MARION CITY COUNCIL REGULAR MEETING

Thursday, July 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 June 20 and 22, 2017 City Council meetings.
2. Motion to approve the bills as presented in the amount of $3,008,437.32.
3. Motion to approve a correction the June 22, 2017 schedule of bills in an amount of $491,248.55.
4. 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 Tomasos Pizza (1111 7th Avenue). Expiration 08/03/2017. No violations in previous five years.
5. Motion to approve Project Calendar regarding Engineering Department payments as follows:  
   1. Resolution No. 26157 approving Partial Payment No. 6 to Rathje Construction Company, Inc. regarding the 2016 Winslow Road Reconstruction Project in the amount of $225,657.84.
   2. Resolution No. 26158 approving Partial Payment No. 3 to Hunt Construction Company, Inc. regarding the 2017 Sidewalk Ramp Repair Project in the amount of $9,467.24.
   3. Resolution No. 26159 approving Partial Payment No. 10 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 $30,025.17.
   4. Resolution No. 26160 approving Partial Payment No. 2 to Integrity Custom Homes Inc. for costs associated with Echo Ridge Estates 1st and 2nd Additions to the City of Marion in the amount of $26,540.24.
   5. Resolution No. 26161 approving Partial Payment No. 14 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 $14,996.39.
6. Resolution No. 26162 accepting the Tower Terrace Road Project - Phase V (10th Street to Indian Creek Road).
7. Resolution No. 26163 approving Temporary Construction Easement with Karen M. Pasker and James R. Thomas, 405 14th Street, regarding the 2017 Storm Sewer Project.
8. Motion to approve Project Calendar regarding Temporary Construction Easements associated with the 2017 Sidewalk Assessment Project as follows:   
   1. Resolution No. 26164 approving Temporary Construction Easement with Jeremy A. Smith, 1095 29th Street, regarding the 2017 Sidewalk Assessment Project.
   2. Resolution No. 26165 approving Temporary Construction Easement with Travis J. Salter, 1015 29th Street, regarding the 2017 Sidewalk Assessment Project.
   3. Resolution No. 26166 approving Temporary Construction Easement with Aron Sweet, 2920 10th Avenue, regarding the 2017 Sidewalk Assessment Project.
9. Motion to receive, file and refer to TAC correspondence regarding a request for a Pedestrian Crosswalk on Boyson Road at Timber Creek Drive (Robert Raftis, 2025 Timber Creek Drive).
10. Motion to approve Project Calendar regarding Planning and Development Department Payments as follows:  
    1. Resolution No. 26167 approving Payment for FY17 Corridor Metropolitan Planning Organization (CMPO) related to membership dues in the amount of $17,062.30.
11. Motion to receive and file the following items to the Planning and Zoning Commission:  
    1. A Final Plat for Industrial Center East 13th Addition for property located north of 3rd Avenue and west of 44th Street (James and Teri Anderson).
    2. A Preliminary and Final Site Development Plan for Sunny Ridge Villas Phase 2 located west of Bison Street and north of Kacena Avenue (DFMA, Inc., Chad Pelley).
12. Motion to receive and file a request for tax increment financing assistance (Lori Bouska, Dairy Queen).
13. Motion to receive and file correspondence regarding fireworks (Amber Dunlap, 3260 4th Street, Shelby Schott, 1565 Valleyview Drive and Kelly Hidlebaugh, 2165 Northview Drive.
14. Motion to approve the following Hold Harmless/Noise Waiver Agreement(s):  
    1. 8th Annual 6th Street Barbeque, 1155 6th Street, September 9, 2017, 5:00 p.m. – 10:30 p.m. (Brand and Lisa Rizzio, 1155 6th Street).
    2. Vendor Fair, Marion Square park Depot, July 15, 20178 4:00 p.m. – 10:00 p.m. (Talia Osborn, 2273 C Street SW Apt. A, Cedar Rapids).
    3. Eat Drink and Be Marion Pub Crawl, Uptown Marion, July 13, 2017 4:30 p.m. – 10:00 p.m. (Brooke Prouty, Marion Chamber of Commerce, 1225 6th Avenue, Suite 100).

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 E Liquor License with additional privileges for Carryout Native Wine, Carryout Beer, and Sunday Sales for Casey’s Marketing dba Casey’s General Store #2924 (1100 Eagle View Drive). Expiration 08/18/2017. No violations in previous five years.
2. Motion to approve Project Calendar regarding Engineering Department payments as follows:  
   1. Resolution No. 26168 approving Partial Payment No. 5 to Veenstra & Kimm, Inc. for engineering design services regarding the Indian Creek Trunk Sewer – Segment 7 in the amount of $15,828.75.
   2. Resolution No. 26169 approving Partial Payment No. 1 to L.L. Pelling Company, Inc. regarding the 2017 HMA Resurfacing Project in the amount of $419,717.45.
   3. Resolution No. 26170 approving Partial Payment No. 11 to Genesis Equities, LLC per Resolution No. 24763 regarding the construction of the Central Corridor Project (26th Street to 31st Street – Stage 2; Phase II) in the amount of $40,447.50.
3. **Motion to receive & file and refer to the Planning and Zoning Commission**:  
   1. A Preliminary Site Development Plan and Preliminary Plat for property located south of Boyson Road and west of Alburnett Road (Midwest Development).
4. FINANCE

NONE

1. PUBLIC SERVICES

NONE

1. POLICE/FIRE  
   1. Discussion regarding the recent Cocktails event (Chief McHale and Lieutenant Mark Merta).
   2. Resolution No. 26171 approving a 28E Agreement between the City of Marion and Linn County Fire/Rescue Services regarding Mutual Assistance.
   3. Update regarding Fireworks.
   4. Motion to receive and file correspondence in support of fireworks (Ruth Dolezal, 4000 Deer Valley Drive).
2. PARKS   
   1. Resolution No. 26172 approving a Professional Service Agreement between the City of Marion and MSA Professional Services, Inc. regarding the Lowe Park South End Development Project in the amount of $66,500.00.
   2. Resolution No. 26173 approving Partial Payment No. 1 to Woodruff Construction regarding the 2017 Marion Independent School Districts Tennis Court Project in the amount of $386,921.70.
3. BUILDING INSPECTION

NONE

1. ENGINEERING
2. Resolution No. 26174 approving purchase of property described as 184 8th Avenue, Marion from Scott Bizek associated with the Alburnett Road Extension Project in the amount of $135,330.00.
3. Motion to receive and file TAC Report regarding a request for “No Parking” on East side of Edgebrooke Drive from 29th Avenue to 3345 Edgebrooke Drive (Grant Harper, 2522 Vaughn Drive).
4. Motion to receive and file correspondence opposing the establishment of a “No Parking” zone on the East side of Edgebrooke Drive from 29th Avenue to 3345 Edgebrooke Drive as follows:  
   1. Shelley Wilken, 3005 Edgebrooke Drive.
   2. Wendy Lynn, 2925 Edgebrooke Drive.
   3. Kendra Abrokwa, 3000 Edgebrooke Drive.
   4. Aaron Pata, 3345 Edgebrooke Drive.
   5. Linda Newbanks, 2965 Edgebrooke Drive
   6. Tom Newbanks, 2965 Edgebrooke Drive.
   7. Brad Wilken, 3005 Edgebrooke Drive
5. Resolution No. 26175 approving the establishment of a “No Parking” zone on the East side of Edgebrooke Drive from 29th Avenue to 3345 Edgebrooke Drive.
6. PLANNING AND DEVELOPMENT
7. **Resolution No. 26176 setting July 20, 2017 as the date for a Public Hearing regarding a request to amend Ordinance 13-14 of the Marion Code of Ordinances regarding the hours of operation for property located along Tower Terrace Road west of 10th Street and east of Irish Drive.**
8. Resolution No. 26177 approving claim for Payment No. 1 to Randy Bries, the residential tenant that has relocation from the Meier Vet Clinic in an amount of $1,000.00.
9. Motion to receive and file a request for tax increment financing assistance (Genesis Equities, LLC).
10. **Public Hearing regarding disposition of a portion of city owned property located between 26th Street and 31st Street south of 8th Avenue and north of 5th Avenue including Pat of Survey 2054 and 2055, and Parcel B of Plat of Survey No. 2172 (GLD).**
11. **Resolution No. 26178 approving a disposition of a portion of city owned property located between 26th Street and 31st Street south of 8th Avenue and north of 5th Avenue including Pat of Survey 2054 and 2055, and Parcel B of Plat of Survey No. 2172 (GLD).**
12. Resolution No. 26179 approving the Final Plat and Memorandum of Agreement for Prairie Trail 2nd Addition for property located south of Echo Hill Road & west of Alburnett Road, Marion, Linn County, Iowa (Midwest Development).
13. Resolution No. 26180 approving the issuance of four (4) building permits prior to approval of a Final Plat for Briargate 6th Addition by Abode Construction.
14. Resolution No. 26181 approving a Right of Way Easement for 26th Street from 7th Avenue to 8th Avenue (Genesis).
15. **Resolution No. 26182 approving a Final Plat and Memorandum of Agreement for 13 & 151 1st Addition located NE corner of Highway 13 & 151 (Water Rock LLC).**
16. ADMINISTRATION/OTHER
17. Public Hearing regarding a proposed Development Agreement with MOJO Properties, LLC.
18. Resolution No. 26183 approving a Development Agreement with MOJO Properties, LLC, authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement.
19. Resolution No. 26184 approving surveillance camera solution from Graybill Communications for the Uptown Artway for $14,578.70.
20. Briefing regarding CIP Timeline.
21. Council Discussion Time
22. Adjourn