

Council Proceedings
August 27, 2018

Mayor Greer called the meeting to order at 5:30 PM, August 27, 2018, in the council chambers at 10 W State Street and led the pledge of allegiance. Roll call- Present: Cahill, Gowdy, Hoop, Isom, Lamer, Martin and Wirin. Police Chief Tupper and the council recognized Patrol Officer Steven Sheets for five years of service. Councilor Wirin thanked the organizers of the Marshalltown Recovery Facebook page for providing accurate information and answering questions.

CONSENT AGENDA:

Isom moved to adopt the consent agenda: Approve Minutes of August 13, 2018; Approve Bill List in the amount of \$1,404,074.64; RESOLUTION 2018-147 APPROVING CONTRACTS SIGNED BY THE MAYOR PURSUANT TO THE DECLARATION OF THE STATE OF PUBLIC EMERGENCY BEGINNING JULY 19, 2018; RESOLUTION 2018-148 MODIFYING THE BUDGET FOR THE POLICE AND FIRE BUILDING PROJECT TO INCLUDE SIDEWALKS AND LANDSCAPING; RESOLUTION 2018-149 RESOLUTION APPROVING CHANGES TO THE FISCAL YEAR 2019 CAPITAL IMPROVEMENT PLAN TO ALLOW FOR VEHICLE PURCHASES; Approve Alcohol License Renewals - October Renewals: Old Timers Tavern, Hy Vee Drugstore, Fiddle & Whistle Pub, Kwik Star #394, Zamora Fresh Market, Aldi, Inc. #43. second by Wirin. Motion carried 7-0.

MOTIONS:

Lamer moved to receive the Civil Service New Hire List - Parking Enforcement, second by Isom. Motion carried 7-0.

Isom moved to approve the liquor license for Oktoberfest to be held at the Marshall County Fairgrounds with alcohol service on Friday from 5-10 pm and Saturday 1-11pm on September 28 and September 29, 2018, second by Martin. Motion carried 7-0.

REPORTS:

Val Ruff, Director of the Marshalltown Convention and Visitors Bureau recapped operations and presented the audit report for their recently ended fiscal year.

Kenn Vinson, Board member of the Marshalltown Water Works, noted there was minimal storm damage and no interruption to the water service. They will work on making sure their phone service is not interrupted during the next disaster event. The search continues for the Chief Officer.

RESOLUTIONS:

Wirin moved to adopt RESOLUTION 2018-150 AUTHORIZING THE PURCHASE OF VEHICLES FOR MULTIPLE CITY DEPARTMENTS, second by Isom. Resolution adopted 7-0.

Isom moved to adopt RESOLUTION 2018-151 ADOPTING A DEBRIS MANAGEMENT PLAN, second by Wirin. Resolution adopted 7-0.

Lamer moved to adopt RESOLUTION 2018-152 TERMINATING THE CIVIL EMERGENCY ISSUED ON JULY 19, 2018, second by Martin. Resolution adopted 7-0.

Cahill moved to adopt RESOLUTION 2018-153 AUTHORIZING THE ACCEPTANCE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR HOUSING REHABILITATION AND RENTAL ASSISTANCE, second by Isom. Resolution adopted 7-0.

Gowdy moved to adopt RESOLUTION 2018-155 AMENDING THE MEMBERSHIP OF THE PARKS AND RECREATION ADVISORY BOARD AND ABOLISHING THE VETERANS MEMORIAL COLISEUM COMMISSION, second by Martin. Resolution adopted 7-0.

Mayor Greer opened the public hearing at 6:15 PM regarding accepting federal funds to be used to support law enforcement activities. There were no written or public comments. Chief Tupper announced the city and county will equally share the \$20,765 grant of federal funds with the city using their share for technology purchases. Mayor Greer declared the public hearing closed at 6:19 PM. Lamer moved to adopt RESOLUTION 2018-155 APPROVING INTERLOCAL INTERLOCAL GRANT AGREEMENT FOR THE IOWA/BYRNE-JUSTICE ASSISTANCE GRANT PROGRAM (JAG) \$20,765.00 SPLIT 50%

WITH MARSHALL COUNTY, TO ASSIST WITH LAW ENFORCEMENT PROGRAMMING OR EQUIPMENT PURCHASES, AND APPROVAL OF MEMORANDUM OF UNDERSTANDING TO SHARE GRANT FUNDS WITH MARSHALL COUNTY, second by Wirin. Resolution adopted 7-0.

ORDINANCES:

Wirin moved to adopt the first reading of Ordinance 14977 TO AMEND NUMBER OF HANDICAP PARKING SPACES, second by Martin. Wirin amended the motion to waive the 2nd and 3rd readings and to approve the Ordinance, second by Isom. Roll call vote on the motion to waive readings and adopt the Ordinance approved 7-0. First reading adopted 7-0. Ordinance adopted. This will add a handicap space in front of the House of Compassion at 210 W Church Street, on the north side of the street.

Isom moved to adopt the first reading of Ordinance 14978 AMENDING CHAPTER 7 BUILDINGS AND BUILDING REGULATIONS, ARTICLE III DANGEROUS BUILDINGS, OF THE CODE OF ORDINANCES OF THE CITY OF MARSHALLTOWN, IOWA, 2013, second by Cahill. First reading adopted 7-0. Lamer asked the three degree wall variance be reviewed.

DISCUSSION:

Linda Clark, Leigh Bauder and Jake Rowley commented on storm cleanup activities and building condition.

CLOSED SESSION:

At 6:39 PM, Lamer moved to enter into closed session pursuant to Section 21.5, subsection 1, paragraph c, of the Code of Iowa, to discuss strategy with counsel in matters where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the city in that litigation. 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 Wirin. Motion approved 7-0.

At 7:53 PM Cahill moved to leave close session, second by Martin. Motion approved 7-0.

At 7:53 PM Gowdy moved to enter into closed session, s 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. 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 Isom. Motion approved 7-0.

At 8:33 PM, Wirin moved to leave closed session, second by Martin. Motion carried 7-0. Roll call – all seven members present.

Wirin moved to direct staff to prepare request for proposals for disposal of 22 N Center Street Police Station, second by Cahill. Motion carried 5-2, with Hoop and Lamer dissenting.

PUBLIC COMMENT:

The meeting adjourned at 8:33 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

Joel T.S. Greer, Mayor

Shari L. Coughenour, CMC, City Clerk

