



## CITY COUNCIL AGENDA – WORK SESSION

Tuesday, July 2, 2019 – 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.

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

**PROCLAMATIONS/OATHS**

1. Recognition of Fire Department volunteer service.

**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 June 18 and 20, 2019 City Council meetings.
2. Motion to approve the following liquor license applications:
  - a. New – Short’s – Marion – 780 11th Street  
Class C Liquor License with additional privileges of Outdoor Service and Sunday Sales. Effective 7/15/19.

3. Motion to approve the following Hold Harmless Agreements:
  - a. Eat. Drink. & Be Marion.; Uptown Marion on 7/11/19 from 5:30-9:30 p.m. (Uptown Marion, 1225 6th Avenue Suite 100, Marion; Permit #2019-00000052)
  - b. Anniversary of ECHO Experiment and Program; Lowe Park on 8/13/19 from 8:30-10:00 p.m. (Marion Heritage Center, PO Box 753, Marion; Permit #2019-00000060)
4. Motion to approve the following Mayoral appointments:
  - a. Planning and Zoning Commission:  
Dale Monroe, 1140 Indian Creek Circle, term expires 12/31/20  
Deb Callahan, 2680 Newcastle Road, term expires 12/31/21
  - b. Linn County Solid Waste Agency Finance Committee:  
Lianne Cairy, 1225 6th Avenue, no term expiration
5. Motion to receive and file the following Board & Commission resignations:
  - a. LOST Committee, John Sklarsky, effective 7/1/19
  - b. Construction Code Review Board, Richard Sundermeyer, effective 7/1/19.
6. Motion to approve payments as presented in the amount of \$1,893,250.05.
7. Resolution No. 27753 approving letter of support regarding YMCA CAT Application.

**B. Public Services – None**

**C. Public Safety – None**

**D. Parks – None**

**E. Engineering**

1. Resolution No. 27754 approving Temporary Construction Easement with Beaton Holding Company L.C., 2449 7th Avenue, regarding the Central Corridor Improvements – Phase 4 (19th Street to 26th Street). (TRANS-18-091)
2. Resolution No. 27755 accepting Country Club Estates 13th Addition to the City of Marion.
3. Resolution No. 27756 approving Partial Payment No. 28 to Veenstra & Kimm, Inc. regarding the Indian Creek Trunk Sewer – Segment 7 project in the amount of \$4,261.76 (SWR-17-026)

4. Motion to approve Project Calendar regarding Temporary Construction Easements associated with the 2019 Sidewalk Project (ANN-18-105 & ANN-18-106) as follows:
  - a. Resolution No. 27757 approving Temporary Construction Easement with Robert A & Norbe B Boettcher, 348 7th Street, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
  - b. Resolution No. 27758 approving Temporary Construction Easement with Don L & Renee C Simmons, 3290 7th Street, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
  - c. Resolution No. 27759 approving Temporary Construction Easement with Julie A Ottaway, 830 South 12th Street, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
  - d. Resolution No. 27760 approving Temporary Construction Easement with Barry J & Sheri L Soukup, 3295 6th Street, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
  - e. Resolution No. 27761 approving Temporary Construction Easement with Cory A Cosman, 2180 9th Avenue, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
  - f. Resolution No. 27762 approving Temporary Construction Easement with Elaine M Orcutt, 405 9th Street, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
  - g. Resolution No. 27763 approving Temporary Construction Easement with Steven J & Stephanie L Udelhofen, 296 5th Avenue, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
  - h. Resolution No. 27764 approving Temporary Construction Easement with Steven and Sandra Back, 150 Grand Avenue, regarding the 2019 Sidewalk Project. (ANN-18-105 & ANN-18-106)
5. Motion to approve Project Calendar regarding Temporary Construction Easements associated with the 2019 Sanitary Sewer Sliplining Project (ANN-18-029) as follows:
  - a. Resolution No. 27765 approving Temporary Construction Easement with Hames Properties LLC, 648 Marion Boulevard, regarding the 2019 Sanitary Sewer Sliplining Project (ANN-18-029)

- b. Resolution No. 27766 approving Temporary Construction Easement with De Long Development Co, 1013 Blairs Ferry Road, regarding the 2019 Sanitary Sewer Sliplining Project (ANN-18-029)

**F. Community Development**

1. Resolution No. 27767 approving payment to Corridor Metropolitan Planning Organization (CMPO) for FY20 membership dues in the amount of \$25,703.55.
2. Resolution No. 27768 setting a public hearing for July 18, 2019 regarding the disposition of City owned property located at 1080 Blairsferry Road. (Timberline Manufacturing Co., Inc.)

**A. Library – 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 Mayor Pro Tem appointment:
  - a. Marion Municipal Airport Committee:  
Bob Stokes, 2055 Rosewood Ridge Drive, term expires 12/31/20

**B. Public Services – None**

**C. Public Safety – None**

**D. Parks**

1. Resolution No. 27769 approving Partial Payments No. 9 to Martin Gardner Architecture for professional services regarding the Lowe Park Maintenance Facility Addition Project in the amounts of \$612.00. (FACS-18-019)

**E. Engineering**

1. Motion to approve Project Calendar regarding Engineering Department payments as follows:
  - a. Resolution No. 27770 approving Partial Payment No. 13 to Genesis Equities, LLC per Resolution No. 26329 regarding the 2017 Central Corridor Improvements Project – Phase 3 (13th Street to 19th Street) in the amount of \$ 79,379.16. (TRANS-18-091)

- b. Resolution No. 27771 approving Partial Payment No. 11 to Anderson-Bogert Engineers regarding the Marion Runway 17/35 Reconstruction Project in the amount of \$1,663.38. (ANN-18-082)
2. Resolution No. 27772 accepting Authors 5th Addition to the City of Marion.

## **F. Community Development**

1. Motion to approve Planning and Development Division Payments as follows:
  - a. Resolution No. 27773 approving payment to Hall and Hall Engineers, Inc. for professional services related to Plat of Survey 2304 retracement, Plat of Survey 2305 & set pins south of 6th Avenue and east of 21st Street in the amount of \$297.50. (TRANS-118-091)
  - b. Resolution No. 27774 approving payment no. 4 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 \$43,870.40. (TRL-18-114)
  - c. Resolution No. 27775 approving payment no. 4 to Anderson-Bogert Engineers for general airport consulting for engineering and/or land surveying services per the contract for the Marion Airport in the amount of \$8,100.00. (ANN-18-082)

## **G. Library – None**

## **REGULAR AGENDA**

### **A. Administrative Services**

1. Resolution No. 27776 approving a contract with Insight Performance Management Group, LLC in the amount of \$26,100.00 for Comprehensive Strategic Planning Services.
2. Resolution No. 27777 approving a contract with The National Research Center, Inc. in the amount of \$16,775.00 to conduct the Biennial National Citizen Survey.
3. Resolution No. 27778 approving final capital contribution payment to Prospect Meadows in the amount of \$450,000.00. (DEV-18-001)

## **B. Public Services**

1. Resolution No. 27779 approving affidavit with Cedar Rapids/Linn County Solid Waste Agency for the curbside recycling program incentive.
2. Public hearing regarding the Geothermal Field Site Package for the Public Services Maintenance Facility.
3. Resolution No. 27780 accepting bids and awarding contract to A-One Geothermal Incorporated for the Geothermal Field Site Package associated with the Public Service Maintenance Facility in the amount of \$648,955.00. (FACS-17-069).
4. Motion to approve Project Calendar for the Precast Concrete Package associated with the Public Service Maintenance Facility as follows (FACS-17-069):
  - a. Resolution No. 27781 approving Resolution of Necessity regarding the Precast Concrete Package associated with the Public Service Maintenance Facility (FACS-17-069).
  - b. Resolution No. 27782 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Precast Concrete Package for the Public Service Maintenance Facility (FACS-17-069).
  - c. Resolution No. 27783 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Precast Concrete Package for the Public Service Maintenance Facility (FACS-17-069).
5. Motion to approve Project Calendar for the Pre-Engineered Metal Building Package associated with the Public Service Maintenance Facility as follows (FACS-17-069):
  - a. Resolution No. 27784 approving Resolution of Necessity regarding the Pre-Engineered Metal Building Package associated with the Public Service Maintenance Facility (FACS-17-069).
  - b. Resolution No. 27785 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Pre-Engineered Metal Building Package for the Public Service Maintenance Facility (FACS-17-069).

- c. Resolution No. 27786 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Pre-Engineered Metal Building Package for the Public Service Maintenance Facility (FACS-17-069).
6. Motion to approve Project Calendar for the Concrete Foundation Package associated with the Public Service Maintenance Facility as follows (FACS-17-069):
    - a. Resolution No. 27787 approving Resolution of Necessity regarding the Concrete Foundation Package associated with the Public Service Maintenance Facility (FACS-17-069).
    - b. Resolution No. 27788 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Concrete Foundation Package for the Public Service Maintenance Facility (FACS-17-069).
    - c. Resolution No. 27789 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Concrete Foundation Package for the Public Service Maintenance Facility (FACS-17-069).

**C. Public Safety – None**

**D. Parks – None**

**E. Engineering**

1. Resolution No. 27790 approving contract and bond with Eastern Iowa Excavating & Concrete, LLC regarding the 2019 3rd Ave Rehabilitation Project [NSI] in the amount of \$233,276.65. (TRANS-18-090)
2. Resolution No. 27791 approving contract and bond with Curtis Contracting Corporation regarding the 2019 Sidewalk Project in the amount of \$144,480.00. (ANN-18-105 & ANN-18-106)
3. Motion to approve Project Calendar regarding the 2019 Marion Fire Station Site Subdrain Package (FACS-18-062), as follows:
  - a. Motion to retain the City Engineer as Project Engineer regarding the 2019 Marion Fire Station Site Subdrain Package. (FACS-18-062)

- b. Resolution No. 27792 approving Resolution of Necessity regarding the 2019 Marion Fire Station Site Subdrain Package. (FACS-18-062)
  - c. Resolution No. 27793 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2019 Marion Fire Station Site Subdrain Package. (FACS-18-062)
  - d. Resolution No. 27794 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2019 Marion Fire Station Site Subdrain Package. (FACS-18-062)
4. Motion to approve Project Calendar regarding the Removal of Railroad Bridge over Marion Blvd in advance of CEMAR Trail. (STP-U-4775(632)—70-57) (TRL-17-055), as follows:
  - a. Motion to retain the City Engineer as Project Engineer regarding the Removal of Railroad Bridge over Marion Blvd in advance of CEMAR Trail. (STP-U-4775(632)—70-57) (TRL-17-055)
  - b. Resolution No. 27795 approving Resolution of Necessity regarding the Removal of Railroad Bridge over Marion Blvd in advance of CEMAR Trail. (STP-U-4775(632)—70-57) (TRL-17-055)
  - c. Resolution No. 27796 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Removal of Railroad Bridge over Marion Blvd in advance of CEMAR Trail. (STP-U-4775(632)—70-57) (TRL-17-055)
  - d. Resolution No. 27797 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Removal of Railroad Bridge over Marion Blvd in advance of CEMAR Trail. (STP-U-4775(632)—70-57) (TRL-17-055)
5. Resolution No. 27798 approving a Memorandum of Agreement with Synergy Equity Partners LLC regarding the 2019 Irish Drive Extension Project. (TRANS-18-112)
6. Resolution No. 27799 approving a Memorandum of Agreement with Steven and Sandra Back regarding the 2019 Sidewalk Project. (150 Grand Avenue) (ANN-18-105 & ANN-106)



7. Motion to receive, file, discuss and refer to TAC a petition regarding additional signage, speed transition area and police enforcement at the intersection of Alburnett Road and Echo Hill and to the north. (Sue and Rick Schulte, 5901 Rock Ridge Drive)
8. Discussion regarding Flood Plain Development Permit associated with the placement of the future Alburnett Road Bridge and the box culvert. (Staff)
9. Resolution No. 27800 approving contract amendment regarding additional soil boring locations with Veenstra & Kim, Inc. regarding the Indian Creek Trunk Sewer – Segment 7 Project amount in the amount of an addition \$30,500.00 to bring the total not to exceed to \$345,500.00. (SWR-17-026)
10. Resolution No. 27801 authorizing the submittal of an application for Traffic Safety Improvement Program (TSIP) funding for the intersection of Alburnett Road and Echo Hill Road to convert the 2-way stop controlled intersection to a full roundabout.
11. Resolution No. 27802 authorizing the submittal of an application for Traffic Safety Improvement Program (TSIP) funding for the intersection of Highway 100 and South 31st Street to convert the 2-way stop controlled intersection to a traffic signal, extend the left turn lanes, and add a westbound right turn lane. (TRANS-18-073)
12. Motion directing staff to solicit engineering services from the Iowa DOT by means of the Traffic Engineering Assistance Program (TEAP) regarding the Highway 100 and East Post Road Intersection.
13. Motion to remove from the table Resolution No. 27749 accepting bids and awarding contract to Abode Construction, Inc. regarding the 2274 5th Avenue Property Disposal Project in the amount of \$29,200.00. (TRANS-17-099) (Tabled 6/20/19)
14. Resolution No. 27749 accepting bids and awarding contract to Abode Construction, Inc. regarding the 2274 5th Avenue Property Disposal Project in the amount of \$29,200.00. (TRANS-17-099)
15. Resolution No. 27803 approving contract and bond with Abode Construction, Inc. regarding the 2274 5th Avenue Property Disposal Project in the amount of \$29,200.00. (TRANS-17-099)
16. Resolution No. 27804 approving Iowa Department of Transportation Agreement for the Fiscal Year 2018 Airport Improvement Program regarding the Runway 17/35 Widening and Partial Reconstruction Project.

## F. Community Development

1. Ordinance No. 19-20 rezoning property to PD-R, Planned Development Residential, SR-3, Suburban Medium Density Single Family Residential and SR-4, Suburban Two-Family Residential for property located north of 29th Avenue on either side of Winchester Drive extended. (Robson Homes) (Final Consideration)
2. Resolution No. 27805 approving the Commons at English Glen Phase 2 Preliminary Site Development Plan located north of 29th Avenue on either side of Winchester Drive extended. (Robson Homes, Inc.)
3. Resolution No. 27806 approving the Commons at English Glen Phase 2 Preliminary Plat located north of 29th Avenue on either side of Winchester Drive extended. (Robson Homes, Inc.)
4. Resolution No. 27807 approving Seventh Avenue Commercial 2nd Addition Final Plat and Memorandum of Agreement related to property located at 3055 7th Avenue. (GLD Commercial LLC)
5. Resolution No. 27808 approving Seventh Avenue Commercial 3rd Addition Final Plat and Memorandum of Agreement related to property located at 2791 7th Avenue. (GLD Commercial LLC)
6. Motion to remove from the table Resolution No. 27752 approving an amendment to the Marion Comprehensive Plan establishing Airport and Airport Overlay designations.
7. Resolution No. 27752 approving an amendment to the Marion Comprehensive Plan establishing Airport and Airport Overlay designations. (Tabled 6/20/19)
8. Motion to remove from the table motion directing staff to proceed with zoning the Marion Municipal Airport consistent with the 2017 Airport Layout Plan.
9. Motion directing staff to proceed with zoning the Marion Municipal Airport consistent with the 2017 Airport Layout Plan.
10. Public hearing regarding an amendment to the Future Land Use Map of the Marion Comprehensive Plan from Business Parks/Office to Multi-Family Residential and a rezoning request from O-1, Office/Transitional to MR-2, High Density Multiple-Family Residential District located at 1330 East Post Road, Marion, Iowa.
11. Resolution No. 27809 amending the Future Land Use Map of the Marion Comprehensive Plan from Business Parks/Office to Multi-Family Residential located at 1330 East Post Road, Marion, Iowa. (One Research Center)

12. Ordinance No. 19-21 approving the rezoning of property from O-1, Office/Transitional to MR-2, High Density Multiple-Family Residential located at 1330 East Post Road, Marion, Iowa. (One Research Center) (Initial Consideration)
13. Resolution No. 27810 approving a site plan related to 809 6th Avenue associated with terms and conditions of Ordinance 16-09. (Perry Development Partners LLC)
14. Resolution No. 27811 approving the issuance of building permits for Lots 139, 201 and 149-152 Rookwood Estates First Addition prior to approval of Rookwood Estates First Addition Final Plat. (Rookwood Estates LLC)

**G. Library – None**

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

None

**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.

**CLOSED SESSION**

1. Motion to adjourn to closed session regarding land acquisition as permitted under Section 21.5(1)(j) of the Code of Iowa.

**ADJOURN**