



CITY COUNCIL AGENDA
Thursday, October 3, 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

1. Proclamation – Fire Prevention Week 2019 (Marion Fire Department)

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 September 17 and 19, 2019 City Council meetings.
2. Motion to approve the following liquor license applications:
 - a. Renewal – Aldi #58 – 1001 50th Street
Class C Beer Permit with additional privileges of Class B Wine Permit and Sunday Sales. One violation in last five years.

3. Motion to approve the following Hold Harmless Agreements:
 - a. Chocolate Walk; October 4, 2019; Uptown Marion (Marion Chamber of Commerce, 1225 6th Avenue) (Permit #2019-00000100)
 - b. Interactive Entertainment on the Patio; October 5, 2019; Uptown Artway (Michael Zhorne, 1070 7th Avenue) (Permit #2019-0000099)
4. Motion to approve the following Mayoral appointments:
 - a. Park Board
Bryan Fiscus, 3251 Mulberry Drive, Marion; term expires 12/31/21
 - b. Library Board
Okpara Rice, 1720 Winding Creek Drive, Marion; term expires 06/30/20
5. Motion to receive, file and discuss August 2019 Department Monthly Reports.
6. Motion to receive and file job description for Deputy City Clerk.
7. Motion to approve payments as presented in the amount of \$1,990,289.15.
8. Resolution No. 27995 setting public hearing regarding the proposed adoption of a fiscal year 2019-2020 budget amendment.

B. Public Services

1. Resolution No. 27996 approving Partial Payment No. 3 to A-One Geothermal regarding the Public Service Maintenance Facility Geothermal Project in the amount of \$129,096.84 (FACS-17-069).
2. Resolution No. 27997 approving partial payment No. 54 to Anderson Bogert Engineers for the Public Services site plan development in the amount of \$9,466.57 (FACS-17-069).
3. Resolution No. 27998 approving partial payment No. 55 to Anderson Bogert Engineers for the Public Services site plan development in the amount of \$2,684.50 (FACS-17-069).
4. Resolution No. 27999 approving the 2019/2020 winter deicer bids with Cargill Incorporated.

C. Public Safety

1. Resolution No. 28000 approving a contract with Waldinger Corporation regarding heating and cooling maintenance for the Marion Police Station in the amount of \$31,161.00.

D. Parks – None

E. Engineering

1. Motion to approve Engineering Department project payments as follows:
 - a. Resolution No. 28001 approving Partial Payment No. 3 to Curtis Contracting Corp. regarding the 2019 Sidewalk Project in the amount of \$13,410.15. (ANN-18-105 & ANN-18-106)
 - b. Resolution No. 28002 approving Partial Payment No. 2 to Boomerang Corp. regarding the 2019 RCB Culvert Under Central Avenue North of Indian Creek Project in the amount of \$261,556.56. (TRANS-18-092)
 - c. Resolution No. 28003 approving Partial Payment No. 1 to Rathje Construction Co. regarding the 2019 Sanitary Maintenance Project in the amount of \$120,693.13. (ANN-18-029)
 - d. Resolution No. 28004 approving Partial Payment No. 1 to Eastern Iowa Excavating & Concrete, LLC. regarding the 2019 3rd Ave Rehabilitation Project [NSI] in the amount of \$149,795.53. (TRANS-18-090)
 - e. Resolution No. 28005 approving Partial Payment No. 11 to Anderson Bogert Engineers regarding the 2018 Central Corridor 7th Ave. Preliminary Design project in the amount of \$3,000.00. (TRANS-18-098)
 - f. Resolution No. 28006 approving Partial Payment No. 8 to Tricon General Construction regarding the Lowe Park South End Improvements in the amount of \$1,623.22. (REC-17-050)
 - g. Resolution No. 28007 approving Partial Payment No. 3 to Price Industrial Electric regarding the 2019 Highway 13 and Hennessey Parkway Traffic Signal and Turn Lane Improvements Project in the amount of \$255,863.12. (TRANS-18-074)
 - h. Resolution No. 28008 approving Partial Payment No. 16 to Genesis Equities, LLC per Resolution No. 26329 regarding the 2017 Central Corridor Improvements Project – Phase 3 (13th Street to 19th Street) in the amount of \$107,247.02. (TRANS-18-091)

- i. Resolution No. 28009 approving Partial Payment No. 2 to Abode Construction, Inc. regarding the 2019 Irish Drive Extension Project in the amount of \$121,468.94. (TRANS-18-112)
- j. Resolution No. 28010 approving Partial Payment No. 1 to L.L. Pelling Company, Inc. regarding the 2019 Runway 17/35 Reconstruction Project in the amount of \$42,412.50. (ANN-18-082)
- k. Resolution No. 28011 approving payment Hall & Hall Engineers, Inc. for professional services related to the fire station in the amount of \$2,800.00. (FAC-18-061)

F. Community Development

- 1. Motion to approve Planning Department project payments as follows:
 - a. Resolution No. 28012 approving payment no. 22 to Shoemaker Haaland per the contract for the CeMar Trail (Iowa DOT Project Number: TAP-U-4475(630)-8I-57) in the amount of \$41,711.79. (TRL-17-055)
 - b. Resolution No. 28013 approving payment no. 26 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 \$440.00. (GOV-18-012)
 - c. Resolution No. 28014 approving payment to Hall & Hall Engineers, Inc. for professional services related to fire station final plat in the amount of \$464.30 (FAC-18-061)
- 2. Motion to receive, file and refer to the Planning and Zoning Commission:
 - a. Holiday Inn Express & Suites – Squaw Creek Crossing Final Site Development Plan for property located east of Highway 13 and south of Hennessey Parkway.
 - b. Alley vacation for property located between 11th and 12th Avenues and 27th and 28th Streets.

G. Library – None

REGULAR AGENDA

A. Administrative Services

- 1. Resolution No. 28015 opposing the Alliant Energy Rate Increase.

2. Motion to correct legal description in Ordinance 19-23 and direct staff to public corrected ordinance.

B. Public Services

1. Motion to receive, file, and discuss correspondence regarding storm water improvements at the Indian Creek Country Club. (Tom Newbanks, 1250 Country Club Drive).
2. Resolution No. 28016 approving payment to Cargill Incorporated for winter deicer in the amount of \$51,432.48.

C. Public Safety

1. Resolution No. 28017 approving the purchase of two 2020 Ford Police Interceptor Utility vehicles from McGrath Ford in the amount of \$68,178.00.

D. Parks – None

E. Engineering

1. Resolution No. 28018 approving an agreement with the Iowa Department of Transportation related to the design and construction of the 10th Avenue Sidepaths. [TAP-U-4775(635)—8I-57] (TRL-18-110)
2. Resolution No. 28019 approving a contract with Anderson Bogert for engineering design services regarding the 2020 35th Street & 7th Avenue Traffic Signal and Turn Lane Improvements Project in the amount of \$45,500 (TRANS-18-073)

F. Community Development

1. Motion to receive and file correspondence from Bradley & Riley PC regarding the Zoning Code Update. (Bradley & Riley PC, 2007 1st Avenue SE, Cedar Rapids).
2. Ordinance No. 19-24 amending the Marion Code of Ordinances establishing Chapter 176.53 Marion Municipal Airport Land Use and Height Overlay Zoning as amended. (Final Consideration)
3. Public Hearing regarding the renaming of Alburnett Road between Boyson Road and Central Avenue to Central Avenue and renaming Central Avenue west of 5th Street to 12th Avenue.
4. Ordinance No. 19-26 approving changing the name of Alburnett Road between Boyson Road and Central Avenue to Central Avenue and renaming Central Avenue west of 5th Street to 12th Avenue. (Initial Consideration)

5. Ordinance No. 19-25 approving a rezoning request from R-5, Moderate Density Multiple Family Residential to PD-R, Planned Development Residential located at 356 and 376 9th Street and Lot 4, Block 42 Original Town, Marion, Iowa. (Seven Hills East, LLC) (Second Consideration)
6. Resolution No. 28020 approving contract with Universal Field Services, Inc. for right-of-way acquisition services related to the CeMar Trail Project. (Iowa DOT Project Number: TAP-U-4475(630)-8I-57) (TRL-17-055)
7. Resolution No. 28021 approving contract with Universal Field Services, Inc. for right-of-way acquisition services related to the Indian Creek Trail Project (TRL-18-056).
8. Resolution No. 28022 approving payment no. 1 to Universal Field Services, Inc for services related to the Indian Creek Trail Project in the amount of \$240.00. (Iowa DOT Project Number: STP-U-4775(631)--70-57) (TRL-18-056).
9. Resolution No. 28023 approving The Ridge at Indian Creek 1st Addition Final Plat and Memorandum of Agreement for property located south of Indian Creek Road and north of Lucore Road, Marion, Iowa. (Abode Construction, Inc.)

G. Library

1. Resolution No. 28024 to approve contract with Envisionware for the replacement of library self-check stations and security gate replacement in the amount of \$33,519.00.
2. Resolution No. 28025 to approve a 28E Agreement between the City of Marion and Friends of the Marion Public Library.

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

None

PUBLIC FORUM – This time is set aside for comments from the public. 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.

ADJOURN