



MINUTES

City Council Regular Session

5:30 PM - Thursday, February 6, 2025

City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, February 6, 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.

PROCLAMATIONS/OATHS

Proclamation - Love Your Library Month (February 2025)

Mayor AbouAssaly read and presented the proclamation referenced above to Library Director Bill Carroll. Carroll thanked the Mayor and Council for their support and encouraged all residents to visit our Uptown branch or check out the new Bookmobile.

Proclamation - Black History Month (February 2025)

Mayor AbouAssaly read the proclamation referenced above.

PUBLIC FORUM

No one came forward to speak.

The following comments submitted prior to the meeting were shown:

Pete and Kathy Nopoulos (Cimarron Drive) recommended change to lots one through six making them double lots instead of single lots and shared concerns with water and flooding issues.

CONSENT AGENDA

Administrative Services

Minutes of the January 21 and 23, 2025 City Council meetings

Liquor licenses:

- Renewal - Dollar General Store #7398
- Renewal - American Legion Post 298

- Renewal - Cedar Rapids Bowling Center

Motion to approve the following FY2024-2025 Tobacco Device Retailer License application:

- Greenleaf Tobacco & Vape

Mayor AbouAssaly recommended appointments as follows:

- Zoning Board of Adjustment:
 - Eric Lamp - term expires 12/31/27
- Together! Healthy Linn Steering Committee:
 - Gage Miskimen - no term
- Landfill Subcommittee:
 - Grant Harper
 - Steve Jensen
 - Nick AbouAssaly
 - Gage Miskimen (Alternate)

Payments as presented in the amount of \$3,028,942.97

Receive and file Projects in Motion January 2025 update (Strategic Plan Quarterly Update)

Resolution No. 32245 approving purchase of surveillance cameras and installation services from Hawkeye Communications and authorizing payment in the amount of \$53,216.01

Resolution No. 32246 approving agreement with EMC Claims Solutions regarding 411 Medical Claims Handling and authorizing payment in amount as outlined in the agreement

Public Works

Resolution No. 32247 approving a Federal-Aid Agreement for a Surface Transportation Block Grant Program (STBG) Project with the Iowa Department of Transportation regarding the Lucore Road Pedestrian Bridge and Sidepath Project and accepting funds in the amount up to \$706,000 (TAP-U-4775(645)--8I-57) (TRL-24-001)

Motion to approve project calendar regarding the Oak Shade Cemetery Crypt Wall Repair Project as follows:

- Motion approving Resolution of Necessity and to retain the City Engineer as Project Engineer regarding the Cemetery Crypt Wall Repair project (REC-25-001)
- 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 Cemetery Crypt Wall Repair (REC-25-001)
- Motion setting public hearing and directing publication thereof for Cemetery Crypt Wall Repair (REC-25-001)

Resolution No. 32248 approving 28E Agreement with the City of Cedar Rapids regarding the 2025 HMA Resurfacing Project (ANN-18-086) (ANN-24-001)

Motion to receive, file and refer to Traffic Advisory Committee (TAC) a petition regarding a request to add permanent "Children at Play" signs on Winslow Road and entrances to Larkspur Drive, Aster Court and Tall Pines Court. (Levi Kirkpatrick, 4020 Aster Court)

Motion to receive, file and refer to Traffic Advisory Committee (TAC) a petition regarding a request to reduce the speed limit on Winslow Road, between Tower Terrace Road and Foxborough Drive, to 25 mph, and to add other speed control mechanisms in this area (Levi Kirkpatrick, 4020 Aster Court)

Motion to receive, file and refer to Traffic Advisory Committee (TAC) a petition regarding a request to add a "No Outlet" sign on Kettering Road where it intersects with Newcastle Road (Kevin Ernster, 1033 Kettering Road)

Community Development

Resolution No. 32249 approving Amendment Two to Grant Agreement between the Iowa Economic Development Authority and City of Marion related to the Destination Iowa Outdoor Recreation Grant for The Central Plaza and Regional Trail Connection Project

Resolution No. 32250 setting a public hearing for February 20, 2025 regarding a permanent encroachment easement agreement for two exhaust fans to extend into city property located at the south half of the north/south alley bounded by 7th Avenue and 8th Avenue and vacated 11th Street and 12th Street, Marion, Iowa (MIX Global Kitchen, LLC)

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

Approved unanimously

Mayor AbouAssaly relinquished the gavel to Mayor Pro Tem Miskimen at 5:41 p.m. Mayor Pro Tem Miskimen presided over the meeting.

REGULAR AGENDA

Administrative Services

Resolution No. 32251 Setting a Date of Meeting for Public Hearing on the Receipt and Approval of Proposals for the Disposal and Development of Certain City-Owned Real Property in the Collins Road Extension Urban Renewal Area

Moved by Jensen, seconded by Strnad, to approve Resolution No. 32251. Councilmember Harper stated this concerns the City-owned runway and clarified the work that has taken place to date regarding this decision. He spoke about the Airport Visioning Team (AVT) and their work and discussions since October 2022 and the subsequent discussions with LuxAir Aviation, LLC since February 2024.

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 5:46 p.m. Mayor AbouAssaly presided over the meeting.

Public Works

Public comment period regarding a request to add a rectangular rapid flashing beacon (RRFB) at the intersection of 35th Street and 35th Avenue

Mayor AbouAssaly opened the public comment period 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 comment period closed.

Motion to receive and file Traffic Advisory Committee (TAC) report regarding a request to add a rectangular rapid flashing beacon (RRFB) at the intersection of 35th Street and 35th Avenue (Amy Kortemeyer, Superintendent Linn Mar CSD)

Moved by Harper, seconded by Jensen, to approve item as referenced above.
Approved unanimously

Motion concurring with the Traffic Advisory Committee (TAC) recommendations for the intersection of 35th Street and 35th Avenue

Moved by Miskimen, seconded by Harper, to approve item as referenced above. Councilmember Harper asked if there is ever a time that staff would make a decision contrary to what is recommended based on the data/criteria requirements. Public Works Mike Barkalow stated he will always give a recommendation based on safety data but it is up to Council if they'd like to amend that recommendation. Councilmember Mentzer asked if this could be put in another location. Barkalow stated there is already a rectangular rapid flashing beacon (RRFB) at the sidewalk that connects with 35th Avenue mid-block. Councilmember Mentzer asked if there could be a meeting with the Safe Routes to School group to discuss this type of request near schools, especially at 35th Street and 35th Avenue. Deputy City Manager Kim Downs stated as staff works on developing Marion's Sidewalk Policy, the Safe Routes to School group will reconvene to discuss priorities and make a plan to add projects to the Capital Improvement Plan.

Approved unanimously

Public comment period regarding a request to install crosswalks and signals at IA 13 and Prairie Ridge Avenue

Mayor AbouAssaly opened the public comment period 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 comment period closed.

Motion to receive and file Traffic Advisory Committee (TAC) report regarding a request to install crosswalks and signals at IA 13 and Prairie Ridge Avenue (April Harris Helfter, 5805 Robinwood Lane)

Moved by Mentzer, seconded by Miskimen, to approve item as referenced above. Councilmember Miskimen asked again for the recommendation from the

Hwy 13 corridor study. Public Works Director Mike Barkalow stated the recommendation was to change the median and add turn lanes. If a pedestrian crossing were to be installed it would be either an underpass or overpass.

Approved unanimously

Motion concurring with the Traffic Advisory Committee (TAC) recommendations for IA 13 and Prairie Ridge Avenue

Moved by Brandt, seconded by Mentzer, to approve item as referenced above.

Approved unanimously

Public comment period regarding a request to add a rectangular rapid flashing beacon (RRFB) at the intersection of East Robins Road and Mulberry Drive

Mayor AbouAssaly opened the public comment period 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 comment period closed.

Motion to receive and file Traffic Advisory Committee (TAC) report regarding a request to add a rectangular rapid flashing beacon (RRFB) at the intersection of East Robins Road and Mulberry Drive (Patrick Shannon, 2664 Mulberry Court

Moved by Strnad, seconded by Brandt, to approve item as referenced above. Councilmember Mentzer asked if there is any thought to move this RRFB to another nearby intersection. Public Works Mike Barkalow stated they only looked at this intersection but are recommending installation of a painted crosswalk and crosswalk signage.

Approved unanimously

Motion concurring with the Traffic Advisory Committee (TAC) recommendations for the intersection of East Robins Road and Mulberry Drive

Moved by Jensen, seconded by Strnad, to approve item as referenced above.

Approved unanimously

Resolution No. 32252 approving installation of a painted crosswalk and crosswalk signage on East Robins Road in advance of Mulberry Drive

Moved by Harper, seconded by Jensen, to approve Resolution No. 32252.

Approved unanimously

Community Development

Ordinance No. 25-01 approving a request to rezone property from Linn County AG, 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) (final consideration)

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

Approved unanimously

Resolution No. 32253 approving The Preserve at Lowe Farm Preliminary Plat

located northeast of Lowe Park, south of Cimarron Drive, and west of N. 10th Street, Marion, Iowa (Mooney Engle Ricklefs, LLC)

Moved by Mentzer, seconded by Miskimen, to approve Resolution No. 32253. Councilmember Miskimen asked for more information about what can be done regarding water drainage. Public Works Director Mike Barkalow provided information about the staff reviews that will occur with each phase in relation to stormwater drainage and discussed the water drainage features that were included as part of the preliminary plat. Councilmember Harper asked about the resident request to change lots one to six to double lots. Associate Planner Nicole Behrens stated lot sizes are driven by the developer and depend on code requirements.

Approved unanimously

PUBLIC FORUM

John Dixon (1050 S 26th Street) shared concerns regarding Fireworks and legislation that has recently been introduced at the State level. He requested Council ban Fireworks in Marion. Mayor AbouAssaly stated the Council will be reviewing the Fireworks code in April.

COUNCIL COMMENTS

Councilmember Miskimen stated one of the best places to learn about Black History is to learn more at our Library and encouraged everyone to visit.

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 Brandt, seconded by Mentzer, 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 Miskimen, seconded by Harper, to reconvene to regular session.

Approved unanimously

ADJOURN

Mayor AbouAssaly adjourned the meeting at 6:48 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