

COUNCIL PROCEEDINGS

March 9, 2015

The Marshalltown City Council met in regular session on March 9, 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, Martin, Schubert, Wirin. Greer was fully participating by speaker phone but left the meeting at 6:30 PM. Schubert moved to approve the agenda, second by Hoop. Motion approved 7-0.

CONSENT AGENDA:

Lamer moved to approve the Consent Agenda: Approve Council meeting Minutes of February 23, 2015, and Special Council Minutes of February 23, 2015, and March 2, 2015; Approve Bill List in the amount of \$991,662.49; Approve December Financials; Receipt of List of Purchases and Vertical Public Improvements between \$10,000 and \$35,000 approved by City Administrator: City Laundering Co., Uniform Laundering Agreement, \$16,986.31; Approve Police vehicle purchase recommendation, replacement of squad car involved in December 17, 2014, accident; Approve Chainsaw Art in the Park, Jack in the Beanstalk carving; Resolution 2015-027 Approving Softball concession lease agreement, with Hall of Fame Concessions at 23% gross receipts and 23.5% for sales in excess of \$100,000; Resolution 2015-028 Approving Marshalltown Umpires Agreement, 2015 Season; Resolution 2015-029 Authorizing New Street Light at East Nevada Street and South 18th Avenue; Resolution 2015-030 Ordering Construction, 2014 Sanitary Sewer Rehab; Resolution 2015-031 Approving School Resource Agreement with MCSD, two years, 2015-2016 and 2016-2017, not to exceed \$47,000 and \$49,000 respectively; Approve Liquor Licenses: (Pending fire inspection passage); RENEWALS: Wandering Creek Golf Course, Smokin G's BBQ Restaurant and Catering, HyVee Food & Drugstore; second by Martin. Consent agenda adopted 7-0.

REPORTS:

Architect Estes was present to answer questions about the proposed police building design. Jenny Etter provided a quarterly update for the Marshalltown Central Business District. Flower baskets will be hung on June 1. A notice was placed in the water bill reminding citizens to not place grass clippings and other debris in street to protect our storm drain system. Scott Renaud, Fox Engineering, updated the council about the Iowa River Sanitary Sewer work, estimating completion by July.

RESOLUTIONS:

PUBLIC HEARING

Mayor Lowrance opened the public hearing regarding the proposed capital improvement plan for 2015-2019. There were no public comments and no written comments received by the clerk. Lamer and Gowdy both indicated desire to keep a flat tax rate. Mayor Lowrance declared the public hearing closed.

Wirin moved to adopt Resolution 2015-032 Approving Capital Improvement Program for 2015-2019, second by Lamer. Resolution adopted 6-0, with Greer having left the meeting at 6:30 PM.

PUBLIC HEARING

Mayor Lowrance opened the public hearing regarding the proposed budget levy for fiscal year ending June 30, 2016. There were no written comments received by the clerk. Members of the public commented. Mayor Lowrance declared the public hearing closed.

Lamer moved to adopt Resolution 2015-033 Approving Tax Levy and Budget for FYE 2016, with no tax increase, second by Hoop. Resolution adopted 5-1, with Wirin opposed.

Schubert moved to adopt Resolution 2015-034 Approve 28E Cooperative Agreements for Administration of a Lead Hazard Control Grant Program funded by the US Department of Housing and Urban Development with the following communities: Ackley, Alden, Eldora, Hubbard, Iowa Falls, Owasa, Radcliffe, Steamboat Rock, Union, Whitten, Laurel, Le Grand, Melbourne, St. Anthony, State Center, Cambridge, McCallsburg, Roland, Garwin, Gladbrook, Tama, Toledo and Traer, second by Gowdy. Resolution adopted 6-0.

Lamer moved to adopt Tentative Resolution 2015-035 Setting public hearing for Property Easement Agreement for Rail Line – Menard Project for March 23, 2015, second by Wirin. Resolution adopted 6-0.

COUNCIL PROCEEDINGS

March 9, 2015

Hoop moved to adopt Resolution 2015-036 calling for an election on the proposition of entering into a loan agreement for financing the construction of a police station, fixing the not to exceed at \$13,750,000, and striking the demolition of the existing building from the resolution and the ballot language, second by Martin. Resolution adopted 5-1, with Lamer opposed.

ORDINANCES:

PUBLIC HEARING

Mayor Lowrance opened the public hearing regarding the rezoning changes proposed in Ordinance 14939. There were no public comments and no written comments received by the clerk. Lamer and Gowdy both indicated desire to keep a flat tax rate. Mayor Lowrance declared the public hearing closed.

Lamer moved to adopt the ordinance and the third reading of Ordinance 14939, Rezoning of 103, 105, and 107 West Linn Street, 107 ½ and 109 South 1st Street, and 108, 110, 112 South 2nd Street, set public hearing on third reading for March 9, 2015, second by Wirin. There was no opposition to the proposal. The rezoning is consistent with the Comprehensive Plan considering the Library and Central Business District expansion. Third reading and Ordinance adopted 6-0.

FUTURE AGENDA ITEMS DISCUSSION:

The council discussed the following items to be addressed at a future meeting: Marshalltown Speedway, alcohol license for 2015 season; Louisa Ortega, Midnight Ballroom, alcohol license transfer request for April 4, 2015; Plans & Specifications for 2014 Sanitary Sewer project (59014007); Order construction, Airport Hanger floor replacement project (77013010); Order construction, Water Pollution Control Plant Concrete Repair Phase II (52013017); 2015 Project Status.

CLOSED SESSION

At 7:21 p.m., Wirin moved to enter into Closed session pursuant to Section 21.5, subsection 1, paragraph c, of the Code of Iowa, to discuss strategy with counsel in matters where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the city in that litigation, second by Gowdy. Motion carried 6-0.

At 7:40 p.m., Wirin moved to return to open session, second by Martin. Motion carried 6-0.

ADJOURNMENT

With no further action, the meeting adjourned at 7:43 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

James L. Lowrance, Mayor

Shari L. Coughenour, CMC, City Clerk