

COUNCIL PROCEEDINGS

May 8, 2017

The Marshalltown City Council met in regular session on May 8, 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, Martin, Wirin. Absent: Lamer. Greer moved to approve the amended agenda, removing the Convention & Visitors Bureau Agreement, the Newton Law Enforcement Assistance Agreement, and 2017-094 (error), second by Wirin. Motion approved 6-0.

CONSENT AGENDA:

Martin moved to approve the Consent Agenda: Approve Council meeting Minutes of April 24, 2017; Approve Bill List in the amount of \$1,266,041.08; Approve March Financial Reports; Resolution 2017-086 MPD Marked Police Vehicle Purchase for FY 18; Resolution 2017-088 Approving a Change Order with Tyler Technologies for a custom report; Resolution 2017-089 Approving Certifying unpaid Nuisance and Rental Registration Fees as property tax liens; second by Wirin. Consent agenda adopted 7-0.

REPORTS:

Prohaska & Associates, provided an update on the Police and Fire Safety Building. Construction should begin in September. Design engineers are cognizant of cost and have met with police and fire representatives and are in budget with the design goals. Wants and needs are being considered to provide the best value for the taxpayers dollar.

MOTIONS:

Greer moved to approve Wandering Creek Golf Course Liquor License, to include sale of Wine, second by Kester. Motion carried 6-0.

Kester moved to approve Temporary move of Class B Beer License for Hall of Fame to another area of the Softball complex, to effectuate the temporary Class C Liquor license previously approved by council for the Blessing of The Bikes event May 11-15, second by Greer. Motion carried 6-0.

RESOLUTIONS:

Greer moved to adopt Resolution 2017-091 Authorizing the Tuckpointing and Brickwork Repair of the North Side of the Veterans Memorial Coliseum, \$12,300 from the Building Maintenance fund, second by Wirin. Resolution adopted 6-0.

Wirin moved to adopt Tentative Resolution 2017-092 providing for the vacation, conveyance and transfer of the streets herein described to Wrights Jasper Developments III LLC, inserting cost of \$17,097.00, second by Kester. Resolution adopted 6-0.

Greer moved to adopt Resolution 2017-093 Approving Contract with Lynch Dallas for certain Attorney Services, second by Gowdy. Resolution adopted 6-0.

Wirin moved to adopt Resolution 2017-095 Accepting Bid and Authorizing Award of Contract. 2017 Full Depth Street Repair STR 17004, Manatt's Inc., \$889,911.25, and to adopt Resolution 2017-096 Approving Contract and Bond for Construction. 2017 Full Depth Street Repair STR 17004, Manatt's Inc., \$889,911.25, second by Kester. Resolutions adopted 6-0.

Martin moved to adopt Resolution 2017-097 Accepting Bid and Authorizing Award of Contract. 2017 Mill & Overlay Project STR17003, Manatt's Inc., \$957,195.20, and to adopt Resolution 2017-098 Approving Contract and Bond for Construction. 2017 Mill & Overlay Project STR17003, Manatt's Inc., \$957,195.20, second by Gowdy. Resolutions adopted 6-0.

Greer moved to adopt Resolution 2017-099 Accepting Bid and Authorizing Award of Contract. Airport Pavement Rehabilitation 18/36 Project 77016010, Manatt's Inc, \$477,720.00, and to adopt Resolution 2017-100 Approving Contract and Bond for Construction. Airport Pavement Rehabilitation 18/36 Project 77016010, Manatt's Inc, \$477,720.00, second by Wirin. Resolution adopted 6-0.

Greer moved to adopt Resolution 2017-101 Authorizing the Federal Aviation Administration Airport Funding Assistance Application for the Airport Pavement Maintenance 18/36 Project 77016010 in the amount of \$495,000, second by Kester. Resolution adopted 6-0.

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Greer moved to adopt Resolution 2017-102 Approving Agreement Amendment #3 with Clapsaddle Garber Associates, Inc., for the Airport Pavement Rehabilitation 18/36 project 77016010, in the amount of \$25,595.00, second by Kester. Resolution adopted 6-0.

Greer moved to adopt Resolution 2017-103 Approving Final Plat for Partners 1st Addition, second by Gowdy. Resolution adopted 6-0.

Wirin moved to adopt Resolution 2017-104 Accepting Quit Claim Deed from P4L Enterprises, LLC, for real estate to be used as a public street and designated as Rex Ryden Road, relating to Partners 1st Addition, second by Greer. Resolution adopted 6-0.

PUBLIC HEARING

Mayor Lowrance called the public hearing to order regarding the conveyance of property to the Marshalltown Area Community Hospital or its successors. City Attorney Schoell informed the council the east/west alley was vacated in 1974, but had not been acquired by the hospital. The hospital will pay for recording and expenses relating to the transfer. There were no written or public comments. Mayor Lowrance declared the public hearing closed.

Greer moved to adopt Resolution 2017-105 Adopting Tentative Resolution 2017-083 providing for the conveyance of property to the Marshalltown Area Community Hospital or its successors, pursuant to an agreement dated May 27, 1975 with the Marshalltown Area Community Hospital. This is the east / west alley that was vacated in 1974, second by Kester. Resolution adopted 6-0.

PUBLIC HEARING

Mayor Lowrance called the public hearing to order regarding the ten year lease with the Marshalltown School District for use of the parking lot near Anson park. The school will use the parking lot for the school bus transfer location. There were no written or public comments. Mayor Lowrance declared the public hearing closed.

Greer moved to adopt Resolution 2017-106 Adopting Tentative Resolution 2017-084 Providing for the renewal of a lease of property herein described from the City of Marshalltown to the Marshalltown Community School District for a term of ten years, second by Martin. Resolution adopted 6-0.

PUBLIC HEARING

Mayor Lowrance called the public hearing to order regarding the 2018 Consolidated Transit Funding application for the Municipal Transit program. Transit Director Stone was present and informed the council the funds were for operational activities. There were no written or public comments. Mayor Lowrance declared the public hearing closed.

Wirin moved to adopt Resolution 2017-107 Adopting Tentative Resolution 2017-085 providing for the approval of the FY2018 Consolidated Transit Funding Application for the Marshalltown Municipal Transit Public Transit Program, second by Greer. Resolution adopted 5-1, with Hoop dissenting.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for the plans and specifications, form of contract and estimated cost for the 2017 Sidewalk & Ramp Repair project SDW17001. Public Works Director Nickel estimated the project at \$337,000. There were no written or public comments.

Wirin moved to adopt Resolution 2017-108 Approving Plans and Specifications, form of contract and estimated cost for 2017 Sidewalk & Ramp Repair, Project # SDW17001, second by Kester. Resolution adopted 6-0.

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for the plans and specifications, form of contract and estimated cost for the 2017 PCC Street Patch Repair project STR17002. Public Works Director Nickel estimated the project at \$600,000. There were no written or public comments.

Wirin moved to adopt Resolution 2017-109 Approving Plans and Specifications, form of contract and estimated cost for 2017 PCC Street Patch Repair, Project # STR17002, second by Martin. Resolution adopted 6-0.

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PUBLIC HEARING

Mayor Lowrance declared the public hearing open for the plans and specifications, form of contract and estimated cost for the 2017 TIF Sidewalk & Ramp Repair project SDW17002. Public Works Director Nickel estimated the project at \$113,000. This project will improve sidewalks adjacent to city owned parking lots. There were no written or public comments.

Greer moved to adopt Resolution 2017-110 Approving Plans and Specifications, form of contract and estimated cost and for 2017 TIF Sidewalk & Ramp Repair, Project # SDW17002, second by Kester. Resolution adopted 6-0.

DISCUSSION

The council discussed Fireworks, and how the new bill, if signed by the Governor, will impact safety services in the City of Marshalltown. The bill requires cities to allow sales of fireworks. Cities may place restrictions on where fireworks may be exploded. The council directed staff to draft an ordinance placing restrictions on where fireworks may be used in city limits. State law permits the use of fireworks when allowed by the property owner during certain days and hours of the year. Fire Chief Rierson is concerned about community safety. Police Chief Tupper is concerned about enforcement. Violation of the law would be a simple misdemeanor, with a minimum fine of \$250.

PUBLIC COMMENT:

Shirley Landt of Union asked the council to consider a traffic light at Marion Street and North 3rd Avenue. Ken Huge, General Manager of the Marshalltown Mall, 2500 S Center Street, announced a registered Farmers Market will be held at the mall north of Arby's on Wednesdays from May 17 – Oct 11 from 4 – 7 pm. For more information, call the mall office 752-6200.

ADJOURNMENT

The meeting adjourned at 7:12 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

James L. Lowrance, Mayor

Shari L. Coughenour, CMC, City Clerk