MARION CITY COUNCIL REGULAR MEETING

Thursday, March 8, 2018 – 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. Any item listed on the agenda may be open to discussion by the City Council. 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.

Special Note: Council Member Randy Strnad will participate in the Council meeting via phone conference.

Call to Order.

Pledge of Allegiance.

Roll Call.

Moment of Silence.

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 February 20 and 22, 2018 City Council meetings.
2. Motion to approve the bills as presented in the amount of $1,200,440.89.
3. Motion to approve the following liquor license applications:  
   1. Renewal application for a Special Class C Liquor License with additional privileges for Native Wine, Outdoor Service, and Sunday Sales for Napolis, LLC (500 Marion Blvd.). Expiration 03/20/2019. No violations in previous five years.
   2. Renewal application for a Class C Liquor License with additional privileges for Catering and Sunday Sales for Prairie Hill Pavilion, Inc. (5680 Kacena Avenue). Expiration 04/05/2018. No violations in previous five years.
   3. Renewal application for a Class B Native Wine Permit for Anna Blanchette, dba SugarMe (781 13th Street). Expiration 03/31/2018. No violations in previous five years.
4. Resolution No. 26703 accepting waiver of hearing and consent to penalty (Alcohol Violation) and imposing the penalties established in Section 123.50(3) of the Code of Iowa (Urban Pie, 1144 7th Avenue).
5. Resolution No. 26704 accepting waiver of hearing and consent to penalty (Alcohol Violation) and imposing the penalties established in Section 123.50(3) of the Code of Iowa (Napolis Italian Restaurant, 500 Marion Boulevard).
6. Resolution No. 26705 accepting waiver of hearing and consent to penalty (Alcohol Violation) and imposing the penalties established in Section 123.50(3) of the Code of Iowa (Mandarin Spice, 1410 Twixt Town Road).
7. Motion to receive and file certified list for Firefighter.
8. Motion to approve Project Calendar regarding Engineering Department payments as follows:  
   1. Resolution No. 26706 approving Partial Payment No. 1 to Frazer Investments, LLC. for costs associated with Glen Rock Farm 7th and 8th Additions to the City of Marion in the amount of $144,958.42.
   2. Resolution No. 26707 approving Partial Payment No. 12 to Veenstra & Kimm, Inc. regarding the Indian Creek Trunk Sewer-Segment 7 in the amount of $2,377.58.
   3. Resolution No. 26708 approving Partial Payment No. 15 to Anderson-Bogert regarding the Armar Drive Extension Project in the amount of $184.00.
   4. Resolution No. 26709 approving Partial Payment No. 3 to SRF Consulting Group, Inc. regarding the 29th Avenue and Indian Creek Road Intersection Improvement Study in the amount of $5,229.61.
9. Resolution No. 26710 approving contract and bond with BWC Excavating LC regarding the 2017 Northview Drive Reconstruction Project. [NSI].
10. Resolution No. 26711 approving contract and bond with Eastern Iowa Excavating and Concrete, LLC regarding the 2018 Sanitary Sewer Manhole Project.
11. Motion to approve Project Calendar regarding the 2018 Storm Sewer Project, as follows:  
    1. Motion to retain the City Engineer as Project Engineer regarding the 2018 Storm Sewer Project.
    2. Resolution No. 26712 approving Resolution of Necessity regarding the 2018 Storm Sewer Project.
    3. Resolution No. 26713 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2018 Storm Sewer Project.
    4. Resolution No. 26714 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2018 Storm Sewer Project.
12. Motion to approve Project Calendar regarding the City of Marion Lowe Park South End Improvements, as follows:  
    1. Motion to retain the City Engineer as Project Engineer regarding the City of Marion Lowe Park South End Improvements.
    2. Resolution No. 26715 approving Resolution of Necessity regarding the City of Marion Lowe Park South End Improvements.
    3. Resolution No. 26716 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the City of Marion Lowe Park South End Improvements.
    4. Resolution No. 26717 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the City of Marion Lowe Park South End Improvements
13. Motion to approve Project Calendar regarding Temporary Construction Easements associated with the 2017 Northview Drive Reconstruction Project [NSI] as follows:  
    1. Resolution No. 26718 approving Temporary Construction Easement with John D & Sally J Seeks, 1135 Northview Drive, regarding the 2017 Northview Drive Reconstruction Project (NSI).
    2. Resolution No. 26719 approving Temporary Construction Easement with Sean M Flockhart, 1620 Northview Drive, regarding the 2017 Northview Drive Reconstruction Project (NSI).
14. Motion to approve Project Calendar regarding Temporary Construction Easements associated with the 2018 Sanitary Sewer Sliplining Project as follows:  
    1. Resolution No. 26720 approving Temporary Construction Easement with Carol L & John Begley, 1595 17th Avenue, regarding the 2018 Sanitary Sewer Sliplining Project.
    2. Resolution No. 26721 approving Temporary Construction Easement with Thomas A Jubeck, 1269 Washington Drive, regarding the 2018 Sanitary Sewer Sliplining Project.
15. Resolution No. 26722 approving a contract with Calhoun-Burns and Associates, Inc. regarding the 2018 Bridge Inspection Services in the amount of $3,685.00.
16. Motion to approve Project Calendar regarding Planning Department payments as follows:  
    1. Resolution No. 26723 approving Payment No. 3 to Shoemaker Haaland per the contract for the CeMar Trail (Iowa DOT Project Number: TAP-U-4475(630)8I-57) in the amount of $12,097.92.
    2. Resolution No. 26724 approving Payment no. 29 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 $1,300.00.
17. Motion to receive, file and refer the following items to the Planning and Zoning Commission:  
    1. Preliminary and Final Site Development Plan for Spee-Dee Delivery for property located east of Partners Avenue and south of Enterprise Drive.
    2. Final Plat for Sunny Ridge Villas 2nd Addition for property located west of Bison Street and south of Robinwood Lane, Marion, Iowa (DMFA, LLC).
    3. A request to amend the Future Land Use Map of the Marion Comprehensive Plan from Single Family Detached to Single Family Attached and a Rezoning from Medium Density Single Family Residential (R-2) to Two-Family Residential (R-3) for property located southwest of 35th Street, north of Tower Terrace Road and southeast of Indian Creek Road. (M&W Ventures, LLC).
18. Motion to receive and file correspondence regarding future land use of southwest corner of Echo Hill Road and Alburnett Road (Brittany Sones).
19. Motion to receive and file correspondence regarding sidewalk connections near Echo Hill Elementary (James Heslop).
20. Motion to receive and file a request for tax increment financing (TIF) assistance from Timberline Manufacturing.
21. Motion directing staff to negotiate a loan guarantee with Prospect Meadows.
22. Motion to approve the following Hold Harmless/Noise Waiver Agreement(s):  
    1. Fun Days, St. Joseph Catholic Church and school grounds, June 1, 2018 10:30 a.m. – 10:30 p.m., June 2, 2018 11:00 a.m. – 10:30 p.m. and June 3, 2018, 11:30 a.m. – 6:00 p.m. (Fr. David O’Conner, 1790 14th Street).
    2. St. Patrick’s Day Parade/Band, Uptown Artway Alley, March 10, 2018, 1:00 p.m. – 10:00 p.m. (Paul Matthews, 760 11th Street).
    3. 34th Army Band Sidewinders Concert, Lowe Park Amphitheater, July 1, 2018, 2:00 p.m. – 10:00 p.m. (Carissa Johnson, Cedar Rapids Freedom Festival, 609 1st Avenue SW Suite 102).
    4. Patriotic Picnic, Marion Square Park, June 23, 2018, 11:00 a.m. – 3:00 p.m. (Carissa Johnson, Cedar Rapids Freedom Festival, 609 1st Avenue SW Suite 102).
    5. Linn-Mar Growl Prowl Race, Linn-Mar Stadium and surrounding area, April 21, 2018, 7:00 a.m. – 12:00 p.m. (Mike Shipley, 3555 North 10th Street).
    6. Summer Holistic Expo, Marion Square Park, June 16, 2018, 10:00 a.m. – 3:00 p.m. (Julita Cigrand, 330 South 11th Street).

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

1. Resolution No. 26725 accepting waiver of hearing and consent to penalty (Alcohol Violation) and imposing the penalties established in Section 123.50(3) of the Code of Iowa (Louie’s Scoreboard, 740 10th Street).
2. **Motion to receive and file and refer to the Planning and Zoning Commission:**
   1. Preliminary Site Development Plan for Squaw Creek Hospitality Country Inn & Suites Hotel located at 5993 Carlson Way on the northeast corner of Highway 13 & 151.
   2. Revised Preliminary Plat for 13 & 151 1st Addition located on the northeast corner of Highway 13 & 151, Marion, Iowa (Water Rock, LLC).
   3. A request to amend the Future Land Use Map of the Marion Comprehensive Plan from Single Family Detached to Single Family Attached and a Rezoning from Medium Density Single Family Residential (R-2) to Two-Family Residential (R-3) for property located north of Winchester Drive and west of Sherwood Drive (Robson Home, Inc.).
   4. Preliminary Site Development Plan request for The Commons at English Glen 4th Addition located north of Winchester Drive and west of Sherwood Drive (Robson Home, Inc.).
3. Resolution No. 26726 approving Payment to Marion Holdings LLC for the Uptown Parking Lot project in the amount of $45,851.
4. FINANCE
5. Public hearing regarding the fiscal year 2018-2019 budget.
6. Resolution No. 26727 approving the fiscal year 2018-2019 budget.
7. PUBLIC SERVICES   
   1. Ord No. 18-02 amending Chapter 105 of the code of ordinances establishing a Commercial Rate Schedule for nonresidential generators. Second consideration
8. POLICE/FIRE

NONE

1. PARKS   
   1. Public Hearing regarding an Electrical Line Easement with ITC Midwest LLC for certain City property located north of Hanna Park and south of Oak Shade Cemetery.
   2. Resolution No. 26728 approving an Electrical Line Easement with ITC Midwest LLC for certain City property located north of Hanna Park and south of Oak Shade Cemetery.
2. BUILDING INSPECTION

NONE

1. ENGINEERING
2. Ordinance No. 18-01 amending Chapter 100A of the Code of Ordinances regarding amendment of access fees for Ordinance No. 17-24, 100A.14 2015 Winslow Road District. Final consideration.
3. Public Hearing regarding the 2018 Sanitary Sewer Sliplining Project.
4. Resolution No. 26729 accepting bids and awarding contract to Municipal Pipe Tool Company, LLC regarding the 2018 Sanitary Sewer Sliplining Project in the amount of $103,199.75.
5. Public Hearing regarding the 2018 Wetland Basin and Grant Wood Trail 31st to 35th Project.
6. Resolution No. 26730 accepting bids and awarding contract to Pirc Tobin Construction, Inc. regarding the 2018 Wetland Basin and Grant Wood Trail 31st to 35th Project in the amount of $312,747.00
7. Public Hearing regarding the 2018 HMA Resurfacing Project.
8. Resolution No. 26731 accepting bids and awarding contract to L.L. Pelling Company, Inc. regarding the 2018 HMA Resurfacing Project in the amount of $810,465.12.
9. PLANNING AND DEVELOPMENT
10. Public Hearing regarding a Preliminary and Final Site Development Plan for Kwik Star Convenience Store at 5992 Carlson Way, east of Highway 13 and south of Hennessey Parkway (Kwik Trip, Inc.).  
    1. Resolution No. 26732 approving the Preliminary Site Development Plan for Kwik Star Convenience Store located at 5992 Carlson Way, east of Highway 13 and south of Hennessey Parkway (Kwik Trip, Inc.).
    2. Resolution No. 26733 approving the Final Site Development Plan for Kwik Star Convenience Store located at 5992 Carlson Way, east of Highway 13 and south of Hennessey Parkway (Kwik Trip, Inc.).
11. Resolution No. 26734 approving a Final Site Development Plan for the Ridge at Indian Creek Addition located northeast of Lucore Road and southeast of Indian Creek Road (Abode Construction, Inc.).
12. ADMINISTRATION/OTHER
13. Motion directing staff to negotiate a Memorandum of Understanding (MOU) with Timberline Manufacturing for tax increment financing (TIF) assistance.
14. Motion to receive and file and refer to legal the correspondence from Bill McCartan regarding the airport.
15. Citizen’s presentations, comments and/or petitions.
16. Council Discussion Time
17. Adjourn