

Public Participation in a City Council Meeting:

The Public Comment portion of the meeting is the time to address the Mayor and City Council on topics not on the agenda. If a member of the public wishes to comment on an item on the agenda, they may do so while that item is being discussed by coming to the microphone and stating your name and address. Comments should be limited to 3 minutes or less and should be addressed to the Mayor and Council as a whole and not individually. Response from elected officials or staff is at the Mayor's discretion.

**CITY OF MARSHALLTOWN COUNCIL AGENDA
CITY HALL COUNCIL CHAMBERS
10 WEST STATE STREET
MAY 22, 2023, 5:30 PM**

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Hoop, Isom, Kell, Ladehoff, Schneider, Thompson, Walker

D. PUBLIC COMMENT

Members of the public may make comments on any item which was not on the agenda during this time. The speaker shall approach the microphone, and state his or her name and address. Comments shall be limited to three minutes unless a longer comment is authorized by the Mayor. The speaker shall direct comments to the Mayor and to the Council as a whole.

The Mayor and Councilors shall not engage in discussion or debate on items raised by members of the public, and no action may be taken on items raised in public comments in order to comply with open meeting laws.

E. MAYOR, COUNCIL AND ADMINISTRATOR COMMENTS

1. YEARS OF SERVICE - MAY

- o Patricia Thein - Police - 20 years
- o Todd Tuttle - Police - 20 years
- o Robert Fogt - WPCP - 15 years
- o Nicholas Hanus - Fire - 15 years

2. MARSHALLTOWN POLICE DEPARTMENT EMPLOYEE OF THE YEAR RECOGNITION - OFFICER ADAN ORTIZ DIAZ

3. APWA PROJECT OF THE YEAR AWARD TO THE CITY OF MARSHALLTOWN, FOX STRAND, AND CON-STRUCT FOR THE SOUTH 1ST STREET PARKING LOT STORM WATER IMPROVEMENTS

F. CONSENT AGENDA

1. APPROVE MINUTES 05/08/23 MEETING AND BILL LIST \$8,881,486.68

Documents:

[2023-05-08 SIGNED Council Minutes.pdf](#)
[2023-05-22_BILL LIST Summary.pdf](#)
[2023-05-22_BILL LIST Detail.pdf](#)

2. APPROVE LIQUOR LICENSE RENEWALS
 - o JB BAR, 915 TURNER ST
 - o FAMILY DOLLAR #22186, 327 S 3RD AVE
 - o MARSHALL BEER WINE SPIRITS, 11 N 3RD AVE
 - o WALGREENS #03196, 5 E ANSON ST
 - o ZENOS, 109 E MAIN ST
3. APPROVE IOWA RETAIL PERMIT APPLICATION FOR CIGARETTE/TOBACCO/NICOTINE/VAPOR FOR 7/1/23-6/30/24
 - o EAST SIDE LIQUOR & GROCERY, 1116 E NEVADA ST
 - o GREENLEAF TOBACCO & VAPE, 50 LAFRENTZ LANE, STE J
 - o CASEY'S #3508, 108 IOWA AVE W
 - o CASEY'S #3228, 916 E MAIN ST
 - o CASEY'S #1441, 1402 S 12TH AVE
 - o CASEY'S #1564, 1009 W LINCOLNWAY
 - o CASEY'S #1303, 111 N 3RD AVE
 - o GOLDEN LAND ASIAN FOOD INC, 11 E STATE ST
 - o GIT-N-GO CONVENIENCE STORE #34, 3302 S CENTER ST
 - o GIT-N-GO CONVENIENCE STORE #35, 902 W LINCOLN WAY

4. RESOLUTION 2023-104 SETTING A PUBLIC HEARING FOR THE CONVEYANCE AND TRANSFER OF TITLE OF THE EAST-WEST ALLEY THROUGH THE MILLER MIDDLE SCHOOL PRACTICE FIELD TO THE MARSHALLTOWN COMMUNITY SCHOOL DISTRICT

Documents:

[2023-05-22_2023-104_Resolution Setting PH to Convey Alley Miller Practice Field to MCSD.pdf](#)
[2023-04-24_2023-082_Memo MMS Practice Field Alley Vacation.pdf](#)
[2023-05-08_2023-101_RECORDERD File 2023-00001621_Alley Vacation MMS Practice Field.pdf](#)

5. RESOLUTION 2023-105 TO AMEND THE POLICY FOR THE SALE OF SURPLUS REAL PROPERTY FOR THE CITY OF MARSHALLTOWN

Documents:

[2023-05-22_2023-105_Resolution Adopting Amended Policy for the Sale of Surplus Real Property.pdf](#)
[2023-05-22_2023-105_Memo Surplus Property Policy Amendment 05.08.22.pdf](#)
[2023-05-22_2023-105_Policy for the Sale of Surplus Property.pdf](#)

6. RESOLUTION 2023-106 TO AMEND THE PURCHASING POLICY AND PROCEDURE MANUAL FOR THE CITY OF MARSHALLTOWN

Documents:

[2023-05-22_2023-106_Resolution Adopting Amended Purchasing Policy and Procedure Manual.pdf](#)
[2023-05-22_2023-106_Memo Purchasing Policy Amendment 05.08.22.pdf](#)
[2023-05-22_2023-106_Purchasing Policy and Procedure Manual.pdf](#)

7. RESOLUTION 2023-107 APPROVING EMPLOYMENT CONTRACT AND AGREEMENT BETWEEN THE CITY OF MARSHALLTOWN, IOWA AND ROBERT FAGEN FOR ADMINISTRATIVE AND PROJECT MANAGEMENT SERVICES

Documents:

[2023-05-22_2023-107_Resolution for Employment Contract and Agreement with Robert Fagen.pdf](#)
[2023-05-22_2023-107_Employment Contract and Agreement.pdf](#)

8. RESOLUTION 2023-108 APPROVING AMENDMENT 3 TO THE PROFESSIONAL SERVICES AGREEMENT FOR THE IEDA

DOWNTOWN REVITALIZATION GRANT (DTR), WITH RDG IA
INC, IN THE AMOUNT OF \$10,980.00

Documents:

[2023-05-22_2023-108_Resolution Approving RDG
Contract Amendment 3_DTR Grant.pdf](#)
[2023-05-22_2023-108_MEMO Approving RDG Contract
Amendment 3_DTR Grant.pdf](#)
[2023-05-22_2023-108_RDG Contract Amendment
3_3005.009.00_G802_Marshalltown Facades.pdf](#)

9. RESOLUTION 2023-109 APPROVING CONTRACT CHANGE
ORDER #5 FOR THE EDGEWOOD EXTENSION PROJECT
#STR19003, A DECREASE OF \$19,675.50

Documents:

[2023-05-22_2023-109_Resolution Approving
Decrease CO5 STR19003.pdf](#)
[2023-05-22_2023-109_Memo - STR 19-003 Edgewood
CO5.pdf](#)
[2023-05-22_2023-109_STR 19-003 Edgewood Change
Order 5.pdf](#)

10. RESOLUTION 2023-110 AUTHORIZING THE USE OF COUNCIL-
DESIGNATED LOCAL OPTION SALES TAX FOR LIFTING
SIDEWALKS ALONG N 13TH STREET

Documents:

[2023-05-22_2023-110_Resolution Approving LOST for
N 13th St Sidewalk Lifting.pdf](#)
[2023-05-22_2023-110_Memo 13th St Sidewalks.pdf](#)

11. RESOLUTION 2023-111 APPROVING A PERMANENT SANITARY
SEWER EASEMENT WITH THE CITY OF MARSHALLTOWN ON
PARCEL 'A' LOCATED IN THE NE ¼ OF SECTION 25,
TOWNSHIP 84 NORTH, RANGE 18 WEST

Documents:

[2023-05-22_2023-111_Resolution for Sanitary Sewer
Easement_WPC Farm.pdf](#)
[2023-05-22_2023-111_Memo WPC Farm Sanitary
Sewer Easement.pdf](#)
[2023-05-22_2023-111_Permanent Sanitary Sewer
Easement_WPC Farm_Draft Plat.pdf](#)

12. RESOLUTION 2023-112 TO FIX A DATE FOR A PUBLIC
HEARING ON PROPOSED ORDINANCE AMENDMENT
ESTABLISHING A FRANCHISE FEE UNDER THE CITY'S GAS
UTILITY FRANCHISE WITH INTERSTATE POWER AND LIGHT
COMPANY AND TO ADOPT A REVENUE PURPOSE STATEMENT

RELATED TO THE FRANCHISE FEE

Documents:

[2023-05-22_2023-112_Set Hrg Franchise Fee Gas \(Marshalltown 53 2023\)-v1-v1.pdf](#)
[2023-05-22_2023-112_Memo Setting PH for Franchise Fee.pdf](#)

13. RESOLUTION 2023-113 TO FIX A DATE FOR A PUBLIC HEARING ON PROPOSED ORDINANCE AMENDMENT ESTABLISHING A FRANCHISE FEE UNDER THE CITY'S ELECTRIC UTILITY FRANCHISE WITH INTERSTATE POWER AND LIGHT COMPANY AND TO ADOPT A REVENUE PURPOSE STATEMENT RELATED TO THE FRANCHISE FEE

Documents:

[2023-05-22_2023-113_Set Hrg Franchise Fee Electric \(Marshalltown 53 2023\)-v1-v1.pdf](#)
[2023-05-22_2023-113_Memo Setting PH for Franchise Fee.pdf](#)

14. RESOLUTION 2023-114 TO FIX A DATE FOR A PUBLIC HEARING ON ORDINANCE GRANTING AN ELECTRIC UTILITY FRANCHISE TO CONSUMERS ENERGY COOPERATIVE, ESTABLISHING A FRANCHISE FEE AND ADOPTING A REVENUE PURPOSE STATEMENT RELATED TO THE FRANCHISE FEE

Documents:

[2023-05-22_2023-114_Memo Setting PH for Franchise Fee.pdf](#)
[2023-05-22_2023-114_Set Hrg Grant Franchise and Impose Fee Electric \(Consumers\) \(Marshalltown 53 2023\)-v1-v1.pdf](#)

G. REPORTS

1. FIRE DEPARTMENT ANNUAL REPORT

Documents:

[Annual Report 2022.pdf](#)

H. MOTIONS

1. MOTION TO APPROVE OUTDOOR SERVICE AMENDMENT FOR THE 918 FOR A BLESSING OF THE BIKES EVENT ON 6/4/23

Documents:

[2023-05-22 Temporary Outdoor Service Area.pdf](#)

I. RESOLUTIONS

1. RESOLUTION 2023-115 APPROVING AN AMENDMENT TO THE AMERICAN LEGION GOLF COURSE LEASE

Documents:

[2023-05-22_2023-115_Resolution Amendment to American Legion Lease.pdf](#)
[2023-05-22_2023-115_Memo Amend American Legion Agreement.pdf](#)
[2023-05-22_2023-115_Amendment to Golf Course Lease \(SCL 5.8.23\).pdf](#)

2. PUBLIC HEARING AND RESOLUTION 2023-116 ADOPTING THE FY2023 BUDGET AMENDMENT #1 FOR THE FISCAL YEAR ENDING JUNE 30, 2023 AND THE TRANSFERS BETWEEN FUNDS

Documents:

[2023-05-22_2023-116_Resolution Adopting FY23 Budget Amendment.docx](#)
[NOTICE OF PUBLIC HEARING AMENDMENT OF CURRENT BUDGET.pdf](#)
[2023-05-08_2023-099_TRANSFERS FOR FY23 BUDGET AMENDMENT.pdf](#)
[Memo to approve FY23 Budget Amendment.pdf](#)
[2023-05-08_2023-099_REVENUES BY CATEGORY.pdf](#)
[2023-05-08_2023-099_GENERAL FUND AND SPECIAL REVENUE FUND EXPENDITURE BUDGET.pdf](#)
[2023-05-08_2023-099_DEBT SERVICE FUND EXPENDITURE BUDGET.pdf](#)
[2023-05-08_2023-099_CAPITAL PROJECT FUNDS EXPENDITURE BUDGET.pdf](#)
[2023-05-08_2023-099_ENTERPRISE FUND EXPENDITURE BUDGET.pdf](#)
[REVENUES AND EXPENDITURES FOR GENERAL FUND 001.pdf](#)
[Revenue and Expenditures for Funds excluding General Fund 001.pdf](#)
[2023-05-08_2023-099_CASH FOR FY23 BUDGET AMENDMENT 1.pdf](#)

J. ORDINANCES

1. PUBLIC HEARING AND 2ND READING ORDINANCE 15061 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA, BY REPEALING CHAPTER 91: FIRE PREVENTION AND PROTECTION AND ADOPTING A NEW CHAPTER 91: FIRE PREVENTION AND PROTECTION WHICH ADOPTS BY REFERENCE THE 2021 INTERNATIONAL FIRE CODE WITH CERTAIN AMENDMENTS

Documents:

2023-05-22_ORDINANCE_15061 Amend CH 91 Fire
Prevention and Protection.pdf
2023-05-22_ORDINANCE_15061 Memo Amend CH 91
Fire Prevention and Protection.pdf

2. ORDINANCE 15062 TO AMEND THE CODE OF ORDINANCES,
CITY OF MARSHALLTOWN, IOWA BY AMENDING 93.007
ALCOHOLIC BEVERAGES
1ST READING

Documents:

2023-05-22_ORD 15062_Amend 93.007 Alcoholic
Beverages.pdf
2023-05-22_ORD 15062_Memo Amend 93.007
Alcoholic Beverages.pdf
2023-05-22_ORD 15062_Markup 93.007 Alcoholic
Beverages.pdf

K. DISCUSSION

1. DISCUSSION - MARSHALLTOWN CENTRAL BUSINESS
DISTRICT OPERATIONS AGREEMENT

Documents:

2023-05-22_DISCUSSION_Memo MCBBD Operations
Agreement.pdf
2023-05-22_DISCUSSION_Draft MCBBD Operations
Agreement.pdf

2. DISCUSSION - CH 134 NOISE CONTROL ORDINANCE

Documents:

2023-05-22_DISCUSSION2_Memo CH 134 Noise
Control.pdf
2023-05-22_DISCUSSION2_Draft CH 134 Noise
Control.pdf

L. ADJOURNMENT

MISSION STATEMENT

**The City of Marshalltown collaborates to provide a
welcoming, safe, vibrant, and growing community.**

Please visit the City's website for the complete agenda packet and to subscribe to
agenda notices and department news at www.marshalltown-ia.gov.



