



# AGENDA

## City Council Regular Session

5:30 PM - Thursday, April 21, 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# 813 0894 4192. 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, April 21 via email at [cityclerk@cityofmarion.org](mailto:cityclerk@cityofmarion.org).

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### MOMENT OF SILENCE

### PROCLAMATIONS/OATHS

1. Proclamation - Global Love Day (May 1, 2022) 8 - 10  
[Agenda Memo - AM-22-193 - Pdf](#)

### PRESENTATIONS

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

1. Service Award Presentation for former Volunteer Firefighter J.R. Blok 11  
[Agenda Memo - AM-22-488 - 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 April 5 and 7, 2022 City Council meetings. 12 - 27  
[Agenda Memo - AM-22-478 - Pdf](#)
- A.2. Liquor licenses including the following: 28
  - Renewal - Hawks Smoke Shop - 1394 7th Avenue  
[Agenda Memo - AM-22-486 - Pdf](#)

A.3.	Motion to approve Hold harmless agreements with:	29 - 47
	<ul style="list-style-type: none"> <li>Michelle Wilson regarding a Wilson Schmidt Backyard Concert event on June 10, 2022 at 2810 15th Avenue.</li> <li>New Life Community Church regarding a Summer Fest event on August 14, 2022 at New Life Church, 275 W 29th Avenue.</li> </ul>	
	<a href="#">Agenda Memo - AM-22-407 - Pdf</a>	
A.4.	Receive and file March 2022 Department Monthly Reports.	48 - 89
	<a href="#">Agenda Memo - AM-22-479 - Pdf</a>	
A.5.	Payments as presented in the amount of \$862,322.76	90 - 109
	<a href="#">Agenda Memo - AM-22-480 - Pdf</a>	
A.6.	Motion to change the date of the Tuesday, June 7, 2022 work session and combine it with the Thursday, June 9, 2022 regular session due to City Hall being designated as a polling location for the Partisan Primaries.	110
	<a href="#">Agenda Memo - AM-22-477 - Pdf</a>	
A.7.	Resolution No. 30468 adopting final assessment schedule for Fiscal Year 2022 Quarter 4 Delinquent Fees and Confirming and Levying the Assessments.	111 - 114
	<a href="#">Agenda Memo - AM-22-481 - Pdf</a>	
A.8.	Resolution No. 30469 Setting a Public Hearing for May 5, 2022 regarding an Ordinance establishing Chapter 111A of the Code of Ordinances Relating to Electric Franchise with ITC Midwest, LLC.	115 - 119
	<a href="#">Agenda Memo - AM-22-494 - Pdf</a>	
A.9.	Resolution No. 30470 approving partial payment no. 17 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$693.75	120 - 123
	<a href="#">Agenda Memo - AM-22-504 - Pdf</a>	
B.	Public Services	
B.1.	Resolution No. 30471 approving rental of a street sweeper from Mid-Iowa Solid Waste Equipment Company and authorizing payment in the amount of \$16,000.00.	124
	<a href="#">Agenda Memo - AM-22-492 - Pdf</a>	
B.2.	Resolution No. 30472 approving a 28E Project Agreement with Linn County for the maintenance Echo Hill and Artesian Road and authorizing payment in the amount of \$16,774.70.	125 - 127
	<a href="#">Agenda Memo - AM-22-510 - Pdf</a>	
B.3.	Resolution No. 30473 approving Change Order No. 9 with Mid-States Concrete Industry regarding the Precast Concrete Package for the Public Services Maintenance Facility and authorizing payment in the amount of \$131,400.00 (FACS-17-069).	128
	<a href="#">Agenda Memo - AM-22-490 - Pdf</a>	

B.4.	Resolution No. 30474 approving partial payment No. 10 to Mid-States Concrete regarding the Precast Concrete Package for the Public Service Maintenance Facility in the amount of \$131,400.00 (FACS-17-069).	129
	<a href="#">Agenda Memo - AM-22-491 - Pdf</a>	
C.	Public Safety	
C.1.	Resolution No. 30475 approving purchase of four Bullard thermal imagers from Heiman Fire Equipment and authorizing payment in an amount not to exceed \$26,400.00	130 - 131
	<a href="#">Agenda Memo - AM-22-496 - Pdf</a>	
D.	Parks	
D.1.	Recieve and File 2022 Parks Operations and Forestry Annual Work Program.	132 - 156
	<a href="#">Agenda Memo - AM-22-487 - Pdf</a>	
D.2.	Resolution No. 30476 approving purchase to replace two ADA chair lifts for the Marion Willowood Pool from Carrico Aquatic Resources, Inc and authorizing payment in the amount of \$9,884.60.	157 - 158
	<a href="#">Agenda Memo - AM-22-530 - Pdf</a>	
E.	Engineering	
E.1.	Resolution No. 30477 approving Partial Payment No. 11 to Shoemaker & Haaland regarding Marion/CeMar Trail Construction Management Services in the amount of \$5,569.87 TAP-U-4775(638)—81-57)(TRL-17-055)	159
	<a href="#">Agenda Memo - AM-22-506 - Pdf</a>	
E.2.	Resolution No. 30478 approving Partial Payment No. 31 to Snyder & Associates regarding the 2018 Alburnett Rd Extension Phase 1 in the amount of \$14,986.21 (TRANS-18-092)	160
	<a href="#">Agenda Memo - AM-22-507 - Pdf</a>	
F.	Community Development	
F.1.	Resolution No. 30479 setting the date of a public hearing for May 5, 2022 regarding an amendment to Section 176.50-12 regarding sidewalk cafes within the U-1, U-2 and UTC-1 zoning districts and an amendment to Section 176.52 regarding the use standards associated with sidewalk cafes (City of Marion)	161 - 182
	<a href="#">Agenda Memo - AM-22-516 - Pdf</a>	
F.2.	Resolution No. 30480 approving payment no. 9 to HDR Engineering, Inc for consultant services associated with the Task Order One: Marion Airport project in the amount of \$481.03. (ANN-18-082)	183 - 185
	<a href="#">Agenda Memo - AM-22-513 - Pdf</a>	

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|------|--|-----------|
| F.3. | Resolution No. 30481 approving payment no. 10 to HDR Engineering, Inc for consultant services associated with the Task Order One: Marion Airport project in the amount of \$723.11. (ANN-18-082)<br><a href="#">Agenda Memo - AM-22-515 - Pdf</a>              | 186 - 188 |
| F.4. | Resolution No. 30482 setting the date of a public hearing for May 5, 2022 regarding a rezoning request for property located west of Alburnett Road and south of Prairie Trail. (Integrity Custom Homes, Inc.)<br><a href="#">Agenda Memo - AM-22-498 - Pdf</a> | 189       |
| G.   | Library  |           |
| G.1. | Resolution No. 30483 approving partial payment No. 2 to Library Furniture International, Inc. regarding the Marion Library Project and authorizing payment in the amount of \$158,806.75. (FACS-17-034)<br><a href="#">Agenda Memo - AM-22-505 - Pdf</a>       | 190 - 199 |

## **REGULAR AGENDA**

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|------|---|-----------|
| A.   | Administrative Services   |           |
| A.1. | Resolution No. 30484 approving Bond Purchase Agreement, providing for the issuance of \$10,760,000 General Obligation Corporate Purpose Bonds, Series 2022A and providing for the levy of taxes to pay the same.<br><a href="#">Agenda Memo - AM-22-518 - Pdf</a> | 200 - 349 |
| A.2. | Motion to receive and file job descriptions for the Executive Administrative Assistant and City Hall Administrative Assistant<br><a href="#">Agenda Memo - AM-22-537 - Pdf</a>  | 350 - 354 |
| A.3. | Resolution No. 30485 amending the non-bargaining pay schedule to add the salary range for the Executive Administrative Assistant position<br><a href="#">Agenda Memo - AM-22-536 - Pdf</a>  | 355 - 357 |
| B.   | Public Services   |           |

B.1.	Motion to approve Project Calendar for the Roof Replacement Package associated with the existing Public Service Maintenance Facility as follows:	358 - 359
	<ul style="list-style-type: none"> <li>• Resolution No. 30486 approving Resolution of Necessity regarding the Roof Package associated with the existing Public Service Maintenance Facility.</li> <li>• Resolution No. 30487 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the roof Package for the existing Public Service Maintenance Facility.</li> <li>• Resolution No. 30488 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the roof Package for the existing Public Service Maintenance Facility.</li> </ul>	
	<a href="#">Agenda Memo - AM-22-512 - Pdf</a>	
C.	Public Safety - None	
D.	Parks - None	
E.	Engineering	
E.1.	Ordinance No. 22-05 amending Chapter 63 of the Code of Ordinances establishing the speed limit on 6th Avenue as 35 mph from 15th Street to 27th Street. (Final Consideration)	360 - 362
	<a href="#">Agenda Memo - AM-22-469 - Pdf</a>	
E.2.	Resolution No. 30489 approving contract and bond with Rathje Construction Company regarding the 2022 Alburnett Road and Echo Hill Road Intersection Improvement Project and authorizing payment in the amount of \$1,484,666.05 (TRANS-19-118) (CS-TSF-4775(641)--85-57)	363 - 365
	<a href="#">Agenda Memo - AM-22-468 - Pdf</a>	
E.3.	Resolution No. 30490 approving contract and bond with Rathje Construction Company regarding the 2022 Taube Park Project and authorizing payment in the amount of \$163,342.70 (REC-20-007)	366 - 368
	<a href="#">Agenda Memo - AM-22-467 - Pdf</a>	
E.4.	Public Hearing regarding the 2022 Sanitary Sewer Manhole Project (ANN-18-029)	369 - 370
	<a href="#">Agenda Memo - AM-22-503 - Pdf</a>	
E.5.	Resolution No. 30491 accepting bids and awarding contract to B.G. Brecke, Inc. regarding the 2022 Sanitary Sewer Manhole Project in the amount of \$76,978.00 (ANN-18-029)	371 - 373
	<a href="#">Agenda Memo - AM-22-502 - Pdf</a>	

E.6.	Public Hearing regarding the 2022 Sanitary Sewer Manhole Rehabilitation Project (ANN-18-029) <a href="#">Agenda Memo - AM-22-501 - Pdf</a>	374 - 375
E.7.	Resolution No. 30492 accepting bids and awarding contract to Hydro-Klean, LLC regarding the 2022 Sanitary Sewer Manhole Rehabilitation Project in the amount of \$39,482.68. (ANN-18-029) <a href="#">Agenda Memo - AM-22-500 - Pdf</a>	376 - 378
F.	Community Development	
F.1.	Public hearing regarding updates to the Marion Housing Code Plans of Inspection and Housing Code Table of Fees. (City of Marion) <a href="#">Agenda Memo - AM-22-523 - Pdf</a>	379 - 396
F.2.	Resolution No. 30493 approving the 2022 Marion Housing Code Plans of Inspection as required by 165.06 of the Marion Housing Code. <a href="#">Agenda Memo - AM-22-517 - Pdf</a>	397 - 403
F.3.	Resolution No. 30494 approving the 2022 Housing Code Table of Fees as required by 165.05 of the Marion Housing Code. <a href="#">Agenda Memo - AM-22-526 - Pdf</a>	404 - 406
F.4.	Resolution No. 30495 approving the Sweet Cheesecake – Central Corridor Review for property located at 1360 7th Avenue, Marion, Iowa. (Brian and Nicki Guild) <a href="#">Agenda Memo - AM-22-482 - Pdf</a>	407 - 419
F.5.	Resolution No. 30496 approving the West End - Central Corridor Review for property located at 809 6th Avenue Marion, Iowa (Annette Perry) <a href="#">Agenda Memo - AM-22-484 - Pdf</a>	420 - 426
F.6.	Resolution No. 30497 approving an encroachment agreement with HipStir regarding use of the City sidewalk and vacated alleyway for outdoor dining for property located at 1120 7th Avenue. <a href="#">Agenda Memo - AM-22-493 - Pdf</a>	427 - 440
F.7.	Resolution No. 30498 approving a permanent easement agreement with Les Arnold for property located 1038/48 7th Avenue to permit stairs to encroach into the east/west alley between 10th and 11th Streets and 7th and 8th Avenues. <a href="#">Agenda Memo - AM-22-483 - Pdf</a>	441 - 451
F.8.	Resolution No. 30499 approving contract with Maxfield Research and Consulting, LLC for completion of Housing Needs Assessment and authorizing payment in an amount not to exceed \$19,560.00. <a href="#">Agenda Memo - AM-22-534 - Pdf</a>	452 - 474
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**