MARION CITY COUNCIL REGULAR MEETING

Thursday, December 17, 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 December 1 and 3, 2015 City Council meetings.
2. Motion to approve the bills as presented in the amount of $3,687,392.98.
3. Motion to receive and file correspondence from Ward 4 Council Member Nicolas AbouAssaly announcing his resignation effective December 31, 2015, to become Mayor.
4. Resolution No. 25011 approving payment in the amount of $11,991.25 to Dorsey & Whitney LLP for Legal services rendered through November 30, 2015. ( Work done for the 2015 Urban Renewal Amendment & Consolidation, Victory Gymnastics Agreement, Fiberight/Detroit Edison Consultation, Capital Commercial Agreement, preparation for Capital Commercial workout, and consultation and preparation of correspondence for Urban Renewal Project bid letting issue.
5. Motion to approve application to the Iowa Renewable Fuels Infrastructure Program for the development of retail fueling infrastructure.
6. Motion to receive and file Fire Station Location Study.
7. Motion to receive and file the Parks Operations Division Winter Work Schedule.
8. Motion to receive and file correspondence regarding the industrial area between 49th Street and 51st Street (Mary Pfoff, Apple Creek Kennel, 650 51st Street).
9. Motion to approve Project Calendar regarding Engineering Department payments as follows:  
   * 1. Resolution No. 25012 approving Partial Payment No. 7 to CCE, LLC per Resolution No. 23762, 23765, and 23768 approving Memorandum of Agreement regarding the Irish Drive Improvements north of Tower Terrace Road to the south entrance of Lowe Park in the amount of $2,741.25.
     2. Resolution No. 25013 approving Partial Payment No. 6 to City of Cedar Rapids regarding the Indian Creek Truck Sewer Replacement Project in the amount of $414,307.15.
     3. Resolution No. 25014 approving Partial Payment No. 6 to Anderson-Bogert Engineers for engineering services regarding the CEMAR Trail Project in an amount $1,514.00.
10. Resolution No. 25015 adopting the City of Marion Supplemental Specifications to SUDAS.
11. Resolution No. 25017 accepting Gemstone Estates 1st Addition to the City of Marion.
12. Resolution No. 25018 accepting Gemstone Estates 2nd Addition to the City of Marion.
13. Motion to receive and file and refer to TAC correspondence regarding a request for review of unregulated intersections between 10th Street and Emerson School (Hilary Copeland Marvin, 1291 12th Street).
14. Resolution No. 25019 approving a Stop Sign stopping north bound traffic on Prairie Trail at its intersection with Oak Park Trail.
15. Resolution No. 25020 approving a Stop Sign stopping east bound traffic on Oak Park Trail at its intersection with Alburnett Road.
16. Motion to receive and file and refer to the Planning and Zoning Commission:  
    1. Request to rezone property from A-1, Rural Restricted to R-2, Medium Density Single Family Residential for property located south of Echo Hill Road and west of Alburnett Road (DX4 Investments, LLC).
    2. Bedford Heights Addition Preliminary Plat for property located south of Echo Hill Road and west of Alburnett Road (DX4 Investments, LLC).
17. Resolution No. 25021 approving Plat of Survey No. 2036 related to Waldo’s Rock Park (City of Marion).
18. Motion to receive, file and refer to staff a voluntary annexation petition from Scenic Development, LLC, applicant, for property located north of East Robins Road and west of Alburnett Road.
19. Resolution No. 25022 approving contract with Shoemaker & Haaland in the amount of $8,500.00 for design work associated with10th Avenue side path cost estimate related to a submittal of a Surface Transportation Program Grant application to the Corridor Metropolitan Planning Organization.
20. Motion authorizing the Mayor to sign an letter acknowledging the transaction of Marco Holdings, LLC., as a wholly owned subsidiary of Norwest Equity Partners (Jennifer Mrozek, CFO, Marco Technologies, LLC.).
21. Resolution No. 25023 approving the Property Owner Acknowledgement of Terms for Construction, related to the downtown façade revitalization program for 1104 7th Avenue (Kent Backen).
22. Resolution No. 25024 approving the Property Owner Acknowledgement of Terms for Construction, related to the downtown façade revitalization program for 1060 7th Avenue (Scott Bezek).
23. Resolution No. 25025 approving the Property Owner Acknowledgement of Terms for Construction, related to the downtown façade revitalization program for 660 & 684 10th Street (Rick Bowersox).
24. Resolution No. 25026 approving the Property Owner Acknowledgement of Terms for Construction, related to the downtown façade revitalization program for 740 10th Street (Katie Luehrsmann).
25. Resolution No. 25027 approving the Property Owner Acknowledgement of Terms for Construction, related to the downtown façade revitalization program for 748 10th Street (Katie Luehrsmann).
26. Resolution No. 25028 approving the Property Owner Acknowledgement of Terms for Construction, related to the downtown façade revitalization program for 731 9th Street (Jed Pasterski).
27. Resolution No. 25029 approving the Property Owner Acknowledgement of Terms for Construction, related to the downtown façade revitalization program for 1222 7th Avenue (Henry Royer).
28. Motion to receive and file request to name Marion Times as the official newspaper of record for the City of Marion (Deidre Ryan, Editor).
29. Resolution No. 25030 approving renewal of one-year contract with Marion Times for Marion Messenger Newsletter publication and distribution.
30. Motion to receive and file November 2015 Departmental Reports.

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

1. Resolution No. 25031 approving Partial Payment No. 10 to Martin Gardner Architecture for Public Service Facility design services in the amount of $2,601.25
2. Motion to receive and file the following items to the Planning and Zoning Commission:  
   1. Hy-Vee Preliminary and Final Site Development Plans for property located at 3600 Highway 151 (Hy-Vee, Inc.).
3. Resolution No. 25032 approving Partial Payment No. 27 to Martin Gardner Architecture for professional services related to the downtown façade revitalization program in the amount of $975.00.
4. FINANCE
5. Resolution No. 25033 approving rules and procedures regarding the filling of a City Council 4th Ward vacancy by appointment.
6. Motion to receive and file applications for City Council Ward 4 vacancy (Gerald “Skip” Johnstone, 800 Oak Park Circle, Brian Miller, 365 Durango Drive, Bob Schlegel, 3600 N 10th Street, and Randy Strnad, 1820 Agate Circle).
7. Presentations by Candidates for Council Member Fourth Ward vacancy.
8. Vote on filling the vacancy pursuant to the previously adopted rules.
9. Balloting for the appointment of Council Member Fourth Ward.
10. Resolution No. 25034 making an appointment to fill the existing vacancy on the Marion City Council Ward 4, term expires 12-31-17.
11. PUBLIC SERVICES

NONE.

1. POLICE/FIRE
2. Resolution No. 25035 approving the refurbishment of Aerial-1 from Pierce Manufacturing, Inc., in the amount of $14,769.65.
3. PARKS

NONE

1. BUILDING INSPECTION

NONE

1. ENGINEERING
2. Ordinance No. 15-23 establishing access fees related to the 2015 29th Avenue Widening Project. Final consideration.
3. Ordinance No. 15-24 adopting the Statewide Urban Design and Specifications Program (SUDAS). Final consideration.
4. Public hearing regarding establishing access fees related to the Irish Drive Improvements.
5. Ordinance No. 15-25 establishing access fees related to the Irish Drive Improvements. Initial consideration.
6. Resolution No. 25036 authorizing application to Corridor Metropolitan Planning Organization for regional transportation funds in the amount of $760,000.00 and committing to provide local matching funds contingent upon award and acceptance of transportation grant funds regarding the Tower Terrace Road Project (C Avenue to Alburnett Road).
7. PLANNING AND DEVELOPMENT
8. Public hearing regarding the request of a partial demolition of a structure located at 1190 9th Avenue within the Terrace Park National Register Historic District.
9. Resolution No. 25037 approving the partial demolition request of a structure located at 1190 9th Avenue within the Terrace Park National Register Historic District (McGuire Construction, Inc.).
10. Motion directing staff to proceed with an 80/20 annexation of the area located north of East Robins Road and west of Alburnett Road.
11. ADMINISTRATION/OTHER
12. Motion to receive and file request for funds regarding the Marion Leadership in Action Winter Light Project 2016 (Marion Leadership in Action Class of 2016).
13. Consideration of a ROW purchase agreement for Winslow Road.
14. Motion to remove from table Resolution No. 24979 approving the development agreement with Frantz Community Investors for renovations of the Cobban Hervey Building, including annual appropriation tax increment payments (tabled 11-19-15).
15. Resolution No. 24979 approving the development agreement with Frantz Community Investors for renovations of the Cobban Hervey Building, including annual appropriation tax increment payments (tabled 11-19-15).
16. Public hearing to accept the construction documents and award the bid for the downtown façade revitalization program (continued from 11-19-15).
17. Motion to remove from table Resolution No. 24977 accepting the construction documents and awarding the bid to Renaissance Restoration, Inc., for the downtown façade revitalization program (tabled 11-19-15).
18. Resolution No. 24977 accepting the construction documents and awarding the bid to Renaissance Restoration, Inc., for the downtown façade revitalization program (tabled 11-19-15).
19. Resolution No. 25016 naming Marion Times as the official newspaper of record for the City of Marion.
20. Motion to remove from table the following Mayoral Reappointments (tabled 12-03-15):  
    1. Patty Wise, 2570 Valleyview Court, Park Board, term expires 12- 31-19.
    2. Terry Speral, 3140 26th Avenue, Park Board, term expires 12-31-19.
21. Mayoral Reappointment(s):
22. Patty Wise, 2570 Valleyview Court, Park Board, term expires 12- 31-19.
23. Terry Speral, 3140 26th Avenue, Park Board, term expires 12-31-19.
24. Motion to remove from table the following Mayoral Appointments (tabled 12-03-15):  
    1. Dave Ransford, 1040 28th Street, Park Board, term expires 12-31-19.
    2. Terry Chew, 2980 6th Street, Cedar Rapids Solid Waste Agency Board of Directors, term expires 12-31-17.
    3. Mark Morgan, 933 18th Street, Construction Code Review Board, term expires, 01 01 20.
25. Mayoral Appointments (tabled 12-3-15):
26. Dave Ransford, 1040 28th Street, Park Board, term expires 12-31-19.
27. Terry Chew, 2980 6th Street, Cedar Rapids Solid Waste Agency Board of Directors, term expires 12-31-17.
28. Mark Morgan, 933 18th Street, Construction Code Review Board, term expires, 01 01 20.
29. Mayoral Appointments:  
    1. Steve Moshier, 1835 39th Street, Planning and Zoning Commission, term expires 12-31-2020.
    2. Clark Weaver, 2951 27th Avenue, Local Option Sales Tax Oversight Committee, term expires 12-31-2019.
    3. Mike Dooley, 3851 29th Avenue, Public Service Board, term expires 12-31-17.
30. Council Discussion Time
31. Adjourn