



AGENDA

City Council Regular Session

5:30 PM - Thursday, September 9, 2021

City Hall, 1225 6th Avenue

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

Due to concerns with COVID-19, Council meetings **will be held virtually**. To watch, go to Zoom.com, select Join a Meeting, and enter the Meeting ID# 845 9941 0332. A link is also provided at www.cityofmarion.org/meetingportal. Audio only can be heard by calling 1-646-558-8656 and entering the same Meeting ID listed above.

Anyone who wishes to comment on an agenda item, including public hearings, may submit the comment to the City Clerk by 4:00 p.m. on Thursday, September 9 via email at cityclerk@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 the 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.

Page

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MOMENT OF SILENCE

PROCLAMATIONS/OATHS

- | | | |
|----|---|---------|
| 1. | Proclamation - 15th Annual Five Seasons Stand Down Day (September 10, 2021)
Agenda Memo - AM-21-1153 - Pdf | 12 - 13 |
| 2. | Proclamation - National Hispanic Heritage Month (September 15 - October 15, 2021)
Agenda Memo - AM-21-1252 - Pdf | 14 - 15 |

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.

Motion to approve the Consent Agenda as follows:

- A. Administrative Services
- A.1. Minutes of the August 17, 19 and 26, 2021 City Council meeting. 16 - 30
[Agenda Memo - AM-21-1180 - Pdf](#)
- A.2. Liquor licenses including the following: 31
- Renewal - Short's - Marion - 780 11th Street
 - New - Barrel House Marion - 295 Tower Terrace Road
 - New - Eva's Mexican Restaurant - 835 7th Avenue
- [Agenda Memo - AM-21-1203 - Pdf](#)
- A.3. Mayoral appointments to Community Equity Task Force: 32
- Steve Moshier - transferring designation from Marion Resident to Civil Rights Commission Representative.
- [Agenda Memo - AM-21-1248 - Pdf](#)
- A.4. Payments as presented in the amount of \$6,039,092.74. 33 - 68
[Agenda Memo - AM-21-538 - Pdf](#)
- A.5. Resolution No. 29846 approving support and financial commitment for the Main Street Program in Marion, Iowa. 69 - 74
[Agenda Memo - AM-21-1204 - Pdf](#)
- A.6. Resolution No. 29847 approving partial payment No. 1 to Implicit Bias Campus for professional services related to Marion's community equity initiative in the amount of \$15,747.66. 75 - 81
[Agenda Memo - AM-21-1178 - Pdf](#)
- A.7. Resolution No. 29848 approving partial payment no. 9 to Tidal Basin for consulting services related to Derecho Disaster Recovery in the amount of \$20,951.25. 82 - 85
[Agenda Memo - AM-21-1177 - Pdf](#)
- B. Public Services
- B.1. Resolution No. 29849 approving partial payment no. 4 to Southern Disaster Recovery LLC for emergency waterway debris removal services in the amount of \$2,953,975.60. 86
[Agenda Memo - AM-21-1246 - Pdf](#)
- B.2. Resolution No. 29850 approving payment no. 3 to Boomerang Corporation for Emergency Debris Removal Services in the amount of \$152,964.98. 87
[Agenda Memo - AM-21-1200 - Pdf](#)

B.3.	Resolution No. 29851 approving payment no. 4 to Boomerang Corporation for Emergency Debris Removal Services in the amount of \$39,024.23. Agenda Memo - AM-21-1201 - Pdf	88
C.	Public Safety	
C.1.	Resolution No. 29852 approving purchase of a 2021 Jeep Grand Cherokee Laredo from Stew Hansen Dodge and authorizing payment in the amount of \$29,049. Agenda Memo - AM-21-1170 - Pdf	89
D.	Parks	
D.1.	Resolution No. 29853 approving payment to Heartland Roofing, Siding and Windows, LLC regarding Skylight replacements for Willowood Bath and Pump house in the amount of \$9,800.00. Agenda Memo - AM-21-1169 - Pdf	90 - 92
E.	Engineering	
E.1.	Resolution No. 29854 accepting the 35th Avenue and Learning Lane PCC Paving Project to the City of Marion. Agenda Memo - AM-21-1143 - Pdf	93
E.2.	Resolution No. 29855 approving Change Order 003 with Pearson Wall Systems regarding the Marion Library Bid Pkg 09A Gypsum Board and Acoustics regarding adding Fire Dampers in the amount of \$3841.00. (FACS-17-034) Agenda Memo - AM-21-1206 - Pdf	94 - 96
E.3.	Resolution No. 29856 approving Change Order 005 with Pearson Wall Systems regarding the Marion Library Bid Pkg 09A Gypsum Board and Acoustics regarding installation of plywood decking, temp windows, installing mid rails and moving door in the amount of \$3,355.09. (FACS-17-034) Agenda Memo - AM-21-1202 - Pdf	97 - 106
E.4.	Resolution No. 29857 approving Change Order 003 with Acme Electric regarding the Marion Library Project – Bid Pkg 26A regarding Electrical regarding the F17 fixture and controls in the amount of \$7,866.00. (FACS-17-034) Agenda Memo - AM-21-1207 - Pdf	107 - 111
E.5.	Resolution No. 29858 approving Change Order 007, 009, 011 and 012 with Bush Construction regarding the Marion Library Project – Construction Manager as Advisor regarding F-17 fixture, moving funds from contingency, moving funds from rough carpentry and contingency in the respective credit amounts of \$7,866.00, \$3,297.00, \$509.46, \$2,845.63. (FACS-17-034) Agenda Memo - AM-21-1210 - Pdf	112 - 124

- E.6. Resolution No. 29859 approving Partial Payment No. 21 to Christner Contracting Inc. regarding the 2019 Fire Station Project in the amount of \$7,155.42. (FACS-18-062) 125 - 126
[Agenda Memo - AM-21-1211 - Pdf](#)
- E.7. Resolution No. 29860 approving Partial Payment No. 12 to Anderson Bogert Engineers regarding the Central Corridor Improvements 7th Avenue from 8th Street to 12th Street in the amount of \$754.40. (TRANS-18-091) 127
[Agenda Memo - AM-21-1213 - Pdf](#)
- E.8. Resolution No. 29861 approving Partial Payment No. 2 to Hydro-Klean, LLC. regarding the 2021 Sanitary CIPP Rehabilitation Project in the amount of \$116,270.96 (ANN-18-029) 128
[Agenda Memo - AM-21-1172 - Pdf](#)
- E.9. Resolution No. 29862 approving Partial Payment No. 4 to Rathje Construction Company regarding the 2021 35th Street & 7th Avenue Traffic Signal and Turn Lane Improvements Project (CS-TSF-4775(640)-85-57) in the amount of \$30,292.15. (TRANS-18-088) 129 - 130
[Agenda Memo - AM-21-1173 - Pdf](#)
- E.10. Resolution No. 29863 approving Partial Payment No. 3 to Hunt Construction Co, Inc. regarding the 2021 Sidewalk Ramp Project in amount of \$47,583.60. (ANN-18-106) 131
[Agenda Memo - AM-21-1174 - Pdf](#)
- E.11. Resolution No. 29864 approving Partial Payment No. 2 to Rathje Construction Company regarding the 2021 Central Corridor 7th Avenue from 8th Street 12th Pavement Reconstruction and Streetscaping Project in the amount of \$532,811.95 (TRANS-18-101) 132
[Agenda Memo - AM-21-1188 - Pdf](#)
- E.12. Resolution No. 29865 approving Partial Payment No. 2 to Rathje Construction Company regarding the 10th Street and Central Avenue/10th Avenue Intersection Improvements Project in the amount of \$276,149.05 (TRANS-18-090) 133
[Agenda Memo - AM-21-1189 - Pdf](#)
- E.13. Resolution No. 29866 approving Partial Payment No. 6 to Acme Electric Company regarding the Marion Library Project – Bid Pkg 26A regarding Electrical in the amount of \$154,420.63. (FACS-17-034) 134
[Agenda Memo - AM-21-1214 - Pdf](#)
- E.14. Resolution No. 29867 approving Partial Payment No. 7 to Seedorf Masonry regarding the Marion Library Project – Bid Pkg 04B regarding Unit Masonry in the amount of \$90,336.45. (FACS-17-034) 135
[Agenda Memo - AM-21-1215 - Pdf](#)

- E.15. Resolution No. 29868 approving Partial Payment No. 5 to Ahern Fire Protection regarding the Marion Library Project – Bid Pkg 21A Fire Suppression in the amount of \$18,105.15. (FACS-17-034) 136
[Agenda Memo - AM-21-1217 - Pdf](#)
- E.16. Resolution No. 29869 approving Partial Payment No. 3 to Zephyr Aluminum regarding the Marion Library Project – Bid Pkg 08A regarding Glass and Glazing in the amount of \$70,260.10. (FACS-17-034) 137
[Agenda Memo - AM-21-1218 - Pdf](#)
- E.17. Resolution No. 29870 approving Partial Payment No. 7 to Pearson Wall Systems regarding the Marion Library Project – Bid Pkg 09A Gypsum Board & Acoustics in the amount of \$102,716.37. (FACS-17-034) 138
[Agenda Memo - AM-21-1219 - Pdf](#)
- E.18. Resolution No. 29871 approving Partial Payment No. 6 to Peak Construction Group regarding the Marion Library Project – Bid Pkg 05B & 06A General Trades & Misc. Steel in the amount of \$33,558.75. (FACS-17-034) 139
[Agenda Memo - AM-21-1220 - Pdf](#)
- E.19. Resolution No. 29872 approving Partial Payment No. 9 to Peak Construction Group regarding the Marion Library Project – Bid Pkg 05A regarding Steel Fabrication and erection in the amount of \$4,187.37. (FACS-17-034) 140
[Agenda Memo - AM-21-1221 - Pdf](#)
- E.20. Resolution No. 29873 approving Partial Payment No. 7 to Knutson Construction Services regarding the Marion Library Project – Bid Pkg 03A Concrete Foundations in the amount of \$12,824.90. (FACS-17-034) 141
[Agenda Memo - AM-21-1222 - Pdf](#)
- E.21. Resolution No. 29874 approving Partial Payment No. 4 to Central States Concrete regarding the Marion Library Project – Bid Pkg 03B Site Concrete in the amount of \$57,720.56. (FACS-17-034) 142
[Agenda Memo - AM-21-1223 - Pdf](#)
- E.22. Resolution No. 29875 approving Partial Payment No. 7 to Boomerang regarding the Marion Library Project – Bid Pkg 32A Site Grading and Utilities in the amount of \$11,208.10. (FACS-17-034) 143
[Agenda Memo - AM-21-1224 - Pdf](#)
- E.23. Resolution No. 29876 approving Partial Payment No. 2 to Commercial Flooring regarding the Marion Library Project – Bid Pkg 09B regarding Flooring in the amount of \$195,158.50. (FACS-17-034) 144
[Agenda Memo - AM-21-1225 - Pdf](#)

E.24.	Resolution No. 29877 approving purchase of a 2021 Ford F150 Crew Cab from Dewey Ford at a cost not to exceed \$35,000 and trade-in of a 2011 Ford Ranger Crew Cab in the amount of \$9,000. Agenda Memo - AM-21-1195 - Pdf	145 - 154
F.	Community Development	
F.1.	Resolution No. 29878 approving payment to Corridor Metropolitan Planning Organization (CMPO) for FY22 Membership Dues in the amount of \$27,800.96. Agenda Memo - AM-21-1194 - Pdf	155 - 157
F.2.	Resolution No. 29879 waiving objection to the annexation of property south of Echo Hill Road and east of C Avenue into the City of Cedar Rapids. Agenda Memo - AM-21-1250 - Pdf	158 - 163
F.3.	Resolution No. 29880 authorizing the donation of two (2) electric assist tricycles to the Marion YMCA and Rec Center Agenda Memo - AM-21-1251 - Pdf	164
F.4.	Resolution No. 29881 approving payment no. 11 to RDG Planning & Design, Inc. for professional services regarding the 7th Avenue Streetscape Improvement Project in the amount of \$646.76. (TRANS-18-098) Agenda Memo - AM-21-1199 - Pdf	165 - 167
F.5.	Resolution No. 29882 approving payment no. 3 to RDG Planning & Design, Inc. for professional services regarding the East Area Land Planning in the amount of \$3,700.00. (GOV-19-122) Agenda Memo - AM-21-1197 - Pdf	168 - 170
F.6.	Resolution No. 29883 approving payment no. 6 to RDG Planning & Design, Inc. for professional services regarding the 11th Street Plaza Project in the amount of \$1,275.00. (GOV-19-122) Agenda Memo - AM-21-1198 - Pdf	171 - 173
F.7.	Resolution No. 29884 approving the dedication of Outlot C and Outlot D, Prairie Trail First Addition to the public for storm water management purposes. Agenda Memo - AM-21-1160 - Pdf	174 - 179
F.8.	Resolution No. 29885 approving the dedication of Outlot E, Prairie Trail Second Addition to the public for storm water management purposes. Agenda Memo - AM-21-1161 - Pdf	180 - 185
F.9.	Resolution No. 29886 approving Downing Farm Fourth Addition Final Plat and Memorandum of Agreement for property located north of East Robins Road and west of Alburnett Road, Marion, Iowa. (Mooney-Engle Land Co, LLC) Agenda Memo - AM-21-1038 - Pdf	186 - 192

- G. Library
- G.1. Resolution No. 29887 approving partial payment no. 14 to Bush Construction regarding the Library Building Project in the amount of \$89,253.26 (FACS-17-034) 193 - 200
[Agenda Memo - AM-21-1208 - Pdf](#)

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

Motion to approve the Consent Agenda with Mayor AbouAssaly's abstention as follows:

- A. Administrative Services - None
- B. Public Services - None
- C. Public Safety - None
- D. Parks - None
- E. Engineering
- E.1. Resolution No. 29888 approving contract amendment no. 2 with Anderson-Bogert Engineering and Surveyors, Inc. regarding the Marion AirCom Park Sanitary Sewer Extension Project for an amended contract amount of \$30,750.00. (SWR-18-111) 201 - 203
[Agenda Memo - AM-21-1226 - Pdf](#)
- E.2. Resolution No. 29889 approving Partial Payment No. 2 to Peterson Contractors Inc. regarding the 10th Avenue Sidepaths PCC Sidewalk/Trail in the amount of \$43,856.85. (TAP-U-4775(635)—8I-57)(TRL-18-110) 204
[Agenda Memo - AM-21-1212 - Pdf](#)
- E.3. Resolution No. 29890 accepting the 2021 HMA Resurfacing Project. (ANN-18-086) 205 - 206
[Agenda Memo - AM-21-1183 - Pdf](#)
- E.4. Resolution No. 29891 approving Change Order No. 2 with B.G. Brecke, Inc. regarding the 2021 Sanitary Sewer Manhole Project for a credit in the amount of \$6,535.55 (ANN-18-029) 207 - 211
[Agenda Memo - AM-21-1186 - Pdf](#)
- E.5. Resolution No. 29892 approving Partial Payment No. 2 to B.G. Brecke, Inc. regarding the 2021 Sanitary Sewer Manhole Project in the amount of \$88,722.35 (ANN-18-029) 212
[Agenda Memo - AM-21-1185 - Pdf](#)
- E.6. Resolution No. 29893 accepting the 2021 Sanitary Sewer Manhole Project (ANN-18-029) 213 - 214
[Agenda Memo - AM-21-1187 - Pdf](#)

- E.7. Resolution No. 29894 approving Partial Payment No. 2 to Peterson Contractors, Inc. regarding the CEMAR Phase IV Project in the City of Marion, from the East Side of Indian Creek Bridge, Over Marion Boulevard to 7th Street, Twin Continuous Welded Girder Bridge and PCC Trail, in the amount of \$147,117.91 [TAP-U-4775(638)—8I-57] (TRL-17-055) 215
[Agenda Memo - AM-21-1192 - Pdf](#)
- E.8. Resolution No. 29895 approving Partial Payment No. 1 to B.G. Brecke, Inc. regarding the 2021 Storm Sewer Project in the amount of \$26,570.55 (ANN-18-031) 216
[Agenda Memo - AM-21-1190 - Pdf](#)
- F. Community Development
 - F.1. Resolution No. 29896 approving payment no. 3 to HDR Engineering, Inc for consultant services associated with the Task Order One: Marion Airport project in the amount of \$7,209.33. (ANN-18-082) 217 - 219
[Agenda Memo - AM-21-1196 - Pdf](#)
- G. Library - None
- REGULAR AGENDA**
- A. Administrative Services
 - A.1. Public Hearing on a Development Agreement with MEDCO Holding Company, LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. 220 - 256
[Agenda Memo - AM-21-1175 - Pdf](#)
 - A.2. Resolution No. 29897 Approving Development Agreement with MEDCO Holding Company, LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. 257 - 293
[Agenda Memo - AM-21-1176 - Pdf](#)
 - A.3. Resolution No. 29898 approving Fiscal Year 2021-2022 Operating Budget Transfer 294 - 299
[Agenda Memo - AM-21-1243 - Pdf](#)
- B. Public Services - None
- C. Public Safety - None
- D. Parks - None
- E. Engineering
 - E.1. Public Comment Period regarding No Parking on REC Drive. 300 - 307
[Agenda Memo - AM-21-1227 - Pdf](#)

- | | | |
|-------|---|-----------|
| E.2. | Motion to receive and file the TAC report regarding a no parking request. (Linn County Rural Electric Cooperative, 5695 REC Drive)
Agenda Memo - AM-21-1228 - Pdf | 308 - 314 |
| E.3. | Resolution No. 29899 approving the establishment of a “No Parking” zone on the north side of REC Drive from Highway 13 to 1000’ westerly.
Agenda Memo - AM-21-1229 - Pdf | 315 - 321 |
| E.4. | Public Comment Period regarding pedestrian access to Taube Park.
Agenda Memo - AM-21-1230 - Pdf | 322 - 330 |
| E.5. | Motion to receive and file the TAC report regarding a request to look at the pedestrian access to Taube Park. (June Reeves, 2019 31st Street)
Agenda Memo - AM-21-1231 - Pdf | 331 - 337 |
| E.6. | Motion directing staff to submit a project regarding installation of a sidewalk along the west side of 31st Street from 8th to 25th Avenue and McGowan BLVD to 23rd Avenue to the Capital Improvements Program (CIP).
Agenda Memo - AM-21-1232 - Pdf | 338 - 344 |
| E.7. | Public Comment Period regarding study of the intersection of Linn-Aire Avenue and Highway 151.
Agenda Memo - AM-21-1233 - Pdf | 345 - 364 |
| E.8. | Motion to receive and file the TAC report regarding a study of Linn-Aire Avenue and Highway 151. (MEDCO)
Agenda Memo - AM-21-1234 - Pdf | 365 - 383 |
| E.9. | Motion directing staff to submit a turn lane and signal modifications project for the Capital Improvements Program (CIP)
Agenda Memo - AM-21-1235 - Pdf | 384 - 402 |
| E.10. | Public Comment Period regarding a request for additional signage on Larick Court.
Agenda Memo - AM-21-1236 - Pdf | 403 - 411 |
| E.11. | Motion to receive and file the TAC report regarding a request for additional signage on Larick Court. (Sarah Cooksley, 330 Larick Court)
Agenda Memo - AM-21-1237 - Pdf | 412 - 419 |
| E.12. | Motion directing staff to install a “No Outlet” sign at the intersection of Larick Road and Larick Court.
Agenda Memo - AM-21-1238 - Pdf | 420 - 427 |
| E.13. | Public Comment Period regarding the intersection of South 12th Street and F Avenue.
Agenda Memo - AM-21-1239 - Pdf | 428 - 436 |

- E.14. Motion to receive and file the TAC report regarding the request to install stop signs at the intersection of South 12th Street and F Avenue. (Jaime Bussey, 1215 F Avenue) 437 - 443
[Agenda Memo - AM-21-1240 - Pdf](#)
- E.15. Resolution No. 29900 approving a Stop Sign stopping east bound traffic on F Avenue at South 12th Street and removal of existing Yield Sign. 444 - 450
[Agenda Memo - AM-21-1241 - Pdf](#)
- E.16. Resolution No. 29901 approving a Stop Sign stopping west bound traffic on F Avenue at South 12th Street and removal of existing Yield Sign. 451 - 457
[Agenda Memo - AM-21-1242 - Pdf](#)
- E.17. Motion to approve Project Calendar regarding the 3rd Avenue Reconstruction Project (NSI) (TRANS-18-090), as follows: 458 - 459
- Motion to retain the City Engineer as Project Engineer regarding the 3rd Avenue Reconstruction Project (NSI) (TRANS-18-090)
 - Resolution No. 29902 approving Resolution of Necessity regarding the 3rd Avenue Reconstruction Project (NSI) (TRANS-18-090)
 - Resolution No. 29903 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 3rd Avenue Reconstruction Project (NSI) (TRANS-18-090)
 - Resolution No. 29904 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 3rd Avenue Reconstruction Project (NSI) (TRANS-18-090)
- [Agenda Memo - AM-21-1191 - Pdf](#)
- E.18. Resolution No. 29905 approving contract and bond with Rathje Construction Company regarding the Marion Aircom Park Sanitary Sewer Extension Project in the amount of \$298,974.20. (SWR-18-111) 460 - 462
[Agenda Memo - AM-21-1244 - Pdf](#)
- F. Community Development
- F.1. Ordinance No. 21-21 approving an update to the Official Marion Zoning Map for property located within Marion City Council Ward 4, which includes precincts 11, 12, 13 and 14. (Final Consideration) 463 - 479
[Agenda Memo - AM-21-1084 - Pdf](#)

F.2. Public hearing regarding a demolition request for property located within the Terrace Park Historic District at 985 11th Street, Marion, Iowa per Chapter 29.05 of the Marion Code of Ordinances. (Luensman) 480 - 484

[Agenda Memo - AM-21-1247 - Pdf](#)

F.3. Resolution No. 29906 approving a demolition request for property located within the Terrace Park Historic District at 985 11th Street, Marion, Iowa per Chapter 29.05 of the Marion Code of Ordinances. (Luensman) 485 - 488

[Agenda Memo - AM-21-1245 - Pdf](#)

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