



MINUTES

City Council Work Session

4:00 PM - Tuesday, April 5, 2022
City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in informal work session, Tuesday, April 5, 2022, at 4:00 PM, in the Council Chambers of City Hall, 1225 6th Avenue, with the following members present:

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

ABSENT: Sara Mentzer

Mayor AbouAssaly presided over the meeting.

PRESENTATIONS

Presentation from Engberg Anderson regarding the Marion Library Building Project

Shaun Kelly with Engberg Anderson provided information regarding the request for the City to pay for the escalation of material costs regarding the Marion Library Building Project. Kelly provided items that are now included when estimating for public projects such as storage fees. Kelly also spoke about the Building Information Modeling (BIM) protocols which helps alleviate change orders as well as reviewed the documentation provided by the contractors in their request. Councilmember Brandt asked what the average percentage increase was with this project. Kelly stated the average is seven percent.

Presentation from Bush Construction Company, Pipe Pro, Ahern and Acme regarding the Marion Library Building Project

Councilmember Harper asked when contractor bids were due. Nick Hecker with Bush Construction stated bids were due in November 2020. Councilmember Harper asked when the Building Information Modeling (BIM) protocols were complete. Hecker stated in July 2021. Councilmember Harper asked when materials would've been ordered. Hecker stated they were ordered once BIM was complete. Representatives from Pipe Pro, Ahern and Acme provided information regarding their request for the City to pay for the escalation of material costs regarding the Marion Library Building Project. Councilmember Jensen asked about the delay between when bids were due and when BIM protocols were completed. Shaun Kelly with Engberg Anderson stated Bush Construction was responsible for completing the BIM protocols. Councilmember Atkins asked why this issue is coming to City Council now instead of back in 2021. Hecker stated contractors were hopeful that situations would improve. Kelly stated at this point there is no longer a way to absorb the costs. Councilmember Jensen spoke about setting a precedent and if he would want to establish this expectation for the future and for those

reasons would not be in favor of this request. Councilmember Brandt asked to wait to decide on this request until the next set of meetings.

Presentation regarding The 2021 National Community Survey Results

Communications Manager Amber Bisinger provided information regarding the results of the above referenced survey and highlighted any area that had a significant change since the previous survey was completed in 2019. Bisinger stated this data will be used when developing the strategic plan as well as creation of the budget.

AGENDA

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

Mayor AbouAssaly relinquished the gavel to Mayor Pro Tem Brandt at 5:18 p.m. Mayor Pro Tem Brandt presided over the meeting.

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

Mayor Pro Tem Brandt relinquished the gavel to Mayor AbouAssaly at 5:34 p.m. Mayor AbouAssaly presided over the meeting.

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

OTHER DEPARTMENT DISCUSSION

Discussion and Direction Regarding American Rescue Plan Act (ARPA) Funding Allocation

Assistant to the City Manager Amal Eltahir spoke about the ARPA funding allocation plan. Eltahir reviewed the three categories for funding as well as proposed allocations. Councilmember Jensen spoke in favor of the plan as presented. Mayor AbouAssaly had concerns with the Career Acceleration Grants portion. Councilmember Harper spoke in favor of the plan as presented.

Discussion and Direction regarding Regulations and Design Standards for Drive Through Establishments

Principal Planner Dave Hockett provided drive-through guidelines in relation to site size, location criteria, stacking and queuing, and access. Councilmember Harper asked about the comparable city requirements for stacking minimums. Hockett stated he still wants to look into industry standards for stacking requirements. Councilmember Brandt asked about the minimum of six stacking spots for schools. Hockett stated it is for the designated pull-off spots. Councilmember Strnad asked about spots when waiting for product similar to at Culver's. Hockett stated he can look into that further.

Discussion regarding Flood Plain Development Permit Associated with Parkview Elementary Site

City Engineer Mike Barkalow provided information regarding improvements at 125 3rd Avenue and the associated flood plain development permit.

Discussion regarding Flood Plain Development Permit Associated with Scooter's Coffee

City Engineer Mike Barkalow provided information regarding improvements at 1010 62nd Street and the associated flood plain development permit.

Discussion and Direction regarding Possible Change to Utility Terrain Vehicles

(UTV) Ordinance

Police Chief Mike Kitsmiller provided an overview of suggested restrictions and shared a map of possible allowed routes as well as current UTV accessible roads that are 35 mph and under. Councilmember Brandt stated he is in favor of moving forward and would be in support of them operating on roads of 35 mph or less. Councilmember Harper spoke about House File 2130 and wondered if staff should wait until the outcome of that bill. Councilmember Harper also suggested that there be penalties for those who are in parks, waterways or other off road areas. Mayor AbouAssaly asked if noise was a concern. Kitsmiller stated it would not be any different than motorcycles. Councilmember Jensen stated he is in favor of allowing UTV use in Marion.

CLOSED SESSION

Motion to adjourn to exempt/closed session regarding collective bargaining as permitted under Section 20.17(3), litigation as permitted under Section 21.5(1)(c) and personnel matters as permitted under Section 21.5(1)(i) of the Code of Iowa. (Three separate measures)

Moved by Brandt, seconded by Harper, to adjourn to closed session as stated above. City Attorney Kara Bullerman stated that she has reviewed the subject matter to be 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 Atkins, to reconvene to regular session.

Approved unanimously

ADJOURN

Mayor AbouAssaly adjourned the meeting at 7:37 p.m.

Nicolas AbouAssaly, Mayor

Rachel Bolender, City Clerk

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

Rachel Bolender, City Clerk