



MINUTES

City Council Regular Session

4:00 PM - Tuesday, July 2, 2024
City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Tuesday, July 2, 2024, at 4:00 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.

PUBLIC FORUM

April Harns Helfter (5805 Robinwood Lane) spoke regarding the proposed projects on Highway 13 and requested there be a manner for residents from the development on the east to cross Highway 13.

John Hanson (2610 Northview Drive) spoke regarding the Highway 13 recommendations and the request to consider pedestrians in future projects. He also stated he would prefer roundabouts instead of traffic lights to help keep traffic moving.

CONSENT AGENDA

Administrative Services

Minutes of the June 18 and 20, 2024 City Council meetings

Liquor licenses including the following:

- New - Marion Chamber of Commerce (special event) - 4500 N 10th Street
- Renewal - The Hip-Stir - 1120 7th Avenue
- Renewal - Neighborhood Tobacco Outlet - 2500 7th Avenue

Mayor AbouAssaly recommended appointment:

- Marion Comprehensive Plan Visioning Committee:
 - Alicia Presto, ECICOG Representative

Receive and file correspondence regarding Brooke Prouty's resignation from the Bicycle and Pedestrian Advisory Committee (BPAC)

Payments as presented in the amount of \$3,232,841.95

Resolution No. 31995 approving Fiscal Year 2023-2024 Capital Budget Transfers

Resolution No. 31996 adopting the following non-bargaining pay plans incorporating the Cost of Living Adjustment (COLA) for FY25:

- Non-bargaining, full-time, General Pay Plan
- Non-bargaining, part-time, General Pay Plan
- Non-bargaining, Fire Pay Plan
- Non-bargaining, Police Pay Plan

Resolution No. 31997 approving three year agreement with ConnectWise, LLC. for security services and authorizing payment in the amount of \$54,990

Resolution No. 31998 approving three year agreement with Zoho Corporation regarding IT Services and authorizing payment in the amount of \$101,616

Public Services

Resolution No. 31999 approving change order no. 3 with Rex Concrete, Inc. for the Concrete Package related to the public services maintenance facility and approving payment in the amount of \$2,040 (FACS-17-069)

Resolution No. 32000 approving change order no. 6 with Portzen Construction for the General Construction Package related to the public services maintenance facility and authorizing credit in the amount of \$2,940 (FACS-17-069)

Resolution No. 32001 approving change order no. 7 with Portzen Construction for the General Construction Package related to the public services maintenance facility and authorizing payment in the amount of \$4,141.20 (FACS-17-069)

Public Safety

Resolution No. 32002 approving renewal of agreement with Foundation 2 for continuation of Law Enforcement Liaison Support position at the Marion Police Department and authorizing payment in the amount \$83,000

Engineering

Resolution No. 32003 approving a purchase agreement with Steve E. Emig, 280 8th Avenue, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$8,450 (TRANS-18-092)

Community Development

Resolution No. 32004 approving Plat of Survey No. 2852 for property located north of 30th Street Dr. SE and east of Orrian Drive, Marion, Iowa (Mark and Tammy Dougherty)

Resolution No. 32005 approving the Fourth Street First Addition Final Plat and memorandum of agreement for property located east of 4th Street and south of 5th Avenue, Marion, Iowa (Cedar Valley Habitat for Humanity, Incorporated)

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

Approved unanimously

Mayor AbouAssaly relinquished the gavel to Deputy Mayor Pro Tem Miskimen at 4:10 p.m. Deputy Mayor Pro Tem Miskimen presided over the meeting.

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

Public Services

Resolution No. 32006 approving change order no. 2 with LL Pelling for the Paving Package related to the public services maintenance facility and approving payment in the amount of \$2,241 (FACS-17-069)

Resolution No. 32007 approving change order no. 6 with B.G. Brecke, Inc. for the Mechanical Package related to the public services maintenance facility and authorizing credit in the amount of \$4,195.83 (FACS-17-069)

Resolution No. 32008 approving change order no. 6 with Hawkeye Electric for the Electrical Package related to the public services maintenance facility and authorizing payment in the amount of \$16,871.45 (FACS-17-069)

Engineering

Resolution No. 32009 accepting the public improvements associated with Bowman Meadows 9th Addition to the City of Marion

Resolution No. 32010 accepting the public improvements associated with Echo Ridge Estates 5th Addition to the City of Marion

Moved by Brandt, seconded by Harper, 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 4:10 p.m. Mayor AbouAssaly presided over the meeting.

REGULAR AGENDA

Administrative Services

Resolution No. 32011 Declaring Necessity and Providing for Notice of Hearing on Proposed Urban Revitalization Plan for the 2024 8th Avenue Multifamily Housing Urban Revitalization Area

Moved by Strnad, seconded by Brandt, to approve Resolution No. 32011. Finance Director Lianne Cairy outlined the projects that are associated with this revitalization area.

Approved unanimously

Engineering

Motion to receive, file, and concur with the Traffic Advisory Committee (TAC) report regarding recommendations for prioritizing Highway 13 projects listed in the Traffic Engineering Assistance Program (TEAP) study.

Moved by Jensen, seconded by Harper, to approve item as referenced above. Public Services Director Mike Barkalow outlined the TAC recommendations. Barkalow addressed the resident comments made during the initial public forum. If Council has a desire to add a pedestrian crossing, that would need to either be an underpass or bridge over Highway 13. Barkalow also stated that the recommendations will include a review to determine if a traffic signal or a roundabout should be installed. Mayor AbouAssaly stated if this item was approved, there is nothing dictating what is installed. Barkalow confirmed and stated that Highway 13 is joint jurisdiction with the State so any projects need to be approved by the Iowa Department of Transportation as well. Councilmember Miskimen and Harper both spoke in support of connecting the development to the east of Highway 13 to the west side.

Approved unanimously

Mayor AbouAssaly relinquished the gavel to Deputy Mayor Pro Tem Miskimen at 4:36 p.m. Deputy Mayor Pro Tem Miskimen presided over the meeting.

Community Development

Resolution No. 32012 approving the Sycamore Heights Preliminary Plat (Revised) for property located north of 35th Avenue and east of 44th Street extended Marion, Iowa (Sycamore Development LLC).

Moved by Harper, seconded by Jensen, to approve Resolution No. 32012.

Approved by the following votes:

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

Abstained: AbouAssaly

Resolution No. 32013 approving stormwater management facility maintenance covenant and permanent easement agreement with Sycamore Development LLC for the Sycamore Heights Preliminary Plat (Revised) located north of 35th Avenue and east of 44th Street extended Marion, Iowa (Sycamore Development LLC).

Moved by Harper, seconded by Jensen, to approve Resolution No. 32013.

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 4:40 p.m. Mayor AbouAssaly presided over the meeting.

OTHER DEPARTMENT DISCUSSION

Discussion and Direction Regarding Bicycle Regulations on Sidewalks

Public Services Director Mike Barkalow provided information regarding current regulations related to riding bicycles on sidewalks. The current code was recommended by the Bicycle and Pedestrian Advisory Committee (BPAC) and the code was updated in 2021. Barkalow stated staff plan to place signs that state "Walk Your Wheels" on 6th Avenue which would let cyclists know current rules to either ride their bicycles on the roads or to walk their bike on the sidewalk. Mayor AbouAssaly asked why the signs are only proposed for 6th Avenue and not the entire restricted area. Councilmember Miskimen shared concerns with enforceability of this restriction and spoke about all the compliments we receive on trail connectivity. He stated he is not in support of this change and would rather see signs asking cyclists to slow down. Councilmember Jensen shared concerns about enforceability and was concerned about the length of the area cyclists would need to walk their bike. Councilmember Brandt also shared concerns about the length of the area cyclists would need to walk their bike and would prefer shortening the area to 11th to 13th Streets. Councilmember Harper stated as time continues the number of pedestrians will increase and the City will need to find a way to manage the shared sidewalk so would recommend moving forward as proposed. Councilmember Strnad stated cyclists do move fast and the City does need to do something to help the situation but does not know what signs should be installed. Mayor AbouAssaly stated he would be in favor of shortening the distance to walk but stated since 6th Avenue is a trail connection he does not like forcing people to walk their bikes. Councilmember Jensen stated he would be in support of shortening the distance to walk bicycles. City Manager Ryan Waller stated staff will review the plan and make amendments to bring back to City Council that will reduce the length on 6th Avenue to "Walk Your Wheels" from 10th Street to 13th Street.

PUBLIC FORUM

No one came forward to speak.

COUNCIL COMMENTS

Councilmember Brandt wished everyone a happy 4th of July.

Councilmember Miskimen wished everyone a happy 4th of July and asked everyone to be respectful to their neighbors when using fireworks. He also stated he was recently appointed to the Linn County Mental Health Access Board and is grateful to represent Marion on that board.

Councilmember Harper wished everyone a happy 4th of July.

Councilmember Jensen wished everyone a happy 4th of July.

Mayor AbouAssaly stated he will be attending the CR Pride Fest on Saturday to read a proclamation and will be participating in a Mayor's Monarch Challenge with the Monarch Research Project. Mayor AbouAssaly also stated he was informed today that he was appointed by Governor Reynolds to the Iowa Finance Authority Board. He also wished everyone a safe and happy Independence Day.

ADJOURN

Mayor AbouAssaly adjourned the meeting at 5:29 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