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[PACKET.PDF](#)



SPECIAL COUNCIL MEETING AGENDA

Monday, May 5, 2014

5:30 PM

Council Chambers, 2nd Floor, 10 W State Street

TO: Mayor James L. Lowrance and Councilors Mike Gowdy, Joel Greer, Al Hoop, Leon Lamer, Bill Martin, Robert Schubert, Bethany Wirin.

You and each of you are hereby notified of the call of the Special Council Meeting to be held for the following purpose:

BUSINESS

Roll Call

1. Receipt of Civil Service New Hire List for Accounting Specialist
2. Motion regarding Hilltop area street improvement
3. Motion setting second meeting in May for Tuesday, May 27, at noon.

PUBLIC HEARING

4. Resolution 2014-044 Approving Plans, Specifications, form of Contract and Cost for the Alliant Gas Fire Plant East Nevada Street Rebuild Project 66013014
5. Resolution 2014-047 Approving Proposal of Roger Schoell for Attorney Services and Appointing Roger Schoell as City Attorney as of May 27, 2014.
6. Resolution 2014-048 Ordering Construction of the 2014 Concrete Repair TIF District 3 in the City of Marshalltown, Iowa, Setting Public Hearing on Proposed Plans, Specifications, Form of Contract and Estimated Cost and Directing Publication of Notice to Bidders, Being Project Number 76014006. Public hearing on May 12 and bids due May 15, 10:00 am.
7. Tentative Resolution 2014-049 Providing for the Perpetual Electric Easement Described from the City of Marshalltown, Iowa, to Interstate Power and Light Company of Cedar Rapids, Iowa, public hearing on May 12.
8. Resolution 2014-050 Appointing Public Works Director, Justin Nickel.

ADJOURNMENT

Mayor James L. Lowrance

Mike Gowdy

Joel Greer

Al Hoop

Leon Lamer

Bill Martin

Bob Schubert

Bethany Wirin

Council Proceedings
Special Council Meeting
May 5, 2014

A Special meeting of the Marshalltown City Council was convened on May 5, 2014, at 5:30 PM, in the Council Chambers at City Hall, according to posted notices. Mayor Lowrance called the meeting to order. ROLL CALL: Present – Gowdy, Greer, Hoop, Lamer, Martin, Schubert, Wirin.

Wirin moved to receive the Civil Service New Hire List for Accounting Specialist, second by Gowdy. Motion carried 7-0.

Hoop moved to approve a modified street improvement construction for the Hilltop area and South 8th Street based on the CMT option #3, modification to include stabilization for only the areas that require it and reducing the surface from 6” to 2-3”, with hopes of reducing cost by 50% or more, second by Gowdy. Motion carried 7-0.

Wirin moved to set the second meeting in May for Tuesday, May 27, at noon, second by Lamer. Motion carried 7-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open regarding the plans and specifications for the Alliant Gas Fire Plant East Nevada Street Rebuild Project. Adam Daters, Engineer with Clapsaddle Garber Associates, was present to explain the project. The estimate is \$1,202,759, with Alliant reimbursing project costs. There were no public or written comments. Mayor Lowrance declared the public hearing closed.

Martin moved to adopt Resolution 2014-044 Approving Plans, Specifications, form of Contract and Cost for the Alliant Gas Fire Plant East Nevada Street Rebuild Project 66013014, second by Greer. Resolution adopted 7-0.

Lamer moved to adopt Resolution 2014-047 Approving Proposal of Roger Schoell for Attorney Services and Appointing Roger Schoell as City Attorney as of May 27, 2014, second by Wirin. Resolution adopted 7-0.

Greer moved to adopt Resolution 2014-048 Ordering Construction of the 2014 Concrete Repair TIF District 3 in the City of Marshalltown, Iowa, Setting Public Hearing on Proposed Plans, Specifications, Form of Contract and Estimated Cost and Directing Publication of Notice to Bidders, Being Project Number 76014006. Public hearing on May 12 and bids due May 15, 10:00 am, second by Gowdy. Resolution adopted 6-1, with Hoop dissenting.

Greer moved to adopt Tentative Resolution 2014-049 Providing for the Perpetual Electric Easement Described from the City of Marshalltown, Iowa, to Interstate Power and Light Company of Cedar Rapids, Iowa, public hearing on May 12, with an amendment setting consideration at \$1.00 and other good and valuable consideration, second by Schubert. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2014-050 Appointing Public Works Director, Justin Nickel, second by Greer. Resolution adopted 7-0. The offer is conditional based on obtaining an Iowa License, anticipated start date is June 9.

Without further action by the council, the meeting adjourned at 6:26 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, City Clerk



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ADJOURNMENT

Mayor James L. Lowrance

Leon Lamer

Mike Gowdy

Bill Martin

Joel Greer

Bob Schubert

Al Hoop

Bethany Wirin



Jill Petermeier
Human Resource Director
24 North Center Street
Marshalltown, IA 50158
Tel (641) 754-5704 Fax (641) 754-5704
jpetermeier@ci.marshalltown.ia.us

To: Civil Service Commission

From: Lori Stansberry, Finance Director
Jill Petermeier, Human Resource Director

Re: Accounting Specialist New Hire List

After reviewing all applicants and their qualifications, the following persons were tested and considered to best meet the qualifications for the above listed position and are ranked as follows:

332	Lisa Collins	Marshalltown, Iowa
305	Tonya Hudnutt	Marshalltown, Iowa
278	Cheryl Culver	LeGrand, Iowa

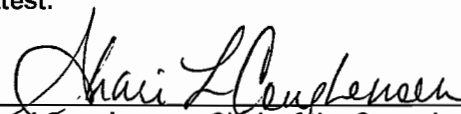
This list shall be valid for a period not to exceed May 1, 2015

Certified by Civil Service Commission on May 1, 2014



Mary Stevens, Civil Service Commission Chair

Attest:



Shari Coughenour, Clerk of the Commission



March 24, 2014

City of Marshalltown - Public Works
Attn: Mr. Bruce Campbell
24 N Center St
Marshalltown, IA 50158

RE: Seal Coat Streets
Subsurface Investigation

Dear Mr. Campbell

On March 20th, CMT technicians were on-site at several locations in the City of Marshalltown to evaluate pavement areas which had received seal coat treatments. Ten pavement cores and subgrade soil samples were obtained from three different subdivisions. Subgrade soil samples were taken between 6 inches and 16 inches below the bottom of paving. These tests were done to evaluate the existing pavement conditions and offer recommendations for remediation. Refer to the attached map of the locations of the core holes. The conditions at each site can be summarized as follows:

Core No.	Pavement Type and Thickness	Subgrade Soil Description	Moisture Content	Bearing Capacity
1	HMA – 5 inches	Brown Silty Clay Trace Sand (CL)	22.4%	2000 psf
2	HMA – 4 inches	Dark Brown-Brown Silty Clay (CL)	22.4%	2000 psf
3	HMA – 1.5 inches PCC – 6.5 inches	**Sand under PCC patch (SP) Dark Brown-Brown Silty Clay beneath sand (CL)	n/a	2500 psf
4	HMA – 6 inches	Brown Silty Clay (CL)	19.1%	1500 psf
5	HMA – 6 inches	Brown Silty Clay Trace Fine Sand (CL)	16.3%	3000 psf
6	HMA – 5 inches	Very Dark Brown Silty Clay (CL)	22.8%	3500 psf
7	HMA – 5.5 inches	Very Dark Brown Silty Clay (CL)	29.7%	3000 psf
8	HMA – 5.5 inches	Dark Brown – Brown Silty Clay Trace Gravel (CL)	21.9%	3000 psf
9	HMA – 5.5 inches	Very Dark Brown Silty Clay (CL)	23.2%	3200 psf
10	HMA – 7 inches	Very Dark Brown Silty Clay (CL)	24.7%	3500 psf

**Core No. 3 was located over what appears to be a PCC patch in the roadway, prior to the seal coat treatment. The sand beneath the pavement was approximately 3 feet thick.

Remediation Recommendations:

Each area appears to have two to eight inches of paving structure over a medium stiff to stiff consistency lean clay soil. We explored several options for remediation of the subgrade/pavement for enhancing the road structure. The option of utilizing cold in place recycling does not appear to be feasible due to thin pavement sections found in some areas. Cold in place recycling requires more structure to be present than several locations which were tested. We considered a method utilized in Jasper County several years ago which involves injecting a cut back asphalt into the mixture of the recycled pavement and soil. These Jasper County roads did not appear to age as well as cold in place or subgrade stabilization projects.



We examined the possibility of adding a roadstone material to the surface and milling it into the subgrade, creating a more gravel-like subbase. This option did not provide as much structure as chemical stabilization and at the time of this study, was more expensive. With these two options eliminated, we focused on different stabilization techniques, subgrade preparation and pavement structure. We also took into consideration anticipated variations in moisture content and bearing capacity of the in place soils due to pending seasonal fluctuations. The following three options (most to least expensive) appear to be the most economical use of taxpayer funding.

Option 1 – Using the proper equipment, rotomill the top 12 inches of structure while incorporating a 12% fly ash by dry soil weight treatment. This lift would then be tested for compaction verification prior to the placement of a 5 inch HMA pavement. The pavement would be comprised of a 3 in lift of 300,000 ESAL base mix and 2 inches of 1,000,000 surface mix. This option would provide 17 inches of structure with an anticipated life span of more than 25 years before major maintenance/rehabilitation would be required.

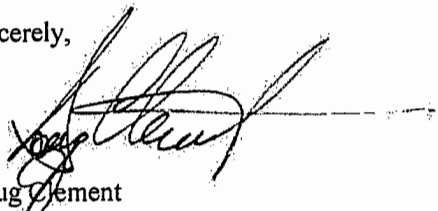
Option 2 – Using the proper equipment, rotomill the top 12 inches of structure while incorporating an 8% fly ash by dry soil weight treatment. This lift would then be tested for compaction verification prior to the placement of a 4 inch HMA pavement. The pavement would be comprised of a 2 in lift of 300,000 ESAL base mix and 2 inches of 1,000,000 surface mix. This option would provide 16 inches of structure with an anticipated life span of more than 20 years before major maintenance/rehabilitation would be required.

Option 3 – Using the proper equipment, rotomill the top 12 inches of structure, creating a homogenous mixture of the pavement and soils which could be uniformly compacted for subbase. This lift would then be tested for compaction verification prior to the placement of a 4 inch HMA pavement. The pavement would be comprised of a 4 in lift of 300,000 ESAL base mix and 2 inches of 300,000 surface mix. This option would provide 16 inches of structure with an anticipated life span of more than 10 years before major maintenance/rehabilitation would be required.

CMT has not been provided with any budgetary requirements for pavement rehabilitation. We would be happy to discuss options for combining the above measures or changes within the options. We can also provide you with anticipated life spans based on normal usage (traffic loads/environmental conditions) based on the structure and pavement design that is chosen. Current cost estimates were provided by Mr. Dave Schinckel of Manatt's, Inc. so that the options could be evaluated based on cost. Mr. Schinckel also provided background information on rotomilling and experimental projects CMT was involved with in similar situations.

Please feel free to call should you have questions or if we may be of further assistance.

Sincerely,


Doug Clement
President/CEO


Sybil K. Ferrier, P.E.
Principal Engineer

Member of AGC of America

Phone:

Brooklyn (641) 522-9206
Ames (515) 233-2005
Newton (641) 792-7500
Johnston (515) 278-0247
Waterloo (319) 291-6122

MANATT'S INC.

P.O. Box 535
Brooklyn

IA 52211

Quote No: _____

Date: _____

April 9, 2014

Customer CITY OF MARSHALLTOWN

Address _____

Fax: _____

Phone: _____

MANATT'S INC. agrees to furnish the following at the price and terms as indicated, subject only to the conditions as stated below.

Materials only () Complete (X) Other ()

RE: SEALCOAT STREETS SUBSURFACE INVESTIGATION PROJECT

WE ARE PLEASED TO QUOTE THE FOLLOWING:

- OPTION 1 ROTOMILL THE EXISTING ROADWAYS FOR A SIZING PASS, INCORPORATE FLY ASH AT 12% IN ONE 12" LIFT, AS A SECOND PASS, WATER AS NEEDED FOR COMPACTION, RE-COMPACT AND BLADE SHAPE.
APPROXIMATELY 22,293 SY @ \$6.50/SY = \$144,904.50
- OPTION 2 ROTOMILL THE EXISTING ROADWAYS FOR A SIZING PASS, INCORPORATE FLY ASH AT 8% IN ONE 12" LIFT, AS A SECOND PASS, WATER AS NEEDED FOR COMPACTION, RE-COMPACT AND BLADE SHAPE.
APPROXIMATELY 22,293 SY @ \$5.32/SY = \$118,598.76
- OPTION 3 ROTOMILL THE EXISTING ROADWAYS IN ONE 12" LIFT, WATER AS NEEDED FOR COMPACTION, RE-COMPACT AND BLADE SHAPE.
APPROXIMATELY 22,293 SY @ \$2.00/SY = \$44,586.00

Terms: This quote is valid for thirty days. All final field measurements shall prevail. If acceptable, please sign one copy and return to the Brooklyn office. Bond not included in Quote.

Signatures: **MANATT'S INC.**

By:


DAVID SCHINCKEL DIVISION MANAGER

Customer _____

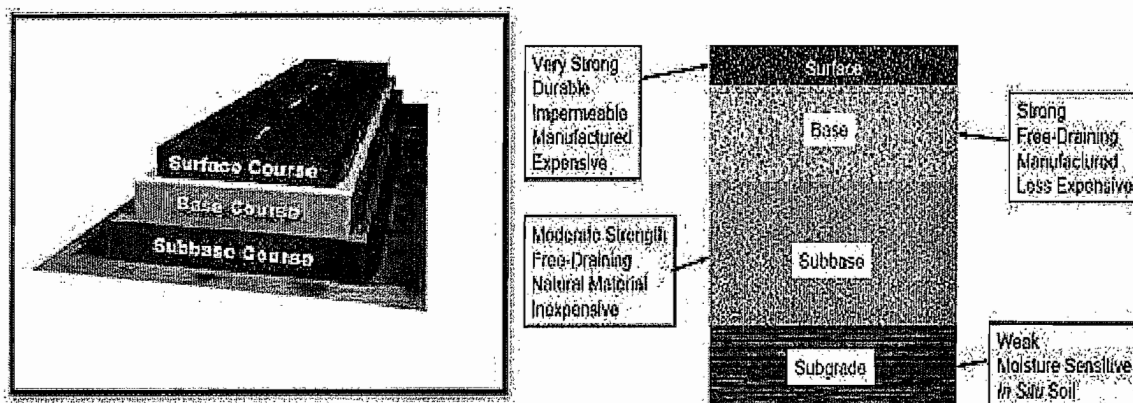
Option	Treatment Type	Estimated Bid Items	Unit Cost	Quantity	Unit	Estimated Cost			
CMT OPTION 1	Reclamation w/ Fly Ash	12% Fly Ash & 12" Reclamation 5" Hot Mix Asphalt (Includes Binder) Manhole Adjustments Seeding Survey Mobilization Traffic Control	\$6.50	22,293	SY	\$144,904.50			
			\$100.00	6,320	TON	\$632,006.55			
			\$1,500.00	23	EA	\$34,500.00			
			\$8,000.00	1	LS	\$8,000.00			
			\$10,000.00	1	LS	\$10,000.00			
			\$15,000.00	1	LS	\$15,000.00			
			\$7,500.00	1	LS	\$7,500.00			
			Totals						\$851,911.05
			Contingency, 10%						\$937,102.16
			CMT OPTION 2	Reclamation w/ Fly Ash	8% Fly Ash & 12" Reclamation 4" Hot Mix Asphalt (Includes Binder) Manhole Adjustments Seeding Survey Mobilization Traffic Control	\$5.32	22,293	SY	\$118,598.76
\$100.00	4,966	TON				\$496,576.58			
\$1,500.00	23	EA				\$34,500.00			
\$8,000.00	1	LS				\$8,000.00			
\$10,000.00	1	LS				\$10,000.00			
\$15,000.00	1	LS				\$15,000.00			
\$7,500.00	1	LS				\$7,500.00			
Totals						\$690,175.34			
Contingency, 10%						\$759,192.87			
CMT OPTION 3	Reclamation	12" Reclamation 4" Hot Mix Asphalt (Includes Binder) Manhole Adjustments Seeding Survey Mobilization Traffic Control				\$2.00	22,293	SY	\$44,586.00
			\$100.00	4,966	TON	\$496,576.58	\$44,586.00		
			\$1,500.00	23	EA	\$34,500.00	\$409,398.13		
			\$8,000.00	1	LS	\$8,000.00	\$34,500.00		
			\$10,000.00	1	LS	\$10,000.00	\$8,000.00		
			\$15,000.00	1	LS	\$15,000.00	\$10,000.00		
			\$7,500.00	1	LS	\$7,500.00	\$15,000.00		
			Totals						\$616,162.58
			Contingency, 10%						\$677,778.83
									\$528,984.13
						\$581,882.54			

Hilltop and S. 8th Street Treatment Options

Overview

This report is intended to give viable treatment options to the streets in the Hilltop and S. 8th St. areas that received the Chip Seal treatment last fall. The following list provides a description of the treatment, pros and cons of the treatment, and the estimated cost to construct the treatment.

The main concern in the areas of Hilltop and S. 8th St. is the poor condition of the sub-grade and sub-base. The sub-grade is the natural soil on which the sub-base is to be placed. The sub-base itself is typically made up of stone aggregate which is strong and allows water to drain freely through it. (See below a typical cross section of street pavement)



The roads in both of these areas have been constructed with some form of Asphalt paving. The treatment types presented were chosen on the basis of what was currently in place. We have provided four options that would be appropriate treatments in the Hilltop and S. 8th St. areas.

Two of the options provided address the sub-grade and sub-base problems that we know are present in these areas. The remaining two treatment options are surface type treatments that do not address the sub-grade and sub-base. The estimated costs that follow each treatment type are "Ball Park" estimations. Costs would need to be slightly tuned upon a decision to proceed with one of the given options.

Treatment Options

1.) Chip Seal

Chip Seal or Seal Coat as it is commonly referred, is a surface treatment in which an asphalt binder is applied to the road surface. This is followed by a single layer of aggregate known as the wearing surface. A rubber tired roller is used to seat the aggregate into the binder and any remaining loose material is gathered and removed.

If this process is done correctly the advantages can be:

- A. The pavement surface becomes sealed, waterproof
- B. New wearing surface, increased skid resistance
- C. Can flex with the pavement
- D. Relatively Inexpensive

The disadvantages to this process are:

- A. Loose rock, gravel road appearance, rough, possibly noisy
- B. Cannot fill in low spots or depression to improve ride quality

The estimated costs to re-treat both the Hilltop and S. 8th St. areas would be approximately **\$56,496.00.**

2.) 1-1/2" Asphalt Overlay

It is possible to do a 1-1/2" Asphalt Overlay to the streets in both these areas. The overlay would be placed directly on the Chip Seal surface as it is. The placement of the asphalt would be the in the same manner as other asphalt we have placed. There would be no milling involved with this work.

The advantages of this process can be:

- A.) Fix low spots and depressions
- B.) Solid wearing surface, water tight
- C.) Aesthetically pleasing (Black Surface)
- D.) Smooth Ride
- E.) Short Construction Time

The disadvantages of this process can be:

- A.) Much more expensive
- B.) The sub-grade issue would still be present
- C.) Issues matching driveways
- D.) Need to adjust Manholes
- E.) Shorter asphalt life

The estimated cost to place 1-1/2" Asphalt Overlay in both the Hilltop and 8th St. areas would be approximately **\$388,408.00**

3.) Asphalt Overlay with 12" Sub-Grade Stabilization

This process involves a machine used to mill and crush the existing pavement and subgrade material to a uniform size and consistency, followed by the mixing of fly ash and water with the soil/aggregate mixture. The final step is to then spread, grade, and compact the material. Once the sub-base is stabilized, two 1-1/2" lifts of asphalt can be placed over the stabilized base to create the road surface.

The advantages to this process are:

- A. Reuse the materials that are on site
- B. Stabilize the sub-grade with the fly ash
- C. Able to create a better profile and a smoother ride

The disadvantages to this process are:

- A. Added cost of the fly ash and asphalt
- B. Longer construction period

The estimated cost to Asphalt pave over a stabilized sub-base would be approximately **\$690,506.44**

4.) Asphalt Pavement with an Aggregate Sub-base

The work on this approach would be to remove the pavement and excavate down 20" - 24". Once the excavation was complete a 12" layer of Macadam Stone would be placed along with a 6" layer of a clean road stone on top of the Macadam Stone. A 6" Layer of Asphalt base would be laid over the aggregate followed by two 1-1/2" lift of Asphalt that would make up the wearing course.

The advantages of this process can be:

- A.) Fix Sub-base
- B.) Solid base to Support Traffic
- C.) Smoother Ride, Aesthetically Pleasing
- D.) Much Longer Lasting Pavement

The disadvantages of this process can be:

- A.) Very Costly
- B.) Much Longer Construction Time

The estimated cost to Asphalt paving over an Aggregate sub-base would be approximately **\$1,837,458.00**



7212W

The City of Marshalltown, Iowa
James L. Lowrance, Mayor
Randy A. Wetmore, City Administrator
24 N. Center Street
Marshalltown IA 50158-4911
Tel - (641) 754-5734
Fax - (641) 754-5793
EMail -
bcampbell@ci.marshalltown.ia.us

MEMORANDUM

March 21, 2014

To: Honorable Mayor and City Council

From: Bruce M. Campbell, Assistant to the City Engineer

Subject: Chip Seal Area Repairs

CMT (Construction Materials Testing) of Des Moines was in town on Thursday March 20, and took their boring samples in all the chip sealed areas. When talking with the technicians, their only comments were as to how much frost was still in the ground. We anticipate that they will provide their recommended options with in the week.



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MEMORANDUM

February 19, 2014

To: Honorable Mayor and City Council

From: Bruce M. Campbell, Assistant to the City Engineer

Subject: Chip Seal Area Repair Option

I have been in contact with Royce Fichtner P.E. of the APAI (Asphalt Paving Assoc. of Iowa) and former Marshall Co. Engineer in regards to the roads that were chip sealed this past summer. We discussed the option of doing an "Oil Mix Repair" to those roads that was utilized in Marshalltown a number of years ago. Mr. Fichtner stated that that type of repair is no longer used in the industry.

There are new types of repair applications that are available. He provided information on CMT (Construction Materials Testing) in Des Moines. I have been in contact with the firm. They plan on coming to town and taking a look at the present conditions of the roads. From this review I anticipate they will provide recommendations of how they would proceed.



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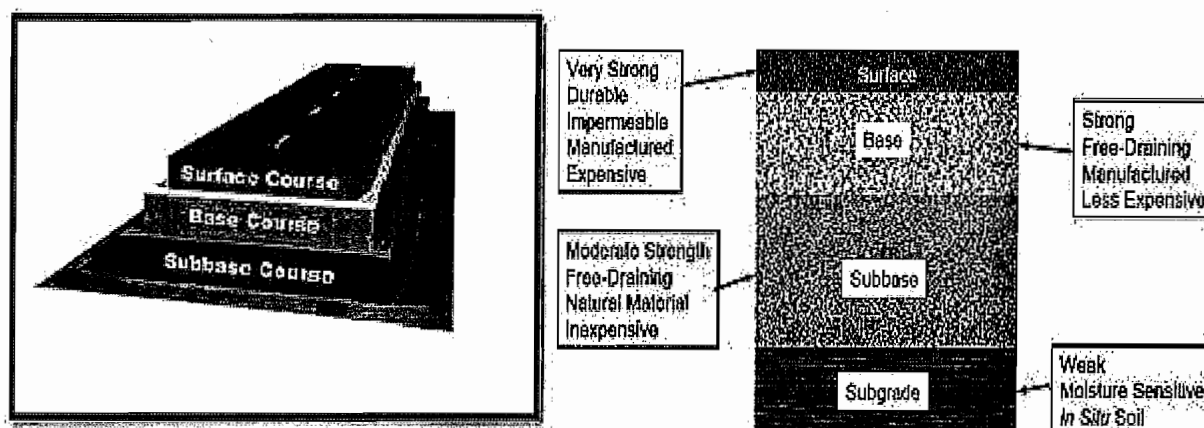
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The roads in both of these areas have been constructed with some form of Asphalt paving. The treatment types presented were chosen on the basis of what was currently in place. We have provided four options that would be appropriate treatments in the Hilltop and S. 8th St. areas.

Two of the options provided address the sub-grade and sub-base problems that we know are present in these areas. The remaining two treatment options are surface type treatments that do not address the sub-grade and sub-base. The estimated costs that follow each treatment type are "Ball Park" estimations. Costs would need to be slightly tuned upon a decision to proceed with one of the given options.

Treatment Options

1.) Chip Seal

Chip Seal or Seal Coat as it is commonly referred, is a surface treatment in which an asphalt binder is applied to the road surface. This is followed by a single layer of aggregate known as the wearing surface. A rubber tired roller is used to seat the aggregate into the binder and any remaining loose material is gathered and removed.

If this process is done correctly the advantages can be:

- A. The pavement surface becomes sealed, waterproof
- B. New wearing surface, increased skid resistance
- C. Can flex with the pavement
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The disadvantages to this process are:

- A. Loose rock, gravel road appearance, rough, possibly noisy
- B. Cannot fill in low spots or depression to improve ride quality

The estimated costs to re-treat both the Hilltop and S. 8th St. areas would be approximately **\$56,496.00.**

2.) 1-1/2" Asphalt Overlay

It is possible to do a 1-1/2" Asphalt Overlay to the streets in both these areas. The overlay would be placed directly on the Chip Seal surface as it is. The placement of the asphalt would be in the same manner as other asphalt we have placed. There would be no milling involved with this work.

The advantages of this process can be:

- A.) Fix low spots and depressions
- B.) Solid wearing surface, water tight
- C.) Aesthetically pleasing (Black Surface)
- D.) Smooth Ride
- E.) Short Construction Time

The disadvantages of this process can be:

- A.) Much more expensive
- B.) The sub-grade issue would still be present
- C.) Issues matching driveways
- D.) Need to adjust Manholes
- E.) Shorter asphalt life

The estimated cost to place 1-1/2" Asphalt Overlay in both the Hilltop and 8th St. areas would be approximately **\$388,408.00**

3.) Asphalt Overlay with 12" Sub-Grade Stabilization

This process involves a machine used to mill and crush the existing pavement and subgrade material to a uniform size and consistency, followed by the mixing of fly ash and water with the soil/aggregate mixture. The final step is to then spread, grade, and compact the material. Once the sub-base is stabilized, two 1-1/2" lifts of asphalt can be placed over the stabilized base to create the road surface.

The advantages to this process are:

- A. Reuse the materials that are on site
- B. Stabilize the sub-grade with the fly ash
- C. Able to create a better profile and a smoother ride

The disadvantages to this process are:

- A. Added cost of the fly ash and asphalt
- B. Longer construction period

The estimated cost to Asphalt pave over a stabilized sub-base would be approximately **\$690,506.44**

4.) Asphalt Pavement with an Aggregate Sub-base

The work on this approach would be to remove the pavement and excavate down 20" - 24". Once the excavation was complete a 12" layer of Macadam Stone would be placed along with a 6" layer of a clean road stone on top of the Macadam Stone. A 6" Layer of Asphalt base would be laid over the aggregate followed by two 1-1/2" lift of Asphalt that would make up the wearing course.

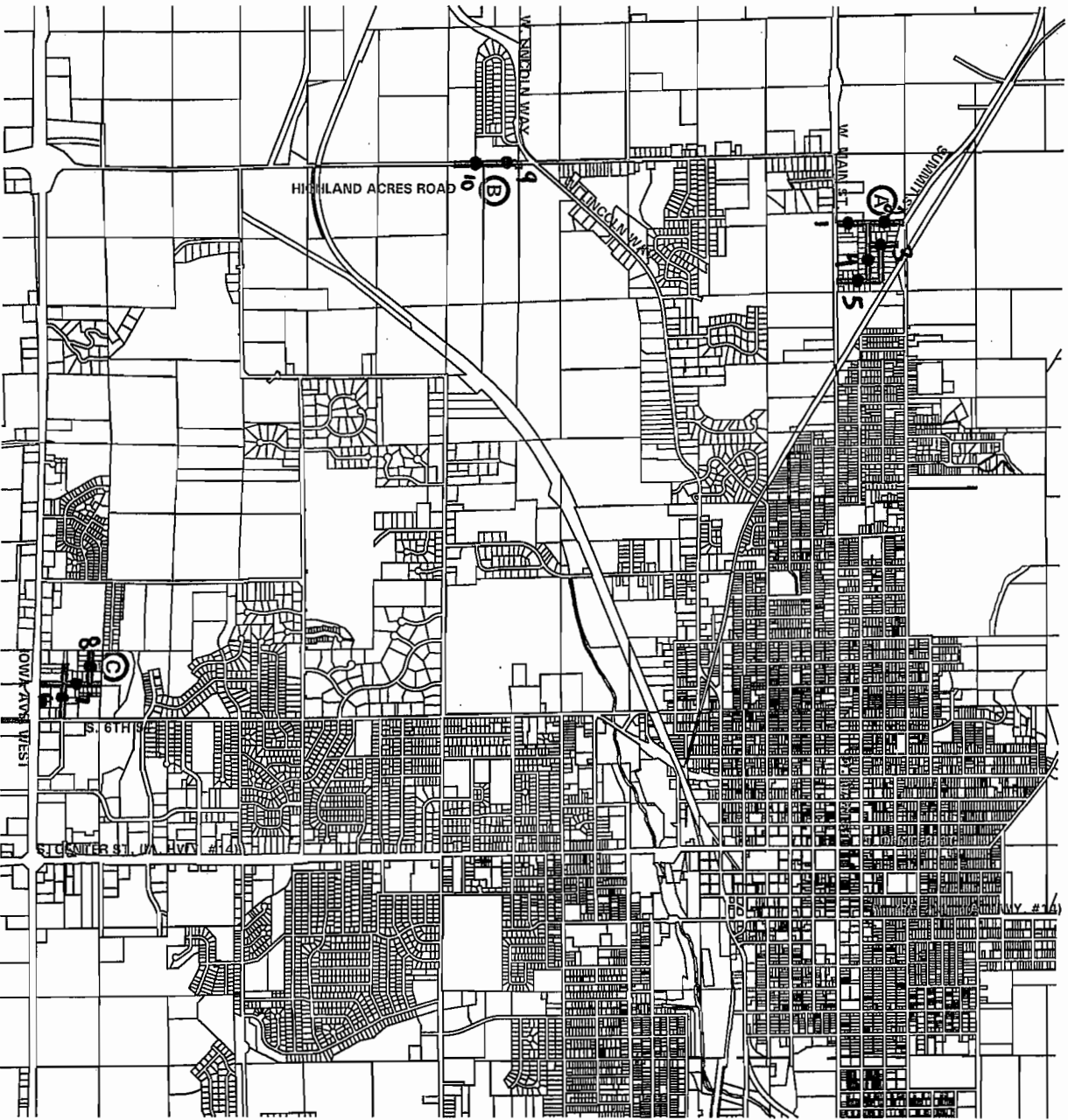
The advantages of this process can be:

- A.) Fix Sub-base
- B.) Solid base to Support Traffic
- C.) Smoother Ride, Aesthetically Pleasing
- D.) Much Longer Lasting Pavement

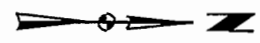
The disadvantages of this process can be:

- A.) Very Costly
- B.) Much Longer Construction Time

The estimated cost to Asphalt paving over an Aggregate sub-base would be approximately **\$1,837,458.00**



CHIP SEAL AREAS			
AREA A - 24 FT WIDE ROAD			
SEGMENT	LENGTH (FT)	AREA (SY)	CORES
Valley View Rd.	1,190	3,173	1,2
N. 27th St.	530	1,413	3
Hilltop Rd.	1,040	2,773	4
Freemont St.	680	1,813	5
N. 25th St.	840	2,240	5
AREA B - 24 FT WIDE ROAD			
SEGMENT	LENGTH (FT)	AREA (SY)	
Highland Acres Frontage Rd.	1,280	3,413	9,10
AREA C - 24 FT WIDE ROAD			
SEGMENT	LENGTH (FT)	AREA (SY)	
S. 8th St.	1,180	3,067	7
Warren St.	600	1,600	8
Maytag Rd.	1,050	2,800	6
TOTAL AREA (SY) = 22,293			



RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST FOR THE ALLIANT GAS FIRED PLANT EAST NEVADA STREET REBUILD
PROJECT, IN THE CITY OF MARSHALLTOWN, IOWA,
BEING PROJECT NO. 66013014

WHEREAS there was placed on file in the office of the Clerk of the City of Marshalltown, Iowa, proposed plans and specifications, proposed form of contract and estimated cost for a public improvement in the City of Marshalltown, Iowa, for the Alliant Gas Fired Plant East Nevada Street Rebuild, Project No. 66013014, as fully set forth in the resolution ordering same, and that public notice of hearing on such plans, specifications and form of contract were duly published in the Marshalltown Times-Republican in time for hearing now before the Council, and

WHEREAS written objections to the plans, specifications and form of contract have been called for and no such written objections have been filed with the City Clerk, and oral objections being called for and no oral objections being made in open Council, it is the decision of this Council that such plans, specifications, form of contract and estimate of cost should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, that the plans, specifications, form of contract and estimated cost heretofore placed on file and upon which public notice has been duly given and no objections thereto have been made either in writing or in open council, the Council does now adopt and approve the plans, specifications, form of contract and estimate of cost for Project No. 66013014, being the Alliant Gas Fired Plant East Nevada Street Rebuild in the city of Marshalltown, Iowa.

Passed this 5th day of May, 2014, and signed this _____ day of May, 2014.

CITY OF MARSHALLTOWN

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

Affidavit of Publication

STATE OF IOWA,
Marshall County, ss.

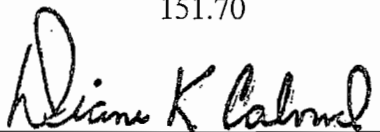
City of Marshalltown
Notice of Hearing and Letting East Nevada Street
Improvements Project # 66013014

I, Diane Caloud, being first duly sworn, on oath depose and say that Marshalltown Newspaper, LLC is a corporation for pecuniary profit organization under the law of the State of Iowa, with its principal place of business in Marshalltown, Iowa; that the "Times-Republican" is a daily newspaper of general circulation printed wholly in the English language and published by said corporation at the city of Marshalltown, in Marshall County, Iowa; that I am the Accounting Manager of said corporation and a full time employee of the said newspaper, and have personal knowledge of the facts stated herein; that the Notice hereto attached in the above entitled action was published in the regular daily edition of the said "Times-Republican" once each week for:

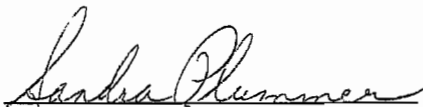
One

consecutive weeks on the days and dates as follows, to-wit:
April 29, 2014

Statutory fees for publishing said notice are:
151.70

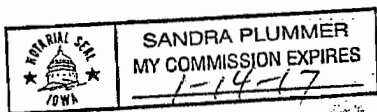


Sworn to before me and subscribed in my
presence by the said Diane Caloud this
Twenty-ninth Day of April, 2014



Sandra Plummer, Notary Public
Marshall County, Iowa
Commission No. 766297
Commission Expires January 14, 2017

Account No. and Account Name
L02000 City of Marshalltown



PUBLIC NOTICE
CITY OF MARSHALLTOWN,
IOWA
**OFFICIAL NOTICE OF
HEARING AND LETTING**
East Nevada Street
Improvements
CITY OF MARSHALLTOWN -
PROJECT NO. 66013014

NOTICE OF PUBLIC HEARING
ON PROPOSED PLANS,
SPECIFICATIONS, PROPOSED
FORM OF CONTRACT AND ES-
TIMATED COST FOR THE
EAST NEVADA STREET IM-
PROVEMENTS IN THE CITY
OF MARSHALLTOWN, IOWA,
AND THE TAKING OF BIDS
FOR SUCH IMPROVEMENTS.

A public hearing will be held
at 5:30 p.m. local time on the
5th day of May, 2014, in the
Council Chambers, Second
Floor of 10 West State Street,
Marshalltown, Iowa, on the pro-
posed plans, specifications, pro-
posed form of contract, and the
estimated cost of improvements
proposed to be constructed
under City of Marshalltown Pro-
ject No. 66013014, the East
Nevada Street Improvements
now on file in the office of the
City Clerk and at said hearing
any interested person may ap-
pear and file objection thereto
or to the bidding process.

Sealed proposals based
upon the proposed plans,
specifications, proposed form of
contract, estimated costs of im-
provement, will be received until
10:00 a.m. local time, on the
6th day of May, 2014, for the
construction of the East Nevada
Street Improvements as
described in the plans and
specifications for City of
Marshalltown Project No.
66013014, and which will be
opened, read, and tabulated by
the City Engineer or his design-
ate at that time, will be acted
upon by the City Council of said
City at a meeting to be held in
the Council Chambers on the
12th day of May, 2014, or at
such later time and place as
may then be fixed.

The proposed work will in-
volve furnishing the labor,
equipment, and materials
necessary for constructing the
East Nevada Street Improve-
ments in Marshalltown, Iowa as
shown in the plans and speci-
fications for City of Marshalltown
Project No. 66013014, the East
Nevada Street Improvements.

The estimated quantities of
materials and labor to be fur-
nished in the construction of
said improvements and on
which bids will be received are
as follows:

**ITEM NO/DIVISION 1 - BASE
BID PROJECT QUANTITIES/
UNIT TOTAL**

- 1 Mobilization/LS/1
- 2 Construction Survey/LS/1
- 3 Stabilized Construction
Entrance/LS/1
- 4 Traffic Control/LS/1
- 5 Excavation, Class 13/CY/
3,966
- 6 Borrow Haul In/CY/2,934
- 7 Intake Protection/EA/11

- 8 Hydroseeding Urban/AC/2
- 10 Pavement Removal/SY/
4,520
- 11 Driveway Removal/SY/
379
- 12 Remove & Dispose Exist-
ing Storm Sewer Pipe/LF/275
- 13 Remove & Dispose Exist-
ing Storm Sewer Structure/EA/
5
- 14 Subgrade Preparation,
12"/SY/7,700
- 15 Modified Subbase, 8"/SY/
7,700
- 16 PCC Paving, 7" Class C/
SY/6,895
- 17 PCC Driveway, 6" Class C
w/2% CaCl/SY/379
- 18 Subdrain, 6"/LF/3,250
- 19 RCP Storm Sewer Pipe,
15"/LF/749
- 20 RCP Storm Sewer Pipe,
18"/LF/581
- 21 RCP Culvert Pipe, 72"/LF/
44
- 22 Storm Sewer Intake,
SW-541/EA/10
- 23 Storm Sewer Intake,
SW-509/EA/1
- 24 RCP Apron, 72"/EA/2
- 25 RCP Apron, 18"/EA/1
- 26 Revetment, Class D/TON/
35
- 27 Watermain, DIP, 16"/LF/
1,748
- 28 Watermain, DIP, 12"/LF/
65
- 29 Water Valve, 16"/EA/5
- 30 Water Valve, 12"/EA/3
- 31 Fire Hydrant Assembly/EA/
2
- 32 Temporary Access Drive,
4" Modified/TON/1,000
- 33 Temporary Access Drive,
12" Macadam/TON/2,800
- 34 Barricade Type III, Road
Closed/EA/1
- 35 HMA, Full Depth Patch/
SY/47
- 36 PCC Sidewalk, 4"/SY/
1,080
- 37 Precast Concrete Panels
(Railroad Crossing)/SY/48
- 38 Orange Mesh Safety Fence
Along Union Pacific Property/
LF/72
- 39 Signs w/ Steel Tubing
Post/EA/3
- 40 Signs w/ Post (Railroad
Crossing Crossbuck)/EA/2
- 41 Detectable Warning De-
vices Truncated Domes/EA/4

All work is to be done in strict
compliance with the Plans and
Specifications for said City of
Marshalltown Project No.
66013014 as proposed by the
City Engineer.

The work shall begin without
unnecessary delay around the
2nd day of June 2014, with
bond and insurance provided,
and shall be complete within
120 calendar days. The City
reserves the right to alter
planned work start date at their
discretion. Easement negotia-
tion is currently underway, and
may also affect planned work
start date.

The City and Contractor
recognize that time is of the
essence of this Agreement and
that City will suffer financial
loss if the Work is not completed
within the times specified in
paragraph above, plus any ex-
tensions thereof allowed. They
also recognize the delays, ex-
pense and difficulties involved
in proving in a legal proceeding
the actual loss suffered by City
if the Work is not completed on
time. Accordingly, instead of re-
quiring any such proof, City and
Contractor agree that as liqui-
dated damages for delay (but
not as a penalty) Contractor

Contract Amount/Substantial Completion Liquidated Dam- ages/Final Completion Liqui- dated Damages		
\$0	to	\$25,000/\$75,000/ \$75,000
\$25,001	to	\$50,000/\$125,000/ \$75,000
\$50,001	to	\$100,000/ \$200,000/\$100,000/ \$100,001
\$100,001	to	\$500,000/ \$400,000/\$200,000/ \$500,001
\$500,001	to	\$1,000,000/ \$600,000/\$300,000/ \$1,000,001
\$1,000,001	to	\$2,000,000/ \$925,000/\$400,000/ \$2,000,001
\$2,000,001	to	\$5,000,000/ \$1,375,000/\$500,000/ \$5,000,001
\$5,000,001	to	\$10,000,000/ \$2,000,000/\$1,000,000/ \$10,000,001
\$10,000,001	and up/	\$3,000,000/\$1,500,000

All proposals shall be made
upon the official bidding blanks
furnished by the City and any
alteration in the Official Form of
Proposal will entitle the Council,
at its option, to reject the propo-
sal involved from consideration.
Each said proposal shall be
sealed and plainly identified.

Each proposal shall be ac-
companied by a certified check
in an amount equal to ten per-
cent (10%) of the total amount
of the bid in a separate sealed
envelope, drawn on and certi-
fied payable by a solvent bank
to the City Treasurer of the City
as security that, if awarded the
contract by resolution of the City
Council, the bidder will enter
into contract at the prices bid
and will furnish the required cor-
porate surety bond. Any bidder
may, in lieu of the certified
check provided for herein, file
with such bid a bid bond exe-
cuted by a corporation author-
ized to contract as surety in
Iowa and satisfactory to the City
on the form included in the
specifications. The certified
check may be cashed and the
proceeds retained by the City,
or the bid bond forfeited to the
City, as agreed liquidated dam-
ages if the bidder fails to exe-
cute a contract or file an accept-
able bond for faithful perfor-
mance thereof within ten (10)
days after acceptance of his
proposal by resolution of the
City Council. Said security shall
be returned to the bidder upon
execution of the formal contract
to complete said work and ap-
proval of performance bond by
the Council.

The successful bidder shall
furnish the City a surety bond,
acceptable to said City, for one
hundred percent of the bid
guaranteeing his faithful per-
formance of the contract. All
bonds called for in this notice
shall contain no other condi-
tions except as provided in
Chapter 384.97(5) of the Iowa
Code.

The Contractor will be paid in
cash from the General Fund of
said City or from the proceeds
of the issuance of such bonds
as may be legally issued for
such purposes or from any com-
bination of the above methods
as may be used for such pay-
ments. Said payment to the
Contractor will be made by the
City in monthly estimates and
one final payment. Monthly es-
timates will be equivalent to
ninety-five percent (95%) of the
contract value of the work com-

pleted, and will be
based upon an estimate
prepared by the Contractor and
submitted at least 15 days be-
fore a regularly scheduled City
Council meeting, subject to the
approval of the City Engineer,
who will certify to the City for
payment of each approved esti-
mate. Final payment will be
made on or before thirty (30)
days after completion and ac-
ceptance by resolution of the
City Council of the completed
contract. No such partial or final
payment will be due until the
Contractor has certified to the
City Clerk that materials, labor
and services involved in each
estimate have been paid for in
accordance with the require-
ments stated in the specifica-
tions. Such partial payment
shall in no way be construed as
an act of acceptance for any
part of the work partially or total-
ly completed.

Preference will be given to
products and provisions grown
and produced within the
State of Iowa by virtue of statu-
tory authority, and to Iowa
domestic labor in constructing
said improvements.

The Contractor shall file with
the contract a corporate surety
bond acceptable to the City and
providing for maintenance of
the improvements for not less
than four years from and after
acceptance of the project.

Plans, specifications and pro-
posed contract documents may
be examined at the office of the
City Engineer, Marshalltown,
Iowa, and at the office of the
City Clerk, Marshalltown, Iowa.

Plans and specifications can
be obtained from
Clapsaddle Garber Associates,
Inc., P.O. Box 754, 16 East
Main Street, Suite 400,
Marshalltown, Iowa 50158.
Telephone No. 641/752-6701.
Ask for Allison at Ext. 19. A
deposit of \$50 per paper set of
Bidding Requirements and Con-
tract Documents will be
charged, all of which will be re-
funded if the paper documents
are returned to CGA in reusable
condition within 14 days of the
Award of Contract. If all paper
documents are not returned in
reusable condition and within
14 days, the deposit will be for-
feited.

The City Council reserves the
right to reject any and all bids
and to waive technicalities and
irregularities and all bids must
remain effective for a period of
60 days of opening same.

CITY OF MARSHALLTOWN,
IOWA
By: Shari L. Coughenour,
CMC, City Clerk

RESOLUTION APPROVING PROPOSAL OF
ROGER SCHOELL FOR ATTORNEY SERVICES AND
APPOINTING ROGER SCHOELL AS CITY ATTORNEY AS OF MAY 27, 2014

WHEREAS the City of Marshalltown, Iowa, has requested and solicited proposals for Attorney Services other than prosecutions for traffic and simple misdemeanor violations; and

WHEREAS the Proposal from Roger Schoell is in the best interest of the City and should be approved by the Council of the City of Marshalltown, Iowa.

THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, AS FOLLOWS:

Section 1. The attached Proposal from Roger Schoell , for Attorney Services at \$150.00 per hour plus expenses for copying, express mail and travel is hereby approved and ratified by the Council of the City of Marshalltown, Iowa.

Section 2. Roger Schoell is hereby appointed City Attorney for the City of Marshalltown, as of May 27, 2014.

Section 3. The Mayor and City Clerk are hereby authorized and directed to execute said Agreement on behalf of the City of Marshalltown, Iowa.

Section 4. This resolution shall be in full force and effect from and after its passage and signature as by law provided.

Passed this 12th day of May, 2014, and signed this _____ day of May, 2014.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

Memo

To: Mayor and City Council
From: Randy A. Wetmore, City Administrator *RW*
Re: Appointment of City Attorney - contract position
Date: April 14, 2014

A notification of the City Attorney position opening was sent out to members of the Marshall County Bar Association, placed an advertisement in the Times Republican and other employment outlets.

Mr. Roger R. Schoell of the Grimes, Buck, Schoell, Beach and Hitchens firm in Marshalltown submitted his qualifications for the position and is attached.

It is anticipated that Mr. Schoell will operate much like Curt has for the past four years in a part-time capacity. He will attend Council meetings and other meetings as necessary. Staff will bring issues to him for advice and action in resolving matters.

Mr Schoell will officially take over full responsibility as City Attorney on May 27th. This will provide Curt with an opportunity to bring Mr. Schoell current on a number of issues and projects that he is presently working on. This will allow for an orderly and smooth transition.

I plan on appointing Roger Schoell to the position of City Attorney. I would appreciate any comments you may have before the next meeting.

**GRIMES, BUCK, SCHOELL
BEACH & HITCHINS**
ATTORNEYS AT LAW

ROGER R. SCHOELL
KEVIN R. HITCHINS

JEFFREY P. HAZEN
LAURA A. EILERS
BREANNA M. WEBER

102 EAST CHURCH STREET
P.O. BOX 776
MARSHALLTOWN, IA 50158-0776
(641) 752-4507
FAX (641) 752-5179

Of Counsel
MAX H. BUCK

Retired
LEONARD L. GRIMES

Deceased
GENE L. BEACH

April 4, 2014

Randy Wetmore
City Administrator
24 N Center Street
Marshalltown, IA 50158

RE: City Attorney Contract Services

Dear Mr. Wetmore:

In connection with the request for proposals for the position of City Attorney Contract Services, I would ask that I be considered. It is my understanding that the position will be a part-time position billed at an hourly rate for the services provided. I will be retaining my own office space, equipment, and furnishings. I believe that it is likely that from time to time I would require the assistance of the City Clerk and various other City Officials.

While the duties listed in the request for proposals list bonding work on behalf of the City, it is my understanding that the City does retain a bonding attorney for that purpose. In addition, I understand that the City uses someone for contract negotiation with employees. As such, it is my belief that I would not be acting as the bonding attorney of the City or involved in employee contract negotiations.

It is my belief that my experience as a general practice attorney in the City of Marshalltown would provide me with a good base of experience to perform the other duties that you have listed. In the past, our office has represented from time to time various municipal entities within Marshall County including the cities of State Center, LeGrand, Liscomb, Laurel and Rhodes, Iowa. Currently our office does represent the cities of Laurel, Rhodes, and Liscomb. In my work for cities, I have had experience in the drafting of ordinances and participation in other municipal legal issues.

My educational background is as follows: I am a high school graduate of Burlington High School in Burlington, Iowa. I have received Bachelor of Arts Degree from the University of

Randy Wetmore
City Administrator
April 4, 2014
Page 2

Iowa in 1968 and a Juris Doctorate Degree from the University of Iowa College of Law in 1970. In addition, I am required to attend not less than fifteen hours of continuing education annually.

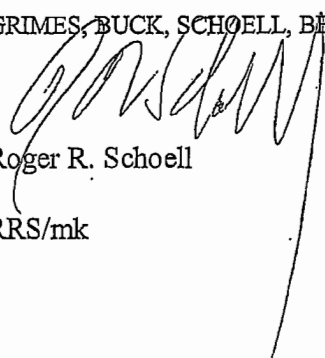
My spouse and I have been residents of Marshalltown, Iowa, since my graduation from law school. My spouse is also a graduate of the University of Iowa and retired from teaching in 2007. I have been engaged in the general practice of law in Marshalltown since 1970. I am currently a member of the American Bar Association, the Iowa State Bar Association, the Iowa Association of School Attorneys and the Iowa League of Cities.

I currently am billing for my services in the representation of municipal clients at the rate of \$150 per hour, plus expenses for copying, postage and travel. I would expect that rate to continue for this work. At the present time, the only meetings I have which are on regular basis are the second and fourth Tuesdays of each Month. I generally vacation for one week at a time, twice during the year. There are other attorneys within my office who are involved in the handling of municipal matters that could step-in during my absence. I believe that my time schedule can be worked out to the satisfaction of the City.

In the event there is further information that you would like to have about my proposal, please let me know. I am willing to meet with you in person at any time. I thank you for the opportunity to submit this proposal and your time in reviewing it

Very truly yours,

GRIMES, BUCK, SCHOELL, BEACH & HITCHINS



Roger R. Schoell

RRS/mk

RESOLUTION ORDERING CONSTRUCTION OF THE 2014 CONCRETE REPAIR TIF DISTRICT 3
IN THE CITY OF MARSHALLTOWN, IOWA, SETTING PUBLIC HEARING ON PROPOSED
PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST AND DIRECTING
PUBLICATION OF NOTICE TO BIDDERS, BEING PROJECT NUMBER 76014006

WHEREAS there is now on file in the office of the City Clerk proposed plans, specifications, form of contract and estimated costs for the construction of the 2014 Concrete Repair TIF District 3, Project No.76014006, in the City of Marshalltown, Iowa, as is fully set forth in the plans and specifications for Project No76014006, and

WHEREAS the cost of the said improvement is in excess of \$25,000 and a public hearing on the plans, specifications, form of contract and the estimated cost of said improvement is required by law and that notice thereof shall be given as required by law, and

WHEREAS it is intended that the cost of said improvement shall be paid from such funds as the City may legally use for such purposes or from the proceeds from the issuance of such bonds as may be legally issued for said purposes or any combination of the above methods of financing.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. This Council does hereby order the construction of the 2014 Concrete Repair TIF District 3 in the City of Marshalltown, Iowa, which public improvement is fully and particularly described in the plans and specifications for Project No.76014006, now on file in the office of the City Clerk of Marshalltown, Iowa.

Section 2. That the method of construction shall be by contract in accordance with the plans and specifications and general stipulations for the said improvement approved by the City Council.

Section 3. The Contractor will be paid in monthly estimates for work completed as set out in the specifications. The project shall begin on or near the appropriate starting date as specified on the form of proposal and shall be completed within the specified number of calendar days also indicated thereon.

Section 4. That the said improvements shall be paid for from such funds of the City as may be legally used for such purposes, or from the proceeds of the issuance of such bonds as may be legally issued for such purposes or from any combination of such methods of financing and will be paid in accordance with the Notice to Bidders duly published in connection therewith. The Finance Director shall establish on the books a 2014 Concrete Repair TIF District 3 fund and the bond proceeds or such funds of the City as may be legally used for such purposes are hereby appropriated to pay all costs of the improvements including legal publication, bond, design, engineering, survey and inspection, contract and contingency cost as estimated by the Engineer. The Finance Director is directed to advance all sums necessary from the project fund, and to set up on the books the obligations and receivables of the fund.

Section 5. The City Clerk is hereby directed to publish notice of hearing on plans, specifications, and form of contract and estimated cost in the manner provided by law for the public improvement outlined herein and that any person interested therein may appear and make objections thereto, if any he has. This Council will meet in the Council Chamber, Second Floor, 10 West State Street at Marshalltown, Iowa, at 5:30 o'clock P.M., local time on the 12th day of May, 2014 , for the purpose of hearing all of said objections so made and for taking final action upon the plans, specifications, and form of contract now on file.

Section 6. The City Clerk is further directed to advertise for bids in the manner provided by law for the construction of said improvements, setting forth in said notice such necessary pertinent information as will advise prospective bidders thereof together with the proposed manner of payment of the work to be constructed and that such bids be filed and received in the office of the City Clerk of Marshalltown, Iowa, up to 10:00 o'clock A.M., local time, on the 15th day of May, 2014. The bids will be opened, read, and tabulated by the City Engineer or his designate at that time and will be acted upon by the City Council of said City at a meeting to be held in the Council Chambers, Second Floor, 10 West State Street, Marshalltown, Iowa, at 5:30 o'clock P.M., local time, on the 27th day of May, 2014, or at such later time and place as may then be fixed for considering such bids as shall be filed in connection with the improvement herein ordered and in compliance with the notice of taking bids therein, hereby ordered to be published.

Passed this 5th day of May, 2014, and signed this _____ day of May 2014.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

TENTATIVE RESOLUTION PROVIDING FOR THE PERPETUAL ELECTRIC EASEMENT
DESCRIBED FROM THE CITY OF MARSHALLTOWN, IOWA TO INTERSTATE POWER
AND LIGHT COMPANY OF CEDAR RAPIDS, IOWA

WHEREAS, the Council of the City of Marshalltown, Iowa finds it is in the best interest of the City and proposes to transfer property set out and described in Section 1 hereof to the adjacent property owners, INTERSTATE POWER AND LIGHT COMPANY, OF CEDAR RAPIDS, IOWA; and

WHEREAS, the consideration for the transfer of the real estate to INTERSTATE POWER AND LIGHT COMPANY, OF CEDAR RAPIDS, IOWA, as set forth in Section 1, is the full sum of \$_____ plus costs of transfer and publication, said sum payable to the City of Marshalltown; and

WHEREAS, the property being transferred by the City of Marshalltown, Iowa to INTERSTATE POWER AND LIGHT COMPANY, OF CEDAR RAPIDS, IOWA is real estate which is not being used to the full advantage of the City, and is not required for any other public purpose, and no rights of private persons will be adversely affected; and

WHEREAS, the City of Marshalltown hereby proposes the transfer of said property, subject to easements being retained and rights of way of utilities, and access to and maintenance of said utilities. Said easements, rights of way and access will be retained until such time as the utility no longer utilizes or needs facilities in this location.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. The City of Marshalltown, Iowa, by this Tentative Resolution, proposes to transfer and convey Electric Line Easement pertaining to the following described property to INTERSTATE POWER AND LIGHT COMPANY, OF CEDAR RAPIDS, IOWA and said property is described as follows, to-wit:

The South 30 feet of Lot 4 and lot 5, except for the west 43 feet of Lot 5,
all in Block 13, Town of Marshall, Marshall County, Iowa;

in Marshalltown, Iowa.

Section 2. That the consideration for the above-referred to real estate being transferred in Section 1 to INTERSTATE POWER AND LIGHT COMPANY, OF CEDAR RAPIDS, IOWA, shall be the sum of \$_____ plus costs of transfer and publication, payable to the City of Marshalltown, Iowa.

Section 3. The City of Marshalltown hereby proposes the transfer of said property, subject to easements being retained and rights of way of utilities, and access to and maintenance of said utilities. Said easements, rights of way and access will be retained until such time as the utility no longer utilizes or needs facilities in this location.

Section 3. The Mayor and Clerk are hereby authorized to execute the ELECTRIC LINE EASEMENT, as referred to herein and upon receipt of the consideration therein, deliver the deed to the Buyer and to do all things necessary to carry out said sale.

Passed this ___ day of May, 2014, and signed this ___ day of May, 2014.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

NOTICE OF PUBLIC HEARING

PUBLIC NOTICE is hereby given that there is now on file in the Office of the Clerk of the CITY OF MARSHALLTOWN, IOWA, a Tentative Resolution wherein it is proposed to convey a perpetual easement with the right, privilege and authority to construct, reconstruct, maintain, operate, repair, patrol and remove an underground electric and telecommunications line or lines, consisting of wires, transformers, switches and other necessary fixtures and equipment relating to operation of an electric line on the following described property in Marshalltown, Marshall County, Iowa, legally described as:

The South 30 feet of Lot 4 and lot 5, except for the west 43 feet of Lot 5,
all in Block 13, Town of Marshall, Marshall County, Iowa;

From the City of Marshalltown to Interstate Power and Light Company, Cedar Rapids, Iowa. The consideration for such conveyance shall be determined by the city council. The City reserves its existing utility easement.

The final action on the Tentative Resolution now on file will be taken at a meeting of the City Council to be held in the City Council Chambers, City Hall, 24 North Center Street, on the 12th day of May, 2014, at 5:30 PM, Central Standard Time, at which time and place hearing will be had on any comments made in writing or orally at said hearing to the proposed conveyance and the Council will take final action on the resolution now on file.

This notice is given as required by Section 364.7 of the Code of Iowa.

Shari L. Coughenour, City Clerk of Marshalltown Iowa.

4/30/14: EMAILED TO TR FOR PUBLICATION ON 5/6/14

Prepared by: Mary Fredericks Interstate Power and Light Company – PO Box 351 – Cedar Rapids, IA 52406 (319) 786- 4046

Return to: Mary Fredericks Interstate Power and Light Company – PO Box 351 – Cedar Rapids, IA 52406 (319) 786-4046

SPACE ABOVE THIS LINE FOR RECORDER

ELECTRIC LINE EASEMENT

For and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, City of Marshalltown ("Grantor(s)"), ADDRESS: 24 North Center Street, Marshalltown, IA 50158 do(es) hereby warrant and convey unto Interstate Power and Light Company, an Iowa Corporation, its successor and assigns, ("Grantee"), a perpetual easement with the right, privilege and authority to construct, reconstruct, maintain, operate, repair, patrol and remove an underground electric and telecommunications line or lines, consisting of wires, transformers, switches and other necessary fixtures and equipment, (including associated surface mounted equipment) and construction for transmitting electricity, communications and all Corporate purposes together with the power to extend to any other party the right to use, jointly with the Grantee, pursuant to the provisions hereof, upon, under, and across the following described lands located in the County of Marshall, and the State of Iowa:

The easement area being the South 30 feet of the below described property;
Lot 4 and Lot 5, except for the west 43 feet of Lot 5, all in Block 13, Town of Marshall, Marshall County Iowa.

together with all the rights and privileges for the full enjoyment or use thereof for the aforesaid purpose.

Grantor(s) agrees that it will not construct or place any buildings, structures, plants, or other obstructions on the property described above.

Grantor(s) also conveys the right and privilege to trim, cut down or control the growth of any trees or other vegetation on said described land and such other trees and vegetation adjacent thereto as in the judgment of the Grantee may interfere with construction, reconstruction, maintenance, operation, repair, use of said line or lines, or associated equipment.

Grantee, its contractor or agent, may enter said premises for the purpose of making surveys and preliminary estimates immediately upon the execution of this easement.

The Grantor(s) also grants to the Grantee the right of ingress and egress to said line or lines, under lands now owned by the Grantor(s), for the purpose of constructing, reconstructing, maintaining, operating, patrolling, repairing and removing said line or lines, or associated equipment and the Grantee agrees to pay to the Grantor(s) or its tenants all damages done to the lands (except the cutting and trimming of trees or other vegetation), fences, livestock or crops of the Grantor(s) or its tenants, by the Grantee or its employees while constructing, reconstructing, patrolling or repairing said line or lines.

Signed this _____ day of _____, 20_____.

GRANTOR(S):

By: _____

By: _____

ALL PURPOSE ACKNOWLEDGMENT

STATE OF _____)

COUNTY OF _____) ss:

On this _____ day of _____, AD. 20_____, before me,
the undersigned, a Notary Public in and for said State, personally
appeared

_____ to me personally known

or _____ provided to me on the basis of satisfactory
evidence

to be the persons(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the
same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted, executed the
instrument.

NOTARY SEAL _____
(Sign in Ink)

(Print/type name)

Notary Public in and for the State of _____

CAPACITY CLAIMED BY SIGNER

_____ INDIVIDUAL
_____ CORPORATE
Title(s) of Corporate Officers(s):

_____ N/A
_____ Corporate Seal is affixed
_____ No Corporate Seal procured

_____ PARTNER(s)
_____ Limited Partnership
_____ General Partnership

_____ ATTORNEY-IN-FACT
_____ EXECUTOR(s),
_____ ADMINISTRATOR(s),
_____ or TRUSTEE(s):
_____ GUARDIAN(s)
_____ or CONSERVATOR(s)
_____ OTHER

SIGNER IS REPRESENTING:

List name(s) of persons(s) or entity(ies):

RESOLUTION ADOPTING TENTATIVE RESOLUTION
PROVIDING FOR THE PERPETUAL EASEMENT DESCRIBED FROM
THE CITY OF MARSHALLTOWN, IOWA
TO INTERSTATE POWER AND LIGHT COMPANY OF CEDAR RAPIDS, IOWA, TO THE
PROPERTY DESCRIBED HEREIN AND
AUTHORIZING EXECUTION AND DELIVERY OF ELECTRIC LINE EASEMENT

WHEREAS the Council of the City of Marshalltown, Iowa did, on the 5th day of May, 2014, place on file a Tentative Resolution whereby it proposed to sell, dispose of and convey the title of the CITY OF MARSHALLTOWN, IOWA to INTERSTATE POWER AND LIGHT COMPANY OF CEDAR RAPIDS, IOWA, the property, located in Marshalltown, Iowa, herein after described; and

WHEREAS published notice as required by law of the intended conveyance by the CITY OF MARSHALLTOWN, IOWA, of the real estate owned by it and described hereinafter has all been duly published and no other bids or objections to the proposed conveyance have been filed in writing with the City Clerk and no objections thereto are made in open Council meeting to the proposed conveyance for the consideration as therein described and as heretofore set forth and that this is the time and place provided for in said Tentative Resolution and in the published notice for this Council to take final action upon said Tentative Resolution; and

WHEREAS the purpose of this Resolution is to authorize the conveyance by the CITY OF MARSHALLTOWN, IOWA, TO INTERSTATE POWER AND LIGHT COMPANY OF CEDAR RAPIDS, IOWA, of the real estate hereinafter described subject to easements for public utilities and sewers,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. The Tentative Resolution placed on file in the office of the Clerk of the CITY OF MARSHALLTOWN, IOWA, on the 5th day of May, 2014, whereby it is proposed to sell and dispose of and convey title of the CITY MARSHALLTOWN, IOWA, subject to easements as set out in Section 2, to the real estate located in the City of Marshalltown described as:

The South 30 feet of Lot 4 and lot 5, except for the west 43 feet of Lot 5, all
in Block 13, Town of Marshall, Marshall County, Iowa;

in Marshalltown, Iowa,

to INTERSTATE POWER AND LIGHT COMPANY OF CEDAR RAPIDS, IOWA, is hereby approved and adopted.

Section 2. The conveyance of the real estate as is described in Section 1 of this Resolution shall be by ELECTRIC LINE EASEMENT from the CITY OF MARSHALLTOWN, subject to existing utility easements, rights of ways and access being retained for said property for utilities, access and maintenance of utilities, and for such other municipal easement as presently exists. Said easements, rights of way and access will be retained until such time as their retention is no longer desired by the City of Marshalltown, Iowa.

Section 4. The City Clerk shall cause to be published the notice required by law, by publication once in the Marshalltown Times-Republican, a newspaper having general circulation in the City of Marshalltown, Iowa, the publication to be not less than four (4) days nor more than twenty (20) days prior to the date hereinafter fixed in the City Hall, 24 North Center Street, Marshalltown, Iowa, on the 12th day of May, 2014, to consider any and all comments filed with the City Clerk or made in open council to the proposal for conveyance as herein contained and to take final action thereon.

Passed this 5th day of May, 2014, and signed this __ day of May, 2014.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

2014-__

**RESOLUTION CONFIRMING APPOINTMENT OF JUSTIN NICKEL AS
MARSHALLTOWN PUBLIC WORKS DIRECTOR/CITY ENGINEER**

WHEREAS the City Administrator of the City of Marshalltown has nominated Justin Nickel to serve as Public Works Director/City Engineer.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, AS FOLLOWS:

1. The appointment of Justin Nickel as Public Works Director/City Engineer for the City of Marshalltown, Iowa, is hereby confirmed and ratified.
2. This appointment is conditioned upon passing the required physical examination and signature of the attached memorandum reducing to writing salary and terms of employment.

Passed this ____ day of May, 2014, and signed this ____ day of May, 2014.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk