



CITY COUNCIL AGENDA
Thursday, November 21, 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: World Pancreatic Cancer Day
2. Proclamation: Small Business Saturday

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 November 5 and 7, 2019 City Council meetings.

2. Motion to approve the following liquor license applications:
 - a. Renewal – La Cantina Bar & Grill – 3217 7th Avenue
Class C Liquor License with additional privileges of Catering, Outdoor Service, and Sunday Sales. No violations in last five years.
 - b. Renewal – Casey’s General Store #3562 – 680 Lindale Drive
Class E Liquor License with additional privileges of Class B Wine Permit, Class C Beer Permit and Sunday Sales. No violations in the last five years.
 - c. Renewal – Naso’s Pizza – 453 7th Avenue
Class C Liquor License with additional privileges of Catering, Outdoor Service, and Sunday Sales. No violations in the last five years.
3. Motion to approve the following Hold Harmless Agreements:
 - a. Christmas in the Park & Peppermint Walk; December 6, 2019; City Square Park, Uptown Marion (Marion Chamber of Commerce, 1225 6th Avenue) (Permit #2019-00000112)
 - b. Dogs for Dystonia Dog Walk; August 29, 2020; Thomas Park, Begley 1 & 2 (Emma Pinto, One East Wacker Drive, Chicago, IL) (Permit #2019-00000105)
4. Motion to receive and file correspondence regarding resignation of Dustin Kern from Planning and Zoning Commission.
5. Motion to approve the following Mayoral appointment:
 - a. Planning and Zoning Commission
Grant Harper, 2522 Vaughn Drive, term expires 12/31/20.
 - b. Construction Code Review Board
Wesley Waters, 3007 Kinsale Drive, term expires 01/01/21.
 - c. Nuisance Enforcement/Property Maintenance Advisory Board
Brandy Reggelsen, 753 Waveland Drive, term expires 01/01/22.
6. Motion to receive and file October Department Monthly Reports.
7. Motion to receive and file July, August and September Board and Commission Minutes.
8. Motion to approve payments as presented in the amount of \$2,423,055.35.
9. Resolution No. 28100 approving the Annual Financial Report for the fiscal year ending June 30, 2019.

10. Resolution No. 28101 approving the Annual Urban Renewal Report for the fiscal year ending June 30, 2019.
11. Resolution No. 28102 approving the Certification of Tax Increment Financing (TIF) Indebtedness to the Linn County Auditor's Office for Fiscal Year 2020-2021 collection.

B. Public Services

1. Resolution No. 28103 approving partial payment No. 17 to A&J Associates for the Public Service Maintenance Facility in the amount of \$19,500.00 (FACS-17-069).
2. Resolution No. 28104 approving partial payment No. 56 to Anderson Bogert Engineers for the Public Services site plan development in the amount of \$7,041.79 (FACS-17-069).

C. Public Safety – None

D. Parks – None

E. Engineering

1. Resolution No. 28105 approving Partial Payment No. 3 to Stanley Consultants, Inc. for Soil Sampling - 19th to Marion Iron Roundabout in the amount of \$158.00 (TRANS-18-091)
2. Resolution No. 28106 approving contract amendment regarding project scope changes to the contract with HDR Engineering, Inc. regarding the 2018 Sanitary Sewer Capacity Study Project in the amount of an addition \$5,000.00 to bring the total not to exceed to \$96,500.00. (SWR-18-033)
3. Resolution No. 28107 accepting the 2019 Sanitary Sewer Sliplining Project. (ANN-18-029).
4. Resolution No. 28108 accepting Winslow Road paving associated with Hunters Field 11th Addition.
5. Resolution No. 28109 accepting Echo Ridge 3rd Addition to the City of Marion.
6. Resolution No. 28110 amending amount in Resolution No. 28059 from \$69,575.80 to \$69,757.80.

F. Community Development

1. Motion to approve Planning Department project payments as follows:
 - a. Resolution No. 28111 approving payment no. 24 to Shoemaker Haaland per the contract for the CeMar Trail (Iowa DOT Project Number: TAP-U-4475(630)-8I-57) in the amount of \$13,374.70. (TRL-17-055)
 - b. Resolution No. 28112 approving payment no. 49 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 \$120.00. (TRANS-18-099)
 - c. Resolution No. 28113 approving payment no. 2 to Universal Field Services, Inc for services related to CeMar Trail Project in the amount of \$1,790.00. (Iowa DOT Project Number: TAP-U-4475(630) --8I-57) (TRL-17-055)
2. Motion to receive, file and refer to the Planning and Zoning Commission:
 - a. Request to vacate the north / south alley bounded by 11th and 12th Avenue and 26th and 27th Street. (Thomas Turner)

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

1. Motion to approve the following liquor license applications:
 - a. Renewal – Kwik Star #1008 – 5992 Carlson Way
Class C Beer Permit with additional privileges of Class B Wine Permit and Sunday Sales. No violations in the last five years.

B. Public Services – None

C. Public Safety – None

D. Parks

1. Resolution No. 28114 approving Partial Payment No.15 to Martin Gardner Architecture for professional services regarding the Lowe Park Maintenance Facility Addition Project in the amounts of \$204.00. (FACS 18-019)

E. Engineering

1. Resolution No. 28115 approving partial payment no. 14 to Anderson-Bogert Engineers regarding the Marion Runway 17/35 Reconstruction Project in the amount of \$5,055.00. (ANN-18-082)

F. Community Development

1. Resolution No. 28116 approving payment no. 7 to Anderson-Bogert Engineers for professional services regarding general airport consulting per the contract for the Marion Airport in the amount of \$2,920.50. (ANN-18-082)

G. Library – None

REGULAR AGENDA

A. Administrative Services

1. Resolution No. 28117 approving Software as a Service Agreement with Tyler Technologies regarding New World ERP and ExecuTime Enterprise Workforce Management.
2. Motion to receive and file correspondence regarding ward sizes. (Charlie Knudsen, 2835 24th Avenue)

B. Public Services

1. Resolution No. 28118 approving the 2019-2020 Snow and Ice Control Program.
2. Resolution No. 28119 approving a contract change order with Rathje Construction regarding the Public Service Maintenance Facility Grading Project in the amount of \$59,256.00 (FACS-17-069).
3. Resolution No. 28120 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 \$33,500.00 (FACS-17-069).

C. Public Safety

1. Resolution No. 28121 approving the purchase of a 2019 Ford Transit 250 cargo van from McGrath Ford in the amount of \$28,466.00.

D. Parks

1. Resolution No. 28122 approving the City of Marion/Linn-Mar School District joint Track and Field Complex Development Project.

2. Resolution No. 28123 approving AIA Document G704 Certificate of Substantial Completion regarding the Lowe Park Maintenance Facility Addition.

E. Engineering

1. Motion to receive, file, discuss and refer to TAC a request for no parking on Orchard Road east of Orchard Drive. (Staff – Public Service)
2. Motion to receive, file, and concur with the TAC Report regarding a request for no parking on Orchard Road east of Orchard Drive. (Staff – Public Service)
3. Resolution No. 28124 approving the establishment of a “No Parking” zone on the south side of Orchard Road on the east side of Orchard Drive.
4. Motion to receive, file, discuss and refer to TAC a request for no parking on Charter Oak Lane SE. (Cindi Rudish, 5020 Northridge Point SE)
5. Resolution No. 28125 approving Change Order #1 with Christner Contracting Inc. regarding the 2019 Fire Station Project regarding the modification of the building pad material in an amount of \$21,000.00. (FACS-18-062)

F. Community Development

1. Resolution No. 28126 approving Wildrye Farms First Addition Final Plat located south of Hwy 151 and west of Stone Road, Linn County, Iowa. (Wildrye Farms, LLC)
2. Resolution No. 28127 approving payment to Duo-Gard Industries for transit shelter to be located at 105 Southview Drive funded by tax increment financing low and moderate income set aside assistance dollars in the amount of \$6,907.00.
3. Resolution No. 28128 approving acquisition plat for property located at 597 21st Street.
4. Motion directing staff to draft an ordinance to amend Chapter 176.41 of the Marion Zoning Code regarding notification signs for the amendment of zoning districts.
5. Resolution No. 28129 approving the purchase of a 2019 Ford Escape from Lynch Ford in the amount of \$22,720.00.

G. Library

1. Motion directing staff to engage bond counsel and proceed with public notice of future library debt issuance.

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

ADJOURN