



AGENDA

City Council Regular Session

5:30 PM - Thursday, September 23, 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# 880 6572 6989. 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 23 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.

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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.

Motion to approve the Consent Agenda as follows:

- A. Administrative Services
- A.1. Minutes of the September 7 and 9, 2021 City Council meeting. 7 - 21
[Agenda Memo - AM-21-1269 - Pdf](#)
- A.2. Liquor licenses including the following: 22
- Renewal - Urban Pie - 1138 7th Avenue
 - Renewal - CVS/Pharmacy #10032 - 3495 7th Avenue
 - New - Morning Story Restaurant - 2931 7th Avenue, Suite 400
- [Agenda Memo - AM-21-1297 - Pdf](#)
- A.3. Motion to approve Hold Harmless agreements with the Marion Chamber of Commerce regarding the Fall Marion Market event on September 25, 2021 at the corner of 8th Avenue and 12th Street. 23 - 35
[Agenda Memo - AM-21-1253 - Pdf](#)
- A.4. Receive and file August 2021 Department Monthly Reports. 36 - 82
[Agenda Memo - AM-21-1271 - Pdf](#)
- A.5. Payments as presented in the amount of \$4,066,206.99 83 - 112
[Agenda Memo - AM-21-1270 - Pdf](#)
- A.6. Resolution No. 29907 approving contract with Policy Confluence, Inc. (dba Polco & National Research Center, Inc.) to conduct the National Community Survey and authorizing payment in the amount of \$19,100. 113 - 126
[Agenda Memo - AM-21-1291 - Pdf](#)
- B. Public Services - None
- C. Public Safety
- C.1. Resolution No. 29908 setting public hearing for October 7, 2021 regarding an ordinance amending Chapter 164 regarding the Fire Prevention Code. 127 - 136
[Agenda Memo - AM-21-1254 - Pdf](#)
- C.2. Resolution No. 29909 approving a 28E agreement with the City of Hiawatha regarding public safety records management software. 137 - 142
[Agenda Memo - AM-21-1275 - Pdf](#)
- D. Parks

- D.1. Resolution No. 29910 correcting amount referenced on Resolution 28473 regarding the service agreement with Waters Edge Aquatics Design from \$58,500 to \$58,800. 143 - 149
[Agenda Memo - AM-21-1289 - Pdf](#)
- D.2. Resolution No. 29911 approving final payment to Waters Edge Aquatic Design for professional services regarding the Outdoor Aquatic Center Feasibility Study in the amount of \$23,248.00 (REC-18-041) 150 - 152
[Agenda Memo - AM-21-1260 - Pdf](#)
- E. Engineering
- E.1. Resolution No. 29912 approving agreement with WhaddyWant Real Estate, LLC regarding the 2021 Central Corridor 7th Avenue from 8th Street to 12th Street Pavement Reconstruction and Streetscaping Project (TRANS-18-101) 153 - 156
[Agenda Memo - AM-21-1256 - Pdf](#)
- E.2. Resolution No. 29913 approving Temporary Construction Easement Agreement with James G. Ashby regarding the 2022 Alburnett Road and Echo Hill Road Intersection Improvements Project (TRANS-19-118) 157 - 160
[Agenda Memo - AM-21-1268 - Pdf](#)
- E.3. Resolution No. 29914 approving Partial Payment No. 8 to Stanley Consultants regarding the Central Corridor Project in the amount of \$2,835.54. (TRANS-18-091) 161
[Agenda Memo - AM-21-1282 - Pdf](#)
- E.4. Resolution No. 29915 approving Partial Payment No. 14 to Braun Intertec regarding the CeMar Phase 1-3 Plant Monitor and Soil testing in the amount of \$635.00. (TRL-17-055) 162
[Agenda Memo - AM-21-1283 - Pdf](#)
- E.5. Resolution No. 29916 approving Partial Payment No. 12 to Linn County for services provided by Snyder and Associates regarding the Tower Terrace Rd Design Study Report and NEPA in the amount of \$11,107.64. (TRANS-18-095) 163 - 164
[Agenda Memo - AM-21-1284 - Pdf](#)
- E.6. Resolution No. 29917 approving Partial Payment No. 5 to Shoemaker & Haaland regarding Marion/CeMar Trail Construction Management Services in the amount of \$17,089.38. (TAP-U-4775(638)—81-57) (TRL-17-055) 165
[Agenda Memo - AM-21-1285 - Pdf](#)
- F. Community Development
- F.1. Resolution No. 29918 approving payment no. 17 to Universal Field Services, Inc for services related to the Indian Creek Trail Project in the amount of \$90.00. (Iowa DOT Project Number: STP-U-4775(631) --70-57) (TRL-18-056). 166 - 169
[Agenda Memo - AM-21-1288 - Pdf](#)

- F.2. Resolution No. 29919 setting the date of October 7, 2021 for a public hearing regarding a request for approval of a preliminary and final site development plan for a multi-tenant building west of 62nd Street and south of Carlson Way. (Ridge Development, LLC) 170
[Agenda Memo - AM-21-1293 - Pdf](#)
- G. Library
- G.1. Resolution No. 29920 approving partial payment no. 23 to Engberg Anderson regarding the Library Building Project in the amount of \$18,398.73 (FACS-17-034) 171 - 172
[Agenda Memo - AM-21-1281 - 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. 29921 accepting Echo Ridge Estates 4th Addition to the City of Marion. 173
[Agenda Memo - AM-21-1276 - Pdf](#)
- F. Community Development
- F.1. Resolution No. 29922 approving payment no. 4 to HDR Engineering, Inc for consultant services associated with the Task Order One: Marion Airport project in the amount of \$9,635.93. (ANN-18-082) 174 - 176
[Agenda Memo - AM-21-1290 - Pdf](#)
- G. Library - None

REGULAR AGENDA

- A. Administrative Services - None
- B. Public Services - None
- C. Public Safety - None
- D. Parks
- D.1. Resolution No. 29923 approving contract with Eastern Iowa Excavating & Concrete, Inc. regarding the Prairie Hill Park Basketball Court in the amount of \$46,461.25 177 - 183
[Agenda Memo - AM-21-1265 - Pdf](#)

- E. Engineering
- E.1. Public Hearing regarding the S 31st St and Highway 100 Traffic Signals and Turn Lane Improvements Project. (TRANS-18-073) (CS-TSF-4775(642)--85-57) 184 - 186
[Agenda Memo - AM-21-1287 - Pdf](#)
- E.2. Resolution No. 29924 accepting bids and awarding contract to Boomerang Corp. regarding the S 31st St and Highway 100 Traffic Signals and Turn Lane Improvements Project in the amount of \$727,903.95. (TRANS-18-073) (CS-TSF-4775(642)--85-57) 187 - 189
[Agenda Memo - AM-21-1286 - Pdf](#)
- E.3. Resolution No. 29925 approving a memorandum of understanding with Frazier Investments, LLC. regarding the construction of a wet basin in Glen Rock Farms 7th and 8th Additions. 190 - 194
[Agenda Memo - AM-21-1279 - Pdf](#)
- E.4. Resolution No. 29926 authorizing condemnation of certain real property 195 - 197
[Agenda Memo - AM-21-1292 - Pdf](#)
- F. Community Development
- F.1. Resolution No. 29927 approving the Uptown Snug - Central Corridor Review for property located at 760 11th Street, Marion, Iowa regarding a deck addition. (Matthews Holdings, LLC) 198 - 209
[Agenda Memo - AM-21-1295 - Pdf](#)
- F.2. Resolution No. 29928 approving the Linn Mar 35th First Addition Final Plat and Memorandum of Agreement for property located north of 35th Avenue and east of 25th Street, Marion, Iowa. (Linn Mar School District) 210 - 215
[Agenda Memo - AM-21-762 - 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.

1. Update regarding FEMA reimbursements for Derecho.

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

