



AGENDA

City Council Regular Session

5:30 PM - Thursday, December 22, 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# 863 9361 2858. 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 on an agenda item, including public hearings may submit the comment to the City Clerk by 4:00 p.m. on Thursday, December 22 via email at cityclerk@cityofmarion.org.

Due to inclement weather, comments can be made virtually or in person at the meeting. During the meeting, select Q&A and enter your name, address and agenda item you'd like to comment on. During the appropriate public forum or hearing, use the raise hand feature in Zoom and the City Clerk will call on you to speak.

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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 December 6 and 8, 2022 City Council meetings Agenda Memo - AM-22-1547 - Pdf	9 - 21
A.2.	Receive and file correspondence regarding Leslie Fox's resignation from the Marion Arts Council Agenda Memo - AM-22-1576 - Pdf	22 - 23
A.3.	Receive and file November 2022 department monthly reports Agenda Memo - AM-22-1552 - Pdf	24 - 62
A.4.	Payments as presented in the amount of \$1,564,284.24 Agenda Memo - AM-22-1548 - Pdf	63 - 90
A.5.	Resolution No. 31050 approving 457b plan agreement with Equitable Advisors regarding deferred compensation options Agenda Memo - AM-22-1554 - Pdf	91 - 124
A.6.	Resolution No. 31051 authorizing additional signatures on checks over \$20,000 Agenda Memo - AM-22-1522 - Pdf	125
A.7.	Resolution No. 31052 approving amendment no. 3 to the agreement with the City of Cedar Rapids regarding the provision of wastewater treatment Agenda Memo - AM-22-1579 - Pdf	126 - 128
A.8.	Resolution No. 31053 approving an agreement with GovTempsUSA, LLC regarding temporary employment in the Community Development Department. Agenda Memo - AM-22-1580 - Pdf	129 - 141
A.9.	Resolution No. 31054 approving professional services agreement with Pedersen, Dowie, Clabby and McCausland, Inc. (PDCM) regarding broker services and authorizing payment in an amount not to exceed \$108,000 Agenda Memo - AM-22-1551 - Pdf	142 - 217
A.10.	Resolution No. 31055 approving purchase of computers from CDW Government and authorizing payment in the amount of \$19,589 Agenda Memo - AM-22-1584 - Pdf	218 - 220
A.11.	Mayor AbouAssaly's recommended reappointment/appointments: <ul style="list-style-type: none"> • Civil Rights Commission <ul style="list-style-type: none"> ○ Renae Forsyth-Christy - term expires 12/31/2025 ○ Katie Tanner - term expires 12/31/2025 ○ Cody Crawford - term expires 12/31/2025 • Marion Area Ambulance Board <ul style="list-style-type: none"> ○ Fire Chief Tom Fagan Agenda Memo - AM-22-1526 - Pdf	221 - 225

B. Public Services

B.1.	Receive and file wastewater treatment rates from the City of Cedar Rapids for Fiscal Year 2024. Agenda Memo - AM-22-1594 - Pdf	226 - 229
C.	Public Safety	
C.1.	Resolution No. 31056 approving a five-year contract with Axon regarding body worn cameras including unlimited storage and redaction assistant license and authorizing payment in the amount of \$325,983.94. Agenda Memo - AM-22-1546 - Pdf	230 - 239
C.2.	Resolution No. 31057 approving a contract with Center for Public Safety Excellence, Inc. regarding the facilitation of a fire department community-driven strategic plan and authorizing payment in the amount of \$18,000 Agenda Memo - AM-22-1491 - Pdf	240 - 245
C.3.	Resolution No. 31058 approving purchase of bunker gear from Ed M. Feld Equipment Co. and authorizing payment in an amount not to exceed \$107,200 Agenda Memo - AM-22-1563 - Pdf	246 - 261
C.4.	Resolution No. 31059 approving contract with US Digital Designs regarding fire station alerting with the Marion 911 Communications Center and authorizing payment in the amount of \$12,825 Agenda Memo - AM-22-1568 - Pdf	262 - 272
C.5.	Resolution No. 31060 approving a contract with Image Trend regarding data integration between the new 911 Communications Center's Computer-Aided Dispatch (CAD) system and the fire department record management system and authorizing payment in the amount of \$3,500 Agenda Memo - AM-22-1570 - Pdf	273 - 276
D.	Parks	
D.1.	Receive and file 2022-2023 Parks Operations and Forestry Winter Work Program Agenda Memo - AM-22-1559 - Pdf	277 - 288
D.2.	Resolution No. 31061 approving a one year renewal of a lease agreement with Greg Carson and Picket Fence Family Farm, for property located at WaterLinn Park 1st Addition, Lot 2 and Lot 3 Agenda Memo - AM-22-1558 - Pdf	289 - 294
D.3.	Receive and file job description for the Recreation Coordinator Agenda Memo - AM-22-1565 - Pdf	295 - 298
D.4.	Resolution No. 31062 authorizing staff to restructure the recreation division Agenda Memo - AM-22-1593 - Pdf	299

E.	Engineering	
E.1.	Resolution No. 31063 approving change order no. 2 with Eastern Iowa Excavating & Concrete LLC regarding the 2022 Pavement Patching Project for a credit in the amount of \$5,250 (TRANS-18-090)	300 - 301
	Agenda Memo - AM-22-1528 - Pdf	
E.2.	Resolution No. 31064 accepting the 2022 Pavement Patching Project (TRANS-18-090)	302
	Agenda Memo - AM-22-1529 - Pdf	
E.3.	Resolution No. 31065 accepting the 2022 Taube Park Project (REC-20-007)	303
	Agenda Memo - AM-22-1577 - Pdf	
E.4.	Resolution No. 31066 accepting the 2022 Sanitary CIPP Rehabilitation Project (ANN-18-029)	304
	Agenda Memo - AM-22-1543 - Pdf	
E.5.	Resolution No. 31067 accepting paving associated with Rookwood Estates 3rd Addition to the City of Marion	305
	Agenda Memo - AM-22-1541 - Pdf	
E.6.	Resolution No. 31068 approving partial payment no. 8 to Anderson Bogert Engineers regarding the Alburnett Road and Echo Hill Road Roundabout Project in the amount of \$3,000 (CS-TSF-4775(641)—85-57) (TRANS-19-118)	306
	Agenda Memo - AM-22-1540 - Pdf	
E.7.	Resolution No. 31069 approving partial payment no. 19 to Shoemaker & Haaland regarding Marion/CeMar Trail Construction Management Services in the amount of \$632.94 (TAP-U-4775(638)—81-57) (TRL-17-055)	307
	Agenda Memo - AM-22-1562 - Pdf	
E.8.	Resolution No. 31070 approving a stop sign stopping north bound traffic on Aircom Drive at its intersection with Marion Airport Road	308
	Agenda Memo - AM-22-1530 - Pdf	
F.	Community Development	
F.1.	Resolution No. 31071 rescinding Resolution No. 27374 and approving Whispering Winds Estate Addition Final Plat to Linn County located at 1880 Bloomington Road, Linn County, Iowa (Del and Donna Bucknell)	309 - 316
	Agenda Memo - AM-22-1536 - Pdf	
F.2.	Resolution No. 31072 approving payment no. 38 to Shoemaker Haaland per the contract for the CeMar Trail in the amount of \$1,025.76 (Iowa DOT Project Number: TAP-U-4475(630)-81-57) (TRL-17-055)	317 - 322
	Agenda Memo - AM-22-1545 - 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
 - A.1. Resolution No. 31073 consenting to assignment of development agreement and tax increment payments (Barker Financial, LLC to Cobban-Hervey, LLC) 323 - 334
[Agenda Memo - AM-22-1544 - Pdf](#)
- B. Public Services - None
- C. Public Safety - None
- D. Parks - None
- E. Engineering
 - E.1. Resolution No. 31074 approving change order no. 9 with Peterson Contractors Inc. regarding the 10th Avenue Sidepaths PCC Sidewalk/Trail for a credit in the amount of \$4,404.33 (TAP-U-4775(635)—8I-57) (TRL-18-110) 335 - 337
[Agenda Memo - AM-22-1564 - Pdf](#)
 - E.2. Resolution No. 31075 accepting paving associated with Hunters Ridge North 2nd Addition to the City of Marion 338
[Agenda Memo - AM-22-1585 - Pdf](#)
- F. Community Development - None
- G. Library - None

REGULAR AGENDA

- A. Administrative Services
 - A.1. Resolution No. 31076 approving the City of Marion Employee Handbook 339 - 418
[Agenda Memo - AM-22-1595 - Pdf](#)
 - A.2. Ordinance No. 22-24 amending Chapter 31 of the Marion Code of Ordinances relating to the Civil Rights Commission (second consideration) 419 - 451
[Agenda Memo - AM-22-1582 - Pdf](#)
 - A.3. Motion to suspend the rules and proceed to the final consideration of Ordinance No. 22-24
 - A.4. Ordinance No. 22-24 amending Chapter 31 of the Marion Code of Ordinances relating to the Civil Rights Commission (final consideration) 452 - 484
[Agenda Memo - AM-22-1583 - Pdf](#)
- B. Public Services

- B.1. Public Hearing for the Trade Packages associated with the new Public Service Maintenance Facility (FACS-17-069) 485 - 490
[Agenda Memo - AM-22-1571 - Pdf](#)
- B.2. Motion to approve the project calendar regarding the Public Service Facility Trade Packages as follows (FACS-17- 069): 491 - 497
- Resolution No. 31077 accepting bids and awarding contract to Hawkeye Electric for the Electrical Package associated with the Public Service Maintenance Facility in the amount of \$2,228,960
 - Resolution No. 31078 accepting bids and awarding contract to B.G. Brecke for the Mechanical Package associated with the Public Service Maintenance Facility in the amount of \$5,892,630
 - Resolution No. 31079 accepting bids and awarding contract to LL Pelling for the Paving Package associated with the Public Service Maintenance Facility in the amount of \$1,242,835
 - Resolution No. 31080 accepting bids and awarding contract to T&K Roofing for the Roofing Package associated with the Public Service Maintenance Facility in the amount of \$2,200,000
 - Resolution No. 31081 accepting bids and awarding contract to Dan’s Overhead Door for the Overhead Door Package associated with the Public Service Maintenance Facility in the amount of \$597,956
- [Agenda Memo - AM-22-1572 - Pdf](#)
- B.3. Motion to approve the project calendar regarding the Public Service Facility Trade Packages as follows (FACS-17-069): 498 - 502
- Resolution No. 31082 accepting bids and awarding contract to Rathje Construction for the Civil Improvement Package associated with the Public Service Maintenance Facility in the amount of \$1,194,750
 - Resolution No. 31083 accepting bids and awarding contract to Millennium Concrete the Building Concrete Package associated with the Public Service Maintenance Facility in the amount of \$3,307,835
 - Resolution No. 31084 accepting bids and awarding contract to Portzen Construction for the General Construction Package associated with the Public Service Maintenance Facility in the amount of \$4,430,000
- [Agenda Memo - AM-22-1575 - Pdf](#)
- B.4. Resolution No. 31085 rejecting bids and further authorizing staff to rebid for the following packages associated with the Public Service Maintenance Facility: Civil Improvement, Building Concrete, and the General Construction.(FACS-17-069) 503
[Agenda Memo - AM-22-1592 - Pdf](#)
- C. Public Safety - None

- D. Parks - None
- E. Engineering - None
- F. Community Development
 - F.1. Public hearing regarding an amendment to Chapter 176, Zoning Regulations to establish Ch. 176.56, Architectural Design Standards and Site Development Plan Review (continued from Dec. 8, 2022) 504 - 517
[Agenda Memo - AM-22-1531 - Pdf](#)
 - F.2. Ordinance No. 22-25 amending Chapter 176, Zoning Regulations to establish Ch. 176.56, Architectural Design Standards and Site Development Plan Review (second consideration) 518
[Agenda Memo - AM-22-1532 - Pdf](#)
 - F.3. Motion to accept the dedication of Yorkshire Court a private street and private detention basin subject to the replat of the Coves at English Glen Final Plat (Adam Stradt) 519 - 533
[Agenda Memo - AM-22-1538 - Pdf](#)
 - F.4. Resolution No. 31086 approving the central corridor review for property located at 2449 7th Avenue, Marion Iowa (Burger King, Beaton Holding Co LC) 534 - 547
[Agenda Memo - AM-22-1537 - Pdf](#)
 - F.5. Public hearing to discuss applications for Community Development Block Grant Disaster Recovery (CDBG-DR) housing funds and to collect input for a Community Development and Housing Needs Assessment 548 - 560
[Agenda Memo - AM-22-1556 - Pdf](#)
 - F.6. Resolution No. 31087 authorizing and directing East Central Iowa Council of Governments (ECICOG) to submit an application and associated documents for funding for the Community Development Block Grant Disaster Recovery Housing Program (CDBG-DR) to the Iowa Economic Development Authority for the Hoth Flats Housing Project and authorizing the Mayor to sign and execute all documents required for the application 561 - 589
[Agenda Memo - AM-22-1561 - Pdf](#)
 - F.7. Resolution No. 31088 authorizing and directing East Central Iowa Council of Governments (ECICOG) to submit an application and associated documents for funding for the Community Development Block Grant Disaster Recovery Housing Program (CDBG-DR) to the Iowa Economic Development Authority for the Winslow House Senior Apartments Housing Project and authorizing the Mayor to sign and execute all documents required for the application 590 - 612
[Agenda Memo - AM-22-1560 - Pdf](#)

- F.8. Resolution No. 31089 authorizing and directing East Central Iowa Council of Governments (ECICOG) to submit an application and associated documents for funding for the Community Development Block Grant Disaster Recovery Housing Program (CDBG-DR) to the Iowa Economic Development Authority for The Ridge at Indian Creek 2nd Addition Townhouses Housing Project and authorizing the Mayor to sign and execute all documents required for the application

613 - 639

[Agenda Memo - AM-22-1567 - Pdf](#)

- F.9. Resolution No. 31090 authorizing and directing East Central Iowa Council of Governments (ECICOG) to submit an application and associated documents for funding for the Community Development Block Grant Disaster Recovery Housing Program (CDBG-DR) to the Iowa Economic Development Authority for the Belltower Lofts Housing Project and authorizing the Mayor to sign and execute all documents required for the application

640 - 663

[Agenda Memo - AM-22-1539 - 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