



MINUTES

City Council Regular Session

5:30 PM - Thursday, May 4, 2023
City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, May 4, 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, Will Brandt, and Gage Miskimen

ABSENT: Nicolas AbouAssaly

Mayor Pro Tem Harper presided over the meeting.

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

PROCLAMATIONS/OATHS

Proclamation - Asian American & Pacific Islander Heritage Month (May 2023)

Councilmember Miskimen read and presented the proclamation referenced above to Denise Bridges with the Marion Civil Rights Commission.

PUBLIC FORUM

No one came forward to speak.

CONSENT AGENDA

Administrative Services

Minutes of the April 18 and 20, 2023 City Council meetings

Mayor AbouAssaly's recommended appointment:

- Nuisance Enforcement/Property Maintenance Advisory Board - Robert Scott - term expires 12/31/25

Motion to approve Hold Harmless Agreements with:

- Marion Metro Kiwanis regarding BBQ Rendezvous June 2nd, 3rd and 4th at Lowe Park/Amphitheater
- Marion Chamber of Commerce regarding Uptown Marion Market June 10, July 8, August 12 and September 30 on 7th Ave and in the Artway
- Cedar Rapids Freedom Festival regarding a Freedom Bike Ride event on June 25, 2023 on various City streets and trails

Payments as presented in the amount of \$2,238,253.50

Resolution No. 31359 approving partial payment no. 29 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$647.50

Resolution No. 31360 approving an update to the City of Marion Employee Handbook

Resolution No. 31361 approving the renewal of a contract with Wellmark related to health insurance from July 2023-December 2023

Resolution No. 31362 approving the renewal of contract with Delta Dental related to dental insurance for fiscal year 2024

Resolution No. 31363 approving the renewal of a contract with National Insurance Services as it relates to Long Term Disability through fiscal year 2025

Public Services

Resolution No. 31364 approving partial payment no. 6 to A-One Geothermal regarding the Public Service Maintenance Facility Geothermal Project in the amount of \$70,585 (FACS-17-069)

Public Safety

Resolution No. 31365 approving contract with Motorola Solutions, Inc. regarding the replacement of fire department radios and authorizing payment in the amount of \$412,537.48

Parks

Resolution No. 31366 awarding bid and approving contract with Advantage Tree Care for the City of Marion Tree Care and Service Contract

Engineering

Resolution No. 31367 approving partial payment no. 9 to City of Cedar Rapids regarding the Indian Creek Trunk Sewer Replacement Project – Segment 2 in the amount of \$51,891.03

Resolution No. 31368 approving partial payment no. 20 to Rathje Construction Company regarding the 2021 Central Corridor 7th Avenue from 8th Street to 12th Street Pavement Reconstruction and Streetscaping Project in the amount of \$2,781.03 (TRANS-18-101)

Motion to receive, file, and refer to TAC a request regarding no parking signs at the 34th Avenue and Stonefield Drive Intersection (Michael Mulholland - 765 34th Ave)

Resolution No. 31369 approving professional services agreement with the East Central Iowa Council of Governments (ECICOG) regarding administration of a financial assistance program related to the 7th Avenue Streetscaping Project

Resolution No. 31370 approving partial payment no. 16 to Peterson Contractors,

Inc. regarding the CEMAR Phase IV Project in the City of Marion, from the East Side of Indian Creek Bridge, Over Marion Boulevard to 7th Street, Twin Continuous Welded Girder Bridge and PCC Trail, in the amount of \$217.50 [TAP-U-4775(638)—8I-57] (TRL-17-055)

Resolution No. 31371 approving Change Order No. 10 with Peterson Contractors Inc. regarding the 10th Avenue Sidepaths PCC Sidewalk/Trail in the amount of \$37,479.01 (TAP-U-4775(635)—8I-57) (TRL-18-110)

Community Development

Resolution No. 31372 approving the disposal/trade-in of 2009 Pontiac Vibe (VIN 6020) and 2012 Honda CRV (VIN 2302) to be used towards the purchase of two new building inspection vehicles

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

Approved unanimously

REGULAR AGENDA

Administrative Services

Resolution No. 31373 approving Bond Purchase Agreement for the sale of General Obligation Corporate Purpose and Refunding Bonds, Series 2023B

Moved by Miskimen, seconded by Jensen, to approve Resolution No. 31373. Michael Maloney with D.A. Davidson provided an overview of the bond market and pricing results.

Approved unanimously

Resolution No. 31374 approving Bond Purchase Agreement for the sale of Taxable General Obligation Refunding Bonds, Series 2023C

Moved by Jensen, seconded by Brandt, to approve Resolution No. 31374.

Approved unanimously

Public hearing regarding the proposed adoption of a fiscal year 2022-2023 budget amendment

Mayor Pro Tem Harper opened the public hearing regarding item referenced above. Finance Director Lianne Cairry provided a staff report. No comments, written or verbal, were received. Mayor Pro Tem Harper declared the public hearing closed.

Resolution No. 31375 approving fiscal year 2022-2023 budget amendment

Moved by Brandt, seconded by Jensen, to approve Resolution No. 31375.

Approved unanimously

Public hearing regarding the proposed adoption of an ordinance amending Chapter 355 of the Code of Ordinances regarding Electric Franchise with Interstate Power and Light Company (Alliant Energy) including the addition of franchise fees

Mayor Pro Tem Harper opened the public hearing regarding item referenced above. Finance Director Lianne Cairy provided a staff report. No comments, written or verbal, were received. Mayor Pro Tem Harper declared the public hearing closed.

Ordinance No. 23-08 amending Chapter 355 of the Code of Ordinances regarding Electric Franchise with Interstate Power and Light Company (Alliant Energy) including the addition of franchise fees (initial consideration)

Moved by Mentzer, seconded by Brandt, to approve the initial consideration of Ordinance No. 23-08.

Approved unanimously

Public hearing regarding the proposed adoption of an ordinance amending Chapter 355 of the Code of Ordinances regarding Electric Franchise with Linn County Rural Electric Cooperative Association (Linn County REC) including the addition of franchise fees

Mayor Pro Tem Harper opened the public hearing regarding item referenced above. Finance Director Lianne Cairy provided a staff report. No comments, written or verbal, were received. Mayor Pro Tem Harper declared the public hearing closed.

Ordinance No. 23-09 amending Chapter 355 of the Code of Ordinances regarding Electric Franchise with Linn County Rural Electric Cooperative Association (Linn County REC) including the addition of franchise fees (initial consideration)

Moved by Strnad, seconded by Mentzer, to approve the initial consideration of Ordinance No. 23-09.

Approved unanimously

Public hearing regarding the proposed adoption of an ordinance amending Chapter 360 of the Code of Ordinances regarding Natural Gas Franchise with MidAmerican Energy Company including the addition of franchise fees

Mayor Pro Tem Harper opened the public hearing regarding item referenced above. Finance Director Lianne Cairy provided a staff report. No comments, written or verbal, were received. Mayor Pro Tem Harper declared the public hearing closed.

Ordinance No. 23-10 amending Chapter 360 of the Code of Ordinances regarding Natural Gas Franchise with MidAmerican Energy Company including the addition of franchise fees (initial consideration)

Moved by Miskimen, seconded by Strnad, to approve the initial consideration of Ordinance No. 23-10.

Approved unanimously

Ordinance No. 23-11 amending various sections of the Marion Code of Ordinances (initial consideration)

Moved by Jensen, seconded by Miskimen, to approve the initial consideration of

Ordinance No. 23-11.
Approved unanimously

Community Development

Ordinance No. 23-07 approving a request to rezone property from BC, Community Business to BR, Regional Business for property located at 3201 and 3301 Armar Drive, Marion, Iowa (Armar Plaza Associates & Armstrong-Race Realty Co) (Second Consideration)

Moved by Brandt, seconded by Jensen, to approve the second consideration of Ordinance No. 23-07.

Approved unanimously

Motion to suspend the rules and proceed to the final consideration of Ordinance No. 23-07

Moved by Mentzer, seconded by Brandt, to approve item as referenced above.

Approved unanimously

Ordinance No. 23-07 approving a request to rezone property from BC, Community Business to BR, Regional Business for property located at 3201 and 3301 Armar Drive, Marion, Iowa (Armar Plaza Associates & Armstrong-Race Realty Co) (Final Consideration)

Moved by Strnad, seconded by Mentzer, to approve the final consideration of Ordinance No. 23-07.

Approved unanimously

PUBLIC FORUM

Shannon Schroeder (592 Barrington Parkway) shared concerns about the proposed Dollar Tree project on Tower Terrace.

Councilmember Strnad left at 6:13 p.m.

COUNCIL COMMENTS

Councilmember Mentzer thanked team Marion on their work at the City Showcase this past weekend. There were around 1000 in attendance.

Councilmember Brandt thanked the other Creekside Pride committee members. At their last meeting they decided to hold a creek cleanup on June 10 in the Hanna Park. More information will be announced later.

Councilmember Jensen stated he attended the Cedar Rapids State of the City and MEDCO's annual luncheon this past week. He also spoke about attending ribbon cuttings at Planet Smoothie and Twenty40 Building Concepts that is located in the Marion Enterprise Center.

Councilmember Miskimen thanked the students of Venture for putting on the Mental Health Wellness Fair that was held this past week. May is Mental Health Awareness

Month and he encouraged everyone to take steps to better their mental health.

Mayor Pro Tem Harper spoke about council office hours being held at Taube Park this Saturday during the farmers markets. He also spoke about attending a subcommittee meeting regarding a transfer station for the Cedar Rapids/Linn County Solid Waste Agency.

EXEMPT SESSION

Motion to adjourn to an exempt session regarding collective bargaining as permitted under Section 20.17(3) of the Code of Iowa.

Moved by Miskimen, seconded by Jensen, to adjourn to exempt session as stated above. City Attorney Kara Bullerman stated that she has reviewed the subject matter discussed and found it to be an appropriate topic for exempt session. A roll call vote was taken.

Approved by the following votes:

Ayes: Jensen, Harper, Mentzer, Brandt, and Miskimen

ADJOURN

Mayor Pro Tem Harper adjourned the meeting at 6:22 p.m.

Grant Harper, 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