



CITY COUNCIL AGENDA – WORK SESSION

Tuesday, March 3, 2020 – 4:00 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. Times listed are estimated.

Note: Council Member Atkins may participate via phone.

CALL TO ORDER

ROLL CALL

PROCLAMATIONS/OATHS

1. Census Awareness Month (Linn County Complete Count Committee)

PRESENTATIONS – This section is for presentations from external entities regarding current council action and area projects and events.

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 February 18, 20 and 26, 2020 City Council meetings.
2. Motion to approve the following liquor license applications:
 - a. Renewal – Casey’s General Store #2760 – 975 S 11th Street
Class E Liquor License with additional privileges of Class B Wine Permit, Class C Beer Permit, and Sunday Sales. One violation in last five years.
 - b. Renewal – Casey’s General Store #2919 – 340 Marion Boulevard
Class E Liquor License with additional privileges of Class B Wine Permit, Class C Beer Permit, and Sunday Sales. One violation in last five years.
 - c. Renewal – Prairie Hill Pavillion – 5680 Kacena Avenue
Class C Liquor License with additional privileges of Catering and Sunday Sales. No violations in last five years.

- d. Renewal – Napoli’s – 500 Marion Blvd, Ste 100
Special Class C Liquor License with additional privileges of Class B
Native Wine Permit, Outdoor Service, and Sunday Sales. One violation
in last five years.
 - e. Renewal – Villa’s Patio Mexican Restaurant – 433 7th Avenue
Class C Liquor License with additional privileges of Catering, Outdoor
Service, and Sunday Sales. No violations in last five years.
 - f. New – Mi Tierra Mexican Restaurant – 835 7th Avenue
Class C Liquor License with additional privilege of Sunday Sales.
3. Motion to approve the following Hold Harmless Agreements:
 - a. Wee Parade; March 14, 2020; Uptown Artway (Uptown Snug, 760 11th
Street) (Permit #2020-00000008)
 - b. Patriotic Picnic; June 20, 2020; City Square Park & Depot (Cedar
Rapids Freedom Festival/Hy-Vee, 609 1st Avenue SW, Cedar Rapids)
(Permit #2020-00000007)
 4. Motion to receive and file memo rescinding the appointment of Timothy
Godsil to Historic Preservation Committee.
 5. Motion to receive and file January 2020 Department Monthly Reports.
 6. Motion to receive and file Certified List for Police Officer.
 7. Motion to approve payments as presented in the amount of
\$1,198,018.58.
 8. Resolution No. ____ amending the Non-Bargaining Pay Schedule by
changing the job title of Library Assistant II to become Library Assistant
and Patron Services Lead.
 9. Resolution No. ____ approving the updated Uniform and Dress Code
Policy in regards to safety glasses.
 10. Motion to approve the addition of two sergeant positions to police
department personnel schedule.

B. Public Services – None

C. Public Safety

1. Resolution No. ____ approving renewal of 28E Agreement for the School
Resource Officer (SRO) Program between Linn Mar School District and
City of Marion for period of July 1, 2020 through June 30, 2022.

2. Resolution No. ____ approving renewal of 28E Agreement for the School Resource Officer (SRO) Program between Marion Independent School District and City of Marion for period of July 1, 2020 through June 30, 2022.
3. Resolution No. ____ approving payment to Axon Enterprise, Inc. in the amount of \$47,364 regarding body camera service.

D. Parks – None

E. Engineering

1. Motion to approve Engineering Department payments as follows:
 - a. Resolution No. _____ approving Partial Payment No. 4 to Christner Contracting Inc. regarding the 2019 Fire Station Project in the amount of \$127,031.61. (FACS-18-062)
 - b. Resolution No. _____ approving Partial Payment No. 3 to Braun Intertec regarding the 2019 Marion Fire Station Project in the amount of \$4,002.00. (FACS-18-062)
 - c. Resolution No. _____ approving Partial Payment No. 2 to Peterson Contractors, Inc. regarding the Removal of Railroad Bridge over Marion BLVD in advance of CEMAR Trail in the amount of \$26,111.29. (STP-U-4775(632)—70-57) (TRL-17-055)
 - d. Resolution No. _____ approving Partial Payment No. 1 to DLT Solutions, LLC regarding the renewal of AutoCAD licenses in the amount of \$4,898.40.
2. Motion to approve easements associated with the 2019 14th Street Reconstruction Project (NSI) (TRANS-18-090) as follows:
 - a. Resolution No. _____ approving Temporary Construction Easement with Richard & Jane F Dorff, 1463 14th Street, regarding the 2019 14th Street Reconstruction Project (NSI). (TRANS-18-090)
 - b. Resolution No. _____ approving Temporary Construction Easement with Daniel F & Karen W Dyckman, 1325 14th Street, regarding the 2019 14th Street Reconstruction Project (NSI). (TRANS-18-090)
 - c. Resolution No. _____ approving Temporary Construction Easement with Michael J & Anita M Fager, 1405 17th Avenue, regarding the 2019 14th Street Reconstruction Project (NSI). (TRANS-18-090)
 - d. Resolution No. _____ approving Temporary Construction Easement with Brent J & Kristine M Rule, 1320 14th Street, regarding the 2019 14th Street Reconstruction Project (NSI). (TRANS-18-090)

- e. Resolution No. _____ approving Temporary Construction Easement with St Joseph's Church, 1483 14th Street, regarding the 2019 14th Street Reconstruction Project (NSI). (TRANS-18-090)
- f. Resolution No. _____ approving Temporary Construction Easement with St Joseph's Church, 1790 14th Street, regarding the 2019 14th Street Reconstruction Project (NSI). (TRANS-18-090)
- g. Resolution No. _____ approving Temporary Construction Easement with St Joseph's Church, 1430 14th Street, regarding the 2019 14th Street Reconstruction Project (NSI). (TRANS-18-090)
- h. Resolution No. _____ approving Temporary Construction Easement with Gary L & Jill M Hansen, 1405 Brockman Avenue, regarding the 2019 14th Street Reconstruction Project (NSI). (TRANS-18-090)
- i. Resolution No. _____ approving Temporary Construction Easement with Roger McKinstry, 1289 14th Street, regarding the 2019 14th Street Reconstruction Project (NSI). (TRANS-18-090)
- j. Resolution No. _____ approving Permanent Public Access Easement with Ryan Lincoln, 1185 14th Street, regarding the 2019 14th Street Reconstruction Project (NSI). (TRANS-18-090)
- k. Resolution No. _____ approving Permanent Public Access Easement with Roger McKinstry, 1289 14th Street, regarding the 2019 14th Street Reconstruction Project (NSI). (TRANS-18-090)

F. Community Development

- 1. Motion to approve Planning and Development Division Payments as follows:
 - a. Resolution No. _____ approving payment no. 15 to Snyder & Associates per the contract for the Indian Creek Trail [STP-U-4775(631) --70-57] in the amount of \$9,973.23. (TRL-18-056)
 - b. Resolution No. _____ approving payment no. 52 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 \$4,419.99. (TRANS-17-099)
 - c. Resolution No. _____ approving payment no. 3 to Universal Field Services, Inc for services related to Indian Creek Trail Project in the amount of \$150.00. (Iowa DOT Project Number: STP-U-4775(631) --70-57) (TRL-18-056)

- d. Resolution No. _____ approving payment no. 5 to Universal Field Services, Inc for services related to CeMar Trail Project in the amount of \$40.00. (Iowa DOT Project Number: TAP-U-4475(630)--8I-57) (TRL-17-055)
2. Motion to receive and file request to purchase portion of alley located north of 6th Avenue between 9th and 10th Street (Spencer Stephens).
 3. Motion to receive, file, and refer to Planning and Zoning Commission:
 - a. Request to vacate and purchase portion of alley located north of 1st Avenue between 9th and 10th Streets (Brandon Scherbaum)
 - b. Request to vacate the north south alley located between 10th and 11th Avenues and 26th and 27th Streets (Mitchell Sutton)

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 – None

B. Public Services – None

C. Public Safety – None

D. Parks – None

E. Engineering

1. Motion to approve Project Calendar regarding Engineering Department payments as follows:
 - a. Resolution No. _____ approving Partial Payment No. 6 to Abode Construction, Inc. regarding the 2019 Irish Drive Extension Project in the amount of \$654.40. (TRANS-18-112)
 - b. Resolution No. _____ approving Partial Payment No. 6 to L.L. Pelling Company, Inc. regarding the 2019 Runway 17/35 Reconstruction Project in the amount of \$66,852.15. (ANN-18-082)

F. Community Development

1. Resolution No. ____ approving payment no. 9 to Anderson-Bogert Engineers for professional services regarding general airport consulting per the contract for the Marion Airport in the amount of \$1,004.15. (ANN-18-082)

G. Library – None

REGULAR AGENDA

A. Administrative Services (4:00-4:15)

1. Ordinance No. 20-01 amending Chapter 122 of the Code of Ordinances relating to Solicitors, Peddlers and Transient Merchants. (Final Consideration)
2. Ordinance No. 20-02 amending Chapter 7.05 of the Code of Ordinances relating to Operating Budget Preparation. (Final Consideration)
3. Resolution No. _____ approving collective bargaining agreement between the City of Marion and Local 231 of the American Federation of State, County and Municipal Employees (AFSCME) for the period of July 1, 2020 to June 30, 2021.
4. Resolution No. _____ approving collective bargaining agreement between the City of Marion and Marion Police Protective Association (MPPA) for the period of July 1, 2020 to June 30, 2021.
5. Public hearing on proposal to enter into a General Obligation Loan Agreement for certain essential corporate purposes and to borrow money thereunder in a principal amount not to exceed \$14,350,000.
6. Public hearing on proposal to enter into a General Obligation Loan Agreement for certain general corporate purposes and to borrow money thereunder in a principal amount not to exceed \$35,000.
7. Public hearing on proposal to enter into a General Obligation Loan Agreement for certain urban renewal related purposes and to borrow money thereunder in a principal amount not to exceed \$6,800,000.
8. Resolution No. _____ taking additional action on proposals to enter into certain General Obligation Loan Agreements, providing for the combinations of certain General Obligation Loan Agreements, setting a date for the sale of General Obligation Corporate Purpose Bonds, Series 2020A, approving a Preliminary Official Statement for use in connection therewith, and providing for the levy of taxes to pay the same.
9. Resolution No. _____ setting a date for the sale of General Obligation Refunding Bonds, Series 2020B and approving a Preliminary Official Statement for use in connection therewith.
10. Resolution No. _____ approving a Road Use Tax revenue loan agreement and authorizing the issuance of a \$5,400,000 Road Use Tax Revenue Note.

11. Resolution No. _____ approving a Sewer revenue loan agreement and authorizing the issuance of a \$2,700,000 Sewer Revenue Note.

12. Resolution No. _____ approving a Solid Waste revenue loan agreement and authorizing the issuance of a \$2,700,000 Solid Waste Revenue Note.

13. Resolution No. _____ approving contract amendment for the City Manager effective January 1, 2020.

B. Public Services – None

C. Public Safety

1. Resolution No. _____ approving payment to Technical Specialty Systems regarding Fire Station No. 2 brick repair in the amount of \$32,318.00. (FACS-18-065)

D. Parks – None

E. Engineering (4:15-4:35)

1. Public Hearing regarding the CEMAR Phase III Project in the City of Marion, from Marion Boulevard bridge over Indian Creek north to preservation of trail bridge over Indian Creek Bridge New, Steel Girder. [TAP-U-4775(637)—8I-57] (TRL-17-055)

2. Resolution No. _____ accepting bids and awarding contract to Peterson Contractors Inc. regarding the CEMAR Phase III Project in the City of Marion, from Marion Boulevard bridge over Indian Creek north to preservation of trail bridge over Indian Creek Bridge New, Steel Girder in the amount of \$1,684,653.66. [TAP-U-4775(637)—8I-57] (TRL-17-055)

3. Motion to approve Project Calendar regarding the 2020 Sanitary CIPP Rehabilitation Project (ANN-18-029) as follows:

a. Motion to retain the City Engineer as Project Engineer regarding the 2020 Sanitary CIPP Rehabilitation Project (ANN-18-029)

b. Resolution No. ____ approving Resolution of Necessity regarding the 2020 Sanitary CIPP Rehabilitation Project (ANN-18-029)

c. Resolution No. ____ ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2020 Sanitary CIPP Rehabilitation Project (ANN-18-029)

- d. Resolution No. ____ approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2020 Sanitary CIPP Rehabilitation Project (ANN-18-029)

4. Motion to approve Project Calendar regarding the 2020 Safe Routes to School Project (TRL-18-059), as follows:

- a. Motion to retain the City Engineer as Project Engineer regarding the 2020 Safe Routes to School Project (TRL-18-059)
- b. Resolution No. ____ approving Resolution of Necessity regarding the 2020 Safe Routes to School Project (TRL-18-059)
- c. Resolution No. ____ ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2020 Safe Routes to School Project (TRL-18-059)
- d. Resolution No. ____ approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2020 Safe Routes to School Project (TRL-18-059)

5. Motion to receive, file, and concur with the TAC Report regarding a request from the Marion Independent School District (MISD).

F. Community Development

1. Resolution No. _____ approving Peterson Properties Addition Final Plat to Linn County and Memorandum of Agreement for property located at 5105 N. 10th Street, Linn County, Iowa. (Peterson's Properties & Rentals, LLC)
2. Ordinance No. 20-03 amending Section 176.41 of the Marion Code of Ordinances related to notification signs for zoning amendments. (Second Consideration)
3. Resolution No. _____ approving a contract with HDR Engineering, Inc. regarding engineering services associated with the 10th Avenue Sidepaths project from 35th Street to Eagleview Drive in Marion [TAP-U-4775(635)—8I-57] in the amount of \$460,395.99. (TRL-18-110)

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.

1. Discussion regarding format of presentations for Council Member At Large vacancy. (4:35-4:45)

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