

CITY OF MARSHALLTOWN
COUNCIL AGENDA
CITY HALL COUNCIL CHAMBERS
10 W STATE STREET
NOVEMBER 8, 2021, 5:30 PM

A. **NOTICE TO PUBLIC**

The Mayor and City Council welcome comment from the public during discussion of any of the agenda items. You are required to step to the microphone, state your name and address for the record and to limit the time used to present your remarks 3 minutes or less in order that others may be given the opportunity to speak. All speakers shall speak clearly and direct their comments to the Mayor and City Council and not to any Councilor specifically. It is at the discretion of the Mayor and Council to respond to specific questions and comments or to have staff respond during the meeting.

B. **CALL TO ORDER**

Mayor Joel T.S. Greer

C. **PLEDGE OF ALLEGIANCE**

D. **ROLL CALL**

Gowdy, Hoop, Isom, Ladehoff, Martin, Thompson, Wirin

E. **MAYOR, COUNCIL AND ADMINISTRATOR COMMENTS**

1. **Recognition Of Employees For Veteran's Day**

- Don Barker (Fire), Air Force 1987 - 1996
- Brad Wilson (Fire), Marines 1989 - 1993
- Rodney Burgess (Fire), Army 1984 - 1990
- Nathan White (Fire), Army 1998 - 2019
- Austin White (Fire), Army 2019 - present
- Dennis Campbell (Streets), Marines 1980 - 1984
- Todd Tuttle (Police), Marines 1992 - 1997
- Vern Jefferson (Police), Marines 1992 - 1997 and Army 2005 - 2012
- Chris Roush (Police), Army 1994 - 1998
- Stephen Sheets (Police), Army 1990 - 1997
- Justin Allen (Police), Army 2006 - present
- Jeff Starits (WPCP), Army 1983 - 1991
- Bruce Gjetley (WPCP), Air Force 1982 - 1990
- Chris Becker (WPCP), Air Force 1984 - 1985

- Brad Rozell (WPCP), Navy 1990 - 1994
- Dave Daters (Public Works), Army 1969 - 1989
- Jim Trowbridge (Sewer), Air Force 1992 - 2012
- Brian Abel (Sewer), Navy 1991 - 1992
- Troy McGahuey (Sewer), Marines 1987 - 1991
- AJ Accola (Police), Army 2001 - present
- Jerad Hoyt (Police), Marines 1998 -2003 and Army 2019 - present
- Nicholas Krimmer (Police), Navy 2007 -2011
- Maurice Speirs (Police), Army 2004 - present

F. CONSENT AGENDA

1. APPROVE MINUTES 10/25/21 MEETING AND BILL LIST \$2,017,095.14

Documents:

[2021-10-25 SIGNED Council Minutes.pdf](#)
[2021-11-08_BILL LIST Summary.pdf](#)
[2021-11-08_BILL LIST Detail.pdf](#)

2. APPROVE LIQUOR LICENSE RENEWAL - LEGENDS AMERICAN GRILL, 2902 S CENTER ST
3. Receipt Of Building Permit Report, October 2021

Documents:

[1021.pdf](#)

4. RESOLUTION 2021-296 ADOPTING A BOARD AND COMMISSION MANUAL

Documents:

[2021-11-08_2021-296_Resolution Adopting Board and Commission Manual.pdf](#)
[2021-11-08_2021-296_Board and Commission Manual.pdf](#)

5. RESOLUTION 2021-297 ADOPTING RULES AND REGULATIONS FOR THE MARSHALLTOWN MUNICIPAL AIRPORT

Documents:

[2021-11-08_2021-297_Resolution Adopting Rules and Regs for Airport.pdf](#)
[2021-11-08_2021-297_Marshalltown Municipal Airport Rules and Regs.pdf](#)

6. RESOLUTION 2021-298 SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT

AGREEMENT WITH MARSHALLTOWN CENTRAL BUSINESS DISTRICT, INC., INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS FOR OPERATIONS

Documents:

[2021-11-08_2021-298_Set Date Dev Agmt AA \(Operations\) \(Marshalltown-47 2021\)-v2.pdf](#)
[2021-11-08_2021-298_MCBD Operations Agreement \(Marshalltown 47 2021\)-v1.pdf](#)

7. RESOLUTION 2021-299 SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH MARSHALLTOWN CENTRAL BUSINESS DISTRICT INC., INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS FOR THE FACADE IMPROVEMENT PROGRAM

Documents:

[2021-11-08_2021-299_Set Date Dev Agmt AA \(Facade\) \(Marshalltown-47 2021\)-v3.pdf](#)
[2021-11-08_2021-299_MCBD Main Street Agreement \(Marshalltown 47 2021\)-v1.pdf](#)

8. RESOLUTION 2021-300 APPROVING THE ALLOCATION OF \$80,000 IN TAX INCREMENT FINANCING TO FUND THE INCENTIVE GRANT FUND

Documents:

[2021-11-08_2021-300_Resolution Approving Allocation TIF to Incentive Grant.pdf](#)
[2021-11-08_2021-300_MCBD Incentive Grant Request.pdf](#)

9. RESOLUTION 2021-301 ORDERING CONSTRUCTION OF THE PHASE II MARSHALLTOWN SIDEWALK GAPS PROJECT SDW20002, SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST AND DIRECTING PUBLICATION OF NOTICE TO BIDDERS

Documents:

[2021-11-08_2021-301_SDW20002 Resolution Ordering Construction.pdf](#)
[2021-11-08_2021-301_SDW20002 Memo to Order Construction.pdf](#)
[2021-11-08_2021-301_SDW20002_1690 - Official Notice of Hearing and Letting.pdf](#)
[2021-11-08_2021-301_SDW20002_1690 - Opinion of Probable Cost_Div II_21 10 27.pdf](#)

10. RESOLUTION 2021-302 TO APPROVE A 6-MONTH EXTENSION OF TIME TO COMPLETE THE CITY CODE UPGRADE GRANT

WORK FOR 210 E. MAIN STREET

Documents:

2021-11-08_2021-302_Resolution to Approve 6-Month Extension Facade Grant 210 E Main St.pdf
City Code Grant Extension Request Deim Holdings 11.3.21.pdf

11. RESOLUTION 2021-303 TO APPROVE A 6-MONTH EXTENSION OF TIME TO COMPLETE THE FACADE GRANT WORK FOR 118 W. MAIN STREET

Documents:

RESOLUTION TO APPROVE 6-MONTH EXTENSION OF TIME TO COMPLETE THE FACADE GRANT WORK FOR 118 W. MAIN STREET.pdf
Extension Request Marlas Headliner 11.3.21.pdf

12. RESOLUTION 2021-304 TO APPROVE A 6-MONTH EXTENSION OF TIME TO COMPLETE THE FACADE GRANT WORK FOR 32 E. MAIN STREET AND 8 N. 1ST AVE

Documents:

2021-11-08_2021-304_Resolution to Approve 6-Month Extension Facade Grant 32 E Main St and 8 N 1st Ave.pdf
Extension Request BPlus Properties 11.3.21.pdf

G. MOTIONS

1. MOTION TO APPROVE A NEW CLASS B NATIVE WINE PERMIT FOR OLIVER BEANE DESIGNS, 1714 S CENTER ST

H. RESOLUTIONS

1. RESOLUTION 2021-305 AWARDED GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2021

Documents:

Sale Only GO CP LA (Marshalltown 45-2021).pdf
Memo to Award 2021 GO Bonds.pdf

2. RESOLUTION 2021-306 AUTHORIZING THE CITY OF MARSHALLTOWN TO REQUEST ASSIGNMENT OF A TAX CERTIFICATE FOR 906 SOUTH 11TH AVENUE, PARCEL 8418-36-378-006, HELD BY MARSHALL COUNTY

Documents:

2021-11-08_2021-306_Res for Tax Cert 906 S 11th Ave.pdf
DJ Norem Tax Certificate Request.pdf

3. RESOLUTION 2021-307 APPROVING CONTRACT CHANGE ORDER #4 FOR HANGAR, TERMINAL AND SITE IMPROVEMENTS PROJECT #APR19001 AND #APR19002 AN INCREASE OF \$

Documents:

2021-11-08_2021-307_APR19001-2 Resolution CO 4.pdf
2021-11-08_2021-307_APR19001-2 CGA Letter.pdf
2021-11-08_2021-307_APR19001-2 Change Order 4 - Engineering.pdf
2021-11-08_2021-307_APR19001-2 Change Order 4 - No Cost.pdf
2021-11-08_2021-307_ARP19002 Memo for Approval of Change Orders 4 and 5.pdf

4. RESOLUTION 2021-308 APPROVING CONTRACT CHANGE ORDER #5 FOR HANGAR, TERMINAL AND SITE IMPROVEMENTS PROJECT #APR19001 AND #APR19002, AN INCREASE OF \$27,910.50

Documents:

2021-11-08_2021-308_APR19001-2 Resolution CO5.pdf
2021-11-08_2021-308_ARP19002 Memo for Approval of Change Orders 4 and 5.pdf
2021-11-08_2021-308_APR19001-2 CGA Letter.pdf
2021-11-08_2021-308_APR19001-2 - Change Order 5.pdf

5. RESOLUTION 2021-309 DECERTIFYING THE TAX INCREMENT FINANCE DISTRICT ESTABLISHED IN URBAN RENEWAL AREA 5 AND ALL PREVIOUSLY CERTIFIED DEBTS OF THE DISTRICT AND RETURN FUNDS TO MARSHALL COUNTY

Documents:

2021-11-08_2021-309_Resolution to Decertify TIF in Urban Renewal Area 5.pdf
2021-11-08_2021-309_Memo to Decertify TIF District in URA5.pdf

6. RESOLUTION 2021-310 RENAMING CENTRAL IOWA DRIVE TO UNITYPOINT WAY

Documents:

2021-11-08_2021-310_Resolution Renaming Central Iowa Drive to UnityPoint Way.pdf
2021-11-08_2021-310_Resolution 2015-135 Accepting Dedication of Public Way.pdf
2021-11-08_2021-310_UPH Request to Rename.pdf

7. PUBLIC HEARING AND RESOLUTION 2021-311 PROVIDING FOR THE VACATION, CONVEYANCE, AND TRANSFER OF THE

ALLEY HEREIN DESCRIBED FROM THE CITY OF
MARSHALLTOWN, IOWA TO DAVID J. STORJOHANN

The Times-Republican did not publish the Notice of Public hearing as scheduled on 10/4/21. The new notice was published 10/28/21. Per legal counsel, the public hearing must be held again and adoption of the resolution.

Documents:

[2021-11-08_2021-311_Resolution Vacate Alley 906 Jackson St.pdf](#)
[2021-11-08_2021-311_Quit Claim Deed.pdf](#)

I. ORDINANCES

1. ORDINANCE 15028 TO AMEND SECTION 31.046 OF THE MARSHALLTOWN CODE OF ORDINANCES TO PROVIDE DIRECTION FOR THE WATER WORKS BOARD OF TRUSTEES

Documents:

[2021-11-08_ORDINANCE 15028 Water Works Board of Trustees.pdf](#)

1. MOTION TO WAIVE THE THIRD READING OF ORDINANCE 15028 TO AMEND SECTION 31.046 OF THE MARSHALLTOWN CODE OF ORDINANCES TO PROVIDE DIRECTION FOR THE WATER WORKS BOARD OF TRUSTEES
2. ORDINANCE 15029 TO AMEND THE LICENSING AND COLLECTION REGULATIONS FOR THE COLLECTION OF GARBAGE OR REFUSE, YARD WASTE AND RECYCABLES
2ND READING

Documents:

[2021-11-08_ORDINANCE 15029 Amend Garbage and Refuse Collection.pdf](#)
[2021-11-08_ORDINANCE 15029 Memo Garbage and Refuse Collection.pdf](#)

3. ORDINANCE 15030 TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA BY REPEALING CHAPTER 111 AIRPORTS AND AIRCRAFT

Documents:

[2021-11-08_ORDINANCE 15030 Repealing Chapter 111 Airports and Aircraft.pdf](#)
[2021-11-08_ORDINANCE 15030 MEMO Repealing](#)

4. ORDINANCE 15031 AMENDING THE CITY OF MARSHALLTOWN
CODE OF ORDINANCES CHAPTER 113 AMUSEMENTS AND
RECREATION
1ST READING

Documents:

[2021-11-08_ORDINANCE 15031 Amending Chapter 113
Amusements and Recreation.pdf](#)

J. **DISCUSSION**

1. Development Agreement With Marshalltown Company For Phase 2
& 3 Development

Documents:

[211108 Mtown City Council Presentation.pdf](#)
[Marshalltown Company Development.pdf](#)
[UrbanRenewal_Revitalization_Areas 7.27.21.pdf](#)
[2018-04-23-2018_2018-056_Plan UR2 Amd5.pdf](#)

2. Discussion Of Airport Manager And FBO Agreements

Documents:

[Airport Lease Comparison 11.8.pdf](#)
[Memo Airport Agreements11.8.21 Discussion.pdf](#)

3. Discussion - Chapter 120 Tree Trimmers

Documents:

[2021-11-08_DISCUSSION_Memo Tree Trimmer Permit.pdf](#)
[2021-11-08_DISCUSSION_Chapter 120 Tree Trimmers.pdf](#)
[2021-11-08_DISCUSSION_Chapter 58 Vegetation.pdf](#)

4. DISCUSSION - Zoning Ordinance Update

Documents:

[2021-11-08_DISCUSSION_CC Memo Zoning Update.pdf](#)

K. **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

meetings laws.

L. 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 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.

M. ADJOURN

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. www.marshalltown-ia.gov