MARION CITY COUNCIL REGULAR MEETING

Thursday, November 19, 2015 – 5:30 p.m.

Council Chambers – 1225 6th Avenue

Please remove hats and refrain from using tobacco products in the Council Chamber.

This meeting is being tape recorded. If you wish to address the City Council, please go to the lectern, wait to be recognized by the Mayor and state your name and address before making any comments.

Call to Order.

Pledge of Allegiance.

Roll Call.

Moment of Silence.

Citizen’s presentations, comments and/or petitions.

CONSENT CALENDAR

NOTE: The Consent Calendar includes routine items and will be enacted by one motion without separate discussion unless Council requests an item be removed to be and considered separately.

Motion to approve Consent Calendar, as presented:

1. Motion to approve minutes of the November 3, 5, 6 and 7, 2015 City Council meetings.
2. Motion to approve the bills as presented in the amount of $1,202,493.85.
3. Motion to approve the following liquor license applications:  
   1. Renewal application for a Class E Liquor License with additional privileges for Carryout Wine, Carryout Beer, and Sunday Sales for Kum & Go LC, dba Kum & Go #509 (1203 Blairs Ferry Road). No violations in previous five years.
   2. Renewal application for a Class C Liquor License with additional privileges for Catering, Outdoor Service, and Sunday Sales for La Cantina Bar & Grill LLC, dba La Cantina Bar & Grill (3217 7th Avenue). Expiration 12/13/15. No violations in previous five years.
   3. Renewal application for a Class C Liquor License with additional privileges for Catering, Outdoor Service, and Sunday Sales for Nasos’ Pizza, Inc., dba Naso’s Pizza Marion (453 7th Avenue). Expiration 12/16/15. No violations in previous five years.
4. Resolution No. 24957 approving payment in the amount of $53,289.10 to Dorsey & Whitney LLP for legal services and document preparation for the 2014 GO Bonds, Series 2014C and the 2015 GO Bonds, Series 2015A, B & C.
5. Motion to receive and file a memo regarding Public Service Board appointments.
6. Motion to receive and file correspondence regarding proposed recycling fee increases for the Cedar Rapids/Linn County Solid Waste Agency.
7. Resolution No. 24958 approving the contract for the replacement of boiler systems from Fosters Heating and Air Conditioning in the amount not to exceed $40,000.00.
8. Resolution No. 24959 approving the purchase of 50 body cameras for the Marion Police Department from Provision Video Systems in an amount of $15,000.00.
9. Motion to approve Project Calendar regarding Engineering Department payments as follows:  
   1. Resolution No. 24960 approving Partial Payment No. 2 to Trey Electric Corporation regarding the Hwy 151/13 Signal Advanced Warning Device Project in the amount of $4,322.50.
10. Resolution No. 24961 accepting the Hwy 151/13 Signal Advance Warning Device Project.
11. Resolution No. 24962 accepting the 2015 HMA Resurfacing Project.
12. Resolution No. 24963 accepting Nottingham Hills 8th Addition to the City of Marion.
13. Resolution No. 24964 accepting Country Club Estates 10th Addition to the City of Marion.
14. Resolution No. 24965 accepting Country Club Estates 11th Addition to the City of Marion.
15. Motion to approve Project Calendar regarding Planning and Development Department Payments as follows:  
    1. Resolution No. 24966 approving Payment No. 4 to Anderson-Bogert Engineers per the contract for the Grant Wood Trail Extension Project (Iowa DOT Project No. TAP-U-4775(628)--8I-57) in the amount of $4,618.88.
    2. Resolution No. 24967 approving Payment No. 2 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 $990.00.
16. Motion to receive file the recommendation of the Bicycle and Pedestrian Advisory Committee regarding a Surface Transportation Program Grant.
17. Resolution No. 24968 committing to funding the CeMar Trail as it relates to grants received from the Corridor Metropolitan Planning Organization.
18. Resolution No. 24969 approving and accepting a permanent trail easement agreement with Tom and Nancy Riley Family, LLC regarding the Grant Wood Trail extension.
19. Motion to receive and file correspondence regarding the decision to resign from the Bicycle and Pedestrian Advisory Committee (Amy Lepowsky, 501 13th Street NW, Cedar Rapids).
20. Motion to receive and file motion of support pertaining to Planning and Zoning Commission reappointments of Maria Murphy and Tim Mooney (November 10, 2015 Planning and Zoning Commission Minutes).
21. Motion to receive and file certified population and housing counts through the U.S. Census Bureau’s Geographically Updated Population Certification Program.
22. Resolution No. 24970 approving the purchase of a Cyber Security appliance, threat intelligent services, and warranty/support for 1 year from Torus Technologies Inc. not to exceed $27,924.00.
23. Motion to receive and file a letter thanking the city for supporting the 2015 Main Street Iowa Challenge Grant Application (Ashley Zierath, Director, Uptown Marion, 1225 6th Avenue).
24. Motion to receive and file October 2015 Departmental Reports.
25. Motion to approve the following Hold Harmless/Noise Waiver Agreement(s):  
    1. Wedding, Lowe Park Amphitheater, July 2, 2016, 1:00 p.m. – 5:00 p.m. (Toni Schaefer, 145 Grand Avenue).

Motion to approve Consent Calendar with Council Member AbouAssaly abstention as presented:

1. Resolution No. 24971 approving Partial Payment No. 9 to Martin Gardner Architecture for Public Service Facility design services in the amount of $495.00.
2. Motion to approve Project Calendar regarding Engineering Department payments as follows:  
   1. Resolution No. 24972 approving Partial Payment No. 4 to L.L. Pelling Co., Inc. regarding the 2015 HMA Resurfacing Project in the amount of $37,957.46.
3. FINANCE

NONE

1. PUBLIC SERVICES

NONE

1. POLICE/FIRE

NONE

1. PARKS
2. Public Hearing regarding a perpetual utility overhang easement with Interstate Power and Light Company located on a portion of Lot B, Legion Park Addition to Marion, Iowa for the right, privilege and authority to construct, reconstruct, maintain, operate, repair, patrol and remove electrical and telecommunications lines.
3. Resolution No. 24973 approving a perpetual utility overhang easement with Interstate Power and Light Company located on a portion of Lot B, Legion Park Addition to Marion, Iowa for the right, privilege and authority to construct, reconstruct, maintain, operate, repair, patrol and remove electrical and telecommunications lines.
4. BUILDING INSPECTION

NONE

1. ENGINEERING
2. Public hearing regarding establishing access fees related to the 2015 29th Avenue Widening Project.
3. Ordinance No. 15-23 establishing access fees related to the 2015 29th Avenue Widening Project. Initial consideration.
4. Public Hearing regarding the adoption of the Statewide Urban Design and Specifications Program (SUDAS).
5. Ordinance No. 15-24 adopting the Statewide Urban Design and Specifications Program (SUDAS). Initial consideration.
6. Resolution No. 24974 approving contract with Team Services regarding plant monitoring services for the Central Corridor Complete Streets and Capacity Improvements, Roundabout at 7th Avenue 7th Street [STP–A–4775 (627)– –86–57] in the amount of $9,516.16.
7. Motion to receive and file correspondence regarding the establishment of a “No Parking” zone on the west side of 1st Street from 29th Avenue to 33rd Avenue. (Tina Stewart, 3198 1st Street).
8. Resolution No. 24975 approving the establishment of a “No Parking” zone on the west side of 1st Street from 29th Avenue to 33rd Avenue (Will Holland, 3021 1st Street).
9. PLANNING AND DEVELOPMENT
10. Resolution No. 24976 approving Nottingham Hills Eighth Addition Final Plat and Memorandum of Agreement for property located south of East Robins Road and west of Alburnett Road (BBAK Investments, LTD).
11. Ordinance No. 15-22 amending the Marion Code of Ordinances regarding a request to rezone property located at 631 9th Street from C-1, Neighborhood Commercial to C-2, Central Business District Commercial (Jeffrey Robison, applicant). Final consideration.
12. Motion directing staff to solicit engineering services to obtain an estimated cost for completion of the 10th Avenue side-paths between 35th Street to Eagleview Drive.
13. ADMINISTRATION/OTHER
14. Motion directing Staff to publish a Notice of Intent to fill Ward Four City Council seat vacancy by appointment.
15. Motion to receive and file a petition opposed to the establishment of reserved parking zones on the south side of 8th Avenue on the easterly ½ block between 10th and 11th Streets, the west side of 11th Street on the northerly ½ block between 7th and 8th Avenues, and the east side of 10th Street on the northerly ½ block between 7th and 8th Avenues weekdays between the hours of 8 AM – 5 PM.
16. Motion to remove from Table Resolution No. 24917 approving the establishment of reserved parking zones on the south side of 8th Avenue on the easterly ½ block between 10th and 11th Streets, the west side of 11th Street on the northerly ½ block between 7th and 8th Avenues, and the east side of 10th Street on the northerly ½ block between 7th and 8th Avenues weekdays between the hours of 8 AM – 5 PM (tabled 10-22-15).
17. Resolution No. 24917 approving the establishment of reserved parking zones on the south side of 8th Avenue on the easterly ½ block between 10th and 11th Streets, the west side of 11th Street on the northerly ½ block between 7th and 8th Avenues, and the east side of 10th Street on the northerly ½ block between 7th and 8th Avenues weekdays between the hours of 8 AM – 5 PM (tabled 10-22-15).
18. Motion to remove from table a motion directing staff to reconfigure the east side of 10th Street from 7th Avenue to 8th Avenue, both sides of 11th Street from 6th Avenue to 8th Avenue, and the north side of 8th Avenue from 11th Street to 12th Street per Exhibit A (tabled 11-5-15).
19. Motion directing staff to reconfigure the east side of 10th Street from 7th Avenue to 8th Avenue, both sides of 11th Street from 6th Avenue to 8th Avenue, and the north side of 8th Avenue from 11th Street to 12th Street per Exhibit A.
20. Motion to remove from table a motion to approve Project Calendar regarding the 2016 Art in the Alley Project, as follows (tabled 11-5-15):  
    1. Motion to retain the City Engineer as Project Engineer regarding the 2016 Art in the Alley Project (tabled 11-5-15).
    2. Resolution No. 24952 approving Resolution of Necessity regarding the 2016 Art in the Alley Project (tabled 11-5-15).
    3. Resolution No. 24953 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2016 Art in the Alley Project (tabled 11-5-15).
    4. Resolution No. 24954 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2016 Art in the Alley Project (tabled 11-5-15).
21. Motion to approve Project Calendar regarding the 2016 Art in the Alley Project, as follows (tabled 11-5-15):  
    1. Motion to retain the City Engineer as Project Engineer regarding the 2016 Art in the Alley Project (tabled 11-5-15).
    2. Resolution No. 24952 approving Resolution of Necessity regarding the 2016 Art in the Alley Project (tabled 11-5-15).
    3. Resolution No. 24953 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2016 Art in the Alley Project (tabled 11-5-15).
    4. Resolution No. 24954 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2016 Art in the Alley Project (tabled 11-5-15).
22. Motion to remove from table Resolution No. 24944 approving Partial Payment No. 24 to Martin Gardner Architecture for professional services regarding the Downtown Revitalization Project in the amount of $3,927.50 (tabled 11-5-15).
23. Motion to amend Resolution No. 24944 as follows: Partial Payment No. 25 to Martin Gardner Architecture for professional services related to the downtown façade revitalization program in the amount of $3,384.99.
24. Resolution No. 24944 approving Partial Payment No. 25 to Martin Gardner Architecture for professional services related to the downtown façade revitalization program in the amount of $3,384.99.
25. Public hearing to accept the construction documents and award the bid for the downtown façade revitalization program.
26. Resolution No. 24977 accepting the construction documents and awarding the bid to Renaissance Restoration, Inc., for the downtown façade revitalization program.
27. Public hearing regarding an amendment to the Marion Commerce Corridor Urban Renewal Plan.
28. Resolution No. 24978 approving an amendment to the Marion Commerce Corridor Urban Renewal Plan.
29. Public hearing regarding approval of proposed development agreement with Frantz Community Investors for renovations of the Cobban Hervey Building, including annual appropriation tax increment payments.
30. Resolution No. 24979 approving the development agreement with Frantz Community Investors for renovations of the Cobban Hervey Building, including annual appropriation tax increment payments.
31. Mayoral Reappointments:  
    1. Francis Renfer, 1065 25th Street, Arts Council, term expires 01-01-19.
    2. Dave Martin, 890 18th Street, Historic Preservation Committee, term expires 01-01-19.
    3. Deb Callahan, 2680 Newcastle Road, Local Option Sales Tax Oversight Committee, term expires 12-31-18.
    4. Tom Begley, 2865 25th Avenue, Nuisance Advisory Board, term expires 01-01-19.
    5. Maria Murphy, Planning and Zoning Commission, 2570 Pheasant Ridge Court, term expires 12-31-20.
    6. Scott Hansen, 1363 8th Avenue, Tree Board, term expires 01-01-19.
    7. John Hager, 901 South 11th Street #21, Tree Board, term expires 01-01-19.
    8. Mark Sanderson, 1885 27th Avenue, Tree Board, term expires 01-01-19.
    9. John Bender, 5630 Woodbridge Crest, Water Board, term expires, 12-31-21.
32. Mayoral Appointments:  
    1. Melissa Monroe, 501 13th Street NW, Cedar Rapids, Bicycle and Pedestrian Advisory Committee.
    2. Danielle Brazant, 9 Chapel Ridge Circle, Civil Right Commission, term expires 12-31-18.
33. Council Discussion Time
34. Adjourn