



CITY COUNCIL AGENDA
Thursday, February 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

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 February 5, 6, 7 and 12, 2019 City Council meetings.
2. Motion to receive, file and discuss January 2019 Department Monthly Reports.
3. Motion to approve the following liquor license applications:
 - a. Renewal – Napolis – 500 Marion Blvd Suite 100
Special Class C Liquor License with additional privileges of Class B Native Wine, Outdoor Service and Sunday Sales. One violation in previous five years.

4. Motion to approve the following hold harmless agreements:
 - a. Uplift Uptown; City Square Park; June 29, 2019 from 4:00-7:00 p.m. (Marion Cares, Laura Campbell, 1050 McGowan Boulevard) (Permit #2019-00000007)
 - b. BBQ Rendezvous; Lowe Park; May 31-June 2, 2019 (Marion Metro Kiwanis, 229 Northland Court NE, Cedar Rapids) (Permit #2019-00000008)
 - c. Top Tier Home Team Client BBQ; Lowe Park; September 20, 2019 from 6:00-10:00 p.m. (Top Tier Home Team, 211 East Main Street, Anamosa) (Permit #2019-00000011)
5. Motion to approve payments as presented in the amount of \$747,766.70.
6. Resolution No. 27452 setting the date for public hearings and additional action on proposals to enter into General Obligation Loan Agreements and to borrow money thereunder. (2019B)
7. Resolution No. 27453 setting the date for public hearings and additional action on proposals to enter into General Obligation Loan Agreements and to borrow money thereunder. (2019A/2019C)

B. Public Services

1. Resolution No. 27454 approving partial payment no. 8 to A&J Associates for the Public Services Maintenance Facility in the amount of \$3,100.00.

C. Police/Fire – None

D. Parks – None

E. Engineering

1. Resolution No. 27455 approving partial payment no. 13 to Snyder & Associates regarding the 2018 Alburnett Rd Extension Phase I in the amount of \$7,735.00.
2. Resolution No. 27456 approving Temporary Construction Easement with Gail McLaughlin Owner of Lynn Marie, LLC, 1803 6th Avenue, regarding the Central Corridor Improvements – Phase III from 13th Street to 19th Street Project.

F. Community Development

1. Motion to approve Planning Department project payments as follows:
 - a. Resolution No. 27457 approving payment to Duo-Gard for a transit shelter at 640 Bentley Drive funded by tax increment financing low and moderate income set aside assistance dollars in the amount of \$6,777.00.
 - b. Resolution No. 27458 approving payment no. 17 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 \$1200.00.
 - c. Resolution No. 27459 approving payment no. 18 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 \$512.50.
 - d. Resolution No. 27460 approving payments to Stanley Consultants, Inc. for environmental site assessment services related to land development Phase I ESA at 2254-74 5th Avenue in the amounts of \$2,280.00 and \$920.00.
 - e. Resolution No. 27461 approving payment no. 40 to Universal Field Services, Inc. for services related to right-of-way acquisitions for the Central Corridor Improvement Project, 13th Street to 31st Street in the amount of \$839.56.
2. Motion to receive, file and refer to the Planning and Zoning Commission:
 - a. A rezoning request for property north of 35th Avenue, east of 35th Street from Undesignated to PI, Public Institutional and a Preliminary Plat for Linn Mar 35th 1st Addition. (Linn Mar Community School District)
 - b. A final plat for Carriage Square 1st Addition located north of Twixt Town Road and west of Southview Drive. (Carriage Square)
3. Resolution No. 27462 setting a public hearing on March 7, 2019 regarding 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 Zoning District. (City of Marion)

G. City Manager's Office

1. Resolution No. 27463 ratifying contract with the Marion Policeman's Protective Association.

2. Resolution No. 27464 approving contract with Iowa Municipal Workers Compensation Association (IMWCA) for management services related to Police and Fire claims administration.
3. Resolution No. 27465 approving the award of \$5,000.00 to Waypoint as part of the Civil Rights Commission Low & Moderate Income Grant.
4. Resolution No. 27466 approving the award of \$5,000.00 to Willis Dady Homeless Services as part of the Civil Rights Commission Low & Moderate Income Grant.

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 – None

C. Police/Fire – None

D. Parks – None

E. Engineering – None

F. Community Development

1. Motion to receive, file and refer to the Planning and Zoning Commission:
 - a. A rezoning request for property between 29th Avenue and 35th Avenue, east and west of Winchester Drive Extended from PDR, Planned Development Residential & R-2, Medium Density Single-Family Residential to SR-3, Suburban Medium Density Single-Family Residential District; and PDR, Planned Development Residential to SR-4, Suburban Two-Family Residential District and an amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached to Single-Family Attached and Single-Family Attached to Single-Family Detached. (Robson Homes Inc.)
2. Motion to approve Planning Department project payments as follows:
 - a. Resolution No. 27467 approving payment no. 1 to Anderson-Bogert Engineers for General Airport Consulting for Engineering and/or land surveying services per the contract for the Marion Airport in the amount of \$2,385.00.

3. Resolution No. 27468 setting a public hearing for March 7, 2019 regarding a request to vacate the easterly Indian Creek Road right-of-way easement adjacent to the Gemstone Estates 5th Addition. (Morris Wood Enterprises, LLC)

G. City Manager's Office – None

REGULAR AGENDA

A. Administrative Services

1. Resolution No. 27432 amending the 04/01/2018 non-bargaining pay schedule to include the IT Director, Finance Director, Accountant, Library Cataloger and Battalion Chief pay bands. (Tabled 02/07/19)
2. Resolution No. 27433 approving the Finance Director Employment Agreement with Lianne Cairy. (Tabled 02/07/19)
3. Resolution No. 27434 approving the IT Director Employment Agreement with Terrell Hunter. (Tabled 02/07/19)

B. Public Services

1. Motion to receive, file and discuss program documents for the Commercial New Construction Program for the Public Services Maintenance Facility.
2. Resolution No. 27469 approving a Construction Manager Agreement between the City of Marion and Knapp Warden, LLC.

C. Police/Fire – None

D. Parks – None

E. Engineering

1. Public Hearing regarding establishing access fees on Winslow Road related to Glen Rock Farms 7th Addition.
2. Ordinance No. 19-04 regarding establishing access fees on Winslow Road related to Glen Rock Farms 7th Addition. (Initial Reading)
3. Motion to receive, file and discuss a letter regarding the saving of Historic Houses. (Cindy Hadish, Save CR Heritage Board Member.)
4. Public Hearing regarding 520 12th Street Request for Proposals.

5. Motion directing staff to receive, file and refer to the Economic Development Committee with Seven Hills East LLC in an amount not to exceed \$100,000.00 regarding the relocation of 520 12th Street.
6. Public Hearing regarding 525 11th Street Request for Proposals.
7. Motion directing staff to receive, file and refer to the Economic Development Committee with Seven Hills East LLC in an amount not to exceed \$100,000.00 regarding the relocation of 525 11th Street.
8. Motion to receive, file, discuss and approve the Engineering Department Work Program.
9. Motion to approve Project Calendar regarding the 2019 Sanitary Sewer Maintenance Project, as follows:
 - a. Motion to retain the City Engineer as Project Engineer regarding the 2019 Sanitary Sewer Maintenance Project.
 - b. Resolution No. 27470 approving Resolution of Necessity regarding the 2019 Sanitary Sewer Maintenance Project.
 - c. Resolution No. 27471 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2019 Sanitary Sewer Maintenance Project.
 - d. Resolution No. 27472 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2019 Sanitary Sewer Maintenance Project.
10. Motion to receive, file and discuss letter regarding request for the City to pay for improvements along Robinwood Lane. (Chad Pelley, Rookwood Estates, LLC)
11. Motion directing staff to negotiate a Memorandum of Agreement with Rookwood Estates regarding the installation of improvements along Robinwood Lane.
12. Motion to receive, file and discuss Petition regarding additional no parking on Lyons Lane.
13. Motion to receive, file and discuss the TAC Report regarding additional no parking on Lyons Lane.
14. Resolution No. 27473 approving a no parking zone on the cul-de-sac of Lyons Lane.

15. Motion to receive, file, discuss and refer to TAC a request regarding no parking extension or enforcement along Saddleback Road. (Darrin Fullerton, 365 Saddleback Road)

F. Community Development

1. Ordinance No. 19-03 approving rezoning from C-4 Warehouse Commercial to PDR, Planned Development Residential for property at 2274 5th Avenue. (City of Marion) (Second Consideration)
2. Resolution No. 27474 approving the Site Plan Review with terms and conditions of agreement related to Ordinance 16-09 rezoning property located south of 6th Avenue between 8th and 9th Street. (Perry Development Partners)
3. Resolution No. 27475 approving a Final Plat and Memorandum of Agreement for Linn-Aire Industrial Park 3rd Addition at 6000 Linn-Aire Avenue, Marion, Iowa. (WFI Enterprises, Inc. and B-J's Investments LLC)

G. City Manager's Office

1. Public Hearing on proposed amendment to the West Tower Terrace Road Urban Renewal Area.
2. Resolution No. 27476 approving Urban Renewal Plan Amendment for West Tower Terrace Road Urban Renewal Area.

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.

ADJOURN