



# MINUTES

## City Council Regular Session

5:30 PM - Thursday, April 17, 2025

City Hall, 1225 6th Avenue

---

The City Council of the City of Marion, Linn County, Iowa met in regular session, on Thursday, April 17, 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, Will Brandt, and Randy Strnad

ABSENT: Nicolas AbouAssaly and Sara Mentzer

Mayor Pro Tem Miskimen presided over the meeting.

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

### PROCLAMATIONS/OATHS

#### **Proclamation - Arbor Day (April 25, 2025)**

Councilmember Harper read and presented the proclamation referenced above to Joe Spinks and Sunshine McDonald with the Marion Tree Board.

#### **Proclamation - National Public Safety Telecommunicators Week (April 13-19)**

Councilmember Strnad read and presented the proclamation referenced above to Deputy Police Chief Chad Nott.

### PRESENTATIONS

#### **Promotions of Captain Aaron Butikofer and Battalion Chief Curtis Sutcliffe**

Fire Chief Tom Fagan shared information about the above referenced positions of Captain and Battalion Chief, the individuals history and accomplishments and recognized their promotion.

### PUBLIC FORUM

Drew Retz (207 Cardinal Avenue, Atkins) spoke in opposition of the amendments included in Ordinance No. 25-07.

Erin Erickson (7085 York Avenue) spoke in opposition of Ordinance No. 25-05.

### CONSENT AGENDA

Administrative Services

Minutes of the March 27, April 1 and April 3, 2025 City Council meetings

Hold harmless agreements with the following:

- Pat Schmidt regarding a backyard concert on June 13, 2025 at 2810 15th Avenue
- New Life Community Church regarding the SummerFest event on August 3, 2025 at 275 W. 29th Avenue
- Farmers State Bank regarding Marion by Moonlight concert series on June 5, June 12, June 19, June 26, 2025 at Central Plaza at City Square Park - 1001 7th Avenue
- Marion Metro Kiwanis regarding BBQ Rendezvous on June 6 and June 7 at Central Plaza at City Square Park - 1001 7th Avenue and 7th Avenue between 10th and 12th Street

Motion to approve the FY2024-2025 Tobacco Device Retailer License application for Pink Clouds Smoke Shop

Receive and file March 2025 department monthly report

Payments as presented in the amount of \$1,243,527.04

Resolution No. 32343 adopting final assessment schedule for Fiscal Year 2025 Quarter 4 Delinquent Fees and Confirming and Levying the Assessments

Resolution No. 32344 approving amended Exempt and Non-Exempt Employee Owned Mobile Device Usage Policies and Waivers

#### Public Works

Resolution No. 32345 approving the purchase of winter deicer for fiscal year 2025 from Compass Minerals and authorizing payment in the amount of \$190,940

Resolution No. 32346 accepting the Precast Concrete Package associated with the new Public Works Maintenance Facility with Mid-States Concrete Industries LLC (FACS-17-069)

Resolution No. 32347 accepting the Geothermal Field Site Package associated with the new Public Works Maintenance Facility with A-One Geothermal, Inc. (FACS-17-069)

Resolution No. 32348 accepting the Concrete Package associated with the new Public Works Maintenance Facility with Rex Concrete Inc (FACS-17-069)

Resolution No. 32349 accepting the Roofing Package associated with the new Public Works Maintenance Facility with T & K Roofing Co. (FACS-17-069)

Resolution No. 32350 accepting the 2024 Public Works Facility Fencing Project with D & N Fence Co (FACS-17-069)

Resolution No. 32351 approving 36-month agreement with Routeware Inc. for solid waste collection optimization software and authorizing payment in the amount of \$53,118

Resolution No. 32352 approving 36-month agreement with Samsara for vehicle

location (GPS tracking) and remote fleet management system and authorizing payment in the amount of \$4,991

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

- Resolution No. 32353 approving a temporary construction easement with Colin J Wilkinson and Erica M Wilkinson, 1440 1st Avenue, regarding the 2025 1st Avenue Reconstruction Project (ANN-24-001 & ANN-18-086)

Resolution No. 32354 approving purchase of a 2025 F250 with Plow and Lift Gate from McGrath Ford in the amount of \$73,910, authorizing a trade-in of a 2006 Ford F250 and associated equipment for a credit in the amount of \$2,500, and authorizing payment in the amount of \$71,410

#### Community Development

Resolution No. 32355 setting a public hearing date for May 8, 2025 regarding a request to zone properties from Undesignated to RR-1, Rural Residential located at 5000 and 5004 N. 10th Street, Marion, Iowa (City of Marion)

Motion to receive and file correspondence and direct staff to proceed with voluntary annexation of 102.67 acres of land located east of S 31st Street and south of Munier Road, Marion, Iowa (HJ Bjornsen Family Trust, Atlas LP Company, LLC, and Atlas Building Company, LC)

Resolution No. 32356 approving contract amendment with Iowa Economic Development Authority (IEDA) regarding the Community Development Block Grant Disaster Recovery (CDBG-DR) Program for the Bell Tower Lofts Project to request a budget amendment

#### Library

Resolution No. 32357 approving a Bookmobile Hold Harmless with Azure Apartments

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

Approved unanimously

### **REGULAR AGENDA**

#### Administrative Services

Public hearing regarding the proposed fiscal year 2026 budget

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

Resolution No. 32358 approving fiscal year 2025-2026 budget

Moved by Jensen, seconded by Harper, to approve Resolution No. 32358. City

Manager Ryan Waller spoke about the levy rate and what impacts that rate. Mayor Pro Tem Miskimen thanked the staff for all the work put into creating the budget each year.

Approved unanimously

Public hearing regarding the Fiscal Year 2026-2030 Capital Improvement Program (CIP)

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

Resolution No. 32359 approving the Fiscal Year 2026-2030 Capital Improvement Program (CIP)

Moved by Harper, seconded by Jensen, to approve Resolution No. 32359.

Approved unanimously

Resolution No. 32360 authorizing the use of a preliminary official statement for the sale of General Obligation Corporate Purpose Bonds, Series 2025A

Moved by Strnad, seconded by Brandt, to approve Resolution No. 32360.

Approved unanimously

Resolution No. 32361 authorizing the use of a preliminary official statement for the sale of Taxable General Obligation Annual Appropriation Urban Renewal Bonds, Series 2025B

Moved by Jensen, seconded by Strnad, to approve Resolution No. 32361.

Approved unanimously

## Parks

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

Moved by Harper, seconded by Jensen, to approve the second consideration of Ordinance No. 25-05. Councilmember Harper asked about the permitting process for this measure. Deputy City Manager Kim Downs stated the process is to make sure everyone uses the appropriate native grasses and plants. Councilmember Harper also asked about the maintenance requirements. Downs stated burning will not be allowed due to the population density in Marion. Fire Chief Tom Fagan provided additional information regarding burning in Linn County and Marion.

Approved unanimously

Ordinance No. 25-13 amending Chapter 238, Article I, of the Code of Ordinances relating to Park Rules and metal detecting (initial consideration)

Moved by Brandt, seconded by Harper, to approve the initial consideration of Ordinance No. 25-13.

Approved unanimously

## Public Works

Public comment period regarding approving Schedule of "No Parking" Zones including cul-de-sacs throughout Marion (Area 3) (Tabled Feb 20, 2025)

Mayor Pro Tem Miskimen opened the public hearing regarding item referenced above. Public Works Director Mike Barkalow provided a staff report.

The following comments submitted in advance of the meeting were shared:

- Jordan Garthwaite (1440 17th Avenue) wrote in opposition
- Tim Schminke (1190 Bedford Court) wrote in opposition
- Jonathan Demildt (4030 Fox Hollow Court) wrote in opposition
- Stephanie Mork (165 Grand Avenue) wrote in opposition
- Dennis Grove (2840 Lansing Court) asked clarifying questions
- Alan Rutan (2450 Oak Savannah Court) wrote in opposition
- Scott & Wynelle Lindsley (3410 Parkcrest Court) wrote in support
- Kevin Lukan (2935 Roseberry Court) wrote in opposition
- Eric Dalton (2310 Rosewood Ridge Court) wrote in support and opposition
- Travis Vivian (3485 Royal Avenue) wrote in opposition
- Ron Brendengen (5035 Silver Oak Court) asked clarifying questions
- Jeff Norland (5040 Silver Oak Court) wrote in opposition
- Joyce Finch (2520 Westminster Place) wrote in opposition
- Richard Finch (2520 Westminster Place) wrote in opposition
- Charles and Susan Hane (2540 Westminster Place) wrote in opposition
- Peirce Richardson (2205 Windsor Court) wrote in opposition

The following comments were heard during the meeting:

- Philip Keller (160 29th Street Court) spoke in support
- Walter Abbott (1480 17th Avenue) spoke in opposition
- Ann Loftus (4175 Ivy Court) spoke in opposition

No other comments, written or verbal, were received. Mayor Pro Tem Miskimen declared the public hearing closed.

Motion to remove from table Resolution 32276 approving Schedule of "No Parking" Zones including cul-de-sacs throughout Marion (Area 3) (Tabled Feb. 20, 2025)

Moved by Jensen, seconded by Brandt, to approve the item referenced above.  
Approved unanimously

Resolution 32276 approving Schedule of "No Parking" Zones including cul-de-sacs throughout Marion (Area 3) (Tabled Feb 20 2025)

Moved by Harper, seconded by Jensen, to approve Resolution No. 32276. Councilmember Jensen recapped the proposed changes and stated this work is being done throughout the entire City. Councilmember Harper asked about the utilization of Tower 91 and the purpose of it being closer to houses. Fire Chief Tom Fagan stated they want to get the best spread they can when using that truck. Councilmember Harper spoke about how this brings uniformity to all the

cul-de-sacs in Marion. Councilmember Jensen asked about service companies and where they are to park. Public Works Director Mike Barkalow stated service companies can park in the driveway or in the areas where parking is allowed. Approved unanimously

Public hearing regarding the 2025 Pavement Patching Project (ANN-24-001)

Mayor Pro Tem Miskimen 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 Pro Tem Miskimen declared the public hearing closed.

Motion to approve project calendar regarding the 2025 Pavement Patching Project as follows:

- Resolution No. 32362 adopting final plans, specifications, form of contract, and estimate of cost regarding the 2025 Pavement Management Project (ANN-24-001)
- Resolution No. 32363 awarding bid, authorizing approval of the contract, bonds and insurance with Cedar Falls Construction Co., Inc. regarding the 2025 Pavement Management Project, and authorizing payment in the amount of \$1,141,405 (ANN-24-001)

Moved by Brandt, seconded by Harper, to approve the project calendar as shown above. Councilmember Jensen asked if we would add locations based on the low bid we received. Public Works Director Mike Barkalow stated they would add areas as budget allows.

Approved unanimously

Public comment period regarding a request to add a "No Outlet" sign on Kettering Road where it intersects with Newcastle Road

Mayor Pro Tem Miskimen opened the public hearing regarding item referenced above. Public Works Director Mike Barkalow provided a staff report.

The following comments submitted prior to the meeting were shared:

- Kevin Ernster & Dora Bopp (1033 Kettering Road) wrote in support
- Jerry & Sonja Humpfer (1030 Kettering Road) wrote in support

No other comments, written or verbal, were received. Mayor Pro Tem Miskimen declared the public hearing closed.

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

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

Approved unanimously

Resolution No. 32364 approving installation of a "No Outlet" sign on Kettering Road where it intersects with Newcastle Road

Moved by Harper, seconded by Jensen, to approve Resolution No. 32364.

Approved unanimously

#### Community Development

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

Moved by Brandt, seconded by Harper, to approve the second consideration of Ordinance No. 25-07.

Approved unanimously

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

Moved by Jensen, seconded by Brandt, to approve the second 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 (second consideration)

Moved by Harper, seconded by Jensen, to approve the second 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 (second consideration)

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

Approved unanimously

Ordinance No. 25-11 amending Chapter 247 of the Marion Code of Ordinances regarding Property Maintenance (second consideration)

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

Approved unanimously

Ordinance No. 25-12 amending Chapter 223 of the Marion Code of Ordinances regarding Nuisance Abatement (second consideration)

Moved by Harper, seconded by Jensen, to approve the second consideration of Ordinance No. 25-12.

Approved unanimously

#### **PUBLIC FORUM**

No one came forward to speak.

#### **COUNCIL COMMENTS**

Councilmember Harper spoke about a meeting he had today for the Corridor Metropolitan Planning Organization (CMPO) and what their purpose is.

Councilmember Jensen stated eventually an update on the automated collection program

will come forward to Council. He stated one benefit to note is with the increased winds we've had the past three weeks, we haven't seen the bins rolling around as we have previous years.

Mayor Pro Tem Miskimen spoke about the no-parking regulations implemented tonight and stated we should be very clear when proposing changes and spoke about reasons behind the amendment. He wished everyone a Happy Easter.

**ADJOURN**

Mayor Pro Tem Miskimen adjourned the meeting at 6:52 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