



MINUTES

City Council Regular Session

5:30 PM - Thursday, October 3, 2024
City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, October 3, 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.

PROCLAMATIONS/OATHS

Proclamation - Domestic Violence Awareness Month (October 2024)

Mayor AbouAssaly read and presented the proclamation referenced above to Alexis with Waypoint Services.

Proclamation - A Week Without Driving (Sept. 30 - Oct. 5, 2024)

Councilmember Jensen read and presented the proclamation referenced above to Liz with the Corridor Metropolitan Planning Organization.

Proclamation - Fire Prevention Week (Oct. 6-12, 2024)

Councilmember Strnad read and presented the proclamation referenced above to Fire Chief Tom Fagan with the Marion Fire Department. Fagan reminded everyone to check their smoke alarms and make them work for you.

PUBLIC FORUM

Scott Kullander (3210 Sunburst Avenue) shared concerns about the separate fee for the yard waste containers.

CONSENT AGENDA

Administrative Services

Minutes of the September 17 and 19, 2024 City Council meetings

Liquor licenses including the following:

- New - Sara Mini Mart - 2020 7th Avenue
- Renewal - Aldi Inc. #58 - 1001 50th Street

- Renewal - Hawks Smoke Shop - 1396 7th Avenue

Motion to approve the Fiscal Year 2025 Cigarette License for the following:

- Sara Mini Mart - 2020 7th Avenue

Mayor AbouAssaly recommended appointments as follows:

- Bicycle and Pedestrian Advisory Committee:
 - Lacey Schroeder (Uptown Marion Representative)
- Neighborhood Parks Master Plan Steering Committee:
 - Bryan Fiscus (Park Board Member)
 - Gage Miskimen (City Council Ward 1)
 - Sara Mentzer (City Council Ward 4)
 - Will Brandt (City Council Ward 3)
 - Chad Pelley (Twenty40 Building Concepts)
 - Jon Galbraith (Linn-Mar School District)
 - Amy Olson (Water Board)
 - Alex Buchheit (Community Member)
 - Sara Walker (Community Member)
 - Briana Clymer (Community Member)
 - Katie Sturtz (Community Member)
 - Elise Handke (Community Member)
 - Brenda Reddinger (Community Member)
 - Amanda Rose (Community Member)
 - Courtney Pennel (Community Member)
 - Chelsea Mathis (Community Member)
 - Seth Staashelm (Parks and Recreation Director)

Receive, file and approve the 2025 City Council Meeting Schedule

Payments as presented in the amount of \$3,637,634.48

Resolution No. 32091 amending the Schedule of Fees, Bonds and Insurance

Motion to approve project calendar regarding the following internal loan advances:

- Resolution No. 32092 Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the Collins Road Extension Urban Renewal Area
- Resolution No. 32093 Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the Central Corridor Urban Renewal Area
- Resolution No. 32094 Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the Echo Hill Road Urban Renewal Area
- Resolution No. 32095 Authorizing Internal Advance for Funding of Urban Renewal Administration and Professional Support Program for the West Tower Terrace Road Urban Renewal Area

Parks

Resolution No. 32096 approving purchase of a new 2023 Vermeer AX17 brush

chipper from Vermeer Iowa & N. Missouri not to exceed \$110,101.24, authorizing a trade-in of a 2017 Morbark M12R brush chipper for a credit of \$21,000, and authorizing payment in the amount of \$89,826.24

Resolution No. 32097 approving purchase of a custom 20-ft BoxPop Container from Britten Inc. for use as the skate rental facility for the Central Plaza Project in the amount not to exceed \$134,349 (REC-18-039)

Public Works

Resolution No. 32098 approving Solid Waste Assisted Collection Policy

Resolution No. 32099 approving a temporary construction easement agreement with Van Deusen Revocable Trust for property located at 3367, 3369 and 3373 3rd Avenue SE in Cedar Rapids relating to the CeMar Trail Phase V Construction Project and authorizing payment in the amount of \$390 (TRL-17-055)

Motion to approve project calendar regarding the Sanitary Trunk Sewer Project 4 and 5 as follows:

- Motion approving Resolution of Necessity and to retain the City Engineer as Project Engineer regarding the Sanitary Trunk Sewer Project 4 and 5 (SWR-20-001-4)
- Motion approving filing of plans, specifications, form of contract and estimate of cost, advertising for bids by posting notice to bidders, and authorizing City officials or designees to receive and open bids regarding the Sanitary Trunk Sewer Project 4 and 5 (SWR-20-001-4)
- Motion setting public hearing and directing publication thereof for Sanitary Trunk Sewer Project 4 and 5 (SWR-20-001-4)

Motion to approve project calendar regarding the Tower Terrace Road and Irish Drive Traffic Signal Upgrade Project as follows:

- Motion approving Resolution of Necessity and to retain the City Engineer as Project Engineer regarding the Tower Terrace Road and Irish Drive Traffic Signal Upgrade Project (TRANS-25-002)
- Motion approving filing of plans, specifications, form of contract and estimate of cost, advertising for bids by posting notice to bidders, and authorizing City officials or designees to receive and open bids regarding the Tower Terrace Road and Irish Drive Traffic Signal Upgrade Project (TRANS-25-002)
- Motion setting public hearing and directing publication thereof for Tower Terrace Road and Irish Drive Traffic Signal Upgrade Project (TRANS-25-002)

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

Approved unanimously

Mayor AbouAssaly relinquished the gavel to Mayor Pro Tem Mentzer at 5:46 p.m. Mayor Pro Tem Mentzer presided over the meeting.

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

Administrative Services

Resolution No. 32100 Authorizing Internal Advance for Funding of Urban Renewal Airport Operating and Support Program for the Collins Road Extension Urban Renewal Area

Public Works

Resolution No. 32101 approving change order no. 8 with B.G. Brecke, Inc. for the Mechanical Package related to the Public Works Facility and authorizing payment in the amount of \$342.64 (FACS-17- 069)

Resolution No. 32102 approving change order no. 9 with B.G. Brecke, Inc. for the Mechanical Package related to the Public Works Facility and authorizing credit in the amount of \$1,500 (FACS-17- 069)

Resolution No. 32103 approving change order no. 10 with B.G. Brecke, Inc. for the Mechanical Package related to the Public Works Facility and authorizing payment in the amount of \$1,450.79 (FACS-17- 069)

Resolution No. 32104 approving change order no. 8 with Hawkeye Electric for the Electrical Package related to the Public Works Facility and authorizing credit in the amount of \$1,500 (FACS-17- 069)

Moved by Miskimen, seconded by Harper, to approve 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 5:46 p.m. Mayor AbouAssaly presided over the meeting.

REGULAR AGENDA

Administrative Services

Ordinance No. 24-14 amending various sections of the Marion Code of Ordinances including Section 126-98 relating to Housing Code and Chapter 181 relating to Human Rights and Fair Housing (initial consideration)

Moved by Mentzer, seconded by Miskimen, to approve the initial consideration of Ordinance No. 24-14.

Approved unanimously

Public Works

Ordinance No. 24-11 amending Chapter 268 of the Marion Code of Ordinances regarding Solid Waste (final consideration)

Moved by Brandt, seconded by Mentzer, to approve the final consideration of

Ordinance No. 24-11. Public Works Director Mike Barkalow provided an update regarding the automated collection trucks and distribution of carts.
Approved unanimously

Community Development

Ordinance No. 24-12 approving 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) (final consideration)
Moved by Strnad, seconded by Brandt, to approve the final consideration of Ordinance No. 24-12.
Approved unanimously

Resolution No. 32105 approving a preliminary site development plan for the development of multi-family units for property located at 1195 East Post Road, Marion, Iowa (Platinum Development LLC)
Moved by Jensen, seconded by Strnad, to approve Resolution No. 32105.
Approved unanimously

Resolution No. 32106 approving a final site development plan for the development of multi-family units for property located at 1195 East Post Road, Marion, Iowa (Platinum Development LLC)
Moved by Harper, seconded by Jensen, to approve Resolution No. 32106.
Approved unanimously

Ordinance No. 24-15 approving an extension of Ordinance No. 23-26 related to commercial development moratorium for uses along portions of Tower Terrace Road, Highway 13, and the Central Corridor zoning districts (initial consideration)
Moved by Miskimen, seconded by Harper, to approve Ordinance No. 24-15.
Approved unanimously

PUBLIC FORUM

Ana Clymer (2475 McGowan Blvd) stated she was a member of Marion Alliance for Racial Equity (MARE) and spoke about equity in Marion.

The following comments submitted prior to the meeting were shown: Amy Bishop (2429 Cimmaron Drive) wrote a follow-up letter to comments she submitted for the September 5, 2024 Council meeting regarding an annexation adjacent to her property. She requested detailed information regarding excavation work, success of drainage design options, and short-term, mid-range, and long-term mitigation plans and timelines be submitted in writing and available for public review and comments.

COUNCIL COMMENTS

Councilmember Jensen invited everyone to come Uptown Marion and participate in the Chocolate Walk on Friday, October 4.

Councilmember Miskimen stated he met with journalists from Guinea along with Councilmember Mentzer and Communications Manager Amber Bisinger and he really

enjoyed learning from them.

Councilmember Strnad reminded everyone about the 150th Anniversary celebration for the Marion Fire Department on October 12 from 9:00 to 11:00 a.m.

Mayor AbouAssaly also spoke about the 150th Anniversary celebration. He congratulated the team on the ribbon cuttings for the Marion Public Works facility and Prairie Hill Park. Mayor AbouAssaly spoke about the incident at the Linn-Mar Homecoming Parade from last week. He stated that he would like to work with Marion's Civil Rights Commission to offer more education and does plan to meet with students on Monday.

ADJOURN

Mayor AbouAssaly adjourned the meeting at 6:05 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