



MINUTES

City Council Regular Session

5:30 PM - Thursday, April 3, 2025

City Hall, 1225 6th Avenue

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, April 3, 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 - Week of the Young Child (April 5-11, 2025)

Mayor AbouAssaly read and presented the proclamation referenced above to Tammie Tomash with Iowa Association for the Education of Young Children.

Proclamation - Fair Housing Month (April 2025)

Mayor Pro Tem Miskimen read and presented the proclamation referenced above to Renae Forsyth-Christy with the Marion Civil Rights Commission.

PRESENTATIONS

Annual Presentation of the Marion Civil Rights Commission

Renae Forsyth-Christy with the Marion Civil Rights Commission provided an overview of the Commission as well as the 2025 outreach initiatives including minority owned business data collection, hosting public forums and outreach event participation. Councilmember Jensen stated he is happy to hear the Commission will be focusing on Marion events.

Update to the Neighborhood Park Master Plan

Scott Crawford with RDG Planning & Design reviewed concept plans developed with feedback from residents and the Neighborhood Park Steering Committee at the Lucore Park Property, Waterlinn Park Property and Willow Park. Next steps were provided including additional meetings with the steering committee and City staff, a review by the Park Board and a final presentation to City Council. Councilmember Harper asked if placement of the trail could be separated further from the placement of water tower. Parks Director Seth Staashelm stated they will take that feedback into consideration. Councilmember Jensen asked about ballfields at the parks. Staashelm stated the

locations aren't ideal for ballfields and the team will see if there is similar feedback at the open house. Councilmember Jensen asked how these parks will be prioritized. Staashelm stated at the next Steering Committee meeting, phasing will be discussed.

Discussion Regarding Design Standard Updates and Use Standards

Charlie Cowell with RDG Planning & Design reviewed the target corridors and intent of this process. Feedback from the open house on March 26 was shared including proposed prohibited uses along Tower Terrace Road, Business Highway 151, Highway 13 and Central Corridor Districts. Councilmember Jensen stated he would like to limit the distance between liquor, smoke and vape shops along Central Corridor and Highway 151 in addition to what was proposed. Councilmember Mentzer spoke about convenience stores and gas stations along Tower Terrace and would like to somehow require more than the minimum convenience store and have a grocery component included. Cowell outlined landscape and architectural standards such as materials, scale and design. Sign standards were also discussed. Deputy City Manager Kim Downs stated if anyone has additional input to provide, to submit that to the Planning Division. Mayor AbouAssaly thanked everyone who has helped with this process to date.

PUBLIC FORUM

No one came forward to speak.

CONSENT AGENDA

Administrative Services

Minutes of the March 18 and 20, 2025 City Council meetings

Liquor licenses:

- Renewal - Mix Sushi & Kitchen
- Renewal - Zoey's Pizzeria
- Renewal - Cocktails & Company
- Renewal - Uptown Snug
- Renewal - Napoli's

Motion to approve the following Fiscal Year 2025 Cigarette Permit Application:

- Pink Clouds Smoke Shop

Hold harmless agreements with the following:

- Uptown Snug regarding the Summer Music Series on June 21, July 19 and August 23, 2025 in the Uptown Artway
- Marion Community Bands regarding the Marion Community Bands Concert on June 10 and July 1, 2025 at Thomas Park
- Go the Distance for Victims regarding a 5k on April 5, 2025 starting and ending at Thomas Park
- Marion Chamber Foundation regarding the Marion Arts Festival on May 17, 2025 on 7th Avenue and Uptown Marion
- Corridor Running Club regarding the Marion Arts Festival Half Marathon and 5k on May 17, 2025 starting and ending on 5th Avenue
- St. Josephs regarding St. Josephs Fun Days on May 30 - June 1, 2025 at 1790 14th Street

Certified List for Police Sergeant and Police Lieutenant

Motion to receive and file correspondence regarding Cara Briggs Farmer's resignation from the Marion Public Library Board

Payments as presented in the amount of \$2,407,789.03

Resolution No. 32315 setting date of public hearing for April 17, 2025 regarding the FY26-FY30 Capital Improvement Program (CIP)

Resolution No. 32316 amending the Schedule of Fees, Bonds and Insurance effective April 3, 2025

Parks

Motion to receive and file the Parks and Urban Forestry 2025 Summer Work Plan

Resolution No. 32317 approving a one year renewal of a Lease Agreement with Greg Carson & Picket Fence Family Farm, for WaterLinn Park 1st Addition, Lot 2 and 3

Public Works

Motion to receive, file and approve the 2025 Public Works - Engineering Division Work Program

Resolution No. 32318 approving purchase of two F-550 Chassis with dump bodies, plows and sanders from Lynch Ford Chevrolet in the amount of \$264,272.74, authorizing a trade-in of a 2009 Ford F-350 and associated equipment for a credit in the amount of \$6,500, and authorizing payment in the amount of \$257,772.74

Motion to approve project calendar regarding temporary construction easements associated with the 2024 5th Avenue Reconstruction Project as follows:

- Resolution No. 32319 approving temporary construction easement with Todd E Van Meighem, 387 5th Avenue, regarding the 2024 5th Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 32320 approving temporary construction easement with Hoth Properties LLC, 601 5th Avenue, regarding the 2024 5th Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 32321 approving temporary construction easement with Kopel Concepts & Construction LLC, 585 5th Avenue, regarding the 2024 5th Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)

Motion to approve project calendar regarding temporary construction easements associated with the 2025 1st Avenue Reconstruction Project as follows:

- Resolution No. 32322 approving a temporary construction easement with Ronnie Parker and Leslie McShane, 1675 1st Avenue, regarding the 2025 1st Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 32323 approving a temporary construction easement with Donald Jr and Patricia Biedenbach, 1725 1st Avenue, regarding the 2025 1st Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)

- Resolution No. 32324 approving a temporary construction easement with Eric and Heidi Ahrendsen, 1775 1st Avenue, regarding the 2025 1st Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 32325 approving a temporary construction easement with Mary Andersen, 1810 1st Avenue, regarding the 2025 1st Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 32326 approving a temporary construction easement with David and Mindy Moore, 1825 1st Avenue, regarding the 2025 1st Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 32327 approving a temporary construction easement with Philip and Deborah Fordyce, 1905 1st Avenue, regarding the 2025 1st Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 32328 approving a temporary construction easement with Mark and Sandra Dingman, 1920 1st Avenue, regarding the 2025 1st Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 32329 approving a temporary construction easement with Jeremy Hennings, 125 22nd Street, regarding the 2025 1st Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)
- Resolution No. 32330 approving a temporary construction easement with Donna Nagel, 165 22nd Street, regarding the 2025 1st Avenue Reconstruction Project (ANN-24-001 & ANN-18-029)

Resolution No. 32331 accepting the Fire Suppression Systems Package associated with the new Public Works Maintenance Facility with Elite Fire Sprinkler Systems, Inc. (FACS-17-069)

Resolution No. 32332 accepting the Foundation Repair Package associated with the new Public Works Maintenance Facility with Western Specialty Contractors (FACS-17-069)

Resolution No. 32333 approving the 2025 City of Marion Roadway and Trail Lighting Specifications

Resolution No. 32334 approving the 2025 City of Marion Traffic Signal Specifications

Motion to approve project calendar regarding the 2025 Highway 13 & Highway 151 Traffic Signal Cabinet Replacement Project as follows:

- Motion approving Resolution of Necessity and to retain the City Engineer as Project Engineer regarding the 2025 Highway 13 & Highway 151 Traffic Signal Cabinet Replacement Project (ANN-25-002)
- 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 Highway 13 & Highway 151 Traffic Signal Cabinet Replacement Project (ANN-25-002)
- Motion setting public hearing and directing publication thereof for 2025 Highway 13 & Highway 151 Traffic Signal Cabinet Replacement Project (ANN-25-002)

Motion to approve project calendar regarding the 8th Avenue Bridge Repair and

Boyson Trail Improvement Project as follows:

- Motion approving Resolution of Necessity and to retain the City Engineer as Project Engineer regarding the 8th Avenue Bridge Repair and Boyson Trail Improvement Project (ANN-25-003)
- 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 8th Avenue Bridge Repair and Boyson Trail Improvement Project (ANN-25-003)
- Motion setting public hearing and directing publication thereof for 8th Avenue Bridge Repair and Boyson Trail Improvement Project (ANN-25-003)

Resolution No. 32335 approving a contract amendment to Task Order No. 3 with HDR regarding Alburnett Road Extension Real Estate Services (RES) and approving payment in the amount of \$73,005 (TRANS-18-092)

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

Approved unanimously

Mayor AbouAssaly relinquished the gavel to Mayor Pro Tem Miskimen at 6:36 p.m. Mayor Pro Tem Miskimen presided over the meeting.

CONSENT AGENDA WITH MAYOR ABOUASSALY'S ABSTENTION

Administrative Services

Resolution No. 32336 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 (Marion Airport Runway)

Public Works

Resolution No. 32337 approving purchase of a 2025 F-550 Diesel 4X4 from McGrath Ford and authorizing payment in the amount of \$169,406

Resolution No. 32338 accepting the Paving Package associated with the new Public Works Maintenance Facility with LL Pelling Co, Inc. (FACS-17-069)

Moved by Mentzer, 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 Miskimen relinquished the gavel to Mayor AbouAssaly at 6:37 p.m. Mayor AbouAssaly presided over the meeting.

REGULAR AGENDA

Administrative Services

Ordinance No. 25-03 establishing Chapter 214 of the Marion Code of Ordinances regarding Mobile Food Units (final consideration)

Moved by Brandt, seconded by Mentzer, to approve final consideration of Ordinance No. 25-03.

Approved unanimously

Public Hearing on a Development Agreement with Community Housing Initiatives, Inc. (Tulip Tree Apartments)

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. 32339 approving Development Agreement with Community Housing Initiatives, Inc., authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement (Tulip Tree Apartments)

Moved by Strnad, seconded by Brandt, to approve Resolution No. 32339.

Approved unanimously

Parks

Resolution No. 32340 approving 1st Amendment to the memorandum of agreement with Young Men's Christian Association of the Cedar Rapids Metropolitan Area (YMCA) regarding operations of the Marion Recreation Center

Moved by Jensen, seconded by Strnad, to approve Resolution No. 32340.

Approved by the following votes:

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

Abstained: Mentzer

Ordinance No. 25-05 amending Chapter 324 of the Marion Code of Ordinances relating to weeds definitions and natural landscaping (initial consideration)

Moved by Harper, seconded by Jensen, to approve the initial consideration of Ordinance No. 25-05.

Approved unanimously

Public Works

Ordinance No. 25-04 approving amendment to Section 313-10.6E of the Marion Code of Ordinances related to Prohibited Parking (final consideration)

Moved by Miskimen, seconded by Harper, to approve the final consideration of Ordinance No. 25-04.

Approved unanimously

Public hearing regarding the 2025 Sidewalk Ramp Project (ANN-18-106)

Mayor AbouAssaly opened the public hearing regarding item referenced above. Deputy City Engineer Jake Hahn 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 2025 Sidewalk Ramp Project as follows:

- Resolution No. 32341 adopting final plans, specifications, form of contract, and estimate of cost regarding the 2025 Sidewalk Ramp Project (ANN-18-106)
- Resolution No. 32342 awarding bid, authorizing approval of the contract, bonds and insurance with Hunt Construction Co., Inc. regarding the 2025 Sidewalk Ramp Project (ANN-18-106), and authorizing payment in the amount of \$167,297.50

Moved by Mentzer, seconded by Miskimen, to approve the project calendar as shown above.

Approved unanimously

Community Development

Public hearing regarding amendments to Chapter 340 of the Marion Code of Ordinances related to zoning definitions and Central Corridor Districts.

Mayor AbouAssaly opened the public hearing regarding item referenced above. Associate Planner Nicole Behrens provided a staff report. No comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Ordinance No. 25-06 amending Chapter 340 of the Marion Code of Ordinances related to zoning definitions and Central Corridor Districts (initial consideration)

Moved by Brandt, seconded by Mentzer, to approve the initial consideration of Ordinance No. 25-06.

Approved unanimously

Motion to suspend the rules and proceed to the second consideration of Ordinance No. 25-06

Moved by Strnad, seconded by Brandt, to approve item referenced above.

Approved unanimously

Ordinance No. 25-06 amending Chapter 340 of the Marion Code of Ordinances related to zoning definitions and Central Corridor Districts (second consideration)

Moved by Jensen, seconded by Strnad, to approve the second consideration of Ordinance No. 25-06.

Approved unanimously

Motion to suspend the rules and proceed to the final consideration of Ordinance No. 25-06

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

Approved unanimously

Ordinance No. 25-06 amending Chapter 340 of the Marion Code of Ordinances related to zoning definitions and Central Corridor Districts (final consideration)

Moved by Miskimen, seconded by Harper, to approve the final consideration of

Ordinance No. 25-06.

Approved unanimously

Public hearing regarding amendments to Chapter 126 Article I Building Code, Chapter 126 Article II Plumbing Code, Chapter 126 Article IV Mechanical Code, Chapter 126 Article VI Housing Code, Chapter 223 Nuisance Abatement and Chapter 247 Property Maintenance of the Marion Code of Ordinances.

Mayor AbouAssaly opened the public hearing regarding item referenced above. Building Division Manager Gary Hansen provided a staff report. Drew Retz (207 Cardinal Avenue, Atkins) spoke both in support and in opposition of the proposed Building Code changes. No other comments, written or verbal, were received. Mayor AbouAssaly declared the public hearing closed.

Ordinance No. 25-07 amending Chapter 126, Article I of the Marion Code of Ordinances regarding Building Code (initial consideration)

Moved by Mentzer, seconded by Miskimen, to approve the initial consideration of Ordinance No. 25-07. Councilmember Jensen stated he'd like to see data about using foam board with or without structural sheathing. Councilmember Jensen also asked additional information about the snow loads requirements and having consistency within Linn County. Building Division Manager Gary Hansen explained there is a program that outlines the minimum requirements which is based on zip code. Councilmember Mentzer asked for information on how our comparable communities are handling the foam board. Hansen stated he will provide that prior to the next consideration.

Approved unanimously

Ordinance No. 25-08 amending Chapter 126, Article II of the Marion Code of Ordinances regarding Plumbing Code (initial consideration)

Moved by Strnad, seconded by Brandt, to approve the initial consideration of Ordinance No. 25-08.

Approved unanimously

Ordinance No. 25-09 amending Chapter 126, Article IV of the Marion Code of Ordinances regarding Mechanical Code (initial consideration)

Moved by Jensen, seconded by Strnad, to approve the initial consideration of Ordinance No. 25-09.

Approved unanimously

Ordinance No. 25-10 amending Chapter 126, Article VI of the Marion Code of Ordinances regarding Housing Code (initial consideration)

Moved by Harper, seconded by Jensen, to approve the initial consideration of Ordinance No. 25-10.

Approved unanimously

Ordinance No. 25-11 amending Chapter 223 of the Marion Code of Ordinances regarding Nuisance Abatement (initial consideration)

Moved by Miskimen, seconded by Harper, to approve the initial consideration of Ordinance No. 25-11.

Approved unanimously

Ordinance No. 25-12 amending Chapter 247 of the Marion Code of Ordinances regarding Property Maintenance (initial consideration)

Moved by Mentzer, seconded by Miskimen, to approve the initial consideration of Ordinance No. 25-12.

Approved unanimously

PUBLIC FORUM

No one came forward to speak.

COUNCIL COMMENTS

Councilmember Mentzer reminded everyone about the City Showcase coming up on April 26.

Councilmember Brandt thanked Mayor AbouAssaly for giving Skogman realtors a mini State of the City this past week.

Mayor AbouAssaly spoke about the positive response he has received from the State of the City address. He requested everyone to continue reaching higher.

ADJOURN

Mayor AbouAssaly adjourned the meeting at 7:28 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