MARION CITY COUNCIL REGULAR MEETING

Thursday, November 17, 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 from Marion Leadership in Action (Brad Neilly and Brady Quinn).

Proclamation: Small Business Saturday.

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 November 1, 3, 4, and 5, 2016 City Council meetings.
2. Motion to approve the bills as presented in the amount of $2,564,648.78..
3. Motion to approve the following liquor license applications:

	1. Renewal application for a Class C Liquor License with additional privileges for Catering, Outdoor Service, and Sunday Sales for La Cantina Bar and Grill, LLC, dba La Cantina Bar and Grill (3217 7th Avenue). Expiration 12/13/2016. No violations in previous five years.
	2. Renewal application for a Class C Liquor License with additional privileges for Catering, Outdoor Service, and Sunday Sales for Naso’s Pizza, Inc., dba Naso’s Pizza Marion (453 7th Avenue). Expiration 12/16/2016. No violations in previous five years.
4. Resolution No. 25681 approving the Annual Financial Report for the fiscal year ending June 30, 2016.
5. Resolution No. 25682 approving the Annual Urban Renewal Report for the fiscal year ending June 30, 2016.
6. Resolution No. 25683 approving a transfer of funds within the fiscal year 2016-2017 Budget.  (Transfer out of Econ Dev Infrastructure Fund to the Capital Projects Fund to cover Engineering Partial Payment No. 1 to Midwest Development Company for over width and over depth of trail associated with Prairie Trail 1st Addition to the City of Marion in the amount of $13,022.70 on same agenda)
7. Resolution No. 25684 approving Partial Payment No. 16 to Anderson-Bogert Engineers for Public Services site plan development in the amount of $3,136.00.
8. Resolution No. 25685 approving Partial Payment No. 17 to Anderson-Bogert Engineers for Public Services site plan development in the amount of $620.00.
9. Resolution No. 25686 approving a one year renewal of a Lease Agreement with Sejkora Farms Inc., for Certain Lowe Park Property.
10. Motion to approve Project Calendar regarding Engineering Department payments as follows:

	1. Resolution No. 25687 approving Partial Payment No. 6 to Central States Concrete, LLC regarding the 2016 ImaginArt in the Alley Project in the amount of $4,363.87.
	2. Resolution No. 25688 approving Partial Payment No. 3 to Snyder & Associates, Inc. regarding the Alburnett Road Extension concept study in the amount of $65,412.66.
11. Resolution No. 25689 accepting the 2016 ImaginArt in the Alley Project.
12. Resolution No. 25690 approving Stop Signs stopping east and west bound traffic on White Oak Drive at its intersection with Lennon Lane.
13. Resolution No. 25691 approving Stop Signs stopping east and west bound traffic on White Oak Drive at its intersection with Penny Lane.
14. Motion to receive and file correspondence regarding a request for a street light on Grand Avenue (Carol Reif, 395 Grand Avenue).
15. Motion to receive and file and concur with TAC report regarding a request for additional ‘No Parking’ signs on the east and west sides of 12th Street from the north end to 50’ south (Larry Juergens, 1530 12th Street).
16. Motion to receive and file and referring to TAC correspondence regarding a request for ‘No Parking’ signs on the south side of Bent Creek Drive from Pinehurst Drive to 400 Bent Creek Drive (Sharon Robertson, 515 Bent Creek Drive).
17. Resolution No. 25692 approving amended Chapter 28E Agreement between City of Cedar Rapids, and City of Marion regarding Tower Terrace Road from west of C Avenue to Alburnett Road.
18. Motion to approve Project Calendar regarding Planning and Development Department payments as follows:

	1. Resolution No. 25693 approving Payment No. 6 to Confluence for professional services related to the development of the Marion Base Design Guidelines in the amount of $2,518.10.
	2. Resolution No. 25694 approving Payment No. 14 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 $11,346.53.
	3. Resolution No. 25695 approving Payment to OPN Architects for professional services related to Marion East Gateway Development in the amount of $5,537.50.
19. Motion to receive and file the following items to the Planning and Zoning Commission:

	1. GLD Addition to Marion Preliminary Plat for property located south of 7th Avenue and west of 35th Street (GLD Properties and City of Marion).
	2. Vacate and purchase portions of 7th Avenue located between 26th Street and 35th Street and to vacate and purchase 26th Street between 7th Avenue and 8th Avenue (Genesis Equities LLC).
20. Resolution No. 25696 approving Plat of Survey No. 2107 for property located North of Quail Trail Drive and east / west of 44th Street (Hanzak, LLP % Jeffrey Witter).
21. Motion to receive request for voluntary annexation for the purpose of connecting onto City sanitary sewer (Carl and Patricia Uhlenhopp, 4708 Indian Creek Road).
22. Motion directing Staff to proceed with sale of surplus property located at 3490 Indian Creek Road.
23. Resolution No. 25697 approving the dedication of a 15' Sanitary Sewer Easement for property located north of Blairs Ferry Road and west of Lindale Drive.
24. Motion to receive and file request for information and or a discussion regarding the possible future sale of the former Marion Police Station located at 3911 Katz Drive (Mike Olinger, Murdoch Funeral Home).
25. Motion to receive and file October 2016 Departmental Reports.
26. Motion to approve the following Hold Harmless/Noise Waiver Agreement(s):

	1. Christmas in the Park and Peppermint Walk, December 2, 2016, City Square Park and Uptown Marion, 1:00 p.m. – 10:00 p.m. (Tami Schlamp, Marion Chamber of Commerce, 1225 6th Avenue).
	2. Wedding, Lowe Park Amphitheater, September 23, 2017, 9:00 a.m. – 11:00 p.m. (Alindsey Gengler, 3006 White Oak Drive).

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 application:

	1. New application for a Class E Liquor License with additional privileges for Carryout Wine, Carryout Beer, and Sunday Sales for Casey’s Marketing, dba Casey’s General Store #3562 (680 Lindale Drive – Guppy’s on the Go).  Effective:  12/01/2016.
2. Motion to approve the following Cigarette Permit application for Fiscal Year 2016-2017: Casey’s General Store #3562.
3. Motion to approve Project Calendar regarding Engineering Department payments as follows:

	1. Resolution No. 25699 approving Partial Payment No.1 to Midwest Development Company for the over width and over depth of trail associated with Prairie Trail 1st Addition to the City of Marion in the amount of $13,022.70.
	2. Resolution No. 25700 approving Partial Payment No. 16 to Genesis Equities, LLC for the Central Corridor Project (26th Street to 31st Street) in the amount of $17,951.01
4. FINANCE
5. Ordinance No. 16-16 amending the Code of Ordinance relating to Parades, Marches, Walks and Demonstrations. Initial Consideration.
6. PUBLIC SERVICES

NONE

1. POLICE/FIRE

	1. Resolution No. 25701 approving the sale of a Marion Police Department K-9 vehicle (2013 Ford Police Interceptor, SUV, VIN 1FM5K8AR2DGC20809, and installed equipment) to the City of Nashua, Iowa for an amount of $18,000.00.
2. PARKS

NONE

1. BUILDING INSPECTION

NONE

1. ENGINEERING
2. Ordinance No. 16-17 amending Chapter 63 of the Code of Ordinances establishing the speed limit on Tower Terrace Road from the west City Limits to the east City Limits as 35 mph except for that area from 10th Street to 1000 feet east which shall be 25 mph when children are present. *(Remove code section 5V).* Initial Consideration.
3. Motion to receive and file and concur with TAC report regarding a request for an additional street light on Grand Avenue.
4. Resolution No. 25702 approving the establishment of a “No Parking” zone on the east and west sides of 12th Street from the north end to 50’ south (Larry Juergens, 1530 12th Street).
5. Resolution No. 25703 directing staff to prepare and submit an application to the Zoning Board of Adjustment for a variance in fence height associated with the Property Agreement with Linn Mar Community School District regarding Tower Terrace Road Project per Resolution 25313.
6. PLANNING AND DEVELOPMENT
7. Public Hearing regarding the sale of city owned property located south of 2525 7th Avenue also known as Plat of Survey No. 2042 to Mooney Investments, LLC.
8. Resolution No. 25704 approving the sale of city owned property located south of 2525 7th Avenue also known as Plat of Survey No. 2042 to Mooney Investments, LLC.
9. Ordinance No. 16-14 approving of Ivy Aire Acres zoning to R-1, Low Density Single Family Residential for property located west of Alburnett Road and north of East Robins Road (City Initiated). Second Consideration.
10. Ordinance No. 16-15 amending the Marion Code of Ordinances and establishing Chapter 176.50 Central Corridor Interim Development Overlay. Second consideration.
11. Motion to receive and file a request from JPM Enterprises for a building permit prior to a Final Plat for property located at 6270 Partners Avenue.
12. Resolution No. 25698 approving a request from JPM Enterprises for a building permit prior to a Final Plat for property located at 6270 Partners Avenue.
13. Motion to receive and file a request to encroach into the city right-of-way 5' x 20 for a cement handicap ramp located at 1135 8th Avenue (Teresa Coons-Lammers Properties, Inc.).
14. ADMINISTRATION/OTHER

NONE

1. Council Discussion Time
2. Adjourn