

December 19, 2019

The City Council of the City of Marion, Linn County, Iowa met in regular session, Thursday, December 19, 2019, at 5:30 p.m. in the council chambers of City Hall with Mayor AbouAssaly presiding and the following council members present: Draper, Atkins, Jensen, Strnad, Brandt, and Gadelha. Absent: None.

The meeting opened with the Pledge of Allegiance.

Council observed a moment of silence.

PROCLAMATIONS/OATHS

Mayor AbouAssaly presented a certificate to Council Member Strnad for his time serving as Mayor Pro Tem in 2019.

Police Chief Mike Kitsmiller introduced Police Officers Riley Shey, Reagan Kurfman and Terrance Rieniets. Mayor AbouAssaly administered the oaths of office.

Police Chief Mike Kitsmiller announced the promotions of Corporal Mark Kjormoe to Sergeant, Sergeant John Chipman to Lieutenant and Lieutenant Chad Nott to Deputy Police Chief.

PRESENTATIONS – No presentations took place.

PUBLIC FORUM – No one came forward to speak.

CONSENT AGENDA

Moved by Atkins, seconded by Jensen to approve the Consent Agenda as follows:

Motion to approve minutes of the December 3 and 5, 2019 City Council meetings.

Motion to approve the following liquor license applications:

- a. Renewal – Hy-Vee Food Store – 3600 Business Highway 151 E
Class E Liquor License with additional privileges of Class B Wine Permit, Class C Beer Permit, Outdoor Service, and Sunday Sales. No violations in last five years.
- b. Renewal – Walmart Supercenter #3630 – 5491 Business Hwy 151
Class E Liquor License with additional privileges of Class B Wine Permit, Class C Beer Permit, and Sunday Sales. No violations in the last five years.

Motion to approve the following Mayoral appointment:

- a. Steve Jensen, Mayor Pro Tem, 1/1/20 to 12/31/20
- b. Colette Atkins, Deputy Mayor Pro Tem, 1/1/20 to 12/31/20

Motion to receive, file and discuss November 2019 Monthly Reports.

Motion to approve payments as presented in the amount of \$1,296,050.17.

Resolution No. 28159 amending Resolution 28049 passed on November 7, 2019 (adding "a" to the number).

Motion to approve the following Mayoral appointment:

- a. Cedar Rapids/Linn County Solid Waste Agency
Craig Adamson, 3200 Penny Lane, term expires 12/31/22

Resolution No. 28160 approving partial payment no. 57 to Anderson Bogert Engineers for the Public Services site plan development in the amount of \$11,540.69 (FACS-17-069).

Resolution No. 28161 approving partial payment no. 58 to Anderson Bogert Engineers for the Public Services site plan development in the amount of \$3,781.58 (FACS-17-069).

Resolution No. 28162 approving partial payment no. 5 to A-One Geothermal regarding the Public Service Maintenance Facility Geothermal Project in the amount of \$39,456.54 (FACS-17-069).

Resolution No. 28163 approving partial payment no 1 to Delaney Concrete regarding the Public Service Maintenance Facility Foundation Package in the amount of \$250,573.89 (FACS-17-069)

Resolution No. 28164 approving partial payment no. 4 to Septagon Construction Co. regarding the Lowe Park Maintenance Facility Addition Project in the amount of \$9,665.44. (FACS-18-019)

Resolution No. 28165 approving a one year renewal of a Lease Agreement with Sejkora Farms Inc., for Certain Lowe Park Property.

Motion to receive, file and discuss the Marion Municipal Swimming Pool Annual Report.

Motion to approve Project Calendar regarding Engineering Department payments as follows:

- a. Resolution No. 28166 approving Partial Payment No. 2 to Christner Contracting Inc. regarding the 2019 Fire Station Project in the amount of \$10,409.05. (FACS-18-062)
- b. Resolution No. 28167 approving Partial Payment No. 12 to Anderson Bogert Engineers regarding the 2018 Central Corridor 7th Ave. Preliminary Design project in the amount of \$3,038.00. (TRANS-18-098)

- c. Resolution No. 28168 approving Partial Payment No. 22 to Snyder & Associates regarding the 2018 Alburnett Rd Extension Phase 1 in the amount of \$14,352.00 (TRANS-18-092)
- d. Resolution No. 28169 approving Partial Payment No. 33 to Veenstra & Kimm, Inc. regarding the Indian Creek Trunk Sewer – Segment 7 Project in the amount of \$9,659.32 (SWR-17-026)
- e. Resolution No. 28170 approving Partial Payment No. 10 to HDR Engineering Inc. regarding the 2018 Sanitary Sewer Capacity Study in the amount of \$7,536.92 (SWR-18-033)
- f. Resolution No. 28171 approving Partial Payment No. 1 to Peterson Contractors, Inc. regarding the Removal of Railroad Bridge over Marion BLVD in advance of CEMAR Trail in the amount of \$2,850.00. (STP-U-4775(632)—70-57) (TRL-17-055)
- g. Resolution No. 28172 approving Partial Payment No. 2 to EB Solutions, Inc. regarding the Wetland Mitigation and Annual Monitoring for the Grant Wood Trail in the amount of \$1,680.00.

Resolution No. 28173 approving payment no. 13 to Snyder & Associates per the contract for the Indian Creek Trail [STP-U-4775(631) --70-57] in the amount of \$18,771.01. (TRL-18-056)

Resolution No. 28174 setting a public hearing for January 9, 2020 regarding the alley vacations for the alleys located between 5th and 6th Avenues and 11th and 12th Streets. (City of Marion)

All in favor, motion carried.

Mayor AbouAssaly relinquished the gavel to Mayor Pro Tem Strnad at 5:44 p.m. Mayor Pro Tem Strnad presided over the meeting.

REGULAR AGENDA

Moved by Jensen, seconded by Atkins to direct staff to draft a Memorandum of Understanding (MOU) with MOJO Properties, LLC. regarding tax increment financing (TIF) incentives. Vote: Yeas: Draper, Atkins, Jensen, Strnad, Brandt and Gadelha. Nays: None. Abstention: AbouAssaly. Motion carries.

Mayor Pro Tem Strnad relinquished the gavel to Mayor AbouAssaly at 5:45 p.m. Mayor AbouAssaly presided over the meeting.

Moved by Strnad, seconded by Gadelha to approve Resolution No. 28175 setting date for public hearing on Urban Renewal Plan Amendment for Central Corridor Urban Renewal Area. (FACS-17-034) All in favor, motion carried.

Moved by Brandt, seconded by Gadelha to approve the initial consideration of Ordinance No. 19-27 amending Chapter 55 of the Marion Code of Ordinances relating to Animal Protection and Control. All in favor, motion carried.

Moved by Gadelha, seconded by Brandt to receive, file and discuss correspondence regarding partial reimbursement of funds from 2006 City Hall construction. (Marion Water Department) All in favor, motion carried.

Moved by Atkins, seconded by Jensen to direct staff to proceed with negotiations with Marion Water Department regarding reimbursement schedule for \$150,000.00. All in favor, motion carried.

Moved by Jensen, seconded by Gadelha to approve Resolution No. 28176 approving purchase of network equipment with CDW Government in the amount of \$41,700.00. All in favor, motion carried.

Moved by Strnad, seconded by Brandt to approve Resolution No. 28177 approving matching funds for Marion Leadership in Action (MLIA) holiday light project in an amount not to exceed \$10,000.00 to be included in the fiscal year 2020-2021 budget. All in favor, motion carried.

Moved by Brandt, seconded by Jensen to approve Resolution No. 28178 approving the purchase of replacement parts from Vermeer Inc. in the amount of \$76,716.94. All in favor, motion carried.

Moved by Gadelha, seconded by Brandt to approve Project Calendar for the Mechanical Systems Package associated with the Public Service Maintenance Facility as follows (FACS-17-069):

- a. Resolution No. 28179 approving Resolution of Necessity regarding the Mechanical Systems Package associated with the Public Service Maintenance Facility (FACS-17-069).
- b. Resolution No. 28180 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Mechanical Systems Package for the Public Service Maintenance Facility (FACS-17-069).
- c. Resolution No. 28181 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Mechanical Systems Package for the Public Service Maintenance Facility (FACS-17-069).

All in favor, motion carried.

Moved by Atkins, seconded by Jensen to approve Project Calendar for the associated with the Fire Suppression Systems Package associated with the Public Service Maintenance Facility as follows (FACS-17-069):

- a. Resolution No. 28182 approving Resolution of Necessity regarding the Fire Suppression Systems Package associated with the Public Service Maintenance Facility (FACS-17-069).
- b. Resolution No. 28183 ordering preparation of detailed plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Fire Suppression Systems Package for the Public Service Maintenance Facility (FACS-17-069).
- c. Resolution No. 28184 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the Fire Suppression Systems Package for the Public Service Maintenance Facility (FACS-17-069).

All in favor, motion carried.

Moved by Jensen, seconded by Draper to approve Resolution No. 28185 approving the purchase of liquid deicers in the amount of \$19,075.00 from Gee Asphalt Systems, Inc. All in favor, motion carried.

Moved by Strnad, seconded by Atkins to discuss and concur with the Marion Park Board recommendation to name future park ground located south of 29th Avenue, east of Greenway Ct. and west of 50th Street, "Prairie Hill Park". All in favor, motion carried.

Moved by Brandt, seconded by Gadelha to approve Resolution No. 28186 Authorizing a Funding Application to the Corridor Metropolitan Planning Organization for Surface Transportation Block Grant Funds in the Amount of \$3,173,000 and committing to provide local matching funding for the Marion BLVD / 7th Avenue / 10th Avenue Project in Marion [7th Avenue; 12th Street to 22nd Street] (TRANS-18-101) All in favor, motion carried.

Moved by Gadelha, seconded by Brandt to approve Resolution No. 28187 accepting Hunter Ridge North 1st Addition to the City of Marion. All in favor, motion carried.

Moved by Atkins, seconded by Jensen to approve Resolution No. 28188 accepting Gemstone Estates 5th Addition to the City of Marion. All in favor, motion carried.

Moved by Jensen, seconded by Brandt to approve Resolution No. 28189 accepting deed from City of Cedar Rapids for Twixt Town Road right-of-way adjacent to Collins Road Square located at 1392 Twixt Town Road. All in favor, motion carried.

Moved by Strnad, seconded by Draper to approve Resolution No. 28190 rescinding Resolution No. 27178 establishing public access easement through the Collins Road Square located at 1392 Twixt Town Road. All in favor, motion carried.

Moved by Brandt, seconded by Draper to approve Resolution No. 28191 approving public access easement through Collins Road Square located at 1392 Twixt Town Road. All in favor, motion carried.

Moved by Gadelha, seconded by Brandt to approve Resolution No. 28192 approving Construction Manager Contract with Bush Construction regarding the Library Project (FACS-17-034) All in favor, motion carried.

OTHER DEPARTMENT DISCUSSION – None

PUBLIC FORUM – No one came forward to speak.

COUNCIL COMMENTS

Council Member Draper provided some historical information regarding the first police station in Marion.

Council Member Jensen spoke regarding the loss of former Hawkeye Coach Hayden Fry. He stated the he helped serve a special holiday lunch for Encore Café along with Council Member Strnad and Mayor AbouAssaly. It was held at Hunters Ridge because of the large turnout. There were 155 individuals served. He wished everyone a happy holiday.

Council Member Strnad wished everyone a safe and merry Christmas and a happy New Year.

Council Member Brandt wished everyone a great holiday season.

Council Member Gadelha stated a resident requested more information about how the public can address Council during meetings. She also apologized in advance as she will have lots of travel in January for work. She wished everyone happy holidays.

Mayor AbouAssaly thanked all of Council and staff for a great year. He is excited for 2020. Since the last meeting he has attended Christmas in the Park and spoke at the Woodlands Symposium for Trees Forever. He stated the Granger House is having an open house on Sunday. He also stated the State of the City is coming up on January 23 and reservations can be made from the League of Women Voters of Linn County website. At the first meeting in January, there will be a ceremonial oath of office for the four returning council members. Mayor asked if staff can provide local data on the success of the roundabouts in regards to improved safety. He wished everyone a merry Christmas, happy holidays and happy New Year.

Mayor AbouAssaly adjourned the meeting at 6:15 p.m.

Nicolas AbouAssaly, Mayor

Attest:

Rachel Bolender, City Clerk

The undersigned City Clerk of Marion, Iowa certifies that the minutes shown immediately above were published in the Marion Times on the _____ day of _____, 20____.

Rachel Bolender, City Clerk