



MINUTES

City Council Regular Session

5:30 PM - Thursday, June 23, 2022

City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, June 23, 2022, at 5:30 PM, in the Council Chambers of City Hall, 1225 6th Avenue, with the following members present:

PRESENT: Steve Jensen, Randy Strnad, Grant Harper, Colette Atkins, and Nicolas AbouAssaly

ABSENT: Sara Mentzer and Will Brandt

Mayor AbouAssaly presided over the meeting.

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

PRESENTATIONS

Presentation recognizing Officer Tom Daubs as the 2022 recipient of the Paul Draper "Spirit of Marion" Award

Human Resources Director Kirsten Fisher provided information regarding the Paul Draper "Spirit of Marion" award. Police Chief Mike Kitsmiller shared accomplishments of Daubs and presented him with the award. Mayor AbouAssaly thanked Daubs for all he has done.

Fire Department Appointments and Promotion:

- Firefighters Daniel Poirier, William Thomas and Alex Gragg
- Promotion from Firefighter to Lieutenant: Tyler Manternach

Interim Fire Chief Jason Hansen provided background for Poirier, Thomas, Gragg and Manternach.

PUBLIC FORUM

No one came forward to speak.

CONSENT AGENDA

Administrative Services

Minutes of the June 9, 2022 City Council meeting.

Motion to approve hold harmless agreements with:

- City of Marion regarding The Ron Burgundys event on June 26, 2022 at Lowe Park.

- City of Marion regarding a Fireworks & Fireflies event on July 3, 2022 at Lowe Park.

Motion to approved a liquor licenses including the following:

- Renewal - Marion Food Market - 5005 10th Avenue
- Renewal - Big Shots Bar & Grill - 1803 6th Avenue
- Renewal - Bistro 3 Nineteen - 796 11th Street
- Renewal - TownPlace Suites - 2823 7th Avenue

Receive and file May 2022 Department Monthly Reports.

Payments as presented in the amount of \$948,028.02

Resolution No. 30648 approving collective bargaining agreement with Local 1937 International Association of Firefighters for the period of July 1, 2022 through June 30, 2024.

Resolution No. 30649 approving Fiscal Year 2021-2022 Capital Budget Transfers in the amount of \$2,600,000.

Resolution No. 30650 approving addendum to agreement with Uptown Marion.

Public Safety

Resolution No. 30651 setting public hearing for July 7, 2022 regarding an amendment to Chapter 75 of the Code of Ordinances related to Utility Terrain Vehicles (UTVs)

Resolution No. 30652 approving the memorandum of understanding with Marion Policeman's Protective Association regarding the Lead Communications Operator (LCO) effective July 1, 2022 to June 30, 2024.

Resolution No. 30653 approving Memorandum of Understanding with Marion Policeman's Protective Association regarding a rotating overtime list for involuntary overtime for officers and dispatchers effective May 21, 2022 to June 30, 2023.

Parks

Resolution No. 30654 approving agreement with Toubl Contracting Inc. to repair the Donnelly Park Pavilion and authorizing payment in the amount of \$6,585.72.

Resolution No. 30655 approving agreement with Toubl Contracting Inc. for the repair of the restroom roof at Willow Park and authorizing payment in the amount of \$4,153.85.

Engineering

Resolution No. 30656 approving Partial Payment No. 13 to Shoemaker & Haaland regarding Marion/CeMar Trail Construction Management Services in the amount of \$2,531.76 TAP-U-4775(638)—81-57)(TRL-17-055)

Community Development

Resolution No. 30657 approving Taube Farms First Addition Final Plat to Linn County located at 2737 Jordans Grove Road, Linn County, Iowa. (Lloyd Taube Trust)

Resolution No. 30658 approving Taube Farms Second Addition Final Plat to Linn County located at 2741 Jordans Grove Road, Linn County, Iowa. (Taube Farm Inc/Kenneth Taube/Kris Taube)

Library

Resolution No. 30659 approving partial payment No. 31 to Engberg Anderson, Inc. regarding the Library Building Project in the amount of \$20,288.00 (FACS-17-034)

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

Approved unanimously

Mayor AbouAssaly relinquished the gavel to Deputy Mayor Pro Tem Harper at 5:41 p.m. Deputy Mayor Pro Tem Harper presided over the meeting.

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

Public Services

Resolution No. 30660 approving Change Order No. 10 with Mid-States Concrete Industry regarding the Precast Concrete Package for the Public Services Maintenance Facility and authorizing payment in the amount of \$131,400.00 (FACS-17-069).

Resolution No. 30661 approving partial payment No. 11 to Mid-States Concrete regarding the Precast Concrete Package for the Public Service Maintenance Facility in the amount of \$131,400.00 (FACS-17-069).

Community Development

Motion to receive and file a request for approval of a revised concept plan as established by Genesis Equities Development Agreement for redevelopment of property located at 2700 7th Avenue. (Genesis Equities, LLC & Christianson Companies)

Resolution No. 30662 approving Silver Rock Estates 1st Addition Final Plat and Memorandum of Agreement for property located south of Echo Hill Road and west of Alburnett Road, Marion, Iowa. (Integrity Custom Homes, Inc)

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

Approved by the following votes:

Ayes: Jensen, Strnad, Harper, and Atkins

Abstained: AbouAssaly

Deputy Mayor Pro Tem Harper relinquished the gavel to Mayor AbouAssaly at 5:42 p.m. Mayor AbouAssaly presided over the meeting.

REGULAR AGENDA

Administrative Services

Resolution No. 30663 approving a contract with Thomas Newkirk (ImplicitBias Campus, LLC) for review of the City's Employment Policies and authorizing payment in an amount not to exceed \$10,000.

Moved by Harper, seconded by Atkins, to approve Resolution No. 30663.

Approved unanimously

Resolution No. 30664 approving banking services contract with Farmers State Bank.

Moved by Jensen, seconded by Harper, to approve Resolution No. 30664.

Approved unanimously

Resolution No. 30665 approving the funding allocation of the Hotel/Motel Grant Program for FY2022-2023.

Moved by Atkins, seconded by Strnad, to approve Resolution No. 30665.

Approved unanimously

Resolution No. 30666 approving renewal of Workers Compensation Coverage for Fiscal Year 2022-2023 with Iowa Municipal Workers Compensation Association (IMWCA) and authorizing payment in the amount of \$81,794.

Moved by Atkins, seconded by Harper, to approve Resolution No. 30666.

Approved unanimously

Resolution No. 30667 approving the renewal of General Insurance with Iowa Communities Assurance Pool (ICAP) for FY2022-2023 and authorizing payment in an amount not to exceed \$389,799.

Moved by Strnad, seconded by Atkins, to approve Resolution No. 30667.

Approved unanimously

Motion to approve the FY2022-2023 Cigarette Permit application for Corner Mart.

Moved by Harper, seconded by Jensen, to approve item referenced above.

Approved unanimously

Public Services

Ordinance No. 22-11 amending Chapter 99 of the Code of Ordinances relating to Sanitary Sewer by increasing monthly domestic and industrial user charges from \$4.60 to \$6.00 (Final Consideration)

Moved by Jensen, seconded by Harper, to approve the final consideration of Ordinance No. 21-11.

Approved unanimously

Parks

Resolution No. 30668 amending the Urban Forestry Utility Fee to a per dwelling unit charge for residential properties and a per account charge for non-residential properties effective July 1, 2022.

Moved by Atkins, seconded by Strnad, to approve Resolution No. 30668.

Approved unanimously

Engineering

Mayor AbouAssaly relinquished the gavel to Deputy Mayor Pro Tem Harper at 5:49 p.m. Deputy Mayor Pro Tem Harper presided over the meeting.

Resolution No. 30669 approving contract with Abode Construction Inc. regarding the demolition of the Airport Quonset Hut located at 1690 Marion Airport Road and authorizing payment in an amount of \$4,900.00.

Moved by Atkins, seconded by Jensen, to approve Resolution No. 30669.

Approved by the following votes:

Ayes: Jensen, Strnad, Harper, and Atkins

Abstained: AbouAssaly

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

Ordinance No. 22-12 amending Chapter 63 of the Code of Ordinances establishing the speed limit on 7th Avenue as 20 mph from 250 feet west of 6th St to 15th St and 10th Street as 20 mph from 7th Ave to 8th Ave (Final Consideration)

Moved by Strnad, seconded by Atkins, to approve the final consideration of Ordinance No. 22-12.

Approved unanimously

Motion to approve Project Calendar regarding the 2022 Lowe Park Sidewalk Replacement Project (FACS-08-042), as follows:

- Motion to retain the City Engineer as Project regarding 2022 Lowe Park Sidewalk Replacement Project (FACS-08-042)
- Resolution No. 30670 approving Resolution of Necessity regarding the 2022 Lowe Park Sidewalk Replacement Project (FACS-08-042)
- Resolution No. 30671 ordering preparation of detailed plans, specifications, notice hearing and letting, to bidders, form contract, estimate cost regarding the 2022 Lowe Park Sidewalk Replacement Project (FACS-08-042)
- Resolution No. 30672 approving and adopting final plans, specifications, notice of hearing and letting, notice to bidders, form of contract, and estimate of cost regarding the 2022 Lowe Park Sidewalk Replacement Project (FACS-08-042)

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

Approved unanimously

Community Development

Public hearing on the proposed plan for the 2022 Multifamily Urban Revitalization Area.

Mayor AbouAssaly opened the public hearing regarding item referenced above. Community Development Director Tom Treharne provided a staff report. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Resolution No. 30673 adopting the proposed plan for the 2022 Multifamily Urban Revitalization Area

Moved by Jensen, seconded by Harper, to approve Resolution No. 30673.

Approved unanimously

Ordinance No. 22-13 designating an area of Marion, Iowa, as the 2022 Multifamily Urban Revitalization Area (Initial Consideration)

Moved by Atkins, seconded by Strnad, to approve the initial consideration of Ordinance No. 22-13.

Approved unanimously

Public hearing on proposed amendment to the plan for the 2021 Multiresidential Housing Urban Revitalization Area.

Mayor AbouAssaly opened the public hearing regarding item referenced above. Community Development Director Tom Treharne provided a staff report. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Resolution No. 30674 adopting amendment to the plan for the 2021 Multiresidential Housing Urban Revitalization Area

Moved by Atkins, seconded by Harper, to approve Resolution No. 30674.

Approved unanimously

Resolution No. 30675 approving support and financial commitment pertaining to the Destination Iowa Grant - Outdoor Recreation Fund application.

Moved by Strnad, seconded by Atkins, to approve Resolution No. 30675. Councilmember Jensen asked when this application will be submitted. Community Development Director Tom Treharne confirmed it will be submitted by noon tomorrow.

Approved unanimously

Public Hearing regarding a request to amend the Future Land Use Map from of the Marion Comprehensive Plan from Single Family Attached and Public/Semi Public to Single Family Detached a request to rezone property from AG, Agricultural Holding to PUD, Planned Unit Development and the Sycamore Heights preliminary site development plan for property located north of 35th Avenue and east of 44th Street extended north, Marion, Iowa. (Sycamore Development, LLC)

Mayor AbouAssaly opened the public hearing regarding item referenced above. Community Development Director Tom Treharne provided a staff report. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

OTHER DEPARTMENT DISCUSSION

Discussion regarding radio towers

Police Chief Mike Kitsmiller provided information regarding the development of the county wide public radio system. Kitsmiller also stated there will be an increased cost for maintaining county wide public safety radio towers due to depletion of state funds. Councilmember Strnad asked if there has been discussion if the townships can contribute. Kitsmiller stated the area volunteer fire departments make payments based on the number of radios they have.

PUBLIC FORUM

Community Development Director Tom Treharne stated that an email from Charley Knudsen (2835 24th Ave, Marion) was received earlier today with concerns about the Sycamore Development project and he missed announcing the correspondence during the earlier public hearing.

COUNCIL COMMENTS

Councilmember Harper stated the strategic planning work session that took place last Saturday was one of the best strategic planning sessions he's attended. Councilmember Harper also thanked the Police and Fire Department for all the work they do.

Councilmember Jensen stated he continues to get positive comments about Marion.

Councilmember Atkins stated she also really enjoyed the strategic planning session. She also thanked Officer Daubs for all his work on the police department.

Mayor AbouAssaly stated he recently spoke to the Marion Leadership in Action class and enjoyed that opportunity. He stated there have been several ribbon cuttings this past week and a lot of announcements of new businesses coming to Marion. Mayor AbouAssaly stated he and City Manager Ryan Waller have been meeting with the chair of each board and commission to make sure everyone is on the same page. He also spoke about the central plaza project and all the work that is being done to make sure it is something we are all going to be proud of. Mayor AbouAssaly thanked everyone for their hard work during the strategic planning work session.

ADJOURN

Mayor AbouAssaly adjourned the meeting at 6:38 p.m.

Nicolas AbouAssaly, Mayor

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