

Council Proceedings
March 24, 2014

The Marshalltown City Council met in regular session on March 24, 2014, 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 and Wirin attended the meeting via speakerphone, both being out of state. Wirin left the meeting at 6:20 p.m., and Greer left the meeting at 6:42 p.m. Mayor Lowrance congratulated the team from the Fire Department for their fifth annual championship, Fight for Air Climb. The compost facility is scheduled to open April 7, hours being 10-6 pm Monday – Friday, 9-4 Saturday and noon – 4 on Sunday. Mayor Lowrance encouraged everyone to use the wonderful library and enjoy all the activities. Mayor Lowrance asked to move the budget and capital improvement plan discussion to the front of the agenda. Schubert moved to approve the amended agenda, second by Martin. Motion approved 7-0.

CONSENT AGENDA

Lamer moved to approve the Consent Agenda: Approve Council meeting Minutes of March 10, 2014; Approve Bill List in the amount of \$1,017,395.10; Receipt of Building Report, February 2014; Accept Settlement Agreement, 1st Violation, Alcohol Sale to Minor on 8/11/12, Kwik Star \$607, S 3rd Avenue; Resolution 2014-026 Approving Contract Change Order #1 for the 2012 NE Sanitary Sewer Rehabilitation project 59011015, reduction of \$13,836.32; New Class C Liquor License, John Oetker, Center Street Station, 19 N Center Street, privileges include Brew Pub and Sunday Sales; second by Gowdy. Consent agenda adopted 7-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for the 2014-2018 Capital Improvement Plan. The council requested review of specific equipment purchases, including vehicles, prior to going out to bid. There were no written or public comments. Mayor Lowrance declared the public hearing closed.

Martin moved to adopt Resolution 2014-032 Approving the 2014-2018 Capital Improvement Plan, second by Wirin. Resolution adopted 7-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for the Budget Levy for fiscal year ending 6/30/2015. Cindy Kendall reviewed the budget publication memo and reviewed the tax facts and presented another option as requested by councilor Lamer, with a reduction of \$85,000. Mayor Lowrance stated concern with holding basic services at the current level with the reduction of \$85,000. The publish tax rate is an increase of about eighty one cents per month for a home valued at \$127,000. Wirin and Greer agreed that spending should be reviewed throughout the year, but that 81 cents per month is worth having additional quality of life issues. There were no written or public comments. Mayor Lowrance declared the public hearing closed.

Schubert moved to amend Resolution 2014-033 and adopt a tax rate of \$14.52249, being an increase of about 34 cents per thousand dollars valuation, second by Lamer. Mayor Lowrance cautioned the council that the \$85,000 reduction accelerates the ability by one or two years to provide basic services. Motion failed 3-4, with Hoop, Wirin, Gowdy and Greer dissenting.

Wirin moved to adopt Resolution 2014-033 Approving the Budget Levy for Fiscal Year Ending 6-30-2015, overall levy rate of \$14.76355 per \$1000 valuation on regular property, second by Greer. Resolution adopted 4-3, with Lamer, Martin and Schubert dissenting.

MOTIONS:

Cheri Kothenbeutel, President of the Sister Cities Association, in celebration of the 20th Anniversary with Minami Alps City, Japan, presented the City with Kiroki art, by our sister city.

Acting Fire Chief Johnson reviewed the program to use the existing fire chief's Tahoe for initial EMS response with two staff members. The small vehicle EMS response will be a four month trial through the end of August. There is no initial layout and significant fuel and maintenance savings are expected. Other

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communities are using smaller vehicles for EMS response. Pending results of the trial, purchase of a dedicated smaller response vehicle will be proposed.

Hoop moved to receive the Mayoral Memo regarding appointment of Nancy A. Harris, of Marshalltown, Iowa, to the Civil Service Commission subject to approval of the City Council after notice as required by law, second by Gowdy. Motion carried 7-0.

Gowdy moved to approve the appointment of Marshalltown City Council Standing Committees and Mayor Pro-tem, 2014-2015, second by Schubert. Motion carried 7-0.

Martin moved to approve appointment of Keith Bloomquist to Plan Zoning Commission, replacing Jay Carollo, term expires 4/1/2015, and Deb Grove to the Marshalltown Softball Association, indefinite term, second by Gowdy. Motion carried 7-0.

Wirin left the meeting.

Hoop moved to accept Tacos & Mariscos Maravilla's Settlement Agreement, being \$1500 and thirty day suspension of alcohol sales during March 10, 2014- April 9, 2014, relating to second offense sale of alcohol to a minor, violation date of November 16, 2013, second by Lamer. Motion carried 6-0, Wirin is absent.

Martin moved to amend the original motion, setting a due date of March 28, 2014, for the payment of the civil penalty fine regarding imposition of Order for first offense, Tacos & Mariscos Maravilla, sale of alcohol to a minor, violation date April 15, 2013, second by Schubert. Motion carried 6-0.

RESOLUTIONS:

Lamer moved to adopt Resolution 2014-027 Environmental Phase I and Phase II contract for police and fire buildings, for parcels A-D, with H.R. Green, in the amount of \$25,900, second by Schubert. Resolution adopted 6-0.

Schubert moved to adopt Resolution 2014-028 Approving Agreement with the Marshalltown Parks & Recreation Department UAW Amalgamated Local No 893, second by Hoop. Resolution adopted 6-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for General Obligation Loan Agreement relating to the Police and Fire Station in a principal amount not to exceed \$225,000. There were no written or public comments. Mayor Lowrance declared the public hearing closed.

Schubert moved to adopt Resolution 2014-029 Expressing Intent to enter into General Obligation Loan Agreement and to Issue General Obligation Bonds for a Police Station and Fire Station in a Principal Amount of not to exceed \$225,000, second by Lamer. Resolution adopted 6-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for the Sewer Revenue Loan Agreement and to Issue Sewer Revenue Bonds for constructing improvements to the municipal sanitary sewer system in a Principal Amount of not to exceed \$3,000,000. There were no written or public comments. Mayor Lowrance declared the public hearing closed.

Martin moved to adopt Resolution 2014-030 Expressing Intent to enter into a Sewer Revenue Loan Agreement and to Issue Sewer Revenue Bonds for constructing improvements to the municipal sanitary sewer system in a Principal Amount of not to exceed \$3,000,000, second by Lamer. Resolution adopted 6-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for the Providing for the Levy of Taxes to pay General Obligation Bonds, Approving General Obligation Corporate Purpose Loan Agreement for constructing streets and related improvements in a Principal Amount of not to exceed \$2,000,000. There were no written or public comments. Mayor Lowrance declared the public hearing closed.

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Greer left the meeting.

Hoop moved to adopt Resolution 2014-031 Providing for the Levy of Taxes to pay General Obligation Bonds, Approving General Obligation Corporate Purpose Loan Agreement for constructing streets and related improvements in a Principal Amount of not to exceed \$2,000,000, second by Gowdy. Resolution adopted 5-0, with Greer and Wirin being absent.

FUTURE AGENDA ITEMS DISCUSSION:

The council discussed: Liquor License transfer, Midnight Ballroom, for Rodeos at the Central Iowa Fairgrounds, April 19, May 31, June 1, June 14-15, August 30-31; New Liquor License Application, Smokin G's BBQ Restaurant and Catering, 25 W Main Street; New Liquor License Application, (seasonal) Hall of Fame Concessions, at softball complex; Anson Street Alley, between 7th and 8th Avenue; Marshalltown Central Business District Resolution of Support and Financial Commitment, agreement term: July 1, 2014 – June 30, 2016; 13th Street Project, Change Order #3 –increase of \$7,715.05 and Certificate of Completion, final cost \$2,126,646.55; Iowa River Interceptor Project 59011019, easements; Alliant Gas Fired Plant Project 66013014, Order Construction, Plans & Specifications Hearing on 4/28 and bids due May 1 at 10:00 am.; Alliant request for new pole and junction cabinet in the parking lot west of Hammer Medical Supply for the Iowa Wholesale building; Hilltop and S 8th Street Treatment Options; Financial Reports through December, 2013; FYE 6-30-2014 Budget Amendment, recommendation to hold budget amendment hearing on April 28, 2014; Purchasing policy recommendations; Farm management agreements; Sewer Rate Credit for 29 customers with frozen water service.

PUBLIC COMMENTS:

There were no public comments.

ADJOURNMENT

The meeting adjourned at 7:32 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

James L. Lowrance, Mayor

Shari L. Coughenour, CMC, City Clerk