



AGENDA

City Council Regular Session

5:30 PM - Thursday, June 23, 2022

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.

This meeting is viewable online. To watch, go to Zoom.com, select Join a Meeting, and enter the Meeting ID# 810 4802 2003. A link is also provided at 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, June 23 via email at cityclerk@cityofmarion.org.

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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.

- | | | |
|----|---|-------|
| 1. | Presentation recognizing Officer Tom Daubs as the 2022 recipient of the Paul Draper "Spirit of Marion" Award
Agenda Memo - AM-22-806 - Pdf | 8 - 9 |
| 2. | Fire Department Appointments and Promotion:
<ul style="list-style-type: none"> • Firefighters Daniel Poirier, William Thomas and Alex Gragg • Promotion from Firefighter to Lieutenant: Tyler Manternach Agenda Memo - AM-22-805 - Pdf | 10 |

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 June 9, 2022 City Council meeting. Agenda Memo - AM-22-780 - Pdf	11 - 21
A.2.	Motion to approve hold harmless agreements with: <ul style="list-style-type: none"> • City of Marion regarding The Ron Burgundys event on June 26, 2022 at Lowe Park. • City of Marion regarding a Fireworks & Fireflies event on July 3, 2022 at Lowe Park. Agenda Memo - AM-22-798 - Pdf	22 - 40
A.3.	Motion to approved a liquor licenses including the following: <ul style="list-style-type: none"> • Renewal - Marion Food Market - 5005 10th Avenue • Renewal - Big Shots Bar & Grill - 1803 6th Avenue • Renewal - Bistro 3 Nineteen - 796 11th Street • Renewal - TownPlace Suites - 2823 7th Avenue Agenda Memo - AM-22-799 - Pdf	41
A.4.	Receive and file May 2022 Department Monthly Reports. Agenda Memo - AM-22-782 - Pdf	42 - 85
A.5.	Payments as presented in the amount of \$948,028.02 Agenda Memo - AM-22-781 - Pdf	86 - 118
A.6.	Resolution No. 30648 approving collective bargaining agreement with Local 1937 International Association of Firefighters for the period of July 1, 2022 through June 30, 2024. Agenda Memo - AM-22-807 - Pdf	119 - 154
A.7.	Resolution No. 30649 approving Fiscal Year 2021-2022 Capital Budget Transfers in the amount of \$2,600,000. Agenda Memo - AM-22-817 - Pdf	155 - 156
A.8.	Resolution No. 30650 approving addendum to agreement with Uptown Marion. Agenda Memo - AM-22-786 - Pdf	157 - 168
B.	Public Services - None	
C.	Public Safety	
C.1.	Resolution No. 30651 setting public hearing for July 7, 2022 regarding an amendment to Chapter 75 of the Code of Ordinances related to Utility Terrain Vehicles (UTVs) Agenda Memo - AM-22-789 - Pdf	169 - 173
C.2.	Resolution No. 30652 approving the memorandum of understanding with Marion Policeman's Protective Association regarding the Lead Communications Operator (LCO) effective July 1, 2022 to June 30, 2024. Agenda Memo - AM-22-804 - Pdf	174 - 175

- C.3. Resolution No. 30653 approving Memorandum of Understanding with Marion Policeman's Protective Association regarding a rotating overtime list for involuntary overtime for officers and dispatchers effective May 21, 2022 to June 30, 2023. 176 - 179
[Agenda Memo - AM-22-802 - Pdf](#)
- D. Parks
- D.1. Resolution No. 30654 approving agreement with Toubl Contracting Inc. to repair the Donnelly Park Pavilion and authorizing payment in the amount of \$6,585.72. 180 - 181
[Agenda Memo - AM-22-794 - Pdf](#)
- D.2. Resolution No. 30655 approving agreement with Toubl Contracting Inc. for the repair of the restroom roof at Willow Park and authorizing payment in the amount of \$4,153.85. 182 - 183
[Agenda Memo - AM-22-793 - Pdf](#)
- E. Engineering
- E.1. Resolution No. 30656 approving Partial Payment No. 13 to Shoemaker & Haaland regarding Marion/CeMar Trail Construction Management Services in the amount of \$2,531.76 TAP-U-4775(638)—81-57)(TRL-17-055) 184
[Agenda Memo - AM-22-796 - Pdf](#)
- F. Community Development
- F.1. Resolution No. 30657 approving Taube Farms First Addition Final Plat to Linn County located at 2737 Jordans Grove Road, Linn County, Iowa. (Lloyd Taube Trust) 185 - 194
[Agenda Memo - AM-22-774 - Pdf](#)
- F.2. Resolution No. 30658 approving Taube Farms Second Addition Final Plat to Linn County located at 2741 Jordans Grove Road, Linn County, Iowa. (Taube Farm Inc/Kenneth Taube/Kris Taube) 195 - 203
[Agenda Memo - AM-22-775 - Pdf](#)
- G. Library
- G.1. Resolution No. 30659 approving partial payment No. 31 to Engberg Anderson, Inc. regarding the Library Building Project in the amount of \$20,288.00 (FACS-17-034) 204 - 206
[Agenda Memo - AM-22-777 - 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

- B.1. Resolution No. 30660 approving Change Order No. 10 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). 207 - 208
[Agenda Memo - AM-22-818 - Pdf](#)
- B.2. Resolution No. 30661 approving partial payment No. 11 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). 209 - 210
[Agenda Memo - AM-22-819 - Pdf](#)
- C. Public Safety - None
- D. Parks - None
- E. Engineering - None
- F. Community Development
 - F.1. Motion to receive and file a request for approval of a revised concept plan as established by Genesis Equities Development Agreement for redevelopment of property located at 2700 7th Avenue. (Genesis Equities, LLC & Christianson Companies) 211 - 257
[Agenda Memo - AM-22-795 - Pdf](#)
 - F.2. Resolution No. 30662 approving Silver Rock Estates 1st Addition Final Plat and Memorandum of Agreement for property located south of Echo Hill Road and west of Alburnett Road, Marion, Iowa. (Integrity Custom Homes, Inc) 258 - 271
[Agenda Memo - AM-22-607 - Pdf](#)
- G. Library - None

REGULAR AGENDA

- A. Administrative Services
 - A.1. Resolution No. 30663 approving a contract with Thomas Newkirk (ImplicitBias Campus, LLC) for review of the City's Employment Policies and authorizing payment in an amount not to exceed \$10,000. 272 - 276
[Agenda Memo - AM-22-792 - Pdf](#)
 - A.2. Resolution No. 30664 approving banking services contract with Farmers State Bank. 277 - 313
[Agenda Memo - AM-22-783 - Pdf](#)
 - A.3. Resolution No. 30665 approving the funding allocation of the Hotel/Motel Grant Program for FY2022-2023. 314 - 315
[Agenda Memo - AM-22-785 - Pdf](#)

A.4.	Resolution No. 30666 approving renewal of Workers Compensation Coverage for Fiscal Year 2022-2023 with Iowa Municipal Workers Compensation Association (IMWCA) and authorizing payment in the amount of \$81,794. Agenda Memo - AM-22-814 - Pdf	316 - 322
A.5.	Resolution No. 30667 approving the renewal of General Insurance with Iowa Communities Assurance Pool (ICAP) for FY2022-2023 and authorizing payment in an amount not to exceed \$389,799. Agenda Memo - AM-22-787 - Pdf	323 - 326
A.6.	Motion to approve the FY2022-2023 Cigarette Permit application for Corner Mart. Agenda Memo - AM-22-828 - Pdf	327
B.	Public Services	
B.1.	Ordinance No. 22-11 amending Chapter 99 of the Code of Ordinances relating to Sanitary Sewer by increasing monthly domestic and industrial user charges from \$4.60 to \$6.00 (Final Consideration) Agenda Memo - AM-22-779 - Pdf	328
C.	Public Safety - None	
D.	Parks	
D.1.	Resolution No. 30668 amending the Urban Forestry Utility Fee to a per dwelling unit charge for residential properties and a per account charge for non-residential properties effective July 1, 2022. Agenda Memo - AM-22-823 - Pdf	329
E.	Engineering	
E.1.	Resolution No. 30669 approving contract with Abode Construction Inc. regarding the demolition of the Airport Quonset Hut located at 1690 Marion Airport Road and authorizing payment in an amount of \$4,900.00. Agenda Memo - AM-22-813 - Pdf	330 - 339
E.2.	Ordinance No. 22-12 amending Chapter 63 of the Code of Ordinances establishing the speed limit on 7th Avenue as 20 mph from 250 feet west of 6th St to 15th St and 10th Street as 20 mph from 7th Ave to 8th Ave (Final Consideration) Agenda Memo - AM-22-778 - Pdf	340 - 342

E.3.	Motion to approve Project Calendar regarding the 2022 Lowe Park Sidewalk Replacement Project (FACS-08-042), as follows: <ul style="list-style-type: none"> • Motion to retain the City Engineer as Project regarding 2022 Lowe Park Sidewalk Replacement Project (FACS-08-042) • Resolution No. 30670 approving Resolution of Necessity regarding the 2022 Lowe Park Sidewalk Replacement Project (FACS-08-042) • Resolution No. 30671 ordering preparation of detailed plans, specifications, notice hearing and letting, to bidders, form contract, estimate cost regarding the 2022 Lowe Park Sidewalk Replacement Project (FACS-08-042) • Resolution No. 30672 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2022 Lowe Park Sidewalk Replacement Project (FACS-08-042) <p style="margin-left: 20px;">Agenda Memo - AM-22-815 - Pdf</p>	343 - 344
F.	Community Development	
F.1.	Public hearing on the proposed plan for the 2022 Multifamily Urban Revitalization Area. <p style="margin-left: 20px;">Agenda Memo - AM-22-810 - Pdf</p>	345 - 353
F.2.	Resolution No. 30673 adopting the proposed plan for the 2022 Multifamily Urban Revitalization Area <p style="margin-left: 20px;">Agenda Memo - AM-22-811 - Pdf</p>	354 - 362
F.3.	Ordinance No. 22-13 designating an area of Marion, Iowa, as the 2022 Multifamily Urban Revitalization Area (Initial Consideration) <p style="margin-left: 20px;">Agenda Memo - AM-22-812 - Pdf</p>	363 - 371
F.4.	Public hearing on proposed amendment to the plan for the 2021 Multiresidential Housing Urban Revitalization Area. <p style="margin-left: 20px;">Agenda Memo - AM-22-808 - Pdf</p>	372 - 380
F.5.	Resolution No. 30674 adopting amendment to the plan for the 2021 Multiresidential Housing Urban Revitalization Area <p style="margin-left: 20px;">Agenda Memo - AM-22-809 - Pdf</p>	381 - 389
F.6.	Resolution No. 30675 approving support and financial commitment pertaining to the Destination Iowa Grant - Outdoor Recreation Fund application. <p style="margin-left: 20px;">Agenda Memo - AM-22-797 - Pdf</p>	390

F.7. Public Hearing regarding a request to amend the Future Land Use Map from of the Marion Comprehensive Plan from Single Family Attached and Public/Semi Public to Single Family Detached a request to rezone property from AG, Agricultural Holding to PUD, Planned Unit Development and the Sycamore Heights preliminary site development plan for property located north of 35th Avenue and east of 44th Street extended north, Marion, Iowa. (Sycamore Development, LLC)

391 - 431

[Agenda Memo - AM-22-788 - 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 regarding radio towers

432

[Agenda Memo - AM-22-801 - Pdf](#)

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