

COUNCIL PROCEEDINGS

February 27, 2017

The Marshalltown City Council met in regular session on February 27, 2017, at 5:30 PM, in the Council Chambers at City Hall. Mayor Lowrance called the meeting to order and led the Pledge of Allegiance. Present: Gowdy, Greer, Hoop, Lamer, Martin, Wirin. Mayor Lowrance led a moment of silence in honor of Councilor Schubert, who passed away earlier this morning. Schubert has served as first ward council member since January, 1992. Public Works Director Nickel introduced Steve Brooks, the new construction inspector. Parks Director Selness and Mayor Lowrance congratulated Kelly Smith for 30 years of service. Lamer moved to approve the agenda, removing the CVB agreement from discussion, second by Greer. Motion approved 6-0.

CONSENT AGENDA:

Gowdy moved to approve the Consent Agenda: Approve Council meeting Minutes of February 13, 2017; Approve Bill List in the amount of \$1,326,720.56; Receipt of Building Report, January 2017; Receipt Board and Commission Appointments; Reappoint Keith Bloomquist to Planning & Zoning Commission, term expires: 4/1/2020; Reappoint Jerry Young to the Water Board, term expires 5/1/2023; Resolution 2017-027 Approving property tax assessments for unpaid rental registration fees; Resolution 2017-028 Approving 28E Agreement for Fire Protection Services and Confined Space Rescue Service with the State of Iowa Veterans Home; Resolution 2017-029 Approving 28D Agreement with the Marshalltown Community School District to Support a Liaison Police Officer through June 30, 2019, (School Resource Officer); Resolution 2017-030 Approving CO#1 for the Turner Street (East) Interceptor Sewer Project 59012009, decrease of \$5,297.34; Resolution 2017-031 Approving CO#1 for the STP – S 18th Ave PCC Patching Project 76015009, increase of \$48,175.70; Resolution 2017-032 Approving Certificate of Completion and Final Project Costs with Midwest Contractors, Inc., for Construction of the STP – 18th Ave PCC Patching Project 76015009, final cost \$800,073.70; second by Martin. Consent agenda adopted 6-0.

MOTIONS:

Lamer moved to Approve new liquor license for 6 months– Marshalltown Speedway / Toby Kruse, second by Wirin. Motion carried 6-0.

Greer moved to Approve change in liquor license date for the Central Iowa Fair, previously approved 5/23/2016 for March 1-6, 2017, new date of March 24-March 29, 2017, second by Gowdy. Motion carried 6-0.

Martin moved to Approve new liquor license – FA786 Inc., dba Depot Liquor & Grocery, 114 N Center St, second by Gowdy. Motion carried 6-0.

RESOLUTIONS:

PUBLIC HEARING

Mayor Lowrance declared the public hearing open for conveyance of property owned by the City of Marshalltown. The city acquired 1210 E Nevada Street for the Neighborhood Stabilization Program. Housing and Community Director Spohnheimer recommended the city convey the property to Trademark Propertys, LLC, for \$37,500. There were no public or written comments. Mayor Lowrance declared the public hearing closed.

Wirin moved to adopt Resolution 2017-033 Adopting Tentative Resolution 2017-021 Authorizing the Conveyance and Transfer of Title of City Property, 1210 E Nevada Street, to Trademark Properties, LLC., \$37,500.00, second by Lamer. Resolution adopted 6-0.

Wirin moved to approve Resolution 2017-034 Approving Purchase Contract with Ken Wise Chrysler-Dodge-Jeep, Inc., for a 2017 2500 Tradesman Pickup Truck in the amount of \$28,019.00, second by Greer. Lamer moved to amend to allow for the purchase of two trucks, with the second at purchase price of \$29,219, second by Greer. Amendment passed 6-0. Resolution adopted 6-0.

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Wirin moved to adopt Resolution 2017-035 Approving Engineering Services Agreement Amendment No 1 with Clapsaddle-Garber Associates, Inc., for Ingledue Storm Sewer Rehabilitation Project 29108009, in the amount of \$16,500.00, second by Greer. The city will ensure survey pins are replaced. Resolution adopted 6-0.

Wirin moved to adopt Resolution 2017-036 Supporting the Lead Hazard Control Grant Application from the US Department of Housing and Urban Development, second by Greer. Spohnheimer applied for the sixth lead grant, anticipating an award of \$2.5M, with \$400K for Healthy Homes. The grant requires a 10% local match, which is generally either discounted rates from private businesses and in-kind resources. Resolution adopted 6-0.

ORDINANCES

Hoop moved to adopt the third reading of and Ordinance 14956 to Amend the Code of Ordinances, Section 28-125 "Rate Structure and Storm Water Rate," Setting Storm Water rates, second by Greer. The rate is based on Equivalent Residential Units, setting the average residential unit as 2,800 square feet of impervious service as the base unit for assessing the utility rate. Non residential parcels will be assessed based on actual square foot of impervious surface, as a percentage of the ERU average of 2800 sq. ft. Individuals questioned the exception policy. City Administrator Kinser reminded the council the reason for the rate restructuring and increase is to comply with the DNR MS4 Permit. The council has discussed the need for storm water improvements several times over the past few years. Third reading and Ordinance adopted 6-0.

Martin moved to table the third reading of Ordinance 14957, second by Lamer. Motion failed 2-4, with Wirin, Gowdy, Greer and Hoop dissenting.

Hoop moved to approve the third reading of and Ordinance 14957 amending Chapter 29 of the Zoning Ordinance, allowable special uses in the Office Park District, including full-service restaurants and limited service eating places, to include beer, wine and liquor, second by Greer. Third reading and Ordinance adopted 4-2, with Lamer and Martin opposed.

Hoop moved to adopt the first reading of Ordinance 14958 Approving Changes to the Zoning Ordinance of 2010 MAP by Rezoning Properties to Traditional Neighborhood (TN) District, second by Greer. 1015, 1101, 1201 and 1203 S 6th Street will be rezoned to TN District, allowing flexibility developers require and additional aesthetic design. First reading adopted 6-0.

DISCUSSION:

Due to the general fund deficit in fiscal year ending 2018, staff recommends reallocation of the local option sales and service tax to fund general fund operations. Doing so will allow general government service levels to remain constant. Most of the general fund expense is wages. The current distribution of the local option sales and service taxes (LOSST) is 75% for property tax relief, 20% to either street improvement or storm sewer utility, and 5% to any lawful purpose. Proposed distribution is 78% to property tax relief, and 22% to any lawful purpose. Should the special election pass on August 1, 2017, the effective date of tax change is November 1, 2017.

Changes to the Nuisance abatement ordinance are recommended to increase the efficiency of handling issues. Staff recommends approval of the ordinance, and requests all three readings be considered on March 13.

Public Works Director Nickel recommended approval of changes in the Engineering and Compost Fees to cover costs directly associated with specific activities.

Reminder – Special Council Meeting, March 6, 2017, Public hearings and proposed adoption of FYE 6/30/2017 Budget Amendment, FYE 6/30/2018 Budget and Tax Levy, Five Year Capital Improvement Plan and Levy.

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PUBLIC COMMENT:

Louisa Ortega, 2023 Catalina Place, requested the council donate to help cover July 4th Fireworks expense. Individuals may also send donations to “Fireworks”, attn: Marshall County Treasurer, 1 E Main Street, Marshalltown, IA, 50158.

ADJOURNMENT

The meeting adjourned at 6:43 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk

CITY OF MARSHALLTOWN

ATTEST:

James L. Lowrance, Mayor

Shari L. Coughenour, CMC, City Clerk