



MINUTES

City Council Regular Session

5:30 PM - Thursday, February 22, 2024
City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, February 22, 2024, at 5:30 PM, in the Council Chambers of City Hall, 1225 6th Avenue, with the following members present:

PRESENT: Grant Harper, Steve Jensen, Gage Miskimen, Nicolas AbouAssaly, Will Brandt, and Randy Strnad

ABSENT: Sara Mentzer

Mayor AbouAssaly presided over the meeting.

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

PROCLAMATIONS/OATHS

Oath of Office - Firefighter Caiden Michael

Fire Chief Tom Fagan introduced Caiden Michael and Mayor AbouAssaly administered the Oath of Office.

PRESENTATIONS

Update on the CeMar Trail Gateway Feature over Marion Boulevard

Cara Briggs Farmer with Synergy Metal Works provided an update on the lighted piers in the CeMar Trail Gateway Feature. Councilmember Brandt asked how thick the piers will be now. Briggs Farmer stated they will now be one foot four inches thick instead of three feet. Mayor AbouAssaly asked how long the piers will take to complete once fabrication begins. Briggs Farmer estimated it would take six weeks. Councilmember Jensen asked if the City has approval to install. City Engineer Mike Barkalow confirmed the City does have approval to install.

Presentation regarding Iowa Concrete Paving Association Awards

City Engineer Mike Barkalow presented the awards received for the 7th Avenue Reconstruction and Streetscape Project, from 8th Street to 12th Street and the 2023 Pavement Patching Project (29th Avenue from Indian Creek Road to 35th Street and 8th Avenue from 12th Street to 22nd Street.)

PUBLIC FORUM

No one came forward to speak.

CONSENT AGENDA

Administrative Services

Minutes of the Feb. 6 and 8, 2024 City Council meetings

Liquor licenses including the following:

- Renewal - Dollar General #7398 - 5000 Chandler Ct
- Renewal - Brick Alley Pub & Sports Bar - 1038 7th Ave

Receive and file Projects In Motion January 2024 Updates

Receive and file January 2024 department monthly reports

Payments as presented in the amount of \$3,166,181.55

Resolution No. 31797 approving a Public Improvements Cost Sharing Policy and Application

Motion to receive and file the audit report for the fiscal year ended June 30, 2023

Resolution No. 31798 amending the Purchasing Policy to include the Purchasing Card Policy with an effective date of March 1, 2024

Motion to receive and file the quarterly finance report for the quarter ending December 31, 2023

Resolution No. 31799 declaring necessity and providing for notice of hearing on proposed urban revitalization plan for the 2024 Multifamily Housing Urban Revitalization Area

Public Services

Resolution No. 31800 approving change order no. 2 with Elite Fire Sprinkler Systems for the public services maintenance facility and authorizing payment in the amount of \$498 (FACS-17-069)

Resolution No. 31801 approving change order no. 2 with Rex Concrete for the Concrete Package related to the public services maintenance facility and approving payment in the amount of \$1,451 (FACS-17-069)

Resolution No. 31802 approving change order no. 2 with Dan's Overhead Door related to the public services maintenance facility and approving payment in the amount of \$4,162 (FACS-17-069)

Resolution No. 31803 approving change order no. 3 to T&K Roofing related to the public service maintenance facility and approving payment in the amount of \$2,388.74 (FACS-17-069)

Resolution No. 31804 approving change order no. 4 with Portzen Construction for the General Construction Package related to the public services maintenance facility and authorizing payment in the amount of \$26,026 (FACS-17-069)

Parks

Resolution No. 31805 approving the purchase of a John Deere 4066R Compact Utility Tractor from City Tractor Co. in the amount not to exceed \$70,155.47,

authorizing a trade-in of a 2014 John Deere 4066R for a credit amount of \$28,400, and authorizing payment of \$41,755.47

Resolution No. 31806 approving amendment #001 with Bolton Menk, Inc. for the Indian Creek: Site One Project and authorizing payment in the amount of \$5,000 (REC 18 054)

Resolution No. 31807 approving amendment no. 5 with RDG Planning and Design regarding the Draper Park Project and authorizing payment in the amount of \$2,500 (REC 24 001)

Engineering

Resolution No. 31808 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 \$4,929,000 (STP-U-4775(643)--70-57) (TRANS-20-001)

Motion to receive, file, and approve the 2024 Engineering Work Program

Resolution No. 31809 adopting the 2024 Edition of the Statewide Urban Design and Specifications (SUDAS) Program

Resolution No. 31810 approving the 2024 City of Marion General Supplement to the Statewide Urban Design and Specifications (SUDAS) Design Manual

Resolution No. 31811 approving the 2024 City of Marion Supplemental Specifications of the Statewide Urban Design and Specifications (SUDAS)

Motion to approve project calendar regarding temporary construction easements associated with the 5th Avenue Reconstruction Project as follows:

- Resolution No. 31812 approving temporary construction easement with Charles Emig (James Emig, executor) 455 1st Street, regarding the 2024 5th Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 31813 approving temporary construction easement with Denise and Dale Ernster, 390 5th Avenue, regarding the 2024 5th Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 31814 approving temporary construction easement with Rodney and Carolyn Hilleshiem, 412 5th Avenue, regarding the 2024 5th Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 31815 approving temporary construction easement with Janus Real Estate LLC, 475 5th Avenue, regarding the 2024 5th Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 31816 approving temporary construction easement with Robert R. Blin, 505 5th Avenue, regarding the 2024 5th Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 31817 approving temporary construction easement with Robert R. Blin, 525 5th Avenue, regarding the 2024 5th Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)

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

Approved unanimously

Mayor AbouAssaly relinquished the gavel to Deputy Mayor Pro Tem Miskimen at 5:50 p.m. Deputy Mayor Pro Tem Miskimen presided over the meeting.

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

Public Services

Resolution No. 31818 approving change order no. 4 to B.G. Brecke, Inc. regarding the public services maintenance facility and authorizing payment in the amount of \$11,574.51 (FACS-17- 069)

Resolution No. 31819 approving change order no. 4 to Hawkeye Electric related to the public services maintenance facility and approving payment in the amount of \$18,415.12 (FACS-17- 069)

Engineering

Resolution No. 31820 accepting the Indian Creek Trail Project (TRL-18-056) [STP-U-4775(631)—70-57]

Community Development

Resolution No. 31821 approving development agreement and related documents for The Ridge at Indian Creek, Community Development Block Grant - Disaster Recovery Project (20-DRH-018)

Resolution No. 31822 approving letter of request to the Iowa Economic Development Authority (IEDA) for an extension of the Community Development Block Grant- Disaster Recovery (CDBG-DR) contract (20-DRH-018) for the Ridge at Indian Creek 2nd Addition

Resolution No. 31823 setting a public hearing for March 7, 2024 regarding the Bell Tower Lofts preliminary and final site development plans for property located at 1277 8th Avenue, Marion, Iowa (1277 8th Avenue LLC)

Resolution No. 31824 approving The Junction Lofts First Addition Final Plat and memorandum of agreement for property located south of 6th Avenue between 16th and 18th Street, Marion, Iowa (Genesis Equities, LLC)

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

Approved by the following votes:

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

Abstained: AbouAssaly

Deputy Mayor Pro Tem Miskimen relinquished the gavel to Mayor AbouAssaly at 5:52 p.m. Mayor AbouAssaly presided over the meeting.

REGULAR AGENDA

Engineering

Public hearing regarding the 2024 5th Avenue Reconstruction 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.

Motion to approve project calendar regarding the 2024 5th Avenue Reconstruction Project as follows:

- Resolution No. 31825 adopting final plans, specifications, form of contract, and estimate of cost regarding the 2024 5th Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 31826 awarding bid, authorizing approval of the contract, bonds and insurance with Rathje Construction Company regarding the 2024 5th Avenue Reconstruction Project, and authorizing payment in the amount of \$2,098,113.99 (ANN-24-001 & ANN-18-029)

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

Approved unanimously

Public hearing regarding easements for electric utility with Interstate Power and Light Company in association with the Alburnett Road Extension Project (TRANS-18-092)

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. 31827 approving easements for electric utility with Interstate Power and Light Company in association with the Alburnett Road Extension Project (TRANS-18-092)

Moved by Miskimen, seconded by Harper, to approve Resolution No. 31827.

Approved unanimously

Mayor AbouAssaly relinquished the gavel to Deputy Mayor Pro Tem Miskimen at 5:58 p.m. Deputy Mayor Pro Tem Miskimen presided over the meeting.

Community Development

Ordinance No. 24-03 approving a request to rezone property from U-1, Uptown-1 to PUD, Planned Unit Development for property located at 1277 8th Avenue, Marion, Iowa (1277 8th Avenue LLC) (second consideration)

Moved by Brandt, seconded by Jensen, to approve the second consideration of Ordinance No. 24-03.

Approved by the following votes:

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

Abstained: AbouAssaly

Deputy Mayor Pro Tem Miskimen relinquished the gavel to Mayor AbouAssaly at 6:00 p.m. Mayor AbouAssaly presided over the meeting.

Councilmember Brandt left the meeting at 6:00 p.m.

PUBLIC FORUM

A person who wishes to remain anonymous shared his concerns with an Automated Traffic Enforcement (ATE) citation he received.

Jennifer Filter (3600 Willowood Avenue) asked questions regarding her property taxes.

COUNCIL COMMENTS

Councilmember Harper congratulated Firefighter Caiden Michael.

Mayor AbouAssaly thanked everyone for attending and reminded everyone about the State of the City event on March 5, 2024.

ADJOURN

Mayor AbouAssaly adjourned the meeting at 6:11 p.m.

Respectfully submitted,
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