



CITY COUNCIL AGENDA
Thursday, March 21, 2019 – 5:30 p.m.
City Hall, 1225 6th Avenue, Marion, IA 52302

The meeting is being 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 take a yellow card found at the end of the staff table and complete the card. When the mayor asks you to come forward to address the City Council, hand the card to the City Clerk. Please state your name and address before making any comments.

The Mayor and City Council welcome comments from the public; however, at no time is it appropriate to use profane, obscene, or slanderous language. The Mayor may limit each speaker to five minutes.

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
MOMENT OF SILENCE

PROCLAMATIONS/OATHS

None

PRESENTATIONS – This section is for presentations from external entities regarding current council action and area projects and events.

None

PUBLIC FORUM - This section is for comments from the public on topics listed on the agenda not associated with a public hearing.

CONSENT AGENDA – This section includes routine items and will be enacted by one motion without separate discussion unless Council requests an item to be removed to be considered separately.

1. Motion to approve the Consent Agenda as follows:

A. Administrative Services

1. Motion to approve minutes of the March 5 and 7, 2019 City Council meetings.
2. Motion to approve the following liquor license applications:
 - a. Renewal – Hunters Ridge Golf Course – 2901 Hunters Ridge Rd
Class C Liquor License with additional privileges of Outdoor Service and Sunday Sales. No violation in previous five years.

3. Motion to approve the following hold harmless agreements:
 - a. Go the Distance for Crime Victims 5K; Thomas Park; April 13, 2019 from 9:00-11:00 a.m. (Anastasia Basquin, PO Box 323, Cedar Rapids, IA 52406) (Permit #2019-00000009)
4. Motion to approve the following Mayoral Reappointment:
 - a. Civil Service Commission:
Grant Hagen, 1088 Elim Drive, term expires 04/01/2023
5. Motion to approve the following Mayoral Appointment:
 - a. Public Services Board:
Joe Spinks, 3165 29th Avenue, term expires 12/31/2019
 - b. Zoning Board of Adjustment
Carol Golden, 1285 McGowan Boulevard, term expires 12/31/2021
 - c. Tree Board
Joe Spinks, 3165 29th Avenue, term expires 01/01/2023
6. Motion to approve payments as presented in the amount of \$587,935.24.
7. Motion to receive and file 10-year Financial Analysis.
8. Resolution No. 27497 approving the correspondence policy.
9. Motion to receive and file February 2019 department monthly reports.

B. Public Services

1. Resolution No. 27498 approving partial payment no. 9 to A&J Associates for the Public Services Maintenance Facility in the amount of \$4,400.00

C. Public Safety

1. Resolution No. 27499 authorizing the donation of twelve (12) 2006 fire helmets to the Degollado, Jalisco Fire Department in Mexico.

D. Parks – None

E. Engineering

1. Resolution No. 27500 approving partial payment no. 14 to Snyder & Associates regarding the 2018 Alburnett Rd Extension Phase I project in the amount of \$7,502.00.

2. Resolution No. 27501 approving a contract for appraisal services regarding the Indian Creek Trunk Sewer Segment 7 with Cook Appraisal LLC.
3. Resolution No. 27502 approving Temporary Construction Easement with Kwik Trip Inc. regarding the 2019 Highway 13 and Hennessey Parkway Traffic Signal and Turn Lane Improvements Project.
4. Resolution No. 27503 approving Temporary Construction Easement with Squaw Creek Partners LLC regarding the 2019 Highway 13 and Hennessey Parkway Traffic Signal and Turn Lane Improvements Project.

F. Community Development

1. Resolution No. 27504 approving payment no. 16 to Shoemaker Haaland per the contract for the CeMar Trail (Iowa DOT Project Number: TAP-U-4475(630)-8I-57) in the amount of \$8040.22.
2. Resolution No. 27505 setting a public hearing for April 4, 2019 regarding The Neighborhood at Indian Creek Master Plan for property between 35th Avenue & Tower Terrace Road extended and 35th Street & 44th Street extended. (City of Marion)
3. Resolution No. 27506 setting a public hearing for April 4, 2019 regarding an amendment to the Future Land Use Map of the Marion Comprehensive Plan located between 35th Avenue & Indian Creek Road/Indian Creek Way and 35th Street/Lucre Road & Highway 13. (City of Marion)
4. Resolution No. 27507 setting a public hearing for April 4, 2019 regarding a zoning request from Undesignated and C-1, Neighborhood Commercial to PD-S, Planned Development Special for property between 35th Avenue & Tower Terrace Road extended and 35th Street & 44th Street extended. (City of Marion)
5. Resolution No. 27508 setting a public hearing for April 4, 2019 regarding a zoning request from Undesignated to PI, Public Institutional District located north of 35th Avenue, east of 35th Street. (Linn-Mar Community School District)

G. City Manager's Office – None

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

2. Motion to approve the Consent Agenda with Mayor AbouAssaly's abstention from voting and discussion as follows:

A. Administrative Services – None

B. Public Services

1. Resolution No. 27509 approving partial payment no. 11 to Knapp Warden LLC for design service associated with the Eco Industrial Park Phase 1 in the amount of \$15,912.50.

C. Public Safety – None

D. Parks

1. Motion to retain Martin Gardner Architecture as the Project Architect regarding the Lowe Park Maintenance Facility Addition Project.
2. Resolution No. 27510 approving Partial Payment No. 3 to Martin Gardner Architecture for professional services regarding the Lowe Park Maintenance Facility Addition Project in the amount of \$2,720.00.

E. Engineering – None

F. Community Development – None

G. City Manager's Office – None

REGULAR AGENDA

A. Administrative Services

1. Resolution No. 27511 approving a contract amendment for the City Manager effective April 1, 2019.
2. Resolution No. 27512 approving matching funds for Marion Leadership in Action (MLIA) Banner Project in an amount not to exceed \$4,000.00.
3. Public hearing on proposal to enter into an Essential Purpose Loan Agreement in a principal amount not to exceed \$13,755,000.
4. Public hearing on proposal to enter into a General Purpose Urban Renewal Loan Agreement in a principal amount not to exceed \$2,320,000.

5. Resolution No. 27513 taking additional action on proposals to enter into General Obligation Loan Agreements – Series 2019A and 2019C and providing for the levy of taxes to pay the same.
6. Public hearing on proposal to enter into an Essential Purpose Loan Agreement in a principal amount not to exceed \$3,405,000.
7. Public hearing on proposal to enter into a General Purpose Loan Agreement in a principal amount not to exceed \$210,000.
8. Resolution No. 27514 taking additional action on proposals to enter into General Obligation Loan Agreements – Series 2019B
9. Motion directing staff to solicit request for proposals (RFP) regarding the 1204 7th Avenue project.

B. Public Services – None

C. Public Safety

1. Resolution No. 27515 approving contract with OPN Architects regarding the development of the new fire station.

D. Parks

1. Motion to approve Project Calendar for the Lowe Park Maintenance Facility Addition Project as follows:
 - a. Resolution No. 27516 approving Resolution of Necessity regarding the Lowe Park Maintenance Facility Addition Project.
 - b. Resolution No. 27517 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Lowe Park Maintenance Facility Addition Project.
 - c. Resolution No. 27518 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Lowe Park Maintenance Facility Addition Project.

E. Engineering

1. Resolution No. 27519 approving a Memorandum of Agreement with Rookwood Estates, LLC regarding the Robinwood Lane improvements in Rookwood Estates 1st and 2nd Addition.

2. Motion to approve the Project Calendar regarding the 2019 Sidewalk Assessment Project as follows:
 - a. Motion to retain the City Engineer as Project Engineer regarding the 2019 Sidewalk Assessment Project.
 - b. Resolution No. 27520 approving the preliminary resolution pursuant to Chapter 384.42 of the Code of Iowa regarding the 2019 Sidewalk Assessment Project.
 - c. Resolution No. 27521 approving the proposed resolution of necessity and setting public hearing regarding the 2019 Sidewalk Assessment Project.
3. Public Hearing regarding the 2019 Sanitary Sewer Maintenance Project.
4. Resolution No. 27522 accepting bids and awarding contract to Rathje Construction Co. regarding the 2019 Sanitary Sewer Maintenance Project in the amount of \$137,745.00.
5. Motion to approve Project Calendar regarding the 2019 Pedestrian Beacon Project, as follows:
 - a. Motion to retain the City Engineer as Project Engineer regarding the 2019 Pedestrian Beacon Project.
 - b. Resolution No. 27523 approving Resolution of Necessity regarding the 2019 Pedestrian Beacon Project.
 - c. Resolution No. 27524 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2019 Pedestrian Beacon Project.
 - d. Resolution No. 27525 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2019 Pedestrian Beacon Project.
6. Motion to approve Project Calendar regarding the 2019 Highway 13 and Hennessey Parkway Traffic Signal and Turn Lane Improvements Project, as follows:
 - a. Motion to retain the City Engineer as Project Engineer regarding the 2019 Highway 13 and Hennessey Parkway Traffic Signal and Turn Lane Improvements Project.

- b. Resolution No. 27526 approving Resolution of Necessity regarding the 2019 Highway 13 and Hennessey Parkway Traffic Signal and Turn Lane Improvements Project.
 - c. Resolution No. 27527 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2019 Highway 13 and Hennessey Parkway Traffic Signal and Turn Lane Improvements Project.
 - d. Resolution No. 27528 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2019 Highway 13 and Hennessey Parkway Traffic Signal and Turn Lane Improvements Project.
7. Resolution No. 27529 approving a Memorandum of Agreement with Squaw Creek Crossing, Inc. regarding the 2019 Highway 13 and Hennessey Parkway Traffic Signal and Turn Lane Improvements Project.

F. Community Development

- 1. Resolution No. 27530 approving the Central Corridor Interim Development Overlay (IDO) review regarding the First Federal & Retail Site Development Plan for property located south of 7th Avenue east of 25th Street. (Genesis Equities LLC)
- 2. Motion directing staff to negotiate the sale of City owned property located adjacent to 2791 7th Avenue and direct staff to prepare a plat of survey specifically identifying said parcel.
- 3. Motion directing staff to negotiate a Memorandum of Agreement related to 27th Street Improvements adjacent to 2791 7th Avenue.
- 4. Resolution No. 27531 approving GLM Addition Final Plat and Memorandum of Agreement to Linn County for property located at 1777 Martin Creek Road in Linn County, Iowa. (Gerald L Munier and Laura A. Munier)
- 5. Ordinance No. 19-05 approving an amendment to Section 176.25 of the Marion Code of Ordinance to allow the sale of consumer fireworks in the I-1, Restricted Industrial District. (Second Consideration)
- 6. Resolution No. 27532 approving Carriage Square 1st Addition Final Plat and Memorandum of Agreement for property located at 1170 Twixt Town Road. (Carriage Square Partnership)

G. City Manager's Office

1. Resolution No. 27533 adopting a Revenue Purpose Statement regarding use of revenues from proposed gas and electric franchise fees pursuant to Iowa Code Section 364.2(4)(f).
2. Resolution No. 27534 setting a public hearing for April 4, 2019 regarding the proposed adoption of an ordinance amending Chapter 110 of the Code of Ordinances regarding Natural Gas Franchise with MidAmerican Energy Company including the addition of franchise fees.
3. Resolution No. 27535 setting a public hearing for April 4, 2019 regarding the proposed adoption of an ordinance amending Chapter 111 of the Code of Ordinances regarding Electric Franchise with Interstate Power and Light Company (Alliant) including the addition of franchise fees.
4. Resolution No. 27536 setting a public hearing for April 4, 2019 regarding the proposed adoption of an ordinance regarding a Franchise Agreement with Linn County Rural Electric Cooperative Association (Linn County REC) to include franchise fees.

OTHER DEPARTMENT DISCUSSION – This portion of the meeting is set aside for other department discussions, presentations, and updates not related to current council action.

PUBLIC FORUM – This time is set aside for comments from the public on topics other than those listed on this agenda. Please understand that the City Council will not take any action on your comments at this meeting due to requirements of the Open Meetings Law, but may do so at a future meeting.

COUNCIL DISCUSSION – During this portion of the meeting, Council members may bring forward communications, concerns and reports on various matters.

CLOSED SESSION

1. Motion to adjourn to closed session as permitted under Section 21.5(k) of the Code of Iowa.

ADJOURN