



CITY COUNCIL AGENDA
Thursday, April 9, 2020 – 5:30 p.m.
City Hall, 1225 6th Avenue, Marion, IA 52302
ELECTRONIC MEETING

The meeting is being recorded. Any item listed on the agenda may be open to discussion by the City Council.

NOTE: Based on COVID-19 guidance from Linn County Public Health and the State of Iowa to limit the size of groups gathering, this meeting is able to be viewed online. To watch, go to Zoom.com, select Join a Meeting, and enter the Meeting ID #991 850 601. A link is also provided at www.cityofmarion.org. Audio only can be heard by calling 1-929-205-6099 and enter the same Meeting ID listed above.

Anyone who wishes to comment on an agenda item, including public hearings, may submit the question or comment to the City Clerk by 4:00 p.m. on Thursday, April 9 via phone at 319-743-6301 or email rbolender@cityofmarion.org. Comments can also be provided during the Zoom meeting by clicking the Q&A option and entering your comment. All comments will be acknowledged during the meeting.

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
MOMENT OF SILENCE

PROCLAMATIONS/OATHS
None

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 March 19, 2020 City Council meetings.

2. Motion to approve the following liquor license applications:
 - a. Renewal – Zoey’s Pizzeria – 690 10th Street
Class C Liquor License with additional privilege of Sunday Sales. No violations in last five years.
 - b. Renewal – Cocktails & Company – 1625 Blairs Ferry Road
Class C Liquor License with additional privileges of Outdoor Service and Sunday Sales. No violations in last five years.
 - c. Renewal – Uptown Snug – 760 11th Street
Class C Liquor License with additional privileges of Class B Wine Permit, Outdoor Service, and Sunday Sales. No violations in last five years.
 - d. Renewal – Ramsey’s Metro Market – 1120 7th Avenue
Class C Liquor License with additional privileges of Catering, Class B Wine Permit, Outdoor Service, and Sunday Sales. One violation in last five years.
3. Motion to approve payments as presented in the amount of \$1,947,748.64.
4. Resolution No. 28351 approving Brian McKenzie as an authorized signer on the City’s Financial Accounts.

B. Public Services – None

C. Public Safety – None

D. Parks – None

E. Engineering

1. Motion to approve payment calendar regarding Engineering Department payments as follows:
 - a. Resolution No. 28352 approving Partial Payment No. 15 to Anderson Bogert Engineers regarding the 2018 Central Corridor 7th Ave. Preliminary Design project in the amount of \$517.87. (TRANS-18-098)
 - b. Resolution No. 28353 approving Partial Payment No. 4 to Braun Intertec regarding the 2019 Marion Fire Station Project in the amount of \$5,935.75 (FACS-18-062)
 - c. Resolution No. 28354 approving Partial Payment No. 7 to Anderson-Bogert Engineers regarding the Tower Terrace Road Phase IX Improvements in the amount of \$12,396.00. (TRANS-18-094)
 - d. Resolution No. 28355 approving Partial Payment No. 1 to Pheasant Trail 4th Owners Association in the amount of \$5000.00.

- e. Resolution No. 28356 approving Partial Payment No. 8 to Price Industrial Electric regarding the 2019 Highway 13 and Hennessey Parkway Traffic Signal and Turn Lane Improvements Project in the amount of \$14,889.45. (TRANS-18-074).
 - f. Resolution No. 28357 approving Partial Payment No. 8 to Anderson-Bogert Engineers regarding the Tower Terrace Road Phase IX Improvements in the amount of \$8,954.00. (TRANS-18-094)
2. Resolution No. 28358 approving contract with Universal Field Services, Inc. for Right-Of-Way acquisitions services related to the Mini Roundabout at 10th Avenue, 10th Street and Central Avenue. (TRANS-18-089)
 3. Resolution No. 28359 approving contract with Universal Field Services, Inc. for Easement acquisitions services related to the Indian Creek Trunk Sewer Segment 7. (SWR-17-026)
 4. Resolution No. 28360 approving Partial Payment No. 1 to Universal Field Services Inc. regarding the 10th & 10th Mini Roundabout Project Property Acquisition Services in the amount of \$1,365.45. (TRANS –18-089)

F. Community Development

1. Motion to approve Planning and Development Division Payments as follows:
 - a. Resolution No. 28361 approving payment no. 16 to Snyder & Associates per the contract for the Indian Creek Trail [STP-U-4775(631) --70-57] in the amount of \$14,959.83. (TRL-18-056)
 - b. Resolution No. 28362 approving payment no. 53 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 \$4,986.71. (TRANS-17-099)
 - c. Resolution No. 28363 approving payment no. 4 to Universal Field Services, Inc. for services related to the Indian Creek Trail Project in the amount of \$541.98. (Iowa DOT Project Number: STP-U-4775(631) --70-57) (TRL-18-056).
 - d. Resolution No. 28364 approving payment no. 25 to Shoemaker Haaland per the contract for the CeMar Trail (Iowa DOT Project Number: TAP-U-4475(630)-8I-57) in the amount of \$6,298.65. (TRL-17-055)
2. Resolution No. 28365 setting a public hearing for April 23, 2020 regarding the alley vacation for the east west alley located between 1st and 2nd Avenues and 9th and 10th Streets. (Brandon Scherbaum)

3. Resolution No. 28366 setting a public hearing for April 23, 2020 regarding the alley vacation for the north south alley located between 10th and 11th Avenues and 26th and 27th Streets. (Mitchell Sutton)
4. Resolution No. 28367 setting a public hearing for May 7, 2020 regarding a request for a partial demolition of a structure at 925 10th Street located within the Terrace Park Historic District. (Hillary Copeland-Marvin)

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

1. Resolution No. 28368 approving the assignment of the development agreement with GLD Properties, LLC to Marion Hotel Associates, Inc.
2. Resolution No. 28369 setting a date of meeting at which it is proposed to approve a development agreement with MOJO Properties, LLC including annual appropriation tax increment payments.

B. Public Services – None

C. Public Safety – None

D. Parks – None

E. Engineering

1. Motion to approve payment calendar regarding Engineering Department payments as follows:
 - a. Resolution No. 28370 approving Partial Payment No. 1 to Midwest Development Company for costs associated with Hunters Ridge North 1st Addition to the City of Marion in the amount of \$48,665.31.
 - b. Resolution No. 28371 approving Partial Payment No. 7 to L.L. Pelling Company, Inc. regarding the 2019 Runway 17/35 Reconstruction Project in the amount of \$21,086.95. (ANN-18-082)

F. Community Development – None

G. Library – None

REGULAR AGENDA

A. Administrative Services

1. Resolution No. 28372 approving 28E Agreement between City of Marion, MEDCO and Marion Independent School District regarding the Community Promise Home Rehabilitation Program.
2. Resolution No. 28373 approving contract with Conference Technologies, Inc. for Council Chambers Audio/Visual Equipment in the amount of \$84,221.13. (GOV-18-013)

B. Public Services – None

C. Public Safety – None

D. Parks – None

E. Engineering

1. Public Hearing regarding the 2020 A Avenue Reconstruction Project (NSI) (TRANS-18-090)
2. Resolution No. 28374 accepting bids and awarding contract to Rathje Construction Company regarding the 2020 A Avenue Reconstruction Project (NSI) in the amount of \$579,842.75. (TRANS-18-090)
3. Public Hearing regarding the 2020 Safe Routes to School Project (TRL-18-059).
4. Resolution No. 28375 accepting bids and awarding contract to Rathje Construction Company regarding the 2020 Safe Routes to School Project in the amount of \$99,806.50. (TRL-18-059).
5. Public Hearing regarding the 2020 Sanitary CIPP Rehabilitation Project (ANN-18-029).
6. Resolution No. 28376 accepting bids and awarding contract to SAK Construction LLC regarding the 2020 Sanitary CIPP Rehabilitation Project in the amount of 126,459.00. (ANN-18-029).
7. Resolution No. 28377 approving Change Order #3 with Christner Contracting Inc. regarding the 2019 Fire Station Project regarding removal of AV system, spoils removal and winter conditions in an amount of \$6,367.32. (FACS-18-062)
8. Motion directing staff to support the Lincoln Highway Heritage Byway's application of National Scenic Byway designation.

9. Resolution No. 28378 approving contract and bond with Rathje Construction Company regarding the 2019 14th Street Reconstruction Project (NSI) in the amount of \$856,839.40. (TRANS-18-090)
10. Resolution No. 28379 approving contract and bond with Midwest Concrete, Inc. regarding the 2020 Storm Sewer Project in the amount of \$153,856.50. (ANN-18-031)
11. Resolution No. 28380 approving a contract with Calhoun-Burns and Associates, Inc. regarding the 2020 Bridge Inspection Services in the amount of \$4,575.00. (ANN-18-084)
12. Motion to approve Project Calendar regarding the 2020 Fire Station 2 Parking Lot Reconstruction Project (FACS-19-120) as follows:
 - a. Motion to retain the City Engineer as Project Engineer regarding the 2020 Fire Station 2 Parking Lot Reconstruction Project (FACS-19-120)
 - b. Resolution No. 28381 approving Resolution of Necessity regarding the 2020 Fire Station 2 Parking Lot Reconstruction Project (FACS-19-120)
 - c. Resolution No. 28382 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2020 Fire Station 2 Parking Lot Reconstruction Project (FACS-19-120)
 - d. Resolution No. 28383 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2020 Fire Station 2 Parking Lot Reconstruction Project (FACS-19-120)
13. Resolution No. 28384 approving a contract with Stanley Consultants, Inc. for a soil mitigation plan for the Central Corridor Project. (TRANS-18-091)
14. Resolution No. 28385 approving a contract with Braun Intertec Corporation for Quality Assurance PCC Plant Monitoring and Soil Testing for the CEMAR Phase I and CEMAR Phase III projects [(STP-U-4775(632)—70-57) (TRL-17-055) and (TAP-U-4775(637)—8I-57) (TRL-17-055)] in the amount of \$12,036.50.
15. Resolution No. 28386 approving contract and bond with 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)
16. Resolution No. 28387 approving Change Order No. 7 with L.L. Pelling Company, Inc. regarding the 2019 Runway 17/35 Reconstruction Project regarding the cement treated subbase cement content in the amount of \$16,118.76. (ANN-18-082)

17. Resolution No. 28388 approving concurrence with developer agreement with Genesis Equities and Abode Construction associated with the 2020 Central Corridor Improvement Project Phase 4 (19th Street to 26th Street) for clearing and grubbing in an amount of \$67,992.00. (TRANS-18-091)

F. Community Development

1. Public hearing regarding amendment to Section 176.50-12 to allow “Veterinary Office / Animal Hospital” as a permitted use in the UTC-1 Zoning District.
2. Ordinance No. 20-05 approving the amendment to Section 176.50-12 to allow “Veterinary Office / Animal Hospital” as a permitted use in the UTC-1 Zoning District. (Initial Consideration)
3. Resolution No. 28389 approving an acquisition plat of a portion of property located at 2097 6th Avenue.
4. Resolution No. 28390 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)
5. Resolution No. 28391 approving relocation assistance payment in the amount of \$3,924.73 to Robert Holecek located at 2245 6th Avenue associated with Central Corridor Project.
6. Resolution No. 28392 approving relocation assistance payment in the amount of \$10,690.14 to D&L Construction – Dustin Titlbach located at 597 21st Street associated with Central Corridor Project.

G. Library

1. Ordinance No. 20-04 amending Chapter 21 of the Code of Ordinances relating to Library Board of Trustees. (Second Consideration)

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 Council Member At Large Vacancy.

COUNCIL COMMENTS – During this portion of the meeting, Council members may bring forward communications, concerns and reports on various matters.

ADJOURN