



MINUTES

City Council Regular Session

5:30 PM - Thursday, January 23, 2025

City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, January 23, 2025, 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.

PRESENTATIONS

Recognition of Gary Hansen for Being Named Building Official of the Year

Mayor AbouAssaly recognized Hansen for his achievements and congratulated him on the above referenced designation.

PUBLIC FORUM

No one came forward to speak.

CONSENT AGENDA

Administrative Services

Minutes of the January 7, 9 and 16, 2025 City Council meetings

Liquor licenses:

- Renewal - Wrigleyville Sports Pub
- Renewal - The Edison Restaurant & Pub

Mayor AbouAssaly recommended appointments as follows:

- Marion Aquatic Center Steering Committee:
 - Greg Bjornsen (Community member)
 - Karen Kopp (Community member)
 - Journee Fryer (Mayor's Youth Council)
- Marion Civil Rights Commission:
 - Andrew Wixcel - term expires 12/31/26
 - Joseph Peterson - term expires 12/31/27

Receive and file December 2024 department monthly report

Resolution No. 32227 adopting final assessment schedule for Fiscal Year 2025 Quarter 3 Delinquent Fees and Confirming and Levying the Assessments

Payments as presented in the amount of \$2,860,228.49

Resolution No. 32228 approving Fiscal Year 2024-2025 Capital Budget Transfers

Resolution No. 32229 approving a Leave Donation Policy

Parks

Resolution No. 32230 entering into a Resource Enhancement and Protection (REAP) Grant Agreement with Iowa Department of Natural Resources and accepting grant award of \$150,000 to develop access to Indian Creek (REC-18-054)

Resolution No. 32231 approving change orders with Britten, Inc. regarding changes to the BoxPop Container for use as the skate rental facility for the Central Plaza Project and authorizing payment in the amount of \$4,505.92 (REC-18-039)

Public Works

Resolution No. 32232 approving a purchase agreement with Henderson House Historic LLC regarding the 1st Avenue Reconstruction Project and authorizing payment in the amount of \$7,560.10 (ANN-24-001)

Motion to approve project calendar regarding the 2025 1st Avenue Reconstruction Project as follows:

- Motion approving Resolution of Necessity and to retain the City Engineer as Project Engineer regarding the 2025 1st Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Motion approving filing of plans, specifications, form of contract and estimate of cost, advertising for bids by posting notice to bidders, and authorizing City officials or designees to receive and open bids regarding the 2025 1st Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Motion setting public hearing and directing publication thereof for 2025 1st Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)

Motion to approve project calendar regarding the 2025 HMA Resurfacing Project as follows:

- Motion approving Resolution of Necessity and to retain the City Engineer as Project Engineer regarding the 2025 HMA Resurfacing Project (ANN-18-086) (ANN-24-001)
- Motion approving filing of plans, specifications, form of contract and estimate of cost, advertising for bids by posting notice to bidders, and authorizing City officials or designees to receive and open bids regarding the 2025 HMA Resurfacing Project (ANN-18-086) (ANN-24-001)
- Motion setting public hearing and directing publication thereof for the 2025 HMA Resurfacing Project (ANN-18-086) (ANN-24-001)

Resolution No. 32233 approving establishment of a "No Parking" zone on the north side of 3rd Avenue from 20th Street to 21st Street

Resolution No. 32234 approving contract amendment no. 6 with RDG Planning and Design regarding design services for the Central Plaza and authorizing payment in the amount of \$14,500 (REC-18-039)

Resolution No. 32235 approving a 28E agreement with the Linn County Secondary Road Department regarding shared road maintenance and winter agreement

Resolution No. 32236 approving the 2025 Snow and Ice Program and Policy

Motion approving letter of support regarding the Tower Terrace Road Improvements application for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant.

Community Development

Resolution No. 32237 rescinding Resolution No. 28535 approving the sale of a portion of the former north/south alley located between 10th and 11th Avenues and 26th and 27th Streets adjacent to 1070 27th Street, Marion, Iowa (Michael Schafer)

Library

Resolution No. 32238 approving a Bookmobile Hold Harmless with Dupaco

Resolution No. 32239 approving three-year contract with Baker & Tayler LLC regarding CollectionHQ software and authorizing payment in the amount of \$21,750

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

Approved unanimously

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

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

Motion to approve the Consent Agenda with Mayor AbouAssaly's abstention as follows:

Community Development

Resolution No. 32240 authorizing payment to Abode Construction Inc. regarding reimbursement of construction costs related to The Ridge at Indian Creek 2nd Addition Community Development Block Grant - Disaster Recovery (CDBG-DR) in an amount not to exceed \$2,469,820

Moved by Strnad, seconded by Brandt, 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 Miskimen relinquished the gavel to Mayor AbouAssaly at 5:39 p.m. Mayor AbouAssaly presided over the meeting.

REGULAR AGENDA

Public Works

Public hearing regarding the Marion Public Library Generator Project (EQPT-25-004)

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 declared the public hearing closed.

Motion to approve project calendar regarding the Marion Public Library Generator Project as follows:

- Resolution No. 32241 adopting final plans, specifications, form of contract, and estimate of cost regarding the Marion Public Library Generator Project (EQPT-25-004)
- Resolution No. 32242 awarding bid, authorizing approval of the contract, bonds and insurance with Hawkeye Electrical Contractors of Cedar Rapids regarding the Marion Public Library Generator Project, and authorizing payment in the amount of \$167,373.80 (EQPT-25-004)

Moved by Jensen, seconded by Strnad, to approve the above referenced project calendar. Councilmember Brandt asked if the generator would be enclosed. Public Works Director Mike Barkalow stated there are a couple of options and the City will install that.

Approved by the following votes:

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

Abstained: AbouAssaly

Public hearing regarding the Public Safety Training Facility - Burn Building Package (continued from December 19, 2024) (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 declared the public hearing closed.

Motion to approve project calendar regarding the Public Safety Training Facility - Burn Building Package as follows:

- Resolution No. 32243 adopting final plans, specifications, form of contract, and estimate of cost regarding the Public Safety Training Facility - Burn Building Package (FACS-20-007)

- Resolution No. 32244 awarding bid, authorizing approval of the contract, bonds and insurance with Draeger, Inc. regarding the Public Safety Training Facility - Burn Building Package, and authorizing payment in the amount of \$452,746.96 (FACS-20-007)

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

Approved unanimously

Community Development

Ordinance No. 25-01 approving a request to rezone 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) (second consideration)

Moved by Miskimen, seconded by Harper, to approve the second consideration of Ordinance No. 25-01.

Approved unanimously

PUBLIC FORUM

Kyle Franklin, owner of Mix, spoke about an encroachment request and remodel to his restaurant in order to include Korean BBQ on his menu.

COUNCIL COMMENTS

Councilmember Mentzer thanked the Mayor for all his fundraising efforts for the Central Plaza project.

Councilmember Miskimen also thanked the fundraising committee and the Mayor for their fundraising efforts for the Central Plaza project. He also congratulated Building Official Gary Hansen for his achievement. Miskimen also spoke about the ribbon cutting for the Marion Independent School District's new auditorium.

Councilmember Jensen stated he is glad we received the snow this week.

Mayor AbouAssaly thanked the fundraising committee for the Central Plaza project as they met their fundraising goal. He also congratulated the Marion Independent School District for their new auditorium.

EXEMPT SESSION

Motion to adjourn to exempt session regarding collective bargaining as permitted under Section 20.17(3) of the Code of Iowa.

Moved by Mentzer, seconded by Miskimen, to adjourn to exempt session as stated above. Assistant City Attorney Holly Corkery stated that she has reviewed the subject matter discussed and found it to be an appropriate topic for exempt session. A roll call vote was taken.

Approved unanimously

ADJOURN

Mayor AbouAssaly adjourned the meeting at 5:56 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