

Council Proceedings
May 27, 2014

The Marshalltown City Council met in regular session on May 27, 2014, at 12:00 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.

Mayor Lowrance introduced Roger Schoell, City Attorney. Schubert moved to approve the agenda, second by Wirin. Motion approved 7-0.

CONSENT AGENDA

Martin moved to approve the Consent Agenda, amending and approving the Council meeting Minutes of May 12, 2014; Approve Bill List in the amount of \$1,120,661.83; Receipt of Building Report, April, 2014; Renewal Liquor Licenses: Hy-Vee Gas, Zenos Pizza, Kum & Go #701, Liquor & Grocery Depot, Walgreens, Moose Lodge, Designs by Dawn, Midnight Ballroom, pending completion of fire inspection; second by Wirin. Consent agenda adopted 7-0.

RESOLUTIONS:

Wirin moved to adopt Resolution 2014-063 Approving Contract and Bond for Construction of the Alliant Gas Fired Plant / East Nevada Street Rebuild Project 66013014, with Blommers, in the amount of \$1,078,918.50, second by Greer. Resolution approved 6-0, with Lamer abstaining due to his son being involved with the project.

Schubert moved to adopt Resolution 2014-064 Approving Contract and Bond for Construction of the Iowa River (West) Interceptor Parallel Sewer project 59011019A, with S.M. Hentges & Sons, Inc., in the amount of \$5,758,477.72, second by Greer. Resolution adopted 6-1 with Lamer dissenting.

Mayor Lowrance declared the public hearing open for the plans, specifications, form of contract and cost for the Concrete Repair 2014 Project 76014005. There were no written or public comments. Mayor Lowrance declared the public hearing closed.

Lamer moved to adopt Resolution 2014-065 Approving Plans, Specifications, form of Contract and Cost for the Concrete Repair 2014 Project 76014005, second by Wirin. Resolution adopted 7-0.

Lamer moved to adopt Resolution 2014-066 Accepting Bid and Authorizing the Award of Contract for 2014 Concrete Repair TIF District 3, Project 76014006, with Construct, Inc., in the amount of \$293,580, second by Wirin. Resolution adopted 6-1 with Hoop dissenting.

Lamer moved to adopt Resolution 2014-067 Approving Contract and Bond for Construction of the 2014 Concrete Repair TIF District 3, Project 76014006, with Construct, Inc., in the amount of \$293,580, second by Wirin. Resolution adopted 6-1 with Hoop dissenting.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for the plans, specifications, form of contract and cost for the Mill and Overlay Project 76014004. There were no written or public comments. Mayor Lowrance declared the public hearing closed.

Gowdy moved to adopt Resolution 2014-068 Approving Plans, Specifications, form of Contract and Cost for the Mill and Overlay Project 76014004, second by Schubert. Resolution adopted 7-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for the Interlocal Grant Agreement for the Iowa / Byrne-Justice Assistance Grant Program (JAG) of \$18,855, Split 50% with Marshall County, to Assist with Officer Safety, Training, Equipment and Supplies. There were no written or public comments. Mayor Lowrance declared the public hearing closed.

Schubert moved to adopt Resolution 2014-069 Approving Interlocal Grant Agreement for the Iowa / Byrne-Justice Assistance Grant Program (JAG) of \$18,855, Split 50% with Marshall County, to Assist with Officer Safety, Training, Equipment and Supplies, second by Greer. Resolution adopted 7-0.

Martin moved to adopt Resolution 2014-070 Approving Contract Change Order #1 for the Police and Fire Department Architectural and Engineering Services Project 14013020A, H.R. Green, Inc., increase of \$2,500, second by Lamer. Resolution adopted 7-0.

ORDINANCES:

Schubert moved to adoption of the ordinance and for approval of the third reading of Ordinance #14929 Rezoning 3901 South Center Street from R2 Low Density Residential to OP Office Park, second by Greer. Third reading and Ordinance adopted 6-1 with Lamer against.

Greer moved to adopt the reading reading of Ordinance #14930 Approving Changes to the Marshalltown Zoning Ordinance of 2010, Regarding Chapter 5, Site Plan Review Requirements, Chapter 22, Central Business District, Chapter 30 Signs, and Chapter 35, Site Plan Review Board, amending language to require \$300,000 liability insurance for sign installation, second by Wirin. Second reading adopted 7-0.

Greer moved to adopt the first reading of Ordinance #14931 Rezoning 114 North Center Street from R4 Medium Density Residential to CBD Central Business District, second by Gowdy. First reading adopted 7-0.

FUTURE AGENDA ITEMS DISCUSSION:

The council discussed the following items: Hy Vee Party Room request; Senior Citizen Lease Agreement, renewal for two years; Purchase of three 2014 Chevrolet Caprice with police package; Concrete Repair 2014 Project 76014005, bid tabulation; Mill & Overlay 2014 Project 76014004, bid tabulation; Plans, Specifications, form of Contract and Cost for the Airport Hangar Floor Replacement Project 77013010. Hearing on June 9.

PUBLIC COMMENTS:

Denny Grabenbauer and Luisa Ortega asked the council for contribution toward the annual Fourth of July fireworks expenses. Ortega was introduced as the new organizer for the event. The usual annual city contribution is \$3,000.

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CLOSED SESSION

Greer moved to enter into Closed session pursuant to Section 21.5 subsection (1) paragraph (j) OF THE CODE OF IOWA to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. Iowa Code § 21.5(1)(j) (2011), as amended by, Senate File 289, 84th G.A., 1st Sess., § 5 (Iowa 2011), second by Lamer. Motion carried 7-0.

Greer moved to leave closed session, second by Gowdy. Motion carried 7-0, roll call – all present. Greer moved to direct staff to negotiate a purchase agreement for parcels B and D, second by Lamer. Motion carried 7-0.

ADJOURNMENT

The meeting adjourned at 1:01 PM, upon motion by Schubert and second by Greer. Motion carried 7-0.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

James L. Lowrance, Mayor

Shari L. Coughenour, CMC, City Clerk