



MINUTES

City Council Regular Session

5:30 PM - Thursday, April 18, 2024

City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, April 18, 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 - National Public Safety Telecommunicators Week (April 14-20)

Mayor AbouAssaly read and presented the proclamation referenced above to Communications Manager Rhonda Kaczinski.

PUBLIC FORUM

No one came forward to speak.

CONSENT AGENDA

Administrative Services

Minutes of the April 2 and 4, 2024 City Council meetings

Liquor licenses including the following:

- Renewal - Mix Sushi - 1138 7th Avenue
- Renewal - Uptown Snug - 760 11th Street
- Renewal - Zoey's Pizzeria - 690 10th Street
- Renewal - Cocktails & Company - 1625 Blairs Ferry Road

Hold harmless agreements with:

- Patrick Schmidt regarding music in a back yard event on June 14, 2024 at 2810 15th Avenue
- Uptown Marion Main Street regarding Eat. Drink. and Be Marion event on July 11, 2024 in the Uptown Artway and North Plaza

Receive and file correspondence regarding Chad Hay's and Thomas Sharpe's

resignation from the Marion Arts Council

Receive and file March 2024 department monthly report

Mayor AbouAssaly's recommended appointments:

- Civil Rights Commission - Dylan Brooks-Forseth - term expires 12/31/26
- Civil Rights Commission - Kathy Hagler - term expires 12/31/24
- Civil Service Commission - Krystal Gordan - term expires 3/31/25

Payments as presented in the amount of \$2,308,596.39

Receive and file draft report from DCI regarding the Collaborative Growth Initiative

Resolution No. 31884 adopting final assessment schedule for Fiscal Year 2024 Quarter 4 Delinquent Fees and Confirming and Levying the Assessments

Public Services

Resolution No. 31885 approving change order no. 5 with Portzen Construction for the General Construction Package related to the public services maintenance facility and authorizing payment in the amount of \$1,568.25 (FACS-17-069)

Resolution No. 31886 approving change order No. 13 with Mid-States Concrete Industry regarding the Precast Concrete Package for the public services maintenance facility and authorizing payment in the amount of \$1,482 (FACS-17-069)

Motion directing staff to create an Energy Efficiency and Conservation Strategy (EECS) for the application to the Energy Efficiency and Conservation Block Grant (EECBG)

Parks

Resolution No. 31887 approving the American Rescue Plan Act (ARPA) Subaward agreement with Linn County for the Central Plaza Project and accepting funds in the amount of \$100,001

Engineering

Resolution No. 31888 approving a temporary construction easement agreement, for property along Tama Street SE, with the Donna G. Reilly Trust, Linda and Christopher Branham, and the David D. Grant Revocable Trust regarding the CeMar Trail Construction Project and authorizing payment in the amount of \$10,700.00 (\$3,567.00, \$3,566.50, and \$3,566.50 respectively) (TRL-17-055)

Community Development

Resolution No. 31889 setting date of public hearing for May 23, 2024 regarding Cedar Rapids-Marion 28E Annexation Agreement for property generally located north of E Robins Road to the Marion / Otter Creek Township border at N Alburnett Road

Resolution No. 31890 approving contract amendment with Iowa Economic Development Authority (IEDA) regarding the Community Development Block Grant Disaster Recovery (CDBG-DR) Program for the Hoth Flats Project to request an additional \$255,000 in grant funding to add three additional residential units

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

Approved unanimously

Mayor AbouAssaly relinquished the gavel to Mayor Pro Tem Mentzer at 5:38 p.m. Mayor Pro Tem Mentzer presided over the meeting.

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

Public Services

Resolution No. 31891 approving change order no. 5 to B.G. Brecke, Inc. regarding the public services maintenance facility and authorizing payment in the amount of \$97,882.03 (FACS-17- 069)

Resolution No. 31892 approving change order no. 5 to Hawkeye Electric related to the public services maintenance facility and approving payment in the amount of \$15,913.47 (FACS-17- 069)

Community Development

Resolution No. 31893 approving a revised Memorandum of Agreement for Mercy Marion ED First Addition to the City of Marion, Linn County, Iowa (MD8 Marion Medical LLC)

Moved by Jensen, 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 5:39 p.m. Mayor AbouAssaly presided over the meeting.

REGULAR AGENDA

Administrative Services

Ordinance No. 24-04 designating an area of Marion, Iowa, as the 2024 Multifamily Housing Urban Revitalization Area (final consideration)

Moved by Harper, seconded by Jensen, to approve the final consideration of Ordinance No. 24-04.

Approved unanimously

Public hearing regarding the Fiscal Year 2025-2029 Capital Improvement Program (CIP)

Mayor AbouAssaly opened the public hearing regarding item referenced above. Finance Director Lianne Cairry provided a staff report. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Resolution No. 31894 approving the Fiscal Year 2025-2029 Capital Improvement Program (CIP)

Moved by Miskimen, seconded by Harper, to approve Resolution No. 31894.
Approved unanimously

Public hearing regarding the proposed Fiscal Year 2025 budget

Mayor AbouAssaly opened the public hearing regarding item referenced above. Finance Director Lianne Cairry provided a staff report. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Resolution No. 31895 approving Fiscal Year 2024-2025 budget

Moved by Mentzer, seconded by Miskimen, to approve Resolution No. 31895.
Approved unanimously

Resolution No. 31896 authorizing the use of a preliminary official statement for the sale of General Obligation Corporate Purpose Bonds, Series 2024A

Moved by Brandt, seconded by Mentzer, to approve Resolution No. 31896.
Approved unanimously

Engineering

Public hearing regarding the 2024 Pavement Patching Project

Mayor AbouAssaly opened the public hearing regarding item referenced above. Public Services Director Mike Barkalow provided a staff report. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Motion to approve project calendar regarding the 2024 Pavement Patching Project as follows:

- Resolution No. 31897 adopting final plans, specifications, form of contract, and estimate of cost regarding the 2024 Pavement Patching Project (ANN-24-001)
- Resolution No. 31898 awarding bid, authorizing approval of the contract, bonds and insurance with Eastern Iowa Excavating and Concrete LLC regarding the 2024 Pavement Patching Project, and authorizing payment in the amount of \$321,886.05 (ANN-24-001)

Moved by Strnad, seconded by Brandt, to approve the project calendar as shown above.

Approved unanimously

Ordinance No. 24-05 adopting amendments to Chapter 163 of the Code of

Ordinances relating to Flood Damage Prevention, the 2024 FEMA Flood Insurance Study (FIS) and the 2024 FEMA Flood Insurance Rate Map (FIRM) (final consideration)

Moved by Jensen, seconded by Strnad, to approve the final consideration of Ordinance No. 24-05.

Approved unanimously

Public comment period regarding a request to move the crosswalk at Geode Street from Durango Drive to the south side of Partridge Avenue.

Mayor AbouAssaly opened the public comment period regarding item referenced above. Public Services Director Mike Barkalow provided a staff report. The following comments submitted prior to the meeting were shown: Sarah Spooner (no address provided) wrote in support of the recommendation; Rebecca Kleveland (295 Partridge Avenue) wrote in support of the recommendation; Andrea Wheatley (2990 Autumn Drive) wrote in support of the recommendation. No other comments, written or verbal, were received. Mayor AbouAssaly declared the public comment period closed.

Motion to receive and file Traffic Advisory Committee (TAC) report regarding a request to move the crosswalk on Geode Street from Durango Drive to the south side of Partridge Avenue

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

Approved unanimously

Motion directing staff to proceed with moving the pedestrian crossing signs and painted crosswalk from the existing crosswalk on Geode Street from Durango Drive to the south side of Partridge Avenue

Moved by Miskimen, seconded by Harper, to approve the item referenced above.

Approved unanimously

Community Development

Ordinance No. 24-06 amending the Marion Zoning Map regarding the revisions to thirteen properties in Marion, Iowa (City of Marion) (second consideration)

Moved by Mentzer, seconded by Miskimen, to approve the second consideration of Ordinance No. 24-06.

Approved unanimously

PUBLIC FORUM

No one came forward to speak.

COUNCIL COMMENTS

Councilmember Harper thanked Fire Chief Tom Fagan and the Fire Department's advance notification for the weather that came through Linn County on Tuesday.

Councilmember Miskimen thanked City Manager Ryan Waller, Police Lieutenant Phil Fort and Councilmember Mentzer for joining in the tour of the Linn County Mental Health

Access Center.

Councilmember Mentzer thanked staff for their work in preparing for the City Showcase that is happening this Saturday, April 20 in partnership with the YMCA for Healthy Kids Day. Mentzer also thanked the gardeners who work on the Community Garden next to City Hall.

Mayor AbouAssaly discussed the various ribbon cuttings and one ground breaking that took place during the past couple of weeks. Mayor AbouAssaly also spoke about the draft Collaborative Grown Initiative Report that was on the agenda tonight. He also thanked everyone for the great discussion and hard work that has happened so far for the automated collection program.

ADJOURN

Mayor AbouAssaly adjourned the meeting at 6:06 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