MARION CITY COUNCIL REGULAR MEETING

Thursday, May 3, 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.

Call to Order.

Pledge of Allegiance.

Roll Call.

Moment of Silence.

Presentation: Marion Fire Department new Aerial Apparatus

Proclamation: Economic Development Week

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 April 17 and 19, 2018 City Council meetings.
2. Motion to approve the bills as presented in the amount of $1,286,418.26.
3. Motion to approve the following liquor license applications:  
   1. New application for a Special Class C Liquor License with additional privilege for Outdoor Service for Marion Metro Kiwanis (4500 10th Street).  Effective 06/01/2018-06/05/2018.
4. Motion to receive and file certified list for Building Inspector.
5. Resolution No. 26826 to fix a date of meeting at which it is proposed to take action for the issuance of Urban Renewal Annual Appropriation Tax Increment Revenue Bonds in a principal amount not to exceed $4,500,000.
6. Resolution No. 26827 approving Partial Payment No. 35 to Anderson-Bogert Engineers for the Public Services site plan development in the amount of $1,169.97.
7. Resolution No. 26828 approving the purchase of traffic marking materials from Sherwin-Williams Company in the amount of $36,300.00.
8. Motion to receive and file the 2018 work schedule for the Public Services Department.
9. Motion to receive and file correspondence regarding Verizon poles in proximity to fire hydrants. [Charley Knudsen, 2835 24th Avenue].
10. Resolution No. 26829 approving Partial Payment No. 4 to Reinaldo Correa for professional services regarding Lowe Park Sculpture Trail “Prairie Revival” in the amount of $2,750.00.
11. Motion to receive and file a request from Residences at the Park, Home Owners Association III regarding the vacation of a trail easement connecting Cemar Court to Legion Park.
12. Motion to receive and file correspondence regarding Proof of Loss property located at 1575 26th Street (Hausch & Company, Inc.).
13. Resolution No. 26830 setting a public hearing on May 17, 2018 regarding the proposed adoption of an ordinance amending Chapter 160 of the Code of Ordinances and adopting by reference the International Building Code 2018 Edition with amendments and providing penalties.
14. Resolution No. 26831 setting a public hearing on May 17, 2018 regarding the proposed adoption of an ordinance amending Chapter 163 of the Code of Ordinances and adopting by reference the International Mechanical Code 2018 Edition with amendments and providing penalties.
15. Resolution No. 26832 setting a public hearing on May 17, 2018 regarding the proposed adoption of an ordinance amending Chapter 161 of the Code of Ordinances and adopting by reference the International Plumbing Code 2018 Edition with amendments and providing penalties.
16. Resolution No. 26833 setting a public hearing on May 17, 2018 regarding the proposed adoption of an ordinance amending Chapter 153 of the Code of Ordinances and adopting by reference the International Property Maintenance Code 2018 Edition with amendments and providing penalties.
17. Resolution No. 26834 setting a public hearing on May 17, 2018 regarding the proposed adoption of an ordinance amending Chapter 50 of the Code of Ordinances relating to Nuisance Abatement Procedure.
18. Resolution No. 26835 setting a public hearing on May 17, 2018 regarding the proposed adoption of an ordinance amending Chapter 165 of the Code of Ordinances Relating to the Housing Code.
19. Motion to approve Project Calendar regarding Engineering Department payments as follows:  
    1. Resolution No. 26836 approving Partial Payment No. 2 to Anderson-Bogert Engineers regarding the Tower Terrace Road Phase IX (East of 35th St) Project in the amount of $3,450.00.
    2. Resolution No. 26837 approving Partial Payment No. 5 to SRF Consulting Group, Inc. regarding the 29th Avenue and Indian Creek Road Intersection Improvement Study in the amount of $6,972.20.
    3. Resolution No. 26838 approving Partial Payment No. 14 to Veenstra & Kimm, Inc. regarding the Indian Creek Trunk Sewer – Segment 7 in the amount of $6,536.82.
    4. Resolution No. 26839 approving Partial Payment No. 2 to Rathje Construction Company regarding the Grant Wood Trail Extension: Highway 13 to 35th Street; HMA and PCC Trail [TAP – U – 4775(628) - - 8I – 57] in the amount of $14,130.96.
    5. Resolution No. 26840 approving Partial Payment No. 1 to Eastern Iowa Excavating and Concrete, LLC regarding the 2018 Sanitary Sewer Manhole Project in the amount of $122,512.30.
20. Resolution No. 26841 approving contract and bond with Tricon General Construction, Inc. regarding the City of Marion Lowe Park South End Improvements in the amount of $962,000.00.
21. Motion to receive and file the 29th Avenue & Indian Creek Road Intersection Study [SRF and Shoemaker and Haaland].
22. Motion to receive, file, and concur with the TAC Report regarding speed limit on Alburnett Road and adding a 4-way stop at the intersection of Alburnett Road and Echo Hill Road [Adrian Chavez].
23. Resolution No. 26842 approving Temporary Construction Easement with Mindy J Carstensen, 185 School Street, regarding the 2018 Sidewalk Ramp Repair Project.
24. Resolution No. 26843 approving Temporary Construction Easement with Joel K & Sarah R Fopma, 1495 29th Street, regarding the 2018 Sidewalk Assessment Project.
25. Motion to receive and file correspondence regarding speed limit in roundabouts and the Sidewalk Inspection Program. [Charley Knudsen, 2835 24th Avenue].
26. Motion to receive, file and refer to TAC correspondence regarding stop signs at the intersection of Kinderhook Lane and West Williams Drive. [Andrew Elam, 465 West Williams Drive].
27. Motion to approve Project Calendar regarding Planning Department payments as follows:  
    1. Resolution No. 26844 approving Payment No. 17 to Anderson Bogert Engineers per the contract for the Grant Wood Trail Extension Project (Iowa DOT Project No.TAP-U-47775(628)8I-57) in the amount of $3,477.00.
    2. **Resolution No. 26845 approving Payment No.3 to RDG Planning and Design for services related to an update to the Neighborhood at Indian Creek Master Plan in the amount of $6,940.00. Contract amount remaining $18,917.39.**
    3. Resolution No. 26846 approving Payment No. 5 to Shoemaker Haaland per the contract for the CeMar Trail (Iowa DOT Project Number: TAP-U-4475(630)8I-57) in the amount of $17,658.29.
    4. Resolution No. 26847 approving Payment No. 31 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 $159.76.
28. Motion to receive, file and refer the following items to the Planning and Zoning Commission:  
    1. A request to vacate the alley adjacent to 742, 758 & 786 8th Avenue, Marion, Iowa (Seven Hills East LLC).
    2. A revised Preliminary Plat for property located at 1050 Lyons Lane and 1029 Blairs Ferry Road (Timberline Manufacturing Co. Inc.).
29. Resolution No. 26848 approving a contract with Snyder & Associates, Inc. regarding engineering services associated with the Indian Creek Trail from the Boyson Trail to Tower Terrace Road in Marion [STP-U-4775(631)--70-57] in the amount of $223,610.00.
30. Resolution No. 26849 concurring with Resolution 24673 (June 18, 2015) Stating Support for a Workforce Housing Application.
31. Resolution No. 26807 approving the Deputy City Manager Employment Agreement with Amanda Kaufman (tabled 4.19.2018).
32. Resolution No. 26808 approving the Community Development Director Employment Agreement with Tom Treharne (tabled 4.19.2018).
33. Resolution No. 26809 approving the Director of Administrative Services Employment Agreement with Elsworth Carman (tabled 4.19.2018).
34. Resolution No. 26850 approving the City Engineer Employment Agreement with Mike Barkalow.
35. Motion to receive and file revised Library job descriptions (Library Director and Deputy Library Director).
36. Motion to receive and file revised job description (Assistant to the City Manager) and previously approved job descriptions (Deputy City Manager, Department of Administrative Services and Community Development Director).
37. Resolution No. 26851 amending the 1/1/2018 non-bargaining pay schedule to revise Assistant to the City Manager pay range ($65,306 minimum to $96,038 hard cap).
38. Motion to receive and file correspondence regarding 1520 8th Avenue (Noreen Tonkin, 1920 8th Avenue).
39. Motion to approve the following Hold Harmless/Noise Waiver Agreement(s):  
    1. Eat. Drink. Be Marion, Uptown Marion, July 12, 2018 4:00 p.m. – 10:00 p.m. (Brooke Prouty, Uptown Marion, 1225 6th Avenue).
    2. Backyard Solo Guitarist, 15th Avenue, June 8, 2018, 6:30 p.m. – 10:30 p.m. (Michelle Wilson, 2810 15th Avenue).
    3. Block Party, 4th Street from 29th Avenue to Borschel Place, June 2, 2018, 5:00 p.m. – 10:00 p.m. (Molly Johnson, 3125 4th Street).
    4. Photo Shoot, Uptown Alley and stage, July 29, 2018, 3:00 p.m. – 9:00 p.m. (Hailey Lubbock, Blaze Color Salon, 500 1St Avenue, Suite 106b).

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 Liquor License with additional privileges for Catering, Outdoor Service, and Sunday Sales for QDogs BBQ, LLC, dba QDogs BBQ Company (895 Blairs Ferry Road). Expiration 05/26/2018. No violations in previous five years.
2. Resolution No. 26852 approving contract and bond with Abode Construction Inc. regarding the 2018 Storm Sewer Project.
3. Resolution No. 26853 approving contract with Anderson-Bogert Engineering and Surveyors, Inc. regarding the City of Marion Runway 17/35 Reconstruction Project in the amount of $79,878.84.
4. Resolution No. 26854 approving the application for the Airport State Funding Application for the Fiscal Year 2019.
5. **Motion to receive and file and refer to the Planning and Zoning Commission**:  
   1. A request to amend the Future Land Use Map of the Marion Comprehensive Plan from Business Park/Office to Light Industrial and from Business Park/Office to Corridor Commercial for property east of the Marion Airport Runway and south of Marion Airport Road (Genesis Equities Land Holdings, LLC).
   2. A request to Rezone from Restricted Industrial (I-1) to General Commercial (C-3) and from Linn County Agricultural to Restricted Industrial (I-1) and Linn County Agricultural to General Commercial (C-3) for property east of the Marion Airport Runway and south of Marion Airport Road (Genesis Equities Land Holdings, LLC).
   3. A Preliminary Plat for property east of the Marion Airport Runway and south of Marion Airport Road (Genesis Equities Land Holdings, LLC).
6. Resolution No. 26855 setting June 7, 2018 as a public hearing regarding annexation request from Genesis Equities Land Holding LLC for property east of Partners Avenue and south of Marion Airport Road, Marion, Iowa.
7. Motion to receive and file a letters regarding the M&W Ventures Re-zoning request for property located southwest of 35th Street, north of Tower Terrace Road and southeast of Indian Creek Road from David & Sara Sheets 4065 Brookside Drive, Gene & Carolyn Fairchild 4000 Brookside Drive and Steve Hance, 4062 Brookside Drive, Marion, Iowa.
8. Motion to receive and file an application for tax increment financing (TIF) assistance from Integrity Companies LLC.
9. FINANCE

NONE

1. PUBLIC SERVICES

NONE

1. POLICE/FIRE

NONE

1. PARKS   
   1. Ordinance No. 18-03 amending Chapter 115 of the Code of Ordinances related to Cemetery. Final Consideration.
   2. Ordinance No. 18-06 amending Chapter 23.02 of the Code of Ordinances relating to Park Board member stipend. Second Consideration.
2. BUILDING INSPECTION

NONE

1. ENGINEERING
2. Public Hearing regarding the 2018 Sidewalk Assessment Project.
3. Resolution No. 26856 accepting bids and awarding contract to Curtis Contracting Corporation regarding the 2018 Sidewalk Assessment Project in the amount of $81,043.83.
4. Ordinance No. 18-10 amending Chapter 63 of the Code of Ordinances establishing the speed limit on Alburnett Road as 35 mph from the northern City Limits, except that area from 400’ south of the Oakridge School Drive to 400’ north of Echo Hill Road which shall be 25 mph when children present to the southern terminus of Alburnett Road. (Remove code section, 5D, 6G & 6H, and add code section AC). Initial consideration.
5. Public Hearing regarding an Electric Line Easement with Interstate Power and Light [Alliant Energy] for certain City property located north of 6th Avenue and west of 15th Street regarding the Central Corridor Improvements – Phase 3; 13th Street to 19th Street.
6. Resolution No. 26857 approving Electric Line Easement with Interstate Power and Light [Alliant Energy] for certain City property located north of 6th Avenue and west of 15th Street regarding the Central Corridor Improvements – Phase 3; 13th Street to 19th Street.
7. PLANNING AND DEVELOPMENT
8. Public Hearing regarding a Preliminary and Final Site Development Plan for Squaw Creek Hospitality Country Inn & Suites Hotel at 5993 Carlson Way on the northeast corner of Highway 13 & 151.
9. Resolution No. 26858 approving a Preliminary Site Development Plan for Squaw Creek Hospitality Country Inn & Suites Hotel at 5993 Carlson Way on the northeast corner of Highway 13 & 151.
10. Resolution No. 26859 approving a Final Site Development Plan for Squaw Creek Hospitality Country Inn & Suites Hotel at 5993 Carlson Way on the northeast corner of Highway 13 & 151.
11. Ordinance No. 18-09 amending the Code of Ordinances to rezoning of property from Rural Restricted (A-1) to Medium Density Single Family Residential (R-2) located west of Alburnett Road and south of Echo Hill Road, Marion, Iowa (Integrity Custom Homes Inc.). Second consideration.
12. Motion to reconsider Resolution No. 26821, approving an amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single Family Detached to Single Family Attached for property located north of Winchester Drive and west of Sherwood Drive (Robson Home, Inc.) (Failed 04/19/2018).
13. Motion directing staff to place Resolution No. 26821, approving an amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single Family Detached to Single Family Attached for property located north of Winchester Drive and west of Sherwood Drive (Robson Home, Inc.) (Failed 04/19/2018), on the agenda of the June 7th, 2018 City Council meeting.
14. ADMINISTRATION/OTHER
15. Presentation from Integrity Companies LLC regarding the application for TIF assistance**.**
16. Motion directing staff to draft a Memorandum of Understanding (MOU) with Integrity Companies LLC, regarding tax increment financing (TIF) incentives.
17. Resolution No. 26860 approving an Economic Development Grant Agreement with GLD Commercial-Hotel.
18. Resolution No. 26861 Declaring Necessity and Providing for Notice of Hearing on Proposed Urban Revitalization Plan for the 2018 Workforce Housing Urban Revitalization Area.
19. Resolution No. 26862 setting dates for special work sessions regarding the FY20-24 Capital Improvement Program.
20. Mayoral Appointment:  
    1. Janna Granger, 2023 Addison Court, Planning and Zoning Commission, term expires 12-30-20.
21. Citizen’s presentations, comments and/or petitions.
22. Council Discussion Time
23. Motion to adjourn to closed session permitted under Section 21.5(1)(c).
24. Adjourn