COUNCIL PROCEEDINGS
July 13, 2015

The Marshalltown City Council met in regular session on July 13, 2015, 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, Schubert, Wirin. Absent – Martin. Schubert moved to approve the agenda, second by Greer. Motion approved 6-0.

CONSENT AGENDA:

Lamer moved to approve the Consent Agenda, removing the consideration of the CO#3 for the Iowa River Interceptor Project from the Consent Agenda for separate consideration: Approve Council meeting Minutes of June 22, 2015; Approve Bill List in the amount of $1,357,152.49; Receipt of List of Purchases and Vertical Public Improvements between $10,000 and $35,000 approved by City Administrator (add RACOM Corporation, Maintenance Contract for communication equipment); Approve May Financials; Resolution 2015-112 Accepting Bid and Authorizing Award of Contract for the 2015 Concrete Repair Project 76015006, with Day Construction Services, LLC, for $149,020.00; Resolution 2015-113 Accepting Bid and Authorizing Award of Contract for the 2015 Sidewalk Repair Project 76015007, with Brycon, LLC for $87,838.50; Resolution 2015-114 Approving Contract and Bond for the 2015 Concrete Repair Project 76015006, with Day Construction Services, LLC, for $149,020.00; Resolution 2015-115 Approving Contract and Bond for the 2015 Sidewalk Repair Project 76015007, with Brycon, LLC for $87,838.50; Resolution 2015-116 Approving a 28E Contract for Roadway Maintenance Services, being pavement maintenance, at Iowa Highway 14 from Iowa Avenue to Woodland Street with the Iowa Department of Transportation through 6/30/2016, $40,340; Resolution 2015-117 Approving a 28E Contract for Roadway Maintenance Services, being street sweeping, at the Iowa Veterans Home with the Iowa Department of Transportation through 6/30/2016, $567; Approve Liquor Licenses: (Pending fire inspection passage) NEW: Calvin Rockett Bar & Grill, Outdoor Service Area; RENEWALS: Class C Liquor: Applebee's; Compass Club; El Portal; Midnight Ballroom; Legends American Grill; Impala Ballroom; Jake's Game Room, The Shop Lounge; Class E Liquor: Walmart; Class B Beer: 13th Street Inn, Central Iowa Fair, Iowa River Brewing Company; Class C Beer: Purple Cherry; second by Greer. Consent agenda adopted 6-0.

MOTIONS:

Wirin moved to adopt Resolution 2015-118 Approving Contract Change Order #3 for the Iowa River Interceptor project 59011019, reducing Retainage amount from 5% to 0.5%, S.M. Hentges & Sons Inc., second by Schubert. Scott Renaud, PE, Fox Engineering, informed the council the punch list is almost completed, with $1500 of items remaining, requesting the reduction of Retainage, as per Iowa law allows. Lamer dissented, maintain the complete Retainage until project completion. Resolution passed 4-2, with Lamer and Hoop dissenting.

Wirin moved to approve the revised Hy Vee Party Room schedule, change in venue from Best Western to Elmwood Country Club for the year, monthly wine tasting, second by Greer. Motion carried 6-0.

Wirin moved to Approve Settlement Agreements for Fiddle & Whistle, Tortilleria and Purple Cherry, sale of alcohol to minor, May 1, 2015, First Violations, second by Gowdy. Motion carried 6-0.

Wirin moved to Approve Cigarette Permit, Liberty Gifts, 2500 S Center Street, Suite #1450, July 14, 2015, through June 30, 2016, second by Hoop. Motion carried 4-2, with Greer and Lamer dissenting.

Due to no motion by the council to Approve Cigarette Permit, Fresh Start E-Cigs and Vapors, LLC, 2501 S Center St Suite D, August 1, 2015, through June 30, 2016, the item died for lack of motion. License denied.

Schubert moved to approve the RFQ for Police and Fire buildings, second by Greer. Further discussion of the process included providing the prior list of building sites to the selected architect with the potential to consider and review two or three additional sites; the council desired continued review of building code requirements pertinent to reuse of existing buildings for police or fire stations; discussed setting maximum construction cost, with a consensus to give the architect latitude to present options to the council in lieu of arbitrary cost restriction. Motion carried 6-0.

RESOLUTIONS:

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for the Plans, Specifications, form of contract and cost for the WPCP Concrete Repair Phase II Project 52013017. Mayor Lowrance declared the public hearing open. Public Works Director Justin Nickel described the project. Construction will take place beginning in the fall of 2015 and be completed in early 2016. There were no public comments or written comments received by the clerk. Mayor Lowrance declared the public hearing closed.

Lamer moved to adopt Resolution 2015-119 Approving Plans, Specifications, form of Contract and Cost for the WPCP Concrete Repair Phase II Project 52013017, second by Gowdy. Resolution adopted 6-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for the Sewer Revenue Loan Agreement not to exceed $6,000,000. Mayor Lowrance declared the public hearing open. Acting Finance Director Brian DeMoss was present to answer questions, and informed the council the loan will be used to fund sanitary sewer rehabilitation projects, and loan terms are expected to be similar to prior sewer revenue loans. There were no public comments or written comments received by the clerk. Mayor Lowrance declared the public hearing closed.

Lamer moved to adopt Resolution 2015-120 Expressing Intent to Enter into Sewer Revenue Loan Agreement, not to exceed $6,000,000, second by Wirin. Resolution adopted 6-0.

FUTURE AGENDA ITEMS DISCUSSION:

The council discussed the following items to be addressed at a future meeting: Building Code Upgrade Grant Application, Professional Building, 208 E Church Street, not to exceed 50% or $20,000 of eligible building code improvements; WPCP Generator replacement, Fox Engineering, consideration of repair, replace or abandonment of the CAT 398 generator; WPCP Concrete Repair project, public hearing on plans & specifications July 13, bids due July 16, Accept Bid and Award Contract July 27; recommendation of endloader purchase, Titan Machinery, $156,626.00, funding available in the capital improvement plan; DT Retail construction agreement for sidewalk and curb improvement; RISE Agreement, relating to TIG – rescind old RISE Agreement and approve negotiation of new RISE Agreement, due to change in scope of project and increased construction costs; Oil Mix Road, relating to Hilltop area, staff recommendation is double chip seal / seal coat, with work commencing in the spring of 2016, Schubert asked that costs be known before including the Marone segment of Highland Acres Road in the project, Hoop asked that improvement of Maytag Road be delayed in favor of the Marone segment of Highland Acres Road; The Iowa DOT is in the planning stages for repairs to Highway 14 within Marshalltown City limits.

PUBLIC COMMENT

Public works director Nickel announced bridge inspection of the Center Street bridge requires street closure for several hours on Tuesday, July 14.

ADJOURNMENT

Upon motion by Gowdy and second by Greer, the meeting adjourned at 6:44 PM, approved 6-0.

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