



# AGENDA

## City Council Regular Session

5:30 PM - Thursday, September 7, 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# 813 0838 5696. 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, September 7 via email at [cityclerk@cityofmarion.org](mailto:cityclerk@cityofmarion.org).

Page

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### MOMENT OF SILENCE

### PROCLAMATIONS/OATHS

- |    |  |        |
|----|--|--------|
| 1. | Proclamation - Library Card Sign-Up Month (September 2023)<br><a href="#">Agenda Memo - AM-23-944 - Pdf</a>  | 7 - 8  |
| 2. | Proclamation - POW/MIA Recognition Day (September 15, 2023)<br><a href="#">Agenda Memo - AM-23-853 - Pdf</a> | 9 - 10 |

### 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 August 15 and 17, 2023 City Council meeting<br><a href="#">Agenda Memo - AM-23-958 - Pdf</a> | 11 - 21 |

A.2.	Motion to approve hold harmless agreements with the following:	22 - 50
	<ul style="list-style-type: none"> <li>• Fall Into Marion Parade event on September 9, 2023 on 15th Street and 6th Avenue</li> <li>• Daisy's Outdoor Music event on September 23, 2023 at Daisy's Garage, 6147 Carlson Way</li> <li>• A Avenue Block Party event on September 23, 2023 at 2545 A Avenue</li> </ul>	
	<a href="#"><u>Agenda Memo - AM-21-137 - Pdf</u></a>	
A.3.	Motion to approve liquor licenses including the following:	51
	<ul style="list-style-type: none"> <li>• Renewal - Eva's Mexican Restaurant - 835 7th Avenue</li> <li>• New - Marion Chamber of Commerce (Oktoberfest) - 7th Avenue between 10th &amp; 12th Streets</li> </ul>	
	<a href="#"><u>Agenda Memo - AM-23-933 - Pdf</u></a>	
A.4.	Payments as presented in the amount of \$5,476,480.03	52 - 90
	<a href="#"><u>Agenda Memo - AM-23-967 - Pdf</u></a>	
A.5.	Resolution No. 31573 approving partial payment no. 33 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$601.25	91 - 94
	<a href="#"><u>Agenda Memo - AM-23-939 - Pdf</u></a>	
A.6.	Resolution No. 31574 approving purchase of computers from CDW Government and authorizing payment in the amount of \$75,000	95 - 96
	<a href="#"><u>Agenda Memo - AM-23-937 - Pdf</u></a>	
A.7.	Resolution No. 31575 rescinding obsolete policies as follows:	97 - 106
	<ul style="list-style-type: none"> <li>• Maintenance of Unimproved Streets</li> <li>• Street Maintenance Policy</li> <li>• Sidewalk Policy</li> <li>• Excess Material Policy</li> <li>• Banner Display Policy</li> <li>• Banner and Pole Attachment Policy</li> </ul>	
	<a href="#"><u>Agenda Memo - AM-23-957 - Pdf</u></a>	
B.	Public Services	
B.1.	Resolution No. 31576 approving change order no. 3 to B.G. Brecke, Inc. regarding the public services maintenance facility and authorizing payment in the amount of \$4,003.57 (FACS-17-069)	107 - 110
	<a href="#"><u>Agenda Memo - AM-23-955 - Pdf</u></a>	
B.2.	Resolution No. 31577 approving change order no. 2 with A-One Geothermal for the Geothermal Field Site Package related to the public services maintenance facility and authorizing payment in the amount of \$2,500 (FACS-17-069)	111 - 114
	<a href="#"><u>Agenda Memo - AM-23-956 - Pdf</u></a>	

- B.3. Resolution No. 31578 approving change order no. 1 with Portzen Construction for the General Construction Package related to the public services maintenance facility and authorizing payment in the amount of \$6,360.90 (FACS-17-069) 115 - 118  
[Agenda Memo - AM-23-960 - Pdf](#)
- B.4. Resolution No. 31579 approving change order no. 1 with Rex Concrete for the Concrete Package related to the public services maintenance facility for a credit in the amount of \$12,475 (FACS-17-069) 119 - 131  
[Agenda Memo - AM-23-963 - Pdf](#)
- C. Public Safety
  - C.1. Resolution No. 31580 approving a 28E Agreement with the City of Cedar Rapids for automatic aid associated with fire department emergency services 132 - 139  
[Agenda Memo - AM-23-947 - Pdf](#)
  - C.2. Resolution No. 31581 approving professional services agreement with Darrah's Incorporated for towing services and authorizing payment as outlined in the agreement 140 - 159  
[Agenda Memo - AM-23-927 - Pdf](#)
- D. Parks
  - D.1. Resolution No. 31582 approving purchase of a 2023 Ford F-250 extended cab, service body, 4x4, truck from McGrath Ford and authorizing payment in the amount of \$63,850 160 - 161  
[Agenda Memo - AM-23-943 - Pdf](#)
  - D.2. Resolution No. 31583 approving purchase of a 2023 Ford F-550 regular cab, dump body, diesel, 4x4, truck from McGrath Ford and authorizing payment in the amount of \$93,610 162 - 164  
[Agenda Memo - AM-23-946 - Pdf](#)
- E. Engineering
  - E.1. Motion to receive, file and refer to Traffic Advisory Committee (TAC) a petition regarding a request to add a crosswalk across Winslow Road at the intersection of Connection Avenue. (Sara Krause, 1417 Hunters Field Lane) 165 - 167  
[Agenda Memo - AM-23-951 - Pdf](#)
  - E.2. Resolution No. 31584 approving change order no. 3 with LL Pelling Co, Inc. regarding the 2023 10th Avenue Resurfacing Project and authorizing payment in the amount of \$4,977.50 (ANN-24-001; TRANS-18-090) 168 - 171  
[Agenda Memo - AM-21-061 - Pdf](#)
- F. Community Development

- |      |  |           |
|------|--|-----------|
| F.1. | Resolution No. 31585 approving the Osage Estates 1st Addition Final Plat and Memorandum of Agreement for property located west of Wallace Drive and south of Tower Terrace Road extended Marion, Iowa (TW Homes, Inc)<br><a href="#">Agenda Memo - AM-23-925 - Pdf</a>   | 172 - 184 |
| F.2. | Resolution No. 31586 approving Silver Ridge Estates 1st Addition Final Plat and Memorandum of Agreement for property located west of Alburnett Road, north of Dawn Drive, Marion, Iowa (Integrity Custom Homes, Inc)<br><a href="#">Agenda Memo - AM-23-931 - Pdf</a>  | 185 - 195 |
| F.3. | Resolution No. 31587 approving Silver Rock Estates 2nd Addition Final Plat and Memorandum of Agreement for property located south of Echo Hill Road and west of Alburnett Road, Marion, Iowa (Integrity Custom Homes, Inc)<br><a href="#">Agenda Memo - AM-23-929 - Pdf</a>  | 196 - 205 |
| F.4. | Resolution No. 31588 approving payment to East Central Iowa Council of Governments (ECICOG) in an amount not to exceed \$100,000 for the administration of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds related to The Ridge at Indian Creek Project<br><a href="#">Agenda Memo - AM-23-961 - Pdf</a> | 206       |
| F.5. | Resolution No. 31589 approving professional services agreement with Horizons for after-hours transit services and authorizing payment in an amount not to exceed \$39,927<br><a href="#">Agenda Memo - AM-23-964 - Pdf</a>   | 207 - 213 |

G. Library - None

## REGULAR AGENDA

A. Administrative Services

- |      |   |           |
|------|---|-----------|
| A.1. | Motion to approve project calendar as follows: <ul style="list-style-type: none"> <li>• Motion to receive and file the compensation study final report from Baker Tilly</li> <li>• Resolution No. 31590 adopting the general pay plan and pay policies</li> </ul> <a href="#">Agenda Memo - AM-23-970 - Pdf</a> | 214 - 263 |
|------|---|-----------|

B. Public Services - None

C. Public Safety - None

D. Parks - None

E. Engineering

- |      |   |           |
|------|---|-----------|
| E.1. | Ordinance No. 23-23 amending Chapter 274 Article III of the Marion Code of Ordinances regarding Stormwater Utility (initial consideration)<br><a href="#">Agenda Memo - AM-23-942 - Pdf</a> | 264 - 266 |
|------|---|-----------|

- |      |   |           |
|------|---|-----------|
| E.2. | Public Hearing regarding an overhead electric line easement (ITC Midwest LLC)<br><a href="#">Agenda Memo - AM-23-952 - Pdf</a>  | 267 - 275 |
| E.3. | Resolution No. 31591 approving an overhead electric line easement with ITC Midwest LLC<br><a href="#">Agenda Memo - AM-23-953 - Pdf</a>   | 276 - 284 |
| F.   | Community Development   |           |
| F.1. | Public hearing regarding the Habitat for Humanity Preliminary Site Development Plan for property located at 815 4th Avenue, Marion, Iowa (Cedar Valley Habitat for Humanity, Inc)<br><a href="#">Agenda Memo - AM-23-871 - Pdf</a>  | 285 - 307 |
| F.2. | Resolution No. 31592 approving the Habitat for Humanity Preliminary Site Development Plan for property located at 815 4th Avenue, Marion, Iowa (Cedar Valley Habitat for Humanity, Inc)<br><a href="#">Agenda Memo - AM-23-872 - Pdf</a>  | 308 - 324 |
| F.3. | Resolution No. 31593 approving the Habitat for Humanity Final Site Development Plan for property located at 815 4th Avenue, Marion, Iowa (Cedar Valley Habitat for Humanity, Inc)<br><a href="#">Agenda Memo - AM-23-870 - Pdf</a>  | 325 - 344 |
| F.4. | Public hearing regarding a request to rezone properties from Linn County AG, Agriculture, and USR, Urban Services Residential to SR-E, Suburban Residential Estate for properties of 2674 - 2706 E. Robins Road, Marion, Iowa<br><a href="#">Agenda Memo - AM-23-877 - Pdf</a>  | 345 - 351 |
| F.5. | Ordinance No. 23-24 approving a request to rezone property from Linn County AG, Agriculture, and USR, Urban Service Area to SR-E, Suburban Residential Estate for properties located along East Robins Road between Meadowknolls Road and Mulberry Drive, Marion, Iowa (initial consideration)<br><a href="#">Agenda Memo - AM-23-878 - Pdf</a> | 352       |

G. Library - None

### **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 real estate transactions as permitted under Section 21.5(1)(j) of the Code of Iowa

### **ADJOURN**

