

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
JULY 10, 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 06/26/23 & 06/29/23 MEETING AND BILL LIST \$1,885,050.07

Documents:

[2023-06-26 SIGNED Council Minutes.pdf](#)
[2023-06-29 SIGNED Council Minutes.pdf](#)
[2023-07-10_BILL LIST Summary.pdf](#)
[2023-07-10_BILL LIST Detail.pdf](#)

2. APPROVE LIQUOR LICENSE RENEWALS

- o APPLEBEE'S NEIGHBORHOOD GRILL & BAR, 3101 S CENTER ST
- o GIT-N-GO CONVENIENCE STORE #34, 3302 S CENTER ST
- o GIT-N-GO CONVENIENCE STORE #35, 902 LINCOLN WAY

3. RECEIPT OF BUILDING & TRADE PERMIT REPORT - JUNE 2023

Documents:

[0623.pdf](#)

4. RESOLUTION 2023-140 APPROVING THE USE OF COUNCIL-DESIGNATED LOCAL OPTION SALES TAX FOR THE NEW CONSTRUCTION INCENTIVE GRANT FOR BETTY'S PROPERTIES, LLC FOR THE CONSTRUCTION OF A PHARMACY

Documents:

[2023-07-10_2023-140_Resolution Authorizing New Construction Grant Bettys Properties.pdf](#)
[2023-07-10_2023-140_Memo Bettys Properties LLC.pdf](#)
[2023-07-10_2023-140_Memo Downtown Pharmacy 02.13.23.pdf](#)

5. RESOLUTION 2023-141 APPROVING A CONSENT TO ASSIGNMENT OF ECONOMIC DEVELOPMENT TAX INCREMENT PAYMENTS AND NEW CONSTRUCTION GRANT FROM BETTY'S PROPERTIES, LLC TO UNITED BANK AND TRUST

Documents:

[2023-07-10_2023-141_Resolution Approving Assignment Bettys Properties to UBT.pdf](#)
[2023-07-10_2023-141_Memo Bettys Properties LLC.pdf](#)
[2023-07-10_2023-141_Bettys Properties TIF Assignment to UBT.pdf](#)
[2023-07-10_2023-141_Bettys Properties New Construction Grant Assignment to UBT.pdf](#)
[2023-07-10_2023-141_2023-03-27_2023-066_SIGNED Development Agreement Bettys Properties LLC.pdf](#)
[2023-07-10_2023-141_2023-03-27_2023-066_SIGNED Hold Hrg Dev Agmt AA - Pharmacy \(Marshalltown-52 2023\).pdf](#)

6. RESOLUTION 2023-142 APPROVING CONTRACT CHANGE ORDER #2 FOR THE 2020 SANITARY SEWER REHABILITATION

PROJECT - CIPP #SAN 21-001, AN INCREASE OF \$73,450.70

Documents:

[2023-07-10_2023-142_Resolution Approving Increase CO2 SAN21001.pdf](#)
[2023-07-10_2023-142_Memo_SAN 21-001 Change Order 2_23 07 10.pdf](#)
[2023-07-10_2023-142_SAN 21-001 Change Order 2_to Cncl.pdf](#)

7. RESOLUTION 2023-143 APPROVING ENGINEER'S STATEMENT OF COMPLETION AND ACCEPTING BOULDER CONTRACTING, LLC FOR THE 2020 BOX CULVERT REPAIR PROJECT #SMW20-003

Documents:

[2023-07-10_2023-143_Resolution Approving Eng Statement of Completion 2020 Box Culvert Repairs.pdf](#)
[2023-07-10_2023-143_Memo_Completion SMW20-003_ 23 07 10.pdf](#)
[2023-07-10_2023-143_SMW20-003 Completion and Acceptance Forms.pdf](#)

8. RESOLUTION 2023-144 ACCEPTING THE DESTINATION IOWA GRANT AMENDMENT OF \$75,000 FOR CREATIVE PLACEMAKING PROJECT AT THE MARTHA-ELLEN TYE THEATER

Documents:

[2023-07-10_2023-144_Resolution Iowa Destination Funding Amendment.pdf](#)
[2023-07-10_2023-144_Marshalltown Iowa Great Places Grant Award Amendment Notification.pdf](#)

9. RESOLUTION 2023-145 SETTING PUBLIC HEARING FOR AN AMENDMENT TO THE ZONING MAP FOR 201 E MERLE HIBBS BLVD

Documents:

[2023-07-10_2023-145_Resolution to Set PH on Zoning Amendment.pdf](#)
[2023-07-10_2023-145_Memo_Request for City Council to Set Public Hearing_Rezoning of 201 E Merle Hibbs Boulevard.pdf](#)
[2023-07-10_2023-145_Memo_Rezoning Request to PZ.pdf](#)
[2023-07-10_2023-145_201 E Merle Hibbs Boulevard Legal Description.pdf](#)
[2023-07-10_2023-145_Rezoning Application Packet_201 E Merle Hibbs Boulevard.pdf](#)

10. RESOLUTION 2023-146 APPROVING COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY DEVELOPMENT AGREEMENT FOR CONTRACT 20-DRH-022, 1807 SOUTH 7TH AVENUE, 30-UNIT BUILDING

Documents:

[2023-07-10_2023-146_Resolution Approving CDBG-DR Multi-Family Unit DA.pdf](#)
[2023-07-10_2023-146_2022-11-28_2022-337_SIGNED Resolution of Support for HCI CDBG-DR Application.pdf](#)
[2023-07-10_2023-146_A- DeveloperAgreement 2020 CDBG-DR.pdf](#)
[2023-07-10_2023-146_B - Mortgage Form.pdf](#)
[2023-07-10_2023-146_D - Assignment of Leases and Rents.pdf](#)
[2023-07-10_2023-146_E - Rental Covenants Form.pdf](#)

G. MOTIONS

1. MOTION TO APPROVE NEW CLASS C RETAIL ALCOHOL LICENSE WITH OUTDOOR SERVICE FOR AY CARAMBA, 1803 S CENTER ST

H. ORDINANCES

1. ORDINANCE 15062 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING 93.007 ALCOHOLIC BEVERAGES
3RD READING

Documents:

[2023-07-10_ORDINANCE_15062 Amend 93.007 Alcoholic Beverages.pdf](#)
[2023-07-10_ORDINANCE_15062 Amend 93.007 Alcoholic Beverages_MARKUP.pdf](#)
[2023-07-10_ORDINANCE_15062 Memo Amend 93.007 Alcoholic Beverages.pdf](#)

2. ORDINANCE 15063 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING CHAPTER 130: OFFENSES AGAINST PEACE AND SAFETY
3RD READING

Documents:

[2023-07-10_ORDINANCE_15063 Amend CH 130 Offenses Against Peace and Safety.pdf](#)
[2023-07-10_ORDINANCE_15063 Amend CH 130](#)

Offenses Against Peace and Safety_MARKUP.pdf
2023-07-10_ORDINANCE_15063 Memo CH 130
Offenses Against Peace and Safety.pdf

3. ORDINANCE 15064 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING PROVISIONS OF ORDINANCE 14806 AND THE TABLE OF SPECIAL ORDINANCES, TABLE I: FRANCHISES, WITH INTERSTATE POWER & LIGHT COMPANY FOR AN GAS UTILITY FRANCHISE
3RD READING

Documents:

2023-07-10_ORDINANCE_15064 Franchise Fee Ordinance (Gas) (IPL) (3 Cons) (Marshalltown 53 2023)-v1.pdf
2023-07-10_ORDINANCE_15064 Memo for Franchise Fee.pdf

4. ORDINANCE 15065 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING PROVISIONS OF ORDINANCE 14807 AND THE TABLE OF SPECIAL ORDINANCES, TABLE I: FRANCHISES, WITH INTERSTATE POWER & LIGHT COMPANY FOR AN ELECTRIC UTILITY FRANCHISE
3RD READING

Documents:

2023-07-10_ORDINANCE_15065 Franchise Fee Ordinance (Electric) (IPL) (3 Cons) (Marshalltown 53 2023)-v1.pdf
2023-07-10_ORDINANCE_15065 Memo for Franchise Fee.pdf

5. ORDINANCE 15066 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY AMENDING THE TABLE OF SPECIAL ORDINANCES, TABLE I: FRANCHISES BY ESTABLISHING A FRANCHISE AGREEMENT WITH CONSUMERS ENERGY COOPERATIVE FOR AN ELECTRIC UTILITY FRANCHISE
3RD READING

Documents:

2023-07-10_ORDINANCE_15066 Franchise Fee Ordinance (Electric) (Consumers) (3 Cons) (Marshalltown 53 2023)-v1.pdf
2023-07-10_ORDINANCE_15066 Memo for Franchise

I. CLOSED SESSION - PERSONNEL

Closed session pursuant to Section 21.5, Subsection (1) Paragraph (i) OF THE CODE OF IOWA to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. 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 by motion following the closed session if directed by the city's attorney.

J. 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**