



AGENDA

City Council Regular Session

5:30 PM - Thursday, July 21, 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# 878 9409 6558. 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, July 21 via email at cityclerk@cityofmarion.org.

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CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MOMENT OF SILENCE

PROCLAMATIONS/OATHS

- 1. Proclamation - National Disability Independence Day (July 26, 2022) 7 - 8
[Agenda Memo - AM-22-891 - 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 30, July 5 and 7, 2022 City Council meetings. 9 - 21
[Agenda Memo - AM-22-925 - Pdf](#)

A.2.	Motion to approve hold harmless agreement with Linn-Mar School District regarding a Homecoming Parade event on September 21, 2022 on 10th Street. Agenda Memo - AM-22-942 - Pdf	22 - 31
A.3.	Motion to approved a liquor licenses including the following: <ul style="list-style-type: none"> • Renewal - Tomaso's - 1111 7th Avenue • Renewal - Casey's General Store #2924 - 1100 Eagleview Drive Agenda Memo - AM-22-937 - Pdf	32
A.4.	Receive and file June 2022 Department Monthly Reports. Agenda Memo - AM-22-927 - Pdf	33 - 73
A.5.	Payments as presented in the amount of \$1,047,995.03. Agenda Memo - AM-22-928 - Pdf	74 - 98
A.6.	Resolution No. 30706 approving Fiscal Year 2021-2022 Capital Budget Transfers in the amount of \$800,000. Agenda Memo - AM-22-894 - Pdf	99 - 100
A.7.	Resolution No. 30707 approving Fiscal Year 2022-2023 operating budget transfers in the amount of \$11,953,653. Agenda Memo - AM-22-893 - Pdf	101 - 103
A.8.	Resolution No. 30708 approving amendment to Economic Development Assistance Contract with the Iowa Economic Development Authority (IEDA) and Marion Process Solutions. Agenda Memo - AM-22-906 - Pdf	104 - 135
A.9.	Resolution No. 30709 approving renewal of contract with Mercy for employee assistance program (EAP) Agenda Memo - AM-22-932 - Pdf	136 - 137
A.10.	Resolution No. 30710 approving annual payment to Insight Public Sector for Microsoft licensing in the amount of \$55,253.02 Agenda Memo - AM-22-926 - Pdf	138
A.11.	Resolution No. 30711 accepting deeds from Cope Agricultural Investments, LLC and the Curtis J. Cope Family Trust Agenda Memo - AM-22-947 - Pdf	139 - 142
A.12.	Resolution No. 30712 approving City of Marion Restroom and Locker Room Policy Agenda Memo - AM-22-948 - Pdf	143 - 144
B.	Public Services	
B.1.	Resolution No. 30713 approving purchase of traffic signal equipment from Traffic Control Corporation and authorizing payment in the amount of \$285,295.00. Agenda Memo - AM-22-946 - Pdf	145
C.	Public Safety - None	

- D. Parks - None
- E. Engineering
 - E.1. Resolution No. 30714 approving Partial Payment No. 34 to Snyder & Associates regarding the 2018 Alburnett Road Extension Phase I in the amount of \$23,145.12 (TRANS-18-092) 146 - 147
[Agenda Memo - AM-22-911 - Pdf](#)
 - E.2. Resolution No. 30715 approving agreement with Jed Pasterski regarding the 2021 Central Corridor 7th Avenue from 8th Street to 12th Street Pavement Reconstruction and Streetscaping Project (TRANS-18-101) 148 - 150
[Agenda Memo - AM-22-909 - Pdf](#)
 - E.3. Resolution No. 30716 approving agreement with Wiener Dog Properties LLC regarding the 2021 Central Corridor 7th Avenue from 8th Street to 12th Street Pavement Reconstruction and Streetscaping Project (TRANS-18-101) 151 - 158
[Agenda Memo - AM-22-910 - Pdf](#)
 - E.4. Resolution No. 30717 approving Change Order 01 with Rathje Construction Company regarding the 2022 Alburnett Road and Echo Hill Road Intersection Improvement Project and authorizing payment in the amount of \$10,939.00 (TRANS-19-118) (CS-TSF-4775(641)--85-57) 159 - 162
[Agenda Memo - AM-22-938 - Pdf](#)
- F. Community Development
 - F.1. Resolution No. 30718 setting date for public hearing for August 4, 2022 regarding an amendment to Section 176.52 regarding drive thru facility stacking and design requirements. 163 - 167
[Agenda Memo - AM-22-922 - Pdf](#)
 - F.2. Resolution No. 30719 setting date for public hearing for August 4, 2022 regarding a request to amend the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Single Family Attached Residential and to rezone property from AG, Agricultural Holding to SR-4, Suburban Two-Family Residential District for property located west of Winslow Road and south of Tower Terrace Road extended, Marion, Iowa. (Atwood Rentals, LLC) 168 - 184
[Agenda Memo - AM-22-923 - Pdf](#)
 - F.3. Resolution No. 30720 approving payment no. 5 to RDG Planning & Design, Inc. for design services regarding the Central Plaza Project in the amount of \$39,855.41. (REC-18-039) 185 - 188
[Agenda Memo - AM-22-800 - Pdf](#)
 - F.4. Resolution No. 30721 approving payment no. 6 to RDG Planning & Design, Inc. for design services regarding the Central Plaza Project in the amount of \$15,954.68. (REC-18-039) 189 - 192
[Agenda Memo - AM-22-945 - Pdf](#)

- F.5. Resolution No. 30722 approving professional service agreement with Leland Consulting Group to complete a real-estate analysis of the property located at 2700 7th Avenue and authorizing payment in the amount of \$12,500
[Agenda Memo - AM-22-924 - Pdf](#) 193 - 199
- G. Library
 - G.1. Resolution No. 30723 approving partial payment No. 4 to Library Furniture International, Inc. regarding the Marion Library Project and authorizing payment in the amount of \$82,742.70 (FACS-17-034) (Vendor project No. 193066)
[Agenda Memo - AM-22-913 - Pdf](#) 200 - 203

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. 30724 approving Change Order 02 with Peterson Contractors, Inc. regarding the Indian Creek Trail Project and authorizing payment in the amount of \$12,891.08 (TRL-18-056) [STP-U-4775(631)—70-57]
[Agenda Memo - AM-22-901 - Pdf](#) 204 - 207
 - E.2. Resolution No. 30725 approving Change Order No. 7 with Peterson Contractors Inc. regarding the 10th Avenue Sidepaths PCC Sidewalk/Trail and authorizing payment in the amount of \$7,150.00. (TAP-U-4775(635)—81-57)(TRL-18-110)
[Agenda Memo - AM-22-915 - Pdf](#) 208 - 211
 - E.3. Resolution No. 30726 accepting the CEMAR Phase III Project in City of Marion, from Marion Boulevard bridge over Indian Creek north preservation trail Bridge New, Steel Girder [TAP-U-4775(637)-81-57] (TRL-17-055)
[Agenda Memo - AM-22-905 - Pdf](#) 212 - 213
- F. Community Development - None
- G. Library - None

REGULAR AGENDA

- A. Administrative Services

A.1.	Resolution No. 30727 approving an agreement with GovTempsUSA, LLC regarding temporary employment in Fire Department. Agenda Memo - AM-22-931 - Pdf	214 - 226
A.2.	Resolution No. 30728 approving and endorsing nomination of Randy Strnad to the Iowa Communities Assurance Pool (ICAP) Board of Directors city seat. Agenda Memo - AM-22-916 - Pdf	227
B.	Public Services	
B.1.	Public Hearing regarding the Pre-Engineered Metal Building Package associated with the new Public Service Maintenance Facility (FACS-17-069). Agenda Memo - AM-22-940 - Pdf	228
B.2.	Resolution No. 30729 approving bids and awarding contract to King-Knutson Construction for the Pre-Engineered Steel Building Package associated with the new Public Service Maintenance Facility in the amount of \$4,585,000. Agenda Memo - AM-22-941 - Pdf	229
B.3.	Resolution No. 30730 approving a contract with SCS Engineers for the Solid Waste Collections Study and authorizing payment in the amount of \$135,500.00. Agenda Memo - AM-22-939 - Pdf	230 - 269
C.	Public Safety	
C.1.	Ordinance No. 22-14 amending Chapter 75 of the Code of Ordinances related to Utility Terrain Vehicles (UTVs) (Second Consideration) Agenda Memo - AM-22-929 - Pdf	270 - 274
C.2.	Resolution No. 30731 approving a Certificate of Substantial Completion for the 2019 Fire Station Project and authorizing early release of retained funds to Christner Contracting, Inc. in the amount of \$448,410.39 (FACS-18-062) Agenda Memo - AM-22-959 - Pdf	275
D.	Parks - None	
E.	Engineering	
E.1.	Public Hearing regarding the 2022 Lowe Park Sidewalk Replacement Project (FACS-08-042). Agenda Memo - AM-22-918 - Pdf	276 - 277
E.2.	Resolution No. 30732 accepting bids and awarding contract to Midwest Concrete, Inc. regarding the 2022 Lowe Park Sidewalk Replacement Project in the amount of \$175,305.00 (FACS-08-042) Agenda Memo - AM-22-919 - Pdf	278 - 279

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| E.3. | Resolution No. 30733 authorizing the submittal of an application for Traffic Safety Improvement Program (TSIP) funding for the intersection of Highway 100 and East Post Road to reconfigure the existing intersection with additional left and right turn lanes and to upgrade the existing signal for the new turn lanes, as well as a queue detection warning system for the westbound traffic at East Post Road.

Agenda Memo - AM-22-914 - Pdf | 280 |
| E.4. | Resolution No. 30734 approving City of Marion American Rescue Plan Act (ARPA) Funding allocation for infrastructure projects.

Agenda Memo - AM-22-912 - Pdf | 281 - 291 |
| F. | Community Development | |
| F.1. | Ordinance No. 22-13 designating an area of Marion, Iowa, as the 2022 Multifamily Urban Revitalization Area (Final Consideration)

Agenda Memo - AM-22-930 - Pdf | 292 - 300 |
| F.2. | Resolution No. 30735 approving Silver Ridge Estates Preliminary Plat located west of Alburnett Road and north of Dawn Drive, Marion, Iowa. (Integrity Custom Homes, Inc.)

Agenda Memo - AM-22-892 - Pdf | 301 - 307 |
| F.3. | Resolution No. 30736 approving the revised Broad & Main Monumental Staircase – Central Corridor Review for property located at 1107 7th Avenue, Marion, Iowa. (Eagle View Development)

Agenda Memo - AM-21-067 - Pdf | 308 - 317 |
| 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