



AGENDA

City Council Regular Session

5:30 PM - Thursday, July 20, 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](https://zoom.us), select Join a Meeting, and enter the Meeting ID# 844 8150 5084. 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, July 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 - National Disability Independence Day (July 26, 2023) 7 - 8
[Agenda Memo - AM-23-754 - Pdf](#)

PRESENTATIONS

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

1. Recognition of Lieutenant Nathan Rompot regarding his recent 9
graduation from the National Fire Academy's Managing Officer Program
[Agenda Memo - AM-23-799 - 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 July 6, 2023 City Council meeting 10 - 16
[Agenda Memo - AM-23-765 - Pdf](#)

A.2.	Motion to approve liquor licenses including the following: <ul style="list-style-type: none"> • Renewal - Casey's General Store #2924 - 1100 Eagleview Drive • Renewal - Blooms by BladeWorks - 1440 Blairs Ferry Rd • New - Bistro @ Blooms - 1440 Blairs Ferry Rd Agenda Memo - AM-23-791 - Pdf	17
A.3.	Receive and file June 2023 department monthly reports Agenda Memo - AM-23-767 - Pdf	18 - 51
A.4.	Payments as presented in the amount of \$2,047,069.40 Agenda Memo - AM-23-766 - Pdf	52 - 75
A.5.	Certified List for Firefighter Agenda Memo - AM-23-501 - Pdf	76 - 77
A.6.	Resolution No. 31491 approving agreement with Insight Public Sector Inc. for Microsoft software licensing and authorizing payment in the amount of \$194,548.23 Agenda Memo - AM-23-763 - Pdf	78 - 79
A.7.	Resolution No. 31492 adopting final assessment schedule for Fiscal Year 2024 Quarter 1 Delinquent Fees and Confirming and Levying the Assessments Agenda Memo - AM-23-780 - Pdf	80 - 83
A.8.	Resolution No. 31493 authorizing and directing East Central Iowa Council of Governments (ECICOG) to submit application and associated documents for funding for the Community Development Block Grant Disaster Recovery (CDBG-DR) Derecho Tree Replacement Program to the Iowa Economic Development Authority Agenda Memo - AM-23-758 - Pdf	84
A.9.	Resolution No. 31494 approving partial payment no. 32 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$231.25 Agenda Memo - AM-23-795 - Pdf	85 - 88
B.	Public Services	
B.1.	Resolution No. 31495 approving partial payment no. 6 to Conlon Construction regarding construction manager services for the new Public Service Maintenance Facilities in the amount of \$82,980.47 (FACS-17-069) Agenda Memo - AM-23-785 - Pdf	89 - 90
C.	Public Safety	
C.1.	Resolution No. 31496 approving the Governing Body Review with Linn County and City of Cedar Rapids regarding the 2023 Byrne Justice Assistance Grant (JAG) Program Award Agenda Memo - AM-23-796 - Pdf	91 - 94

D. Parks

- D.1. Resolution No. 31497 approving purchase of a front-end utility mower and attachments from Cove Equipment Kubota in amount not to exceed \$58,000, a trade-in of a John Deere 1585 utility tractor for a credit amount of \$25,000 and authorizing payment in the amount of \$33,000 95 - 96

[Agenda Memo - AM-23-804 - Pdf](#)

E. Engineering

- E.1. Resolution No. 31498 approving a memorandum of agreement with Frazier Land Investments, LLC allowing the proposed Jacob's Landing site to be included in the Dry Creek Storm Water Detention District 97 - 108

[Agenda Memo - AM-23-781 - Pdf](#)

- E.2. Resolution No. 31499 accepting the 2022 Alburnett Road and Echo Hill Road Intersection Improvement Project Supplemental Contract (TRANS-19-118) (CS-TSF-4775(641)--85-57) 109 - 110

[Agenda Memo - AM-23-790 - Pdf](#)

- E.3. Motion to approve project calendar regarding the 2023 1112 6th Avenue Site Stabilization Project as follows: 111 - 112

- Resolution No. 31500 adopting final plans, specifications, form of contract, and estimate of cost regarding the 2023 1112 6th Avenue Site Stabilization Project
- Resolution No. 31501 awarding bid, authorizing approval of the contract and insurance with Soil Concepts, Inc. regarding the 2023 1112 6th Avenue Site Stabilization Project and authorizing payment in the amount of \$11,662.50

[Agenda Memo - AM-23-788 - Pdf](#)

- E.4. Resolution No. 31502 accepting the CEMAR Phase IV Project in the City of Marion, from the East Side of Indian Creek Bridge, Over Marion Boulevard to 7th Street, Twin Continuous Welded Girder Bridge and PCC Trail [TAP-U-4775(638)—8I-57] (TRL-17-055) 113 - 114

[Agenda Memo - AM-23-782 - Pdf](#)

- E.5. Resolution No. 31503 approving change order no. 2 with LL Pelling Co, Inc. regarding the 2023 10th Avenue Resurfacing Project for quantity overruns and authorizing payment in the amount in the amount of \$201,106 (ANN-24-001; TRANS-18-090) 115 - 118

[Agenda Memo - AM-23-789 - Pdf](#)

F. Community Development

- F.1. Resolution No. 31504 approving the Central Corridor Review for Shorts Burger facade update for property located at 780 11th Street, Marion, Iowa (Chevy Bushaw) 119 - 120
[Agenda Memo - AM-23-792 - Pdf](#)

G. Library - None

REGULAR AGENDA

A. Administrative Services

- A.1. Ordinance No. 23-18 amending Section 1-1 regarding General Provisions and Subsection 313-10.7A regarding Parking Regulations of the Marion Code of Ordinances (second consideration) 121 - 122
[Agenda Memo - AM-23-769 - Pdf](#)
- A.2. Ordinance No. 23-21 amending various sections of the Marion Code of Ordinances to update to gender neutral pronouns (initial consideration) 123 - 125
[Agenda Memo - AM-23-740 - Pdf](#)
- A.3. Public hearing on a proposal to enter into a Sewer Revenue Improvement Loan Agreement 126 - 128
[Agenda Memo - AM-23-776 - Pdf](#)
- A.4. Resolution No. 31505 taking additional action on proposal to enter into a Sewer Revenue Improvement Loan Agreement, combining Loan Agreements, and authorizing the use of a preliminary official statement for the sale of Sewer Revenue Bonds, Series 2023D 129 - 157
[Agenda Memo - AM-23-778 - Pdf](#)
- A.5. Resolution No. 31506 authorizing the use of a preliminary official statement for the sale of Solid Waste Revenue Bonds, Series 2023E 158 - 186
[Agenda Memo - AM-23-779 - Pdf](#)

B. Public Services - None

C. Public Safety - None

D. Parks - None

E. Engineering

- E.1. Ordinance No. 23-22 amending Chapter 247 of the Marion Code of Ordinances regarding Stormwater Management (initial consideration) 187 - 207
[Agenda Memo - AM-23-800 - Pdf](#)

F. Community Development

F.1.	Ordinance No. 23-14 amending Chapter 126, Article III of the Marion Code of Ordinances regarding Electrical Code (final consideration) Agenda Memo - AM-23-771 - Pdf	208 - 215
F.2.	Ordinance No. 23-15 amending Section 126-92 of the Marion Code of Ordinances regarding Housing Code (final consideration) Agenda Memo - AM-23-772 - Pdf	216 - 228
F.3.	Ordinance No. 23-16 amending Section 223-2 of the Marion Code of Ordinances regarding Nuisance Abatement (final consideration) Agenda Memo - AM-23-773 - Pdf	229 - 239
F.4.	Ordinance No. 23-17 amending Section 247-2 and adding a new section to the Marion Code of Ordinances regarding Property Maintenance (final consideration) Agenda Memo - AM-23-774 - Pdf	240 - 248
F.5.	Ordinance No. 23-19 approving an amendment to table 340-5.7-1 of the Marion Code of Ordinances regarding building setbacks within the M-1, Light Manufacturing, and M-2, General Manufacturing zoning districts (second consideration) Agenda Memo - AM-23-734 - Pdf	249 - 251
F.6.	Resolution No. 31507 approving a variance to waive Chapter 284, Subdivision of Land regulations to permit the length of Timber Ridge Court within the proposed Jacobs Landing Addition to exceed a length of 600 feet. (Schnoor Bonifazi on behalf of Frazier Land Investments, LLC) Agenda Memo - AM-23-784 - Pdf	252 - 255
F.7.	Resolution No. 31508 approving Jacobs Landing Addition Preliminary Plat located north of East Robins Road and west of Alburnett Road, Marion, Iowa. (Frazier Land Investments, LLC) Agenda Memo - AM-23-708 - Pdf	256 - 269
F.8.	Resolution No. 31509 approving revised elevations associated with the Boulevard Apartments Final Site Development Plan for property located at 648 Marion Boulevard, Marion, Iowa. (Talon Development) Agenda Memo - AM-23-787 - Pdf	270 - 292
F.9.	Resolution No. 31510 approving a final site development plan for the Holiday Inn Express and Suites for property located at 5993 Carlson Way, Marion, Iowa (Hart Family Hotels) Agenda Memo - AM-23-762 - Pdf	293 - 316

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.

1. Update regarding the Automated Traffic Enforcement (ATE) Camera program

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[Agenda Memo - AM-23-817 - Pdf](#)

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