



MINUTES

City Council Regular Session

5:30 PM - Thursday, March 7, 2024

City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, March 7, 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, Sara Mentzer, Will Brandt, and Randy Strnad

ABSENT: Nicolas AbouAssaly

Mayor Pro Tem Mentzer presided over the meeting.

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

PROCLAMATIONS/OATHS

Proclamation - Women's History Month (March 2024)

Mayor Pro Tem Mentzer read and presented the proclamation referenced above to City of Marion staff.

PUBLIC FORUM

No one came forward to speak.

CONSENT AGENDA

Administrative Services

Minutes of the Feb. 20 and 22, 2024 City Council meetings

Mayor AbouAssaly's recommended appointments:

- Tree Board - Corinne Newport - term expires 12/31/24

Payments as presented in the amount of \$2,573,081.40

Liquor licenses including the following:

- Renewal - Corner Mart - 998 8th Ave
- Renewal - Napolis - 500 Marion Blvd Ste 100
- Renewal - Casey's General Store #2760 - 975 S 11th Street
- Renewal - Casey's General Store #2919 - 340 Marion Blvd
- New - Campbell Steele Gallery - 1064 7th Ave
- New - St. Joseph Church - 1790 14th Street

Hold Harmless Agreement with:

- New Life Community Church regarding SummerFest on August 8, 2024 at 275 W 29th Ave
- St. Joseph Church regarding St. Joseph Fun Days on May 31 - June 2, 2024 at 1790 14th Street
- Go the Distance for Crime Victims regarding a 5k on April 27, 2024 starting in Thomas Park.

Resolution No. 31828 approving an amended Overdue Account and Insufficient Funds Policy

Resolution No. 31829 rescinding obsolete policies as follows:

- Annexation Policies
- Covid-19 Vaccination Policy
- Public Facility Protective Equipment Policy

Resolution No. 31830 setting a public hearing for March 26, 2024 concerning proposed fiscal year 2025 property tax rate

Resolution No. 31831 approving partial payment no. 39 to Tidal Basin Government Consulting LLC for services related to Derecho Disaster Recovery in the amount of \$2,035.00

Resolution No. 31832 consenting to assignment of development agreement and tax increment payments (East Town Crossing/Hart Family Hotels-Marion, LLC)

Public Safety

Resolution No. 31833 approving the purchase from Basepoint regarding replacement doors and installation of security controls at Fire Station No. 2 and 3 and authorizing payment in the amount of \$76,024

Engineering

Resolution No. 31834 approving support for the Indian Creek Watershed Management Authority's application for the Iowa Department of Natural Resources creek sign grant program

Resolution No. 31835 setting a public hearing for March 21, 2024 regarding an amendment to Chapter 163 of the Code of Ordinances; Flood Damage Prevention in regards to Flood Hazard Area Regulations and adoption of the 2023 FEMA Flood Insurance Study (FIS) and the 2023 FEMA Flood Insurance Rate Map (FIRM)

Resolution No. 31836 approving a purchase agreement with John Vecellio and Carol Lakin-Vecellio, 180 8th Avenue, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$7,300 (TRANS-18-092)

Resolution No. 31837 approving a purchase agreement with Harmony Property Rentals, LLC % David Baird, 182 8th Avenue, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$2,050 (TRANS-18-092)

Resolution No. 31838 approving a purchase agreement with LeBoeuf Group LLC, 240 8th Avenue, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$2,100 (TRANS-18-092)

Resolution No. 31839 approving a temporary construction easement agreement with Bradley L. Johnson and Mary M. Johnson, 975 2nd Street and 985 2nd Street, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$1,880 (\$820 and \$1,060 respectively) (TRANS-18-092)

Resolution No. 31840 approving a temporary construction easement agreement with Brian W. Long and Lori K. Long, 200 9th Avenue, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$950 (TRANS-18-092)

Resolution No. 31841 approving a temporary construction easement agreement with Dexter Satterly, 965 2nd Street, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$810 (TRANS-18-092)

Resolution No. 31842 approving a temporary construction easement agreement with Kevin Bergan, 250 9th Avenue, regarding the Alburnett Road Extension Project and authorizing payment in the amount of \$30 (TRANS-18-092)

Motion to approve project calendar regarding temporary construction easements associated with the 2024 Sidewalk Ramp Project as follows:

- Resolution No. 31843 approving temporary construction easement with Ronald D. Thatcher, 312 12th Street, regarding the 2024 Sidewalk Ramp Project (ANN-18-106)
- Resolution No. 31844 approving temporary construction easement with Cody W. & Jeni R. Crawford, 907 11th Street, regarding the 2024 Sidewalk Ramp Project (ANN-18-106)
- Resolution No. 31845 approving temporary construction easement with James D. & Jennifer R. Kreutner, 2910 Brookvalley Court, regarding the 2024 Sidewalk Ramp Project (ANN-18-106)

Resolution No. 31846 approving change order no. 12 with Peterson Contractors Inc. regarding the 10th Avenue Sidepaths PCC Sidewalk/Trail and authorizing payment in the amount of \$16,490.75 (TAP-U-4775(635)—8I-57) (TRL-18-110)

Community Development

Resolution No. 31847 approving a Safe Routes to School Plan for the Linn-Mar Community School District

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

Approved unanimously

REGULAR AGENDA

Administrative Services

Public hearing on the proposed designation of the 2024 Multifamily Housing

Urban Revitalization Area

Mayor Pro Tem Mentzer opened the public hearing regarding item referenced above. Finance Director Lianne Cairy provided a staff report. Chad Pelley spoke in support of this item. No other comments, written or verbal, were received. Mayor Pro Tem Mentzer declared the public hearing closed.

Resolution No. 31848 adopting the proposed plan for the 2024 Multifamily Housing Urban Revitalization Area

Moved by Harper, seconded by Jensen, to approve Resolution No. 31848.

Approved unanimously

Community Development

Ordinance No. 24-03 approving a request to rezone property from U-1, Uptown-1 to PUD, Planned Unit Development for property located at 1277 8th Avenue, Marion, Iowa (1277 8th Avenue LLC) (final consideration)

Moved by Miskimen, seconded by Harper, to approve the final consideration of Ordinance No. 24-03.

Approved unanimously

Public hearing regarding the Bell Tower Lofts preliminary and final site development plans for property located at 1277 8th Avenue, Marion, Iowa (1277 8th Avenue LLC)

Mayor Pro Tem Mentzer opened the public hearing regarding item referenced above. Planning Division Manager Dave Hockett provided a staff report. Daryl High spoke in support of the item. No other comments, written or verbal, were received. Mayor Pro Tem Mentzer declared the public hearing closed.

Resolution No. 31849 approving the Bell Tower Lofts Preliminary Site Development Plan for property located at 1277 8th Avenue, Marion, Iowa (1277 8th Avenue LLC)

Moved by Brandt, seconded by Miskimen, to approve Resolution No. 31849. Councilmember Harper thanked staff for providing a preliminary look at Uptown parking numbers. He stated the preliminary report shows that this project does not increase parking levels to a concerning number. Councilmember Miskimen asked for more information about the stained glass window refurbishment. Kyle Martin, the architect for the project, stated each window will be treated differently. Those staying in place will be restored and put back with a storm covering. Others will need to be removed and rebuilt. Councilmember Jensen stated he is still in support of saving this structure but still has concerns about the lease with Farmers State Bank for additional parking spots. Councilmember Strnad also shared concerns with parking and asked High what his plan is if he struggles with occupancy. High stated the financial performance is underwritten at 95% occupancy and the rental price point will be unique compared to other properties in Uptown and so he has no concerns with getting occupancy. Councilmember Jensen asked how many units will be income restricted. High stated that CDBG projects require 51% of units be income restricted. Mayor Pro Tem Mentzer

stated this has been a long process and thanked the team that worked to make this project a reality.

Approved unanimously

Resolution No. 31850 approving the Bell Tower Lofts Final Site Development Plan for property located at 1277 8th Avenue, Marion, Iowa (1277 8th Avenue LLC)

Moved by Strnad, seconded by Brandt, to approve Resolution No. 31850.

Approved unanimously

PUBLIC FORUM

No one came forward to speak.

COUNCIL COMMENTS

Councilmember Jensen spoke about the Wee Parade that will take place on Saturday in Uptown. He also mentioned that Spring Break is next week.

Mayor Pro Tem Mentzer thanked the team that put on the State of the City luncheon.

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

Moved by Harper, seconded by Miskimen, to reconvene to regular session.

Approved unanimously

ADJOURN

Mayor Pro Tem Mentzer adjourned the meeting at 6:49 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