

COUNCIL PROCEEDINGS
May 26, 2015

The Marshalltown City Council met in regular session on May 26, 2015, at noon, in the Council Chambers at City Hall. Mayor Lowrance called the meeting to order and led the Pledge of Allegiance. Mayor Lowrance thanked Bruce Campbell for ten years of service. Present: Gowdy, Hoop, Lamer, Martin, Schubert, Wirin, fully participating by speakerphone: Greer. Schubert moved to approve the agenda, second by Wirin. Motion approved 7-0.

CONSENT AGENDA:

Lamer moved to approve the Consent Agenda: Approve Council meeting Minutes of May 11, 2015; Approve Bill List in the amount of \$1,380,962.25; ; Approve March Financials; Receipt of Abstract of Votes, May 5, 2015, bond issue for new police building, failed; Receipt of Building Report for April, 2015; Resolution 2015-074 to remove two overhead street lights, due to installation of new decorative lights, one on the SE corner of 13th Street and W State Street, the second one south on the alley on 13th Street between Main Street and State Street on the east side of the street; Resolution 2015-075 Setting hearing on 2015 Amendment to Urban Renewal Area No 3 for June 8; Resolution 2015-076 Setting hearing on a Development Agreement with Theisen's Inc., including economic development payments in an amount not to exceed \$140,000, for June 8; Tentative Resolution 2015-077 Providing for the Vacation, Conveyance, and Transfer of the Streets herein described to Fisher Controls, International, LLC, set public hearing for June 8, regarding part of East Boone Street between South 1st Avenue and South 2nd Avenue and part of East Nevada Street east of S. Center Street to 1st Avenue and pedestrian passage over Parcel "J", all as described in the Quit Claim Deed; Tentative Resolution 2015-078 Adopting Tentative Resolution Set hearing on DT Retail Properties, LLC, vacation of public utility easement; Resolution 2015-079 Approving a Contract for Services for Operation and Maintenance of Government and Cable TV and other public access services with Iowa Valley Community College, created pursuant to Chapter 28E.12 of the Iowa Code, renewal for five years, through June 30, 2020; Resolution 2015-080 Approving Contract and Bond for Construction of the 2015 Columbus Dr & Crestview Drive Project 76015002, Con-Struct, Inc., in the amount of \$231,662.50; Resolution 2015-081 Ordering Construction of the 2015 Concrete Repair Project 76015006; Resolution 2015-082 Approving Menards RISE Grant Agreement, Iowa Department of Transportation, for construction of two left turn lanes on South 18th Avenue, split 50% with the developer, total project estimated cost \$158,175 (50% = \$79,087.50); Resolution 2015-083 Approving Amendment 1 Engineering Services Agreement with FOX Engineering, 2014 Sanitary Sewer Rehab project 59014007 in the amount of \$202,840.00; Resolution 2015-084 Approving 28E Agreement with the Marshalltown Area Chamber of Commerce for the purpose of operating a Visitors Bureau and Convention Center, renewal one year through June 30, 2016, 67% of the hotel / motel tax revenue to CVB, 33% to the city; Approve Cigarette Permits, renewals expiring 6-30-2016; Approve Liquor Licenses: (Pending fire inspection passage) RENEWALS: Git N Go Store #35, Git N Go Store #34, Hy Vee Gas, Abarrotes Villachuato, LLC; second by Martin. Consent agenda adopted 7-0.

MOTIONS:

There was no motion by the council to approve a tobacco permit for Eli Fancy Hookah Bar. The topic died for lack of a motion.

REPORTS:

Parks Director Terry Gray reported the hours of the aquatic center will be shorter due to lack of lifeguard staffing, despite efforts to recruit.

RESOLUTIONS:

PUBLIC HEARING

Mayor Lowrance declared the public hearing open on the plans and specifications for the 2015 Mill & Overlay Project 76015004. There were no written or public comments. Mayor Lowrance declared the public hearing closed. Martin moved to adopt Resolution 2015-085 Approving Plans, Specifications, Form of Contract and Cost for the 2015 Mill & Overlay Project 76015004, second by Hoop. Resolution adopted 7-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open on the plans and specifications for the WPCP Concrete Repair Phase II Project 52013017.. There were no written or public comments. Mayor Lowrance declared the public hearing closed. Lamer moved to adopt Resolution 2015-086 Approving Plans and Specifications, form of Contract and Cost for the WPCP Concrete Repair Phase II Project 52013017, second by Greer. Resolution adopted 7-0.

ORDINANCES:

TABLED: PUBLIC HEARING

Lamer moved to remove from the table the third reading and public hearing of Ordinance #14940 Approving rezoning of Parcels 07-25-328-003, 07-25-3328-004, 07-25-328-014, 07-25-328-017, and 07-25-328-018 to M2 Heavy Industry from R3 Medium Density Residential, JBS request, properties located east of 10th Avenue between Lee Street and Swayze Street, second by Hoop. Motion carried 7-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open changes to the Zoning Ordinance regarding rezoning parcels Parcels 07-25-328-003, 07-25-3328-004, 07-25-328-014, 07-25-328-017, and 07-25-328-018 to M2 Heavy Industry from R3 Medium Density Residential. There were no written or public comments. Mayor Lowrance declared the public hearing closed.

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Schubert moved to approve the third reading and adopt Ordinance #14940 Approving rezoning of Parcels 07-25-328-003, 07-25-3328-004, 07-25-328-014, 07-25-328-017, and 07-25-328-018 to M2 Heavy Industry from R3 Medium Density Residential, JBS request, properties located east of 10th Avenue between Lee Street and Swayze Street, second by Hoop. Ordinance and third reading adopted 7-0.

FUTURE AGENDA ITEMS DISCUSSION:

The council discussed the following items to be addressed at a future meeting: The Spot – Outdoor Service application for June 13 event; Estrella Grocery Store liquor license, Class C Beer, 101 W Main Street; Midnight Ballroom, Transfer Request to Central Iowa Fairgrounds, June 20, 21, 28, July 5, 25, 26, August 1, 2, 8, 9, 15, 16, 22, 23, 29, 30 Sept. 5, 6, 13, 19, 20; FY 15-16 Byrne-JAG Grant Application authorization, public hearing set for June 8, \$19,304, split 50% with Marshall County; city share \$9,652 to be used for equipment and programming; Alcohol compliance checks; Marked Police Vehicle Purchase, FY 2015-2016; Trail Barricades; 2015 Concrete Repair Project 76015006 – Plans & Specs hearing 6/8; 2015 Sidewalk Repair Project 76015007 – Order Construction 6/8, Plans & Specs hearing 6/22, bids 6/25; 2015 Sanitary Sewer Televising Project 59015011 – Engineering Services Agreement, Fox Engineering, \$33,200; 2015 South 18th Avenue Improvements 76015011 – Engineering Services Agreement, Clapsaddle-Garber Associates, \$18,981. Funded 50% by Iowa DOT Rise Grant and Menards; Sanitary Sewer Rate Study project 52012006– Engineering Services Agreement, Stanley Consultants, \$20,900; Stormwater Utility Rate Study project 29112001 – Engineering Services Agreement, Stanley Consultants, \$19,000; 2015 Mill & Overlay Project 76015004 – bids due: May 28 at 10:00 am; 2015 Oil Mix Street Project 76015005 – no bids received; 2015 Microsurfacing Project 76015003 – no bids received; WPCP Concrete Repair Phase II Project 520130017 – Award Contract, Hay Construction, \$231,662.50; Sewer department equipment purchase – 1 ton dump truck with platform and hoist, best responsible bid from Jensen Ford for the truck and platform & hoist by Hawkeye Truck, \$26,425.

ADJOURNMENT

The meeting adjourned at 1:16 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

James L. Lowrance, Mayor

Shari L. Coughenour, CMC, City Clerk