COUNCIL PROCEEDINGS
September 12, 2016

The Marshalltown City Council met in regular session on September 12, 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 fully participated by speakerphone. Mayor Lowrance introduced Mark Stevens, serving as interim City Administrator, and congratulated Parks and Recreation Director Selness on the Monarchs and Milkweed project, as well as partnering with the Marshall County Conservation Board on that and other projects. Mayor Lowrance thanked the UAW Local 893 for their hospitality at the picnic. Schubert moved to approve the agenda, second by Wirin. Motion approved 7-0.

CONSENT AGENDA:

Gowdy moved to approve the Consent Agenda: Approve Council meeting Minutes of August 22, 2016, special meeting minutes of August 31, 2016, and September 1, 2016; Receipt of List of Purchases and Vertical Public Improvements between $10,000 and $35,000 approved by City Administrator: Water Pollution Control Plant Purchase Concrete Pavement Repair $19,710, from Day Construction Services, paid by WPCP fund; Approve Bill List in the amount of $1,293,601.86; Receipt of the July Building Report; Receipt of the Civil Service New Hire List, full time Transit Operator; Resolution 2016-179 Approving Settlement Agreement with the Iowa Economic Development Authority, Fisher Controls International, LLC, and the City of Marshalltown, relating to Enterprise Zone Program Tax Credits; Renewal liquor licenses: Zamora Fresh Market, Kwik Star #394, Aldi #43, Old Timers Tavern, Dave's; second by Martin. Consent agenda adopted 7-0.

REPORT

Members from the United Food & Commercial Workers International Union, Local 1149, presented a donation of $2,000 for mosquito spraying.

Executive Director of the Main Street program, Jenny Etter, updated the council on activities and encouraged members of the public to participate in Art Walk, Sept 30 and the Treasure's Tour, Oct 1. The Holiday Stroll is scheduled for November 19.

MOTION:

Wirin moved to approve 5 day Class C liquor license, Olde Main Brewing Company, Sept 22.- @ Tallcorn, second by Greer. Motion carried 7-0.

Lamer moved to approve 5 day Class B Beer Sept 22 – for Oktemberfest, Oktemberfest Foundation, second by Martin. Motion carried 7-0.

Schubert moved to approve Class C Beer and Tobacco permit for GS Convenience & Petroleum, Inc., 229 N 13th St, second by Gowdy. Motion carried 7-0.

Wirin moved to approve Class C Liquor License, El Puente Mexican, 101 N Center Street, second by Martin. Motion carried 7-0.

Wirin moved to receive notice of ownership change of corporation holding a liquor license, ZAR Inc., Liquor and Grocery Depot, 114 N Center Street, second by Schubert. Motion carried 7-0.

Martin moved to authorize city staff to proceed with request for proposal for construction manager services relating to the Police and Fire Department building project, second by Lamer. Motion carried 7-0.

RESOLUTIONS:

Lamer moved to adopt the following resolutions relating to Land Acquisition, Police and Fire Department building project: Resolution 2016-166A Authorizing the Extension of Real Estate Purchase Option with the Marshalltown YMCA-YWCA, through 12/23/2016; Resolution 2016-166B Authorizing the Purchase of Property, from Marshalltown Columbus Hall, Inc., 201 W High Street, $165,000; Resolution 2016-168 Authorizing Loan from the Water Pollution Control Fund to advance up to $300,000 to the Police and Fire Building Fund to pay expenses of the police and fire building project; second by Schubert. Resolutions adopted 7-0.

Schubert moved to adopt Resolution 2016-169 Approving 28E/28D Agreement Renewal for Joint Exercise of Governmental Powers with the Mid-Iowa Drug Task Force, second by Wirin. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2016-170 Authorizing Grant application related to the Swim, Bike, Hike for Community Art Program to the Wellmark Foundation, second by Gowdy. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2016-171 Approving purchase of additional hardware and licensing for the Tyler Technologies software implementation project from BDH Technology, $2,451.38, second by Lamer. Resolution adopted 7-0.

Gowdy moved to adopt Resolution 2016-172 Set Date for Hearing on General Obligation Fire Equipment Loan, being September 26, 2016, for the purpose of acquiring a light-rescue fire vehicle, with funds acquired from the Iowa Department of Public Safety Firefighting Equipment Revolving Loan Fund, in the amount of $142,430, and to ratify Resolution 2016-132, second by Schubert. Resolution adopted 7-0.

Lamer moved to adopt Resolution 2016-173 Authorizing of Support and Acceptance of E911 Grant in the amount of $62,823 to purchase 800 MHZ Radios, with a $62,823 match from the State of Iowa E911 Commission, second by Wirin. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2016-174 Appointing Assistant City Attorney Jeffrey Hazen, second by Lamer. Resolution adopted 7-0.

Gowdy moved to adopt the following resolutions relating to Urban Renewal Area No. 3 – Hawkeye Subdivision: Resolution 2016-175 Approving the Preliminary and Final Plat for the Hawkeye Subdivision, Marshalltown, Iowa; and Resolution 2016-180 Setting Date for Public Hearing on 2016 Urban Renewal Plan Amendment for Marshalltown Urban Renewal Area No. 3, for October 10, 2016; second by Greer. Resolutions adopted 7-0.

Greer moved to adopt the following resolutions relating to Urban Renewal Area No. 5 – Eagle View at Wandering Creek: Resolution 2016-176 Authorizing Loan to Tax Increment Fund for Marshalltown Urban Renewal Area No. 5, to cover administrative expenses up to $5,000; and Resolution 2016-177 Setting Date for Public Hearing on a Development Agreement with Red Earth Real Estate Holdings including economic development payments in an amount not to exceed $1,300,000, for September 26, 2016; second by Schubert. Resolutions adopted 7-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open regarding the declaration of necessity of establishing Marshalltown Urban Renewal Area and Plan, Marshalltown Urban Renewal Area No. 5. Tom Deimerly, Executive Director of MEDIC reviewed the proposed improvements. There were no public or written comments. Mayor Lowrance declared the public hearing closed.

Hoop moved to adopt Resolution 2016-178 to Declare Necessity and Establish an Urban Renewal Area. Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan for the Marshalltown Urban Renewal Area No. 5, second by Wirin. Resolution adopted 7-0.

ORDINANCES:

Gowdy moved to adopt the second reading of Ordinance Amending the Glenwood Place Planned Unit Development Located at 2907 S 6th Street, second by Greer. Second reading adopted 7-0.

Martin moved to table the first reading of Ordinance to Amend City Code Section 28-125 Rate Structure and Storm Water Rate, second by Wirin. Motion carried 5-2 with Greer and Hoop dissenting.

Wirin moved to adopt the first reading of Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Marshalltown Urban Renewal Area No. 5, Pursuant to Section 403.19 of the Code of Iowa, setting public hearing for October 10, 2016, second by Hoop. Relating to Eagle View at Wandering Creek. First reading adopted 7-0.

DISCUSSION:

A request for proposal was prepared and distributed for a new phone system utilizing internet, bids are due September 23. The council will receive additional information after bids are reviewed. Funds are budgeted in the capital improvement plan.

Public Works Director Nickel updated the council on street projects.

PUBLIC COMMENT

A member of the public complained about the rental housing regulations.

ADJOURNMENT

The meeting adjourned at 7:12 PM.

Respectfully submitted,

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Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

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James L. Lowrance, Mayor

ATTEST:

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Shari L. Coughenour, CMC, City Clerk