



# AGENDA

## City Council Work Session

4:00 PM - Tuesday, February 1, 2022

City Hall, 1225 6th Avenue

The meeting is being recorded. Any item listed on the agenda may be open to discussion by the City Council. Times listed are estimated.

**This meeting is viewable online. To watch, go to Zoom.com, select Join a Meeting, and enter the Meeting ID# 875 7327 6178. 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 entering the same Meeting ID listed above.**

**Those who wish to comment must either attend the meeting in person or submit the comment to the City Clerk by 4:00 p.m. on Thursday, February 3 via email at [cityclerk@cityofmarion.org](mailto:cityclerk@cityofmarion.org).**

Page

### CALL TO ORDER

### PROCLAMATIONS/OATHS

- 1. Proclamation - Black History Month (February 2022) (Thursday) 8 - 9  
[Agenda Memo - AM-22-163 - Pdf](#)

### PRESENTATIONS

This section is for presentations from external entities regarding current council action and area projects and events.

- 1. **Wrap-Up Presentation regarding City Manager Recruitment Process (Patti Seda) (4:00-4:30)** 10  
[Agenda Memo - AM-22-111 - Pdf](#)
- 2. **Presentation and discussion regarding land availability in the Marion Enterprise Center (MEDCO) (4:40-4:35)** 11 - 12  
[Agenda Memo - AM-22-143 - Pdf](#)
- 3. **Community Life-Saving Award Presentation (Thursday)** 13  
[Agenda Memo - AM-22-140 - Pdf](#)

### 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.

- A. Administrative Services
  - A.1. Minutes of the January 18 and 20, 2022 City Council meeting. 14 - 25  
[Agenda Memo - AM-22-132 - Pdf](#)

A.2.	Liquor licenses including the following:	26
	<ul style="list-style-type: none"> <li>• Renewal - Nara Thai Cuisine - 1725 Blairs Ferry Road, Suite 102</li> <li>• Renewal - Cedar Rapids Bowling Center - 450 Northland Avenue</li> <li>• Renewal - Marion Veterans Club - 625 31st Street</li> </ul>	
	<a href="#">Agenda Memo - AM-22-139 - Pdf</a>	
A.3.	Mayoral appointments:	27 - 34
	<ul style="list-style-type: none"> <li>• Corridor Metropolitan Planning Organization (CMPO): City Manager Ryan Waller - Policy Board - no term expiration</li> <li>• Civil Rights Commission: Jo-Smith Brizard - term expiration 12/31/24</li> </ul>	
	<a href="#">Agenda Memo - AM-22-112 - Pdf</a>	
A.4.	Certified List for Fire Battalion Chief	35
	<a href="#">Agenda Memo - AM-22-155 - Pdf</a>	
A.5.	Payments as presented in the amount of \$1,367,690.16	36 - 58
	<a href="#">Agenda Memo - AM-22-133 - Pdf</a>	
A.6.	Resolution accepting the addition of a security addendum on service orders with Involta LLC.	59
	<a href="#">Agenda Memo - AM-22-142 - Pdf</a>	
A.7.	Resolution approving renewal of Master Services Agreement for Internet Service for 36 months in the amount of \$9720.00	60
	<a href="#">Agenda Memo - AM-22-141 - Pdf</a>	
A.8.	Resolution approving partial payment no. 14 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amounts of \$1,480	61 - 63
	<a href="#">Agenda Memo - AM-22-134 - Pdf</a>	
A.9.	Resolution approving purchase of phone system licenses from Involta LLC and authorizing payment in the amount of \$20,509.00.	64 - 69
	<a href="#">Agenda Memo - AM-22-153 - Pdf</a>	
A.10.	Resolution amending the non-bargaining pay schedule to add the salary range for the IT Assistant Director and to add the salary range for Recreation Coordinator.	70 - 72
	<a href="#">Agenda Memo - AM-22-162 - Pdf</a>	
B.	Public Services - None	
C.	Public Safety - None	
D.	Parks - None	
E.	Engineering (4:35-4:40)	

E.1.	Resolution approving Partial Payment No. 4 to Rathje Construction Company regarding the 10th Street and Central Avenue/10th Avenue Intersection Improvements Project in the amount of \$1,603.12 (TRANS-18-090) <a href="#">Agenda Memo - AM-22-019 - Pdf</a>	73
E.2.	Resolution approving Change Order No. 24 with Rathje Construction Company regarding the 2021 Central Corridor 7th Avenue from 8th Street to 12th Street Pavement Reconstruction and Streetscaping Project in the amount of \$28,510.14 (TRANS-18-101) <a href="#">Agenda Memo - AM-22-113 - Pdf</a>	74 - 79
E.3.	Resolution approving Partial Payment No. 7 to Rathje Construction Company regarding the 2021 Central Corridor 7th Avenue from 8th Street to 12th Street Pavement Reconstruction and Streetscaping Project in the amount of \$266,130.75 (TRANS-18-101) <a href="#">Agenda Memo - AM-22-114 - Pdf</a>	80
E.4.	Motion to receive and file a letter from Iowa Natural Heritage Foundation regarding approval of the sanitary trunk sewer through Faulkes Heritage Woods. (SWR-17-026) <a href="#">Agenda Memo - AM-22-146 - Pdf</a>	81 - 82
F.	Community Development	
F.1.	Resolution approving Contract Termination Agreement between Iowa Economic Development Authority (IEDA) and Freund-Vector Corporation regarding contract 18-TC-032. <a href="#">Agenda Memo - AM-22-157 - Pdf</a>	83 - 84
G.	Library - None	
<b>CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION</b>		
A.	Administrative Services - None	
B.	Public Services	
B.1.	Resolution approving Change Order No. 8 with Mid-States Concrete Industry regarding the Precast Concrete Package for the Public Services Maintenance Facility and authorizing payment in the amount of \$131,400.00 (FACS-17-069). <a href="#">Agenda Memo - AM-22-151 - Pdf</a>	85
B.2.	Resolution approving partial payment No. 9 to Mid-States Concrete regarding the Precast Concrete Package for the Public Service Maintenance Facility in the amount of \$131,400.00 (FACS-17-069). <a href="#">Agenda Memo - AM-22-152 - Pdf</a>	86
C.	Public Safety - None	
D.	Parks - None	

- E. Engineering
  - E.1. Resolution approving Partial Payment No. 7 to Peterson Contractors Inc. regarding the 10th Avenue Sidepaths PCC Sidewalk/Trail in the amount of \$3,542.20. (TAP-U-4775(635)—8I-57)(TRL-18-110) 87  
[Agenda Memo - AM-22-123 - Pdf](#)
  - E.2. Resolution approving Partial Payment No. 7 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 \$353.00 [TAP-U-4775(638)—8I-57] (TRL-17-055) 88 - 89  
[Agenda Memo - AM-22-148 - Pdf](#)

F. Community Development - None

G. Library - None

**REGULAR AGENDA**

A. Administrative Services - None

B. Public Services

- B.1. Ordinance No. 22-01 amending Chapter 99 of the Code of Ordinances relating to Sanitary Sewer by increasing monthly domestic and industrial user charges from \$4.39 to \$4.60. (Final Consideration) 90  
[Agenda Memo - AM-22-130 - Pdf](#)

C. Public Safety - None

D. Parks - None

E. Engineering (4:40-4:50)

- E.1. Public Hearing regarding the 2022 Pavement Rehabilitation Project (TRANS-18-090). 91 - 93  
[Agenda Memo - AM-22-147 - Pdf](#)
- E.2. Resolution accepting bids and awarding contract to Midwest Concrete, Inc. regarding the 2022 Pavement Rehabilitation Project in the amount of \$624,074.48 (TRANS-18-090). 94 - 96  
[Agenda Memo - AM-22-145 - Pdf](#)

- E.3. Motion to approve Project Calendar regarding the 2022 HMA Resurfacing Project (ANN-18-086), as follows: 97 - 98
- Motion to retain the City Engineer as Project Engineer regarding the 2022 HMA Resurfacing Project. (ANN-18-086)
  - Resolution approving Resolution of Necessity regarding the 2022 HMA Resurfacing Project. (ANN-18-086)
  - Resolution ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2022 HMA Resurfacing Project. (ANN-18-086)
  - Resolution approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2022 HMA Resurfacing Project. (ANN-18-086)

[Agenda Memo - AM-22-136 - Pdf](#)

- E.4. Motion to approve Project Calendar regarding the 2022 Pavement Patching Project (TRANS-18-090), as follows: 99 - 100
- Motion to retain the City Engineer as Project Engineer regarding the 2022 Pavement Patching Project (TRANS-18-090)
  - Resolution approving Resolution of Necessity regarding the 2022 Pavement Patching Project (TRANS-18-090)
  - Resolution ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2022 Pavement Patching Project (TRANS-18-090)
  - Resolution approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2022 Pavement Patching Project (TRANS-18-090)

[Agenda Memo - AM-22-137 - Pdf](#)

E.5.	Motion to approve Project Calendar regarding the Indian Creek Trail Project (TRL-18-056) [STP-U-4775(631)—70-57], as follows:	101 - 102
	<ul style="list-style-type: none"> <li>• Motion to retain the City Engineer as Project Engineer regarding the Indian Creek Trail Project (TRL-18-056) [STP-U-4775(631)—70-57]</li> <li>• Resolution approving Resolution of Necessity regarding the Indian Creek Trail Project (TRL-18-056) [STP-U-4775(631)—70-57]</li> <li>• Resolution ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Indian Creek Trail Project (TRL-18-056) [STP-U-4775(631)—70-57]</li> <li>• Resolution approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Indian Creek Trail Project (TRL-18-056) [STP-U-4775(631)—70-57]</li> </ul>	
	<a href="#">Agenda Memo - AM-22-144 - Pdf</a>	
E.6.	Ordinance No. 22-03 amending Chapter 95, Section 95.04 of the Code of Ordinances Relating to Sanitary Sewer Connection Requirement. (Second Consideration)	103
	<a href="#">Agenda Memo - AM-22-131 - Pdf</a>	
F.	Community Development (4:50-5:00)	
F.1.	Ordinance No. 22-02 approving a request to rezone property from C-3, General Commercial and R-6, High-Density Multi-Family Residential to PUD, Planned Unit Development for property located at 610 and 648 Marion Boulevard, Marion, Iowa. (Talon, LLC) (Final Consideration)	104 - 118
	<a href="#">Agenda Memo - AM-22-067 - Pdf</a>	
F.2.	Public hearing regarding a preliminary and final site development plan for an office / shop building located south of Partners Avenue and west of Medco Drive, Marion, Iowa. (Twenty40 Building Concepts)	119 - 126
	<a href="#">Agenda Memo - AM-22-084 - Pdf</a>	
F.3.	Resolution approving a preliminary site development plan for an office / shop building located south of Partners Avenue and west of Medco Drive, Marion, Iowa. (Twenty40 Building Concepts)	127
	<a href="#">Agenda Memo - AM-22-085 - Pdf</a>	
F.4.	Resolution approving a final site development plan for an office / shop building located south of Partners Avenue and west of Medco Drive, Marion, Iowa. (Twenty40 Building Concepts)	128
	<a href="#">Agenda Memo - AM-22-086 - Pdf</a>	

- F.5. Public hearing regarding a request to rezone property located at 2095 3rd Avenue. (Marion Community Build, LLC) 129 - 136  
[Agenda Memo - AM-22-064 - Pdf](#)
- F.6. Ordinance approving a request to rezone property from R-3, Two-Family Residential to TR-3, Traditional Two-Family Residential for property located at 2095 3rd Avenue, Marion, Iowa. (Marion Community Build, LLC) (Initial Consideration) 137 - 143  
[Agenda Memo - AM-22-068 - 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. Discussion and direction regarding Civil War Statue (5:00-5:10) 144  
[Agenda Memo - AM-22-129 - Pdf](#)
- 2. Discussion regarding possible change to UTV ordinance (5:10-5:20) 145 - 167  
[Agenda Memo - AM-22-149 - Pdf](#)
- 3. Annual Update regarding Police Activity and Statistics - 2021 (5:20-5:30) 168 - 178  
[Agenda Memo - AM-22-150 - Pdf](#)
- 4. Discussion and Direction regarding the completion of Housing Market Study and Needs Assessment (5:30-5:40) 179  
[Agenda Memo - AM-22-154 - Pdf](#)
- 5. Discussion and direction regarding old library property. (5:40-5:50) 180  
[Agenda Memo - AM-21-1614 - Pdf](#)

**COUNCIL COMMENTS**

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

**ADJOURN**