



MINUTES

City Council Regular Session

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

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, August 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, Sara Mentzer, Will Brandt, and Randy Strnad

ABSENT: None

Mayor AbouAssaly presided over the meeting.

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

PUBLIC FORUM

No one came forward to speak.

CONSENT AGENDA

Administrative Services

Minutes of the August 6 and 8, 2024 City Council meetings

Hold harmless agreements with the following:

- Linn-Mar Community School District regarding the cross country meet on September 7, 2024 around Lowe Park
- YENKO - Doris Agyemang regarding the Spark in the Park event on September 8, 2024 at Lowe Park
- Diane Toy regarding the 39th Street block party on September 7, 2024
- Marion Chamber of Commerce regarding the Oktoberfest event on September 21, 2024 in Uptown Marion

Liquor licenses including the following:

- Renewal - El Viejo Mexican Restaurant - 90 Twixt Town Road NE
- Renewal - Eva's Mexican Restaurant - 835 7th Avenue
- Renewal - Kwik Star #1172 - 3055 7th Avenue

Receive and file July 2024 department monthly report

Resolution No. 32045 adopting digital corporate seal

Motion to approve a letter of support to the Iowa Economic Development

Authority regarding the Main Street Iowa Challenge Grant request for 1000 7th Avenue (Owen Building/Kelsie and Jamie Hoth)

Payments as presented in the amount of \$2,349,095.54

Motion to receive and file the quarterly finance report for the quarter ending June 30, 2024

Resolution No. 32046 approving amendments to Records Request Policy, Correspondence Policy, and City Council Policies and Procedures

Resolution No. 32047 approving service orders with Ark Data Centers for datacenter services for 36 months and authorizing payment in the amount of \$590,381.68

Parks

Resolution No. 32048 accepting proposal and approving contract with RDG Planning & Design, Inc. regarding Park planning and design services for three neighborhood parks and authorizing payment in an amount not to exceed \$111,000

Resolution No. 32049 approving Memorandum of Understanding with the American Legion Post 298 for use of five parking spaces in the Legion's parking lot for public access to Draper Park

Engineering

Resolution No. 32050 approving an agreement for a Surface Transportation Block Grant (STBG) Program Project with the Iowa Department of Transportation regarding the CeMar Trail: Phase 5 Improvements Project in the amount of \$2,350,000 (TPMS no. 39557) (TRL-17-055)

Community Development

Motion to receive and file a request for relief of the commercial development moratorium for property located at 5800 Linn Aire Avenue, Marion, Iowa to permit the use of motor vehicle service and repair, minor (John Georgen)

Resolution No. 32051 setting a public hearing for September 5, 2024, regarding a request to rezone property from BC, Community Business to PUD, Planned Unit Development for property located at 1195 East Post Road, Marion, Iowa. (Platinum Development)

Moved by Strnad, seconded by Brandt, to approve the consent agenda as shown above. Parks Director Seth Staashelm stated the caboos will be delivered to the Draper Park this coming Tuesday.

Approved unanimously

Mayor AbouAssaly relinquished the gavel to Mayor Pro Tem Mentzer at 5:36 p.m. Mayor Pro Tem Mentzer presided over the meeting.

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

Administrative Services

Resolution No. 32052 approving a two-year contract with Cedar Graphics to print and distribute eight issues of the Marion Messenger newsletter plus eight special inserts and authorizing payment not to exceed \$137,000

Community Development

Resolution No. 32053 approving partial releases and covenants for the Ridge at Indian Creek 2nd Addition to the City of Marion as part of the Community Development Block Grant - Disaster Recovery project (Contract No. 20-DRH-018)

Resolution No. 32054 approving The Commons at English Glen Seventh Addition Final Site Development Plan for property located north of 29th Avenue and west of 44th Street, Marion, Iowa (Robson Homes Inc.)

Moved by Jensen, seconded by Strnad, to approve the Consent Agenda with Mayor AbouAssaly's abstention as shown above.

Approved by the following votes:

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

Abstained: AbouAssaly

Mayor Pro Tem Mentzer relinquished the gavel to Mayor AbouAssaly at 5:36 p.m. Mayor AbouAssaly presided over the meeting.

REGULAR AGENDA

Administrative Services

Ordinance No. 24-08 designating an area of Marion, Iowa, as the 2024 8th Avenue Multifamily Housing Urban Revitalization Area (final consideration)

Moved by Harper, seconded by Jensen, to approve the final consideration of Ordinance No. 24-08.

Approved unanimously

Ordinance No. 24-09 amending sections of the Marion Code of Ordinances including Section 229-14 regarding Public Health and Safety and Section 313-3.12 regarding Operation of Golf Carts (second consideration)

Moved by Miskimen, seconded by Harper, to approve the second consideration of Ordinance No. 24-09.

Approved unanimously

Engineering

Ordinance No. 24-10 amending various sections of the Marion Code of Ordinances relating to merging Public Services Department and Engineering Department into the Public Works Department (second consideration)

Moved by Mentzer, seconded by Miskimen, to approve the second consideration of Ordinance No. 24-10.

Approved unanimously

Motion to suspend the rules and proceed to the final consideration of Ordinance No. 24-10

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

Approved unanimously

Ordinance No. 24-10 amending various sections of the Marion Code of Ordinances relating to merging Public Services Department and Engineering Department into the Public Works Department (final consideration)

Moved by Strnad, seconded by Brandt, to approve the final consideration of Ordinance No. 24-10.

Approved unanimously

PUBLIC FORUM

No one came forward to speak.

COUNCIL COMMENTS

Councilmember Mentzer stated this Saturday is the final Sunrise Yoga at Lowe Park this summer. She thanked the Parks Department for their assistance with this activity.

Councilmember Harper stated he met with staff earlier today about the timeline and milestones for the rollout of the automated collection program schedule and thanked the team for looking into his inquiries about adjusting the go live date. He stated the team reaffirmed October 14 as the go live date.

Councilmember Jensen stated schools are starting back up tomorrow and he encouraged everyone to thank teachers for everything they do. He also stated he will be at Taube Park for Council Office hours on Saturday.

Mayor AbouAssaly stated he attended the ribbon cutting for Parkview Elementary and Uptown Paws, a new dog grooming business on 8th Avenue. He thanked everyone on Team Marion for setting the example for other communities.

CLOSED SESSION

Motion to adjourn to closed session regarding litigation as permitted under Section 21.5(1)(c) of the Code of Iowa.

Moved by Jensen, seconded by Harper, 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

Mayor AbouAssaly left the meeting and relinquished the gavel to Mayor Pro Tem Mentzer

at 6:21 p.m. Mayor Pro Tem Mentzer presided over the meeting.
Moved by Miskimen, seconded by Harper, to reconvene to regular session.
Approved unanimously

ADJOURN

Mayor Pro Tem Mentzer adjourned the meeting at 6:40 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