

COUNCIL PROCEEDINGS
JANUARY 26, 2015

The Marshalltown City Council met in regular session on January 26, 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 recognized Rebecca Borota for ten years of service with the City. Mayor Lowrance announced vacancies on the Solid Waste Landfill Commission due to the resignation of long standing community volunteer John Cooper and encouraged individuals to complete board appointment applications for that committee and the Veterans Memorial Coliseum Commission. Mayor Lowrance also congratulated our Central Business District Director Jenny Etter for her work in getting Marshalltown selected as the host for the 2015 Main Street Iowa Conference Meeting location. Chief Tupper encouraged individuals to participate in forums sponsored by the police department to encourage discussion and review of recent incidents. Mayor Lowrance thanked the Police Department for their dedication. Present: Gowdy, Greer, Hoop, Lamer, Martin, Schubert, Wirin. Schubert approved the agenda, removing the item regarding the Engineering Services Agreement Amendment #1 for the Alliant Gas Fired Plant / East Nevada Street Rebuilding project from the discussion agenda, second by Lamer. Motion approved 7-0.

CONSENT AGENDA:

Lamer moved to approve the Consent Agenda: Approve Council meeting Minutes of January 12, 2015; Approve Bill List in the amount of \$2,548,968.98; Approve Council Goals, 2015; Receipt of December, 2014, Building Report; Resolution 2015-004 Authorizing Acceptance of a Martha – Ellen Tye Foundation Grant in the amount of \$9,055 for the Purpose of Replacing the Fire Station Paging / Alerting System; Resolution 2015-005 to Approve the Region 6 Planning Commission \$360,000 Transportation Alternatives Application for the Iowa River Trail; Resolution 2015-006 Authorizing Acceptance of a Grant in the Amount of \$3,067 from Branching Out / trees Forever Program; Resolution 2015-007 Approving Contract Mowing Agreement between City of Marshalltown and Independent Contractors; Resolution 2015-008 Approving Fees for Campground and Park Rental Shelters in the City of Marshalltown; Resolution 2015-009 Approving Agreement Amendment No. 1 with HR Green, Inc., For Engineering Services for Ingledue Storm Sewer Rehabilitation, Project No 29108009, in the amount of \$7,500.00; Approve Liquor Licenses: (Pending fire inspection passage) RENEWALS: Rumours Sports Bar & Grill, Kwik Star #706, Abarrotes La Salud, Inc., Dollar General Store #2019, Dollar General Store #4206, 7 Rayos Liquor Store, Fareway Stores, Inc., #467; second by Greer. Consent agenda adopted 7-0.

MOTIONS:

Martin moved to set the public hearing on the Budget Amendment for Fiscal Year Ending June 30, 2015, for February 9, 2015, second by Lamer. Motion carried 7-0.

RESOLUTIONS:

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for the amending the Urban Renewal Area Plan for Urban Renewal Area No. 2. Housing Director Spohnheimer informed the council the Zoning Commission found that the proposed plan amendment is in Compliance with the 2030 Comprehensive Plan. The Plan Amendment adds new property to the Urban Renewal Area, about 50 acres generally located south of Olive Street and between 18th Avenue and 12th Avenue, and for the use of incremental property tax revenues to make economic development payments to Menard, inc., in an amount not to exceed \$1,325,000, payments to be made over 20 years, in an amount equal to 60% of the incremental property tax payments attributable to the new facility. Marshalltown Economic Development Director Tom Deimerly and Scott Nuttelman, representing Menards, Inc., were present to answer questions about the proposed improvement. There were no written comments received or public comments either for or against the proposal. Mayor Lowrance declared the public hearing closed.

Lamer moved to adopt Resolution 2015-010 to Approve 2015 Urban Renewal Area Plan Amendment for the Marshalltown Urban Renewal Area No. 2, second by Schubert. Resolution adopted 7-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for the Development Agreement with Menards. Marshalltown Economic Development Director Tom Deimerly and Scott Nuttelman, representing Menards were present to answer questions about the proposed improvements by Menard, Inc., being a truss manufacturing plant and reloading facility on the 50 acre parcel, with utilization of the area's rail spur to benefit the general industry area. Mayor Lowrance thanked Menard, Inc., for providing the initial investment in the community, as tax revenue will be generated immediately for their project. There were no written comments received or public comments either for or against the proposal. Mayor Lowrance declared the public hearing closed.

Wirin moved to adopt Resolution 2015-011 Approving Development Agreement with Menards, Inc., Authorizing Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement, amount not to exceed \$1,325,000, second by Greer. Resolution adopted 7-0.

ORDINANCES:

Mayor Lowrance declared the public hearing open adopting by reference the National Fire Protection Association 70-2014 National Electric Code as the City of Marshalltown Electrical Code. Public Works Director Justin Nickel was present to answer questions. There were no written comments received or public comments either for or against the proposal. Mayor Lowrance declared the public hearing closed.

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Schubert moved to adopt the third reading and to adopt Ordinance 14936 Adopting the National Fire Protection Association 70-2014 National Electric Code as the City of Marshalltown Electrical Code Effective February 1, 2015, set public hearing on January 26, 2015, second by Wirin. Third Reading and Ordinance adopted 7-0.

Greer moved to adopt the third reading and to adopt Ordinance 14937 Amending the Marshalltown Code of Ordinances Vehicle and Traffic Chapter 20 Regarding adding a Traffic Signal at the Intersection of East Nevada Street and 18th Avenue, second by Schubert. First reading adopted 7-0. Hoop moved to waive the second reading of Ordinance 14937, second by Gowdy. Third Reading and Ordinance adopted 7-0.

Lamer moved to adopt the first reading of Ordinance 14938 Providing for the Division of Taxes Levied on Taxable Property in the 2015 Amendment to the Marshalltown Urban Renewal Area No. 2, Pursuant to Section 403.19 of the Code of Iowa, second by Martin. This is in reference to Resolution 2015-010 Amending the 2015 Urban Renewal Area Plan for the Marshalltown Urban Renewal Area No. 2. First reading adopted 7-0.

FUTURE AGENDA ITEMS DISCUSSION:

The council discussed the following items to be addressed at a future meeting: Contract Change Order #1, Raccoon Valley Contractors, Alliant Gas Fired Plant / East Nevada Street Rebuild 66013014A, decrease of \$3,871.00; Engineering Services Agreement, Fox Engineering Associates, Inc., 2014 Sanitary Sewer Rehab 59014007A, \$36,900.00; Engineering Services Agreement, HR Green, Inc., Levee Gatewell Repair Project 29113019A, \$149,600.00; Agreement with Nutri-Ject Systems, Inc., removal, transportation and disposal of city sludge, land apply sludge to farm ground adjacent to the plant and to land north of town near the airport, approximately 7.1 million gallons annually, contract expected to exceed \$50,000; Farm Lease Bid recommendation, \$22,631, annual cash rent, Airport, Hibbs Farms; Farm Lease Bid recommendation, \$842.40, annual cash rent, LaFrentz Lane, 5 Mann Farms; Initial budget schedule for fiscal year ending June 30, 2016, requires review of utility rates, and anticipate 1-2 special meetings to discuss the general fund.

ADJOURNMENT

The meeting adjourned at 6:40 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

James L. Lowrance, Mayor

Shari L. Coughenour, CMC, City Clerk