



AGENDA

City Council Regular Session

5:30 PM - Thursday, October 19, 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# 851 1259 7048. 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, October 19 via email at cityclerk@cityofmarion.org.

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CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MOMENT OF SILENCE

PRESENTATIONS

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

1. Police Department Promotions: Officer Nikki Hotz to Sergeant and Sergeant Mike Rozek to Lieutenant

6

[Agenda Memo - AM-23-1119 - 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 October 3 and 5, 2023 City Council meeting

7 - 18

[Agenda Memo - AM-23-1101 - Pdf](#)

A.2.	Liquor licenses including the following: <ul style="list-style-type: none"> • Renewal - Aldi - 1001 50th Street • Renewal - Barrel House - 295 Tower Terrance Road • Renewal - Best Western Longbranch - 90 Twixt Town Road • Renewal - West End Diner - 809 6th Ave • New - Hy-Vee Gas - 3550 HWY 151 Agenda Memo - AM-23-1086 - Pdf	19 - 20
A.3.	Receive and file September 2023 department monthly reports Agenda Memo - AM-23-1102 - Pdf	21 - 60
A.4.	Payments as presented in the amount of \$1,256,026.13 Agenda Memo - AM-23-1100 - Pdf	61 - 91
A.5.	Mayor AbouAssaly's recommended appointment of Jake Hahn to the Corridor Metropolitan Planning Organization's Long Range Transportation Plan (LRTP) Steering Committee Agenda Memo - AM-23-1096 - Pdf	92 - 93
A.6.	Receive, file and approve the 2024 City Council Meeting Schedule Agenda Memo - AM-23-1095 - Pdf	94 - 96
A.7.	Resolution No. 31634 adopting final assessment schedule for Fiscal Year 2024 Quarter 2 Delinquent Fees and Confirming and Levying the Assessments Agenda Memo - AM-23-833 - Pdf	97 - 100
A.8.	Resolution No. 31635 approving change order no. 2 with King Knutson Construction for the Pre-Engineered Metal Building Package and authorizing payment in the amount of \$7,800 (FACS-17-069) Agenda Memo - AM-23-1115 - Pdf	101 - 105
A.9.	Resolution No. 31636 approving acceptance of a conservation easement for 524 10th Street (McGowan House) Agenda Memo - AM-23-1111 - Pdf	106 - 112
A.10.	Motion to receive and file correspondence regarding a request from Andrew Shifflet to suspend utility billing during temporary vacancies and referring the matter to the Water Board Agenda Memo - AM-23-1135 - Pdf	113 - 114
A.11.	Resolution No. 31637 approving the Annual Street Finance Report for the year ended June 30, 2023 Agenda Memo - AM-23-1062 - Pdf	115 - 126
A.12.	Resolution No. 31638 approving the Certificate of Tax Increment Financing (TIF) Indebtedness to the Linn County Auditor's Office for Fiscal Year 2024-2025 collection Agenda Memo - AM-23-1063 - Pdf	127 - 169

A.13.	Motion to approve project calendar regarding the following internal loan advances:	170 - 173
	<ul style="list-style-type: none"> • Resolution No. 31639 Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the Collins Road Extension Urban Renewal Area • Resolution No. 31640 Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the Central Corridor Urban Renewal Area • Resolution No. 31641 Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the Echo Hill Road Urban Renewal Area • Resolution No. 31642 Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the 29th Avenue Urban Renewal Area • Resolution No. 31643 Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the West Tower Terrace Road Urban Renewal Area 	
	Agenda Memo - AM-23-1113 - Pdf	
B.	Public Services	
B.1.	Resolution No. 31644 approving an agreement with GovTempsUSA, LLC regarding temporary employment in the Public Service Department and authorizing payment in the amount as shown in the agreement	174 - 186
	Agenda Memo - AM-23-1121 - Pdf	
B.2.	Resolution No. 31645 approving change order no. 1 with SCS Engineers for the Solid Waste Collections Study and authorizing payment in the amount of \$54,000	187 - 193
	Agenda Memo - AM-23-1122 - Pdf	
B.3.	Resolution No. 31646 approving purchase of sideload automated solid waste trucks from Kilburg Equipment and authorizing payment in the amount of \$2,295,834	194 - 204
	Agenda Memo - AM-23-1123 - Pdf	
C.	Public Safety	
C.1.	Resolution No. 31647 approving an amended agreement with Foundation 2 for continuation of law enforcement liaison support at the Marion Police Department and authorizing payment in the updated amount of \$72,327	205 - 216
	Agenda Memo - AM-23-1116 - Pdf	
D.	Parks	

- D.1. Resolution No. 31648 approving purchase of glass replacement for the McGowan House windows from AM Glass Repair and authorizing payment in the amount of \$20,060 217 - 218
[Agenda Memo - AM-23-1139 - Pdf](#)
- E. Engineering
 - E.1. Resolution No. 31649 accepting the 2023 1112 6th Avenue Site Stabilization Project 219
[Agenda Memo - AM-23-1098 - Pdf](#)
- F. Community Development
 - F.1. Resolution No. 31650 accepting a warranty deed for Lots A and B, Squaw Creek Meadows Fourth Addition in the City of Marion, Linn County, Iowa (Platinum Development LLC) 220 - 224
[Agenda Memo - AM-23-1106 - Pdf](#)
- G. Library - None

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

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

- A. Administrative Services
 - A.1. Resolution No. 31651 Authorizing Internal Advance for Funding of Urban Renewal Airport Operating and Support Program for the Collins Road Extension Urban Renewal Area 225
[Agenda Memo - AM-23-1114 - Pdf](#)
- B. Public Services - None
- C. Public Safety - None
- D. Parks - None
- E. Engineering - None
- F. Community Development - None
- G. Library - None

REGULAR AGENDA

- A. Administrative Services
 - A.1. Ordinance No. 23-25 amending Section 55-8 regarding Scheduled Violations, Subsection 218-3 regarding Noise Enforcement-Fines, and Chapter 309-5(C) regarding Vehicles, All-Terrain, Off-Road Utility and Snowmobiles of the Marion Code of Ordinances (final consideration) 226 - 230
[Agenda Memo - AM-23-1110 - Pdf](#)
- B. Public Services - None
- C. Public Safety - None

- D. Parks - None
- E. Engineering
 - E.1. Public comment regarding a request for no parking on School Street between 1st Avenue and 2nd Avenue 231 - 234
[Agenda Memo - AM-23-1125 - Pdf](#)
 - E.2. Motion to receive and file Traffic Advisory Committee (TAC) report regarding a request for no parking on School Street between 1st Avenue and 2nd Avenue 235 - 238
[Agenda Memo - AM-23-1126 - Pdf](#)
 - E.3. Resolution No. 31652 approving the establishment of a “No Parking” zone on the west side of School Street between 1st Avenue and 2nd Avenue 239 - 242
[Agenda Memo - AM-23-1127 - Pdf](#)
- F. Community Development
 - F.1. Ordinance No. 23-27 approving a request to rezone property from AG, Agricultural Holding, to PUD, Planned Unit Development for property located south of Fernow Road and east of Bluegrass Street, Marion, Iowa (Rookwood Estates, LLC) (second consideration) 243 - 255
[Agenda Memo - AM-23-1099 - Pdf](#)
 - F.2. Public hearing regarding a moratorium related to commercial uses along portions of Tower Terrace Road, Highway 13, and the Central Corridor Zoning Districts (continued from Oct. 5, 2023) 256 - 266
[Agenda Memo - AM-23-1104 - Pdf](#)
 - F.3. Ordinance No. 23-26 approving a moratorium related to commercial uses along portions of Tower Terrace Road, Highway 13, and the Central Corridor Zoning Districts (second consideration) 267 - 276
[Agenda Memo - AM-23-1105 - 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