MARION CITY COUNCIL REGULAR MEETING

Thursday, January 21, 2016 – 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 January 5,7,15 and 16, 2015 City Council meetings.
2. Motion to approve the bills as presented in the amount of $595,142.86.
3. Resolution No. 25058 adopting Final Assessment Schedule for Fiscal Year 2015 Quarter 3 Delinquent Fees and Confirming and Levying the Assessments.
4. Motion to receive and file annual audit for the period ended June 30, 2015.
5. Resolution No. 25059 approving the removal of Alliant Energy’s street light at the southwest corner of 8th Avenue and 12th Street.
6. Resolution No. 25060 approving the removal of Alliant Energy’s street light at the southwest corner of the southwest corner of 11th Avenue and 17th Street.
7. Resolution No. 25061 approving the removal of Alliant Energy’s street light at the 500 block of 13th Street.
8. Resolution No. 25062 approving the removal of Alliant Energy’s street light at the northeast corner of 14th Avenue and Northview Drive.
9. Resolution No. 25063 approving the removal of Alliant Energy’s street light at the northeast corner of 10th Avenue and 22nd Street.
10. Motion to receive and file correspondence addressing a public comment made during the January 7, 2016 City Council meeting regarding a building remodel and removal of the fire escape of the Memorial Hall building located at 760 11th Street (Deb Krebill, Fire Chief).
11. Motion to receive and file new job descriptions for Arborist Technician I and Arborist Technician II.
12. Motion to receive and file the Parks & Recreation Department 2015 Swimming Pool Report.
13. Motion to approve Project Calendar regarding Engineering Department payments as follows:  
    1. Resolution No. 25064 approving Partial Payment No. 7 to Anderson-Bogert Engineers for engineering services regarding the CEMAR Trail Project in an amount $1,212.75.
14. Resolution No. 25065 approving contract and bond with Midwest Concrete Inc., regarding the 2016 Sidewalk Ramp Repair Project.
15. Resolution No. 25066 approving contract and bond with Central States LLC regarding the 2016 ImaginArt in the Alley Project.
16. Resolution No. 25067 adopting the 2016 Edition of the Statewide Urban Design Specifications Program (SUDAS).
17. Motion to approve Project Calendar regarding Planning and Development Department Payments as follows:  
    1. Resolution No. 25068 approving Payment No. 5 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 $21,000.83. (Amount remaining $46,994.29).
    2. Resolution No. 25069 approving Payment to Shoemaker-Haaland for professional services related to 10th Avenue side path cost estimates in the amount of $8,500.00.
18. Motion to receive and file and refer to the Planning and Zoning Commission:  
    1. Rosenberger Addition to Linn County for property located at 1354 Martin Creek Road (Joseph and Margaret Rosenberger).
19. Resolution No. 25070 setting public hearing for February 4, 2016 regarding request to rezone property located south of Echo Hill Road and west of Alburnett Road from A-1, Rural Restricted to R-2, Medium Density Single-Family Residential (DX4 Investments, Inc.).
20. Resolution No. 25071 approving acquisition plat for a portion of Winslow Road right-of-way located south of Settlers Drive and north of Tower Terrace Road extension, pertaining to the Winslow Road Realignment (Mooney-Engle Land Company, LLC).
21. Resolution No. 25072 approving request for waiver of Subdivision Regulations to allow division of property by Plat of Survey No. 2037 for transfer purposes only for property located south of Settlers Drive and north of Tower Terrace Road extension, pertaining to the Winslow Road Realignment (Mooney-Engle Land Company, LLC).
22. Resolution No. 25073 approving request for waiver of Subdivision Regulations to allow division of property by Plat of Survey No. 2038 for transfer purposes only for property located south of Settlers Drive and north of Tower Terrace Road extension, pertaining to the Winslow Road Realignment (Mooney-Engle Land Company, LLC).
23. Motion to receive and file December 2015 Departmental Reports.
24. Motion to approve the following Hold Harmless/Noise Waiver Agreement(s):  
    1. Uptown Marion Market, City Square Park and surrounding area, Saturdays, June 11, July 9 and August 13, 2016 5:00 a.m. – 2:00 p.m. (Tami Schlamp, Marion Chamber of Commerce, 1225 6th Avenue).
    2. Marion PD 5K4K9 Fun Run/Walk, Linn-Mar Stadium and surrounding area, Saturday, June 4, 2016, 6:00 a.m. – 12:00 p.m. (Lieutenant Mark Merta, Marion PD, 6315 Highway 151).

Motion to approve Consent Calendar with Mayor AbouAssaly abstention as presented:

1. Motion to approve the following liquor license applications:  
   1. Resolution No. 25074 accepting wavier of hearing and consent to penalty (Tobacco Violation) and imposing the penalties established in Section 453A.22(2)(a) of the Code of Iowa. (Casey’s General Store #2919, 340 Marion Boulevard).
   2. Resolution No. 25075 accepting wavier of hearing and consent to penalty (Tobacco Violation) and imposing the penalties established in Section 453A.22(2)(a) of the Code of Iowa. (Casey’s General Store #2924, 1100 Eagleview Drive).
2. Resolution No. 25076 setting public hearing for February 18, 2016 regarding Hy-Vee Preliminary Site Development Plan for property located at 3600 Highway 151 (Hy-Vee Food Stores, Inc.).
3. Resolution No. 25077 approving Partial Payment No. 28 to Martin Gardner Architecture for professional services related to the downtown façade revitalization program in the amount of $562.50.
4. FINANCE
5. Resolution No. 25078 approving payment in the amount of $47,000 to Hogan – Hansen for professional services related to the June 30, 2015 audit.
6. PUBLIC SERVICES

NONE

1. POLICE/FIRE

NONE

1. PARKS

NONE

1. BUILDING INSPECTION

NONE

1. ENGINEERING

NONE

1. PLANNING AND DEVELOPMENT

NONE

1. ADMINISTRATION/OTHER
2. Motion directing staff to negotiate a lease agreement for the McGowan House with Allie’s Weeds.
3. 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).
4. 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).
5. Motion to remove from table Resolution No. 25053 granting an extension agreement for property located at 1000 7th Avenue (Capitol Commercial Division, LLC.). (Tabled 1-7-16).
6. Resolution No. 25053 granting an extension agreement for property located at 1000 7th Avenue (Capitol Commercial Division, LLC.) (Tabled 1-7-16).
7. Resolution No. 25079 approving a request for funds regarding the Marion Leadership in Action Winter Light Project 2016 in the amount not to exceed $10,000.00 (Marion Leadership in Action Class of 2016).
8. Mayoral Reappointments:  
   1. Phil Hershner, 2125 Timber Creek Drive, Local option Sales Tax Oversight Committee, term expires 12-31-2019.
   2. Kevin Morgan, 2563 29th Avenue, Public services Board, term expires 12-31-2017.
   3. Craig Adamson, PO BOX 885, Public Services Board, term expires 12-31-2017.
   4. Joe Spinks, Mayor pro tem.
9. Council Discussion Time
10. Adjourn