



AGENDA

City Council Work Session

4:00 PM - Tuesday, November 1, 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# 865 1295 7951. 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, November 3 via email at cityclerk@cityofmarion.org.

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CALL TO ORDER

PROCLAMATIONS/OATHS

- 1. Oath of Office Ceremony for Fire Chief Tom Fagan (Thursday) 8
[Agenda Memo - AM-22-1238 - Pdf](#)

PRESENTATIONS

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

None

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 (4:00-4:10)
 - A.1. Minutes of the October 18 and 20, 2022 City Council meetings. 9 - 19
[Agenda Memo - AM-22-1362 - Pdf](#)
 - A.2. Motion to approve the Fiscal Year 2023 Cigarette License for the 20
following:
 - Mega Liquor, Vape, & Tobacco - 5680 Kacena Ave
[Agenda Memo - AM-22-1349 - Pdf](#)

A.3.	Liquor licenses including the following:	21 - 22
	<ul style="list-style-type: none"> • New - Traveling Tapster LLC - 5680 Kacena Ave • New - Mega Retail - 5680 Kacena Ave • Renewal - Hy-Vee Gas - 3550 HWY 151 • Renewal - Hy-Vee Fast and Fresh - 2790 7th Ave • Renewal - Best Western Longbranch Hotel - 90 Twixt Town Road NE • Renewal - West End Diner - 809 6th Ave • Renewal - Kum & Go #509 - 1203 Blairs Ferry RD 	
	Agenda Memo - AM-22-1370 - Pdf	
A.4.	Mayoral appointments:	23
	<ul style="list-style-type: none"> • Tom Fagan, Linn County Emergency Management Commission, Marion Designated Representative 	
	Agenda Memo - AM-22-1375 - Pdf	
A.5.	Payments as presented in the amount of \$3,277,517.60.	24 - 51
	Agenda Memo - AM-22-1363 - Pdf	
A.6.	Motion to approve project calendar regarding the following internal loan advances:	52 - 57
	<ul style="list-style-type: none"> • Resolution Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the Collins Road Extension Urban Renewal Area • Resolution Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the Central Corridor Urban Renewal Area • Resolution Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the Echo Hill Road Urban Renewal Area • Resolution Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the 29th Avenue Urban Renewal Area • Resolution Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the West Tower Terrace Road Urban Renewal Area • Resolution Authorizing Internal Advance for Funding of Urban Renewal Project for the Collins Road Extension Urban Renewal Area (Uptown Holdings LLC) 	
	Agenda Memo - AM-22-1339 - Pdf	
A.7.	Resolution approving Builder's Risk policy with Selective Insurance Company for the new Public Service Maintenance Facility located at 4127 3rd Avenue.	58 - 81
	Agenda Memo - AM-22-1378 - Pdf	
B.	Public Services - None	
C.	Public Safety (4:10-4:15)	

C.1.	Resolution approving job description for Part-Time Communications Operator and authorizing the hiring of temporary part-time communication operators due to an emergency need Agenda Memo - AM-22-1388 - Pdf	82 - 85
C.2.	Resolution approving the memorandum of understanding with Marion Policeman's Protective Association regarding the Rotating Overtime List for Involuntary Overtime for Officers and Dispatchers effective November 4, 2022 to June 30, 2023. Agenda Memo - AM-22-1390 - Pdf	86 - 87
C.3.	Resolution approving the 28E contract agreement with the Marion Township Agenda Memo - AM-22-1389 - Pdf	88 - 90
D.	Parks	
D.1.	Resolution approving contract with RDG Planning and Design for conceptual design for Caboose Park and authorizing payment in the amount not to exceed \$4,500. Agenda Memo - AM-22-1369 - Pdf	91 - 97
D.2.	Resolution approving the changes to Oak Shade Cemetery fee schedule. Agenda Memo - AM-22-1374 - Pdf	98 - 99
E.	Engineering	
E.1.	Resolution approving Change Order 01 with Midwest Concrete, Inc. regarding the 2022 Pavement Rehabilitation Project and authorizing payment in the amount of \$39,341.00 (TRANS-18-090). Agenda Memo - AM-22-1341 - Pdf	100 - 102
E.2.	Resolution approving Partial Payment No. 4 to Braun Intertec regarding the Indian Creek Trail Plant Monitor and Soil testing in the amount of \$1,422.50. (TRL-17-055). Agenda Memo - AM-22-1383 - Pdf	103 - 104
E.3.	Resolution approving Partial Payment No. 18 to Pipe Pro, Inc. regarding the Marion Library Project – Bid Pkg 22A & 23A regarding Plumbing and HVAC in the amount of \$14,775.78. (FACS-17-034) Agenda Memo - AM-22-1384 - Pdf	105
E.4.	Resolution approving Partial Payment No. 8 to Culvers Landscape, Inc. regarding the Marion Library Project – Bid Pkg 32B Landscaping Site Restoration in the amount of \$5,217.06. (FACS-17-034) Agenda Memo - AM-22-1385 - Pdf	106

- E.5. Resolution approving Partial Payment No. 20 to Anderson Bogert Engineers regarding the Central Corridor Improvements 7th Avenue from 8th Street to 12th Street in the amount of \$11,847.00. (TRANS-18-091) 107
[Agenda Memo - AM-22-1386 - Pdf](#)
- E.6. Resolution approving Change Order No. 52 with 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 \$248,706.38 (TRANS-18-101) 108 - 110
[Agenda Memo - AM-22-1381 - Pdf](#)
- E.7. Resolution approving Partial Payment No. 7 with Boomerang Corp. regarding the S 31st St and Highway 100 Traffic Signals and Turn Lane Improvements Project in the amount of \$8,635.50. (TRANS-18-073) (CS-TSF-4775(642)--85-57) 111 - 112
[Agenda Memo - AM-22-1354 - Pdf](#)
- E.8. Resolution accepting the S 31st St and Highway 100 Traffic Signals and Turn Lane Improvements Project (TRANS-18-073) (CS-TSF-4775(642)--85-57) 113 - 114
[Agenda Memo - AM-22-1368 - Pdf](#)
- E.9. Resolution approving Partial Payment No. 16 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 \$374,469.53 (TRANS-18-101) 115
[Agenda Memo - AM-22-1355 - Pdf](#)
- E.10. Resolution accepting the public improvements associated with the Ridge at Indian Creek 2nd Addition to the City of Marion. 116
[Agenda Memo - AM-22-1364 - Pdf](#)
- F. Community Development (4:15-4:20)
- F.1. Resolution approving Hunters Ridge North 2nd Addition Final Plat and memorandum of agreement for property located east of Winslow Road and west of Royal Oak Ridge Road extended (Midwest Development Co) 117 - 125
[Agenda Memo - AM-22-1358 - Pdf](#)
- F.2. Motion to receive and file a request from Genesis Equities to engage a planning firm to create a development concept for property located between 7th and 8th Avenues and east of 27th Street, Marion, Iowa. (Genesis Equities) 126 - 128
[Agenda Memo - AM-22-1382 - Pdf](#)
- F.3. Resolution approving American Rescue Plan Act (ARPA) Funding allocation to Marion Cares for Immediate Housing Assistance and authorizing payment in the amount of \$60,000. 129 - 132
[Agenda Memo - AM-22-1380 - Pdf](#)

G. Library - None

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

A. Administrative Services (4:20-4:25)

- A.1. Resolution Authorizing Internal Advance for Funding of Urban Renewal Airport Operating and Support Program for the Collins Road Extension Urban Renewal Area 133 - 135
[Agenda Memo - AM-22-1366 - Pdf](#)

B. Public Services - None

C. Public Safety - None

D. Parks - None

E. Engineering

- E.1. Resolution approving Partial Payment No. 17 to Acme Electric Company regarding the Marion Library Project – Bid Pkg 26A regarding Electrical in the amount of \$10,183.00. (FACS-17-034) 136
[Agenda Memo - AM-22-1387 - Pdf](#)

- E.2. Resolution accepting the public improvements associated with the Commons at English Glen 6th Addition to the City of Marion. 137
[Agenda Memo - AM-22-1376 - Pdf](#)

F. Community Development - None

G. Library - None

REGULAR AGENDA

A. Administrative Services (4:25-4:30)

- A.1. Public hearing regarding the proposed sale of the property located at 524 10th Street (continued from October 20, 2022) 138 - 168
[Agenda Memo - AM-22-1359 - Pdf](#)

- A.2. Resolution approving agreement with ClearGov for financial software related to budget development and capital budgeting and authorizing payment in the amount of \$58,960. 169 - 175
[Agenda Memo - AM-22-1379 - Pdf](#)

B. Public Services - None

C. Public Safety - None

D. Parks - None

E. Engineering

- E.1. Ordinance No. 22-20 amending Chapter 63 of the Code of Ordinances relating to Speed Regulations on 44th Street. (Final consideration) 176
[Agenda Memo - AM-22-1356 - Pdf](#)

F. Community Development (4:30-4:40)

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|------|--|-----------|
| F.1. | Ordinance No. 22-21 approving an amendment to Chapter 176.29, Parking and Loading Regulations regarding permitted parking surfacing material. (final consideration)
Agenda Memo - AM-22-1345 - Pdf | 177 - 180 |
| F.2. | Ordinance No. 22-22 amending Chapter 176.51 of the Marion Code of Ordinances regarding building setbacks within the M-1, Light Manufacturing and M-2, General Manufacturing zoning districts. (final consideration)
Agenda Memo - AM-22-1344 - Pdf | 181 - 183 |
| F.3. | Resolution approving Marion South Substation Addition Preliminary Plat for property located west of 44th Street and north of Highway 100, Marion, Iowa (ITC Midwest, LLC)
Agenda Memo - AM-22-1352 - Pdf | 184 - 187 |
| F.4. | Public hearing regarding a request to rezone property from AG-Agricultural Holding to SR-3, Suburban Medium Density Single-Family Residential for property located west of Winslow Road and south of Tower Terrace Road extended, Marion, Iowa. (Atwood Rentals, LLC)
Agenda Memo - AM-22-1342 - Pdf | 188 - 198 |
| F.5. | Ordinance approving a request to rezone the property from AG-Agricultural Holding to SR-3, Suburban Medium Density Single-Family Residential for property located west of Winslow Road and south of Tower Terrace Road extended, Marion, Iowa. (Atwood Rentals, LLC) (initial consideration)
Agenda Memo - AM-22-1343 - Pdf | 199 - 205 |

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.

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| 1. | Discussion and direction regarding the City Council meeting schedule (4:40-4:50)
Agenda Memo - AM-22-1083 - Pdf | 206 - 210 |
| 2. | Public Services Facility & Potential Refinancing - Public Hearing Process (4:50-5:05)
Agenda Memo - AM-22-1367 - Pdf | 211 - 215 |
| 3. | Discussion and direction regarding property redevelopment plan for property located between 7th and 8th Avenues and east of 27th Street. (Genesis Equities) (5:05-5:20)
Agenda Memo - AM-22-1365 - Pdf | 216 - 257 |

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

ADJOURN