Council Proceedings
October 8, 2018

Pro Tempore Mayor Wirin called the meeting to order at 5:30 PM, October 8, 2018, in the Council Chambers at 10 W State Street and led the pledge of allegiance. Roll call- Present: Cahill, Hoop, Isom, Lamer, and Wirin. Absent: Gowdy and Martin. Council member Cahill recognized the UAW food box distribution program which is helping up to 90 families each week.

CONSENT AGENDA:
Lamer requested item 5 be held for further discussion. Isom moved to adopt the consent agenda as amended: Approve 9/24/18 and 10/1/18 Council Meeting Minutes; Approve Bill List in the amount of $2,267,595.32; Receipt of Building Permit Report, September 2018; Resolution 2018-173 Declaring a Parks and Recreation Vehicle and a Mower Surplus and Accepting Disposal of Each Item; Resolution 2018-175 Accepting a Bid of $73,700 from Iowa Demolition to Demolish the City Hall Annex and Accepting the Actual Cash Value Payment for the Damage; second by Lamer. Motion carried 5-0.

Isom moved to adopt Resolution 2018-174 Accepting an Actual Cash Value Payment of $692,571.96 for the Senior Citizens Building. In discussion, Lamer questioned the dollar amount of the actual cash value compared to the insured value. Isom asked City Administrator Jessica Kinser if she had met with the two senior groups that were tenants in the building. Kinser state that she had and the meetings went well regarding the current and future locations of each tenant. Following Council discussion, public comments were made by the following: Jim Landt, 610 North 4th Avenue, stated the City should be getting more money from the insurance company and should have kept the building in better repair; Linda Clark, 306 South 2nd Avenue, presented petitions signed by 421 individuals to keep the building; Kathy Waltemeyer, Marshalltown, commented that the cost to run the building is minimal per resident over age 55 and that most City facilities are not profitable so why focus on the Senior Citizens Building. Cahill seconded the motion. On roll call, motion passed 4 – 1, with Lamer dissenting.

MOTIONS:
Motion by Lamer to accept the Wayfinding Master Plan. Casey Byers with Bolton & Menk gave an overview of the final report and the concepts that had been developed for monuments and building, park and directional signage. In public comment, Anna Wolvers, 213 Thomas Dr., questioned the timing of this plan when the rebuild from the tornado is not yet complete and said she felt the current signage is acceptable; Karn Gregorie, Martha Ellen Tye Foundation, commended the Council for having a plan to move forward with when ready and acknowledged the Foundation's financial contribution to the Plan. Seconded by Isom. Motion carried 5-0.

REPORTS:
Jenny Etter, Executive Director of the Marshalltown Central Business District, updated the Council on Downtown following the tornado. She has met with more than 60 business and building owners and the organization is now actively granting out the donations they received as a result of the tornado. October 13th is Marshalltown Strong Day, with the Holiday Stroll scheduled for November 17th from 4-8pm.

RESOLUTIONS:
Lamer motioned to adopt Resolution 2018-176 Approving an Amended Engineering Services Agreement #2 for the Marshalltown High Street Drainage Project # BLD17001 for Bolton & Menk, an Increase of $11,950.00. Seconded by Isom. Resolution approved 5-0.

Isom motioned to adopt Resolution 2018-177 Approving Contract Change Order for the Police & Fire Headquarters Project # BLD17001 BP#6-1 General Supplies for Garling Construction, an Increase of $2406.82. Seconded by Lamer. Resolution approved 5-0.

Lamer motioned to adopt Resolution 2018-178 Approving Contract Change Order for the Police & Fire Headquarters Project # BLD17001 BP#9-1 Gypsum Wall Assemblies for Hilsabek Schacht, Inc., an Increase of $815.00. Seconded by Isom. Resolution approved 5-0.

Cahill motioned to adopt Resolution 2018-179 Approving Contract Change Order for the Police & Fire Headquarters Project # BLD17001 BP# 22-1 Plumbing & Mechanical for Tony's Plumbing & Heating LLC., an Increase of $1352.00. Seconded by Isom. Resolution approved 5-0.

Isom motioned to adopt Resolution 2018-180 Approving Contract Change Order for the Police & Fire Headquarters Project # BLD17001 BP#26-1 Electrical Communications & Security for Devries Electric an Increase of $16,613.44. Seconded by Lamer. Resolution approved 5-0.

Cahill motioned to adopt Resolution 2018-181 Approving Contract Chamber Order for the Police & Fire Headquarters Project # BLD17001 BP#3-1 Concrete Foundations for Caliber Concrete, an Increase of $1346.00. Seconded by Isom. Resolution approved 5-0.

Lamer motioned to adopt Resolution 2018-182 Approving Contract Change Order for the Police & Fire Headquarters Project # BLD17001 BP#2-1 Site Demolition and Earthwork for CON-STRUCT, Inc., an Increase of $469.38. Seconded by Cahill. Resolution approved 5-0.

Isom motioned to adopt Resolution 2018-183 Approving Contract Change Order for the Police & Fire Headquarters Project # BLD17001 BP#9-3 Painting for Heartland Finishes, an Increase of $1235.00. Seconded by Cahill. Resolution approved 5-0.

Isom motioned to adopt Resolution 2018-184 Setting Date for Public Hearing on Offer to Purchase City-Owned Property Located at 22 North Center Street. In Council discussion, David Hicks, Executive Director of Youth and Shelter Services of Marshall County answered questions. Cahill and Wirin inquired as to what needed to be done for code compliance and improvements and how those would be funded. Hicks stated that ADA compliance and some electrical/technology upgrades would be useful and they are working with different funders on possible grants. Lamer stated that he would like to see the City have a formal review and estimates for the building improvement costs before moving forward. In public comments, Anna Wolvers, 213 Thomas Dr., stated the bid of $35 was too low; Mark Eaton, 1007 S. 10th Ave., questioned the City's proposal to spend $183,000 on updates to City Hall by selling the building when it could be rented to YSS. Cahill seconded the motion. On roll call, resolution approved 4-1, with Lamer dissenting.

Isom motioned to adopt Resolution 2018-185 Terminating the 28E Agreement with the Marshalltown YMCA/YWCA for Operation of the Aquatic Center. In public comment, Shelli Lechnir, Aquatic Director at the YMCA/YMCA, stated that lifeguard shortages were a nationwide issue and increasing the wages mid-season was too late to attract the staffing needed. She also stated that their insurance company has rated their lifeguard training program very highly; Anna Wolvers, 213 Thomas Dr., noted how difficult lifeguard training is and asked if the City would considered providing a Certified Pool Operator to provide services to a splash pad when built; Gary Thompson, 601 E. Main St., stated the Council should consider what happens with the ground lease before making a decision on the operations agreement. Hoop seconded the motion. On roll call, resolution approved 4-1, with Isom dissenting.

DISCUSSION:

City Administrator Kinser brought forth a proposal to sell four parcels of City property (12, 20, and 26 East State Street and 213 East Main Street) in the downtown area by way of a Request for Proposal process. Housing & Community Development Director Michelle Spohnheimer explained how the requests to purchase had come forth from developers interested in applying for the Low Income Housing Tax Credit program, which requires a site to be listed in the applications due November 1st. She stated there is interest from at least two developers. The following public comments were offered on the issue: Kathy Waltemeyer, Marshalltown, stated the previous discussion on the Senior Citizens Building was not genuine by having a discussion to sell the property on the agenda; Leigh Bauder, 401 Orchard Dr., stated the City should go back to the adjuster for more money on the value of the Senior Citizens Building and asked if selling the property with the building still standing is an option; Jim Landt, 610 North 4th Ave., questioned the value of the building prior to the tornado and stated the building is worth more fixed up than torn down; Tom Deimerly, Marshall Economic Development, let the Council know he had been working with the City and developers and that it is fiscally responsible for the Council to sell the lots and put them on the tax rolls; Linda Clark, 306 S. 2nd St., asked why YSS cannot purchase the Senior Citizens Building instead of the Police Station. Motion by Cahill to direct staff issue the Request for Proposals for each parcel. Seconded by Isom. Motion approved 5-0.

Chief David Rierson discussed the survey results from the Open Burning survey, which had 566 responses. The results were overwhelmingly in favor of keeping open burning. Of those that were in favor of open burning, most did not want to see any restrictions placed on the timeframe. Chief Rierson is recommending that burning of garbage remains prohibited, and burning of yard waste continue to be allowed with some restrictions based on seasons when breathing and pulmonary issues are heightened. Specifically, the dates allowed are April 1st to June 30th and October 1st to November 31st, from 10 am to 7 pm daily, excluding holidays. This would continue to be limited to one-family dwelling units only, prohibited when atmospheric conditions make such fires hazardous (wind speed greater than 15 mph, extended dry weather conditions) and that burning must be at least 50 feet from any structure (on the ground) and 15 feet from any structure in an enclosed container. Motion by Cahill, seconded by Isom to direct staff to include the recommended parameters for open burning in an ordinance to adopt the 2015 International Building Code and Fire Code. Motion approved 5-0.

Kinser noted the Council was provided with the Third Quarter Strategic Plan Update in their packet. The tornado caused a change in the direction of the organization, which will be reviewed further in a strategic planning session.

PUBLIC COMMENT:

Gary Thompson, 601 E. Main Street, spoke about an email he had sent the Mayor and Council regarding the construction related closures in the 100 block of West Main Street. He requested that the Council establish an ordinance which prohibits a construction company from closing of the streets.

Duane Dixon, 200 S. 11th St., asked if dilapidated properties could be recommended to the Council, including 602 W. Boone St. and 519 S. 5th St. He also asked if the expansion joints on the Center Street viaduct had been reviewed and if the City can consider getting rid of the one way streets in Downtown.

John Blabaum, owner of 110 W. Main St., asked the Council to look into the construction closures that are blocking the street in front of his business.

Mark Eaton, 1007 S. 10th Ave., asked why the red placards were not being placed on other dangerous properties around the city including 1001 S. 10th Ave. and a house in the 300 block of Meadow Lane.

The meeting adjourned at 8:17 PM.

Respectfully submitted,

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Jessica Kinser, City Administrator

CITY OF MARSHALLTOWN

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ATTEST: Joel T.S. Greer, Mayor

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Shari L. Coughenour, CMC, City Clerk