COUNCIL PROCEEDINGS
May 11, 2015

The Marshalltown City Council met in regular session on May 11, 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. Mayor Lowrance thanked the people for voting on the loan agreement question for funding a future police station, and encouraged the police department employees that the failure of the issue was not a reflection of their performance. Police Chief Tupper introduced Paul Heitman, named Officer of the Year, by the Times Republican. Fire Chief Rierson introduced two of the four member team that won the American Lung Association's Fight for Air Climb. The department has won the award six consecutive years. Present: Gowdy, Hoop, Lamer, Martin, Schubert, Wirin. Absent: Greer. Schubert moved to approve the agenda, second by Wirin. Motion approved 6-0.

CONSENT AGENDA:
Wirin moved to approve the Consent Agenda: Approve Council meeting Minutes of April 27, 2015; Approve Bill List in the amount of $ 958,391.26; Approve February Financials; Motion to approve Kibbey Building Façade and Code Upgrade Grant application; Resolution 2015-062 Agreeing to Receive Donation of "ECHO", Artwork from Marshall County Arts & Cultural Alliance Operating as M-PAC, located in 13th Street business area; Resolution 2015-063 Authorizing Acceptance of Fire Grant SCBA replacement, FEMA, $160,450; Resolution Authorizing Hiring of Police Reserve officers Mayer and Puls; Resolution 2015-064 Accepting Bids and Authorize Award of Contract for the 2015 Columbus Dr & Crestview Project 76015002, with Con-Struct, Inc, in the amount of $231,662.50; Resolution 2015-065 Ordering Construction of the 2015 Mill & Overlay Project 76015004; Resolution 2015-066 Approving Contract and Bond for the 2014 Sanitary Sewer Rehabilitation Project 59014007, with Hydro-Klean, LLC, in the amount of $1,860,917.80; Resolution 2015-067 Approving Agreement Amendment No 1 with Fox Engineering, regarding the Performance Edge project 52012012, in the amount of $20,000; Resolution 2015-068 Approving Agreement Amendment No 1 with Fox Engineering, regarding the UltraViolet Disinfection project 52011024, in the amount of $15,000; Cigarette License – New location, existing licensee: Ariel LLC, 907 Iowa Ave E; Approve Liquor Licenses: (Pending fire inspection passage) RENEWALS: Elmwood Country Club, The Spot, Tremont on Main, Center Street Station, Walgreens, The Perfect Setting, Zeno's; second by Wirin. Consent agenda adopted 6-0.

REPORTS:
Kim Elder, representing Marshall County Emergency Management, reviewed the new statewide emergency notification system and encouraged individuals to sign up.

MOTIONS:
There was no motion by the council to proceed with a test angle parking design in the downtown area. The topic died for lack of a motion.

RESOLUTIONS:
PUBLIC HEARING
Mayor Lowrance declared the public hearing open on the budget amendment for fiscal year ending June 30, 2015. Interim Finance Director DeMoss stated the changes are due to project and grant timing. There were no written or public comments. Mayor Lowrance declared the public hearing closed. Wirin moved to adopt Resolution 2015-069 Approving Budget Amendment for Fiscal Year ending June 30, 2015, second by Gowdy. Resolution adopted 6-0.

PUBLIC HEARING
Mayor Lowrance declared the public hearing open on the plans and specifications for the 2015 Microsurfacing Project. Public Works Director Nickel reviewed the project, engineer's estimate of $240,000. There were no written or public comments. Mayor Lowrance declared the public hearing closed. Schubert moved to adopt Resolution 2015-070 Approving Plans and Specifications, form of Contract and Cost for the 2015 Microsurfacing Project 76015003, second by Martin. Resolution adopted 6-0.

PUBLIC HEARING
Mayor Lowrance declared the public hearing open on the plans and specifications for the 2015 Oil Mix Streets Overlay Project. Public Works Director Nickel reviewed the project, engineer's estimate of $475,000. The street plan for improvement was approved by the council in December. Attorney Danielson, 103, W State, representing Marone (1405 Highland Acres Road) requested to add Marone's frontage road to the list of improvements. The council did not make a motion to add the frontage road near 1405 Highland Acres Road to the list of improvements. There were no written comments. Mayor Lowrance declared the public hearing closed. Lamer moved to adopt Resolution 2015-071 Approving Plans and Specifications, form of Contract and Cost for the 2015 Oil Mix Streets Overlay Project 76015005, second by Gowdy. Resolution adopted 5-1, with Wirin dissenting.

Wirin moved to adopt Resolution 2015-072 Approving Contract and Bond for the Airport Hangar Floor Replacement Project 77013010, with Gruss Construction, LLC, in the amount of $77,468.50, second by Lamer. Resolution adopted 6-0.

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ORDINANCES:
TABLED: PUBLIC HEARING
Lamer moved to 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, until the noon council meeting on May 26, 2015, due to lack of publication of the hearing notice, second by Wirin. Motion carried 6-0.

PUBLIC HEARING
Mayor Lowrance declared the public hearing open changes to the Zoning Ordinance regarding fence heights. Housing and Community Development Director Spohnheimer reviewed the changes, increasing the fence height from 8 to 10 feet for commercial property east of 18th Avenue. There were no written or public comments. Mayor Lowrance declared the public hearing closed.

Hoop moved to approve the third reading and adopt Ordinance #14941 Approving changes to the Marshalltown Zoning Ordinance of 2010, Regarding Chapter 4, Districts and General Regulations, regarding fence height for commercial property east of 18th Avenue, second by Schubert. Second reading adopted 4-2 with Lamer and Martin opposed.

FUTURE AGENDA ITEMS DISCUSSION:
The council discussed the following items to be addressed at a future meeting: Theisen's Home Farm Auto request for Tax Increment Financing Rebate, public hearing on Development Agreement and Amendment to Urban Renewal Plan for Area No 3 scheduled for June 8; Fisher Controls International, LLC, request to vacate and acquire public property; DT Retail Properties, LLC, request to vacate and acquire public property; Renewal of the Cable TV 28E Agreement, for five years; Renewal of the Convention & Visitor's Bureau agreement for one year; Hookah bar / tobacco permit and carry in bottle establishment; Remove two overhead street lights on North 13th Street; Award Contract 2015 Columbus Dr & Crestview Dr Project 76015002; Accept Bid 2015 Microsurfacing Project 76015003, bid opening May 14, 2015; Accept bid 2015 Oil Mix Streets Overlay Project 76015005 Bid date May 19, 2015; Plans and Specs 2015 Mill & Overlay Project 76015004; Order Construction 2015 Concrete Repair Project 76015006; Menards RISE Grant Agreement; Plans & Specs WPCP Concrete Repair Phase II Project 52013017; Amendment 1 Engineering Services Agreement-FOX Engineering, 2014 Sanitary Sewer Rehab 59014007 in the amount of $202,840.00; March Financials.

ADJOURNMENT
The meeting adjourned at 7:21 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