



CITY COUNCIL AGENDA
Thursday, June 20, 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: Lesbian, Gay, Bisexual and Transgender Pride Month (Marion Civil Rights Commission)

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 June 4 and 6, 2019 City Council meetings.

2. Motion to approve the following liquor license applications:
 - a. Renewal – Nette & Hanna’s Apothecary Store – 892 8th Avenue Class B Native Wine Permit with additional privileges of Sunday Sales. No violations in last five years.
 - b. Renewal – Tomaso’s – 1111 7th Avenue Special Class C Liquor License (Beer/Wine) with additional privileges of Sunday Sales. One violation in last five years.
3. Motion to approve the following FY2019-2020 Cigarette Permit Applications:
Dollar General #7226, Dollar General #7398, Big Shots Bar & Grill
4. Motion to approve the following Hold Harmless Agreements:
 - a. Neighborhood Summer Party; 4275 Par Circle; June 22, 2019 6:00-11:00 p.m. (Steve Allsop and Troy Albrecht, 4275 Par Circle, Marion)
5. Motion to receive and file the following resignations:
 - a. Amanda Proper from Planning and Zoning Commission effective 6/20/19.
 - b. Ben Skoegerboe from LOST Oversight Committee effective 6/20/19.
6. Motion to receive, file and discuss May 2019 Department Monthly Reports.
7. Motion to approve payments as presented in the amount of \$11,162,936.73.
8. Resolution No. 27711 approving the renewal of General Insurance with Iowa Communities Assurance Pool (ICAP) for FY2019-2020 in the amount of \$229,910.30.
9. Motion to receive and file new job description and pay schedule for the Police Evidence Technician.

B. Public Services

1. Resolution No. 27712 approving partial payment No. 12 to A&J Associates for the Public Service Maintenance Facility in the amount of \$21,200.00 (FACS-17-069).
2. Resolution No. 27713 approving partial payment No. 42 to Anderson-Bogert Engineers for the Public Services site plan development in the amount of \$5,193.25 (FACS-17-069).

3. Resolution No. 27714 approving Partial Payment #43 to Anderson-Bogert Engineers for the Public Services site plan development in the amount of \$4,955.62 (FACS-17-069).
4. Resolution No. 27715 approving Partial Payment #44 to Anderson-Bogert Engineers for the Public Services site plan development in the amount of \$24,813.00 (FACS-17-069).

C. Public Safety – None

D. Parks – None

E. Engineering

1. Motion to approve Engineering Department project payments as follows:
 - a. Resolution No. 27716 approving Partial Payment No. 4 to Tricon General Construction regarding the Lowe Park South End Improvements in the amount of \$10,060.13. (REC-17-050)
 - b. Resolution No. 27717 approving Partial Payment No. 5 to Tricon General Construction regarding the Lowe Park South End Improvements in the amount of \$43,497.59. (REC-17-050)
 - c. Resolution No. 27718 approving Partial Payment No. 7 to HDR Engineering Inc. regarding the 2018 Sanitary Sewer Capacity Study in the amount of \$3,995.35. (SWR-18-033)
 - d. Resolution No. 27719 approving Partial Payment No. 10 to Anderson Bogert Engineers regarding the 2018 Central Corridor 7th Ave. Preliminary Design project in the amount of \$54,393.90. (TRANS-18-098)
 - e. Resolution No. 27720 approving Partial Payment No. 17 to Snyder & Associates regarding the 2018 Alburnett Road Extension Phase I project in the amount of \$9,135.22. (TRANS-18-092)
 - f. Resolution No. 27721 approving Partial Payment No. 2 to HR Green regarding the 2019 10th Street and Central Avenue/10th Avenue Intersection Project Design in the amount of \$15,290.25. CS-TSF-4775(634)—85-57 (TRANS-18-089)
2. Motion to approve Project Calendar regarding Temporary Construction Easements associated with the 2019 Sidewalk Project (ANN-18-105 & ANN-18-106) as follows:
 - a. Resolution No. 27722 approving Temporary Construction Easement with Donald & Barbara Matheny, 715 South 12th Street, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)

- b. Resolution No. 27723 approving Temporary Construction Easement with Gary E & Dorothy E Grimm, 708 4th Avenue, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
- c. Resolution No. 27724 approving Temporary Construction Easement with John M & Susan R Niles, 395 7th Street, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
- d. Resolution No. 27725 approving Temporary Construction Easement with Denise Von Behren, 390 5th Avenue, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
- e. Resolution No. 27726 approving Temporary Construction Easement with Evin A Wagner & Kristen N Spurrier, 2510 Indian Creek Road, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
- f. Resolution No. 27727 approving Temporary Construction Easement with Barbra R Campbell, 412 7th Street, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
- g. Resolution No. 27728 approving Temporary Construction Easement with Wayne C & Barbara J Struchen, 295 5th Avenue, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
- h. Resolution No. 27729 approving Temporary Construction Easement with Rodney L & Carolyn K Hilleshiem, 412 5th Avenue, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
- i. Resolution No. 27730 approving Temporary Construction Easement with Catherine M Turner, 840 22nd Street, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
- j. Resolution No. 27731 approving Temporary Construction Easement with Debbie K Ohrt, 505 3rd Street, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
- k. Resolution No. 27732 approving Temporary Construction Easement with Seven Hills East LLC, 356 9th Street, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
- l. Resolution No. 27733 approving Temporary Construction Easement with Yvette M Clapp, 301 5th Avenue, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)

F. Community Development

1. Motion to approve Planning Department Division payments as follows:
 - a. Resolution No. 27734 approving payment No. 26 to Anderson Bogert Engineers per the contract for the Grant Wood Trail Extension Project (Iowa DOT Project No. TAP-U-47775(628)8I-57) in the amount of \$141.96. (TRL-17-058)
 - b. Resolution No. 27735 approving payment no. 11 to RDG Planning and Design for services related to an update to the Neighborhood at Indian Creek Master Plan in the amount of \$95.56.
 - c. Resolution No. 27736 approving payment no. 19 to Shoemaker Haaland per the contract for the CeMar Trail (Iowa DOT Project Number: TAP-U-4475(630)-8I-57) in the amount of \$21,158.27. (TRL-17-055)
 - d. Resolution No. 27737 approving payment no. 21 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)
 - e. Resolution No. 27738 approving payment no. 22 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 \$102.50. (GOV-18-015)
 - f. Resolution No. 27739 approving payment no. 3 to GLD Properties LLC for construction of a portion of the Grant Wood Trail project located between 26th Street roundabout and 31st Street in the amount of \$46,347.00. (TRL-18-114)
2. Resolution No. 27740 setting a public hearing for July 2, 2019 regarding an amendment to the Future Land Use Map of the Marion Comprehensive Plan from Business Parks/Office to Multi-Family Residential and a rezoning request from O-1, Office/Transitional to MR-2, High Density Multiple-Family Residential located at 1330 East Post Road, Marion, Iowa. (One Research Center)
3. Resolution No. 27741 approving the issuance of a building permit for Lot 1 prior to approval of Seventh Avenue Commercial 3rd Addition Final Plat. (GLD Properties LLC)

A. Library – None

REGULAR AGENDA

A. Administrative Services

1. Resolution No. 27742 approving the proposed allocation of Hotel/Motel Funding for FY19-20.
2. Resolution No. 27743 approving agreement with Dorsey & Whitney regarding legal services for General Obligation Urban Renewal Bonds, Series 2019D in an amount not to exceed \$25,000.00.
3. Resolution No. 27744 setting the date for public hearing on proposal to enter into a General Obligation Urban Renewal Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$6,500,000.00.
4. Resolution No. 27745 approving amendment to loan guaranty with Prospect Meadows.
5. Resolution No. 27746 approving Fiscal Year 2018-2019 Budget Transfers.

B. Public Services

1. Ordinance No. 19-19 amending Chapter 99 of the Sanitary Sewer Ordinance increasing monthly domestic and industrial user charges from \$2.30 to \$3.80 and reducing the service charge from \$8.00 to \$2.00 (Final consideration).
2. Ordinance No. 19-18 amending Chapter 105 of the Solid Waste Ordinance and establishing base monthly collection fees at \$15.50, extra bag tags at \$2.50 and special collection rates at \$40.00 (Final consideration).

C. Public Safety – None

D. Parks – None

E. Engineering

1. Public Hearing regarding the 2019 3rd Ave Rehabilitation Project [NSI] (TRANS-18-090)
2. Resolution No. 27747 accepting bids and awarding contract to Eastern Iowa Excavating & Concrete, LLC regarding the 2019 3rd Ave Rehabilitation Project [NSI] in the amount of \$233,276.65. (TRANS-18-090)

3. Public Hearing regarding the 2019 Sidewalk Project (ANN-18-105 & ANN-18-106)
4. Resolution No. 27748 accepting bids and awarding contract to Curtis Contracting Corporation regarding the 2019 Sidewalk Project (ANN-18-105 & ANN-18-106) in the amount of \$144,480.00. (TRANS-18-088)
5. Public Hearing regarding the 2274 5th Avenue Property Disposal Project. (TRANS-17-099)
6. Resolution No. 27749 accepting bids and awarding contract to Abode Construction, Inc. regarding the 2274 5th Avenue Property Disposal Project in the amount of \$29,200.00. (TRANS-17-099)
7. Resolution No. 27750 approving Change Order No. 1 with Price Industrial Electric regarding the Highway 13 And Hennessey Parkway Traffic Signal and Turn Lane Improvements Project regarding the traffic signal pole vendor modifications in the amount of \$4,000.00. (TRANS-18-074)
8. Resolution No. 27751 approving the Residential On-Street Parking for Disabled Policy.
9. Motion directing staff to present proposed modifications to the speed limits along IA 13.
10. Motion directing staff to contact all property owners that the proposed floodplain map touches when the 90 day review period starts.

F. Community Development

1. Ordinance No. 19-20 approving a rezoning to PD-R, Planned Development Residential, SR-3, Suburban Medium Density Single Family Residential and SR-4, Suburban Two-Family Residential for property located north of 29th Avenue on either side of Winchester Drive extended. (Robson Homes) (Second Consideration)
2. Motion to receive and file correspondence from the Marion Municipal Airport Committee regarding the Land Use Plan Amendment.
3. Motion to receive and file correspondence from Bradley & Riley PC and Atlas LP Company, LLC regarding the Marion Airport Comprehensive Plan Amendment.
4. Public hearing regarding an amendment to the Marion Comprehensive Plan establishing Airport and Airport Overlay designations. (City of Marion)

5. Resolution No. 27752 approving an amendment to the Marion Comprehensive Plan establishing Airport and Airport Overlay designations.
6. Motion directing staff to proceed with zoning the Marion Municipal Airport consistent with the 2017 Airport Layout Plan.
7. Motion directing staff to proceed with a city-wide rezoning based on the September 2018 adopted zoning districts.

G. Library – None

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 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.

ADJOURN