



AGENDA

City Council Regular Session

5:30 PM - Thursday, March 7, 2024

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# 845 7225 4372. 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, March 7 via email at cityclerk@cityofmarion.org.

Page

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MOMENT OF SILENCE

PROCLAMATIONS/OATHS

1. Proclamation - Women's History Month (March 2024)

6 - 7

[Agenda Memo - AM-23-1186 - 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 Feb. 20 and 22, 2024 City Council meetings

8 - 16

[Agenda Memo - AM-24-163 - Pdf](#)

- A.2. Mayor AbouAssaly's recommended appointments:

17 - 18

- Tree Board - Corinne Newport - term expires 12/31/24

[Agenda Memo - AM-24-155 - Pdf](#)

- A.3. Payments as presented in the amount of \$2,573,081.40

19 - 41

[Agenda Memo - AM-24-162 - Pdf](#)

A.4.	Liquor licenses including the following:	42 - 43
	<ul style="list-style-type: none"> • Renewal - Corner Mart - 998 8th Ave • Renewal - Napolis - 500 Marion Blvd Ste 100 • Renewal - Casey's General Store #2760 - 975 S 11th Street • Renewal - Casey's General Store #2919 - 340 Marion Blvd • New - Campbell Steele Gallery - 1064 7th Ave • New - St. Joseph Church - 1790 14th Street 	
	Agenda Memo - AM-24-160 - Pdf	
A.5.	Hold Harmless Agreement with:	44 - 73
	<ul style="list-style-type: none"> • New Life Community Church regarding SummerFest on August 8, 2024 at 275 W 29th Ave • St. Joseph Church regarding St. Joseph Fun Days on May 31 - June 2, 2024 at 1790 14th Street • Go the Distance for Crime Victims regarding a 5k on April 27, 2024 starting in Thomas Park. 	
	Agenda Memo - AM-24-166 - Pdf	
A.6.	Resolution No. 31828 approving an amended Overdue Account and Insufficient Funds Policy	74 - 75
	Agenda Memo - AM-24-167 - Pdf	
A.7.	Resolution No. 31829 rescinding obsolete policies as follows:	76 - 88
	<ul style="list-style-type: none"> • Annexation Policies • Covid-19 Vaccination Policy • Public Facility Protective Equipment Policy 	
	Agenda Memo - AM-24-171 - Pdf	
A.8.	Resolution No. 31830 setting a public hearing for March 26, 2024 concerning proposed fiscal year 2025 property tax rate	89 - 92
	Agenda Memo - AM-24-099 - Pdf	
A.9.	Resolution No. 31831 approving partial payment no. 39 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$2,035.00	93 - 97
	Agenda Memo - AM-24-146 - Pdf	
A.10.	Resolution No. 31832 consenting to assignment of development agreement and tax increment payments (East Town Crossing/Hart Family Hotels-Marion, LLC)	98 - 141
	Agenda Memo - AM-24-097 - Pdf	
B.	Public Services - None	
C.	Public Safety	
C.1.	Resolution No. 31833 approving the purchase from Basepoint regarding replacement doors and installation of security controls at Fire Station No. 2 and 3 and authorizing payment in the amount of \$76,024	142 - 149
	Agenda Memo - AM-24-158 - Pdf	

D. Parks - None

E. Engineering

- | | | |
|------|--|-----------|
| E.1. | Resolution No. 31834 approving support for the Indian Creek Watershed Management Authority's application for the Iowa Department of Natural Resources creek sign grant program
Agenda Memo - AM-24-174 - Pdf | 150 - 151 |
| E.2. | Resolution No. 31835 setting a public hearing for March 21, 2024 regarding an amendment to Chapter 163 of the Code of Ordinances; Flood Damage Prevention in regards to Flood Hazard Area Regulations and adoption of the 2023 FEMA Flood Insurance Study (FIS) and the 2023 FEMA Flood Insurance Rate Map (FIRM)
Agenda Memo - AM-24-175 - Pdf | 152 - 155 |
| E.3. | Resolution No. 31836 approving a purchase agreement with John Vecellio and Carol Lakin-Vecellio, 180 8th Avenue, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$7,300 (TRANS-18-092)
Agenda Memo - AM-24-153 - Pdf | 156 - 163 |
| E.4. | Resolution No. 31837 approving a purchase agreement with Harmony Property Rentals, LLC % David Baird, 182 8th Avenue, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$2,050 (TRANS-18-092)
Agenda Memo - AM-24-152 - Pdf | 164 - 168 |
| E.5. | Resolution No. 31838 approving a purchase agreement with LeBoeuf Group LLC, 240 8th Avenue, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$2,100 (TRANS-18-092)
Agenda Memo - AM-24-173 - Pdf | 169 - 174 |
| E.6. | Resolution No. 31839 approving a temporary construction easement agreement with Bradley L. Johnson and Mary M. Johnson, 975 2nd Street and 985 2nd Street, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$1,880 (\$820 and \$1,060 respectively) (TRANS-18-092)
Agenda Memo - AM-24-170 - Pdf | 175 - 184 |
| E.7. | Resolution No. 31840 approving a temporary construction easement agreement with Brian W. Long and Lori K. Long, 200 9th Avenue, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$950 (TRANS-18-092)
Agenda Memo - AM-24-172 - Pdf | 185 - 190 |

- | | | |
|-------|---|-----------|
| E.8. | Resolution No. 31841 approving a temporary construction easement agreement with Dexter Satterly, 965 2nd Street, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$810 (TRANS-18-092)
Agenda Memo - AM-24-154 - Pdf | 191 - 196 |
| E.9. | Resolution No. 31842 approving a temporary construction easement agreement with Kevin Bergan, 250 9th Avenue, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$30 (TRANS-18-092)
Agenda Memo - AM-24-161 - Pdf | 197 - 202 |
| E.10. | Motion to approve project calendar regarding temporary construction easements associated with the 2024 Sidewalk Ramp Project as follows: <ul style="list-style-type: none"> • Resolution No. 31843 approving temporary construction easement with Ronald D. Thatcher, 312 12th Street, regarding the 2024 Sidewalk Ramp Project (ANN-18-106) • Resolution No. 31844 approving temporary construction easement with Cody W. & Jeni R. Crawford, 907 11th Street, regarding the 2024 Sidewalk Ramp Project (ANN-18-106) • Resolution No. 31845 approving temporary construction easement with James D. & Jennifer R. Kreutner, 2910 Brookvalley Court, regarding the 2024 Sidewalk Ramp Project (ANN-18-106) Agenda Memo - AM-24-169 - Pdf | 203 - 213 |
| E.11. | Resolution No. 31846 approving change order no. 12 with Peterson Contractors Inc. regarding the 10th Avenue Sidepaths PCC Sidewalk/Trail and authorizing pyament in the amount of \$16,490.75 (TAP-U-4775(635)—8l-57) (TRL-18-110)
Agenda Memo - AM-24-177 - Pdf | 214 - 217 |
| F. | Community Development | |
| F.1. | Resolution No. 31847 approving a Safe Routes to School Plan for the Linn-Mar Community School District
Agenda Memo - AM-23-1160 - Pdf | 218 - 391 |

G. Library - None

REGULAR AGENDA

- | | | |
|------|---|-----------|
| A. | Administrative Services | |
| A.1. | Public hearing on the proposed designation of the 2024 Multifamily Housing Urban Revitalization Area
Agenda Memo - AM-24-178 - Pdf | 392 - 402 |
| A.2. | Resolution No. 31848 adopting the proposed plan for the 2024 Multifamily Housing Urban Revitalization Area
Agenda Memo - AM-24-156 - Pdf | 403 - 412 |

- B. Public Services - None
- C. Public Safety - None
- D. Parks - None
- E. Engineering - None
- F. Community Development
 - F.1. Ordinance No. 24-03 approving a request to rezone property from U-1, Uptown-1 to PUD, Planned Unit Development for property located at 1277 8th Avenue, Marion, Iowa (1277 8th Avenue LLC) (final consideration) 413 - 447
[Agenda Memo - AM-24-051 - Pdf](#)
 - F.2. Public hearing regarding the Bell Tower Lofts preliminary and final site development plans for property located at 1277 8th Avenue, Marion, Iowa (1277 8th Avenue LLC) 448 - 463
[Agenda Memo - AM-24-147 - Pdf](#)
 - F.3. Resolution No. 31849 approving the Bell Tower Lofts Preliminary Site Development Plan for property located at 1277 8th Avenue, Marion, Iowa (1277 8th Avenue LLC) 464
[Agenda Memo - AM-24-148 - Pdf](#)
 - F.4. Resolution No. 31850 approving the Bell Tower Lofts Final Site Development Plan for property located at 1277 8th Avenue, Marion, Iowa (1277 8th Avenue LLC) 465
[Agenda Memo - AM-24-149 - Pdf](#)
- 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 litigation as permitted under Section 21.5(1)(c) of the Code of Iowa.

ADJOURN