



1225 6th Avenue, Suite 170
Marion, Iowa 52302
www.cityofmarion.org

council memo

January 9, 2018

TO: The Honorable Mayor and City Council

FROM: Wes Nelson, City Clerk

RE: January 18, 2018 Agenda Items

A.1. Minutes

- a. Motion to approve minutes of the January 4, 2018 City Council meeting.

A.2. Schedule of Bills

- a. Motion to approve the bills as presented.

A.3. Motion to approve the following liquor license applications:

- a. Renewal application for a Class C Liquor License with additional privileges for Outdoor Service and Sunday Sales for Louie's Scoreboard (740 10th Street). Expiration 01/31/2018. No violations in previous five years.
- b. Renewal application for a Class C Liquor License with additional privileges for Outdoor Service and Sunday Sales for Wrigleyville, LLC, dba Wrigleyville (1899 7th Avenue). Expiration 02/14/2018. No violations in previous five years.

January 4, 2018

The City Council of the City of Marion, Linn County, Iowa met in regular session, Thursday, January 4, 2018, at 5:30 p.m. in the council chambers of City Hall with Mayor AbouAssaly presiding and the following council members present: Etzel, Jensen, Gadelha, Brandt, and Strnad. Absent: Draper.

The meeting was opened with the Pledge of Allegiance.

Mayor AbouAssaly administered the Oath of Office to the New City Council Members: Steven Jensen, Ward 2, Rene Gadelha, Ward 4, and Randy Strnad, At Large.

Mayor AbouAssaly read a proclamation for Martin Luther King, Jr. Day 2018. He presented the proclamation to Shirley Pantini from the Marion Civil Rights Commission.

Mayor AbouAssaly recommended the following Mayoral appointments:

- a. Rene Gadelha, Mayor pro tem, January 4, 2018 through December 31, 2018.
- b. Randy Strnad, Deputy Mayor pro tem, January 4, 2018 through December 31, 2018.
- c. Randy Strnad, Mayor pro tem, January 1, 2019 through December 31, 2019.
- d. Rene Gadelha, Deputy Mayor pro tem, January 1, 2019 through December 31, 2019.

Moved by Brandt, seconded by Etzel to concur with the Mayor's recommendations. All in favor, motion carried.

Moved by Brandt, seconded by Etzel to approve the Consent Calendar, as follows:

Motion to approve minutes of the December 19 and 21, 2017 City Council meetings.

Motion to approve the bills as presented in the amount of \$1,930,308.38.

Motion to approve the following liquor license applications:

- a. Renewal application for a Class C Liquor License with additional privileges for Catering, Outdoor Service, and Sunday Sales for Cibo, Inc., dba Cibo Fusion Restaurant and Lounge (685 Marion Blvd). Expiration 01/31/2018. No violations in previous five years.
- b. Renewal application for a Class C Liquor License with additional privileges for Outdoor Service and Sunday Sales for 19th Hole Operations, LLC, dba Indian Creek Country Club (2401 Indian Creek Road). Expiration 01/31/2018. No violations in previous five years.

- c. Renewal application for a Class C Liquor License with additional privileges for Outdoor Service and Sunday Sales for MRT Holdings, LLC, dba Pitchers (620 Lindale Drive). Expiration 01/03/2018. One violation in previous five years.
- d. Renewal application for a Class E Liquor License with additional privileges for Carryout Wine, Carryout Beer, and Sunday Sales for The Outlet, Inc., dba Smokin' Joes Tobacco and Liquor Outlet #10 (480 7th Avenue). Expiration 01/31/2018. No violations in previous five years.

Resolution No. 26569 adopting Final Assessment Schedule for Fiscal Year 2018 Quarter 3 Delinquent Fees and confirming and levying the assessments.

Resolution No. 26570 approving payment to Linn County Treasurer for \$17,028.58 for the City of Marion Regular City Elections on November 7, 2017.

Resolution No. 26571 approving Temporary Construction Easement with QA Properties, LLC, for part of Lot 3 and Lot 4, Block 5, N.W. Isbells 2nd Addition, Marion, Linn County, Iowa regarding the Central Corridor Improvements – Phase IV (19th Street to 26th Street).

Resolution No. 26572 accepting the 2017 Pedestrian Beacon Project.

Resolution No. 26573 accepting the 2017 Storm Sewer Project

Motion to approve Project Calendar regarding Planning and Development Department payment as follows:

- a. Resolution No. 26574 approving Payment No. 27 to Universal Field Services for services related to right-of-way acquisitions for the Central Corridor Improvement Project, 13th Street to 31st Street, in the amount of \$4,415.78.

Motion to receive and file the following item to the Planning and Zoning Commission:

- a. Revised Preliminary Plat for Prestwick Place 2nd Addition for property located north of 29th Avenue and west of 44th Street (Dustin Kern, Prestwick, LLC).

Motion to receive and file correspondence resigning from the Corridor Metropolitan Planning Organization (CMPO) (Tim Mooney, 862 Archer Drive).

Resolution No. 26575 providing for notice of hearing on proposed amendment to the revitalization plan for the 2017 Workforce Housing Urban Revitalization Area.

Resolution No. 26576 approving payments to Dorsey & Whitney LLP for professional services relating to various URA Plan Amendments, Development Agreements, Urban Revitalization Area activity in the total amount of \$60,611.00.

Motion to receive and file a letter of resignation from the Local Option Sales Tax Oversight Committee (Randy Strnad, 1820 Agate Circle).

All in favor of motion to approve the consent calendar, motion carried.

Mayor AbouAssaly relinquished the gavel to Mayor pro tem Gadelha at 5:41 p.m. Mayor pro tem Gadelha presided over the meeting.

Moved by Brandt, seconded by Etzel to approve the Consent Calendar with Mayor AbouAssaly abstention from voting and discussion regarding the following items:

Motion to approve Project Calendar regarding Engineering Department payments as follows:

- a. Resolution No. 26577 approving Partial Payment No. 4 to Abode Construction, Inc. regarding the 2017 Lucore Road Reconstruction Project in the amount of \$21,094.06.
- b. Resolution No. 26578 approving Partial Payment No. 2 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 \$66,259.41.
- c. Resolution No. 26579 approving Partial Payment No. 5 to Genesis Equities, LLC regarding the Central Corridor Improvements Project; Building Demolition in the amount of \$29,455.20.

Vote: Yeas: Etzel, Jensen, Gadelha, Brandt, and Strnad. Nays: None. Abstention: AbouAssaly. Motion carried.

Mayor pro tem Gadelha relinquished the gavel back to Mayor AbouAssaly at 5:43 p.m. Mayor AbouAssaly presided over the meeting.

Resolution No. 26580 approving Supplemental Contract with Rathje Construction for the 2017 Storm Sewer Project in the amount of \$2,700.00 was read by Strnad. Moved by Strnad, seconded by Brandt to approve Res. No. 26580. Assistant City Engineer Mike Barkalow presented the staff report. All in favor, motion carried.

Moved by Etzel, seconded by Gadelha to approve the Project Calendar regarding the 2018 Sidewalk Assessment Project as follows:

- a. Motion to retain the City Engineer as Project Engineer regarding the 2018 Sidewalk Assessment Project.
- b. Resolution No. 26581 approving the preliminary resolution pursuant to Chapter 384.42 of the Code of Iowa regarding the 2018 Sidewalk Assessment Project.
- c. Resolution No. 26582 approving the proposed resolution of necessity and setting public hearing regarding the 2018 Sidewalk Assessment Project.

All in favor of motion to approve the Project Calendar, motion carried.

Moved by Jensen, seconded by Etzel to receive and file a letter from ITC Midwest regarding upgrading transmission line route (Tim Tessier, Manager Regulatory Strategy, 1000 East Grand Avenue, Des Moines, IA). Assistant City Engineer Mike Barkalow presented the staff report. All in favor, motion carried.

Mayor AbouAssaly relinquished the gavel to Mayor pro tem Gadelha at 5:50 p.m. Mayor pro tem Gadelha presided over the meeting.

Resolution No. 26583 approving a Preliminary Plat for Hunter's Ridge North 1st Addition located east of Winslow Road and north of Stags Leap Lane (Midwest Development) was read by Brandt. Moved by Brandt, seconded by Etzel to approve Res. No. 26583. Vote: Yeas: Etzel, Jensen, Gadelha, Brandt, and Strnad. Nays: None. Abstention from voting and discussion: AbouAssaly. Motion carried.

Mayor pro tem Gadelha relinquished the gavel back to Mayor AbouAssaly at 5:51 p.m. Mayor AbouAssaly presided over the meeting.

Mayor AbouAssaly opened a public hearing regarding a street vacation request for Gospel Light Baptist Church for property located on 3rd Street north of 2nd Avenue and south of 3rd Avenue. Planning and Development Director Tom Treharne presented the staff report. Pastor Tim McCurdy, 117 30th Street Court, was present representing

Gospel Light Baptist Church. Pastor McCurdy spoke in favor of the street vacation. No other comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Resolution No. 26584 approving a street vacation request for Gospel Light Baptist Church for property located on 3rd Street north of 2nd Avenue and south of 3rd Avenue was read by Gadelha. Moved by Gadelha, seconded by Etzel to approve Res. No. 26584. All in favor, motion carried.

Resolution No. 26585 setting January 18, 2018 as a Public Hearing regarding a request to purchase public property at 3rd Street north of 2nd Avenue and south of 3rd Avenue (Gospel Light Baptist Church) was read by Strnad. Moved by Strnad, seconded by Etzel to approve Res. No. 26585. All in favor, motion carried.

Resolution No. 26586 approving the Final Plat and Memorandum of Agreement for Grabau's 2nd Addition located north of Blairs Ferry Road and east of Lindale Drive (Oralee & Leonard Grabau) was not brought to the table.

Resolution No. 26587 approving purchase of property described as 600 19th Street, Marion, Parcel 7A, 7B, and 7C from QA Properties in the amount of \$154,603.00 was read by Jensen. Moved by Jensen, seconded by Gadelha to approve Res. No. 26587. Planning and Development Director Tom Treharne presented the staff report. Council discussed the proposed purchase of the property. All in favor, motion carried.

Resolution No. 26588 approving an Amendment to Development Agreement (AIS Properties, Inc. d/b/a Restoration Dental) was read by Brandt. Moved by Brandt, seconded by Etzel to approve Res. No. 26588. City Manager Lon Pluckhahn requested that Res. No. 26588 be tabled until the next City Council meeting. Moved by Brandt, seconded by Gadelha to table Res. No. 26588 to the next City Council meeting. All in favor of motion to table, motion carried.

Resolution No. 26589 approving an Amendment to Development Agreement (Arnold Property Group, LLC d/b/a GameOn) was read by Gadelha. Moved by Gadelha, seconded by Brandt to approve Res. No. 26589. City Manager Lon Pluckhahn presented the staff report. All in favor, motion carried.

Resolution No. 26590 approving Memorandum of Understanding with JLENZ LLC was read by Strnad. Moved by Strnad, seconded by Etzel to approve Res. No. 26590. City Manager Lon Pluckhahn presented the staff report. All in favor, motion carried.

Resolution No. 26591 approving New Organizational Chart was read by Etzel. Moved by Etzel, seconded by Brandt to approve Res. No. 26591. City Manager Lon Pluckhahn presented the staff report. Council discussed the proposed re-organization. Council Member Gadelha suggested that the re-organization be discussed at a work session.

Moved by Gadelha, seconded by Jensen to table Res. No. 26591. Council Members Gadelha and Jensen requested that more detailed information be presented at a work session regarding the re-organization. All in favor of motion to table, motion carried.

Resolution No. 26592 approving an amendment to the 04/01/2017 Non-Bargaining Banded Pay Range Schedule to include the following was read by Jensen:

- a. Deputy City Manager (\$104,130 minimum to \$153,133 hard cap)
- b. Community Development Director (\$101,773 minimum to \$149,666 hard cap)
- c. Director of Administrative Services (\$101,773 minimum to \$149,666 hard cap)
- d. Budget Manager (\$65,306 minimum to \$96,038 hard cap)
- e. City Clerk/Records Retention Manager (\$51,478 minimum to \$75,703 hard cap)
- f. Plans Examiner (\$55,648 minimum to \$81,835 hard cap)

Moved by Jensen, seconded by Gadelha to approve Res. No. 26592. City Manager Lon Pluckhahn presented the staff report. Council discussed the proposed Pay Range Schedule and whether to table Res. No. 26592. All in favor of the motion to approve Res. No. 26592, motion carried.

Mayor AbouAssaly recommended the following reappointments:

- a. Terry Chew, 2980 6th Street, Linn County Solid Waste Agency, term expires 12-31-19.
- b. John Sklarsky, 1035 Dry Creek Lane, Local Option Sales Tax (LOST) Oversight Committee, term expires 12-31-20.
- c. Deb Washburn, 1010 Dry Creek Lane, Local Option Sales Tax (LOST) Oversight Committee, term expires 12-31-20.

Moved by Gadelha, seconded by Etzel to concur with the Mayor's recommendation. All in favor, motion carried.

Citizen's presentations, comments and/or petitions: None.

Council Discussion Time:

Council Member Jensen stated that he is looking forward to serving on the City Council for the next four years.

Council Member Gadelha stated that she is also looking forward to serving on the City Council. She thanked City Manager Lon Pluckhahn and the City staff for helping the new Council Members get up to speed on Council projects. Council Member Gadelha thanked Police Chief Joe McHale, Deputy Police Chief Doug Slagle, Public Services Director Ryan Miller, Parks Director Mike Carolan, and Assistant Fire Chief Jason Hansen for providing tours of their facilities. She noted that the staff takes pride in what they do. Council Member Gadelha also thanked Administrative Assistant Traci Miller and Assistant City Clerk Beth Little for their help.

Council Member Brandt welcomed the new Council Members.

Council Member Strnad stated that he is excited to be back on the City Council. He noted that he had to resign from the LOST committee that he has served on for the past year. He encouraged community members to get involved and serve on a committee or board.

Mayor AbouAssaly welcomed the new Council Members and thanked Council Member Brandt and Council Member Etzel for their continued service.

Mayor AbouAssaly noted that Council Member Jensen and Council Member Gadelha volunteered with him yesterday for the mobile food pantry that came to the Library. He noted that many people are food insecure. He suggested that Council continue to volunteer at the mobile food pantry. They normally serve 40 to 50 families at the library location.

Mayor AbouAssaly stated that he spoke at the Optimist Club meeting at Mr. Beans yesterday. Mayor AbouAssaly read the Optimists Creed.

Mayor AbouAssaly adjourned the meeting at 6:37 p.m.

Nicolas AbouAssaly, Mayor

Attest:

Beth J. Little, Assistant City Clerk