



AGENDA

City Council Regular Session

5:30 PM - Thursday, February 23, 2023

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# 824 8900 5724. 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, February 23 via email at cityclerk@cityofmarion.org.

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CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MOMENT OF SILENCE

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 February 7 and 9, 2023 City Council meetings 8 - 19
[Agenda Memo - AM-23-128 - Pdf](#)
- A.2. Motion to approve liquor licenses as follows: 20
 - Renewal - Dollar General Store #7226 - 1135 E Post Road
 - Renewal - Dollar General Store #7398 - 5000 Chandler CT[Agenda Memo - AM-23-167 - Pdf](#)

A.3.	Hold Harmless Agreements with: <ul style="list-style-type: none"> • St. Joseph's regarding St. Joseph Fun Days on June 2-4, 2023 at St. Joseph's grounds located at 1790 14th Street. • Farmers State Bank regarding Marion By Moonlight on June 1, 8, 15, 22, and 29 at Lowe Park. • Doreen Zumwalt regarding Marion Big Band Concerts on July 6, 13, 20, and 27 in Thomas Park. • Marion Arts Festival regarding a Marion Arts Festival half marathon and 5k event on May 21, 2022 that starts and ends on 5th Avenue. <p>Agenda Memo - AM-23-131 - Pdf</p>	21 - 60
A.4.	Receive and file January 2023 department monthly reports <p>Agenda Memo - AM-23-129 - Pdf</p>	61 - 92
A.5.	Payments as presented in the amount of \$1,468,595.13 <p>Agenda Memo - AM-23-130 - Pdf</p>	93 - 115
A.6.	Resolution No. 31189 approving master services agreement with ImOn Communications, LLC regarding free public Wi-Fi within Marion, Iowa <p>Agenda Memo - AM-23-164 - Pdf</p>	116 - 124
A.7.	Motion to receive and file the audit report for the fiscal year ended June 30, 2022 <p>Agenda Memo - AM-23-152 - Pdf</p>	125 - 215
A.8.	Resolution No. 31190 approving Urban Revitalization application from Green Park Apartment Living, LLC located in the 2021 Multi-Residential Urban Revitalization Urban Revitalization Plan. <p>Agenda Memo - AM-23-153 - Pdf</p>	216 - 226
A.9.	Resolution No. 31191 approving amended Comparable Cities Policy <p>Agenda Memo - AM-23-162 - Pdf</p>	227 - 229
A.10.	Receive and file job description for the Engineering Technician Intern <p>Agenda Memo - AM-23-157 - Pdf</p>	230 - 232
B.	Public Services	
B.1.	Resolution No. 31192 approving professional services agreement with Shive-Hattery for supplemental design services related to the roof repairs to Marion City Hall and authorizing payment in the amount of \$12,500 <p>Agenda Memo - AM-23-158 - Pdf</p>	233 - 235
C.	Public Safety	
C.1.	Resolution No. 31193 approving payment to Karl Chevrolet for purchase of a 2023 Chevrolet Tahoe SUV in the amount of \$40,682 <p>Agenda Memo - AM-23-139 - Pdf</p>	236 - 239

D.	Parks	
D.1.	Resolution No. 31194 approving agreement with Bolton & Menk, Inc. for professional services for the Indian Creek Access: Site One and authorizing payment not to exceed \$21,450 (REC-18-054) Agenda Memo - AM-23-136 - Pdf	240 - 255
D.2.	Resolution No. 31195 approving memorandum of understanding agreement with National Recreation and Park Association, Inc. (NRPA) for the Merrell Changing Nature of Work Award in the amount of \$10,000 Agenda Memo - AM-23-169 - Pdf	256 - 263
D.3.	Resolution No. 31196 approving Capital Campaign for the Central Plaza Project, including naming rights Agenda Memo - AM-23-172 - Pdf	264 - 270
E.	Engineering	
E.1.	Resolution No. 31197 approving the 2023 City of Marion Traffic Signal Specifications Agenda Memo - AM-23-133 - Pdf	271 - 292
E.2.	Resolution No. 31198 approving the 2023 City of Marion Roadway and Trail Lighting Specifications Agenda Memo - AM-23-132 - Pdf	293 - 305
E.3.	Motion to receive, file and approve the 2023 Engineering Work Program. Agenda Memo - AM-23-123 - Pdf	306 - 307
E.4.	Resolution No. 31199 approving partial payment no. 21 to Shoemaker & Haaland regarding Marion/CeMar Trail Construction Management Services in the amount of \$1,265.88 (TAP-U-4775(638)—81-57)(TRL-17-055) Agenda Memo - AM-23-142 - Pdf	308
F.	Community Development	
F.1.	Resolution No. 31200 rescinding the Complete Streets Policy Agenda Memo - AM-23-159 - Pdf	309
F.2.	Resolution No. 31201 rescinding Displacement Policies Agenda Memo - AM-23-160 - Pdf	310
F.3.	Resolution No. 31202 rescinding the Disposition of Flood Hazard Properties Policy Agenda Memo - AM-23-163 - Pdf	311
F.4.	Resolution No. 31203 approving amended Address Policy Agenda Memo - AM-23-156 - Pdf	312 - 316
G.	Library - None	

REGULAR AGENDA

- A. Administrative Services
 - A.1. Public hearing regarding adoption of the 2023 Code of Ordinances 317 - 369
[Agenda Memo - AM-23-125 - Pdf](#)
 - A.2. Ordinance No. 23-02 adopting the 2023 Code of Ordinances (initial consideration) 370 - 422
[Agenda Memo - AM-23-126 - Pdf](#)
 - A.3. Public hearing regarding fiscal year 2024 maximum property tax dollars 423 - 425
[Agenda Memo - AM-23-154 - Pdf](#)
 - A.4. Resolution No. 31204 approving fiscal year 2024 maximum property tax dollars 426 - 428
[Agenda Memo - AM-23-155 - Pdf](#)
- B. Public Services - None
- C. Public Safety - None
- D. Parks - None
- E. Engineering
 - E.1. Public hearing regarding the Indian Creek Trunk Sewer - Segment 7 Project (SWR-17-026) 429 - 433
[Agenda Memo - AM-23-143 - Pdf](#)
 - E.2. Resolution No. 31205 accepting bids and awarding contract to Boomerang Corp. regarding the Indian Creek Trunk Sewer - Segment 7 Project in the amount of \$12,735,271.27 (SWR-17-026) 434 - 438
[Agenda Memo - AM-23-144 - Pdf](#)
 - E.3. Public hearing regarding the 2023 Sidewalk Ramp Project (ANN-18-106) 439 - 441
[Agenda Memo - AM-23-145 - Pdf](#)
 - E.4. Resolution No. 31206 accepting bids and awarding contract to Hunt Construction Company regarding the 2023 Sidewalk Ramp Project in the amount of \$143,098 (ANN-18-106) 442 - 444
[Agenda Memo - AM-23-146 - Pdf](#)
 - E.5. Public hearing regarding the 2023 HMA Resurfacing Project (ANN-18-086) 445 - 447
[Agenda Memo - AM-23-147 - Pdf](#)
 - E.6. Resolution No. 31207 accepting bids and awarding contract to LL Pelling Company, Inc. regarding the 2023 HMA Resurfacing Project in the amount of \$1,014,566.20 (ANN-18-086) 448 - 450
[Agenda Memo - AM-23-148 - Pdf](#)

- E.7. Resolution No. 31208 approving policy for Residential Street Parking for Existing Streets 451 - 453
[Agenda Memo - AM-23-122 - Pdf](#)
- E.8. Ordinance No. 23-01 amending Chapter 63 of the Code of Ordinances establishing the speed limit on Fernow Road from Fields Drive to Highway 13 as 35 mph (final consideration) 454 - 456
[Agenda Memo - AM-23-121 - Pdf](#)
- E.9. Resolution No. 31209 approving purchase agreement with Eastern Iowa Coffee, LLC regarding the 2023 Twixt Town Rd & Marion Blvd Intersection Improvements Project and authorizing payment in the amount of \$2,254.24 (TRANS-18-090) 457 - 469
[Agenda Memo - AM-23-096 - Pdf](#)
- E.10. Motion to approve project calendar regarding the 2023 Twixt Town Rd & Marion Blvd Intersection Improvements Project as follows: 470 - 471
- Motion to retain the City Engineer as Project Engineer regarding the 2023 Twixt Town Rd & Marion Blvd Intersection Improvements Project (TRANS-18-090)
 - Resolution No. 31210 approving Resolution of Necessity regarding the 2023 Twixt Town Rd & Marion Blvd Intersection Improvements Project (TRANS-18-090)
 - Resolution No. 31211 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2023 Twixt Town Rd & Marion Blvd Intersection Improvements Project (TRANS-18-090)
 - Resolution No. 31212 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2023 Twixt Town Rd & Marion Blvd Intersection Improvements Project (TRANS-18-090)
- [Agenda Memo - AM-23-094 - Pdf](#)

- E.11. Motion to approve project calendar regarding the 2023 10th St & 29th Ave Landscaping Restoration Project as follows: 472 - 473
- Motion to retain the City Engineer as Project Engineer regarding the 2023 10th St & 29th Ave Landscaping Restoration Project (ANN-18-103)
 - Resolution No. 31213 approving Resolution of Necessity regarding the 2023 10th St & 29th Ave Landscaping Restoration Project (ANN-18-103)
 - Resolution No. 31214 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2023 10th St & 29th Ave Landscaping Restoration Project (ANN-18-103)
 - Resolution No. 31215 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2023 10th St & 29th Ave Landscaping Restoration Project (ANN-18-103)

[Agenda Memo - AM-23-124 - Pdf](#)

- E.12. Motion to approve project calendar regarding the 2023 Sanitary Sewer Televising Project as follows: 474 - 475
- Motion to retain the City Engineer as Project Engineer regarding the 2023 Sanitary Sewer Televising Project (ANN-18-029)
 - Resolution No. 31216 approving Resolution of Necessity regarding the 2023 Sanitary Sewer Televising Project (ANN-18-029)
 - Resolution No. 31217 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2023 Sanitary Sewer Televising Project (ANN-18-029)
 - Resolution No. 31218 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2023 Sanitary Sewer Televising Project (ANN-18-029)

[Agenda Memo - AM-23-127 - Pdf](#)

F. Community Development

- F.1. Resolution No. 31219 approving the Facade Improvements - Central Corridor Review for property located at 1801/1833 7th Avenue, Marion, Iowa (Jeff Bulicek) 476 - 484
- [Agenda Memo - AM-23-140 - Pdf](#)
- F.2. Resolution No. 31220 approving Marion South Substation First Addition Final Plat and Memorandum of Agreement for property located north of Highway 100 and west of 44th Street, Marion, Iowa (ITC Midwest LLC) 485 - 507

[Agenda Memo - AM-23-135 - Pdf](#)

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| F.3. | Resolution No. 31221 approving the central corridor review for the demolition of the former Marion Library located at 1095 6th Avenue, Marion, Iowa (City of Marion, Iowa)
Agenda Memo - AM-23-134 - Pdf | 508 - 511 |
| F.4. | Public hearing regarding the 1095 6th Avenue Site Disposal Project
Agenda Memo - AM-23-149 - Pdf | 512 - 513 |
| F.5. | Resolution No. 31222 accepting bids and awarding contract to DW Zinser Company, Inc. regarding the 1095 6th Avenue Site Disposal Project in the amount of \$117,900.00
Agenda Memo - AM-23-150 - Pdf | 514 - 515 |

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.

CLOSED SESSION

1. Motion to adjourn to closed session regarding a real estate transaction as permitted under Section 21.5(1)(j) of the Code of Iowa.

ADJOURN