MARION CITY COUNCIL REGULAR MEETING

Thursday, October 6, 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 September 20 and 22, 2016 City Council meetings.
2. Motion to approve the bills as presented in the amount of $1,267,465.28.
3. Motion to approve the following liquor license applications:  
   1. Renewal application for a Class C Beer Permit with additional privileges for Carryout Wine and Sunday Sales for Aldi, Inc., dba Aldi, Inc. #58 (1001 50th Street). Expiration 10/26/2016. No violations in previous five years.
   2. Renewal application for a Special Class C Liquor License with additional privileges for Outdoor Service and Sunday Sales for Craig Campbell, dba Campbell Steele Gallery (1064 7th Avenue). Expiration 10/31/2016. No violations in previous five years.
   3. Renewal application for a Class C Beer Permit with additional privileges for Carryout Native Wine and Sunday Sales for Rainbo Oil Company, dba Kwik Stop (5005 10th Avenue). Expiration 11/10/2016. No violations in previous five years.
   4. Renewal application for a Class E Liquor License with additional privileges for Carryout Wine and Carryout Beer for Fareway Stores, Inc., dba Fareway Stores, Inc. #949 (3300 10th Avenue). Expiration 11/15/2016. No violations in previous five years.
4. Motion to receive and file memo regarding Marion’s flood assistance to the City of Cedar Rapids.
5. Motion to approve Project Calendar regarding Engineering Department payments as follows:  
   1. Resolution No. 25596 approving Partial Payment No. 4 to Central States Concrete, LLC regarding the 2016 ImaginArt in the Alley Project in the amount of $92,204.97.
   2. Resolution No. 25597 approving Partial Payment No. 7 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 $466,873.03.
   3. Resolution No. 25598 approving Partial Payment No. 4 to Rathje Construction Company, Inc. regarding the 2016 Fairview Drive Reconstruction Project in the amount of $60,391.97.
   4. Resolution No. 25599 approving Partial Payment No. 2 to Rathje Construction Company, Inc. regarding the 2016 Winslow Road Reconstruction Project in the amount of $59,702.06.
   5. Resolution No. 25600 approving Partial Payment No. 2 to Borst Bros. Construction, Inc. regarding the 2016 Sidewalk Assessment Project in the amount of $13,909.29.
6. Resolution No. 25601 accepting the 2016 Sidewalk Assessment Project.
7. Motion to receive and file correspondence regarding street signage on Lucore Road at Tower Terrace Road. (Bruce and Mary Taylor, 4197 Garnet Circle).
8. Motion to approve Project Calendar regarding Temporary Construction Easements associated with the 2016 Fairview Drive Reconstruction Project as follows:  
   1. Resolution No. 25602 approving Temporary Construction Easement with William E. and Sharon L. Gruber (1000 Fairview Drive) regarding the 2016 Fairview Drive Reconstruction Project.
   2. Resolution No. 25603 approving Temporary Construction Easement with Premier Property Investments, LLC., Justin Sloan (880 Fairview Drive) regarding the 2016 Fairview Drive Reconstruction Project.
   3. Resolution No. 25604 approving Temporary Construction Easement with Premier Property Investments, LLC., Justin Sloan (965 Fairview Drive) regarding the 2016 Fairview Drive Reconstruction Project.
9. Motion to approve Project Calendar regarding Planning and Development Department payments as follows:  
   1. Resolution No. 25605 approving Payment No. 12 to Universal Field Services, Inc., for services related to right-of-way acquisitions for the Central Corridor Improvement Project in the amount of $11,836.47.
10. Motion to receive and file the following items to the Planning and Zoning Commission:  
    1. Request to amend Chapter 176.29 of the Marion Code of Ordinances regarding Parking Regulations for surfacing and placement. (Front yards not being used as a parking or storage area in residential areas and Recreational Vehicle Parking).
    2. City Initiated request to zone property R-1, Low Density Single Family Residential for property located west of Alburnett Road and north of East Robins Road.
    3. Final site development plan for Arctic Insulation located south of Partners Avenue and west of Medco Drive.
    4. Request by Morris Wood LLC to amend the Marion Comprehensive Plan Land Use Map from Corridor Commercial to Multi-Family Residential and to rezone property form C-3, General Commercial to R-6, High Density Single Family Residential for property located south of Kacena Avenue and west of Highway 13 (Eagle Ridge LC).
11. Resolution No. 25606 approving Terrace Glen Village Preliminary Site Development Plan located west of Alburnett Road and north of Heather Court (James S. Lewis Revocable Trust and Diane H. Lewis Revocable Trust).
12. Motion to receive & file a letter and donation from Linn County Trails Association for paving of the Grant Wood Trail extension (Hwy 13 to 35th Street).
13. Resolution No. 25595 setting a public hearing for October 20, 2016 regarding the sale of City owned property located between 25th Street and 31st Street within the future extension of 6th Avenue along the former Railroad Right of Way (Removed 9.22.16).
14. Motion to receive and file a request for encroachment of a monument sign into the public right of way located at 675 Blairs Ferry Road (McGrath Auto Group).
15. Resolution No. 25607 approving contract with Iowa Department of Transportation regarding the Marion Airport Grant Award for the Runway 17/35 Reconstruction Design Project in an amount of $63,750.00.
16. Resolution No. 25608 setting public hearing for October 20, 2016 regarding the sale property Lot 3, Industrial Center East 11th Addition, City of Marion, Linn County, Iowa (James D. Anderson).
17. Motion to receive and file correspondence regarding local internet services (Suku Kuriakose).
18. Motion to receive and file proposed changes to the Library Program Coordinator – Customer Experience and Access Services [formerly Library Program Coordinator (Librarian) –Circulation and Access Services Manager] position description.
19. Motion to approve the following Hold Harmless/Noise Waiver Agreement(s):  
    1. Return of the Turkey Trot 8KRun/4K Walk, Marion High School and surrounding areas, November 12, 2016, 8:30 a.m. – 9:30 a.m., (Wes Nelson, 1225 6th Avenue).
    2. Halloween Party, October 29, 2016, 8:00 – 11:00 p.m. (Joni Saboe, 5210 Elderton Drive).
    3. Wedding, Lowe Park Amphitheater, September 16, 2017, 8:00 a.m. – 11:00 p.m. (Shayna Schminkey, 161 Crestridge Drive NW, Cedar Rapids).
    4. Wedding, Lowe Park Amphitheater, September 15, 2017, 4:00 a.m. – 10:00 p.m. (Britney and Jason Dyson, 2273 C Street SW, Apt F, Cedar Rapids).

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

1. Motion to approve the following liquor license applications:  
   1. Renewal application for a Class C Beer Permit with additional privilege for Carryout Wine and Sunday Sales for Casey’s Marketing Company, dba Casey’s General Store #2919 (340 Marion Boulevard). Expiration 10/25/2016. One violation in previous five years.
   2. Renewal application for a Class C Beer Permit with additional privilege for Sunday Sales for Hy-Vee, Inc., dba Hy-Vee Gas (3550 Highway 151 E). Expiration 11/18/2016. No violations in previous five year.
2. Motion to approve Project Calendar regarding Engineering Department payments as follows:  
   1. Resolution No. 25609 approving Partial Payment No. 3 to L.L. Pelling Company, Inc. regarding the 2016 Lowe Park Parking Lot Project in the amount of $7,284.98.
   2. Resolution No. 25610 approving Partial Payment No. 4 to Genesis Equities, LLC per Resolution No. 25306 regarding the 2015 Central Corridor Improvements Project (13th to 31st Street – Stage 2; Phase II) in the amount of $316,020.15.
3. Resolution No. 25611 approving Final Payment No. 41 to Martin Gardner Architecture for professional services related to the downtown façade revitalization program in the amount of $386.25.
4. FINANCE
5. Public hearing for the FY 16-17 budget amendment.
6. Resolution No. 25612 approving the FY 16-17 budget amendment
7. PUBLIC SERVICES
8. Ordinance No. 16-11 amending Chapter 105 of the Solid Waste Ordinance and establishing base monthly collection fees at $14.25 and eliminating reduced monthly fees. Final consideration.
9. POLICE/FIRE

NONE

1. PARKS
2. Resolution No. 25613 approving support for Trees Forever Woodlands Symposium in the amount of $7,500.00.
3. BUILDING INSPECTION

NONE

1. ENGINEERING
2. Resolution No. 25614 authorizing Condemnation of Certain Real Property for the Armar Drive Project (N ½ of the NW ¼ of the NW ¼, Section 12, Township 83 North, Range 7, West of the 5th P.M., Linn County Iowa) (Rausch).
3. PLANNING AND DEVELOPMENT
4. Public Hearing regarding the vacation and sale of the north 130 feet of the north/south alley bounded by 8th and 9th Street and south of 6th Avenue, Block 26, Original Town in Marion, Linn County, Iowa (Perry Development Partners).
5. Resolution No. 25615 approving the vacation and sale of the north 130 feet of the north/south alley bounded by 8th and 9th Street and south of 6th Avenue, Block 26, Original Town in Marion, Linn County, Iowa (Perry Development Partners).
6. Public Hearing regarding the vacation of the west 120’ of the east/west alley bounded by 7th and 8th Avenues and 11th and 12th Streets, Block 14, Original Town, Marion, Linn County, Iowa (Ramsey).
7. Resolution No. 25616 approving the vacation of the west 120’ of the east/west alley bounded by 7th and 8th Avenues and 11th and 12th Streets, Block 14, Original Town, Marion, Linn County, Iowa (Ramsey).
8. Ordinance No. 16-13 amending the Marion Code of Ordinances to rezone property located west of Alburnett Road and north of Heather Court, from Linn County A to R-2, Medium Density Single Family, PD-R, Planned Development Residential and A-1, Rural Restricted.  (James S. Lewis Revocable Trust and Diane H. Lewis Revocable Trust). Second consideration.
9. Motion to receive and file a request from Hall & Hall Engineering on behalf of Scenic Development, LLC, to waive the third reading of ordinance related to Scenic Development Project.
10. Resolution No. 25617 approving Downing Farms Addition Preliminary Plat located west of Alburnett Road and north of Heather Court (James S. Lewis Revocable Trust and Diane H. Lewis Revocable Trust).
11. Resolution No. 25618 approving Terrace Glen Village Final Site Development Plan located west of Alburnett Road and north of Heather Court (James S. Lewis Revocable Trust and Diane H. Lewis Revocable Trust).
12. Resolution No. 25619 approving Downing Farms 1st Addition Final Plat and Memorandum of Agreement located west of Alburnett Road and north of Heather Court (James S. Lewis Revocable Trust and Diane H. Lewis Revocable Trust).
13. Motion directing staff to proceed with the acquisition of property located in the block between 14th and 15th Street and 5th and 6th Avenue related to Central Corridor Project.
14. Resolution No. 25620 setting a public hearing for October 20, 2016 regarding the Central Corridor Interim Development Overlay District.
15. Resolution No. 25621 approving contract for Environmental Services related to the Central Corridor Project with Stanley Consultant in an amount not to exceed $6,800.00.
16. ADMINISTRATION/OTHER
17. Resolution No. 25622 approving Pay-For-Performance for City Manager.
18. Council Discussion Time
19. Adjourn