



City of Muscatine

CITY COUNCIL MINUTES

Thursday, February 16, 2023

1. **CALL TO ORDER**

Mayor Bark called the City Council meeting for February 16, 2023 to order at 06:00 PM.

2. **INVOCATION**

Pastor Brian Oliver of Wesley United Methodist Church was present to give the invocation.

3. **ROLL CALL**

Councilmembers Present: Nadine Brockert, John Jindrich, Jeff Osborne, Peggy Gordon, Angie Lewis, Dennis Froelich. Mayor Dr. Brad Bark, City Administrator Carol Webb and Administrative Secretary Cinda Hilger were also present. Councilmember Hopkins was not present.

4. **PLEDGE OF ALLEGIANCE**

5. **FROM THE MAYOR**

A. Swearing in of Police Chief - Anthony Kies

Mayor Bark swore in Chief Anthony Kies as Police Chief. Chief Kies, thanked everyone for the opportunity to serve the City of Muscatine.

*Chief Kies will officially take this position on March 1, 2023 upon the retirement of Chief Talkington.

B. Proclamation - Alexander Clark Day

Mayor Bark presented a proclamation declaring February 25 as Alexander Clark Day in the City of Muscatine.

Dan Clark and Osmond Malcom were present to accept the proclamation and share a few thoughts regarding Alexander Clark.

6. **APPROVAL OF AGENDA AS PRESENTED AND/OR AS AMENDED**

City Administrator Webb pulled item 17E from the agenda.

Mayor Bark asked for a motion to approve the agenda as amended. There was a motion

by Councilmember Froelich and a second by Councilmember Froelich.
Vote: All Ayes, Motion passed.

7. COMMUNICATIONS - CITIZENS

8. COUNCILMEMBER FOLLOW UP TO CITIZEN COMMUNICATION

9. CONSENT AGENDA * (ITEMS 10-14)

Councilmember Angie Lewis, seconded by Councilmember Peggy Gordon moved to Approve the Consent Agenda,.

Vote: Ayes - 6, Nays - 0, Motion Passed.

10. * REVIEW AND POTENTIAL VOTE TO APPROVE MINUTES

- A. Budget Session Minutes - January 28, 2023
- B. Budget Session Minutes - January 31, 2023
- C. Budget Session Minutes - February 1, 2023
- D. City Council Meeting Minutes - February 2, 2023
- E. Budget Session Minutes - February 2, 2023
- F. Budget Session Minutes - February 4, 2023
- G. Budget Session Minutes - February 8, 2023
- H. City Council In-Depth Meeting Minutes - February 9, 2023
- I. Budget Session Minutes - February 9, 2023

11. * PETITIONS AND COMMUNICATIONS

- A. Request for renewal of a Class "E" Retail Alcohol License, Outdoor Service and Sunday Sales for Hy-Vee Food Store, 2400 Second Avenue – Hy-Vee, Inc. (pending inspections)
- B. Request on first reading on a Special Class "C" Retail Alcohol License for Best Western Pearl City Inn, 305 Cleveland Street – Pearl City Hospitality LLC (pending inspections and insurance)
- C. Request on first reading on a Special Class "C" Retail Alcohol License for Skinnys Barbeque, 208 West 2nd Street – Skinny's LLC (pending inspections and insurance)
- D. Request on first and second reading on a Special Class "C" Retail Alcohol License for Hong Kong Buffet Inc., 2406 Park Avenue – Hong Kong Buffet (pending inspections)

- E. Request for Use of City Property from Daphne Donald with the Muscatine Race for the Schools 5K on May 6, 2023
- F. Request for Use of City Property from Greg Harper with the Melon City Criterium bike race at Weed Park on May 28, 2023
- G. Request for Use of City Property from Alissa Jirak with Calvary Church at Pearl City Station on August 27, 2023
- H. Request for Use of City Property from Bobby Bunch with Food Truck Fight at Riverside Park on September 16, 2023

12. * COMMUNICATION – RECEIVE AND FILE

- A. Muscatine County Board of Supervisors Minutes - January 23, 2023
- B. Muscatine County Board of Supervisors Minutes - January 24, 2023
- C. Muscatine County Board of Supervisors Minutes - January 25, 2023
- D. Muscatine County Board of Supervisors Minutes - February 6, 2023
- E. Board of Water, Electric and Communications Trustees Minutes - December 20, 2022

13. * PURCHASE ORDERS

- A. Request to approve the issuance of a Purchase Order to Herrman Metal Solutions of Wilton, Iowa, in the amount of \$5,744.90, for steel building materials to build chicanes at two trail crossings.
- B. Request a Purchase Order in the amount of \$9,900.00 to Martin & Whitacre Surveyors & Engineers, Inc. for Additional Survey Work on WHSSP PH 6C.
- C. Request to approve the issuance of a purchase order for (5) IV therapy pumps at the cost \$11,343.75 to BoundTree Medical.

14. * APPROVAL OF BILLS

- A. It is recommended that bills for February 16, 2023, totaling \$1,862,390.74, be approved and that the City Council authorize the Mayor and City Clerk to issue warrants for the same. It should be noted that this listing is subject to the approval of any related agenda item(s).

15. PUBLIC HEARING

16. BOARDS AND COMMISSIONS

17. FROM THE CITY ADMINISTRATOR

- A. Resolution Setting a Public Hearing on an Ordinance Updating Designated Truck Routes, Section 6 – Truck Routes, Chapter 11 – Load and Weight Restrictions, of Title 7 – Vehicles and Traffic, of City Code

Councilmember Nadine Brockert, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- B. Resolution Setting a Public Hearing for March 2, 2023, on the Transfer of Property Located at Lot 1 Arrowhead Lake subdivision

Councilmember John Jindrich, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- C. Resolution Approving the Contract and Bond with Insituform Technologies for the Rehabilitation of Underground Pipes with Cured-in-Place Liner in the amount of \$113,147.50

Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- D. Resolution Authorizing Special Assessments totaling \$16,906.90 to Private Properties

Councilmember John Jindrich, seconded by Councilmember Jeff Osborne moved to Adopt the Resolution.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- E. Resolution Supporting an Application by Musco Lighting to the Iowa Economic Development Authority High Quality Jobs Program

****THIS ITEM PULLED FROM AGENDA****

- F. Resolution Supporting an Application by Kent Pet Group, Inc. to the Iowa Economic Development Authority High Quality Jobs Program

Councilmember Dennis Froelich, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- G. Request for approval of Change Order #7 in the amount of \$4,620.00, for the Park Avenue 4 to 3 Lane Conversion Project.

Councilmember Peggy Gordon, seconded by Councilmember Jeff Osborne moved to Approve the Request,

City Councilmembers had questions regarding any future change orders for this project that were addressed by Public Works Director Brian Stineman.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- H. Request to approve the Issuance of a Purchase Order to Karl Chevrolet, in the amount of \$ 36,816, for the purchase of One (1) 2022 Chevy Police Pursuit

Tahoe .

Councilmember Angie Lewis, seconded by Councilmember Nadine Brockert moved to Approve the Request.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- I. Request to Approve a Purchase Order to TurfWerks in the amount of \$26,470.63 for the Purchase of an Athletic Field Grooming Machine for use at Kent Stein Park

Councilmember Peggy Gordon, seconded by Councilmember Dennis Froelich moved to Approve the Request,.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- J. Request to Approve the 2022 Certified Local Government Report for Submission to the Iowa Department of Cultural Affairs

Councilmember Nadine Brockert, seconded by Councilmember None moved to Approve the Request,.

Vote: Ayes - 6, Nays - 0, Motion Passed.

18. MAYOR AND COUNCIL REPORTS

City Administrator Carol Webb stated that the amount listed in item 17C was a misprint and the actual amount was 113,147.50. Ms. Webb asked if the Council wished to revisit the votes or have staff correct the amount. The City Council agreed to correct the amount and move forward.

19. CLOSED SESSION MEETING

- A. Request to enter Closed Session per Iowa Code 21.5.1.j to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property

Councilmember Dennis Froelich, seconded by Councilmember Nadine Brockert, moved to enter Closed Session at 6:30 p.m.

Vote: Ayes - 0, Nays - 0, Motion .

Present: Councilmembers Brocker, Lewis, Osborne, Jindrich, Gordon and Froelich, Mayor Brad Bark, City Administrator Carol Webb, Administrative Secretary Cinda Hilger and Public Works Director Brian Stineman.

There was discussion with City Council regarding the closed session item.

Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis, moved to exit the closed session at 7:00 p.m.

Vote: Ayes - 6, Nays - 0, Motion carried.

20. ADJOURNMENT

Councilmember Dennis Froelich moved to Adjourn the meeting at 7:01 p.m.

Vote: Ayes - 0, Nays - 0, Motion Passed.