



AGENDA

City Council Regular Session

5:30 PM - Thursday, August 8, 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, 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, August 8 via email at cityclerk@cityofmarion.org.

Page

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MOMENT OF SILENCE

PRESENTATIONS

1. Recognition of Mayor for a Day participants

PROCLAMATIONS/OATHS

1. Oath of Office:
 - Firefighter Tanner Frank
 - Firefighter Alec Stringer
 - Firefighter Thadius Williams

7

[Agenda Memo - AM-24-648 - 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 16 and 18, 2024 City Council meetings

8 - 17

[Agenda Memo - AM-24-611 - Pdf](#)

A.2.	Liquor license (renewal) for Casey's General Store #2770 - 2020 7th Avenue Agenda Memo - AM-24-618 - Pdf	18
A.3.	Hold harmless agreement with Foundation 2 Crisis Services regarding the Putts for Prevention event on September 13, 2024 in the Uptown Artway Agenda Memo - AM-24-629 - Pdf	19 - 27
A.4.	Receive and file correspondence regarding Larry Nasset's resignation from the Construction Code Review Board Agenda Memo - AM-24-632 - Pdf	28
A.5.	Mayoral appointment: <ul style="list-style-type: none"> Arts Council - Andrew Wixcel (1681 8th Street) - term expires 12/31/24 Planning and Zoning Commission - Nicole "Nikki" Wilcox (3490 Barnsley Circle) - term expires 12/31/27 Agenda Memo - AM-24-608 - Pdf	29 - 32
A.6.	Payments as presented in the amount of \$6,277,364.62 Agenda Memo - AM-24-610 - Pdf	33 - 64
A.7.	Receive and file Projects in Motion July 2024 update (Strategic Plan Quarterly Update) Agenda Memo - AM-24-631 - Pdf	65 - 73
A.8.	Resolution No. 32025 approving partial payment no. 43 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$370 Agenda Memo - AM-24-589 - Pdf	74 - 78
A.9.	Resolution No. 32026 approving Fiscal Year 2024-2025 operating budget transfers in the amount of \$15,535,316 Agenda Memo - AM-24-639 - Pdf	79 - 81
A.10.	Resolution No. 32027 approving revised purchasing and financial policies Agenda Memo - AM-24-614 - Pdf	82 - 169
B.	Public Services	
B.1.	Resolution No. 32028 approving change order no. 1 with Quality Cleaning Equipment for the wash bay equipment related to the public services maintenance facility and authorizing payment in the amount of \$4,600 (FACS-17- 069) Agenda Memo - AM-24-599 - Pdf	170 - 172
B.2.	Resolution No. 32029 approving three-year agreement with Midwest Renewable Bio-fuels regarding contracted food grease collection and disposal services for Uptown Marion Agenda Memo - AM-24-635 - Pdf	173 - 179

B.3.	Resolution No. 32030 approving three-year agreement with ABC Disposal regarding contracted municipal solid waste and recycling services for Uptown Marion and authorizing payment in amount not to exceed \$43,574.27 Agenda Memo - AM-24-612 - Pdf	180 - 190
C.	Public Safety	
C.1.	Resolution No. 32031 approving a three-year service agreement with FireCatt regarding annual fire hose testing and authorizing payment in the amount not to exceed \$32,190 Agenda Memo - AM-24-636 - Pdf	191 - 206
D.	Parks	
D.1.	Motion directing staff to submit an application for an Iowa Department of Natural Resources (IDNR) Resource Enhancement and Protection (REAP) grant in the amount of \$150,000 related to the buildout of a parking lot and access ramp for the Indian Creek Site 1 Project Agenda Memo - AM-24-654 - Pdf	207 - 208
E.	Engineering	
E.1.	Resolution No. 32032 approving payment to Rathje Construction Company regarding an emergency sewer repair at 1070 7th Avenue in the amount not to exceed \$55,125 (TRANS-18-101) Agenda Memo - AM-24-601 - Pdf	209 - 212
E.2.	Resolution No. 32033 approving a temporary construction easement with Scott M. and Hillary J. Smith, 100 Isham Drive, regarding the Sanitary Trunk Sewer - Project 4 & 5 (SWR-20-001) Agenda Memo - AM-24-607 - Pdf	213 - 216
E.3.	Resolution No. 32034 accepting the 2024 Sidewalk Ramp Project (ANN-18-106) Agenda Memo - AM-24-623 - Pdf	217 - 218
E.4.	Motion to receive, file and refer to the Traffic Advisory Committee (TAC) a petition regarding the commencement of a study and possible corrective changes made to McGowan Blvd between 35th Street and 44th Street to address current safety and livability issues (Cynthia Wetzel 3675 McGowan Blvd.) Agenda Memo - AM-24-628 - Pdf	219 - 221
F.	Community Development	
F.1.	Resolution No. 32035 approving a Public Water Main Easement Agreement with Hy-Vee, Inc. regarding a permanent watermain easement associated with Willowood Commercial Second Addition Final Plat, Marion, Iowa (Hy-Vee, Inc) Agenda Memo - AM-24-586 - Pdf	222 - 229

- | | | |
|------|--|-----------|
| F.2. | Resolution No. 32036 approving Willowood Commercial Second Addition Final Plat and Memorandum of Agreement for property located north of Business Highway 151 and east of 35th Street, Marion, Iowa (Hy-Vee, Inc)
Agenda Memo - AM-24-583 - Pdf | 230 - 240 |
| F.3. | Resolution No. 32037 approving a vacation of a 10' utility easement along the east property line of Lot 27, Prairie Hill 1st Addition Marion, Iowa (Paul and Thera Nelson)
Agenda Memo - AM-24-527 - Pdf | 241 - 242 |
| F.4. | Resolution No. 32038 setting a public hearing for September 5, 2024 regarding a request for voluntary annexation of property located west of N 10th Street and south of Cimarron Drive, Marion, Iowa (Alyce L Lowe Trust, John E and Katie L Lancaster)
Agenda Memo - AM-24-651 - Pdf | 243 - 245 |

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. | Liquor license (renewal) for Zio Johnno's - 755 7th Avenue
Agenda Memo - AM-24-617 - Pdf | 246 |
| B. | Public Services - None | |
| C. | Public Safety - None | |
| D. | Parks - None | |
| E. | Engineering | |
| E.1. | Resolution No. 32039 accepting the 2024 HMA Resurfacing Project (ANN-18-086)
Agenda Memo - AM-24-626 - Pdf | 247 - 248 |
| E.2. | Resolution No. 32040 approving change order no. 1 with Abode Construction, Inc. for the removal of excess on-site material related to the Public Safety Training Facility Site Plan and authorizing payment in the amount of \$184,637.79 (FACS-20-007)
Agenda Memo - AM-24-634 - Pdf | 249 - 255 |
| E.3. | Resolution No. 32041 approving change order no. 1 to the contract with Rinderknecht Associates, Inc. regarding the Central Plaza Project and authorizing payment in the amount of \$113,867.92 (REC-18-039)
Agenda Memo - AM-24-638 - Pdf | 256 - 304 |
| F. | Community Development - None | |

G. Library - None

REGULAR AGENDA

A. Administrative Services

- A.1. Ordinance No. 24-08 designating an area of Marion, Iowa, as the 2024 8th Avenue Multifamily Housing Urban Revitalization Area (second consideration) 305 - 311

[Agenda Memo - AM-24-615 - Pdf](#)

- A.2. Ordinance No. 24-09 amending sections of the Marion Code of Ordinances including Section 229-14 regarding Public Health and Safety and Section 313-3.12 regarding Operation of Golf Carts (initial consideration) 312 - 313

[Agenda Memo - AM-24-606 - Pdf](#)

B. Public Services - None

C. Public Safety - None

D. Parks - None

E. Engineering

- E.1. Ordinance No. 24-10 amending various sections of the Marion Code of Ordinances relating to merging Public Services Department and Engineering Department into the Public Works Department (initial consideration) 314 - 317

[Agenda Memo - AM-24-605 - Pdf](#)

- E.2. Motion to receive and file Traffic Advisory Committee (TAC) report regarding installing a streetlight near 3231 Silver Oak Trail (John Cassidy, 3112 Silver Oak Trail) 318 - 324

[Agenda Memo - AM-24-621 - Pdf](#)

- E.3. Public comment regarding installing a streetlight near 3231 Silver Oak Trail (John Cassidy, 3112 Silver Oak Trail) 325 - 331

[Agenda Memo - AM-24-653 - Pdf](#)

- E.4. Resolution No. 32042 approving installation of a streetlight near 3231 Silver Oak Trail 332 - 338

[Agenda Memo - AM-24-642 - Pdf](#)

- E.5. Motion to receive and file Traffic Advisory Committee (TAC) report regarding a request for streetlights on 29th Avenue from 25th Street to IA 13 339 - 341

[Agenda Memo - AM-24-622 - Pdf](#)

- E.6. Public comment regarding installing a streetlight on 29th Avenue from 25th Street to IA 13 (Councilmember Brandt) 342 - 344

[Agenda Memo - AM-24-652 - Pdf](#)

- E.7. Resolution No. 32043 approving installation of a streetlight on 29th Avenue along Prairie Hill Park 345 - 347

[Agenda Memo - AM-24-641 - Pdf](#)

F. Community Development

- F.1. Resolution No. 32044 approving a waiver of Chapter 284-4B(14) of the Marion Code of Ordinances related to the required installation of a front yard tree for property located at 290 S. 11th Street, Marion, Iowa (Ronald Major) 348 - 353

[Agenda Memo - AM-24-613 - 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.

ADJOURN