

Public Participation in a City Council Meeting:

The Public Comment portion of the meeting is the time to address the Mayor and City Council on topics not on the agenda. If a member of the public wishes to comment on an item on the agenda, they may do so while that item is being discussed by coming to the microphone and stating your name and address. Comments should be limited to 3 minutes or less and should be addressed to the Mayor and Council as a whole and not individually. Response from elected officials or staff is at the Mayor's discretion.

**CITY OF MARSHALLTOWN COUNCIL AGENDA
CITY HALL COUNCIL CHAMBERS
10 WEST STATE STREET
MAY 8, 2023, 5:30 PM**

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Hoop, Isom, Kell, Ladehoff, Schneider, Thompson, Walker

D. PUBLIC COMMENT

Members of the public may make comments on any item which was not on the agenda during this time. The speaker shall approach the microphone, and state his or her name and address. Comments shall be limited to three minutes unless a longer comment is authorized by the Mayor. The speaker shall direct comments to the Mayor and to the Council as a whole.

The Mayor and Councilors shall not engage in discussion or debate on items raised by members of the public, and no action may be taken on items raised in public comments in order to comply with open meeting laws.

E. MAYOR, COUNCIL AND ADMINISTRATOR COMMENTS

F. CONSENT AGENDA

1. APPROVE MINUTES 04/24/23 & 04/25/23 MEETINGS AND BILL LIST \$2,428,686.01

Documents:

[2023-04-24 SIGNED Council Minutes.pdf](#)
[2023-04-25 SIGNED Council Minutes.pdf](#)
[2023-05-08_BILL LIST_Summary.pdf](#)
[2023-05-08_BILL LIST Detail.pdf](#)

2. RECEIPT OF BUILDING & TRADE PERMIT REPORT - APRIL 2023

Documents:

[0423.pdf](#)

3. APPROVE LIQUOR LICENSE RENEWALS

- TREMONT ON MAIN, 22-26 W MAIN ST, WITH OUTDOOR SERVICE
- MIDNIGHT GARDEN, 1501 S 17TH AVE, WITH OUTDOOR SERVICE
- MIDNIGHT BALLROOM, 1700 S CENTER ST, STE A1

4. APPROVE IOWA RETAIL PERMIT APPLICATION FOR CIGARETTE/TOBACCO/NICOTINE/VAPOR

- FAMILY DOLLAR #22186, 327 S 3RD AVE
- KWIK STAR #706, 810 S 3RD AVE
- KWIK STAR #394, 2500 S CENTER ST
- KWIK STAR #607, 814 S 6TH ST
- DEPOT LIQUOR & GROCERY, 114 N CENTER ST
- MARSHALL TOBACCO & VAPE, 19 W MAIN ST
- MARSHALL BWS, 11 N 3RD AVE
- WALMART #581, 2902 S CENTER ST
- MISHI FOOD MART, 613 N 3RD AVE
- HY-VEE FOOD STORE, 802 S CENTER ST
- HY-VEE FAST & FRESH, 808 S CENTER ST
- FAREWAY STORES, INC. \$467, 102 W ANSON ST

5. APPROVE CIVIL SERVICE NEW HIRE LIST - PARKING ENFORCEMENT OFFICER

Documents:

[2023-05-08_CONSENT_Civil Service-Parking Enforcement.pdf](#)

6. APPROVE MARCH 2023 FINANCIAL STATEMENTS

Documents:

[March 2023 Financials Memo.pdf](#)
[March 2023 Financial Statements.pdf](#)

7. RESOLUTION 2023-091 TO AMEND THE INVESTMENT POLICY FOR THE CITY OF MARSHALLTOWN

Documents:

[2023-05-08_2023-091_Resolution Adopting Amended Investment Policy.pdf](#)
[2023-05-08_2023-091_Memo Investment Policy Amendment.pdf](#)
[2023-05-08_2023-091_Investment Policy - Markup.pdf](#)
[2023-05-08_2023-091_Investment Policy - FINAL.pdf](#)

8. RESOLUTION 2023-092 TRANSFERRING FUNDS FOR FISCAL YEAR 2023 THROUGH MARCH 31, 2023

Documents:

[RESOLUTION TRANSFERRING FUNDS FOR FISCAL YEAR 2023 THROUGH MARCH 31 2023.pdf](#)
[Memo for Transfer Funds in FY23 through March 31 2023.pdf](#)

9. RESOLUTION 2023-093 AWARDED CONTRACT FOR THE DEMOLITION OF FOUR RESIDENTIAL STRUCTURES TO LANSING BROTHERS CONSTRUCTION COMPANY INC. FOR \$114,900

Documents:

[2023-05-08_2023-093_Resolution Approving 2023 Residential Demo Bid.pdf](#)
[2023-05-08_2023-093_Agreement for Services 2023 Residential Demo Bid.pdf](#)

10. RESOLUTION 2023-094 AWARDED CONTRACT FOR THE DEMOLITION OF 910 SOUTH 2ND AVENUE TO LANSING BROTHERS CONSTRUCTION COMPANY INC. FOR \$28,700

Documents:

[2023-05-08_2023-094_Resolution Approving Demo Contract 910 S 2nd Ave.pdf](#)
[2023-05-08_2023-094_Memo Approving Demo Contract 910 S 2nd Ave.pdf](#)
[2023-05-08_2023-094_Agreement for Services Demo 910 S 2nd Ave.pdf](#)

11. RESOLUTION 2023-095 AUTHORIZING THE REQUEST OF CERTAIN DELINQUENT PROPERTIES BE DESIGNATED FOR THE 2023 PUBLIC NUISANCE TAX SALE

Documents:

[2023-05-08_2023-095_Resolution for 2023 Public Nuisance Tax Sale.pdf](#)
[2023-05-08_2023-095_Memo for 2023 Public Nuisance Tax Sale.pdf](#)

12. RESOLUTION 2023-096 REPEALING RESOLUTION 2023-076 AUTHORIZING TRANSFER AND CONVEYANCE OF PROPERTY FOR A PORTION OF 107 EAST LINCOLN STREET

Documents:

[2023-05-08_2023-096_Resolution Repealing 2023-076 Sale of Portion of 107 E Lincoln St.pdf](#)
[2023-04-10_2023-076_SIGNED Resolution Authorizing Sale 107 E Lincoln \(SCL 3.17.23\).pdf](#)

G. MOTIONS

1. MOTION TO APPROVE 5-DAY ALCOHOL LICENSE FOR MIDNIGHT BALLROOM AT THE CENTRAL IOWA FAIRGROUNDS ARENA FOR A RODEO ON 05/20/23 WITH OUTDOOR SERVICE PREMISE UPDATE - CENTRAL IOWA FAIRGROUNDS TO ACTIVITY BUILDING

H. RESOLUTIONS

1. RESOLUTION 2023-061 APPROVING A PROFESSIONAL SERVICES AGREEMENT FOR \$218,938 WITH BOLTON AND MENK FOR DESIGN SERVICES FOR THE FIRST PHASE OF RIVERVIEW PARK

Postponed from 03/27/23 meeting.

Documents:

[2023-05-08_2023-061_Resolution Approving Bolton Menk Agreement Riverview Park.pdf](#)
[2023-05-08_2023-061_Memo Approving Bolton Menk Agreement Riverview Park.pdf](#)
[2023-05-08_2023-061_Agreement for Professional Services.pdf](#)
[2023-05-08_2023-061_Agreement for Professional Services-Exhibit A.pdf](#)
[2023-05-08_2023-061_Riverview Park Master Plan-Graphics 04.13.22.pdf](#)

2. RESOLUTION 2023-097 APPROVING AN AMENDMENT FOR PROFESSIONAL SERVICES WITH FOX STRAND, BEING TASK ORDER 7034.07 FOR THE SPONSORED PROJECT - STATE STREET PARKING LOT "T" IMPROVEMENTS, PROJECT PLT23-

003

Documents:

2023-05-08_2023-097_Resolution Approving Professional Services Agreement Fox.pdf
2023-05-08_2023-097_Memo PLT 23-003 Engineering Agreement_ 23 05 04.pdf
2023-05-08_2023-097_06-22-2020_2020-185_FOX - Marshalltown Master Agreement.pdf
2023-05-08_2023-097_2021 Marshalltown Sponsored Project Application_Reduced.pdf
2023-05-08_2023-097_Sponsored Project - State Street - Parking Lot T Improvements - Task Order 7034.037.pdf

3. RESOLUTION 2023-098 APPROVING A LISTING AGREEMENT WITH FIVE STAR REAL ESTATE GROUP FOR THE EDGEWOOD INDUSTRIAL PARK

Documents:

2023-05-08_2023-098_Resolution Approving Listing Agreement Edgewood Industrial Park.pdf
2023-05-08_2023-098_Memo Edgewood Industrial Park Listing Agreement.pdf
2023-05-08_2023-098_Real Estate Listing Agreement.pdf

4. RESOLUTION 2023-099 TO SET DATE FOR PUBLIC HEARING FOR FY2023 BUDGET AMENDMENT #1

Documents:

Resolution Setting Public Hearing on FY23 Budget Amendment 1.pdf
NOTICE OF PUBLIC HEARING AMENDMENT OF CURRENT BUDGET.pdf
Memo for Public Hearing for the FY23 Budget Amendment.pdf
TRANSFERS FOR FY23 BUDGET AMENDMENT.pdf
REVENUES BY CATEGORY.pdf
GENERAL FUND AND SPECIAL REVENUE FUND EXPENDITURE BUDGET.pdf
DEBT SERVICE FUND EXPENDITURE BUDGET.pdf
CAPITAL PROJECT FUNDS EXPENDITURE BUDGET.pdf
ENTERPRISE FUND EXPENDITURE BUDGET.pdf
CASH FOR FY23 BUDGET AMENDMENT 1.pdf
LOST detail FY23 and FY24 After Council action after April 2023 Council meeting.pdf

5. PUBLIC HEARING AND RESOLUTION 2023-100 PROVIDING FOR THE CONVEYANCE AND TRANSFER OF TITLE TO A PORTION OF VACATED BUT UNCONVEYED ALLEY TO

ADJOINING PROPERTY OWNER AT 5 SOUTH 12TH STREET

Documents:

[2023-05-08_2023-100_Resolution Providing for the Conveyance of Alley 5 S 12th St.pdf](#)
[2023-04-24_2023-080_Memo Set PH to Convey Alley 5 S 12th St.pdf](#)
[2023-04-24_2023-080_RECORDERED File 2023-00001372_QCD Alley 5 S 12th St to City.pdf](#)
[2023-04-24_2023-080_RECORDERED File 2023-00001373_Clerks Certificate QCD Alley to City.pdf](#)

6. PUBLIC HEARING AND RESOLUTION 2023-101 PROVIDING FOR THE VACATION OF THE EAST-WEST ALLEY THROUGH THE MILLER MIDDLE SCHOOL PRACTICE FIELD

Documents:

[2023-05-08_2023-101_Resolution Providing for the Vacation of Alley MMS Practice Field.pdf](#)
[2023-04-24_2023-082_Memo MMS Practice Field Alley Vacation.pdf](#)
[2023-04-24_2023-082_Council Proceedings 07-28-1941.pdf](#)

I. ORDINANCES

1. ORDINANCE 15061 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA, BY REPEALING CHAPTER 91: FIRE PREVENTION AND PROTECTION AND ADOPTING A NEW CHAPTER 91: FIRE PREVENTION AND PROTECTION WHICH ADOPTS BY REFERENCE THE 2021 INTERNATIONAL FIRE CODE WITH CERTAIN AMENDMENTS

- o 1ST READING 5/8/23
- o 2ND READING & PUBLIC HEARING 5/22/23
- o 3RD READING 6/12/23

Documents:

[2023-05-08_ORDINANCE_15061 Amend CH 91 Fire Prevention and Protection.pdf](#)
[2023-05-08_ORDINANCE_15061 Memo Amend CH 91 Fire Prevention and Protection.pdf](#)

J. DISCUSSION

1. DISCUSSION- PROPOSED AMENDMENT THE POLICY FOR THE SALE OF SURPLUS PROPERTY

Documents:

[Memo - Surplus Property Policy Amendment.pdf](#)
[2022-01-24_2022-011_Policy for the Sale of Surplus Property.pdf](#)

2. DISCUSSION - PURCHASING POLICY AMENDMENT FOR ORDERING OF VEHICLES

Documents:

[Memo - Purchasing Policy Amendment for Vehicles.pdf](#)
[2019_142 Revised Purchasing Policy Approved June 24 2019.pdf](#)

K. POSSIBLE CLOSED SESSION - PENDING LITIGATION

Closed session pursuant to Section 21.5, subsection 1, paragraph c, of the Code of Iowa, to discuss strategy with counsel in matters where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the city in that litigation. The City of Marshalltown has an attorney-client relationship with Lynch Dallas P.C., by Council Resolution 2022-161, approved 06/13/22. There may be council action following the closed session if directed by the city's attorney.

1. RESOLUTION 2023-102 APPROVING VOLUNARY RESIGNATION AND RELEASE OF CLAIMS

Documents:

[2023-05-08_2023-102_Resolution Approving Resignation and Release Agreement.pdf](#)

2. RESOLUTION 2023-103 FOR THE APPOINTMENT OF AN INTERIM CITY ADMINISTRATOR

Documents:

[2023-05-08_2023-103_Resolution for Appointment of Interim City Administrator.pdf](#)

L. ADJOURNMENT

MISSION STATEMENT

The City of Marshalltown collaborates to provide a welcoming, safe, vibrant, and growing community.

Please visit the City's website for the complete agenda packet and to subscribe to agenda notices and department news at www.marshalltown-ia.gov.



**MARSHALLTOWN
MORE THAN EVER**