COUNCIL PROCEEDINGS
February 12, 2018

The Marshalltown City Council met in regular session on February 12, 2018, at 5:30 PM, in the Council Chambers at City Hall. Mayor Greer called the meeting to order and led the Pledge of Allegiance. Present: Cahill, Gowdy, Hoop, Martin, Lamer, Wirin. Mayor Greer and the Council thanked the students of Shan Mooney's class from Miller Middle School for presenting their Planning Project to the council. The council recognized members of the Police Department for Life Saving Awards: Sergeant Ruopp, and Officers Blahnik, Jefferson and Mauseth.

CONSENT AGENDA:

Lamer moved to approve the Consent Agenda: Approve Regular Meeting Minutes for January 22, 2018, and Special Meeting Minutes of February 5, 2018; Approve Bill List in the amount of $1,988,379.55; Approve November Financial Statements; Receipt of Building Permit Report dated January, 2018; Resolution 2018-005 Approving Submission Of Tax Abatement Applications To The Marshall County Assessor; RESOLUTION 2018-006 TO CERTIFY UNPAID BILLS FOR COLLECTION WITH TAXES; RESOLUTION 2018-007 APPROVING AGREEMENT FOR REMOVAL, TRANSPORTATION, AND DISPOSAL OF CITY SLUDGE BY AND BETWEEN THE CITY OF MARSHALLTOWN IA AND NUTRI-JECT SYSTEMS,INC.; RESOLUTION 2018-008 APPROVING A MEMORANDUM OF AGREEMENT WITH THE IOWA DEPARTMENT OF TRANSPORTATION FOR SHARING OF TRANSIT GPS DATA; Approve renewal liquor licenses: Kwik Star #706, Hy-Vee Food & Drugstore, Fareway Stores, Inc. #467, 7 Rayos Liquor Store; second by Martin. Consent agenda adopted 6-0.

MOTIONS:

Gowdy moved to approve new liquor license for the Marshalltown Speedway, 1308 E Olive Street, six months, second by Wirin. Motion carried 6-0.

Martin moved to approve new tobacco permit for Shag T-Shirts & More, LLC, 2500 S Center St #1450, through June 30, 2018, second by Wirin. Motion carried 5-1, Lamer dissenting.

REPORTS:

Greg Broussard of Bolton & Menk presented options for drainage solutions for W High Street in the vicinity of the Police and Fire Station for the council to consider. The drainage area south of W High Street is about 140 acres, from Meadow Lane north to High Street between 6th Street and Center Street. Two thresholds were discussed; preparing for either a 10 year or 100 year flood event, being either a 3.6" or 6.8" rainfall. There are no storm sewers at Meadowlane and 4th Street. The estimate for improving the storm sewer capacity north of Ingledue Street to the High Street area is $1.1M. The council set aside $225,000 in the Police and Fire Building budget when planning for the building project. Bond funds were issued in 2015-2016 and staff recommends using those bond funds for these improvements. The storm water improvements could be completed in two phases, with the estimate for the storm sewer improvements / detention pond in the immediate area of High Street at $565,000, as Phase 1. The Army Corps of Engineers will be consulted due to the levy work. The council directed staff to prepare project scope and determine design improvements, anticipating a fall bid for Phase 1 of the storm water work for the areas south of High Street.

RESOLUTIONS:

Martin moved to adopt RESOLUTION 2018-009 AUTHORIZING THE CITY OF MARSHALLTOWN TO SUBMIT A GRANT APPLICATION TO THE STATE OF IOWA, GOVERNOR'S TRAFFIC SAFETY BUREAU, STATE AND COMMUNITY HIGHWAY SAFETY GRANT APPLICATION, CONTRACT PERIOD OCTOBER 1, 2018 - SEPTEMBER 30, 2019, second by Wirin. Chief Tupper explained the $14,000 grant does not require a match. Resolution adopted 6-0.

Wirin moved to adopt RESOLUTION 2018-010 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#2-1 SITE DEMOLITION FOR CONSTRUCT, INC AN INCREASE OF $3,675.25; RESOLUTION 2018-011 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#3-1 CONCRETE FOUNDATIONS FOR CALIBER CONCRETE AN INCREASE OF $21,770.30; RESOLUTION 2018-012 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#9-2 FLOOR COVERINGS FOR ALLIED CONSTRUCTION SERVICES, INC.AN INCREASE OF $2,304.00; RESOLUTION 2018-013 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#5-1 STEEL FOR CENTRAL WESTERN FABRICATORS AN INCREASE OF $2,181.97; RESOLUTION 2018-014 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#6-1 GENERAL SUPPLIES FOR GARLING CONSTRUCTION AN INCREASEOF $11,263.00; RESOLUTION 2018-015 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP# 22-1 PLUMBING & MECHANICAL FOR TONY'S PLUMBING & HEATING LLC. A DECREASE OF $4,964.00; second by Lamer. Public Works Director Justin Nickel and Diana Steiner recommended the approval of the change orders, with the change orders being within the 3% contingency fund and $1.2M of the project funds unencumbered. Resolutions adopted 6-0.

Lamer moved to adopt RESOLUTION 2018-016 SETTING PUBLIC HEARING PRIOR TO APPROVING THE AMENDED BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2018, second by Gowdy. Hearing date: March 5, 2018, 12:00 PM. Resolution adopted 6-0.

Wirin moved to adopt RESOLUTION 2018-017 SETTING PUBLIC HEARING PRIOR TO ADOPTING THE BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2019, AND CERTIFYING THE TAX LEVY, second by Cahill. Staff recommended setting the levy at $15.28, unchanged from the prior year. Hearing date: March 5, 2018, 12:00 PM. Resolution adopted 6-0.

Wirin moved to adopt RESOLUTION 2018-018 SETTING PUBLIC HEARING PRIOR TO APPROVING THE FIVE YEAR CAPITAL IMPROVEMENTS PROGRAM FOR 2018-2022. Hearing date: March 5, 2018, 12:00 PM, second by Hoop. Resolution adopted 6-0.

Wirin moved to adopt Resolution 2018-019 Approving The 2018 Strategic Plan. Resolution adopted 6-0, second by Martin. Resolution adopted 6-0.

ORDINANCES:

Wirin moved to adopt the first reading of Ordinance #14971 Amending Chapter 2, Offenses and Miscellaneous Provision, Section 54, Prohibiting the Use of Consumer Fireworks and Display Fireworks, to add a Civil Penalty, second by Cahill. Changes to the ordinances places the person in control of the property or the property owner responsible for penalties of violation. First reading adopted 6-0.

DISCUSSION:

Criteria for use of City Funds for Outside Organizations – the council discussed evaluating rules and objectives of the council prior to considering use of city funds for outside organizations, with the strategic plan of the council being the guiding document. Hoop asked this item be held.

Finance Director presented an overall summary of the Police / Fire Building costs to date: $3.6M in today's bill list; $13M encumbered; and $1.2M unencumbered. $225,000 is held for storm water improvements required for the High Street area.

PUBLIC COMMENT:

Reed Riskedahl, 1412 S 5th Street, expressed disappointment with the council's intent to tax at the full rate without discounting the budget savings of removing the E911 operational expenses from the city's budget. Gary Thompson, 6-1 E Main Street, commented the $225,000 for storm water improvements in the High Street area should be supported by the $17M Police and Fire building project. Additional comments were made by Palmer, 311 S 8th Street and Varnum, 1302 S 6th Street.

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CLOSED SESSION:

Wirin 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). The City of Marshalltown has an attorney-client relationship with Attorney Roger Schoell, appointed as City Attorney on May 5, 2014, by Council Resolution #2014-047; and with Lynch Dallas P.C., by Council Resolution #2017-093, approved May 8, 2017, second by Lamer. Motion carried 6-0.

Cahill moved to enter into open session, second by Wirin. Motion carried 6-0. Lamer moved to direct staff to move forward to acquire property as discussed in closed session, second by Martin. Motion carried 6-0.

ADJOURNMENT

The meeting adjourned at 7:39 pm.

Respectfully submitted,

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Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

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Joel T.S. Greer, Mayor

ATTEST:

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Shari L. Coughenour, CMC, City Clerk