

September 17, 2020

The City Council of the City of Marion, Linn County, Iowa met in regular session, Thursday, September 17, 2020, at 5:30 p.m. in the council chambers of City Hall with Mayor AbouAssaly presiding and the following council members present: Harper, Atkins, Jensen, Brandt and Strnad. Absent: Gadelha.

Based on COVID-19 guidance from Linn County Public Health and the State of Iowa to limit the size of groups gathering, this meeting was held electronically. The agenda and City's website provided instructions on how others could participate in the meeting.

The meeting opened with the Pledge of Allegiance.

Council observed a moment of silence.

PROCLAMATIONS/OATHS – None

PRESENTATIONS

Police Chief Mike Kitsmiller presented a Life Saving Award to Rich Holland, Jason Schamberger, Raquel Wilson and Nicole Hotz with the Marion Police Department. On August 12, 2020, they responded to a call where an eight-year old girl was trapped under the root ball of a large tree that had snapped upright after it was cut. Upon arrival, they enlisted the help from several bystanders to free her from the tree and immediately began administering CPR until Marion Fire EMTs arrived on scene. Hattie was present at tonight's ceremony and gave each officer their pin.

Marion Chamber of Commerce President Jill Ackerman provided an update regarding Winter Lights. She presented Council with three possible options including a lighted arch, lighted swag, groups of trees, or standalone snowflakes or stars. Mayor AbouAssaly asked what the expected life of lights would be. Jill stated approximately 15-20 years. Council Member Strnad stated he prefers having all white lights and is in favor of option 2 which has more quantity of items. Council Member Atkins also was in favor of purchasing all white lights but would be in favor of option 3 with the larger standalone items. Council Member Brandt is leery on making this purchase as there is better use of money. Council Member Harper stated he likes the idea of accentuating the public areas in Marion. Council Member Jensen stated he would like to see a multi-year plan to light up from roundabout to roundabout. City Manager Lon Pluckhahn stated if there is Council support, they would come back with a plan. He also stated funding could come from Hotel/Motel. Jill stated if we want this up this year, we need to move quickly. Mayor AbouAssaly stated he is in favor of option 2. He also stated if hotel/motel funds were used, this would be an appropriate use as those funds are restricted in what they can be spent on. Council Member Harper stated he would like to see a long-term plan for the storage and labor for this.

PUBLIC FORUM – No one came forward to speak.

CONSENT AGENDA

Moved by Strnad, seconded by Jensen to approve the Consent Agenda as follows:

Motion to approve minutes of the September 1, 3 and 9, 2020 City Council meetings.

Motion to approve the following liquor license applications:

- a. New – Urban Pie – 1138/1144 7th Avenue
Class B Beer Permit with additional privileges of Outdoor Service and Sunday Sales. One violation in last five years.
- b. Renewal – CVS Pharmacy – 3495 7th Avenue
Class E Liquor License with additional privileges of Class B Wine Permit, Class C Beer Permit and Sunday Sales. No violations in last five years.

Motion to approve the following Mayoral appointment:

- a. Community Equity Task Force:
City Manager – Lon Pluckhahn
Police Chief – Mike Kitsmiller
City Council member – Nick AbouAssaly
City Council member – Colette Atkins
Civil Rights Staff Liaison – Amal Eltahir
Civil Rights member – Kent Jackson
Civil Rights member – Frederick Brown
Marion Alliance for Racial Equity member – Circe Stumbo
Marion Alliance for Racial Equity member – Janessa Carr

Motion to approve the following Hold Harmless agreements:

- a. Marion High School Homecoming Parade; September 24, 2020 6:00-9:00 p.m.; Marion High School to Thomas Park Field (Marion High School)
- b. Marion High School Track Meets; April 8, April 19 and May 3, 2021 from 4:00-10:00 p.m.; Thomas Park (Marion High School)
- c. Fall Marion Market; September 26, 2020 from 8:00 a.m. to 1:00 p.m.; 6th Avenue South of Marion Square Park (Marion Chamber of Commerce)

Motion to receive and file August Department Monthly Reports.

Motion to approve payments as presented in the amount of \$1,084,075.17.

Resolution No. 28745 approving revised employment agreement with Human Resources Director Kirsten Fisher.

Resolution No. 28746 approving the Street Finance Report for the year ended June 30, 2020.

Resolution No. 28747 approving the Annual Financial Report for the fiscal year ending June 30, 2020.

Resolution No. 28748 approving the Memorandum of Understanding with Marion Policeman's Protective Association regarding out of state lateral transfer police officers.

Motion to approve Project Calendar regarding Engineering Department payments as follows:

- a. Resolution No. 28749 approving Partial Payment No. 3 to Braun Intertec regarding the CeMar Phase 1-3 Plant Monitor and Soil testing in the amount of \$220.00.
- b. Resolution No. 28750 approving Partial Payment No. 8 to Braun Intertec regarding the 2019 Marion Fire Station Project in the amount of \$2,038.50 (FACS-18-062)
- c. Resolution No. 28751 approving Partial Payment No. 3 to Anderson Bogert Engineers regarding the Central Corridor Improvements 7th Avenue from 8th Street to 12th Street in the amount of \$48,601.68. (TRANS-18-091)
- d. Resolution No. 28752 approving Partial Payment No. 2 to Stanley Consultants regarding the Central Corridor Project in the amount of \$25,853.80. (TRANS-18-091)
- e. Resolution No. 28753 approving Partial Payment No. 3 to HDR, Inc. for Sanitary Sewer Capacity Study in the amount of \$8,593.99. (SWR-18-021)
- f. Resolution No. 28754 approving Partial Payment No.1 to Rookwood Estates, LLC for costs associated with Rookwood Estates 1st Addition to the City of Marion in the amount of \$18,007.00.

Resolution No. 28755 approving Change Order #3 with Rathje Construction Company regarding the 2020 A Avenue Reconstruction Project (NSI) for tree removal in the amount of \$10,105.00. (TRANS-18-090)

Resolution No. 28756 approving payment no. 29a to Shoemaker Haaland per the contract for the CeMar Trail (Iowa DOT Project Number: TAP-U-4475(630)-8I-57) in the amount of \$3,500.00. (TRL-17-055)

All in favor, motion carried.

Mayor AbouAssaly relinquished the gavel to Mayor Pro Tem Jensen at 6:11 p.m. Mayor Pro Tem Jensen presided over the meeting.

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

Moved by Harper, seconded by Atkins to approve the Consent Agenda with Mayor AbouAssaly's abstention from voting and discussion as follows:

Resolution No. 28757 approving contract change order no. 2 with Mid-States Concrete Industry regarding the Precast Concrete Package for the Public Services Maintenance Facility in the amount of \$131,400.00 (FACS-17-069)

Resolution No. 28758 amending a Professional Services Agreement between the City of Marion and MSA Professional services, Inc regarding additional services for the Lowe Park South End Development Project in the amount of \$11,631.38.

Resolution No. 28759 approving Partial Payment No. 9 to MSA professional Services Inc. regarding the Lowe Park South End Development Project in the amount of \$11,631.38. (REC-17-050)

Public Services Director Ryan Miller stated that Resolution No. 28757 was originally listed as approving a payment but was changed to a contract change order. This would change the scope of the project but not change the budget. Council Member Harper asked if storage would protect the panels. Ryan stated for now it will but he is having a structural engineer take a look at panels to see if they can still be used. Vote: Yeas: Harper, Atkins, Jensen, Brandt, Strnad. Nays: None. Abstention: AbouAssaly. Motion carried.

Mayor Pro Tem Jensen relinquished the gavel to Mayor AbouAssaly at 6:17 p.m. Mayor AbouAssaly presided over the meeting.

REGULAR AGENDA

Moved by Atkins, seconded by Harper to remove from table Resolution No. 28654 approving the Marion Strategic Plan for Fiscal Year 2021-2023 (tabled 7/23/20) All in favor, motion carried.

Moved by Jensen, seconded by Atkins to approve Resolution No. 28654 approving the Marion Strategic Plan for Fiscal Year 2021-2023. All in favor, motion carried.

Moved by Brandt, seconded by Jensen to support a Mayoral Proclamation regarding Public Face Mask Advisory. Mayor AbouAssaly stated that based on discussions on Tuesday, this will be an advisory and not a mandate. Council Member Harper stated this will show the importance of wearing a mask and is also an initial step and this would be revisited if the need arises. All in favor, motion carried.

Mayor AbouAssaly relinquished the gavel to Mayor Pro Tem Jensen at 6:22 p.m. Mayor Pro Tem Jensen presided over the meeting.

Mayor Pro Tem Jensen opened the public hearing on proposed amendment to the Central Corridor Urban Renewal Area. City Manager Lon Pluckhahn provided staff report. MEDCO President Nick Glew spoke in favor of the measure and stated this will be a great investment in the community. Eagle View Partners CEO Mark Kittrell spoke in favor of the measure and thanked staff for their support. No other comments, written or verbal, were received. Mayor Pro Tem Jensen declared the public hearing closed.

Moved by Strnad, seconded by Brandt to approve Resolution No. 28760 approving Urban Renewal Plan Amendment for the Central Corridor Urban Renewal Area. Vote: Yeas: Harper, Atkins, Jensen, Brandt, Strnad. Nays: None. Abstention: AbouAssaly. Motion carried.

Mayor Pro Tem Jensen opened the public hearing on proposed development agreement with Uptown Development, LLC. City Manager Lon Pluckhahn provided staff report. No comments, written or verbal, were received. Mayor Pro Tem Jensen declared the public hearing closed.

Moved by Harper, seconded by Atkins to approve Resolution No. 28761 approving development agreement with Uptown Development, LLC, authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement. Council Member Harper asked for a recap of how at the end of the agreement we would net an additional \$1 million. City Manager Lon Pluckhahn stated the City does not have ability to rebate 100% of the new taxes. About 15% of the taxes paid will still be distributed to all taxing entities. That 15% on 14 million dollars over 20 years will add up to 1 million that taxing entities will receive. Vote: Yeas: Harper, Atkins, Jensen, Brandt, Strnad. Nays: None. Abstention: AbouAssaly. Motion carried.

Moved by Atkins, seconded by Harper to approve Resolution No. 28762 relating to the financing of a proposed project to be undertaken by the City of Marion, Iowa; establishing compliance with reimbursement bond regulations under the Internal Revenue Code. Vote: Yeas: Harper, Atkins, Jensen, Brandt, Strnad. Nays: None. Abstention: AbouAssaly. Motion carried.

Moved by Brandt, seconded by Harper to approve Resolution No. 28763 approving initial economic development grant payment to Uptown Holding, LLC in the amount of \$600,000.00 for the Eagle View Partners LC project located at 1117 7th Avenue. Mayor Pro Tem Jensen stated this is a step of the development agreement that was previously approved. Council Member Strnad asked for the estimate date of closing. City Manager Lon Pluckhahn stated he believes it is October 18. Vote: Yeas: Harper, Atkins, Jensen, Brandt, Strnad. Nays: None. Abstention: AbouAssaly. Motion carried.

Mayor Pro Tem Jensen relinquished the gavel to Mayor AbouAssaly at 6:36 p.m. Mayor AbouAssaly presided over the meeting.

Moved by Strnad, seconded by Brandt to approve Resolution No. 28764 approving agreement between Wendling Quarries Inc. and the City of Marion for the disposal of vegetative debris. Moved by Strnad, seconded by Brandt to table. All in favor of motion to table, motion tabled.

Moved by Harper, seconded by Strnad to approve Resolution No. 28765 approving contract with DebrisTech LLC for debris monitoring services. All in favor, motion carried.

Moved by Atkins, seconded by Harper to approve Resolution No. 28766 approving addendum no. 1 to the contract with Southern Disaster Recovery LLC for storm debris removal services. All in favor, motion carried.

Moved by Jensen, seconded by Atkins to approve Resolution No. 28767 accepting proposal from Miron Construction Co, Inc. regarding damage to the police station from the 2020 Derecho Storm in the amount of \$86,455.00. Council Member Strnad asked if this would be fully recoverable through insurance. City Manager Lon Pluckhahn stated anything less deductible would be recoverable. All in favor, motion carried.

Moved by Brandt, seconded by Strnad to approve Resolution No. 28768 approving purchase of replacement body armor with Streicher's in the amount of \$43,516.00. All in favor, motion carried.

Moved by Strnad, seconded by Brandt to approve Resolution No. 28769 accepting the Designation of Natural Area – Lot B Bridge Creek 3rd Addition. All in favor, motion carried.

Moved by Harper, seconded by Jensen to approve Project Calendar regarding the 2020 10th St and Central Ave / 10th Ave Intersection Improvements Project (CS-TSF-4775(634)—85-57) (TRANS-18-089), as follows:

- a. Motion to retain the City Engineer as Project Engineer regarding the 2020 10th St and Central Ave / 10th Ave Intersection Improvements Project (CS-TSF-4775(634)—85-57) (TRANS-18-089)
- b. Resolution No. 28770 approving Resolution of Necessity regarding the 2020 10th St and Central Ave / 10th Ave Intersection Improvements Project (CS-TSF-4775(634)—85-57) (TRANS-18-089)
- c. Resolution No. 28771 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2020 10th St and Central Ave / 10th Ave Intersection Improvements Project (CS-TSF-4775(634)—85-57) (TRANS-18-089)

- d. Resolution No. 28772 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2020 10th St and Central Ave / 10th Ave Intersection Improvements Project (CS-TSF-4775(634)—85-57) (TRANS-18-089)

Council Member Harper asked for the start and completion dates. City Engineer Mike Barkalow stated work will begin by June 21, 2021 and must be completed within 35 working days. All in favor, motion carried.

Moved by Atkins, seconded by Harper to Receive, file and discuss letter regarding No Parking on South 14th Street. (Marion Independent School District, MISD) All in favor, motion carried.

Moved by Jensen, seconded by Atkins to receive, file, discuss and concur with TAC Report regarding school speed zone on 35th Avenue. All in favor, motion carried.

Moved by Brandt, seconded by Jensen to approve the initial consideration of Ordinance No. 20-11 amending Chapter 63 of the Code of Ordinances establishing the speed limit on 35th Avenue as 35 mph from 35th Street to Highway 13, except that area from Learning Lane to 600' west of 44th Street which shall be 25 mph when children present. (Remove code section 5AB) City Engineer Mike Barkalow stated the school would be in favor of waiving future readings. All in favor, motion carried.

Moved by Brandt, seconded by Jensen to suspend the rules and proceed to second consideration of Ordinance No. 20-11. All in favor of motion to suspend the rules and approve the second reading.

Moved by Brandt, seconded by Jensen to suspend the rules and proceed to final consideration of Ordinance No. 20-11. All in favor of motion to suspend the rules and approve the final consideration.

Moved by Strnad, seconded by Atkins to approve Resolution No. 28773 approving contract with Anderson Bogert regarding the 2020 Alburnett Road and Echo Hill Road Intersection Improvement in the amount of \$65,000.00 (CS-TSF-4775(641)--85-57) (TRANS-19-118) All in favor, motion carried.

Mayor AbouAssaly relinquished the gavel to Mayor Pro Tem Jensen at 6:53 p.m. Mayor Pro Tem Jensen presided over the meeting.

Moved by Harper, seconded by Brandt to approve Resolution No. 28774 approving Memorandum of Agreement (MOA) with Kwik Star regarding traffic signals at intersection of Highway 151 and 62nd Street. (Kwik Trip #589; 900 block of 62nd Street) Vote: Yeas: Harper, Atkins, Jensen, Brandt, Strnad. Nays: None. Abstention: AbouAssaly. Motion carried.

Mayor Pro Tem Jensen relinquished the gavel to Mayor AbouAssaly at 6:54 p.m. Mayor AbouAssaly presided over the meeting.

Moved by Atkins, seconded by Harper to approve Resolution No. 28775 setting a public hearing for October 8, 2020 regarding a Preliminary Site Development Plan for S & S Storage located south of N. Gateway Drive and west of Partners Avenue. (MEDCO & DMFA, LLC) All in favor, motion carried.

Moved by Jensen, seconded by Brandt to approve Resolution No. 28776 setting a public hearing for October 8, 2020 regarding a Preliminary Site Development Plan for Aisles Online Pick Up facility on property located at 3600 Highway 151. (Hy-Vee, Inc.) All in favor, motion carried.

Moved by Brandt, seconded by Atkins to approve Resolution No. 28777 approving Winslow Addition Preliminary Plat located south of Tower Terrace Road and west of Winslow Road, Marion, Iowa. (Donna M. Morrissey Rev. Trust) All in favor, motion carried.

Moved by Strnad, seconded by Jensen to approve Resolution No. 28778 approving the Marion Public Library – Central Corridor Review located at 1101 6th Avenue, Marion, Iowa. (Marion Public Library) All in favor, motion carried.

Moved by Harper, seconded by Brandt to approve Resolution No. 28779 approving Freilinger Addition Final Plat and Memorandum of Agreement for property located at 2692 E. Robins Road, Marion, Linn County, Iowa. (Jean E. Freilinger) All in favor, motion carried.

Moved by Atkins, seconded by Jensen to direct staff to name the frontage road located south of Highway 151 and west of 62nd Street to Beall Street. All in favor, motion carried.

Moved by Jensen, seconded by Harper to approve the Project Calendar for the Concrete Foundations associated with the Marion Library Building Project as follows:

- a. Resolution No. 28780 approving Resolution of Necessity regarding the Concrete Foundations associated with the Marion Library Building Project. (FACS-17-034)
- b. Resolution No. 28781 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Concrete Foundations associated with the Marion Library Building Project. (FACS-17-034)
- c. Resolution No. 28782 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Concrete Foundations associated with the Marion Library Building Project. (FACS-17-034)

All in favor, motion carried.

Mayor AbouAssaly opened the public hearing regarding the Concrete Foundations associated with the Marion Library Building Project. (FACS-17-034) Library Director Hollie Trenary introduced Jarod Engler with Bush Construction. Jarod reviewed the bids received for this package. provided staff report. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Moved by Brandt, seconded by Atkins to approve Resolution No. 28783 accepting bids and awarding the contract to Knutson Construction for the Concrete Foundations associated with the Marion Library Building Project in the amount of \$835,126.00. (FACS-17-034) All in favor, motion carried.

Moved by Strnad, seconded by Harper to approve the Project Calendar for the site concrete associated with the Marion Library Building Project as follows:

- b. Resolution No. 28784 approving Resolution of Necessity regarding the site concrete associated with the Marion Library Building Project. (FACS-17-034)
- c. Resolution No. 28785 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the site concrete associated with the Marion Library Building Project. (FACS-17-034)
- d. Resolution No. 28786 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the site concrete associated with the Marion Library Building Project. (FACS-17-034)

All in favor, motion carried.

Mayor AbouAssaly opened the public hearing regarding the site concrete associated with the Marion Library Building Project. (FACS-17-034) Jarod Engler with Bush Construction reviewed the bids received for this package. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Moved by Harper, seconded by Brandt to approve Resolution No. 28787 accepting bids and awarding the contract to Central States Concrete for the site concrete associated with the Marion Library Building Project in the amount of 398,910.00. (FACS-17-034) Council Member Jensen asked if this included all work outside of the building foundation. Jarod Engler with Bush Construction confirmed it did. All in favor, motion carried.

Moved by Atkins, seconded by Brandt to approve the Project Calendar for the Unit Masonry associated with the Marion Library Building Project as follows:

- a. Resolution No. 28788 approving Resolution of Necessity regarding the Unit Masonry associated with the Marion Library Building Project. (FACS-17-034)

- b. Resolution No. 28789 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Unit Masonry associated with the Marion Library Building Project. (FACS-17-034)
- c. Resolution No. 28790 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Unit Masonry associated with the Marion Library Building Project. (FACS-17-034)

All in favor, motion carried.

Mayor AbouAssaly opened the public hearing regarding the Unit Masonry associated with the Marion Library Building Project. (FACS-17-034) Jarod Engler with Bush Construction reviewed the bids received for this package. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Moved by Jensen, seconded by Brandt to approve Resolution No. 28791 accepting bids and awarding the contract to Seehase Masonry for the Unit Masonry associated with the Marion Library Building Project in the amount of \$210,000.00. (FACS-17-034) All in favor, motion carried.

Moved by Brandt, seconded by Harper to approve the Project Calendar for the Steel Fabrication & Erection associated with the Marion Library Building Project as follows:

- a. Resolution No. 28792 approving Resolution of Necessity regarding the Steel Fabrication & Erection associated with the Marion Library Building Project. (FACS-17-034)
- b. Resolution No. 28793 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Steel Fabrication & Erection associated with the Marion Library Building Project. (FACS-17-034)
- c. Resolution No. 28794 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Steel Fabrication & Erection associated with the Marion Library Building Project. (FACS-17-034)

All in favor, motion carried.

Mayor AbouAssaly opened the public hearing regarding the Steel Fabrication & Erection associated with the Marion Library Building Project. (FACS-17-034) Jarod Engler with Bush Construction reviewed the bids received for this package. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Moved by Strnad, seconded by Brandt to approve Resolution No. 28795 accepting bids and awarding the contract to Peak Construction for the Steel Fabrication & Erection associated with the Marion Library Building Project in the amount of \$724,300.00.

(FACS-17-034) Council Member Jensen asked what the purpose of an alternate bid was. Jarrod Engler with Bush Construction stated they are noted in the bid documents and analyzed at that time. If project is over budget, the team would look at alternates and determine if they want to include or not. All in favor, motion carried.

Moved by Harper, seconded by Brandt to approve the Project Calendar for the Ground Improvements associated with the Marion Library Building Project as follows:

- a. Resolution No. 28796 approving Resolution of Necessity regarding the Ground Improvements associated with the Marion Library Building Project. (FACS-17-034)
- b. Resolution No. 28797 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Ground Improvements associated with the Marion Library Building Project. (FACS-17-034)
- c. Resolution No. 28798 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Ground Improvements associated with the Marion Library Building Project. (FACS-17-034)

All in favor, motion carried.

Mayor AbouAssaly opened the public hearing regarding the Ground Improvements associated with the Marion Library Building Project. (FACS-17-034) Jarrod Engler with Bush Construction reviewed the bids received for this package. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Moved by Atkins, seconded by Harper to approve Resolution No. 28799 accepting bids and awarding the contract to Helitech for the Ground Improvements associated with the Marion Library Building Project in the amount of \$85,500.00. (FACS-17-034) Council Member Jensen asked what this package included. Jarrod Engler with Bush Construction stated the soil conditions at the library building proper may not be suitable to support the load of the library. Helitech would come in and drive rock into ground to create better soil conditions. All in favor, motion carried.

Moved by Jensen, seconded by Brandt to approve the Project Calendar for the Site Grading and Utilities associated with the Marion Library Building Project as follows:

- a. Resolution No. 28800 approving Resolution of Necessity regarding the Site Grading and Utilities associated with the Marion Library Building Project. (FACS-17-034)
- b. Resolution No. 28801 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Site Grading and Utilities associated with the Marion Library Building Project. (FACS-17-034)

- c. Resolution No. 28802 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Site Grading and Utilities associated with the Marion Library Building Project. (FACS-17-034)

All in favor, motion carried.

Mayor AbouAssaly opened the public hearing regarding the Site Grading and Utilities associated with the Marion Library Building Project. (FACS-17-034) Jarod Engler with Bush Construction reviewed the bids received for this package. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Resolution No. 28803 declaring Boomerang Corp. a not responsible bidder and rejecting their bidder and rejecting their bid for the site grading for utilities for the Marion Public Library Project was removed from the agenda.

Moved by Strnad, seconded by Harper to approve Resolution No. 28804 accepting bids and awarding the contract to Boomerang Corporation for the Site Grading for Utilities associated with the Marion Library Building Project in the amount of 444,702.00. (FACS-17-034) All in favor, motion carried.

Moved by Harper, seconded by Atkins to approve the Project Calendar for the Landscaping and Site Restoration associated with the Marion Library Building Project as follows:

- a. Resolution No. 28805 approving Resolution of Necessity regarding the Landscaping and Site Restoration associated with the Marion Library Building Project. (FACS-17-034)
- b. Resolution No. 28806 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Landscaping and Site Restoration associated with the Marion Library Building Project. (FACS-17-034)
- c. Resolution No. 28807 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Landscaping and Site Restoration associated with the Marion Library Building Project. (FACS-17-034)

All in favor, motion carried.

Mayor AbouAssaly opened the public hearing regarding the Landscaping and Site Restoration associated with the Marion Library Building Project. (FACS-17-034) Jarod Engler with Bush Construction reviewed the bids received for this package. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Moved by Atkins, seconded by Jensen to approve Resolution No. 28808 accepting bids and awarding the contract to Culvers Lawn & Landscape or the Landscaping and Site Restoration associated with the Marion Library Building Project in the amount of \$168,208.00. (FACS-17-034) All in favor, motion carried.

Moved by Jensen, seconded by Brandt to approve Resolution No. 28809 approving purchase of 30 computers from Marco in the amount of \$29,500.00. All in favor, motion carried.

OTHER DEPARTMENT DISCUSSION

City Manager Lon Pluckhahn stated Public Services has estimated that we are 85% complete with first pass of tree debris pickup. Looking to start storm debris pickup by end of next week. Aerial trucks have been active with removing hangars off trees in the right-of-way. Lon stated tomorrow staff will have initial consultation call with FEMA regarding project scoping discussion. This will kick off a 60 day window for the City to report everything that will be claimed through FEMA. Council Member Harper asked if we have idea of how much damage we have. Lon stated staff has most of damage assessment complete but now need to attach numbers to it. Council Member Strnad stated the community needs to know that we will keep moving forward and will keep a spotlight on areas of the community that still need support. He thanked staff for all their support and hard work this past month. Council Member Jensen stated he would like to see a list of all items that will need to be repaired or fixed. Lon stated staff should have that once project scoping is complete. Council Member Harper stated he has worked with FEMA previously and asked that staff should come to Council with any item needed that would assist with responding to their requests. Lon stated they are currently working on an RFP to hire a contractor to assist with claim.

PUBLIC FORUM – No one came forward to speak.

COUNCIL COMMENTS

Council Member Strnad congratulated Library Director Hollie Trenary and her team for coming in under budget with this first phase of bidding. He asked Community Development Director Tom Treharne if staff had found any family of Beall family. Tom stated no family was found.

Council Member Atkins stated she is excited to see the Library project move forward. Also encouraged people to wear a mask.

Council Member Brandt stated the Library is partnering with Uptown Snug in creating Crafting Community. This will bring movie nights to the Uptown Artway every week.

Council Member Harper stated he is emotionally struck by the good that first responders and all staff do.

Mayor AbouAssaly stated he is looking forward to the ground breaking of the Library on October 1. He stated last Wednesday the first house was moved off the site. He wished

the best to all students who have returned to school. He stated the community response to the Derecho had a unifying effect and he hopes we can keep that in mind as we move forward. He also strongly encouraged everyone to wear a mask.

CLOSED SESSION

Moved by Brandt, seconded by Strnad to adjourn to closed session regarding litigation as permitted under Section 21.5(1)(c) of the Code of Iowa. City Attorney Ryan Tang stated that he has reviewed the subject matter to be discussed and found it to be an appropriate topic for closed session. Roll Call: Yeas: Harper, Atkins, Jensen, AbouAssaly, Brandt, and Strnad. Nays: None. Motion carried.

Moved by Jensen, seconded by Strnad to reconvene to regular session. All in favor, motion carried.

Mayor AbouAssaly adjourned the meeting at 8:46 p.m.

Nicolas AbouAssaly, Mayor

Attest:

Rachel Bolender, City Clerk

The undersigned City Clerk of Marion, Iowa certifies that the minutes shown immediately above were published in the Marion Times on the _____ day of _____, 20____.

Rachel Bolender, City Clerk