MARION CITY COUNCIL REGULAR MEETING

Thursday, July 7, 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.

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 June 21 and 23, 2016 City Council meetings.
2. Motion to approve the bills as presented in the amount of $1,408,251.68.
3. Motion to approve the following liquor license applications:  
   1. Renewal application for a Special Class C Liquor License with additional privilege for Sunday Sales for Whaddaywant Marion, LLC, dba Tomaso’s Pizza (1111 7th Avenue). Expiration 08/03/2016. No violations in previous five years.
4. Motion to receive and file certified list for Entry-Level Police Officer.
5. Motion to approve Project Calendar regarding Engineering Department payments as follows:  
   1. Resolution No. 25427 approving Partial Payment No. 2 to City of Cedar Rapids regarding the Tower Terrace Road Project (C Avenue to Alburnett Road) associated with Resolution 23937 -Chapter 28E Agreement in the amount of $19,140.80.
   2. Resolution No. 25428 approving Partial Payment No. 4 to Eastern Iowa Excavating & Concrete LLC, regarding the 35th Street and 29th Avenue Mini-Roundabout (CS-TSF-4775(629) - - 85 – 57) in the amount of $2,470.00.
   3. Resolution No. 25429 approving Partial Payment No. 4 to Ricklefs Excavating, LTD regarding the Central Corridor Complete Streets and Capacity Improvements, Roundabout at 7th Avenue and 7th Street, STP-A-4775(627)--86-57 in the amount of $ 101,822.97.
   4. Resolution No. 25430 approving Partial Payment No. 2 to Ricklefs Excavating, LTD regarding the Donnelly Park Boyson Trail Bridge Replacement Project in the amount of $120,468.72.
   5. Resolution No. 25431 approving Partial Payment No. 3 to Rathje Construction Company, Inc. regarding the 2015 Alburnett Road Widening Project in the amount of $71,696.26.
   6. Resolution No. 25432 approving Partial Payment No. 1 to Rathje Construction Company, Inc., regarding the 2016 Sanitary Sewer Manhole Project in the amount of $31,268.30.
   7. Resolution No. 25433 approving Partial Payment No. 1 to Rathje Construction Company, Inc., regarding the 2016 Fairview Drive Reconstruction Project in the amount of $100,315.96.
   8. Resolution No. 25434 approving Partial Payment No. 6 for reimbursement to Mooney-Engle Land Company, LLC, regarding the Tower Terrace Road – Phase V (10th Street to Indian Creek Road) Project in the amount of $394,397.10.
   9. Resolution No. 25435 approving Partial Payment No. 2 to Mooney-Engle Land Company, LLC, regarding the Winslow Road Realignment Project associated with the Bridge Creek Addition in the amount of $750,258.30.
6. Resolution No. 25436 accepting Squaw Creek Meadows 7th Addition to the City of Marion.
7. Resolution No. 25437 accepting the 2016 HMA Resurfacing Project.
8. Resolution No. 25438 accepting the Donnelly Park Boyson Trail Bridge Replacement Project.
9. Resolution No. 25439 approving Temporary Construction Easement with Eric R. Japenga (1085 Fairview Drive) regarding the 2016 Fairview Drive Reconstruction Project.
10. Resolution No. 25440 approving Temporary Construction Easement with Philip R. and Amanda M. Drey (1885 Valentine Drive) regarding the 2016 Winslow Road Reconstruction Project.
11. Motion to approve Project Calendar regarding Planning and Development Department Payments as follows:  
    1. Resolution No. 25441 approving Payment to Corridor Metropolitan Planning Organization for FY17 dues in the amount of $15,899.78.
12. Resolution No. 25442 setting a public hearing for July 21, 2016 regarding the sale of City owned property located adjacent and south of 2525 and 2065 7th Avenue also known as Plat of Survey No. 2042 to Mooney-Engle Land Company LLC.
13. Resolution No. 25443 approving waiver of Subdivision Regulations to allow division of property by Plat of Survey and approving Plat of Survey No. 2054 (City of Marion).
14. Motion to receive and file correspondence requesting to purchase the north half of the N/S alley in Block 26 and the entire E/W alley in Block 26 (Perry Development).
15. Resolution No. 25444 setting a public hearing for August 4, 2016 regarding the status of funded activities for the downtown revitalization (façade) improvement project of Marion, Iowa, as assisted by the Community Development Block Grant (CDBG) Program.
16. Motion to receive and file State of Iowa Census Certification from the Office of the Iowa Secretary of State.
17. Motion to approve the following Hold Harmless/Noise Waiver Agreement(s):  
    1. Wedding, Lowe Park, September 10, 2016, 10:00 a.m. – 12:00 p.m. (Paula Fields, 3450 Monarch Avenue).
    2. Oak Park Estates Annual BBQ Block Party, Oak Park Circle, August 12, 2016, 4:00 p.m. – 11:00 p.m. (Mary Hagensick, 421 Oak Park Circle).
    3. QDogs BBQ Company, 895 Blairs Ferry Road, August 20, 2016, 11:00 a.m. – 11:00 p.m. (Jeff Coil, 895 Blairs Ferry Road).

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

1. Motion to approve Project Calendar regarding Engineering Department payments as follows:  
   * 1. Resolution No. 25445 approving Partial Payment No. 2 to L.L. Pelling Company, Inc. regarding the 2016 HMA Resurfacing Project in the amount of $262,039.07.
     2. Resolution No. 25446 approving Partial Payment No. 1 to Genesis Equities, LLC per Resolution No. 25306 regarding the 2015 Central Corridor Improvements Project (13th to 31st Street – Stage 1; Phase II) in the amount of $ 108,292.02.
2. Resolution No. 25447 approving concurrence with developer agreement associated with the 2015 Central Corridor Improvements Project – Phase 2 regarding building demolition in an amount of $14,000.00.
3. Resolution No. 25448 approving Partial Payment No. 35 to Martin Gardner Architecture for professional services related to the downtown façade revitalization program in the amount of $5,308.75.
4. FINANCE

NONE

1. PUBLIC SERVICES

NONE

1. POLICE/FIRE

NONE

1. PARKS

NONE

1. BUILDING INSPECTION

NONE

1. ENGINEERING
2. 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).
3. Ordinance No. 16-08 amending Section 69.06, subsection 13 of the Code of Ordinances establishing parking regulations regarding length of reservation spaces within the Incorporated Limits of the City (Staff) (Initial Consideration).
4. PLANNING AND DEVELOPMENT
5. Public Hearing regarding a request to amend the Future Land Use Map of the Marion Comprehensive Plan from Single Family Detached Residential to Uptown District and to rezone property from R-5, Moderate Density Multiple Family Residential to C-2, Central Business District Commercial for property located south of 6th Avenue between 8th and 9th Street (Perry Development Partners).
6. Resolution No. 25449 approving amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single Family Detached Residential to Uptown District for property located south of 6th Avenue between 8th and 9th Street (Perry Development Partners).
7. Ordinance No. 16-09 amending the Marion Code of Ordinances regarding a request to rezone property from R-5, Moderate Density Multiple Family Residential to C-2, Central Business District Commercial for property located south of 6th Avenue between 8th and 9th Street (Perry Development Partners). Initial consideration.
8. Public hearing regarding a request from First United Methodist Church of Marion First Addition for a Preliminary and Final Site Development Plan located north of REC Drive, west of Highway 13 and south of 35th Avenue (First United Methodist Church).
9. Resolution No. 25450 approving the First United Methodist Church of Marion First Addition Preliminary Site Development Plan located north of REC Drive, west of Highway 13 and south of35th Avenue (First United Methodist Church).
10. Resolution No. 25451 approving the First United Methodist Church of Marion First Addition Final Site Development Plan located north of REC Drive, west of Highway 13 and south of 35th Avenue (First United Methodist Church).
11. Resolution No. 25452 approving the First United Methodist Church of Marion First Addition Preliminary Plat located north of REC Drive, west of Highway 13 and south of 35th Avenue (First United Methodist Church).
12. Ordinance No. 16-07 approving the rezoning from C-3, General Commercial to R-6, High Density Multiple Family for property located West of Highway 13 and South of 29th Avenue. Final consideration.
13. Resolution No. 25453 approving Prairie Hill 16th Addition Final Plat for property located West of Highway 13 and South of 29th Avenue (Platinum Development, LLC).
14. Resolution No. 25454 approving acquisition Plat for 7th Avenue improvements adjacent to 2823 7th Avenue, former Prince Agra Site (GLD Properties, LLC.).
15. Resolution No. 25455 setting a public hearing for July 21, 2016 regarding the sale of City owned property located south of 2823 7th Avenue, former Prince Agra Site, to GLD Properties LLC.
16. Resolution No. 25456 approving and accepting a temporary construction easement agreement with GLD Properties LLC related to the 7th Avenue Improvement Project.
17. ADMINISTRATION/OTHER
18. Resolution No. 25457 approving the City of Marion Naming Policy.
19. Motion to receive and file correspondence requesting permission to salvage a railroad signal relay box located on the south side of 6th Avenue, south of Burger King (Chris Burke, 1621 Dubuque road).
20. Mayoral Appointments:  
    1. Bonnie Roth, 2701 3rd Avenue, Airport Advisory Committee.
    2. Matt Milburn, 2710 10th Street, Nuisance and Property Maintenance Advisory Board, term expires 01/01/2019.
21. Council Discussion Time
22. Adjourn