



MINUTES

City Council Regular Session

5:30 PM - Thursday, September 7, 2023

City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, September 7, 2023, 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, Sara Mentzer, Will Brandt, and Gage Miskimen

ABSENT: Nicolas AbouAssaly

Mayor Pro Tem Harper presided over the meeting.

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

PROCLAMATIONS/OATHS

Proclamation - Library Card Sign-Up Month (September 2023)

Councilmember Miskimen read and presented the proclamation referenced above to Library Director Bill Carroll. Carroll invited all residents to stop by the Library to get a free library card.

Proclamation - POW/MIA Recognition Day (September 15, 2023)

Mayor Pro Tem Harper read the proclamation referenced above.

PUBLIC FORUM

D Mazgaj (PO Box 110, Walford) shared concerns about the condition of a property located in Marion.

Larry Neppl (3313 Prairie Bend Circle) requested beautification improvements be made to the roundabouts in Marion.

CONSENT AGENDA

Administrative Services

Minutes of the August 15 and 17, 2023 City Council meeting

Motion to approve hold harmless agreements with the following:

- Fall Into Marion Parade event on September 9, 2023 on 15th Street and 6th Avenue
- Daisy's Outdoor Music event on September 23, 2023 at Daisy's Garage,

6147 Carlson Way

- A Avenue Block Party event on September 23, 2023 at 2545 A Avenue

Motion to approve liquor licenses including the following:

- Renewal - Eva's Mexican Restaurant - 835 7th Avenue
- New - Marion Chamber of Commerce (Oktoberfest) - 7th Avenue between 10th & 12th Streets

Payments as presented in the amount of \$5,476,480.03

Resolution No. 31573 approving partial payment no. 33 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$601.25

Resolution No. 31574 approving purchase of computers from CDW Government and authorizing payment in the amount of \$75,000

Resolution No. 31575 rescinding obsolete policies as follows:

- Maintenance of Unimproved Streets
- Street Maintenance Policy
- Sidewalk Policy
- Excess Material Policy
- Banner Display Policy
- Banner and Pole Attachment Policy

Public Services

Resolution No. 31576 approving change order no. 3 to B.G. Brecke, Inc. regarding the public services maintenance facility and authorizing payment in the amount of \$4,003.57 (FACS-17- 069)

Resolution No. 31577 approving change order no. 2 with A-One Geothermal for the Geothermal Field Site Package related to the public services maintenance facility and authorizing payment in the amount of \$2,500 (FACS-17-069)

Resolution No. 31578 approving change order no. 1 with Portzen Construction for the General Construction Package related to the public services maintenance facility and authorizing payment in the amount of \$6,360.90 (FACS-17-069)

Resolution No. 31579 approving change order no. 1 with Rex Concrete for the Concrete Package related to the public services maintenance facility for a credit in the amount of \$12,475 (FACS-17-069)

Public Safety

Resolution No. 31580 approving a 28E Agreement with the City of Cedar Rapids for automatic aid associated with fire department emergency services

Resolution No. 31581 approving professional services agreement with Darrah's Incorporated for towing services and authorizing payment as outlined in the agreement

Parks

Resolution No. 31582 approving purchase of a 2023 Ford F-250 extended cab, service body, 4x4, truck from McGrath Ford and authorizing payment in the amount of \$63,850

Resolution No. 31583 approving purchase of a 2023 Ford F-550 regular cab, dump body, diesel, 4x4, truck from McGrath Ford and authorizing payment in the amount of \$93,610

Engineering

Motion to receive, file and refer to Traffic Advisory Committee (TAC) a petition regarding a request to add a crosswalk across Winslow Road at the intersection of Connection Avenue. (Sara Krause, 1417 Hunters Field Lane)

Resolution No. 31584 approving change order no. 3 with LL Pelling Co, Inc. regarding the 2023 10th Avenue Resurfacing Project and authorizing payment in the amount of \$4,977.50 (ANN-24-001; TRANS-18-090)

Community Development

Resolution No. 31585 approving the Osage Estates 1st Addition Final Plat and Memorandum of Agreement for property located west of Wallace Drive and south of Tower Terrace Road extended Marion, Iowa (TW Homes, Inc)

Resolution No. 31586 approving Silver Ridge Estates 1st Addition Final Plat and Memorandum of Agreement for property located west of Alburnett Road, north of Dawn Drive, Marion, Iowa (Integrity Custom Homes, Inc)

Resolution No. 31587 approving Silver Rock Estates 2nd 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)

Resolution No. 31588 approving payment to East Central Iowa Council of Governments (ECICOG) in an amount not to exceed \$100,000 for the administration of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds related to The Ridge at Indian Creek Project

Resolution No. 31589 approving professional services agreement with Horizons for after-hours transit services and authorizing payment in an amount not to exceed \$39,927

Moved by Mentzer, seconded by Brandt, to approve the consent agenda as shown above.

Approved unanimously

REGULAR AGENDA

Administrative Services

Motion to approve project calendar as follows:

- Motion to receive and file the compensation study final report from Baker

Tilly

- Resolution No. 31590 adopting the general pay plan and pay policies

Moved by Strnad, seconded by Mentzer, to approve project calendar referenced above.

Approved unanimously

Engineering

Ordinance No. 23-23 amending Chapter 274 Article III of the Marion Code of Ordinances regarding Stormwater Utility (initial consideration)

Moved by Miskimen, seconded by Strnad, to approve the initial consideration of Ordinance No. 23-23.

Approved unanimously

Public Hearing regarding an overhead electric line easement (ITC Midwest LLC)

Mayor Pro Tem Harper opened the public hearing regarding item referenced above. City Engineer Mike Barkalow provided a staff report. No comments, written or verbal, were received. Mayor Pro Tem Harper declared the public hearing closed.

Resolution No. 31591 approving an overhead electric line easement with ITC Midwest LLC

Moved by Jensen, seconded by Miskimen, to approve Resolution No. 31591.

Approved unanimously

Community Development

Public hearing regarding the Habitat for Humanity Preliminary Site Development Plan for property located at 815 4th Avenue, Marion, Iowa (Cedar Valley Habitat for Humanity, Inc)

Mayor Pro Tem Harper opened the public hearing regarding item referenced above. Principal Planner Dave Hockett provided a staff report. No comments, written or verbal, were received. Mayor Pro Tem Harper declared the public hearing closed.

Resolution No. 31592 approving the Habitat for Humanity Preliminary Site Development Plan for property located at 815 4th Avenue, Marion, Iowa (Cedar Valley Habitat for Humanity, Inc)

Moved by Brandt, seconded by Jensen, to approve Resolution No. 31592.

Approved unanimously

Resolution No. 31593 approving the Habitat for Humanity Final Site Development Plan for property located at 815 4th Avenue, Marion, Iowa (Cedar Valley Habitat for Humanity, Inc)

Moved by Mentzer, seconded by Brandt, to approve Resolution No. 31593.

Approved unanimously

Public hearing regarding a request to rezone properties from Linn County AG,

Agriculture, and USR, Urban Services Residential to SR-E, Suburban Residential Estate for properties of 2674 - 2706 E. Robins Road, Marion, Iowa

Mayor Pro Tem Harper opened the public hearing regarding item referenced above. Planner I Nicole Behrens provided a staff report. No comments, written or verbal, were received. Mayor Pro Tem Harper declared the public hearing closed.

Ordinance No. 23-24 approving a request to rezone property from Linn County AG, Agriculture, and USR, Urban Service Area to SR-E, Suburban Residential Estate for properties located along East Robins Road between Meadowknolls Road and Mulberry Drive, Marion, Iowa (initial consideration)

Moved by Strnad, seconded by Mentzer, to approve the initial consideration of Ordinance No. 23-24.

Approved unanimously

PUBLIC FORUM

Reverend Gary Sneller (Marion Christian Church, 1050 McGowan Blvd.) spoke about the 180th anniversary of the Marion Christian Church and the upcoming community open house on September 16, 2023.

Scott Foens (2231 Tamarac Circle) provided history regarding the city council and action they took regarding the Fire Department in the 1920's.

COUNCIL COMMENTS

Councilmember Mentzer thanked the Parks Department team for all their help with Sunrise Yoga this year. She also spoke about the community garden which provides fresh produce to Marion pantries, the Healthiest State Walk on October 4 and the Intercultural Festival coming up this month.

Councilmember Brandt reminded everyone that this Saturday is the Fall Into Marion Parade and stated he's excited for the upcoming football season.

Councilmember Jensen stated this is a busy weekend with sports and is looking forward to the first home game at the Marion Independent School District football field.

Mayor Pro Tem Harper stated the Airport Visioning Team had their last meeting today and thanked the community for their service on the various Marion boards and commissions.

CLOSED SESSION

Motion to adjourn to closed session regarding real estate transactions as permitted under Section 21.5(1)(j) of the Code of Iowa

Moved by Miskimen, seconded by Jensen, 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

Moved by Jensen, seconded by Mentzer, to reconvene to regular session.

Approved unanimously

ADJOURN

Mayor Pro Tem Harper adjourned the meeting at 7:53 p.m.

Grant Harper, Mayor Pro Tem

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