



# AGENDA

## City Council Regular Session

5:30 PM - Thursday, September 19, 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](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 19, 2024 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 - Suicide Prevention Awareness Month (September 2024)<br><a href="#">Agenda Memo - AM-24-678 - Pdf</a>                | 7 - 8  |
| 2. | Proclamation - National Hispanic Heritage Month (September 15 - October 15, 2024)<br><a href="#">Agenda Memo - AM-24-768 - Pdf</a> | 9 - 10 |

### PRESENTATIONS

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

- |    |   |          |
|----|---|----------|
| 1. | Presentation regarding the Marion Urban Reforestation Master Plan (JBC Landscape Architects)<br><a href="#">Agenda Memo - AM-24-724 - Pdf</a> | 11 - 114 |
|----|---|----------|

### 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 (4:50-4:55)	
A.1.	Minutes of the September 3 and 5, 2024 City Council meetings <a href="#">Agenda Memo - AM-24-769 - Pdf</a>	115 - 122
A.2.	Liquor license: <ul style="list-style-type: none"> <li>• Renewal - CVS Pharmacy #10032 - 3495 7th Avenue <a href="#">Agenda Memo - AM-24-782 - Pdf</a></li> </ul>	123
A.3.	Hold harmless agreement with Marion Chamber of Commerce regarding the Chocolate Walk & Shop event on October 4, 2024 in the Uptown Artway <a href="#">Agenda Memo - AM-24-789 - Pdf</a>	124 - 132
A.4.	Receive and file correspondence regarding Seth Moomey's resignation from the Library Board <a href="#">Agenda Memo - AM-24-758 - Pdf</a>	133 - 134
A.5.	Receive and file August 2024 department monthly report <a href="#">Agenda Memo - AM-24-771 - Pdf</a>	135 - 151
A.6.	Resolution designating the City Clerk to certify unpaid fees to the County Treasurer and authorizing administrative fees be added <a href="#">Agenda Memo - AM-24-741 - Pdf</a>	152
A.7.	Resolution amending the meeting dates for the annual budget work session to the last Friday in January <a href="#">Agenda Memo - AM-24-751 - Pdf</a>	153
A.8.	Payments as presented in the amount of \$2,370,944.84 <a href="#">Agenda Memo - AM-24-770 - Pdf</a>	154 - 181
A.9.	Resolution approving Fiscal Year 2024-2025 Special Revenue Fund transfer in the amount of \$12,600 <a href="#">Agenda Memo - AM-24-732 - Pdf</a>	182 - 183
A.10.	Resolution approving amendments to the Restroom Policy and Board and Commissions Policies and Procedures <a href="#">Agenda Memo - AM-24-786 - Pdf</a>	184 - 190
A.11.	Resolution approving payment to ImOn Communications for fiber optics installation related to the Central Plaza Project in the amount not to exceed \$8,000 (REC-18-039) <a href="#">Agenda Memo - AM-24-712 - Pdf</a>	191
A.12.	Resolution approving a 4th addendum to the Master Services Agreement with ImOn Communications, LLC regarding conduit sharing for fiber optics installations <a href="#">Agenda Memo - AM-24-714 - Pdf</a>	192
A.13.	Resolution approving 36-month contract with Per Mar Security Services for monitoring services and authorizing payment in the amount of \$6,282.96 <a href="#">Agenda Memo - AM-24-743 - Pdf</a>	193 - 194

- B. Public Safety
- B.1. Resolution approving Memorandum of Understanding (MOU) with Marion Policeman's Protective Association regarding payments to Field Training Officers 195 - 197  
[Agenda Memo - AM-24-806 - Pdf](#)
- C. Parks (4:55-5:00)
- C.1. Resolution approving the Professional Services Agreement with Formed For, LLC (Gavin and Kelley Brodin) regarding the Central Plaza Sculpture and authorizing payment in the amount of \$60,000 (REC-18-039.008) 198 - 207  
[Agenda Memo - AM-24-766 - Pdf](#)
- C.2. Resolution approving change order with Rathje Construction for the parking area and trail for Draper Park and authorizing payment in the amount not to exceed \$38,635.95 (REC-24-001) 208 - 211  
[Agenda Memo - AM-24-720 - Pdf](#)
- C.3. Resolution approving change order no. 2 with Jeffrey L. Bruce & Company, LLC regarding additional research and analysis concerning the Marion Urban Reforestation Master Plan and authorizing payment in the amount of \$17,740 (ANN-18-103) 212 - 214  
[Agenda Memo - AM-24-798 - Pdf](#)
- D. Public Works (5:00-5:05)
- D.1. Resolution accepting the 2021 Central Corridor 7th Avenue from 8th Street to 12th Street Pavement Reconstruction and Streetscaping Project Supplemental Contract (TRANS-18-101) 215 - 216  
[Agenda Memo - AM-24-775 - Pdf](#)
- D.2. Resolution approving change order no. 1 with Eastern Iowa Excavating & Concrete LLC regarding the 2024 Pavement Patching Project and authorizing payment in the amount of \$61,419.85 (ANN-24-001) 217 - 220  
[Agenda Memo - AM-24-793 - Pdf](#)
- D.3. Motion to approve project calendar regarding the 2024 Public Works Facility Residential Brush Removal Project as follows: 221 - 223
- Resolution adopting final plans, specifications, form of contract, and estimate of cost regarding the 2024 Public Works Facility Residential Brush Removal Project.
  - Resolution awarding bid, authorizing approval of the contract and insurance with Kammler Tree Service regarding the 2024 Public Works Facility Residential Brush Removal Project and authorizing payment in the amount of \$70,000.
- [Agenda Memo - AM-24-795 - Pdf](#)

- D.4. Motion to approve project calendar regarding the 2024 Public Works Facility Fencing Project as follows: 224 - 229
- Resolution adopting final plans, specifications, form of contract, and estimate of cost regarding the 2024 Public Works Facility Fencing Project (FACS-17-069)
  - Resolution awarding bid, authorizing approval of the contract and insurance with D&N Fencing Co., Inc. regarding the 2024 Public Works Facility Fencing Project and authorizing payment in the amount of \$131,070.80 (FACS-17-069)
- [Agenda Memo - AM-24-794 - Pdf](#)
- D.5. Resolution approving a contract with HDR regarding the Stormwater Master Plan and authorizing payment in an amount not to exceed \$391,362 (STORM-24-001) 230 - 251
- [Agenda Memo - AM-24-790 - Pdf](#)
- D.6. Resolution approving change order no. 3 with King Knutson Construction for the Pre-Engineered Metal Building Package related to the Public Works facility and authorizing payment in the amount of \$42,622.32 (FACS-17-069) 252 - 257
- [Agenda Memo - AM-24-756 - Pdf](#)
- D.7. Resolution approving change order no. 8 with Portzen Construction for the General Construction Package related to the Public Works facility and authorizing payment in the amount of \$13,637.72 (FACS-17-069) 258 - 286
- [Agenda Memo - AM-24-757 - Pdf](#)
- D.8. Resolution approving 1st Amendment to the Professional Service Agreement with Office Pride regarding janitorial services for the new Public Works Facility and authorizing payment in the amount of \$41,496 annually 287 - 288
- [Agenda Memo - AM-24-728 - Pdf](#)

E. Community Development - None

F. Library - None

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

Motion to approve the Consent Agenda with Mayor AbouAssaly's abstention as follows:

- A. Administrative Services - None
- B. Public Safety - None
- C. Parks - None
- D. Public Works

- D.1. Resolution approving change order no. 2 with Abode Construction, Inc. for concrete mix modification related to the Public Safety Training Facility Site Plan and authorizing payment in the amount of \$1,515.80 (FACS-20-007) 289 - 293  
[Agenda Memo - AM-24-797 - Pdf](#)
- D.2. Resolution approving change order no. 7 with Hawkeye Electric for the Electrical Package related to the Public Works facility and authorizing payment in the amount of \$6,649.57 (FACS-17- 069) 294 - 304  
[Agenda Memo - AM-24-750 - Pdf](#)
- D.3. Resolution approving change order no. 3 with LL Pelling for the Paving Package related to the Public Works facility and authorizing credit in the amount of \$45,830.46 (FACS-17-069) 305 - 308  
[Agenda Memo - AM-24-755 - Pdf](#)
- D.4. Resolution approving change order no. 7 with B.G. Brecke, Inc. for the Mechanical Package related to the Public Works facility and authorizing payment in the amount of \$43,055.91 (FACS-17-069) 309 - 342  
[Agenda Memo - AM-24-749 - Pdf](#)
- E. Community Development - None
- F. Library - None

## **REGULAR AGENDA**

- A. Administrative Services - None
- B. Public Safety - None
- C. Parks (5:05-5:10)
  - C.1. Resolution adopting the Marion Urban Reforestation Master Plan 343  
[Agenda Memo - AM-24-725 - Pdf](#)
- D. Public Works (5:10-5:15)
  - D.1. Ordinance No. 24-11 amending Chapter 268 of the Marion Code of Ordinances regarding Solid Waste (second consideration) 344 - 355  
[Agenda Memo - AM-24-787 - Pdf](#)
  - D.2. Ordinance No. 24-13 amending Section 313-4.4 of the Marion Code of Ordinances regarding Special Speed Restrictions (Initial Consideration) 356  
[Agenda Memo - AM-24-783 - Pdf](#)
  - D.3. Motion to suspend the rules and proceed to the second consideration of Ordinance No. 24-13 regarding Special Speed Restrictions.
  - D.4. Ordinance No. 24-13 amending Section 313-4.4 of the Marion Code of Ordinances regarding Special Speed Restrictions (Second Consideration) 357  
[Agenda Memo - AM-24-784 - Pdf](#)

- D.5. Motion to suspend the rules and proceed to the final consideration of Ordinance No. 24-13 regarding Special Speed Restrictions.
- D.6. Ordinance No. 24-13 amending Section 313-4.4 of the Marion Code of Ordinances regarding Special Speed Restrictions (Final Consideration) 358  
[Agenda Memo - AM-24-785 - Pdf](#)
- E. Community Development (5:15-5:35)
  - E.1. Ordinance No. 24-12 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) (Second consideration) 359 - 387  
[Agenda Memo - AM-24-703 - Pdf](#)
  - E.2. Resolution approving a street name change for portions of 10th Avenue between 35th Street and Highway 13 to Business Highway 151 (City of Marion) 388 - 390  
[Agenda Memo - AM-24-650 - Pdf](#)
  - E.3. Resolution approving a waiver to Ordinance 23-26 to permit motor vehicle service, minor in BR, Regional Business for property located at 5800 Linn Aire Avenue, Marion, Iowa (John Georgian) 391 - 402  
[Agenda Memo - AM-24-692 - 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**