



MINUTES

City Council Regular Session

5:30 PM - Thursday, March 9, 2023
City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, March 9, 2023, at 5:30 PM, in the Council Chambers of City Hall, 1225 6th Avenue, with the following members present:

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

ABSENT: None

Mayor AbouAssaly presided over the meeting.

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

PROCLAMATIONS/OATHS

Proclamation - Women's History Month (March 2023)

Councilmember Atkins read and presented the proclamation to City of Marion staff.

PUBLIC FORUM

Ana Clymer (2475 McGowan Blvd) spoke in support of the equity statement.

Briana Clymer (2475 McGowan Blvd) spoke on behalf of Gretchen Lawyer who was in support of the equity statement.

The following comments were submitted prior to the meeting:

Reverend Gary Sneller (829 74th Street NE, Cedar Rapids) wrote in support of the equity statement and would like to see it used with all City decisions and practices.

CONSENT AGENDA

Administrative Services

Minutes of the February 21, 23 and March 1, 2023 City Council meetings

Receive and file correspondence regarding Grant Hagen's resignation from the Nuisance Enforcement/Property Maintenance Advisory Board

Motion to approve liquor licenses including the following:

- Renewal - Brick Alley Pub & Sports Bar - 1038 7th Ave
- Renewal - Villa's Patio Mexican Restaurant - 433 7th Ave

- Renewal - Hunters Ridge Golf Course - 2901 Hunters Ridge Rd
- Renewal - Beans, Teas, and Other Things - 593 62nd Street
- Renewal - Corner Mart - 998 8th Ave

Payments as presented in the amount of \$1,314,385.47

Resolution No. 31223 approving an equity statement for the City of Marion

Resolution No. 31224 approving an agreement with GovTempsUSA, LLC regarding temporary employment in the Human Resources Department

Motion to receive and file job descriptions for the Human Resources Generalist, Human Resources Manager, and Payroll & Benefits Manager

Resolution No. 31225 amending the non-bargaining pay schedule to add the salary range for the Human Resources Generalist and Payroll & Benefits positions, and adjust the salary range for the Human Resources Manager position

Resolution No. 31226 approving purchase from CDW Government for a phone system and authorizing payment in the amount of \$82,601.08

Resolution No. 31227 approving purchase of technology consulting services from Liquid Networx for phone system configuration and authorizing payment in an amount of not to exceed \$15,000

Resolution No. 31228 approving partial payment no. 27 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$2,127.50

Resolution No. 31229 approving Fiscal Year 2022-2023 Capital Budget Transfers in the amount of \$498,572.51

Resolution No. 31230 approving an amendment to the Urban Revitalization application from Green Park Apartment Living, LLC located in the 2021 Multi-Residential Housing Urban Revitalization Plan

Mayor AbouAssaly's recommended appointments:

- Tree Board - John Hanson - term expires 12/31/26

Receive and file correspondence regarding Jo-Smith Brizard's resignation from the Civil Rights Commission.

Receive and file Certified List for Police Officer

Public Services

Resolution No. 31231 approving a professional services agreement with HR Green regarding general wastewater engineering services and authorizing payments in an amount not to exceed \$20,000

Public Safety

Resolution No. 31232 approving memorandum of understanding with the Local 1937 International Association of Firefighters regarding lateral transfers

Resolution No. 31233 approving memorandum of understanding with the Marion Policeman's Protective Association regarding lateral transfers

Engineering

Resolution No. 31234 approving change order no. 038 with Bush Construction regarding the Marion Library Project Regarding Acme's change for the CEC data drops in the amount of \$558.05 (FACS-17-034)

Resolution No. 31235 approving change order no. 039 with Bush Construction regarding the Marion Library Project regarding labor associated with Pipe Pro's piping change in the amount of \$521.73 (FACS-17-034)

Resolution No. 31236 approving contract and bond with D W Zinser Company, Inc. regarding the 1095 6th Avenue Site Disposal Project and authorizing payment in the amount of \$117,900

Resolution No. 31237 approving contract and bond with Boomerang Corp. regarding the Indian Creek Trunk Sewer - Segment 7 Project and authorizing payment in the amount of \$12,735,271.27 (SWR-17-026)

Resolution No. 31238 approving contract and bond with Hunt Construction Company regarding the 2023 Sidewalk Ramp Project and authorizing payment in the amount of \$143,098 (ANN-18-106)

Resolution No. 31239 approving an agreement for Traffic Safety Improvement Program funding with Iowa Department of Transportation regarding the East Post Road and HWY 100 Traffic Signal and Turn Lane Improvements Project in the amount of \$500,000 (CS-TSF-4775(644)--85-57) (TRANS-20-002)

Motion directing staff to solicit engineering services for the East Post Road and HWY 100 Traffic Signal and Turn Lane Improvements Project (TRANS-20-002)

Motion directing staff to send appeal regarding the proposed Federal Emergency Management Agency (FEMA) flood map updates

Motion directing staff to proceed with Alburnett Road Bridge project with the current design

Resolution No. 31240 approving an agreement for a Surface Transportation Block Grant Program Project with the Iowa Department of Transportation regarding the 7th Avenue Improvements from 12th Street to 22nd Street project in the amount of \$3,294,000 (STP-U-4775(643)--27-57) (TRANS-20-001)

Motion directing staff to solicit engineering services for the Traffic Signal Timing Project (ANN-18-079)

Resolution No. 31241 approving the Topsoil Sampling Policy and Procedure.

Resolution No. 31242 approving change order no. 009 to Peak Construction Group regarding the Marion Library Project Bid Pkg 05B & 06A regarding general trades and misc. steel in the amount of \$521.73 (FACS-17-034)

Community Development

Resolution No. 31243 approving Plat of Survey No. 2714 Parcel A for property located west of East Post Road and south of Highway 100 (Potter Land Company, LC)

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

Approved unanimously

Mayor AbouAssaly relinquished the gavel to Mayor Pro Tem Harper at 5:43 p.m. Mayor Pro Tem Harper presided over the meeting.

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

Administrative Services

Motion to approve liquor licenses including the following:

- Renewal - Casey's General Store #2760 - 975 S 11th Street
- Renewal - Casey's General Store #2919 - 340 Marion BLVD

Parks

Resolution No. 31244 approving purchase of a 2022 Ford Super Duty F450 from McGrath Ford Hyundai in amount not to exceed \$81,960 and a trade-in of a 2012 Ford F550 for a credit amount of \$25,000 and authorizing payment in the amount of \$56,960

Engineering

Resolution No. 31245 approving change order no. 013 with Pipe Pro regarding the Marion Library Building Project BP22A Plumbing and 23A HVAC regarding costs to change the piping from the original drawing in the amount of \$1,238 (FACS-17-034)

Resolution No. 31246 approving change order no. 024 to Acme Electric regarding the Marion Library Project Bid Package 26A Electric regarding additional outlets in the amount of \$1,808.57 (FACS-17-034)

Resolution No. 31247 approving a memorandum of agreement with TW Homes, Inc. regarding the installation of Winslow Road adjacent to Osage Estates Additions

Resolution No. 31248 approving contract and bond with LL Pelling Company, Inc. regarding the 2023 HMA Resurfacing Project and authorizing payment in the amount of \$1,014,566.20 (ANN-18-086)

Moved by Brandt, seconded by Mentzer, to approve consent agenda with Mayor AbouAssaly's abstention as shown above.

Approved by the following votes:

Ayes: Jensen, Strnad, Harper, Mentzer, Atkins, and Brandt

Nays: AbouAssaly

Abstained: AbouAssaly

Mayor Pro Tem Harper relinquished the gavel to Mayor AbouAssaly at 5:43 p.m. Mayor AbouAssaly presided over the meeting.

REGULAR AGENDA

Administrative Services

Ordinance No. 23-02 adopting the 2023 Code of Ordinances (second consideration)

Moved by Mentzer, seconded by Brandt, to approve the second consideration of Ordinance No. 23-02.

Approved unanimously

Public Services

Public hearing regarding the General Construction and Building Concrete Trade Packages associated with the new Public Service Maintenance Facility

Mayor AbouAssaly opened the public hearing regarding item referenced above. Public Services Director Ryan Miller provided a staff report. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Motion to approve the project calendar regarding the Public Service Facility Trade Packages as follows:

- Resolution No. 31249 awarding bid, authorizing approval of the contract with Portsen Construction for the General Construction Package associated with the Public Service Maintenance Facility and authorizing payment in the amount of \$2,639,000 (FACS-17-069)
- Resolution No. 31250 awarding bid, authorizing approval of the contract with Rex Concrete for the Building Concrete Package associated with the Public Service Maintenance Facility and authorizing payment in the amount of \$2,280,387 (FACS-17-069)

Moved by Strnad, seconded by Mentzer, to approve items as shown above.

Approved unanimously

Engineering

Public hearing regarding the 2023 Hanna Park Improvements Project

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

Resolution No. 31251 accepting bids and awarding contract to Hunt Construction Company, Inc. regarding the 2023 Hanna Park Improvements Project in the amount of \$118,240. (REC-18-048)

Moved by Atkins, seconded by Strnad, to approve Resolution No. 31251.

Approved unanimously

Receive and file TAC report regarding setting the speed limit on Echo Hill, west of Alburnett Road

Moved by Jensen, seconded by Atkins, to approve item as referenced above.

Approved unanimously

Ordinance No. 23-03 amending Chapter 313-4.4B of the Code of Ordinances establishing the speed limit on Echo Hill Road from the City limits easterly to Alburnett Road (initial consideration)

Moved by Harper, seconded by Jensen, to approve the initial consideration of Ordinance No. 23-03.

Approved unanimously

OTHER DEPARTMENT DISCUSSION

No other discussions took place.

PUBLIC FORUM

No one came forward to speak.

COUNCIL COMMENTS

Councilmember Mentzer stated the State of the City event was great and thanked staff for all of their work.

Councilmember Brandt also stated he enjoyed the State of the City event.

Councilmember Harper also stated that the State of the City event was fantastic.

Councilmember Jensen also stated the he enjoyed the State of the City event.

Councilmember Atkins stated yesterday was a great day to celebrate the successes of Marion.

Mayor AbouAssaly thanked everyone for their kind words about the State of the City event and stated he always enjoys sharing how far Marion has grown and the accomplishments from the past year. He thanked City of Marion staff for all that they do.

ADJOURN

Mayor AbouAssaly adjourned the meeting at 5:57 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