

CITY OF MARSHALLTOWN
COUNCIL AGENDA
CITY HALL COUNCIL CHAMBERS
10 W STATE STREET
DECEMBER 12, 2022, 5:30 PM

A. CALL TO ORDER

NOTICE TO THE PUBLIC: The Mayor and City Council welcome comments from the public during discussion of any of the agenda items.

You are required to step to the microphone, state your name and address for the record and limit the time used to present your remarks to 3 minutes or less in order for others to be given the opportunity to speak. All speakers shall speak clearly and direct their comments to the Mayor and City Council and not to any Councilor specifically. It is at the discretion of the Mayor and Council to respond to specific questions and comments or to have staff respond during the meeting.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Hoop, Isom, Kell, Ladehoff, Schneider, Thompson, Walker

D. MAYOR, COUNCIL AND ADMINISTRATOR COMMENTS

1. Board And Commission - Years Of Service Recognition

The following individuals will be recognized for milestone years of service as a board or commission member for the City of Marshalltown at a special ceremony on Wednesday, December 14th at 5:30 PM.

5 Years of Service

- Matt Brodin – Planning and Zoning Commission
- Tammie Engle – Board of Adjustment
- Steve Hay – Fire Code Board of Appeals
- Heidi Hogan – Fire Code Board of Appeals
- Phyllis Mazour – Fire Code Board of Appeals
- Wayne Waltermire – Fire Code Board of Appeals

10 Years of Service

- Laura Eilers – Water Works Board of Trustees
- Stephen Valbracht – Planning and Zoning Commission

E. CONSENT AGENDA

1. APPROVE MINUTES 11/28/22 AND 12/06/22 MEETING AND BILL LIST \$1,566,839.33

Documents:

[2022-11-28_SIGNED Council Minutes.pdf](#)
[2022-12-06_SIGNED Council Minutes.pdf](#)
[2022-12-12_BILL LIST Summary.pdf](#)
[2022-12-12_BILL LIST Detail.pdf](#)

2. APPROVE SEPTEMBER 2022 FINANCIAL STATEMENTS

Documents:

[September 2022 Financials Memo.pdf](#)
[September 2022 Financial Statements.pdf](#)

3. Receipt Of Building Permit Report, November 2022

Documents:

[1122.pdf](#)

4. RESOLUTION 2022-341 APPROVING COUNCIL-DESIGNATED LOCAL OPTION SALES TAX TO FOR THE PURCHASE OF SITE FURNISHINGS FOR THE FUTURE PHASES OF THE DOWNTOWN IMPROVEMENT PLAN AND AUTHORIZING THE PURCHASE OF SITE FURNISHINGS

Documents:

[2022-12-12_2022-341_Resolution Approving LOST for Downtown Site Furnishings.pdf](#)
[2022-12-12_2022-341_Memo Approving LOST for Downtown Site Furnishings.pdf](#)
[2022-12-12_2022-341_Downtown Site Furnishings.pdf](#)

5. RESOLUTION 2022-342 APPROVING SETTLEMENT AGREEMENT FOR 107 EAST LINCOLN STREET, MARSHALLTOWN

Documents:

[2022-12-12_2022-342_Resolution Authorizing Settlement Agreement 107 E Lincoln St.pdf](#)
[2022-12-12_2022-342_Memo Settlement Agreement 107 E Lincoln St.pdf](#)
[2022-12-12_2022-342_Settlement Agreement \(SCL 12.1.22\).pdf](#)

6. RESOLUTION 2022-343 APPROVING ENGINEER'S STATEMENT OF COMPLETION AND ACCEPTING PILLAR INC FOR THE VETERANS COURTYARD PROJECT #PRK20002

Documents:

[2022-12-12_2022-343_Resolution Approving Eng Statement of Completion for Veterans Courtyard.pdf](#)
[2022-12-12_2022-343_Memo Veterans Courtyard Substantial Completion.pdf](#)
[2022-12-12_2022-343_PRK20-002 SOSC and NOA - Signed.pdf](#)

7. RESOLUTION 2022-344 ACCEPTING AND AWARDING THE BID FOR PARK STUMP REMOVAL IN THE CITY OF MARSHALLTOWN, IOWA TO CSW SERVICES IN THE AMOUNT OF \$53,040

Documents:

[2022-12-12_2022-344_Resolution Awarding Park Stump Removal Bid to CSW Services.pdf](#)
[2022-12-12_2022-344_MEMO Park and City Stump and Ash Tree Removal 2022-2023.pdf](#)

8. RESOLUTION 2022-345 ACCEPTING BID AND AUTHORIZING THE PURCHASE OF A 2024 INTERNATIONAL DUMP TRUCK HV507 WITH PREWET SYSTEM FOR THE PRICE OF \$212,415 AND A 2024 INTERNATIONAL DUMP TRUCK FOR THE PRICE OF \$207,865 FROM O'HALLORAN FOR USE IN THE STREET DEPARTMENT

Documents:

[2022-12-12_2022-345_Resolution Approving Purchase of Dump Trucks for Street Dept.pdf](#)
[2022-12-12_2022-345_Memo_Street Dump Trucks 22 12 12.pdf](#)
[2022-12-12_2022-345_Quote OHalloran Intl.pdf](#)

9. RESOLUTION 2022-346 APPROVING AN AGREEMENT TO PROVIDE WASTEWATER SAMPLES TO VERILY LIFE SCIENCES LLC FOR THE WPC WASTEWATER TESTING PROJECT, IN THE CITY OF MARSHALLTOWN, IOWA

Documents:

[2022-12-12_2022-346_Resolution Approving WPC Sample Agreement.pdf](#)
[2022-12-12_2022-346_Memo - WastewaterSCAN National Sampling Program 22 12 12.pdf](#)
[2022-12-12_2022-346_DRAFT_Wastewater Verily_Inbound Material Transfer Agreement.pdf](#)
[2022-12-12_2022-346_FINAL_Wastewater Verily_Inbound Material Transfer Agreement.pdf](#)

10. RESOLUTION 2022-347 TO APPROVE TRANSFERRING FUNDS FOR FISCAL YEAR 2023 THROUGH SEPTEMBER 30, 2023

Documents:

[2022-12-12_2022-347_Resolution Approving Transfers for FY23 ending 09.30.22.pdf](#)
[2022-12-12_2022-347_Memo for Approval of Transfers Through September 30 2022.pdf](#)

11. RESOLUTION 2022-348 APPROVING A TEMPORARY EASEMENT AGREEMENT WITH ITC MIDWEST LLC

Documents:

[2022-12-12_2022-348_Resolution Approving Power Easement ITC.pdf](#)
[2022-12-12_2022-348_Memo - ITC Midwest Easement 22 12 12.pdf](#)
[2022-12-12_2022-348_Exhibit - ITC Midwest.pdf](#)
[2022-12-12_2022-348_Temporary Easement - ITC Midwest.pdf](#)

12. RESOLUTION 2022-349 APPROVING CONTRACT CHANGE ORDERS #1 AND #2 FOR THE SIDEWALK GAPS YEAR 2 PROJECT #SDW20002, A DECREASE OF \$14,091.55

Documents:

[2022-12-12_2022-349_Resolution Approving CO1 and CO2 Sidewalk Gap SDW20002.pdf](#)
[2022-12-12_2022-349_Memo - Sidewalk Gap Change Order 1_SDW 20-002_2022 12 12.pdf](#)
[2022-12-12_2022-349_SDW 20-002 Sidewalk Gap Change Order No 1 - signed to council.pdf](#)
[2022-12-12_2022-349_Memo - Sidewalk Gap Change Order 2_SDW 20-002_2022 12 12.pdf](#)
[2022-12-12_2022-349_SDW 20-002 Sidewalk Gap Change Order No 2 - signed to council.pdf](#)

13. RESOLUTION 2022-350 APPROVING ENGINEER'S STATEMENT OF COMPLETION AND ACCEPTING BOULDER CONTRACTING, SIDEWALK GAP PROJECT SDW20002

Documents:

2022-12-12_2022-350_Resolution Completion of Sidewalk Gap Project SDW20002.pdf
2022-12-12_2022-350_Memo - Sidewalk Gap Completion _SDW 20-002 _ 22 12 12.pdf
2022-12-12_2022-350_SOSC and NOA_Sidewalk Gap Completion _SDW 20-002.pdf

14. RESOLUTION 2022-351 APPROVING CONTRACT CHANGE ORDER #5 FOR THE 4TH AND MEADOW LANE STORM SEWER ENHANCEMENTS PROJECT #SMW17001, AN INCREASE OF \$14,039.15

Documents:

2022-12-12_2022-351_Resolution Approving CO5 4th and Meadow Lane SMW17001.pdf
2022-12-12_2022-351_Memo SMW17001 4th Meadow Change Order 5 _ 22 12 12.pdf
2022-12-12_2022-351_SMW17001 CO-5 Time Extension and Addl work_r2_signed to council.pdf

15. RESOLUTION 2022-352 APPROVING CONTRACT CHANGE ORDER #6 FOR THE 4TH AND MEADOW LANE STORM SEWER ENHANCEMENTS PROJECT #SMW17001, AN DECREASE OF \$34,500

Documents:

2022-12-12_2022-352_Resolution Approving CO6 4th and Meadow Lane SMW17001.pdf
2022-12-12_2022-352_Memo - SMW17001 4th Meadow Change Order 6 _ 22 12 12.pdf
2022-12-12_2022-352_SMW17001 CO-6 Completion Date Settlement_r2-signed to council.pdf

16. RESOLUTION 2022-353 APPROVING THE MARSHALLTOWN MUNICIPAL AIRPORT FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM

Documents:

2022-12-12_2022-353_Resolution Approving Airport 5 yr CIP.pdf
2022-12-12_2022-353_Memo - Federal AIP Application FY24.pdf
2022-12-12_2022-353_MIW FY24 Federal CIP 5yr CIP.pdf

17. RESOLUTION 2022-354 APPROVING USE OF FUND 360 2019 GO BOND FUNDS IN LIEU OF LOCAL OPTION SALES TAX- CAPITAL FUNDS FOR THE CREEKSIDE ESTATES STREET ADDITION

Documents:

[2022-12-12_2022-354_Resolution Approving Use of Fund 360 2019 GO Bond Funds for Creekside Estates Street Add.pdf](#)
[2022-12-12_2022-354_Memo Using Fund 360 Bond Funds Instead of LOST Dec 2022.pdf](#)

F. MOTIONS

1. MOTION TO APPROVE NEW SPECIAL CLASS C RETAIL ALCOHOL LICENSE FOR HAMPTON INN AND SUITES, 20 IOWA AVE WEST
2. MOTION TO APPROVE FY2024 BUDGET SCHEDULE INCLUDING SPECIAL MEETING JANUARY 30, 2023 AT 5:30 P.M.

Documents:

[Budget schedule for FY24.pdf](#)

3. MOTION TO SET THE LAST COUNCIL MEETING IN DECEMBER 2023 FOR FRIDAY, DECEMBER 22, 2023 AT NOON
*City holidays are scheduled for Monday, December 25, 2023, and Tuesday, December 26, 2023.

G. RESOLUTIONS

1. RESOLUTION 2022-355 APPROVING AMENDMENT 1 TO THE BUILDING DEPARTMENT SERVICES AGREEMENT WITH VEENSTRA & KIMM, INC.

Documents:

[2022-12-12_2022-355_RES Approving VK Contract Amendment 1_Building Services.pdf](#)
[2022-12-12_2022-355_MEMO Approving VK Contract Amendment 1.pdf](#)
[2022-12-12_2022-355_VK Contract Amendment 1_121222.pdf](#)

2. RESOLUTION 2022-356 APPROVING CITY FEE SCHEDULE

Documents:

[2022-12-12_2022-356_Resolution Approving City Fee Schedule.pdf](#)
[2022-12-12_2022-356_MEMO Building Division Fees.pdf](#)
[2022-12-12_2022-356_MEMO Rental Inspection Fees.pdf](#)
[2022-12-12_2022-356_Memo Fire Department Fee Changes.pdf](#)
[2022-12-12_2022-356_MASTER Fee Schedule.pdf](#)

3. RESOLUTION 2022-357 SETTING A SPECIAL ELECTION TO AMEND THE ELECTRIC FRANCHISE AGREEMENT WITH

INTERSTATE POWER AND LIGHT COMPANY TO IMPLEMENT A
FRANCHISE FEE ON ELECTRIC SERVICES

Documents:

[2022-12-12_2022-357_Resolution Approving Special
Election for Electric Franchise Fee.pdf](#)
[2022-12-12_2022-357_Proposal for Use of a Franchise
Fee.pdf](#)

4. RESOLUTION 2022-358 SETTING A SPECIAL ELECTION TO
AMEND THE ELECTRIC FRANCHISE AGREEMENT WITH
INTERSTATE POWER AND LIGHT COMPANY TO IMPLEMENT A
FRANCHISE FEE ON GAS SERVICES

Documents:

[2022-12-12_2022-358_Resolution Approving Special
Election for Gas Franchise Fee.pdf](#)
[2022-12-12_2022-358_Proposal for Use of a Franchise
Fee.pdf](#)

5. RESOLUTION 2022-359 OF SUPPORT FOR THE CITY OF
MARSHALLTOWN APPLICATION FOR COMMUNITY
DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY
FUNDING FOR INFILL FOR SALE HOUSING

Documents:

[2022-12-12_2022-359_Resolution Support for City CDBG-
DR Infill Housing Project.pdf](#)

6. PUBLIC HEARING FOR A MARSHALLTOWN COMMUNITY
DEVELOPMENT AND HOUSING NEEDS ASSESSMENT AND
REVIEW OF THE APPLICATIONS FOR HUD COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) DERECHO DISASTER
FUNDS

1. RESOLUTION 2022-360 OF SUPPORT FOR HUEGERICH
HOLDINGS SERIES 2 LLC APPLICATION FOR COMMUNITY
DEVELOPMENT BLOCK GRANT DISASTER RECOVERY
FUNDING FOR INFILL FOR-SALE HOUSING

Documents:

[2022-12-12_2022-360_Resolution Support for Huegerich
Holdings Series 2 LLC Disaster Funds Grant.pdf](#)

7. PUBLIC HEARING FOR THE STATUS OF FUNDING UPDATE FOR
THE IOWA ECONOMIC DEVELOPMENT AUTHORITY
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC
FACILITIES GRANT PROGRAM FOR THE ELKS PARK
IMPROVEMENT PROJECT

H. ORDINANCES

1. ORDINANCE 15054 TO REPEAL CHAPTER 152: HOUSING CODE OF THE MUNICIPAL CODE OF THE CITY OF MARSHALLTOWN, IOWA AND TO ADOPT BY REFERENCE THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE WITH AMENDMENTS

- 3RD READING
- PROPOSED EFFECTIVE DATE 1/1/23

Documents:

[2022-12-12_ORD 15054_CH 152 Housing Code Amendment.pdf](#)
[2022-12-12_ORD 15054_MEMO Housing Code Adoption.pdf](#)

2. ORDINANCE 15055 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA, CHAPTER 70: GENERAL PROVISIONS TO PROVIDE REGULATIONS FOR AUTOMATED TRAFFIC ENFORCEMENT

2ND READING

Documents:

[2022-12-12_ORD 15055_Amend CH 70 Automated Traffic Enforcement.pdf](#)
[2022-12-12_ORD 15055 MEMO Automated Traffic Enforcement Ordinance.pdf](#)

I. **DISCUSSION**

1. DISCUSSION - Agreement For Paratransit Services With Peoplerides/Region 6

Documents:

[2022-12-12_DISCUSSION1_Memo Paratransit Agreement.pdf](#)
[2022-12-12_DISCUSSION1_Agreement for Paratransit Services.pdf](#)
[2022-12-12_DISCUSSION1_04-22-2019_2019-072_Peoplerides Agreement.pdf](#)

2. DISCUSSION- Request For Funding For PeopleRides Non-Paratranist Riders

Documents:

[Memo - PeopleRides Additional Funding Request.pdf](#)

3. DISCUSSION - Draft Of Strategic Plan

Documents:

23.24 Strategic Plan DRAFT.pdf

4. DISCUSSION - Accounting For Automated Traffic Enforcement Proceeds

Documents:

Memo for Accounting for Automated Traffic Enforcement funds.pdf

5. DISCUSSION - Year End Inflationary Payment Proposal

Documents:

2022-12-12_DISCUSSION_Memo Mid-Year Inflationary Payment.pdf

6. Discussion - RFP Recommendation For Non-Union Compensation Survey

Documents:

2022-12-12_DISCUSSION_Memo RFPs for Compensation Study.pdf

7. DISCUSSION - Proposed Amendments To The Council Manual

The current version of the Council Manual can be found at

<https://www.marshalltown-ia.gov/DocumentCenter/View/61/Council-Manual-PDF-v-2021>

Documents:

Memo- Proposed Council Rule Amendments.pdf

J. **PUBLIC COMMENT**

Members of the public may make comments on any item which was not on the agenda during this time. The speaker shall approach the microphone, and state his or her name and address. Comments shall be limited to three minutes, unless a longer comment is authorized by the Mayor. The speaker shall direct comments to the Mayor and to the Council as a whole. The Mayor and Councilors shall not engage in discussion or debate on items raised by members of the public, and no action may be taken on items raised in public comments in order to comply with open meetings laws.

K. CLOSED SESSION - PERSONNEL

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 Lynch Dallas P.C., by Council Resolution 2022-161, approved 06/13/22. There may be council action by motion following the closed session if directed by the city's attorney.

L. ADJOURNMENT

MISSION STATEMENT

The City of Marshalltown collaborates to provide a welcoming, safe, vibrant, and growing community.

Please visit the City's website for the complete agenda packet and to subscribe to agenda notices and department news. www.marshalltown-ia.gov