicator in fiscal 2018, however, with asset performance exceeding the plan's assumed investment return and the use of a higher Moody's market-based discount rate resulted in a 6% reduction in the plan level ANPL. Due to a 12-month balance sheet reporting lag, the reduction in the plan's unfunded liabilities in 2018 will not be reflected in local government balance sheets until fiscal 2019 for most Iowa local governments.

The city offers a single-employer health benefit plan which provides medical and dental benefits for employees, retirees and their eligible spouses. The plan is funded on a pay-as-you-go basis. The total OPEB liability, measured as of June 30, 2018, was \$13.8 million, or 0.64x revenues. For fiscal 2018, the city contributed \$504,000, or 2.3% of revenues.

Management and governance: very strong institutional framework

Iowa cities have an Institutional Framework score of "Aaa", which is very strong. Even with property tax caps on general and emergency levies, cities have strong revenue-raising flexibility due to various additional levies, including an unlimited levy for employee benefits. Unpredictable revenue fluctuations tend to be minor given the stability of the sector's primary revenue source, which are property taxes. Expenditures mostly consist of personnel costs, which are highly predictable. Iowa's public employee collective bargaining law

limits the scope of bargaining to base wages for non-public safety employees. Across the sector, fixed costs are generally elevated and driven mainly by debt service.

Rating methodology and scorecard factors

The US Local Government General Obligation Debt methodology includes a scorecard, a tool providing a composite score of a local government's credit profile based on the weighted factors we consider most important, universal and measurable, as well as possible notching factors dependent on individual credit strengths and weaknesses. Its purpose is not to determine the final rating, but rather to provide a standard platform from which to analyze and compare local government credits.

Rating Factors	Measure	Score
Economy/Tax Base (30%) ^[1]		
Tax Base Size: Full Value (in 000s)	\$1,653,366	Aa
Full Value Per Capita	\$60,254	A
Median Family Income (% of US Median)	78.2%	A
Finances (30%)		
Fund Balance as a % of Revenues	50.7%	Aaa
5-Year Dollar Change in Fund Balance as % of Revenues	18.1%	Aa
Cash Balance as a % of Revenues	73.9%	Aaa
5-Year Dollar Change in Cash Balance as % of Revenues	15.8%	Aa
Management (20%)		
Institutional Framework	Aaa	Aaa
Operating History: 5-Year Average of Operating Revenues / Operating Expenditures (x)	1.0x	Aa
Debt and Pensions (20%)		
Net Direct Debt / Full Value (%)	2.3%	A
Net Direct Debt / Operating Revenues (x)	1.7x	A
3-Year Average of Moody's Adjusted Net Pension Liability / Full Value (%)	3.1%	A
3-Year Average of Moody's Adjusted Net Pension Liability / Operating Revenues (x)	2.3x	A
Scorecard-Indicated Outcome		Aa2
Assigned Rating		Aa2

[1] Economy measures are based on data from the most recent year available.

[2] Notching Factors are specifically defined in the US Local Government General Obligation Debt methodology.

[3] Standardized adjustments are outlined in the GO Methodology Scorecard Inputs publication.

Source: Moody's Investors Service, Marshalltown audited financials, U.S. Census Bureau

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APPROVE ISSUANCE OF GENERAL
OBLIGATION CORPORATE PURPOSE
AND REFUNDING BONDS, SERIES 2019

422742-38

Marshalltown, Iowa **2019-309**

November 25, 2019

The City Council of the City of Marshalltown, Iowa, met on November 25, 2019, at 5:30 o'clock p.m., at the Council Chambers, in the City.

The meeting was called to order by the Mayor, and the roll was called showing the following Council Members present and absent:

Present: _____

Absent: _____.

It was reported that, on November 18, 2019, the Council had received bids and had awarded the sale of the City's General Obligation Corporate Purpose and Refunding Bonds, Series 2019, and that it was now necessary for the Council to authorize the issuance of those bonds.

After due consideration and discussion, Council Member _____ introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member _____. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted as hereinafter set out.

• • • •

At the conclusion of the meeting, and upon motion and vote, the Council adjourned.

Mayor

Attest:

City Clerk

RESOLUTION NO. 2019-309

RESOLUTION 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

WHEREAS, pursuant to advertisement of sale, bids for the purchase of General Obligation Corporate Purpose and Refunding Bonds, Series 2019, in the amount of \$8,830,000 (the “Bonds”) were received and canvassed on behalf of the City of Marshalltown, Iowa (the “City”) on November 18, 2019, and the substance of such bids noted in the minutes; and

WHEREAS, upon final consideration of all bids, the City’s municipal advisor determined that the bid of Robert W. Baird & Co., Inc (the “Purchaser”), was the best, and the Council awarded the Bonds to the Purchaser; and

WHEREAS, it is now necessary to authorize the issuance of the Bonds;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Marshalltown, Iowa, as follows:

Section 1. The Bonds are hereby authorized to be issued, in the total aggregate principal amount of \$8,830,000, to be dated December 10, 2019, in the denomination of \$5,000 each, or any integral multiple thereof, maturing on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2020	\$410,000	2.00%	2026	\$1,220,000	2.00%
2021	\$695,000	2.00%	2027	\$650,000	2.00%
2022	\$815,000	2.00%	2028	\$650,000	2.00%
2023	\$840,000	2.00%	2029	\$600,000	2.00%
2024	\$1,160,000	2.00%	2030	\$595,000	2.00%
2025	\$1,195,000	2.00%			

Section 2. UMB Bank, n.a., West Des Moines, Iowa, is hereby designated as the Bond Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the “Bond Registrar” or the “Paying Agent.” The City shall enter into an agreement (the “Registrar/Paying Agent Agreement”) with the Bond Registrar, in substantially the form as has been placed on file with the Council; the Mayor and City Clerk are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the City, and the Registrar/Paying Agent Agreement is hereby approved.

The City reserves the right to prepay part or all of the Bonds maturing in each of the years 2026 through 2030, inclusive, prior to and in any order of maturity on June 1, 2025, or on any date thereafter upon terms of par and accrued interest.

If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called

in part in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing June 1, 2020. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the City Clerk, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Registrar.

The Bonds shall be fully registered as to principal and interest in the name of the owners on the registration books of the City kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owners or their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the City upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 3. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York (“DTC”). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the “Participants”). In the event that DTC determines not to continue to act as securities depository for the Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement Bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement Bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interests in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant’s interest in the Bonds, which will be confirmed in accordance with DTC’s standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The City will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term “Beneficial Owner” shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the City to DTC, and DTC shall forward (or cause to be

forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 4. The Bonds shall be in substantially the following form:

(Form of Bond)

**UNITED STATES OF AMERICA
STATE OF IOWA MARSHALL COUNTY
CITY OF MARSHALLTOWN**

**GENERAL OBLIGATION CORPORATE PURPOSE AND REFUNDING BOND,
SERIES 2019**

No. _____ \$ _____

RATE	MATURITY DATE	DATE	CUSIP
_____%	June 1, _____	December 10, 2019	572767 _____

The City of Marshalltown (the “City”), in Marshall County, State of Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.
New York, NY

or registered assigns, the principal sum of

THOUSAND DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of UMB Bank, n.a., West Des Moines, Iowa (hereinafter referred to as the “Registrar” or the “Paying Agent”), with interest on said sum, until paid, at the rate per annum specified above, from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing June 1, 2020, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date, and shall be paid to the registered owner at the address shown on such registration books. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Registrar.

This Bond is one of a series of General Obligation Corporate Purpose and Refunding Bonds, Series 2019 (the “Bonds”) issued by the City in the aggregate principal amount of \$8,830,000, for the purpose 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.

The Bonds are issued pursuant to and in strict compliance with the provisions of Chapters 76 and 384 of the Code of Iowa, 2019, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the City Council adopted and approved on November 25, 2019, providing for the issuance and securing the payment of the Bonds (the “Resolution”), and reference is hereby made to the Resolution for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The City reserves the right to prepay part or all of the Bonds maturing in each of the years 2026 through 2030, inclusive, prior to and in any order of maturity on June 1, 2025, or on any date thereafter upon terms of par and accrued interest.

If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the City’s registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total

indebtedness of the City, including this Bond, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the City of Marshalltown, Iowa, by its City Council, has caused this Bond to be executed with the duly authorized facsimile signature of its Mayor and attested with the duly authorized facsimile signature of its City Clerk, as of December 10, 2019.

CITY OF MARSHALLTOWN, IOWA

By (DO NOT SIGN) _____
Mayor

Attest:

(DO NOT SIGN)

City Clerk

Registration Date: (Registration Date)

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Resolution.

UMB BANK, n.a.
West Des Moines, Iowa
Registrar

By _____ (Authorized Signature)

ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	-	as tenants in common	UTMA _____
TEN ENT	-	as tenants by the entireties	(Custodian)
JT TEN	-	as joint tenants with right of survivorship and not as tenants in common	As Custodian for _____ (Minor) under Uniform Transfers to Minors Act _____ (State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 5. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible, and thereupon they shall be delivered to the Registrar for registration, authentication and delivery to or on behalf of the Purchaser, upon receipt of the loan proceeds.

Section 6. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the City in each of the years while the Bonds are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in the City the following direct annual tax for collection in each of the following fiscal years, to-wit:

For collection in the fiscal year beginning July 1, 2020,
sufficient to produce the net annual sum of \$863,400;

For collection in the fiscal year beginning July 1, 2021,
sufficient to produce the net annual sum of \$969,500;

For collection in the fiscal year beginning July 1, 2022,
sufficient to produce the net annual sum of \$978,200;

For collection in the fiscal year beginning July 1, 2023,
sufficient to produce the net annual sum of \$1,281,400;

For collection in the fiscal year beginning July 1, 2024,
sufficient to produce the net annual sum of \$1,293,200;

For collection in the fiscal year beginning July 1, 2025,
sufficient to produce the net annual sum of \$1,294,300;

For collection in the fiscal year beginning July 1, 2026,
sufficient to produce the net annual sum of \$699,900;

For collection in the fiscal year beginning July 1, 2027,
sufficient to produce the net annual sum of \$686,900;

For collection in the fiscal year beginning July 1, 2028,
sufficient to produce the net annual sum of \$623,900.

For collection in the fiscal year beginning July 1, 2029,
sufficient to produce the net annual sum of \$606,900.

Section 7. A certified copy of this resolution shall be filed with the County Auditor of Marshall County, and the County Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment

of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever. Any amount received by the City as accrued interest on the Bonds shall be deposited into such special account and used to pay interest due on the Bonds on the first interest payment date.

Pursuant to the provisions of Section 76.4 of the Code of Iowa, each year while the Bonds remain outstanding and unpaid, any funds of the City which may lawfully be applied for such purpose may be appropriated, budgeted and, if received, used for the payment of the principal of and interest on the Bonds as the same become due, and if so appropriated, the taxes for any given fiscal year as provided for in Section 6 of this Resolution, shall be reduced by the amount of such alternate funds as have been appropriated for said purpose and evidenced in the City's budget.

Section 8. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 9. It is the intention of the City that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

For the sole purpose of qualifying the Bonds as "qualified tax-exempt obligations" pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended, the City finds that \$3,220,000 (the "Deemed Designated Portion") of the principal amount of the Bonds is "deemed designated" as "qualified tax exempt obligations" (and does not count against the City's \$10,000,000 limit for calendar year 2019) because (i) the Deemed Designated Portion is being issued to refund a like principal amount of the City's General Obligation Corporate Purpose Bonds, Series 2011 (the "Series 2011 Bonds"), (ii) the Bonds have a maturity date (June 1, 2030) which is not later than the date (April 1, 2041) which is 30 years after the date (April 1, 2011) on which the Series 2011 Bonds were issued, (iii) the Series 2011 Bonds were issued as qualified tax-exempt obligations and (iv) the average maturity date of the Bonds is not later than the average maturity date of the Series 2011 Bonds being refunded with the proceeds thereof. The City represents that the reasonably anticipated amount of "tax-exempt obligations" which will be issued by the City during the current calendar year [other than the Deemed Designated Portion and other tax exempt obligations also qualifying for "deemed designated status" or otherwise not taken into account under Section 265(b)] will not exceed \$10,000,000.

Section 10. The Securities and Exchange Commission (the “SEC”) has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the “Rule”) that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, an underwriter has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding.

On the date of issuance and delivery of the Bonds, the City will execute and deliver a Continuing Disclosure Certificate pursuant to which the City will undertake to comply with the Rule. The City covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 11. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved November 25, 2019.

Mayor

Attest:

City Clerk

STATE OF IOWA
MARSHALL COUNTY
CITY OF MARSHALLTOWN

I, the undersigned, City Clerk of the City of Marshalltown, do hereby certify that as such City Clerk I have in my possession or have access to the complete corporate records of the City and of its Council and officers and that I have carefully compared the transcript hereto attached with those corporate records and that the transcript hereto attached is a true, correct and complete copy of all the corporate records in relation to the adoption of a resolution providing for the sale and issuance of \$8,830,000 General Obligation Corporate Purpose and Refunding Bonds, Series 2019, and that the transcript hereto attached contains a true, correct and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time with respect thereto.

I further certify that no appeal has been taken to the District Court from the decision of the City Council to issue the Bonds or to levy taxes to pay the principal of and interest on the Bonds.

WITNESS MY HAND this _____ day of _____, 2019.

City Clerk

STATE OF IOWA

SS:

COUNTY OF MARSHALL

I, the undersigned, County Auditor of Marshall County, in the State of Iowa, do hereby certify that on the _____ day of _____, 2019, the City Clerk of the City of Marshalltown filed in my office a certified copy of a resolution of such City shown to have been adopted by the City Council and approved by the Mayor thereof on November 25, 2019, entitled: "Resolution 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" and that I have duly placed the copy of the resolution on file in my records.

I further certify that the taxes provided for in that resolution will in due time, manner and season be entered on the State and County tax lists of this County for collection in the fiscal year beginning July 1, 2020, and subsequent years as provided in the resolution.

WITNESS MY HAND this _____ day of _____, 2019.

County Auditor

November 21, 2019

Shari Coughenour
City Clerk/City Hall
24 N. Center Street
Marshalltown, Iowa 50158-4912

Re: \$8,830,000 General Obligation Corporate Purpose and Refunding Bonds, Series 2019
Our File No. 422742-38

Dear Shari:

We have prepared and enclose copies of the resolution that should be adopted at the Council meeting on November 25 in order to authorize the issuance of the General Obligation Corporate Purpose and Refunding Bonds, Series 2019. A copy of the bond issuance resolution must be filed with the County Auditor, and a form of certificate to be signed by the Auditor relating to the filing of a copy of the resolution in that office is included in these proceedings.

Also enclosed are three copies of the Registrar and Paying Agent Agreement. Please have all the copies signed on behalf of the City and return them to me. I will obtain signatures from UMB Bank, and I will then send you a fully executed copy.

Also enclosed are three copies of the Loan Agreement. Please have all copies signed on behalf of the City and return them to me. I will send you a fully executed copy after the issue is closed.

Finally, enclosed are copies of the Continuing Disclosure Certificate. Please return two executed copies to me.

If you have any questions, please contact me.

Very truly yours,

Robert E. Josten

Cc by email: Jessica Kinser
Diana Steiner
Maggie Burger
Diana Van Vleet

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

WHEREAS, the City of Marshalltown undertook a new Downtown Master Plan following the July 2018 tornado in order to provide a new vision for downtown redevelopment; and

WHEREAS, one of the tasks associated with the Master Plan was to recommend design guidelines for both the historic district and the area in the Marshalltown Central Business District outside of the historic district, which is Recommendation 2 of the High Priority Recommendations from the Downtown Master Plan; and

WHEREAS, the recommended design guidelines require further study and public comment in order to get develop a set of standards that are easy for building owners and developers to understand and for staff to ensure compliance; and

WHEREAS, Bolton and Menk has provided planning services to the City of Marshalltown, including working on the rezoning recommendations for adjacent areas to Downtown;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, that \$20,940 of Council-designated Local Option Sales Tax is hereby authorized for the purpose of the development of Downtown Design Guidelines.

Passed this 25th day of November, 2019 and signed this ____ day of November, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



Real People. Real Solutions.

309 E 5th Street
Suite 202
Des Moines, IA 50309-1981

Ph: (515) 259-9190
Fax: (515) 233-4430
Bolton-Menk.com

October 17, 2019

Ms. Jessica Kinser – City Administrator
City of Marshalltown
24 North Center Street
Marshalltown, IA 50158

Dear Ms. Kinser:

In continued service to the City of Marshalltown, we are excited at the opportunity to lead the process to develop a set of design guidelines that will function as one of the tools used to implement the recommendations of the Downtown Plan. The scope of services below outlines the process that would be used to develop the design guidelines.

DESIGN GUIDELINES DEVELOPMENT

The Downtown Plan provides a vision and new direction for the core of the community. The identity created for the area can be realized not only by public investment, but also with every development project that occurs on private property. To ensure that the form and design of private development is consistent with the intent of the Plan additional development guidelines are required. The guidelines can provide the direction, but the applicability of the guidelines will be an important consideration. The scope provided below is intended to address the overall planning area and is also intended to provide more detailed architectural design guidance for the area designated as a historic district.

Task 1: Expand the Downtown Plan Guidance

Our Team will review the current Downtown Plan in consideration for the direction already in place through the public process.

Task 2: Design Guideline Text

Subtask A: Our team will draft the design guidelines text for review by City staff. The categories of contents will include, but are not limited to: building materials, landscaping and other screening methods, signage, parking, site circulation, pedestrian connectivity, setbacks, and other components as determined necessary by City staff. Graphic illustration(s) of the requirements will be provided.

Subtask B: Our team will partner with an architectural firm with historic preservation and restoration experience to develop more architecturally detailed guidelines for the area included in the historic district.

Deliverable: Weekly phone conversations and email correspondence with City staff, and/or a working group of the City's choosing to review the contents of the text. Provide graphic illustrations that demonstrate the requirements.

Task 3: Design guidelines District Boundaries

Our team will review/propose the boundaries of the area to be subject to the proposed design guidelines. It is anticipated that the district will apply to the Downtown Plan study area but will not include single family residential uses.

Deliverable: Facilitate a meeting with City staff, and/or the working group to discuss the recommended text and the map boundaries of the standards developed in subtasks A and B above.

Task 4: Presentation to Community Groups

Our team will determine the need to present the guidelines throughout the process with City staff. Key groups may include downtown business group(s), Main Street group, key historic property owners and or others as determined by City staff. It is assumed that the public visioning process has already been performed sufficiently and the intention of the optional meetings is to seek the advice and input of those working directly in the downtown on revitalization efforts.

Deliverable:

Facilitate up to 3 work sessions with a group identified above.

Task 5: Regulatory Advice

Our team will provide guidance on methods that may be used to implement the design guidelines on a voluntary basis and make recommendation on minimum requirements that should be considered for codification. It is our understanding that it is not desired to create an overlay district from the standards.

ESTIMATED FEES

Bolton & Menk, Inc. proposes to complete the above scope of work for a lump sum fee of \$20,940.00. The fees for the individual tasks are indicated below, based on number of hours anticipated to complete the task:

Task 1: Expand the Downtown Plan guidance & Project Management	\$ 1,710.00
Task 2: Design guideline text development	
Subtask A	\$ 4,320.00
Subtask B	\$11,550.00
Task 3: Design guidelines district boundary development	\$ 680.00
Task 4: Presentation to Community Groups	\$ 1,780.00
Task 5: Regulatory Advice	\$ 900.00
Total Estimated Fee	\$20,940.00

We look forward to the opportunity to discuss the details of the proposed scope further and can refine the work program based on your feedback. The project will be led by Rose Schroder, if you have any questions regarding our proposal please contact her at (515) 380-4396, or by email at rose.schroder@bolton-menk.com.

Respectfully submitted,

Bolton & Menk, Inc.



Jim Harbaugh, PLA
Principal Landscape Architect

IMPLEMENTATION STRATEGIES – WORKING TOGETHER TO ACHIEVE SUCCESS

ON-GOING INVOLVEMENT ACHIEVING THE VISION

Table 3.8 High Priority Recommendations

RECOMMENDATION		RESPONSIBLE PARTY	PARTNERS
Existing and New Buildings, Redevelopment Sites			
1	Update City zoning code to better support Downtown Master Plan	City	NA
2	Finalize and adopt downtown design standards for the Registered Historic District and Main Street Central Business District	City	Main Sreet CBD, downtown property owners
3	Implement the “gateway” catalyst redevelopment projects located in the Opportunity Zone (S 3rd Ave., E Madison and Market Streets)	City	Main Street CBD, land and business owners, private developer/designer/builder
4	Undertake a site specific redevelopment study of the downtown Unity Point Health facility site in anticipation of future opportunities	City	Private developer/designer/builder
5	Redevelop vacant sites	Property owners, City	Main Sreet CBD, City
Movement, Connectivity and Parking			
6	Implement the recommendations of the Quiet Zone study to reduce negative impacts of freight train related noise	City	NA
7	Prepare a traffic engineering study of turning movements, traffic control needs and on-street parking accommodations associated with the conversion of Church and Linn Streets from one-way to two-way operations	City	NA
8	Install additional bike parking facilities within the Main Street Central Business District	City	Downtown business and property owners
9	Undertake an angled parking pilot study on Main Street	City	Downtown business and property owners
Gathering, Greening and Streetscape			
10	Install parking lot buffering / screening using decorative metal fencing and low-maintenance plantings	Property owners, City	Main Street CBD, Marshalltown Public Art Committee
11	Implement Library Corner Park at Linn and 1st Streets	City	Emerson, Main Street CBD, Library Board, Marshalltown Public Art Committee, Arts and Culture Alliance
12	Implement a pocket park along W Main Street	Main Sreet CBD, downtown property and business owners	City, Marshalltown Public Art Committee, Arts and Culture Alliance
13	Prepare a Downtown Street Tree Master Plan	City	
Organization and Administration			
14	Establish a formal, predictable source of funding for operations and maintenance of downtown gathering, streetscape and greening enhancements	Property and business owners, City	Main Street CBD
15	Engage MCBBD’s Promotion Committee to increase frequency and variety of downtown activities and events	Main Street CBD	Business and property owners, City, Marshalltown Public Art Committee, Arts and Culture Alliance
Activation and Events			
16	Undertake a weekly afternoon / evening event such as Date Night, Family Night, etc. to promote and support downtown visitation	Property and business owners, Main Street CBD	City, Marshall County

RESOLUTION 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

WHEREAS, there is herewith submitted to the City Council of Marshalltown, Iowa, a proposed agreement amendment number 3 by and between the City of Marshalltown, Iowa, and Story Construction relative to temporary facilities for the Police and Fire Project, Being Project No. BLD 17001.

WHEREAS, the Council has fully examined same and has found same to be in the best interests of the CITY OF MARSHALLTOWN, IOWA and that same should now be approved and accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MARSHALLTOWN, IOWA:

Section 1. That the agreement amendment number 3 by and between the City Of Marshalltown, Iowa and Story Construction relative to the Police and Fire Project, being Project No. BLD 17001, is hereby fully approved in all respects and particulars and the Mayor and City Clerk are hereby authorized and directed to execute same for and on behalf of said City.

Passed this 25th day of November, 2019, and signed this _____ day of November, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



CHANGE ORDER

Owner ☐
Architect ☐
Construction Manager ☐

PROJECT: **Marshalltown Public Safety**
City of Marshalltown

CHANGE ORDER NO.: 3

INITIATION DATE: November 14, 2019

OWNER: City of Marshalltown
14 N. Center Street
Marshalltown, Iowa 50158

CONSTRUCTION
MANAGER: Story Construction Co.
2810 Wakefield Circle
Ames, Iowa 50010

THE CONTRACT IS CHANGED AS FOLLOWS:

Work items provided by Story Construction and billed through Bid Package 5 to expedite and complete the work.

To facilitate the completion of the mason's work:

Additional Engineering Hours (Layout Embeds, Brick Unloading)

Rebuild Crane Pad (Con-Struct)

Central Millwright Weld trim piece at OH doors

CCD #004 Steel Lintels – Invoice from Sargent, Paid by Story

Temp. Enclosure, HVAC Due to incomplete Brickwork – October, Nov., Dec. 18

Home Rental Center & Sales Co., Inv. 1-602960 Heater Kerosene Infrared

Home Rental Center & Sales Co., Inv. 1-603072 Misc. Kero by the gallon

National Fence – Gate #3 Repair

Rand Imaginit Renewal for Extra Year (Project Software Renewal)

Multi Vista – Additional Four Months thru March 2019

Scissor Lift for air barrier repair

Install lockers for the Owner

Install TV Brackets & TV

Subtotal \$ 25,000.00

Anticipated October and November hours for contract administration.

Approximate 200 hours @ \$50.00/hour Add 10,000.00

Subtotal for Change Order No. 3 \$ 35,000.00

Original Contract Amount..... \$ 858,680.00

Change Order Nos. 1 thru 2: Add \$ 572,955.76

SUBTOTAL \$ 1,431,635.76

Change Order No. 3: Add \$ 35,000.00

REVISED CONTRACT AMOUNT \$ 1,466,635.76

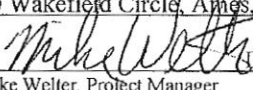
Not valid until signed by the Construction Manager,
Architect and Owner.

STORY CONSTRUCTION CO.

Construction Manager

2810 Wakefield Circle, Ames, IA 50010

By:



Date:

11-15-19

Mike Welter, Project Manager

CITY OF MARSHALLTOWN

Owner

24 N Center Street, Marshalltown, IA 50158

By:

Date:

Attest:

PROCHASKA & ASSOCIATES

Architect

11317 Chicago Circle, Omaha, NE 68154

By:

Date:



Joel T.S. Greer, Mayor
Jessica Kinser, Administrator
Justin Nickel, Public Works Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5734
Fax - (641) 754-5793

DEPARTMENT OF PUBLIC WORKS

November 21, 2019

**To: Mayor Joel T.S. Greer
Members of the City Council**

From: Justin Nickel, P.E.
Public Works Director

Re: Amendment to Professional Services Agreement No. 3 – Story Construction for temporary facilities for the Police and Fire Project (BLD 17001) in the amount of \$35,000.

Policy Issue: City policy requires Governing Body approval of engineering services agreements.

Recommendation: Staff recommends approving the Amendment to Agreement with Story for the temporary facilities. As the Construction Manager, Story provided facilities that are not included in any bid from the 14 sub-contractors. Facilities include fencing, project trailers, signage, waste disposal, snow removal, and others

Background: Story has prepared a summary of temporary facilities to be provided under this amendment.

Budget Impact: The bonded funds have capacity to include this amendment for services that were provided over the last year. Revised Story contract amount is \$1,466,635.76.

Attachment: Agreement and supporting documents

cc: Jessica Kinser, City Administrator

City Council
Leon Lamer, Mike Gowdy, Sue Cahill, Al Hoop
Gabe Isom, Bill Martin, Bethany Wirin



RESOLUTION 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

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with Garling Construction for the labor and material for the POLICE & FIRE HEADQUARTERS Project #BLD17001; and

WHEREAS an increase is requested for additional items to complete the project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section1. That the contract Change Order for the Police & Fire Headquarters Project, in the increased amount of \$1,414,287.83 is hereby accepted and approved.

Passed this 25th day of November 2019, and signed this ____ day of _____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

Marshalltown Police & Fire Station Headquarters					
City of Marshalltown					
Marshalltown, Iowa					
Bid Package No. 06-1 General					
Garling Construction					
		Change Order		Change Order	
CO #		Date	Change #	Amount	Contract Amount
	Original Contract Sum				\$ 1,197,000.00
1	CR-004 - Exterior Signage	2/13/2018	1	\$ 7,152.00	
1	CR-009 - Toilet Room Floor Tile	2/13/2018	1	\$ (100.00)	
1	CR-014 - ASI #1 Wood Door Type and Stain Modifications	2/13/2018	1	\$ 4,211.00	
2	CR-005R -PR #004 Evidence Processing Modifications	3/9/2018	2	\$ 9,879.00	
2	CR-013 PR #017 2nd Floor Doors to Roof	3/9/2018	2	\$ 830.00	
3	CR-022 FD Range Hood Change	4/26/2018	3	\$ 6,441.00	
3	CR-028 Countertop & Millwork Modifications	4/26/2018	3	\$ 1,792.00	
4	CR 030 - ASI #014	6/14/2018	4	\$ 723.00	
4	CR 031 - PR #23 Lobby Modifications	6/14/2018	4	\$ 740.00	
5	CR 017R -PR #018R Dispatch Dept Changes	7/24/2018	5	\$ 1,234.00	
5	CR 026 - PR #019R Communication & Technology Enhancements	7/24/2018	5	\$ 151.00	
5	CR 036 - PR #030 HM Frame P220 Mods	7/24/2018	5	\$ 1,536.00	
6	CCD 009 New Frame for Door Opening C106A	9/18/2018	6	\$ 270.00	
6	CR 038 - PR #032 – Door Hwd. & Keying Mods	9/18/2018	6	\$ 2,325.00	
7	CR 040 - PR #036 Storage Room F134	10/9/2018	7	\$ 2,406.82	
8	CR 048 RFI 102 Storm Shutter Wiring	11/28/2018	8	\$ 703.80	
8	CCD 014 Police Wing Standalone Fire Suppression System	11/28/2018	8	\$ 4,048.02	
8	CR 055R PR #040R Additional Interior Signage	11/28/2018	8	\$ 3,207.65	
9	CR 057 PR #042 Lobby Security Glazing	3/12/2019	9	\$ 15,213.79	
9	CR 067 Moisture Tolerant Primer for Epoxy Flooring @ Evidence Proce	3/12/2019	9	\$ 680.08	
10	CR 072R Steel Lobby Signs	4/9/2019	10	\$ 1,589.36	
11	CR 045 - Corrado Backcharges	5/30/2019	11	\$ 13,779.05	
11	CR 074 - P117 Evidence Tech Card Reader Access	5/30/2019	11	\$ 5,562.72	
11	CR 094 - Schedule Delay Claim	5/30/2019	11	\$ 90,259.41	
11	CCD 006 - Window Blocking	5/30/2019	11	\$ 1,062.74	
11	CCD 027 - Holding Cell Raised Bed Concrete Burnishing	5/30/2019	11	\$ 793.61	
11	CCD 033 - 9/11 Monument Granite Top Design Changes	5/30/2019	11	\$ 2,925.46	
12	CR 091 - Misc. Garling Field Work Orders	7/25/2019	12	\$ 4,136.90	
12	CR-085 True-up of Contracts for BP Contractors	7/25/2019	12	\$ 10,775.01	
13	CCD 040 Lobby Display Case Modification	8/28/2019	13	\$ 905.56	
13	CCD 041 App Bay Overhead Door Eye Adjustment	8/28/2019	13	\$ 1,138.47	
13	CCD 042 Fire Wing Kitchen Range Stainless Steel Apron	8/28/2019	13	\$ 721.40	
14	CCD 050 Punch List Items Deduct	10/15/2019	14	\$ (3,077.10)	
14	CCD 051 Toilet Accessories Deduct	10/15/2019	14	\$ (336.00)	
14	CCD 052 Repairs to Damaged Materials	10/15/2019	14	\$ 5,943.00	
14	CR 096 - Corrado Backcharges #2	10/15/2019	14	\$ 307.92	
14	CR 097 True-up of Contracts for Bid Package Contractors	10/15/2019	14	\$ (879.68)	
15	CRS 104 -Delay Claims & Backcharge Adjustment	11/13/2019	15	\$ 16,169.56	
	Net change by Fully Executed Change Orders				\$ 215,221.55
	Contract Sum to Date based upon Fully Executed Change Orders				\$ 1,412,221.55
	CCD 057 Garling Repairs to Damaged Materials - 2nd Round			\$ 2,066.28	
	Pending Changes				
	New Contract Sum				\$ 1,414,287.83



November 20, 2019

Mr. Justin Nickel, P.E.
Public Works Director
City of Marshalltown
24 N. Center Street
Marshalltown, IA 50518

RE: Marshalltown Police & Fire Headquarters Project

Dear Justin,

Story has reviewed the attached Change Request and recommends approval and incorporation into the appropriate Bid Package.

Change Requests Required by Scope & Design Changes

<u>Change Request #</u>	<u>Description</u>	<u>Dollar amount</u>
CCD 057	Garling Repairs to Damaged Materials – 2 nd Round	\$ 2,066.28
	TOTAL	\$ 2,066.28

Sincerely,

STORY CONSTRUCTION CO.

Mike Welter
Project Manager

MW:rl
enclosures

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

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with Heartland Finishes for the labor and material for the POLICE & FIRE HEADQUARTERS Project #BLD17001; and

WHEREAS an increase is requested for additional items to complete the project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section1. That the contract Change Order for the Police & Fire Headquarters Project, in the increased amount of \$202,702.20 is hereby accepted and approved.

Passed this 25th day of November, 2019, and signed this ____ day of _____, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

	A	B	C	D	E	F	G
1		Marshalltown Police & Fire Station Headquarters					
2		City of Marshalltown					
3		Marshalltown, Iowa					
4							
5		BP No. 09-3 Painting					
6		Heartland Finishes					
7			Change Order		Change Order		
8	CO #		Date	Change #	Amount	Contract Amount	
9							
10		Original Contract Sum				\$ 175,315.00	
11	1	CR-005R PR #004 Evidence Processing Modifications	3/9/2018	1	\$ 399.00		
12	2	CR 040 - PR #036 Storage Room F134	10/9/2018	2	\$ 1,235.00		
13	3	CCD-034 Add Metal Stud & Drywall Bulkhead at Lobby Corridor	7/25/2019	3	\$ 400.00		
14	3	CR-085 True-up of Contracts for BP Contractors	7/25/2019	3	\$ 3,398.65		
15	4	CR-086 Heartland Finishes Work Orders	10/15/2019	4	\$ 3,480.25		
16	4	CR 097 True-up of Contracts for Bid Package Contractors	10/15/2019	4	\$ 2,231.24		
17	5	CCD-054 Heartland Finishes(Southern IA Caulking) Field Work Orders	10/29/2019	5	\$ 13,241.20		
18							
19		Net change by Fully Executed Change Orders				\$ 24,385.34	
20		Contract Sum to Date based upon Fully Executed Change Orders				\$ 199,700.34	
21							
22		Pending Changes					
23		CCD-058 Misc. Work Orders & Mason Cleanup			3001.86		
24		New Contract Sum				\$ 202,702.20	
25							
26							



November 21, 2019

Mr. Justin Nickel, P.E.
Public Works Director
City of Marshalltown
24 N. Center Street
Marshalltown, IA 50518

RE: Marshalltown Police & Fire Headquarters Project

Dear Justin,

Story has reviewed the attached Change Request and recommends approval and incorporation into the appropriate Bid Package.

Change Requests Required by Scope & Design Changes

<u>Change Request #</u>	<u>Description</u>	<u>Dollar amount</u>
CCD 057	Garling Repairs to Damaged Materials – 2 nd Round	\$ 2,066.28
CCD 058	Heartland Finishes – Misc Work Orders & Mason Cleanup	\$ 3,001.86
	TOTAL	\$ 5,068.14

Sincerely,

STORY CONSTRUCTION CO.

A handwritten signature in black ink, appearing to read 'Mike Welter', is written over a horizontal line.

Mike Welter
Project Manager

MW:rl
enclosures

RESOLUTION APPROVING THE ANNUAL URBAN RENEWAL REPORT FOR THE CITY
OF MARSHALLTOWN

WHEREAS the City's Finance Staff have completed the FY2019 Annual Urban Renewal Report

WHEREAS, the Council must approve the report

WHEREAS the council finds this action is in the best interest of the City of Marshalltown, Iowa.

THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA: to approve the FY2019 Annual Urban Renewal Report.

Passed this 25th day of November, 2019, and signed this ____ day of November, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

MARSHALLTOWN

— I O W A —

Joel Greer, Mayor
Jessica Kinser, Administrator
Diana Steiner, Finance Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5760
Fax - (641) 754-5781

FINANCE DEPARTMENT

November 22, 2019

To: Mayor Joel Greer
Members of the City Council

From: Diana Steiner, Finance Director

Re: **FY2019 Annual Urban Renewal Report**

Policy Issue: Council must approve the annual urban renewal report.

Recommendation: Staff recommends approving the FY2019 annual urban renewal report. This report is due to the Iowa Department of Management by December 2, 2019.

Background: The Finance Department has prepared the Fiscal Year 2019 annual urban renewal report for your review. This report reflects the activity for fiscal year 2019, which ended June 30, 2019. On page 1, you will notice the cash balance at the beginning of the year for all areas was \$500,739 and the ending cash was \$518,759. The pages following after that are divided by Urban Renewal Areas (shown as different colors on the top of the pages). For each URA, it shows the amount collected for TIF revenue and interest income, payments made for the bonds, developer agreements, and other expenses.

Budget Impact: N/A.

Attachment: Annual Urban Renewal Report for FY19.

cc: Jessica Kinser, City Administrator

Annual Urban Renewal Report, Fiscal Year 2018 - 2019

Levy Authority Summary

Local Government Name: MARSHALLTOWN
Local Government Number: 64G611

Active Urban Renewal Areas	U.R. #	# of Tif Taxing Districts
MARSHALLTOWN RETAIL CENTER URBAN RENEWAL	64008	3
MARSHALLTOWN ESIDE URBAN RENEWAL	64009	2
MARSHALLTOWN UPTOWN URBAN RENEWAL	64011	1
MARSHALLTOWN CITY/MARSHALLTOWN SCH/UR5	64166	1

TIF Debt Outstanding: 6,501,888

TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:	500,739	0	Amount of 07-01-2018 Cash Balance Restricted for LMI
---	----------------	----------	---

TIF Revenue:	888,751
TIF Sp. Revenue Fund Interest:	16,585
Property Tax Replacement Claims	0
Asset Sales & Loan Repayments:	0
Total Revenue:	905,336

Rebate Expenditures:	180,288
Non-Rebate Expenditures:	707,028
Returned to County Treasurer:	0
Total Expenditures:	887,316

TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:	518,759	9,575	Amount of 06-30-2019 Cash Balance Restricted for LMI
---	----------------	--------------	---

**Year-End Outstanding TIF
Obligations, Net of TIF Special
Revenue Fund Balance: 5,095,813**

♣ Annual Urban Renewal Report, Fiscal Year 2018 - 2019

Urban Renewal Area Data Collection

Local Government Name: MARSHALLTOWN (64G611)
 Urban Renewal Area: MARSHALLTOWN RETAIL CENTER URBAN RENEWAL
 UR Area Number: 64008
 UR Area Creation Date: 02/1996

Area suffered from the impacts of blighting influences, including the absence of public improvements and utilities. Structures within the area showed varying degrees of deterioration. Many structure are in need of moderate to substantial rehabilitation.

UR Area Purpose:

Tax Districts within this Urban Renewal Area

	Base No.	Increment No.	Increment Value Used
MARSHALLTOWN CITY/MARSHALLTOWN SCH/RETAIL UR TIF INCREM	64107	64108	4,745,092
MARSHALLTOWN CITY AG/MARSHALLTOWN SCH/RETAIL UR TIF INCREM	64109	64110	0
MARSHALLTOWN CITY AG/EAST MARSHALL SCH/RETAIL UR 2 TIF INCREM	64161	64162	0

Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	339,900	5,922,172	97,865,706	184,105	0	-22,224	110,627,866	0	110,627,866
Taxable	185,070	3,293,959	88,079,136	165,695	0	-22,224	96,692,975	0	96,692,975
Homestead Credits									0

TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:

17,139

0

Amount of 07-01-2018 Cash Balance Restricted for LMI

TIF Revenue: 167,786
 TIF Sp. Revenue Fund Interest: 764
 Property Tax Replacement Claims: 0
 Asset Sales & Loan Repayments: 0
Total Revenue: 168,550

Rebate Expenditures: 68,725
 Non-Rebate Expenditures: 88,291
 Returned to County Treasurer: 0
Total Expenditures: 157,016

TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:

28,673

0

Amount of 06-30-2019 Cash Balance Restricted for LMI

Projects For MARSHALLTOWN RETAIL CENTER URBAN RENEWAL

Olive Street

Description:	Major rebuild of street and relocate traffic signals
Classification:	Roads, Bridges & Utilities
Physically Complete:	Yes
Payments Complete:	No

Medic

Description:	Aid in Expenses Associated with Marshalltown Economic Development impact committee (MEDIC)
Classification:	Mixed use property (ie: a significant portion is residential and significant portion is commercial)
Physically Complete:	No
Payments Complete:	No

Theisen's Inc

Description:	Rebate of Taxes - Building Exp
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	No

Plumb Supply

Description:	Rebate of Taxes - Building Improvements
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	No

Bobcat Academy

Description:	Rebate of Taxes - Building Improvements
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	No

Administrative

Description:	Administrative
Classification:	Administrative expenses
Physically Complete:	Yes
Payments Complete:	Yes

Debts/Obligations For MARSHALLTOWN RETAIL CENTER URBAN RENEWAL

2012A Esstnl Corp Purpose

Debt/Obligation Type:	Gen. Obligation Bonds/Notes
Principal:	285,600
Interest:	33,008
Total:	318,608
Annual Appropriation?:	No
Date Incurred:	04/12/2012
FY of Last Payment:	2027

Medic

Debt/Obligation Type:	Internal Loans
Principal:	50,000
Interest:	0
Total:	50,000
Annual Appropriation?:	Yes
Date Incurred:	11/26/2018
FY of Last Payment:	2019

Theisen's Inc

Debt/Obligation Type:	Rebates
Principal:	95,028
Interest:	0
Total:	95,028
Annual Appropriation?:	No
Date Incurred:	06/08/2015
FY of Last Payment:	2020

Plumb Supply

Debt/Obligation Type:	Rebates
Principal:	93,889
Interest:	0
Total:	93,889
Annual Appropriation?:	No
Date Incurred:	06/24/2013
FY of Last Payment:	2022

Bobcat Academy

Debt/Obligation Type:	Rebates
Principal:	125,000
Interest:	0
Total:	125,000
Annual Appropriation?:	No

Date Incurred:	09/14/2015
FY of Last Payment:	2023

Administrative

Debt/Obligation Type:	Internal Loans
Principal:	4,555
Interest:	0
Total:	4,555
Annual Appropriation?:	Yes
Date Incurred:	04/23/2019
FY of Last Payment:	2019

Non-Rebates For MARSHALLTOWN RETAIL CENTER URBAN RENEWAL

TIF Expenditure Amount:	33,736
Tied To Debt:	2012A Esstnl Corp Purpose
Tied To Project:	Olive Street

TIF Expenditure Amount:	50,000
Tied To Debt:	Medic
Tied To Project:	Medic

TIF Expenditure Amount:	4,555
Tied To Debt:	Administrative
Tied To Project:	Administrative

Rebates For MARSHALLTOWN RETAIL CENTER URBAN RENEWAL

207 Iowa Ave E

TIF Expenditure Amount:	6,368
Rebate Paid To:	Plumb Supply
Tied To Debt:	Plumb Supply
Tied To Project:	Plumb Supply
Projected Final FY of Rebate:	2022

602 Iowa Ave W

TIF Expenditure Amount:	49,090
Rebate Paid To:	Theisen's Inc.
Tied To Debt:	Theisen's Inc
Tied To Project:	Theisen's Inc
Projected Final FY of Rebate:	2020

1910 S Center Street

TIF Expenditure Amount:	13,267
Rebate Paid To:	Teamwork-1
Tied To Debt:	Bobcat Academy
Tied To Project:	Bobcat Academy
Projected Final FY of Rebate:	2024

Jobs For MARSHALLTOWN RETAIL CENTER URBAN RENEWAL

Project:	Bobcat Academy
Company Name:	Teamwork-1
Date Agreement Began:	10/12/2015
Date Agreement Ends:	10/12/2024
Number of Jobs Created or Retained:	5
Total Annual Wages of Required Jobs:	0
Total Estimated Private Capital Investment:	0
Total Estimated Cost of Public Infrastructure:	0

TIF Taxing District Data Collection

Local Government Name: MARSHALLTOWN (64G611)
 Urban Renewal Area: MARSHALLTOWN RETAIL CENTER URBAN RENEWAL (64008)
 TIF Taxing District Name: MARSHALLTOWN CITY/MARSHALLTOWN SCH/RETAIL UR TIF INCREM
 TIF Taxing District Inc. Number: 64108

TIF Taxing District Base Year:	1996	UR Designation
FY TIF Revenue First Received:	1999	Slum 02/1996
Subject to a Statutory end date?	No	Blighted 02/1996
		Economic Development 02/1996

TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	5,922,172	97,865,706	184,105	0	-22,224	110,287,966	0	110,287,966
Taxable	0	3,293,959	88,079,136	165,695	0	-22,224	96,507,905	0	96,507,905
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	40,649,734	69,660,456	4,745,092	64,915,364	2,394,781

FY 2019 TIF Revenue Received: 167,786

TIF Taxing District Data Collection

Local Government Name: MARSHALLTOWN (64G611)
 Urban Renewal Area: MARSHALLTOWN RETAIL CENTER URBAN RENEWAL (64008)
 TIF Taxing District Name: MARSHALLTOWN CITY AG/MARSHALLTOWN SCH/RETAIL UR TIF INCREM
 TIF Taxing District Inc. Number: 64110

TIF Taxing District Base Year:	1996	UR Designation
FY TIF Revenue First Received:		Slum No
Subject to a Statutory end date?	No	Blighted 02/1996
		Economic Development 02/1996

TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	281,230	0	0	0	0	0	281,230	0	281,230
Taxable	153,125	0	0	0	0	0	153,125	0	153,125
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	60,721	153,125	0	153,125	3,898

FY 2019 TIF Revenue Received: 0

TIF Taxing District Data Collection

Local Government Name:	MARSHALLTOWN (64G611)
Urban Renewal Area:	MARSHALLTOWN RETAIL CENTER URBAN RENEWAL (64008)
TIF Taxing District Name:	MARSHALLTOWN CITY AG/EAST MARSHALL SCH/RETAIL UR 2 TIF INCREM
TIF Taxing District Inc. Number:	64162
TIF Taxing District Base Year:	2006
FY TIF Revenue First Received:	
Subject to a Statutory end date?	No

UR Designation	
Slum	No
Blighted	02/1996
Economic Development	02/1996

TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	58,670	0	0	0	0	0	58,670	0	58,670
Taxable	31,945	0	0	0	0	0	31,945	0	31,945
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	17,650	31,945	0	31,945	713

FY 2019 TIF Revenue Received: 0

Urban Renewal Area Data Collection

Local Government Name: MARSHALLTOWN (64G611)
 Urban Renewal Area: MARSHALLTOWN ESIDE URBAN RENEWAL
 UR Area Number: 64009
 UR Area Creation Date: 05/1993

Create a public/private partnership which will stimulate and facilitate residential, commercial and industrial redevelopment in the area. Strengthen the economy by enhancing the tax base. Create employment opportunities.

UR Area Purpose: Encourage expansion of existing

Tax Districts within this Urban Renewal Area

	Base No.	Increment No.	Increment Value Used
MARSHALLTOWN CITY/MARSHALLTOWN SCH/ESIDE UR TIF INCREM	64111	64112	4,991,230
MARSHALLTOWN CITY AG/MARSHALLTOWN SCH/ESIDE UR TIF INCREM	64113	64114	0

Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	1,379,280	26,071,990	29,111,275	47,968,614	0	-90,748	104,712,496	0	104,712,496
Taxable	750,993	14,501,467	26,200,148	43,171,753	0	-90,748	84,747,882	0	84,747,882
Homestead Credits									0

TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:

49,751

0

Amount of 07-01-2018 Cash Balance Restricted for LMI

TIF Revenue: 183,323
 TIF Sp. Revenue Fund Interest: 2,501
 Property Tax Replacement Claims 0
 Asset Sales & Loan Repayments: 0
Total Revenue: 185,824

Rebate Expenditures: 111,563
 Non-Rebate Expenditures: 74,186
 Returned to County Treasurer: 0
Total Expenditures: 185,749

TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:

49,826

0

Amount of 06-30-2019 Cash Balance Restricted for LMI

Projects For MARSHALLTOWN ESIDE URBAN RENEWAL

TIG Development

Description:	New Road for Warehouse
Classification:	Administrative expenses
Physically Complete:	Yes
Payments Complete:	Yes

Menards Manufacturing

Description:	Rebate of Taxes - Building
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	No

SE South Street Ext

Description:	Extension of Road for Development
Classification:	Roads, Bridges & Utilities
Physically Complete:	Yes
Payments Complete:	Yes

Debts/Obligations For MARSHALLTOWN ESIDE URBAN RENEWAL

Menards

Debt/Obligation Type:	Rebates
Principal:	1,260,938
Interest:	0
Total:	1,260,938
Annual Appropriation?:	No
Date Incurred:	01/26/2015
FY of Last Payment:	2036

2015 A Bond Issue

Debt/Obligation Type:	Gen. Obligation Bonds/Notes
Principal:	443,330
Interest:	37,567
Total:	480,897
Annual Appropriation?:	No
Date Incurred:	11/24/2015
FY of Last Payment:	2024

TIG Distributing

Debt/Obligation Type:	Rebates
Principal:	33,000
Interest:	0
Total:	33,000
Annual Appropriation?:	No
Date Incurred:	09/14/2015
FY of Last Payment:	2019

Non-Rebates For MARSHALLTOWN ESIDE URBAN RENEWAL

TIF Expenditure Amount:	74,186
Tied To Debt:	2015 A Bond Issue
Tied To Project:	SE South Street Ext

Rebates For MARSHALLTOWN ESIDE URBAN RENEWAL

2001 S. 18th Ave.

TIF Expenditure Amount:	78,563
Rebate Paid To:	Menards
Tied To Debt:	Menards
Tied To Project:	Menards Manufacturing
Projected Final FY of Rebate:	2034

S. 14th Ave.

TIF Expenditure Amount:	33,000
Rebate Paid To:	TIG Distributing
Tied To Debt:	2015 A Bond Issue
Tied To Project:	TIG Development
Projected Final FY of Rebate:	2019

Jobs For MARSHALLTOWN ESIDE URBAN RENEWAL

Project:	Menards Manufacturing
Company Name:	Menards
Date Agreement Began:	03/25/2015
Date Agreement Ends:	06/30/2035
Number of Jobs Created or Retained:	40
Total Annual Wages of Required Jobs:	1,400,000
Total Estimated Private Capital Investment:	3,200,000
Total Estimated Cost of Public Infrastructure:	163,018

TIF Taxing District Data Collection

Local Government Name: MARSHALLTOWN (64G611)
 Urban Renewal Area: MARSHALLTOWN ESIDE URBAN RENEWAL (64009)
 TIF Taxing District Name: MARSHALLTOWN CITY/MARSHALLTOWN SCH/ESIDE UR TIF INCREM
 TIF Taxing District Inc. Number: 64112

TIF Taxing District Base Year:	1992	UR Designation
FY TIF Revenue First Received:	1993	Slum 05/1993
Subject to a Statutory end date?	No	Blighted 05/1993
		Economic Development 05/1993

TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	26,071,990	29,111,275	47,968,614	0	-90,748	103,333,216	0	103,333,216
Taxable	0	14,501,467	26,200,148	43,171,753	0	-90,748	83,996,889	0	83,996,889
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	45,498,399	57,925,565	4,991,230	52,934,335	1,952,791

FY 2019 TIF Revenue Received: 183,323

TIF Taxing District Data Collection

Local Government Name: MARSHALLTOWN (64G611)
 Urban Renewal Area: MARSHALLTOWN ESIDE URBAN RENEWAL (64009)
 TIF Taxing District Name: MARSHALLTOWN CITY AG/MARSHALLTOWN SCH/ESIDE UR TIF INCREM
 TIF Taxing District Inc. Number: 64114

TIF Taxing District Base Year:	1992	UR Designation
FY TIF Revenue First Received:	1993	Slum 05/1993
Subject to a Statutory end date?	No	Blighted 05/1993
		Economic Development 05/1993

TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	1,379,280	0	0	0	0	0	1,379,280	0	1,379,280
Taxable	750,993	0	0	0	0	0	750,993	0	750,993
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	1,407,860	0	0	0	0

FY 2019 TIF Revenue Received: 0

▲ Annual Urban Renewal Report, Fiscal Year 2018 - 2019

Urban Renewal Area Data Collection

Local Government Name: MARSHALLTOWN (64G611)
 Urban Renewal Area: MARSHALLTOWN UPTOWN URBAN RENEWAL
 UR Area Number: 64011
 UR Area Creation Date: 06/1998

UR Area Purpose: With the use of taxes and private funding the City wishes to implement the Marshalltown Downtown Vision Plan by strengthening the economy by attracting developers, creating greater job opportunities and a stronger tax base to help support the tax base.

Tax Districts within this Urban Renewal Area

	Base No.	Increment No.	Increment Value Used
MARSHALLTOWN CITY/MARSHALLTOWN SCH/UPTOWN UR TIF INCREM	64117	64118	14,181,725

Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	19,188,060	46,074,987	14,282,865	0	-55,560	85,343,680	0	85,343,680
Taxable	0	10,672,496	41,467,490	12,854,579	0	-55,560	69,548,515	0	69,548,515
Homestead Credits									0

TIF Sp. Rev. Fund Cash Balance as of 07-01-2018: **442,450** **0** **Amount of 07-01-2018 Cash Balance Restricted for LMI**

TIF Revenue: 514,729
 TIF Sp. Revenue Fund Interest: 13,080
 Property Tax Replacement Claims: 0
 Asset Sales & Loan Repayments: 0
Total Revenue: 527,809

Rebate Expenditures: 0
 Non-Rebate Expenditures: 544,551
 Returned to County Treasurer: 0
Total Expenditures: 544,551

TIF Sp. Rev. Fund Cash Balance as of 06-30-2019: **425,708** **0** **Amount of 06-30-2019 Cash Balance Restricted for LMI**

Projects For MARSHALLTOWN UPTOWN URBAN RENEWAL

Madison Street

Description:	Rebuild of Madison Street and add sewers
Classification:	Roads, Bridges & Utilities
Physically Complete:	Yes
Payments Complete:	No

Facade & Code Upgrade

Description:	Aid in facade improvements & code upgrade-downtown area
Classification:	Commercial - retail
Physically Complete:	No
Payments Complete:	No

Main Street Program

Description:	City share to aid Main Street Program
	Main Street Iowa Program-Iowa Economic Development
Classification:	Authority
Physically Complete:	Yes
Payments Complete:	Yes

Coliseum Design

Description:	Coliseum Design
Classification:	Administrative expenses
Physically Complete:	Yes
Payments Complete:	Yes

Administrative

Description:	Administrative
Classification:	Administrative expenses
Physically Complete:	Yes
Payments Complete:	Yes

Demolition

Description:	Demolition of commercial businesses
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	Yes

Debts/Obligations For MARSHALLTOWN UPTOWN URBAN RENEWAL

2011B Bond Issue

Debt/Obligation Type:	Gen. Obligation Bonds/Notes
Principal:	647,059
Interest:	85,295
Total:	732,354
Annual Appropriation?:	No
Date Incurred:	10/26/2011
FY of Last Payment:	2027

2012A Bond Issue

Debt/Obligation Type:	Gen. Obligation Bonds/Notes
Principal:	1,499,400
Interest:	173,292
Total:	1,672,692
Annual Appropriation?:	No
Date Incurred:	04/12/2012
FY of Last Payment:	2027

Main Street Program

Debt/Obligation Type:	Internal Loans
Principal:	66,000
Interest:	0
Total:	66,000
Annual Appropriation?:	Yes
Date Incurred:	11/26/2018
FY of Last Payment:	2019

Facade and Code Upgrade

Debt/Obligation Type:	Internal Loans
Principal:	107,557
Interest:	0
Total:	107,557
Annual Appropriation?:	Yes
Date Incurred:	11/27/2017
FY of Last Payment:	2020

Coliseum Design Fees

Debt/Obligation Type:	Internal Loans
Principal:	146,510
Interest:	0
Total:	146,510
Annual Appropriation?:	Yes
Date Incurred:	11/27/2017
FY of Last Payment:	2019

Demolition of True Value store

Debt/Obligation Type:	Internal Loans
Principal:	14,860
Interest:	0
Total:	14,860
Annual Appropriation?:	Yes
Date Incurred:	12/10/2018
FY of Last Payment:	2019

Non-Rebates For MARSHALLTOWN UPTOWN URBAN RENEWAL

TIF Expenditure Amount:	61,884
Tied To Debt:	Facade and Code Upgrade
Tied To Project:	Facade & Code Upgrade
TIF Expenditure Amount:	66,000
Tied To Debt:	Main Street Program
Tied To Project:	Main Street Program
TIF Expenditure Amount:	78,183
Tied To Debt:	2011B Bond Issue
Tied To Project:	Madison Street
TIF Expenditure Amount:	177,114
Tied To Debt:	2012A Bond Issue
Tied To Project:	Madison Street
TIF Expenditure Amount:	146,510
Tied To Debt:	Coliseum Design Fees
Tied To Project:	Coliseum Design
TIF Expenditure Amount:	14,860
Tied To Debt:	Demolition of True Value store
Tied To Project:	Demolition

TIF Taxing District Data Collection

Local Government Name:	MARSHALLTOWN (64G611)
Urban Renewal Area:	MARSHALLTOWN UPTOWN URBAN RENEWAL (64011)
TIF Taxing District Name:	MARSHALLTOWN CITY/MARSHALLTOWN SCH/UPTOWN UR TIF INCREM
TIF Taxing District Inc. Number:	64118
TIF Taxing District Base Year:	1997
FY TIF Revenue First Received:	1999
Subject to a Statutory end date?	No

UR Designation	
Slum	06/1998
Blighted	06/1998
Economic Development	06/1998

TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	19,188,060	46,074,987	14,282,865	0	-55,560	85,343,680	0	85,343,680
Taxable	0	10,672,496	41,467,490	12,854,579	0	-55,560	69,548,515	0	69,548,515
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	44,716,496	40,682,744	14,181,725	26,501,019	977,644

FY 2019 TIF Revenue Received: 514,729

Urban Renewal Area Data Collection

Local Government Name: MARSHALLTOWN (64G611)
 Urban Renewal Area: MARSHALLTOWN CITY/MARSHALLTOWN SCH/UR5
 UR Area Number: 64166
 UR Area Creation Date: 09/2016

UR Area Purpose: Promote economic growth by encouraging residential development for low to middle income residents. This will create a mechanism for financing the construction of needed infrastructure and residential development. This will also strengthen the tax base.

Tax Districts within this Urban Renewal Area

	Base No.	Increment No.	Increment Value Used
MARSHALLTOWN CITY/MARSHALLTOWN SCH/UR5 TIF INCREM	64166	64167	621,059

Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	2,396,450	4,460	0	0	-5,556	2,395,354	0	2,395,354
Taxable	0	1,332,928	4,014	0	0	-5,556	1,331,386	0	1,331,386
Homestead Credits									0

TIF Sp. Rev. Fund Cash Balance as of 07-01-2018: -8,601 0 **Amount of 07-01-2018 Cash Balance Restricted for LMI**

TIF Revenue: 22,913
 TIF Sp. Revenue Fund Interest: 240
 Property Tax Replacement Claims: 0
 Asset Sales & Loan Repayments: 0
Total Revenue: 23,153

Rebate Expenditures: 0
 Non-Rebate Expenditures: 0
 Returned to County Treasurer: 0
Total Expenditures: 0

TIF Sp. Rev. Fund Cash Balance as of 06-30-2019: 14,552 9,575 **Amount of 06-30-2019 Cash Balance Restricted for LMI**

Projects For MARSHALLTOWN CITY/MARSHALLTOWN SCH/UR5

Townhomes

Description:	Eagle View at Wandering Creek
Classification:	Residential property (classified residential)
Physically Complete:	No
Payments Complete:	No

Administration

Description:	Administration
Classification:	Administrative expenses
Physically Complete:	No
Payments Complete:	No

Debts/Obligations For MARSHALLTOWN CITY/MARSHALLTOWN SCH/UR5

Eagle View at Wandering Creek

Debt/Obligation Type:	Rebates
Principal:	1,300,000
Interest:	0
Total:	1,300,000
Annual Appropriation?:	No
Date Incurred:	09/26/2016
FY of Last Payment:	2030

Income Housing For MARSHALLTOWN CITY/MARSHALLTOWN SCH/UR5

Amount of FY 2019 expenditures that provide or aid in the provision of public improvements related to housing and residential development:	0
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Lots for low and moderate income housing:	0
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Construction of low and moderate income housing:	0
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Grants, credits or other direct assistance to low and moderate income families:	0
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Payments to a low and moderate income housing fund established by the municipality, including matching funds for any state or federal moneys used for such purposes:	0
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Other low and moderate income housing assistance:	0
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TIF Taxing District Data Collection

Local Government Name: MARSHALLTOWN (64G611)
 Urban Renewal Area: MARSHALLTOWN CITY/MARSHALLTOWN SCH/UR5 (64166)
 TIF Taxing District Name: MARSHALLTOWN CITY/MARSHALLTOWN SCH/UR5 TIF INCREM
 TIF Taxing District Inc. Number: 64167

TIF Taxing District Base Year: 2016
 FY TIF Revenue First Received: 2019
 Subject to a Statutory end date? No

UR Designation	
Slum	No
Blighted	No
Economic Development	No

TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	2,396,450	4,460	0	0	-5,556	2,395,354	0	2,395,354
Taxable	0	1,332,928	4,014	0	0	-5,556	1,331,386	0	1,331,386
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	1,140,460	1,260,450	621,059	639,391	23,588

FY 2019 TIF Revenue Received: 22,913

Affidavit of Publication

STATE OF IOWA,
Marshall County, ss.

City of Marshalltown
Notice of Hearing on Agreement with Marshalltown Area
Chamber of Commerce

I, Colleen Ward, being first duly sworn, on oath depose and say that Marshalltown Newspaper, LLC is a corporation for pecuniary profit organization under the law of the State of Iowa, with its principal place of business in Marshalltown, Iowa; that the "Times-Republican" is a daily newspaper of general circulation printed wholly in the English language and published by said corporation at the city of Marshalltown, in Marshall County, Iowa; that I am the Accounting Manager of said corporation and a full time employee of the said newspaper, and have personal knowledge of the facts stated herein; that the Notice hereto attached in the above entitled action was published in the regular daily edition of the said "Times-Republican" for:

One

consecutive weeks on the days and dates as follows, to-wit
November 19, 2019

Statutory fees for publishing said notice are:
23.59

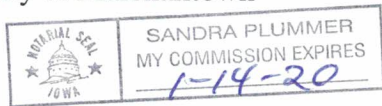
Colleen Ward

Sworn to before me and subscribed in my
presence by the said Colleen Ward, this
Nineteenth Day of November, 2019

Sandra Plummer

Sandra Plummer, Notary Public
Marshall County, Iowa
Commission No.766297
Commission Expires January 14, 2020

Account No. and Account Name
D02000 City of Marshalltown



25th day of November, 2019, at 5:30 o'clock p.m., at which time and place a public hearing will be held on an Agreement for Economic Development Consulting Services (the "Agreement") between the City and the Marshalltown Area Chamber of Commerce, in connection with services to be provided by the Chamber in Marshalltown Urban Renewal Area No. 4. The Agreement provides a total of \$250,000 in payments to the Chamber for a period of five years, in the amount of \$50,000 per year, under the authority of Section 403.9(1) of the Code of Iowa.

The Agreement will not be a general obligation of the City, but will be payable solely and only from incremental property tax revenues generated from property located within the Marshalltown Urban Renewal Area No. 4.

At the meeting, the Council will receive oral or written comments from any resident or property owner of the City. Thereafter, the Council may, at the meeting or at an adjournment thereof, take additional action to approve the Development Agreement. This notice is given by order of the City Council of Marshalltown, Iowa, in accordance with Section 403.9 of the Code of Iowa.

PUBLIC NOTICE
NOTICE OF HEARING ON
AGREEMENT WITH
MARSHALLTOWN AREA
CHAMBER OF COMMERCE

Shari Coughenour
City Clerk
--- -- 28096

The City Council of the City of Marshalltown, Iowa, will meet at the Council Chambers on the

AGREEMENT FOR ECONOMIC DEVELOPMENT SERVICES

THIS AGREEMENT entered into this_____ day of_____, 2019, by and between **CITY OF MARSHALLTOWN, IOWA** (hereinafter “City”), and **MARSHALLTOWN AREA CHAMBER OF COMMERCE** (hereinafter “MACC”).

WHEREAS, the City wishes to contract for Economic Development Consulting Services, and;

WHEREAS, MACC wishes to provide Economic Development Consulting Services to the City, and;

WHEREAS, the parties desire to memorialize the terms, covenants, and conditions for the Economic Development Consulting Services in this Agreement.

NOW THEREFORE, in consideration of the mutual promises contained in this Agreement and other good and valuable consideration,

1. **Term and Renewal.** This Agreement shall be for a term of five (5) years, effective July 1, 2019, and ending June 30, 2024. This agreement shall automatically renew for successive one year terms unless either party terminates the Agreement or in the event a new agreement is executed. Any renewal term is contingent on and subject to budget appropriation adopted annually by the City Council.

2. **Services to be Provided.** During the term of this Agreement, MACC shall:

- Respond to Request for Proposals received from the State of Iowa, Iowa Area Development Group or other sources.
- Conduct business recruitment activities designed to provide new jobs and an improved tax base for the community.
- Produce materials that market and promote the City including a website and information packets for prospective businesses.
- Provide quarterly analyses of economic data provided in the Digest.
- Build mutually beneficial relationships with national, state, and regional entities engaged in economic development.
- Assess issues of concern to local businesses and assist with promoting a healthy business climate within the community.
- Facilitate programs for business retention and expansion for existing businesses in the City.
- Such other services, as the parties agree may be feasible, necessary, and appropriate to help expand the City’s job base and improve the City’s tax base.

3. **Fees and Expenses.** The City agrees to pay MACC an annual fee of \$50,000 for the services outlined in this Agreement (the “Fee”). The Fee shall be paid in quarterly payments to MACC. The Fee is subject to and conditioned on budget appropriation from the City Council.

4. **Notices.** Any notice required to be given under this Agreement shall be served by certified mail, postage prepaid, delivery, fax (receipt confirmed), or overnight courier.

5. **Entire Agreement.** This Agreement sets forth the entire agreement and understanding between the parties on the subject matter of this Agreement. Neither party shall be bound by any conditions, definitions, representations or warranties with respect to the subject matter of this Agreement other than those as expressly provided herein.

6. **Amendments and Waivers.** Changes, modifications, or amendments in scope, price, or fees to this Agreement shall not be allowed without a prior formal contract amendment approved by the Mayor and the City Council in advance of the change in scope, price, or fees. No modification of this Agreement shall be binding unless made in writing and executed by both parties. No waiver by either party or any breach or obligation of the other party under this Agreement shall constitute a waiver of any other prior or subsequent breach or obligation.

7. **Performance Measures.** MACC shall provide the deliverables outlined in the Scope of Work. Performance measures are included for each item and will be used to evaluate the work performed throughout the entire term of the Agreement.

8. **Scope of Work.** The Scope of Work listed below is intended to clarify roles around economic development and outline the expectations of both the City and MACC in regards to economic development in Marshalltown.

- A. **Business Retention and Expansion.** The City wants to ensure existing businesses thrive and remain or expand in Marshalltown. MACC shall solicit regular feedback from existing businesses to determine how they can best be served and how programs can be developed to leverage their assets and the assets of other similar businesses and the assets of the City of Marshalltown. MACC shall develop concepts which promote existing business.

Performance measure:

- o Development of business community data
 - Retention rate for existing businesses
 - Existing employee headcount for the 10 largest employers
 - Other data as reasonably requested by and coordinated with the City
- o Provide access to technical assistance to existing businesses to assist them to retain jobs and/or expand.
- o Bring or organize appropriate seminars and training to Marshalltown, or offered within the region that would benefit Marshalltown-based companies.
- o Execute a business retention plan with existing major employers.
- o Analysis of existing businesses by utilizing information from the Secretary of State to evaluate growth, decline, establishment, or closure of existing businesses

within the City of Marshalltown.

- o Develop or recommend training & education opportunities to start-up businesses.
- o Provide resources to entrepreneurs as requested.

- B. **Business Attraction.** MACC shall take steps necessary to ensure that Marshalltown is involved in pursuing prospective businesses at local, state, and national levels. In addition, MACC shall actively promote the City at the state, and national, levels, particularly to companies identified in an economic development plan. MACC acknowledges the City desires to attract jobs with higher skills, higher wages, and higher benefits, and MACC will pursue companies in the targeted sectors that meet those goals.

Performance measure:

- o Conduct promotional or marketing visits annually with site selectors.
- o Measure and track new businesses in Marshalltown.
- o Report on employee headcount, wages, and capital investment attributed to the 10 largest employers.
- o Advise on number of business contacts made and status of pending projects.
- o Maintain active website with updated content related to economic development
- o Create and maintain community profile with state and regional economic development agencies.

- C. **Strengthened Relationship with State and Regional Economic Development Organizations.** These organizations are assets to the City's economic development efforts. They can provide free marketing for the City and expand our contact base and opportunities. Fostering relationships with these organizations will provide a competitive advantage at the state and regional level and ensure that the City receives feedback from prospective companies about what Marshalltown can do to provide an attractive business package. MACC shall serve as the primary point of contact for the City for economic development related purposes.

Performance measure:

- o Regular meetings with State and Regional Economic Development Organizations and other relevant organizations
- o Positive relationship with State and Regional Economic Development Organizations and appropriate communicated vision for Marshalltown.

- D. **Market Statistics and Demographics.** The City is interested in receiving up to date market statistics and demographics for existing businesses and labor shed and market data for businesses interested in locating in Marshalltown.

Performance measure:

- o Utilize and provide updated market, trend, and demographic analysis through current studies of Marshall County and Marshalltown (as available) to inform

economic development strategy

- E. **Reports and Presentations to the Mayor and City Council.** MACC shall provide a written report for the Mayor and City Council on a quarterly basis. Reports and presentations should outline the tasks accomplished and include statistics for each performance measure outlined herein.

Performance measure:

- o Written report quarterly to Mayor and City Council.
- o Semi-annual presentation to Council.
- o Timely updates to Mayor and City Council on potential and ongoing projects as necessary.

The City recognizes that the overall economy will affect some of the performance measures and success will be outside the control of MACC. The City also recognizes that some of the needed statistics are not currently collected in a systematic way. However, the City expects MACC to show evidence of experience in conducting trend analyses and due diligence in amassing the detailed information necessary to support the Economic Development efforts.

B. **Performance Matrix.** The parties agree that the annual goals shall match the MACC's Entrepreneurial Operating System (EOS) metrics.

9. **Independent Contractor Indemnification.** The parties to this Agreement agree that MACC is an independent contractor and shall not, under any circumstances, be deemed an employee of the City. MACC and the City agree to indemnify, defend, and hold harmless each other, its officials, employees, and agents, from and against any and all loss, liability, or damage as a result of claims, demands, costs, or judgments arising by virtue of this Contract, or of whatever nature, made by or on behalf of any person or persons for any wrongful act or omission arising from its operation under this Contract.

10. **Indemnification.** MACC and the City shall abide by all federal, state and local laws, rules, regulations and ordinances, which may now or hereafter be in effect, applicable to providing services under this Agreement, and agrees to indemnify, defend, and hold harmless, the City, its officials, employees and agents, from and against any violation of said laws, rules, regulations and ordinances. The City agrees to also indemnify, defend and hold harmless MACC, its officials, employees and agents, from and against any violation of said laws, rules, regulations and ordinances.

11. **Workers' Compensation Insurance.** MACC shall provide any workers' compensation insurance for its employees as required by State law. MACC shall also maintain motor vehicle insurance pursuant to minimum State requirements for operation of any motor vehicles under its direction and control.

12. **Equal Employment Opportunity.** This Agreement is subject to all federal, state and local laws, rules and regulations pertaining to equal employment opportunities. MACC shall not discriminate or permit discrimination in violation of federal or state laws or local ordinances because of race, color, sex, age, disability, political or religious affiliations or national origin.

13. **Conflicts of Interest.** MACC agrees that no employee of MACC, or its designees or agents, shall have any interest, direct or indirect, in this Agreement other than in the direct course of his/her employment with MACC.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first written above.

Marshalltown Area Chamber of Commerce

City of Marshalltown

BY: _____
John Dawley, Board Chair

BY: _____
Joel Greer, Mayor

BY: _____
Lynn Olberding, President & CEO

ATTEST: _____
Shari Coughenour, City Clerk

HOLD HEARING AND APPROVE
AGREEMENT WITH CHAMBER OF
COMMERCE

422742-33

Marshalltown, Iowa

November 25, 2019

A meeting of the City Council of the City of Marshalltown, Iowa, was held at 5:30 o'clock p.m., on November 25, 2019 at the Council Chambers, Marshalltown, Iowa, pursuant to the rules of the Council and to published notice.

The Mayor presided and the roll was called, showing members present and absent as follows:

Present: _____

Absent: _____.

It was reported that notice of the intention of the Council to conduct a public hearing on an Agreement for Economic Development Services between the City and the Marshalltown Area Chamber of Commerce had been published according to law and as directed by the Council and that this is the time and place at which the Council shall receive oral or written objections from any resident or property owner of the City. All written objections, statements, and evidence heretofore filed were reported to the Council.

The following named persons presented oral objections, statements, or evidence; filed written objections or statements; or presented other exhibits:

(Here list all persons presenting written or oral statements or evidence and summarize each presentation.)

There being no further objections or comments, the Mayor announced that the hearing was closed.

Council Member _____ introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member _____; and after due consideration thereof by the Council, the Mayor put the question upon the adoption of said resolution, and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared said resolution duly adopted, as follows:

RESOLUTION_____

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

WHEREAS, the City of Marshalltown, Iowa (the “City”), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Marshalltown Urban Renewal Area No. 3 (the “Urban Renewal Area”); and

WHEREAS, this Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa (the “Urban Renewal Area No. 3 Tax Revenue Fund”), which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City has proposed to enter into an agreement for economic development services (the “Agreement”) with the Marshalltown Area Chamber of Commerce (the “Chamber”) in connection with the provision of economic development services in the Urban Renewal Area (the “Chamber Project”); and

WHEREAS, Chapter 15A of the Code of Iowa (“Chapter 15A”) declares that economic development is a public purpose for which a City may provide grants, loans, tax incentives, guarantees and other financial assistance to or for the benefit of private persons; and

WHEREAS, Chapter 15A requires that before public funds are used for grants, loans, tax incentives or other financial assistance, a City Council must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

WHEREAS, Chapter 15A requires that in determining whether funds should be spent, a City Council must consider any or all of a series of factors;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Marshalltown, Iowa, as follows:

Section 1. Pursuant to the factors listed in Chapter 15A, the Council hereby finds that:

(a) The Chamber Project will add diversity and generate new opportunities for the Marshalltown and Iowa economies;

(b) The Chamber Project will contribute to the revitalization of the Urban Renewal Area and will generate public gains and benefits, particularly in the creation of

new jobs, and the retention of existing jobs, which are warranted in comparison to the amount of the proposed property tax incentives.

Section 2. The Council further finds that a public purpose will reasonably be accomplished by entering into the Agreement with the Chamber.

Section 3. The Agreement is hereby approved for a period of five years, with total payments in the amount of \$250,000, payable in the amount of \$50,000 each year; provided, however, that all payments by the City under the Agreement shall be subject to annual appropriation by the City Council. In addition, the City's obligations under the Agreement shall be payable solely from the Urban Renewal Area No. 3 Tax Revenue Fund.

Section 4. The Mayor and City Clerk are hereby authorized and directed to execute and deliver the Agreement on behalf of the City, in substantially the form and content in which the Agreement has been presented to this City Council, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of the city attorney or bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement.

Section 5. The City hereby pledges to the payment of the Agreement the Urban Renewal Area No. 3 Tax Revenue Fund and the taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Fund provided, however, that no payment will be made under the Agreement unless and until monies from the Urban Renewal Area No. 3 Tax Revenue Fund are appropriated for such purpose by the City Council.

Section 6. After its adoption, a copy of this resolution shall be filed in the office of the County Auditor of Marshall County to evidence the continuing pledging of the Urban Renewal Area No. 3 Tax Revenue Fund and the portion of taxes to be paid into such Fund, and, pursuant to the direction of Section 403.19 of the Code of Iowa, the Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof.

Section 7. All resolutions or parts thereof in conflict herewith are hereby repealed.

Passed and approved this 25th day of November, 2019.

Mayor

Attest:

City Clerk

• • • • •

On motion and vote the meeting adjourned.

Mayor

Attest:

City Clerk

STATE OF IOWA
COUNTY OF MARSHALL SS:
CITY OF MARSHALLTOWN

I, the undersigned, Clerk of the City of Marshalltown, hereby certify that the foregoing is a true and correct copy of the minutes of the Council of the City relating to holding a public hearing and adopting a resolution to approve an Agreement for Economic Development Services.

WITNESS MY HAND this ____ day of _____, 2019.

City Clerk

STATE OF IOWA

SS:

COUNTY OF MARSHALL

I, the undersigned, County Auditor of Marshall County, in the State of Iowa, do hereby certify that on the ____ day of _____, 2019, the City Clerk of the City of Marshalltown filed in my office a certified copy of a resolution of the City shown to have been adopted by the Council and approved by the Mayor thereof on November 25, 2019, entitled: "Resolution 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", and that I have duly placed the copy of the resolution on file in my records.

WITNESS MY HAND this ____ day of _____, 2019.

County Auditor

November 22, 2019

Shari Coughenour
City Clerk/City Hall
24 North Center Street
Marshalltown, IA 50158

Re: Agreement with Chamber of Commerce
File No. 422742-33

Dear Shari:

Enclosed are copies of proceedings covering the City Council's public hearing on the proposed Agreement For Economic Development Services with the Marshalltown Area Chamber of Commerce, followed by a resolution approving the Agreement and pledging incremental tax revenues.

A copy of the Resolution should be filed with the Marshall County Auditor.

We would appreciate receiving one fully executed copy of these proceedings and of the executed Development Agreement as soon as they are available.

Very truly yours,

Robert E. Josten

Cc by email: Jessica Kinser
Diana Steiner

**RESOLUTION 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**

WHEREAS the Council has determined that certifying Code of Iowa Section 403.19 Tax Increment Financing (TIF) Indebtedness is in the best interest of the City of Marshalltown.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. The Council authorizes filing of the 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.

Section 2. The City Finance Director is directed to certify the indebtedness as required by Iowa law.

Passed this 25th day of November, 2019, and signed this ____ day of November, 2019.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

MARSHALLTOWN

— I O W A —

Joel Greer, Mayor
Jessica Kinser, Administrator
Diana Steiner, Finance Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5760
Fax - (641) 754-5781

FINANCE DEPARTMENT

November 22, 2019

To: Mayor Joel Greer
Members of the City Council

From: Diana Steiner, Finance Director

Re: **Authorizing loans to TIF programs and TIF certification to the County Auditor**

Policy Issue: Council must approve the TIF loans and certifications

Recommendation: Staff recommends approving the annual program payments from TIF funds and the certification to the County. This is due to the Marshall County Auditor by December 1, 2019.

Background: The Finance Department has prepared the program payment documents and the certification to the County and is requesting your review and approval. The TIF funds will be collected by the County and remitted to the City in fiscal year 2021.

Budget Impact: The amounts on "City TIF Form 2" is what the City can anticipate receiving in TIF revenue in FY2021: \$168,984 for East Side, \$228,199 for South Side (Retail), \$253,179 for Uptown, and \$0 for Eagle View.

Attachment: TIF#2 EastSideCITYTIFIndebtednessCertification
TIF#3 Southside CITYTIFIndebtednessCertification
TIF#4 Uptown CITYTIFIndebtednessCertification
TIF#5 Wandering Creek CITYTIFIndebtednessCertification

cc: Jessica Kinser, City Administrator

CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS
CERTIFICATION TO COUNTY AUDITOR
Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested
Use One Certification Per Urban Renewal Area

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Eside TIF #2

Urban Renewal Area Number: 64009 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified*: \$ 0

*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

Dated this _____ day of _____, _____

Signature of Authorized Official Telephone

TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEAR

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Eside TIF #2

Urban Renewal Area Number: 64009 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. ☐ 'X' this box if a rebate agreement. List administrative details on lines above.		
2. ☐ 'X' this box if a rebate agreement. List administrative details on lines above.		
3. ☐ 'X' this box if a rebate agreement. List administrative details on lines above.		
4. ☐ 'X' this box if a rebate agreement. List administrative details on lines above.		
5. ☐ 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

Total For City TIF Form 1.1 Page 1: 0

* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

SPECIFIC DOLLAR REQUEST FOR AVAILABLE TIF INCREMENT TAX FOR NEXT FISCAL YEAR
CERTIFICATION TO COUNTY AUDITOR
Due To County Auditor By December 1 Prior To The Fiscal Year
Where Less Than The Legally Available TIF Increment Tax Is Requested
Use One Certification Per Urban Renewal Area

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Eside TIF

Urban Renewal Area Number: 64009 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the next fiscal year and for the Urban Renewal Area within the City and County named above, the City requests less than the maximum legally available TIF increment tax as detailed below.

Provide sufficient detail so that the County Auditor will know how to specifically administer your request. For example you may have multiple indebtedness certifications in an Urban Renewal Area, and want the maximum tax for rebate agreement property that the County has segregated into separate taxing districts, but only want a portion of the available increment tax from the remainder of the taxing districts in the Area.

Specific Instructions To County Auditor For Administering The Request That This Urban Renewal Area Generate Less Than The Maximum Available TIF Increment Tax:	Amount Requested:
Menards Rebate	82,530
2015 GO Bond Pymts TIF Portion: FY 21 P: \$79,010 I: \$7,444	86,454
Total Requested	168,984

Dated this _____ day of _____, _____

Signature of Authorized Official Telephone

**TIF INDEBTEDNESS HAS BEEN REDUCED BY REASON OTHER THAN APPLICATION OF
TIF INCREMENT TAX RECEIVED FROM THE COUNTY TREASURER
CERTIFICATION TO COUNTY AUDITOR
Use One Certification Per Urban Renewal Area**

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Eside TIF #2

Urban Renewal Area Number: 64009 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above, the City has reduced previously certified indebtedness, by reason other than application of TIF increment tax received from the County Treasurer, by the total amount as shown below.

Provide sufficient detail so that the County Auditor will know how to specially administer your request. For example, you could have multiple indebtedness certifications in the Urban Renewal Area, and the County Auditor would need to know which particular indebtedness certification(s) to reduce. If rebate agreements are involved with a reduction, and the County has segregated the rebate property into separate TIF Increment taxing districts, provide the five-digit county increment taxing district numbers for reference.

Individual TIF Indebtedness Type/Description/Details:	Amount Reduced:
Interest earned in FY19	2,502
Total Reduction In Indebtedness For This Urban Renewal Area:	2,502

Dated this day of ,

Signature of Authorized Official	Telephone
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**CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS
CERTIFICATION TO COUNTY AUDITOR
Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested
Use One Certification Per Urban Renewal Area**

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Retail TIF & Retail AG TIF #3

Urban Renewal Area Number: 64108 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified*: \$ **114,403**

*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

Agreement with Marshalltown Area Chamber of Commerce for economic development

services for \$250,000 over a 5 year period, in the amount of \$50,000 per year. This \$100,000 is for

2 fiscal years (2020 and 2021). The \$50,000 per year must be appropriated by the Council annually.

\$14,403 is for legal, professional and administrative fees to update the Urban Renewal Area plan.

Dated this _____ day of _____, _____

Signature of Authorized Official

Telephone

TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEARCity: Marshalltown County: MarshallUrban Renewal Area Name: Marshalltown Retail TIF & Retail AG TIF #3Urban Renewal Area Number: 64108 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. <u>Marshalltown Area Chamber of Commerce for Economic Development</u> <u>Services (FY21 \$50,000 and FY20 \$50,000)</u>	<u>11/25/2019</u>	<u>100,000</u>
☐ 'X' this box if a rebate agreement. List administrative details on lines above.		
2. <u>Legal, professional & administrative fees to update urban renewal plan</u>	<u>11/25/2019</u>	<u>14,403</u>
☐ 'X' this box if a rebate agreement. List administrative details on lines above.		
3. _____	_____	_____
☐ 'X' this box if a rebate agreement. List administrative details on lines above.		
4. _____	_____	_____
☐ 'X' this box if a rebate agreement. List administrative details on lines above.		
5. _____	_____	_____
☐ 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

Total For City TIF Form 1.1 Page 1: 114,403

* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

SPECIFIC DOLLAR REQUEST FOR AVAILABLE TIF INCREMENT TAX FOR NEXT FISCAL YEAR
CERTIFICATION TO COUNTY AUDITOR
Due To County Auditor By December 1 Prior To The Fiscal Year
Where Less Than The Legally Available TIF Increment Tax Is Requested
Use One Certification Per Urban Renewal Area

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Retail TIF & Retail AG TIF #3

Urban Renewal Area Number: 64108 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the next fiscal year and for the Urban Renewal Area within the City and County named above, the City requests less than the maximum legally available TIF increment tax as detailed below.

Provide sufficient detail so that the County Auditor will know how to specifically administer your request. For example you may have multiple indebtedness certifications in an Urban Renewal Area, and want the maximum tax for rebate agreement property that the County has segregated into separate taxing districts, but only want a portion of the available increment tax from the remainder of the taxing districts in the Area.

Specific Instructions To County Auditor For Administering The Request That This Urban Renewal Area Generate Less Than The Maximum Available TIF Increment Tax:	Amount Requested:
2012A Bonds - FY 2021 principal and interest payments	32,966
Marshalltown Area Chamber of Commerce Economic Development	67,000
(\$50,000 for FY21, \$17,000 for FY20, balance paid with cash on hand)	
Legal, Professional & Administrative fees for updating Urban Renewal Plan (see 4 items below):	14,403
Clapsaddle Garber: Engineering services for updating Urban Renewal Plan \$460	
Bolton & Menk for Map Development of Urban Renewal Area 3 \$4095	
Simmering-Cory & Iowa Codification for rewritng plan \$2670	
Dorsey & Whitney for legal services \$7178	
Teamwork -1, LLC for the Bobcat Academy Development Agreement	15,600
Marshallgaam/Hawkeye Hotels (Holiday Inn Express) Development agreement	93,000
Plumb Supply Rebate development agreement	5,230
Amount Requested	228,199

Dated this _____ day of _____, _____

Signature of Authorized Official Telephone

**TIF INDEBTEDNESS HAS BEEN REDUCED BY REASON OTHER THAN APPLICATION OF
TIF INCREMENT TAX RECEIVED FROM THE COUNTY TREASURER
CERTIFICATION TO COUNTY AUDITOR
Use One Certification Per Urban Renewal Area**

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Retail TIF & Retail AG TIF #3

Urban Renewal Area Number: 64108 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above, the City has reduced previously certified indebtedness, by reason other than application of TIF increment tax received from the County Treasurer, by the total amount as shown below.

Provide sufficient detail so that the County Auditor will know how to specially administer your request. For example, you could have multiple indebtedness certifications in the Urban Renewal Area, and the County Auditor would need to know which particular indebtedness certification(s) to reduce. If rebate agreements are involved with a reduction, and the County has segregated the rebate property into separate TIF Increment taxing districts, provide the five-digit county increment taxing district numbers for reference.

[illegible]

Dated this day of ,

Signature of Authorized Official	Telephone
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CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS
CERTIFICATION TO COUNTY AUDITOR
Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested
Use One Certification Per Urban Renewal Area

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Uptown TIF #4

Urban Renewal Area Number: 64118 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified*: \$ 0

*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

Dated this _____ day of _____, _____

Signature of Authorized Official Telephone

TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEARCity: Marshalltown County: MarshallUrban Renewal Area Name: Marshalltown Uptown TIF #4Urban Renewal Area Number: 64118 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. <u>Marshalltown Chamber of Commerce: Central Business District</u> <u>for operations FY 20-21 amount \$32K</u> <u>(to be paid with cash on hand)</u> <u>Resolution 2019-279</u> ☐ 'X' this box if a rebate agreement. List administrative details on lines above.	<u>10-28-19</u>	
2. <u>Marshalltown Central Business District pledge for</u> <u>façade and code compliance upgrades (FY20 \$20K & FY21 (\$40K)</u> <u>(to be paid with cash on hand)</u> <u>Resolution 2019-279</u> ☐ 'X' this box if a rebate agreement. List administrative details on lines above.	<u>10-28-19</u>	
3. <u>Economic Development grant to David & Kathleen Thompson for demolition</u> <u>of commercial property at 107 S. Center Street \$14,860 paid with cash</u> <u>on hand</u> <u>Resolution 2018-228</u> ☐ 'X' this box if a rebate agreement. List administrative details on lines above.	<u>12-10-18</u>	
4. <u>Economic Development grant to Garret Goodmann for demolition</u> <u>of commercial property at 7 1/2 E. State Street \$12,166 paid with cash</u> <u>on hand</u> <u>Resolution 2019-251</u> ☐ 'X' this box if a rebate agreement. List administrative details on lines above.	<u>10-14-2019</u>	
5. <u>Economic Development grant to Shane Ecklor for demolition</u> <u>of residential property at 111 North 2nd Ave. \$7,050 paid with cash</u> <u>on hand</u> <u>Resolution 2019-220</u> ☐ 'X' this box if a rebate agreement. List administrative details on lines above.	<u>8-26-2018</u>	

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

Total For City TIF Form 1.1 Page 1: 0

* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

SPECIFIC DOLLAR REQUEST FOR AVAILABLE TIF INCREMENT TAX FOR NEXT FISCAL YEAR
CERTIFICATION TO COUNTY AUDITOR
Due To County Auditor By December 1 Prior To The Fiscal Year
Where Less Than The Legally Available TIF Increment Tax Is Requested
Use One Certification Per Urban Renewal Area

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Uptown TIF #4

Urban Renewal Area Number: 64118 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the next fiscal year and for the Urban Renewal Area within the City and County named above, the City requests less than the maximum legally available TIF increment tax as detailed below.

Provide sufficient detail so that the County Auditor will know how to specifically administer your request. For example you may have multiple indebtedness certifications in an Urban Renewal Area, and want the maximum tax for rebate agreement property that the County has segregated into separate taxing districts, but only want a portion of the available increment tax from the remainder of the taxing districts in the Area.

Specific Instructions To County Auditor For Administering The Request That This Urban Renewal Area Generate Less Than The Maximum Available TIF Increment Tax:	Amount Requested:
2012A Bonds - FY 2021 principal and interest payments	173,072
2011B Bonds - FY 2021 principal and interest	80,107
Marshalltown Central Business District:Façade and code compliance grant (\$20K for FY20 and \$40K for FY21 paid with cash on hand)	
Marshalltown Central Business District for operations of Main Street and façade/compliance programs (\$32K for FY21 to be paid with cash on hand)	
David & Kathleen Thompson commercial demolition at 107 S. Center St. (\$14,860 paid with cash on hand)	
Garret Goodman demolition for 7 1/2 E. State Street (\$12,166 paid with cash on hand)	
Shane Ecklor residential structure demolition at 111 N. 2nd Ave (\$7,050 paid with cash on hand)	
Amount requested	253,179

Dated this _____ day of _____, _____

Signature of Authorized Official Telephone

**TIF INDEBTEDNESS HAS BEEN REDUCED BY REASON OTHER THAN APPLICATION OF
TIF INCREMENT TAX RECEIVED FROM THE COUNTY TREASURER
CERTIFICATION TO COUNTY AUDITOR
Use One Certification Per Urban Renewal Area**

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Uptown TIF#4

Urban Renewal Area Number: 64118 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above, the City has reduced previously certified indebtedness, by reason other than application of TIF increment tax received from the County Treasurer, by the total amount as shown below.

Provide sufficient detail so that the County Auditor will know how to specially administer your request. For example, you could have multiple indebtedness certifications in the Urban Renewal Area, and the County Auditor would need to know which particular indebtedness certification(s) to reduce. If rebate agreements are involved with a reduction, and the County has segregated the rebate property into separate TIF Increment taxing districts, provide the five-digit county increment taxing district numbers for reference.

Individual TIF Indebtedness Type/Description/Details:	Amount Reduced:
Interest earned in FY20	13,080
Total Reduction In Indebtedness For This Urban Renewal Area:	13,080

Dated this day of ,

Signature of Authorized Official

Telephone

CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS
CERTIFICATION TO COUNTY AUDITOR
Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested
Use One Certification Per Urban Renewal Area

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Eagle View at Wandering Creek TIF#5

Urban Renewal Area Number: 64999 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified*: \$ 0

*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

Dated this _____ day of _____, _____

Signature of Authorized Official Telephone

TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEAR

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Eagle View at Wandering Creek TIF#5

Urban Renewal Area Number: 64999 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1.		
☐ 'X' this box if a rebate agreement. List administrative details on lines above.		
2.		
☐ 'X' this box if a rebate agreement. List administrative details on lines above.		
3.		
☐ 'X' this box if a rebate agreement. List administrative details on lines above.		
4.		
☐ 'X' this box if a rebate agreement. List administrative details on lines above.		
5.		
☐ 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

Total For City TIF Form 1.1 Page 1: 0

* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

SPECIFIC DOLLAR REQUEST FOR AVAILABLE TIF INCREMENT TAX FOR NEXT FISCAL YEAR
CERTIFICATION TO COUNTY AUDITOR
Due To County Auditor By December 1 Prior To The Fiscal Year
Where Less Than The Legally Available TIF Increment Tax Is Requested
Use One Certification Per Urban Renewal Area

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Eagle View at Wandering Creek TIF #5

Urban Renewal Area Number: 64999 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the next fiscal year and for the Urban Renewal Area within the City and County named above, the City requests less than the maximum legally available TIF increment tax as detailed below.

Provide sufficient detail so that the County Auditor will know how to specifically administer your request. For example you may have multiple indebtedness certifications in an Urban Renewal Area, and want the maximum tax for rebate agreement property that the County has segregated into separate taxing districts, but only want a portion of the available increment tax from the remainder of the taxing districts in the Area.

Specific Instructions To County Auditor For Administering The Request That This Urban Renewal Area Generate Less Than The Maximum Available TIF Increment Tax:	Amount Requested:
No new certifications	
Total Requested	0

Dated this _____ day of _____, _____

Signature of Authorized Official Telephone

**TIF INDEBTEDNESS HAS BEEN REDUCED BY REASON OTHER THAN APPLICATION OF
TIF INCREMENT TAX RECEIVED FROM THE COUNTY TREASURER
CERTIFICATION TO COUNTY AUDITOR
Use One Certification Per Urban Renewal Area**

City: Marshalltown County: Marshall

Urban Renewal Area Name: Marshalltown Eagle View at Wandering Creek TIF#5

Urban Renewal Area Number: 64999 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above, the City has reduced previously certified indebtedness, by reason other than application of TIF increment tax received from the County Treasurer, by the total amount as shown below.

Provide sufficient detail so that the County Auditor will know how to specially administer your request. For example, you could have multiple indebtedness certifications in the Urban Renewal Area, and the County Auditor would need to know which particular indebtedness certification(s) to reduce. If rebate agreements are involved with a reduction, and the County has segregated the rebate property into separate TIF Increment taxing districts, provide the five-digit county increment taxing district numbers for reference.

[illegible]

Dated this day of ,

Signature of Authorized Official	Telephone
----------------------------------	-----------

MARQUESS LAW OFFICE, P.C

203 W. HIGH STREET

P.O. BOX 51

TOLEDO, IA 52342

641-484-1001

mike@tamalaw.com

November 21, 2019

Ms. Shari Coughenour
Marshalltown City Clerk
24 N. Center Street
Marshalltown, IA 50158

Re: Proposed Ordinance No. 14989

Dear Ms. Coughenour:

Please find enclosed a Petition in opposition to the above-referenced proposed zoning ordinance. As the 700 to 900 block of 5th Avenue is the primary neighborhood bordering the parcel(s) in question, upon information and belief at least 20% of the property owners within two-hundred feet of the parcel(s) to be rezoned have signed the Petition.

Pursuant to Iowa Code section 414.5, a copy of which I have enclosed for your review, with the filing of this Petition the proposed Ordinance may only pass if it is approved by three-quarters of the City Council. As Marshalltown is governed by a seven-member council, it will require six votes in favor of the ordinance to pass it. We respectfully ask that you please bring the Petition and requirement of a supermajority vote to the Council's attention.

Please feel free to contact me with any questions or concerns. Thank you for your attention to this matter.

Sincerely,



Michael Marquess

Enc.

414.5. Changes--protest

The regulations, restrictions, and boundaries may, from time to time, be amended, supplemented, changed, modified, or repealed. Notwithstanding [section 414.2](#), as a part of an ordinance changing land from one zoning district to another zoning district or an ordinance approving a site development plan, a council may impose conditions on a property owner which are in addition to existing regulations if the additional conditions have been agreed to in writing by the property owner before the public hearing required under this section or any adjournment of the hearing. The conditions must be reasonable and imposed to satisfy public needs which are directly caused by the requested change. **In case, however, of a written protest against a change or repeal which is filed with the city clerk and signed by the owners of twenty percent or more of the area of the lots included in the proposed change or repeal, or by the owners of twenty percent or more of the property which is located within two hundred feet of the exterior boundaries of the property for which the change or repeal is proposed, the change or repeal shall not become effective except by the favorable vote of at least three-fourths of all the members of the council. The protest, if filed, must be filed before or at the public hearing.** The provisions of [section 414.4](#) relative to public hearings and official notice apply equally to all changes or amendments.

**PETITION IN OBJECTION TO
PROPOSED MARSHALLTOWN CITY 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**

By signing this Petition, I hereby certify that to the best of my knowledge I reside within two-hundred feet of the above-referenced parcels of land and oppose the proposed rezoning of the above-referenced parcels of land. I ask the Marshalltown City Council not to change the zoning of the above-referenced parcels of land.

Name

Address



Bina Jomlunsin

Deb Padilla

Josh Repin

Dakota Thompson

Monica Davis

LAMAR Jofferson

Myisha Perry

Edgar Rico

Gloribel Reyes

902 N 5th Ave Marshalltown

902 N 5th Ave Marshalltown

906 N. 5th Ave M-town

503 Woodland Marshalltown

930 N 5th Ave

926 N 5th Ave

910 N 5th Ave

818 north 5th Ave

810 N. 5th Ave

805 N 5th ave

805 N. 5th Ave

**PETITION IN OBJECTION TO
PROPOSED MARSHALLTOWN CITY 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**

By signing this Petition, I hereby certify that to the best of my knowledge I reside within two-hundred feet of the above-referenced parcels of land and oppose the proposed rezoning of the above-referenced parcels of land. I ask the Marshalltown City Council not to change the zoning of the above-referenced parcels of land.

Name

Address

Manuela Brito

805 N. 5th Ave

Lori Craun

717 N 5th Ave.

Isabella Acosta

718 N 5th Ave

Shelby Danner

711 N. 5th Ave.

Javier Ramirez

707 N 5th Ave

Enrique Ramirez

707 N 5th Ave

Dana Senhampala

704 N 5th Ave.

Garry Wagner

701 N 5th Ave

Mary Wagner

701 N. 5th Ave.

Mauricio Vega

726 N. 5th Ave

Catherine Vargis

815 N 5th Ave

**PETITION IN OBJECTION TO
PROPOSED MARSHALLTOWN CITY 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**

By signing this Petition, I hereby certify that to the best of my knowledge I reside within two-hundred feet of the above-referenced parcels of land and oppose the proposed rezoning of the above-referenced parcels of land. I ask the Marshalltown City Council not to change the zoning of the above-referenced parcels of land.

Name

Address

Alicia Jones

818 North 5th Ave Marshalltown IA 50158

Katy Wright

714 N. 5th Ave Marshalltown, IA 50158

Janet Johnson

816 N 5th Ave, Marshalltown Ia 50158

Shirley (Rental Unit)

305 Edgewood St Marshalltown IA 50158

Marilyn Be

822

Tim Orr

822 2nd St Ave

Patty Martin

817 n 5th Ave. Marshalltown

COPY

ORDINANCE NO. 14989

AN ORDINANCE APPROVING THE REZONING OF APPROXIMATELY 73.76 ACRES INCLUDING PARCELS 8418-26-229-015, 8418-25-151-001 AND 8418-25-101-002 FROM R-2 LOW DENSITY RESIDENTIAL TO M-2 HEAVY INDUSTRY

WHEREAS the City of Marshalltown currently owns the parcels 8418-26-229-015, 8418-25-151-001 and 8418-25-101-002 and is proposing the rezoning of approximately 73.76 acres, currently zoned R-2 Low Density Residential to be rezoned to M-2 Heavy Industry; and

WHEREAS the Plan and Zoning Commission reviewed this rezoning request and held a public hearing on October 3, 2019, and recommended approval of the rezoning at said meeting; and

WHEREAS, the City Council has fully examined the same and has found the same to be in the best interests of the City of Marshalltown, Iowa and that the same should now be approved and accepted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MARSHALLTOWN, IOWA:

Section 1. Parcel 8418-26-229-015, 8418-25-151-001 and 8418-25-101-002, be rezoned to M-2 Heavy Industry.

Section 2. The public hearing required on this zoning amendment shall be held in the Council Chambers of City Hall, 10 West State Street, Marshalltown, Iowa at 5:30 p.m., local time, on the 25th day of November 2019 and the City Clerk is directed to cause a publication of the notice of the public hearing in one issue of the Marshalltown Times-Republican, a newspaper published in Marshalltown, Marshall County, Iowa, not less than 7 days nor more than 20 days prior to the date of the public hearing fixed herein.

Section 3. This Ordinance shall be in full force and effect from and after public notice of hearing on this Rezoning has been duly given as required by the said Zoning Ordinance and the statutes of the State of Iowa and said public hearing has been duly held and after passage by this Council and publication as is provided by law.

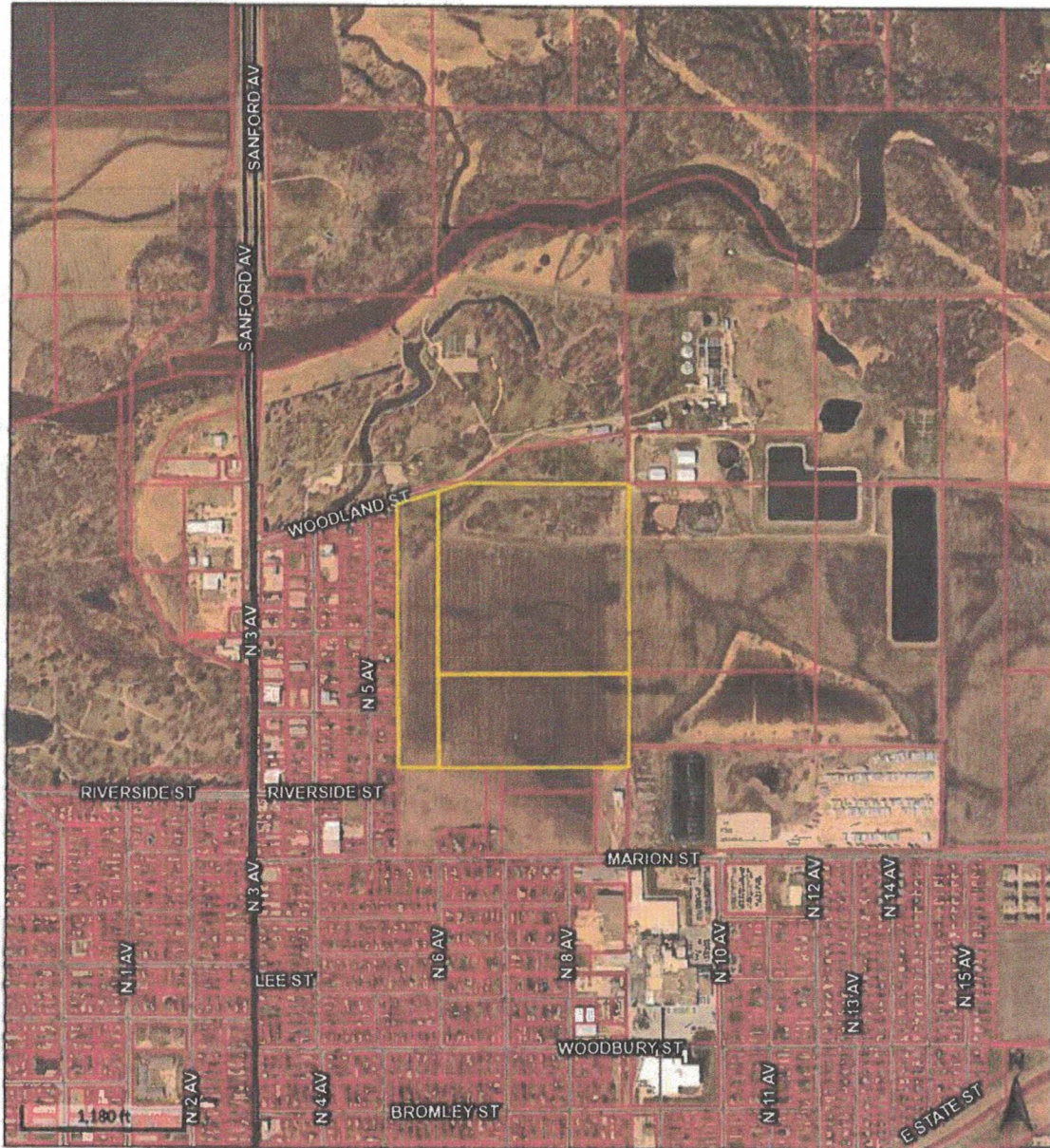
Passed this ____ day of November 2019, and signed this ____ day of November 2019.

CITY OF MARSHALLTOWN, IOWA

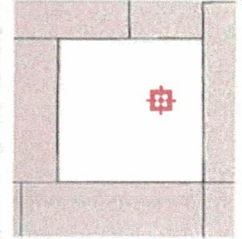
Joel T.S. Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



Overview



Legend

-  **Parcels**
-  **Corporate Limits**
-  **Roads**
- Major Highways**
 -  **U.S. Hwy 30**
 -  **Hwy 330**
 -  **State Paved**

Date created: 9/10/2019
Last Data Uploaded: 9/10/2019 7:30:04 AM

Developed by  **Schneider**
GEOSPATIAL

Date Submitted & Fee Paid: _____

COPY

Rezoning Request Application Form

36 N. Center Street, Marshalltown, IA 50158 Ph: 641-754-5756 Fax: 641-754-5742

www.marshalltown-ia.gov

All items listed must be submitted with this application:

Failure to complete and submit all the required materials as a part of this application will result in a delay in accepting your application until it is complete.

_____ **Legal description of the property.** The property owner must provide a copy of the full legal description. If you do not have a copy, you can obtain one from the Marshall County Recorder's Office for a fee. The tax description found on the County Assessor's website is not the full legal description.

_____ **Application fee.** A \$500 fee is required payable to "City of Marshalltown." The fee must be paid when the application is submitted to the Zoning Office.

Please type or print legibly in ink.

Property Address:

8418-26-229-015, 8418-25-151-001 & 8418-25-101-002

Owner:

City of Marshalltown

Mailing Address:

24 N. Center Street

Phone:

641-754-5756

E-mail:

mispohnheimer@marshalltown-ia.gov

Current Zoning Classification:

R-2

Current Use:

Ag Land

Proposed Zoning Classification:

M-2

Proposed Use:

Commercial/Industrial Uses

Please list the uses of surrounding properties:

Mix of residential and industrial primarily. The Water Pollution Control Plant and Compost facility are to the North.

Signature and Date:



09/10/19

MARSHALLTOWN

I O W A

TO: Mayor, Members of City Council and City Administrator

FROM: Michelle Spohnheimer, Housing & Community Development Director *MS*

DATE: November 25, 2019 – Meeting Date

Rezoning Request:

FROM: City of Marshalltown

SUBJECT: PIN 8418-26-229-015, 8418-25-151-001 & 8418-25-101-002 – Rezone from R-2 to M-2

New Information for 11/25/19

On November 21st a petition was filed by Mr. Marquess in opposition to the rezoning proposal. Iowa Code section 414.5 outlines the criteria for when a petition is filed where 20% of the property within 200' of the exterior boundary is represented that a favorable vote of three-fourths of the all Council members is required (6 members).

The petition filed includes 8 properties within 200' of the parcels to be rezoned. There is a total of 39 parcels in the area, therefore the 20% threshold is satisfied.

When considering the location of the road extension various conditions were evaluated. The right of way along Highway 14 is wider further north, which makes turning movements easier than it is further south onto Marion. Additionally, as discussed in various meetings throughout the Highway 14 Corridor study process and the Comprehensive Plan process, a common concern related is related to the truck traffic traveling south to Marion and then East to JBS. Diverting the traffic off of the main corridor earlier improves safety for travelers along the corridor.

Creating a connection point/truck diversion has been in discussion for close to 20 years and with the recent Iowa DOT RISE grant award and possible additional funding this project can be completed with little cost to the City budget. The rezoning is however essential to the funding approval.

There are approximately 50 parcels that have frontage on Highway 14 south of Edgewood to Marion and along Marion to JBS. The diversion of traffic will have a positive impact on those roadways.

Prior Meeting Information

Policy Issue: A rezoning is an amendment to the Zoning Map, which is part of the Zoning Ordinance. Rezoning requests go before the Plan Zoning Commission for a review and public hearing where a recommendation is made to the City Council. **This item was tabled to add 2 additional weeks putting the public hearing on Nov. 25, 2019.**

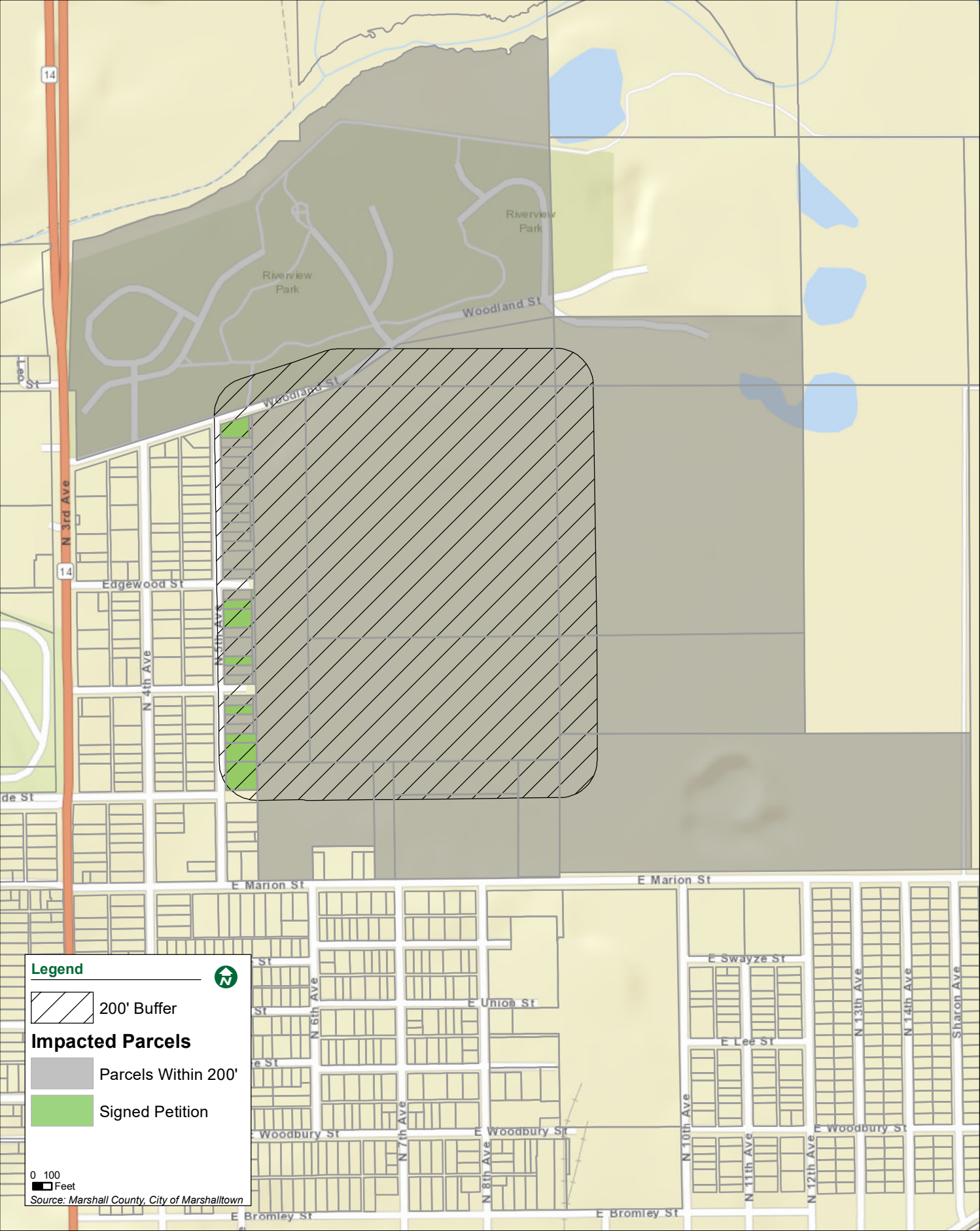
An aerial photograph of an industrial area. A large purple rectangular area is outlined with a black border. A black oval is drawn on the left side of this purple area, with a line pointing to a callout box. The callout box is white with a black border and contains the text "Needs Further Study". Below the map, there is a legend with a purple square and the text "Heavy Industrial".

At the Council meeting on October 28th an Attorney spoke on behalf of a property owner on N 5th Avenue and stated that this proposal was not in conformance with the plan. That was a false statement. The following graphic shows the land use plan and the area in purple is noted as Heavy Industrial. The plan can be found online.

Budget Impact: None

Attachment: Rezoning application form and ordinance.

PIN	ADDRESS	SQUARE FOOTAGE OF PARCEL	LINEAR FRONTAGE ON BOUNDARY	WITHIN 200'	OWNER	CONTRACT BUYER	OWNER SIGNED PETITION	COMMENT
8418-25-176-002	1106 MARION ST	1,611,720	140	Y	SWIFT & COMPANY		N	
8418-24-351-003	402 WOODLAND ST	5,021,597	480	Y	CITY OF MARSHALLTOWN		N	
8418-26-229-001	503 WOODLAND	13,583	117	Y	KIBBY SUSAN TRUSTEE/PADILLA DEBRA ANN TRUST		Y	
8418-25-151-008	614 MARION ST	65,776	105	Y	UNITED FOOD & COMMERCIAL WORKER ETAL		N	
8418-26-278-017	701 N 5TH AVE	24,900	150	Y	WEGNER LARRY & MARY		Y	
8418-26-278-016	707 N 5TH AVE	16,600	100	Y	HERRERA MALDONADO NICOLASA/RAMIREZ GONZALEZ ENRIQUE		Y	
8418-26-278-006	711 N 5TH AVE	8,300	50	Y	MARTINEZ SHELLEY		Y	SIGNED SHELLEY DANNON
8418-25-151-015	712 1/2 MARION ST	120,226	660	Y	CITY OF MARSHALLTOWN		N	
8418-25-151-016	712 MARION ST	292,288	660	Y	INTERSTATE POWER & LIGHT COMPANY		N	
8418-26-278-005	713 N 5TH AVE	7,500	50	Y	VELA GUADALUPE		N	
8418-26-278-004	715 N 5TH AVE	7,500	50	Y	STREET JESSICA		N	
8418-26-278-003	717 N 5TH AVE	7,500	50	Y	CRAUN LORI		Y	
8418-26-278-001	719 N 5TH AVE	7,500	50	Y	BAKER CAROLYN & DALE		N	
8418-26-232-009	801 N 5TH AVE	7,500	50	Y	CRONK MARIE & OTHERS		N	
8418-25-151-012	802 MARION ST			Y	PREFERRED CARTAGE SERVICE INC		N	
8418-26-232-008	803 N 5TH AVE	7,500	50	Y	SPEAS SAMUEL EWING		N	
8418-26-232-007	805 N 5TH AVE	7,500	50	Y	CHAVARRIA GLORIBEL REYES		Y	
8418-26-232-006	807 N 5TH AVE	15,000	100	Y	ARNOLD ARVILLA		N	
8418-26-232-005	811 N 5TH AVE	7,500	50	Y	NIEHUS TOM	ECKLOR CHRISTINE & SHANE	N	
8418-26-232-004	815 N 5TH AVE	15,000	100	Y	VARGAS CATALINA		Y	
8418-26-232-010	817 N 5TH AVE	8,300	50	Y	MARTIN PATTY		Y	ADJACENT LOT 819 N 5TH AVE (INCLUDES SLIVER OF A PARCEL)
8418-26-232-001	819 N 5TH AVE	7,500	50	Y	MARTIN PATTY		N	OWNER SIGNED FOR 817 N 5TH AVE BUT OWNS 3 PARCELS
8418-26-229-013	901 N 5TH AVE	7,500	50	Y	MARTIN PATTY		N	OWNER SIGNED FOR 817 N 5TH AVE BUT OWNS 3 PARCELS
8418-26-229-012	903 N 5TH AVE	16,600	100	Y	STEEN, LORENA		N	
8418-26-229-011	907 N 5TH AVE	8,300	50	Y	BACKOFF ROBERT	SANCHEZ PAULA LEON	N	
8418-26-229-010	909 N 5TH AVE	7,500	50	Y	KOH PAW		N	
8418-26-229-009	911 N 5TH AVE	7,500	50	Y	KOH PAW		N	
8418-26-229-008	913 N 5TH AVE	7,500	50	Y	PAPIBOUNE AI		N	
8418-26-229-007	915 N 5TH AVE	7,500	50	Y	BAEDKE DARWIN		N	
8418-26-229-006	919 N 5TH AVE	15,000	100	Y	SAVATDY KONGMANY/KAVANH CHANH		N	
8418-26-229-005	921 N 5TH AVE	13,500	90	Y	LOVAN HONG		N	
8418-26-229-004	925 N 5TH AVE	9,000	60	Y	SPEICHER DEREK		N	
8418-26-229-003	927 N 5TH AVE	8,250	50	Y	THOMPSON MARAGRET & ROBERT		N	VACANT LAND - OWN ADJACENT PARCEL
8418-26-229-002	929 N 5TH AVE	8,300	50	Y	THOMPSON MARAGRET & ROBERT		N	OWN ADJACENT PARCEL
8418-25-151-013	NO ADDRESS	332,798	618	Y	UNITED FOOD & COMMERCIAL WORKER ETAL		N	
8418-25-176-001	NO ADDRESS	692,604	515	Y	CITY OF MARSHALLTOWN		N	
8418-25-126-001	NO ADDRESS	1,742,400	1325	Y	CITY OF MARSHALLTOWN		N	
8418-24-376-002	NO ADDRESS	482,209	0	Y	CITY OF MARSHALLTOWN		N	
8418-24-351-002	NO ADDRESS	283,140	1158	Y	CITY OF MARSHALLTOWN		N	
	305 EDGEWOOD ST			N			Y	
	822 N 3RD AVE			N			Y	
	704 N 5TH AVE			N			Y	
	714 N 5TH AVE			N			Y	
	718 N 5TH AVE			N			Y	
	720 N 5TH AVE			N			Y	
	810 N 5TH AVE			N			Y	
	816 N 5TH AVE			N			Y	
	818 N 5TH AVE			N			Y	
	902 N 5TH AVE			N			Y	
	906 N 5TH AVE			N			Y	
	910 N 5TH AVE			N			Y	
	926 N 5TH AVE			N			Y	
	930 N 5TH AVE			N			Y	



Date Submitted & Fee Paid: _____

Rezoning Request Application Form

36 N. Center Street, Marshalltown, IA 50158 Ph: 641-754-5756 Fax: 641-754-5742

www.marshalltown-ia.gov

All items listed must be submitted with this application:

Failure to complete and submit all the required materials as a part of this application will result in a delay in accepting your application until it is complete.

_____ **Legal description of the property.** The property owner must provide a copy of the full legal description. If you do not have a copy, you can obtain one from the Marshall County Recorder's Office for a fee. The tax description found on the County Assessor's website is not the full legal description.

_____ **Application fee.** A \$500 fee is required payable to "City of Marshalltown." The fee must be paid when the application is submitted to the Zoning Office.

Please type or print legibly in ink.

Property Address:

8418-26-229-015, 8418-25-151-001 & 8418-25-101-002

Owner:

City of Marshalltown

Mailing Address:

24 N. Center Street

Phone:

641-754-5756

E-mail:

mspohnheimer@marshalltown-ia.gov

Current Zoning Classification:

R-2

Current Use:

Ag Land

Proposed Zoning Classification:

M-2

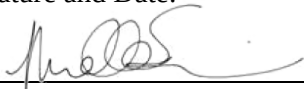
Proposed Use:

Commercial/Industrial Uses

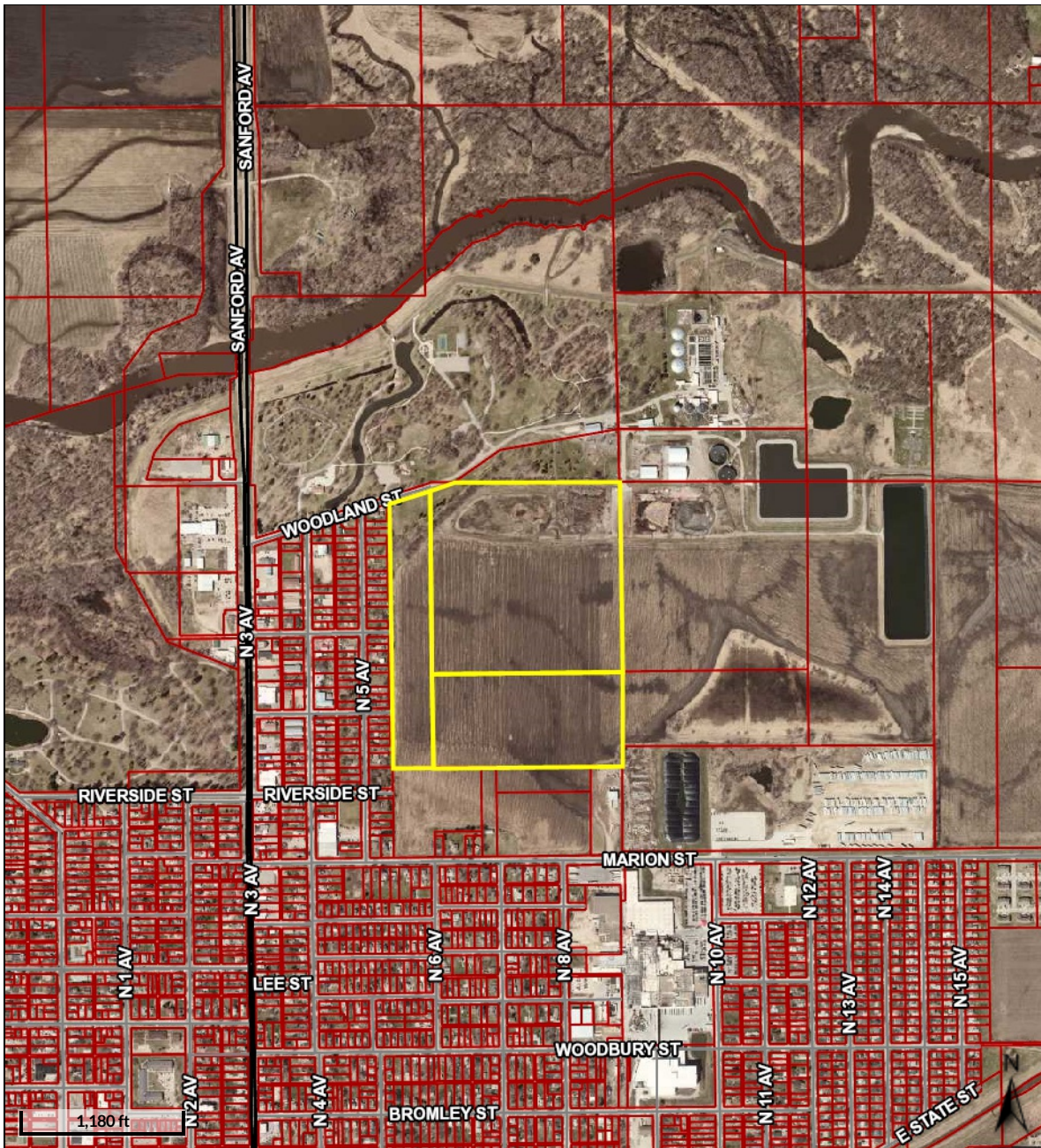
Please list the uses of surrounding properties:

Mix of residential and industrial primarily. The Water Pollution Control Plant and Compost facility are to the North.

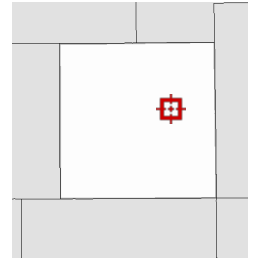
Signature and Date:



09/10/19



Overview

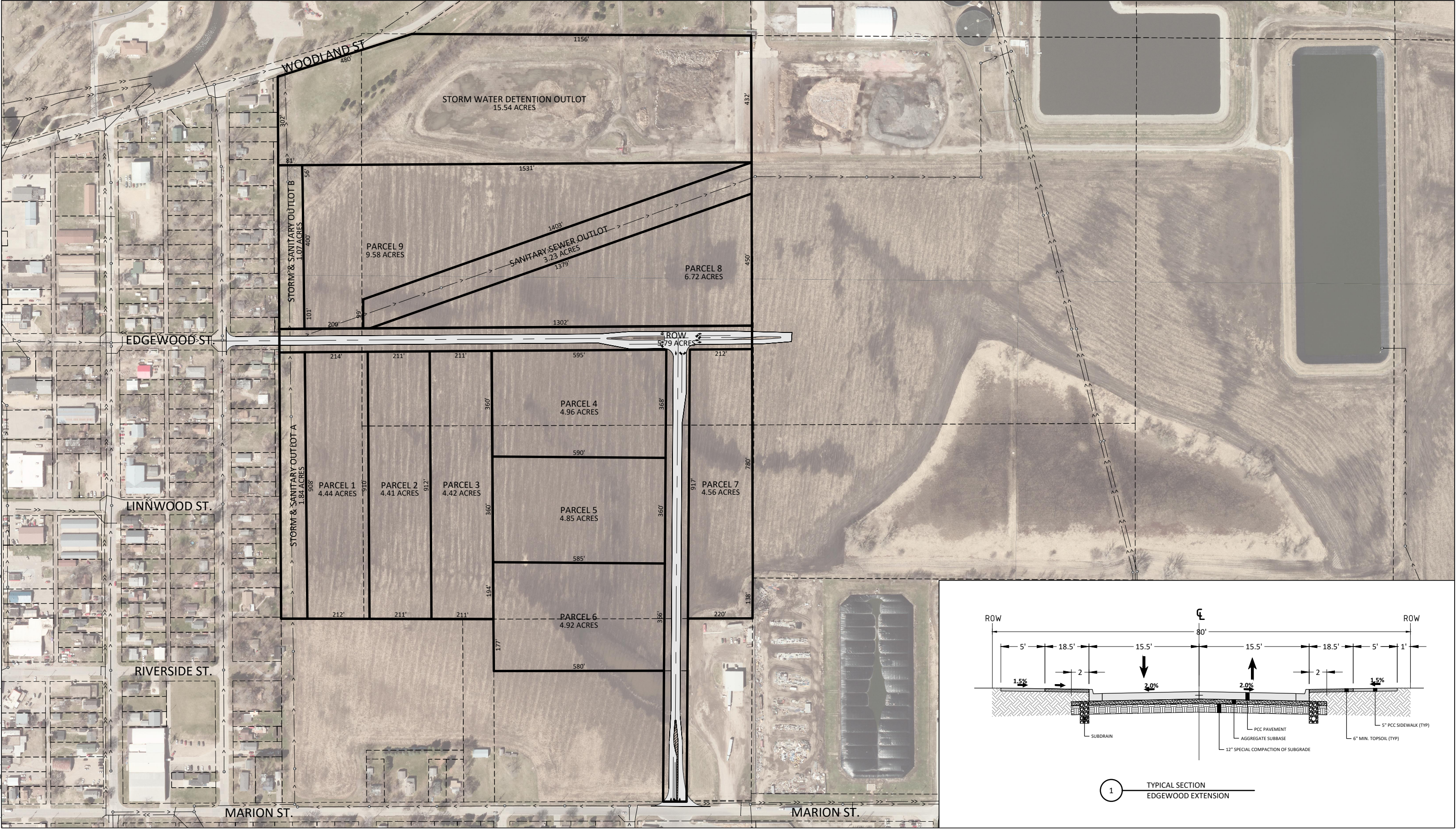


Legend

-  Parcels
-  Corporate Limits
-  Roads
- Major Highways**
 -  U.S. Hwy 30
 -  Hwy 330
 -  State Paved

Date created: 9/10/2019
Last Data Uploaded: 9/10/2019 7:30:04 AM

Developed by  **Schneider**
GEOSPATIAL



Affidavit of Publication

STATE OF IOWA,
Marshall County, ss.

City of Marshalltown
Rezoning following City owned properties (8418-26-229-015, 8418-25-151-001 & 8418-25-101-002

I, Colleen Ward, being first duly sworn, on oath depose and say that Marshalltown Newspaper, LLC is a corporation for pecuniary profit organization under the law of the State of Iowa, with its principal place of business in Marshalltown, Iowa; that the "Times-Republican" is a daily newspaper of general circulation printed wholly in the English language and published by said corporation at the city of Marshalltown, in Marshall County, Iowa; that I am the Accounting Manager of said corporation and a full time employee of the said newspaper, and have personal knowledge of the facts stated herein; that the Notice hereto attached in the above entitled action was published in the regular daily edition of the said "Times-Republican" for:

One

consecutive weeks on the days and dates as follows, to-wit
November 14, 2019

Statutory fees for publishing said notice are:
17.36

Colleen Ward

Sworn to before me and subscribed in my
presence by the said Colleen Ward, this
Nineteenth Day of November, 2019

Sandra Plummer

Sandra Plummer, Notary Public
Marshall County, Iowa
Commission No. 766297
Commission Expires January 14, 2020

Account No. and Account Name
D02000

City of Marshalltown



NOTICE OF PUBLIC HEARING

You are hereby notified that the City Council is proposing to rezone the following City owned properties (8418-26-229-015, 8418-25-151-001 & 8418-25-101-002) from R-2, Low Density Residential to M-2, Heavy Industry.

You are hereby notified that the City Council has fixed Monday, November 25, 2019 at 5:30 p.m. in the City Council Chambers, 10 W. State Street, Marshalltown, Iowa, as the time when and the place where said request will be heard by the Council, a public hearing will be held, and action taken by the City Council. Any and all objections may be made in writing and filed with the City Clerk at 24 N Center St. prior to the time fixed for hearing on said request or may be made orally or in writing before the City Council at the time fixed herein.

To all of which take due notice and be governed accordingly.
Dated at Marshalltown, Iowa, this
14th day of November 2019.

Shari Coughenour
City Clerk
Marshalltown, Iowa 50158
-----28070

ORDINANCE NO. 14989

AN ORDINANCE APPROVING THE REZONING OF APPROXIMATELY 73.76 ACRES
INCLUDING PARCELS 8418-26-229-015, 8418-25-151-001 AND 8418-25-101-002 FROM R-2 LOW
DENSITY RESIDENTIAL TO M-2 HEAVY INDUSTRY

WHEREAS the City of Marshalltown currently owns the parcels 8418-26-229-015, 8418-25-151-001 and 8418-25-101-002 and is proposing the rezoning of approximately 73.76 acres, currently zoned R-2 Low Density Residential to be rezoned to M-2 Heavy Industry; and

WHEREAS the Plan and Zoning Commission reviewed this rezoning request and held a public hearing on October 3, 2019, and recommended approval of the rezoning at said meeting; and

WHEREAS, the City Council has fully examined the same and has found the same to be in the best interests of the City of Marshalltown, Iowa and that the same should now be approved and accepted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MARSHALLTOWN, IOWA:

Section 1. Parcel 8418-26-229-015, 8418-25-151-001 and 8418-25-101-002, be rezoned to M-2 Heavy Industry.

Section 2. The public hearing required on this zoning amendment shall be held in the Council Chambers of City Hall, 10 West State Street, Marshalltown, Iowa at 5:30 p.m., local time, on the 25th day of November 2019 and the City Clerk is directed to cause a publication of the notice of the public hearing in one issue of the Marshalltown Times-Republican, a newspaper published in Marshalltown, Marshall County, Iowa, not less than 7 days nor more than 20 days prior to the date of the public hearing fixed herein.

Section 3. This Ordinance shall be in full force and effect from and after public notice of hearing on this Rezoning has been duly given as required by the said Zoning Ordinance and the statutes of the State of Iowa and said public hearing has been duly held and after passage by this Council and publication as is provided by law.

Passed this ____ day of November 2019, and signed this _____ day of November 2019.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

AN ORDINANCE 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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA: Section 1. Chapter 77, Parking Schedules, Schedule IX, Disabled Parking of the Municipal Code of Marshalltown, is amended by repealing Section (A) and enacting the following as a substitute:

SCHEDULE IX. Disabled Parking

(A) Disabled parking areas established. The city council may establish parking areas in the city that shall be reserved for parking by disabled persons. The following locations are designated as disabled parking:

Block		On Street	Side	Location
200	W	STATE ST.	SOUTH	1ST SPACE WEST OF 2ND ST.
300	W	MAIN ST.	NORTH	1ST SPACE EAST OF 4TH ST. (311 E MAIN)
200	W	MAIN ST.	NORTH	1ST 2 SPACES EAST OF ALLEY
200	W	MAIN ST.	SOUTH	1ST SPACE EAST OF ALLEY
200	W	MAIN ST.	SOUTH	2ND AND 3RD SPACES EAST OF ALLEY (SUNDAY ONLY)
100	W	MAIN ST.	NORTH	1ST SPACE WEST OF ALLEY
10	W	MAIN ST.	SOUTH	1ST SPACE EAST OF 1ST ST.
10	W	MAIN ST.	SOUTH	1ST SPACE EAST OF ALLEY
10	E	MAIN ST.	NORTH	1ST SPACE WEST OF 1ST AVE.
100	E	MAIN ST.	NORTH	1ST SPACE EAST OF ALLEY
100	E	MAIN ST.	SOUTH	1ST SPACE WEST OF ALLEY
200	E	MAIN ST.	NORTH	1ST SPACE WEST OF ALLEY
300	E	MAIN ST.	SOUTH	2ND AND 3RD SPACES EAST OF 3RD AVE.
10	W	CHURCH ST.	SOUTH	3RD AND 4TH SPACES EAST OF CENTER ST. (SUNDAY ONLY)
10	W	CHURCH ST.	SOUTH	5TH SPACE EAST OF CENTER ST.
100	W	CHURCH ST.	NORTH	2ND SPACE WEST OF 1ST ST.
100	E	CHURCH ST.	NORTH	1ST SPACE WEST OF ALLEY
100	E	CHURCH ST.	SOUTH	1ST SPACE WEST OF SOUTH 1ST AVENUE
200	E	CHURCH ST.	NORTH	1ST SPACE EAST OF ALLEY
200	E	CHURCH ST.	SOUTH	1ST SPACE EAST OF 2ND AVE.
10	S	1ST ST	WEST	1ST SPACE NORTH OF CHURCH ST.
10	S	4 th ST	EAST	(2) SPACES, 135’ AND 170’ SOUTH OF THE SOUTH LINE OF W MAIN ST
10	N	CENTER ST.	WEST	1ST SPACE SOUTH OF W. STATE ST.
100	N	CENTER ST.	WEST	3RD SPACE SOUTH OF ALLEY
100	N	CENTER ST.	EAST	6TH SPACE NORTH OF ALLEY
10	S	CENTER ST.	WEST	1ST SPACE SOUTH OF ALLEY
10	N	1ST AVE.	WEST	1ST SPACE NORTH OF MAIN ST.
10	S	1ST AVE.	EAST	1ST SPACE SOUTH OF ALLEY
10	S	1 ST AVE.	EAST	1 ST SPACE NORTH OF E. CHURCH ST
10	S	2 ND AVE	EAST	1 ST SPACE NORTH OF CHURCH ST
10	S	2 ND AVE	WEST	1 ST AND 2 ND SPACE SOUTH OF ALLEY (AT 21 S 2 ND ST)
100	S	2 ND AVE	EAST	2 ND SPACE SOUTH OF CHURCH ST (AT PRESBYTERIAN CHURCH - CORRECTION)
210	W	CHURCH ST	NORTH	1 ST SPACE EAST OF 3 RD AVENUE
500	S	3RD AVE.	WEST	1ST 1 SPACE NORTH OF MADISON ST.
500	S	3RD AVE.	EAST	1ST 1 SPACE NORTH OF MADISON ST.
10	N	5TH AVE.	EAST	1 SPACE AS SIGNED (SUNDAY ONLY)
10	S	5 TH AVE.	EAST	1 ST SPACE SOUTH OF THE EAST/WEST ALLEY
300	S	6 TH ST	WEST	1 SPACE AS SIGNED
300		COLUMBUS DR.	NORTH	FROM 145 FEET WEST OF HUISMAN CIRCLE TO 70 FEET WEST

		PARKING LOT A		2 SPACES AS SIGNED
		PARKING LOT D		1 SPACE AS SIGNED
		PARKING LOT E		1 SPACE AS SIGNED
		PARKING LOT F		1 SPACE AS SIGNED
		PARKING LOT H		3 SPACES AS SIGNED
		PARKING LOT J		4 SPACES AS SIGNED
		PARKING LOT K		1 SPACE AS SIGNED
		PARKING LOT L		1 SPACE AS SIGNED
		PARKING LOT N		1 SPACE AS SIGNED
		PARKING LOT O		1 SPACE AS SIGNED
		PARKING LOT P		2 SPACES AS SIGNED
		PARKING LOT W		1 SPACE AS SIGNED
		PARKING LOT Z		1 SPACE AS SIGNED
		SENIOR CITIZENS LOT		4 SPACES AS SIGNED
		OFF STREET, WEST OF 10 W STATE STREET		2 SPACES AS SIGNED

Section 2 That suitable signs shall be removed or removed as provided by ordinance and these regulations shall become effective upon posting said signs.

Passed this ____ day of November, 2019, and signed this __ day of November, 2019.
CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor
ATTEST:

Shari L. Coughenour, CMC, City Clerk

I, Shari L. Coughenour, CMC, City Clerk of the City of Marshalltown, Iowa, do hereby certify that the foregoing ORDINANCE was passed and approved by the City Council of the City of Marshalltown, Iowa, on the __ day of _____, 2019, and was published in the Marshalltown Times-Republican, a newspaper of general circulation in the City of Marshalltown, Iowa, on the ____ day of _____, 2019.

Shari L. Coughenour, CMC, City Clerk

MARSHALLTOWN

— I O W A —

City Administrator's Office

Joel Greer, Mayor
Jessica Kinser, Administrator
Shari L. Coughenour, Clerk
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5799
Fax - (641) 754-5717

To: Mayor Greer and the City Council
From: Jessica Kinser
Date: November 18, 2019
RE: Termination of IVCC Contract

The City has a contract with Iowa Valley Community College for the operation and maintenance of government/education cable TV, which has been in existence since 1998. This agreement, which is attached, is a five-year agreement expiring June 30, 2020. Under this agreement, the City provides IVCC 20 percent of the annual franchise fee revenue from the Mediacom. For the current fiscal year, the budgeted revenue for the franchise fee is \$204,000, with payments to IVCC slightly over \$50,000. In return, IVCC employs an individual(s) to provide recording services for public meetings as well as producing content about the community. IVCC puts all of the content on the McTV website through a YouTube channel.

We are beginning work on our budget for the fiscal year starting July 1, 2020, and a decision is needed about a future relationship with IVCC for the services described above. While the services provided are of value, there are other ways that we can continue to provide for the live broadcast of the City's meetings, which is the highest priority service in my view, while focusing trying to balance the General Fund. Therefore, I am recommending that the City not initiate a new agreement with IVCC beyond June 30, 2020. We also have carryover funds related to this agreement from the last five years, which had a balance of \$54,974 as of June 30, 2019. Because these are contracted funds, I recommend making a payment to IVCC for all funds under the contract which the City has on hand by June 30, 2020.

What is being sacrificed through this recommendation is the additional community programming produced by IVCC. As we look at needs and wants through the budgetary lens, the need is to provide open access to City Council meetings with the wanted items being the additional community programming. If other organizations that are part of this programming find it to be of value, they could still work with IVCC to have events recorded or programs produced. While City staff members have appreciated McTV as another method for getting out the word about our operations or events, we can use other cost effective ways to get our message out which we have been doing through Facebook and website posts.

I can appreciate that this is a recommendation with a number of follow-up questions about what we will be doing to maintain transparency and ensure the public has access to our meetings. While I do not have every question answered at this point, I feel very comfortable with the recommendation and that we will have a system in place by June 30, 2020.

The City's website has a module called CivicMedia, which allows for live broadcasting through the website using a system called HD Wave Broadcaster. BDH, the City's IT contractor, has done initial testing and believes this is a system that will move us to being able to stream our Council meetings live online. The City also has a YouTube channel where we are archiving past Council meeting videos, which would continue to serve as the location to view any past

City Council
Susan Cahill, Michael Gowdy, Al Hoop,
Gabriel Isom, Leon Lamer, Bill Martin, Bethany Wirin



recordings. We have a number of staff that attend Council meetings, and the department head team has been agreeable to taking on the responsibility of handling the cameras (from a remote system) in order to help save money in the General Fund. We still need to work out how to live stream or upload a recording to the Mediacom channel for those that view the Council meeting that way.

Below is a list of items that still need to be discussed further in order to end the agreement as of June 30, 2020, and have the City move forward on our own in this area.

- **Equipment Purchase**
The cameras are currently analog and should be updated to digital to provide for better quality and to feed the website. We would also intend to reduce the number of cameras to two- one pointing at the dais and one focusing on the podium. There would also need to be equipment purchased to allow for the remote control over any cameras. BDH has estimated this cost not-to-exceed \$10,000.
- **Equipment Inventory**
The City and IVCC have both purchased equipment over the life of this agreement, and we do not have a good inventory of what equipment belongs to what party. This would need to be determined prior to June 30, 2020.
- **KDAO Feed**
KDAO currently has a live feed from City Council Chambers any time that the recording system is turned on and the microphones are engaged. The proposal involves ending this feed, as it creates a number of concerns on the City side. The Council cannot use the microphone system in a closed session because that feed goes to KDAO. This is also true for any time the microphones are used outside of a public meeting and with other internal meetings that occur in Council Chambers. KDAO, along with any other media outlet, would be able to pull the live feed from the internet broadcast.
- **Mediacom Channel**
The actual educational/government channel would still fall upon the City to maintain. However, I'm proposing very minimal staff time to this activity after June 30, 2020. The least amount of staff time would be doing nothing with it and just letting it exist with no programming or content. A middle ground would be to have a scrolling powerpoint with information about the City. We likely have some future conversations with Mediacom about the channel.
- **Cable TV Advisory Board**
The relationship with IVCC is what created the Cable TV Advisory Board, which is a board of the City. The purpose of this Board would no longer exist without an agreement with IVCC. The City Council would need to consider repealing the board. The volunteers who are on this board have served for many years, providing guidance to IVCC on programming and content, and have helped keep McTV active and known.

The recommendation to end a 21 year relationship does not come lightly, and I believe there is a great deal that the City will need to do to ensure that the availability of public meetings is still of a high priority. I believe that we can accomplish the objective of transparency in a way that has a positive impact on the General Fund budget. There are very few ways where we can seek to cut expenses in each department without hitting our limited amounts of staff. While we value the programming that IVCC has produced throughout the years, the financial health of the City and our operations is our top priority and the basis of this recommendation.



Paul D. Pate
Secretary of State
State of Iowa

28E Agreement

FOR OFFICE USE ONLY:

FILED

M508210

6/25/2015 12:36:00 PM

PLEASE READ INSTRUCTIONS ON BACK BEFORE COMPLETING THIS FORM

Item 1. The full legal name, organization type and county of each participant to this agreement are:

	Full Legal Name	Organization Type	*County
Party 1	CITY OF MARSHALLTOWN	City	Marshall
Party 2	IOWA VALLEY COMMUNITY COLLEGE DISTRICT	Regional or District	Marshall
Party 3			
Party 4			
Party 5			

**Enter "Other" if
not in Iowa*

Item 2. The type of Public Service included in this agreement is: 910 Any Education
(Enter only one Service Code and Description) Code Number Service Description

Item 3. The purpose of this agreement is: (please be specific)
PROVIDE PUBLIC AND GOVERNMENTAL INFORMATION AND EDUCATIONAL PROGRAMMING THROUGH
CABLE TV

Item 4. The duration of this agreement is: (check one) ☒ Agreement Expires 6/30/2020 ☐ Indefinite Duration
[mm/dd/yyyy]

Item 5. Does this agreement amend or renew an existing agreement? (check one)

☐ NO

☒ YES Filing # of the agreement: M504053

(Use the filing number of the most recent version filed for this agreement)

The filing number of the agreement may be found by searching the 28E database at: <http://sos.iowa.gov/28e>.

Item 6. Attach two copies of the agreement to this form if not filing online.

Item 7. The primary contact for further information regarding this agreement is: (optional)

LAST Name MUNTZ FIRST Name STEVE

Title STATION MANAGER Department STATION MANAGER

Email _____ Phone 641-844-5797

RESOLUTION APPROVING A CONTRACT SERVICES FOR OPERATION AND
MAINTENANCE OF GOVERNMENT AND CABLE TV AND OTHER PUBLIC
ACCESS SERVICES BETWEEN
THE CITY OF MARSHALLTOWN, IOWA, AND
IOWA VALLEY COMMUNITY COLLEGE (IVCCD)
CREATED PURSUANT TO CHAPTER 28E.12 OF THE IOWA CODE

WHEREAS the City of Marshalltown, Iowa, has negotiated a Contract for Services, for Operation and Maintenance of Government and Cable TV and other Public Access Services, pursuant to Chapter 28E of the Iowa Code, with the Iowa Valley Community College (IVCCD); and

WHEREAS the City Council of Marshalltown finds that this Contract for Services is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALLTOWN, IOWA:

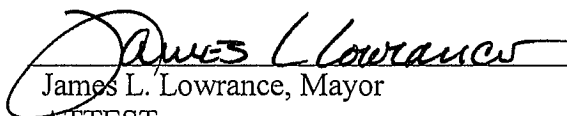
Section 1. That the attached Contract for Services with the Iowa Valley Community College (IVCCD) is hereby approved in all respects and particulars.

Section 2. The Contract for Services shall continue through June 30, 2020, and remain in effect until the Contract is terminated by either party by written notice at least 30 days prior to the date of cancellation.

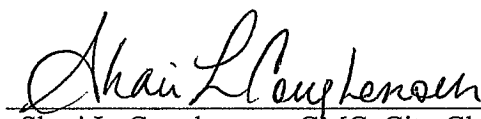
Section 3. That the Mayor and City Clerk are hereby authorized and directed to execute said Contract for Services on behalf of the City of Marshalltown, and the City Clerk is authorized and directed to file this Contract for Services with the Secretary of State, as required by law.

Passed this 26th day of May, 2015, and signed this 3 day of June, 2015.

CITY OF MARSHALLTOWN, IOWA


James L. Lowrance, Mayor

ATTEST:


Shari L. Coughenour, CMC, City Clerk

**THE CITY OF MARSHALLTOWN, IOWA AND
IOWA VALLEY COMMUNITY COLLEGE DISTRICT
FOR OPERATION AND MAINTENANCE OF
GOVERNMENT/EDUCATION CABLE TV**

THIS AGREEMENT made and entered into as of the 26th day of May, 2015, by and between the CITY OF MARSHALLTOWN, IOWA, and IOWA VALLEY COMMUNITY COLLEGE DISTRICT, hereinafter referred to respectively as "the City" and "IVCCD", and referred to jointly as "the Participants",

WITNESSETH:

WHEREAS, the City has a franchise agreement with Mediacom pursuant to which Mediacom is to provide cable television programming, telecasting and other public access services to the community (hereinafter referred to as "Cable TV"); and

WHEREAS, representatives of the City and IVCCD have entered into a formal arrangement and structure to provide public and governmental information and educational programming to this area through Cable TV; and

WHEREAS, the Participants established the Cable TV Advisory Board (CAB) for the purpose of overseeing policy and procedure development, training, documentation and general compliance considerations for the operation of the Cable TV; and

WHEREAS, the City and IVCCD desire to jointly support the Cable TV operations and oversight; and

WHEREAS, the Participants are authorized under the contract and under Section 28E.12 of the Code of Iowa to enter into an agreement to jointly exercise their powers, privileges and authority and the Participants have elected to do so in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, the Participants agree to the joint and mutual operation of the Cable TV in accordance with the following:

GOVERNANCE

A. Personnel

1. Job descriptions for Cable TV Station Manager and for the Cable TV Assistant are attached hereto as Attachment A
2. IVCCD agrees to act as the employer of record and as such to assume full responsibility for the employees under worker's compensation, unemployment compensation and other mandatory employee benefit programs. The CAB will provide input to IVCCD on employment decisions.
3. IVCCD personnel policies concerning travel, per diem, health and fringe benefits will be utilized.
4. The CAB will have the opportunity to participate in interviewing, hiring, performance evaluations, job assignments and changes and other personnel review and oversight activities.
5. The employees shall carry out the activities of Cable TV under the general direction of the CAB.
6. The Assistant is provided general supervision by CAB and receives day-to-day supervision from the Station Manager. The Station Manager and Assistant will work with the City Administrator to manage the Cable TV operations under the authority of IVCCD.

B. Meetings and Resolutions of Activities.

1. Under the Agreement between IVCCD and the City dated July 14, 1998, there was to be a committee created (CAB) for the purpose of overseeing the Cable TV operations.
2. The current name of such group is the Cable TV Advisory Board (CAB) and will be composed of eight members. Four members shall be appointed by the Mayor of the City of Marshalltown and four members shall be appointed by the Chancellor of IVCCD. Following appointment, all members shall be confirmed by the City Council of Marshalltown.
3. The Station Manager of the Cable TV and the City Administrator are designated as staff liaisons to the CAB for the purpose of assisting in setting up meetings, keeping minutes and performing other functions as requested.
4. The CAB will be responsible for making recommendations to the City and IVCCD in the matters of operations, budgeting and programming. The CAB

will review and approve/disapprove special projects or requests from the public to be shown on Cable TV and will review and approve an annual budget that is to be submitted to the City for the operation of the system.

5. The CAB will meet on a regular basis. Meetings will be convened by the Station Manager and chaired by an elected chairperson. Meetings are open to the public and are so posted.

FISCAL AND HOUSING

A. Fiscal

1. IVCCD agrees to employ and pay staff.
2. The City, as fiscal agent, will budget Cable TV revenues as described in the Franchise Agreement and as recommended by the CAB.
3. The City will collect 5% franchise fees from Mediacom.
4. The City will establish an "Operations Fund" collected from franchise fees, and set aside from other revenues specifically for the purpose of operating the Cable TV. Funds will be budgeted to repair or replace equipment, for production personnel and coordination time, to develop programming, and for administrative fee for cable channel management with IVCCD.
5. Out of the franchise fees collected from Mediacom, the City will budget 20% of such fees for the operations of the Cable TV.
6. The City agrees to make payment to IVCCD upon receipt of billing statements from IVCCD for salaries, health and fringe benefits and other items approved by the CAB and provided for in the approved budget of the City.
7. Each Participant in this Agreement will maintain a list of equipment received by such Participant and provide insurance coverage for such equipment. It is recognized that each Participant may have regular employees who from time to time, may provide limited services and assistance to accomplish the objectives of the Cable TV operation. Such employees are not intended to be covered by this Agreement and each Participant shall be responsible for the pay, benefits and related costs applicable to their respective employees.

B. Housing

1. IVCCD agrees to provide office space and work area for the Station Manager and Assistant and provide support services including technician time, phone, computer, clerical, pool car, etc.

REPORTING

1. IVCCD agrees to provide quarterly financial reports to the City and CAB.

TERM OF AGREEMENT

1. This Agreement shall be for a period of five (5) years and shall commence upon the 1st day of July, 2015, and shall terminate upon the 30th day of June, 2020.

LITIGATION

1. In the event there is a determination of liability by a court of law or equity arising out of the operation of this Agreement, each Participant shall be solely responsible for the liability which is assessed as against that Participant, and no Participant shall seek any contribution and/or subrogation of such liability from any other Participant.

TERMINATION

1. This Agreement may be canceled or superseded by mutual consent of the Participants, provided that all outstanding obligations of all Participants related to or arising out of this Agreement are paid or provided for.
2. Upon the partial or complete termination of this Agreement for any reason at any time, the Participants shall each be entitled to retain exclusive ownership and control of such items of equipment and other types of personal property as they, respectively, may physically possess at the time of such partial or complete termination and as contemplated by Section A-7 under the heading "Fiscal and Housing" above.
3. All Participants understand and agree that since IVCCD is a reimbursable employer under the unemployment compensation law, any unemployment benefits paid by IVCCD as a result of a successful unemployment compensation claim shall be reimbursed to IVCCD by the City.

GOVERNING LAW

This contract shall be interpreted according to Iowa law, with venue to lie exclusively in Marshall County District Court

IMPORTANT: READ BEFORE SIGNING. THE TERMS OF THIS AGREEMENT SHOULD BE READ CAREFULLY BECAUSE ONLY THOSE TERMS IN WRITING ARE ENFORCEABLE. NO OTHER TERMS OR ORAL PROMISES NOT CONTAINED IN THIS WRITTEN CONTRACT MAY BE LEGALLY ENFORCED. YOU MAY CHANGE THE TERMS OF THIS AGREEMENT ONLY BY ANOTHER WRITTEN AGREEMENT.

TERMS OF THIS AGREEMENT ONLY BY ANOTHER WRITTEN AGREEMENT.

IN WITNESS WHEREOF, the City and IVCCD have executed this Agreement the day and year first written heretofore.

COLLEGE
Iowa Valley Community College District

CITY OF MARSHALLTOWN, IOWA

Conrad DeJardin, Board President
ATTEST:

Jim Lowrance, Mayor
ATTEST:

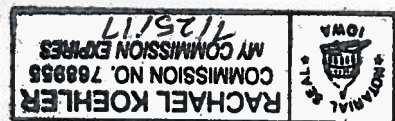
Barbara E. Jennings, Board Secretary

Shari L. Coughenour, CMC, City Clerk

STATE OF IOWA

MARSHALL COUNTY

This instrument was acknowledged before me on the 10 day of June, 2015, by Conrad DeJardin, as Board President, and Barbara E. Jennings, as Board Secretary, of Iowa Valley Community College District.



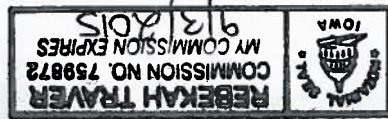
Notary Public in and for the State of Iowa

Rachael Koehler

STATE OF IOWA

MARSHALL COUNTY

This instrument was acknowledged before me on the 3rd day of June, 2015, by Jim Lowrance, as Mayor, and Shari L. Coughenour, as City Clerk, of the City of Marshalltown, Iowa.



Notary Public in and for the State of Iowa

Rebekah Traver

Attachment A

Cable TV Station Manager

The Station Manager will be responsible for the daily operation of the Cable TV which includes supervising personnel, budgeting, purchasing and communicating with the Cable TV Advisory Board (CAB).

Cable TV Assistant

The Cable TV Assistant will be responsible for the production of video and TV programs, work with volunteers, promote the channel, and develop a monthly schedule. The Assistant will communicate with the city, college, and Cable TV Advisory Board (CAB), and supervise cable TV programming.

McTV Cable TV Advisory Committee

Member	Address	City	Home	Work	Representing
Steve Muntz	3700 South Center Street	Marshalltown	641 751-2480	641 844-5797	Station Manager – non voting
Craig Schwartz	3700 South Center Street	Marshalltown		641 844-5630	McTV Assistant – non voting
Conrad Dejardin	109 Newcastle rd.	Marshalltown	753-3097		IVCCD
Craig Huseboe	2706 Nelson Rd.	Marshalltown	753-7893		IVCCD
Sue D. Inhelder	418 Hughes St.	Marshalltown	752-4775	754-1130	IVCCD
Denny Grabenbauer	112 S. 29 th St.	Marshalltown	753-6809		IVCCD
Mark Osmundson	2104 Bittersweet Rd.	Marshalltown	752-1577	752-4122	City of Marshalltown
Mick Jurgensen	406 Summit St.	Marshalltown		754-1070	City of Marshalltown
Randy Wetmore	24 N. Center St.	Marshalltown		754-5799	City of Marshalltown
Mary Giese	402 Richard Lane	Marshalltown	Mary Giese	752-5358	City of Marshalltown