

COUNCIL PROCEEDINGS

September 25, 2017

The Marshalltown City Council met in regular session on September 25, 2017, 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, Kester, Lamer, Martin, Wirin. Greer was fully participated via speakerphone until 6:35 PM and was physically present at 6:41 PM. Lamer moved to approve the agenda, second by Kester. Motion approved 7-0.

CONSENT AGENDA:

Martin moved to approve the Consent Agenda: Approve Council meeting Minutes of September 11, 2017; Approve Bill List in the amount of \$2,140,367.45; Receipt of August 2017, Building Report; Resolution 2017-237 Approving Release and Covenant Not to Sue Agreement with Joni L. Burroughs; Resolution 2017-238 Approving and Adopting the Annual Street Financial Report for the fiscal year ending June 30, 2017; Resolution 2017-240 Authorizing the Marshalltown Parks and Recreation Department to Enter into an Agreement to Rent the Pleasant Hills Pool at 909 S 12th Street for Swimming Lessons throughout the 2018 Calendar Year; Resolution 2017-241 Approving Violence Against Women Act Grant Agreement for Fiscal Year 2017-2018; Liquor License Renewals: Tacos y Mariscos Maravilla, Haleys Deli BBQ and Catering, TC's, Casey's General Store #3228; second by Lamer. Consent agenda adopted 7-0.

Wirin moved to rescind the previous City Council action regarding denial of the Jacob's Petition for Severance, second by Gowdy. The merit being the Jacob's reside in the county and only a 24 foot strip of land adjacent to their property is in the city. Motion carried 7-0.

RESOLUTIONS:

Martin moved to adopt Resolution 2017-242 Approving the Application for Severance of Parcel 8318-14-454-005 owned by Gregory and Linda Jacobs, second by Wirin. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2017-243 Approving Engineering Design Services Contract with HR Green, Inc., for Highway 14 project STR17001, in the amount of \$233,000, second by Kester. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2017-244 Accepting bid and Awarding Contract to Jasper Construction for the Center Street Bridge over Linn Creek, \$95,625, second by Kester. Resolution adopted 7-0

Kester moved to adopt Resolution 2017-245 Accepting Transportation Alternatives Program (TAP) funding for Iowa River Trail, \$247,500, second by Wirin. Resolution adopted 7-0.

Lamer moved to adopt Resolution 2017-246 Authorizing the Issuance of \$12,720,000 General Obligation Municipal Building Bonds, Series 2017, and Providing for the Levy of Taxes to Pay the same, approving the Continuing Disclosure Certificate and Paying Agent and Registrar and Transfer Agent Agreement, second by Gowdy. Resolution adopted 7-0.

Kester moved to adopt Resolution 2017-247 Authorizing the City Housing and Community Development Department to Submit a Fair Housing Initiative Program Grant to the US Department of Housing & Urban Development, second by Wirin. Resolution adopted 7-0.

PUBLIC HEARING – subordination of lien position

Mayor Lowrance declared the public hearing open regarding the lead hazard lien subordination for 310 Green Mountain Road, Green Mountain. Housing and Community Development Director Spohnheimer recommended approval. There were no public or written comments either for or against the proposal. Mayor Lowrance declared the public hearing closed.

Lamer moved to adopt Resolution 2017-249 Adopting Tentative Resolution Accepting the Subordination Agreement for property interest at 310 Green Mountain Road, Green Mountain, IA, lead abatement project 53514097, second by Martin. Resolution adopted 7-0.

ORDINANCES:

Gowdy moved to adopt the second reading of Ordinance 14969 to Amend the Code of Ordinances, City of Marshalltown, Iowa, by amending Sections in Chapter 28, Waters and Sewer, of the City Code, Division 4, Relating to Nonresidential Pre-treatment Regulations, second by Lamer. Second Reading adopted 7-0.

Hoop moved to waive the third reading of, and adopt Ordinance 14969, second by Gowdy. Third reading waived and Ordinance 14969 adopted, 7-0.

COUNCIL PROCEEDINGS

September 25, 2017

ORDINANCES AND RESOLUTIONS - SALE OF PROPERTY:

PUBLIC HEARING – vacate alley by ordinance and convey by quit claim deed

Mayor Lowrance declared the public hearing open regarding Vacate portions of Swayze Street and Union Street east of North 8th Avenue, and to Convey Same to Crystal Distribution Services Inc. Public Works Director Nickel informed the council existing easements will be maintained. There were no public or written comments either for or against the proposal. Mayor Lowrance declared the public hearing closed.

Lamer moved to adopt the second reading of, waive the third reading and adopt Ordinance #14968 to Vacate portions of Swayze Street and Union Street east of North 8th Avenue, and to Convey Same to Crystal Distribution Services Inc., setting Public Hearing September 25th, and to approve Resolution 2017-250 Adopting Tentative Resolution 2017-234 Providing for the Conveyance and Transfer of Title to the Property Herein Described from the City of Marshalltown, Iowa, to Crystal Distributing, INC, and Authorizing Execution and Delivery of a Quit Claim Deed, Sale price of \$100 plus other good and valuable consideration, second by Greer. Second reading adopted, third reading waived, Ordinance 14968 adopted and Resolution 2017-234 approved upon 7-0 vote.

Greer moved to adopt Resolution 2017-251 Accepting Bid and Authorizing the Award of Contract to Caliber Concrete LLC for the Marshalltown Police and Fire Headquarters: Bid Package 02-2 Sidewalks & Paving 011200.22 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$520,000.00 and Resolution 2017-252 Approving Contract and Bond with Caliber Concrete LLC for Construction of the Marshalltown Police and Fire Headquarters: Bid Package 02-2 Sidewalks & Paving 011200.22 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$520,000.00, second by Wirin. Resolutions adopted 7-0.

Kester moved to adopt Resolution 2017-253 Accepting Bid and Authorizing the Award of Contract to Caliber Concrete LLC for the Marshalltown Police and Fire Headquarters: Bid Package 03-1 Concrete Foundations & Flatwork 011200.31 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$667,000.00 and Resolution 2017-254 Approving Contract and Bond with Caliber Concrete LLC for Construction of the Marshalltown Police and Fire Headquarters: Bid Package 03-1 Concrete Foundations & Flatwork 011200.31 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$667,000.00, second by Gowdy. Resolutions adopted 7-0.

Lamer moved to adopt Resolution 2017-255 Accepting Bid and Authorizing the Award of Contract to Corrado Homes LLC Dba Corrado Construction for the Marshalltown Police and Fire Headquarters: Bid Package 04-1 Masonry 011200.41 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$1,251,000.00 and Resolution 2017-256 Approving Contract and Bond with Corrado Homes LLC Dba Corrado Construction for Construction of the Marshalltown Police and Fire Headquarters: Bid Package 04-1 Masonry 011200.41 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$1,251,000.00, second by Martin. Corrado Construction answered questions regarding their bid. Resolutions adopted 5-2 with Lamer and Martin opposed.

Kester moved to adopt Resolution 2017-257 Accepting Bid and Authorizing the Award of Contract to Central Western Fabricators, Inc. for the Marshalltown Police and Fire Headquarters: Bid Package 05-1 Steel 011200.51 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$795,500.00 and Resolution 2017-258 Approving Contract and Bond with Central Western Fabricators, Inc. for Construction of the Marshalltown Police and Fire Headquarters: Bid Package 05-1 Steel 011200.51 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$795,500.00, second by Gowdy. Resolutions adopted 7-0.

Lamer moved to adopt Resolution 2017-259 Accepting Bid and Authorizing the Award of Contract to Garling Construction, Inc. for the Marshalltown Police and Fire Headquarters: Bid Package 06-1 General 011200.61 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$1,197,000.00 and Resolution 2017-260 Approving Contract and Bond with Garling Construction, Inc. for Construction of the Marshalltown Police and Fire Headquarters: Bid Package 06-1 General 011200.61 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$1,197,000.00, second by Martin. Resolutions adopted 7-0.

Greer left the meeting at 6:35 PM.

COUNCIL PROCEEDINGS

September 25, 2017

Kester moved to adopt Resolution 2017-261 Accepting Bid and Authorizing the Award of Contract to Black Hawk Roof Company Inc. for the Marshalltown Police and Fire Headquarters: Bid Package 07-1 Membrane Roofing & Wall Panels 011200.71 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$568,589.00 and Resolution 2017-262 Approving Contract and Bond with Black Hawk Roof Company Inc. for Construction of the Marshalltown Police and Fire Headquarters: Bid Package 07-1 Membrane Roofing & Wall Panels 011200.71 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$568,589.00, second by Lamer. Resolutions adopted 6-0.

Gowdy moved to adopt Resolution 2017-263 Accepting Bid and Authorizing the Award of Contract to Cable Glass, LLC DbA Forman Ford for the Marshalltown Police and Fire Headquarters: Bid Package 08-1 Al Storefronts, Curtainwalls & Glazing 011200.81 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$636,900.00 and Resolution 2017-264 Approving Contract and Bond with Cable Glass, LLC DbA Forman Ford for Construction of the Marshalltown Police and Fire Headquarters: Bid Package 08-1 Al Storefronts, Curtainwalls & Glazing 011200.81 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$636,900.00, second by Martin. Resolutions adopted 6-0.

Lamer moved to adopt Resolution 2017-265 Accepting Bid and Authorizing the Award of Contract to Hilsabeck Schacht, Inc. for the Marshalltown Police and Fire Headquarters: Bid Package 09-1 Gypsum Wall Assemblies 011200.91 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$1,092,350.00 and Resolution 2017-266 Approving Contract and Bond with Hilsabeck Schacht, Inc. for Construction of the Marshalltown Police and Fire Headquarters: Bid Package 09-1 Gypsum Wall Assemblies 011200.91 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$1,092,350.00, second by Wirin. Resolutions adopted 6-0.

Kester moved to adopt Resolution 2017-267 Accepting Bid and Authorizing the Award of Contract to Allied Construction Services, Inc. for the Marshalltown Police and Fire Headquarters: Bid Package 09-2 Floor Coverings 011200.92 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$227,500.00 and Resolution 2017-268 Approving Contract and Bond with Allied Construction Services, Inc. for Construction of the Marshalltown Police and Fire Headquarters: Bid Package 09-2 Floor Coverings 011200.92 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$227,500.00, second by Wirin. Resolutions adopted 6-0.

Greer arrived at 6:41 PM.

Wirin moved to adopt Resolution 2017-269 Accepting Bid and Authorizing the Award of Contract to Heartland Finishes, Inc. for the Marshalltown Police and Fire Headquarters: Bid Package 09-3 Painting 011200.93 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$175,315.00 and Resolution 2017-270 Approving Contract and Bond with Heartland Finishes, Inc. for Construction of the Marshalltown Police and Fire Headquarters: Bid Package 09-3 Painting 011200.93 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$175,315.00, second by Lamer. Resolutions adopted 7-0.

Wirin moved to adopt Resolution 2017-271 Accepting Bid and Authorizing the Award of Contract to Schumacher Elevator Company for the Marshalltown Police and Fire Headquarters: Bid Package 14-1 Elevators 011200.141 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$ 71,255.00 and Resolution 2017-272 Approving Contract and Bond with Schumacher Elevator Company for Construction of the Marshalltown Police and Fire Headquarters: Bid Package 14-1 Elevators 011200.141 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$71,255.00, second by Greer. Resolutions adopted 7-0.

Kester moved to adopt Resolution 2017-273 Accepting Bid and Authorizing the Award of Contract to Blackhawk Automatic Sprinklers, Inc. for the Marshalltown Police and Fire Headquarters: Bid Package 21-1 Fire Suppression 011200.211 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$106,050.00 and Resolution 2017-274 Approving Contract and Bond with Blackhawk Automatic Sprinklers, Inc. for Construction of the Marshalltown Police and Fire

COUNCIL PROCEEDINGS

September 25, 2017

Headquarters: Bid Package 21-1 Fire Suppression 011200.211 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$106,050.00, second by Gowdy. Resolutions adopted 7-0.

Greer moved to adopt Resolution 2017-275 Accepting Bid and Authorizing the Award of Contract to Tony's Plumbing & Heating, LLC for the Marshalltown Police and Fire Headquarters: Bid Package 22-1 Plumbing & Mechanical 011200.221 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$1,811,761.00, Resolution 2017-276 Approving Contract and Bond with Tony's Plumbing & Heating, LLC for Construction of the Marshalltown Police and Fire Headquarters: Bid Package 22-1 Plumbing & Mechanical 011200.221 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$1,811,761.00, second by Martin. Resolutions adopted 7-0.

Lamer moved to adopt Resolution 2017-277 Accepting Bid and Authorizing the Award of Contract to Devries Electric, Inc. for the Marshalltown Police and Fire Headquarters: Bid Package 26-1 Electrical, Communications & Security 011200.261 Project in the City of Marshalltown, Iowa being Project No. BLD17001 in the amount of \$1,013,000.00 and Resolution 2017-278 Approving Contract and Bond with Devries Electric, Inc. for Construction of the Marshalltown Police and Fire Headquarters: Bid Package 26-1 Electrical, Communications & Security 011200.261 Project in the City of Marshalltown, Iowa, being Project No. BLD17001 in the amount of \$1,013,000.00, second by Greer. Resolutions adopted 7-0.

DISCUSSION:

The council discussed if the city should participate in removal of blighted private structures in tax increment financing districts. The council expressed interest in bringing the topic back to another agenda for future discussion; questioning the definition of "blighted structure" and setting of precedence.

Included in the packet was a revised draft of the Council manual /Rules of procedure. The council will consider the draft at the October 9 council meeting.

PUBLIC COMMENT:

Fauna Nord, President of the Marshalltown Central Business District, announced the SSMID project has stopped due to the petition in opposition, and encouraged participation while new plans for the downtown area are formulated. Public Works Director Nickel announced the bridge over Linn Creek on South Center Street is scheduled for repair this fall and will be out of service for two to three weeks.

ADJOURNMENT

The meeting adjourned at 7:14.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

James L. Lowrance, Mayor

Shari L. Coughenour, CMC, City Clerk