



AGENDA

City Council Regular Session

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

Page

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MOMENT OF SILENCE

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 19 and 21, 2024 City Council meetings 7 - 16

[Agenda Memo - AM-24-1021 - Pdf](#)

- A.2. Liquor licenses: 17 - 18

- Renewal - Carlos O'Kelly's Mexican Cafe
- Renewal - Corridor Courts
- Renewal - Mandarin Spice Buffet and Grill
- Renewal - La Cantina Bar & Grill
- Renewal - Walmart Supercenter #3630
- New - ProTee at 49th Street

[Agenda Memo - AM-24-1016 - Pdf](#)

- A.3. Payments as presented in the amount of \$2,915,304.85 19 - 39

[Agenda Memo - AM-24-1022 - Pdf](#)

A.4.	Mayor AbouAssaly's recommended reappointments:	40 - 41
	<ul style="list-style-type: none"> • Area Ambulance - Ryan Waller, term expires 12/31/27 • Arts Council - Bethany Healy, term expires 12/31/27 • CR/LC Solid Waste Agency Board - Craig Adamson, term expires 12/31/26 • Civil Rights Commission - Denise Bridges, term expires 12/31/27 • Civil Rights Commission - Kathy Hagler, term expires 12/31/27 • Construction Code Review Board - Wesley Waters, term expires 12/30/28 • Construction Code Review Board - Allison Owen, term expires 12/30/28 • Construction Code Review Board - Curtis Liscum, term expires 12/30/28 • Historic Preservation Commission - Scott Foens, term expires 12/31/27 • Nuisance Enforcement Property Maintenance Advisory Board - Elizabeth Allen, term expires 12/31/27 • Nuisance Enforcement Property Maintenance Advisory Board - Katie Keilhotz, term expires 12/31/27 • Public Works Board - Tom Padley, term expires 12/31/26 • Public Works Board - Mark Morgan, term expires 12/31/26 • Public Works Board - Colleen Prokup, term expires 12/31/26 • Tree Board - Sunshine McDonald, term expires 12/31/28 • Tree Board - Mollie Lorenz, term expires 12/31/28 • Tree Board - Dale Kretschmar, term expires 12/31/28 • Water Board - Amy Olson, term expires 12/31/30 	
	Agenda Memo - AM-24-1018 - Pdf	
A.5.	Resolution No. 32180 approving partial payment no. 45 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$2,127.50	42 - 47
	Agenda Memo - AM-24-1000 - Pdf	
A.6.	Resolution No. 32181 rescinding the Credit Card Policy and the Sales Tax Reimbursement Policy	48 - 52
	Agenda Memo - AM-24-1026 - Pdf	
A.7.	Resolution No. 32182 providing for an exception to the Purchasing Policy Section 3.4 and approving professional services agreement with Hogan-Hansen for audit readiness and financial statement preparation services, and authorizing payments as outlined in the agreement	53 - 76
	Agenda Memo - AM-24-1010 - Pdf	

A.8.	Resolution No. 32183 approving Engagement Agreement, Professional Services Terms and Conditions, and Amendment No 1 to Professional Services Terms and Conditions with Bergan KDV Audit regarding audit services and authorizing payment in the amount as outlined in the agreement Agenda Memo - AM-24-1009 - Pdf	77 - 102
A.9.	Resolution No. 32184 Setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with DCI Properties, LLC, Including Annual Appropriation Tax Increment Payments Agenda Memo - AM-24-1033 - Pdf	103 - 150
A.10.	Resolution No. 32185 setting the date for public hearing and additional action on proposal to enter into a General Obligation Annual Appropriation Urban Renewal Loan Agreement and to borrow money thereunder Agenda Memo - AM-24-1031 - Pdf	151 - 152
A.11.	Resolution No. 32186 approving 36-month contract with Per Mar Security Services for monitoring services and authorizing payment in the amount of \$5,873.54 Agenda Memo - AM-24-1034 - Pdf	153 - 154
B.	Public Safety	
B.1.	Resolution No. 32187 approving a three-year professional services agreement with Hawkeye Fire and Safety for annual inspection of fire extinguishers and kitchen hood systems and authorizing payment in the amount as shown in the agreement Agenda Memo - AM-24-1025 - Pdf	155 - 162
B.2.	Resolution No. 32188 approving a three-year professional services agreement with Elite Fire Sprinkler Company for annual inspection of sprinkler system testing and authorizing payment in the amount as shown in the agreement Agenda Memo - AM-24-1017 - Pdf	163 - 178
B.3.	Resolution No. 32189 approving change order no. 1 with Jahnke & Sons Construction Inc., dba WHP Training Towers for Interior 4" PCC Deck Pours of the Public Safety Training Tower and authorizing payment in the amount of \$64,900 Agenda Memo - AM-24-1040 - Pdf	179 - 181
C.	Parks - None	
D.	Public Works	
D.1.	Resolution No. 32190 accepting the CeMar Trail bridge light towers project (TRANS-17-107) Agenda Memo - AM-24-1038 - Pdf	182 - 183

D.2.	Resolution No. 32191 approving a Geothermal Consultation and Services Agreement with Afton Energy, LLC regarding the Public Works Facility and authorizing payment in amount as outlined in the agreement (FACS-17-069) Agenda Memo - AM-24-1035 - Pdf	184 - 191
D.3.	Motion to approve project calendar regarding the Marion Public Library Generator Project as follows: <ul style="list-style-type: none"> • Motion approving Resolution of Necessity and to retain the City Engineer as Project Engineer regarding the Marion Public Library Generator Project (EQPT-25-004) • Motion approving filing of plans, specifications, form of contract and estimate of cost, advertising for bids by posting notice to bidders, and authorizing City officials or designees to receive and open bids regarding the Marion Public Library Generator Project (EQPT-25-004) • Motion setting public hearing and directing publication thereof for Marion Public Library Generator Project (EQPT-25-004) Agenda Memo - AM-24-1039 - Pdf	192 - 194
E.	Community Development	
E.1.	Resolution No. 32192 approving 28E Agreement with the City of Robins, Iowa regarding building department services Agenda Memo - AM-24-1027 - Pdf	195 - 200
F.	Library	
F.1.	Resolution No. 32193 approving an updated 28E agreement with the Marion Public Library Foundation regarding the employment of a Foundation Director Agenda Memo - AM-24-1029 - Pdf	201 - 209

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 licenses: <ul style="list-style-type: none"> • Renewal - Giving Tree Agenda Memo - AM-24-1019 - Pdf	210
B.	Public Safety	
B.1.	Resolution No. 32194 approving a three-year professional services agreement with Hawkeye Communication for annual inspection of alarm system testing and authorizing payment in the amount as shown in the agreement. Agenda Memo - AM-24-1024 - Pdf	211 - 225
C.	Parks - None	

- D. Public Works
- D.1. Resolution No. 32195 approving a memorandum of agreement with Midwest Development Company regarding the replacement of storm sewer on 35th Avenue adjacent to the Commons at English Glen 8th Addition. 226 - 230
- [Agenda Memo - AM-24-1030 - Pdf](#)

E. Community Development - None

F. Library - None

REGULAR AGENDA

- A. Administrative Services
- A.1. Ordinance No. 24-17 amending various sections of the Marion Code of Ordinances including Chapter 223-11 regarding Nuisance Abatement and Chapter 313, Article XII regarding Automated Traffic Enforcement (final consideration) 231 - 233
- [Agenda Memo - AM-24-1020 - Pdf](#)
- A.2. Public hearing on a proposed Development Agreement with Squaw Creek Crossing, Inc. 234 - 248
- [Agenda Memo - AM-24-1032 - Pdf](#)
- A.3. Resolution No. 32196 Approving Development Agreement with Squaw Creek Crossing, Inc., Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement 249 - 263
- [Agenda Memo - AM-24-1037 - Pdf](#)
- B. Public Safety - None
- C. Parks - None
- D. Public Works - None
- E. Community Development
- E.1. Ordinance No. 24-19 approving a request to rezone property from UTC-1, Urban Transitional Commercial (1) to PUD, Planned Unit Development for property located at 801 10th Street, Marion, Iowa (Hoth Properties LLC) (final consideration) 264 - 278
- [Agenda Memo - AM-24-901 - Pdf](#)
- E.2. Resolution No. 32197 approving the Hoth Flats Preliminary Site Development Plan associated with a multi-family project located at 801 10th Street, Marion, Iowa (Hoth Properties LLC) 279 - 292
- [Agenda Memo - AM-24-902 - Pdf](#)
- E.3. Resolution No. 32198 approving the Hoth Flats Final Site Development Plan associated with a multi-family project located at 801 10th Street, Marion, Iowa (Hoth Properties LLC) 293 - 306
- [Agenda Memo - AM-24-903 - Pdf](#)

- | | | |
|------|---|-----------|
| E.4. | Ordinance No. 24-20 approving amendments to Chapter 340 of the Marion Code of Ordinances related to zoning definitions, parking and loading regulations, landscape and screening standards, and accessory structure setbacks (final consideration)
Agenda Memo - AM-24-891 - Pdf | 307 - 310 |
| E.5. | Public hearing regarding an amendment to Ordinance No. 10-25 regarding the Marion Enterprise Center Design Guidelines for property generally located south of Highway 151 and east of 62nd Street, Marion, Iowa (Marion Economic Development Company)
Agenda Memo - AM-24-1041 - Pdf | 311 - 347 |
| E.6. | Ordinance No. 24-21 approving an amendment to Ordinance No. 10-25 regarding the Marion Enterprise Center Design Guidelines for property generally located south of Highway 151 and east of 62nd Street, Marion, Iowa (initial consideration)
Agenda Memo - AM-24-1042 - Pdf | 348 |

F. 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