



AGENDA

City Council Regular Session

5:30 PM - Thursday, October 21, 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.

Due to concerns with COVID-19, **this meeting will be held virtually**. To watch, go to Zoom.com, select Join a Meeting, and enter the Meeting ID#810 5872 5997. 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, October 21 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.

None

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 October 1, 2, 5 and 7, 2021 City Council meeting.
Agenda Memo - AM-21-1369 - Pdf | 9 - 23 |
| A.2. | Motion to approve the Fiscal Year 2022 Cigarette License for the following: <ul style="list-style-type: none">• Hy-Vee Fast and Fresh - 2790 7th Avenue
Agenda Memo - AM-21-1365 - Pdf | 24 |
| A.3. | Liquor licenses including the following: <ul style="list-style-type: none">• Renewal - Fareway Stores, Inc #949 - 3300 10th Avenue• Renewal - Kwik Star #589 - 962 62nd Street• Renewal - Hy-Vee Gas - 3550 Highway 151 E
Agenda Memo - AM-21-1381 - Pdf | 25 |
| A.4. | Receive and file September 2021 Department Monthly Reports.
Agenda Memo - AM-21-1371 - Pdf | 26 - 69 |
| A.5. | Payments as presented in the amount of \$2,088,388.94
Agenda Memo - AM-21-1370 - Pdf | 70 - 99 |
| A.6. | Resolution No. 29969 adopting final assessment schedule for Fiscal Year 2022 Quarter 2 Delinquent Fees and Confirming and Levying the Assessments.
Agenda Memo - AM-21-1382 - Pdf | 100 - 102 |
| A.7. | Resolution No. 29970 Setting Date for a Public Hearing on Urban Renewal Plan Amendment for the West Tower Terrace Urban Renewal Area
Agenda Memo - AM-21-1383 - Pdf | 103 - 105 |
| A.8. | Resolution No. 29971 Setting Date for a Public Hearing on Urban Renewal Plan Amendment for the 29th Avenue Urban Renewal Area
Agenda Memo - AM-21-1380 - Pdf | 106 - 109 |
| A.9. | Resolution No. 29972 approving Fiscal Year 2021-2022 Capital Budget Transfer from Road Use to Capital Projects for the 2021 HMA Program (ANN-18-806) in the amount of \$995,124.89.
Agenda Memo - AM-21-1410 - Pdf | 110 - 111 |

B. Public Services

B.1.	Resolution No. 29973 approving purchase of replacement engine package from Thompson Truck and Trailer and authorizing payment in the amount of \$25,009.16. Agenda Memo - AM-21-1403 - Pdf	112
C.	Public Safety	
C.1.	Resolution No. 29974 approving Police Sergeant Pay Schedule Agenda Memo - AM-21-1357 - Pdf	113 - 116
D.	Parks	
D.1.	Resolution No. 29975 approving a one year renewal of a Lease Agreement with Greg Carson and Picket Fence Family Farm, for WaterLinn Park 1st Addition, Lot 2 and Lot 3. Agenda Memo - AM-21-1373 - Pdf	117 - 122
E.	Engineering	
E.1.	Resolution No. 29976 approving Change Order No. 4 with Rathje Construction Company regarding the 2021 Central Corridor 7th Avenue from 8th Street to 12th Street Pavement Reconstruction and Streetscaping Project for a credit in the amount of \$9,906.00 (TRANS-18-101) Agenda Memo - AM-21-1367 - Pdf	123 - 126
E.2.	Resolution No. 29977 approving Change Order No. 20 with Rathje Construction Company regarding the 2021 Central Corridor 7th Avenue from 8th Street to 12th Street Pavement Reconstruction and Streetscaping Project and authorizing payment in the amount of \$37,321.03 (TRANS-18-101) Agenda Memo - AM-21-1368 - Pdf	127 - 137
E.3.	Resolution No. 29978 accepting the 2021 Sanitary CIPP Rehabilitation Project (ANN-18-029) Agenda Memo - AM-21-1390 - Pdf	138 - 139
E.4.	Resolution No. 29979 approving Partial Payment No. 8 to Pipe Pro, Inc. regarding the Marion Library Project – Bid Pkg 22A & 23A Plumbing and HVAC in the amount of \$214,975.30. (FACS-17-034) Agenda Memo - AM-21-1384 - Pdf	140
E.5.	Resolution No. 29980 approving Partial Payment No. 9 to Pipe Pro, Inc. regarding the Marion Library Project – Bid Pkg 22A & 23A Plumbing and HVAC in the amount of \$129,058.45. (FACS-17-034) Agenda Memo - AM-21-1385 - Pdf	141
E.6.	Resolution No. 29981 approving Partial Payment No. 8 to Seedorf Masonry regarding the Marion Library Project – Bid Pkg 04B regarding Unit Masonry in the amount of \$6,906.50. (FACS-17-034) Agenda Memo - AM-21-1386 - Pdf	142

- E.7. Resolution No. 29982 approving Partial Payment No. 6 to Ahern Fire Protection regarding the Marion Library Project – Bid Pkg 21A Fire Suppression in the amount of \$4,064.10. (FACS-17-034) 143
[Agenda Memo - AM-21-1387 - Pdf](#)
- E.8. Resolution No. 29983 approving Partial Payment No. 1 to Rapids Foodservice Advanced regarding the Marion Library Project – Bid Pkg 11A regarding Food Service Equipment in the amount of \$24,928.00. (FACS-17-034) 144
[Agenda Memo - AM-21-1388 - Pdf](#)
- E.9. Resolution No. 29984 approving Partial Payment No. 8 to Pearson Wall Systems regarding the Marion Library Project – Bid Pkg 09A Gypsum Board & Acoustics in the amount of \$105,070.00. (FACS-17-034) 145
[Agenda Memo - AM-21-1389 - Pdf](#)
- E.10. Resolution No. 29985 approving Partial Payment No. 7R1 to Peak Construction Group regarding the Marion Library Project – Bid Pkg 05B & 06A General Trades & Misc. Steel in the amount of \$13,062.50. (FACS-17-034) 146
[Agenda Memo - AM-21-1391 - Pdf](#)
- E.11. Resolution No. 29986 approving Partial Payment No. 9 to Knutson Construction Services regarding the Marion Library Project – Bid Pkg 03A Concrete Foundations in the amount of \$38,677.35. (FACS-17-034) 147
[Agenda Memo - AM-21-1392 - Pdf](#)
- E.12. Resolution No. 29987 approving Partial Payment No. 5 to Central States Concrete regarding the Marion Library Project – Bid Pkg 03B Site Concrete in the amount of \$192,992.05. (FACS-17-034) 148
[Agenda Memo - AM-21-1393 - Pdf](#)
- E.13. Resolution No. 29988 approving Partial Payment No. 8 to Boomerang regarding the Marion Library Project – Bid Pkg 32A Site Grading and Utilities in the amount of \$8,811.25. (FACS-17-034) 149
[Agenda Memo - AM-21-1394 - Pdf](#)
- E.14. Resolution No. 29989 approving Partial Payment No. 7 to Acme Electric Company regarding the Marion Library Project – Bid Pkg 26A regarding Electrical in the amount of \$135,778.71. (FACS-17-034) 150
[Agenda Memo - AM-21-1395 - Pdf](#)
- E.15. Resolution No. 29990 approving Partial Payment No. 4 to Zephyr Aluminum regarding the Marion Library Project – Bid Pkg 08A regarding Glass and Glazing in the amount of \$100,318.10. (FACS-17-034) 151
[Agenda Memo - AM-21-1396 - Pdf](#)

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|-------|--|-----------|
| E.16. | Resolution No. 29991 approving Partial Payment No. 4 to Black Hawk Roof Co., Inc. regarding the Marion Library Project – Bid Pkg 07A Roofing in the amount of \$3,068.88. (FACS-17-034)
Agenda Memo - AM-21-1397 - Pdf | 152 |
| E.17. | Resolution No. 29992 approving Partial Payment No. 25 to Snyder & Associates regarding the 2018 Alburnett Rd Extension Phase 1 in the amount of \$8,643.30 (TRANS-18-092)
Agenda Memo - AM-21-1398 - Pdf | 153 - 154 |
| E.18. | Resolution No. 29993 approving Partial Payment No. 6 to Shoemaker & Haaland regarding Marion/CeMar Trail Construction Management Services in the amount of \$14,557.62. (TAP-U-4775(638)—81-57) (TRL-17-055)
Agenda Memo - AM-21-1399 - Pdf | 155 |
| F. | Community Development | |
| F.1. | Resolution No. 29994 approving Kettelkamp First Addition Final Plat to Linn County located at 1557 Martin Creek Road, Linn County, Iowa. (Kettelkamp Brothers Farms, LLC)
Agenda Memo - AM-21-1374 - Pdf | 156 - 163 |
| F.2. | Resolution No. 29995 approving Clubhouse Drive Addition Final Plat and Memorandum of Agreement for property located west of Lucore Road along Clubhouse Drive, Marion, Iowa. (Johannes Brothers Construction, Inc.)
Agenda Memo - AM-21-1375 - Pdf | 164 - 174 |
| F.3. | Resolution No. 29996 approving Glen Rock Farm Eighth Addition Final Plat and Memorandum of Agreement for property located west of Winslow Road and north of Cottage Ridge Drive and Glen Rock Circle, Marion, Iowa. (Frazier Investments, LLC)
Agenda Memo - AM-21-1404 - Pdf | 175 - 181 |
| F.4. | Resolution No. 29997 approving payment no. 18 to Universal Field Services, Inc for services related to the Indian Creek Trail Project in the amount of \$2,515.68. (Iowa DOT Project Number: STP-U-4775(631) --70-57) (TRL-18-056).
Agenda Memo - AM-21-1408 - Pdf | 182 - 186 |
| F.5. | Resolution No. 29998 approving payment no. 1 to RDG Planning & Design, Inc. for professional services regarding the Highway 13 & Highway 100 Subarea Plan in the amount of \$1,950.00. (GOV-19-122)
Agenda Memo - AM-21-1407 - Pdf | 187 - 189 |
| 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 - None
- B. Public Services
 - B.1. Resolution No. 29999 approving partial payment no. 11 to Wendling Quarries, Inc. for final disposition of storm debris in the amount of \$67,368.68. 190 - 191
[Agenda Memo - AM-21-1402 - Pdf](#)
- C. Public Safety - None
- D. Parks
 - D.1. Resolution No. 30000 approving a one year renewal of a Lease Agreement with Sejkora Farms INC., for Certain Lowe Park Property. 192 - 194
[Agenda Memo - AM-21-1372 - Pdf](#)
- E. Engineering
 - E.1. Resolution No. 30001 approving Partial Payment No. 1 to BBAK Investments, LTD for costs associated with Nottingham Hills 9th Addition in the amount of \$6,333.60 195 - 198
[Agenda Memo - AM-21-1360 - Pdf](#)
 - E.2. Resolution No. 30002 approving Partial Payment No. 6 to Anderson-Bogert Engineers regarding the Marion AirCom Park Sanitary Sewer Extension Project in the amount of \$4,330.00. (SWR-18-111) 199 - 201
[Agenda Memo - AM-21-1400 - Pdf](#)
- F. Community Development
 - F.1. Resolution No. 30003 approving payment no. 5 to HDR Engineering, Inc for consultant services associated with the Task Order One: Marion Airport project in the amount of \$8,934.30. (ANN-18-082) 202 - 204
[Agenda Memo - AM-21-1406 - Pdf](#)
- G. Library - None

REGULAR AGENDA

- A. Administrative Services
 - A.1. Motion to receive and file correspondence regarding extension of Tax Increment Financing (TIF) Development Agreement with PDS Investments, LLC. 205 - 210
[Agenda Memo - AM-21-1415 - Pdf](#)
 - A.2. Resolution No. 30004 approving employment agreement with Ryan Waller as City Manager 211 - 222
[Agenda Memo - AM-21-1411 - Pdf](#)
- B. Public Services - None
- C. Public Safety

C.1.	Ordinance No. 21-22 amending Chapter 164 regarding the Fire Prevention Code. (Second Consideration) Agenda Memo - AM-21-1416 - Pdf	223 - 232
D.	Parks - None	
E.	Engineering	
E.1.	Public Hearing regarding the 3rd Avenue Reconstruction Project (NSI) (TRANS-18-090) Agenda Memo - AM-21-1377 - Pdf	233 - 235
E.2.	Resolution No. 30005 accepting bids and awarding contract to Rathje Construction Company regarding the 3rd Avenue Reconstruction Project (NSI) in the amount of \$1,544,679.60 (TRANS-18-090) Agenda Memo - AM-21-1378 - Pdf	236 - 238
E.3.	Motion to receive, file and refer to TAC a petition requesting a stop sign at the intersection of Arica Road and Bruce Road and the intersection of Bruce Road and Eastview Avenue. (Raymond Lundberg, 4000 Bruce Road) Agenda Memo - AM-21-1401 - Pdf	239 - 241
F.	Community Development	
F.1.	Public hearing regarding an amendment to the Marion Comprehensive Plan by adding Appendix I, East Marion Subarea Plan. Agenda Memo - AM-21-1366 - Pdf	242 - 266
F.2.	Resolution No. 30006 amending the Marion Comprehensive Plan by adding Appendix I, East Marion Subarea Plan. Agenda Memo - AM-21-1409 - Pdf	267 - 291
F.3.	Resolution No. 30007 approving the KFC – Central Corridor Review for property located at 1925 7th Avenue, Marion, Iowa. (Summit Properties and Development Co. Inc.) Agenda Memo - AM-21-1376 - Pdf	292 - 303
F.4.	Resolution No. 30008 approving the Junction Lofts - Central Corridor Review for property located between 5th and 6th Avenues and east of 16th Street, Marion, Iowa. (Genesis Equities LLC) Agenda Memo - AM-21-1405 - Pdf	304 - 315
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.

ADJOURN