



AGENDA

City Council Regular Session

5:30 PM - Thursday, February 18, 2021

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.

NOTE: Based on COVID-19 guidance from Linn County Public Health and the State of Iowa to limit the size of groups gathering, this meeting is able to be viewed online. To watch, go to Zoom.com, select Join a Meeting, and enter the Meeting ID# 813 1224 3063. 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.

Anyone who wishes to comment on an agenda item, including public hearings, may submit the comment to the City Clerk by 4:00 p.m. on Thursday, February 18 via email at cityclerk@cityofmarion.org.

Comments can also be heard during the meeting. During the meeting, select Q&A and enter your name, address and agenda item you'd like to comment on. During the appropriate public forum or hearing, use the raise hand feature in Zoom and the City Clerk will call on you to speak.

Once unmuted you will have five minutes to address Council. Please refrain from repeating what has been said before you. Do not involve personalities or make derogatory comments and be as factual as possible. Once allowed to speak, you will no longer have the opportunity to speak to the City Council unless a member of the City Council directs a question to you.

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CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MOMENT OF SILENCE

PROCLAMATIONS/OATHS

None

PRESENTATIONS

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

1. Presentation on the Marion Pavement Management Program 11 - 14
[Agenda Memo - City Council Regular Session - Feb 16 2021 - AM-21-159 - Presentation on the Marion Pavement Management Program - Pdf](#)

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 February 4 and 6, 2021 City Council meetings. 15 - 30
[Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-150 - Minutes of the February 4 and 6, 2021. - Pdf](#)
- A.2. Liquor licenses including the following: 31
- Renewal - Dollar General Store #7226 - 1135 East Post Road
 - Renewal - Dollar General Store #7398 - 5000 Chandler Court
 - Renewal - Fas Mart #5146 - 998 8th Avenue
 - New - Corner Mart - 998 8th Avenue
- [Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-170 - Liquor licenses - Pdf](#)
- A.3. Motion to approve Hold Harmless Agreements with: 32 - 48
- Marion Metro Kiwanis regarding BBQ Rendezvous June 4-6, 2021 at Lowe Park/Amphitheater.
 - Phillip Seidl regarding a gathering for a Celebration of Life on September 11, 2021 at Lowe Park.
- [Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-137 - Motion to approve a Hold Harmless Agreements - Pdf](#)
- A.4. Receive and file January 2021 Department Monthly Reports 49 - 91
[Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-152 - Receive and file January 2021 Department Monthly Reports - Pdf](#)
- A.5. Payments as presented in the amount of \$1,060,312.10. 92 - 114
[Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-151 - Payments as presented in the amount of \\$1,060,312.10. - Pdf](#)
- A.6. Resolution No. 29252 setting date of public hearing for March 18, 2021 regarding proposed fiscal year 2022 budget 115
[Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-191 - Resolution setting date of public hearing for March 18, 2021 - Pdf](#)

A.7.	Resolution No. 29253 approving payment to Hogan-Hansen for audit services for the fiscal year ending June, 30 2020 in the amount of \$60,125.00. Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-158 - Resolution approving payment to Hogan-Hansen for audit services - Pdf	116
A.8.	Motion to receive and file the quarterly finance report ending December 31, 2020 Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-164 - Motion to receive and file the quarterly finance report ending December 31, 2020 - Pdf	117 - 138
A.9.	Motion directing staff to solicit Request for Qualifications (RFQ) regarding a benefits consulting firm. Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-196 - Motion directing staff to solicit RFQ Benefits Consulting Firm - Pdf	139 - 148
B.	Public Services	
B.1.	Resolution No. 29254 approving purchase of recycling bins from Rehrig Pacific in the amount not exceed \$23,500.00. Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-181 - Resolution approving purchase of recycling bins from Rehrig Pacific - Pdf	149
C.	Public Safety	
C.1.	Resolution No. 29255 approving payment to Truck Builders regarding repairs to the E-91 Fire Truck due to damage caused by the Derecho in the amount of \$43,703.38 Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-129 - Resolution approving payment to Truck Builders regarding repairs to E-91 - Pdf	150
D.	Parks	
D.1.	Receive, file and discuss letter from Ruth A and Larry J. Neppi concerning snow removal. Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-183 - Receive and File letter from Ruth A and Larry J. Neppi concerning snow removal. - Pdf	151 - 153
E.	Engineering	
E.1.	Resolution No. 29256 approving Partial Payment No. 8 to Braun Intertec regarding the CeMar Phase 1-3 Plant Monitor and Soil testing in the amount of \$440.00. (TRL-17-055) Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-165 - Resolution approving Partial Payment No. 8 to Braun Intertec - Pdf	154

E.2.	Resolution No. 29257 approving Partial Payment No. 1 to Lynch Dallas, PC regarding the Indian Creek Trunk Sewer - Segment 7 in the amount of \$12,612.00. (SWR-17-026) Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-166 - Resolution approving Partial Payment No. 1 to Lynch Dallas, PC - Pdf	155
E.3.	Resolution No. 29258 approving Partial Payment No. 8 to Anderson Bogert Engineers regarding the Central Corridor Improvements 7th Avenue from 8th Street to 12th Street in the amount of \$25,617.43. (TRANS-18-091) Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-167 - Resolution approving Partial Payment No. 8 to Anderson Bogert Engineers - Pdf	156
E.4.	Resolution No. 29259 approving Partial Payment No. 8 to HDR, Inc. for Sanitary Sewer Capacity Study in the amount of \$22,543.30. (SWR-18-021) Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-168 - Resolution approving Partial Payment No. 8 to HDR, Inc. - Pdf	157 - 158
E.5.	Resolution No. 29260 approving Change Order No. 8 with Christner Contracting Inc. regarding the 2019 Fire Station Project regarding Added Steel for Overhead Doors, Light Fixture Trim and Fire Rating for stairs in an amount of \$9,067.79. (FACS-18-062) Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-169 - Resolution approving Change Order No. 8 with Christner Contracting Inc. - Pdf	159 - 161
F.	Community Development	
F.1.	Resolution No. 29261 approving the vacation of a 12' ingress-egress easement located at 755 22nd Street (MMK Holdings LLC) Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-130 - Resolution approving the vacation of a 12' ingress-egress easement - Pdf	162 - 166
F.2.	Resolution No. 29262 approving a permanent public access easement agreement with YES Marion Village, LLC and the City regarding a permanent trail easement for the installation and use of the 10th Avenue Sidepath project. (TAP-U-4775(635)--8I-57) Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-157 - Resolution approving a permanent public access easement agreement with YES Marion - Pdf	167 - 173

- F.3. Resolution No. 29263 approving a contract for appraisal services regarding the Indian Creek Trail Project with Rally Appraisal LLC. 174 - 178
[Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-187 - Resolution approving a contract for appraisal services regarding the Indian Creek - Pdf](#)
- F.4. Resolution No. 29264 approving a contract for appraisal services regarding the Indian Creek Trail Project with Cook Appraisal LLC. 179 - 184
[Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-190 - Resolution approving a contract for appraisal services regarding the Indian Creek - Pdf](#)

G. 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
 - A.1. Motion to approve appointment of Phil Legate to the Airport Board of Adjustment as recommended by the Marion Municipal Airport Committee (term of five years). 185 - 186
[Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-197 - Motion to approve appointment of Phil Legate to the Airport Board of Adjustment - Pdf](#)
 - A.2. Resolution No. 29265 Declaring Necessity and Providing for Notice of Hearing on Proposed Urban Revitalization Plan for the 2021 Multiresidential Housing Urban Revitalization Area 187 - 203
[Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-184 - Resolution Declaring Necessity and Providing for Notice of Hearing on Proposed Urban Revitalization Plan - Pdf](#)
- B. Public Services - None
- C. Public Safety - None
- D. Parks - None
- E. Engineering
 - E.1. Resolution No. 29266 approving amendment No. 1 with Anderson Bogert Engineering and Surveyors regarding on call General Airport Consulting for an increase in maximum fee of \$11,774.00. 204 - 205
[Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-171 - Resolution approving amendment No. 1 with Anderson Bogert Engineering and Surveyor - Pdf](#)

E.2.	Motion directing staff to proceed to solicit proposals for the approach to the City of Marion Airport. (MMAC)	206
	Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-178 - Motion directing staff to proceed to solicit proposals - Pdf	
F.	Community Development	
F.1.	Resolution No. 29267 approving Broad & Main First Addition Final Plat and Memorandum of Agreement for property located 1107 7th Avenue, Marion, Iowa. (Uptown Holdings, LLC)	207 - 212
	Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-144 - Resolution approving Broad & Main First Addition Final Plat - Pdf	
F.2.	Resolution No. 29268 approving Bowman Meadows 8th Addition Final Plat and Memorandum of Agreement for property located south of Boyson Road and east of Alburnett Road (Midwest Development Company).	213 - 219
	Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-147 - Resolution approving Bowman Meadows 8th Addition Final Plat and MOA - Pdf	
G.	Library - None	

REGULAR AGENDA

A.	Administrative Services	
A.1.	Public hearing on proposal to enter into a Essential Purpose Loan Agreement	220 - 238
	Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-182 - Public hearing on proposal to enter into a Essential Purpose Loan Agreement - Pdf	
A.2.	Resolution No. 29269 taking additional action on proposal to enter into an Essential Purpose Loan Agreement, combining Loan Agreements, setting the date for sale of General Obligation Corporate Purpose Bonds, Series 2021A and authorizing the use of a preliminary official statement in connection therewith	239 - 257
	Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-185 - Resolution taking additional action on proposal to enter into an Essential Purpose - Pdf	
A.3.	Resolution No. 29270 setting the date for the sale of the General Obligation Urban Renewal Refunding Bonds, Series 2021B and authorizing the use of a preliminary official statement in connection therewith	258 - 276
	Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-195 - Resolution setting the date for the sale of the General Obligation Urban Renewal - Pdf	

A.4.	Motion to approve project calendar regarding Rookwood 4th Addition as follows: <ul style="list-style-type: none"> • Receive and file application for financial assistance regarding Rookwood 4th Addition. • Resolution No. 29271 expressing intent to provide financial support to Rookwood Estates, LLC. Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-188 - Rookwood 4th Addition Financial Assistance - Pdf	277 - 292
A.5.	Resolution No. 29272 approving Fiscal Year 2020-2021 Capital Budget Transfers Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-186 - Resolution approving Fiscal Year 2020-2021 Working Capital Transfers - Pdf	293 - 294
A.6.	Public hearing regarding proposed Fiscal Year 2022 City Maximum Property Tax Dollars. Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-193 - Public hearing regarding proposed Fiscal Year 2022 City Maximum Property Tax - Pdf	295
A.7.	Resolution No. 29273 approving Fiscal Year 2022 Maximum Property Tax Dollars. Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-194 - Resolution approving Fiscal Year 2022 City Maximum Property Tax - Pdf	296 - 297
B.	Public Services	
B.1.	Resolution No. 29274 approving partial payment no. 8 to Southern Disaster Recovery LLC. for emergency debris removal services in the amount of \$172,696.52. Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-179 - Resolution approving partial payment no. 8 to Southern Disaster Recovery - Pdf	298
B.2.	Resolution No. 29275 approving partial payment no. 1 to Southern Disaster Recovery LLC. for emergency waterway debris removal services in the amount of \$2,047,732.98. Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-180 - Resolution approving partial payment no. 1 to Southern Disaster Recovery - Pdf	299
C.	Public Safety	
C.1.	Resolution No. 29276 approving purchase of an apparatus exhaust removal system from Ward No Smoke systems in an amount not to exceed \$70,000. Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-189 - Resolution approving purchase of an apparatus exhaust removal system - Pdf	300 - 301
D.	Parks	

D.1.	Resolution No. 29277 approving contract with B&R Logging regarding the Faulkes Heritage Woods salvage timber sale. Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-155 - Review and approval of bid for the Faulkes Heritage Woods salvage timber sale. - Pdf	302 - 311
E.	Engineering	
E.1.	Ordinance No. 21-01 amending Chapter 66, Section 66.02 of the Code of Ordinances related to Load and Weight Restrictions. (Second Consideration) Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-172 - Ordinance amending Chapter 66, Section 66.02 of the Code of Ordinances - Pdf	312 - 314
E.2.	Motion to Receive, File and Discuss an Application for Future Major Streets Oversizing Cost Reimbursements in association with Glen Rock Farm 8th Addition. Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-139 - Motion to Receive, File and Discuss an Application for Future Major Streets - Pdf	315 - 322
E.3.	Resolution No. 29278 adopting the 2021 Edition of the Statewide Urban Design Specifications Program (SUDAS). Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-173 - Resolution adopting the 2021 Edition of the Statewide Urban Design Specifications - Pdf	323 - 325
E.4.	Resolution No. 29279 approving the 2021 City of Marion Supplemental Specifications of the Statewide Urban Design Area Standards (SUDAS). Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-174 - Resolution approving the 2021 City of Marion Supplemental Specifications of the SUDAS - Pdf	326 - 350
E.5.	Resolution No. 29280 approving the 2021 City of Marion General Supplement to the Statewide Urban Design Area Standards (SUDAS) Design Manual. Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-175 - Resolution approving the 2021 City of Marion General Supplement to SUDAS - Pdf	351 - 355
F.	Community Development	
F.1.	Ordinance No 21-02 approving a request to rezone property from A-1, Rural Restricted and R-2, Medium Density Single Family Residential to P-I, Public Institutional for properties located at 655, 675 and 777 S. 15th Street. (Marion Independent School District) (second consideration) Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-162 - Ordinance No 21-02 approving a request to rezone property (MISD) - Pdf	356 - 364

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| F.2. | Resolution No. 29281 approving Hy-Vee Fast and Fresh Marketplace – Central Corridor Review for property located at 2790 7th Avenue, Marion, Iowa (Hy-Vee, Inc)
Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-143 - Resolution approving Hy-Vee Fast and Fresh Marketplace - Pdf | 365 - 374 |
| F.3. | Public Hearing regarding a comprehensive plan amendment from Corridor Commercial to Light Industrial and a rezoning request from C-3, General Commercial to M-1, Light Manufacturing for property located at 2369 Highway 13, Marion, Iowa (Green Acres Storage, LLC) (Continued from February 4, 2021)
Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-140 - Public Hearing regarding a comprehensive plan amendment (Green Acres Storage) - Pdf | 375 - 385 |
| F.4. | Motion to remove from table Resolution No. 29248 approving a comprehensive plan amendment from Corridor Commercial to Light Industrial for property located at 2369 Highway 13, Marion, Iowa (Green Acres Storage, LLC) (Tabled February 4, 2021) | |
| F.5. | Resolution No. 29248 approving a comprehensive plan amendment from Corridor Commercial to Light Industrial for property located at 2369 Highway 13, Marion, Iowa (Green Acres Storage, LLC)
Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-141 - Resolution approving a comprehensive plan amendment - Pdf | 386 |
| F.6. | Motion to remove from table Ordinance No. 21-03 approving the request to rezone property from C-3, General Commercial to M-1, Light Manufacturing for property located at 2369 Highway 13, Marion, Iowa (Green Acres Storage, LLC) (Tabled February 4, 2021) | |
| F.7. | Ordinance No. 21-03 approving the request to rezone property from C-3, General Commercial to M-1, Light Manufacturing for property located at 2369 Highway 13, Marion, Iowa (Green Acres Storage, LLC) (Initial Consideration)
Agenda Memo - City Council Work Session - Feb 16 2021 - AM-21-142 - Ordinance approving the request to rezone property - Pdf | 387 |

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.

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 litigation as permitted under Section 21.5(1)(c) of the Code of Iowa.

ADJOURN