

COUNCIL PROCEEDINGS

June 26, 2017

The Marshalltown City Council met in regular session on June 26, 2017, 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, Kester, Lamer, Martin, Wirin. City Administrator Kinser announced the next Budgeting 101 presentation is scheduled at Riverview Park for Wednesday, June 28. The Coffee with Council event is 8 am Thursday, July 6 at the Marshalltown Public Library. Monica Rhode-Fulton was honored for serving the city fifteen years at the library. Greer moved to approve the agenda, second by Martin. Motion approved 7-0.

CONSENT AGENDA:

Greer moved to approve the Consent Agenda: Approve Council meeting Minutes of June 12, 2017, and special meeting Minutes of June 22, 2017; Approve Bill List in the amount of \$936,290.74; Approve May Financials; Issue "Going Out of Business Sale" license for Kmart Store #7583, 1720 S Center St, through 8/27/17, with one thirty day renewal through 9/27/2017; Receipt of Civil Service New Hire Lists for Police Officer and Storm Water Coordinator; Receipt of List of Purchases and Vertical Public Improvements between \$10,000 and \$35,000 approved by City Administrator: Asbestos abatement at KC Hall, Environmental Property Solutions, \$19,850; Approve Liquor License Renewals: Zamora Fresh Market, Applebee's Neighborhood Grill & Bar, Casey's General Store #1303-N 3rd Ave, Legends American Grill, El Puente - 101 N Center St; second by Kester. Consent agenda adopted 7-0.

REPORTS:

Val Ruff, Director of the Convention & Visitors Bureau, updated the council on the leadership changes, recapped the year's activity and presented the five year plan for the CVB. Her next council update is scheduled for October.

MOTIONS:

Greer moved to approve a Special Event Outdoor Service area for The Spot, July 15, beer garden at N 13th Street, second by Wirin. Motion carried 7-0.

Martin moved to approve the Class E Liquor – Marshall Beer Wine Spirits – 11 N 3rd Avenue and Class C Beer - Marshall Tobacco & Vape – 19 W Main Street, second by Kester. Motion carried 7-0.

Wirin moved to approve a Class C Liquor License for JB Bar, 915 Turner Street, second by Gowdy. Motion carried 7-0.

RESOLUTIONS:

Greer moved to adopt Tentative Resolution 2017-132 Providing for the Conveyance and transfer of Title to the Property Herein Described [Parcel "D" abandoned section of S 1st St south of W Madison St] from the City of Marshalltown, to Garrett Goodman by Quit Claim Deed, consideration of \$13,536, second by Wirin. Kester moved to amend the consideration to \$1.00 plus fees and to set the public hearing date to July 24, second by Lamer. Amendment passed 7-0. Resolution adopted 7-0. Attorney Schoell noted that the street is required to be vacated prior to conveyance.

Wirin moved to adopt Tentative Resolution 2017-133 Providing for the Conveyance and transfer of Title to the Property Herein Described [114 N 10th Avenue] from the City of Marshalltown, to Miguel Angel Garcia Marceleno by Warranty Deed, consideration of \$45,000, second by Lamer. The property was acquired by the city as part of a Housing Grant through the Iowa Department of Economic Development and the sale is limited to qualified income buyers. The city has had some difficulty working with lenders to sell properties acquired for the Neighborhood Stabilization Program (NSP) grant program. Spohnheimer recommended the council accept the sale price and proceed with the public hearing on July 10. Closing is scheduled for July 22. Resolution adopted 7-0.

Kester moved to adopt Resolution 2017-134 Providing Notice of Withdrawal from 28E Agreement Concerning Operation of the Marshall County Public Safety Communications Center, second by Greer. Resolution adopted 7-0.

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Lamer moved to adopt Resolution 2017-135 Approving Agreement for Engineering Services with Clapsaddle Garber Associates, Inc., for Iowa River Trail Phase III project TRL17001 not to exceed \$50,850, second by Kester. Resolution adopted 7-0

Lamer moved to adopt Resolution 2017-136 Approving Amendment No 1 to Agreement for Engineering Services with Fox Engineering Associates, Inc., for WPCP Biogas Engine Replacement Project 52015014 not to exceed \$113,100, second by Wirin. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2017-137 Approving Transit Joint Participation Agreement to Implement a Federal Transit Administration (FTA) Bus and Bus Facilities Project CFDA 20.526, for purchase of a light duty bus with IDOT funding 85% up to \$93,500, second by Greer. Resolution adopted 6-1 with Hoop dissenting.

Wirin moved to adopt Resolution 2017-138 Ordering Construction of Police and Fire Station Site Demolition and Earthwork Project 17001, setting public hearing on proposed plans, specifications, form of contract and costs and estimated cost and directing publication of notice to bidders, second by Greer. Public Hearing is set for July 10, bids due at 10 am July 18. This first bid package is for earthwork and site development. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2017-139 Approving Agreement with Municipal Pipe Tool Co., for Five Year Sewer Collection System Maintenance Contract, second by Greer. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2017-140 Authorizing Mayor to Execute FAA Grant Agreement Documents for the Marshalltown Municipal Airport Rehabilitation Runway 18-36 Project 77016010 (AIP NO.#3-19-0058-015-2017), second by Lamer. Resolution adopted 7-0.

Wirin moved to adopt Resolution 2017-141 Approving Contract Change Order #1 for the Iowa River Trail – 12th to Summit Project 40115012, increase of \$1,100.00, second by Lamer. There is no direct cost to the city, the change order is funded with grant funds and local match provided by Trails, Inc. Resolution adopted 7-0.

ORDINANCES:

PUBLIC HEARING-rezoning

Mayor Lowrance declared the public hearing open for the rezoning of property in the area of the New Police and Fire Department Facility, an area generally located north of High Street and west of S 2nd Street. There were no public or written comments. The use of the property will be less restrictive with the zoning change as the land being rezoned is currently NC, Neighborhood Commercial. CC, Community Commercial is less restrictive. Mayor Lowrance declared the public hearing closed

Lamer moved to adopt the third reading of Ordinance #14963 and adopt Ordinance #14963 Approving Changes to the Marshalltown Zoning Ordinance of 2010 Map by rezoning properties to CC, Community Commercial District in the Area of the New Police and Fire Department Facility, second by Greer. Third reading and Ordinance reading adopted 7-0.

Lamer moved to waive the second and third reading and adopt Ordinance #14964 rescinding Ordinance 14937 Amending the Marshalltown Code of Ordinances Vehicle and Traffic Chapter 20, for the purpose of removing the traffic signal at the intersection of Nevada Street and 18th Avenue, suspending council rules, second by Kester. First reading adopted, second and third reading waived and Ordinance adopted 7-0.

DISCUSSION

Public Works Director Nickel received direction to contact HR Green regarding a concept plan for the Highway 14 medians, with a “hardscape” for the narrow medians and plantings for wider areas of the median. The “hardscape” could be stamped concrete, pavers or bricks. The plantings will be appropriate.

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The council was asked to consider alcohol service options for family friendly community events like Oktoberfest. There is an ordinance prohibiting individuals under age 21 from being in an area under control of a state issued alcohol permit without a parent or legal guardian, which can be exempted by the council for a specific event. Stipulations, if any, to consider include how to clearly define the alcohol service area, security detail, how to prevent minors from being served, and alcohol during the car show.

Administrator Kinser recommended bonding for the police and fire building before an anticipated interest rate increase in September 2017.

PUBLIC COMMENT:

There were no public comments.

ADJOURNMENT

The meeting adjourned at 7:03.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

James L. Lowrance, Mayor

Shari L. Coughenour, CMC, City Clerk