

MARION CITY COUNCIL REGULAR MEETING
Thursday, June 21, 2018 – 5:30 p.m.
Council Chambers – 1225 6th Avenue

Please remove hats and refrain from using tobacco products in the Council Chamber.

This meeting is being tape recorded. Any item listed on the agenda may be open to discussion by the City Council. If you wish to address the City Council, please go to the lectern, wait to be recognized by the Mayor and state your name and address before making any comments.

Call to Order.

Pledge of Allegiance.

Roll Call.

Moment of Silence.

Presentation regarding Livability Award by Mayor AbouAssaly.

CONSENT CALENDAR

NOTE: The Consent Calendar includes routine items and will be enacted by one motion without separate discussion unless Council requests an item be removed to be and considered separately.

Motion to approve Consent Calendar, as presented:

1. Motion to approve minutes of the June 5, 7, and 14, 2018 City Council meetings.
2. Motion to approve the bills as presented in the amount of \$2,223,418.70.
3. Motion to approve the following liquor license applications:
 - a. New application for a Class C Liquor License with additional privilege for Class B Wine Permit, Outdoor Service, and Sunday Sales for Volleyfrog Iowa LLC, dba Oasis Sandbar Marion (1710 Marion Airport Road). Effective 05/01/18.
4. Resolution No. 26942 approving the renewal of General Insurance with Iowa Communities Assurance Pool (ICAP) for FY18-19.
5. Resolution No. 26943 approving transfer of excess workers compensation funds to the Employee Benefits Fund within fiscal year 2017-2018 budget.
6. Resolution No. 26944 approving the five year audit proposal for audit services with Hogan-Hansen for the years ended June 30, 2020-2024.
7. Resolution No. 26945 approving Lianne Cairy as an authorized signer on the City's financial accounts.

8. Resolution No. 26946 approving the transfer of funds within the fiscal year 2017-2018 budget. \$264,908.61 (Transfer from 325-Subdivision Dev. Escrow to 301-Capital Projects for payout related to Briargate 6th Addition).
9. Resolution No. 26947 authorizing Rene Gadelha and Randy Strnad to authorize payments from the City's financial accounts for the GLD Hotel Project only.
10. Resolution No. 26948 approving Partial Payment No. 37 to Anderson-Bogert Engineers for the Public Services site plan development in the amount of \$3,139.00.
11. Resolution No. 26949 approving Partial Payment No. 2 to Price Electric for the installation of street light poles associated with the Verizon Small Cell Project in the amount of \$24,666.50.
12. Motion directing staff to proceed with the vacation of a Trail Easement located on property owned by the Residences at the Park, Home Owners Association.
13. Motion to approve Project Calendar regarding Engineering Department payments as follows:
 - a. Resolution No. 26950 approving Partial Payment No. 5 to Snyder & Associates regarding the 2018 Alburnett Road Extension Phase I in the amount of \$74,407.08.
 - b. Resolution No. 26951 approving Partial Payment No. 4 to Anderson-Bogert Engineers regarding the Tower Terrace Road Phase IX Improvements in the amount of \$12,250.00.
 - c. Resolution No. 26952 approving Partial Payment No. 1 to Rathje Construction Company, Inc. regarding the 2017 Storm Sewer Project – Supplemental Contract in the amount of \$2,565.00.
14. Resolution No. 26953 approving a Stop Sign stopping north bound traffic on Hemingway Street at its intersection with 35th Avenue.
15. Resolution No. 26954 approving a Stop Sign stopping north bound traffic on Prairie Trail at its intersection with Tramore Road.
16. Resolution No. 26955 approving a Stop Sign stopping south bound traffic on Prairie Trail Court at its intersection with Tramore Road.
17. Resolution No. 26956 approving a Stop Sign stopping south bound traffic on Ridge Line Drive at its intersection with Echo Hill Road.

18. Resolution No. 26957 approving a Stop Sign stopping south bound traffic on Cedar Ridge Drive at its intersection with Waveland Drive.
19. Resolution No. 26958 approving a Stop Sign stopping west bound traffic on Shadow Creek Lane at its intersection with Ridge Line Drive.
20. Resolution No. 26959 approving Temporary Construction Easement with Lee Ann Krapfl, 1580 Northview Drive, regarding the 2017 Northview Drive Reconstruction Project (NSI).
21. Resolution No. 26960 accepting the 2017 Storm Sewer Project – Supplemental Contract.
22. Resolution No. 26961 accepting the 2017 Armar Drive Extension Project.
23. Resolution No. 26962 approving a contract with Anderson-Bogert Engineers and Surveyors, Inc. regarding the 2018 Central Corridor 7th Avenue Preliminary Design in the amount of \$261,133.00.
24. Motion to approve Project Calendar regarding Planning Department payments as follows:
 - a. Resolution No. 26963 approving payment No. 7 to Houseal Lavigne Associates for professional consulting services related to the Marion Zoning Ordinance per the contract for the Marion Airport in the amount of \$1,937.25.
 - b. Resolution No. 26964 approving payment No. 8 to Houseal Lavigne Associates for professional consulting services related to the Marion Comprehensive Plan per the contract for the Marion Airport in the amount of \$1,331.00.
25. Motion to receive, file and refer the following items to the Planning and Zoning Commission:
 - a. A request to vacate the southern 120 feet of the north-south alley lying between lots 5, 6, 7 and 8, Block 44 Original Town, Now City of Marion, Linn County, Iowa (Vadim & Rebecca Vorobtsov).
 - b. A request to vacate the north 120' of the north-south alley lying adjacent to Lots 3, 4 & 5 of Sutzins 1st Addition, Marion, Linn County, Iowa (Pete Schaul).
 - c. Site plan review per conditions of the rezoning for West End (Perry Development Partners).

26. Resolution No. 26965 approving contract amendment No. 3 with Anderson-Bogert Engineers and Surveyors, Inc. associated with the Grant Wood Trail – 35th Street to Highway 13 in the amount of -\$7,511.
27. Motion to receive, file and discuss May 2018 Departmental Reports.
28. Motion to receive, file and discuss letter regarding abandoned railroad tracks at the end of 4th Avenue (Douglas Kelly, REAMS Supply Co, 3780 4th Avenue).
29. Motion to approve the following Special Permit Endorsements:
 - a. Birthday Party, Brick Alley, June 23, 2018, 1:00 p.m. – 6:00 p.m. (Les Arnold, 1038 7th Avenue).
30. Motion to approve the following Hold Harmless/Noise Waiver Agreement(s):
 - a. NLCC Summer Fest, 275 W 29th Avenue, July 14, 2018, 4:00-8:00 p.m. (New Life Community Church, Brenda Jurgensmeier, 145 Meghann Drive).
 - b. Artisan's Sanctuary, Uptown Artway, July 21, 2018, 4:00-8:00 p.m. (Artisan's Sanctuary, Jim Jacobmeyer, 1070 7th Avenue).
 - c. Marion Big Band Concerts, Marion Square Park, July 5, 12, 19, and 26, 2018, 7:00-9:00 p.m. (Doreen Zumwalt, 1500 8th Street).
 - d. Chatterbox Concert, Uptown Artway, July 7, 2018, 7:00-11:00 p.m. (Uptown Snug, Eric Yerke, 760 11th Street).
 - e. House Party for Children's Charity, 2185 Highview Drive, July 1, 2018, 3:00-9:00 p.m. (Matthew J Hoy II, 2185 Highview Drive).
 - f. Live Music featuring Anderson Coates, Uptown Artway, June 22, 2018, 7:00-8:15 p.m. (Anderson Coates, 1820 Valentine Drive).

Motion to approve Consent Calendar with Mayor AbouAssaly abstention from voting and discussion regarding the following items, as presented:

31. Motion to approve the following FY2018-2019 Cigarette permit applications: Casey's General Store #2760, Casey's General Store #2770, Casey's General Store #2919, Casey's General Store #2924, Dollar General Store #7226, Dollar General Store #7398, Fareway Stores, Inc #949, Casey's General Store #3562, Neighborhood Tobacco Outlet, Hawkeye Convenience Stores, Hy-Vee Drugstore, Hy-Vee Food Stores, Hy-Vee Gas, Kum & Go #503, Kum & Go #509, Marion Food Market, Marion Market & Cafe, Murphy USA #7287, FasMart #5146, Smokin' Joe's Tobacco and Liquor Outlet #10, Walmart #3630, Walgreens #03876, and Wrigleyville Sports Pub.

32. Resolution No. 26966 approving Partial Payment No. 6 to MSA for professional services regarding the Lowe Park South End Development Project in the amount of \$6,650.00.
33. Motion to approve Project Calendar regarding Engineering Department payments as follows:
 - a. Resolution No. 26967 approving Partial Payment No. 7 to Genesis Equities, LLC regarding the Central Corridor Improvements Project; Building Demolition in the amount of \$4,440.00.
 - b. Resolution No. 26968 approving Partial Payment No.1 to Abode Construction, Inc. for the over width and over depth of pavement and trail associated with Briargate 6th Addition to the City of Marion in the amount of \$300,493.62.
34. Resolution No. 26969 approving the revised Preliminary Plat for Gemstone Estates 5th Addition located north of Tower Terrace Road and west of Lucore Road. (M&W Ventures, LLC).
35. Resolution No. 26970 recommending approval of a preliminary plat for The Commons at English Glen Phase II Addition located north of Winchester Drive and west of Sherwood Drive. (Robson Homes, Inc.).
36. Resolution No. 26971 setting a Public Hearing for July 5, 2018 and directing publication of notice of public hearing regarding a Preliminary Site Development Plan for Bluebird Square located on the northeast corner of Highway 13 and 151. (High Property Management & Development).
37. Resolution No. 26972 approving a request from GLD to extend the closing of 3025 7th Avenue to August 30, 2018.

A. FINANCE

1. Resolution No. 26973 approving the proposed allocation of Hotel Motel Funding for FY18-19.

B. PUBLIC SERVICES

1. Resolution No. 26974 approving the selection of Knapp Warden as the Construction Manager for first phase of the Eco Industrial Park.

C. POLICE/FIRE

1. Ordinance No. 18-18 adopting by reference the International Fire Code 2018 Edition with amendments and providing penalties. Second consideration.

D. PARKS

NONE

E. ENGINEERING

1. Motion to receive, file, discuss and refer to TAC request regarding requesting a street light at Eastview Drive and 10th Street. (Elizabeth McGlynn and Karla Thompson, 999 Eastview Avenue).

F. COMMUNITY DEVELOPMENT

1. Resolution No. 26975 approving a Final Plat and Memorandum of Agreement for Stonefield Commercial First Addition located south of Tower Terrace Road, west and north of 3rd Street (Synergy Equity Partners, LLC).
2. Public Hearing regarding the renaming of Pioneer Court to Pioneer Drive located west of Larkspur Drive within the Bridge Creek 4th Addition.
3. Resolution No. 26976 approving the renaming of Pioneer Court to Pioneer Drive located west of Larkspur Drive within the Bridge Creek 4th Addition.
4. Motion directing staff to prepare a plan and get estimates to complete side paths between Tower Terrance Road and Connection Avenue along 10th Street.
5. Public hearing regarding the property east of the Marion Airport Runway and south of Marion Airport Road to amend the Future Land Use Map of the Marion Comprehensive Plan from Business Park/Office to Light Industrial and to Corridor Commercial and from Light Industrial to Corridor Commercial and a request to Rezone from Restricted Industrial, I-1 to General Commercial, C-3 and from Linn County Agricultural to Restricted Industrial, I-1 and to General Commercial, C-3 (Genesis Equities Land Holding, LLC).
6. Resolution No. 26977 amending the Future Land Use Map of the Marion Comprehensive Plan from Business Park/Office to Light Industrial and to Corridor Commercial and from Light Industrial to Corridor Commercial located east of the Marion Airport Runway and south of Marion Airport Road (Genesis Equities Land Holding, LLC).
7. Ordinance No. 18-19 approving a rezoning from Restricted Industrial, I-1 to General Commercial, C-3 and from Linn County Agricultural to Restricted Industrial, I-1 and to General Commercial, C-3 located east of the Marion Airport Runway and south of Marion Airport Road (Genesis Equities Land Holding, LLC). Initial Consideration.

8. Resolution No. 26978 approving a Final Plat and Memorandum of Agreement for Bowman Woods Unit Thirty-Seven located south of Hawks Ridge Lane and east of Hampshire Drive. (Midwest Development Co.).

G. ADMINISTRATION/OTHER

1. Resolution No. 26979 approving an addendum to Fixed Base Operator (FBO) Lease Agreement between City of Marion, Iowa and Luxair Aviation.
2. Ordinance No. 18-17 designating an area of Marion, Iowa, as the 2018 Workforce Housing Urban Revitalization Area. Final consideration.
3. Resolution No. 26980 approving Economic Development Loan Agreement (Prospect Meadows).
4. Resolution No. 26981 approving updated Personnel Policy No. 3.01 regarding Pay for Performance.

H. Citizen's presentations, comments and/or petitions.

I. Council Discussion Time

J. Adjourn