

Council Proceedings
February 10, 2020

Mayor Greer called the meeting to order at 5:30 PM, February 10, 2020, in the Council Chambers at 10 W State Street and led the pledge of allegiance. Roll call- Present: Cahill, Gowdy, Hoop, Isom, Martin, Thompson, Wirin. Wirin fully participated by speakerphone. Councilor Martin thanked all of the volunteers. Mayor Greer announced the meeting scheduled for February 17 will be held at noon, for a budget hearing.

CONSENT AGENDA:

Isom moved to adopt the Consent Agenda: Approve City Council Minutes, January 27, 2020, February 3, 2020, And Bill List In The Amount Of \$883,580.76; RESOLUTION 2020-026 APPROVING APPLICATIONS FOR TAX ABATEMENT AND NEW CONSTRUCTION INDUSTRIAL PROPERTY TAX EXEMPTIONS WITHIN APPROVED URBAN REVITALIZATION AREAS OF THE CITY OF MARSHALLTOWN, IOWA; RESOLUTION 2020-027 BETWEEN THE UNITED STATES OF AMERICA And CITY OF MARSHALLTOWN For REHABILITATION OF A FEDERAL FLOOD CONTROL WORK; second by Gowdy. Motion carried 7-0.

Isom moved to adopt RESOLUTION 2020-028 AUTHORIZING THE TRANSFER OF INSURANCE PROCEEDS REMAINING FROM THE SENIOR CITIZENS BUILDING DEMOLITION PROJECT TO FUND 383 FOR THE COLISEUM RENOVATION, second by Gowdy. Fourth ward resident Wolvers commented. Resolution adopted 6-1, Thompson dissenting.

MOTION

Gowdy moved to Approve Tobacco Permits - Dollar General, Feb 15 - Jun 30, 2020 And July 1- Jun 30, 2021, second by Martin. Motion carried 6-1, Isom dissenting.

REPORTS:

Dr. Mimi Wagner reported on the work of ISU students' survey work relating to tree damage from the 2018 tornado.

RESOLUTIONS:

Isom moved to adopt RESOLUTION 2020-029 ORDERING CONSTRUCTION OF THE 2019 PCC PATCH REPAIR IN THE CITY OF MARSHALLTOWN, IOWA, SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST AND DIRECTING PUBLICATION OF NOTICE TO BIDDERS, PROJECT NO. STR19002, second by Cahill. Fourth ward resident Wolvers commented. Resolution adopted 7-0.

Isom moved to adopt RESOLUTION 2020-030 ORDERING CONSTRUCTION OF THE SOUTH 3rd STREET BRIDGE REPAIR PROJECT IN THE CITY OF MARSHALLTOWN, IOWA, SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST AND DIRECTING PUBLICATION OF NOTICE TO BIDDERS, BEING PROJECT NUMBER STR18003, second by Martin. Resolution adopted 7-0.

Isom moved to adopt RESOLUTION 2020-031 APPROVING A CONTRIBUTION OF \$5,000 TO THE MARSHALLTOWN 4TH OF JULY FIREWORKS CELEBRATION, second by Hoop. Organizer Louisa Ortega explained the Central Iowa Fair Association is the fiscal agent for the event. Resolution adopted 7-0.

Cahill moved to adopt RESOLUTION 2020-032 ACCEPTING THE PLACEMAKING PLAN FOR THE IOWA RIVER'S EDGE TRAIL, second by Isom. Resolution adopted 7-0.

Isom moved to adopt RESOLUTION 2020-033 APPROVING A DEVELOPMENT AGREEMENT WITH PRESERVING US INC. FOR A \$75,000 CATALYST BUILDING GRANT, second by Cahill. Preserving US Inc., is the fiscal agent for Cohen Esry, relating to the old Iowa Wholesale Building, Marshalltown Senior Residences, 201 E Main Street. Resolution adopted 6-1, Thompson dissenting.

Isom moved to amend RESOLUTION 2020-034 APPROVING THE USE OF \$17,500 OF COUNCIL-DESIGNATED LOCAL OPTION SALES TAX TO FUND A CONTRACT FOR THE MARSHALLTOWN HOUSING INITIATIVE, to increase the amount by \$7,200 to include implementation of the priorities, not to exceed \$24,700, pending the Chamber's contribution to fund the study, second by Isom. Motion on amendment passed 5-2, Martin and Hoop dissenting. Isom moved to approve the amended Resolution, second by Gowdy. The goal of the initiative is to reduce commuter rate by increasing the housing stock of single family homes. Resolution, as amended, passed 7-0.

Isom moved to adopt RESOLUTION 2020-035 APPROVING AMENDED ENGINEERING SERVICES AGREEMENT FOR THE S.1ST STREET PARKING LOT PROJECT PLT19001 FOR FOX ENGINEERING ASSOCIATES, INC AN INCREASE OF \$5,800.00, second by Cahill. Resolution adopted 6-1, Hoop dissenting.

Isom moved to adopt RESOLUTION 2020-036 ADOPTING THE 2020-2021 STRATEGIC PLAN, second by Martin. Council requested each Resolution before the council for approve include a reference to the strategic plan. Resolution adopted 7-0.

Mayor Greer opened the public hearing relating to sale of city property open at 6:28 PM. The city received a request by Larry Laverty to purchase a portion of land in the rear of their property located on South 12th Street. Laverty paid for the survey of the land, a portion of a parcel known as Judge Park. The purchase price is \$6,000, for 0.19 acres. There were no public or written comments. Mayor Greer closed the public hearing at 6:32 PM.

Isom moved to adopt RESOLUTION 2020-037 ADOPTING TENTATIVE RESOLUTION PROVIDING FOR THE CONVEYANCE AND TRANSFER OF TITLE TO LARRY T LAVERTY AND KIMBERLY K LAVERTY TO THE PROPERTY DESCRIBED HEREIN AND AUTHORIZING EXECUTION AND DELIVERY OF WARRANTY DEED, second by Cahill. Resolution adopted 7-0.

ORDINANCE:

Mayor Greer opened the public hearing at 6:33 PM regarding rezoning a 17.5 acre parcel, #8418-34-404-005. The parcel will be rezoned to R-4. The Plan Zoning commission recommended council approval, with the developer intent to utilize the Residential Flexibility Standards guidelines for development for a multi-family housing development. There were no public or written comments. Mayor Greer closed the public hearing at 6:34 PM.

Gowdy moved to approve the third reading of and to adopt ORDINANCE 14993 APPROVING CHANGES TO THE MARSHALLTOWN ZONING ORDINANCE AND MAP BY REZONING PARCEL 8418-34-404-005, second by Martin. Third reading and Ordinance adopted 7-0.

DISCUSSION:

Thompson moved to deny proceeding with a land trade with Marshalltown Community School District for Bicentennial Park / Anson Park ball field, second by Isom. Motion to deny the trade carried 4-3, Martin, Wirin, Cahill dissenting.

Hoop moved to proceed with a \$140,000 TIF Reimbursement Transfer To Coliseum Renovation, second by Martin. Motion carried 6-1, Thompson dissenting.

Staff presented two options on code maintenance of the tables in Chapter 76 relating to stop signs and signals. The current standard practice is to present each change to the council by an ordinance. The alternative, will gain efficiencies, if the signals are approved by council resolution. Isom moved to have an ordinance presented to council on each proposed signal change, second by Thompson. Motion carried 7-0.

Finance Director Steiner reviewed FY21 Budget topics, of Special Revenues, Capital Funds and Enterprise Funds.

PUBLIC COMMENT:

Iowa River Hospice Board President, Nan Benson, addressed the council stating the Board's opposition to the proposed South 5th Avenue connector near the Iowa River Hospice, and that there is no possibility for an easement.

CLOSED SESSION - REAL ESTATE

At 7:29 PM, Isom moved to enter into Closed session pursuant to Section 21.5 subsection (1) paragraph (j) OF THE CODE OF IOWA to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property, second by Gowdy. 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. Motion carried 7-0.

At 7:36 PM, Cahill moved to enter into open session, second by Gowdy. Motion carried 7-0. Roll call: all present.

At 7:36 PM, Martin moved to proceed as discussed in closed session, second by Gowdy. Motion carried 7-0.

ADJOURNMENT:

Meeting Adjourned at 7:36 PM

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

Joel T.S. Greer, Mayor

Shari L. Coughenour, CMC, City Clerk