



CITY COUNCIL AGENDA
Thursday, July 23, 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 #871 3772 6535. A link is also provided at 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, public hearings or public forum may submit the comment to the City Clerk by 4:00 p.m. on Thursday, June 23 via email at rbolender@cityofmarion.org.

Comments can also be heard during the meeting. During the meeting, select Q&A and enter your name, address and agenda item you'd like to comment on. During appropriate public forum or hearing, use the raise hand feature in Zoom and the City Clerk will call on you to speak.

Once unmuted, you will have five minutes to address Council. Please refrain from repeating what has been said before you. Do not involve personalities or make derogatory comments and be as factual as possible. Once allowed to speak, you will no longer have the opportunity to speak to the City Council unless a member of the City Council directs a question to you.

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 July 7 and 9, 2020 City Council meetings.
2. Motion to approve the following liquor license applications:
 - a. Renewal – Casey’s General Store #2924 – 1100 Eagleview Drive 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 approve the following Hold Harmless Agreements:
 - a. Uptown GetDown the Road; 8/6/20, 8/13/20, 8/20/20, 8/27/20 from 4:00-8:00 at Lowe Park, Thomas Park and Willowood Park. (Chamber of Commerce, 1225 6th Avenue, Suite 100)
4. Motion to approve the following Mayoral appointment:
 - a. Corridor Metropolitan Planning Organization Executive and Policy Board Grant Harper, 1225 6th Avenue; no term expiration
5. Motion to receive and file June 2020 Department Monthly Reports.
6. Motion to approve payments as presented in the amount of \$918,302.65.
7. Resolution No. 28636 adopting final assessment schedule for Fiscal Year 2021 Quarter 1 Delinquent Fees and confirming and levying the assessments.
8. Resolution No. 28637 setting date of public hearing on proposed development agreement with Victory Sports Center, Inc. including annual appropriation tax increment payments.
9. Resolution No. 28638 approving FY21 Cooperative Agreement with the State of Iowa regarding distribution of funds, case intake and resolutions of complaints filed under the Civil Rights Act.
10. Resolution No. 28639 approving payment to Linn County REC regarding extension of 3-phase power from Irish Drive to transformer in the amount of \$2,660.40.

11. Motion to receive, file and discuss the following job descriptions for Library:
 - a. Readers Advisory & Collections Manager
 - b. Marketing & Development Specialist
 - c. Programming Manager
 - d. Patron Accounts Manager

12. Motion to receive, file and discuss job description for Assistant to the City Manager.

B. Public Services

1. Resolution No. 28640 approving payment to Cove Equipment Company regarding utility tractor repairs in the amount of \$18,116.70.

C. Public Safety – None

D. Parks – None

E. Engineering

1. Motion to approve Project Calendar regarding Engineering Department payments as follows:
 - a. Resolution No. 28641 approving Partial Payment No. 1 to Braun Intertec regarding the CeMar Phase 1-3 Plant Monitor and Soil testing in the amount of \$997.50.
 - b. Resolution No. 28642 approving Partial Payment No. 6 to Braun Intertec regarding the 2019 Marion Fire Station Project in the amount of \$3,287.75 (FACS-18-062)
 - c. Resolution No. 28643 approving Partial Payment No. 2 to Anderson Bogert Engineers regarding the Central Corridor Improvements 7th Avenue from 8th Street to 12th Street in the amount of \$17,796.34. (TRANS-18-091)
 - d. Resolution No. 28644 approving Partial Payment No. 2 to SAK Construction LLC regarding the 2020 Sanitary CIPP Rehabilitation Project in the amount of \$84,599.40. (Ann-18-029)
 - e. Resolution No. 28645 approving Partial Payment No. 5 to Universal Field Services Inc. regarding the 10th & 10th Mini Roundabout Project Property Acquisition Services in the amount of \$466.95. (TRANS –18-089)
 - f. Resolution No. 28646 approving Partial Payment No. 1 to HDR, Inc. for Sanitary Sewer Capacity Study in the amount of \$51,734.80. (SWR-18-021)

2. Resolution No. 28647 approving Temporary Construction Easement with Joseph D & Janet M Bolsinger, 1403 14th Street, regarding the 2019 14th Street Reconstruction Project (NSI) (TRANS-18-090)
3. Resolution No. 28648 accepting 2020 Sanitary CIPP Rehabilitation Project. (ANN-18-029)

F. Community Development

1. Resolution No. 28649 approving payment no. 9 to Universal Field Services, Inc for services related to CeMar Trail Project in the amount of \$1,228.10. (Iowa DOT Project Number: TAP-U-4475(630)--8I-57) (TRL-17-055)
2. Resolution No. 28650 approving payment no. 2 to HDR Engineering, Inc for engineering services associated with the 10th Avenue Sidepaths project (Iowa DOT Project Number: TAP-U-4775(635)—8I-57) in the amount of \$29,248.05. (TRL-18-110)
3. Resolution No. 28651 approving payment to Corridor Metropolitan Planning Organization (MPO) for FY21 Membership Dues in the amount of \$26,731.69.
4. Motion to receive, file, and refer to the Planning and Zoning Commission:
 - a. A request regarding the Marion Public Library - Central Corridor Review for property located at 1101 6th Avenue, Marion, Iowa. (Marion Public Library)

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 – None**

F. Community Development

1. Motion to receive, file, and refer to the Planning and Zoning Commission:
 - a. A request regarding preliminary and final site development plans for S & S Storage. (MEDCO & DMFA, LLC)

G. Library – None

REGULAR AGENDA

A. Administrative Services

1. Public Hearing on Proposed Development Agreement with Genesis Equities, LLC.
2. Resolution No. 28652 approving development agreement with Genesis Equities, LLC, authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement.
3. Presentation from members of the Marion Alliance for Racial Equity.
4. Motion to receive, file and discuss Marion Alliance for Racial Equity recommendations.
5. Resolution No. 28653 approving the proposed allocation of Hotel/Motel funding for Fiscal Year 2020-2021.
6. Resolution No. 28654 approving the Marion Strategic Plan for Fiscal Year 2021-2023.
7. Resolution No. 28655 approving Fiscal Year 2019-2020 Operating Budget Transfers.
8. Ordinance No. 20-08 providing for the division of taxes levied on taxable property in the Echo Hill Road Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa. (Final Consideration)

B. Public Services – None

C. Public Safety – None

D. Parks – None

E. Engineering

1. Resolution No. 28656 approving contract and bond to Midwest Concrete, Inc. regarding the Grand Avenue Spur North On Existing Trail To North Side Of Marion BLVD Bridge Over Indian Creek; PCC Trail; CeMar Phase II in the amount of \$721,887.62. (TAP-U-4775(636)—8I-57) (TRL-17-055)

2. Resolution No. 28657 approving contract and bond to Midwest Concrete, Inc. regarding the 2020 Sidewalk Ramp Project in the amount of \$203,448.00. (ANN-18-106)
3. Resolution No. 28658 approving contract and bond to K & W Electric, Inc. regarding the 2020 Marion Fire Station Traffic Signals in the amount of \$237,920.00. (FACS-18-062)
4. Ordinance No. 20-09 amending Chapter 175, Section 175.07 of the Code of Ordinances relating to subdivision regulations: Maintenance Bonds. (Final Consideration.)
5. Public Comment Period regarding a request for South 14th Street parking modifications between G to C Avenue.
6. Resolution No. 28659 approving the establishment of a “No Parking 8:00AM to 4:00PM on School Days” zone to become a school pickup and drop-off zone on the east side of South 14th Street from G to C Avenue.
7. Motion to receive file, discuss and concur with TEAP Study for the intersection of Highway 100 and Menard Lane, Oak Lane, East Post and South 22nd Street.
8. Resolution No. 28660 authorizing the submittal of an application for Traffic Safety Improvement Program (TSIP) funding for the intersection of Highway 100 and East Post Road to reconfigure the existing intersection with additional left and right turn lanes and to upgrade the existing signal for the new turn lanes, as well as a Queue Detection Warning System for the westbound traffic at East Post Road.
9. Motion directing staff to perform a traffic warrant analysis for the intersection of Highway 100 and Oak Lane and evaluate the Right-in Right-out option if signals are not warranted.
10. Motion directing staff to optimize the current traffic signal timing plan to improve traffic flow through the intersections at East Post Road, South 22nd Street, and at Menard Lane along Highway 100.
11. Resolution No. 28661 approving payment to East Central Iowa Council of Governments regarding the Indian Creek Watershed Management Authority in the amount of \$17,432.00.
12. Resolution No. 28662 approving Change Order No. 1 with Borst Brothers Construction, Inc. regarding the 2020 Sanitary Sewer Manhole Project regarding the relocation of a water main in the amount of amount of \$9,487.26. (ANN-18-029)

13. Resolution No. 28663 approving MOA with Highview Investments LLC regarding the Tower Terrace Phase VII Project. (TRANS-18-096)

F. Community Development

1. Resolution No. 28664 approving an encroachment agreement into the 10th Street right-of-way north of 7th Avenue for the purpose of installation of a handicap ramp to property located at 1000 7th Avenue. (Kyle Martin, Martin Gardner Architecture)
2. Resolution No. 28665 approving Plat of Survey No. 2395 for part of Lot 8, Block 9, Original Town, Now City of Marion (694 7th Avenue).
3. Resolution No. 28666 approving Plat of Survey No. 2396 for part of Lot 5, Block 10, Original Town, Now City of Marion (708 7th Avenue).
4. Resolution No. 28667 approving Plat of Survey No. 2398 for part of Lots 3 & 4, W ½ N-S Alley, Block 22, Original Town (707 7th Avenue).
5. Resolution No. 28668 setting a public hearing for August 6, 2020 regarding an amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single Family Detached Residential to Neighborhood Commercial and a rezoning request from A-1, Rural Restricted to BL, Business Local for property located south of Tower Terrace Road and west of Winslow Road (Donna M. Morrissey Rev Trust)

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