



CITY COUNCIL AGENDA
Thursday, January 23, 2020 – 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. Religious Freedom Day – January 16, 2020 (Humanists of Linn County)
2. Slavery and Human Trafficking Prevention and Awareness Month – January 2020 (Eastern Iowa Regional Task Force Against Human Trafficking)

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 January 7 and 9, 2020 City Council meetings.

2. Motion to approve the following liquor license applications:
 - a. Renewal – Wrigleyville – 1899 7th Avenue
Class C Liquor License with additional privileges of Outdoor Service and Sunday Sales. No violations in last five years.
 - b. Renewal – Nara Thai Cuisine – 1725 Blairs Ferry Road Ste 102
Class C Liquor License with additional privilege of Sunday Sales. No violations in last five years.
3. Motion to approve the following Hold Harmless Agreements:
 - a. St. Joseph Fun Days; June 5-7, 2020; St. Joseph Catholic Church and School Grounds (Fr. David O'Connor, 1790 14th Street) (Permit #2019-00000114)
 - b. Marion By Moonlight 2020; June 4, 11, 18, 25, 2020; Marion Square Park (Brittany Barnhart, Farmers State Bank, 1240 8th Avenue) (Permit #2019-00000094)
4. Motion to receive and file December 2019 Department Monthly Reports.
5. Motion to approve payments as presented in the amount of \$1,390,003.68.
6. Motion to receive, file and discuss Ten-Year Financial Analysis for Fiscal Year 2018-2019.
7. Resolution No. 28212 adopting final assessment schedule for Fiscal Year 2020 Quarter 3 Delinquent Fees and Confirming and Levying the Assessments.
8. Resolution No. 28213 setting public hearing for February 20, 2020 concerning proposed Fiscal Year 2021 city maximum property tax dollars.

B. Public Services

1. Resolution No. 28214 approving partial payment no. 1 to Unzeitig Construction regarding the Metal Building Systems Package for the Public Service Maintenance Facility in the amount of \$983,243.82 (FACS-17-069).
2. Resolution No. 28215 approving partial payment no. 2 to Delaney Concrete regarding the Public Service Maintenance Facility Foundation Package in the amount of \$96,180.64 (FACS-17-069).
3. Resolution No. 28216 approving partial payment no. 3 to Rathje Construction regarding the Public Service Maintenance Facility Grading Project in the amount of \$184,012.93 (FACS-17-069).

C. Public Safety – None

D. Parks

1. Resolution No. 28217 approving partial payment no. 5 to Septagon Construction Co. regarding the Lowe Park Maintenance Facility Addition Project in the amount of \$8,823.85. (FACS-18-019)

E. Engineering

1. Motion to approve Project Calendar regarding Engineering Department payments as follows:
 - a. Resolution No. 28218 approving partial payment no. 34 to Veenstra & Kimm, Inc. regarding the Indian Creek Trunk Sewer – Segment 7 Project in the amount of \$15,374.78 (SWR-17-026)
 - b. Resolution No. 28219 approving partial payment no. 3 to Christner Contracting Inc. regarding the 2019 Fire Station Project in the amount of \$60,551.08. (FACS-18-062)
 - c. Resolution No. 28220 approving partial payment no. 23 to Snyder & Associates regarding the 2018 Alburnett Rd Extension Phase 1 in the amount of \$2,742.00 (TRANS-18-092)
 - d. Resolution No. 28221 approving partial payment no. 1 to Braun Intertec regarding the 2019 Marion Fire Station Project in the amount of \$2,234.48 (FACS-18-062)

F. Community Development

1. Motion to approve Planning and Development Division Payments as follows:
 - a. Resolution No. 28222 approving payment no. 14 to Snyder & Associates per the contract for the Indian Creek Trail [STP-U-4775(631) --70-57] in the amount of \$24,933.06. (TRL-18-056)
 - b. Resolution No. 28223 approving payment no. 4 to Universal Field Services, Inc for services related to CeMar Trail Project in the amount of \$381.20. (Iowa DOT Project Number: TAP-U-4475(630)--8I-57) (TRL-17-055)
 - c. Resolution No. 28224 approving payment no. 51 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 \$1,981.99. (TRANS-17-099)

G. Library – None

REGULAR AGENDA

A. Administrative Services

1. Ordinance No. 19-27 amending Chapter 55 of the Marion Code of Ordinances relating to Animal Protection and Control (Final Consideration)
2. Public Hearing on Proposed Amendment to the Central Corridor Urban Renewal Area.
3. Resolution No. 28225 approving the Urban Renewal Amendment for the Central Corridor Urban Renewal Area.
4. Resolution No. 28226 setting date for public hearing on proposal to enter into a General Obligation Urban Renewal Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$7,000,000.
5. Motion to direct staff to draft a resolution relating to the establishment of the Local Option Sales Tax (LOST) Oversight Committee setting the meeting frequency at once per year.
6. Resolution No. 28227 approving a Memorandum of Understanding (MOU) with MOJO Properties, LLC.
7. Motion to direct staff to extend the existing development agreement with PDS Investments, LLC for an additional one year.
8. Motion to direct staff to develop best public parking solution and cost estimates on city owned property along 14th Street in Uptown Marion.

B. Public Services

1. Resolution No. 28228 approving a contract change order with Rathje Construction regarding the Public Service Maintenance Facility Grading Project for a credit in the amount of \$7,015.80 (FACS-17-069).
2. Resolution No. 28229 approving a contract change order with Delaney Concrete regarding the Concrete Foundation Package associated with the Public Service Maintenance Facility in the amount of \$30,619.54 (FACS-17-069).
3. Public hearing regarding the Mechanical Systems Package associated with Public Service Maintenance Facility (FACS-17-069).
4. Resolution No. 28230 approving bids and awarding contract to Pipe Pro Inc. for the Mechanical Systems Package associated with Public Service Maintenance Facility in the amount of \$3,694,245.00 (FACS-17-069).

5. Public hearing regarding the Fire Suppression Systems Package associated with Public Service Maintenance Facility (FACS-17-069).
6. Resolution No. 28231 approving bids and awarding contract to Elite Fire Sprinkler Systems for the Fire Suppression Systems Package associated with Public Service Maintenance Facility in the amount of \$296,500.00 (FACS-17-069).

C. Public Safety – None

D. Parks – None

E. Engineering

1. Resolution No. 28232 approving Amendment No.1 to the Contract with Anderson Bogert regarding the Tower Terrace Road – Phase IX Improvements in the amount of \$14,000.00. (TRANS-18-094)
2. Resolution No. 28233 approving Letter of Agreement between the City of Marion, Iowa and the Linn County Conservation Board regarding the Trail Vegetation Maintenance Agreement on the Grant Wood Trail near the Marion Airport Runway. (ANN-18-082)

F. Community Development

1. Resolution No. 28234 rescinding Resolution No. 28189 regarding the acceptance of a deed from the City of Cedar Rapids.
2. Resolution No. 28235 accepting deed from City of Cedar Rapids for a portion of Twixt Town Road Right of Way Adjacent to Collins Road Square located at 1392 Twixt Town Road.
3. Public hearing regarding the sale of portions of the former north-south alley located between 27th and 28th Streets and 11th & 12th Avenues.
4. Motion to approve the sale of the former north / south alley located between 27th and 28th Streets and 11th and 12th Avenues as follows:
 - a. Resolution No. 28236 approving the sale of a portion of the former north south alley located between 27th & 28th Streets and 11th and 12th Avenues adjacent to Lot 4, Block 2, Richmond's 2nd Addition. (Mark and Joan Christensen)
 - b. Resolution No. 28237 approving the sale of a portion of the former north south alley located between 27th & 28th Streets and 11th and 12th Avenues adjacent to Lot 7, Block 2, Richmond's 2nd Addition. (Doris Armstrong)

- c. Resolution No. 28238 approving the sale of a portion of the former north south alley located between 27th & 28th Streets and 11th and 12th Avenues adjacent to Lot 5, Block 2, Richmond's 2nd Addition. (Nicholas Springer)
- d. Resolution No. 28239 approving the sale of a portion of the former north south alley located between 27th & 28th Streets and 11th and 12th Avenues adjacent to Lot 1, Block 2, Richmond's 2nd Addition. (William and Penny Dunek)
5. Resolution No. 28240 approving an encroachment agreement for a sign located in city right-of-way associated with Collins Road Square located at 1392 Twixt Town Road.
6. Resolution No. 28241 approving an Acquisition Plat of a portion of property located at 2294 5th Avenue.
7. Resolution No. 28242 approving an Acquisition Plat of a portion of property located at 2245 6th Avenue.
8. Resolution No. 28243 approving Plat of Survey No. 2336 for property located north of 35th Avenue and east of 35th Street - Parcel A, POS 1845, Marion, Iowa. (Morris Wood, LLC)
9. Resolution No. 28244 approving purchase agreement for acquisition of a portion of 2097 6th Avenue in the amount of \$99,105.00.

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. 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.

CLOSED SESSION

1. Motion to adjourn to closed session regarding litigation as permitted under Section 21.5(1)(c) of the Code of Iowa.

ADJOURN