



AGENDA

City Council Regular Session

5:30 PM - Thursday, September 21, 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# 865 8161 5253. 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, September 21 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 - Suicide Prevention Awareness Month (September 2023) 7 - 8
[Agenda Memo - AM-23-972 - Pdf](#)
2. Proclamation - National Hispanic Heritage Month (September 15 - 9 - 10
October 15, 2023)
[Agenda Memo - AM-23-945 - Pdf](#)

PRESENTATIONS

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

1. Presentation recognizing Dennis Hartl as the 2023 recipient of the Paul 11 - 12
Draper "Spirit of Marion" Award
[Agenda Memo - AM-23-1022 - 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 September 5 and 7, 2023 City Council meeting Agenda Memo - AM-23-974 - Pdf	13 - 21
A.2.	Liquor licenses including the following: <ul style="list-style-type: none"> • Renewal - CVS Pharmacy #10032 - 3495 7th Ave Agenda Memo - AM-23-1008 - Pdf 	22
A.3.	Motion to approve hold harmless agreements with the following: <ul style="list-style-type: none"> • Kimberley Kurth regarding a Backyard Band event on October 14, 2023 at 305 Larick Drive • Marion Chamber of Commerce regarding the Chocolate Walk & Shop event on October 6, 2023 in the Uptown Artway • MISD regarding high school marching band invitational event on September 26, 2023 at 675 S 15th Street • MISD regarding high school football and track events on September 29 and October 13, 2023 and April 6 and April 29, 2024 at 675 S 15th Street Agenda Memo - AM-21-137 - Pdf 	23 - 60
A.4.	Receive and file August 2023 department monthly reports Agenda Memo - AM-23-976 - Pdf	61 - 99
A.5.	Payments as presented in the amount of \$1,447,759.57 Agenda Memo - AM-23-975 - Pdf	100 - 121
A.6.	Resolution No. 31594 approving a Records Request Policy for the Fire Department Agenda Memo - AM-23-712 - Pdf	122 - 126
A.7.	Resolution No. 31595 approving agreement with JP Morgan regarding procurement card services Agenda Memo - AM-23-935 - Pdf	127 - 138
A.8.	Resolution No. 31596 approving agreement with D.A. Davidson for services related to serving as a dissemination agent Agenda Memo - AM-23-1013 - Pdf	139 - 146
A.9.	Resolution No. 31597 approving the renewal of a contract with Wellmark related to health insurance for January-December 2024 Agenda Memo - AM-23-1021 - Pdf	147 - 152
A.10.	Resolution No. 31598 approving a renewal of a contract with Avesis related to a vision/optical plan for January 2024-December 2025 Agenda Memo - AM-23-1018 - Pdf	153 - 200
A.11.	Resolution No. 31599 approving two agreements with PrudentRx regarding the prescription drug plan for the Traditional Health Plan and the High Deductible Health Plan Agenda Memo - AM-23-1025 - Pdf	201 - 223

B. Public Services

B.1.	Resolution No. 31600 approving change order no. 2 with Portzen Construction for the General Construction Package related to the public services maintenance facility and authorizing payment in the amount of \$20,184.04 (FACS-17-069) Agenda Memo - AM-23-986 - Pdf	224 - 251
B.2.	Resolution No. 31601 approving change order no. 2 with Hawkeye Electric for electrical work related to the public services maintenance facility for a credit in the amount of \$13,000.00 (FACS-17- 069) Agenda Memo - AM-23-1004 - Pdf	252 - 255
B.3.	Resolution No. 31602 approving change order no. 4 with Western Specialty Contractors for the foundation repairs to the public service maintenance facility for a credit in the amount of \$12,000 (FACS-17-069). Agenda Memo - AM-23-987 - Pdf	256 - 258
C.	Public Safety	
C.1.	Resolution No. 31603 approving a five-year contract with Axon Enterprise regarding police car cameras and authorizing payment in the amount of \$167,362.40 Agenda Memo - AM-23-1005 - Pdf	259 - 267
C.2.	Resolution No. 31604 approving memorandum of understanding with the Local 1937 International Association of Firefighters regarding training rate of pay Agenda Memo - AM-23-991 - Pdf	268 - 270
C.3.	Resolution No. 31605 approving memorandum of understanding with the Local 1937 International Association of Firefighters regarding reclassification of prevention captain Agenda Memo - AM-23-992 - Pdf	271 - 272
D.	Parks	
D.1.	Resolution No. 31606 approving purchase from Cove Equipment for replacement of a compact tractor with attachments and authorizing payment in the amount not to exceed \$61,500 Agenda Memo - AM-23-1009 - Pdf	273 - 274
E.	Engineering	
E.1.	Motion to receive, file and refer to the Traffic Advisory Committee (TAC) a request regarding stop signs at the intersection of C Avenue and 14th Street (W.H. Huntoon) Agenda Memo - AM-23-1019 - Pdf	275 - 279
E.2.	Resolution No. 31607 approving the removal of a streetlight at 665 Marion Boulevard Agenda Memo - AM-23-1002 - Pdf	280

E.3.	Resolution No. 31608 accepting the 2023 Pavement Patching Project (TRANS-18-090) Agenda Memo - AM-21-061 - Pdf	281 - 282
E.4.	Motion to receive and file the Willowood Creek Drainage Watershed Analysis and Recommendations Agenda Memo - AM-23-1016 - Pdf	283 - 309
E.5.	Motion directing staff to solicit a Request for Proposal (RFP) for a Stormwater Master Plan Agenda Memo - AM-23-1017 - Pdf	310
E.6.	Resolution No. 31609 approving a professional services agreement with HR Green regarding the Indian Creek Trunk Sewer - Segment 4, 5, 7 and authorizing payment in an amount not to exceed \$238,000.00 (SWR-20-001-4) Agenda Memo - AM-23-1015 - Pdf	311 - 327
E.7.	Resolution No. 31610 accepting the public improvements associated with Marion Aircom Park 1st Addition to the City of Marion Agenda Memo - AM-23-995 - Pdf	328
F.	Community Development	
F.1.	Resolution No. 31611 approving Glen Rock Farm Ninth Addition Final Plat and Memorandum of Agreement for property located at 6241 White Gate Court, Marion, Iowa (Sara J. Fishel Estate) Agenda Memo - AM-23-993 - Pdf	329 - 339
F.2.	Resolution No. 31612 setting a public hearing for October 5, 2023, regarding a request to rezone property from AG, Agricultural Holding, to PUD, Planned Unit Development located south of Fernow Road and east of Bluegrass Street, Marion, Iowa (Rookwood Estates, LLC) Agenda Memo - AM-23-990 - Pdf	340 - 352
F.3.	Resolution No. 31613 setting a public hearing for October 5, 2023, regarding the disposition of public property described as the west 20' of Lot 8, Block 9 Original Town, Marion, Iowa (City of Marion) Agenda Memo - AM-23-1003 - Pdf	353 - 359
G.	Library - None	

REGULAR AGENDA

A. Administrative Services

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| A.1. | Ordinance No. 23-25 amending Section 55-8 regarding Scheduled Violations and Subsection 218-3 regarding Noise Enforcement; Fines and Chapter 309-5(C) regarding Vehicles, All-Terrain and Off-Road Utility; Snowmobiles of the Marion Code of Ordinances (initial consideration)
Agenda Memo - AM-23-1023 - Pdf | 360 - 364 |
| A.2. | Motion to remove Resolution No. 30450 regarding suspending provisions of the Airport Layout Plan (ALP) relating to any additional east/west runway from the table (tabled 4/7/22) | |
| A.3. | Resolution No. 30450 suspending provisions of the Airport Layout Plan (ALP) relating to any additional east west runway (tabled 4/7/22)
Agenda Memo - AM-23-1029 - Pdf | 365 - 368 |
| B. | Public Services - None | |
| C. | Public Safety - None | |
| D. | Parks - None | |
| E. | Engineering | |
| E.1. | Ordinance No. 23-23 amending Chapter 274 Article III of the Marion Code of Ordinances regarding Stormwater Utility (second consideration)
Agenda Memo - AM-23-994 - Pdf | 369 - 371 |
| F. | Community Development | |
| F.1. | Resolution No. 31614 approving a revision to the 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-23-983 - Pdf | 372 - 390 |
| F.2. | Ordinance No. 23-24 approving a request to zone property from Linn County AG, Agriculture, and USR, Urban Service Area to SR-E, Suburban Residential Estate for properties located along East Robins Road between Meadowknolls Road and Mulberry Drive, Marion, Iowa (second consideration)
Agenda Memo - AM-23-988 - Pdf | 391 - 396 |
| F.3. | Resolution No. 31615 setting a public hearing for October 5, 2023 regarding the establishment of a moratorium on commercial uses
Agenda Memo - AM-23-1031 - Pdf | 397 |
| G. | Library - None | |

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 real estate transactions as permitted under Section 21.5(1)(j) of the Code of Iowa.

ADJOURN