

COUNCIL PROCEEDINGS
SEPTEMBER 26, 2022

Mayor Greer called the meeting to order at 5:30 PM, September 26, 2022, at the City Hall Council Chambers, 10 W State Street, and led the pledge of allegiance. Roll call—Present: Hoop, Isom, Kell, Ladehoff, Schneider, Thompson, Walker. Jessica Kinser, City Administrator advised the 2022 National Community Survey has been issued to randomly selected Marshalltown residents. Mayor Greer recognized all the great events for Oktoberfest and noted the MHS Homecoming Parade is 9/29 and the Cultural Fiesta is 10/2 at West End Park. Jenni Hart, Recreation Supervisor was recognized for 15 years of service.

CONSENT AGENDA

Motion by Isom, second by Schneider to adopt the consent agenda less item 3: APPROVE MINUTES 09/12/22 MEETING AND BILL LIST \$1,919,610.58; APPROVE LIQUOR LICENSE RENEWALS FOR ELMWOOD COUNTRY CLUB, 1734 COUNTRY CLUB LANE, APPLEBEE'S, 3101 S CENTER ST, WAYWARD SOCIAL, 1101 S 6TH ST, OLD TIMER, 401 S CENTER ST, KWIK STAR #394, 2500 S CENTER ST, ALDI, 2405 S CENTER ST, CASEY'S #3228, 916 E MAIN ST, FIDDLE & WHISTLE, 20 W MAIN ST; RESOLUTION 2022-254 ACCEPTING BID AND AUTHORIZING THE PURCHASE OF A 2022 DODGE 1500 SSV CREW CAB FOR THE PRICE OF \$38,987.00 FROM STEW HANSEN DODGE CITY FOR USE IN THE WATER POLLUTION CONTROL DEPARTMENT; RESOLUTION 2022-255 APPROVING CONTRACT CHANGE ORDER #3 FOR THE BOX CULVERT REPAIRS PROJECT #SMW20003, AN INCREASE OF \$1,275.00; RESOLUTION 2022-256 APPROVING CONTRACT CHANGE ORDER #12 FOR THE AIRPORT HANGAR PROJECT #ARP19001, A DECREASE OF \$36,450.00; RESOLUTION 2022-257 APPROVING CONTRACT CHANGE ORDER #3 FOR THE EDGEWOOD EXTENSION PROJECT #STR19003, A DECREASE OF \$10,653.00; RESOLUTION 2022-258 APPROVING A TEMPORARY EASEMENT AGREEMENT WITH U.S. BANK FOR THE STATE STREET RECONSTRUCTION PROJECT #STR21004; RESOLUTION 2022-259 APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH FOX ENGINEERING FOR HEADWORKS AND DIGESTER IMPROVEMENTS PROJECT #WPC21001, IN THE CITY OF MARSHALLTOWN, IOWA; RESOLUTION 2022-260 TO APPROVE A 12-MONTH EXTENSION OF TIME TO COMPLETE THE CITY CODE BUILDING UPGRADE AND FAÇADE INCENTIVE GRANT WORK FOR 34 W. MAIN STREET; RESOLUTION 2022-261 TO APPROVE A 12-MONTH EXTENSION OF TIME TO COMPLETE THE CITY CODE BUILDING UPGRADE AND FAÇADE INCENTIVE GRANT WORK FOR 36 W. MAIN STREET; RESOLUTION 2022-262 DECLARING CERTAIN PROPERTY SURPLUS PROPERTY AND AUTHORIZING DISPOSAL THEREOF, 1998 SALT BRINE MIXING SYSTEM FROM THE STREET DEPARTMENT; RESOLUTION 2022-263 SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH KARL OF MARSHALLTOWN, LLC, INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS; RESOLUTION 2022-264 ORDERING CONSTRUCTION FOR THE VETERANS MEMORIAL COLISEUM GENERATOR PROJECT, SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST AND DIRECTING PUBLICATION OF NOTICE TO BIDDERS. Motion carried 7-0.

Motion by Schneider, second by Ladehoff to adopt RESOLUTION 2022-253 TO REPEAL THE POLICY FOR THE EVALUATION OF REQUESTS FROM CITIZENS FOR TRAFFIC CALMING FOR THE CITY OF MARSHALLTOWN. Motion carried 7-0.

REPORTS

David Hicks, YSS Director provided the MPACT quarterly report. Advocates have responded to 157 calls for service from January to August 2022. Officers were able to return to service after turning the call over to advocates on 138 of those calls and 147 of those calls accepted MPACT services. The annual officer survey showed support for the program requesting more staff for additional coverage. There is a need for a more robust data collection tool to identify trends for services.

RESOLUTIONS

Motion by Schneider, second by Kell to adopt RESOLUTION 2022-265 COMMITTING FUNDING TO THE CITY OF MARSHALLTOWN DESTINATION IOWA CREATIVE PLACEMAKING PROJECTS. Public comment: Mark Eaton, 1007 S 10th Ave noted this would be committing funds for borrowing before the public hearing. Motion carried 5-2, Hoop and Thompson dissenting.

Motion by Ladehoff, second by Schneider to adopt RESOLUTION 2022-266 AUTHORIZING THE CITY OF MARSHALLTOWN TO SUBMIT A DESTINATION IOWA CREATIVE PLACEMAKING APPLICATION TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY FOR THE LINN CREEK DISTRICT. Motion carried 5-2, Hoop and Thompson dissenting.

Mayor Greer opened a public hearing at 5:56 pm on the APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST FOR THE SOUTH 7TH AVENUE EXTENSION PROJECT, IN THE CITY OF MARSHALLTOWN, IOWA, BEING PROJECT NO. ECO22001. No written or public comments were received. Heather Thomas, Public Works Director advised this is a public/private partnership to extend South 7th Avenue approximately 660 feet for a high-density residential development. The city share is estimated at \$871,910 with a substantial completion date in May 2023. Mayor Greer closed the public hearing at 5:58 pm. Motion by Schneider, second by Isom to adopt RESOLUTION 2022-267 APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST FOR THE SOUTH 7TH AVENUE EXTENSION PROJECT, IN THE CITY OF MARSHALLTOWN, IOWA, BEING PROJECT NO. ECO22001. Motion carried 7-0.

ORDINANCES

Motion by Thompson, second by Isom to adopt the first reading of ORDINANCE 15047 TO AMEND THE CODE OF ORDINANCE, CITY OF MARSHALLTOWN, IOWA, CHAPTER 70.006, MOVING REGULATIONS FOR BICYCLES TO CHAPTER 73: RECREATIONAL VEHICLES. Motion carried 7-0.

Motion by Thompson, second by Ladehoff to waive the second and third reading of ORDINANCE 15047 TO AMEND THE CODE OF ORDINANCE, CITY OF MARSHALLTOWN, IOWA,

CHAPTER 70.006, MOVING REGULATIONS FOR BICYCLES TO CHAPTER 73: RECREATIONAL VEHICLES. Motion carried 7-0.

Motion by Schneider, second by Kell to adopt the second reading of ORDINANCE 15048 PROVIDING FOR THE DIVISION OF TAXES LEVIED ON TAXABLE PROPERTY IN THE MARSHALLTOWN URBAN RENEWAL AREA #7, PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA. Motion carried 7-0.

Motion by Schneider, second by Thompson to waive the third reading of ORDINANCE 15048 PROVIDING FOR THE DIVISION OF TAXES LEVIED ON TAXABLE PROPERTY IN THE MARSHALLTOWN URBAN RENEWAL AREA #7, PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA. Motion carried 7-0.

Motion by Ladehoff, second by Isom to adopt the second reading of ORDINANCE 15049 TO AMEND THE CODE OF ORDINANCE, CITY OF MARSHALLTOWN, IOWA, CHAPTER 76 TRAFFIC SCHEDULES, SCHEDULE VI STOP INTERSECTIONS. Written public comment: Meredith Miller, 2512 Knollway Drive, requested stop signs at the intersection of Knollway Drive, both north and south directions, and West Southridge. Heather Thomas, Public Works Director will include these intersections for the final reading. Motion carried 7-0.

Motion by Isom, second by Schneider to adopt the second reading of ORDINANCE 15050 TO AMEND THE CODE OF ORDINANCE, CITY OF MARSHALLTOWN, IOWA, CHAPTER 77 PARKING SCHEDULES, SCHEDULE X PUBLIC ACCESS PARKING. Motion carried 7-0.

Motion by Schneider, second by Kell to waive the third reading of ORDINANCE 15050 TO AMEND THE CODE OF ORDINANCE, CITY OF MARSHALLTOWN, IOWA, CHAPTER 77 PARKING SCHEDULES, SCHEDULE X PUBLIC ACCESS PARKING. Motion carried 7-0.

Motion by Thompson, second by Schneider to adopt the second reading of ORDINANCE 15051 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA, CHAPTER 73: RECREATIONAL VEHICLES TO PROHIBIT THE USE OF ALL TERRAIN VEHICLES AND OFF-ROAD UTILITY VEHICLES. Motion carried 6-1, Ladehoff dissenting.

Motion by Ladehoff, second by Schneider to adopt the first reading of ORDINANCE 15052 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA, CHAPTER 73: RECREATIONAL VEHICLES TO PROHIBIT THE USE OF GOLF CARS. Motion carried 4-3, Isom, Schneider, Walker dissenting.

DISCUSSION

Councilor Hoop presented discussion on a portion of a city-owned parcel at Anson Park that adjoins a private owner's lot who has been maintaining the city portion for over 55 years. The property owners requested to purchase this land approximately 3 years ago and the price the council agreed to was in his opinion excessive and it was not resolved. He would like to see the council remedy the situation and sell the land to them for \$1. Steven Leidinger, City Attorney advised there was past litigation on this that was dismissed with no resolution and he did not recommend selling it. Public comment: Mark Eaton, 1007 S 10th Ave, noted we do have a policy

for selling property at an appropriate value but this land is not able to be developed so it should be sold for \$1 so it will be on the tax roll. Motion by Thompson, second by Hoop to bring forward a resolution to sell the land for \$1 to the George property. Motion failed 3-4, Isom, Kell, Schneider, Walker dissenting.

Councilor Ladehoff presented discussion on the need for a new water supply for Lake Woodmere at Riverside Cemetery. The State Auditors Office advised the city may fund the project if it serves a public use which would require the gates to be open to the public during business hours. David Shearer, 611 N Center St, provided a history of the lake and its extensive public use. An estimate for a well was provided at \$43,198.75. Public comment: Reggie Zwemke, Jessup Ave, suggested a fundraising campaign for the well. Ray Mitchem, 1402 S 3rd Ave, provided personal experiences of how Riverside serves our community as a public park. Motion by Thompson, second by Walker to direct staff to work with legal counsel to establish an agreement with funding not-to-exceed \$45,000 from Council Designated Local Option Sales Tax. Motion carried 6-1, Hoop dissenting.

Jill Petermeier, Human Resources Director advised in the fall of 2021 the city participated in providing information for a salary survey that was being done by the University of Iowa's School of Planning and Public Affairs in partnership with the Iowa League of Cities. It was just announced the survey would not be completed and no data will be released. A salary survey is part of the strategic plan and will now require a request for proposal to hire a consultant. Motion by Thompson, second by Schneider for staff to issue an RFP for a Non-Bargaining Wage Study to evaluate the cost for services. Motion carried 7-0.

Jessica Kinser, City Administrator presented discussion on FY23 General Obligation Borrowing. Councilors would like to see an emphasis on street improvements. There is an option to issue a secondary bond in 2023 for streets only. Iowa State University street index information will not be available until the end of December to assess priority streets. Public comment: Mark Eaton, 1007 S 10th Ave, noted the numerous phases of the downtown implementation planned for future borrowing and the need for repair to residential streets not downtown. Motion by Schneider, second by Ladehoff to move forward with the proposed borrowing plan at \$10M with \$2.65M for streets and evaluate a 2023 bond for streets when more information is available. Motion carried 5-2, Hoop and Thompson dissenting.

PUBLIC COMMENT

Sarah Tupper, 2917 Jackie Terrace, introduced herself to the council as she is running for Marshall County Attorney and would like to bridge the gap between city and county government through this position.

Mark Eaton, 1007 S 10th Ave, encouraged all election candidates to come to speak during city council public comment.

Linda Clark, 306 S 2nd Ave, thanked her class members for the 55 class reunion and noted the affordable housing near her is still not complete and that there is a tent encampment at a commercial property that needs to be addressed.

ADJOURNMENT

The meeting adjourned at 7:19 pm.

Respectfully Submitted,

Alicia Hunter

Alicia Hunter, City Clerk

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk