MARION CITY COUNCIL REGULAR MEETING

Thursday, April 6, 2017 – 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 March 21 and 23, 2017 City Council meetings.
2. Motion to approve the bills as presented in the amount of $847,480.23.
3. Motion to approve the following liquor license applications:  
   1. Renewal application for a Class C Liquor License with additional privileges for Outdoor Service and Sunday Sales for More Bars, LLC, dba Cocktails and Company (1625 Blairsferry Road). Expiration 04/30/2017. No violations in previous five years.
   2. Renewal application for a Special Class C Liquor License with additional privilege for Sunday Sales for Zoey’s Pizzeria, Inc., dba Zoey’s Pizzeria (690 10th Street). Expiration 04/30/2017. No violations in previous five years.
   3. Renewal 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). Expiration 05/01/2017. No violations in previous five years.
   4. New application for a Class B Native Wine Permit for Anna Blanchette, dba Sugar Me (781 13th Street). Effective: 04/01/2017.
4. Resolution No. 25904 approving Chubbs BBQ, LLC, Request to Transfer its Transient Merchant License from 695 51st Street to 1100 44th Street Per Section 122.02(4) of the Code of Ordinances.
5. Resolution No. 25905 approving a Waiver of Time Requirements Pursuant to Section 122.06(5) of the Code of Ordinances (Chubbs BBQ, LLC).
6. Resolution No. 25906 adopting Final Assessment Schedule for Fiscal Year 2017 Quarter 4 Delinquent Fees and Confirming and Levying the Assessments.
7. Resolution No. 25907 approving Partial Payment No. 24 to Anderson-Bogert Engineers for the Public Services site plan development in the amount of $896.00.
8. Resolution No. 25908 approving Partial Payment No. 25 to Anderson-Bogert Engineers for the Public Services site plan development in the amount of $1,575.00.
9. Resolution No. 25909 approving the purchase of eight replacement garage doors at Fire Station No. 2 with Raynor Door Company, in an amount of $23,160.00.
10. Resolution No. 25910 approving Partial Payment No. 2 to J. Aaron Alderman for professional services regarding Lowe Park Sculpture Trail “Disappearing Culture” in the amount of $13,500.00.
11. Motion to receive and file a letter of resignation regarding the Nuisance Enforcement/ Property Maintenance Board (Marvin Spragg, 1154 44th Street Apartment #1).
12. Motion to approve Project Calendar regarding Engineering Department payments as follows:  
    * 1. Resolution No. 25911 approving Partial Payment No. 9 to Anderson Bogert Engineers for engineering design services regarding the Armar Drive Extension Project in the amount of $701.00.
      2. Resolution No. 25912 approving Partial Payment No. 8 to YTT Design Solutions for Right-of-Way Services associated with the Tower Terrace Project – Phase I in the amount of $5,584.60.
      3. Resolution No. 25929 approving Partial Payment No. 2 to Veenstra & Kimm, Inc. for engineering design services regarding the Indian Creek Trunk Sewer - Segment 7 in the amount of $6,693.54.
13. Motion to approve Project Calendar regarding the 2017 Sanitary Sewer Sliplining Project, as follows:
14. Motion to retain the City Engineer as Project Engineer regarding the 2017 Sanitary Sewer Sliplining Project.
15. Resolution No. 25913 approving Resolution of Necessity regarding the 2017 Sanitary Sewer Sliplining Project.
16. Resolution No. 25914 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2017 Sanitary Sewer Sliplining Project.
17. Resolution No. 25915 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2017 Sanitary Sewer Sliplining Project.
18. Motion to approve Project Calendar regarding the 2017 HMA Resurfacing Project, as follows:
19. Motion to retain the City Engineer as Project Engineer regarding the 2017 HMA Resurfacing Project.
20. Resolution No. 25916 approving Resolution of Necessity regarding the 2017 HMA Resurfacing Project.
21. Resolution No. 25917 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2017 HMA Resurfacing Project.
22. Resolution No. 25918 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2017 HMA Resurfacing Project.
23. Motion to approve Project Calendar regarding the 2017 Sanitary Sewer Manhole Project, as follows:
24. Motion to retain the City Engineer as Project Engineer regarding the 2017 Sanitary Sewer Manhole Project.
25. Resolution No. 25919 approving Resolution of Necessity regarding the 2017 Sanitary Sewer Manhole Project.
26. Resolution No. 25920 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2017 Sanitary Sewer Manhole Project.
27. Resolution No. 25921 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2017 Sanitary Sewer Manhole Project.
28. Motion to receive, file, and refer to TAC correspondence regarding the speed limit associated with the 26th Street and 7th Avenue roundabout (Charlie Knudsen, 2835 24th Avenue).
29. **Motion to approve Project Calendar regarding Planning and Development Department payments as follows**:  
    1. **Resolution No. 25922 approving Payment No. 18 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 $13,776.03.**
30. Motion to receive and file the following items to the Planning and Zoning Commission:  
    1. **A request for a conditional use to allow honeybee hives to be kept on the property at 931/935 Central Avenue.**
    2. **A request to approve a final plat for Sebeny’s First Addition located north of Williams Drive and west of N. 10th Street (Richard & Barbara Sebeny).**
31. Resolution No. 25923 approving a waiver of the subdivision regulations Chapter 175 for applicant to install a septic system instead of connection to the City sewer (Mike Sebeny).
32. Resolution No. 25924 setting a Public Hearing for April 20, 2017 regarding a request to purchase vacated alley located at the south property line of 701 3rd Avenue (Trembley, Chester).
33. Resolution No. 25925 setting a Public Hearing for April 20, 2017 regarding **a request to vacate** an alley described as 120’ of the 10’ wide east/west alley adjacent to the south property line of 1060 29th Street, Marion, Iowa also known as Lots 3 & 4 of Block 6, Richmond’s 2nd Addition, Marion, Linn County, Iowa (Larry & Joan Nesset).
34. Motion directing Staff to draft a Blue Zone Support Service Agreement.
35. Motion to receive, file and refer to TIF Team a Request for TIF Assistance from KTRO, Inc. (Chad Pelley).
36. Motion to receive and file a request to designate Marion Historical Society as the official Caretaker and Repository of the City of Marion’s Heritage Artifacts (Vic Klopfenstein, President, Marion Historical Society).
37. Resolution No. 25927 naming the Marion Historical Society as the official Caretaker and Repository of the City of Marion’s Heritage Artifacts.
38. Resolution No. 25928 support of the Wyland Mayor's Challenge for Water Conservation.
39. Motion to receive and file correspondence regarding the Marion Library Project (Judy Westergren, 1240 F Avenue).
40. Motion to approve the following Hold Harmless/Noise Waiver Agreement(s):  
    1. Cedar Rapids Walk for Apraxia, Thomas Park, August 19, 2017, 8:00 a.m. - 1:00 p.m. (Liz Breen, 396 Memorial Drive SE, Cedar Rapids).
    2. Festival, Marion Square Park, June 11, 2017, 2:30 p.m. – 11:00 p.m. (Jim Jacobmeyer, 1070 7th Avenue).
    3. Marion Community Band, City Square Park, June 13 and June 27, 2017, 6:00 p.m. – 9:00 p.m. (David Law, 1560 Pleasantview Drive).
    4. Bands at Cocktails, Cocktails Parking Lot, June 17, 2017, 1:00 p.m. – 11:00 p.m. (Ryan Evans, 1625 Blairs Ferry Road).
    5. Graduation Party, 1043 12th Street, June 3, 2017, 5:00 p.m. – 9:00 p.m. (Jennifer Wheeler, 1043 12th Street).
    6. Backyard Solo Guitarist Performance, 2810 15th Avenue, June 9, 2017, 7:00 p.m. – 10:00 p.m. (Michelle Wilson, 2810 15th Avenue).

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

1. Resolution No. 25926 approving relocation assistance in an amount of $61,736.45 to D&R Engines and Machine, Inc. associated with Central Corridor Project.
2. Resolution No. 25930 setting a Public Hearing for May 4, 2017 regarding a request to vacate the west 50’ of Indian Creek Road per the preliminary plat for Gemstone Estates Addition to Marion, Iowa (Morris Wood Enterprises, LLC.
3. FINANCE

NONE

1. PUBLIC SERVICES

NONE

1. POLICE/FIRE

NONE

1. PARKS

NONE

1. BUILDING INSPECTION

NONE

1. ENGINEERING

NONE

1. PLANNING AND DEVELOPMENT
2. Resolution No. 25931 approving IDO Improvement Review for property located at 1138 and 1144 7th Avenue per Ordinance 16-15 Central Corridor Interim Development (Baker Financial, LLC).
3. Public Hearing regarding an amendment to Chapter 3, Boundaries, Section 3.02.14 of the Marion Code of Ordinances related to precinct boundary descriptions pertaining to precinct MR14.
4. Ordinance No. 17-07 amending Chapter 3, Boundaries, Section 3.02.14 of the Marion Code of Ordinances related to precinct boundary descriptions pertaining to precinct MR14 (removed from the 03-09-2017 agenda). Initial consideration.
5. Resolution No. 25932 approving Winslow Road Right of Way 2017 Acquisition Plat extending north of Tower Terrace Road to south of Settlers Drive (Mooney-Engle Land Company, LLC/City of Marion).
6. Motion directing staff to request voluntary assessment for construction of Lucore Road sidewalks.
7. ADMINISTRATION/OTHER
8. Resolution No. 25933 of Intent to provide Tax Increment Financing (TIF) Assistance regarding the 151/13 Development.
9. Resolution No. 25934 of support for Workforce Housing Tax Credits regarding the 151/13 Development.
10. Resolution No. 25935 of Intent to provide Tax Increment Financing (TIF) Assistance to benefit LimoLink.
11. Motion to remove from table Resolution No. 25903 approving the Uptown Parking Purchase Agreement and Repurchase Agreement.
12. Resolution No. 25903 approving the Uptown Parking Purchase Agreement and Repurchase Agreement (tabled at the 03-23-2017 City Council Meeting).
13. Motion to receive and file Department Head Pay for Performance recommendations effective April 1, 2017.
14. Ordinance No. 17-08 relating to the establishment of the Marion Municipal Airport Commission. Initial consideration.
15. Resolution No, 25936 approving the Real Estate Purchase Agreement for 3025 7th Avenue (Beaver Point, LLC).
16. Mayoral Appointments:  
    1. Grant Guyer, 2248 Pleasantview Drive, Nuisance Enforcement/ Property Maintenance Board, term expires 01-01-2018.
    2. Brooke Prouty, Uptown Marion Program Director, 1225 6th Avenue, Bicycle and Pedestrian Advisory Committee (BPAC).
    3. Amy Hussel, 2085 Pebble Creek Drive, Park Board, term expires 12-31-2019.
    4. Removal of Pam Munro, 1850 10th Street, Tree Board, term expired 01-01-2018.
17. Council Discussion Time
18. Motion to adjourn to closed session regarding land acquisition as permitted under Section 21.5(1)(j) of the Code of Iowa.
19. Adjourn