



CITY COUNCIL AGENDA
Thursday, September 5, 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. Proclamation: Library Card Sign-Up Month (September 2019)

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 20, 22 and 27 City Council meetings.
2. Motion to approve the following liquor license applications:
 - a. Renewal – The Famous Mockingbird – 1064 7th Avenue
Special Class C Liquor License (BW) with additional privileges of Sunday Sales. No violations in the last five years.

3. Motion to approve the following Hold Harmless Agreements:
 - a. Linn-Mar Homecoming Parade; October 10, 2019 from 5:00-6:45 p.m. (Linn-Mar High School, 3111 N 10th Street, Marion) (Permit #2019-00000087)
4. Motion to receive and file Certified List for Firefighter.
5. Motion to approve payments as presented in the amount of \$1,873,622.18.
6. Resolution No. 27926 approving the Street Finance Report for the Year Ended June 30, 2019.
7. Resolution No. 27927 approving payment to Moody's Investor Services, Inc. in the amount of \$16,000.00 for services relating to the issuance of Series 2019D Bonds.

B. Public Services

1. Resolution No. 27928 approving partial payment no. 48 to Anderson Bogert Engineers for the Public Services site plan development in the amount of \$3,221.28. (FACS-17-069)
2. Resolution No. 27929 approving partial payment no. 49 to Anderson Bogert Engineers for the Public Services site plan development in the amount of \$3666.21. (FACS-17-069)
3. Resolution No. 27930 approving partial payment no. 50 to Anderson Bogert Engineers for the Public Services site plan development in the amount of \$3,026.50. (FACS-17-069)
4. Resolution No. 27931 approving partial payment no. 14 to A&J Associates for the Public Service Maintenance Facility in the amount of \$19,100.00. (FACS-17-069)
5. Resolution No. 27932 approving partial payment no. 2 to A-One Geothermal regarding the Public Service Maintenance Facility Geothermal Project in the amount of \$181,253.19. (FACS-17-069)
6. Resolution No. 27933 approving a contract change order with Mid States Concrete Industry regarding the precast concrete package for the Public Service Maintenance Facility in the amount of \$140,107.00. (FACS-17-069)
7. Resolution No. 27934 approving the purchase of water main materials from Schimberg Company for the Public Service Maintenance Facility in the amount of \$16,717.88 (FACS-17-069).

8. Resolution No. 27935 approving the purchase of storm sewer materials from Prinsco Incorporated for the Public Service Maintenance Facility in the amount of \$26,624.00 (FACS-17-069).

C. Public Safety

1. Resolution No. 27936 approving payment to Truck Builders, Inc. regarding repairs to Engine 92 in the amount of \$15,207.51.

D. Parks

1. Resolution No. 27937 approving Partial Payment No. 12 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. 27938 approving Partial Payment No. 6 to Schnoor-Bonifazi Engineering & Surveying, LC regarding the Tower Terrace Road Phase VI Project in the amount of \$3,803.80. (TRANS-18-095)
 - b. Resolution No. 27939 approving Partial Payment No. 30 to Veenstra & Kimm, Inc. regarding the Indian Creek Trunk Sewer – Segment 7 Project in the amount of \$1,136.00. (SWR-17-026)
 - c. Resolution No. 27940 approving Partial Payment No. 2 to Curtis Contracting Corp. regarding the 2019 Sidewalk Project in the amount of \$58,798.03. (ANN-18-105 & ANN-18-106).
 - d. Resolution No. 27941 approving Partial Payment No. 1 to Boomerang Corp. regarding the 2019 RCB Culvert Under Central Avenue North of Indian Creek Project in the amount of \$131,305.30. (TRANS-18-092).
 - e. Resolution No. 27942 approving Partial Payment No. 6 for reimbursement to Morris Wood Enterprises, LLC regarding the Tower Terrace Road – Phase VI (Winslow Road to Lennon Lane) Project in the amount of \$261,460.27. (TRANS-18-095)
 - f. Resolution No. 27943 approving Partial Payment No. 2 to Price Industrial Electric regarding the 2019 Highway 13 and Hennessey Parkway Traffic Signal and Turn Lane Improvements Project in the amount of \$67,897.71. (TRANS-18-074).

- g. Resolution No. 27944 approving Partial Payment No. 15 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 \$180,253.02. (TRANS-18-091)
 - h. Resolution No. 27945 approving Partial Payment No. 1 to Abode Construction, Inc. regarding the 2019 Irish Drive Extension Project in the amount of \$4,938.27. (TRANS-18-112)
2. Resolution No. 27946 accepting the 2019 Pedestrian Beacon Project. (ANN-18-079)
 3. Resolution No. 27947 approving Stop Signs stopping east and west bound traffic on Platinum Way at its intersection with Gemstone Road.
 4. Resolution No. 27948 approving a Stop Sign stopping west bound traffic on Gemstone Road at its intersection with Lucore Road.
 5. Resolution No. 27949 approving a Stop Sign stopping north bound traffic on Irish Drive at its intersection with Tower Terrace Road.
 6. Resolution No. 27950 approving the establishment of a “No Parking” zone on the both sides of Irish Drive from the east property line of 300 Irish Drive to Tower Terrace Road.

F. Community Development

1. Motion to approve Planning and Development Division Payments as follows:
 - a. Resolution No. 27951 approving payment no. 45 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 \$2,857.70. (TRANS-17-099)
 - b. Resolution No. 27952 approving payment no. 46 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 \$93.65. (TRANS-17-099)
 - c. Resolution No. 27953 approving payment no. 24 to Houseal Lavigne Associates for professional consulting services related to the Marion Comprehensive Plan per the contract for the Marion Airport in the amount of \$100.00. (GOV-18-015)
 - d. Resolution No. 27954 approving payment no. 25 to Houseal Lavigne Associates for professional consulting services related to the Marion Zoning Ordinance per the contract for the Marion Airport in the amount of \$275.00. (GOV-18-012)

- e. Resolution No. 27955 approving payment to Hall and Hall Engineers, Inc. for professional services related to the fire station final plat in the amount of \$396.50. (FAC-18-061)
 - f. Resolution No. 27956 approving payment to Hall and Hall Engineers, Inc. for professional services related to the fire station in the amount of \$1,400.00. (FAC-18-061)
 - g. Resolution No. 27957 approving payment to Hall and Hall Engineers, Inc. for professional services related to a revision of Parcel 36 Acquisition Plat for the Central Corridor Improvement Project in the amount of \$125.00. (TRANS-118-091)
2. Resolution No. 27958 setting a public hearing for October 3, 2019 regarding the renaming of current Alburnett Road south of Boyson Road to Central Avenue and Central Avenue West of 5th Street to 12th Avenue. (City of Marion)
 3. Motion approving a letter of support and directing staff to submit an application for AARP Age Friendly Designation.

G. Library – None

REGULAR AGENDA

A. Administrative Services

1. Public Hearing on designation of an expanded Collins Road Extension Urban Renewal Area and on a proposed urban renewal plan amendment.
2. Resolution No. 27959 Declaring Necessity and Establishing an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the Collins Road Extension Urban Renewal Area.
3. Ordinance No. 19-23 Providing for the Division of Taxes Levied on Taxable Property in the September 2019 Collins Road Extension Urban Renewal Area Addition, Pursuant to Section 403.19 of the Code of Iowa (Initial Consideration)
4. Resolution No. 27960 approving the Marion Lofts – Central Corridor Review for property located at 2274 5th Avenue, Marion, Iowa. (TWG Development, LLC)
5. Public Hearing on Development Agreement TWG Iowa Apartment Partners, L.P.

6. Resolution No. 27961 Approving Development Agreement with TWG Iowa Apartment Partners, L.P., Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement.
7. Public Hearing on Development Agreement with GLD Properties, LLC (2931 7th Avenue).
8. Resolution No. 27962 Approving Development Agreement with GLD Properties, LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement (2931 7th Avenue).
9. Public Hearing on Development Agreement with GLD Properties, LLC (2791 7th Avenue).
10. Resolution No. 27963 Approving Development Agreement with GLD Properties, LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement (2791 7th Avenue).
11. Motion to approve the following Hold Harmless Agreement:
 - a. Iowa/Iowa State Tailgate Block Party, September 14, 2019, 2400-2700 block of 28th Avenue. (Tim Troyna, 2430 28th Avenue) (Permit #2019-00000093)

B. Public Services – None

C. Public Safety – None

D. Parks – None

E. Engineering

1. Public Hearing regarding the 2019 Marion Fire Station Project. (FACS-18-62)
2. Resolution No. 27964 accepting bids and awarding contract to Christner Contracting, Inc. regarding the 2019 Marion Fire Station Project in the amount of \$9,367,000.00. (FACS-18-62)
3. Public Hearing regarding the Removal of Railroad Bridge over Marion BLVD in advance of CEMAR Trail. (STP-U-4775(632)—70-57) (TRL-17-055)
4. Resolution No. 27965 accepting bids and awarding contract to Peterson Contractors Inc. regarding the Removal of Railroad Bridge over Marion BLVD in advance of CEMAR Trail in the amount of \$310,524.50. (STP-U-4775(632)—70-57) (TRL-17-055)

5. Motion to receive, file, discuss and refer to TAC a petition regarding a request for a stoplight and/or a Rectangle Rapid Flashing Beacon [RRFB] on Boyson Road and Newcastle Road. (Becky Bolsinger, 2385 Newcastle Road)
6. Motion to receive, file, discuss and refer to TAC a petition regarding a request for a speed limit decrease and a “Children at Play” sign(s) on Parkview Drive. (Beth Stafford, 1090 Parkview Drive)
7. Motion to receive, file, discuss and concur with TAC Report regarding additional street lights along Bent Creek Drive. (Connie Suma, 625 Bent Creek Drive)
8. Motion to receive, file, discuss and concur with TAC Report regarding a crossing light at 35th Street and McGowan Boulevard. (Donna McCabe, 1960 36th Street)
9. Resolution No. 27966 approving Change Order #1 with Rathje Construction Company regarding the 2019 Sanitary Sewer Maintenance Project in the amount of \$8,500.00. (ANN-18-029)
10. Public Hearing regarding the 2019 HMA Resurfacing Project. (ANN-18-086)
11. Resolution No. 27967 accepting bids and awarding contract to L.L. Pelling Company, Inc. regarding the 2019 HMA Resurfacing Project in the amount of \$1,025,331.00. (ANN-18-086)

F. Community Development

1. Public Hearing regarding an amendment to the Marion Code of Ordinances establishing Chapter 176.53 Marion Municipal Airport Land Use and Height Overlay Zoning.
2. Ordinance No. 19-24 amending the Marion Code of Ordinances establishing Chapter 176.53 Marion Municipal Airport Land Use and Height Overlay Zoning. (Initial Consideration)
3. Resolution No. 27968 approving an Acquisition Plat associated with Part of Parcel A, Plat of Survey 1476. (City of Marion)

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.

1. Library: Fiscal Year-End Update.

PUBLIC FORUM – This time is set aside for comments from the public. 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