

Council proceedings
May 26, 2020

Mayor Greer called the meeting to order at 5:30 PM, May 26, 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. Cahill, Martin and Wirin fully participated via speakerphone. Due to COVID-19 imposed distancing, the public attended via Go-To-Meeting, and had options to present written comments prior to the meeting, as well as during the meeting via the interactive live-stream meeting.

CONSENT AGENDA:

Thompson moved to adopt the consent agenda, Approve May 11, 2020. Minutes, Bill List \$7,497,739.25; Approve April 2020 Financial Statements; RESOLUTION 2020-140 APPROVING A QUOTE FROM ALLIANT ENERGY TO REPLACE STREET LIGHTS IN THE DOWNTOWN AREA; RESOLUTION 2020-141 ADOPTING SUPPLEMENT 2018-S2 TO THE CODE OF ORDINANCES OF THE CITY OF MARSHALLTOWN, IOWA, THROUGH ORDINANCE 14994; RESOLUTION 2020-142 DECLARING CERTAIN PROPERTY SURPLUS PROPERTY AND AUTHORIZING SALE AND DISPOSAL THEREOF, 1996 Cat Forklift, Model GC15; RESOLUTION 2020-144 ORDERING CONSTRUCTION OF THE WASHINGTON STREET EXTENSION PROJECT ECO20001, SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST AND DIRECTING PUBLICATION OF NOTICE TO BIDDERS; RESOLUTION 2020-145 APPROVING IOWA DOT AGREEMENT 2020-R-005 FOR A RISE GRANT IN THE AMOUNT OF \$1,640,342; RESOLUTION 2020-146 APPROVING AN AGREEMENT WITH THE MARSHALLTOWN AREA CHAMBER OF COMMERCE FOR TOURISM AND PROMOTIONAL SERVICES; RESOLUTION 2020-147 SUPPORTING AN ARTS PROJECT GRANT APPLICATION TO THE IOWA ARTS COUNCIL FOR PUBLIC ART FOR A DOWNTOWN POCKET PARK; RESOLUTION 2020-148 APPROVING POLICY PERSONALLY IDENTIFIABLE INFORMATION AND PROTECTED PERSONALLY IDENTIFIABLE INFORMATION, RESOLUTION 2020-149 APPROVING THE TITLE VI PROGRAM FOR MARSHALLTOWN MUNICIPAL TRANSIT, RESOLUTION 2020-159 APPROVING CONTRACT FOR ENVIRONMENTAL INVESTIGATION SERVICES WITH IMPACT7G, INC. RELATED TO THE EDGEWOOD STREET EXTENSION PROJECT, second by Isom. Motion carried 7-0.

Isom moved to approve the following Renewal Liquor Licenses, second by Gowdy.

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|------------------------------------------------------|--------------------------------------------------------|
| Wandering Creek 2436 233rd St | Mi Ranchito Mexican Grill & Seafood 1010 W Lincoln Way |
| Depot Liquor & Grocery 114 N Center St | Zeno's Pizza 109 E Main Street |
| Kwik Star #706 810 S. 3rd Ave. | Tannin Inc. 125 East Main Street |
| Hy-Vee Food & Drugstore 802 S Center | Golden Land 11 E State Street |
| Grocery Store Y Tortilleria LaVecindad 505 N 3RD AVE | Friends of the Orpheum Theater 220 East Main Street |
| Tremont on Main 22-26 W Main St | |
| Hy-Vee Party Room 802 S Center St. | |

Motion carried 5-1, Hoop dissenting and Thompson dissenting due to his employment relationship with Hy-Vee.

Martin moved to approve the following Renewal State Tobacco Licenses, Through 6/30/2021, second by Isom.

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|--------------------------------------------------|-----------------------------------------------|
| 7 Rayos Liquor Store 120 E Main St | Hy-Vee Gas 808 S Center St |
| Casey's - E Main #3228 916 E Main St | Kwik Star #394 - S Center St 2500 S Center St |
| Casey's - Iowa Ave #3508 108 Iowa Avenue W | Kwik Star #607 - S 6th St 814 S 6th St |
| Casey's - N 3rd Ave #1303 111 N 3rd Ave | Kwik Star #706 - S 3rd Ave 810 S 3rd Ave |
| Casey's - S 12th Ave #1441 1402 S 12th Ave | SHAG 2500 C Center St Spc 1450 |
| Casey's - W Lincoln Way #1564 1009 W Lincoln Way | Walgreens #03196 5 E Anson St |
| Family Dollar Store #22186 327 S 3rd Ave | Wal-Mart Supercenter #581 2802 S Center St |
| Hy-Vee Drugstore 1706 S Center St | |
| Hy-Vee Food & Drugstore 802 S Center St | |

Motion carried 5-1, Hoop dissenting and Thompson dissenting due to his employment relationship with Hy-Vee.

RESOLUTIONS:

Isom moved to approve RESOLUTION 2020-143 ORDERING CONSTRUCTION OF THE 1st STREET PARKING LOT PROJECT PLT19001, SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST AND DIRECTING PUBLICATION OF NOTICE TO BIDDERS, amending by setting the public hearing for June 22, 2020, second by Gowdy. Amended Resolution adopted 6-1, Hoop dissenting.

Isom moved to adopt RESOLUTION 2020-150 REJECTING BIDS FOR THE ANSON PARK SHELTER PROJECT PRK20001, second by Wirin. Resolution adopted 7-0.

Thompson moved to adopt RESOLUTION 2020-151 ACCEPTING BID, CONTINGENT UPON THE RECEIPT AND EXECUTION OF GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE CONSTRUCTION AIRPORT TERMINAL AND HANGAR IMPROVEMENTS PROJECT ARP19001, second by Isom. Resolution adopted 6-1, Hoop dissenting.

Gowdy moved to adopt RESOLUTION 2020-152 ACCEPTING BID, CONTINGENT UPON THE RECEIPT AND EXECUTION OF GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE CONSTRUCTION OF THE AIRPORT VAULT IMPROVEMENTS PROJECT ARP19002, second by Martin. Resolution adopted 6-1, Hoop dissenting.

Isom moved to adopt RESOLUTION 2020-153 ACCEPTING BID AND AUTHORIZING THE AWARD OF CONTRACT FOR THE S. 6th St & MERLE HIBBS CULVERT REPAIR PROJECT SMW19002 IN THE AMOUNT OF \$59,906.00, second by Gowdy. Resolution adopted 7-0.

Gowdy moved to adopt RESOLUTION 2020-154 AMENDING THE OFFER TO PURCHASE WITH LANDOVER CORPORATION AND FLINT HILLS HOLDINGS TO EXTEND THE CLOSING AND COMPLETION DATES, second by Isom. Resolution adopted 5-2, Thompson and Martin dissenting.

Isom moved to adopt RESOLUTION 2020-155 APPROVING A GRANT AGREEMENT WITH MCGREGOR'S FURNITURE FOR EXTERIOR WALL REPAIRS AT 105 WEST MAIN STREET, second by Gowdy. Resolution adopted 7-0.

Isom moved to adopt RESOLUTION 2020-158 APPROVING A GRANT AGREEMENT WITH WIN KYAW FOR EXTERIOR WALL REPAIRS AT 9-11 EAST STATE STREET, second by Wirin. Resolution adopted 7-0.

PUBLIC HEARING - project plans and specifications

Mayor Greer declared the public hearing open for PUBLIC HEARING AND RESOLUTION 2020-156 APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST FOR THE EAST MERLE HIBBS EXTENSION PROJECT ECO19001 at 6:13 PM. There were no written comments, nor any public comments from the interactive web meeting. Mayor Greer closed the public hearing at 6:15 PM.

Hoop moved to adopt RESOLUTION 2020-156 APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST FOR THE EAST MERLE HIBBS EXTENSION PROJECT ECO19001, second by Isom. Resolution adopted 6-1, Thompson dissenting.

PUBLIC HEARING – development agreement

Mayor Greer declared the public hearing open for RESOLUTION 2020-157 APPROVE FLINT HILLS DEVELOPMENT AGREEMENT at 6:16 PM. There were no written comments, nor any public comments from the interactive web meeting. Mayor Greer closed the public hearing at 6:18 PM

Isom moved to adopt RESOLUTION 2020-157 APPROVE FLINT HILLS DEVELOPMENT AGREEMENT, second by Wirin. Resolution adopted 5-2, Martin and Thompson dissenting.

ORDINANCES:

Isom moved to adopt the first reading of ORDINANCE 14997 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING CHAPTER 118, PEDDLERS AND SOLICITORS RELATING TO MOBILE FACILITIES OR VEHICLES, second by Thompson. First reading adopted 7-0.

Isom moved to adopt the first reading of ORDINANCE 14998 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA, BY AMENDING CHAPTER 72, PARKING RULES, RELATING TO PARKING PENALTY, second by Thompson. Thompson moved to increase fire lane parking violations to \$50, second by Isom. Amendment failed 3-4, Martin, Wirin, Cahill, Gowdy dissenting. First reading adopted 6-1, Cahill dissenting, due to the lack of adequate off-street parking in First Ward.

DISCUSSION:

The council discussed the following items:

FY21 Budget Update. Revenues are on target for FYE 6/30/2021, with the exception of Hotel Motel Tax and Road use tax. Hotel Motel tax receipts for FY 20 April – June are received in December, Road Use Tax is also paid periodically, with an estimate of about 25% shortfall. Road Use tax has a fund balance which will assist with cash budgeting for projects. Local Option sales tax is also expected to be reduced, up to 50%, with staff expecting a new estimate in August.

General Fund Budget Update, FY21. Staff reviewed the current debt schedule payments, the cash reserve balance, and asked council to consider authorization to utilize the cash reserve, if necessary, to meet some bond payments. In August 2020, the Iowa Department of Revenue should provide staff with more information of how the COVID-19 pandemic affected revenue streams used to pay bond debt. If the cash reserve is necessary, prior to using the cash reserve, the council will hold a hearing before the bond debt payment is used to pay the December bond payment. Isom moved to provide staff with an option to utilize the Cash Reserve Fund of \$709,478 to pay bond debt, if necessary, second by Gowdy. Motion carried 7-0.

Local Option Sales Tax (LOST) Budget Update. The council did not state any opposition to not transferring funds from Local option Sales tax to the cash reserve fund. Thompson moved to fund McTV and support with Local Option Sales Tax and General Fund, for one more year, second by Isom. Motion carried 7-0. Gowdy moved to uncommit \$50,000 earmarked for construction grants in the LOST fund, second by Thompson. Motion carried 7-0.

Review of Proposed FY21 Bonding. The council discussed the proposed bonding, and asked for additional discussion at the next meeting. The 4th Street / Meadowlane stormwater project is being budgeted for from the storm water utility program. The council will need to set the public hearing for the bond sale at the first meeting in July.

Refunding Bond Opportunity. Steiner recommended refunding some bonds at a cheaper interest rate to save about \$24,000.

Cahill left the meeting at 7:30 pm.

Veterans Memorial Coliseum Update. Parks Director Hubbard informed the council the change orders for the Veterans Memorial Coliseum are at about \$350,000.

2020 Aquatic Center Operation. Thompson moved to closed the center for the season, second by Martin. Motion failed, 2-4, Gowdy, Hoop, Isom and Wirin opposed. Cahill absent.

PUBLIC COMMENT

There were no written comments, nor any public comments from the interactive web meeting.

ADJOURNMENT:

Meeting Adjourned at 8:17 PM

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST :

Joel T.S. Greer, Mayor

Shari L. Coughenour, CMC, City Clerk