Council Proceedings
December 9, 2019

Mayor Greer called the meeting to order at 5:30 PM, December 9, 2019, in the Council Chambers at 10 W State Street and led the pledge of allegiance. Roll call- Present: Cahill, Hoop, Isom, Lamer, Martin. Absent: Gowdy, Wirin. Public Works Director Nickel informed the council the City received the "Smoothness" Award for the S Center Street road improvement project.

CONSENT AGENDA:
Isom moved to adopt the Consent Agenda: Approve Minutes, 11/25/2019, And Bill List $1,571,518; Approve Renewal Tree Trimmer License - Marshall County Tree Service, Expires 4/19/2020; RESOLUTION 2019-320 APPROVING CONTRACT CHANGE ORDER #3 FOR THE 2017 MANHOLE AND POINT REPAIR PROJECT A DECREASE OF $15,275.00; RESOLUTION 2019-321 APPROVING CONTRACT CHANGE ORDER #4 FOR THE HIGH STREET DRAINAGE IMPROVEMENTS PROJECT # BLD17001 A DECREASE OF $28,333.50; RESOLUTION 2019-321 APPROVING CONTRACT CHANGE ORDER #4 FOR THE HIGH STREET DRAINAGE IMPROVEMENTS PROJECT # BLD17001 A DECREASE OF $28,333.50; RESOLUTION 2019-322 APPROVING ENGINEER'S STATEMENT OF COMPLETION AND ACCEPTING THE HIGH STREET DRAINAGE PROJECT, BEING PROJECT NO. BLD17001, WITH A FINAL PROJECT COST IN THE AMOUNT OF $1,754,817.30; RESOLUTION 2019-326 AUTHORIZING THE PURCHASE OF A 2011 CASE INTERNATIONAL PUMA 215 MOWING TRACTOR FOR THE STREET DEPARTMENT, FOR THE PRICE OF $75,250.00; RESOLUTION 2019-327 AUTHORIZING THE PURCHASE OF MEYER 750 BUSHEL MANURE SPREADER FOR THE COMPOST FACILITY, FOR THE PRICE OF $27,000.00; second by Cahill. Motion carried 5-0.

RESOLUTIONS:
Isom moved to adopt RESOLUTION 2019-328 TO APPROVE THE FAÇADE GRANT APPLICATION FOR 128 E MAIN STREET, MARSHALLTOWN, IOWA, PARCEL 8418-26-457-016, second by Lamer. The project is eligible for 25% reimbursement, not to exceed $1,895.00. Resolution adopted 5-0.

Lamer moved to adopt RESOLUTION 2019-329 APPROVING A TEMPORARY LEASE OF 109 SOUTH 1ST AVENUE TO THE MARSHALL COUNTY SHERIFF'S OFFICE FOR VEHICLE STORAGE, second by Martin. The temporary month to month lease will not interfere with the city's intent to sell the building. The lease is for vehicle storage, at a rate of $100 per month. Resolution adopted 5-0.

Isom moved to adopt RESOLUTION 2019-323 APPROVING THE USE OF CAPITAL PROJECT LOCAL OPTION SALES TAX FOR APPRAISAL SERVICES FOR PROPERTIES ADJACENT TO EDGEWOOD STREET, second by Lamer. Resolution adopted 5-0.

Isom moved to adopt RESOLUTION 2019-324 APPROVING AN AGREEMENT WITH BOLTON AND MENK FOR THE FINAL DESIGN AND CONSTRUCTION SERVICES FOR WEST END PARK, second by Cahill. The Phase 1 Concept Plan includes Playscape, Sidewalks, Shelter and Rain Garden to address current stormwater issues. Neil Dalal, President of the 13th Street District, thanked the council for supporting the project and announced their fundraising for the shelter is completed, having raised $75,000. Mark Eaton asked about property acquisition for Phase 2. Resolution adopted 5-0.

Isom moved to adopt RESOLUTION 2019-325 APPROVING BOND PURCHASE AGREEMENT FOR SEWER REVENUE REFUNDING BONDS, SERIES 2020 AND AUTHORIZING REDEMPTION OF OUTSTANDING SEWER REVENUE BONDS, SERIES 2012 AND SERIES 2014, second by Cahill. Larry Burger, Representing Speer Financial, recommended the city accept the proposal for purchase from JP Morgan Chase, Chicago, Illinois, 1.9600% true interest cost, for the total amount of $5,070,000. Piper Jaffray & Co acted as placement agent. Refunding these bonds saved the city $139,995.13, net present value $126,393.24. Resolution adopted 5-0.

ORDINANCES:
Isom moved to adopt the first reading of ORDINANCE 14992 TO AMEND CITY CODE OF ORDINANCES RELATING TO SPECIAL EVENTS AND THE APPROVAL PROCESS FOR OPEN CONTAINERS OF BEER AND WINE AT SPECIAL EVENTS IN SPECIFIED PARK AREAS, PUBLIC WAYS, OR ANY OTHER CITY PROPERTY, second by Martin. First reading failed, 3-2, Lamer and Hoop opposed.

DISCUSSION:
Lamer directed staff to accept the Van Meter's proposal for action services relating to the sale of 109 S 1st Avenue, second by Isom. Motion carried 5-0.

Kinser present the 3rd Quarter Strategic Plan progress, noting there are many items underway and completed, and recommended extension of some action plans. Isom asked that this be reviewed at the Dec 18 goal setting and recommended a column for deliverables be added to the report.

PUBLIC COMMENT:
There were no public comments.

CLOSED SESSION – PERSONNEL
At 6:05 pm, Cahill moved to enter into Closed session pursuant to Section 21.5, Subsection (1) Paragraph (i) OF THE CODE OF IOWA to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. 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, second by Isom. Motion carried 5-0.

At 6:42 pm, Lamer moved to enter into open session, second by Isom, motion carried 5-0. Roll call: Present: Cahill, Hoop, Isom, Lamer, Martin. Absent: Gowdy, Wirin. Cahill moved to provide a 2.5% increase retroactive to Kinser's November 2019 anniversary date, with an additional cost of living adjustment, not less than 2.5% on July 1, 2020, second by Martin. Motion carried 5-0..

At 6:43 pm, Isom moved to enter into Closed session pursuant to Section 21.5 subsection (1) paragraph (j) OF THE CODE OF IOWA to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. The City of Marshalltown has an attorney-client relationship with Attorney Roger Schoell, appointed as City Attorney on May 5, 2014, by Council Resolution #2014-047; and with Lynch Dallas P.C., by Council Resolution #2017-093, approved May 8, 2017, second by Cahill. Motion carried 5-0.

At 7:12 PM, Martin moved to enter into open session, second by Cahill. Motion carried 5-0. Roll call: Present: Cahill, Hoop, Isom, Lamer, Martin. Absent: Gowdy, Wirin. Isom moved to proceed as directed in closed session, second by Martin. Motion carried 5-0.

ADJOURNMENT:
Meeting Adjourned at 7:14 PM

Respectfully submitted,

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Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

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ATTEST: Joel T.S. Greer, Mayor

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Shari L. Coughenour, CMC, City Clerk