



# AGENDA

## City Council Work Session

4:00 PM - Tuesday, December 20, 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# 854 4724 4497. A link is also provided at [www.cityofmarion.org](http://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, December 22 via email at [cityclerk@cityofmarion.org](mailto:cityclerk@cityofmarion.org).**

Page

### CALL TO ORDER

### PROCLAMATIONS/OATHS

None

### PRESENTATIONS

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

- 1. Presentation regarding 2022 MEDCO Annual Business Retention and Expansion (BRE) Report (4:00-4:15) 9  
[Agenda Memo - AM-22-1464 - 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 December 6 and 8, 2022 City Council meetings 10 - 22  
[Agenda Memo - AM-22-1547 - Pdf](#)
  - A.2. Receive and file correspondence regarding Leslie Fox's resignation from the Marion Arts Council 23 - 24  
[Agenda Memo - AM-22-1576 - Pdf](#)
  - A.3. Receive and file November 2022 department monthly reports 25 - 63  
[Agenda Memo - AM-22-1552 - Pdf](#)
  - A.4. Payments as presented in the amount of \$1,564,284.24 64 - 91  
[Agenda Memo - AM-22-1548 - Pdf](#)
  - A.5. Resolution approving 457b plan agreement with Equitable Advisors regarding deferred compensation options 92 - 125  
[Agenda Memo - AM-22-1554 - Pdf](#)

A.6.	Resolution authorizing additional signatures on checks over \$20,000 <a href="#">Agenda Memo - AM-22-1522 - Pdf</a>	126
A.7.	Resolution approving amendment no. 3 to the agreement with the City of Cedar Rapids regarding the provision of wastewater treatment <a href="#">Agenda Memo - AM-22-1579 - Pdf</a>	127 - 129
A.8.	Resolution approving an agreement with GovTempsUSA, LLC regarding temporary employment in the Community Development Department. <a href="#">Agenda Memo - AM-22-1580 - Pdf</a>	130 - 142
A.9.	Resolution 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 <a href="#">Agenda Memo - AM-22-1551 - Pdf</a>	143 - 218
A.10.	Resolution consenting to assignment of development agreement and tax increment payments (Barker Financial, LLC to Cobban-Hervey, LLC) <a href="#">Agenda Memo - AM-22-1544 - Pdf</a>	219 - 230
A.11.	Resolution approving purchase of computers from CDW Government and authorizing payment in the amount of \$19,589 <a href="#">Agenda Memo - AM-22-1584 - Pdf</a>	231 - 233
B.	Public Services - None	
C.	Public Safety (4:15-4:25)	
C.1.	Resolution 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. <a href="#">Agenda Memo - AM-22-1546 - Pdf</a>	234 - 243
C.2.	Resolution 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 <a href="#">Agenda Memo - AM-22-1491 - Pdf</a>	244 - 249
C.3.	Resolution approving purchase of bunker gear from Ed M. Feld Equipment Co. and authorizing payment in an amount not to exceed \$107,200 <a href="#">Agenda Memo - AM-22-1563 - Pdf</a>	250 - 265
C.4.	Resolution 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 <a href="#">Agenda Memo - AM-22-1568 - Pdf</a>	266 - 276

C.5.	Resolution 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 <a href="#">Agenda Memo - AM-22-1570 - Pdf</a>	277 - 280
D.	Parks	
D.1.	Receive and file 2022-2023 Parks Operations and Forestry Winter Work Program <a href="#">Agenda Memo - AM-22-1559 - Pdf</a>	281 - 292
D.2.	Resolution 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 <a href="#">Agenda Memo - AM-22-1558 - Pdf</a>	293 - 298
E.	Engineering	
E.1.	Resolution 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) <a href="#">Agenda Memo - AM-22-1528 - Pdf</a>	299 - 300
E.2.	Resolution accepting the 2022 Pavement Patching Project (TRANS-18-090) <a href="#">Agenda Memo - AM-22-1529 - Pdf</a>	301
E.3.	Resolution accepting the 2022 Taube Park Project (REC-20-007) <a href="#">Agenda Memo - AM-22-1577 - Pdf</a>	302
E.4.	Resolution accepting the 2022 Sanitary CIPP Rehabilitation Project (ANN-18-029) <a href="#">Agenda Memo - AM-22-1543 - Pdf</a>	303
E.5.	Resolution accepting paving associated with Rookwood Estates 3rd Addition to the City of Marion <a href="#">Agenda Memo - AM-22-1541 - Pdf</a>	304
E.6.	Resolution 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) <a href="#">Agenda Memo - AM-22-1540 - Pdf</a>	305
E.7.	Resolution 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) <a href="#">Agenda Memo - AM-22-1562 - Pdf</a>	306

- E.8. Resolution approving a stop sign stopping north bound traffic on Aircom Drive at its intersection with Marion Airport Road 307  
[Agenda Memo - AM-22-1530 - Pdf](#)
- F. Community Development
  - F.1. Resolution 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) 308 - 315  
[Agenda Memo - AM-22-1536 - Pdf](#)
  - F.2. Resolution 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)-8I-57) (TRL-17-055) 316 - 321  
[Agenda Memo - AM-22-1545 - Pdf](#)

G. Library - None

**CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION**

- A. Administrative Services - None
- B. Public Services - None
- C. Public Safety - None
- D. Parks - None
- E. Engineering
  - E.1. Resolution 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) 322 - 324  
[Agenda Memo - AM-22-1564 - Pdf](#)
- F. Community Development - None
- G. Library - None

**REGULAR AGENDA**

- A. Administrative Services (4:25-4:35)
  - A.1. Resolution to approve the City of Marion Employee Handbook 325 - 404  
[Agenda Memo - AM-22-1553 - Pdf](#)
  - A.2. Ordinance No. 22-24 amending Chapter 31 of the Marion Code of Ordinances relating to the Civil Rights Commission (second consideration) 405 - 437  
[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) 438 - 470  
[Agenda Memo - AM-22-1583 - Pdf](#)
- B. Public Services (4:35-5:05)
- B.1. Public Hearing for the Trade Packages associated with the new Public Service Maintenance Facility (FACS-17-069) 471 - 476  
[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): 477 - 483
- Resolution approving 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 approving 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 approving 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 approving 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 approving 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): 484 - 486
- Resolution approving 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 approving 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
- [Agenda Memo - AM-22-1575 - Pdf](#)
- B.4. Resolution approving 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 (FACS-17-069) 487 - 488  
[Agenda Memo - AM-22-1573 - Pdf](#)

- C. Public Safety - None
- D. Parks - None
- E. Engineering - None
- F. Community Development (5:05-6:05)
  - 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) 489 - 502  
[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) 503  
[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) 504 - 518  
[Agenda Memo - AM-22-1538 - Pdf](#)
  - F.4. Resolution approving the central corridor review for property located at 2449 7th Avenue, Marion Iowa (Burger King, Beaton Holding Co LC) 519 - 532  
[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 533 - 545  
[Agenda Memo - AM-22-1556 - Pdf](#)
  - F.6. Resolution 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 546 - 574  
[Agenda Memo - AM-22-1561 - Pdf](#)
  - F.7. Resolution 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 575 - 601  
[Agenda Memo - AM-22-1567 - Pdf](#)

- F.8. Resolution 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  
[Agenda Memo - AM-22-1560 - Pdf](#) 602 - 624
- F.9. Resolution 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  
[Agenda Memo - AM-22-1539 - Pdf](#) 625 - 648
- F.10. Resolution 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 Gutschmidt Properties Auxiliary Dwelling Units Housing Project and authorizing the Mayor to sign and execute all documents required for the application  
[Agenda Memo - AM-22-1566 - Pdf](#) 649 - 671

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. Update regarding Equity Initiative Progress Report (6:05-6:20)  
[Agenda Memo - AM-22-1578 - Pdf](#) 672 - 675
2. Discussion regarding a proposal to restructure the recreation division (6:20-6:30)  
[Agenda Memo - AM-22-1557 - Pdf](#) 676 - 685
3. Discussion regarding general annexation practices (6:30-6:40) 686  
[Agenda Memo - AM-22-1514 - 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 a real estate transaction and litigation as permitted under Section 21.5(1)(j) and Section 21.5(1)(c) of the Code of Iowa (two separate matters)

**ADJOURN**