

COUNCIL PROCEEDINGS

April 25, 2016

The Marshalltown City Council met in regular session on April 25, 2016, at 5:30 PM, in the Council Chambers at City Hall. Mayor Pro Tempore Wirin called the meeting to order and led the Pledge of Allegiance. Mayor Pro Tempore Wirin recognized Rhonda Allen and Kevin Pigors for five years of service and Rick Lang for twenty five years. Present: Gowdy, Greer, Hoop, Lamer, Martin, Schubert, Wirin. Schubert moved to approve the agenda, removing item #21, regarding the TSB Construction's Workforce Housing Tax Credit Application, second by Greer. Motion approved 7-0.

CONSENT AGENDA:

Lamer moved to approve the Consent Agenda: Approve Council meeting Minutes of April 11, 2016; Approve Bill List in the amount of \$ 1,003,742.48; Receipt of Building Report, March 2016; Reappoint to Investment Advisory Committee: Norm Bach, term expires 4/1/2020; Kileen Rezac, term expires 4/1/2019; Sarah Hesmer, term expires 4/1/2018; Resolution 2016-063 Approve Contract and Bond 2015 Oil Mix Streets Overlay Project 76015005, OMG Midwest, \$425,460.00; Tentative Resolution 2016-064 Setting public hearing for the sale of property, 612 W Church St; Resolution 2016-065 Approving Preliminary Master Plan for Eagle View at Wandering Creek 1st Addition, and Final Master Plan for Eagle View at Wandering Creek 1st Addition; Resolution 2016-066 Approving Preliminary Plat for Eagle View at Wandering Creek and Final Plat for Eagle View at Wandering Creek 1st Addition; Resolution 2016-067 Accepting Dedication of Eagle View at Wandering Creek 1st Addition to Marshalltown, Marshall County, Iowa; Resolution 2016-068 Accepting Quit Claim Deed, relating to Eagle View at Wandering Creek 1st Addition, Sanitary and Storm Sewer Easement, Utility and Water main Easement; Renewal liquor licenses: American Legion; Hy-Vee Gas; Abarrotes Villachuato, Goldenland, Zenos Pizza, Best Western Marshalltown, Elmwood Country Club, Tremont on Main, Center Street Station, Walgreens, East Side Liquor and Groceries, The Perfect Setting; second by Martin. Consent agenda adopted 7-0.

Lamer moved to adopt Resolution 2016-060, second by Martin. Lamer amended his motion to adopt Resolution 2016-060 Accepting Bid and Authorizing the Award of Contract for Bio Gas Generator WPCP Project 52015014, Ziegler Power Systems, \$319,165.00; Resolution 2016-061 Approving Contract and Bond for Construction of the Bio Gas Generator WPCP Project 52015014, Ziegler Power Systems, \$319,165.00; Resolution 2016-062 Approving Contract Change Order #1 for the Bio Gas Generator WPCP Project 52015014, Ziegler Power Systems, an increase of \$41,875.00, second by Greer. Resolutions adopted 7-0.

MOTIONS:

Greer moved to approve March 2016 financials, second by Schubert. Motion carried 7-0.

Schubert moved to approve Liquor License Transfer for May 13, The Spot, to operate a beer garden in the 13th Street Area, second by Greer. Motion carried 7-0.

Public Works Director Nickel informed the council no bids were received for the second year in a row regarding the 2015 Microsurfacing Project 76015003, resurfacing of South 6th Street. A new treatment option is available, which may cost 10% more, but may last twice as long, and may be applied by local asphalt contractors.

RESOLUTIONS:

Martin moved to adopt Resolution 2016-069 of Support and Financial Commitment for the Main Street Iowa Program and approving Agreement through July 1, 2018, and providing annual financial support of \$24,000, paid from the Downtown TIF, Urban Renewal Area No 4 Tax Increment Revenue Fund, second by Lamer. Resolution adopted 6-0, with Greer abstaining due to being on the Board of the Main Street Iowa Program.

Hoop moved to adopt Resolution 2016-070 Accepting Bid and Authorizing the Award of Contract for 2016 Mill and Overlay project 76016004, Cessford Construction, \$675,456.50, second by Greer. Resolution adopted 7-0.

Lamer moved to adopt Resolution 2016-071 Approving Contract and Bond for Construction of the 2016 Mill and Overlay project 76016004, Cessford Construction, \$675,456.50, second by Greer. Resolution adopted 7-0.

DISCUSSION

Individuals were present from Village Coop, requesting the city install two street lights along the currently undeveloped street. The estimated cost of installing two lights is \$1928, with annual city expense of \$144 for electricity for each street light. The residents of Village Coop reported the developer is not willing to pay for the installation. The residents amended their offer to pay for one of the two lights if the city would pay for the second. Council Minutes of October 24, 2011, were mentioned, "*Grabenbauer moved to add two street lights to the electric bill as requested by Village Cooperative, with requestors paying for the street light installation, second by Schubert. Motion approved 7-0.*" The minutes from 2011 will be reviewed and the council will discuss this item at the next council meeting, with possible action, on May 9.

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PUBLIC COMMENT

Paul Alman, 1906 Bailey Drive, encouraged individuals to participate in Bike to Work Week, May 16 – 20. Bill Egleston, 509 Brentwood Road, suggested the hump at the railroad on Boone Street be removed. Fire Chief Rierson reported the fire department won the American Lung Association's Fight for Air Climb competition seven years in a row. Chief Rierson announced a partnership with Crimestoppers to offer cash award to assist in identifying the individual responsible for setting fires.

CLOSED SESSION:

Lamer moved to enter into closed session pursuant to Section 21.5, subsection 1, paragraph c, of the Code of Iowa, to discuss strategy with counsel in matters where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the city in that litigation, second by Martin. Motion adopted 7-0. 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:

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

Greer moved to direct staff to proceed as directed in closed session, second by Schubert. Motion carried 7-0.

ADJOURNMENT

The meeting adjourned at 6:52 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

Bethany R. Wirin, Mayor Pro Tempore

Shari L. Coughenour, CMC, City Clerk