



CITY COUNCIL AGENDA – REGULAR SESSION

**Tuesday, November 20, 2018 – 4:00 p.m.
City Hall, 1225 6th Avenue, Marion, IA 52302**

The meeting is being 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 take a yellow card found at the end of the staff table and complete the card. When the mayor asks you to come forward to address the City Council, hand the card to the City Clerk. Please state your name and address before making any comments.

The Mayor and City Council welcome comments from the public; however, at no time is it appropriate to use profane, obscene, or slanderous language. The Mayor may limit each speaker to five minutes.

Note: Council Member Paul Draper will be participating via phone.

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
MOMENT OF SILENCE**

PROCLAMATIONS/OATHS

1. Proclamation: Small Business Saturday 2018 (November 24, 2018)

PRESENTATIONS – This section is for presentations from external entities regarding current council action and area projects and events.

1. Presentation regarding the Marion Enterprise Network Program by Nick Glew with MEDCO Holding Company.
2. Presentation regarding YMCA Financial Guarantee from Zach Bohannon and Bob Carlson with YMCA.

CONSENT AGENDA PUBLIC FORUM - This section is for comments from the public on topics listed on the consent agenda.

CONSENT AGENDA – This section includes routine items and will be enacted by one motion without separate discussion unless Council requests an item to be removed to be considered separately.

1. Motion to approve the Consent Agenda as follows:

A. Administrative Services

1. Motion to approve minutes of the November 5, 6 and 8, 2018 City Council meetings.
2. Motion to receive, file and discuss September 2018 Monthly Reports.
3. Motion to schedule special closed session for November 26, 2018 regarding personnel matters (City Manager performance evaluation) as permitted under Section 21.5(1)(i) of the Code of Iowa.
4. Motion to approve the following liquor license applications:
 - a. Kum & Go #509 - 1203 Blairs Ferry Road
Class E Liquor License with additional privileges of Class B Wine Permit, Class C Beer Permit and Sunday Sales. No violations in the previous five years.
 - b. Naso's Pizza - 453 7th Avenue
Class C Liquor License with additional privileges of Catering, Outdoor Service and Sunday Sales. No violations in previous five years.
 - c. La Cantina Bar & Grill - 3217 7th Avenue
Class C Liquor License with additional privileges of Catering, Outdoor Service and Sunday Sales. No violations in previous five years.
 - d. Carlos O Kelly's – 3320 Armar Drive
Class C Liquor License with additional privileges of Catering, Outdoor Service and Sunday Sales. No violations in previous five years.
5. Motion to approve the following Hold Harmless Agreements:
 - a. Christmas in the Park & Peppermint Walk, December 7, 2018, 4:00-8:00 p.m., City Square Park and Uptown Marion (Marion Chamber of Commerce, 1225 6th Avenue Suite 100).
 - b. Patriotic Picnic, June 22, 2019, 11:00-3:00 p.m., City Square Park (Cedar Rapids Freedom Festival, 609 1st Avenue SW Suite 102).
 - c. Freedom Bike Ride, June 23, 2019, 10:00-5:30 p.m., Lowe Park (Cedar Rapids Freedom Festival, 609 1st Avenue SW Suite 102).

6. Motion to approve payments as presented in the amount of \$943,445.23.
7. Resolution No. 27294 approving the Annual Urban Renewal Report for the fiscal year ending June 30, 2018.
8. Resolution No. 27295 approving the certification of Tax Increment Financing (TIF) Indebtedness to the Linn County Auditor's Office for Fiscal Year 2019-2020 Collections.
9. Resolution No. 27296 approving an amendment to the 2016 agreement with Koch Office Group to replace 3 copiers at the Library and modify the monthly aggregated print/copy contracted usage.

B. Public Services

1. Resolution No. 27297 approving Partial Payment No. 4 to A&J Associates for the Public Services Maintenance Facility in the amount of \$12,800.00.
2. Resolution No. 27298 approving the 2018-2019 Snow and Ice Control Program.
3. Resolution No. 27299 approving the 2018-2019 winter deicer contracts with Cargill Incorporated.

C. Police/Fire

1. Resolution No. 27300 approving the purchase of fire helmets from Sandry Fire Supply in the amount of \$28,214.72.

D. Parks – None

E. Engineering

1. Motion to approve Engineering Department project payments as follows:
 - a. Resolution No. 27301 approving Partial Payment No. 10 to Snyder & Associates regarding the 2018 Alburnett Road Extension Phase 1 in the amount of \$17,291.57.
 - b. Resolution No. 27302 approving Partial Payment No. 4 to HDR Engineering regarding the 2018 Sanitary Sewer Capacity Study in the amount of \$4,425.03.

F. Community Development

1. Resolution No. 27303 setting a public hearing for December 6, 2018, regarding a Preliminary Site Development Plan for Squaw Creek Crossing Apartments located west of 62nd Street, south of Hennessey Parkway and north of Carlson Way. (Ridge Development Company, LLC)

G. City Manager's Office – None

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

2. Motion to approve the Consent Agenda with Mayor AbouAssaly's abstention from voting and discussion as follows:

A. Administrative Services

1. Motion to approve the following liquor license applications:
 - a. Casey's General Store #3562
680 Lindale Drive
Class E Liquor License with additional privileges of Class B Wine Permit, Class C Beer Permit (Carryout Beer) and Sunday Sales. No violations in previous five years.

B. Public Services

1. Resolution No. 27304 approving Partial Payment No 8 to Knapp Warden LLC for design services associated with the Eco Industrial Park Phase 1 in the amount of \$24,206.25.

C. Police/Fire – None

D. Parks – None

E. Engineering – None

F. Community Development – None

G. City Manager's Office – None

REGULAR AGENDA

A. Administrative Services

1. Ordinance No. 18-29 amending Chapter 17 of the Code of Ordinances relating to Council. (Second Consideration)
2. Ordinance No. 18-30 amending Chapter 18 of the Code of Ordinances relating to City Clerk. (Second Consideration)

3. Ordinance No. 18-31 amending the Code of Ordinances by adding Chapter 18A relating to City Treasurer. (Second Consideration)
4. Ordinance No. 18-32 amending Chapter 7 of the Code of Ordinances relating to Fiscal Management. (Second Consideration)
5. Ordinance No. 18-33 amending Chapter 5 of the Code of Ordinances relating to Operating Procedures. (Second Consideration)
6. Ordinance No. 18-34 amending Chapter 23 of the Code of Ordinances relating to Park Board. (Second Consideration)
7. Ordinance No. 18-35 amending Chapter 120 of the Code of Ordinances relating to Liquor Licenses and Wine and Beer Permits. (Initial Consideration) (Tabled 11/08/18)
8. Ordinance No. 18-36 amending Chapter 46 of the Code of Ordinances relating to Minors. (Initial Consideration) (Tabled 11/08/18)

B. Public Services

1. Resolution No. 27305 approving repair services agreement with Legacy Building Solutions in the amount of \$25,334.00.
2. Resolution No. 27306 approving the repair and installation of traffic signal safety systems with Trey Electric for \$25,000.00.

C. Police/Fire – None

D. Parks – None

E. Engineering

1. Discussion regarding Uptown Parking Ramp.
2. Motion directing staff to proceed with parking ramp design.
3. Motion directing staff to solicit bids for property disposals for 525 11th Street and 520 12th Street.
4. Resolution No. 27307 accepting bids and awarding contract with Rathje Construction Co. regarding the 530/540 12th Street Property Disposal Project in the amount of \$24,500.00.
5. Resolution No. 27308 approving contract with Rathje Construction Co. regarding the 530/540 12th Street Property Disposal Project in the amount of \$24,500.00.

6. Resolution No. 27309 rejecting all bids regarding the 530/540 12th Street Property Disposal Project.

F. Community Development

1. Motion to receive and file a request to waive the final reading to approve the rezoning of property south of Blairs Ferry Road, north of Twixt Town Road and west of Marion Boulevard. (DeLong Development Co., LC)
2. Ordinance No. 18-37 approving the rezoning of property south of Blairs Ferry Road, north of Twixt Town Road and west of Marion Boulevard from R-2 Medium Density Single Family Residential to C-3 General Commercial. (DeLong Development Co., LC) (Second Reading)
3. Motion to suspend the rules and place Ordinance No. 18-37 on the agenda for adoption and to adopt Ordinance No. 18-37.
4. Ordinance No. 18-38 approving the rezoning of property south of Blairs Ferry Road, north of Twixt Town Road and west of Marion Boulevard from R-2 Medium Density Single Family Residential to R-6 High Density Multiple Family Residential (DeLong Development Co., LC) (Second Reading)
5. Motion to suspend the rules and place Ordinance No. 18-38 on the agenda for adoption and to adopt Ordinance No. 18-38.
6. Resolution No. 27310 approving the Final Plat and Memorandum of Agreement for DeLong 1st Addition located south of Blairs Ferry Road, north of Twixt Town Road and west of Marion Boulevard. (DeLong Development Co., LC)
7. Ordinance No. 18-25 approving the revision of Chapter 176 Marion Zoning Ordinance for approval of an amendment to Chapter 176.32, Accessory Building and Uses of the Marion Code of Ordinances regarding Accessory Building and Uses. (Final Consideration)

G. City Manager's Office

1. Public Hearing on proposed Development Agreement with Integrity Companies, LLC.
2. Resolution No. 27311 approving development agreement Integrity Companies, LLC authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement.
3. Public Hearing on proposed Development Agreement with JLENZ LLC.

4. Resolution No. 27312 approving development agreement with JLENZ LLC, authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement.
5. Public Hearing on proposed development agreement with Culver Enterprises, LLC.
6. Resolution No. 27313 approving development agreement with Culver Enterprises, LLC authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement.
7. Public Hearing on proposed development agreement with KTRO, LLC.
8. Resolution No. 27314 approving development agreement with KTRO, LLC authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement.
9. Public Hearing on proposed development agreement with Timberline Manufacturing Company.
10. Resolution No. 27315 approving development agreement with Timberline Manufacturing Company authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement.
11. Public hearing on proposed amendment to the urban renewal plan for the Collins Road Extension Urban Renewal Area.
12. Resolution No. 27316 to approve Urban Renewal Plan Amendment for the Collins Road Extension Urban Renewal Area.
13. Public hearing on proposed amendment to the urban renewal plan for Central Corridor Urban Renewal Area.
14. Resolution No. 27317 to approve Urban Renewal Plan Amendment for the Central Corridor Urban Renewal Area.
15. Motion directing staff to negotiate a program agreement and lease agreement to develop the Marion Enterprise Network.
16. Resolution No. 27318 approving Memorandum of Understanding (MOU) with Synergy Equity Partners, LLC regarding Tax Increment Financing (TIF) incentives.
17. Discussion regarding FY2019-2024 Capital Improvement Program.

18. Resolution No. 27319 setting a public hearing for December 6, 2018 regarding the FY 2019-2024 Capital Improvement Program.

OTHER DEPARTMENT DISCUSSION – This portion of the meeting is set aside for other department discussions, presentations, and updates not related to current council action.

1. Police: Presentation providing a recap of Marion Police Department's Strategic Plan.

PUBLIC FORUM – This time is set aside for comments from the public on topics other than those listed on this agenda. Please understand that the City Council will not take any action on your comments at this meeting due to requirements of the Open Meetings Law, but may do so at a future meeting.

COUNCIL DISCUSSION – During this portion of the meeting, Council members may bring forward communications, concerns and reports on various matters.

ADJOURN