



MINUTES

City Council Regular Session

5:30 PM - Thursday, September 21, 2023
City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, September 21, 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 - Suicide Prevention Awareness Month (September 2023)

Councilmember Miskimen read and presented the proclamation referenced above to a representative from Foundation 2.

Proclamation - National Hispanic Heritage Month (September 15 - October 15, 2023)

Councilmember Mentzer read and presented the proclamation referenced above to Deputy City Manager Kim Downs who accepted the proclamation on behalf of the Marion Civil Rights Commission.

PRESENTATIONS

Presentation recognizing Dennis Hartl as the 2023 recipient of the Paul Draper "Spirit of Marion" Award

Deputy City Manager Kim Downs provided an overview of the above referenced award and recognized Hartl on this achievement.

PUBLIC FORUM

No one came forward to speak.

CONSENT AGENDA

Administrative Services

Minutes of the September 5 and 7, 2023 City Council meeting

Liquor licenses including the following:

- Renewal - CVS Pharmacy #10032 - 3495 7th Ave

Motion to approve hold harmless agreements with the following:

- Kimberley Kurth regarding a Backyard Band event on October 14, 2023 at 305 Larick Drive
- Marion Chamber of Commerce regarding the Chocolate Walk & Shop event on October 6, 2023 in the Uptown Artway
- MISD regarding high school marching band invitational event on September 26, 2023 at 675 S 15th Street
- MISD regarding high school football and track events on September 29 and October 13, 2023 and April 6 and April 29, 2024 at 675 S 15th Street

Receive and file August 2023 department monthly reports

Payments as presented in the amount of \$1,447,759.57

Resolution No. 31594 approving a Records Request Policy for the Fire Department

Resolution No. 31595 approving agreement with JP Morgan regarding procurement card services

Resolution No. 31596 approving agreement with D.A. Davidson for services related to serving as a dissemination agent

Resolution No. 31597 approving the renewal of a contract with Wellmark related to health insurance for January-December 2024

Resolution No. 31598 approving a renewal of a contract with Avesis related to a vision/optical plan for January 2024-December 2025

Resolution No. 31599 approving two agreements with PrudentRx regarding the prescription drug plan for the Traditional Health Plan and the High Deductible Health Plan

Public Services

Resolution No. 31600 approving change order no. 2 with Portzen Construction for the General Construction Package related to the public services maintenance facility and authorizing payment in the amount of \$20,184.04 (FACS-17-069)

Resolution No. 31601 approving change order no. 2 with Hawkeye Electric for electrical work related to the public services maintenance facility for a credit in the amount of \$13,000.00 (FACS-17-069)

Resolution No. 31602 approving change order no. 4 with Western Specialty Contractors for the foundation repairs to the public service maintenance facility for a credit in the amount of \$12,000 (FACS-17-069).

Public Safety

Resolution No. 31603 approving a five-year contract with Axon Enterprise regarding police car cameras and authorizing payment in the amount of \$167,362.40

Resolution No. 31604 approving memorandum of understanding with the Local 1937 International Association of Firefighters regarding training rate of pay

Resolution No. 31605 approving memorandum of understanding with the Local 1937 International Association of Firefighters regarding reclassification of prevention captain

Parks

Resolution No. 31606 approving purchase from Cove Equipment for replacement of a compact tractor with attachments and authorizing payment in the amount not to exceed \$61,500

Engineering

Motion to receive, file and refer to the Traffic Advisory Committee (TAC) a request regarding stop signs at the intersection of C Avenue and 14th Street (W.H. Huntoon)

Resolution No. 31607 approving the removal of a streetlight at 665 Marion Boulevard

Resolution No. 31608 accepting the 2023 Pavement Patching Project (TRANS-18-090)

Motion to receive and file the Willowood Creek Drainage Watershed Analysis and Recommendations

Motion directing staff to solicit a Request for Proposal (RFP) for a Stormwater Master Plan

Resolution No. 31609 approving a professional services agreement with HR Green regarding the Indian Creek Trunk Sewer - Segment 4, 5, 7 and authorizing payment in an amount not to exceed \$238,000.00 (SWR-20-001-4)

Resolution No. 31610 accepting the public improvements associated with Marion Aircom Park 1st Addition to the City of Marion

Community Development

Resolution No. 31611 approving Glen Rock Farm Ninth Addition Final Plat and Memorandum of Agreement for property located at 6241 White Gate Court, Marion, Iowa (Sara J. Fishel Estate)

Resolution No. 31612 setting a public hearing for October 5, 2023, regarding a request to rezone property from AG, Agricultural Holding, to PUD, Planned Unit Development located south of Fernow Road and east of Bluegrass Street, Marion, Iowa (Rookwood Estates, LLC)

Resolution No. 31613 setting a public hearing for October 5, 2023, regarding the disposition of public property described as the west 20' of Lot 8, Block 9 Original Town, Marion, Iowa (City of Marion)

Moved by Miskimen, seconded by Harper, to approve consent agenda as shown

above.
Approved unanimously

REGULAR AGENDA

Administrative Services

Ordinance No. 23-25 amending Section 55-8 regarding Scheduled Violations and Subsection 218-3 regarding Noise Enforcement; Fines and Chapter 309-5(C) regarding Vehicles, All-Terrain and Off-Road Utility; Snowmobiles of the Marion Code of Ordinances (initial consideration)

Moved by Jensen, seconded by Miskimen, to approve the initial consideration of Ordinance No. 23-25.

Approved unanimously

Motion to remove Resolution No. 30450 regarding suspending provisions of the Airport Layout Plan (ALP) relating to any additional east/west runway from the table (tabled 4/7/22)

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

Approved unanimously

Resolution No. 30450 suspending provisions of the Airport Layout Plan (ALP) relating to any additional east/west runway (tabled 4/7/22)

Moved by Mentzer, seconded by Brandt, to approve Resolution No. 30450. Councilmember Jensen stated the airport consultant's report states there is no benefit for the additional east/west runway. Mayor Pro Tem Harper provided information on why this resolution came forward and was tabled back in April 2022.

Approved unanimously

Engineering

Ordinance No. 23-23 amending Chapter 274 Article III of the Marion Code of Ordinances regarding Stormwater Utility (second consideration)

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

Approved unanimously

Community Development

Resolution No. 31614 approving a revision to the final site development plan for the Holiday Inn Express and Suites for property located at 5993 Carlson Way, Marion, Iowa (Hart Family Hotels)

Moved by Miskimen, seconded by Strnad, to approve Resolution No. 31614. Councilmember Mentzer stated she does not support the smaller windows but she will still vote in favor of this item. Councilmember Miskimen agreed with Councilmember Mentzer.

Approved unanimously

Ordinance No. 23-24 approving a request to zone property from Linn County AG, Agriculture, and USR, Urban Service Area to SR-E, Suburban Residential Estate for properties located along East Robins Road between Meadowknolls Road and Mulberry Drive, Marion, Iowa (second consideration)

Moved by Jensen, seconded by Miskimen, to approve the second consideration of Ordinance No. 23-24.

Approved unanimously

Resolution No. 31615 setting a public hearing for October 5, 2023 regarding the establishment of a moratorium on commercial uses

Moved by Brandt, seconded by Jensen, to approve Resolution No. 31615.

Approved unanimously

PUBLIC FORUM

Dustin Mazgaj (PO Box 110, Walford, IA) spoke about the property at 1501 1st Avenue, Marion, IA.

COUNCIL COMMENTS

Mayor Pro Tem Harper stated yesterday Mayor AbouAssaly was named Mayor of the Year in the category of cities with a population greater than 2,000 by the Iowa League of Cities and Iowa Mayor's Association. He stated it was a great event and he appreciated the number of staff members who were present to support the Mayor.

Councilmember Miskimen also congratulated Mayor AbouAssaly on the Mayor of the Year award and stated his drive and energy is unmatched.

Councilmember Jensen also congratulated Mayor AbouAssaly on the Mayor of the Year award and stated he puts in a lot of work and extra hours and he shared his appreciation of the Mayor.

Councilmember Brandt also congratulated Mayor AbouAssaly on the Mayor of the Year award.

Councilmember Mentzer also congratulated Mayor AbouAssaly on the Mayor of the Year award and stated she is proud to serve on Council with him. She also stated Marion's Healthiest State Walk is coming up on October 4 and starts at Noon at City Hall.

Councilmember Strnad also congratulated Mayor AbouAssaly on the Mayor of the Year award. He also thanked the Parks Department for their work on Marion's tree canopy and spoke about the partnership with Trees Forever.

CLOSED SESSION

Motion to adjourn to closed session regarding real estate transactions as permitted under Section 21.5(1)(j) of the Code of Iowa.

Moved by Mentzer, seconded by Brandt, 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 Miskimen, to reconvene to regular session.

Approved unanimously

ADJOURN

Mayor Pro Tem Harper adjourned the meeting at 6:47 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