



MINUTES

City Council Regular Session

5:30 PM - Thursday, April 21, 2022
City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, April 21, 2022, at 5:30 PM, in the Council Chambers of City Hall, 1225 6th Avenue, with the following members present:

PRESENT: Steve Jensen, Grant Harper, Sara Mentzer, and Will Brandt

ABSENT: Randy Strnad, Colette Atkins, and Nicolas AbouAssaly

Mayor Pro Tem Brandt presided over the meeting.

The meeting opened with the pledge of allegiance and Council observed a moment of silence.

PROCLAMATIONS/OATHS

Proclamation - Global Love Day (May 1, 2022)

Councilmember Mentzer read the proclamation shown above.

PRESENTATIONS

Service Award Presentation for former Volunteer Firefighter J.R. Blok

Fire Chief Deb Krebill provided information regarding J.R. Blok and his 41 years of service as a volunteer firefighter and presented him with a service award.

PUBLIC FORUM

No one came forward to speak.

CONSENT AGENDA

Administrative Services

Minutes of the April 5 and 7, 2022 City Council meetings.

Liquor licenses including the following:

- Renewal - Hawks Smoke Shop - 1394 7th Avenue

Motion to approve Hold harmless agreements with:

- Michelle Wilson regarding a Wilson Schmidt Backyard Concert event on June 10, 2022 at 2810 15th Avenue.
- New Life Community Church regarding a Summer Fest event on August 14, 2022 at New Life Church, 275 W 29th Avenue.

Receive and file March 2022 Department Monthly Reports.

Payments as presented in the amount of \$862,322.76

Motion to change the date of the Tuesday, June 7, 2022 work session and combine it with the Thursday, June 9, 2022 regular session due to City Hall being designated as a polling location for the Partisan Primaries.

Resolution No. 30468 adopting final assessment schedule for Fiscal Year 2022 Quarter 4 Delinquent Fees and Confirming and Levying the Assessments.

Resolution No. 30469 Setting a Public Hearing for May 5, 2022 regarding an Ordinance establishing Chapter 111A of the Code of Ordinances Relating to Electric Franchise with ITC Midwest, LLC.

Resolution No. 30470 approving partial payment no. 17 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$693.75

Public Services

Resolution No. 30471 approving rental of a street sweeper from Mid-Iowa Solid Waste Equipment Company and authorizing payment in the amount of \$16,000.00.

Resolution No. 30472 approving a 28E Project Agreement with Linn County for the maintenance Echo Hill and Artesian Road and authorizing payment in the amount of \$16,774.70.

Resolution No. 30473 approving Change Order No. 9 with Mid-States Concrete Industry regarding the Precast Concrete Package for the Public Services Maintenance Facility and authorizing payment in the amount of \$131,400.00 (FACS-17-069).

Resolution No. 30474 approving partial payment No. 10 to Mid-States Concrete regarding the Precast Concrete Package for the Public Service Maintenance Facility in the amount of \$131,400.00 (FACS-17-069).

Public Safety

Resolution No. 30475 approving purchase of four Bullard thermal imagers from Heiman Fire Equipment and authorizing payment in an amount not to exceed \$26,400.00

Parks

Recieve and File 2022 Parks Operations and Forestry Annual Work Program.

Resolution No. 30476 approving purchase to replace two ADA chair lifts for the Marion Willowood Pool from Carrico Aquatic Resources, Inc and authorizing payment in the amount of \$9,884.60.

Engineering

Resolution No. 30477 approving Partial Payment No. 11 to Shoemaker & Haaland regarding Marion/CeMar Trail Construction Management Services in the amount of \$5,569.87 TAP-U-4775(638)—81-57)(TRL-17-055)

Resolution No. 30478 approving Partial Payment No. 31 to Snyder & Associates regarding the 2018 Alburnett Rd Extension Phase 1 in the amount of \$14,986.21 (TRANS-18-092)

Community Development

Resolution No. 30479 setting the date of a public hearing for May 5, 2022 regarding an amendment to Section 176.50-12 regarding sidewalk cafes within the U-1, U-2 and UTC-1 zoning districts and an amendment to Section 176.52 regarding the use standards associated with sidewalk cafes (City of Marion)

Resolution No. 30480 approving payment no. 9 to HDR Engineering, Inc for consultant services associated with the Task Order One: Marion Airport project in the amount of \$481.03. (ANN-18-082)

Resolution No. 30481 approving payment no. 10 to HDR Engineering, Inc for consultant services associated with the Task Order One: Marion Airport project in the amount of \$723.11. (ANN-18-082)

Resolution No. 30482 setting the date of a public hearing for May 5, 2022 regarding a rezoning request for property located west of Alburnett Road and south of Prairie Trail. (Integrity Custom Homes, Inc.)

Library

Resolution No. 30483 approving partial payment No. 2 to Library Furniture International, Inc. regarding the Marion Library Project and authorizing payment in the amount of \$158,806.75. (FACS-17-034)

Moved by Jensen, seconded by Harper, to approve consent agenda as shown above.

Approved unanimously

REGULAR AGENDA

Administrative Services

Resolution No. 30484 approving Bond Purchase Agreement, providing for the issuance of \$10,760,000 General Obligation Corporate Purpose Bonds, Series 2022A and providing for the levy of taxes to pay the same.

Moved by Jensen, seconded by Harper, to approve Resolution No. 30484. Michael Maloney with D.A. Davidson and Tionna Pooler from Independent Public Advisors presented information regarding this item.

Approved unanimously

Motion to receive and file job descriptions for the Executive Administrative Assistant and City Hall Administrative Assistant

Moved by Mentzer, seconded by Jensen, to approve item referenced above.

Approved unanimously

Resolution No. 30485 amending the non-bargaining pay schedule to add the salary range for the Executive Administrative Assistant position

Moved by Harper, seconded by Mentzer, to approve Resolution No. 30485.

Approved unanimously

Public Services

Motion to approve Project Calendar for the Roof Replacement Package associated with the existing Public Service Maintenance Facility as follows:

- Resolution No. 30486 approving Resolution of Necessity regarding the Roof Package associated with the existing Public Service Maintenance Facility.
- Resolution No. 30487 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the roof Package for the existing Public Service Maintenance Facility.
- Resolution No. 30488 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the roof Package for the existing Public Service Maintenance Facility.

Moved by Jensen, seconded by Harper, to approve project calendar as shown above.

Approved unanimously

Engineering

Ordinance No. 22-05 amending Chapter 63 of the Code of Ordinances establishing the speed limit on 6th Avenue as 35 mph from 15th Street to 27th Street. (Final Consideration)

Moved by Jensen, seconded by Mentzer, to approve the final consideration of Ordinance No. 22-05.

Approved unanimously

Resolution No. 30489 approving contract and bond with Rathje Construction Company regarding the 2022 Alburnett Road and Echo Hill Road Intersection Improvement Project and authorizing payment in the amount of \$1,484,666.05 (TRANS-19-118) (CS-TSF-4775(641)--85-57)

Moved by Mentzer, seconded by Jensen, to approve Resolution No. 30489.

Approved unanimously

Resolution No. 30490 approving contract and bond with Rathje Construction Company regarding the 2022 Taube Park Project and authorizing payment in the amount of \$163,342.70 (REC-20-007)

Moved by Harper, seconded by Jensen, to approve Resolution No. 30490.

Approved unanimously

Public Hearing regarding the 2022 Sanitary Sewer Manhole Project (ANN-18-

029)

Mayor Pro Tem Brandt opened the public hearing regarding item referenced above. City Engineer Mike Barkalow provided a staff report. No comments, written or verbal, were received. Mayor Pro Tem Brandt declared the public hearing closed.

Resolution No. 30491 accepting bids and awarding contract to B.G. Brecke, Inc. regarding the 2022 Sanitary Sewer Manhole Project in the amount of \$76,978.00 (ANN-18-029)

Moved by Jensen, seconded by Harper, to approve Resolution No. 30491.
Approved unanimously

Public Hearing regarding the 2022 Sanitary Sewer Manhole Rehabilitation Project (ANN-18-029)

Mayor Pro Tem Brandt opened the public hearing regarding item referenced above. City Engineer Mike Barkalow provided a staff report. No comments, written or verbal, were received. Mayor Pro Tem Brandt declared the public hearing closed.

Resolution No. 30492 accepting bids and awarding contract to Hydro-Klean, LLC regarding the 2022 Sanitary Sewer Manhole Rehabilitation Project in the amount of \$39,482.68. (ANN-18-029)

Moved by Jensen, seconded by Harper, to approve Resolution No. 30492.
Approved unanimously

Community Development

Public hearing regarding updates to the Marion Housing Code Plans of Inspection and Housing Code Table of Fees. (City of Marion)

Mayor Pro Tem Brandt opened the public hearing regarding item referenced above. Building Official Gary Hansen provided a staff report. Marsha Sawatzky (216 Meadowview Drive) spoke in support of this measure. Linda Miller (4001 N 10th Street) spoke regarding the Landlords of Linn County organization. No comments, written or verbal, were received. Mayor Pro Tem Brandt declared the public hearing closed.

Resolution No. 30493 approving the 2022 Marion Housing Code Plans of Inspection as required by 165.06 of the Marion Housing Code.

Moved by Mentzer, seconded by Harper, to approve Resolution No. 30493.
Approved unanimously

Resolution No. 30494 approving the 2022 Housing Code Table of Fees as required by 165.05 of the Marion Housing Code.

Moved by Harper, seconded by Jensen, to approve Resolution No. 30494.
Approved unanimously

Resolution No. 30495 approving the Sweet Cheesecake – Central Corridor

Review for property located at 1360 7th Avenue, Marion, Iowa. (Brian and Nicki Guild)

Moved by Jensen, seconded by Harper, to approve Resolution No. 30495.

Approved unanimously

Resolution No. 30496 approving the West End - Central Corridor Review for property located at 809 6th Avenue Marion, Iowa (Annette Perry)

Moved by Jensen, seconded by Harper, to approve Resolution No. 30496.

Approved unanimously

Resolution No. 30497 approving an encroachment agreement with HipStir regarding use of the City sidewalk and vacated alleyway for outdoor dining for property located at 1120 7th Avenue.

Moved by Mentzer, seconded by Harper, to approve Resolution No. 30497.

Approved unanimously

Resolution No. 30498 approving a permanent easement agreement with Les Arnold for property located 1038/48 7th Avenue to permit stairs to encroach into the east/west alley between 10th and 11th Streets and 7th and 8th Avenues.

Moved by Harper, seconded by Jensen, to approve Resolution No. 30498.

Councilmember Harper and Jensen removed their motions to approve. Moved by Harper, seconded by Jensen to table Resolution No. 30498.

Tabled unanimously

Resolution No. 30499 approving contract with Maxfield Research and Consulting, LLC for completion of Housing Needs Assessment and authorizing payment in an amount not to exceed \$19,560.00.

Moved by Jensen, seconded by Harper, to approve Resolution No. 30499.

Approved unanimously

OTHER DEPARTMENT DISCUSSION

No other discussions took place.

PUBLIC FORUM

No one came forward to speak.

COUNCIL COMMENTS

Councilmember Mentzer stated the Marion City Showcase and Healthy Kids Day will take place at the YMCA on April 30 from 9 a.m. to Noon and invited everyone to attend.

Councilmember Jensen stated he has enjoyed the sun today and spoke about an event at Culvers Landscaping today.

Councilmember Harper thanked City Engineer Mike Barkalow for his work to address safety issues at the Marion Municipal Airport. He also spoke about the conflict in Ukraine and how a neighbor of his from Ukraine talked to him about how much she enjoys Marion.

City Manager Ryan Waller stated that those who will be attending the City Showcase are recommended to bring a canned good to support the Churches of Marion Food Pantry. Waller also stated that there will be an event from 2:00-4:00 p.m. on Friday, April 22 at the Marion Fire Station to recognize and celebrate Fire Chief Deb Krebill.

Mayor Pro Tem Brandt stated he will miss seeing Fire Chief Deb Krebill at council meetings and thanked her for her service to Marion.

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 Jensen, 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 Harper, to reconvene to regular session.

Approved unanimously

ADJOURN

Mayor Pro Tem Brandt adjourned the meeting at 7:07 p.m.

Will Brandt, Mayor Pro Tem

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