



AGENDA

City Council Regular Session

5:30 PM - Thursday, August 4, 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# 836 6564 3369. 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, August 4 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.

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 July 19, 21 and 27, 2022 City Council meetings.

[Agenda Memo - AM-22-968 - Pdf](#)

- A.2. Motion to approve hold harmless agreements with: 21 - 25
- Marion Independent School District (MISD) regarding a homecoming parade event on October 6, 2022 on S 15th Street and 3rd Avenue.
 - MISD regarding high school football and track events on September 2, 9 and 30 and October 7 and 21, 2022 at Thomas Park.
 - Diane Toy regarding a block party event on September 10, 2021 on 39th Street.
- [Agenda Memo - AM-22-998 - Pdf](#)
- A.3. Motion to approve liquor licenses including the following: 26
- Renewal - Your Pie - 2791 7th Avenue
 - Renewal - Casey's General Store #2700 - 2020 7th Avenue
 - Renewal - Blooms by BladeWorks - 1440 Blairs Ferry Road
 - Renewal - Zio Johnno's - 755 7th Avenue
- [Agenda Memo - AM-22-988 - Pdf](#)
- A.4. Mayoral appointments: 27 - 28
- Jason Hansen, Linn County Emergency Management Commission, Marion Representative
 - Jacquie Montoya, Bicycle and Pedestrian Advisory Committee, Linn County Public Health representative
- [Agenda Memo - AM-22-993 - Pdf](#)
- A.5. Payments as presented in the amount of \$3,557,017.62. 29 - 55
- [Agenda Memo - AM-22-969 - Pdf](#)
- A.6. Resolution No. 30737 adopting final assessment schedule for Fiscal Year 2023 Quarter 1 Delinquent Fees and Confirming and Levying the Assessments. 56 - 58
- [Agenda Memo - AM-22-957 - Pdf](#)
- A.7. Resolution No. 30738 approving an update to the Public Records Request Policy. 59 - 63
- [Agenda Memo - AM-22-965 - Pdf](#)
- A.8. Resolution No. 30739 approving Fiscal Year 2021-2022 Capital Budget Transfers in the amount of \$2,099,907.49. 64
- [Agenda Memo - AM-22-972 - Pdf](#)
- A.9. Resolution No. 30740 approving Fiscal Year 2021-2022 operating budget transfers in the amount of \$486,456.90. 65 - 66
- [Agenda Memo - AM-22-974 - Pdf](#)
- A.10. Resolution No. 30741 approving partial payment no. 20 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$2,127.50 67 - 70
- [Agenda Memo - AM-22-1000 - Pdf](#)

A.11.	Receive and file correspondence regarding Rafeala (Rachel) Cadena's resignation from the Civil Rights Commission. Agenda Memo - AM-22-1002 - Pdf	71 - 72
A.12.	Certified List for Fire Chief Agenda Memo - AM-22-1004 - Pdf	73 - 74
B.	Public Services	
B.1.	Resolution No. 30742 approving the purchase of traffic marking paint from Sherwin Williams and authorizing payment in the amount of \$52,800.00. Agenda Memo - AM-22-999 - Pdf	75
C.	Public Safety	
C.1.	Resolution No. 30743 approving renewal of 28E agreement with Linn Mar School District regarding the School Resource Officer (SRO) Program for period of 07/01/22-6/30/24. Agenda Memo - AM-22-958 - Pdf	76 - 88
C.2.	Resolution No. 30744 approving renewal of 28E agreement with Marion Independent School District regarding the School Resource Officer (SRO) Program for period of 07/01/22-6/30/24. Agenda Memo - AM-22-973 - Pdf	89 - 100
C.3.	Resolution No. 30745 approving an agreement with Foundation 2 for continuation of Law Enforcement Liaison Support position at the Marion Police Department and authorizing payment in the amount of \$67,275. Agenda Memo - AM-22-992 - Pdf	101 - 104
D.	Parks - None	
E.	Engineering	
E.1.	Resolution No. 30746 approving a Stop Sign stopping north bound traffic on Silver Rock Drive at its intersection with Echo Hill Road. Agenda Memo - AM-22-949 - Pdf	105
E.2.	Resolution No. 30747 approving a Stop Sign stopping north bound traffic on Ruffian Road at its intersection with Quail Trail Drive. Agenda Memo - AM-22-950 - Pdf	106
E.3.	Resolution No. 30748 approving Stop Signs stopping north bound traffic on Roycroft Drive at its intersection with Burns Drive and south bound traffic on Roycroft Drive at Prairie Ridge Avenue. Agenda Memo - AM-22-951 - Pdf	107
E.4.	Resolution No. 30749 approving Stop Signs stopping west bound Stonework Drive at its intersection with Rookwood Lane and east bound traffic on Stonework Drive at Bluegrass Street. Agenda Memo - AM-22-952 - Pdf	108

- E.5. Resolution No. 30750 approving a Stop Sign stopping north bound traffic on Rookwood Lane at its intersection with Fernow Road. 109
[Agenda Memo - AM-22-954 - Pdf](#)
- E.6. Resolution No. 30751 approving a Stop Sign stopping east bound traffic on Burn Drive at its intersection with Rookwood Lane. 110
[Agenda Memo - AM-22-955 - Pdf](#)
- E.7. Resolution No. 30752 accepting the public improvements associated with Edgebrooke Estates North 2nd Addition to the City of Marion. 111
[Agenda Memo - AM-22-960 - Pdf](#)
- E.8. Resolution No. 30753 approving Change Order No. 4 with Rathje Construction Company regarding the 3rd Avenue Reconstruction Project (NSI) and authorizing payment in the amount of \$15,700.00 (TRANS-18-101) 112 - 115
[Agenda Memo - AM-22-961 - Pdf](#)
- E.9. Resolution No. 30754 approving Partial Payment No. 13 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 \$312,303.73 (TRANS-18-101) 116
[Agenda Memo - AM-22-970 - Pdf](#)
- E.10. Resolution No. 30755 approving Partial Payment No. 4 with Boomerang Corp. regarding the S 31st St and Highway 100 Traffic Signals and Turn Lane Improvements Project in the amount of \$143,194.25. (TRANS-18-073) (CS-TSF-4775(642)--85-57) 117 - 118
[Agenda Memo - AM-22-971 - Pdf](#)
- E.11. Resolution No. 30756 approving Partial Payment No. 10 to Black Hawk Roof Co., Inc. regarding the Marion Library Project – Bid Pkg 07A regarding Roofing in the amount of \$22,325.00. (FACS-17-034) 119
[Agenda Memo - AM-22-975 - Pdf](#)
- E.12. Resolution No. 30757 approving Partial Payment No. 17 to Pipe Pro, Inc. regarding the Marion Library Project – Bid Pkg 22A & 23A regarding Plumbing and HVAC in the amount of \$53,720.22. (FACS-17-034) 120
[Agenda Memo - AM-22-976 - Pdf](#)
- E.13. Resolution No. 30758 approving Partial Payment No. 15 to Acme Electric Company regarding the Marion Library Project – Bid Pkg 26A regarding Electrical in the amount of \$6,965.43. (FACS-17-034) 121
[Agenda Memo - AM-22-977 - Pdf](#)

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| E.14. | Resolution No. 30759 approving payment to the City of Cedar Rapids per 28E Agreement – Indian Creek Concept Plan in the amount of \$20,000.00.
Agenda Memo - AM-22-978 - Pdf | 122 - 123 |
| E.15. | Resolution No. 30760 approving Change Order 01 with LL Pelling Co, Inc. regarding the 2022 Lowe Park Roadway Overlay Project and authorizing payment in the amount of \$22,355.00 (REC-18-052).
Agenda Memo - AM-22-967 - Pdf | 124 - 126 |
| E.16. | Resolution No. 30761 accepting the 2022 Lowe Park Roadway Overlay Project (REC-18-052)
Agenda Memo - AM-22-990 - Pdf | 127 |
| E.17. | Resolution No. 30762 approving Partial Payment No. 11 to Peterson Contractors Inc. regarding the 10th Avenue Sidepaths PCC Sidewalk/Trail in the amount of \$285,914.60. (TAP-U-4775(635)—8I-57)(TRL-18-110)
Agenda Memo - AM-22-997 - Pdf | 128 |
| E.18. | Resolution No. 30763 approving Change Order 01 with B.G. Brecke, Inc. regarding the 2022 Sanitary Sewer Manhole Project and authorizing payment in the amount of \$10,444.50 (ANN-18-029)
Agenda Memo - AM-22-1003 - Pdf | 129 - 132 |
| F. | Community Development | |
| F.1. | Resolution No. 30764 approving payment to Corridor Metropolitan Planning Organization (CMPO) for FY23 Membership Dues in the amount of \$28,913.00.
Agenda Memo - AM-22-1001 - Pdf | 133 - 134 |
| G. | Library | |
| G.1. | Resolution No. 30765 approving partial payment No. 23 to Bush Construction regarding the Library Building Project in the amount of \$45,515.44 (FACS-17-034)
Agenda Memo - AM-22-996 - Pdf | 135 - 150 |
| G.2. | Resolution No. 30766 approving partial payment No. 32 to Engberg Anderson, Inc. regarding the Library Building Project in the amount of \$3,450. (FACS-17-034)
Agenda Memo - AM-22-995 - Pdf | 151 - 154 |

REGULAR AGENDA

- A. Administrative Services - None
- B. Public Services

B.1.	Ordinance No. 22-15 amending Chapter 105 of the Code of Ordinances relating to Solid Waste by Establishing Base Monthly Collection Fees at \$20.00 and increasing commercial rates. (Initial Consideration) Agenda Memo - AM-22-963 - Pdf	155 - 167
C.	Public Safety	
C.1.	Ordinance No. 22-14 amending Chapter 75 of the Code of Ordinances related to Utility Terrain Vehicles (UTVs) (Final Consideration) Agenda Memo - AM-22-964 - Pdf	168 - 172
C.2.	Motion to receive and file Code Review Calendar Agenda Memo - AM-22-1010 - Pdf	173 - 174
D.	Parks	
D.1.	Resolution No. 30767 approving bid from A1A Sandblasting for the Willowood Pool Painting and authorizing payment in the amount of \$149,500. Agenda Memo - AM-22-980 - Pdf	175 - 182
D.2.	Resolution No. 30768 approving professional service agreement with RDG Planning & Design, Inc. for the Update to the Lowe Park Master Plan and authorizing payment in the amount of \$41,000. (REC-18-044) Agenda Memo - AM-22-983 - Pdf	183 - 193
D.3.	Resolution No. 30769 approving support and authorizing the submittal of a REAP Grant application for \$150,000.00 regarding the land acquisition of Lucore Road Property. Agenda Memo - AM-22-1007 - Pdf	194
E.	Engineering	
E.1.	Motion to receive, file, and refer to TAC (Traffic Advisory Committee) a request from MISD (Marion Independent School District) to make 4th Avenue between 12th Street and 14th Street a one-way and 13th Street from 3rd Avenue to 4th Avenue a one-way. Agenda Memo - AM-22-962 - Pdf	195 - 197
E.2.	Resolution No. 30770 approving contract and bond with Midwest Concrete, Inc. regarding the 2022 Lowe Park Sidewalk Replacement Project and authorizing payment in the amount of \$175,305.00 (FACS-08-042) Agenda Memo - AM-22-966 - Pdf	198 - 199
F.	Community Development	

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| F.1. | Public Hearing regarding an amendment to Section 176.52 of the Marion Code of Ordinances regarding drive-thru facility stacking and design requirements.
Agenda Memo - AM-22-982 - Pdf | 200 - 204 |
| F.2. | Ordinance No. 22-16 approving an amendment to Section 176.52 of the Marion Code of Ordinances regarding drive-thru facility stacking and design requirements. (Initial Consideration)
Agenda Memo - AM-22-984 - Pdf | 205 - 207 |
| F.3. | Public hearing 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)
Agenda Memo - AM-22-985 - Pdf | 208 - 224 |
| F.4. | Resolution No. 30771 approving an amendment to the Marion Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Single Family Attached Residential for property located west of Winslow Road and south of Tower Terrace Road extended, Marion, Iowa. (Atwood Rentals, LLC)
Agenda Memo - AM-22-986 - Pdf | 225 - 229 |
| F.5. | Ordinance No. 22-17 approving a request 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) (Initial Consideration)
Agenda Memo - AM-22-987 - Pdf | 230 - 235 |

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