

1. Agenda

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[URBAN RENEWAL AREA PROPOSED.DOC](#)



COUNCIL AGENDA
CITY HALL COUNCIL CHAMBERS, 10 W STATE STREET
July 25, 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:

Years of Service Awards

25 years: Sandy Gowdy
Brian Batterson

5 years: Jeffrey Starits
Richard Stone
Traci Zoffka-Fraser

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 July 11, 2016, special meeting minutes of July 12, 2016, and July 15, 2016.
2. Approve Bill List in the amount of \$1,327,856.92.
3. Receipt of Building Report, June 2016.
4. Receipt of List of Purchases and Vertical Public Improvements between \$10,000 and \$35,000 approved by City Administrator: TEAM Services, Material Testing, Turner Street Force Main Project, \$15,866.92.
5. Resolution 2016-138 Approving Fees Charged by the Housing Department of the City of Marshalltown, Iowa, for Rental Property Registrations.
6. Renewal liquor licenses: WalMart, Big Kmart, The Stadium.

(end of consent agenda items)

REPORT:

7. Alliant update – Kenn Vinson
8. Asbestos update – dilapidated building project
9. Center Street / Highway 14 Road Aesthetics
10. Street project update

RESOLUTIONS:

11. Tabled: Resolution 2016-131 Adopting Revised Safety Manual
12. Resolution 2016- 139 Adopting Body Camera Policy

Visit www.ci.marshalltown.ia.us

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.



13. Resolution 2016- 140 Ordering Construction of the 2016 Ingledue St. & Pine St. Repair Project 76016008A.
14. Resolution 2016-141 Approving Certificate of Completion WPCP Concrete Repair Phase II Project 52013017
15. Resolution 2016-142 Approving Engineering Services Agreement WPCP Concrete Repair Phase III Project 52016012
16. Resolution 2016-143 Approving Preliminary and Final Plat for Theisens Subdivision.
17. Resolution 2016-144 Approving Development Agreement for extension of S 8th Street relating to the Theisens Subdivision.
18. Resolution 2016-145 Declaring 1982 and 1987 Orion Buses as Surplus Property and Authorizing Sale and Disposal thereof.
19. Resolution 2016-146 Urging Citizens to Vote “YES” August 2, 2016, for building a Police and Fire Station.
20. Resolution 2016-147 Authorizing the Issuance of \$5,000,000 General Obligation Corporate Purpose Bonds, Series 2016A, and providing for the levy of taxes to pay the same.

PUBLIC HEARING

21. Resolution 2016-148 Approving Plans and Specifications of the Iowa River Trail Phase II Project 41016001A.

DISCUSSION

22. Building lighting proposal

PUBLIC COMMENT:

CLOSED SESSION:

Closed session pursuant to Section 21.5, Subsection (1) Paragraph (i) OF THE CODE OF IOWA to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. The City of Marshalltown has an attorney-client relationship with Attorney Roger Schoell, appointed as City Attorney on May 5, 2014, by Council Resolution #2014-047.

OPEN SESSION: (If appropriate and recommended by legal counsel.)

Council to adopt recommendations of legal counsel proposed in closed session.

ADJOURNMENT:

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COUNCIL DATE: July 25, 2016

VISA	\$0.00	VISA
ACH'S	\$608,746.64	ACH'S
CHECKS	\$151,723.09	CHECKS
PAYROLL#14	\$567,387.19	PERIODS ENDING

\$1,327,856.92 TOTAL FOR COUNCIL

101420.5340.010	AAA SEPTIC SERVICE INC	MHS TENNIS COURTS	85.00
101140.5600.000	ADLAND ENGRAVING CO INC	3 ACCOUNTABILITY TAGS	14.85
101410.5410.000	ADLAND ENGRAVING CO INC	ANNE SELNESS PLATE	38.85
101421.5600.010	ADLAND ENGRAVING CO INC	CAMP MTOWN SHIRTS	218.30
101421.5600.010	ADLAND ENGRAVING CO INC	CAMP MTOWN SHIRTS	8.98
101410.5410.000	ADLAND ENGRAVING CO INC	RETIREMENT PLAQUE	10.00
233410.5600.000	ADLAND ENGRAVING CO INC	TROPHYS	84.00
233410.5600.000	ADLAND ENGRAVING CO INC	TROPHYS	68.00
101850.5230.000	ADP COMMERCIAL LEASING LLC	IMPLEMENTING PAYROLL	97.22
206710.5410.000	ADVANCED GARAGE DOORS, INC	BUS BOX	55.00
206710.5340.500	AG LIME TRUCKING & MOWING INC	AQUATIC CTR MOWING	880.00
510532.5340.010	AG LIME TRUCKING & MOWING INC	AQUATIC CTR MOWING	770.00
101860.5231.820	AHLERS & COONEY,PC	LEGAL FEES	2,998.00
206710.5600.000	AIRGAS USA, LLC	ARGON/OXYGEN	18.85
206120.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	39.31
206120.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	31.43
206120.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	32.04
101410.5340.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	5.43
281690.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	18.20
206120.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	31.42
281690.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	17.27
281690.5480.020	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	11.11
281690.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	35.04
281690.5480.020	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	10.46
520590.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	109.52
206160.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	16.97
206120.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	62.98
101410.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	23.33
520520.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	18.14
101410.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	12.24
520520.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	25,211.84
206120.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	32.67
206120.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	177.10
520520.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	22.00
101410.5480.020	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	21.04
530540.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	71.37

101410.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	241.21
520590.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	90.10
510531.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	429.72
520520.5480.020	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	878.41
520590.5480.020	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	22.51
101410.5480.020	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	18.63
206120.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	23.00
206160.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	58.87
206120.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	39.02
520590.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	203.37
206120.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	17.56
206120.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	36.52
281690.5480.020	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	12.24
206120.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	35.12
101170.5480.010	ALLIANT UTILITIES IES	GAS &/OR ELECTRIC	19.62
473710.5410.000	AMERICAN CONCRETE PRODUCTS, INC	8TH&WARREN	233.63
478710.5410.000	AMERICAN CONCRETE PRODUCTS, INC	BRENTWOOD TERRACE	531.00
520520.5980.000	ANNELISE SOETENGA	FILLED POOL	24.93
550780.5570.000	ARNOLD MOTOR SUPPLY	AIR DRYER	27.23
206710.5570.000	ARNOLD MOTOR SUPPLY	DOOR HANGER	15.27
206710.5600.000	ARNOLD MOTOR SUPPLY	OIL	253.78
206710.5600.000	ARNOLD MOTOR SUPPLY	PRO LED PENLITE	28.09
101891.5340.100	ASSOCIATED COMPUTER SYSTEMS LTD	5/24/16-5/23/17	3,258.11
206710.5340.010	ARAMARK	MAT SERVICE STREET DEPT	38.00
206710.5340.010	ARAMARK	MAT SERVICE STREET DEPT	38.00
101410.5340.010	ARAMARK	PARK SHELTER SUPPLIES	30.05
101410.5340.010	ARAMARK	PARK SHELTER SUPPLIES	30.05
101410.5340.010	ARAMARK	PARK SHELTER SUPPLIES	30.05
101410.5340.010	ARAMARK	PARKSHOP&COLISEUM	19.09
101410.5340.010	ARAMARK	PARKSHOP&COLISEUM	19.09
101410.5340.010	ARAMARK	PARKSHOP&COLISEUM	24.84
101410.5340.010	ARAMARK	PARKSHOP&COLISEUM	19.09
152451.5340.010	ARAMARK	PARKSHOP&COLISEUM	9.28
152451.5340.010	ARAMARK	PARKSHOP&COLISEUM	9.28
152451.5340.010	ARAMARK	PARKSHOP&COLISEUM	3.53
152451.5340.010	ARAMARK	PARKSHOP&COLISEUM	9.28
999.1125.000	AVESIS THIRD PARTY ADMIN	VISION PLAN	327.27
999.1131.000	AXA EQUITABLE	POLICE RETIREMENT FUND	450.00
101310.5732.300	BAKER & TAYLOR ENTERTAINMENT	DVDS	193.33
101310.5732.300	BAKER & TAYLOR ENTERTAINMENT	DVDS	285.45
101310.5732.300	BAKER & TAYLOR ENTERTAINMENT	DVDS	385.44
101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	8.99
101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	4.79
101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	67.06
101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	72.75
101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	38.71
101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	9.60
101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	120.47
101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	4.79

101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	52.89
101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	294.87
101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	14.56
101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	3.59
101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	8.99
101310.5732.300	BAKER & TAYLOR INCORP	BOOKS	85.16
242310.5732.320	BAKER & TAYLOR INCORP	MEMORIAL BOOK	11.99
242310.5732.320	BAKER & TAYLOR INCORP	MEMORIAL BOOKS	425.80
242310.5732.320	BAKER & TAYLOR INCORP	MEMORIAL BOOKS	11.97
242310.5732.320	BAKER & TAYLOR INCORP	MEMORIAL BOOKS	15.12
242310.5732.320	BAKER & TAYLOR INCORP	MEMORIAL BOOKS	15.11
242310.5732.320	BAKER & TAYLOR INCORP	MEMORIAL BOOKS	15.68
278690.5240.570	BARBARA STEVENS	UTILITY ASSISTANCE	13.00
101410.5600.080	BDH INFORMATION TECHNOLOGY LLC	SHOP WIFI	383.72
101770.5570.000	BENS TIRE & AUTO	MOWER TIRE	18.00
684990.5230.000	BERNIE LOWE & ASSOC	INSURANCE CLAIMS	2,173.50
681140.5230.000	BERNIE LOWE & ASSOC	MEDICAL CLAIMS	217.88
681140.5339.000	BERNIE LOWE & ASSOC	MEDICAL CLAIMS	2,705.84
206710.5600.000	BITUMINOUS MATERIALS & SUPPLY	HFE-90	297.45
206710.5610.520	BITUMINOUS MATERIALS & SUPPLY	HFE-90	853.28
520520.5410.000	BJELLAND PLUMBING INC	DUMPSTER DRAIN	150.00
101770.5410.000	BLUEGLOBES, INC	RUNWAY LIGHTS	184.00
101310.5732.320	BRODART INC	BOOKS	12.25
101310.5732.320	BRODART INC	BOOKS	8.78
101310.5732.320	BRODART INC	BOOKS	71.09
101310.5732.320	BRODART INC	BOOKS	379.57
101310.5732.320	BRODART INC	BOOKS	9.58
101310.5732.320	BRODART INC	BOOKS	14.62
101310.5732.320	BRODART INC	BOOKS	161.47
101310.5732.320	BRODART INC	BOOKS	413.00
101310.5732.320	BRODART INC	BOOKS	2.92
101310.5732.320	BRODART INC	BOOKS	12.27
101310.5732.320	BRODART INC	BOOKS	177.26
101310.5732.320	BRODART INC	BOOKS	55.40
101310.5732.320	BRODART INC	BOOKS	333.64
101310.5732.320	BRODART INC	BOOKS	250.48
278690.5240.510	BRYNGELSON CORP	RENT ASSISTANCE	410.00
520520.5980.000	CARRIE HARMON	FILLED POOL	28.04
242310.5732.300	CENTER POINT	BOOK SERIES	2,624.40
242310.5732.300	CENGAGE LEARNING INC	LARGE TYPE BOOKS	80.96
242310.5732.300	CENGAGE LEARNING INC	LARGE TYPE BOOKS	21.59
242310.5732.300	CENGAGE LEARNING INC	LARGE TYPE BOOKS	19.46
242310.5732.300	CENGAGE LEARNING INC	LARGE TYPE BOOKS	24.79
242310.5732.300	CENGAGE LEARNING INC	LARGE TYPE BOOKS	219.65
101310.5600.000	CENTRAL IOWA DISTRIBUTING INC	BATHROOM SUPPLIES	487.30
520520.5600.000	CENTRAL IOWA DISTRIBUTING INC	OPERATING SUPPLIES	843.10
206710.5570.000	CENTRAL IOWA FARM STORE INC	SOLENOIDS	224.13
101410.5410.000	CENTRAL IOWA MACHINE SHOP INC	SHARPEN 6 BLADES	318.78
101110.5600.000	CENTRAL OFFICE SUPPLY	ADHESIVE	42.29

550780.5600.000	CENTRAL OFFICE SUPPLY	CLEAR FRONT PAGES	23.53
278690.5600.000	CENTRAL OFFICE SUPPLY	HOUSING OP SUPPLIES	34.70
278690.5600.000	CENTRAL OFFICE SUPPLY	HOUSING OP SUPPLIES	5.90
278690.5600.000	CENTRAL OFFICE SUPPLY	HOUSING OP SUPPLIES	118.08
283210.5600.000	CENTRAL OFFICE SUPPLY	HOUSING OP SUPPLIES	34.70
283210.5600.000	CENTRAL OFFICE SUPPLY	HOUSING OP SUPPLIES	2.80
290113.5450.000	CENTURYLINK	6/28-7/27 POLICE	606.77
290113.5450.000	CENTURYLINK	7/1-7/31 911 SERVICE	20.37
290113.5450.000	CENTURYLINK	7/1-7/31 911 SERVICE	76.00
290113.5450.000	CENTURYLINK	7/1-7/31 911 SERVICE	418.00
206710.5610.510	CESSFORD CONSTRUCTION COMPANY	HIGH PERF COLD MIX	871.20
206710.5610.510	CESSFORD CONSTRUCTION COMPANY	HIGH PERF COLD MIX	536.79
233410.5340.010	CHRIS CARL	TOURNAMENT DIRECTOR	240.00
206710.5132.000	CITY LAUNDERING COMPANY	STREET DEPT	78.83
206710.5132.000	CITY LAUNDERING COMPANY	STREET DEPT	82.89
206710.5132.000	CITY LAUNDERING COMPANY	STREET DEPT	78.83
206710.5132.000	CITY LAUNDERING COMPANY	STREET DEPT	78.83
460770.5230.030	CLAPSADDLE GARBER ASSOC INC	AIRPORT HANGOR	3,100.00
460770.5230.030	CLAPSADDLE GARBER ASSOC INC	AIRPORT PAVEMENT	10,748.65
291530.5230.030	CLAPSADDLE GARBER ASSOC INC	INGLEDUE ST	12,084.50
491750.5230.030	CLAPSADDLE GARBER ASSOC INC	SE SOUTH ST	14,445.40
101310.5600.000	COLIBRI SYSTEMS	BOOK COVERS	1,946.71
999.1129.000	COLONIAL LIFE	SHORT TERM	372.28
510531.5600.000	CONCRETE INC	13TH ST/CHURCH	163.84
510531.5600.000	CONCRETE INC	WESTWOOD DRIVE	393.21
206120.5480.010	CONSUMERS ENERGY CO-OP	6/1-6/30 MARSHALLTOWN	59.30
206160.5480.010	CONSUMERS ENERGY CO-OP	6/1-6/30 MARSHALLTOWN	351.75
101770.5570.000	CROP PRODUCTION SERVICES	AIRPORT SOY OIL	120.25
520520.5600.000	CROP PRODUCTION SERVICES	PEGASUS OIL	2,976.00
550780.5570.000	CUMMINS CENTRAL POWER, LLC	CLEANER AIR	645.42
101310.5732.320	DAWN DEPAW	RETURNED LOST BOOK	9.99
101440.5600.000	DELUXE FOR BUSINESS	POOL DEPOSIT SLIPS	73.18
684990.5250.000	DEPARTMENT OF THE TREASURY	FILING FEES	1,117.55
101581.5261.760	DEVIG SERVICES	PD16-01255	125.00
101581.5261.760	DEVIG SERVICES	PD16-02185	145.00
550780.5450.000	DEX MEDIA EAST LLC	PHONE BOOK	276.21
206710.5610.940	DIAMOND VOGEL PAINTS	GLASS BEADS	1,180.00
206710.5610.940	DIAMOND VOGEL PAINTS	PAINT TIPS	116.00
206710.5610.940	DIAMOND VOGEL PAINTS	WHITE STREET PAINT	140.20
206710.5610.940	DIAMOND VOGEL PAINTS	WHITE/YELLOW PAINT	9,580.70
206710.5610.940	DIAMOND VOGEL PAINTS	YELLOW STREET	212.10
101310.5732.300	DINO ODELL	CDS	35.00
101410.5340.010	DIRT TO TURF	2016 PARK MOWING	1,600.00
206710.5340.500	DIRT TO TURF	2016 PARK MOWING	680.00
510532.5340.010	DIRT TO TURF	2016 PARK MOWING	325.00
206710.5340.010	ELECTRONIC ENGINEERING CO INC	GPS EQUIP RENTAL	108.28
206710.5340.010	ELECTRONIC ENGINEERING CO INC	UNIT CANCEL	(39.95)
101420.5340.640	EMILY GALE-HAZEN	CLASSES 6/1	210.00
520520.5718.000	ENGINEERED EQUIPMENT SOLUTIONS INC	DIFFUSER PI	2,297.00

283210.5600.031	ENVIRONMENTAL HAZARDS SERVICES	108A N 1ST AVE	60.00
283210.5600.031	ENVIRONMENTAL HAZARDS SERVICES	108A N 1ST AVE	66.00
283210.5600.032	ENVIRONMENTAL HAZARDS SERVICES	108A N 1ST AVE	12.00
283210.5600.031	ENVIRONMENTAL HAZARDS SERVICES	1101 STATE	84.00
283210.5600.032	ENVIRONMENTAL HAZARDS SERVICES	1101 STATE	12.00
283210.5600.031	ENVIRONMENTAL HAZARDS SERVICES	1213 W MAIN	60.00
283210.5600.031	ENVIRONMENTAL HAZARDS SERVICES	1213 W MAIN	36.00
283210.5600.032	ENVIRONMENTAL HAZARDS SERVICES	1213 W MAIN	12.00
283210.5600.031	ENVIRONMENTAL HAZARDS SERVICES	511 W BOONE	58.00
101310.5340.100	ENVISIONWARE, INC	ANNUAL MAINT	725.14
206710.5600.000	FASTENAL COMPANY	OP SUPPLIES	57.96
520520.5600.000	FASTENAL COMPANY	OP SUPPLIES	25.88
206710.5600.000	FASTENAL COMPANY	PAID 2X	(61.67)
999.1160.000	GALLS LLC	3 SHIRTS	147.75
101110.5132.000	GALLS LLC	BOOTS	85.45
101110.5132.000	GALLS LLC	BOOTS	159.70
520520.5980.000	GARY SLEEGER	YARD REPAIR-SEWER	24.16
550780.5570.000	GILLIG LLC	OP SUPPLIES	10.70
101310.5732.320	GISSELLE AVILA	LOST LIBRARY	19.49
101860.5231.000	GRIMES BUCK SCHOELL & BEACH	6/27-7/11 S	2,655.00
152451.5410.000	HARTWIG PLUMBING & HEATING INC	COLISEUM BA	180.00
101310.5410.000	HARTWIG PLUMBING & HEATING INC	WRAP GAS LI	242.00
206710.5450.000	HEART OF IOWA COMM	7/1-7/31 PUBLIC WORKS	235.09
510531.5450.000	HEART OF IOWA COMM	7/1-7/31 PUBLIC WORKS	47.02
520590.5450.000	HEART OF IOWA COMM	7/1-7/31 PUBLIC WORKS	70.53
550780.5450.000	HEART OF IOWA COMM	7/1-7/31 PUBLIC WORKS	117.54
290113.5450.000	HEART OF IOWA COMM	BUSINESS SERVICES	450.00
101310.5450.000	HEART OF IOWA COMM	LIBRARY PHONES	260.09
290113.5450.000	HEART OF IOWA COMM	SPECIAL CIRCUIT	88.00
291180.5230.030	HOWARD R GREEN COMPANY, INC	LEVEE GATEWAY	40,913.50
540430.5600.055	HY-VEE ACCOUNTS RECEIVABLE	POOL RESALE PRODUCT	1,123.64
101140.5112.010	ICMA RETIREMENT 457	RETIREMENT	718.29
999.1130.000	ICMA RETIREMENT 457	RETIREMENT	3,806.10
999.1130.000	ICMA RETIREMENT 457	RETIREMENT	764.59
999.1130.000	ICMA RETIREMENT 457	RETIREMENT	3,742.00
101410.5251.000	IDALS-PESTICIDE BUREAU	PESTICIDE LICENSE	15.00
101110.5132.000	IN STITCHES	POLICE SHIRTS	85.20
101790.5600.000	IN STITCHES	POLICE SHIRTS	50.22
101310.5732.250	INGRAM LIBRARY SERVICES	REFERENCE BOOK	19.77
101110.5280.000	IOWA CRIME PREVENTION ASSOCIATION	MEMBERSHIP	50.00
478581.5340.070	IOWA ENVIRONMENTAL SERVICES, INC	ASBESTOS SUPPLIES	600.00
478581.5340.070	IOWA ENVIRONMENTAL SERVICES, INC	ASBESTOS SUPPLIES	600.00
478581.5340.070	IOWA ENVIRONMENTAL SERVICES, INC	ASBESTOS SUPPLIES	600.00
478581.5340.070	IOWA ENVIRONMENTAL SERVICES, INC	ASBESTOS SUPPLIES	600.00
478581.5340.070	IOWA ENVIRONMENTAL SERVICES, INC	ASBESTOS SUPPLIES	600.00
550780.5280.000	IOWA ILLINOIS SAFETY COUNCIL	MEMBERSHIP	395.00
271210.5460.000	IOWA LEAD	INSPECTOR COURSES	400.00
278690.5460.000	IOWA LEAD	INSPECTOR COURSES	625.00
283210.5460.000	IOWA LEAD	INSPECTOR COURSES	400.00

510531.5230.000	IOWA ONE CALL	UNDERGROUND LOCATES	118.76
520590.5230.000	IOWA ONE CALL	UNDERGROUND LOCATES	178.14
999.1106.000	IPERS	3 PAYROLLS	31,841.25
999.1106.000	IPERS	3 PAYROLLS	32,253.03
999.1106.000	IPERS	3 PAYROLLS	32,160.22
999.1106.000	IPERS	3 PAYROLLS	0.20
101410.5192.070	IOWA WORKFORCE DEVELOPMENT	UNEMPLOYMENT	425.25
999.1116.000	IUPAT PPME LOCAL 2003	UNION DUES	945.05
101310.5600.000	JANWAY COMPANY USA INC	EAR BUDS	358.69
101310.5472.000	JENELLE S KLAVERGA	CITY MILEAGE	46.95
101880.5410.000	KAPAUN & BROWN INC	CITY HALL FINANCE DEPT	223.55
101110.5410.000	KAPAUN & BROWN INC	RADIO ROOM	78.00
101420.5340.640	KAREN GALE-HAZEN	CLASSES 6/17-7/16	315.00
101310.5460.000	KATHRYN FINK	ILA LEADERS	250.00
101310.5472.000	KATHY L BRYANT	CITY MILEAG	10.30
101420.5340.010	KC TUTTLE	9 PERSON CPR/FIRST AID CL	720.00
101410.5132.000	KELLY T SMITH	CLOTHING ALLOWANCE	116.15
290113.5600.000	KOCH BROTHERS	2 TONER CARTRIDGE	294.66
290113.5450.000	LANGUAGE LINE SERV INC	PHONE INTERPRETATION	583.65
101310.5340.010	LEROY DUANE LENZ	LIBRARY MOWING	320.00
283210.5320.000	LEROY DUANE LENZ	LIBRARY MOWING	60.00
283210.5320.000	LEROY DUANE LENZ	LIBRARY MOWING	80.00
101000.4520.000	LINDA HARDING	PAID 2X	200.00
101410.5340.010	MARSHALL COUNTY LANDFILL	PARK & REC	51.15
520520.5340.010	MARSHALL COUNTY LANDFILL	SBR#2 CLEANING	50.65
283210.5250.000	MARSHALL COUNTY RECORDER	LEAD HOUSE	7.00
283210.5250.000	MARSHALL COUNTY RECORDER	LEAD HOUSE	7.00
283210.5250.000	MARSHALL COUNTY RECORDER	LEAD HOUSE	7.00
283210.5250.000	MARSHALL COUNTY RECORDER	LEAD HOUSE	17.00
283210.5250.000	MARSHALL COUNTY RECORDER	LEAD HOUSE	17.00
283210.5250.000	MARSHALL COUNTY RECORDER	LEAD HOUSE	17.00
283210.5250.000	MARSHALL COUNTY RECORDER	LEAD HOUSE	7.00
101770.5410.000	MARSHALLTOWN AVIATION INC	GROUND MAINT	2,286.05
101770.5480.000	MARSHALLTOWN AVIATION INC	INTERNET REIMBURSEMENT	30.05
101770.5340.010	MARSHALLTOWN AVIATION INC	MANAGERS FEE	642.00
101770.5410.000	MARSHALLTOWN AVIATION INC	SCHWEISS REIMBURSING	103.05
101770.5410.000	MARSHALLTOWN AVIATION INC	SPAHN & ROSE	72.76
233410.5340.600	MARSHALLTOWN UMPIRES ASSOC	UMPIRE SERVICES	955.00
152451.5480.030	MARSHALLTOWN WATER WORKS	4/18-6/17 COLISEUM	132.21
283210.5480.030	MARSHALLTOWN WATER WORKS	5/3-7/5 110 W LINN	74.48
283210.5480.030	MARSHALLTOWN WATER WORKS	5/3-7/5 112 W LINN	83.02
281690.5480.030	MARSHALLTOWN WATER WORKS	5/3-7/5 612 W CHURCH	121.45
520520.5480.030	MARSHALLTOWN WATER WORKS	6/1-7/1 PLAYER ST	992.70
101140.5340.010	MARSHALLTOWN WATER WORKS	COLITAG ANALYSIS	14.00
101440.5331.500	MARSHALLTOWN YMCA-YWCA	SUMMER SERVER	31,450.66
550780.5570.010	MCATEE TIRE SALES & SERVICE INC	BUS TIRE REPAIR	45.00
550780.5570.000	MCATEE TIRE SALES & SERVICE INC	DISMOUNT/LABOR	228.00
206710.5410.000	MCATEE TIRE SALES & SERVICE INC	LOW PROFILE TIRE	120.85
101110.5570.000	MCATEE TIRE SALES & SERVICE INC	TIRE REPAIR	39.00

101140.5151.000	MCFARLAND CLINIC PC	IMMUNIZATION	290.84
101410.5151.000	MCFARLAND CLINIC PC	IMMUNIZATION	377.52
101550.5151.000	MCFARLAND CLINIC PC	IMMUNIZATION	116.64
290113.5151.000	MCFARLAND CLINIC PC	IMMUNIZATION	116.64
101310.5732.320	MEAGAN DOBBS	LOST LIBRARY MATERIALS	6.99
520520.5450.000	MEDIACOM	WPCP FAX LINE	52.34
681140.5338.000	MEDTRAK SERVICES LLP	PRESCRIPTIONS	759.24
206710.5600.000	MENARDS	NOZZLE PARTS	16.97
206710.5340.010	MICHAEL LISKOWIAK	TREE REMOVED	1,300.00
101310.5732.300	MICROMARKETING LLC	AUDIO BOOKS	364.95
101310.5732.300	MICROMARKETING LLC	AUDIO BOOKS	6.00
101310.5732.300	MICROMARKETING LLC	AUDIO BOOKS	157.97
101310.5732.300	MICROMARKETING LLC	AUDIO BOOKS	35.00
101310.5732.300	MICROMARKETING LLC	AUDIO BOOKS	79.99
101310.5732.300	MICROMARKETING LLC	JUVENILE AUDIO BOOKS	114.94
101310.5732.300	MICROMARKETING LLC	JUVENILE AUDIO BOOKS	15.00
101310.5732.300	MICROMARKETING LLC	JUVENILE AUDIO BOOKS	35.00
101310.5732.300	MICROMARKETING LLC	JUVENILE AUDIO BOOKS	77.97
283210.5331.500	MID IOWA COMMUNITY ACTION INC	4/1-6/30 SERVICES	2,281.43
520520.5718.000	MILLER MECHANICAL SPEC INC	VALVE TESTS	2,101.36
290113.5450.000	MINERVA VALLEY TELEPHONE	JULY PHONE 911 SERVICE	50.00
550780.5370.000	MINUTEMAN INC	2PART TIME SHEETS	30.25
101140.5360.000	MINUTEMAN INC	FED EX SHIP	120.45
101310.5340.100	MNJ TECHNOLOGIES DIRECT	3YR CONTRACT-LIBRARY	921.20
101310.5732.300	MOTION PICTURE LICENSE	MPLC UMBRELLA LICENSE	190.00
206710.5570.000	NAPA	BATTERY/DEPOSIT	238.00
550780.5570.000	NAPA	FILTERS	44.57
550780.5570.000	NAPA	HEAD LAMP	7.82
550780.5570.000	NAPA	KIT/LAMP	19.11
550780.5570.000	NAPA	LAMP/PLUG	16.82
206710.5600.000	NAPA	SILICONE SPRAY	7.82
206710.5600.000	NAPA	SILICONE SPRAY	46.92
550780.5210.000	MULTIMEDIA SALES & MARKETING INC	AUTO SAFETY	390.00
999.1105.000	MUNICIPAL FIRE & POLICE RETIREMENT	JUNE PAYROLLS	59,452.33
999.1105.000	MUNICIPAL FIRE & POLICE RETIREMENT	JUNE PAYROLLS	59,078.24
999.1105.000	MUNICIPAL FIRE & POLICE RETIREMENT	JUNE PAYROLLS	56,693.53
540430.5600.055	NORTHERN LIGHTS DISTRIBUTING	CONCESSION RESALE	913.36
540430.5600.055	NORTHERN LIGHTS DISTRIBUTING	CONCESSION RESALE	548.67
101310.5340.070	OCLC, INC	CATALOGING&SUBSC	832.10
101310.5600.000	OFFICE EXPRESS	COPY PAPER	289.00
101850.5340.100	ORACLE CORPORATION	4/1-6/30 SUPPORT	4,407.99
101310.5600.010	ORPHEUM THEATRE	YOUTH PROGRAM	100.00
101310.5732.300	OVERDRIVE, INC.	EBOOKS	167.95
101310.5732.320	PAMELA BALDERAS	LOST LIBRARY MATERIALS	15.00
290113.5450.000	PARTNER COMMUNICATIONS CO-OP	7/1-7/31 911 SERVICES	511.24
290113.5450.000	PARTNER COMMUNICATIONS CO-OP	7/1-7/31 911 SERVICES	1,174.84
101310.5732.320	PENNY BRAYE	DUPLICATE PAYMENTS	24.00
101310.5280.000	PETTY CASH - LIBRARY	SUPPLIES,MILEAGE, ETC	10.00
101310.5360.000	PETTY CASH - LIBRARY	SUPPLIES,MILEAGE, ETC	2.59

101310.5472.000	PETTY CASH - LIBRARY	SUPPLIES,MILEAGE, ETC	15.82
101310.5600.000	PETTY CASH - LIBRARY	SUPPLIES,MILEAGE, ETC	20.27
101110.5460.000	PRAETORIAN GROUP INC	9/1/16-8/31/17 TRAINING	2,744.00
101310.5600.000	PREMIER OFFICE EQUIPMENT	COPIES	73.49
520520.5600.000	QUILL CORPORATION	HP CARTRIDGES	79.99
550780.5410.000	RACOM CORPORATION	MIC JACK/LABOR, ETC	358.00
150110.5749.000	RACOM CORPORATION	P25 UPGRADE	11,382.67
550780.5410.000	RACOM CORPORATION	SERVICE/MIC	184.95
101310.5732.300	RECORDED BOOKS LLC	AUDIO BOOKS	198.00
101310.5732.300	RECORDED BOOKS LLC	AUDIO BOOKS	198.00
101310.5732.300	RECORDED BOOKS LLC	AUDIO BOOKS	80.99
101310.5732.300	RECORDED BOOKS LLC	AUDIO BOOKS	35.99
101310.5732.300	RECORDED BOOKS LLC	AUDIO BOOKS	31.50
101310.5732.270	RECORDED BOOKS LLC	ZINIO SUBSC	2,332.40
101140.5570.000	RELIANT FIRE APPARATUS	MOTOR/LAMP	465.54
278690.5240.510	RICK SESKER	RENT ASSIST	425.00
101840.5600.000	RICOH USA INC	JUNE COPIES-CLERK	68.93
206760.5600.000	RICOH USA INC	JUNE COPIES-PUBLIC WORKS	22.93
550780.5340.010	RIDE SYSTEMS	GPS SUBSCRIPTION	850.00
101310.5732.320	RONALD RODIMAKER	LOST LIBRARY MATERIALS	27.00
101310.5980.000	RYAN BOSWELL	OFFSET REFUND	59.90
150110.5749.000	S&S AUTOBODY AND FRAME	POLICE CAR	350.00
101310.5472.000	SANDRA J GOWDY	CITY MILEAGE	22.70
540430.5340.010	SCHENDEL PEST CONTROL COMPANY	AQUATIC CTR	25.00
101880.5410.000	SCHENDEL PEST CONTROL COMPANY	CITYHALL/POLICE/P&R	116.00
152451.5340.010	SCHENDEL PEST CONTROL COMPANY	COLISEUM	22.50
101881.5340.070	SCHUMACHER ELEVATOR COMPANY	CARNEGIE BLDG	202.77
101881.5340.070	SCHUMACHER ELEVATOR COMPANY	CARNEGIE BLDG	202.77
101881.5340.070	SCHUMACHER ELEVATOR COMPANY	CARNEGIE BLDG	202.77
101880.5340.070	SCHUMACHER ELEVATOR COMPANY	CITY HALL	198.73
101880.5340.070	SCHUMACHER ELEVATOR COMPANY	CITY HALL	198.73
101880.5340.070	SCHUMACHER ELEVATOR COMPANY	CITY HALL	198.73
101480.5340.070	SCHUMACHER ELEVATOR COMPANY	SENIOR CENTER	187.82
101480.5340.070	SCHUMACHER ELEVATOR COMPANY	SENIOR CENTER	187.82
101480.5340.070	SCHUMACHER ELEVATOR COMPANY	SENIOR CENTER	187.82
101110.5340.010	SERVICEMASTER OF M'TOWN INC	JULY JANITORIAL	1,000.00
101310.5340.010	SERVICEMASTER OF M'TOWN INC	LIBRARY CLEANING	1,369.33
101000.4477.000	SHERRY PETTY	TENNIS LESSONS	25.00
101410.5410.000	SIGN CREATIONS	ADOPT A PARK SIGNS	646.00
101880.5340.070	SIMPLEX GRINNELL	CITY HALL	393.67
152451.5340.070	SIMPLEX GRINNELL	COLISEUM	371.07
101480.5340.070	SIMPLEX GRINNELL	SENIOR CTR	258.18
401410.5230.030	SNYDER & ASSOCIATES, INC.	IOWA RIVER TRAIL	9,288.32
401410.5230.030	SNYDER & ASSOCIATES, INC.	IOWA RIVER TRAIL	7,920.00
233410.5340.010	SPOTLESS CLEANING	6/27-7/17 RESTROOM-6TH ST	375.00
510531.5230.030	STANLEY CONSULTANTS INC.	STORM WTR USAGE	1,900.00
150110.5749.000	STEW HANSEN'S DODGE CITY	2016 DODGE-POLICE	20,767.00
101580.5340.010	STONE SANITATION	6/1-6/30 BUSINESS DISTRICT	200.00
101140.5340.010	STONE SANITATION	JUNE GARBAGE-FIRE	101.83

101480.5340.010	STONE SANITATION	JUNE GARBAGE-SENIOR CTR	101.83
101880.5340.010	STONE SANITATION	JUNE GARBAGE CITY HALL	155.49
206710.5340.010	STONE SANITATION	JUNE GARBAGE PUBLIC WORKS	101.83
520520.5340.010	STONE SANITATION	JUNE GARBAGE WPCP	101.83
101310.5340.010	STONE SANITATION	LIBRARY GARBAGE	99.07
101440.5600.000	SUPPLYWORKS	AQUATIC CTR	39.73
550780.5132.000	TAGS SCREEN PRINTING	TSHIRTS- WPCP	180.23
999.1128.010	TASC	FLEX BENEFITS	4,937.77
999.1128.020	TASC	FLEX BENEFITS	1,829.14
999.1128.020	TASC	FLEX BENEFITS	(0.20)
520520.5980.000	TAYLOR MORGAN	FILLED POOL	19.65
999.1108.000	TEAMSTERS LOCAL 238	WPCP&UNION DUES	1,517.28
999.1110.000	TEAMSTERS LOCAL 238	WPCP&UNION DUES	167.00
550780.5570.000	THERMO KING SALES & SVC	AC HOSE.FILTER	797.77
101110.5600.000	THOMPSON'S TRUE VALUE	WEED KILLER	29.98
101840.5210.000	TIMES-REPUBLICAN	JUNE PUBLICATIONS	634.07
101870.5210.000	TIMES-REPUBLICAN	JUNE PUBLICATIONS	32.55
283210.5210.000	TIMES-REPUBLICAN	JUNE PUBLICATIONS	107.12
460770.5210.000	TIMES-REPUBLICAN	JUNE PUBLICATIONS	154.50
460770.5210.000	TIMES-REPUBLICAN	JUNE PUBLICATIONS	56.86
478710.5210.000	TIMES-REPUBLICAN	JUNE PUBLICATIONS	126.07
479710.5210.000	TIMES-REPUBLICAN	JUNE PUBLICATIONS	7.88
510531.5210.000	TIMES-REPUBLICAN	JUNE PUBLICATIONS	36.67
511531.5210.000	TIMES-REPUBLICAN	JUNE PUBLICATIONS	11.48
528590.5210.000	TIMES-REPUBLICAN	JUNE PUBLICATIONS	145.44
000844.1520.010	TREASURER ST OF IOWA	QTRLY SALES TAX	2,562.00
000844.1520.020	TREASURER ST OF IOWA	QTRLY SALES TAX	427.00
520520.5440.000	TREASURER ST OF IOWA	QTRLY SALES TAX	10,762.00
520520.5441.000	TREASURER ST OF IOWA	QTRLY SALES TAX	1,794.00
101880.5410.000	TRI STATE LOCK SERVICE	SERVICE CALL/LOCK	90.00
150850.5734.000	TYLER TECHNOLOGIES INC	SOFTWARE PAYMENT	50,163.92
150850.5734.000	TYLER TECHNOLOGIES INC	FINANCIAL MGMT CALL	250.00
150850.5734.000	TYLER TECHNOLOGIES INC	PROJECT MGMT	5,000.00
101310.5340.010	UNIQUE MANAGEMENT SERVICES, INC	OVERDUE COLLECTS	170.05
101140.5151.000	UNITY POINT-SIOUX CITY	DRUG&ALCOHOL TEST	37.00
206710.5151.000	UNITY POINT-SIOUX CITY	DRUG&ALCOHOL TEST	37.00
290113.5151.000	UNITY POINT-SIOUX CITY	DRUG&ALCOHOL TEST	37.00
150310.5380.000	US BANK EQUIPMENT FINANCE	COPIER PAYMENT	341.25
101110.5230.000	US BANK NATIONAL ASSOCIATION	SUBPEONA	13.50
101110.5450.100	VERIZON WIRELESS	5/26-6/25 POLICE	628.18
290113.5450.000	VERIZON WIRELESS	5/26-6/25 POLICE	32.15
510531.5450.000	VERIZON WIRELESS	6/11-7/10 SEWER	32.01
520590.5450.000	VERIZON WIRELESS	6/11-7/10 SEWER	48.01
101440.5410.000	WATERLOO TENT & TARP COMPANY	3 PERMABRELLAS-POOL	430.00
684990.5339.000	WELLMARK INC	MEDICAL CLAIMS	36,999.34
684990.5339.000	WELLMARK INC	MEDICAL CLAIMS	44,690.24
290113.5151.000	WOLFE CLINIC P C	HEARING EXAMS	35.00
101310.5410.000	WOODMAN CONTROLS	SERVICE CALL-LIBRARY	295.96
101880.5600.000	WW GRAINGER	FILTERS	278.28

206710.5600.000	WW GRAINGER	REPLACEMENT	167.45
520520.5360.000	YRC	ACUATOR FRGT	152.00
206710.5600.000	ZEP SALES & SERVICE/ ACUITY	LUBEZE DRILL CHILL	171.46
520520.5410.000	ZIEGLER INC	CAT399 CYLINDER HEAD	1,273.07
520520.5410.000	ZIEGLER INC	CAT399 HEAD GASKET	5,567.04
			760,469.73

COUNCIL PROCEEDINGS

July 25, 2016

The Marshalltown City Council met in regular session on July 25, 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. Greer was fully participatory via speakerphone. Schubert moved to approve the agenda, second by Wirin. Motion approved 7-0. Employees were honored for years of service: 25 years: Capt Batterson, Librarian Sandy Gowdy, Transit Director Rich Stone for 15 years. Five years: Jeff Starits and Traci Zoffka-Fraser.

CONSENT AGENDA:

Gowdy moved to approve the Consent Agenda: Approve Council meeting Minutes of July 11, 2016, special meeting minutes of July 12, 2016, and July 15, 2016; Approve Bill List in the amount of \$1,327,856.92; Receipt of Building Report, June 2016; Receipt of List of Purchases and Vertical Public Improvements between \$10,000 and \$35,000 approved by City Administrator: TEAM Services, Material Testing, Turner Street Force Main Project, \$15,866.92; Resolution 2016-138 Approving Fees Charged by the Housing Department of the City of Marshalltown, Iowa, for Rental Property Registrations; Renewal liquor licenses: WalMart, Big Kmart, The Stadium; second by Lamer. Consent agenda adopted 7-0.

REPORTS:

Kenn Vinson provided an update on the Alliant project, it is 70% mechanically complete. Housing & Community Development Director Spohnheimer informed the council the asbestos review on the Dangerous & Dilapidated Housing project found minimal asbestos, bids for asbestos removal are due July 26. Public Works Director Nickel asked the council for direction regarding road aesthetics along Center Street / Highway 14 corridor. Wirin suggested improvement in segments. Hoop asked if the DOT would share with costs of improving the median. Nickel added work continues on the "road diet" for North 3rd Avenue. Nickel updated the council on the current street projects.

RESOLUTIONS:

Lamer moved to remove from the table the Resolution 2016-131 Adopting Revised Safety Manual, second by Schubert. Motion carried 7-0. Lamer moved to approve the Resolution, second by Wirin. Resolution adopted 7-0.

Greer moved to adopt Resolution 2016- 139 Adopting Body Camera Policy, second by Schubert. Resolution adopted 7-0.

Martin moved to adopt Resolution 2016- 140 Ordering Construction of the 2016 Ingledue St. & Pine St. Repair Project 76016013A, second by Greer. Resolution adopted 7-0.

Lamer moved to adopt Resolution 2016-141 Approving Certificate of Completion WPCP Concrete Repair Phase II Project 52013017, second by Wirin. Resolution adopted 7-0.

Gowdy moved to adopt Resolution 2016-142 Approving Engineering Services Agreement WPCP Concrete Repair Phase III Project 52016012, second by Lamer. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2016-143 Approving Preliminary and Final Plat for Theisens Subdivision, second by Martin. Resolution adopted 7-0.

Gowdy moved to adopt Resolution 2016-144 Approving Development Agreement for extension of S 8th Street relating to the Theisens Subdivision, second by Greer. Alliant is to build the street to city specifications. Resolution adopted 7-0.

Greer moved to adopt Resolution 2016-145 Declaring 1982 and 1987 Orion Buses as Surplus Property and Authorizing Sale and Disposal thereof, second by Schubert. Resolution adopted 7-0.

Greer moved to adopt Resolution 2016-146 Urging Citizens to Vote "YES" August 2, 2016, for building a Police and Fire Station, second by Schubert. Resolution adopted 7-0. Members of the public spoke for and against the proposal.

COUNCIL PROCEEDINGS

July 25, 2016

Lamer moved to adopt Resolution 2016-147 Authorizing the Issuance of \$5,000,000 General Obligation Corporate Purpose Bonds, Series 2016A, and providing for the levy of taxes to pay the same, second by Wirin. Resolution adopted 7-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open regarding the plans and specifications of the Iowa River Trail Phase II Project. Public Works Director Nickel reviewed the project funded by REAP grants. There were no public or written comments. Mayor Lowrance declared the public hearing closed.

Wirin moved to adopt Resolution 2016-148 Approving Plans and Specifications of the Iowa River Trail Phase II Project 41016001A, second by Martin. Resolution adopted 7-0.

DISCUSSION

Building Superintendent described a lighting improvement project to change the lights in four building to LED. Rebates and energy savings will result in payback within 13 months. The consideration is for City Hall, Carnegie building, the Library and Public Works Facility.

PUBLIC COMMENT

Bob Ranson announced the community scrap metal pickup is August 13, from 8 am to noon at the 6th Street softball complex.

CLOSED SESSION

Gowdy moved to enter into closed session pursuant to Section 21.5, Subsection (1) Paragraph (i) OF THE CODE OF IOWA to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session, second by Schubert. 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.

OPEN SESSION

Schubert moved to enter into open session, second by Greer. Motion carried 7-0.

Wirin moved to schedule special meetings with possible candidates for the interim city administrator position, second by Greer. Motion carried 7-0.

ADJOURNMENT

The meeting adjourned at 7:21 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
CITY HALL COUNCIL CHAMBERS, 10 W STATE STREET

July 25, 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:

Years of Service Awards

25 years: Sandy Gowdy

Brian Batterson

5 years: Jeffrey Starits

Richard Stone

Traci Zoffka-Fraser

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 July 11, 2016, special meeting minutes of July 12, 2016, and July 15, 2016.
2. Approve Bill List in the amount of \$1,327,856.92.
3. Receipt of Building Report, June 2016.
4. Receipt of List of Purchases and Vertical Public Improvements between \$10,000 and \$35,000 approved by City Administrator: TEAM Services, Material Testing, Turner Street Force Main Project, \$15,866.92.
5. Resolution 2016-138 Approving Fees Charged by the Housing Department of the City of Marshalltown, Iowa, for Rental Property Registrations.
6. Renewal liquor licenses: WalMart, Big Kmart, The Stadium.

(end of consent agenda items)

REPORT:

7. Alliant update – Kenn Vinson
8. Asbestos update – dilapidated building project
9. Center Street / Highway 14 Road Aesthetics
10. Street project update

RESOLUTIONS:

11. Tabled: Resolution 2016-131 Adopting Revised Safety Manual
12. Resolution 2016- 139 Adopting Body Camera Policy

Visit www.ci.marshalltown.ia.us

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.



13. Resolution 2016- 140 Ordering Construction of the 2016 Ingledue St. & Pine St. Repair Project 76016008A.
14. Resolution 2016-141 Approving Certificate of Completion WPCP Concrete Repair Phase II Project 52013017
15. Resolution 2016-142 Approving Engineering Services Agreement WPCP Concrete Repair Phase III Project 52016012
16. Resolution 2016-143 Approving Preliminary and Final Plat for Theisens Subdivision.
17. Resolution 2016-144 Approving Development Agreement for extension of S 8th Street relating to the Theisens Subdivision.
18. Resolution 2016-145 Declaring 1982 and 1987 Orion Buses as Surplus Property and Authorizing Sale and Disposal thereof.
19. Resolution 2016-146 Urging Citizens to Vote “YES” August 2, 2016, for building a Police and Fire Station.
20. Resolution 2016-147 Authorizing the Issuance of \$5,000,000 General Obligation Corporate Purpose Bonds, Series 2016A, and providing for the levy of taxes to pay the same.

PUBLIC HEARING

21. Resolution 2016-148 Approving Plans and Specifications of the Iowa River Trail Phase II Project 41016001A.

DISCUSSION

22. Building lighting proposal

PUBLIC COMMENT:

CLOSED SESSION:

Closed session pursuant to Section 21.5, Subsection (1) Paragraph (i) OF THE CODE OF IOWA to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. The City of Marshalltown has an attorney-client relationship with Attorney Roger Schoell, appointed as City Attorney on May 5, 2014, by Council Resolution #2014-047.

OPEN SESSION: (If appropriate and recommended by legal counsel.)

Council to adopt recommendations of legal counsel proposed in closed session.

ADJOURNMENT:

Visit www.ci.marshalltown.ia.us

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.



COUNCIL PROCEEDINGS

July 11, 2016

The Marshalltown City Council met in regular session on July 11, 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. Schubert moved to approve the agenda, second by Greer. Motion approved 7-0.

CONSENT AGENDA:

Greer moved to approve the Consent: Approve Council meeting Minutes of June 27, 2016; Approve Bill List in the amount of \$1,591,635.97; Receipt of List of Purchases and Vertical Public Improvements between \$10,000 and \$35,000 approved by City Administrator: Velodyne, liquid polymer blending system, \$17,185.00, Water Pollution Control Plant Fund; Resolution 2016-129 Approving Contract Amendment Number 2 with Clapsaddle-Garber Associates, Inc., for the Alliant – East Nevada Street Improvements Project 66013014, decrease of \$1,667.00; Resolution 2016-130 Approving Transit Joint Participation Agreement to implement a Federal Transit Administration Non-Urban Operating Assistance Project, Iowa Department of Transportation, Fiscal Year ending June 30, 2017, \$208,006; second by Gowdy. Consent agenda adopted 7-0.

REPORTS:

The council will continue discussion of potential aesthetic improvements on Center Street / Highway 14 Road. The Department of Transportation has the corridor scheduled for mill and overlay, with reconstruction of the sidewalk ramps. The state work will not include sidewalks, medians, intersections, curbs or sewer intakes.

MOTIONS:

Schubert moved to approve an Outdoor Service area and Premise Update for a party room for Daves, 203-207 E Main St, second by Greer. Motion carried 7-0.

Approve new Liquor License (hard liquor, native wine and beer) and transfer of cigarette permit, Casey's 108 Iowa Avenue W, from 1201 Iowa Avenue W.

RESOLUTIONS:

Wirin moved to table Resolution 2016-131 Adopting Revised Safety Manual to the next meeting, second by Martin. Motion carried 7-0.

Lamer moved to adopt Resolution 2016-132 Accepting a Loan through the Firefighting Equipment Revolving Loan Fund, for purchase of light-rescue fire vehicle, \$142,430.00, interest –free, second by Greer. Resolution adopted 7-0.

Greer moved to adopt Resolution 2016-133 Approving Contract Grant Award with the Iowa Department of Justice, relating to compliance with requirements of the Violence Against Women Act, contract through 6/30/2017, \$41,674 with local match of \$13,892, second by Schubert. Resolution adopted 7-0.

Lamer moved to adopt Resolution 2016-134 Accepting and Awarding the Bid for providing Salt for ice and snow control for the 2016-2017 fiscal year, Independent Salt Company, \$74.65 per ton, second by Wirin. Resolution adopted 7-0.

Greer moved to adopt Resolution 2016-135 Approving Agreement Amendment No 2 with Fox Engineering for Engineering Services, Turner St Force Main Project 59012009A, \$503,600, second by Wirin. Resolution adopted 6-1, Schubert dissenting.

Wirin moved to adopt Resolution 2016-136 Ordering Construction of the Iowa River Trail Phase II Project 41016001A, setting public hearing on plans, specifications, form of contract and estimated cost and directing publication of notice to bidders, second by Martin. Resolution adopted 7-0.

DISCUSSION

Mayor Lowrance reminded the council of the Special Council Meeting set for Noon, July 12, for sale of bonds, and for discussion of how the Police and Fire building bond issue and the city's debt capacity

COUNCIL PROCEEDINGS

July 11, 2016

PUBLIC COMMENT

ADJOURNMENT

The meeting adjourned at 6:20 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
July 12, 2016

A Special meeting of the Marshalltown City Council was convened on July 12, 2016, at 12:06 PM, in the Council Chambers at City Hall, according to posted notices. Mayor Lowrance called the meeting to order. ROLL CALL: Present – Gowdy, Hoop, Martin, Wirin. Absent: Greer, Lamer, Schubert.

Martin moved to adopt Resolution 2016-137 Awarding Sale of \$5M General Obligation Corporate Purpose Bonds, Series 2016A, bid of Raymond James & Associates, Inc., Grosse Pointe Farms, MI, in the principal amount of \$5,000,000.00, second by Hoop. Resolution adopted 4-0. The council was pleasantly surprised with a low net interest rate of 1.62%.

Discussion of Police and Fire Building bond issue and city debt capacity. Maggie Burger, Speer Financial, explained the city's legal debt limit is 5% of the Actual Valuation. The legal debt limit is \$68,225,606. Including today's debt of \$5M, the city's debt obligation is \$28,650,000. The city maintains a Moody's rating of Aa2, largely based on the city's conservative history and cash balances. The council has taken advantage of refunding opportunities with the low interest rates available, reducing cost of debt. The council discussed the effect of the anticipated \$17.5M debt for construction of the police and fire building set for election on August 2. If approved by the voters, including the \$17.5M debt, the debt obligation would be \$46,150,000. The remaining available debt amount of \$22,075,606 is sufficient to cover emergencies and future projects, considering the principal amounts scheduled for payment on the current debt schedule. Ninety-five percent of the \$28.6M debt will be retired within nine years, with an aggressive repayment schedule of about \$3M in principal each year, leaving additional debt capacity for the future.

With no additional action the meeting adjourned at 12:25 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
July 15, 2016

A Special meeting of the Marshalltown City Council was convened on July 15, 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.

Greer moved to accept the resignation of City Administrator Randy Wetmore, effective August 31, 2016, second by Lamer. Motion approved 7-0.

Greer moved to proceed with filling the vacancy of the city administrator position, second by Lamer. The position opening will be posted Monday, July 18. The council discussed the position qualifications. There was no expressed interest in changing the qualifications, although they may be amended at a later date. Motion approved 7-0.

With no additional action the meeting adjourned at 12:15 PM

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, City Clerk

BUILDING REPORT FOR THE MONTH OF JUNE 2016



PERMIT NUMBER	OWNER OF IMPROVEMENT	LOCATION OF IMPROVEMENT	TYPE OF IMPROVEMENT	NEW DWELLING	ALTER DWELLING	MINOR BUILDING	MISC. IMPROVEMENT	FEE
24212	Bret Lee	805 W. Southridge Rd.	New Shed			\$3,000		\$83
24213	JBS	812 Bromley Street	Demolish Building					\$25
24214	Jeremy Adkins	2101 East Nevada St.	New Building				\$3,000	\$166
24215	Concrete Inc.	1706 East Main Street	Alter Building				\$85,000	\$885
24216	David Rodriguez	509 Lee Street	Alter Dwelling		\$2,000			\$65
24217	Alfonso Medina	308 Iowa Avenue East	Alter Building				\$20,000	\$32

Building Division Improvement Value & Fee Summary - June 2016

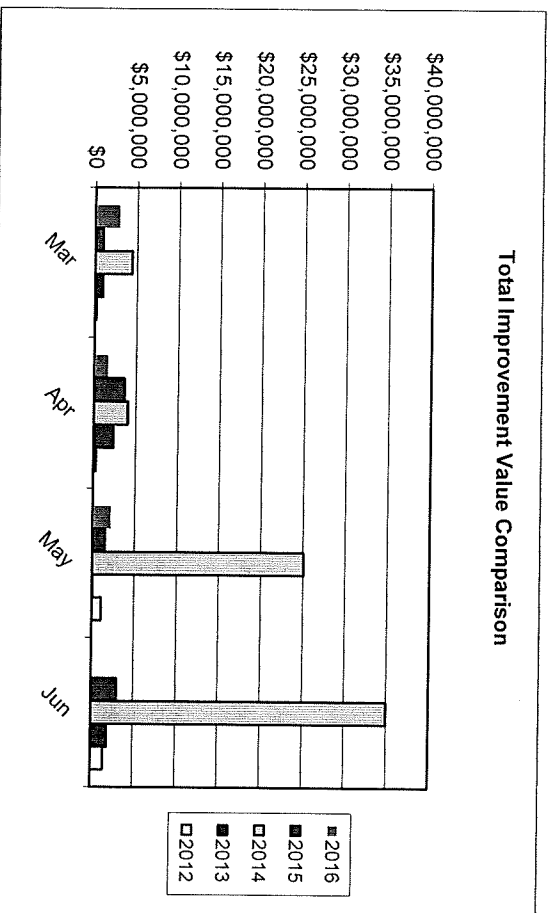
Total Improvement Value Comparison

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
2016	\$479,000	\$1,034,000	\$2,977,000	\$1,699,000	\$2,257,000	\$113,000							\$8,559,000
2015	\$0	\$57,000	\$941,000	\$3,671,000	\$1,516,000	\$3,067,000							\$9,252,000
2014	\$311,000	\$206,000	\$4,457,000	\$4,101,000	\$25,076,000	\$35,000,000							\$69,151,000
2013	\$1,470,000	\$101,000	\$953,000	\$2,413,000	\$91,000	\$1,952,000							\$6,980,000
2012	\$489,000	\$449,000	\$178,000	\$292,000	\$1,105,000	\$1,500,000							\$4,013,000

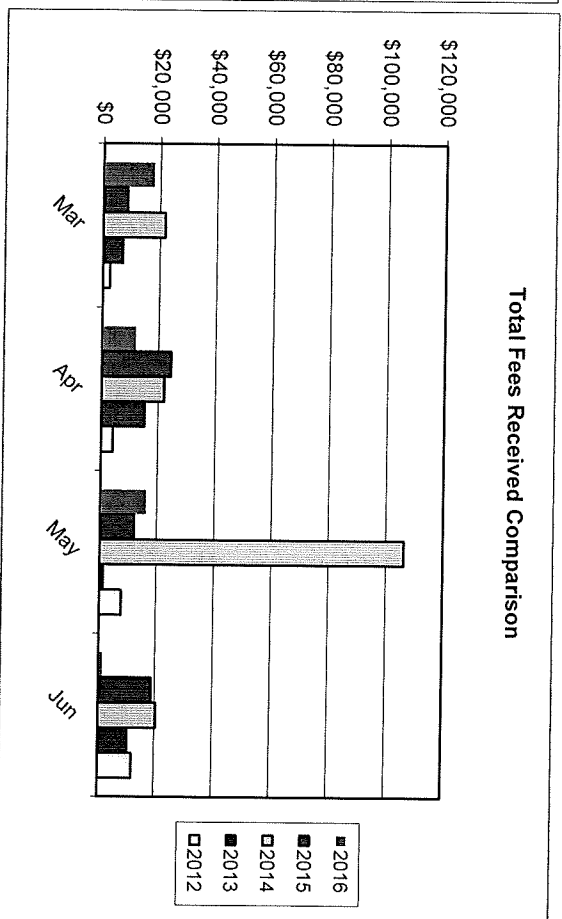
Total Fees Received Comparison

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
2016	\$3,860	\$7,490	\$18,014	\$12,229	\$16,500	\$1,553							\$59,646
2015	\$0	\$762	\$8,610	\$24,464	\$12,214	\$18,787							\$64,837
2014	\$2,414	\$1,980	\$21,811	\$22,054	\$106,382	\$20,451							\$175,092
2013	\$9,824	\$1,416	\$7,030	\$15,486	\$1,408	\$10,443							\$45,607
2012	\$4,789	\$4,470	\$2,640	\$4,259	\$7,811	\$12,060							\$36,029

Total Improvement Value Comparison



Total Fees Received Comparison



Purchases between \$10,000 & \$35,000
and Vertical Public Improvements (*) Below \$36,000
Approved by City Administrator
For Informational Purposes Only

* Vertical Public Improvements means buildings, all appurtenant structures, utilities, incidental street improvements including Vertical infrastructure does not include any work constructed in conjunction with or ancillary to highway, street, bridge or culvert As defined in Iowa Administrative Code Chapter 180 section 761-180.3(314) definitions

Date	Vendor	Type or Description	Fund / Funds	Dollar Amount	Reported to Council Date
7/19/2016	TEAM Services	Materials Testing - Turner Street Force Main	WPCP Fund	\$15,866.92	7/25/2016



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

Housing & Community Development

TO: Mayor and City Council

FROM: Michelle Spohnheimer, Housing & Community Development Director 

DATE: July 25, 2016

RE: **2017 Rental Registration Fees**

The City of Marshalltown recently accepted a settlement agreement which proposed a new fee schedule for calendar year 2017.

The fee is a per unit fee based on the tax parcel.

Unit	2016 Fee Per Unit	2017 Fee Per Unit
1 st unit	\$33.00	\$33.00
2 nd unit	\$29.75	\$29.75
3 rd – 12 th unit	\$29.75	\$23.75
13 th and all additional units	\$24.00	\$17.00

If you have any questions please do not hesitate to contact me regarding this proposal.

Michelle Spohnheimer
641-754-5756
mspohnheimer@ci.marshalltown.ia.us

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

Marshalltown



RESOLUTION APPROVING FEES CHARGED BY THE
HOUSING DEPARTMENT OF THE CITY OF MARSHALLTOWN, IOWA
FOR RENTAL PROPERTY REGISTRATIONS

WHEREAS the Housing Department of the City of Marshalltown, Iowa, is authorized to charge fees for rental property registrations; and

WHEREAS the City of Marshalltown has accepted a settlement agreement setting a new schedule for calendar year 2017; and

WHEREAS the City Council has fully examined this proposed fee structure, and has found it to be in the best interest 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. The proposed rental housing registration fees, charged by the Housing Department of the City of Marshalltown, Iowa, shall be as set out in the following schedule. The fees shall be applicable to all rental properties operated on and after the January 1, 2017.

Unit	Registration fee per unit
1 st unit	\$33.00
2 nd unit	\$29.75
3 rd – 12 th unit	\$23.75
13 th and all additional units	\$17.00

Section 2. Rental property registration fees shall be billed based on the calendar year.

Section 3. Rental property registration fees will be based on the tax parcel identified by Marshall County.

Section 4. City staff will periodically review program costs in relationship to the rental property registration fees and make recommended changes to the City Council.

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

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



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

July 25, 2016

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

From: Michelle Spohnheimer
Housing & Community Development Director

Re: Dangerous & Dilapidated Building Program Update.

The City received the asbestos assessment report from the inspector and there were minimal amounts of asbestos identified in the first five properties. Staff has requested quotes from three asbestos removal companies. It is anticipated that all three will reply by the requested deadline of July 26, 2016.

Once received staff will review the quotes and authorize the removal work to begin. Once cleared the remaining demolition can begin.

cc: Randy Wetmore, City Administrator

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





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

July 6, 2016

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

From: Justin Nickel
Director of Public Works

Re: Discussion on Center Street/Highway 14 Road Aesthetics

Policy Issue: None

Recommendation: None

Background: The Iowa DOT is planning a major rehabilitation project for Highway 14 thru Marshalltown in 2018. The project includes a mill and overlay of pavement on Highway 14 from the Iowa River to Highway 30, as well as reconstruction of sidewalk ramps for ADA compliance. This project does not include maintenance to City controlled items such as: sidewalks, curbs, storm intakes, medians, and traffic signals. Engineering staff is currently assessing these items to identify those in need of maintenance. Beyond maintenance this project may offer the opportunity to make aesthetic enhancements to the corridor. Enhancements could include median improvements such as paver bricks, stamped concrete or grass medians. Decorative plantings or tree plantings could be other enhancement options.

Budget Impact: To be determined

Attachment: None

cc: Randy Wetmore, City Administrator

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





James L. Lowrance, Mayor
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City of Marshalltown Safety Committee

June 30, 2016

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

From: Bob Ranson
Superintendent, Water Pollution Control Plant / Chairman, City of Marshalltown
Safety Committee

Re: General Safety Manual for City of Marshalltown

Policy Issue: Adopt updated General Safety Manual for the City of Marshalltown

Recommendation: Approve the General Safety Manual

Background: The City of Marshalltown Safety Committee has prepared a general safety manual. The intent of this manual is to clearly identify the roles and responsibilities of all City staff regarding safe working conditions and practices. The safety manual has been reviewed and approved by Department Heads, Human Resources and the City Administrator. This manual is to act as a guideline for each department. Departments are aware that additional safety training and policies may be required for department specific duties.

Budget Impact: No budget impact

Attachment: Revised General Safety Manual

cc: Randy Wetmore, City Administrator

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



2016-__

RESOLUTION ADOPTING THE SAFETY MANUAL

manual printed separately

WHEREAS the City of Marshalltown, Iowa, has a City Wide Safety Policy established and adopted by Council Resolution 1992-022, on February 22, 1992; and

WHEREAS the Employee Safety Committee, established by the City Wide Safety Policy, assists in promoting safe work practices; and

WHEREAS the Employee Safety Committee has developed a Safety Manual to assist with promoting safe work practices and compliance with state and federal requirements; and

WHEREAS the Employee Safety Committee and recommends the Council adopt the Safety Manual; and

WHEREAS the City Council of Marshalltown, Iowa, finds that approving and adopting the Safety Manual is in the best interests of the City of Marshalltown, Iowa.

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

Section 1. The Safety Manual is hereby adopted.

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

Passed on this ____ day of July, 2016, and signed on this ____ day of July, 2016.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

2016-__

RESOLUTION ADOPTING BODY WORN CAMERAS POLICY

WHEREAS the Marshalltown Police Department has developed a Body Worn Camera Policy to identify when body worn camera recording devices should be used and procedures to follow when using the recording equipment; and

WHEREAS the City Council of Marshalltown, Iowa, finds that approving and adopting the said policy is in the best interests of the City of Marshalltown, Iowa.

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

Section 1. The Body Worn Cameras Policy is hereby adopted.

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

Passed on this __ day of July, 2016, and signed on this __ day of July, 2016.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

Marshalltown Police Department

SUBJECT BODY WORN CAMERAS				POLICY No.
TYPE GENERAL ORDER	ISSUED ??/??/16	REVISED N/A	REFERENCE N/A	TOTAL PAGES 5

PURPOSE

The purpose of this policy is to identify when body worn camera recording devices should be used and procedures to be followed when using the recording equipment.

POLICY

It is the policy of the Marshalltown Police Department to use body worn camera recording devices to collect evidence and document interactions between officers and the public. Only approved equipment will be used by department members, and usage shall comply with the manufacturer's instructions. Only those members trained in the use of the recording devices are authorized to use the equipment. All recordings are the property of the Marshalltown Police Department. Any distribution of a video or portion of a video shall only be done with the authorization of the Chief of Police or designee. The playing or copying of video is prohibited unless authorized by this policy. The Chief of Police or designee will supervise the use, storage, duplication and purging of the material recorded by members of this department.

DEFINITIONS

1. Body Worn Camera Recording Device: A **BRAND TBD** Body Worn Camera, approved for use by the Marshalltown Police Department; USB connection cables; **BRAND TBD** software.
2. System Administrator: A department member appointed by the Chief of Police to oversee the operation, installation, management and maintenance of the body camera system and storage.
3. Officer: Any member of the department utilizing an approved **BRAND TBD** Body Worn Camera Recording Device.

PROCEDURES

USE OF BODY WORN CAMERAS

1. The use of body worn camera recording devices will allow officers to collect evidence for use in the prosecution of those charged with a violation. Other appropriate uses of the recorded information include, but are not limited to:
 - 1.1. Review of an incident prior to a court appearance;
 - 1.2. Provide documentation of incidents which do not result in charges;
 - 1.3. Assist in the report writing process;
 - 1.3.1 If an officer is suspected of wrongdoing, or involved in an officer-involved shooting or other serious use of force, the department reserves the right to limit or restrict an officer from viewing the recording.
 - 1.4. Recorded material may be used in, or provide the basis for, training.

TRAINING

1. Officers who are assigned a body worn camera recording device shall be trained and proficient in the use of the equipment. If further training is needed regarding the use of the body worn camera recording system, the officer shall contact a supervisor and request additional training or ask questions regarding the use of the equipment. This training shall be documented by a task list and signed off as soon as training is complete. The Training Coordinator will create a task list for this purpose. All officers who are assigned a camera will be trained on the operation of the body worn camera recording device, and they are expected to become knowledgeable about the operation and functions of the system. A printed copy of the instructions is available. Problems encountered while using the body worn camera recording device shall be brought to a supervisor's attention as soon as possible. An equipment repair order shall be turned in for any malfunction.

PATROL PREPARATION AND EQUIPMENT TEST

1. At the start of each watch, all officers shall ensure the proper functioning of their body worn camera recording device. The camera should be placed in such a way that it captures audio and visual to the front of the officer. The camera should be mounted vertically, be unobstructed, and be affixed to the uniform in a way approved by the Chief of Police.

MALFUNCTIONS

1. If an officer detects a problem with the equipment, he/she shall notify a supervisor at the earliest possible time. If the supervisor is unable to remedy the error, he/she will forward notification of the problem or malfunction to the designated body worn camera recording device system administrator via Department email. The system administrator is the Department's designated Information Technology employee.

MAINTENANCE

1. Only persons trained in the servicing of the equipment will service the equipment. Any known defective unit will not be used and will be removed from service.

VIDEO RECORDING EQUIPMENT USE

1. Body worn camera recording devices are activated when the officer depresses the record button and is recording when the light on top is green or flashing green. A red or flashing red light indicates a full memory or low battery life. Unless this policy specifically allows for an exception, officers equipped with a body worn camera recording device will activate this equipment while handling calls for service, or interacting with the public in an official capacity.

TRAFFIC STOPS

1. All traffic stops shall be recorded in their entirety. Officers should, to the extent possible, use the recording equipment to document the administration of field sobriety tests, remembering that safety is the first priority. The use of body worn camera recording devices shall be in addition to the in-vehicle video recording system.

BODY WORN CAMERA RECORDING DEVICE USE

1. Body worn camera recording devices will be activated for the accurate documentation of police-public contacts, arrests and critical incidents. They also serve to verify and enhance the accuracy of officer reports and testimony in court.
2. Audio and video recordings also enhance the Department's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.
3. Body worn camera equipment and all data, images, video, audio and metadata captured, recorded or otherwise produced by the equipment is the sole property of the Department.
4. Officers equipped with body worn camera recording devices shall activate their body camera equipment upon arrival while handling calls for service and on self-initiated field activity. It is recommended that officers give consideration to activating the system when responding to calls for service (prior to arrival) where video/audio capture of persons/vehicles leaving the scene of incidents has investigative value. Once a recording unit has been activated, it generally should only be stopped when the incident in question is concluded.
5. Once the situation stabilizes, if necessary to discuss issues or concerns with another officer or supervisor in private, the body camera may be temporarily shut off. The intention to stop the recording will be noted by the officer verbally on the body worn camera. The camera should be re-activated as soon as practical.
6. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner body worn camera recordings without prior written authorization and approval of the Chief of Police or their designee.
7. Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the Chief of Police in accordance with state record retention laws and department policy concerning official public records. All written requests and final decisions shall be kept on file by the Department's Administrative Assistant.
8. Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
9. Officers shall note in incident, arrest, and related reports when recordings were made during the incident in question. However, body worn camera recordings are not a replacement for written reports.
10. If an officer fails to activate the body worn camera, fails to record the entire contact, or interrupts the recording, the officer shall document in writing why a recording was not made, was interrupted, or was terminated.

CITIZEN CONTACT

- 1.1. Officers shall activate their body worn camera during citizen contacts. This section may not apply to:
 - 1.1. Contacts with other law enforcement persons;
 - 1.2. Contacts with friends/family of a personal nature;
 - 1.3. Cordial contacts which are very brief;
 - 1.4. Community relations functions/presentations;

- 1.5. Adopt-A-School site visits;
- 1.6. Contacts with sexual assault victims

PROHIBITED USES

- 1. Body worn cameras shall not be used in the employee locker rooms, restrooms or any other place where there would be a reasonable expectation of privacy.
- 2. Body worn cameras will not be intentionally activated to record conversations of fellow employees without their knowledge during routine, non-enforcement related activities.

DISCLOSURE TO THE PUBLIC

- 1. Officers are not required to inform person(s) that the recording equipment is in use. Officers are encouraged to inform person(s) of the recording equipments use and shall disclose its use upon inquiry.
- 2. Public requests to review or obtain recordings will be submitted to and reviewed by the Chief of Police. The Chief of Police will document in writing the disposition of these requests. The Department shall follow all applicable guidelines and state laws related to public record disclosure. If there is question about whether a recording should be released, the Department will seek legal guidance prior to disclosure.

SUPERVISOR RESPONSIBILITIES

- 1. Officer Complaints
 - 1.1. In instances where there is a citizen complaint against a member of the department, the supervisor receiving the complaint shall ascertain if the action being complained about was recorded. Supervisors will then initiate a fact finding investigation or internal administrative investigation pursuant to Department policy.
- 2. Performance Review
 - 2.1. Supervisors are permitted to review footage to ensure compliance with recording policies and protocols. Supervisors shall review footage for the following situations, but review of footage is not limited to these situations:
 - 2.1.1. When officers are still in a probationary period or are with a field training officer;
 - 2.1.2. When officers have a pattern of allegations of verbal or physical abuse;
 - 2.1.3. Use of Force and vehicle pursuit reviews;
 - 2.1.4. Citizen complaints;
 - 2.1.5. To ensure that body worn camera recording devices are being properly utilized and operated or to identify recordings that may be useful in Department training.
- 3. Ensure that body worn camera footage is downloaded at the end of each shift.

VIDEO TRANSFER & RETENTION

- 1. Recordings created by Department body worn camera recording devices should be downloaded at the end of each shift where the camera was used by the recording officer. The recordings shall be maintained securely and managed by the property and evidence technician under the supervision and direction of the Special Services Division Captain.

2. Unless being held as evidence, recordings created by Department owned body worn camera recording devices shall be retained for ninety (90) days on a secure server or in another approved electronic format. It is the responsibility of the recording officer to submit a written request to the evidence custodian to preserve all necessary recordings as evidence. In the event the recording officer is unable to do this, that officers supervisors shall complete this task.

Alleged violations of this policy, attempts to alter or destroy recordings, turning off the recording devices in violation of this policy or the alleged misuse of Department body worn camera recording devices will be investigated. If violations of this policy are founded, disciplinary actions up to and including termination of employment is a possible outcome.

By Order Of:

Michael W. Tupper
Chief of Police

DRAFT



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

July 19, 2016

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

From: Justin Nickel
Director of Public Works

Re: Order Construction – 2016 Ingledue and Pine Street Rehab Project (76016008)

Policy Issue: City policy requires Governing Body approval of Resolution ordering construction

Recommendation: Staff recommends approving the Resolution ordering construction of the Ingledue and Pine Street Rehab Project.

Background: Engineering staff has prepared plans, specifications and contract documents for the Ingledue and Pine Street rehab project. The project includes total reconstruction of these streets, for one block each, between 2nd and 3rd Avenues.

Budget Impact: This project will be funded with bond sale proceeds.

Attachment: None

cc: Randy Wetmore, City Administrator

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



RESOLUTION ORDERING CONSTRUCTION OF THE
2016 INGLEDUE ST AND PINE ST REPAIR PROJECT
IN THE CITY OF MARSHALLTOWN, IOWA,
SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND ESTIMATED COST AND DIRECTING PUBLICATION OF NOTICE TO BIDDERS
BEING PROJECT NUMBER 76016013

WHEREAS there is now on file in the office of the City Clerk proposed plans, specifications, form of contract and estimated costs for the construction of the 2016 Ingledue St and Pine St Repair Project No. 76016013 in the City of Marshalltown, Iowa, as is fully set forth in the plans and specifications for Project No. 76016013, and

WHEREAS the cost of the said improvement is in excess of \$25,000 and a public hearing on the plans, specifications, form of contract and the estimated cost of said improvement is required by law and that notice thereof shall be given as required by law, and

WHEREAS it is intended that the cost of said improvement shall be paid from such funds as the City may legally use for such purposes or from the proceeds from the issuance of such bonds as may be legally issued for said purposes or any combination of the above methods of financing.

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

Section 1. This Council does hereby order the construction of the 2016 Ingledue St and Pine St Repair Project in the City of Marshalltown, Iowa, which public improvement is fully and particularly described in the plans and specifications for Project No. 76016013 now on file in the office of the City Clerk of Marshalltown, Iowa.

Section 2. That the method of construction shall be by contract in accordance with the plans and specifications and general stipulations for the said improvement approved by the City Council.

Section 3. The Contractor will be paid in monthly estimates for work completed as set out in the specifications. The project shall begin on or near the appropriate starting date as specified on the form of proposal and shall be completed within the specified number of calendar days also indicated thereon.

Section 4. That the said improvements shall be paid for from such funds of the City as may be legally used for such purposes, or from the proceeds of the issuance of such bonds as may be legally issued for such purposes or from any combination of such methods of financing and will be paid in accordance with the Notice to Bidders duly published in connection therewith. The Finance Director shall establish on the books a 2016 Ingledue St and Pine St Repair project fund and the bond proceeds or such funds of the City as may be legally used for such purposes are hereby appropriated to pay all costs of the improvements including legal publication, bond, design, engineering, survey and inspection, contract and contingency cost as estimated by the Engineer. The Finance Director is directed to advance all sums necessary from the project fund, and to set up on the books the obligations and receivables of the fund.

Section 5. The City Clerk is hereby directed to publish notice of hearing on plans, specifications, and form of contract and estimated cost in the manner provided by law for the public improvement outlined herein and that any person interested therein may appear and make objections thereto, if any he has. This Council will meet in the Council Chamber, Second Floor, 10 West State Street at Marshalltown, Iowa, at 5:30 o'clock P.M., local time on the 8th day of August 2016, for the purpose of hearing all of said objections so made and for taking final action upon the plans, specifications, and form of contract now on file.

Section 6. The City Clerk is further directed to advertise for bids in the manner provided by law for the construction of said improvements, setting forth in said notice such necessary pertinent information as will advise prospective bidders thereof together with the proposed manner of payment of the work to be constructed and that such bids be filed and received in the office of the City Clerk of Marshalltown, Iowa, up to 10:00 o'clock A.M., local time, on the 16th day of August 2016. The bids will be opened, read, and tabulated by the City Engineer or his designate at that time and will be acted upon by the City Council of said City at a meeting to be held in the Council Chambers, Second Floor, 10 West State Street, Marshalltown, Iowa, at 5:30 o'clock P.M., local time, on the 22nd day of August 2016, or at such later time and place as may then be fixed for considering such bids as shall be filed in connection with the improvement herein ordered and in compliance with the notice of taking bids therein, hereby ordered to be published.

Passed this 25th day of July 2016, and signed this _____ day of July 2016.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk



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

July 19, 2016

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

From: Justin Nickel
Director of Public Works

Re: Statement of Completion – Hay Construction Services, Inc. for construction of the WPCP Phase II Concrete Repairs (52013017)

Policy Issue: City policy requires Governing Body approval of Resolution approving Engineers Statement of Completion

Recommendation: Staff recommends approving the Resolution approving Engineers Statement of Completion

Background: Work has been completed to satisfaction with the contract. The Statement of Completion is being recommended for approval.

Budget Impact: This project will be funded with Sanitary Sewer Fees.

Attachment: Statement of Completion

cc: Randy Wetmore, City Administrator

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



RESOLUTION APPROVING CERTIFICATE OF COMPLETION
AND FINAL PROJECT COSTS WITH HAY CONSTRUCTION SERVICES, INC.
IN THE AMOUNT OF \$208,345.00 FOR CONSTRUCTION OF THE
WPCP CONCRETE REPAIR PHASE II PROJECT IN THE CITY OF
MARSHALLTOWN, IOWA,
BEING PROJECT NO. 520 13017

WHEREAS, the City of Marshalltown, Iowa has heretofore entered into a contract for labor and material for the WPCP Concrete Repair Phase II Project.

WHEREAS, said project has been completed by Hay Construction Services, Inc., of Marshalltown, Iowa, pursuant to the plans and specifications covering said project.

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

That the labor and material for the WPCP Concrete Repair Phase II, being project number 52013017, is hereby accepted pursuant to the Engineer's Statement of Completion for the final project cost of \$208,345.00.

BE IT FURTHER RESOLVED that the Mayor and City Clerk is hereby authorized and directed to do all things necessary to complete the contract with Hay Construction Services Inc., including the payment of the items called for in said contract and approved for final payment.

Passed this 25th day of July 2016 and signed this ____ day of July 2016.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN, IOWA

CERTIFICATE OF COMPLETION AND FINAL ACCEPTANCE WORK

CONTRACTOR: Hay Construction Services, Inc. PROJECT NO.: 52013017

ADDRESS: 16 South 18th Ave., Marshalltown, IA. 50158

SURETY: IMT Insurance Company through Independent Insurance Inc.

ADDRESS: 11 E Church St., Marshalltown, IA 50158

KIND OF WORK: Marshalltown W.P.C.P. Phase 2 Concrete Repairs – Phase 2

CONTRACT COMPLETION DATE: June 30, 2016

This is to certify that the work covered by the contract with Hay Construction Services, Inc.

On the above project, let July 16, 2015 and dated July 28, 2015 with an original

contract amount of \$208,790.00 consisting of Water Pollution Control Plant Concrete Repairs – Phase 2

and located in the City of Marshalltown was completed on the 27th day of June, 2016 and that the

materials listed on the attached final estimate were delivered and placed by the Contractor.

Final Contract Amount: \$208,345.00 Liquidated Damages: None Retainage: \$10,439.50

Tax Form ST-172 Rec'd X Lien Waivers Received: None I hereby further

certify that this report was prepared by me or under my direct personal supervision and that I am a duly registered Professional Engineer under the laws of the State of Iowa and I hereby recommend acceptance of this work.

Signed: Kyle G. Lacina Iowa Reg. No. 14458 Date: July 13, 2016

Kyle G. Lacina, P.E., Structural Engineers, P.C.

APPROVED AND WORK ACCEPTED BY THE CITY OF MARSHALLTOWN, IOWA

By: _____
James L. Lowrance, Mayor

Attest: _____
Shari L. Coughenour, CMC, City Clerk



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

July 20, 2016

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

From: Justin Nickel
Director of Public Works

Re: Agreement – Structural Engineers for engineering services for WPCP Concrete Rehab Project - Phase III

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

Recommendation: Staff recommends approving the Agreement with Structural Engineers for design, construction administration, and inspection services for the Concrete Rehab Project - Phase III for a fee not to exceed \$55,000.

Background: Structural Engineers P.C. was selected to provide design and construction services on Concrete Repairs Phase I and II. With the project knowledge from Phase I and II, it would likely cost the City more to hire another engineer for design and construction of Phase III.

Budget Impact: The cost of engineering services will be paid for with Sanitary sewer fee revenues.

Attachment: Agreement.

cc: Randy Wetmore, City Administrator

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



RESOLUTION APPROVING ENGINEERING SERVICES CONTRACT WITH
STRUCTURAL ENGINEERS P.C., AND THE CITY OF MARSHALLTOWN
FOR THE WPCP CONCRETE REPAIR PHASE III
IN THE CITY OF MARSHALLTOWN, IOWA
BEING PROJECT NUMBER 52016012 IN THE AMOUNT OF \$55,000.00.

WHEREAS the contract with Structural Engineers P.C., for Engineering Services for the WPCP Concrete Repair Phase III Project and that the said contract is now before the Council for final approval.

WHEREAS Structural Engineers P.C., of Marshalltown, IA, has executed a contract for Engineering Services and has filed its insurance certificate covering the full amount of said engineering services 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:

Section 1. That the contract for Engineering Services for the WPCP Concrete Repair Phase III Project in the amount of \$55,000.00, be accepted and approved.

Passed this 25th day of July 2016, and signed this _____ day of July 2016.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

June 7, 2016

City Of Marshalltown
Public Works Department
24 N. Center Street
Marshalltown, IA 50158

Attn: Mr. Bob Ranson

Re: Water Pollution Control Plant Rehabilitation Phase III

This letter is in reply to your request for information concerning engineering services for Phase III Rehabilitation of the Water Pollution Control Plant. This portion of the treatment plant was constructed in 1939 with additions and modifications in 1982 and 1986. This portion of the concrete tanks, trough and walkways has been in service for almost 70 years and are in need of major repairs. It appears that most of these areas can currently be rehabilitated. However, the useful life of these structures is about to end if repairs are not completed in the near future. The concrete is in an accelerated state of deterioration due to moisture intrusion and freeze – thaw cycles during the many years of operation.

Phase I Rehabilitation was completed this year and included the rehabilitation of the utility tunnel, aeration tanks 5 through 7, the west inlet and RAS channel and adjacent walkways. Phase II Rehabilitation will be completed this year and includes repairs to aeration tanks 1 through 4B, the east inlet and activated sludge channels and associated walkways. Phase III Rehabilitation will include repairs to the primary clarifiers 1 through 5, sludge handling, piping tunnel, associated walkways and the old clear well top of wall/curb.

The engineering services that are necessary and that we propose to furnish include the following.

1. Gather field data and photos of existing conditions.
2. Meet with plant personnel to evaluate existing conditions and outline project scope and Schedule.
3. Preliminary drawings for Owners review.
4. Construction drawings for rehabilitation work.
5. Specifications to outline material and workmanship.
6. Opinion of cost for owners review and selection of work to be included.
7. Bid documents for bidding and contractor selection.
8. Construction Review
 - a. Project meetings with Owner and Contractor
 - b. Shop drawing review
 - c. Response to requests for information (RFI's)
 - d. Change order request review and administration.
 - e. Contractor pay request and review.

The engineering fees associated with the listed scope of work would be as listed below.

1. Phase III Rehabilitation	
a. Design Phase	\$40,000
b. Bid Phase	\$ 3,000
c. Construction Phase	<u>\$12,000</u>
Total	<u>\$55,000</u>

June 7, 2016

Services outside the scope of work would be billed at an hourly rate based on the following rates.

Principal	\$165/hr.
Engineer 1	\$135/hr.
Engineer 2	\$115/hr.
Technician	\$80/hr.
Clerical	\$45/hr.

Billings will be sent monthly as costs are incurred. Payments are due within 30 days of the date of the invoice.

Thank you for contacting Structural Engineers, P.C. for this project. If there are any questions concerning the project scope or fees, please call.

Sincerely,

Kyle G. Lacina, P.E., S.E.
Structural Engineers P.C.



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

July 25, 2016

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

From: Michelle Spohnheimer
Housing & Community Development Director

Re: Preliminary and Final Plat for Theisens Subdivision.

Policy Issue: The City of Marshalltown requires a Subdivision Plat when a parcel is divided into three or more parcels. Interstate Power & Light is going to build a new substation on the southern Lot 1 of this plat. South 8th Street will be extended to the southern boundary line at the time of construction. A development agreement is included with the subdivision submission outlining terms and conditions. The City will not take possession of the right-of-way parcel until such time that the road is constructed to City standards. Lot A will remain privately owned until that time.

Recommendation: Staff recommends approving the Preliminary and Final Plat and corresponding documents.

Background: The Plan Zoning Commission has reviewed the subdivision and recommended approval. The Board of Adjustment has previously approved the Special Use Permit permitting the substation and approved a sidewalk deferment for the frontage on the future S. 8th Street.

Budget Impact: There is not a budget impact all costs are covered by the owner.

Attachment: Platting documents and development agreement.

cc: Randy Wetmore, City Administrator

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



RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT FOR THEISENS SUBDIVISION

WHEREAS the Preliminary and Final Plat for Theisens Subdivision, has been filed for review and approval; and

WHEREAS the Plan Zoning Commission reviewed and recommended approval of the Preliminary and Final Plat at a meeting on July 14, 2016; and

WHEREAS the City of Marshalltown, Iowa finds that approving and adopting the Preliminary Plat and Final Plat and related development agreement is in the best interests of the City of Marshalltown, Iowa.

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

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

Section 2. The Council also approves the development agreement related to the completion of South 8th Street.

Passed this _____ day of July 2016 and signed this _____ day of July 2016.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

PRELIMINARY PLAT THEISENS SUBDIVISION

Plan & Zoning Commission

Mayor Signature

Attest

PROPERTY DESCRIPTION

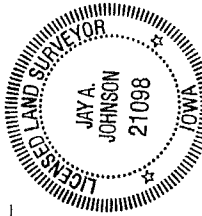
THEISENS SUBDIVISION to the City of Marshalltown, Marshall County, Iowa, being a Re-Plat of Parcel B in Parcel A, Parcel C in Parcel A, Parcel D in the North 5 acres, and the North 5 acres lying in the Northeast 1/4 of the Northeast 1/4 of Section 15, and the Southeast 1/4 of the Southeast 1/4 of Section 10, all in Township 83 North, Range 18 West of the 5TH P.M., Marshall County, Iowa, more particularly described as:

COMMENCING at a 1/2 inch Rebar, set to mark the Northwest Corner of the Northeast 1/4 of the Northeast 1/4 of said Section 15, from which, a "PK" Nail, set to mark the Northeast Corner of said Section 15, bears S 86°40'14" E, 1925.73 feet; thence, S 0°42'22" E, 20.00 feet to a 1/2 inch Rebar, set to mark the Northwest Corner of said Parcel B, being the TRUE POINT OF BEGINNING of this description;

thence, S 87°05'55" E, 524.90 feet;
thence, S 87°56'52" E, 82.55 feet;
thence, S 0°42'28" E, 130.25 feet;
thence, S 89°05'46" E, 80.03 feet;
thence, N 0°43'23" W, 137.65 feet;
thence, S 87°56'52" E, 616.65 feet;
thence, S 0°03'39" E, 603.32 feet;
thence, S 89°56'21" E, 7.00 feet;
thence, S 0°03'36" E, 364.26 feet;
thence, N 89°45'43" W, 487.15 feet;
thence, S 86°37'02" W, 762.34 feet;
thence, N 0°42'22" W, 1065.51 feet to the POINT OF BEGINNING. Said parcel contains 29.26 acres more or less and subject to easements and restrictions of record.

SURVEYOR'S CERTIFICATE

I hereby certify that this Plat was prepared and the related survey work was performed by me or under direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.



Jay A. Johnson
Date: 2/7/16

Iowa license number: 21098
License renewal date is December 31, 2017

PROPRIETORS

Leo A. Theisen and Theisen Development Co., LLC.

FIELD WORK COMPLETED

June 13, 2016

SURVEY REQUESTED BY

Alliant Energy
200 1st Street SE
Cedar Rapids, IA 52401

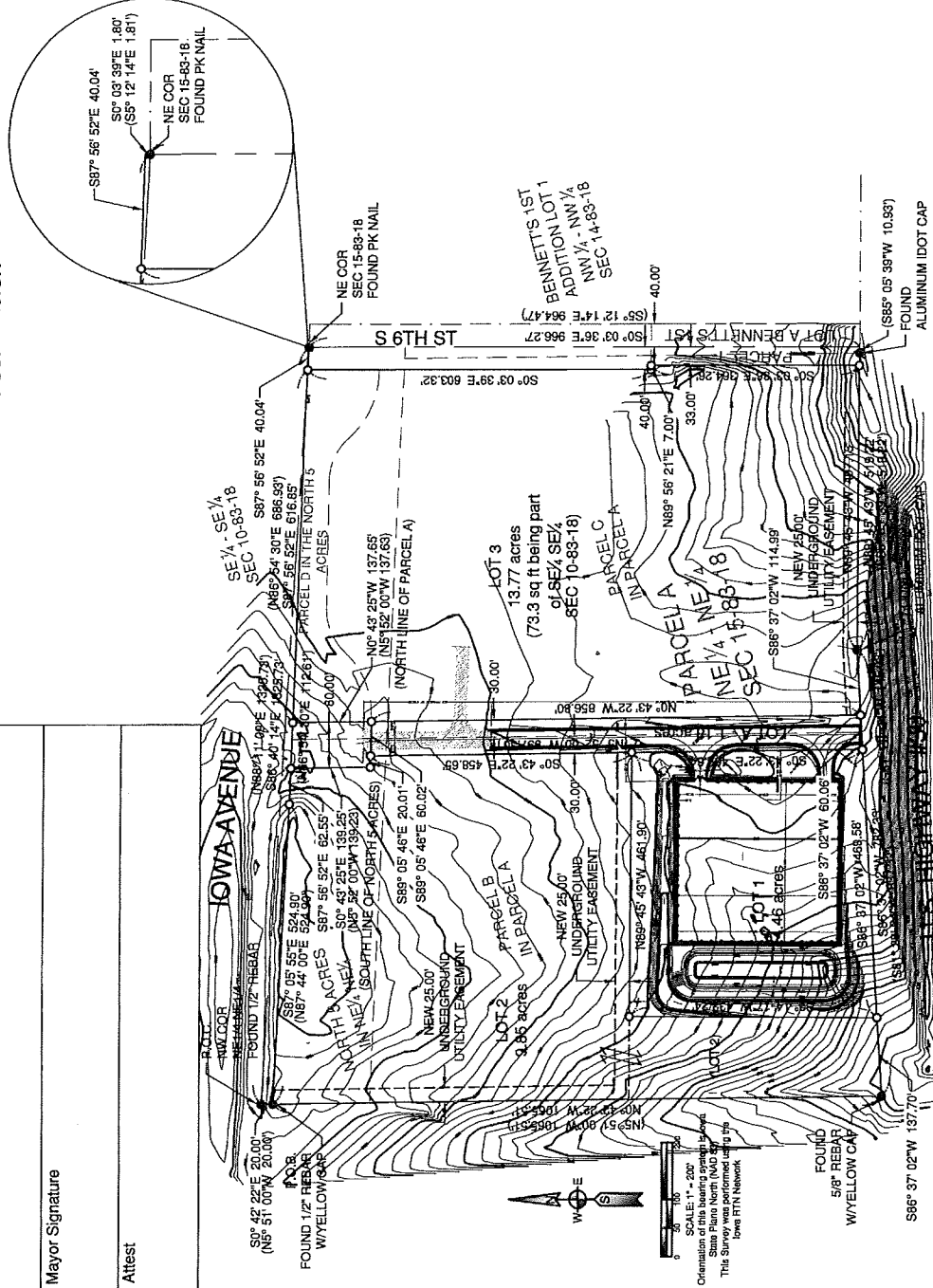
SURVEYORS AND ENGINEERS

Uiteig Engineers, Inc.
109 North Center Point Rd
Hawthorn, IA 52233

LEGEND

- ROAD RIGHT OF WAY LINES
- EXISTING LOT LINES
- NEW PARCEL LINES
- NEW EASEMENT LINES
- SECTION LINE
- QUARTER SECTION LINE
- FOUND SURVEY MONUMENT AS NOTED
- SET NO. 5 REBAR W/GREEN CAP
- PLS NO. 21098

Project Number: R 14,00974
Date: 7/7/16
Drawn By: JAO
Approved By: JAO
Sheet: 1 of 1



Mapcheck : Lot 3
Closure Summary
Precision, 1 part in: 272568.12'

Mapcheck : Lot 2
Closure Summary
Precision, 1 part in: 299056.58'

Mapcheck : Lot 1
Closure Summary
Precision, 1 part in: 190815.94'

Mapcheck : THEISENS SUBDIVISION
Closure Summary
Precision, 1 part in: 3896305.71'

PRELIMINARY PLAT THEISENS SUBDIVISION

IN THE NE 1/4 OF THE NE 1/4
SECTION 15, AND THE SE 1/4 OF THE SE 1/4 SECTION 10, ALL IN
TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5TH P.M., MARSHALL
COUNTY, IOWA

Uiteig
109 North Center Point Road
Hawthorn, Iowa 52233
Phone: 319.288.3000
Web: www.uiteig.com

Plan & Zoning Commission

Mayor Signature

Attest

FINAL PLAT THEISENS SUBDIVISION

PROPERTY DESCRIPTION

THEISENS SUBDIVISION is to the City of Marshalltown, Marshall County, Iowa, being a Re-Plat of Parcel B in Parcel A, Parcel C in Parcel D in the North 5 acres, and the North 5 acres lying in the Northeast 1/4 of the Northeast 1/4 of Section 15, and the Southeast 1/4 of the Southeast 1/4 of Section 10, all in Township 83 North, Range 18 West of the 5TH P.M., Marshall County, Iowa, more particularly described as:

COMMENCING at a 1/2 inch Rebar, set to mark the Northwest Corner of the Northeast 1/4 of the Northeast 1/4 of said Section 15, from which, a P.C. Nail, set to mark the Northeast Corner of said Section 15, bears S 86°40'14" E, 1325.73 feet; thence, S 0°42'22" E, 20.00 feet to a 1/2 inch Rebar, set to mark the Northwest Corner of said Parcel B, being the TRUE POINT OF BEGINNING of this description:

thence, S 87°05'55" E, 524.90 feet;
thence, S 87°56'52" E, 62.55 feet;
thence, S 89°05'46" E, 80.03 feet;
thence, S 87°56'52" E, 137.65 feet;
thence, S 87°56'52" E, 616.65 feet;
thence, S 0°03'39" E, 7.00 feet;
thence, N 89°55'21" E, 7.00 feet;
thence, N 89°45'43" W, 497.45 feet;
thence, S 88°37'02" W, 782.24 feet;
thence, N 0°42'22" W, 1065.51 feet to the POINT OF BEGINNING. Said parcel contains 23.26 acres more or less and subject to easements and restrictions of record.

SURVEYOR'S CERTIFICATE

I hereby certify that this Plat was prepared and the related survey work was performed by me or under direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Jay A. Johnson
Date 7/7/16

Iowa license number 21098
License renewal date is December 31, 2017

PROPRIETORS

Luo A. Theisen and Theisen Development Co., LLC.

FIELD WORK COMPLETED

June 13, 2016

SURVEY REQUESTED BY

Alliant Energy
200 1st Street SE
Oeder Rapids, IA 52401

SURVEYORS AND ENGINEERS

Uiteig Engineers, Inc.
109 N. Corner Point Rd
Hawthorn, IA 52233

LEGEND

- ROAD RIGHT OF WAY LINES
- EXISTING LOT LINES
- NEW PARCEL LINES
- NEW EASEMENT LINES
- SECTION LINE
- QUARTER SECTION LINE
- FOUND SURVEY
- MONUMENT AS NOTED
- SET NO. 5 REBAR W/ GREEN CAP
- P.L.S. NO. 21098

U.S. HIGHWAY #30

Mapcheck: THEISENS SUBDIVISION
Closure Summary
Precision, 1 part in: 3938305.77"

Mapcheck: Lot 1
Closure Summary
Precision, 1 part in: 180815.94"

Mapcheck: Lot 2
Closure Summary
Precision, 1 part in: 289056.58"

Mapcheck: Lot 3
Closure Summary
Precision, 1 part in: 272668.12"

Mapcheck: Lot A
Closure Summary
Precision, 1 part in: 148660.51"

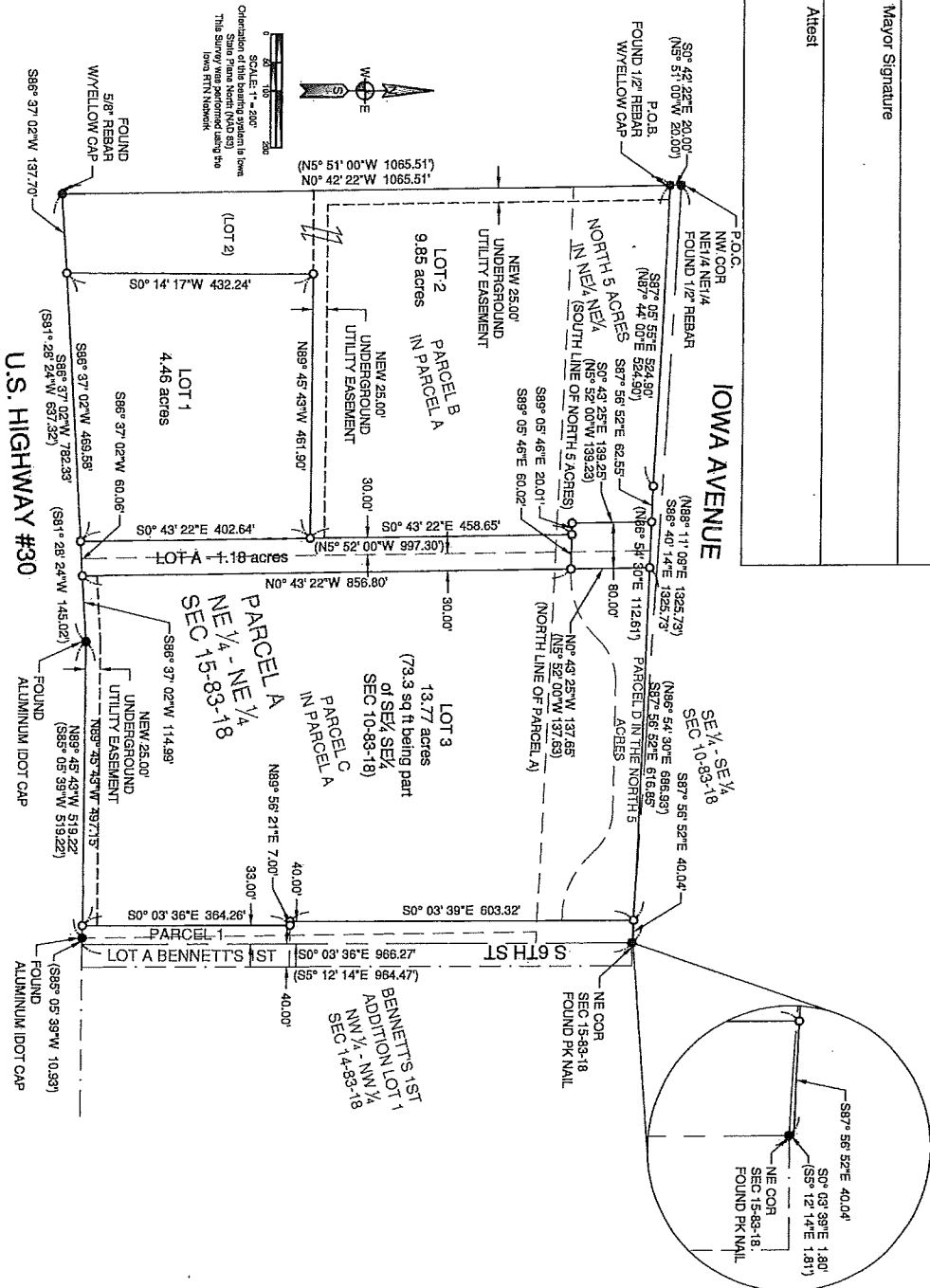
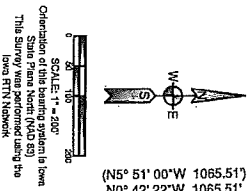


Chief Engineer: David R. Stearns, P.E.
109 North Corner Point Road
Hawthorn, IA 52233
Phone: 515.286.2000
Web: www.uiteig.com

THEISENS SUBDIVISION FINAL PLAT

SECTION 15, AND THE SE 1/4 OF THE SE 1/4 SECTION 10, ALL IN
TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5TH P.M., MARSHALL
COUNTY, IOWA

Project Number: B-14-0074
Date: 7/7/16
Drawn by: JAU
Approved by: JAU
Sheet: 1 of 1



2016-____

RESOLUTION APPROVING DEVELOPMENT AGREEMENT BY AND BETWEEN
THE CITY OF MARSHALLTOWN, IOWA, AND INTERSTATE POWER AND
LIGHT COMPANY, (IPL),

WHEREAS there is herewith submitted to the City Council of Marshalltown, Iowa, a proposed Development Agreement by and between the City of Marshalltown, Interstate Power and Light Company, an Iowa corporation (IPL); and

WHEREAS, in connection with the planned development of the IPL Property, which is located in Theisens Subdivision to the City of Marshalltown, Iowa, as described in the attached Development Agreement, the City and IPL concur that it would be in the best interest of the City and IPL if certain improvements were made to the public rights-of-way located near the IPL Property; and

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

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

Section 1. That the developer agreement attached hereto by and between the City of Marshalltown, Iowa and Interstate Power and Light Company, (IPL), is 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 the City of Marshalltown.

Passed this 27th day of July 2015, and signed this _____ day of July 2015.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor
ATTEST:

Shari L. Coughenour, CMC, City Clerk

DEVELOPMENT AGREEMENT

This Development Agreement (this “**Agreement**”) is made as of this ____ day of _____, 2016 by and between the **CITY OF MARSHALLTOWN, IOWA**, a municipal corporation (the “**City**”) and **Interstate Power and Light Company**, an Iowa corporation (“**IPL**”).

WHEREAS, IPL ~~or its affiliate~~ owns or will own in fee simple title real property located South of Iowa Ave N. and West of South 8th st. in City of Marshalltown, Marshall County, Iowa, which property is legally described in Exhibit A attached hereto and incorporated herein by reference (the “**IPL Property**”); and

WHEREAS, in connection with the planned development of the IPL ~~Property~~, which is located in Theisens Plat Subdivision to the City of Marshalltown, Iowa, as generally shown in Exhibit B attached hereto and incorporated herein by reference (the “Site Plan”), the City and IPL ~~concur that it would be in the best interest of the City of Marshalltown and IPL if certain improvements were made to the public rights-of-way located near the subject property~~ IPL Property; and

NOW THEREFORE, the City, IPL, in consideration of the terms, covenants and conditions herein set forth, hereby agree as follows:

1. **IPL Public Improvements.** IPL hereby agrees, to design, bid and construct, or engage a qualified contractor to construct, an extension to the existing South 8th St., public storm sewer main, and public sanitary sewer main, ~~and any and all required public improvements outlined in the Subdivision Regulations of the City of Marshalltown in keeping with the City standards for commercial roadway construction and in accordance with the Site Plan (the “Site Plan”) attached (the “IPL Public Improvements”)~~, which extension shall commence at the southerly terminus of South 8th St. and terminate at _____ all of which shall be located on Lot A, Theisens Subdivision to the City of Marshalltown, Iowa. ~~The construction of the IPL Public Improvements shall be subject to the following:~~

2. **Permits.** IPL’s obligations as set forth herein shall be subject to (i) receipt of all necessary permits and government approvals in connection with IPL’s planned development of the IPL Property for use as an electrical substation, including, but not limited to, any permits or approvals required by the Iowa Department of Transportation (the “**IDOT**”) (collectively, all such permits and government approvals shall be referred to as the “**Government Approvals**”); (ii) IPL owning fee simple title to the IPL Property; (iii) the City owning fee simple title to Lot A, Theisens Subdivision to the City of Marshalltown; and (iv) IPL commencing construction of an electrical substation on the IPL Property, which commencement of construction IPL may withhold in its sole and absolute discretion. IPL shall, at its own cost and expense, with the cooperation of the City apply for and obtain such Government Approvals as necessary for the IPL Public Improvements.

(a) **Costs of the IPL Public Improvements.** IPL shall be responsible for all costs and expenses in connection with the design, permitting, bid and construction of the IPL Public Improvements unless specified elsewhere in this ~~a~~Agreement.

3. **City Public Improvements.** There shall be no City-funded public improvements in conjunction with ~~this specific project~~ the IPL Public Improvements.

4. **City Approvals.** The City hereby approves of the plan for street layout, access, curb cuts and other matters as shown on the Site Plan ~~attached hereto~~. The City agrees it shall timely review and not unreasonably withhold any “~~City Approvals~~” approvals necessary to construct the IPL Public Improvements; provided that IPL complies with all applicable laws, regulations and ordinances of the City and pays all reasonable and customary permit and application fees.

5. **Dedication of Public Improvements.** Subject to all of the other provisions of this Agreement and any exhibits hereto attached, IPL shall, without charge to the City, upon completion of the IPL Public Improvements to City Standards, unconditionally give, grant, convey and fully dedicate such improvements to the City, its successors and assigns free and clear of all encumbrances. All such improvements and perpetual maintenance of public roadways thereof will be accepted by the City, according to the City's standard specifications. Upon acceptance of the IPL Public Improvements by the City, the City shall promptly provide IPL with a written release of IPL's obligation hereunder, which release shall be in a form that may be recorded with the Marshall County, Iowa Recorder. IPL shall non-exclusively assign the rights to enforce all construction contracts, contractors' bonds and design agreements regarding such improvements to the City so that these may be enforced by the City after such acceptance. Notwithstanding the foregoing, IPL shall retain ownership to all private improvements located on the IPL Property.

6. **No Obligation to Construct or Operate.** The City further agrees that none of the obligations of IPL set forth herein shall be binding against IPL until such time as ~~Meskwaki Inc~~ IPL commences construction of an electrical substation on the IPL Property. ~~proceeds at their own discretion.~~

7. **No Agency or Partnership.** This Agreement is not intended and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture or association as between the City and IPL nor between the City and any officer, employee, contractor or representative of IPL. No joint employment is intended or created by this Agreement for any purpose. IPL agrees to so inform its employees, agents, contractors and subcontractors who are involved in the implementation of or construction under this Agreement.

8. **Governing Law.** This Agreement shall be construed under the laws of the State of Iowa.

9. **Entire Agreement.** THE TERMS OF THIS AGREEMENT SHOULD BE READ CAREFULLY BECAUSE ONLY THOSE TERMS IN WRITING ARE ENFORCEABLE. NO OTHER TERMS OR ORAL PROMISES NOT CONTAINED IN THIS WRITTEN AGREEMENT MAY BE LEGALLY ENFORCED AND THE PARTIES HERETO MAY CHANGE THE TERMS OF THIS AGREEMENT ONLY BY ANOTHER WRITTEN AGREEMENT.

10. **Counterparts.** This Agreement may be executed in any number of identical counterparts, each of which for all purposes shall be deemed an original, and all of which shall constitute collectively one agreement.

11. **Binding Effect.** This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

12. **Further Assurances.** From time to time after the date hereof, without further consideration, the parties will (i) execute and deliver, or cause to be executed and delivered, such instruments to each other as may reasonably request in order to effectuate the intent of this Agreement and (ii) use reasonable good faith efforts to obtain any third-party consents reasonably necessary to effectuate the intent of this Agreement.

13. **Severability.** The provisions of this Agreement shall be deemed severable. If any part of this Agreement shall be held invalid, illegal or unenforceable, the remainder shall remain in full force and effect, and such invalid, illegal or unenforceable provision shall be reformed by such court so as to give maximum legal effect to the intention of the parties as expressed therein.

14. **Authorization.** IPL represents, covenants and warrants that the making and execution of this Agreement and all other documents and instruments required or related hereunder have been fully authorized by the necessary corporate action of IPL and are valid, binding and enforceable obligations of IPL in accordance with their respective terms. The City represents, covenants and warrants that the

making and execution of this Agreement and all other documents and instruments required or related hereunder have been fully authorized by the necessary organizational action of the City and are valid, binding and enforceable obligations of the City in accordance with their respective terms.

15. **Default.** Each party acknowledges that time shall be of the essence in the performance of its obligations under this Agreement and that each of the parties shall be expending considerable funds, committing administrative time at a substantial cost, and making contractual obligations with third parties, all in reliance upon and in anticipation of the timely performance by the other parties of their respective duties and obligations under this Agreement.

In the event of a default by any party of this Agreement, the aggrieved parties may pursue any and all remedies available under law or in equity against the defaulting party, including, without limitation, recovery of damages or specific performance of the defaulting party's obligations.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the dates hereinafter set forth.

THE CITY:

CITY OF MARSHALLTOWN, IOWA,
a municipal corporation

By: _____
MAYOR

ATTEST: _____
CITY CLERK

IPL.:

Interstate Power and Light Company
an Iowa corporation

By: _____

EXHIBIT A
LEGAL DESCRIPTION

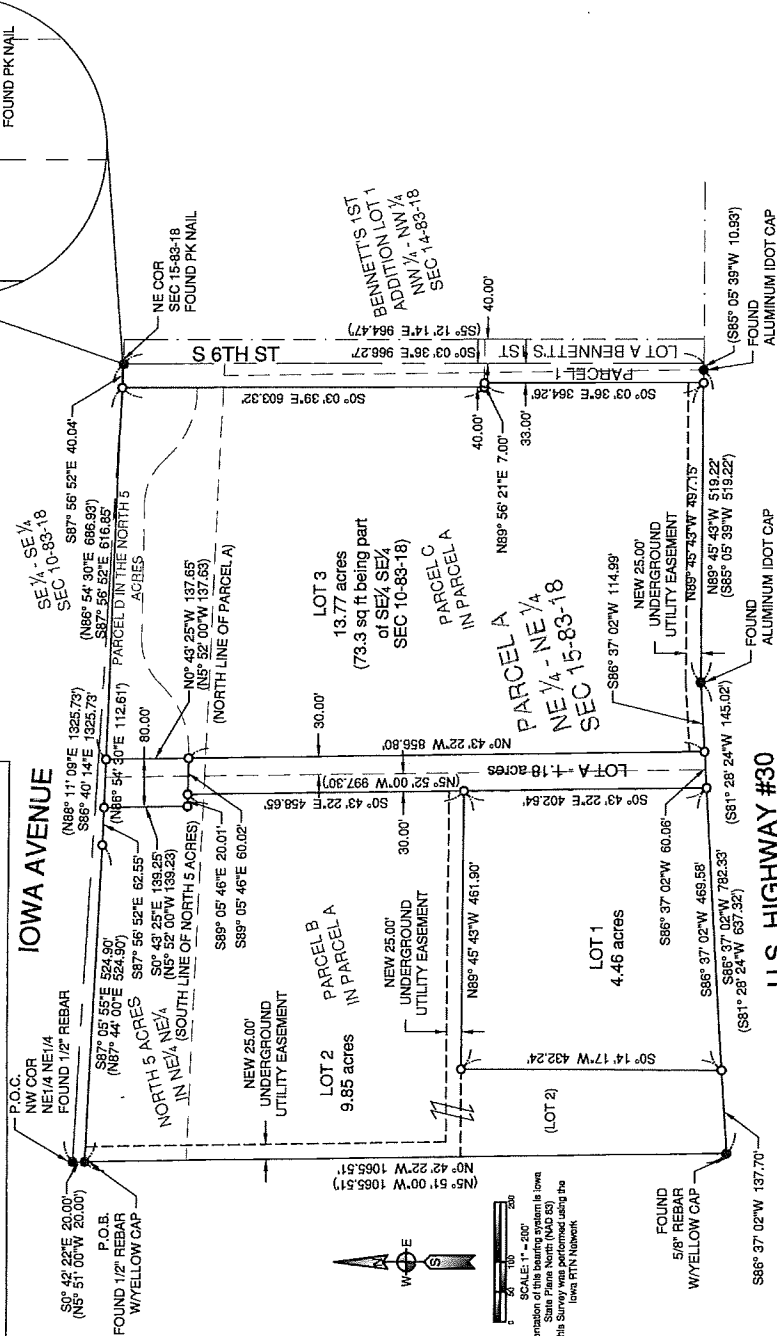
| Lot 1, Theisens Subdivision to the City of Marshalltown, Iowa

EXHIBIT B
SITE PLAN

EXHIBIT B SITE PLAN

FINAL PLAT THEISENS SUBDIVISION

Plan & Zoning Commission
Mayor Signature
Attest



U.S. HIGHWAY #30

Mapcheck : Lot 1
Closure Summary
Precision, 1 part in: 3888305.71"

Mapcheck : Lot 2
Closure Summary
Precision, 1 part in: 289058.58"

Mapcheck : Lot 3
Closure Summary
Precision, 1 part in: 272688.12"

Mapcheck : Lot A
Closure Summary
Precision, 1 part in: 1496650.91"

City of Ames, Iowa
100 N. Center Street
Hawanna, Iowa 52233
Phone: 319.266.3000
Web: www.iames.com



THEISENS SUBDIVISION

IN THE NE 1/4 OF THE NE 1/4
SECTION 15, AND THE SE 1/4 OF THE SE 1/4
TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5TH P.M., MARSHALL
COUNTY, IOWA

PROPERTY DESCRIPTION

THEISENS SUBDIVISION to the City of Marshalltown, Marshall County, Iowa, being a Re-Plat of Parcel B in Parcel A, Parcel C in Parcel D in the North 5 acres, and the North 5 acres lying in the Northeast 1/4 of the Northeast 1/4 of Section 15, and the Southeast 1/4 of the Southeast 1/4 of Section 10, all in Township 83 North, Range 18 West of the 5TH P.M., Marshall County, Iowa, more particularly described as:

COMMENCING at a 1/2 inch Rebar, set to mark the Northwest Corner of the Northeast 1/4 of the Northeast 1/4 of said Section 15, from which, a "PK" Nail, set to mark the Northeast Corner of said Section 15, bears S 89° 40' 14" E, 1325.73 feet; thence, S 0° 42' 22" E, 20.00 feet to a 1/2 inch Rebar, set to mark the Northwest Corner of said Parcel B, being the TRUE POINT OF BEGINNING of this description,
thence, S 87° 05' 55" E, 624.80 feet;
thence, S 87° 05' 55" E, 62.55 feet;
thence, S 0° 42' 22" E, 1325.73 feet;
thence, S 89° 40' 14" E, 80.03 feet;
thence, S 87° 05' 55" E, 616.85 feet;
thence, S 0° 42' 22" E, 603.32 feet;
thence, S 89° 40' 14" E, 7.00 feet;
thence, S 0° 42' 22" E, 384.26 feet;
thence, S 89° 40' 14" E, 497.15 feet;
thence, S 86° 37' 02" W, 762.34 feet;
thence, N 0° 42' 22" W, 1065.51 feet to the POINT OF BEGINNING. Said parcel contains 29.26 acres more or less and subject to easements and restrictions of record.

SURVEYOR'S CERTIFICATE

I hereby certify that this Plat was prepared and the related survey work was performed by me or under direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Jay A. Johnson
Date: 7/7/16

Iowa license number: 21098
License renewal date is December 31, 2017

PROPRIETORS

Leo A. Theisen and Theisen Development Co., LLC.

FIELD WORK COMPLETED

June 13, 2016

SURVEY REQUESTED BY

Alliant Energy
200 1st Street SE
Cedar Rapids, IA 52401

SURVEYORS AND ENGINEERS

Ulteig Engineers, Inc.
109 N Center Point Rd
Hawanna, IA 52233

LEGEND

- ROAD RIGHT OF WAY LINES
- EXISTING LOT LINES
- NEW PARCEL LINES
- NEW EASEMENT LINES
- SECTION LINE
- QUARTER SECTION LINE
- FOUND SURVEY
- MONUMENT AS NOTED
- SET NO. 5 REBAR W/ GREEN CAP
- PLS NO. 21098

Project Number: R 14,007/4
Date: 7/7/16
Drawn By: JAU
Approved By: JAU
Sheet: 1 of 1

**RESOLUTION DECLARING CERTAIN PROPERTY SURPLUS PROPERTY AND
AUTHORIZING SALE AND DIPOSAL THEREOF, 1982 AND 1987 ORION BUSES**

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

WHEREAS the City is the sole owner of the equipment listed in Section 1 which is to be declared surplus property; and

WHEREAS this surplus property should be disposed of or sold to raise additional revenue and prevent the further decline in value thereof prior to sale; and.

WHEREAS the disposal of excess property is in the best interests of the City of Marshalltown.

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

Section 1. The property listed below is hereby declared as surplus property:

A. 1982 Orion bus, VIN 2B1129275C6031571, mileage: 451,253

B. 1987 Orion bus, VIN 2B1139278H6001579, mileage: 688,415

Section 2. The surplus property the subject of this resolution shall be sold or disposed of in accordance with applicable Federal, State and City guidelines.

Passed this 25th day of July, 2016, and signed this ____ day of July, 2016.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor
ATTEST:

Shari L. Coughenour, CMC, City Clerk

RESOLUTION URGING CITIZENS TO VOTE YES AUGUST 2 FOR BUILDING A
POLICE AND FIRE STATION

WHEREAS the City Council of Marshalltown, Iowa, has called a special election on the proposition of issuing bonds for the purpose of financing the construction of a facility for the joint use of the municipal police and fire departments; and

WHEREAS it is deemed advisable that the City of Marshalltown, Iowa (the "City"), issue its bonds in an amount not exceeding \$17,500,000 to provide funds to pay the cost, to that extent, of constructing, furnishing and equipping a facility for the joint use of the municipal police and fire departments, including construction of related infrastructure improvements and acquiring real estate for the project; and

WHEREAS the Council values public safety and the public employees that serve and protect the Citizens of Marshalltown, Iowa; and

WHEREAS current facilities are not sufficient to provide the public safety Marshalltown citizens deserve; and

WHEREAS it is in the best interest of the City of Marshalltown to encourage Citizens to make improvements to the current public safety facilities.

THEREFORE, THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA FINDS THAT

Citizens are urged to vote Yes on August 2, 2016, for the measure on the ballot

"Shall the City of Marshalltown, in Marshall County, Iowa, issue its bonds in an amount not exceeding the amount of \$17,500,000 for the purpose of financing the construction, furnishing and equipping of a facility for the joint use of the municipal police and fire departments, including construction of related infrastructure improvements and acquiring real estate for the project?"

to further the goals of the City and promote the public welfare.

Passed this 25th day of July, 2016, and signed this ____ day of July, 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

FINANCE DEPARTMENT

July 21, 2016

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

From: Diana Steiner, Finance Director

Re: General Obligation Corporate Purpose Bond Issuance of \$5,000,000

Policy Issue: Under Iowa Code Section 384.24A, the City can enter into a loan agreement to borrow money for any public purpose, but the Council must set a public hearing notice and then approve the bond issuance.

Recommendation: At the June 13th Council meeting, you set the public hearing date of Monday, June 27 at 5:30 p.m. for the City to enter into a loan agreement in a principal amount not to exceed \$5,000,000 for general corporate purposes. After the public hearing, the Council passed a resolution to approve intent to enter into the Loan Agreement and issue the \$5,000,000 General Obligation Corporate Purpose Bonds, Series 2016A, in the future and authorize the use of the Preliminary Official Statement by Speer Financial, the City's financial advisor, for any legal public purpose. Bids were opened on Tuesday, July 12 and you awarded the sale of the bonds to the lowest bidder. Now a resolution is needed to approve the issuance of the bonds and providing for the levy of taxes to pay for them.

Background: Since the City was awarded a no interest loan to purchase a Fire Truck, the City will now be using the bond proceeds for the following purposes: \$2,915,000 in Storm Water Projects and \$2,000,000 in Street Projects. An estimate of \$85,000 would cover the closing costs for the Insurance, the Underwriter Discount, and other Miscellaneous costs related to the issuance of the bonds.

Budget Impact: If the resolution is passed, the bonds will be issued Aug. 9. Repayment is estimated to be paid from the following funds: Storm Water Fees for the Storm Water Projects and the Debt Service levy for the Street Projects.

Attachment: N/A

cc: Randy Wetmore, City Administrator

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



RESOLUTION NO. _____

Resolution authorizing the issuance of \$5,000,000 General Obligation Corporate Purpose Bonds, Series 2016A, and providing for the levy of taxes to pay the same

WHEREAS, the City of Marshalltown (the “City”), in Marshall County, State of Iowa, has heretofore proposed to enter into a General Obligation Loan Agreement (the “Loan Agreement”) and issue general obligation bonds in a principal amount not to exceed \$5,000,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the cost, to that extent, of constructing street and storm water drainage improvements and acquiring a fire truck, and has published notice of the proposed action and held a hearing thereon; and

WHEREAS, pursuant to advertisement of sale, bids for the purchase of \$5,000,000 General Obligation Corporate Purpose Bonds, Series 2016A (the “Bonds”) to be issued in evidence of the City’s obligation under the Loan Agreement were received and canvassed on behalf of the City, and the City’s municipal advisor has determined that the bid of Raymond James & Associates, Inc., Grosse Pointe Farms, Michigan (the “Purchaser”), is the best, such bid proposing the lowest interest cost to the City; and

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

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

Section 1. The Bonds are hereby authorized to be issued in evidence of the obligation of the City under the Loan Agreement, in the total aggregate principal amount of \$5,000,000, to be dated August 9, 2016, in the denomination of \$5,000 each, or any integral multiple thereof, maturing on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2017	\$420,000	2.00%	2023	\$550,000	2.00%
2018	\$240,000	2.00%	2024	\$580,000	2.00%
2019	\$325,000	2.00%	2025	\$605,000	2.00%
2020	\$330,000	2.00%	2027	\$345,000	2.00%
2021	\$335,000	2.00%	2029	\$450,000	2.00%
2022	\$340,000	2.00%	2031	\$480,000	2.00%

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

The City reserves the right to prepay part or all of the Bonds maturing in each of the years 2025 through 2031, inclusive, prior to and in any order of maturity on June 1, 2024, or on any date thereafter upon terms of par and accrued interest.

Principal of the Bond maturing on June 1, 2027, is subject to mandatory redemption (by lot, as selected by the Registrar) on June 1, 2026, at a redemption price of 100% of the principal amount thereof to be redeemed, plus accrued interest thereon to the redemption date, in the following principal amount:

<u>Year</u>	<u>Principal Amount</u>
2026	\$170,000
2027	\$175,000(Maturity)

Principal of the Bond maturing on June 1, 2029, is subject to mandatory redemption (by lot, as selected by the Registrar) on June 1, 2028 at a redemption price of 100% of the principal amount thereof to be redeemed, plus accrued interest thereon to the redemption date, in the following principal amount:

<u>Year</u>	<u>Principal Amount</u>
2028	\$220,000
2029	\$230,000(Maturity)

Principal of the Bond maturing on June 1, 2031, is subject to mandatory redemption (by lot, as selected by the Registrar) on June 1, 2030, at a redemption price of 100% of the principal amount thereof to be redeemed, plus accrued interest thereon to the redemption date, in the following principal amount:

<u>Year</u>	<u>Principal Amount</u>
2030	\$235,000
2031	\$245,000(Maturity)

If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement

that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing June 1, 2017. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

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

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

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

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

Section 3. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to

continue to act as securities depository for the Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement Bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement Bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

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

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

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

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

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

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically

provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

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

(Form of Bond)

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

GENERAL OBLIGATION CORPORATE PURPOSE BOND, SERIES 2016A

No. _____ \$ _____

RATE	MATURITY DATE	DATE	CUSIP
_____%	June 1, _____	August 9, 2016	572767 _____

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

Cede & Co.
New York, NY

or registered assigns, the principal sum of

THOUSAND DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of Bankers Trust Company, Des Moines, Iowa (hereinafter referred to as the “Registrar” or the “Paying Agent”), with interest on said sum, until paid, at the rate per annum specified above, from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing June 1, 2017, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date, and shall be paid to the registered owner at the address shown on such registration books. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

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

This Bond is one of a series of General Obligation Corporate Purpose Bonds, Series 2016A (the “Bonds”) issued by the City in the aggregate principal amount of \$5,000,000, to evidence its obligation under a certain loan agreement, dated as of August 9, 2016 (the “Loan Agreement”), entered into by the City for the purpose of paying the cost, to that extent, of constructing street and storm water drainage improvements and acquiring a fire truck.

The Bonds are issued pursuant to and in strict compliance with the provisions of Chapters 76 and 384 of the Code of Iowa, 2015, and all other laws amendatory thereof and

supplemental thereto, and in conformity with a resolution of the City Council adopted and approved on July 25, 2016, authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of the Bonds (the "Resolution"), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The City reserves the right to prepay part or all of the Bonds maturing in each of the years 2025 through 2031, inclusive, prior to and in any order of maturity on June 1, 2024, or on any date thereafter upon terms of par and accrued interest. In addition, principal of the Bonds maturing on June 1 in each of the years 2027, 2029 and 2031 is subject to mandatory redemption (by lot, as selected by the Registrar) on the dates and in accordance with the mandatory redemption schedules set forth in the Resolution, at a redemption price of 100% of the principal amount thereof to be redeemed, plus accrued interest thereon to the redemption date.

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

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

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

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and

performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the City, including this Bond, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the City of Marshalltown, Iowa, by its City Council, has caused this Bond to be executed with the duly authorized facsimile signature of its Mayor and attested with the duly authorized facsimile signature of its City Clerk, as of August 9, 2016.

CITY OF MARSHALLTOWN, IOWA

By (DO NOT SIGN)
Mayor

Attest:

(DO NOT SIGN)
City Clerk

Registration Date: (Registration Date)

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

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

BANKERS TRUST COMPANY
Des Moines, Iowa
Registrar

By (Authorized Signature)

ABBREVIATIONS

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

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

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

ASSIGNMENT

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

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

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

Dated: _____

Signature guaranteed:

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

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

Section 5. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible, and thereupon they shall be delivered to the Registrar for registration, authentication and delivery to or on behalf of the Purchaser, upon receipt of the loan proceeds, and all action heretofore taken in connection with the Loan Agreement is hereby ratified and confirmed in all respects.

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

For collection in the fiscal year beginning July 1, 2017,
sufficient to produce the net annual sum of \$331,600;

For collection in the fiscal year beginning July 1, 2018,
sufficient to produce the net annual sum of \$411,800;

For collection in the fiscal year beginning July 1, 2019,
sufficient to produce the net annual sum of \$410,300;

For collection in the fiscal year beginning July 1, 2020,
sufficient to produce the net annual sum of \$408,700;

For collection in the fiscal year beginning July 1, 2021,
sufficient to produce the net annual sum of \$407,000;

For collection in the fiscal year beginning July 1, 2022,
sufficient to produce the net annual sum of \$610,200;

For collection in the fiscal year beginning July 1, 2023,
sufficient to produce the net annual sum of \$629,200;

For collection in the fiscal year beginning July 1, 2024,
sufficient to produce the net annual sum of \$642,600;

For collection in the fiscal year beginning July 1, 2025,
sufficient to produce the net annual sum of \$195,500;

For collection in the fiscal year beginning July 1, 2026,
sufficient to produce the net annual sum of \$197,100;

For collection in the fiscal year beginning July 1, 2027,
sufficient to produce the net annual sum of \$238,600;

For collection in the fiscal year beginning July 1, 2028,
sufficient to produce the net annual sum of \$244,200;

For collection in the fiscal year beginning July 1, 2029,
sufficient to produce the net annual sum of \$244,600;

For collection in the fiscal year beginning July 1, 2030,
sufficient to produce the net annual sum of \$249,900.

Section 7. A certified copy of this resolution shall be filed with the County Auditor of Marshall County, and the County Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever. Any amount received by the City as accrued interest on the Bonds shall be deposited into such special account and used to pay interest due on the Bonds on the first interest payment date.

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

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

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

The City hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

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

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

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

Passed and approved July 25, 2016.

Mayor

Attest:

City Clerk

RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST FOR THE IOWA RIVER TRAIL PHASE II PROJECT, IN THE
CITY OF MARSHALLTOWN, IOWA, BEING PROJECT NO. 41016001

WHEREAS there was placed on file in the office of the Clerk of the City of Marshalltown, Iowa, proposed plans and specifications, proposed form of contract and estimated cost for a public improvement in the City of Marshalltown, Iowa, for the Iowa River Trail Phase II Project No. 41016001 as fully set forth in the resolution ordering same, and that public notice of hearing on such plans, specifications and form of contract were duly published in the Marshalltown Times-Republican in time for hearing now before the Council, and

WHEREAS written objections to the plans, specifications and form of contract have been called for and no such written objections have been filed with the City Clerk, and oral objections being called for and no oral objections being made in open Council, it is the decision of this Council that such plans, specifications, form of contract and estimate of cost should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, that the plans, specifications, form of contract and estimated cost heretofore placed on file and upon which public notice has been duly given and no objections thereto have been made either in writing or in open council, the Council does now adopt and approve the plans, specifications, form of contract and estimate of cost for Project No. 41016001, being the Iowa River Trail Phase II Project, in the city of Marshalltown, Iowa.

Passed this 25th day of July 2016, and signed this _____ day of July 2016.

CITY OF MARSHALLTOWN

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

Affidavit of Publication

STATE OF IOWA,
Marshall County, ss.

City of Marshalltown

A Public Hearing will be held on July 25 for improvements proposed for the Iowa River Trail Phase II

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:
July 15, 2016

Statutory fees for publishing said notice are:
13.73

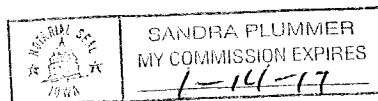


Sworn to before me and subscribed in my presence by the said LeAnn Siemens this
Nineteenth Day of July, 2016



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
A public hearing will be held at 5:30 p.m. local time on Monday, July 25, 2016, in the Council Chambers, Second Floor, 10 West State Street, Marshalltown, Iowa, on the proposed plans, specifications, proposed form of contract, and the estimated cost of improvements proposed to be constructed under Project No. 41016001, the IOWA RIVER TRAIL PHASE II, is now on file in the office of the City Clerk and at said hearing any interested person may appear and file objection thereto or to the bidding process. The Notice to Bidders is available on the Construction Update Network and on the city's website. This Notice of Public Hearing is hereby published by authority of resolution duly adopted by the Council of the City of Marshalltown.

CITY OF MARSHALLTOWN,
IOWA
/s/ Shari L. Coughenour,
CMC, City Clerk
--- --21488

EXHIBIT A

URBAN RENEWAL AREA NO. 5

Approximately 15 acres of property located 250 feet west of the corner of Campbell Drive and 233rd Street and east of the Wandering Creek Golf Course, with the following legal description:

PARCEL "B" LOCATED ENTIRELY WITHIN PARCEL "A" IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 83 NORTH ,RANGE 18 WEST OF THE 5TH P.M., MARSHALL COUNTY, IOWA.

FURTHER DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 9, ALSO BEING THE NORTHWEST CORNER OF PARCEL "A" AS RECORDED ON INSTRUMENT #9903778 IN THE OFFICE OF THE RECORDER, MARSHALL COUNTY, IOWA; THENCE, N88°11'08"E 50.00' ALONG THE NORTH LINE OF SAID PARCEL "A" TO THE POINT OF BEGINNING; THENCE, N88°11'08"E 940.00' CONTINUING ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID PARCEL "A"; THENCE, S1°09'38"W 705.00' ALONG THE EAST LINE OF SAID PARCEL "A"; THENCE, S88°11'08"W 940.00'; THENCE, N1°09'38"E 705.00' TO THE POINT OF BEGINNING. PARCEL "B" CONTAINS 15.19 ACRES INCLUDING 0.71 ACRES OF PRESENTLY ESTABLISHED ROAD RIGHT OF WAY.