



MINUTES

City Council Work Session

4:00 PM - Tuesday, January 19, 2021
City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in informal work session, Tuesday, January 19, 2021, at 4:00 PM, in the Council Chambers of City Hall, 1225 6th Avenue, with the following members present:

PRESENT: Grant Harper, Colette Atkins, Steve Jensen, Nicolas AbouAssaly, Will Brandt, Rene Gadelha, and Randy Strnad

ABSENT: None

Mayor AbouAssaly presided over the meeting.

PROCLAMATIONS/OATHS

Communications Manager Rhonda Kaczinski congratulated Communications Operator Judy Ward on her retirement after 30 years with the Marion Police Department Communications Center. Ward thanked everyone for attending and stated she is looking forward to retirement and proud to have been a part of the City for so long.

Mayor AbouAssaly read a proclamation for Martin Luther King Jr. Day.

PRESENTATIONS

Library Foundation Director Amy Geiger provided an update regarding the Library Project Capital Campaign. Geiger stated there is a \$3.3 million fundraising goal and they have met \$2.5 million. Geiger mentioned some of the grants received and entities that have donated. The Marion Public Library website will have updated fundraising materials including a campaign video, which was shown. Mayor AbouAssaly stated it is all hands on deck and as it is such an important community asset, everyone has a role to play.

AGENDA

Council discussed items for Thursday night's meeting with no action taken.

Mayor AbouAssaly relinquished the gavel to Mayor Pro Tem Atkins at 4:37 p.m. Mayor Pro Tem Atkins presided over the meeting.

Council discussed items for Thursday night's meeting with no action taken.

Mayor Pro Tem Atkins relinquished the gavel to Mayor AbouAssaly at 4:41 p.m. Mayor

AbouAssaly presided over the meeting.

Council discussed items for Thursday night's meeting with no action taken.

OTHER DEPARTMENT DISCUSSION

City Engineer Mike Barkalow provided information regarding the Flood Plain Development Permit associated with the Indian Creek Trail. Barkalow stated any time work is performed in the flood plain, a permit needs to be submitted. Since Barkalow is the flood plain manager as well as applicant, this is being brought to Council for informational purposes. Council Member Harper asked if this project would go through the MPO. Barkalow stated this is an MPO project but whether or not it is an MPO project, since it is in the flood plain it would require a permit. Council Member Harper asked what percentage of Marion's trails are in flood plains. Barkalow stated he we would need to look into that.

City Engineer Mike Barkalow provided information regarding an Oversize and Overweight Truck Permit Policy. Barkalow stated this originally came forward in 2019. Barkalow asked Council if they are in favor of requiring a permit. Council Member Jensen asked what the cost benefit is. Barkalow stated it would generate some revenue but not a lot. He estimated about \$40,000. Council Member Jensen stated he isn't sure if it is worth it. Council Member Atkins asked if there was any other benefit other than financial gain. Barkalow stated they could monitor truck traffic more closely. Council Member Strnad stated he was in favor of imposing a permit as our code currently states it is required. Council Member Harper asked if this policy would allow the City to impose fines for trucks operating outside of designated truck routes or who should've obtained a permit but didn't. Barkalow stated tickets are normally issued by the Iowa DOT. Police Chief Mike Kitsmiller stated ticketing would be difficult as the City does not have a scale to check for weight. Council Member Harper asked if damage to the roads is generally due to large trucks. Barkalow confirmed that it was. Council Member Harper asked if the City should license all trucks in general. Barkalow stated the City does receive road use tax from fuel purchased but trucks also have certain limits. If a truck is above a certain height, width or weight, a special permit would be required. Council Member Gadelha stated enforcement appears to be an issue. Council Member Brandt asked if the Iowa DOT patrols Marion. Barkalow stated generally they do not but Police could call and ask for reinforcement. Council Member Jensen stated the ordinance has not changed since 2019 so if a truck gets stopped by the Iowa DOT currently, that individual would be fined. Barkalow stated staff have been issuing as a hold harmless agreement temporarily until a policy is approved. Council Member Jensen asked if it is up to the business entity to check with each City on if a permit is required. Barkalow confirmed it was. Council Member Atkins stated businesses are wanting to comply as they complete permits for other municipalities. Council Member Strnad stated we need to have a permit policy as it is included in the Marion code. Council Member Brandt asked what is the difference from issuing a permit as staff are already doing the work to issue a hold harmless agreement besides collecting a fee. He stated since we are already doing the work we should follow our code and also collect the fee. Council Member Harper asked about permitting all truck traffic. Barkalow stated that is something the Iowa DOT regulates. Council Member Jensen stated even if oversize and overweight trucks have a permit, they could still travel

on non-truck routes. Council Member Gadelha stated since staff is already doing the work she is in favor of moving forward with issuing a permit. Council Member Atkins stated she is in favor of moving forward with a permit. Barkalow asked how Council would like notification be made. Council Member Harper stated staff should follow normal public notice procedures. Council Member Atkins agreed. Barkalow asked if the fees being proposed are okay. Council Member Jensen stated Marion should match what other communities charge. Barkalow asked when the policy should take effect. Council Member Atkins stated it should be effective April 1 at the beginning of construction season and would also be in favor of Engineering approving permits instead of Council. Council Member Gadelha agrees the permits should be approved by Engineering. Council Member Strnad stated staff will receive some feedback that the amount of bids will increase.

CLOSED SESSION

Motion to adjourn to closed session regarding litigation as permitted under Section 21.5(1)(c) of the Code of Iowa.

Moved by Gadelha, seconded by Harper, to adjourn to closed session as stated above. Assistant City Attorney Ryan Tang stated that he has reviewed the subject matter discussed and found it to be an appropriate topic for closed session. A roll call vote was taken.

Approved unanimously

Moved by Jensen, seconded by Harper, to reconvene to open session.

Approved unanimously

ADJOURN

Mayor AbouAssaly adjourned the meeting at 6:11 p.m.

Nicolas AbouAssay, Mayor

Rachel Bolender, City Clerk

The undersigned City Clerk of Marion, Iowa certifies that the minutes shown immediately above were published in the Marion Times on the _____ day of _____, 20__.

Rachel Bolender, City Clerk