



CITY COUNCIL AGENDA
Thursday, August 22, 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

1. Police Officer Oath of Offices: Gabe Humphrey, Adam Bond and Dylan Shortt.
2. Paid-On-Call Firefighter Oath of Offices: Charlie Potter, Brandon Fairbanks, Andrew Clark and Alexander Fullerton.
3. Proclamation: 14th Annual Five Seasons Stand Down Day (Linn County Veterans Affairs)
4. Proclamation: Intercultural Day on August 24, 2019.
5. Proclamation: Day of Remembrance for Victims of Hate Crimes (August 22, 2019) (Marion Civil Rights Commission)

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 August 6 and 8, 2019 City Council meetings.
2. Motion to approve the following liquor license applications:
 - a. Renewal – Neighborhood Tobacco Outlet – 2500 7th Avenue Class E Liquor License (LE) with additional privileges of Class B Native Wine Permit, Class C Beer Permit and Sunday Sales. No violations in the last five years.
3. Motion to approve the following Hold Harmless Agreements:
 - a. Community Band Performances; Marion Square Park on June 9 and June 30, 2020 from 7:00-8:15 p.m. (David Law, 1560 Pleasantview Drive, Marion)
 - b. Lennon Lane Block Party; 3225 Lennon Lane on August 31, 2019 from 5:00-11:00 p.m. (Eric Unga, 3225 Lennon Lane)
4. Motion to receive and file correspondence regarding resignation of Matt Milburn from the Nuisance Enforcement/Property Maintenance Advisory Board effective 8/22/2019.
5. Resolution No. 27891 approving the City Council Appointed Boards, Commissions or Committees Policies and Procedures.
6. Motion to set November 14-15, 2019 as the Strategic Planning Work Session.
7. Motion to approve payments as presented in the amount of \$1,240,821.40.
8. Resolution No. 27892 approving payment to Independent Public Advisors LLC in the amount of \$17,397.17 for services relating to the issuance of Series 2019D Bonds.
9. Motion to receive, file and discuss July 2019 Department monthly reports.

B. Public Services

1. Resolution No. 27893 approving Partial Payment No. 1 to A-One Geothermal regarding the Public Service Maintenance Facility Geothermal Project in the amount of \$89,393.69 (FACS-17-069).
2. Resolution No. 27894 approving Partial Payment No. 1 to Rathje Construction regarding the Public Service Maintenance Facility Grading Project in the amount of \$292,398.41 (FACS-17-069).
3. Resolution No. 27895 approving a contract change order with Rathje Construction regarding the Public Service Maintenance Facility Grading Project in the amount of \$27,991.20 (FACS-17-069).

C. Public Safety – None

D. Parks

1. Resolution No. 27896 approving partial payment no. 1 to Septagon Construction Co. regarding the Lowe Park Maintenance Facility Addition Project in the amount of \$125,305.00. (FACS 18-019)

E. Engineering

1. Motion to approve Engineering Department project payments as follows:
 - a. Resolution No. 27897 approving Partial Payment No. 9 to HDR Engineering Inc. regarding the 2018 Sanitary Sewer Capacity Study in the amount of \$4,214.93 (SWR-18-033)
 - b. Resolution No. 27898 approving Partial Payment No. 19 to Snyder & Associates regarding the 2018 Alburnett Rd Extension Phase 1 in the amount of \$16,715.10 (TRANS-18-092)
 - c. Resolution No. 27899 approving payment to the Indian Creek Watershed Management Authority in the amount of \$17,433.00.

F. Community Development

1. Motion to approve Planning Department project payments as follows:
 - a. Resolution No. 27900 approving payment no. 3 to Cara Briggs Farmer (Synergy Metal Works) for the artistic design of the gateway feature associated with the CeMar Trail Bridge over Marion Boulevard in an amount of \$1246.27. (TRL-17-055)

- b. Resolution No. 27901 approving payment no. 12 to Snyder & Associates per the contract for the Indian Creek Trail [STP-U-4775(631) --70-57] in the amount of \$7,049.68. (TRL-18-056)
 - c. Resolution No. 27902 approving payment no. 21 to Shoemaker Haaland per the contract for the CeMar Trail (Iowa DOT Project Number: TAP-U-4475(630)-8I-57) in the amount of \$6,444.16. (TRL-17-055)
- 2. Motion to receive, file and refer to the Planning and Zoning Commission:
 - a. Marion Lofts 1st Addition Final Plat at 2274 5th Avenue. (TWG Development)
 - b. Rookwood Estates 1st & 2nd Addition Final Site Development Plan east of Scott Street and north of Cope Drive. (Rookwood Estates LLC)
 - 3. Resolution No. 27903 setting a public hearing for September 19, 2019 regarding a rezoning request from R-5, Moderate Density Multiple Family Residential, to PDR, Planned Development Residential at 356 9th Street, Marion, Iowa. (Seven Hills East LLC)

G. 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 – None

B. Public Services – None

C. Public Safety – None

D. Parks

- 1. Resolution No. 27904 approving partial payment no. 11 to Martin Gardner Architecture for professional services regarding the Lowe Park Maintenance Facility Addition Project in the amounts of \$816.00. (FACS 18-019)

E. Engineering – None

F. Community Development

1. Motion to approve Planning Department project payments as follows:
 - a. Resolution No. 27905 approving payment to Hall and Hall Engineers, Inc. for professional services related to the fire station in the amount of \$1,773.00. (FAC-18-061)
 - b. Resolution No. 27906 approving payment no. 5 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 \$1,710.00. (ANN-18-082)
2. Resolution No. 27907 setting a public hearing for September 5, 2019 regarding an amendment to the Marion Code of Ordinances establishing Chapter 176.53 Marion Municipal Airport Land Use and Height Overlay Zoning.

G. Library – None

REGULAR AGENDA

A. Administrative Services

1. Resolution No. 27908 approving Fiscal Year 2019-2020 Operating Budget Transfers.
2. Resolution No. 27909 approving Fiscal Year 2019-2020 Capital Budget Transfers.
3. Resolution No. 27910 approving a Memorandum of Understanding (MOU) regarding tax increment financing (TIF) incentives for Victory Sports Center, Inc.
4. Motion approving a letter of support for the Redevelopment Tax Credits Program for Brownfield and Grayfield Sites through the Iowa Economic Development Authority (IEDA) for the redevelopment of the existing YMCA Site.

B. Public Services – None

C. Public Safety

1. Resolution No. 27911 approving purchase of Axon Fleet 2 In-Car Camera System in the amount of \$117,860.00.

D. Parks – None

E. Engineering

1. Motion to receive, file and discuss IDOT letter regarding speed reduction request.
2. Resolution No. 27912 approving Change Order #1 with SAK Construction LLC regarding the 2019 Sanitary Sewer Sliplining Project in the amount of \$47,331.25. (ANN-18-029)
3. Resolution No. 27913 amending the contract with Mediacom Communications Corporation regarding the undergrounding of fiber cable associated with the Tower Terrace Road Project - Phase VI (Winslow Road to Lennon Lane) in an amount not to exceed \$33,638.73. (TRANS-18-095)
4. Resolution No. 27914 approving payment to the William J. Rausch Family Trust per Linn County Cases LACV087659 and CVCV087911 in the amount of \$82,900.00.
5. Resolution No. 27915 approving Change Order #14 with Genesis Equities, LLC regarding the 2017 Central Corridor Improvements Project – Phase 3 (13th to 19th Street) regarding the modification of the stairs and landing in the amount of \$4,795.00.
6. Public Hearing regarding the 2019 Runway 17/35 Reconstruction. (ANN-18-082)
7. Resolution No. 27916 accepting bids and awarding contract to L.L. Pelling Company, Inc. regarding the 2019 Runway 17/35 Reconstruction in the amount of \$1,818,256.41. (Base Bid A + B + D) (ANN-18-082)
8. Resolution No. 27917 approving contract and bond with L.L. Pelling Company, Inc. regarding the 2019 Runway 17/35 Reconstruction Project. (ANN-18-082)
9. Resolution No. 27918 approving contract and bond with Abode Construction, Inc. regarding the 2019 Marion Fire Station Site Subdrain Package. (FACS-18-062)

F. Community Development

1. Resolution No. 27919 approving the issuance of building permits for Lots 1-3 for three (3) duplex buildings prior to approval of The Ridge at Indian Creek 1st Addition Final Plats. (Abode Construction)
2. Resolution No. 27920 approving Central Corridor Review for a multi-tenant/commercial property at 1204 7th Avenue, Marion, Iowa. (Whaddayawant, Inc.)

3. Resolution No. 27921 approving a Temporary Right-of-Way Easement and Temporary Grading Easement for property located at the southeast corner of Indian Creek Road and Tower Terrace Road. (City of Marion)
4. Resolution No. 27922 approving Acquisition Plat associated with property located at 2350 5th Avenue (City of Marion) (TRL-17-099)
5. Resolution No. 27923 approving Acquisition Plat associated with property located at 2201 7th Avenue. (City of Marion) (TRL-17-099)
6. Resolution No. 27924 approving the Tower Terrace Road Corridor Management Plan Update.

G. Library

1. Resolution No. 27925 approving contract with Engberg Anderson as architect for library building project. (FACS-17-034)
2. Motion to receive and file a request for qualifications for a construction manager for the library building project approved by the Library Board of Trustees on 8/15/19. (FACS-17-034)

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.

ADJOURN