



AGENDA

City Council Regular Session

4:00 PM - Tuesday, November 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, select Join a Meeting, and enter the Meeting ID# 854 8018 3388. 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, November 21 via email at cityclerk@cityofmarion.org.

Page

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MOMENT OF SILENCE

PROCLAMATIONS/OATHS

1. Proclamation - Small Business Saturday (November 25, 2023) 8 - 9
[Agenda Memo - AM-23-1143 - Pdf](#)
2. Proclamation - Artists Sunday (November 26, 2023) 10 - 11
[Agenda Memo - AM-23-1239 - 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 November 7 and 9, 2023 City Council meeting 12 - 21
[Agenda Memo - AM-23-1221 - Pdf](#)

A.2.	Liquor licenses including the following: • New - Kwik Star #1008 - 5992 Carlson Way • Renewal - Casey's General Store #3562 - 680 Lindale Drive • Renewal - Naso's Pizza Marion - 453 7th Ave • Renewal - Mega Retail - 5680 Kacena Ave • Renewal - La Cantina Bar & Grill - 3217 7th Ave Agenda Memo - AM-23-1180 - Pdf	22 - 23
A.3.	Mayoral appointment of the following members to the Marion Comprehensive Plan Visioning Committee: • Janelle Brouwer • Amy Kortemeyer • Sara Mentzer • Will Brandt • Dale Monroe • Liz Burke • Shirley Redmond • Charlie Nichols • Chad Pelley • Jennifer Fencil • Jill Ackerman • Mark Seckman • Greg Bjornsen • Rachel Waters • Corbin Mollman • Ray Brown • Seth Moomey • Brad Bohl • Dustin Kern • Lisa Dewees • Scott Immerfall • Renae Forsyth-Christy • Bryan Fiscus • Craig Adamson • Karmin McShane • Brooke Prouty • Nicolas AbouAssaly Agenda Memo - AM-23-1083 - Pdf	24 - 26
A.4.	Receive and file October 2023 department monthly reports Agenda Memo - AM-23-1223 - Pdf	27 - 67
A.5.	Payments as presented in the amount of \$3,373,963.81 Agenda Memo - AM-23-1222 - Pdf	68 - 95
A.6.	Resolution No. 31677 approving partial payment no. 36 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$138.75 Agenda Memo - AM-23-1224 - Pdf	96 - 100

A.7.	Resolution No. 31678 approving an addendum to the master services agreement with ImOn Communications LLC regarding WiFi services at Thomas Park Agenda Memo - AM-23-1240 - Pdf	101 - 103
A.8.	Resolution No. 31679 approving payment to Tyler Technologies for Enterprise Resource Planning (ERP) and Timekeeping software maintenance and support in the amount of \$167,148.66 Agenda Memo - AM-23-1237 - Pdf	104 - 105
B.	Public Services - None	
C.	Public Safety	
C.1.	Resolution No. 31680 approving a purchase agreement with Reliant Fire Apparatus for the replacement Fire Engine 94 and the associated upfitting modifications and equipment and authorizing payment in an amount not to exceed \$998,163.38 Agenda Memo - AM-23-1238 - Pdf	106 - 244
C.2.	Resolution No. 31681 approving an amended settlement agreement and consent order with Cocktails and Company Agenda Memo - AM-23-1242 - Pdf	245 - 255
C.3.	Resolution No. 31682 approving a collections services agreement with Municipal Collections of America, Inc for Automated Traffic Enforcement (ATE) Collection Services Agenda Memo - AM-23-1243 - Pdf	256 - 298
C.4.	Resolution No. 31683 approving professional services agreement with Life Time Fence regarding installation of a parking lot fence at the Police Department and authorizing payment in an amount not to exceed of \$93,565 Agenda Memo - AM-23-1228 - Pdf	299 - 314
D.	Parks - None	
E.	Engineering	
E.1.	Resolution No. 31684 accepting the Marion Library Project - Bid Pkg 03A Concrete Foundations with Knutson Construction (FACS-17-034) Agenda Memo - AM-23-1191 - Pdf	315 - 316
E.2.	Resolution No. 31685 accepting the Marion Library Project - Bid Pkg 03B Site Concrete with Central States Concrete (FACS-17-034) Agenda Memo - AM-23-1192 - Pdf	317 - 318
E.3.	Resolution No. 31686 accepting the Marion Library Project - Bid Pkg 04A Unit Masonry with Seehase Masonry (FACS-17-034) Agenda Memo - AM-23-1193 - Pdf	319 - 320

E.4.	Resolution No. 31687 accepting the Marion Library Project - Bid Pkg 04B Unit Masonry with Seedorff Masonry (FACS-17-034) Agenda Memo - AM-23-1194 - Pdf	321 - 322
E.5.	Resolution No. 31688 accepting the Marion Library Project - Bid Pkg 05A Steel Fabrication and Erection with Peak Construction (FACS-17-034) Agenda Memo - AM-23-1195 - Pdf	323 - 324
E.6.	Resolution No. 31689 accepting the Marion Library Project - Bid Pkg 05B Decorative Metal with Peak Construction (FACS-17-034) Agenda Memo - AM-23-1196 - Pdf	325 - 326
E.7.	Resolution No. 31690 accepting the Marion Library Project - Bid Pkg 07A Roofing and Sheet Metal with Black Hawk Roof Company (FACS-17-034) Agenda Memo - AM-23-1197 - Pdf	327 - 328
E.8.	Resolution No. 31691 accepting the Marion Library Project - Bid Pkg 07B Formed Metal Wall Panels with East Moline Sheet Metal (FACS-17-034) Agenda Memo - AM-23-1198 - Pdf	329 - 330
E.9.	Resolution No. 31692 accepting the Marion Library Project - Bid Pkg 08A Glass and Glazing with Zephyr Aluminum (FACS-17-034) Agenda Memo - AM-23-1199 - Pdf	331 - 332
E.10.	Resolution No. 31693 accepting the Marion Library Project - Bid Pkg 09A Gypsum Board and Acoustic Ceilings with Pearson Wall System (FACS-17-034) Agenda Memo - AM-23-1200 - Pdf	333 - 334
E.11.	Resolution No. 31694 accepting the Marion Library Project - Bid Pkg 09B Flooring with Commercial Flooring (FACS-17-034) Agenda Memo - AM-23-1201 - Pdf	335 - 336
E.12.	Resolution No. 31695 accepting the Marion Library Project - Bid Pkg 09C Painting with Corridor Paint and Drywall (FACS-17-034) Agenda Memo - AM-23-1202 - Pdf	337 - 338
E.13.	Resolution No. 31696 accepting the Marion Library Project - Bid Pkg 14A Conveying Systems with KONE, Inc. (FACS-17-034) Agenda Memo - AM-23-1203 - Pdf	339 - 340
E.14.	Resolution No. 31697 accepting the Marion Library Project - Bid Pkg 21A Fire Suppression with Ahern Fire Protection (FACS-17-034) Agenda Memo - AM-23-1204 - Pdf	341 - 342

E.15.	Resolution No. 31698 accepting the Marion Library Project - Bid Pkg 32A Site Grading and Utilities with Boomerang Corp. (FACS-17-034)	343 - 344
	Agenda Memo - AM-23-1205 - Pdf	
E.16.	Resolution No. 31699 accepting the Marion Library Project - Bid Pkg 32B Landscaping Site Restoration with Culver's Lawn and Landscape (FACS-17-034)	345 - 346
	Agenda Memo - AM-23-1206 - Pdf	
E.17.	Resolution No. 31700 accepting the Marion Library Project - Bid Pkg 26A Electrical with Acme Electric (FACS-17-034)	347 - 348
	Agenda Memo - AM-23-1208 - Pdf	
E.18.	Resolution No. 31701 approving supplemental contract with Acme Electric, Inc. regarding the Marion Library Project - Bid Pkg 26A Electrical and authorizing payment in the amount of \$10,000 (FACS-17-034)	349
	Agenda Memo - AM-23-1245 - Pdf	
E.19.	Resolution No. 31702 accepting the Marion Library Project - Bid Pkg 11A Food Service Equipment with Rapids Food Service (FACS-17-034)	350 - 351
	Agenda Memo - AM-23-1230 - Pdf	
E.20.	Resolution No. 31703 accepting the Marion Library Project - Bid Pkg 31A Ground Improvements with Helitech Civil Construction (FACS-17-034)	352 - 353
	Agenda Memo - AM-23-1229 - Pdf	
E.21.	Resolution No. 31704 accepting the 2023 Twixt Town Rd & Marion Blvd Intersection Improvements Project (TRANS-18-090)	354 - 355
	Agenda Memo - AM-23-1213 - Pdf	
E.22.	Resolution No. 31705 accepting the 2019 Fire Station Project (FACS-18-062)	356 - 357
	Agenda Memo - AM-23-1235 - Pdf	
E.23.	Resolution No. 31706 approving the release and settlement agreement with Tricon General Construction regarding the Lowe Park South End Improvements Project and authorizing payment in the amount as outlined in the agreement	358 - 360
	Agenda Memo - AM-23-1226 - Pdf	
E.24.	Resolution No. 31707 approving partial payment no. 9 to Tricon General Construction regarding the Lowe Park South End Improvements Project in the amount of \$24,879.90 (REC-17-050)	361 - 362
	Agenda Memo - AM-23-1216 - Pdf	
E.25.	Resolution No. 31708 accepting the Lowe Park South End Improvements Project with Tricon General Construction (REC-17-050)	363
	Agenda Memo - AM-23-1227 - Pdf	

- F. Community Development
- F.1. Resolution No. 31709 authorizing the submittal of a grant application to the Iowa Department of Transportation for Transportation Alternatives Set-Aside Program Funds in the amount of \$403,000 and committing to provide local matching funds contingent upon award and acceptance of Transportation Grant Funds regarding the Marion Independent School District Safe Routes to Schools sidewalk connectivity 364 - 365
- [Agenda Memo - AM-23-1244 - Pdf](#)

G. Library - None

REGULAR AGENDA

- A. Administrative Services
- A.1. Ordinance No. 23-28 amending various sections of the Marion Code of Ordinances including Section 24-3 regarding the Building Inspection Division, Section 223-11 regarding Nuisance Abatement, and Section 313-12.7 regarding Automated Traffic Enforcement (second consideration) 366 - 367
- [Agenda Memo - AM-23-1225 - Pdf](#)
- B. Public Services - None
- C. Public Safety - None
- D. Parks - None
- E. Engineering
- E.1. Public comment regarding the addition of speed limit signs on Edinburgh Avenue 368 - 374
- [Agenda Memo - AM-23-1232 - Pdf](#)
- E.2. Motion to receive and file Traffic Advisory Committee (TAC) report regarding the addition of speed limit signs on Edinburgh Avenue 375 - 381
- [Agenda Memo - AM-23-1233 - Pdf](#)
- E.3. Motion to concur with Traffic Advisory Committee (TAC) recommendations 382 - 388
- [Agenda Memo - AM-23-1234 - Pdf](#)
- F. Community Development
- F.1. Public Hearing regarding placement of a permanent easement with Interstate Power and Light Company to be located at the northwest corner of Tower Terrace Road and Winslow Road, Marion, Iowa 389 - 394
- [Agenda Memo - AM-23-1129 - Pdf](#)

- | | | |
|------|--|-----------|
| F.2. | Resolution No. 31710 approving a permanent easement with Interstate Power and Light Company to be located at the northwest corner of Tower Terrace Road and Winslow Road, Marion, Iowa
Agenda Memo - AM-23-1130 - Pdf | 395 - 399 |
| F.3. | Public Hearing regarding the Vacant Building Ordinance
Agenda Memo - AM-23-1214 - Pdf | 400 - 411 |
| F.4. | Ordinance No. 23-29 amending the Marion Code of Ordinances by adding language regarding Vacant Buildings (initial consideration)
Agenda Memo - AM-23-1217 - Pdf | 412 - 413 |

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 personnel matters as permitted under Section 21.5(1)(i) of the Code of Iowa.

ADJOURN