MARION CITY COUNCIL REGULAR MEETING

Thursday, April 21, 2016 – 5:30 p.m.

Council Chambers – 1225 6th Avenue

Please remove hats and refrain from using tobacco products in the Council Chamber.

This meeting is being tape recorded. If you wish to address the City Council, please go to the lectern, wait to be recognized by the Mayor and state your name and address before making any comments.

Call to Order.

Pledge of Allegiance.

Roll Call.

Moment of Silence.

Presentation regarding Blues Zones (Dan Burden)

Proclamation: Arbor Day

Proclamation: Building Safety Month

Citizen’s presentations, comments and/or petitions.

CONSENT CALENDAR

NOTE: The Consent Calendar includes routine items and will be enacted by one motion without separate discussion unless Council requests an item be removed to be and considered separately.

Motion to approve Consent Calendar, as presented:

1. Motion to approve minutes of the March 15 and 17, 2016 City Council meetings.
2. Motion to approve the bills as presented in the amount of $1,127,359.52.
3. Motion to approve the following liquor license applications:  
   1. Renewal application for a Special Class C Liquor License with additional privileges for Sunday Sales for MJ’S Restaurant, LLC, dba MJ’S Restaurant (1107 7th Avenue). Expiration 05/19/2016. No violations in previous five years.
   2. Renewal application for a Class B Beer permit with additional privileges for Outdoor Service and Sunday Sales for Another Road, LLC, dba Another Road Brewing (1175 8th Avenue). Expiration 05/07/2016. No violations in previous five years.
   3. New application for a Class C Liquor License with additional privileges for Outdoor Service and Sunday Sales for Uptown Snug, LLC, dba Uptown Snug (760 11th Street).  Effective 05/02/2016
4. Resolution No. 25245 adopting Final Assessment Schedule for Fiscal Year 2016 Quarter 4 Delinquent Fees and Confirming and Levying the Assessments.
5. Resolution No. 25246 setting a public hearing for May 19, 2016 to amend the current budget for the fiscal year ended June 30. 2016.
6. Motion to receive and file certified list for the Permit Technician position within the Marion Building Department.
7. Motion to receive and file Public Services Work Schedule for 2016.
8. Resolution No 25247 approving Partial Payment No. 12 to Anderson-Bogert Engineers for Public Services site plan development in the amount of $2,808.00.
9. Resolution No. 25248 approving the 2016 Addendum for 2001 Contract between City of Marion and the Township of for Fire Department response.
10. Resolution No. 25249 approving the donation of the Marion Fire Department’s replaced SCBA equipment to the Monroe Township Fire Department in Monroe Township of Linn County, Iowa.
11. Resolution No. 25250 approving Partial Payments No.7 & No.8 to Confluence for professional services regarding the City of Marion Park System Master Plan in the amount of $8,411.00.
12. Motion to receive and File the Faulkes Heritage Woods Ecological Assessment and Management Plan.
13. Resolution No. 25251 approving the installation of a street light at the intersection of 8th Avenue and 44th Street.
14. Resolution No. 25252 approving contract and bond with Visu-Sewer, Inc. regarding the 2016 Sanitary Sewer Sliplining Project.
15. Motion to approve Project Calendar regarding the 2016 Lowe Park Lighting Project, as follows:
16. Motion to retain the City Engineer as Project Engineer regarding the 2016 Lowe Park Lighting Project.
17. Resolution No. 25253 approving Resolution of Necessity regarding the 2016 Lowe Park Lighting Project.
18. Resolution No. 25254 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2016 Lowe Park Lighting Project.
19. Resolution No. 25255 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2016 Lowe Park Lighting Project.
20. Motion to approve Project Calendar regarding the 2016 Winslow Road Reconstruction Project, as follows:
21. Motion to retain the City Engineer as Project Engineer regarding the 2016 Winslow Road Reconstruction Project.
22. Resolution No. 25256 approving Resolution of Necessity regarding the 2016 Winslow Road Reconstruction Project.
23. Resolution No. 25257 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2016 Winslow Road Reconstruction Project.
24. Resolution No. 25258 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2016 Winslow Road Reconstruction Project.
25. Motion to receive and file TAC report regarding a request for “No Parking” on 1st Street from 29th Avenue to 33rd Avenue (Will Holland).
26. Motion to receive and file TAC report regarding Highway 13 / 29th Avenue intersection (Judy and Dave Weber, 1847 Fernow Road).
27. Motion to receive and file staff report regarding a request for purchase of property at 3501 29th Avenue (Ken and Karen Swalley, 3500 28th Avenue).
28. Motion to receive and file correspondence regarding establishing parking on 7th Avenue (Harold Mally, Noah’s Archive, 945 7th Avenue).
29. Motion to receive and file correspondence in support of reducing the speed on Highway 13 (Shawn Lampe, 1801 Fernow Road).
30. Motion to approve Project Calendar regarding Planning and Development Department Payments as follows:  
    1. Resolution No. 25259 approving Payment to Cook Appraisal for an Appraisal Report per the contract for the Grant Wood Trail Extension Project (Iowa DOT Project No. TAP-U-4775(628)--8I-57) in the amount of $2,600.00.
    2. Resolution No. 25260 approving Payment No. 8 to Anderson-Bogert Engineers per the contract for the Grant Wood Trail Extension Project (Iowa DOT Project No. TAP\_U\_4775(628)—8I-57) in the amount of $1,097.99.
    3. Resolution No. 25261 approving Payment No. 4 to RDG Planning & Design for services related to the Active Living Design Guidelines per the approved contract in the amount of $16,250.00.
31. Motion to receive and file the following items to the Planning and Zoning Commission:  
    1. Marion First United Methodist Church Preliminary and Final Site Development Plans for property located West of Highway 13 and South of 35th Avenue (Linn County Business Park 1st Addition).
    2. Platinum Comprehensive Plan Amendment from Corridor Commercial to Multi-family Residential for property located west of Highway 13 and south of 29th Avenue.
    3. Platinum Rezoning request from C-3, General Commercial to R-6, High-Density Multi-Family Residential for property located west of Highway 13 and south of 29th Avenue.
    4. Platinum Preliminary Plat for property located west of Highway 13 and south of 29th Avenue.
32. Motion to receive and file correspondence regarding a request from Douglas W. Henderson for the City of Marion to vacate the 15’ drainage easement on lots 4 & 5 of Henderson’s 10th addition to the City of Marion.
33. Motion directing staff to solicit request for qualifications (RFQ) regarding the Central Corridor Plan Update.
34. Motion to receive and file letter of request for TIF assistance regarding Lebeda Project (Russ Miller).
35. Motion to receive and file letter of request for TIF assistance regarding 3rd Avenue Business Expansion Project (Chad Pelley).
36. Resolution No. 25262 approving Payment to Anderson-Bogart Engineers for professional services regarding the Marion Airport in an amount of $26,992.62.
37. Resolution No. 25263 supporting the Main Street Program in Marion, Iowa.
38. Resolution No. 25264 authorizing the submittal of an application to the Iowa Department of Transportation regarding funding for the Marion Airport.
39. Motion directing staff to develop a Naming Policy.
40. Motion to receive and file March 2016 Departmental Reports.
41. Motion to receive and file correspondence regarding Robert Naujoks (Dennis Frevert, Marion Arts Council, 1415 24th Street).
42. Motion to amend the April 7, 2016 City Council minutes by unanimous consent of the City Council to reflect Mayor AbouAssaly abstention on the following item:  
    1. Resolution No. 25217 approving Partial Payment No. 1 to Dave Schmitt Construction Company, Inc. regarding the 2015 Storm Sewer Project in the amount of $78,008.71.
43. Motion to approve the following Hold Harmless/Noise Waiver Agreement(s):  
    1. Uptown Getdown Concert Series, City Square Park, Thursday August 4, 11, 18, and 25, 2016, 2:00 p.m. – 10:30 p.m. (Tami Schlamp, Marion Chamber of Commerce, 1225 6th Avenue).
    2. Freedom Festival Bicycle Ride/Evening Concert, Lowe Park Amphitheater, June 26, 2016, 6:00 a.m. – 8:00 p.m.(Liz Neff, 609 1st Avenue SW, Suite 102, Cedar Rapids).
    3. Rotary Club of Marion – East Cedar Rapids Fundraiser, Klopfenstein Amphitheater, June 11, 2016 4:00 p.m. – 10:00 p.m. (Pat Quinn, PO BOX 1183).
    4. City Showcase, City Square Park plus 6th Avenue and 11th Street adjacent to the park April 23, 2016, 8:00 a.m. – 2:00 p.m. (Amber Bisinger, 1225 6th Avenue).
    5. Marion Arts Festival including ½ Marathon and 5K Run/Walk, City Square Park and surrounding area, May 20 and 21, 2016, 6:00 a.m. – 9:00 p.m. (Deb Bailey, Marion Arts Festival Director, 1225 6th Avenue).
    6. Marion Big Band Concert, City Square Park, July 7, 14, and 21, 2016, 12:00 p.m. – 9:00 p.m. including request to use the 11th Street stub adjacent to the park to store trailer/stage from July 7 through July 28, 2016 (Craig Mueggenberg, 1660 Valentine Drive).
    7. Chamber of Commerce PM Exchange Block Party, 11th Street between 7th and 8th Avenue, July 21, 2016, 9:00 a.m. – 8:00 p.m. (Martin Gardner Architecture, P.C., 700 11th Street, Suite 200).

Motion to approve Consent Calendar with Mayor AbouAssaly abstention from voting and discussion regarding the following items, as presented:

1. Resolution No. 25265 approving Partial Payment No. 17 to Martin Gardner Architecture for Public Service facility design services in the amount of $2,885.00.
2. Resolution No. 25266 approving a Memorandum of Agreement with Marion Iron Company and the City regarding a permanent trail easement and a temporary construction easement for the installation and use of the Grant Wood Trail Extension project.
3. Resolution No. 25267 approving a Memorandum of Agreement with Marion Iron Company and the City regarding the installation of a chain link fence following the construction of the Grant Wood Trail Extension project.
4. Resolution No. 25268 approving Partial Payment No. 30 to Martin Gardner Architecture for professional services related to the downtown façade revitalization program in the amount of $480.00.
5. FINANCE

NONE

1. PUBLIC SERVICES

NONE

1. POLICE/FIRE

NONE

1. PARKS
2. Presentation regarding Marion Parks & Recreation Master Plan
3. Motion to receive and file the Marion Parks & Recreation Master Plan.
4. Resolution No. 25269 approving the adoption of the Marion Parks & Recreation Master Plan.
5. BUILDING INSPECTION

NONE

1. ENGINEERING
2. Ordinance No. 16-04 amending Chapter 63 of the Code of Ordinances establishing speed limit on East Robins Road within the Incorporated Limits of the City (Staff) (Second Consideration).
3. Motion to receive and file correspondence regarding request for brick border in sidewalk (Susan C. Hightshoe, 488 33rd Avenue).
4. PLANNING AND DEVELOPMENT
5. Resolution No. 25270 setting public hearing for June 9, 2016 regarding an annexation application for properties located north of East Robins Road and west of Alburnett Road in Linn County, Iowa.
6. Resolution No. 25271 setting public hearing for May 5, 2016 regarding a rezoning request from O-1, Office Transitional to PD-R, Planned Development Residential for property located north of Oakbrook Drive and west of East Post Road (Skogman Commercial).
7. Resolution No. 25272 setting public hearing for May 5, 2016 regarding a Comprehensive Plan Amendment from Business Park/Office to Multi-Family Residential for property located north of Oakbrook Drive and west of East Post Road. (The Views Properties B, LLC).
8. Motion to receive and file request to amend the Development Agreement on the Blairs Ferry Senior Apartments (TWG Development, LLC ).
9. Motion to receive and file a printing reimbursement request (Brandon Whyte, Multimodal Transportation Planner, Corridor Metropolitan Planning Organization, 101 First Street SE, Cedar Rapids).
10. ADMINISTRATION/OTHER
11. Resolution No. 25273 of intent to direct staff to negotiate a development agreement regarding Lebeda Project (Russ Miller).
12. Resolution No. 25274 of intent to direct staff to negotiate a development agreement regarding the 3rd Avenue Business Expansion Project (Chad Pelley).
13. Public hearing regarding the approval of a lease agreement with Ali’s Weeds regarding the McGowan House property located at 524 10th Street.
14. Resolution No. 25275 approving a lease agreement with Ali’s Weeds regarding the McGowan House property located at 524 10th Street.
15. Public hearing regarding approval of the Capital Improvement Program (CIP).
16. Motion to receive and file correspondence from Engle Properties, LLC regarding the re-configuration of the parking lot north of 777 10th Street.
17. Public Hearing regarding a permanent utility easement with Engle Properties, LLC on a portion of the north/south alley between 10th Street and 11th Street and 7th Avenue and 8th Avenue of Original Town, now City of Marion, Block 13, Linn County, Iowa associated with the ImaginArt in the Alley Project.
18. Resolution No. 25276 approving and accepting a temporary construction easement agreement with Engle Properties, LLC regarding the 2016 ImaginArt in the Alley Project.
19. Motion to approve Hold Harmless/Noise Waiver Agreement regarding installation of conduit through City of Marion property for generator supply installation.
20. Resolution No. 25277 approving Main Street Program Agreement.
21. Resolution No. 25278 concurring and approving with the LOST Review Committee Recommendation regarding 8th Avenue.
22. Resolution No. 25279 selecting Morningside Research and Consulting as the vendor regarding the Housing Study in an amount of $38,260.00.
23. Mayoral Appointment:  
    1. Kimberly Rose, 616 Raleigh Lane, Library Board, expires June 30, 2018.
    2. Paul Rehn, 2710 25th Avenue, Area Ambulance Board.
24. Council Discussion Time
25. Adjourn