



# AGENDA

## City Council Regular Session

5:30 PM - Thursday, July 7, 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# 845 5323 4610. 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, July 7 via email at [cityclerk@cityofmarion.org](mailto:cityclerk@cityofmarion.org).

Page

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### MOMENT OF SILENCE

### PROCLAMATIONS/OATHS

1. Proclamation - Parks and Recreation Month (July)

8 - 9

[Agenda Memo - AM-22-851 - Pdf](#)

### 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 June 18, 21 and 23, 2022 City Council meeting.

10 - 23

[Agenda Memo - AM-22-844 - Pdf](#)

A.2.	Motion to approve Hold harmless agreements with: <ul style="list-style-type: none"> <li>• Scott and Mary Taylor regarding a block party event on July 9, 2022 on Shadow Creek Lane.</li> <li>• Kristy Knight regarding a whiskey tasting event on July 23, 2022 at 1115 6th Street.</li> <li>• The Marion Chamber regarding an Uptown Getdown event on Thursdays in August 2022 in City Square Park.</li> </ul> <a href="#">Agenda Memo - AM-22-854 - Pdf</a>	24 - 51
A.3.	Motion to approved a liquor licenses including the following: <ul style="list-style-type: none"> <li>• Renewal - Goldfinch Tap &amp; Eatery - 740 10th Street</li> <li>• Renewal - The Hip-Stir - 1120 7th Avenue</li> <li>• Renewal - Pancheros Mexican Grill - 6095 Carlson Way</li> <li>• Renewal - Neighborhood Tobacco Outlet - 2500 7th Avenue</li> </ul> <a href="#">Agenda Memo - AM-22-855 - Pdf</a>	52
A.4.	Payments as presented in the amount of \$3,534,140.47. <a href="#">Agenda Memo - AM-22-879 - Pdf</a>	53 - 78
A.5.	Certified List for Police Officer <a href="#">Agenda Memo - AM-22-837 - Pdf</a>	79 - 80
A.6.	Resolution No. 30677 approving payment to Cedar Rapids Metro Economic Alliance regarding investment dues and membership for calendar year 2022 and authorizing payment in the amount of \$17,500. <a href="#">Agenda Memo - AM-22-838 - Pdf</a>	81 - 83
A.7.	Resolution No. 30678 approving Closed Session Policy and Procedures <a href="#">Agenda Memo - AM-22-887 - Pdf</a>	84 - 86
A.8.	Resolution No. 30679 approving partial payment no. 19 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$647.50 <a href="#">Agenda Memo - AM-22-841 - Pdf</a>	87 - 90
B.	Public Services	
B.1.	Resolution No. 30680 Approving Payment to ServiceMaster Restoration (SRM) for repairs and clean up work completed at the Public Services Administration building following the August 10, 2020 derecho in the amount of \$86,981.69. <a href="#">Agenda Memo - AM-22-895 - Pdf</a>	91 - 133
C.	Public Safety	
C.1.	Resolution No. 30681 approving purchase from Vohne Liche Kennels of police canine trained in patrol and explosive detection skills and authorizing payment in the amount of \$19,059.00. <a href="#">Agenda Memo - AM-22-842 - Pdf</a>	134
D.	Parks	

- D.1. Resolution No. 30682 approving final payment to Eastern Iowa Excavating & Concrete, Inc. regarding the Prairie Hill Park Basketball Court in the amount of \$2,305.59. (REC-18-046) 135  
[Agenda Memo - AM-22-880 - Pdf](#)
- D.2. Resolution No. 30683 approving proposal from Boland Recreation regarding the installation of playground equipment at Prairie Hill Park and authorizing payment in the amount of \$24,000. (REC.18.046) 136 - 137  
[Agenda Memo - AM-22-872 - Pdf](#)
- D.3. Resolution No. 30684 approving contract with Tennis Services of Iowa for the painting of Hanna Park basketball and pickle ball courts and authorizing payment in the amount of \$8,980. (REC-18-048) 138 - 140  
[Agenda Memo - AM-22-889 - Pdf](#)
- E. Engineering
- E.1. Resolution No. 30685 accepting the public improvements associated with Glen Rock Farm 8th Addition to the City of Marion. 141  
[Agenda Memo - AM-22-824 - Pdf](#)
- E.2. Resolution No. 30686 approving Partial Payment No. 12 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 \$197,960.59 (TRANS-18-101) 142  
[Agenda Memo - AM-22-849 - Pdf](#)
- E.3. Resolution No. 30687 approving Partial Payment No. 3 with Boomerang Corp. regarding the S 31st St and Highway 100 Traffic Signals and Turn Lane Improvements Project in the amount of \$119,266.86. (TRANS-18-073) (CS-TSF-4775(642)--85-57) 143 - 144  
[Agenda Memo - AM-22-850 - Pdf](#)
- E.4. Resolution No. 30688 approving Partial Payment No. 19 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) 145  
[Agenda Memo - AM-22-885 - Pdf](#)
- E.5. Resolution No. 30689 approving Partial Payment No. 3 to Braun Intertec regarding the Indian Creek Trail Plant Monitor and Soil testing in the amount of \$1,655.50. (TRL-17-055). 146 - 147  
[Agenda Memo - AM-22-886 - Pdf](#)
- E.6. Resolution No. 30690 accepting the 2022 Sanitary Sewer Manhole Rehabilitation Project (ANN-18-029) 148  
[Agenda Memo - AM-22-866 - Pdf](#)

- F. Community Development
  - F.1. Resolution No. 30691 approving Plat of Survey No. 2626 for property located between 3rd Avenue SE, Cedar Rapids and Indian Creek, north of Mount Calvary Cemetery. (Mt. Calvary Cemetery Association) 149 - 153  
[Agenda Memo - AM-22-853 - Pdf](#)
  - F.2. Resolution No. 30692 approving payment no. 10 to RDG Planning & Design, Inc. for professional services regarding the 11th Street Plaza Project in the amount of \$340.00. (GOV-19-122) 154 - 156  
[Agenda Memo - AM-22-888 - Pdf](#)
  - F.3. Resolution No. 30693 approving an encroachment agreement with MTG Fastners Inc. for property located at 635 51st Street to permit construction of retaining wall and fence into 20' utility easement. 157 - 170  
[Agenda Memo - AM-22-825 - Pdf](#)

G. Library - None

**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. 30694 approving Change Order No. 6 with Peterson Contractors Inc. regarding the 10th Avenue Sidepaths PCC Sidewalk/Trail in the amount of \$37,192.10. (TAP-U-4775(635)—8I-57)(TRL-18-110) 171 - 174  
[Agenda Memo - AM-22-858 - Pdf](#)
  - E.2. Resolution No. 30695 approving Partial Payment No. 10 to Peterson Contractors Inc. regarding the 10th Avenue Sidepaths PCC Sidewalk/Trail in the amount of \$254,684.90. (TAP-U-4775(635)—8I-57)(TRL-18-110) 175  
[Agenda Memo - AM-22-857 - Pdf](#)

- E.3. Resolution No. 30696 approving Partial Payment No. 12 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 \$58,298.15 [TAP-U-4775(638)—8I-57] (TRL-17-055) 176 - 177  
[Agenda Memo - AM-22-848 - Pdf](#)

F. Community Development - None

G. Library - None

## **REGULAR AGENDA**

A. Administrative Services - None

B. Public Services

- B.1. Resolution No. 30697 approving Amendment No. 2 to the agreement with City of Cedar Rapids regarding the provision of wastewater treatment. 178 - 181  
[Agenda Memo - AM-22-870 - Pdf](#)

- B.2. Resolution No. 30698 awarding solid waste collections system study proposal to SCS Engineers. 182 - 221  
[Agenda Memo - AM-22-871 - Pdf](#)

- B.3. Motion to approve Project Calendar for the Pre-Engineered Metal Building Package associated with the new Public Service Maintenance Facility as follows (FACS-17-069): 222
- Resolution No. 30699 approving Resolution of Necessity regarding the Pre-Engineered Metal Building Package associated with the new Public Service Maintenance Facility (FACS-17-069).
  - Resolution No. 30700 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Pre-Engineered Metal Building Package for the new Public Service Maintenance Facility (FACS-17-069).
  - Resolution No. 30701 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Pre-Engineered Metal Building Package for the Public Service Maintenance Facility (FACS-17-069)

[Agenda Memo - AM-22-874 - Pdf](#)

B.4.	Motion to approve Project Calendar for the Foundation Repair Package associated with the new Public Service Maintenance Facility as follows (FACS-17-069):	223
	<ul style="list-style-type: none"> <li>• Resolution No. 30702 approving Resolution of Necessity regarding the Foundation Repair Package associated with the new Public Service Maintenance Facility (FACS-17-069).</li> <li>• Resolution No. 30703 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Foundation Repair Package for the new Public Service Maintenance Facility (FACS-17-069).</li> <li>• Resolution No. 30704 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Foundation Repair Package for the Public Service Maintenance Facility (FACS-17-069).</li> </ul>	
	<a href="#">Agenda Memo - AM-22-875 - Pdf</a>	
C.	Public Safety	
	C.1. Public hearing regarding an amendment to Chapter 75 of the Code of Ordinances related to Utility Terrain Vehicles (UTVs)	224 - 228
	<a href="#">Agenda Memo - AM-22-877 - Pdf</a>	
	C.2. Ordinance No. 22-14 amending Chapter 75 of the Code of Ordinances related to Utility Terrain Vehicles (UTVs) (Initial Consideration)	229 - 233
	<a href="#">Agenda Memo - AM-22-878 - Pdf</a>	
D.	Parks	
	D.1. Resolution No. 30705 approving contract with Bill Miller Logging Inc. for the removal of timber from Legion Park related to the 2020 Derecho and authorizing payment in the amount of \$172,457.50.	234 - 235
	<a href="#">Agenda Memo - AM-22-847 - Pdf</a>	
E.	Engineering	
	E.1. Motion to receive and file correspondence regarding 958/960 and 976 7th Avenue / 710 10th Street Sanitary Sewer. (Nathan Caraway property/School of Rock building.)	236 - 243
	<a href="#">Agenda Memo - AM-22-867 - Pdf</a>	
	E.2. Motion directing staff to draft an agreement with the property owners of 976 7th Avenue/710 10th Street regarding the sanitary sewer service and offering a credit of \$6,682. (School of Rock building)	244 - 251
	<a href="#">Agenda Memo - AM-22-868 - Pdf</a>	

- E.3. Motion directing staff to apply for Linn County/City of Cedar Rapids ARPA funding for the Sanitary Sewer Project. 252 - 254  
[Agenda Memo - AM-22-883 - Pdf](#)
- F. Community Development
- F.1. Ordinance No. 22-13 designating an area of Marion, Iowa, as the 2022 Multifamily Urban Revitalization Area (Second Consideration) 255 - 263  
[Agenda Memo - AM-22-876 - Pdf](#)
- F.2. Motion directing staff to negotiate a Professional Service agreement and scope of work to complete a retail analysis of the property located at 2700 7th Avenue. 264 - 309  
[Agenda Memo - AM-22-896 - 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.

### **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**