



# MINUTES

## City Council Regular Session

5:30 PM - Thursday, December 19, 2024

City Hall, 1225 6th Avenue

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The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, December 19, 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, and Randy Strnad

ABSENT: Will Brandt

Mayor AbouAssaly presided over the meeting.

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

### **PUBLIC FORUM**

No one came forward to speak.

### **CONSENT AGENDA**

Administrative Services

Minutes of the December 3 and 5, 2024 City Council meetings

Liquor license:

- Renewal - Hy-Vee Food Store

Mayor AbouAssaly's recommended reappointment:

- Planning & Zoning Commission - Phil Seidl - term expires 12/31/29

Certified Lists for the following positions:

- Fire Battalion Chief
- Fire Captain

Receive and file November 2024 department monthly report

Resolution No. 32199 approving fiscal year 2025 cooperative agreement with the Iowa Civil Rights Commission

Payments as presented in the amount of \$2,893,155.39

Resolution No. 32200 approving a Fiscal Year 2024-2025 Capital Budget Transfer

Resolution No. 32201 approving two Urban Revitalization applications from

Twenty40 Building Concepts, Inc located in the 2024 Multifamily Housing Urban Revitalization Plan

Receive and file job description for the Event Program Coordinator

Resolution No. 32202 approving amendment to the employment agreement with the City Manager

#### Public Works

Resolution No. 32203 accepting the Indian Creek Trunk Sewer - Segment 7 Project (SWR-17-026)

Resolution No. 32204 accepting the 2024 Storm Sewer Project (ANN-18-031 & ANN-25-001)

Resolution No. 32205 approving supplemental contract with Boomerang Corp for the Indian Creek Trunk Sewer - Segment 7 Project and authorizing payment in the amount of \$12,065.31 (SWR-17-026)

Resolution No. 32206 approving change order no. 1 with Boomerang Corp regarding the Sanitary Trunk Sewer Projects 4 and 5 and authorizing payment in an amount not to exceed \$825,816 (SWR-20-001-4)

Motion to receive, file and refer to Traffic Advisory Committee (TAC) a petition regarding a request to add a "No Parking" sign to designate the 13-feet of space between the approaches of the shared driveway at 3013 and 3015 9th Street as a no parking area. (Stacie Hoppman, 3015 9th St)

#### Community Development

Resolution No. 32207 setting a public hearing for January 9, 2025, regarding the rezoning of property from Linn County A, Agricultural and Linn County USR, Urban Services Residential District to SR-2, Suburban Medium-Density Single-Family Residential for property located northeast of Lowe Park, south of Cimarron Drive, and west of N. 10th Street, Marion, Iowa (Mooney, Engle, Ricklefs LLC)

Resolution No. 32208 approving an agreement with Core Distinction Group, LLC for a Hotel Market Feasibility Study and authorizing payment in an amount not to exceed \$17,500

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

Approved unanimously

Mayor AbouAssaly relinquished the gavel to Mayor Pro Tem Mentzer at 5:35 p.m. Mayor Pro Tem Mentzer presided over the meeting.

### **CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION**

#### Administrative Services

Mayor Pro Tem Mentzer recommended reappointment:

- Marion Municipal Airport Committee - Mike Goldberg - term expires 12/31/2028

#### Public Works

Resolution No. 32209 approving a contract amendment with HR Green regarding the Indian Creek Trunk Sewer - Segment 4, 5, 7 and authorizing payment in an amount not to exceed \$75,000 (SWR-20-001-4)

#### Community Development

Resolution No. 32210 approving the Second Amendment to the Grant Agreement for the Ridge at Indian Creek between the Iowa Economic Development Authority and the City of Marion

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

Approved by the following votes:

Ayes: Harper, Jensen, Miskimen, Mentzer, and Strnad

Abstained: AbouAssaly

Mayor Pro Tem Mentzer relinquished the gavel to Mayor AbouAssaly at 5:36 p.m. Mayor AbouAssaly presided over the meeting.

### **REGULAR AGENDA**

#### Administrative Services

Public hearing on a proposed Development Agreement with DCI Properties, LLC

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

Resolution No. 32211 Approving Development Agreement with DCI Properties, LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

Moved by Miskimen, seconded by Harper, to approve Resolution No. 32211. City Attorney Kara Bullerman stated the City was informed that DCI Properties, LLC has not yet acquired the property. She has reviewed the Development Agreement and stated it is contingent on the sale to DCI Properties, LLC. It is a term of Marion's agreement with DCI Properties, LLC that they will acquire the real estate according to the terms of the settlement agreement no later than January 16, 2025. Bullerman stated if that does not happen, then the City can terminate the Development Agreement with DCI.

Approved unanimously

Public hearing on a proposed General Obligation Annual Appropriation Urban Renewal Loan Agreement

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. 32212 taking additional action with respect to a General Obligation Annual Appropriation Urban Renewal Loan Agreement

Moved by Mentzer, seconded by Miskimen, to approve Resolution No. 32212. Councilmember Jensen asked how this item relates to the development agreement with DCI Properties, LLC. Finance Director Lianne Cairry stated this is just a preliminary step in the process and does obligate the City to bond.

Approved unanimously

#### Public Works

Public hearing regarding the Public Safety Training Facility - Burn Building Package (FACS-20-007)

Mayor AbouAssaly opened the public hearing regarding item referenced above. Public Works Director Mike Barkalow provided a staff report. No comments, written or verbal, were received. Mayor AbouAssaly stated the public hearing will remain open.

#### Community Development

Ordinance No. 24-21 approving an amendment to Ordinance No. 10-25 regarding the Marion Enterprise Center Design Guidelines for property generally located south of Highway 151 and east of 62nd Street, Marion, Iowa (Marion Economic Development Company) (second consideration)

Moved by Strnad, seconded by Mentzer, to approve the second consideration of Ordinance No. 24-21.

Approved unanimously

### **PUBLIC FORUM**

No one came forward to speak.

### **COUNCIL COMMENTS**

Councilmember Strnad thanked everyone for a fantastic year. He wished everyone a happy holiday.

Councilmember Mentzer thanked everyone for making Marion a great place to be.

Councilmember Miskimen wished everyone a safe holiday season.

Councilmember Harper wished everyone a happy holiday season.

Councilmember Jensen stated there were a lot of accomplishments in 2024 and looks

forward to 2025. He also wished everyone a happy new year.

Mayor AbouAssaly presented a certificate to Councilmember Mentzer for her work as Mayor Pro Tem this past year. He stated Councilmember Miskimen will take over as Mayor Pro Tem in 2025. Mayor AbouAssaly spoke about area events he's attended and the positive comments he receives about Marion. He spoke about all City Council members, City Manager Ryan Waller and others on Team Marion and thanked everyone for the collaborative discussions that make Marion a standout community. He wished everyone a happy holiday season.

### **ADJOURN**

Mayor AbouAssaly adjourned the meeting at 5:53 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\_\_\_\_.

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Rachel Bolender, City Clerk