



**CITY COUNCIL AGENDA**  
Thursday, June 4, 2020 – 5:30 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.

**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 #841 9795 2128. A link is also provided at [www.cityofmarion.org](http://www.cityofmarion.org). Audio only can be heard by calling 1-646-558-8656 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, June 4 via phone at 319-743-6301 or email [rbolender@cityofmarion.org](mailto: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 May 19 and 21, 2020 City Council meetings.

2. Motion to approve the following liquor license applications:
  - a. Renewal - Nette & Hanna's Apothecary Store & More – 892 8th Ave  
Class B Native Wine Permit with additional privileges of Sunday Sales.  
No violations in previous five years.
  - b. Renewal – Walgreens #0387 – 1225 7th Avenue  
Class E Liquor License with additional privileges of Class B Wine Permit, Class C Beer Permit and Sunday Sales. No violations in previous five years.
  - c. Renewal - Marion Market & Café – 5005 10th Avenue  
Class E Liquor License with additional privileges of Class B Wine Permit, Class C Beer Permit and Sunday Sales. No violations in previous five years.
3. Motion to receive and file resignation letter from Grant Harper from the Planning and Zoning Commission.
4. Motion to approve the following Mayoral Appointments for the Marion Uptown Master Plan & Streetscape Steering Committee:
  - a. Nick AbouAssaly, 1225 6th Avenue
  - b. Colette Atkins, 1225 6th Avenue
  - c. Will Brandt, 1225 6th Avenue
  - d. Dale Monroe, 1140 Indian Creek Circle
  - e. Charlie Potter, 1950 East Post Road
  - f. Brooke Prouty, 1225 6th Avenue
  - g. Kyle Martin, 299 6th Avenue
  - h. Cody Buelt, 1020 Fairview Drive
  - i. Jeanne Matthews, 760 11th Street
  - j. Nikki Kettelkamp, 725 11th Street
  - k. Josh Immerfall, 740 10th Street
5. Motion to approve payments as presented in the amount of \$3,320,549.70.
6. Motion approving a letter of support for the medical cannabidiol dispensary application to the State of Iowa submitted by Iowa Cannabis Company.
7. Resolution No. 28492 correcting scrivener's error contained in Chapter 55, Section 55.21 relating to Animal Protection and Control.
8. Resolution No. 28493 approving agreement with Iowa Municipal Workers Compensation Association (IMWCA) for management services related to Police and Fire claims administration.
9. Resolution No. 28494 approving Procurement Policy as federally required and mandated by the COVID-19 grant program.

## **B. Public Services**

1. Motion to receive and file 2020 Public Services Department Work Plan.

## **C. Public Safety – None**

## **D. Parks – None**

## **E. Engineering**

1. Motion to approve Project Calendar regarding Engineering Department payments as follows:
  - a. Resolution No. 28495 approving Partial Payment No. 10 to Price Industrial Electric regarding the 2019 Highway 13 and Hennessey Parkway Traffic Signal and Turn Lane Improvements Project in the amount of \$2,194.50. (TRANS-18-074).
  - b. Resolution No. 28496 approving Partial Payment No. 2 to Anderson Bogert Engineers regarding the 2020 35th Street and 7th Avenue Traffic Signal and Turn Lane Improvements in the amount of \$7,700.00. (TRANS-18-073)
  - c. Resolution No. 28497 approving Partial Payment No. 5 to City of Cedar Rapids regarding the Tower Terrace Road Project (C Avenue to Alburnett Road) associated with Resolution 23937 - Chapter 28E Agreement and wetland credits purchase in the amount of \$219,349.50. (TRANS-18-096)
  - d. Resolution No. 28498 approving Partial Payment No. 4 to Stanley Consultants, Inc. for Soil Sampling - 19th to Marion Iron Roundabout in the amount of \$641.00. (TRANS-18-091)
  - e. Resolution No. 28499 approving Partial Payment No. 7 to Boomerang Corp. regarding the 2019 RCB Culvert Under Central Avenue North of Indian Creek Project in the amount of \$10,932.03. (TRANS-18-092).
  - f. Resolution No. 28500 approving Partial Payment No. 3 to Universal Field Services Inc. regarding the 10th & 10th Mini Roundabout Project Property Acquisition Services in the amount of \$3,260.00. (TRANS – 18-089)
2. Resolution No. 28501 approving a Stop Sign stopping north bound traffic on Irish Drive at its intersection with Tower Terrace Road.

## **F. Community Development**

1. Resolution No. 28502 approving payment no. 55 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 \$2,959.40. (TRANS-17-099)
2. Resolution No. 28503 approving payment no. 7 to Universal Field Services, Inc for services related to CeMar Trail Project in the amount of \$2,902.15. (Iowa DOT Project Number: TAP-U-4475(630)--8I-57) (TRL-17-055)
3. Resolution No. 28504 approving payment no. 1 to RDG Planning & Design, Inc for professional services regarding the Marion Uptown Master Plan in the amount of \$5,255.00. (GOV-19-122)
4. Motion to receive, file, and refer to the Planning and Zoning Commission:
  - a. A request regarding a comprehensive plan amendment, rezoning, and preliminary plat for Winslow Addition. (Donna M. Morrissey Rev. Trust)

## **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. Motion to approve the following liquor license applications:
  - a. Renewal – Kum & Go #503 – 3215 7th Avenue  
Class E Liquor License with additional privileges of Class B Wine Permit, Class C Beer Permit and Sunday Sales. No violations in previous five years.

### **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. 28505 approving Partial Payment No. 2 to L.L. Pelling Company, Inc. regarding the 2019 HMA Resurfacing Project in the amount of \$713,010.51. (ANN-18-086)

- b. Resolution No. 28506 approving Partial Payment No. 15 to Anderson-Bogert Engineers regarding the Marion Runway 17/35 Reconstruction Project in the amount of \$461.97. (ANN-18-082)
  - c. Resolution No. 28507 approving Partial Payment No. 8 to Abode Construction, Inc. regarding the 2019 Irish Drive Extension Project in the amount of \$182,742.40. (TRANS-18-112)
  - d. Resolution No. 28508 approving Partial Payment No. 9 to L.L. Pelling Company, Inc. regarding the 2019 Runway 17/35 Reconstruction Project in the amount of \$459,189.02. (ANN-18-082)
  - e. Resolution No. 28509 approving Partial Payment No. 2 to Genesis Equities, LLC regarding the 2020 Central Corridor Improvement Project Phase 4 (19th Street to 26th Street) in the amount of \$28,625.88. (TRANS-18-091)
  - f. Resolution No. 28510 approving Partial Payment No. 10 to Genesis Equities, LLC per Resolution No. 26088 regarding the Central Corridor Improvements Project; Building Demolition in the amount of \$33,212.00. (TRANS-18-091)
2. Resolution No. 28511 accepting Bowman Woods Unit 37 to the City of Marion.
  3. Resolution No. 28512 approving Professional Services Agreement Amendment Number 1 with HR Green in the amount of \$17,845.00 regarding the 10th and 10th Mini Roundabout. (TRANS-18-089)

#### **F. Community Development**

1. Resolution No. 28513 approving payment no. 10 to Anderson-Bogert Engineers for professional services regarding general airport consulting per the contract for the Marion Airport in the amount of \$643.50. (ANN-18-082)
2. Motion to receive, file, and refer to the Planning and Zoning Commission:
  - a. A request regarding a comprehensive plan amendment, preliminary site development plan, and preliminary plat for Bowman Meadows 8th Addition. (Midwest Development Co.)
  - b. A request regarding a final site development plan for The Commons at English Glen 5th Addition. (Robson Homes, Inc.)

#### **G. Library – None**

## **REGULAR AGENDA**

### **A. Administrative Services**

1. Resolution No. 28514 approving agreement with Diligent Corporation regarding Meeting Manager, Video Manager, Board Manager, Public Request Tracker and Contract Tracker in the amount of \$18,900.00.
2. Resolution No. 28515 approving change order no. 1 with Conference Technologies, Inc. regarding Council Chambers Audio/Visual Equipment in the amount of \$9,301.25. (GOV-18-013)
3. Resolution No. 28516 approving 28E Agreement between City of Cedar Rapids, City of Hiawatha, Linn County, City of Marion and City of Robins regarding Phase I, II, and III, including Segments A through G of the Tower Terrace Road Transportation Corridor Improvements.
4. Resolution No. 28517 approving purchase agreement for property located at 2957 Highway 13 from Rick Ellison in the amount of \$1,095,000.00.
5. Motion directing staff to develop a City Facility Face Mask Policy.
6. Motion to receive and file job description for Marketing & Community Relations Specialist.
7. Resolution No. 28518 amending the non-bargaining pay schedule to include the addition of the Marketing & Community Relations Specialist.

### **B. Public Services**

1. Ordinance No. 20-06 amending Chapter 105 of the Solid Waste Ordinance and establishing base monthly collection fees at \$17.50. (Second consideration)
2. Ordinance No. 20-07 amending Chapter 99 of the Sanitary Sewer Ordinance increasing monthly domestic and industrial user charges from \$3.80 to \$4.10 and establishing new construction sanitary sewer connection fees at \$2,000.00. (Second consideration)

### **C. Public Safety – None**

### **D. Parks**

1. Resolution No. 28519 approving an increase of the Urban Forest Utility fee from \$2.25 to \$3.00 effective July 1, 2020.

### **E. Engineering**

1. Resolution No. 28520 approving contract and bond with Midwest Concrete, Inc. regarding the 2020 Fire Station 2 Parking Lot Reconstruction Project in the amount of \$267,212.34. (FACS-19-120)
2. Motion to approve Project Calendar regarding the Grand Avenue Spur North On Existing Trail To North Side Of Marion BLVD Bridge Over Indian Creek; PCC Trail; CeMar Phase II (TAP-U-4775(636)—8I-57) (TRL-17-055) as follows:
  - a. Motion to retain the City Engineer as Project Engineer regarding the Grand Avenue Spur North On Existing Trail To North Side Of Marion BLVD Bridge Over Indian Creek; PCC Trail; CeMar Phase II (TAP-U-4775(636)—8I-57) (TRL-17-055)
  - b. Resolution No. 28521 approving Resolution of Necessity regarding the Grand Avenue Spur North On Existing Trail To North Side Of Marion BLVD Bridge Over Indian Creek; PCC Trail; CeMar Phase II (TAP-U-4775(636)—8I-57) (TRL-17-055)
  - c. Resolution No. 28522 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Grand Avenue Spur North On Existing Trail To North Side Of Marion BLVD Bridge Over Indian Creek; PCC Trail; CeMar Phase II (TAP-U-4775(636)—8I-57) (TRL-17-055)
  - d. Resolution No. 28523 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Grand Avenue Spur North On Existing Trail To North Side Of Marion BLVD Bridge Over Indian Creek; PCC Trail; CeMar Phase II (TAP-U-4775(636)—8I-57) (TRL-17-055)
3. Resolution No. 28524 approving 28E Agreement with Linn County regarding the 2020 HMA Resurfacing Project to improve Secrist Road. (ANN-18-086)
4. Resolution No. 28525 approving 28E Agreement with Linn County regarding bridge inspections for FHWA Bridge 221390. (Lucore Road over Indian Creek) (ANN-18-084)
5. Resolution No. 28526 approving agreement with the Iowa Department of Transportation [IDOT] for the Intersection improvements at South 31st Street and HWY 100. (CS-TSF-4775(642)--85-57) (TRANS-18-073)
6. Resolution No. 28527 approving agreement with the Iowa Department of Transportation [IDOT] for the Intersection improvements at Alburnett Road and Echo Hill Road. (CS-TSF-4775(641)--85-57) (TRANS-19-118)
7. Motion directing staff to solicit engineering services for the intersection improvements at Alburnett Road and Echo Hill Road. (CS-TSF-4775(641)--85-57) (TRANS-19-118)

8. Resolution No. 28528 approving agreement with the Iowa Department of Transportation [IDOT] for the intersection improvements at 7th Avenue and 35th Street. (CS-TSF-4775(640)--85-57)(TRANS-18-088)

## **F. Community Development**

1. Motion to approve project calendar regarding Building Division Fee schedules as follows:
  - a. Resolution No. 28529 approving a new table of building code fees.
  - b. Resolution No. 28530 approving a new electrical permit schedule of fees.
  - c. Resolution No. 28531 approving a new plumbing permit schedule of fees.
  - d. Resolution No. 28532 approving a new mechanical permit schedule of fees.
2. Public hearing regarding the sale of portions of the east west alley located between 1st and 2nd Avenues and 9th and 10th Streets.
3. Resolution No. 28533 approving the sale of a portion of the former east west alley located between 1st and 2nd Avenues and 9th and 10th Streets adjacent to 176 10th Street, Marion, Iowa. (Brandon Scherbaum)
4. Public hearing regarding the sale of portions of the north south alley located between 10th and 11th Avenues and 26th and 27th Streets.
5. Resolution No. 28534 approving the sale of a portion of the former north south alley located between 10th and 11th Avenues and 26th and 27th Streets adjacent to 1060 27th Street, Marion, Iowa. (Mitchell Sutton)
6. Resolution No. 28535 approving the sale of a portion of the former north south alley located between 10th and 11th Avenues and 26th and 27th Streets adjacent to 1070 27th Street, Marion, Iowa. (Michael Schafer)
7. Resolution No. 28536 approving the sale of a portion of the former north south alley located between 10th and 11th Avenues and 26th and 27th Streets adjacent to 1080 27th Street, Marion, Iowa. (Nathan & Heather Sytsma)
8. Public hearing regarding an amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Multi-Family Residential for Bowman Meadows 7th Addition, Marion, Iowa.
9. Resolution No. 28537 recommending approval of the amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Multi-Family for Bowman Meadows 7th Addition, Marion, Iowa. (Midwest Development Co.)



10. Resolution No. 28538 recommending approval of a preliminary site development plan for Bowman Meadows 7th Addition, Marion, Iowa. (Midwest Development Co.)
11. Resolution No. 28539 recommending approval of a preliminary plat for Bowman Meadows 7th Addition, Marion, Iowa. (Midwest Development Co.)
12. Public hearing regarding an amendment to the Marion Enterprise Center Design Guidelines (MEDCO Holding Company LLC)
13. Resolution No. 28540 approving an amendment to the Marion Enterprise Center Design Guidelines (MEDCO Holding Company LLC)

**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.

None

**PUBLIC FORUM** – This time is set aside for comments from the public. Please understand that the City Council will not take any action on your comments at this meeting due to requirements of the Open Meetings Law, but may do so at a future meeting.

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

**ADJOURN**