



CITY COUNCIL AGENDA
Thursday, March 7, 2019 – 5:30 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.

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
MOMENT OF SILENCE

PROCLAMATIONS/OATHS

None

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

None

PUBLIC FORUM - This section is for comments from the public on topics listed on the agenda not associated with a public hearing.

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 February 19, 21 and 27, 2019 City Council meetings.
2. Motion to approve the following liquor license applications:
 - a. Renewal – SugarMe – 895 8th Avenue
Class B Native Wine Permit. No violations in last five years.

- b. Renewal – Prairie Hill Pavilion – 5680 Kacena Avenue
Class C Liquor License (LC) with additional privileges of Catering and Sunday Sales. No violations in last five years.
 - c. Renewal – Villa's Patio Mexican Restaurant – 433 7th Avenue
Class C Liquor License (LC) with additional privileges of Outdoor Service and Sunday Sales. No violations in last five years.
 - d. Renewal – Casey's General Store #2760 – 975 S 11th Street
Class E Liquor License (LE) with additional privileges of Class B Wine Permit (Carryout Wine-includes Native Wine), Class C Beer Permit (Carryout Beer) and Sunday Sales. No violations in last five years.
 - e. Renewal – Casey's General Store #2919 – 340 Marion Boulevard
Class E Liquor License (LE) with additional privileges of Class B Wine Permit (Carryout Wine-includes Native Wine), Class C Beer Permit (Carryout Beer) and Sunday Sales. One violations in last five years.
- 3. Motion to approve payments as presented in the amount of \$1,835,516.14.
 - 4. Motion to receive, file and discuss the Library Foundation Director job description.
 - 5. Motion directing staff to solicit request for proposals (RFP) regarding the FY19-20 Compensation and Classification Study.
 - 6. Resolution No. 27478 authorizing the destruction certain municipal records.

B. Public Services – None

C. Police/Fire – None

D. Parks – None

E. Engineering

- 1. Motion to approve Engineering Department project payments as follows:
 - a. Resolution No. 27479 approving Partial Payment No. 7 to Anderson-Bogert Engineers regarding the 2018 Central Corridor – 7th Ave. Preliminary Design project in the amount of \$27,398.61.

- b. Resolution No. 27480 approving Partial Payment No. 1 to EB Solutions, Inc. regarding the Wetland Mitigation and Annual Monitoring for the Grant Wood Trail in the amount of \$1,680.00.
 - c. Resolution No. 27481 approving Partial Payment No. 24 to Veenstra & Kimm, Inc. regarding the Indian Creek Trunk Sewer – Segment 7 Professional Services in the amount of \$10,439.62.
 - d. Resolution No. 27482 approving Partial Payment No. 6 to HDR Engineering Inc. regarding the 2018 Sanitary Sewer Capacity Study in the amount of \$1,697.20.
- 2. Motion to receive, file and discuss a letter from the Iowa Department of Transportation (IDOT) regarding patching projects along US 151 from US 30 to Iowa 13 and US 151 from Iowa 13 to US 61. (MP-151-6(730)30- -76-57 & MP-151-6(731)38- -76-57)
 - 3. Resolution No. 27483 approving contract amendment regarding project scope limits to the contract with Snyder & Associates regarding the 2018 Alburnett Road Extension Project Phase I in the amount of an addition \$46,550.00 to bring the total not to exceed to \$464,000.00.
 - 4. Resolution No. 27484 approving a contract for appraisal services regarding the Indian Creek Trunk Sewer Segment 7 with Rally Appraisal.

F. Community Development

- 1. Motion to approve Planning Department project payments as follows:
 - a. Resolution No. 27485 approving payment no. 15 to Shoemaker Haaland per the contract for the CeMar Trail (Iowa DOT Project Number: TAP-U-4475(630)-8I-57) in the amount of \$11,338.15.
 - b. Resolution No. 27486 approving payment no. 8 to Snyder & Associates per the contract for the Indian Creek Trail [STP-U-4775(631) --70-57] in the amount of \$4,847.12.
 - c. Resolution No. 27487 approving payment to Stanley Consultants, Inc. for environmental site assessment services related to land development Phase 2 ESA at 2271 5th Avenue in the amounts of \$4,321.32.

2. Motion to receive, file and refer to the Planning and Zoning Commission:
 - a. A zoning request for property between 35th Avenue & Tower Terrace Road extended and 35th Street & 44th Street extended from Undesignated to PD-S, Planned Development Special and an amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Single-Family Attached Residential, Parks/Open Space, Business Park/Office, Multi-Family Residential, Neighborhood Commercial and Public/Semi-Public; from Single-Family Attached Residential to Single-Family Detached Residential, Transitional Residential, Corridor Commercial, and Public/Semi-Public; from Multi-Family Residential to Single-Family Detached Residential, Single-Family Attached Residential, Transitional Residential, Business Park/Office, Corridor Commercial and from Neighborhood Commercial to Single-Family Attached and Business Park/Office. (City of Marion)

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 – None**
 - B. Public Services – None**
 - C. Police/Fire – None**
 - D. Parks**
 1. Resolution No. 27488 approving partial payment no. 2 to Martin Gardner Architecture for professional services regarding the Lowe Park Maintenance Facility Addition Project in the amount of \$2,040.00.
 - E. Engineering**
 1. Resolution No. 27489 approving Partial Payment No. 9 to Anderson-Bogert Engineers regarding the Marion Runway 17/35 Reconstruction project in the amount of \$18,982.46.

F. Community Development

1. Motion to approve Planning Department project payments as follows:
 - a. Resolution No. 27490 approving payment no. 2 to GLD Properties LLC for construction of a portion of the Grant Wood Trail project located between 26th Street roundabout and 31st Street in the amount of \$14,123.27.
 - b. Resolution No. 27491 approving payment to Hall & Hall Engineers, Inc. for services related to POS #2304 in the amount of \$188.46.
2. Motion to receive, file and refer to the Planning and Zoning Commission:
 - a. A Central Corridor Interim Development Overlay review request for First Federal & Retail located south of 7th Avenue east of 25th Street. (Genesis Equities LLC)
 - b. A Final Plat for Seventh Avenue Commercial 3rd Addition located at 2191 7th Avenue. (GLD Commercial LLC)

G. City Manager's Office – None

REGULAR AGENDA

A. Administrative Services

1. Public hearing regarding the fiscal year 2019-2020 budget.
2. Resolution No. 27492 approving the fiscal year 2019-2020 budget.

B. Public Services – None

C. Police/Fire – None

D. Parks – None

E. Engineering

1. Motion to receive, file and discuss a request to add no parking to one side of 1st Street from 29th Avenue to 33rd Avenue.
2. Motion to receive, file, and discuss the TAC Report regarding a request to add a no parking extension or enforcement along Saddleback Road. (Darrin Fullerton, 365 Saddleback Road).

3. Motion to direct staff to notify the property owners along West Williams, Battle Creek Drive, Saddleback Road, Bent Creek Drive, Kinderhook Lane and Pinehurst Drive and to prepare the resolutions to extend no parking on one side of the street for the March 21, 2019 City Council Meeting.
4. Resolution No. 27493 approving Partial Payment No. 4 for reimbursement to Morris Wood Enterprises, LLC regarding the Tower Terrace Road – Phase VI (Winslow Road to Lennon Lane) Project in the amount of \$474,235.38.

F. Community Development

1. Public hearing regarding a request to vacate the easterly Indian Creek Road right-of-way easement adjacent to the Gemstone Estates 5th Addition. (Morris Wood Enterprises, LLC)
2. Resolution No. 27494 approving vacation of the easterly Indian Creek Road right-of-way easement adjacent to the Gemstone Estates 5th Addition. (Morris Wood Enterprises, LLC) (Initial Consideration)
3. Ordinance No. 19-03 approving rezoning from C-4, Warehouse Commercial to PD-R, Planned Development Residential for property at 2274 5TH Avenue. (City of Marion) (Final Consideration)
4. Public hearing regarding an amendment to Section 176.25 of the Marion Code of Ordinance to allow the sale of consumer fireworks in the I-1, Restricted Industrial Zoning District. (City of Marion)
5. Ordinance No. 19-05 approving an amendment to Section 176.25 of the Marion Code of Ordinance to allow the sale of consumer fireworks in the I-1, Restricted Industrial District. (Initial Consideration)
6. Resolution No. 27495 approving Contract Amendment No. 1 with Snyder and Associates Inc., associated with the Indian Creek Trail project in the amount of \$55,739.00 (STP-U-4775(631)--70-57).
7. Public hearing regarding a proposal to sell public property located at 2254 and 2274 5th Avenue, Marion, Iowa. (Cedar Venture, LLC)
8. Resolution No. 27496 approving sale of public property located at 2254 and 2274 5th Avenue, Marion, Iowa and directing manner of execution of deeds. (Cedar Venture, LLC)

G. City Manager's Office

1. Motion to receive and file a conditional offer letter with Joe Hill regarding the Carriage Square Project.

2. Motion directing staff to draft a Memorandum of Understanding (MOU) with Joe Hill regarding incentives associated with the Carriage Square Project.
3. Public hearing on proposed amendment to the West Tower Terrace Road Urban Renewal Area (continued from February 21, 2019)
4. Resolution No. 27476 approving the Urban Renewal Plan Amendment for West Tower Terrace Road Urban Renewal Area.

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

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