



AGENDA

City Council Work Session

4:00 PM - Tuesday, August 16, 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# 840 4508 4970. 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 18 via email at cityclerk@cityofmarion.org.

Page

CALL TO ORDER

PROCLAMATIONS/OATHS

- | | | |
|----|---------------------------------------------------------------------------------------|-------|
| 1. | Proclamation - 16th Annual Five Seasons Stand Down Day (September 1, 2022) (Thursday) | 8 - 9 |
| | Agenda Memo - AM-22-943 - Pdf | |

PRESENTATIONS

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

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|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 1. | Presentation regarding the Indian Creek Watershed Management Authority (ICWMA). (Jennifer Fencil with East Central Iowa Council of Governments (ECICOG)) (4:00-4:05) | 10 |
| | Agenda Memo - AM-22-1045 - Pdf | |
| 2. | Community Life-Saving Award Presentation (Thursday) | 11 |
| | Agenda Memo - AM-22-1039 - 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 August 2 and 4, 2022 City Council meetings. | 12 - 22 |
| | Agenda Memo - AM-22-1034 - Pdf | |
| A.2. | Motion to approve liquor licenses including the following: | 23 |
| | <ul style="list-style-type: none"> • New - Kwik Star #1172 - 3055 7th Ave • Renewal - Eva's Mexican Restaurant - 835 7th Ave | |
| | Agenda Memo - AM-22-1033 - Pdf | |

A.3.	Motion to approve the Fiscal Year 2023 Cigarette License for the following:	24
	<ul style="list-style-type: none"> • Kwik Star #1172 - 3055 7th Avenue Agenda Memo - AM-22-1006 - Pdf	
A.4.	Motion to approve hold harmless agreement with Tim Troyna regarding a block party event on September 10, 2022 in the 2400 block of 28th Avenue.	25 - 33
	Agenda Memo - AM-22-1046 - Pdf	
A.5.	Receive and file July 2022 Department Monthly Reports.	34 - 84
	Agenda Memo - AM-22-1035 - Pdf	
A.6.	Payments as presented in the amount of \$1,445,036.50	85 - 109
	Agenda Memo - AM-22-1036 - Pdf	
B.	Public Services - None	
C.	Public Safety	
C.1.	Resolution approving purchase of mobile data computer system from CDW Government and authorizing payment in the amount of \$141,011.90.	110 - 119
	Agenda Memo - AM-22-1058 - Pdf	
D.	Parks (4:05-4:10)	
D.1.	Resolution approving partial payment no. 4 to Frank's Tree Service for Right of Way Stump Removal and Turf Restoration in the amount of \$30,525.	120 - 122
	Agenda Memo - AM-22-1056 - Pdf	
D.2.	Resolution approving payment to MasterWorks Studios LLC for repair of the Civil War Statue in the amount of \$15,050.	123 - 124
	Agenda Memo - AM-22-1061 - Pdf	
E.	Engineering	
E.1.	Resolution approving Change Order No. 5 with Rathje Construction Company regarding the 3rd Avenue Reconstruction Project (NSI) and authorizing payment in the amount of \$11,900.00 (TRANS-18-101)	125 - 127
	Agenda Memo - AM-22-1008 - Pdf	
E.2.	Resolution approving Partial Payment No. 35 to Snyder & Associates regarding the 2018 Alburnett Road Extension Phase I in the amount of \$6,939.00 (TRANS-18-092)	128 - 129
	Agenda Memo - AM-22-1047 - Pdf	
E.3.	Resolution approving Change Order 016 with Pearson Wall Systems regarding the Marion Library Building Project BP 09A Gypsum Board and Acoustics regarding repairing damaged drywall in the amount of \$652.00 (FACS-17-034)	130 - 135
	Agenda Memo - AM-22-1048 - Pdf	

- E.4. Motion to approve Change Orders regarding the Marion Library Project – Construction Manager as Advisor as follows: 136 - 145
- Resolution approving Change Order No 026 with Bush Construction regarding the Marion Library Project – Construction Manager as Advisor to transfer a credit of \$1,146.00 from General Conditions Funds for Ahern Fire’s materials for the Play Structure Protection. (FACS-17-034)
 - Resolution approving Change Order No 029 with Bush Construction regarding the Marion Library Project – Construction Manager as Advisor to transfer a credit of \$652.00 from General Conditions Funds for Pearson Wall’s contract to perform drywall patching. (FACS-17-034)
- [Agenda Memo - AM-22-1049 - Pdf](#)
- E.5. Resolution approving Change Order No. 008 to Ahern Fire Protection regarding the Marion Library Project – Bid Pkg 21A to add sprinklers to the play area in the amount of \$5,460.00. (FACS-17-034) 146 - 149
- [Agenda Memo - AM-22-1050 - Pdf](#)
- E.6. Resolution approving Change Order No. 007 to Ahern Fire Protection regarding the Marion Library Project – Bid Pkg 21A for materials needed for the play structure sprinklers in the amount of \$1,146.00. (FACS-17-034) 150 - 154
- [Agenda Memo - AM-22-1051 - Pdf](#)
- E.7. Resolution approving payment to the East Central Iowa Council of Governments regarding the Indian Creek Watershed Management Authority in the amount of \$17,432.90 155
- [Agenda Memo - AM-22-979 - Pdf](#)
- E.8. Resolution approving agreement with Substantial Rock LLC regarding the 2021 Central Corridor 7th Avenue from 8th Street to 12th Street Pavement Reconstruction and Streetscaping Project (TRANS-18-101) 156 - 167
- [Agenda Memo - AM-22-1060 - Pdf](#)
- F. Community Development
- F.1. Resolution setting a public hearing for September 8, 2022 regarding a request to vacate portions of 17th Street between 5th and 6th Avenues, Marion, Iowa (Donald Carsner) 168 - 173
- [Agenda Memo - AM-22-1021 - Pdf](#)

- F.2. Resolution setting a public hearing for September 8, 2022 regarding a request to amend the future land use map of the Marion Comprehensive Plan from Single Family Attached and Public/Semi Public to Single-Family Detached Residential and a request to rezone property from AG, Agricultural Holding and PD-R, Planned Development Residential to SR-3, Suburban Medium Density Single-Family Residential for property located north of 35th Avenue and east of 44th Street extended north, Marion, Iowa. (Sycamore Development, LLC) 174 - 188
[Agenda Memo - AM-22-1016 - Pdf](#)

G. Library

- G.1. Resolution approving partial payment No. 33 to Engberg Anderson, Inc. regarding the Library Building Project in the amount of \$6,300.00 (FACS-17-034) 189 - 192
[Agenda Memo - AM-22-1055 - Pdf](#)

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

A. Administrative Services - None

B. Public Services - None

C. Public Safety - None

D. Parks - None

E. Engineering (4:10-4:15)

- E.1. Resolution approving Partial Payment No. 1 to Abode Construction, Inc. regarding the demolition of Airport Quonset Hut located at 1690 Marion Airport Road and authorizing payment in an amount of \$4,900.00 193
[Agenda Memo - AM-22-1053 - Pdf](#)

- E.2. Resolution accepting the Airport Quonset Hut Demolition located at 1690 Marion Airport Road. 194
[Agenda Memo - AM-22-1054 - Pdf](#)

- E.3. Resolution approving Change Order No. 020 with Acme Electric regarding the Marion Library Building Project BP 26A regarding adding room schedulers and data cabling in the amount of \$19,672.67 (FACS-17-034) 195 - 209
[Agenda Memo - AM-22-1052 - Pdf](#)

- E.4. Motion to receive and file Marion Airport Assessment of Existing Conditions from HDR. 210 - 243
[Agenda Memo - AM-22-1040 - Pdf](#)

F. Community Development - None

G. Library - None

REGULAR AGENDA

A. Administrative Services - None

B.	Public Services (4:15-4:25)	
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. (Second Consideration) Agenda Memo - AM-22-1030 - Pdf	244 - 256
B.2.	Resolution approving contract with King-Knutson Construction for the Pre-Engineered Steel Building Package associated with the new Public Service Maintenance Facility and authorizing payment in the amount of \$4,585,000. (FACS-17-069). Agenda Memo - AM-22-1057 - Pdf	257 - 258
B.3.	Motion to approve Project Calendar for the Roof Repair Package associated with Marion City Hall: <ul style="list-style-type: none"> • Resolution approving Resolution of Necessity regarding the Roof Repair Package associated with Marion City Hall. • Resolution ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Roof Repair Package associated with Marion City Hall. • Resolution approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Roof Repair Package associated with Marion City Hall. Agenda Memo - AM-22-1038 - Pdf	259 - 269
B.4.	Public Hearing regarding the Foundation Repair Package associated with the new Public Service Maintenance Facility (FACS-17-069). Agenda Memo - AM-22-1059 - Pdf	270
B.5.	Resolution approving bids and awarding contract to Western Specialty Contractors for the Foundation Repair Package associated with the new Public Service Maintenance Facility in the amount of \$348,500.00 (FACS-17-069). Agenda Memo - AM-22-1037 - Pdf	271
C.	Public Safety - None	
D.	Parks - None	
E.	Engineering (4:25-4:40)	
E.1.	Public comment period regarding a request to designate 4th Avenue between 12th Street and 14th Street a one-way (westbound) and 13th Street a one-way from 3rd Avenue to 4th Avenue a one-way. (Southbound) Agenda Memo - AM-22-1041 - Pdf	272 - 282

- E.2. Motion to receive, file and discuss TAC report regarding a request to designate 4th Avenue between 12th Street and 14th Street a one-way (westbound) and 13th Street a one-way from 3rd Avenue to 4th Avenue a one-way. (Southbound) (Marion Independent School District, MISD) 283 - 293
[Agenda Memo - AM-22-1042 - Pdf](#)
- E.3. Resolution establishing 4th Avenue between 12th Street and 14th Street a one-way (Westbound) and approving installation of the appropriate traffic control signs. 294 - 304
[Agenda Memo - AM-22-1043 - Pdf](#)
- E.4. Resolution establishing 13th Street between 3rd Avenue and 4th Avenue as a one-way (Southbound) and approving installation of the appropriate traffic control signs. 305 - 315
[Agenda Memo - AM-22-1044 - Pdf](#)
- F. Community Development (4:40-4:55)
- F.1. 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. (Second Consideration) 316 - 320
[Agenda Memo - AM-22-1012 - Pdf](#)
- F.2. 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) (continued from 8/5/2022) 321 - 339
[Agenda Memo - AM-22-1023 - Pdf](#)
- F.3. Motion to remove from table Resolution No. 30771 regarding an amendment to the Marion Future Land Use Map of the Marion Comprehensive Plan (Atwood Rentals, LLC) (Tabled 8/4/22)
- 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) (Tabled 8/4/22) 340 - 345
[Agenda Memo - AM-22-1027 - Pdf](#)
- F.5. Motion to remove from table Ordinance No. 22-17 regarding a request to rezone property located west of Winslow Road and south of Tower Terrace Road extended, Marion, Iowa. (Atwood Rentals, LLC) (Tabled 8/4/22)

- F.6. 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) (Tabled 8/4/22) 346 - 352
[Agenda Memo - AM-22-1028 - 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 establishment of an airport visioning subcommittee. (4:55-5:00) 353
[Agenda Memo - AM-22-1025 - Pdf](#)
2. Discussion regarding Detention Basins (5:00-5:10) 354
[Agenda Memo - AM-22-116 - Pdf](#)
3. Budget Discussion: Environmental Scan (5:10-5:15) 355 - 357
[Agenda Memo - AM-22-1031 - Pdf](#)

COUNCIL COMMENTS

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

CLOSED SESSION

1. Motion to adjourn to closed session regarding litigation as permitted under Section 21.5(1)(c) and regarding personnel matters as permitted under 21.5(1)(i) of the Code of Iowa. (Three separate matters)

ADJOURN