



AGENDA

City Council Regular Session

5:30 PM - Thursday, September 5, 2024

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.

Tentative Agenda

Final Agenda will be Posted Wednesday Afternoon

This meeting is viewable online. To watch, go to Zoom.com, select Join a Meeting, and enter the Meeting ID# TBD. 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, September 5 via email at cityclerk@cityofmarion.org.

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CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MOMENT OF SILENCE

PROCLAMATIONS/OATHS

- | | | |
|----|--|-------|
| 1. | Proclamation - Library Card Sign-Up Month (September 2024)
Agenda Memo - AM-24-700 - Pdf | 5 - 6 |
| 2. | Proclamation - 18th Annual Five Seasons Stand Down Day (September 12, 2024)
Agenda Memo - AM-24-633 - Pdf | 7 - 8 |

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 20 and 22, 2024 City Council meetings
Agenda Memo - AM-24-706 - Pdf | 9 - 17 |

A.2.	Hold harmless agreements with the following:	18 - 61
	<ul style="list-style-type: none"> • The City of Marion regarding the Fall Into Marion Parade on September 14, 2024 starting at 15th Street and 6th Avenue • The City of Marion regarding Theater in the Park on September 21, 2024 at Lowe Park • Linn-Mar Community School District regarding the Homecoming Parade on September 25, 2024 starting at 3111 North 10th Street • The City of Marion regarding the Dog Fashion Show on September 28, 2024 in the Uptown Artway • Marion Independent School District regarding the Homecoming Parade on October 10, 2024 starting at 675 South 15th Street 	
	Agenda Memo - AM-24-701 - Pdf	
A.3.	Liquor licenses:	62
	<ul style="list-style-type: none"> • New - Marion Chamber of Commerce (Oktoberfest - special event) - 1070 7th Avenue • Renewal - Short's Marion - 780 11th Street 	
	Agenda Memo - AM-24-711 - Pdf	
A.4.	Payments as presented in the amount of \$3,940,383.68	63 - 84
	Agenda Memo - AM-24-707 - Pdf	
B.	Public Safety - None	
C.	Parks (4:55-5:05)	
C.1.	Resolution approving Professional Services Agreement with Trees Forever regarding the Growing Futures Program and authorizing payment in the amount of \$169,200	85 - 101
	Agenda Memo - AM-24-722 - Pdf	
C.2.	Resolution approving purchase from Play-Pro Recreation regarding Ascension Park playground equipment and authorizing payment in an amount not to exceed \$296,226 (ANN-24-002)	102 - 109
	Agenda Memo - AM-24-723 - Pdf	
C.3.	Resolution accepting the Park Improvement Replacement - Hanna Park Pavilion Project (REC-18-048)	110 - 111
	Agenda Memo - AM-24-719 - Pdf	
D.	Public Works	

- D.1. Motion to approve project calendar regarding the Sanitary Trunk Sewer Project 7 as follows: 112 - 115
- Motion approving Resolution of Necessity and to retain the City Engineer as Project Engineer regarding the Sanitary Trunk Sewer Project 7 (SWR-20-001-7)
 - Motion approving filing of plans, specifications, form of contract and estimate of cost, advertising for bids by posting notice to bidders, and authorizing City officials or designees to receive and open bids regarding the Sanitary Trunk Sewer Project 7 (SWR-20-001-7)
 - Motion setting public hearing and directing publication thereof for Sanitary Trunk Sewer Project 7 (SWR-20-001-7)
- [Agenda Memo - AM-24-695 - Pdf](#)
- D.2. Resolution approving a Permanent Sanitary Sewer Easement Agreement and a Temporary Construction Easement Agreement with Linn County, Iowa Conservation Board regarding the Sanitary Trunk Sewer Project 7 (SWR-20-001-7) 116 - 128
- [Agenda Memo - AM-24-696 - Pdf](#)
- D.3. Resolution amending Resolution No. 31609 regarding contract with HR Green to correct the amount referenced in the resolution from \$238,000 to \$252,000 (SWR-20-001-4) 129 - 145
- [Agenda Memo - AM-24-715 - Pdf](#)
- D.4. Resolution approving change order no. 14 with Boomerang Corp. regarding the Indian Creek Trunk Sewer - Segment 7 Project regarding additional earthwork and authorizing payment in the amount of \$190,000 (SWR-17-026) 146 - 152
- [Agenda Memo - AM-24-716 - Pdf](#)
- D.5. Resolution accepting the 2024 Storm Intake Project (ANN-18-031) 153 - 154
- [Agenda Memo - AM-24-709 - Pdf](#)

E. Community Development - None

F. Library - None

REGULAR AGENDA

A. Administrative Services

- A.1. Ordinance No. 24-09 amending sections of the Marion Code of Ordinances including Section 229-14 regarding Public Health and Safety and Section 313-3.12 regarding Operation of Golf Carts (final consideration) 155 - 156

[Agenda Memo - AM-24-713 - Pdf](#)

B. Public Safety - None

C. Parks - None

D. Public Works (5:05-5:10)

- D.1. Ordinance amending Chapter 268 of the Marion Code of Ordinances regarding Solid Waste (initial consideration) 157 - 168
[Agenda Memo - AM-24-726 - Pdf](#)
- E. Community Development (5:10-5:15)
- E.1. Public Hearing regarding a request for voluntary annexation of property located west of N 10th Street and south of Cimarron Drive, Marion, Iowa (Alyce L Lowe Trust, John E and Katie L Lancaster) 169 - 180
[Agenda Memo - AM-24-689 - Pdf](#)
- E.2. Resolution approving a voluntary annexation of property located west of N 10th Street and south of Cimarron Drive, Marion, Iowa (Alyce L Lowe Trust, John E and Katie L Lancaster) 181 - 184
[Agenda Memo - AM-24-690 - Pdf](#)
- E.3. Public Hearing regarding a request to rezone property from BC, Community Business to PUD, Planned Unit Development for property located at 1195 East Post Road, Marion, Iowa (Platinum Development) 185 - 211
[Agenda Memo - AM-24-691 - Pdf](#)
- E.4. Ordinance approving a request to rezone property from BC, Community Business to PUD, Planned Unit Development for property located at 1195 East Post Road, Marion, Iowa (Platinum Development) (initial consideration) 212
[Agenda Memo - AM-24-693 - Pdf](#)
- F. 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.

ADJOURN