

**COUNCIL PROCEEDINGS  
OCTOBER 23, 2023**

In Mayor Greer's absence, Mayor Pro Tem Ladehoff called the meeting to order at 5:30 p.m., October 23, 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 (via Go-To-Meeting), Thompson.

**PUBLIC COMMENT**

- Neil Dalal, 1504 Brentwood Terrace, thanked the council for supporting the parks and trail system.
- Jim Shaw, 522 N 22<sup>nd</sup> St., provided further details of the United Kingdom breed bans and advised he wants to see breed-specific licensing regulations in Marshalltown.
- Deb Millizer, Director of the Marshalltown Central Business District thanked those who helped with Team Up to Clean Up downtown and collected 650 pounds of trash and invited the public to Haunt the Block on October 26<sup>th</sup>, 4-6 pm, and the Downtown Building Tour on October 29<sup>th</sup>.
- Sarah Rosenblum, Library Director, invited the public to attend the book signing for New York Times Best Selling Author William Kent Krueger on November 4<sup>th</sup>, 2-3 pm at the library.
- Mark Eaton, 1007 S 10<sup>th</sup> Ave, advised absentee and early voting has started for the November election and the sample ballot is available on the Marshall County Elections website.

**MAYOR, COUNCIL, ADMINISTRATOR COMMENTS**

- Mayor Pro Tem Ladehoff reminded the public that Trick or Treating will be held on Saturday, October 28<sup>th</sup>, from 5-7 p.m.

**CONSENT AGENDA**

Motion by Kell, second by Nichols to adopt the consent agenda: APPROVE MINUTES 10/09/23 MEETING AND BILL LIST \$2,359,319.08; APPROVE LIQUOR LICENSE RENEWALS FOR OLIVER BEENE DESIGNS, 2500 S CENTER ST AND TC'S, 921 N 3RD AVE, WITH OUTDOOR SERVICE; CIVIL SERVICE NEW HIRE LISTS - ACCOUNTING SPECIALIST & POLICE OFFICER; RECEIPT OF BUILDING & TRADE PERMIT REPORT - SEPTEMBER 2023; RESOLUTION 2023-198 ORDERING CONSTRUCTION OF THE PETERSON PARK IMPROVEMENT PROJECT #PRK22-005, SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST AND DIRECTING PUBLICATION OF NOTICE TO BIDDERS; RESOLUTION 2023-199 DECLARING CERTAIN PROPERTY SURPLUS PROPERTY AND AUTHORIZING SALE AND DISPOSAL THEREOF FROM THE MARSHALLTOWN FIRE DEPARTMENT; RESOLUTION 2023-200 SETTING A PUBLIC HEARING FOR THE CONVEYANCE AND TRANSFER OF TITLE OF THE EAST-WEST ALLEY BEHIND 1108 AND 1110 WEST CHURCH STREET TO THE ABUTTING PROPERTY OWNERS; RESOLUTION 2023-201 SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE AN ECONOMIC DEVELOPMENT SUPPORT AGREEMENT WITH THE MARSHALLTOWN AREA CHAMBER OF COMMERCE, INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS; RESOLUTION 2023-202 SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE AN ECONOMIC DEVELOPMENT SUPPORT AGREEMENT WITH MARSHALLTOWN CENTRAL BUSINESS DISTRICT, INC., INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS FOR THE MAIN STREET IOWA/OPERATIONS AGREEMENT; RESOLUTION

2023-203 SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT SUPPORT AGREEMENT WITH MARSHALLTOWN CENTRAL BUSINESS DISTRICT, INC., INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS FOR THE FACADE AND CODE IMPROVEMENT PROGRAM; RESOLUTION 2023-204 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR FOR URBAN RENEWAL AREA 2; RESOLUTION 2023-205 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR FOR URBAN RENEWAL AREA 3; RESOLUTION 2023-206 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR FOR URBAN RENEWAL AREA 4; RESOLUTION 2023-207 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR FOR URBAN RENEWAL AREA 6. Motion carried 7-0.

#### **MOTIONS**

Motion by Isom, second by Kell to REMOVE RESOLUTION 2023-179 FROM THE TABLE FOR ADOPTING THE GOVHR USA CLASSIFICATION AND COMPENSATION PLAN FOR NON-BARGAINING POSITIONS AND USE OF COUNCIL-DESIGNATED LOCAL OPTION SALES TAX TO IMPLEMENT THE NEW COMPENSATION SCALE. Motion carried 7-0.

#### **RESOLUTIONS**

Motion by Thompson, second by Isom to adopt AMENDED RESOLUTION 2023-179 ADOPTING THE GOVHR USA CLASSIFICATION AND COMPENSATION PLAN FOR NON-BARGAINING POSITIONS AND USE OF COUNCIL-DESIGNATED LOCAL OPTION SALES TAX TO IMPLEMENT THE NEW COMPENSATION SCALE. Motion carried 7-0.

Motion by Kell, second by Nichols to adopt RESOLUTION 2023-208 AUTHORIZING THE USE OF AUTOMATED TRAFFIC ENFORCEMENT REVENUE FOR THE FLOCK PUBLIC SAFETY CAMERA PROGRAM AND AUTHORIZING THE POLICE DEPARTMENT TO CONTRACT WITH FLOCK SAFETY FOR PUBLIC SAFETY CAMERA SERVICES. Public comment: Mark Eaton, 1007 S 10<sup>th</sup> Ave, feels this money should be allocated towards street repair or the viaduct project. Motion by Thompson to table this resolution until after the budget process. Motion failed due to lack of second. Original motion carried 7-0.

Motion by Isom, second by Kell to adopt RESOLUTION 2023-209 TO SET PARAMETERS FOR THE USE OF AUTOMATED TRAFFIC ENFORCEMENT (ATE) FUNDS FOR QUALITY OF LIFE PURPOSES. Public comment: Leigh Bauder, 401 Orchard Drive advised the 3 areas citizens want addressed are street improvements, code enforcement, and public safety. Mark Eaton, 1007 S 10<sup>th</sup> Ave, noted quality life issues can be funded by non-profits. Erin Carpenter, 802 N 4<sup>th</sup> St, noted funds spent on the arts and park system also help with mental health issues our community faces.

Doris Kinnick, 2020 Catalina Place, noted although the franchise fee was voted down citizens still want the roads addressed which would also beautify the community. Motion carried 5-2, Nichols and Thompson dissenting.

Mayor Pro Tem Ladehoff opened a public hearing at 5:57 pm on a PROPOSAL TO ENTER INTO AN ESSENTIAL PURPOSE LOAN AGREEMENT. Diana Steiner, Finance Director advised the Essential Corporate Purpose bond for \$9.84M is for the Downtown Implementation Plan Phase 2, State Street Stormsewer Outlet, and Street Improvements. The General Corporate Purpose bond for \$700,000 is for landscaping, street trees, and art for the downtown implementation. The bond sale will be set for November 13<sup>th</sup>. Public comment: Mark Eaton, 1007 S 10<sup>th</sup> Ave, noted we are borrowing \$7.1M for the Downtown Implementation Plan Phase 2 which won't see construction until 2025, so the funds will just sit in the bank gaining interest which may not be the best use of borrowing. The public hearing was closed at 6:01 pm.

Mayor Pro Tem Ladehoff opened a public hearing at 6:01 p.m. on a PROPOSAL TO ENTER INTO AN GENERAL PURPOSE LOAN AGREEMENT. No written or public comments were received. The public hearing was closed at 6:01 pm.

Motion by Isom, second by Kell to adopt RESOLUTION 2023-210 TAKING ADDITIONAL ACTION ON PROPOSALS TO ENTER INTO GENERAL OBLIGATION LOAN AGREEMENTS, SETTING THE DATE OF SALE OF GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2023 AND AUTHORIZING THE USE OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION THEREWITH. Motion carried 6-1, Hoop dissenting.

### **ORDINANCES**

Motion by Isom, second by Ladehoff to adopt the second reading of ORDINANCE 15074 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING CHAPTER 76, TRAFFIC SCHEDULES. Public comment: Mark Eaton, 1007 S 10<sup>th</sup> Ave requested the stop signs on High Street from 5<sup>th</sup> Avenue to 11<sup>th</sup> Avenue be moved to control North-South traffic on the Avenues traffic instead of East-West traffic on High Street. Jim Shaw, 522 N 2<sup>nd</sup> Street, recommended moving the Engine Break Enforced sign on Hwy 14 about 100 feet North. Heather Thomas, Public Works Director, recommended leaving the stop signs on High Street as is and will review the Engine Break Enforced signage as that is not a part of this amendment. Motion carried 7-0.

Motion by Kell, second by Isom to waive the third reading of ORDINANCE 15074 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING CHAPTER 76, TRAFFIC SCHEDULES. Motion carried 7-0.

Motion by Isom, second by Ladehoff to adopt the second reading of ORDINANCE 15075 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING CHAPTER 77, PARKING SCHEDULES. Public comment: Scott McClain, 206 N 18<sup>th</sup> St, requested the council remove North 18<sup>th</sup> Street from the parking prohibited during snow removal schedule as his wife operates a home daycare that will be heavily impacted by this requirement. Motion by Thompson, second by Isom to remove North 18<sup>th</sup> Street from the parking prohibited during snow

removal schedule to review options for indented parking in the area. Motion carried 7-0. Original motion carried 7-0.

Motion by Thompson, second by Nichols to waive the third reading of ORDINANCE 15075 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING CHAPTER 77, PARKING SCHEDULES. Motion carried 7-0.

**ADJOURNMENT**

The meeting adjourned at 6:16 p.m.

Respectfully Submitted,

CITY OF MARSHALLTOWN, IOWA

  
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Alicia Hunter, City Clerk

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Joel Greer, Mayor

ATTEST:

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Alicia Hunter, City Clerk