

1. Agenda

Documents:

[AGENDA.PDF](#)

2. Supporting Meeting Documents

Documents:

[MINUTES.PDF](#)

[PACKET.PDF](#)

[PRELIMINARY JUNE FINANCIAL REPORTS.PDF](#)

[TYLER ADDENDUM.PDF](#)

[GLENWOOD LANDSCAPING DRAFT.PDF](#)

[HUSAK SUBDIVISION FINAL.PDF](#)



COUNCIL AGENDA

CITY HALL COUNCIL CHAMBERS, 10 W STATE STREET

August 22, 2016, at 5:30 PM

NOTICE TO PUBLIC: The Mayor and City Council welcome comment from the public during discussion. 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 in order that others may be given the opportunity to speak.

CALL TO ORDER: Mayor James L. Lowrance

PLEDGE OF ALLEGIANCE:

ROLL CALL: Gowdy, Greer, Hoop, Lamer, Martin, Schubert, Wirin.

MAYOR, COUNCIL AND ADMINISTRATOR COMMENTS:

Aquatic Center – donation from Marty Mitchell

Certificate of Achievement for Excellence in Financial Reporting – Finance Department

Introduction of new Police Lieutenants
Stevenson, Thein and Bellile

Years of Service:

20 Years: Paige Legg, David Powell

10 Years: Casee Veren

5 Years: Daniel McCready, Olivia Smith, Jessica Ruiz

APPROVAL OF AGENDA:

CONSENT AGENDA: All items listed under the consent agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time Council votes on the motion.

1. Approve Council meeting Minutes of August 8, 2016, special meeting minutes of August 11, 2016, and August 19, 2016.
2. Approve Bill List in the amount of \$1,288,696.06
3. Renewal liquor licenses: HyVee Drug Store.

(end of consent agenda items)

REPORT:

4. Coyote Ugly / IBIZA liquor license

MOTION:

5. Motion approving Preliminary June 2016 Monthly Financial Statements
6. Motion regarding annexation request, Husak Subdivision, near Odessa Drive.

RESOLUTIONS:

7. Resolution 2016-160 Approving Final Plat for Husak Subdivision.
8. Resolution 2016-155 Approving Contract Change Order #1 for the SE South Street Extension Project 66013008, an increase of \$16,569.32.
9. Resolution 2016-161 Authorizing Acceptance of Reimbursement from TRAILS, INC., for Iowa River Railroad Recreational Trail project expenditures.

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Please refer to the previous Council packet for attachments not included with this agenda packet. Complete agenda packets are available for inspection for the public at the City Clerk's Office, the Marshalltown Public Library and the city's website.



10. Resolution 2016-162 Approving 28E Agreement with the Iowa Department of Inspections and Appeals, expiring August 22, 2017, with future amendments for term extension authorized.
11. 2016 Ingeldue Street and Pine Street Repair project 76016013A, ConStruct, \$208,163.25
 - a) Resolution 2016-163 Accepting Bid and Authorizing Award of Contract
 - b) Resolution 2016-164 Approving Contract and Bond
12. Resolution 2016-165 Approving Contract Amendment 2 with Tyler Technologies Software for additional data conversion, including project accounting information, \$4,750.00.

ORDINANCE:

PUBLIC HEARING

13. Ordinance Amending the Glenwood Place Planned Unit Development Located at 2907 S 6th Street, first reading.

DISCUSSION:

1. MS4 Storm water compliance inspection

PUBLIC COMMENT:

ADJOURNMENT:

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COUNCIL PROCEEDINGS

August 22, 2016

The Marshalltown City Council met in regular session on August 22, 2016, at 5:30 PM, in the Council Chambers at City Hall. Mayor Lowrance called the meeting to order and led the Pledge of Allegiance. Present: Gowdy, Greer, Hoop, Lamer, Martin, Schubert, Wirin. Marty Mitchell was thanked for sponsoring 588 individuals at the last Sunday of the Aquatic Center. Councilor Al Hoop and the Morning Optimist Club were thanked for sponsoring the first annual Monarchs and Milkweed program. The Finance Department received a Certificate of Achievement for Excellence in Financial Reporting. Three new Police Lieutenants were introduced to the council: Bellile, Stevenson and Thein. Casee Veren (10 years) and Daniel McCready (5 years) were thanked for their years of service. Schubert moved to approve the agenda, second by Wirin. Motion approved 7-0.

CONSENT AGENDA:

Greer moved to approve the Consent Agenda: Approve Council meeting Minutes of August 8, 2016, special meeting minutes of August 11, 2016, and August 19, 2016; Approve Bill List in the amount of \$1,288,696.06; Renewal liquor licenses: HyVee Drug Store; second by Gowdy. Consent agenda adopted 7-0.

REPORT

City Attorney Schoell informed the council the State overturned the council's decision to deny a liquor license for Ugly Coyote, aka IBIZA Dance Club. The city's appeal time will lapse on August 31. It is the recommendation of the attorney not to appeal the State's decision.

MOTION:

Lamer moved to approve the preliminary June 2016 Monthly Financial Statements, second by Martin. Motion adopted 7-0.

Lamer moved to deny the annexation request, Husak Subdivision, near Odessa Drive, second by Martin. Motion carried 6-1, Schubert dissenting.

RESOLUTIONS:

Schubert moved to adopt Resolution 2016-160 Approving Final Plat for Husak Subdivision, second by Lamer. Resolution adopted 7-0.

Lamer moved to adopt Resolution 2016-155 Approving Contract Change Order #1 for the SE South Street Extension Project 66013008, an increase of \$16,569.32, second by Wirin. Resolution adopted 7-0.

Greer moved to adopt Resolution 2016-161 Authorizing Acceptance of Reimbursement from TRAILS, INC., for Iowa River Railroad Recreational Trail project expenditures, second by Gowdy. Resolution adopted 7-0.

Schubert moved to adopt Resolution 2016-162 Approving 28E Agreement with the Iowa Department of Inspections and Appeals, expiring August 22, 2017, with future amendments for term extension authorized, second by Wirin. Resolution adopted 7-0.

Greer moved to adopt both Resolution 2016-163 Accepting Bid and Authorizing Award of Contract and Resolution 2016-164 Approving Contract and Bond for the 2016 Ingeldue Street and Pine Street Repair project 76016013A, ConStruct, \$208,163.25, second by Schubert. Resolution adopted 7-0.

Greer moved to adopt Resolution 2016-165 Approving Contract Amendment 2 with Tyler Technologies Software for additional data conversion, including project accounting information, \$4,750.00, second by Schubert. Resolution adopted 6-0, with Wirin leaving the meeting at 6:15 PM.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open regarding changes to the Planned Unit Development for Glenwood Place. Spohnheimer reviewed the proposed improvements. There were no public or written comments. Mayor Lowrance declared the public hearing closed.

Lamer moved to adopt the first reading of Ordinance Amending the Glenwood Place Planned Unit Development Located at 2907 S 6th Street, second by Schubert. First reading adopted 6-0.

COUNCIL PROCEEDINGS

August 22, 2016

DISCUSSION:

Public Works Director Nickel explained the DNR requires compliance with the storm sewer system permit (MS4) involving development of a program and is seeking applicants to fill an inspection and water quality monitoring position. The storm water utility has sufficient funds and the position is budgeted. It is not possible to combine those additional duties with existing personnel.

PUBLIC COMMENT

Housing and Community Development Director Spohnheimer informed the council the asbestos removal on the Dangerous and Dilapidated housing project is underway with demolition to begin shortly. The Lead Hazard Control Program is looking for seventy five more homes to remove lead hazards. The current grant ends in 2018, and has been largely successful in improving many homes in our community as well as exceeding grant benchmarks. Librarian Rosenblum announced the Library will begin Sunday hours on September 18, from 1 – 4 pm.

ADJOURNMENT

The meeting adjourned at 6:31 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

James L. Lowrance, Mayor

Shari L. Coughenour, CMC, City Clerk



COUNCIL AGENDA

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CALL TO ORDER: Mayor James L. Lowrance

PLEDGE OF ALLEGIANCE:

ROLL CALL: Gowdy, Greer, Hoop, Lamer, Martin, Schubert, Wirin.

MAYOR, COUNCIL AND ADMINISTRATOR COMMENTS:

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Marshalltown



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1. MS4 Storm water compliance inspection

PUBLIC COMMENT:

ADJOURNMENT:

Visit www.ci.marshalltown.ia.us

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Government Finance Officers Association
203 N. LaSalle Street - Suite 2700
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

07/12/2016

NEWS RELEASE

For Information contact:
Stephen Gauthier (312) 977-9700

(Chicago)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to **City of Marshalltown** by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s), department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to:

Finance Department, City of Marshalltown

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL, and Washington, D.C.

COUNCIL PROCEEDINGS

August 8, 2016

The Marshalltown City Council met in regular session on August 8, 2016, at 5:30 PM, in the Council Chambers at City Hall. Mayor Lowrance called the meeting to order and led the Pledge of Allegiance. Present: Gowdy, Greer, Hoop, Lamer, Martin, Schubert. Absent: Wirin. Cale Puls received his Reserve Police Officer Certification. Mayor Lowrance thanked Puls for his volunteer service to the community. Mayor Lowrance also thanked the community for passing the \$17.5M bond issue for construction of a joint Fire and Police building, and the work of the Citizens Advisory Committee, led by Paul Peglow. Schubert moved to approve the agenda, removing the Change Order #1 for the SE South Street Extension project, second by Greer. Motion approved 6-0.

CONSENT AGENDA:

Lamer moved to approve the Consent Agenda: Approve Council meeting Minutes of July 25, 2016, special meeting minutes of July 27, 2016, and August 1, 2016; Approve Bill List in the amount of \$1,367,988.40; Receipt of Civil Service Lists: Police Lieutenant Promotional List, Construction Inspector New Hire List; Receipt of List of Purchases and Vertical Public Improvements between \$10,000 and \$35,000 approved by City Administrator: Mower purchase, Van Wall Equipment, \$27,500, funded by capital improvement and road use tax, Police Department Patrol Vehicle Purchase, \$24,956, Stew Hansen Dodge (Des Moines), funded by insurance settlement and capital improvement funds; second by Martin. Consent agenda adopted 6-0.

RESOLUTIONS:

Gowdy moved to adopt Resolution 2016-149 Setting public hearing date of September 12, 2016, on designation of Urban Renewal Area #5, and on urban renewal plan and project, second by Greer. Resolution adopted 6-0.

Greer moved to adopt Resolution 2016-150 Approving 28E Agreement with Marshall County Arts and Culture Alliance for Operation of the Municipal Band, expiring on January 1, 2017, second by Schubert. Resolution adopted 6-0.

Lamer moved to adopt Resolution 2016-151 Establishing a Tobacco Free Policy for Parks, Trails, Library and Library Grounds, second by Greer. Resolution adopted 6-0.

Gowdy moved to adopt Resolution 2016-152 Authorizing Submission of a Grant Application to the Martha Ellen Tye Foundation for a feasibility assessment study of the Veterans Memorial Coliseum, second by Greer. Resolution adopted 6-0.

Lamer moved to adopt Resolution 2016-153 Accept Bid and Award Contract and Resolution 2016-154 Approve Contract and Bond for the Iowa River Trail Phase II Project 41016001A, ConStruct. Inc., \$349,772.80, second by Greer. Project is funded by State REAP grant and private donations. Resolutions adopted 6-0.

Greer moved to adopt Resolution 2016-156 Approving Joint Participation Agreement with the Iowa Department of Transportation to Implement a State Transit Assistance (STA) Formula Project, \$178,522, fiscal year ending June 30, 2017, second by Lamer. Resolution adopted 6-0.

Schubert moved to adopt Resolution 2016-157 Approving Memorandum of Understanding for Purchasing Vehicle Owner Record Information with the Iowa Department of Transportation, second by Martin. Resolution adopted 6-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open regarding the plans and specifications of the 2016 Ingledue St. & Pine St. Repair Project 76016013A. Public Works Director Nickel reviewed the project which includes improvement to the base. There were no public or written comments. Mayor Lowrance declared the public hearing closed.

Lamer moved to adopt Resolution 2016-158 Approving Plans and Specifications of the 2016 Ingledue St. & Pine St. Repair Project 76016013A, second by Greer. Resolution adopted 6-0.

COUNCIL PROCEEDINGS

August 8, 2016

PUBLIC COMMENT

Housing and Community Development Director Spohnheimer informed the council the asbestos removal on the Dangerous and Dilapidated housing project begins August 17. Councilor Greer asked the council to consider changing Linn and Church Street to two way street traffic westerly of 3rd Avenue, for discussion on the next meeting. Streets east of 3rd Avenue would remain one way.

ADJOURNMENT

The meeting adjourned at 6:02 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

James L. Lowrance, Mayor

Shari L. Coughenour, CMC, City Clerk

Council Proceedings
Special Council Meeting
August 11, 2016

A Special meeting of the Marshalltown City Council was convened on August 11, 2016, at 12:00 PM, in the Council Chambers at City Hall, according to posted notices. Mayor Lowrance called the meeting to order. ROLL CALL: Present – Gowdy, Greer, Hoop, Lamer, Martin, Schubert, Wirin.

Wirin moved to adopt Resolution 2016-159 Approving Consulting Services Agreement with Stevens Public Management, LLC, for Administrative and Project Management Services and Appointing Mark Stevens as Interim City Administrator, second by Schubert. Resolution adopted 6-1, Hoop dissenting.

Meeting adjourned at 12:09 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, City Clerk

Council Proceedings
Special Council Meeting
August 19, 2016

A Special meeting of the Marshalltown City Council was convened on August 19, 2016, at 8:30 AM, in the Council Chambers at City Hall, according to posted notices. Mayor Lowrance called the meeting to order. ROLL CALL: Present – Gowdy, Greer, Hoop, Lamer, Martin, Schubert. Absent: Wirin, arriving at 8:33 am.

Gowdy moved to go 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, second by Greer. 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. Motion carried 7-0.

At 9:48 am, Lamer moved to enter into open session, second by Martin. Motion carried 6-0. Roll call: Present: Gowdy, Hoop, Lamer, Martin, Schubert, Wirin. Absent: Greer. The council briefly discussed one candidate that had not requested closed session. It was determined the individual would not be included in the next process.

Wirin moved to authorize the Human Resources Director to set up phone interviews for six individuals as discussed in closed session, second by Hoop. Motion carried 6-0.

Meeting adjourned at 9:55 am.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, City Clerk

Row

the City of
Marshalltown
Housing & Community Development

James L. Lowrance, Mayor
Randy A. Wetmore, City Administrator
36 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5756
Fax - (641) 754-5742

August 22, 2016

To: Mayor James L. Lowrance
Members of the City Council

From: Michelle Spohnheimer
Housing & Community Development Director

Re: Husak Subdivision Final Plat and Annexation Request

Policy Issue: The City of Marshalltown has subdivision authority on property within two miles of the corporate limits when a subdivision is being proposed. The Council previously approved the preliminary plat for the Husak Subdivision and now has the Final Plat for review. Previously the Council agreed to waive the requirements for the Odessa Drive extension to be built to City standards. Additionally in order to connect to the City water system Marshalltown Waterworks requires a request for annexation be submitted.

Recommendation: Staff recommends approving the final plat with the condition that no additional lots be created unless future access does meet City specifications. The extension of Odessa Drive will remain private and will not become a public street in the future. All maintenance shall be the responsibility of the property owner and/or association.

An annexation application has also been submitted as it relates to securing a water connection. Staff would not recommend that the Council consider annexation at this point in time since the proposed subdivision is not connected to the existing corporate limits. Staff would request a motion be made directing no further action on the annexation request.

The Plan Zoning Commission discussed the Final Plat on August 11, 2016 and recommended approval 5-1.

Background: The preliminary plat was previously approved by the City Council.

Budget Impact: None

Attachment: Final Plat and related documents and Annexation application.

cc: Randy Wetmore, City Administrator

City Council
Leon Lamer, Mike Gowdy, Joel Greer, Al Hoop,
Robert Schubert, Bill Martin, Bethany Wirin

Marshalltown



Annexation Request

COMPLETE THE FOLLOWING INFORMATION.

(PLEASE TYPE OR PRINT CLEARLY)

Property Address: 2347 Odessa Dr., Marshalltown, IA 50158	
Parcel Identification Number (PIN): *Contact the Marshall County Assessor to determine the PIN* 8318-09-300-012	
Owner of Record: Douglas P Husak, Donna K Wind-Husak	
Address of Owner of Record: 102 Duesenberg Dr., Conrad, IA 50621	
Owner Phone: 641/751-2663	Owner E-mail: douglas.p.husak@wellsfargo.com
Authorized Agent: Doug Husak - Owner	
Address of Authorized Agent: Same	
Agent Phone: Same	Agent E-mail: Same

Please indicate if the property is involved in any of the following:

☐ Bankruptcy ☐ Contract ☐ Civil Suit ☐ Foreclosure

Provide a brief description of current and expected use as well as reason for request:

I purchased land for a new home. In the process the seller asked if I wanted to buy more than just 1.25 acres. I was encouraged by the County P&Z office to buy more in case of septic failure. I thought it would be nice to buy enough for this and to have

I hereby agree by signing below that I am requesting 100% voluntary annexation of my property into the incorporated City of Marshalltown territory.

Douglas P. Husak
Owner/Agent Signature

7/19/16
Date

Donna Wind Husak
Owner/Agent Signature

7/19/16
Date

Owner/Agent Signature

Date

> see attached

I purchased land for a new home. In the process the seller asked if I wanted to buy more than just 1.25 acres. I was encouraged by the County P&Z office to buy more in case of septic failure. I thought it would be nice to buy enough for this and to have enough for 1 more lot to later re-sell to recoup part of my construction costs. I ended up purchasing 3.23 acres. CGA has divided it so that there are 2 lots with approx 1.6 acres on each. We will build on the north lot. I am applying for annexation because I would like to have City water hook up, as would part of the City Council, and this is a required element in the process. I do think its practical to be annexed and do not expect it to be approved.

RESOLUTION APPROVING FINAL PLAT FOR HUSAK SUBDIVISION

WHEREAS the Preliminary Plat for Husak Subdivision, was approved by the City Council on May 23, 2016; and

WHEREAS the Final Plat has been filed for review and approval; and

WHEREAS the Plan Zoning Commission reviewed and recommended approval of the Final Plat at a meeting on August 11, 2016; and

WHEREAS the Council has fully examined the request and has found it 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 RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. This Council hereby approves the Final Plat for Husak Subdivision under the conditions as set forth therein.

Section 2. The proposed road shall remain private even if annexed by the City of Marshalltown in the future and the City shall not have any maintenance responsibility.

Passed this ____ day of August 2016 and signed this ____ day of August 2016.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

Complete the following contact information. (Please type or print clearly)

Owner Corporation Name	
Contact/Owner Name Douglas P Husak and Donna K Wind-Husak	
Owner Address 102 Duesenberg Dr Conrad, IA 50621	Owner Fax 641/752-7852
Owner Phone 641/751-2663	
Owner E-mail douglas.p.husak@wellsfargo.com	

Name of Law Firm Grimes Buck Schoell Beach & Hitchins	
Attorney Name Roger Schoell	
Attorney Address 102 E Church St Marshalltown, IA 50158	Attorney Fax 641/752-5179
Attorney Phone 641/752-4507	
Attorney E-mail roger@gsbhlaw.com	

Engineer Firm Name Clapsaddle-Garber Associates	
Engineer Contact Person Steve Troskey	
Engineer Address 16 E Main St Marshalltown, IA 50158	
Engineer Phone 641/752-6701	Engineer Fax 641/752-2849
Engineer E-mail stroskey@cgaconsultants.com	

DEDICATION

STATE OF IOWA, MARSHALL COUNTY, ss:

Douglas P. Husak and Donna K. Wind-Husak, husband and wife, the record owners of the following described real estate, to wit:

Parcel "A" situated on the Northeast Quarter of the Southwest Quarter of Section Nine, Township Eighty-three North, Range Eighteen West of the 5th P.M., Marshall County, Iowa, as described in Plat of Survey recorded in Instrument #2016-00000849 of the records of Marshall County, Iowa,

Being the real estate upon which the following Subdivision, to wit:

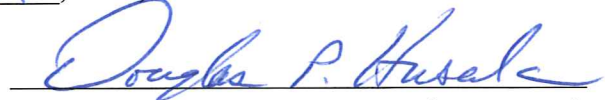
Husak Subdivision of Parcel "A" situated on the Northeast Quarter of the Southwest Quarter of Section Nine, Township Eighty-three North, Range Eighteen West of the 5th P.M., Marshall County, Iowa, as described in Plat of Survey recorded in Instrument #2016-00000849 of the records of Marshall County, Iowa,

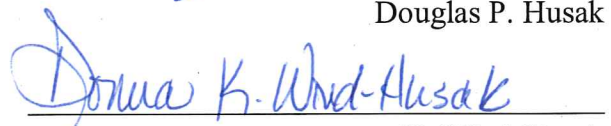
is laid out into lots as shown by the attached Plat, hereby certify that they caused said Subdivision to be laid out and platted into lots and that the disposition of the real estate as shown by said Plat is in accordance with their desire, conforming to the established requirements for platting under the ordinances of the City of Marshalltown, Marshall County, Iowa, and the applicable laws of the State of Iowa.

The lots of such Subdivision are accessed by a private road and same is not dedicated to the use of the general public.

That the measurements of the lots contained in said Subdivision are as indicated on the attached Plat drawing.

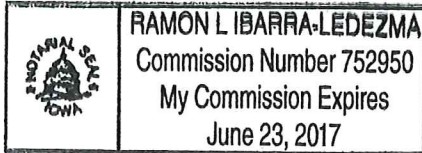
IN WITNESS WHEREOF, Douglas P. Husak and Donna K. Wind-Husak have caused the execution hereof this 1 day of August, A.D., 2016.


Douglas P. Husak


Donna K. Wind-Husak

STATE OF IOWA, MARSHALL COUNTY, ss.

On this 1st day of August, 2016, before me, the undersigned, a Notary Public, in and for the State of Iowa, personally appeared Douglas P. Husak and Donna K. Wind, husband and wife, to me known to be the identical persons named in and who executed the within and foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



Ramon L Ibarra-Ledezma
Notary Public in and for the State of Iowa

Acknowledgement of Mortgage Holders

None.

**GRIMES, BUCK, SCHOELL
BEACH & HITCHINS**
ATTORNEYS AT LAW

ROGER R. SCHOELL
KEVIN R. HITCHINS

JEFFREY P. HAZEN
BREANNA M. NELSON

102 EAST CHURCH STREET
P.O. BOX 776
MARSHALLTOWN, IA 50158-0776
(641) 752-4507
FAX (641) 752-5179

Of Counsel
MAX H. BUCK

Deceased
LEONARD L. GRIMES
GENE L. BEACH

August 1, 2016

The Marshall County Board of Supervisors
and
The City Council of Marshalltown, Iowa

RE: Title Opinion - Husak Subdivision
GBSB&H Abstract #16-61
MCAC #23871

Gentlemen:

I have carefully examined the abstract of title in one part, beginning with the root title deed and certified down to April 15, 2016, at 11:35 a.m., covering the following described premises, to-wit:

Parcel "A" situated on the Northeast Quarter of the Southwest Quarter of Section Nine, Township Eighty-three North, Range Eighteen West of the 5th P.M., Marshall County, Iowa, as described in Plat of Survey recorded in Instrument #2016-00000849 of the records of Marshall County, Iowa.

I am of the opinion that the abstract as submitted complies with the Iowa Forty-Year Marketable Title Act and according to said abstract, Douglas P. Husak and Donna K. Wind-Husak, as joint tenants with full rights of survivorship, had title to said premises at the date last above mentioned pursuant to a Warranty Deed filed April 15, 2016 at Document No. 2016-00001731 of the records of Marshall County, Iowa. Said real estate is now platted as Husak Subdivision.

The abstract reveals the land is free from encumbrances.

The abstract reveals that all real estate taxes are shown to be paid, to and including both installments payable July 1, 2015 through June 30, 2016.

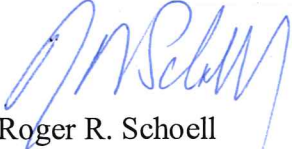
August 1, 2016

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This opinion is issued pursuant to the provisions of Section 354.11 of the Code of Iowa.

Very truly yours,

GRIMES, BUCK, SCHOELL, BEACH & HITCHINS



Roger R. Schoell

Title Guaranty No. 1166

RRS/mk

TREASURER'S CERTIFICATE

STATE OF IOWA, MARSHALL COUNTY, ss:

I, Jarret Heil, being Treasurer of Marshall County, Iowa, do hereby certify that land on which Husak Subdivision, Marshall County, Iowa, is laid out and platted as shown by the annexed plat is free from property taxes.

Witness my hand and seal this 20 day of July, 2016.

Jarret Heil by Debra Allen
Jarret Heil, Treasurer Property Tax
Marshall County, Iowa Supervisor

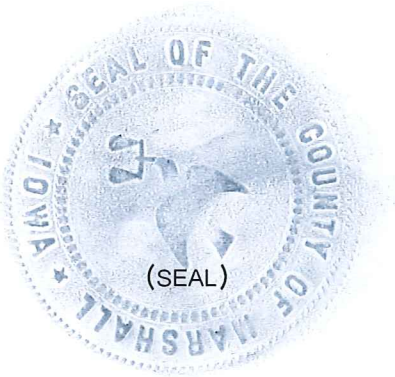
(SEAL)

AUDITOR'S APPROVAL OF SUBDIVISION NAME

STATE OF IOWA, MARSHALL COUNTY, ss:

I, Deanne Raymond, being Auditor of Marshall County, Iowa, do hereby approve,
pursuant to Iowa Code §354.6(2) and §354.11(6), the subdivision name
Husak Subdivision on the annexed plat and find the same to
be succinct and unique in Marshall County, Iowa.

Witness my hand and seal this 19 day of July, 2016.



Deanne Raymond

Deanne Raymond, Auditor

Marshall County, Iowa

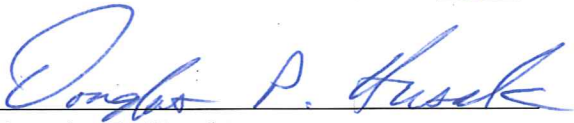
**RESTRICTIVE COVENANTS OF
HUSAK SUBDIVISION OF PARCEL "A" SITUATED ON THE NORTHEAST
QUARTER OF THE SOUTHWEST QUARTER OF SECTION NINE,
TOWNSHIP EIGHTY-THREE NORTH, RANGE EIGHTEEN WEST OF THE
5TH P.M., MARSHALL COUNTY, IOWA, AS DESCRIBED IN PLAT OF
SURVEY RECORDED IN INSTRUMENT #2016-00000849 OF THE RECORDS
OF MARSHALL COUNTY, IOWA**

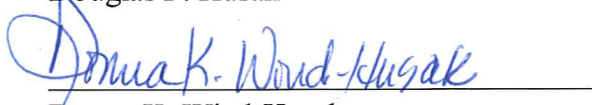
The undersigned owners in fee simple of Lots 1 and 2 of Husak Subdivision of Parcel "A" situated on the Northeast Quarter of the Southwest Quarter of Section Nine, Township Eighty-three North, Range Eighteen West of the 5th P.M., Marshall County, Iowa, as described in Plat of Survey recorded in Instrument #2016-00000849 of the records of Marshall County, Iowa, hereby make the following restrictive covenants for such lots:

1. The premises shall be used solely for residential purposes.
2. No building shall be designed for or adapted to the occupancy of more than one family.
3. No building construed on the premises other than the main residence shall be leased for residential purposes.
4. No structure shall be erected or permitted to remain on any lot other than a single family dwelling with private garage, guest houses, servants' quarters, and other out buildings clearly incidental to residential use of the premises.
5. No trailer, basement, tent, shack, garage, barn or other out buildings shall at any time be used as a residence temporarily or permanently, nor shall any residence of a temporary character be permitted.
6. The premises shall not be used in any way that is offensive or injurious to the surrounding property.
7. Each titleholder of the lots, whether the said lot be vacant or improved, shall keep the said lot free of debris.
8. All residences shall have sodded and/or seeded yards.

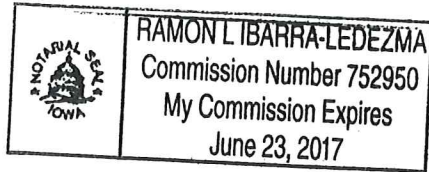
9. All residences shall be subjected to all appropriate building, plumbing and zoning laws of Marshall County and the State of Iowa.
10. When the construction of any building is once begun, it shall be completed within 180 days unless completion is rendered impossible as the direct result of weather, strikes, fires, national emergencies or national calamities.
11. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition.
12. Any or all of the foregoing restrictive covenants may be waived on written permission of the owners of all of the lots of this addition, or any changes or additions to such restrictions may be made by meeting this requirement at any time.
13. The invalidation of any one of the covenants by judgment, court order or otherwise, shall not affect the validity of any of the other provisions herein and the same shall remain in full force and effect under the terms hereof.
14. No lot shall be sold or conveyed without incorporating in the Deed of conveyance, either by reference or otherwise these restrictive covenants so as to perpetuate the use of said lots as herein contemplated.
15. Enforcement shall be by proceeding at law or in equity against any person or person violating or attempting to violate any covenants either to restrain or to recover damages, provided no violation shall ever work a reverter or forfeiture of the title. The prevailing party in such suit shall be entitled to reimbursement for all costs and attorney fees from the losing party.

Dated at Marshalltown, Iowa, this 1st day of August, 2016.

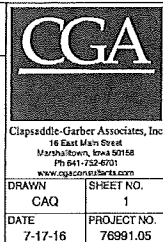

Douglas P. Husak


Donna K. Wind-Husak

On this 1 day of August, 2016, before me, the undersigned, a Notary Public in and for said state personally appeared Douglas P. Husak and Donna K. Wind-Husak, husband and wife, to me know to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



Ramon L. Ibarra-Ledezma
Notary Public, State of Iowa



LEGAL DESCRIPTION

LOCATED ENTIRELY WITHIN A CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL "A" AND RECORDED IN INSTRUMENT #2016-00000849 IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5th P.M., MARSHALL COUNTY, IOWA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9, ALSO BEING THE NORTHWEST CORNER OF SAID PARCEL "A"; THENCE, N88°12'17"E 254.85' ALONG THE NORTH LINE OF SAID PARCEL "A" TO THE NORTHEAST CORNER OF SAID PARCEL "A"; THENCE, S1°22'00"W 256.78' ALONG THE EAST LINE OF SAID PARCEL "A"; THENCE, S4°55'14"W 274.23' ALONG THE EAST LINE OF SAID PARCEL "A" TO THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE, S72°32'03"W 250.89' ALONG THE SOUTH LINE OF SAID PARCEL "A" TO THE SOUTHWEST CORNER OF SAID PARCEL "A"; THENCE, N1°22'00"E 597.41' ALONG THE WEST LINE OF SAID PARCEL "A", TO THE POINT OF BEGINNING. PARCEL "A" CONTAINS 3.23 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.



James L. Lowrance, Mayor
Randy Wetmore, 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

August 3, 2016

**To: Mayor James L. Lowrance
Members of the City Council**

From: Justin Nickel
Director of Public Works

Re: CO #1 Con-Struct – SE South Street Extension Project (66013008)

Policy Issue: City policy requires all change orders be approved and reported in the same manner as the original contract

Recommendation: Staff recommends approving the change order with Con-Struct in the amount of \$16,569.32.

Background: Change Order #1 increases the contract price by \$16,569.32 for subgrade stabilization using Triax Geogrid, modification of storm sewer pipe from non-gasketed to gasketed and temporary mulch to stabilize the site until seeding season begins on August 10th. The updated contract price is \$679,830.32. The original contract price was \$663,261.00.

Budget Impact: This project and associated change order will be paid with RISE Grant funds and reimbursement from the developer.

Attachment: CO #1

cc: Randy Wetmore, City Administrator

City Council
Leon Lamer, Mike Gowdy, Joel Greer, Al Hoop
Bill Martin, Robert Schubert, Bethany Wirin



RESOLUTION APPROVING CONTRACT CHANGE ORDER #1 FOR THE SE SOUTH
STREET EXTENSION PROJECT NUMBER 66013008
AN INCREASE OF \$16,569.32

WHEREAS the City of Marshalltown, Iowa, has heretofore entered into a contract with Construct, Inc., of Marshalltown, IA, for the labor and material for the SE South Street Extension Project 66013008; and

WHEREAS an increase is requested for subgrade stabilization and meeting additional Iowa Department of Natural Resources requirements for the SE South Street Extension Project in the amount of \$16,569.32.

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

Section1. That the contract Change Order #1 for the SE South Street Extension Project 66013008, in the increased amount of \$16,569.32, is hereby accepted and approved.

Passed this day of August 2016, and signed this _____ day of August 2016.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

Project: SE South Street Extension	Change Order # 1
Owner: City of Marshalltown	CGA PN: 1631.06
Contractor: Con-Struct, Inc.	Contract Date: January 11, 2016
Project ID No: 66013008	Contract Amount: \$663,261.00

List below or on a separate sheet each change proposed in this order describing briefly and giving reasons for the changes. Attach copy of supplemental agreement covering any contract amendment.

PROPOSED CHANGES					Amount Increase or Decrease
Item	Description	Quantity	Units	Rate	
CO1.1	Subgrade Stabilization, Tensar Triaxial Geogrid TX140	1712	SY	\$ 5.00	\$ 8,560.00
CO1.2	Change 42" Pipe from Non-Gasketed to Gasketed	1204	LF	\$ 3.33	\$ 4,009.32
CO1.3	Temporary Mulch	2	AC	\$ 2,000.00	\$ 4,000.00
Net Change This Order (+ or -):					\$ 16,569.32
Net Changes Previous Orders:					\$ -
Total Net Changes to Date:					\$ 16,569.32
Calendar Days		Days Increased		Days Decreased	Total Calendar Days
90.0		0.0		0.0	90.0

If and when approved, I hereby accept this order as work to be performed, prices on which payment shall be based, and adjustment to contract completion date.

Contractor:	Con-Struct, Inc.				
By:		Title:	General Manager	Date:	7/28/16
Recommended By:		Title:	Project Engineer	Date:	7/28/2016
Approved By:		Title:		Date:	

ADDITIONAL INFORMATION:

ITEM CO1.1

This item was added to provide additional subgrade stability to existing soft subgrade.

ITEM CO1.2

This item was added to change pipe from non-gasketed to gasketed per IDNR requirements.

ITEM CO1.3

This item was added to mulch the site prior to allowable seeding periods. Mulching is required when disturbed ground will not be seeded within 14 days from completion of grading activities.



Project: SE South Street Extension	Change Order # 1
Owner: City of Marshalltown	CGA PN: 1631.06
Contractor: Con-Struct, Inc.	Contract Date: January 11, 2016
Project ID No: 66013008	Contract Amount: \$663,261.00

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90.0		0.0		0.0	90.0

If and when approved, I hereby accept this order as work to be performed, prices on which payment shall be based, and adjustment to contract completion date.

Contractor:	Con-Struct, Inc.				
By:		Title:	Leonard Mary	Date:	7/28/16
Recommended By:		Title:	Project Engineer	Date:	7/28/2016
Approved By:		Title:		Date:	

ADDITIONAL INFORMATION:

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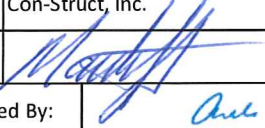


Project: SE South Street Extension	Change Order # 1
Owner: City of Marshalltown	CGA PN: 1631.06
Contractor: Con-Struct, Inc.	Contract Date: January 11, 2016
Project ID No: 66013008	Contract Amount: \$663,261.00

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Contractor:	Con-Struct, Inc.				
By:		Title:	General Manager	Date:	7/28/16
Recommended By:		Title:	Project Engineer	Date:	7/28/2016
Approved By:		Title:		Date:	

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Row

August 4, 2016

City of Marshalltown
Jim Lowrance, Mayor
Randy Wetmore, City Administrator
24 N Center Street
Marshalltown, IA 50158

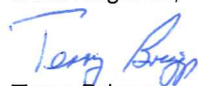
Re; TRAILS Inc. – funding and reimbursement for recreational trail expenditures

Dear Jim and Randy,

Our group truly appreciates your support for the trail project. TRAILS Inc. currently has a certificate of deposit in the amount of \$300,000.00 that matures on September 15, 2016. At maturity, TRAILS Inc. will cash the certificate of deposit and pay the proceeds to the City of Marshalltown to be used for reimbursement of expenditures for project funding.

We thank you for your patience as we work through the funding logistics since we would suffer a substantial early withdrawal penalty if the CD was cashed in prior to the maturity date.

Best Regards,



Terry Briggs
President, TRAILS Inc.

#2016-____

RESOLUTION ACCEPTING REIMBURSEMENT FROM TRAILS, INC., FOR
IOWA RIVER RAILROAD RECREATIONAL TRAIL PROJECT
EXPENDITURES

WHEREAS the City and TRAILS, INC, have a 28E Agreement for the purpose of managing the Iowa River Railroad Recreational Trail; and

WHEREAS such 28E Agreement is filed with the Secretary of State, as #M507062; and

WHEREAS TRAILS INC., has monies invested in Certificates of Deposits, maturing September 15, 2016, to reimburse the City for expenses incurred in construction of the project; and

WHEREAS it is in the best interest of the City to accept the reimbursement.

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

Section 1. The reimbursement for expenditures incurred by the city for the Iowa River Railroad Recreational Trail Project is hereby accepted.

Section 2. This Agreement and this resolution shall be in full force and effect from and after its passage and signature as by law provided.

Passed this 22nd day of August, 2016, and signed this ____ day of August, 2016.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor
ATTEST:

Shari L. Coughenour, CMC, City Clerk

Rev

2016-____

RESOLUTION APPROVING 28E AGREEMENT BY AND BETWEEN THE CITY OF
MARSHALLTOWN RENT ASSISTANCE PROGRAM AND THE IOWA
DEPARTMENT OF INSPECTIONS AND APPEALS, AGREEMENT EXPIRES
AUGUST 22, 2017.

WHEREAS there is herewith submitted to the City Council of Marshalltown, Iowa, a proposed 28E Agreement by and between the City of Marshalltown Rent Assistance Program and the Iowa Department of Inspections and Appeals, expiring August 22, 2017; and

WHEREAS the Council has fully examined the Agreement and has found it 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 RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. That the Agreement by and between the City of Marshalltown Rent Assistance Program and the Iowa Department of Inspections and Appeals, for investigation services related to the HUD Section 8 Housing Choice Voucher Program, expiring August 22, 2017, is hereby approved in all respects and particulars.

Section 2. That the Mayor and City Clerk are hereby authorized and directed to execute said Agreement and any future Amendments for extension of term on behalf of the City of Marshalltown.

Passed this 22nd day of August, 2016, and signed this ____ day of August, 2016

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



Housing & Community Development

James L. Lowrance, Mayor
Randy A. Wetmore, City Administrator
36 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5756
Fax - (641) 754-5742

August 22, 2016

To: Mayor James L. Lowrance
Members of the City Council

From: Michelle Spohnheimer
Housing & Community Development Director

Re: 28E Agreement with the Iowa Department of Inspections and Appeals

Policy Issue: The City administers the HUD Section 8 Housing Choice Voucher Program. As a part of that program it is our responsibility to enforce regulations and if necessary investigate participant fraud. The most common violations of fraud include unreported income and household members. Typically staff is able to conduct investigations in house with the assistance of local law enforcement. On a rare occasion a case may involve other State or Federal agencies such as the Department of Human Services. This agreement will authorize the City to engage the Iowa Department of Inspections and Appeals on these types of cases if needed.

Recommendation: Staff recommends approving the 28E agreement allowing the staff to work with the IDIA on significant fraud cases as needed.

Background: The staff has a lot of verbal communication with other agencies in an effort to identify and eliminate fraud as soon as it comes to our attention. We will continue to work with agencies as much as possible in ways that do not result in fees for service.

Budget Impact: Should the City need to engage the IDIA for paid services the expenses would be charged to the Section 8 program budget.

Attachment: 28E Agreement

cc: Randy Wetmore, City Administrator

City Council
Leon Lamer, Mike Gowdy, Joel Greer, Al Hoop,
Robert Schubert, Bill Martin, Bethany Wirin

Marshalltown



2012

**INTERAGENCY AGREEMENT
BETWEEN
IOWA DEPARTMENT OF INSPECTIONS AND APPEALS
AND
CITY OF MARSHALLTOWN RENT ASSISTANCE PROGRAM**

This agreement (Agreement) is entered into between the Iowa Department of Inspections and Appeals (DIA) and the City of Marshalltown Rent Assistance Program (CMRAP) pursuant to the authority of Iowa Code sections 28E.5 and 28E.12.

The parties hereto agree as follows:

Purpose: The purpose of this Agreement is to authorize the performance of Section 8 Voucher Program / Public Housing investigations of the City of Marshalltown Rent Assistance Program (CMRAP) by DIA.

Rights, Powers, and Responsibilities:

CMRAP agrees to:

1. Refer, in writing, investigations for CMRAP to DIA.
2. Approve, in writing, the inclusion of cases involving the CMRAP programs when multiple state, local or federal agencies are involved in an investigation.
3. Provide the following to DIA:
 - a. Access to all case records pertinent to the investigations being conducted.
 - b. Calculations of any overpayments that occurred on cases under investigation.
 - c. Leasing Housing Specialists or other appropriate staff that are required to testify in court about the Section 8 Housing Choice Voucher Program / Public Housing records and determinations of overpayment amounts.
4. Collect all civil and criminal overpayments.

DIA agrees to:

1. Investigate, obtain evidence, and prepare and submit investigative reports to county attorneys or federal prosecutors for criminal prosecution on behalf of CMRAP.
2. In criminal cases, request restitution through the courts on behalf of CMRAP for the amount of overpayment(s).
3. In civil or administrative cases, submit a copy of the investigative report to CMRAP for appropriate action.

Funding: DIA will bill CMRAP for investigations conducted pursuant to this Agreement at the initial rate of sixty-eight dollars and 25 cents (\$68.25) per hour, modified annually, by the thirtieth (or last day) of each month. CMRAP shall reimburse DIA within 30 days of receipt of a billing statement / invoice. If CMRAP denies any part of the invoice, CMRAP shall provide DIA with a detailed reason for the denial and give DIA the opportunity to provide further justification.

Duration: This Agreement shall be in full force and effect from August 23, 2016 to August 22, 2017, unless terminated earlier in accordance with the Termination section of this Agreement. The Agreement may be renewed for up to five years in increments of one-year periods. CMRAP and DIA shall meet at least thirty (30) days prior to the expiration of this Agreement to determine renewal and any modifications to the Agreement, including but not limited to, funding.

Legal or Administrative Entity Created: No new legal or administrative entity is created by this Agreement.

Property: Nothing in this Agreement shall be deemed to effect any change with respect to the ownership of the real or personal property of either party to this Agreement.

Dispute Resolution: The parties to this Agreement shall attempt to mediate disputes that arise under this Agreement by engaging in mediation with a mutually agreed-upon mediator. Each party will bear fifty percent (50%) of the costs of such mediation. In the event the parties are unable to reach agreement during the mediation, the parties shall submit their dispute to binding arbitration as provided for in Iowa Code section 679A.19.

Filing and Recording: Copies of this Agreement shall be filed with the Secretary of State before the Agreement shall be in full force and effect, all pursuant to Iowa Code section 28E.8

Termination: Either party to this Agreement may terminate this Agreement without cause by providing the other party a written notice of intent to terminate this Agreement, at least thirty (30) days prior to the intended date of termination. The notice shall specify the reasons for termination and shall be delivered by U.S. Certified Mail to either party.

The undersigned hereby execute and enter into this interagency 28E Agreement. Each signatory represents that he/she has been authorized in accordance with state law to sign and bind the agency represented.

Rodney A. Roberts, Director
IOWA DEPARTMENT OF INSPECTIONS AND APPEALS

James L. Lowrance, Mayor
CITY OF MARSHALLTOWN RENT ASSISTANCE
PROGRAM

Date

Date



James L. Lowrance, Mayor
Randy Wetmore, 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

August 17, 2016

To: Mayor James L. Lowrance
Members of the City Council

From: Justin Nickel
Director of Public Works

Re: Accept Bid and Award Construction Contract – 2016 Ingledue Street and Pine Street Repair Project (76016013) with Con-Struct, Inc. for \$208,163.25

Policy Issue: City policy requires governing body acceptance of bid and approval of construction contract

Recommendation: Staff recommends accepting the bid and approving the contract with Con-Struct.

Background: Bids were due August 16, 2016 at 10 a.m. Two bids were received. Con-Struct was the lowest, responsible bidder at \$208,163.25. The engineer's estimate was \$215,536.20.

Budget Impact: This project will be funded with bond proceeds and road use tax money.

Attachment: Bid Tab

cc: Randy Wetmore, City Administrator

City Council
Leon Lamer, Mike Gowdy, Joel Greer, Al Hoop
Bill Martin, Robert Schubert, Bethany Wirin



R222

RESOLUTION ACCEPTING BID AND AUTHORIZING THE AWARD OF CONTRACT
FOR 2016 INGLEDUE STREET AND PINE STREET REPAIR
IN THE CITY OF MARSHALLTOWN, IOWA
BEING PROJECT NO. 76016013
IN THE AMOUNT OF \$208,163.25

WHEREAS notice to bidders has been duly given as required by law publication in the Marshalltown Times-Republican for the 2016 Ingledue Street and Pine Street Repair, being Project No. 76016013, in the City of Marshalltown, as described in the plans and specifications therefore, and

WHEREAS, there has been filed with the City Clerk in response to the published notice to the bidders referred to above, certain proposals for the construction of the above designated improvement with the required certified checks or bid bond accompanying each proposal from the following bidders, to-wit:

<u>Name and Address of Bidders</u>	<u>Amount of Bid</u>
CON-STRUCT, INC. MARSHALLTOWN IA	\$208,163.25
VIETH CONSTRUCTION CORP. CEDAR FALLS IA	\$222,861.00

After consideration of all bids filed, there was determined by the Council that the bid of Con-Struct, Inc., is the best and lowest responsible bid for the public improvement as is herein outlined.

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

Section 1. That the bid of Con-Struct, Inc., and the same is hereby accepted for the construction of the improvement as described in the plans and specifications therefore, as previously ordered by the Council, and that the contract for the construction of same is now awarded to said contractor in the total amount two hundred eight thousand one hundred sixty three and .25/100=====\$208,163.25) Dollars.

Section 2. The Mayor and Clerk of the City of Marshalltown, Iowa are hereby authorized and directed to execute the contract with the contractor for the public improvement as is herein referred to, and that upon the contractor filing the required bond that the said bond and contract be then submitted to this Council for final approval as provided by law.

Section 3. The final settlement upon the contract, as referred to herein with said contractor, shall be upon the basis of the unit prices as are set forth in the bid of said contractor and for the actual quantities for each item of materials furnished or work performed in the

construction of this public improvement. The said contract is subject to all of the conditions as are contained in the resolution ordering construction of this improvement, the notice to bidders as published, the terms of the bidders written proposal, the plans and specifications as are provided therefore, all of which are made a part of this resolution and the said bidders contract by reference as though the same were set out herein verbatim and in specific detail.

Section 4. This resolution as now adopted shall be in full force and binding effect upon the City of Marshalltown, Iowa, upon the final approval of the completed contract with the successful bidder and the approval of the contractor's surety bond by resolution of this Council.

Passed this 22nd day of August 2016, and signed this _____ day of August 2016

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

BID TAB

PRJ NO. 76016013

2016 Ingledue St. & Pine St. Repair Project

BIDDER: Con-Struct, Inc.
Marshalltown, Ia

BIDDER: Vieth Construction Corp.
Cedar Falls, IA

ITEM NO.	ITEM	UNIT	QUANTITY	UNIT PRICE	COST	UNIT PRICE	COST	UNIT PRICE	COST
1	EXCAVATION, CLASS 13	CY	1,284	\$13.00	\$16,692.00	\$13.00	\$16,692.00	\$23.00	\$29,532.00
2	TRIAX GEOGRID FABRIC	SY	3,555.0	\$5.00	\$17,775.00	\$5.00	\$17,775.00	\$3.50	\$12,442.50
3	8" CHOKE STONE SUBBASE	SY	3,555.0	\$12.00	\$42,660.00	\$12.00	\$42,660.00	\$9.00	\$31,995.00
4	HMA: 3", 3/4" BASE MIX & 2", 1/2" SURFACE MIX and ASPHALT BINDER, PG 64-22	SY	3,555.0	\$33.00	\$117,315.00	\$34.75	\$123,536.25	\$35.30	\$125,491.50
5	TRAFFIC CONTROL	LS	1.0	\$1,500.00	\$1,500.00	\$2,500.00	\$2,500.00	\$3,400.00	\$3,400.00
6	MOBILIZATION	LS	1.0	\$10,000.00	\$10,000.00	\$5,000.00	\$5,000.00	\$20,000.00	\$20,000.00
					Totals	BID TOTAL		BID TOTAL	
					10% Contingency				
					Project Total + Contingency				
					\$195,942.00	\$208,163.25		\$222,861.00	
					\$19,594.20				
					\$215,536.20				

Revised

RESOLUTION APPROVING CONTRACT AND BOND FOR CONSTRUCTION OF THE
2016 INGLEDUE STREET AND PINE STREET REPAIR
IN THE CITY OF MARSHALLTOWN, IOWA,
BEING PROJECT NO. 76016013 IN THE AMOUNT OF \$208,163.25

WHEREAS the City of Marshalltown, Iowa, did by resolution duly adopted by the Council, accept the bid of Con-Struct, Inc., of Marshalltown, IA, for construction of the 2016 Ingledue Street and Pine Street Repair Project as required by plans and specifications therefore and in the City of Marshalltown, Iowa, as covered by resolution ordering said construction, and,

WHEREAS the said Con-Struct, Inc., of Marshalltown IA, has executed a contract for the construction of said improvement and has filed its construction bond covering the full amount of said improvement with adequate sureties thereon, and that the said contract is now before this Council for final approval.

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

That the contract of Con-Struct, Inc., duly executed by said company and the surety bond for the performance of said contract, duly executed by said company, together with the surety, are now filed with the City Clerk for the construction of the public improvement as fully set forth in the plans and specifications for Project No. 76016013, the 2016 Ingledue Street and Pine Street Repair in the City of Marshalltown, Iowa, and therein specifically described, be and the same are hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be authorized and directed to execute the contract for and on behalf of the City of Marshalltown, Iowa.

Passed this 22nd day of August 2016, and signed this _____ day of August 2016

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

2016-

RESOLUTION APPROVING CONTRACT AMENDMENT NO. 2 BY
AND BETWEEN THE CITY OF MARSHALLTOWN, IOWA, AND
TYLER TECHNOLOGIES SOFTWARE. FOR ADDITIONAL DATA CONVERSION IN
THE AMOUNT OF \$4,750.00

WHEREAS, there is herewith submitted to the City Council of Marshalltown, Iowa, a proposed contract amendment number 2, in the amount of \$4,750.00, by and between the City of Marshalltown, Iowa, and Tyler Technologies Software for providing additional data conversion services to include project accounting information; 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. That the contract amendment number 2 by and between the City Of Marshalltown, Iowa and Tyler Technologies Software for providing additional data conversion services to include project accounting information, 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 22nd day of August, 2016, and signed this ____ day of August, 2016.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



James L. Lowrance, Mayor
Randy Wetmore, Administrator
Diana Steiner, Finance Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5760
Fax - (641) 754-5781

Raw

FINANCE DEPARTMENT

August 19, 2016

**To: Mayor James L. Lowrance
Members of the City Council**

From: Diana Steiner, Finance Director 

Re: Change Order for Tyler Technologies Software for \$4,750

Policy Issue: Per our current Purchasing Policy, change orders on contracts previously approved by the City Council shall be submitted to the City Council for approval.

Recommendation: Staff recommends the approval of the additional \$4,750 in order to convert the project accounting information from our current software to our new software. This will save Finance staff from manually setting up all the 3000+ projects, plus will provide the historical detail.

Background: The Council previously approved the original contract with Tyler Technologies for the purchase of our new financial software in the amount of \$233,527, plus one change order of \$3,500. There was a total of \$280,000 budgeted in the Capital Improvement Plan (CIP), which also included 2 new servers and licensing for \$23,105.44 and a contract estimate of \$4,000 to convert our current software format in an acceptable format for Tyler. With this new amendment, we will still be below budget by \$11,117.56.

Budget Impact: Still within approved budget as explained in the Background section.

Attachment: Tyler Amendment

cc: Randy Wetmore, City Administrator

City Council
Leon Lamer, Mike Gowdy, Joel Greer, Al Hoop
Bill Martin, Robert Schubert, Bethany Wirin



Rise

ORDINANCE NO _____

AN ORDINANCE AMENDING THE MARSHALLTOWN ZONING ORDINANCE AMENDING THE GLENWOOD PLACE PLANNED UNIT DEVELOPMENT LOCATED AT 2907 S. 6TH STREET, MARSHALLTOWN

WHEREAS the Glenwood Place PUD was previously approved by the City Council; and

WHEREAS an amendment has been submitted to the Plan Zoning Commission requesting a change to allow an increase in density by adding a new building; and

WHEREAS the Plan Zoning Commission reviewed the request July 14, 2016, held a public hearing on August 11, 2016 and recommended approval to the City Council at their meeting on August 11, 2016 with the condition that a landscaping plan be submitted to the Council; and

WHEREAS the Council has fully examined the request and has found it 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 ORDAIND BY THE CITY COUNCIL OF MARSHALLTOWN, IOWA:

Section 1. The Glenwood Place PUD amendment has been reviewed and is in the best interest of the City.

Section 2. The public hearing required on this zoning amendment shall be held in the Council Chambers at 10 W. State Street, Marshalltown, Iowa at 5:30 P.M., local time on the 22nd day of August 2016 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 Amendment to the Zoning Ordinance of the City of Marshalltown, Iowa 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 _____, 2016, and signed this _____ day of _____, 2016.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

Affidavit of Publication

STATE OF IOWA,
Marshall County, ss.

City of Marshalltown

Council has received a request for an amendment to a
Planned Unit Development know as Glenwood Place

I, LeAnn Siemens, 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" once each week for:

One

consecutive weeks on the days and dates as follows, to-wit:

August 11, 2016

Statutory fees for publishing said notice are:

17.06



Sworn to before me and subscribed in my
presence by the said LeAnn Siemens this
Eleventh Day of August, 2016

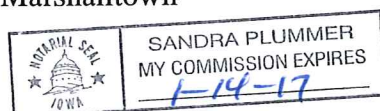


Sandra Plummer, Notary Public
Marshall County, Iowa
Commission No. 766297
Commission Expires January 14, 2017

Account No. and Account Name

L02000

City of Marshalltown



PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

You are hereby notified that the
City Council has received a
request for an amendment to a
Planned Unit Development now
known as Glenwood Place for the
property on 2907 S. 6th Street.

The request is made amend the
plan to construct a new
residential living facility. The most
recent plan allows for 96 units.
The proposed addition would
increase to 116 units.

You are hereby notified that the
City Council has fixed August 22,
2016 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, followed by three
readings of the ordinance. Any
and all objections may be made
in writing and filed with the City
Clerk prior to the time fixed for
hearing on said request or may
be made orally or in writing
before the Council at the time
fixed herein.

To all of which take due notice
and be governed accordingly.
Dated at Marshalltown, Iowa, this
11th day of August 2016.

Shari Coughenour
City Clerk
Marshalltown, Iowa 50158
-----21686

Affidavit of Publication

STATE OF IOWA,
Marshall County, ss.

City of Marshalltown

A request has been received for an amendment to a Planned Unit Development now known as Glenwood Place for the property on 2907 S 6th St.

I, LeAnn Siemens, 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" once each week for:

One

consecutive weeks on the days and dates as follows, to-wit:
August 2, 2016

Statutory fees for publishing said notice are:
18.72

LeAnn Siemens

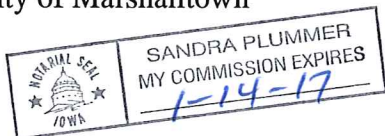
Sworn to before me and subscribed in my
presence by the said LeAnn Siemens this
Second Day of August, 2016

Sandra Plummer

Sandra Plummer, Notary Public
Marshall County, Iowa
Commission No. 766297
Commission Expires January 14, 2017

Account No. and Account Name
L02000

City of Marshalltown



NOTICE OF PUBLIC HEARING

You are hereby notified that the Plan Zoning Commission has received a request for an amendment to a Planned Unit Development now known as Glenwood Place for the property on 2907 S. 6th Street.

The request is made amend the plan to construct a new residential living facility. The most recent plan allows for 96 units. The proposed addition would increase to 116 units.

You are hereby notified that the Plan Zoning Commission has fixed August 11, 2016 at 5:00 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 Commission, a public hearing will be held, and recommendation made to the City Council. Any and all objections may be made in writing and filed with the City Clerk prior to the time fixed for hearing on said request or may be made orally or in writing before the Commission at the time fixed herein.

To all of which take due notice and be governed accordingly.
Dated at Marshalltown, Iowa, this
2nd day of August 2016.

Shari Coughenour
City Clerk
Marshalltown, Iowa 50158
-----21623-----



Housing & Community Development

James L. Lowrance, Mayor
Randy A. Wetmore, City Administrator
36 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5756
Fax - (641) 754-5742

August 22, 2016

To: Mayor James L. Lowrance
Members of the City Council

From: Michelle Spohnheimer
Housing & Community Development Director

Re: Glenwood Place PUD Amendment

Policy Issue: The City of Marshalltown requires the when a Planned Unit Development requests an amendment that will increase the overall density by more than 10% the City must go through the rezoning process which includes review and public hearing by the Plan Zoning Commission and three readings and a public hearing with the Council. Glenwood Place is requesting an amendment that will increase the density by approximately 21% in adding 20 additional assisted living units to their current facility.

Recommendation: Staff has reviewed the plans and worked with the various departments related to the building layout and design. The Commission reviewed the amendment and held a public hearing. Several neighboring property owners spoke at the public hearing with questions and concerns specifically related to access, parking and landscaping. The plan includes connections to S. 8th Street and Prairie Lane which were required by the City in order to provide emergency services to the development. The street layout was approved several years ago.

The Plan Zoning Commission recommended approval on August 11, 2016 with the condition that a landscape plan be submitted to the Council for part of their review prior to final adoption. There will be a public hearing held on August 22nd with the Council then followed by an additional three readings.

Background: The proposed addition will include assisted living units for independent residents and memory care units.

Budget Impact: None

Attachment: Glenwood Place PUD Amendment packet

cc: Randy Wetmore, City Administrator

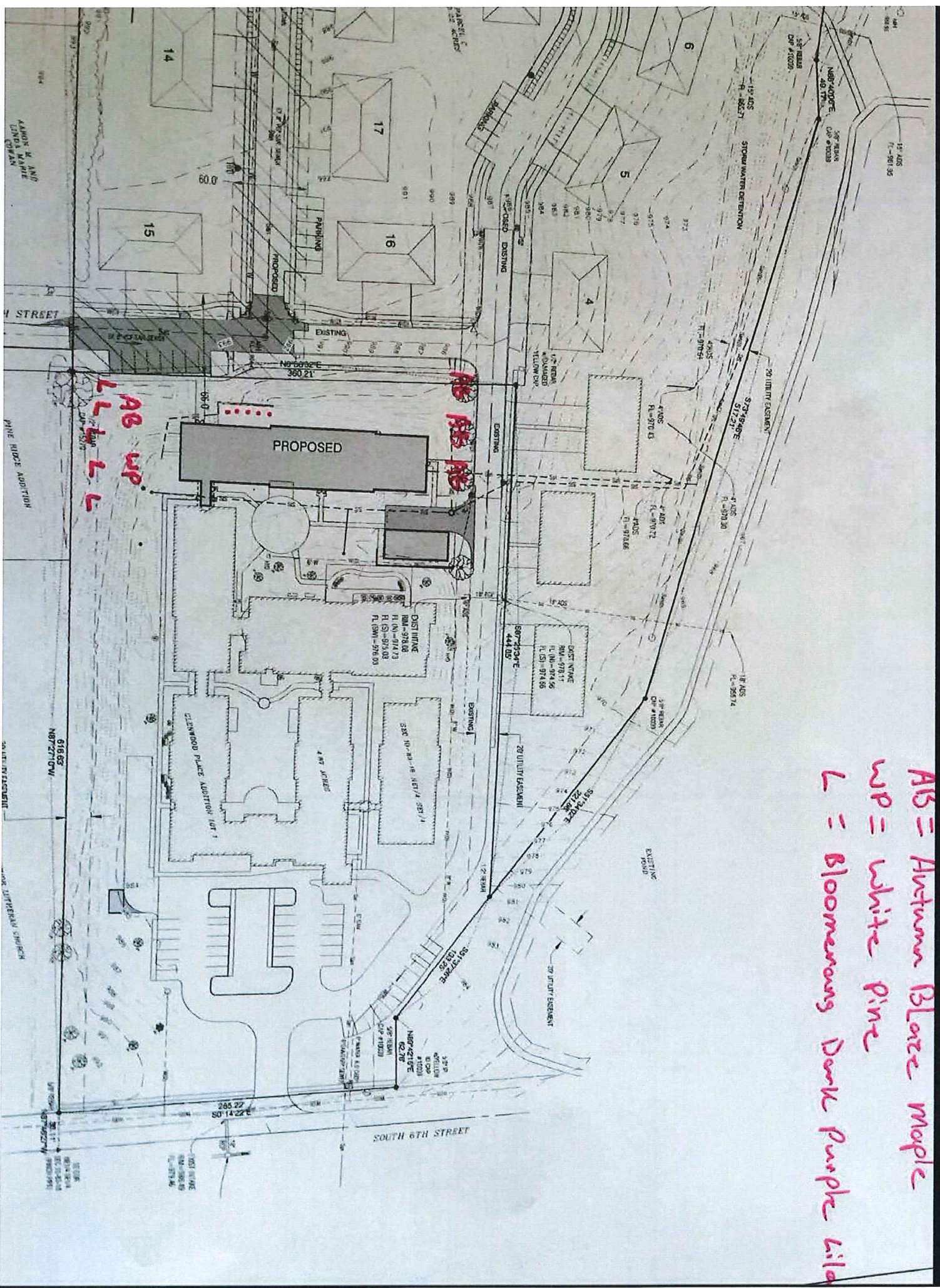
City Council
Leon Lamer, Mike Gowdy, Joel Greer, Al Hoop,
Robert Schubert, Bill Martin, Bethany Wirin

Marshalltown



2012

AB = Autumn Blaze maple
 WP = White Pine
 L = Blooming Dark Purple lila



GLENWOOD PLACE

MARSHALLTOWN, IOWA

CONCEPT PLAN

PRELIMINARY MASTERPLAN

JUNE 2016

Glenwood Place

Owner & Developer

Glenwood Place Assisted Living & Memory Care

2907 South 6th Street

Marshalltown, IA 51058

Land Surveying / Site Design

CGA Engineers, Inc.

16 East Main Street

Marshalltown, IA 50158

Introduction

This informational packet will serve as a narrative to the technical plans and plats submitted to the City of Marshalltown.

Glenwood Place is an assisted living facility in Marshalltown, Iowa.

Glenwood Place is approximately 15 acres and is comprised of a main resident area and three detached townhomes for independent living. Previously approved but not yet built are eighteen additional townhome/independent living structures.

General Project Description

Glenwood Place seeks to construct a 20 unit, two-story expansion to their main resident living complex. This increase necessitates a Planned Unit Development approval process with the City of Marshalltown. Previously approved by the city are 21 townhomes and 54 units in the main resident complex for a total of 96 units. The proposed increase would result in 116 total units, or a 20.8% increase.

Utilities and Site Grading

The project is being served by existing utilities from South 6th Street. The current and future utilities will meet City of Marshalltown and State of Iowa regulations in terms of size and placement. A retention pond serves the property and any runoff created from this project will be directed towards existing capacity.

Storm Water Detention

Runoff produced from this project will be directed to an existing detention basin located north of the site. The size and layout will meet all city of Marshalltown and State of Iowa regulations for water quality and detention.

Landscaping

No additional landscaping is planned at this time that would be visible from South 6th Street. The owner will plant new trees and common landscaping around the new building. Glenwood Place also has numerous trees and shrubbery on site at this time.

Project Phasing

Glenwood Place seeks to build a main resident living space expansion at this time. This project is independent of any previously-approved townhome construction.

Summary

This project represents a 20.8% increase in density and requires a Planned Unit Development approval through the City of Marshalltown. Nothing will change in regards to the mission of Glenwood Place nor the overall “feel” of the site. The proposed additional will increase assisted living care capacity in Marshalltown in a well-established setting.

*The layouts included in this packet represent the overall site design. More detailed sheets and plans are included in the building permit packet

Development Data

- Total Project Area: 15.09 acres
- Private Road Area: 1.17 acres
- Private Driveway Area; .73 acres
- Dwelling Unit Total Area: 2.19 acres
- Off-Street Parking Spaces:
 - 43 common area
 - 84 driveway
 - 84 enclosed garage
- Gross Density: 7.7 units/acre

PRELIMINARY. NOT FOR CONSTRUCTION.
PRINTED: 6/20/2016 10:45:55 AM



James L. Lowrance, Mayor
Randy Wetmore, 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

August 16, 2016

**To: Mayor James L. Lowrance
Members of the City Council**

From: Justin Nickel
Director of Public Works

Re: MS4 Storm Water Compliance Inspection

Policy Issue: None

Recommendation: Staff recommends compiling an employment description and seeking applicants for an erosion control inspector over the next 4-7 months.

Background: A compliance inspection of the City's Municipal Separate Storm Sewer System (MS4) was made by the Iowa DNR on July 21, 2016. The City was issued a MS4 permit by the DNR on August 19, 2011. The permit expired this month and a renewed permit was issued on August 1, 2016. The contents of the permit include a number of requirements upon which the City shall structure a storm water program. Responsible City officials are encouraged to develop a program that exceeds minimum requirements. The City of Marshalltown has a developing program that warrants more time and staff than the City has provided. The City is required to perform quarterly inspections on all active sites in their jurisdiction and to perform monthly inspections on all City owned project sites. Written inspection reports must be maintained. The engineering department is not staffed to perform these inspections at this time.

Budget Impact: A full time position for storm water inspection and water quality monitoring was included in the initial storm water utility rate enacted in 2013. That position remains part of the budget, but the position has not been filled at this time.

Attachment: Inspection report

cc: Randy Wetmore, City Administrator\

City Council
Leon Lamer, Mike Gowdy, Joel Greer, Al Hoop
Bill Martin, Robert Schubert, Bethany Wirin





STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

August 9, 2016

City of Marshalltown
1001 Woodland Ave.
Marshalltown, Iowa 50158

Subject: MS4 Storm Water Compliance Inspection
Iowa NPDES Permit No: 64-69-0-02

Dear Honorable Mayor and Council,

Enclosed is the inspection report completed by Dave Perry of the Field Office #5 staff, following his recent inspection of the municipal (MS4) Storm Water Program. The report should be self-explanatory. A summary exists at the conclusion of the report for your reference.

Please note that there were a number of deficiencies identified in city's program and it is this department's expectation that each of them will be addressed in a timely manner. Toward that end, please compile a written response to this inspection report commenting on each deficiency and indicating what the city would perceive to be a reasonable time frame to come into compliance. It will be anticipated that such a response could be submitted to this field office by September 30, 2016.

You may contact Dave Perry at: 515-725-0419 or by e-mail at: david.perry@dnr.iowa.gov with any questions or comments. Thank you for your assistance during this inspection.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Petersen".

Ted Petersen
Supervisor, Field Office #5

Encl. Inspection Report

c: DNR Records
Steve Simons, City of Marshalltown (via e-mail)
Justin Nickel, City of Marshalltown, (via e-mail)

IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL SERVICES DIVISION
Field Office #5
401 SW 7th St., Suite I, Des Moines, Iowa 50309-4611
Phone: (515) 725-0268 FAX: (515) 725-0218

REPORT OF INSPECTION

INVESTIGATION DATE	CURRENT: 7-21-2016 @ 10:00 a.m.	LAST: 1-18-2011
---------------------------	--	------------------------

TO: Steve Simons
City of Marshalltown
1001 woodland Ave.
Marshalltown, IA 50158

SUBJECT: Storm Water MS-4 Compliance Inspection
Iowa NPDES Permit No: 64-69-0-02

PERSONS CONTACTED: Steve Simons – Sewer Superintendent – 641-750-0955
Justin Nickel – Public Works Director – 641-754-5734

Introduction

A compliance inspection of the City's Municipal Separate Storm Sewer System (MS-4), was made on July 21, 2016. The scope of the inspection included a review of the NPDES Permit requirements, city records and specific discussions pertaining to the status of the city's current storm water program.

Onsite visits were made on July 22, 2016 to two NPDES General Permit #2 sites within the city's jurisdictional area. Comments pertaining to the status of those two sites compliance with G.P. #2 Permit requirements have been included in this report.

Mr. Steve Simons, Sewer Superintendent and Mr. Justin Nickel, Public Works Director, were contacted at the time of the MS-4 Inspection.

Iowa NPDES Permit

The city of Marshalltown was issued an Iowa NPDES Permit for the discharge of storm water from its Municipal Separate Storm Sewer System on August 19, 2011. The MS-4 Permit expires on August 18, 2016. An application for a new permit was received by the department on May 12, 2016 and a draft permit issued August 1, 2016. Once the draft permit becomes final, the new permit will expire on July 31, 2021.

The contents of the NPDES Permit includes a number of requirements that are intended to serve as a framework upon which the city shall structure it's program, but not be limited. Responsible city officials are encouraged to develop an MS-4 program that exceeds the minimum requirements outlined in the NPDES Permit.

Part II A. Public Education and Outreach on Storm Water Impacts

Based upon our discussions of the Public Education and Outreach component of the city's MS-4 program, it would appear as if responsible officials should re-visit or compile if necessary a written strategy that would characterize and define the specifics of this component. Included in the strategy should be measurable goals and a means by which to identify the success of the city's efforts.

The Public Education and Outreach component should be based upon a perceived need, such as a pollutant of concern, targeted audience or behavior of concern. Necessary resources should be identified and utilized for both compilation and implementation of this component.

Part II B. Public Involvement and Participation

The public involvement and participation component is one of the most challenging to get started and maintain,

since it involves interested volunteers willing to invest their time through affirmative action. This component involves public meetings, development of a storm water advisory committee and volunteer programs. Although discussions suggested there has been some progress made by the city, considerable work is warranted to maintain public involvement.

It is recommended that the city work with civic organizations, religious institutions, clubs, schools and general residents to develop and maintain active involvement. Additional measures will need to be taken by the city to develop/maintain this component.

Part II C. Illicit Discharge Detection and Elimination

The city has an illicit discharge ordinance. The ordinance reportedly includes an enforcement response plan with an escalating scale. There were a reported 10-12 illicit discharge notices issued in the last year. In accordance with the NPDES Permit (issued to the city), all illicit discharges shall be reported to the department no later than the end of the first business day after the day of the discovery. In discussion with responsible officials, Mr. Simons stated that he felt as if he has reported all illicit discharges as required. It was recommended that the city keep written records of all illicit discharges reported to the department.

A written procedure for investigating illicit discharges has not yet been developed. Responsible officials are encouraged to develop a standard operating procedure (in writing), for investigating all illicit discharges. The procedure should be reviewed each year to keep it current.

The city's storm sewer has been completely mapped and it was reported that access to that mapping is through the City Engineer's office.

Part II D. Construction Site Runoff Control

The city reportedly has an ordinance that regulated G.P. #2 sites of 1 acre or more in size. Responsible officials were not sure whether the ordinance included regulating other pollutants on construction sites such as construction wastes, trash and chemicals. Measures should be taken to review the ordinance and if necessary revise it to include the other wastes, as described.

The city also has a number of enforcement mechanisms available but uncertain whether an enforcement escalation plan exists. Responsible officials should re-evaluate the ordinance to ensure there is a written (formal) enforcement escalation plan in place.

It was understood that the City Engineers office review all pollution prevention plans for construction sites of 1 acre or more in size. However, it was not certain whether there was a formal written procedure or check list for this process. It is recommended that discussions be held with the city Engineers office to better understand their review process and ensure that a written (formal), procedure is in place.

Responsible officials are required to perform quarterly inspections of all active G.P. #2 sites in their MS-4 jurisdictional area, (monthly with city projects). This requirement has not been met and therefore warrants development of a formal inspection process. A written standard operating procedure should be developed to specifically define how the inspection process is implemented including follow-up to deficiencies identified. Written records of the quarterly inspections should be maintained on file with the city for review.

Additional records will also need to be tracked including the number of inspections conducted, types and numbers of enforcement actions taken and measurement of program effectiveness.

Part II E. Post Construction Storm Water Management

The city reportedly has an ordinance to require post construction storm water best management practices (BMP's). The threshold for coverage is reportedly, one acre. Responsible officials should review the ordinance to determine whether it specifies minimum post construction site BMP's. In addition, a written procedure should also

compliment the ordinance by defining procedures whereby inspections and tracking of the status of BMP's exists for both municipal and private post construction sites.

Procedures should also be in place to ensure the city is providing technical guidance to developers on specific selection criteria as well as O & M requirements.

Part II F. Pollution Prevention/House Keeping

The city is required to properly operate and maintain their MS-4. How that is accomplished, should be defined and described in the comprehensive storm water plan. Included in this portion of the plan would be how the city regulates pesticide and fertilizer application, BMP's at city installations and street sweepings, just to name a few. It is also important that the city define how they intend to effectively measure success.

Part III. Reporting Requirements

The city of Marshalltown is required to compile and submit an annual report to this department by March 3, of each year. The city had fallen behind in submittal of those reports over the last couple of years. However, Mr. Simons has compiled all back reports and submitted them to the department.

After a cursory review of the most recent annual report received, it appears to have the following deficiencies:

- There is no comprehensive storm water management plan.
- Measurable goals need to be identified.
- Water Quality trends were not identified.
- More emphasis could be placed on program effectiveness
- More clearly define an outreach strategy, with targeted audiences and educational activities.
- Attendance at public involvement activities and volunteer programs.
- Number of events and amount of waste collected from house hold hazardous events
- Amount of pollutants entering the MS-4 and receiving waters with water quality analysis data summarized.

Site Visits

Onsite visits were made to observe the following G.P. #2 sites:

2408 Eagle Ridge Dr. (NPDES Permit No: 28347-28093)

This site was observed to have insufficient sediment controls (BMP's); improperly installed BMP's; sediment in the streets and construction / solid waste improperly disposed. However, I was unable to document a water quality violation, which is significant. Never the less the site owners/permittees are still required to comply with all NPDES General Permit # 2 requirements. The city is mandated through their MS-4 permit to require all G.P. #2 facilities within their jurisdictional area to comply.

1309 Industrial Blvd. (NPDES Permit No: 28383-28142)

This facility was at their final stage of construction with the grounds graded and hydro-seeded. There was some sediment in the street and evidence to suggest that a filter sock was used to collect sediment at the inlet to a storm drain, as sediment was accumulated behind the BMP. Please be aware that the department does not consider the street to be the best place to collect sediment. The place to retain sediment is on the disturbed grounds.

One sock was observed to be damaged and sticking out of the inlet to the storm drain. Please be aware that when the BMP's are damaged and no longer function properly in some instances they become part of the problem rather than the solution.

Conclusion

The city of Marshalltown has a developing storm water program that warrants more time and staff than the city has provided. Measures will need to be taken to address the following deficiencies:

Revisit or compile a Strategic Comprehensive Storm Water Plan and review the document annually.

Identify measurable goals for each component of the program. Develop a means whereby goals can be measured.

Work collectively with the regulated public and residents to educate them on the city's storm water program.

Keep written records of all reported illicit discharges reported to the department.

Develop standard operating procedures for implementing each component of the program.

Develop tracking mechanisms for each measurable component.

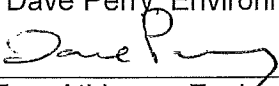
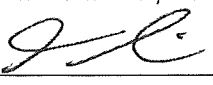
Ensure pollution prevention plans are thoroughly reviewed and implemented.

Inspect both private and city owned construction sites and exercise enforcement mechanisms when encountered.

Review post construction ordinance and develop and implement written procedures for inspecting and tracking compliance on both private and municipal post construction BMP's.

Develop written procedures for pollution prevention / housekeeping for all municipal facilities.

Ensure annual reports are thoroughly submitted to the department as required.

AUTHENTICATION	
INSPECTOR: Dave Perry, Environmental Specialist Sr. 	DATE: 8-9-2016
REVIEWER: Tom Atkinson, Environmental Specialist Sr. 	DATE: 8/9/16



James L. Lowrance, Mayor
Randy Wetmore, Administrator
Diana Steiner, Finance Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5760
Fax - (641) 754-5781

FINANCE DEPARTMENT

Aug 18, 2016

**To: Mayor James L. Lowrance
Members of the City Council**

From: Finance Department

Re: Preliminary June 2016 Monthly Financial Statements

Policy Issue: N/A

Recommendation: Staff recommends approving the preliminary June 2016 monthly financial statements.

Background: The Finance department has prepared and reconciled the preliminary June 2016 financial statements for your review. All functions came in under budget at the close of the fiscal year. A specific review of the general fund (101) shows an ending cash balance of 1,024,717. The amended budget estimate was 510,833.

Budget Impact: N/A

Attachment: Preliminary June 2016 FS

cc: Randy Wetmore, City Administrator

City Council
Leon Lamer, Mike Gowdy, Joel Greer, Al Hoop
Bill Martin, Robert Schubert, Bethany Wirin



CITY OF MARSHALLTOWN
MONTHLY BALANCE SHEET
FOR THE MAYOR AND CITY COUNCIL
As of June 30, 20161
08/17/16
09:32:23

PRELIMINARY

FUND NUMBER & NAME	DESCRIPTION	---ASSETS---		LIABILITIES & NET ASSETS	NET (INCOME) / EXPENSE
		CASH AND INVESTMENTS	ACCOUNTS RECEIVABLE		
101 - GENERAL		1,024,716.95	397,222.10	<1,622,030.41>	200,091.36
150 - CAPITAL RESERVE FUND		158,390.73	.00	<157,973.65>	<417.08>
151 - CASH FLOW RESERVE FUND		1,838,544.63	.00	<1,832,069.64>	<6,474.99>
152 - COLISEUM ACTIVITY		10,856.67	.00	<25,755.19>	14,898.52
153 - BLDG MAINT FUND		460,988.74	.00	<479,721.78>	18,733.04
201 - GRANTS FRM STATE AGENCY		3,754.34	.00	<3,742.98>	<11.36>
204 - HERSHEY RECREATION		7,011.71	.00	<7,199.96>	188.25
206 - ROAD USE TAX		3,345,689.53	.00	<2,360,097.78>	<985,591.75>
218 - COPS FAST GRANT		<5,630.72>	.00	3,550.00	2,080.72
219 - DEPT OF JUSTICE GRANTS		<344.68>	1,080.00	4,107.35	<4,842.67>
220 - POLICE UNDESNTD GRANTS		2,542.28	12,067.55	<2,994.59>	<11,615.24>
221 - EMPLOYEE BENEFIT FUND		1,930,089.78	.00	<1,781,247.69>	<148,842.09>
223 - POLICE/FIRE RETIREMENT		452,390.42	.00	<363,156.10>	<89,234.32>
230 - POLICE DONATION FUND		39,984.73	.00	<32,540.19>	<7,444.54>
233 - SOFTBALL ASSOCIATION		34,460.87	.00	<38,887.48>	4,426.61
235 - FIRE DEPT DONATION FUND		2,833.66	.00	<3,379.15>	545.49
236 - M* TOWN TENNIS ASSOC		1,656.12	.00	<1,820.11>	163.99
238 - CITY TORT LIABILITY		133,712.77	177.80	<127,458.74>	<6,431.83>
242 - LIBRARY DONATION FUND		60,429.07	.00	<68,097.06>	7,667.99
246 - SEIZED ASSETS FUND		25,381.03	.00	<33,063.27>	7,682.24
247 - P & R DONATION FUND		60,419.72	.00	<50,880.86>	<9,538.86>
248 - ECONOMIC DEVELOPMENT		49,114.14	.00	<48,964.52>	<149.62>
249 - SUBDIVIDER ESCROW		10,246.44	.00	<10,215.26>	<31.18>
250 - TAX INCREMNT FINANCING		760,217.85	.00	<227,900.97>	<532,316.88>
271 - HOUSING GRANTS		36,179.04	.00	<35,992.28>	<186.76>
276 - LEAD GRANT #4		<2,982.89>	1,043.95	86,239.80	<84,300.86>
277 - HUD EDI GRANTS		<10,595.20>	.00	9,016.50	1,578.70
278 - LOW RENT VOUCHER PROGRAM		75,244.52	96,068.80	<205,980.92>	34,667.60
281 - CBDG NSP HSG		<99,532.18>	.00	92,033.16	7,499.02
282 - HUD LEAD MATCH		40,262.42	.00	<40,262.42>	.00
283 - LEAD GRANT #5		<54,775.65>	.00	26,567.85	1,059.60
290 - E911 SURCHARGE		297,764.04	27,148.20	<291,919.60>	<5,844.44>
291 - LOCAL OPTION SALES TAX		3,173,437.13	.00	<2,470,384.26>	<703,052.87>
311 - GO BONDS DEBT FUND		82,335.27	.00	<22,040.74>	<60,294.53>
401 - BIKE PATH - PHASE II		66,941.44	.00	<97,727.04>	30,785.60
416 - FEDERAL STREET GRANTS		<31,418.16>	.00	18,437.11	12,981.05
417 - RISE STREET GRANTS		<172,385.37>	.00	.00	172,385.37
450 - CIP COLLECTION FUND		689,631.06	.00	<539,457.38>	<150,173.68>
460 - AIRPORT PROJECT		<80,880.44>	.00	<423.04>	81,303.48
462 - SPEC ASSMNT PROJECTS		<60,269.95>	49,240.50	27,614.45	<16,585.00>
471 - POLICE AND FIRE BUILD		<14,947.52>	.00	<109,429.67>	124,377.19
473 - 2014 GO BONDS		942,149.74	.00	<1,996,772.64>	1,054,622.90
477 - TREES FOREVER PROJECT		2,424.50	.00	<3,415.42>	990.92
478 - 2015 GO BONDS		1,994,239.70	.00	.00	<1,994,239.70>
489 - CAPITAL STREET PROJECTS		.00	.00	<178,440.15>	178,440.15
490 - GO BOND CAPITAL PRJS		6,804.00	3,690.00	<7,367.00>	<3,127.00>

CITY OF MARSHALLTOWN
MONTHLY BALANCE SHEET
FOR THE MAYOR AND CITY COUNCIL
As of June 30, 2016

2

08/17/16
09:32:23

PRELIMINARY

DESCRIPTION	--ASSETS--		LIABILITIES & NET ASSETS	NET (INCOME) / EXPENSE
	CASH AND INVESTMENTS	ACCOUNTS RECEIVABLE		
491 - TIF DISTRICT 11 CAP PRJ	<773,177.90>	.00	444,707.26	328,470.64
492 - TIF DISTRICT 3 CAP PRJS	7,813.61	.00	<7,798.45>	<15.16>
494 - PUBLIC WORKS FACILITY	1,259.74	.00	<17,741.30>	16,481.56
510 - STORM SEWER	1,061,896.13	41,004.00	<12,796,456.89>	<556,778.64>
520 - WPCP OPERATING FUND	200.00	.00	<30,622,657.81>	<4,564.11>
521 - WPCP REV FUND	7,218,187.33	516,439.19	<7,179,646.93>	<554,979.59>
522 - WPCP SEW REV FUND	5,183,134.08	.00	.00	<5,183,134.08>
526 - WPCP CAP IMPR RESERVE	1,002,021.95	.00	<1,134,665.04>	132,643.09
528 - SANITARY SEWER REHAB	7,941.30	.00	<574,472.41>	566,531.11
529 - SEWER NEW CONSTRUCTION	30,923.61	.00	<12,800.00>	<18,123.61>
530 - COMPOSTING	173,069.15	1,029.93	<249,714.43>	<8,657.23>
540 - P&R CONCESSIONS	16,764.40	.00	<25,949.09>	9,184.69
550 - TRANSIT OPERATING	189,972.36	.00	<1,739,557.67>	274.89
681 - OCCUP INSUR ESCROW	113,918.57	.00	<146,858.03>	32,939.46
684 - GRP HEALTH INS ESCROW	2,557,654.32	28,812.37	<2,776,313.00>	189,846.31
686 - W.C. DEDUCTIBLE	37,584.54	.00	<37,545.61>	<38.93>
844 - SALES TAX	3,057.26	.00	<3,057.26>	.00
870 - SURETY BONDS/DEPOSITS	1,246.95	.00	<1,246.95>	.00
871 - IA STATE SLEUTH	14,909.08	.00	<14,909.08>	.00
991 - CAPITAL ASSET FUND	.00	.00	<45,874,543.15>	.00
999 - PAYROLL LIABILITY ACCTS	238,479.46	.00	<238,479.46>	.00
GRAND TOTAL	34,373,938.22	1,175,024.39	<118,020,949.02>	<7,913,497.06>

83410 CITY OF MARSHALLTOWN 1
 COUNCIL INVESTMENT BALANCES 08/17/16
 INV_LOCFND By Location & Fund 13:38:23
 Enter Information to Graph for Council
 As of June 30, 2016

DESCRIPTION	INVESTMNTS
0212.000 FRMS SAVINGS BANK SVGS 00999 CITY-MARSHALLTWN POOLED CASH	.27 2,002,244.61
0212.000 FRMS SAVINGS BANK SVGS	2,002,244.61
0213.000 CENTRAL STATE BNK MONEY MARKET	.40 4,002,806.02
0213.000 CENTRAL STATE BNK MONEY MARKET	4,002,806.02
0215.000 IPAIT MONEY MARKET 00478 2015 GO BONDS 00031134 2015B GO BONDS - STREET, DIP/DANG BUIL 00522 (D) WPCP REVENUE BOND FUND 00059007 2015 SEWER REVENUE BONDS	.044 2,094,727.47 .044 2,000,585.41
0215.000 IPAIT MONEY MARKET	4,095,312.88
0216.000 GREAT WESTERN BANK MM 00999 CITY-MARSHALLTWN POOLED CASH	.25 4,556,981.93
0216.000 GREAT WESTERN BANK MM	4,556,981.93
0247.000 FRMRS SVGS BK CD (91-365) 00522 (D) WPCP REVENUE BOND FUND 00059007 2015 SEWER REVENUE BONDS	.44 1,002,896.82
0247.000 FRMRS SVGS BK CD (91-365)	1,002,896.82
0248.000 HOME FEDERAL CD (91-365DY 00059007 2015 SEWER REVENUE BONDS	.45 2,001,869.96
0248.000 HOME FEDERAL CD (91-365DY	2,001,869.96
0261.000 USBANK CD (> 1 YR) 00999 CITY-MARSHALLTWN POOLED CASH	.75 1,000,000.00
0261.000 USBANK CD (> 1 YR)	1,000,000.00
0265.000 IPAIT CD (> 1 YR) 00521 WPCP REVENUE 00684 GROUP HEALTH INSURANCE ESCROW	.43 1,000,000.00 .84 1,000,000.00

PRELIMINARY

83410
COUNCIL
INV_LOCFND

CITY OF MARSHALLTOWN
INVESTMENT BALANCES
By Location & Fund

2
08/17/16
13:38:23

Enter Information to Graph for Council
As of June 30, 2016

DESCRIPTION	INVESTMENTS
0265.000 IPAIT CD (> 1 YR)	
00684 GROUP HEALTH INSURANCE ESCROW	
0265.000 IPAIT CD (> 1 YR)	2,000,000.00
89099012 LOST - Storm Sewer/Street Improvements	.45 1,002,268.49
0266.000 CENTRAL STATE BANK CD (> 1 YR)	1,002,268.49
0267.000 FARMERS CD (> 1 YR)	
00151 CASH FLOW RESERVE FUND	
00999 CITY-MARSHALLTWN POOLED CASH	.89 1,003,932.60
	.52 1,000,000.00
0267.000 FRMRS SVGS BANK CD (GRT 1YR)	2,003,932.60
0268.000 PINNACLE CD (> 1 YR)	
00684 GROUP HEALTH INSURANCE ESCROW	
	.58 1,000,000.00
0268.000 PINNACLE CD (> 1 YR)	1,000,000.00
0273.000 IPAIT GOV SEC(> 1 YR)	
00521 WPCP REVENUE	
	.41 1,005,004.00
0273.000 IPAIT GOV SEC(> 1 YR)	1,005,004.00
	25,673,317.31

PRELIMINARY

CITY OF MARSHALLTOWN
BUDGET REPORT BY CATEGORY
EXCLUDES NON-BUDGETED FUNDS 681-686,
801-878 and 999
For the Twelve Months Ending June 30, 2016

DESCRIPTION	THIS MONTH ACTUAL	AMENDED BUDGET	Y-T-D ACTUAL	REMAINING BUDGET	% USED
REVENUES					
4010 PROPERTY TAXES	157,713.38	10,329,114	9,539,123.51	789,990.49	7.65 %
4090 TIF TAXES	23,532.35	1,408,940	1,287,160.09	121,779.91	8.64 %
4100 OTHER CITY TAXES	706,176.66	4,902,498	5,537,458.67	<634,960.67>	12.95-%
4200 LICENSES & PERMITS	25,310.84	245,125	294,828.54	<49,703.54>	20.28-%
4600 USE OF MONEY & PROPERTY	12,019.76	146,642	215,285.36	<68,643.36>	46.81-%
4300 INTERGOVERNMENTAL REVENUE	697,825.71	9,299,064	8,223,653.09	1,075,410.91	11.56 %
4400 CHARGES FOR SERVICES	661,891.05	7,613,184	8,290,239.48	<677,055.48>	8.89-%
4500 FINES & FORFEITURES	11,130.68	126,500	118,189.94	8,310.06	6.57 %
4700 SPECIAL ASSESSMENTS	116.00	26,678	12,999.00	13,679.00	51.27 %
4800 MISCELLANEOUS REVENUES	53,871.91	750,320	895,131.83	<144,811.83>	19.30-%
4900 OTHER FINANCING SOURCES	400.00	8,094,422	8,094,821.75	<399.75>	.00 %
**TOTAL REVENUES	2,349,988.34	42,942,487	42,508,891.26	433,595.74	1.01 %

PRELIMINARY

EXPENDITURES
PUBLIC SAFETY

5005 SALARIES	627,264.30	5,670,697	5,593,870.11	76,826.89	98.65 %
5100 BENEFITS	247,250.46	2,621,421	2,496,558.65	124,862.35	95.24 %
5205 OPERATING	45,294.42	892,508	810,527.79	81,980.21	90.81 %
5700 CAPITAL OUTLAY	10,835.65	613,189	514,803.41	98,385.59	83.96 %
**TOTAL PUBLIC SAFETY	930,644.83	9,797,815	9,415,759.96	382,055.04	96.10 %

PUBLIC WORKS

5005 SALARIES	113,232.21	1,099,083	1,076,271.19	22,811.81	97.92 %
5100 BENEFITS	40,016.57	506,312	443,635.01	62,676.99	87.62 %
5205 OPERATING	141,734.12	2,559,260	1,266,173.03	1,293,086.97	49.47 %
5700 CAPITAL OUTLAY	4,400.16	789,820	631,275.20	158,544.80	79.93 %
5800 DEBT SERVICE	.00	0	187.50	<187.50>	.00 %
**TOTAL PUBLIC WORKS	299,383.06	4,954,475	3,417,541.93	1,536,933.07	68.98 %

HEALTH AND SOCIAL SERVICES

5005 SALARIES	53,317.12	492,860	486,122.06	6,737.94	98.63 %
5100 BENEFITS	13,602.04	152,243	141,991.45	10,251.55	93.27 %
5205 OPERATING	54,843.90	1,029,332	744,073.67	285,258.33	72.29 %
5700 CAPITAL OUTLAY	.00	150	25.96	124.04	17.31 %
5865 OTHER EXPENDITURES	2,293.00	0	5,973.00	<5,973.00>	.00 %

For the Twelve Months Ending June 30, 2016

DESCRIPTION	THIS MONTH ACTUAL	AMENDED BUDGET	Y-T-D ACTUAL	REMAINING BUDGET	% USED
**TOTAL HEALTH & SOCIAL SERVS	124,056.06	1,674,585	1,378,186.14	296,398.86	82.30 %
CULTURE AND RECREATION					
5005 SALARIES	146,632.19	1,280,499	1,170,282.84	110,216.16	91.39 %
5100 BENEFITS	37,467.57	413,465	359,881.65	53,583.35	87.04 %
5205 OPERATING	152,382.71	1,164,216	1,005,530.95	158,685.05	86.37 %
5700 CAPITAL OUTLAY	5,219.79	217,906	162,196.63	55,709.37	74.43 %
5865 OTHER EXPENDITURES	.00	0	101.03	<101.03>	.00 %
**TOTAL CULTURE & RECREATION	341,702.26	3,076,086	2,697,993.10	378,092.90	87.71 %
COMMUNITY & ECONOMIC DEVELMNT					
5005 SALARIES	19,423.89	128,005	177,885.42	<49,880.42>	138.97 %
5100 BENEFITS	4,518.01	44,559	56,574.23	<12,015.23>	126.96 %
5205 OPERATING	114,903.96	1,463,695	1,196,807.95	266,887.05	81.77 %
5700 CAPITAL OUTLAY	.00	2,000	.00	2,000.00	.00 %
5800 DEBT SERVICE PAYMENTS	.00	0	62.50	<62.50>	.00 %
**TOTAL COMM & ECONOMIC DV	138,845.86	1,638,259	1,431,330.10	206,928.90	87.37 %
GENERAL GOVERNMENT					
5005 SALARIES	62,706.44	644,048	577,505.10	66,542.90	89.67 %
5100 BENEFITS	22,774.62	262,783	246,190.04	16,592.96	93.69 %
5205 OPERATING	28,134.88	452,479	368,133.05	84,345.95	81.36 %
5700 CAPITAL OUTLAY	24,657.44	161,100	64,520.39	96,579.61	40.05 %
5865 OTHER EXPENDITURES	10.66	1,348	1,440.94	<92.94>	106.89 %
**TOTAL GENERAL GOVERNMENT	138,284.04	1,521,758	1,257,789.52	263,968.48	82.65 %
ENTERPRISES					
5005 SALARIES	196,090.25	1,639,778	1,685,022.99	<45,244.99>	102.76 %
5100 BENEFITS	59,772.83	628,711	566,015.42	62,695.58	90.03 %
5205 OPERATING	193,220.64	2,519,138	3,711,494.23	<1,192,356.23>	147.33 %
5700 CAPITAL OUTLAY	29,925.84	4,414,700	200,909.12	4,213,790.88	4.55 %
5800 DEBT SERVICE PAYMENTS	8,707.57	2,491,490	2,490,768.59	721.41	99.97 %
5865 OTHER EXPENDITURES	285.75	4,000	2,268.58	1,731.42	56.71 %
**TOTAL ENTERPRISES	488,002.88	11,697,817	8,656,478.93	3,041,338.07	74.00 %
5000 **DEBT SERVICE	.00	3,491,284	3,491,017.95	266.05	99.99 %

PRELIMINARY

83500
COUNCIL
CNCL REVEX

CITY OF MARSHALLTOWN
BUDGET REPORT BY CATEGORY
EXCLUDES NON-BUDGETED FUNDS 681-686,
801-878 and 999
For the Twelve Months Ending June 30, 2016

3
08/17/16
09:26:59

DESCRIPTION	THIS MONTH ACTUAL	AMENDED BUDGET	Y-T-D ACTUAL	REMAINING BUDGET	% USED
5000 **CAPITAL PROJECTS	530,190.27	3,158,917	2,626,549.73	532,367.27	83.15 %
***TOTAL EXPENDITURES	2,991,109.26	41,010,996	34,372,647.36	6,638,348.64	83.81 %
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	<641,120.92>	1,931,491	8,136,243.90	<6,204,752.90>	421.24-%

PRELIMINARY

CITY OF MARSHALLTOWN
BUDGET REPORT BY PROGRAM/DEPARTMENT
EXCLUDES NON-BUDGETED FUNDS 681-686, 801
844, 999
For the Twelve Months Ending June 30, 2016

DESCRIPTION	PERSONAL SERVICES	OPERATING	CAPITAL OUTLAY	DEBT/OTHER COSTS	TOTAL EXPENSES	BUDGET AMNDMNT	% USED
2015							
100 PUBLIC SAFETY							
110 Police Administratio	4,447,495	372,136	178,557	0	4,998,188	5,197,996	96.16 %
113 Police Dispatch	888,350	183,431	83,863	0	1,155,644	1,353,702	85.37 %
140 Fire Protection	2,629,171	76,117	252,384	0	2,957,672	2,925,519	101.10 %
141 Fire Training Divisi	125,413	7,023	0	0	132,436	138,124	95.88 %
142 Fire Prevention Bure	0	3,902	0	0	3,902	4,500	86.71 %
170 Civil Defense	0	29,914	0	0	29,914	29,580	101.13 %
180 Flood Control	0	90,005	0	0	90,005	100,394	89.65 %
240 Animal Control	0	48,000	0	0	48,000	48,000	100.00 %
100 PUBLIC SAFETY	8,090,429	810,528	514,804	0	9,415,761	9,797,815	96.10 %
200 PUBLIC WORKS							
120 Traffic Safety	135,457	38,256	0	0	173,713	201,158	86.36 %
160 Street Lighting	22,174	217,943	0	0	240,117	250,972	95.67 %
540 Solid Waste	0	113,307	0	0	113,307	114,063	99.34 %
710 Street Maintenance	844,715	436,692	326,832	188	1,608,427	2,407,520	66.81 %
711 Street Cleaning	0	6,607	160,720	0	167,327	7,500	2,231.03 %
712 Snow Removal	89,672	160,649	132,166	0	382,487	251,298	152.20 %
740 Sidewalks	0	89,326	0	0	89,326	55,000	162.41 %
750 Street Construction	0	80,602	0	0	80,602	1,004,200	8.03 %
760 Engineering	384,721	34,277	11,557	0	430,555	485,737	88.64 %
770 Airport	0	81,088	0	0	81,088	116,910	69.36 %
790 Parking System	43,167	7,426	0	0	50,593	60,117	84.16 %
200 PUBLIC WORKS	1,519,906	1,266,173	631,275	188	3,417,542	4,954,475	68.98 %
300 HEALTH AND SOCIAL SER							
210 Community Health	277,573	680,508	0	0	958,081	1,168,779	81.97 %
480 Senior Citizens Prog	0	33,012	0	0	33,012	97,732	33.78 %
550 Electrical Inspectio	66,536	838	26	0	67,400	76,174	88.48 %
560 Building Inspection	180,403	4,427	0	0	184,830	188,728	97.93 %
561 Rental Inspection	103,601	13,484	0	5,973	123,058	99,877	123.21 %
581 Nuisance Cleanup	0	11,804	0	0	11,804	43,295	27.26 %
300 HEALTH AND SOCIAL SER	628,113	744,073	26	5,973	1,378,185	1,674,585	82.30 %
400 CULTURE AND RECREATIO							
310 Library	756,526	163,687	133,901	101	1,054,215	1,074,046	98.15 %
330 City Band	6,253	441	0	0	6,694	9,688	69.10 %
340 Fisher Community Cen	0	76,760	0	0	76,760	76,760	100.00 %
410 Parks	483,778	174,669	28,116	0	686,563	888,305	77.29 %
420 Recreation	40,398	33,730	0	0	74,128	172,400	43.00 %
421 Playgrounds/School	154,447	26,654	0	0	181,101	189,440	95.60 %
440 Swimming Pools	33,411	145,141	0	0	178,552	215,301	82.93 %
451 Coliseum	18,432	21,865	180	0	40,477	53,476	75.69 %
460 Convention & Tourism	0	349,892	0	0	349,892	345,050	101.40 %
545 Cable TV	36,919	12,691	0	0	49,610	51,620	96.11 %

PRELIMINARY

CITY OF MARSHALLTOWN
BUDGET REPORT BY PROGRAM/DEPARTMENT
EXCLUDES NON-BUDGETED FUNDS 681-686, 801
844, 999
For the Twelve Months Ending June 30, 2016

DESCRIPTION	PERSONAL SERVICES	OPERATING	CAPITAL OUTLAY	DEBT/OTHER COSTS	TOTAL EXPENSES	BUDGET AMNDMNT	% USED
400 CULTURE AND RECREATIO							
400 CULTURE AND RECREATIO	1,530,164	1,005,530	162,197	101	2,697,992	3,076,086	87.71 %
580 Community Beautifica	5,953	10,726	0	0	16,679	21,914	76.11 %
581 Nuisance Cleanup	0	15,743	0	63	15,806	255,326	6.19 %
660 Economic Development	0	116,441	0	0	116,441	122,882	94.76 %
690 Housing	173,595	1,039,914	0	0	1,213,509	1,189,913	101.98 %
715 Tree Removal/Maint	10,522	0	0	0	10,522	0	.00 %
870 Planning & Zoning	44,390	13,984	0	0	58,374	48,224	121.05 %
500 COMMUNITY AND ECONOMI	234,460	1,196,808	0	63	1,431,331	1,638,259	87.37 %
600 GENERAL GOVERNMENT							
810 City Council	23,991	480	0	0	24,471	25,407	96.32 %
820 Technical Services	108,609	3,969	0	0	112,578	115,622	97.37 %
830 Mayor	8,608	937	0	0	9,545	13,867	68.83 %
831 City Administrator	123,527	2,716	0	0	126,243	132,532	95.25 %
840 City Clerk	93,379	29,981	5,620	<2>	128,978	148,186	87.04 %
850 Finance	425,727	92,683	46,210	441	565,061	706,387	79.99 %
860 Legal	0	95,181	0	0	95,181	90,000	105.76 %
880 City Hall	12,086	55,898	0	0	67,984	78,880	86.19 %
889 Elections	0	7,779	0	0	7,779	7,779	100.00 %
890 General Government	4,867	10,422	0	1,002	16,291	34,454	47.28 %
891 Data Processing	22,900	68,086	12,690	0	103,676	168,644	61.48 %
600 GENERAL GOVERNMENT	823,694	368,132	64,520	1,441	1,257,787	1,521,758	82.65 %
700 BUSINESS TYPE							
430 Pool Concessions	18,804	20,420	200	0	39,424	42,656	92.42 %
440 Swimming Pools	0	10,520	0	0	10,520	0	.00 %
520 Sewage Treatment	1,165,740	1,409,323	116,340	658,288	3,349,691	7,983,256	41.96 %
531 Storm Sewer - WPCP	237,336	82,315	25,992	444	346,087	545,765	63.41 %
532 Dike Maintenance	16,241	11,675	0	0	27,916	42,643	65.46 %
540 Solid Waste	55,075	10,240	0	100	65,415	52,008	125.78 %
590 Sanitary Sewers	315,112	1,973,631	47,441	1,834,205	4,170,389	2,275,985	183.23 %
780 Bus	442,732	193,370	10,936	0	647,038	755,504	85.64 %
700 BUSINESS TYPE	2,251,040	3,711,494	200,909	2,493,037	8,656,480	11,697,817	74.00 %
800 DEBT SERVICE							
990 Intragovernmental Se	0	0	0	3,491,018	3,491,018	3,491,284	99.99 %
800 DEBT SERVICE	0	0	0	3,491,018	3,491,018	3,491,284	99.99 %
900 CAPITAL PROJECTS	0	10,167	0	0	10,167	17,741	57.31 %

PRELIMINARY

CITY OF MARSHALLTOWN
BUDGET REPORT BY PROGRAM/DEPARTMENT
EXCLUDES NON-BUDGETED FUNDS 681-686, 801
844, 999
For the Twelve Months Ending June 30, 2016

DESCRIPTION	PERSONAL SERVICES	OPERATING	CAPITAL OUTLAY	DEBT/OTHER COSTS	TOTAL EXPENSES	BUDGET AMNDMNT	% USED
110 Police Administratio	0	114,314	10,000	0	124,314	85,000	146.25 %
140 Fire Protection	0	271	0	0	271	0	.00 %
410 Parks	0	67,034	0	0	67,034	130,656	51.31 %
530 Storm Sewer - Engine	0	377,808	911	0	378,719	550,000	68.86 %
580 Community Beautifica	0	3,402	799	0	4,201	3,000	140.03 %
710 Street Maintenance	0	1,174,868	0	0	1,174,868	1,146,591	102.47 %
740 Sidewalks	0	0	0	0	0	50,000	.00 %
750 Street Construction	0	754,516	0	0	754,516	796,881	94.68 %
770 Airport	0	106,114	0	0	106,114	379,048	27.99 %
990 Intragovernmental Se	0	0	6,346	0	6,346	0	.00 %
900 CAPITAL PROJECTS	0	2,608,494	18,056	0	2,626,550	3,158,917	83.15 %
2015	15,077,806	11,711,232	1,591,787	5,991,821	34,372,646	41,010,996	83.81 %

PRELIMINARY

For the Period Ending June 30, 2016

DESCRIPTION	REVENUE	EXPENSES
101 - GENERAL	482,605	1,538,339
150 - CAPITAL RESERVE FUND	56	30,271
151 - CASH FLOW RESERVE FUND	1,561	0
152 - COLISEUM ACTIVITY	62	1,898
153 - BLDG MAINT FUND	162	0
201 - GRANTS FRM STATE AGENCY	1	0
204 - HERSHEY RECREATION	2,001	2,171
205 - EMERGENCY FUND	2,857	0
206 - ROAD USE TAX	305,269	95,134
218 - COPS FAST GRANT	3,620	5,635
219 - DEPT OF JUSTICE GRANTS	0	743
220 - POLICE UNDESIGNTD GRANTS	8,547	654
221 - EMPLOYEE BENEFIT FUND	3,053	0
223 - POLICE/FIRE RETIREMENT	16,190	2,187
230 - POLICE DONATION FUND	514	727
233 - SOFTBALL ASSOCIATION	11,453	19,677
235 - FIRE DEPT DONATION FUND	13	0
236 - M/TOWN TENNIS ASSOC	1	0
238 - CITY TORT LIABILITY	8,056	728
240 - FIRE DEPT GRANTS	0	0
242 - LIBRARY DONATION FUND	193	3,218
246 - SEIZED ASSETS FUND	24	0
247 - P & R DONATION FUND	4,327	1,200
248 - ECONOMIC DEVELOPMENT	17	0
249 - SUBDIVIDER ESCROW	4	0
250 - TAX INCREMNT FINANCING	23,800	6,000
271 - HOUSING GRANTS	28	0
276 - LEAD GRANT #4	0	12,250
277 - HUD EDI GRANTS	0	240
278 - LOW RENT VOUCHER PROGRM	122,705	120,131
281 - CDBG NSP HSNG	0	711
282 - HUD LEAD MATCH	0	0
283 - LEAD GRANT #5	181,105	68,212
290 - E911 SURCHARGE	180	17,697
291 - LOCAL OPTION SALES TAX	578,467	171,842
311 - GO BONDS DEBT FUND	38,118	0
401 - BIKE PATH - PHASE II	24	9,220
416 - FEDERAL STREET GRANTS	0	14,138
417 - RISE STREET GRANTS	0	0
450 - CIP COLLECTION FUND	6,823	0
460 - AIRPORT PROJECT	0	4,851
462 - SPEC ASSMNT PROJECTS	204	0
471 - POLICE AND FIRE BUILD	0	38,981
473 - 2014 GO BONDS	332	13,182
477 - TREES FOREVER PROJECT	2	0
478 - 2015 GO BONDS	62	47,886
484 - 2013 BOND PROJECTS	0	0
489 - CAPITAL STREET PROJECTS	0	0
490 - GO BOND CAPITAL PRJS	0	150
491 - TIF DISTRICT II CAP PRJ	0	277,728
492 - TIF DISTRICT 3 CAP PRJS	3	4,555

PRELIMINARY

DESCRIPTION	REVENUE	EXPENSES
494 - PUBLIC WORKS FACILITY	0	4,955
510 - STORM SEWER	87,085	61,195
520 - WPCP OPERATING FUND	0	293,998
521 - WPCP REVENUE FUND	407,493	0
522 - WPCP SEW REV FUND	447	0
526 - WPCP CAP IMPR RESERVE	353	0
527 - WPCP PLANT IMPR	0	0
528 - SANITARY SEWER REHAB	3	46,624
529 - SEWER NEW CONSTRUCTION	0	0
530 - COMPOSTING	9,327	7,900
540 - P&R CONCESSIONS	21,345	15,542
550 - TRANSIT OPERATING	21,497	62,744
681 - OCCUP INSUR ESCROW	40	3,039
684 - GRP HEALTH INS ESCROW	229,251	330,456
686 - W.C. DEDUCTIBLE	13	0
801 - POLICE PENSION	2,187	0
844 - SALES TAX	0	0
870 - SURETY BONDS/DEPOSITS	0	0
871 - IA STATE SLEUTH	0	0
991 - CAPITAL ASSET FUND	0	0
999 - PAYROLL LIABILITY ACCTS	0	0
GRAND TOTAL	2,581,480.00	3,324,605.00

PRELIMINARY



AMENDMENT

This amendment ("Amendment") is effective as of the date of signature of the last party to sign as indicated below ("Effective Date"), by and between Tyler Technologies, Inc. ("Tyler"), a Delaware corporation with offices at 5519 53rd Street, Lubbock, TX 79414, and the City of Marshalltown ("Client") with offices at 24 North Center Street, Marshalltown, IA 50158.

WHEREAS, Tyler and Client are parties to an agreement effective March 15, 2016 ("Agreement"), under which Client acquired licenses to the software described therein ("Tyler Software") as well as related professional services, and maintenance and support; and

WHEREAS Client desires to amend the Agreement to adjust the services acquired;

NOW THEREFORE, in consideration of the foregoing and of the mutual covenants and promises set forth herein, Tyler and Client agree that the following professional services are added to the Agreement:

Conversion Services	QTY	Programming Fee	Hours	Estimated Services	Conversion Fee
Financial Applications					4,750
Project Accounting					
Project Notes, Accounts (Open Projects Only)		3,750	8	1,000	
Project Account Budgets (Open Projects Only)					
Project Account Detail (Open Projects Only)					
Conversion Services Total		3,750	8	1,000	4,750

All terms and conditions of the Agreement not herein amended remain in full force and effect.

IN WITNESS WHEREOF, persons having been duly authorized and empowered to enter into this amendment hereunto executed this Amendment effective as of the date last set forth below.

Tyler Technologies, Inc.
Local Government Division

City of Marshalltown

By: _____

By: _____

Name: _____

Name: _____

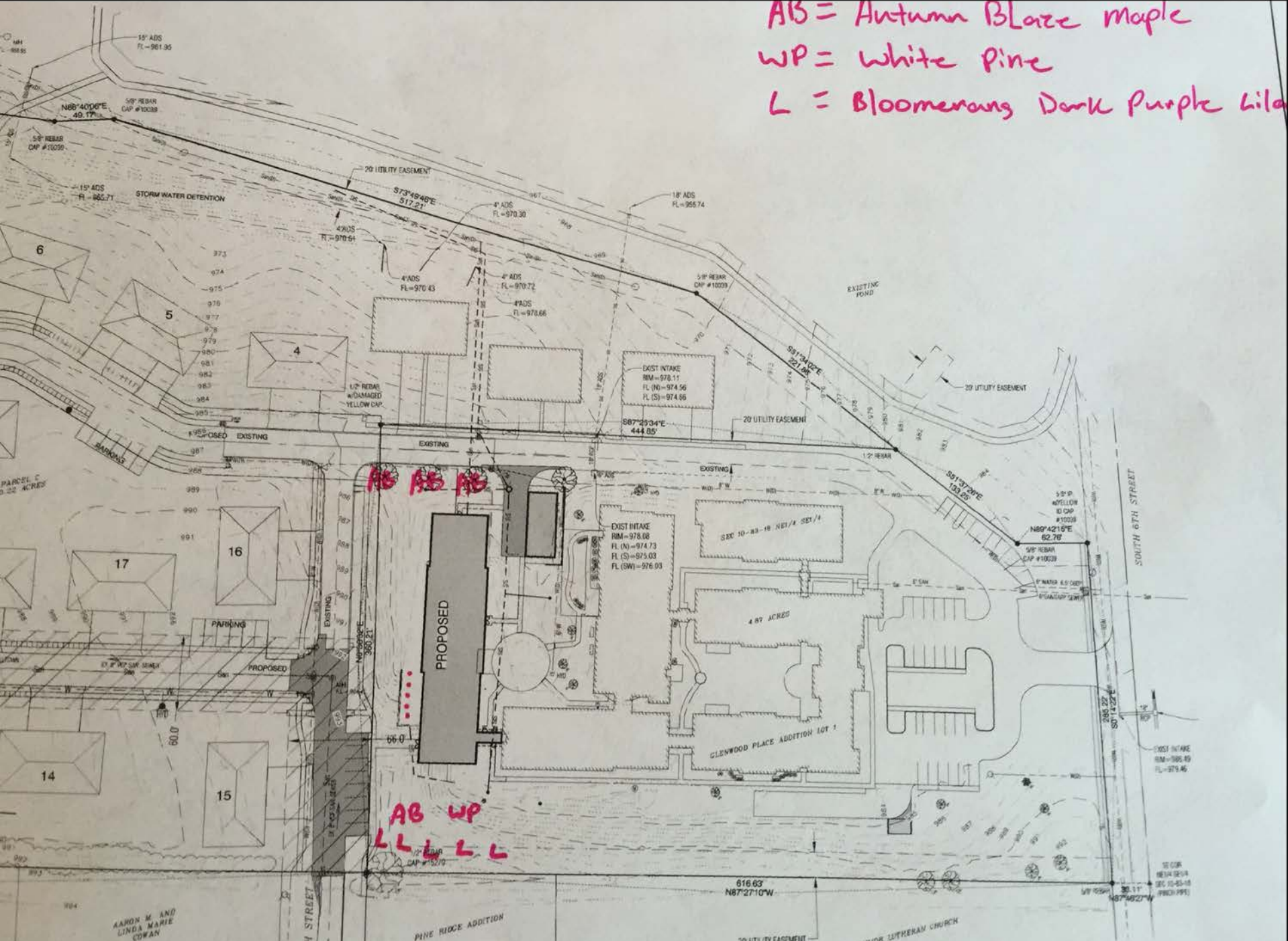
Title: _____

Title: _____

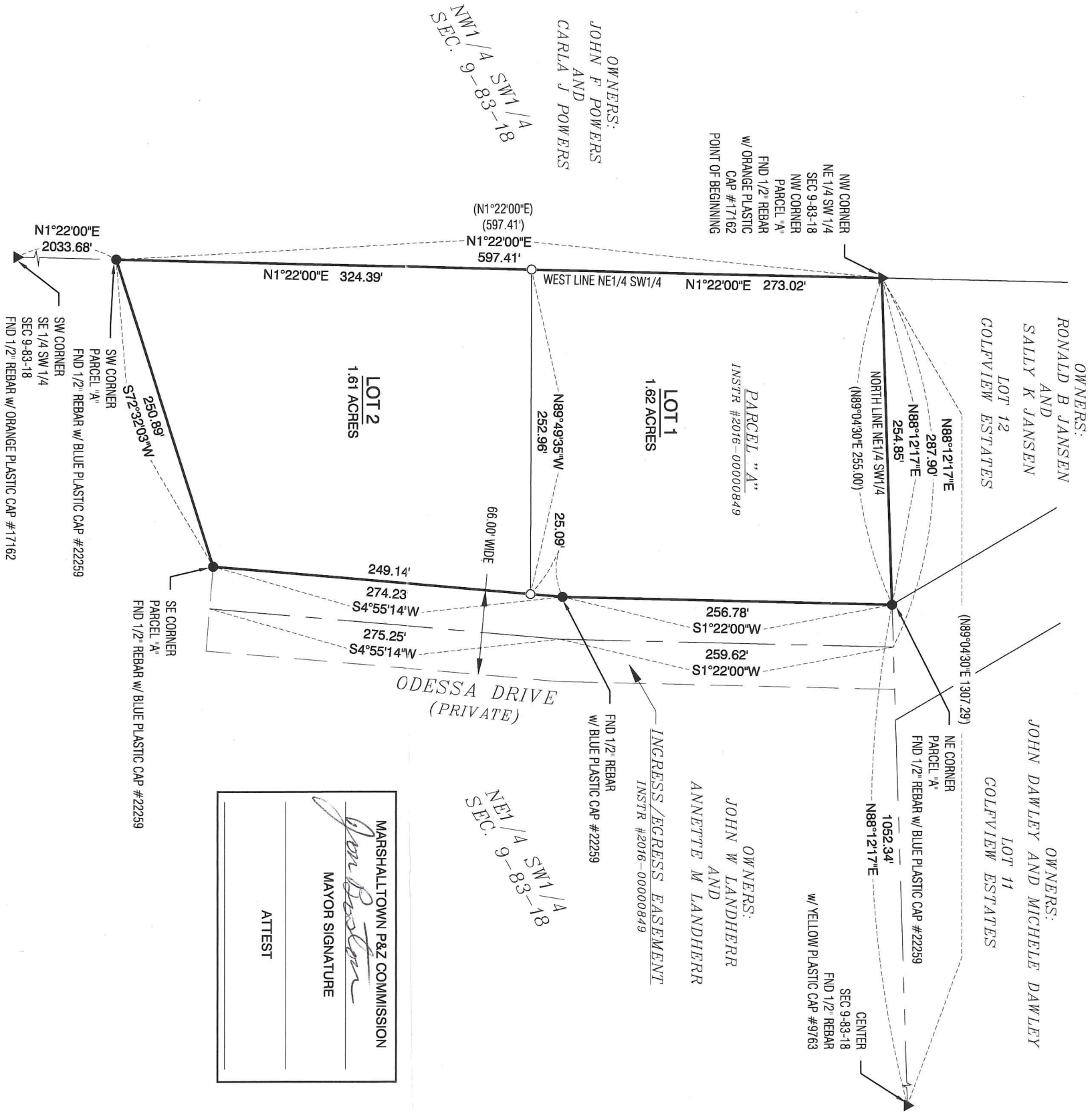
Date: _____

Date: _____

AB = Autumn Blaze maple
WP = White Pine
L = Blooming Dark Purple Lila



HUSAK SUBDIVISION FINAL PLAT

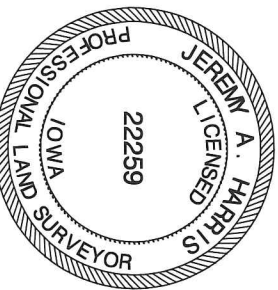
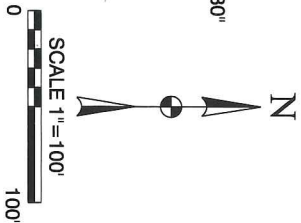


MARSHALLTOWN P&Z COMMISSION
Jan Becker
MAYOR SIGNATURE
ATTEST

DESCRIPTION
SEE SHEET 2 OF 2

OWNER OF RECORD: DOUGLAS P HUSAK AND DONNA K WIND-HUSAK
SURVEY REQUESTED BY: DOUGLAS HUSAK
FIELD WORK COMPLETED: 7-1-2016

- LEGEND:
- ▲ GOVERNMENT CORNER MONUMENT FOUND
 - △ GOVERNMENT CORNER MONUMENT SET 1/2" x 30" REBAR w/BLUE PLASTIC ID CAP #22259
 - PARCEL OR LOT CORNER MONUMENT FOUND
 - SET 1/2" x 30" REBAR w/BLUE PLASTIC ID CAP #22259
 - () RECORDED AS



LOCATED WITHIN PARCEL "A" IN THE NE 1/4 OF THE SW 1/4 OF SECTION 9-83-18
MARSHALL COUNTY, IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Iowa.

Jeremy A. Harris 7-27-16
JEREMY A. HARRIS, PLS date
Iowa License Number 22259
My License Renewal Date is December 31, 2017
Pages or sheets covered by this seal: _____
SHEETS 1 OF 2 AND 2 OF 2



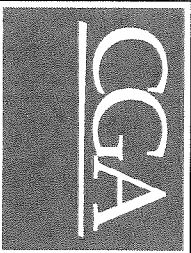
DRAWN	CAQ	SHEET NO.	PROJECT NO.
DATE	7-17-16	1	76991.05

PREPARED BY - CLAPSADDLE-GARBER ASSOCIATES, INC., 16 EAST MAIN STREET, P.O. BOX 754, MARSHALL TOWN, IOWA 50158 - PHONE 641-752-6701

LEGAL DESCRIPTION

LOCATED ENTIRELY WITHIN A CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL "A" AND RECORDED IN INSTRUMENT #2016-00000849 IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5th P.M., MARSHALL COUNTY, IOWA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9, ALSO BEING THE NORTHWEST CORNER OF SAID PARCEL "A"; THENCE, N88°12'17"E 254.85' ALONG THE NORTH LINE OF SAID PARCEL "A" TO THE NORTHEAST CORNER OF SAID PARCEL "A"; THENCE, S1°22'00"W 256.78' ALONG THE EAST LINE OF SAID PARCEL "A"; THENCE, S4°55'14"W 274.23' ALONG THE EAST LINE OF SAID PARCEL "A" TO THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE, S72°32'03"W 250.89' ALONG THE SOUTH LINE OF SAID PARCEL "A" TO THE SOUTHWEST CORNER OF SAID PARCEL "A"; THENCE, N1°22'00"E 597.41' ALONG THE WEST LINE OF SAID PARCEL "A", TO THE POINT OF BEGINNING. PARCEL "A" CONTAINS 3.23 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.



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

DRAWN	SHEET NO.
CAQ	2 OF 2
DATE	PROJECT NO.
2-13-16	76991.05