



City of Muscatine

CITY COUNCIL MINUTES

Thursday, March 2, 2023

1. **CALL TO ORDER**

Mayor Bark called the City Council meeting for March 2, 2023 to order at 06:00 PM.

2. **INVOCATION**

Pastor Bruce Martin, Calvary Church was present to give the invocation.

3. **ROLL CALL**

Councilmembers Present: Nadine Brockert, John Jindrich (virtually), Jeff Osborne, Peggy Gordon, Angie Lewis, Dennis Froelich, DeWayne Hopkins. Mayor Dr. Brad Bark, City Administrator Carol Webb and Christa Bailery (Sitting in for Cinda Hilger) were also Present.

4. **PLEDGE OF ALLEGIANCE**

5. **FROM THE MAYOR**

A. Arbor Day Proclamation

Mayor Bark read and presented a proclamation for Arbor Day. Nick Gow was present to accept the proclamation and to share information regarding Arbor Day.

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

Councilmember Dennis Froelich stated he would like to pull items 13A and 13B from the Consent Agenda and add them to the regular agenda for discussion.

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

Councilmember Nadine Brockert, seconded by Councilmember Peggy Gordon moved to Approve the Motion,.

Vote: Ayes - 7, Nays - 0, Motion Passed.

7. **COMMUNICATIONS - CITIZENS**

8. **COUNCILMEMBER FOLLOW UP TO CITIZEN COMMUNICATION**

9. CONSENT AGENDA * (ITEMS 10-14)

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

Vote: Ayes - 7, Nays - 0, Motion Passed.

10. * REVIEW AND POTENTIAL VOTE TO APPROVE MINUTES

- A. February 16, 2023 Regular City Council Minutes

11. * PETITIONS AND COMMUNICATIONS

- A. Request from Muscatine Power and Water to Close Grant Street for Fire Hydrant Installation (tentatively scheduled for the week of March 13).
- B. Request from Muscatine Power and Water to Close Lincoln Boulevard at Washington Street to Install a new Water Main (tentatively scheduled for the week of March 6).
- C. Request for renewal of a Special Class "C" Retail Alcohol License for Sal Vitale's Pizzeria & Pasta, 1010 Park Avenue – Sal Vitale's Little Italy LLC (pending inspections)
- D. Request on first and second reading on a Class "B" Retail Alcohol License for Dollar General #19625, 807 Grandview Avenue – Dolgencorp, LLC (pending inspections)
- E. Request on first and second reading on a Special Class "C" Retail Alcohol License for Chicharos Mexican Grill, 1903 Park Avenue – Chicharos LLC (pending inspections and insurance)
- F. Request for renewal of Class "C" Retail Alcohol License for Pete's Tap, 1820 Angle Street – Oscar's LLC (pending inspections and insurance)

12. * COMMUNICATION – RECEIVE AND FILE

13. * PURCHASE ORDERS

- A. Request to Approve the Issuance of a Purchase Order to Watersmith Engineering, in the Amount of \$9,850.00, for Engineering Services for the Muscatine Slough Conceptual Design Project.
Pulled from the Consent Agenda and renumbered as item 17P
Councilmember Nadine Brockert, seconded by Councilmember Angie Lewis moved to Approve the Request
Councilmember Froelich had questions regarding the plan for the slough.
WPCP Director Jon Koch came forward to explain the project to City Council.
City Administrator Webb suggested Mr. Koch bring this item back to City Council at an indepth meeting with a presentation on the project.

Councilmember Froelich made a motion to postpone this item indefinitely with a second by Councilmember Hopkins.

Vote: ayes - 7, Nays - 0, Motion carried

MOTION POSTPONED INDEFINATELY BY A MAJORITY VOTE

- B. Request to Approve the Issuance of a Purchase Order to Heating Elements Plus, in the Amount of \$5,166.55, for the Purchase of an Explosion Proof Heater.

Pulled from the Consent Agenda and renumbered as item 17Q

Councilmember Hopkins, seconded by Councilmember Gordon moved to Approve the Request

Councilmember Froelich had questions regarding the size of the building being heated and questions about the item bids received that were addressed by WPCP Director Jon Koch.

Councilmember Froelich stated he feels that this item should go back out for bidding.

Councilmember Froelich motioned to postpone this request, seconded by Councilmember Gordon

Vote: Ayes - 3 (Froelich, Gordon, Lewis), Nays - 4 (Hopkins, Jindrich, Brockert, Osborne) Motion to Postpone Failed

Vote on Original Motion Ayes - Ayes - 5 (Hopkins, Jindrich, Brockert, Osborne, Gordon) Nays - 2 (Froelich, Lewis) Motion carried.

14. * APPROVAL OF BILLS

- A. It is recommended that bills for March 3, 2023, totaling \$1,351,046.43, 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

- A. Public Hearing Regarding the Sale of Property at Lot 1 Arrowhead Lake

There were no written or oral comments regarding this public hearing.

Councilmember Hopkins, seconded by Councilmember Osborne, moved for the public hearing to be closed. Vote: Ayes - 7, Nays - None, Motion carries .

- B. Public Hearing on Ordinance Updating Designated Truck Routes - Title 7, Chapter 11, Section 6 of City Code

Councilmember Gordon had questions regarding the routes on Lucas Street from Houser to the Bypass. Due to the addition of the School kitchen that road

should be allowed trucks.

Public Works Director Brian Stineman stated the trucks would be allowed to enter from the Bypass and Exit the same way.

Councilmember Brockert Stated there are issues with Semi Trucks using 67th Street and would like to see enforcement on that route.

Councilmember Gordon also stated Wier Street has a truck issue as well. Mr. Stineman stated he would take these request to the next Safety Committee meeting.

Councilmember DeWayne Hopkins, seconded by Councilmember Dennis Froelich, moved for the public hearing to be closed. Vote: Ayes - 0, Nays - None, Motion .

16. BOARDS AND COMMISSIONS

17. FROM THE CITY ADMINISTRATOR

- A. First Reading of Ordinance Updating Designated Truck Routes - Title 7, Chapter 11, Section 6 of City Code

Councilmember Peggy Gordon, Seconded by Councilmember DeWayne Hopkins, moved to Approve the First Reading of Ordinance
Vote: Ayes - 7, Nays - 0, Motion Passed.

- B. A Resolution Setting a Public Hearing to Declare Certain Real Estate Owned by the City as Surplus and Authorizing the Sale of Said Certain Real Estate By Sealed Bid Process

Councilmember Nadine Brockert, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.

Max Kauffman, 1609 Foster Street, was present to ask questions regarding properties that are being declared as surplus and how he could access information regarding the bidding process.

Ms. Webb stated there would be a bid opening and public would be allowed to attend.

Mr. Kauffman asked if there would be a minimum bid and Ms. Webb stated yes it would be on the website in the bid documents.

Vote: Ayes - 7, Nays - 0, Motion passed.

- C. Resolution Approving Seasonal Pay Plan

Councilmember Gordon recused herself from the vote due to a family member being an employee.

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

Vote: Ayes - 6, Nays - 0 None, Motion Passed.

- D. Resolution Amending the Non-Union Pay Plan
Councilmember DeWayne Hopkins, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion passed.
- E. Resolution Setting a Public Hearing to Approve the Plans and Specifications for Phase 1 of the Fulliam Avenue Reconstruction Project.
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- F. Resolution Setting a Public Hearing to Approve the Plans and Specifications for West Hill Sewer Separation Phase 6.
Councilmember Dennis Froelich, seconded by Councilmember DeWayne Hopkins moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- G. Request to Enter Into a Contract with Pros Consulting for a Market Analysis, Operations Plan, and Design Recommendations for the Proposed Riverfront Amphitheater in the Amount of \$26,600
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Approve the Request,.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- H. Request to Enter into a Contract with Bolton & Menk, Inc. for Project Grants Close-out of the Park Avenue 4 to 3 Lane Conversion Project, for an Amount not to Exceed \$51,560
Councilmember Peggy Gordon, seconded by Councilmember Jeff Osborne moved to Approve the Request,.
Councilmember Froelich had questions regarding any more change orders for this project that were addressed by Public Works Director, Brian Stineman.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- I. Request to Approve Change Order #12 to the Grandview Avenue Reconstruction Project in the Amount of \$56,116.72. The Changes for Change Order #12 Consist of Several Items not Included in the Original Project Scope.
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Approve the Request,.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- J. Request to Submit an Application to the Iowa Department of Transportation for Traffic Safety Funds for Construction of a Mini-Roundabout at W. Fulliam and Houser Street.
Councilmember Dennis Froelich, seconded by Councilmember Angie Lewis moved to Approve the Request,.
Councilmember Brockert had questions regarding the proposed roundabout that were addressed by Public Works Director Brian Stineman.
Vote: Ayes - 7, Nays - 0, Motion .

- K. Request to Approve Issuance of a Purchase Order to Outdoor Power Sales and Service in the amount of \$45,421 for a Rough Mower for Golf Course Maintenance
Councilmember Angie Lewis, seconded by Councilmember Peggy Gordon moved to Approve the Request,.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- L. Request to approve a 5 year lease agreement with Harris Golf Carts for the annual amount of \$47,025.00 for golf carts at the Muscatine Municipal Golf Course.
Councilmember Nadine Brockert, seconded by Councilmember Dennis Froelich moved to Approve the Request,.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- M. Request for Approval of a One Year Concessions Lease Contract for the Muscatine Soccer Complex to Carolina Ponce.
Councilmember Peggy Gordon, seconded by Councilmember Dennis Froelich moved to Approve the Request,.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- N. Request to Approve a Purchase Agreement between the City of Muscatine and Stockton Realty Company related to the purchase and transfer of property adjacent to the Muscatine County Landfill.
Councilmember DeWayne Hopkins, seconded by Councilmember Jeff Osborne moved to Approve the Request,.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- O. Resolution Approving the Sale of Property Located on Lot 1 of Arrowhead Lake to Stockton Realty Co. as part of a property purchase agreement.
Councilmember Nadine Brockert, seconded by Councilmember Jeff Osborne moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0 None, Motion Passed.

18. MAYOR AND COUNCIL REPORTS

Councilmembers reviewed upcoming community events.

19. ADJOURNMENT

Councilmember Dennis Froelich moved the meeting be adjourned at 6:45 pm.

Submitted by:

Cinda Hilger, Administrative Secretary

Carol Webb, City Administrator

Brad Bark, Mayor