



# AGENDA

## City Council Regular Session

5:30 PM - Thursday, March 9, 2023

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# 886 6906 7115. 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, March 9 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 - Women's History Month (March 2023)

8 - 9

[Agenda Memo - AM-23-114 - 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 21, 23 and March 1, 2023 City Council meetings

10 - 22

[Agenda Memo - AM-23-186 - Pdf](#)

- A.2. Receive and file correspondence regarding Grant Hagen's resignation from the Nuisance Enforcement/Property Maintenance Advisory Board

23 - 24

[Agenda Memo - AM-23-175 - Pdf](#)

A.3.	Motion to approve liquor licenses including the following: <ul style="list-style-type: none"> <li>• Renewal - Brick Alley Pub &amp; Sports Bar - 1038 7th Ave</li> <li>• Renewal - Villa's Patio Mexican Restaurant - 433 7th Ave</li> <li>• Renewal - Hunters Ridge Golf Course - 2901 Hunters Ridge Rd</li> <li>• Renewal - Beans, Teas, and Other Things - 593 62nd Street</li> <li>• Renewal - Corner Mart - 998 8th Ave</li> </ul> <a href="#">Agenda Memo - AM-23-179 - Pdf</a>	25 - 26
A.4.	Payments as presented in the amount of \$1,314,385.47 <a href="#">Agenda Memo - AM-23-187 - Pdf</a>	27 - 48
A.5.	Resolution No. 31223 approving an equity statement for the City of Marion <a href="#">Agenda Memo - AM-23-192 - Pdf</a>	49
A.6.	Resolution No. 31224 approving an agreement with GovTempsUSA, LLC regarding temporary employment in the Human Resources Department <a href="#">Agenda Memo - AM-23-174 - Pdf</a>	50 - 62
A.7.	Motion to receive and file job descriptions for the Human Resources Generalist, Human Resources Manager, and Payroll & Benefits Manager <a href="#">Agenda Memo - AM-23-198 - Pdf</a>	63 - 69
A.8.	Resolution No. 31225 amending the non-bargaining pay schedule to add the salary range for the Human Resources Generalist and Payroll & Benefits positions, and adjust the salary range for the Human Resources Manager position <a href="#">Agenda Memo - AM-23-199 - Pdf</a>	70 - 72
A.9.	Resolution No. 31226 approving purchase from CDW Government for a phone system and authorizing payment in the amount of \$82,601.08 <a href="#">Agenda Memo - AM-23-220 - Pdf</a>	73
A.10.	Resolution No. 31227 approving purchase of technology consulting services from Liquid Networx for phone system configuration and authorizing payment in an amount of not to exceed \$15,000 <a href="#">Agenda Memo - AM-23-221 - Pdf</a>	74
A.11.	Resolution No. 31228 approving partial payment no. 27 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$2,127.50 <a href="#">Agenda Memo - AM-23-194 - Pdf</a>	75 - 78
A.12.	Resolution No. 31229 approving Fiscal Year 2022-2023 Capital Budget Transfers in the amount of \$498,572.51 <a href="#">Agenda Memo - AM-23-216 - Pdf</a>	79 - 80

A.13.	Resolution No. 31230 approving an amendment to the Urban Revitalization application from Green Park Apartment Living, LLC located in the 2021 Multi-Residential Housing Urban Revitalization Plan <a href="#">Agenda Memo - AM-23-195 - Pdf</a>	81 - 91
A.14.	Mayor AbouAssaly's recommended appointments: <ul style="list-style-type: none"> <li>• Tree Board - John Hanson - term expires 12/31/26</li> </ul> <a href="#">Agenda Memo - AM-23-176 - Pdf</a>	92 - 93
A.15.	Receive and file correspondence regarding Jo-Smith Brizard's resignation from the Civil Rights Commission. <a href="#">Agenda Memo - AM-23-228 - Pdf</a>	94 - 95
A.16.	Receive and file Certified List for Police Officer <a href="#">Agenda Memo - AM-23-229 - Pdf</a>	96 - 97
B.	Public Services	
B.1.	Resolution No. 31231 approving a professional services agreement with HR Green regarding general wastewater engineering services and authorizing payments in an amount not to exceed \$20,000 <a href="#">Agenda Memo - AM-23-196 - Pdf</a>	98 - 110
C.	Public Safety	
C.1.	Resolution No. 31232 approving memorandum of understanding with the Local 1937 International Association of Firefighters regarding lateral transfers <a href="#">Agenda Memo - AM-23-224 - Pdf</a>	111 - 113
C.2.	Resolution No. 31233 approving memorandum of understanding with the Marion Policeman's Protective Association regarding lateral transfers <a href="#">Agenda Memo - AM-23-222 - Pdf</a>	114 - 129
D.	Parks - None	
E.	Engineering	
E.1.	Resolution No. 31234 approving change order no. 038 with Bush Construction regarding the Marion Library Project Regarding Acme's change for the CEC data drops in the amount of \$558.05 (FACS-17-034) <a href="#">Agenda Memo - AM-23-204 - Pdf</a>	130 - 135
E.2.	Resolution No. 31235 approving change order no. 039 with Bush Construction regarding the Marion Library Project regarding labor associated with Pipe Pro's piping change in the amount of \$521.73 (FACS-17-034) <a href="#">Agenda Memo - AM-23-205 - Pdf</a>	136 - 140

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| E.3.  | Resolution No. 31236 approving contract and bond with D W Zinser Company, Inc. regarding the 1095 6th Avenue Site Disposal Project and authorizing payment in the amount of \$117,900<br><a href="#">Agenda Memo - AM-23-182 - Pdf</a>  | 141 - 142 |
| E.4.  | Resolution No. 31237 approving contract and bond with Boomerang Corp. regarding the Indian Creek Trunk Sewer - Segment 7 Project and authorizing payment in the amount of \$12,735,271.27 (SWR-17-026)<br><a href="#">Agenda Memo - AM-23-184 - Pdf</a>   | 143 - 147 |
| E.5.  | Resolution No. 31238 approving contract and bond with Hunt Construction Company regarding the 2023 Sidewalk Ramp Project and authorizing payment in the amount of \$143,098 (ANN-18-106)<br><a href="#">Agenda Memo - AM-23-185 - Pdf</a>   | 148 - 150 |
| E.6.  | Resolution No. 31239 approving an agreement for Traffic Safety Improvement Program funding with Iowa Department of Transportation regarding the East Post Road and HWY 100 Traffic Signal and Turn Lane Improvements Project in the amount of \$500,000 (CS-TSF-4775(644)--85-57) (TRANS-20-002)<br><a href="#">Agenda Memo - AM-23-206 - Pdf</a>   | 151 - 162 |
| E.7.  | Motion directing staff to solicit engineering services for the East Post Road and HWY 100 Traffic Signal and Turn Lane Improvements Project (TRANS-20-002)<br><a href="#">Agenda Memo - AM-23-201 - Pdf</a>   | 163       |
| E.8.  | Motion directing staff to send appeal regarding the proposed Federal Emergency Management Agency (FEMA) flood map updates<br><a href="#">Agenda Memo - AM-23-193 - Pdf</a>  | 164 - 191 |
| E.9.  | Motion directing staff to proceed with Alburnett Road Bridge project with the current design<br><a href="#">Agenda Memo - AM-23-207 - Pdf</a>   | 192 - 197 |
| E.10. | Resolution No. 31240 approving an agreement for a Surface Transportation Block Grant Program Project with the Iowa Department of Transportation regarding the 7th Avenue Improvements from 12th Street to 22nd Street project in the amount of \$3,294,000 (STP-U-4775(643)--27-57) (TRANS-20-001)<br><a href="#">Agenda Memo - AM-23-213 - Pdf</a> | 198 - 205 |
| E.11. | Motion directing staff to solicit engineering services for the Traffic Signal Timing Project (ANN-18-079)<br><a href="#">Agenda Memo - AM-23-218 - Pdf</a>  | 206       |

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| E.12. | Resolution No. 31241 approving the Topsoil Sampling Policy and Procedure   | 207 - 211 |
|       | <a href="#">Agenda Memo - AM-23-173 - Pdf</a>  |           |
| E.13. | Resolution No. 31242 approving change order no. 009 to Peak Construction Group regarding the Marion Library Project Bid Pkg 05B & 06A regarding general trades and misc. steel in the amount of \$521.73 (FACS-17-034) | 212 - 217 |
|       | <a href="#">Agenda Memo - AM-23-208 - Pdf</a>  |           |
| F.    | Community Development  |           |
| F.1.  | Resolution No. 31243 approving Plat of Survey No. 2714 Parcel A for property located west of East Post Road and south of Highway 100 (Potter Land Company, LC)   | 218 - 220 |
|       | <a href="#">Agenda Memo - AM-23-178 - Pdf</a>  |           |
| G.    | Library - None   |           |

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

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

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| A.   | Administrative Services  |           |
| A.1. | Motion to approve liquor licenses including the following:   | 221       |
|      | <ul style="list-style-type: none"> <li>• Renewal - Casey's General Store #2760 - 975 S 11th Street</li> <li>• Renewal - Casey's General Store #2919 - 340 Marion BLVD</li> </ul>   |           |
|      | <a href="#">Agenda Memo - AM-23-232 - Pdf</a>  |           |
| B.   | Public Services - None   |           |
| C.   | Public Safety - None   |           |
| D.   | Parks  |           |
| D.1. | Resolution No. 31244 approving purchase of a 2022 Ford Super Duty F450 from McGrath Ford Hyundai in amount not to exceed \$81,960 and a trade-in of a 2012 Ford F550 for a credit amount of \$25,000 and authorizing payment in the amount of \$56,960 | 222 - 224 |
|      | <a href="#">Agenda Memo - AM-23-226 - Pdf</a>  |           |
| E.   | Engineering  |           |
| E.1. | Resolution No. 31245 approving change order no. 013 with Pipe Pro regarding the Marion Library Building Project BP22A Plumbing and 23A HVAC regarding costs to change the piping from the original drawing in the amount of \$1,238 (FACS-17-034)      | 225 - 227 |
|      | <a href="#">Agenda Memo - AM-23-210 - Pdf</a>  |           |

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| E.2. | Resolution No. 31246 approving change order no. 024 to Acme Electric regarding the Marion Library Project Bid Package 26A Electric regarding additional outlets in the amount of \$1,808.57 (FACS-17-034)<br><a href="#">Agenda Memo - AM-23-211 - Pdf</a> | 228 - 231 |
| E.3. | Resolution No. 31247 approving a memorandum of agreement with TW Homes, Inc. regarding the installation of Winslow Road adjacent to Osage Estates Additions<br><a href="#">Agenda Memo - AM-23-191 - Pdf</a>   | 232 - 236 |
| E.4. | Resolution No. 31248 approving contract and bond with LL Pelling Company, Inc. regarding the 2023 HMA Resurfacing Project and authorizing payment in the amount of \$1,014,566.20 (ANN-18-086)<br><a href="#">Agenda Memo - AM-23-183 - Pdf</a>            | 237 - 239 |

F. Community Development - None

G. Library - None

## **REGULAR AGENDA**

### **A. Administrative Services**

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|------|--|-----------|
| A.1. | Ordinance No. 23-02 adopting the 2023 Code of Ordinances (second consideration)<br><a href="#">Agenda Memo - AM-23-188 - Pdf</a> | 240 - 292 |
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### **B. Public Services**

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| B.1. | Public hearing regarding the General Construction and Building Concrete Trade Packages associated with the new Public Service Maintenance Facility<br><a href="#">Agenda Memo - AM-23-197 - Pdf</a>   | 293 |
| B.2. | Motion to approve the project calendar regarding the Public Service Facility Trade Packages as follows: <ul style="list-style-type: none"> <li>• Resolution No. 31249 awarding bid, authorizing approval of the contract with Portsen Construction for the General Construction Package associated with the Public Service Maintenance Facility and authorizing payment in the amount of \$2,639,000 (FACS-17-069)</li> <li>• Resolution No. 31250 awarding bid, authorizing approval of the contract with Rex Concrete for the Building Concrete Package associated with the Public Service Maintenance Facility and authorizing payment in the amount of \$2,280,387 (FACS-17-069)</li> </ul> <a href="#">Agenda Memo - AM-23-200 - Pdf</a> | 294 |

C. Public Safety - None

D. Parks - None

E. Engineering

- |      |   |           |
|------|---|-----------|
| E.1. | Public hearing regarding the 2023 Hanna Park Improvements Project<br><a href="#">Agenda Memo - AM-23-189 - Pdf</a>  | 295 - 296 |
| E.2. | Resolution No. 31251 accepting bids and awarding contract to Hunt Construction Company, Inc. regarding the 2023 Hanna Park Improvements Project in the amount of \$118,240. (REC-18-048)<br><a href="#">Agenda Memo - AM-23-190 - Pdf</a>       | 297 - 299 |
| E.3. | Receive and file TAC report regarding setting the speed limit on Echo Hill, west of Alburnett Road<br><a href="#">Agenda Memo - AM-23-214 - Pdf</a>   | 300 - 320 |
| E.4. | Ordinance No. 23-03 amending Chapter 313-4.4B of the Code of Ordinances establishing the speed limit on Echo Hill Road from the City limits easterly to Alburnett Road (initial consideration)<br><a href="#">Agenda Memo - AM-23-215 - Pdf</a> | 321 - 341 |

F. Community Development - None

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**