

**COUNCIL PROCEEDINGS
OCTOBER 9, 2023**

Mayor Joel Greer called the meeting to order at 5:30 p.m., October 9, 2023, at the City Hall Council Chambers, 10 W State Street, and led the pledge of allegiance. Roll call–Present: Hoop, Isom, Kell, Ladehoff, Nichols, Schneider, Thompson.

PUBLIC COMMENT

- Chief Tupper, Marshalltown Police Department, announced he made an error at the last meeting and apologized to S&S Auto for reporting they outsource their vehicle lettering and advised the police department would get quotes from anyone local providing that service.
- Mark Eaton, 1007 S 10th Ave, noted two pit bull incidents he was involved in locally where the police had to be called.
- Jim Shaw, 522 N 22nd St., provided details of pit bull attacks and fatality statistics, along with steps the United Kingdom is taking to ban pit bulls.
- Kevin Pink, Vice President of the Library Board of Trustees, stated the board’s concern for future library funding as the citizen passed library levy was eliminated by House File 718 and it provided over \$200,000 in funding allowing them to be open on Sundays and provide extended services.
- Sarah Rosenblum, Library Director, voiced her concern about the loss of the library levy.
- Deb Millizer, Director of the Marshalltown Central Business District shared that tickets are available to purchase for the Downtown Building Tour on Sunday, October 29th.

MAYOR, COUNCIL, ADMINISTRATOR COMMENTS

- Mayor Greer commented the MCBD Downtown Building Tour is very worthwhile. He also noted there is a Narcan dispenser outside of the YSS building at 24 N Center St to save someone’s life who is experiencing an opioid overdose.

CONSENT AGENDA

Motion by Schneider, second by Kell to adopt the consent agenda: APPROVE MINUTES 09/25/23 MEETING AND BILL LIST \$1,542,253.23; APPROVE LIQUOR LICENSE RENEWALS; APPOINT ERIK HALL TO THE LIBRARY BOARD OF TRUSTEES, TERM ENDING 06/30/29; RESOLUTION 223-191 APPROVING THE COMPLETION OF THE DEMOLITION OF 910 SOUTH 2ND AVENUE BY LANSING BROTHERS CONSTRUCTION CO. INC.; RESOLUTION 2023-192 SETTING DATE FOR PUBLIC HEARING ON URBAN RENEWAL PLAN AMENDMENT FOR THE MARSHALLTOWN URBAN RENEWAL AREA NO. 3; RESOLUTION 2023-193 SETTING DATE FOR PUBLIC HEARING ON URBAN RENEWAL PLAN AMENDMENT FOR THE MARSHALLTOWN URBAN RENEWAL AREA NO. 4; RESOLUTION 2023-194 APPROVING AN ENGAGEMENT LETTER WITH BOND COUNSEL DORSEY & WHITNEY LLP FOR THE 2023A GENERAL OBLIGATION CORPORATE PURPOSE BOND ISSUANCE; RESOLUTION 2023-195 SETTING DATE FOR PUBLIC HEARING AND ADDITIONAL ACTION ON PROPOSALS TO ENTER INTO GENERAL OBLIGATION LOAN AGREEMENTS AND TO BORROW MONEY THEREUNDER. Motion carried 7-0.

RESOLUTIONS

Mayor Greer opened a public hearing at 5:46 pm on PROVIDING FOR THE VACATION OF THE EAST-WEST ALLEY BEHIND 1108 AND 1110 WEST CHURCH STREET AND APPROVING THE QUIT CLAIM DEED TO THE CITY. No written or public comments were received. The public hearing was closed at 5:47 pm. Motion by Ladehoff, second by Schneider to adopt RESOLUTION 2023-196 PROVIDING FOR THE VACATION OF THE EAST-WEST ALLEY BEHIND 1108 AND 1110 WEST CHURCH STREET AND APPROVING THE QUIT CLAIM DEED TO THE CITY. Motion carried 7-0.

Mayor Greer opened a public hearing at 5:47 pm on APPROVING AN AMENDED DEVELOPMENT AGREEMENT WITH WILLARD-HOPKINS, LLC, AUTHORIZING TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT. No written or public comments were received. City Administrator Joe Gaa advised this would revise the original agreement from \$508,000 to \$750,000 due to the loss of grant funding. The public hearing was closed at 5:48 pm. Motion by Ladehoff, second by Isom to adopt RESOLUTION 2023-197 APPROVING AN AMENDED DEVELOPMENT AGREEMENT WITH WILLARD-HOPKINS, LLC, AUTHORIZING TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT. Motion carried 7-0.

ORDINANCES

Motion by Isom, second by Schneider to adopt the first reading of ORDINANCE 15072 TO AMEND THE CODE OF ORDINANCE, CITY OF MARSHALLTOWN, IOWA BY AMENDING 53.022 STORM WATER BILLING AND COLLECTION. City Clerk, Alicia Hunter, advised this amendment will correct an error in the stormwater billing and collection procedures which certifies liens to the County Treasurer, not the Auditor. Motion carried 7-0.

Motion by Isom, second by Schneider to waive the second and third readings of ORDINANCE 15072 TO AMEND THE CODE OF ORDINANCE, CITY OF MARSHALLTOWN, IOWA BY AMENDING 53.022 STORM WATER BILLING AND COLLECTION. Motion carried 7-0.

Motion by Isom, second by Schneider to adopt the first reading of ORDINANCE 15073 TO AMEND CHAPTER 50: GARBAGE AND REFUSE BY REPEALING SECTIONS 50.001 THROUGH 50.049 AND ADOPTING NEW CODE SECTIONS THAT AMEND THE REGULATIONS FOR RECEPTACLE SPECIFICATIONS, LOCATION OF RECEPTACLES AND ENFORCEMENT OF REGULATIONS. Public comment: Mark Eaton, 1007 S 10th Ave, feels you should allow curbside pickup. Doris Kinnick, 2020 Catalina Place, advised her trash is picked up every other week so the language may need to be amended to accommodate that. Amended motion by Schneider, second by Ladehoff for staff to hold a meeting with the haulers to discuss a street pick-up schedule. Motion carried 5-2, Hoop and Thompson dissenting. The original motion on first reading failed 0-7, with all councilors dissenting. Councilors Schneider and Kell will attend the hauler meeting to discuss a street schedule.

Motion by Schneider, second by Kell to adopt the first reading of ORDINANCE 15074 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING CHAPTER 76, TRAFFIC SCHEDULES. Public comment: Linda Clark 306 S 2nd Ave, recommended

stop signs with flashing lights. The council directed staff to put up temporary stop signs if there is ever a safety concern before bringing the ordinance amendment forward for approval. Motion carried 7-0.

Motion by Isom, second by Schneider to adopt the first reading of ORDINANCE 15075 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING CHAPTER 77, PARKING SCHEDULES. Public comment: Joleen Ballard, 610 N 2nd Ave, advised the 3 houses on Riverside Street from Center Street to North 3rd Avenue may want on-street parking available for guests. Motion carried 7-0.

DISCUSSION

Captain Kiel Stevenson, Marshalltown Police Department, presented a request to purchase a Flock Public Safety Camera System. The council approved \$150,000 in council-designated local option sales tax in 2022 to expand the existing public safety camera system. Flock Safety utilizes license plate reader (LPR) cameras to monitor movement within a community. The department recommended implementing this system with 32 cameras throughout the city to increase public safety, deter criminal activity, and enhance the efficiency and effectiveness of investigations. Public comment: Leigh Bauder, 401 Orchard Drive, sees the benefit in this proposal and questioned if the 30-day retention would be feasible if it was needed for court. Jim Shaw, 522 N 2nd St, asked for clarification if these would identify people. Captain Stevenson confirmed the evidence could be downloaded and retained for court purposes and it is only for vehicle recognition, not humans. Motion by Ladehoff, second by Schneider to proceed with the Flock Safety proposal by bringing back a resolution with funding sources for the remaining budget. Amended motion by Schneider, second by Kell to approve a budget up to \$210,000. Motion carried 7-0.

City Administrator Joe Gaa presented proposed usage of the revenue generated from the automated traffic enforcement to be designated 25% to police department technology and crime prevention initiatives, 25% to the implementation of the Arts and Culture Master Plan, and 50% for community beautification projects and nuisance enforcement. Any specific use would come forward to the council for approval before allocated. Public comment: Kathy Steinberg, 309 Summit Street, supports the enhancement of public safety and encourages improved street lighting. Mark Eaton, 1007 S 10th Ave, noted art is a luxury, our valuations went up but we gave it away in TIF, that our streets need to be addressed, and funds from road use tax should be used for streets, not staff. Leigh Bauder, 401 Orchard Drive advised the top 3 issues they are hearing from citizens are street improvements, code enforcement, and public safety. Doris Kinnick, 2020 Catalina Place, feels the additional revenue should be used for street repairs. Motion by Isom, second by Ladehoff to proceed as outlined. Motion carried 5-2, Nichols and Thompson dissenting.

City Administrator Joe Gaa presented discussion on the TIF agreements with the Marshalltown Central Business District for operations and the façade and code grants, along with the Marshalltown Chamber of Commerce agreement for economic development. Public comment: Cindy Parks, 127 East Main Street, President of the M CBD requested continued funding for operations at \$50,000 for FY24, \$60,000 for FY25, and \$70,000 for FY26, along with \$50,000 for the façade and code grants. John Hall, Marshalltown Area Chamber of Commerce requested a 5-year contract at \$100,000 per year for economic development services. Public comment: Theron Schutte, Marshalltown School District Superintendent voiced his support of the chamber and the services they provide. Mark Eaton,

1007 S 10th Ave, agreed we all want Marshalltown to grow but it shouldn't be up to the taxpayers to fund this and the non-profits should step up for these demands. Linda Clark, 306 S 2nd Ave, praised the TR for the article they covered on the Orpheum Theater and feels it has lost its historical recognition. Motion by Schneider, second by Kell to proceed with the requested agreements. Motion carried 4-3, Hoop, Nichols, Thompson dissenting.

ADJOURNMENT

The meeting adjourned at 7:51 p.m.

Respectfully Submitted,

CITY OF MARSHALLTOWN, IOWA

Alicia Hunter

Alicia Hunter, City Clerk

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk