

Council Proceedings
March 11, 2019

Mayor Greer called the meeting to order at 5:30 PM, March 11, 2019, 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. Wirin and Cahill actively participated via speakerphone.

CONSENT AGENDA:

Gowdy moved to adopt the consent agenda: Approve Council Minutes, 2/25/2019, And Bill List \$1,279,243.22; Approve January 2019 Monthly Financial Statements; RESOLUTION 2019-038 APPROVING A CONTRACT FOR TRANSIT ADVERTISING BETWEEN THE CITY OF MARSHALLTOWN, IOWA AND MIDWEST TRUCK ADVERTISING LLC; Approve Transfer Of Liquor License For Jake's Game Room, From 207 E Main St To 918 N 4th Avenue, With Renewal; second by Martin. Motion carried 7-0.

RESOLUTIONS

Lamar moved to adopt RESOLUTION 2019-039 TO APPROVE FACADE APPLICATION FOR 216-218 E. MAIN STREET, FOSTER & URBANOWSKI, second by Isom. Eaton, 1007 S 7th Ave, asked about fake stucco and if the Downtown Master Plan was consulted for proposed improvements. Resolution adopted 7-0.

Isom moved to adopt RESOLUTION 2019-040 TO APPROVE FACADE APPLICATION FOR 14 E MAIN STREET, CLAPSADDLE GARBER ASSOCIATES, second by Wirin. Resolution adopted 7-0.

Isom moved to adopt RESOLUTION 2019-041 ALLOCATING \$55,000 OF FUNDING TO PUBLIC ART AT THE POLICE AND FIRE BUILDING, second by Martin. Cahill stated she had received much positive and some negative feedback regarding the Art at the new facility. She sees the public art as a step toward normalizing the community following the tornado. Jacob Rowley, 910 E South St, spoke against the art project. Resolution adopted 7-0.

Martin moved to adopt RESOLUTION 2019-042 APPROVING FEES CHARGED BY THE PARKS AND RECREATION DEPARTMENT OF THE CITY OF MARSHALLTOWN, IOWA FOR PARK SHELTER RENTALS AND AQUATIC CENTER FEES, second by Isom. Parks Director Hubbard recommended some increases to cover cost of providing the service. Resolution adopted 7-0.

Gowdy moved to adopt RESOLUTION 2019-051 AUTHORIZING THE CITY OF MARSHALLTOWN PARKS & RECREATION DEPARTMENT TO ENTER INTO AN AGREEMENT TO RENT THE PLEASANT HILLS POOL AT 909 SOUTH 12TH STREET FOR SWIMMING LESSONS THROUGHOUT THE 2019 CALENDAR YEAR, second by Isom. Hubbard explained the agreement was for lessons. No parties are being planned at this time. Lifeguards will be city employees. Resolution adopted 7-0.

PUBLIC HEARING

Mayor Greer opened the public hearing at 5:52 PM for the FY2020 budget. Finance Director Steiner announced the city tax rate will increase 10.276 cents, with total tax rate of \$15.38434 and explained local option sales tax reduced the tax rate. There were no public or written comments either for or against the proposal. Mayor Greer declared the public hearing closed at 5:54 PM. Lamer moved to adopt RESOLUTION 2019-049 TO ADOPT BUDGET AND CERTIFY TAXES FOR FY20, second by Martin. Resolution adopted 7-0.

PUBLIC HEARING

Mayor Greer opened the public hearing at 5:55 PM for the five year capital improvement plans, for FY 2019-2023. There were no public or written comments either for or against the proposal. Mayor Greer declared the public hearing closed at 5:57 PM. Gowdy moved to adopt RESOLUTION 2019-050 TO APPROVE CAPITAL IMPROVEMENT PLAN FOR FY19 TO FY23, second by Cahill. Resolution adopted 7-0.

Lamer moved to adopt the following Resolutions regarding the Public Safety Building Change Orders: RESOLUTION 2019-043 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#9-1 GYMPSUM WALL ASSEMBLIES FOR HILSABEK SCHACHT, INC. AN INCREASE OF \$2,513.00; RESOLUTION 2019-044 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#9-2 FLOOR COVERINGS FOR ALLIED CONSTRUCTION SERVICES, INC. AN INCREASE OF \$2856.00; RESOLUTION 2019-045 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 \$918.00; RESOLUTION 2019-046 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE

HEADQUARTERS PROJECT # BLD17001 BP#26-1 ELECTRICAL COMMUNICATIONS & SECURITY FOR DEVRIES ELECTRIC AN INCREASE OF \$522.04; RESOLUTION 2019-047 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#6-1 GENERAL SUPPLIES FOR GARLING CONSTRUCTION AN INCREASE OF \$15893.87; RESOLUTION 2019-048 APPROVING CONTRACT CHANGE ORDER FOR THE POLICE & FIRE HEADQUARTERS PROJECT # BLD17001 BP#8-1 ALUMINUM STOREFRONTS, CURTAINWALLS & GLAZING FOR FORMAN FORD AN INCREASE OF \$6,315.00; second by Isom. Ethan Dix, Storey Construction, answered questions. Anna Wolvers asked the council know the entire facility cost before spending money on art. Resolutions adopted 7-0.

ORDINANCES:

Lamer moved to adopt the second reading of ORDINANCE #14980 APPROVING CHANGES TO THE MARSHALLTOWN ZONING ORDINANCE OF 2010, REGARDING CHAPTER 29 TABLE OF PERMITTED AND SPECIAL USES FOR COMMERCIAL & INDUSTRIAL DISTRICTS, second by Hoop. The council discussed the Plan Zoning Commission recommendations and heard from members of the public.

Martin moved to amend the Ordinance not allow external storage in the district, second by Isom. Amendment adopted 5-2, Hoop and Lamer dissenting. Second reading adopted 5-2, Lamer and Hoop dissenting.

Wirin moved to adopt the second reading of ORDINANCE #14981 APPROVING CHANGES TO THE MARSHALLTOWN ZONING ORDINANCE OF 2010, REGARDING CHAPTER 19 TN TRADITIONAL NEIGHBORHOOD DISTRICT AND REZONING THE PROPERTIES AT 108, 110, 112, AND 114 N 3RD AVENUE IN MARSHALLTOWN FROM R-4 MEDIUM DENSITY RESIDENTIAL TO TRADITIONAL NEIGHBORHOOD, second by Gowdy. Second reading adopted 7-0.

DISCUSSION

Hoop moved to consider a Resolution at the next meeting regarding a \$5,000 donation towards community firework display, second by Martin. Motion carried 7-0.

PUBLIC COMMENT:

Carlene Prazak, 111 Harmonay Drive, asked tax dollars be diverted to streets.

CLOSED SESSION:

At 6:22 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 Martin. Motion carried 7-0. Wirin and Cahill were present by speakerphone.

At 6:54 PM, Gowdy moved to enter into Open session, second by Martin. Motion carried 7-0. Roll call: All members of the council present. Martin moved to follow defense counsel recommendations as discussed in closed session, second by Isom. Motion carried 4-3, with Lamer, Gowdy and Hoop dissenting.

ADJOURNED:

Meeting adjourned at 6:58 PM

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

Joel T.S. Greer, Mayor

Shari L. Coughenour, CMC, City Clerk

