



AGENDA

City Council Regular Session

5:30 PM - Thursday, January 20, 2022

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# 883 7795 1927. 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, January 20 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 - Human Trafficking Prevention and Awareness Month (January 2022) 9 - 10
[Agenda Memo - AM-22-004 - Pdf](#)

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 January 4 and 6, 2022 City Council meeting. 11 - 20
[Agenda Memo - AM-22-087 - Pdf](#)

A.2.	Liquor licenses including the following: <ul style="list-style-type: none"> • Renewal - Pitchers - 620 Lindale Drive • Renewal - Indian Creek Country Club - 2401 Indian Creek Road • Renewal - Wrigleyville - 1899 7th Avenue • Renewal - Smokin' Joes Tobacco and Liquor Outlet #10 - 480 7th Avenue • Renewal - The Edison Restaurant & Pub - 475 Northland Avenue NE Agenda Memo - AM-21-1711 - Pdf	21 - 22
A.3.	Receive and file correspondence from Jody Budde regarding resignation from the Planning and Zoning Commission. Agenda Memo - AM-22-072 - Pdf	23 - 24
A.4.	Mayor AbouAssaly recommended appointments: <ul style="list-style-type: none"> • Planning and Zoning Commission - Bradley Neilly - term expires 12/31/2023 Agenda Memo - AM-22-070 - Pdf	25 - 27
A.5.	Receive and file December 2021 Department Monthly Reports. Agenda Memo - AM-22-090 - Pdf	28 - 70
A.6.	Payments as presented in the amount of \$2,121,301.43 Agenda Memo - AM-22-109 - Pdf	71 - 95
A.7.	Resolution No. 30203 adopting final assessment schedule for Fiscal Year 2022 Quarter 3 Delinquent Fees and Confirming and Levying the Assessments. Agenda Memo - AM-22-025 - Pdf	96 - 98
A.8.	Resolution No. 30204 setting a public hearing for February 17, 2022 concerning proposed fiscal year 2023 City Maximum Property Tax Dollars. Agenda Memo - AM-22-079 - Pdf	99 - 100
A.9.	Resolution No. 30205 approving purchase from CDW-G regarding cyber security software and authorizing payment in the amount of \$41,650.00. Agenda Memo - AM-22-077 - Pdf	101
B.	Public Services - None	
C.	Public Safety	
C.1.	Resolution No. 30206 approving annual payment to Axon regarding body camera service and authorizing payment in the amount of \$49,158. Agenda Memo - AM-22-017 - Pdf	102

C.2.	Resolution No. 30207 approving disposal/trade-in of 2016 Ford Taurus Interceptor (VIN 9999) to be used towards purchase of new squad cars.	103 - 105
	Agenda Memo - AM-22-107 - Pdf	
D.	Parks	
D.1.	Resolution No. 30208 approving partial payment no. 3 to Frank's Tree Service for Right of Way Stump Removal and Turf Restoration in the amount of \$69,025.	106 - 108
	Agenda Memo - AM-22-005 - Pdf	
E.	Engineering	
E.1.	Resolution No. 30209 approving Change Order 006 with Pearson Wall Systems regarding the Marion Library Bid Pkg 09A Gypsum Board and Acoustics regarding decrease second floor bathroom openings 210 & 211 to 4 foot in the amount of \$876.00. (FACS-17-034)	109 - 115
	Agenda Memo - AM-22-027 - Pdf	
E.2.	Resolution No. 30210 approving Change Order 007 with Pearson Wall Systems regarding the Marion Library Bid Pkg 09A Gypsum Board and Acoustics regarding modifying temporary doors and windows in the amount of \$1,117.67. (FACS-17-034)	116 - 120
	Agenda Memo - AM-22-028 - Pdf	
E.3.	Resolution No. 30211 approving Change Order 008 with Pearson Wall Systems regarding the Marion Library Bid Pkg 09A Gypsum Board and Acoustics regarding adding acoustical panels to rooms 214 and 216 in the amount of \$1,405.16. (FACS-17-034)	121 - 126
	Agenda Memo - AM-22-029 - Pdf	
E.4.	Resolution No. 30212 approving Change Order 011 with Pearson Wall Systems regarding the Marion Library Bid Pkg 09A Gypsum Board and Acoustics regarding reframe kneewall in media 109 in the amount of \$394.80. (FACS-17-034)	127 - 131
	Agenda Memo - AM-22-030 - Pdf	
E.5.	Resolution No. 30213 approving Change Order 004 with Pipe Pro regarding the Marion Library Building Project BP22A Plumbing and 23A HVAC regarding providing temporary heating in an amount of \$1,776.57. (FACS-17-034)	132 - 135
	Agenda Memo - AM-22-031 - Pdf	
E.6.	Resolution No. 30214 approving Change Order 005 with Pipe Pro regarding the Marion Library Building Project BP22A Plumbing and 23A HVAC installation of Fire Dampers in an amount of \$21,705.55 (FACS-17-034)	136 - 139
	Agenda Memo - AM-22-032 - Pdf	

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| E.7. | Resolution No. 30215 approving Change Order 005 with Acme Electric company regarding the Marion Library Project – Bid Pkg 26A to add additional lights in the amount of \$345.00. (FACS-17-034) | 140 - 144 |
| | Agenda Memo - AM-22-033 - Pdf | |
| E.8. | Resolution No. 30216 approving Change Order No 015 with Bush Construction regarding the Marion Library Project – Construction Manager as Adviser to transfer general conditions funds to fund Knutson for Time and Material Work for temporary windows with a credit of \$13,737.00. (FACS-17-034) | 145 - 149 |
| | Agenda Memo - AM-22-034 - Pdf | |
| E.9. | Resolution No. 30217 approving Change Order No 016 with Bush Construction regarding the Marion Library Project – Construction Manager as Adviser to transfer a credit of \$1,776.57 from General Conditions Funds to finance the temp heating for the building. (FACS-17-034) | 150 - 155 |
| | Agenda Memo - AM-22-035 - Pdf | |
| E.10. | Resolution No. 30218 approving Change Order No 017 with Bush Construction regarding the Marion Library Project – Construction Manager as Adviser to transfer a credit of \$1,117.67 from General Conditions Funds to finance the removal of temporary protections within the building. (FACS-17-034) | 156 - 161 |
| | Agenda Memo - AM-22-036 - Pdf | |
| E.11. | Resolution No. 30219 approving Change Order No. 003 with Boomerang regarding the Marion Library Project – Bid Package 32A Site Grading and Utilities, moving excess grading from their contract to Central States contract for a credit amount of \$2,583.16. (FACS-17-034) | 162 - 163 |
| | Agenda Memo - AM-22-037 - Pdf | |
| E.12. | Resolution No. 30220 approving Change Order No. 005 with Central States Concrete regarding the Marion Library Project – to provide extra grading for parking lot in the amount of \$2,583.16. (FACS-17-034) | 164 - 167 |
| | Agenda Memo - AM-22-039 - Pdf | |
| E.13. | Resolution No. 30221 approving Change Order No. 004 with Boomerang regarding the Marion Library Project – Bid Package 32A Site Grading and Utilities; removing allowance balance back to the project in the credit amount of \$2,761.59. (FACS-17-034) | 168 - 171 |
| | Agenda Memo - AM-22-038 - Pdf | |
| E.14. | Resolution No. 30222 approving Partial Payment No. 4 to Commercial Flooring regarding the Marion Library Project – Bid Pkg 09B regarding Flooring in the amount of \$31,231.25. (FACS-17-034) | 172 |
| | Agenda Memo - AM-22-048 - Pdf | |

- E.15. Resolution No. 30223 approving Partial Payment No. 8 to Ahern Fire Protection regarding the Marion Library Project – Bid Pkg 21A regarding Fire Suppression in the amount of \$4,299.22. (FACS-17-034) 173
[Agenda Memo - AM-22-049 - Pdf](#)
- E.16. Resolution No. 30224 approving Partial Payment No. 10 to Acme Electric Company regarding the Marion Library Project – Bid Pkg 26A regarding Electrical in the amount of \$114,257.33. (FACS-17-034) 174
[Agenda Memo - AM-22-050 - Pdf](#)
- E.17. Resolution No. 30225 approving Partial Payment No. 12 to Pipe Pro, Inc. regarding the Marion Library Project – Bid Pkg 22A & 23A regarding Plumbing and HVAC in the amount of \$120,298.44. (FACS-17-034) 175
[Agenda Memo - AM-22-051 - Pdf](#)
- E.18. Resolution No. 30226 approving Partial Payment No. 6 to Culvers Landscape, Inc. regarding the Marion Library Project – Bid Pkg 32B Landscaping Site Restoration in the amount of \$26,268.72. (FACS-17-034) 176
[Agenda Memo - AM-22-052 - Pdf](#)
- E.19. Resolution No. 30227 approving Partial Payment No. 11 to Pearson Wall Systems regarding the Marion Library Project – Bid Pkg 09A regarding Gypsum Board & Acoustics in the amount of \$93,693.05. (FACS-17-034) 177
[Agenda Memo - AM-22-053 - Pdf](#)
- E.20. Resolution No. 30228 approving Partial Payment No. 7 to Zephyr Aluminum regarding the Marion Library Project – Bid Pkg 08A regarding Glass and Glazing in the amount of \$38,900.60. (FACS-17-034) 178
[Agenda Memo - AM-22-054 - Pdf](#)
- E.21. Resolution No. 30229 approving Partial Payment No. 10 to Seedorf Masonry regarding the Marion Library Project – Bid Pkg 04B regarding Unit Masonry in the amount of \$3,421.37. (FACS-17-034) 179
[Agenda Memo - AM-22-055 - Pdf](#)
- E.22. Resolution No. 30230 approving Partial Payment No. 10R1 to Peak Construction Group regarding the Marion Library Project – Bid Pkg 05B & 06A regarding general trades and misc. steel in the amount of \$184,153.70. (FACS-17-034) 180
[Agenda Memo - AM-22-056 - Pdf](#)
- E.23. Resolution No. 30231 approving Partial Payment No. 10 to Knutson Construction Services regarding the Marion Library Project – Bid Pkg 03A Concrete Foundations in the amount of \$8,130.10. (FACS-17-034) 181
[Agenda Memo - AM-22-057 - Pdf](#)

E.24.	Resolution No. 30232 approving Partial Payment No. 5 to Black Hawk Roof Co., Inc. regarding the Marion Library Project – Bid Pkg 07A regarding Roofing in the amount of \$11,764.04. (FACS-17-034) Agenda Memo - AM-22-058 - Pdf	182
E.25.	Resolution No. 30233 approving Partial Payment No. 3 to Braun Intertec regarding plant monitoring and compaction testing for the 10th Avenue Sidepaths Project in the amount of \$410.00 (TAP-U-4775(635)—81-57)(TRL-18-110) Agenda Memo - AM-22-059 - Pdf	183
E.26.	Resolution No. 30234 approving Partial Payment No. 18 to Braun Intertec regarding the CeMar Phase 1-3 Plant Monitor and Soil testing in the amount of \$280.00. (TRL-17-055). Agenda Memo - AM-22-060 - Pdf	184
E.27.	Resolution No. 30235 approving Partial Payment No. 28 to Snyder & Associates regarding the 2018 Alburnett Rd Extension Phase 1 in the amount of \$15,776.90 (TRANS-18-092) Agenda Memo - AM-22-061 - Pdf	185
E.28.	Resolution No. 30236 approving Partial Payment No. 8 to Shoemaker & Haaland regarding Marion/CeMar Trail Construction Management Services in the amount of \$15,190.56 (TAP-U-4775(638)—81-57)(TRL-17-055) Agenda Memo - AM-22-062 - Pdf	186
E.29.	Resolution No. 30237 approving Change Order No. 1 with Rathje Construction Company regarding the 3rd Avenue Reconstruction Project (NSI) and authorizing payment in the amount of \$59,095.71 (TRANS-18-101) Agenda Memo - AM-22-012 - Pdf	187 - 192
E.30.	Motion to Receive and File Job Description for Right of Way Technician and Environmental Specialist. Agenda Memo - AM-22-076 - Pdf	193 - 200
E.31.	Resolution No. 30238 approving Memorandum of Understanding with Local 231 of the American Federation of State, County and Municipal Employees (AFSCME) regarding the base wages for the Right of Way Technician and the Environmental Specialist. Agenda Memo - AM-22-081 - Pdf	201 - 208
E.32.	Resolution No. 30239 adopting the 2022 Edition of the Statewide Urban Design Specifications Program (SUDAS). Agenda Memo - AM-22-071 - Pdf	209 - 212
E.33.	Resolution No. 30240 approving the 2022 City of Marion Supplemental Specifications of the Statewide Urban Design Area Standards (SUDAS). Agenda Memo - AM-22-074 - Pdf	213 - 239

E.34.	Resolution No. 30241 approving the 2022 City of Marion General Supplement to the Statewide Urban Design Area Standards (SUDAS) Design Manual. Agenda Memo - AM-22-075 - Pdf	240 - 244
E.35.	Motion to receive, file and approve the 2022 Engineering Work Program. Agenda Memo - AM-22-082 - Pdf	245 - 256
E.36.	Resolution No. 30242 approving Change Order No. 1 to Rathje Construction Company regarding the Marion AirCom Park Sanitary Sewer Extension Project and authorizing payment in the amount of \$12,000.00. (SWR-18-111) Agenda Memo - AM-22-026 - Pdf	257 - 259
F.	Community Development	
F.1.	Resolution No. 30243 approving payment no. 22 to Snyder & Associates per the contract for the Indian Creek Trail [STP-U-4775(631)--70-57] in the amount of \$18,457.32. (TRL-18-056) Agenda Memo - AM-22-078 - Pdf	260 - 263
F.2.	Resolution No. 30244 setting the date of public hearing for February 3, 2022 regarding a preliminary and final site development plan for an office / shop building located south of Partners Avenue and west of Medco Drive, Marion, Iowa. (Twenty40 Building Concepts) Agenda Memo - AM-22-046 - Pdf	264 - 271
G.	Library	
G.1.	Resolution No. 30245 approving partial payment No. 18 to Bush Construction regarding the Library Building Project in the amount of \$75,457.12 (FACS-17-034) Agenda Memo - AM-22-042 - Pdf	272 - 278

REGULAR AGENDA

A.	Administrative Services	
A.1.	Resolution No. 30246 approving payment to Marion Arts Festival using FY22 Hotel/Motel funds in the amount of \$4,000. Agenda Memo - AM-22-124 - Pdf	279 - 281
B.	Public Services	
B.1.	Ordinance No. 22-01 amending Chapter 99 of the Code of Ordinances relating to Sanitary Sewer by increasing monthly domestic and industrial user charges from \$4.39 to \$4.60. (Second Consideration) Agenda Memo - AM-22-110 - Pdf	282
C.	Public Safety - None	
D.	Parks - None	

- E. Engineering
- E.1. Ordinance No. 22-03 amending Chapter 95, Section 95.04 of the Code of Ordinances Relating to Sanitary Sewer Connection Requirement. (Initial Consideration) 283
[Agenda Memo - AM-22-024 - Pdf](#)
- F. Community Development
- F.1. Resolution No. 30247 setting the date of a public hearing for February 3, 2022 regarding a rezoning request for property located at 2095 3rd Avenue. (Marion Community Build, LLC) 284 - 287
[Agenda Memo - AM-22-041 - Pdf](#)
- F.2. Ordinance No. 22-02 approving a request to rezone property from C-3, General Commercial and R-6, High-Density Multi-Family Residential to PUD, Planned Unit Development for property located at 610 and 648 Marion Boulevard, Marion, Iowa. (Talon, LLC) (Second Consideration) 288 - 302
[Agenda Memo - AM-22-066 - Pdf](#)
- F.3. Public hearing regarding an annexation request from Integrity Custom Homes, Inc. for property west of Alburnett Road, south of Oak Park Trail, Marion, Iowa. 303 - 325
[Agenda Memo - AM-22-043 - Pdf](#)
- F.4. Resolution No. 30248 approving annexation request from Integrity Custom Homes, Inc. for property west of Alburnett Road, south of Oak Park Trail, Marion, Iowa. 326
[Agenda Memo - AM-22-045 - Pdf](#)
- 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