

COUNCIL PROCEEDINGS
FEBRUARY 27, 2023

In the absence of Mayor Greer, Mayor Pro-Tem Ladehoff called the meeting to order at 5:30 pm, February 27, 2023, at the City Hall Council Chambers, 10 W State Street, and led the pledge of allegiance. Roll call–Present: Hoop, Kell, Ladehoff, Schneider, Thompson, Walker; Absent: Isom.

PUBLIC COMMENT

Jim Shaw, 522 N 2nd St, requested the vicious animal ordinance be amended to have provisions against pit bulls before an incident occurs. Aimee Deimerly-Snyder, 1106 W Main St and owner of Lillie Mae thank the council for their support of the 13th Street District. Thad Lents, 2001 Westwood Dr, asked the council to reconsider the new compost hours and have hours during the week to encourage people to take care of their properties.

MAYOR, COUNCIL, ADMINISTRATOR COMMENTS

Councilor Thompson advised the city has 2 trucks, a street sweeper, and 790 cassette tapes for sale on GovDeals. Councilor Schneider announced Cleaniac will hold its annual clean-up on Saturday, April 22nd, anyone interested in being assigned a group can contact Cleaniac. Mayor Pro-Tem Ladehoff is pleased to see the restaurants busy and people getting back to normal.

CONSENT AGENDA

Motion by Schneider, second by Kell to adopt the consent agenda: APPROVE MINUTES 02/13/2023 MEETING AND BILL LIST \$1,231,959.16; APPROVE JANUARY 2023 FINANCIAL STATEMENTS; APPROVE LIQUOR LICENSE RENEWALS FOR JIFFY, 111 3RD AVE, WANDERING CREEK, 2436 233RD ST, AMERICAN LEGION, 1301 S 6TH ST, PERMANENT PREMISE TRANSFER OF OLIVER BEENE DESIGNS TO 2500 S CENTER ST, STE 120; RESOLUTION 2023-031 APPROVING CITY FEE SCHEDULE; RESOLUTION 2023-032 TO APPROVE THE USE OF COUNCIL-DESIGNATED LOCAL OPTION SALES TAX FOR THE DEFICIT IN FUND 183 ECONOMIC DEVELOPMENT INCENTIVE; RESOLUTION 2023-033 APPROVING CONTRACT CHANGE ORDER #1 FOR THE SOUTH 7TH AVENUE EXTENSION PROJECT #ECO22001; RESOLUTION 2023-034 APPROVING THE IOWA DEPARTMENT OF TRANSPORTATION PROJECT FUNDING AGREEMENT ADDENDUM NO. 21-TAP-167-A FOR THE IOWA RIVER TRAIL BRIDGE REPLACEMENT #2 TO #5; RESOLUTION 2023-035 APPROVING A SUPPLEMENTAL AGREEMENT FOR PROFESSIONAL SERVICES WITH CALHOUN-BURNS & ASSOCIATES, INC FOR THE 2023 BRIDGE INSPECTION AND RATING PROGRAM; RESOLUTION 2023-036 AUTHORIZING PUBLIC WORKS TO SUBMIT ONE STRUCTURE TO THE IOWA DEPARTMENT OF TRANSPORTATION HIGHWAY BRIDGE PROGRAM; RESOLUTION 2023-037 SETTING DATE FOR PUBLIC HEARING ON URBAN RENEWAL PLAN AMENDMENT FOR THE MARSHALLTOWN URBAN RENEWAL AREA NO. 4; RESOLUTION 2023-038 AUTHORIZING THE PURCHASE OF ONE CHEVROLET SILVERADO 1500 4WD FOR THE PARKS AND RECREATION DEPARTMENT FROM KARL CHEVROLET FOR THE PRICE OF \$40,924.90; RESOLUTION 2023-039 ORDERING CONSTRUCTION OF THE MARSHALLTOWN FAÇADE REHABILITATION PROJECT ECO21002, SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS,

FORM OF CONTRACT AND ESTIMATED COST AND DIRECTING PUBLICATION OF NOTICE TO BIDDERS. Motion carried 6-0.

RESOLUTIONS

Motion by Schneider, second by Walker to approve RESOLUTION 2023-040 ACCEPTING THE ARTS AND CULTURE MASTER PLAN. Amber Danielson, Alliance Marshall County Arts & Culture, presented the Arts and Culture Master Plan which will be used as an implementation strategy for the five placemaking themes of Revitalize Over Restore, Build Bridges, Activate Hope, Elevate Youth, Heritage of Innovation to cultivate community connectedness and economic growth and well-being. Public comment: Neil Dalal, 1504 Brentwood Terrace, participated on the steering committee and it was a great process with lots of representation through multiple surveys and focus groups. Jesus Rios, 810 S 9th Ave, spoke of his journey to continue to make Marshalltown home and getting involved with this initiative to represent the Hispanic community. Motion carried 6-0.

Mayor Pro-Tem Ladehoff opened a public hearing at 6:03 pm for PROVIDING FOR THE CONVEYANCE AND TRANSFER OF TITLE FOR 519 SOUTH 5TH STREET FROM THE CITY OF MARSHALLTOWN, IOWA TO JESUS AND BRENDA VILLA. City Administrator Kinser advised the bid is for \$7,500. The public hearing was closed at 6:03. Motion by Schneider, second by Walker to approve RESOLUTION 2023-041 PROVIDING FOR THE CONVEYANCE AND TRANSFER OF TITLE FOR 519 SOUTH 5TH STREET FROM THE CITY OF MARSHALLTOWN, IOWA TO JESUS AND BRENDA VILLA. Motion carried 6-0.

Mayor Pro-Tem Ladehoff opened a public hearing at 6:04 pm for PROVIDING FOR THE CONVEYANCE AND TRANSFER OF TITLE FOR 4 NORTH 12TH AVENUE FROM THE CITY OF MARSHALLTOWN, IOWA TO LIF ENTERPRISES LLC. City Administrator Kinser advised the bid is for \$3,100. The public hearing was closed at 6:04. Motion by Walker, second by Schneider to approve RESOLUTION 2023-042 PROVIDING FOR THE CONVEYANCE AND TRANSFER OF TITLE FOR 4 NORTH 12TH AVENUE FROM THE CITY OF MARSHALLTOWN, IOWA TO LIF ENTERPRISES LLC. Motion carried 6-0.

Mayor Pro-Tem Ladehoff opened a public hearing at 6:05 pm for PROVIDING FOR THE CONVEYANCE AND TRANSFER OF TITLE FOR 500 LEE STREET FROM THE CITY OF MARSHALLTOWN, IOWA TO LEVIS NDIHOKUBWAYO. City Administrator Kinser advised the bid is for \$501. The public hearing was closed at 6:05. Motion by Schneider, second by Thompson to approve RESOLUTION 2023-043 PROVIDING FOR THE CONVEYANCE AND TRANSFER OF TITLE FOR 500 LEE STREET FROM THE CITY OF MARSHALLTOWN, IOWA TO LEVIS NDIHOKUBWAYO. Motion carried 6-0.

ORDINANCES

Motion by Walker, second by Schneider to adopt the first reading of ORDINANCE 15057 TO AMEND CHAPTER 152: HOUSING CODE OF THE MUNICIPAL CODE OF THE CITY OF MARSHALLTOWN, IOWA. Michelle Spohnheimer, Housing & Community Development Director advised this amendment would exclude mobile home park rental units from inspections due to the frequency of transitioning from lease to purchase to owned units. Motion carried 5-1, Thompson dissenting. Motion by Walker, second by Kell to waive the second and third readings

of ORDINANCE 15057 TO AMEND CHAPTER 152: HOUSING CODE OF THE MUNICIPAL CODE OF THE CITY OF MARSHALLTOWN, IOWA. Motion carried 5-1, Thompson dissenting.

Motion by Kell, second by Walker to adopt the first reading of ORDINANCE 15058 TO AMEND THE CODE OF ORDINANCE, CITY OF MARSHALLTOWN, IOWA BY AMENDING CHAPTER 76 TRAFFIC SCHEDULES, SCHEDULE VIII SPEED LIMITS. Heather Thomas, Public Works Director advised the amendment would change the speed limit on Lincoln Way from West of the city limits to Highland Acres Road to 45 mph, Highland Acres Road to approximately 200 feet West of Ann Rutledge Road to 35 mph, and from approximately 200 feet West of Ann Rutledge Road to 9th Street to 30 mph to prepare for the proposed fixed automated traffic enforcement signal near the intersection of Orchard Drive and also to address safety concerns along Lincoln Way. Additional speed limit signs would be installed. Councilor Thompson supports the speed change but does not want it done in conjunction with automated traffic enforcement. Public comment: Jim Shaw, 522 N 2nd St advised going down the hill on Lincoln Way you can gain 5-7 mph so you have to ride your breaks. Lyle Hineman, 2804 Arnold Dr is okay with either the speed limit change or the automated traffic enforcement but not both at the same time. Linda Clark, 306 S 2nd Ave feels the speed limit should be a uniform 35 mph for the entire stretch of Lincoln Way. Motion carried 6-0.

Motion by Schneider, second by Kell to adopt the first reading of ORDINANCE 15059 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING CHAPTER 77, PARKING SCHEDULES, SCHEDULE II NO PARKING ANY TIME. Heather Thomas, Public Works Director advised this amendment will prohibit parking at any time on both sides of Swayze Street from 10th Avenue to 12th Avenue as JBS now has a parking lot for employees to utilize instead of on-street parking. Motion carried 6-0. Motion by Thompson, second by Schneider to waive the second and third readings of ORDINANCE 15059 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING CHAPTER 77, PARKING SCHEDULES, SCHEDULE II NO PARKING ANY TIME. Motion carried 6-0.

DISCUSSION

Mayor Pro-Tem Ladehoff presented discussion on implementing age restrictions for the use, purchase, or possession of spray paint. Chief Tupper would be in support of such an ordinance as he spoke with Muscatine and Sioux City who have ordinances in place and they feel it has been a good tool for them to use in investigations. Councilor Schneider does not support a ban as it can be purchased by other means but supports increased penalties. Councilor Thompson would like to see funds available to residents or businesses that want to install security cameras. Public comment: Linda Clark, 306 S 2nd Ave, does not agree with ordinances with selective enforcement. Chief Tupper encouraged the community to report incidents of graffiti and vandalism and any tips can be reported to Crime Stoppers.

City Administrator Kinser presented discussion on the sale of vacant lots. Motion by Schneider, second by Walker to dispose of 503 Woodbury Street and 503 Bromley Street through a request for Sealed Bids. Motion carried 6-0. Motion by Thompson, second by Ladehoff to dispose of 906 S 11th Ave and 407 Marion St through a request for Sealed Bids. Motion failed 2-4, Kell, Ladehoff,

Schneider, and Walker dissenting. Motion by Schneider, second by Kell to dispose of 906 S 11th Ave and 407 Marion St through a Neighborhood Improvement RFP. Motion carried 5-1, Thompson dissenting.

City Administrator Kinser presented discussion on the sale of property in Urban Renewal Area No. 4 to include 20 E Main St and 330 S 3rd Ave. Motion by Walker, second by Kell to establish a group of stakeholders in the community to evaluate proposals for the sites at 20 E Main St and 330 S 3rd Ave. Motion carried 4-2, Hoop and Thompson dissenting. Motion by Schneider, second by Kell to dispose of 20 E Main St and 330 S 3rd Ave through a request for proposal that would identify requirements for each property to better align known retail gaps in the community. City Administrator Kinser advised there would be a \$25,000 retail incentive grant through the Chamber of Commerce. Public comment: John Hall, Marshalltown Area Chamber of Commerce advised the suggested usage is based on our retail leakage. Motion carried 5-1, Thompson dissenting.

ADJOURNMENT

The meeting adjourned at 7:12 pm.

Respectfully Submitted,



Alicia Hunter, City Clerk

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk