



City of Muscatine

CITY COUNCIL MINUTES

Thursday, July 6, 2023

1. **CALL TO ORDER**

Mayor Bark called the City Council meeting for July 6, 2023 to order at 06:00 PM.

2. **INVOCATION- Ray Oehme, Vineyard Church**

3. **ROLL CALL**

Councilmembers Present: Nadine Brockert (virtually), John Jindrich, Jeff Osborne, Peggy Gordon, Angie Lewis, Dennis Froelich, DeWayne Hopkins. Councilmembers Absent: . Mayor Dr. Brad Bark and City Administrator Carol Webb were also present.

4. **PLEDGE OF ALLEGIANCE**

5. **FROM THE MAYOR**

Mayor Bark read a statement of apology for an incident that occurred during the Muscatine fourth of July parade regarding a parade applicant.

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

Councilmember Dennis Froelich, seconded by Councilmember Angie Lewis moved to approve the agenda as presented. Vote: Ayes -7, Nays - 0, Motion Passed.

7. **COMMUNICATIONS - CITIZENS**

Kelcey Brackett - 2817 Mulberry Ave, Muscatine was present to read a letter from the Great Plains Action Society regarding the incident occurring at the Muscatine fourth of July parade with a white woman riding a horse with a woman dressed in an Indian costume being tied up and pulled behind the horse.

Daniel Velasquez - Iowa City - was present to share his thoughts on how to help repair the damage done by the acts at the 4th of July parade, which includes creating a proclamation for indigenous peoples day, a proclamation for missing and murdered indigenous women, and donating money to local indigenous businesses, etc.

Marie Cravs - Iowa City - was present to share her thoughts regarding the incident that

occurred at the parade and stated she would stand up for indigenous people.

Speaker - Iowa City - Director of Great Plains Actions Society - stated she would like to see the City of Muscatine take actions listed in a letter from the group to the City of Muscatine and States the group will work with the City of Muscatine to heal and restore justice on this issue.

Tobias - Minneapolis - called in to address the egregious acts displayed in the 4th of July parade in Muscatine. Stated this incident was a harmful and violent action against themselves and others.

Trisha Rivers - Great Plains Action Society - Stated the incident at the parade was hurtful and harmful to her and her people. She stated that this land was stolen from her people and would like to have a conversation about how to move forward and share the real history of what happened in the United States of America.

Sabra Cacho - Washington DC - Disgusted with the display of racism in the state of Iowa and the City of Muscatine. Hopes that Muscatine takes action to rectify this situation.

Courtney Graham - Had questions regarding how the parade participants will be held accountable, why this was not addressed the day of the parade and what is the plan to educate the public of why this is wrong.

Nickie - Iowa City - First generation Vietnamese born in America. Wants people to understand the impact things like this have on indigenous people, especially children. What can we do to move past this harm and keep it from happening again.

Deshane Buffalo - stated the videos and pictures of the incident were appalling and wanted to know why the action was not stopped immediately. She lost her Aunt to murder 2 years ago and feel this is a mockery to her race. Wants to feel safe in the state raising her children. Would like to come to Muscatine to do a missing and murdered indigenous persons rally to educate people.

Veronica - Felt this was a disgusting act and thanked everyone for coming to share their thoughts and attention being brought to this issue. Shared information regarding a missing indigenous woman from her tribe here in Iowa. Disgusted that the costume worn was even sold as a costume.

Tana Finley-Padilla - Encouraged City Council to work with Indigenous people that want to work together to heal and rebuild trust.

Max Kaufman - Lived on a reservation and saw first hand the behavior being discussed. Stated the answer is not to come after the City Council. The offended person should

have taken action at the moment it happened. If you see something that is wrong, do something then.

8. COUNCILMEMBER FOLLOW UP TO CITIZEN COMMUNICATION

Mayor Bark stated that he was in the leading vehicle of the parade and did not see this incident. When he was notified he did confront the group. Mayor Bark stated that the City and Chamber are all working together to update the processes and procedures so this type of incident does not happen again.

9. CONSENT AGENDA * (ITEMS 10-14)

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

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

10. * REVIEW AND POTENTIAL VOTE TO APPROVE MINUTES

A. June 15, 2023 Minutes

11. * PETITIONS AND COMMUNICATIONS

- A. Request on second reading on a new Class "C" Retail Alcohol License for Home Base, LLC, 1201 Grandview Avenue – Tonia McCullough (pending inspections)
- B. Request on second reading on a new Class "C" Retail Alcohol License for BigBear's, 218 Walnut Street – BigBear's LLC (pending inspections)
- C. Request on first and second reading on a new Special Class "C" Retail Alcohol License and 5-day Outdoor Service Permit (7/26/2023-07/30/2023) for Keep Muscatine Beautiful, Harbor Drive – Community Foundation of Greater Muscatine (pending inspections)
- D. Request on first and second reading on a new Special Class "C" Retail Alcohol License and 5-day Outdoor Service Permit (8/03/2023-08/07/2023) for Keep Muscatine Beautiful, Harbor Drive – Community Foundation of Greater Muscatine (pending inspections)
- E. Request on first and second reading on a new Class "B" Retail Alcohol License for Kwik Star #1064, 3605 University Drive – Kwik Trip, Inc. (pending inspections)
- F. Request for renewal of a Class "C" Retail Alcohol License for Applebee's Neighborhood Grill & Bar, 306 Cleveland Street – Apple Corps, L.P. (pending inspections)

- G. Request for renewal of a Class “C” Retail Alcohol License for Port City Underground, 208 West 2nd Street – Lacey Henderson-Mueller (pending inspections)
- H. Request for renewal of a Special Class “C” Retail Alcohol License for Yacky Shack, 163 Colorado Street – Yacky Shack LLC (pending inspections)
- I. Request for renewal of a Class “C” Retail Alcohol License for Hy-Vee Market Café, 2400 2nd Avenue, (Café Area) – Hy-Vee, Inc. (pending inspections)
- J. Request for renewal of a Class “C” Retail Alcohol License for Proof Social, 208 West 2nd Street – Wine-Nutz, LLC (pending inspections and insurance)
- K. Request for renewal of a Class “C” Retail Alcohol License for Osaka Sushi and Steak House, 1903 Park Avenue, Suite 48 – Kume Sushi and Steak House LLC (pending inspections and insurance)
- L. Request for Use of City Property from Mario Lebron with Muscatine Farmer’s Market to be held on August 12, 2023 to include closing 3rd Street between Cedar and Sycamore.
- M. Request for Use of City Property from Michelle Kelman with Alzheimer’s Association to be held on September 29, 2023
- N. Request to Approve Application for Revitalization Property Tax Abatement - 415 W. 2nd Street - Diane Calzaretta

12. * COMMUNICATION – RECEIVE AND FILE

- A. Muscatine County Board of Supervisors Meeting Minutes- June 12, 2023
- B. Muscatine County Board of Supervisors Meeting Minutes - June 19, 2023
- C. Muscatine County Board of Supervisors Meeting Minutes - June 26, 2023

13. * PURCHASE ORDERS

- A. Request to Approve the Issuance of a Purchase Order to Thermo Electron North America, in the Amount of \$18,877.40 for the Purchase of a Replacement Ion Chromatography System for the WRRF Lab.
- B. Request to Approve the Issuance of a Purchase Order to HON Company, in the amount of \$8,444.77, for 18 Office Chairs with Funding from American Rescue Plan Act (ARPA) Funds
- C. Request to Approve the Issuance of a Purchase Order to HON Company, in the amount of \$14,942.54, for new City Council Chambers Public Seating with Funding from American Rescue Plan Act (ARPA) Funds
- D. Request to Approve the Issuance of a Purchase Order to Midland Scientific, Inc., in the Amount of \$5,774.79, for the Purchase of a BOD Incubator for the Water & Resource Recovery Facility Laboratory.

- E. Request to Approve the Issuance of a Purchase Order to CivicPlus, in the amount of \$5,000, for the Purchase of SeeClickFix Integration Software with PubWorks

14. * APPROVAL OF BILLS

- A. Bills for Approval for July 6, 2023

15. PUBLIC HEARING

- A. Public Hearing Regarding an Ordinance Amending Title 10, Chapter 20, Section 4 of City Code - Home Occupations

There were no written or oral comments regarding this public hearing.
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis, moved for the public hearing to be closed. Vote: Ayes - 7, Nays - None, Motion Passed.

- B. Public Hearing Regarding the Vacation and Disposal of a Right of Way Adjacent to Tom Bruner Field

There were no written or oral comments regarding this public hearing.
Councilmember Dennis Froelich, seconded by Councilmember John Jindrich, moved for the public hearing to be closed. Vote: Ayes - 7, Nays - None, Motion Passed.

- C. Public Hearing Regarding an Easement Agreement Allowing for Encroachment of Tom Bruner Field on an Adjoining City Owned Parcel.

There were no written or oral comments regarding this public hearing.
Councilmember Peggy Gordon, seconded by Councilmember Jeff Osborne, moved for the public hearing to be closed. Vote: Ayes - 7, Nays - None, Motion Passed.

- D. Public Hearing Regarding Vacation of Sewer Easement at 2417 Grandview Avenue

There were no written or oral comments regarding this public hearing.
Councilmember Angie Lewis, seconded by Councilmember Jeff Osborne, moved for the public hearing to be closed. Vote: Ayes - 7, Nays - None, Motion Passed.

16. BOARDS AND COMMISSIONS

17. FROM THE CITY ADMINISTRATOR

- A. Resolution Adopting a Policy Governing Disposal of City-Owned Surplus Real Property
Councilmember Peggy Gordon, seconded by Councilmember John Jindrich moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- B. Resolution Authorizing the Sale of City Property (Tom Bruner Field) to Muscatine Community School District
Councilmember DeWayne Hopkins, seconded by Councilmember John Jindrich moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- C. Resolution Approving an Executed Deed (Tom Bruner Field)
Councilmember DeWayne Hopkins, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- D. Resolution Vacating Certain Right of Way Adjoining Tom Bruner Field in the City of Muscatine, Iowa
Councilmember Peggy Gordon, seconded by Councilmember Jeff Osborne moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- E. Resolution Authorizing the Sale of City Property (Vacated Right of Way Adjoining Tom Bruner Field) to Muscatine Community School District
Councilmember John Jindrich, seconded by Councilmember Jeff Osborne moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- F. Resolution Approving an Executed Deed (Vacated Right of Way Adjoining Tom Bruner Field)
Councilmember Peggy Gordon, seconded by Councilmember DeWayne Hopkins moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- G. Resolution Approving Bruner Field Encroachment Easement Agreement
Councilmember DeWayne Hopkins, seconded by Councilmember John Jindrich moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- H. Resolution Accepting a Right of Way Dedication for the Kent-Stein Park to Taylor Park Trail
Councilmember Dennis Froelich, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- I. A Resolution Setting a Public Hearing for July 20, 2023 on an Ordinance Amending Nuisance Regulations Contained within City Code

Councilmember Peggy Gordon, seconded by Councilmember DeWayne Hopkins moved to Adopt the Resolution.

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

- J. Resolution Vacating Certain Sewer Easements Located at 2417 Grandview Avenue

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

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

- K. Resolution Supporting an Application for a Thriving Communities Designation through the Iowa Finance Authority

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

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

- L. Resolution Authorizing the Allocation of \$350,000 of American Rescue Plan Act (ARPA) Funding for the Mulberry Health Clinic Building Project and Rescinding Previous Resolution 2022-0322 Dated August 4, 2022

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

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

- M. Resolution Recognizing the City of Muscatine's Commitment to Solar Energy through Participation in the US Department of Energy's Solsmart Program.

Councilmember DeWayne Hopkins, seconded by Councilmember Jeff Osborne moved to Adopt the Resolution.

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

- N. Request to Approve Entering into an Agreement with the Iowa DOT, Accepting a Federal Transit Administration (FTA) ARPA (American Rescue Plan Act) Grant in the Amount of \$49,029.00.

Councilmember Dennis Froelich, seconded by Councilmember Jeff Osborne moved to Approve the Request.

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

- O. Request to Approve the Issuance of a Purchase Order to Compass Minerals for Salt in the amount of \$109,260.00

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

Councilmember Lewis had questions regarding if this was just to cover the amount of salt used last year that were addressed by Public Works Director Stineman.

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

- P. Request to Approve the Issuance of a Purchase Order in the Amount of \$64,362.44, to Weikert Contracting for the 2023 Paint Striping Contract.

Councilmember DeWayne Hopkins, seconded by Councilmember Peggy Gordon

moved to Approve the Request.

Councilmember Lewis had questions regarding the type of painting being done that were addressed by Public Works Director Brian Stineman.

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

- Q. Request to approve the Issuance of a Purchase Order to Ed Morse Chevrolet, in the amount of \$94,643.10 for the purchase of two (2) 2023 Chevy Police Pickups

Councilmember Jeff Osborne, seconded by Councilmember Angie Lewis moved to Approve the Request.

Councilmembers had questions regarding why trucks were being ordered instead of the normal Tahoes and regarding if the price includes the price of all of the equipment that is needed in the vehicles.

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

- R. Request to Approve and Purchase an Easement for West Hill Sewer Separation Phase 6 Construction in the amount of \$406.68.

Councilmember Dennis Froelich, seconded by Councilmember Jeff Osborne moved to Approve the Request.

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

- S. Request to Approve Change Order Number 1 for Fulliam Avenue Reconstruction Phase 1 to Heuer Construction in the Amount of \$66,631

Councilmember Peggy Gordon, seconded by Councilmember John Jindrich moved to Approve the Request.

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

- T. Request to Approve an Agreement with Muscatine Center for Social Action for \$30,000 to Provide Housing Stabilization Services

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

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

- U. Request to Enter a Compensation Study Agreement with PayPoint HR in the amount of \$37,500.

Councilmember Angie Lewis, seconded by Councilmember Dennis Froelich moved to Approve the Request.

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

18. MAYOR AND COUNCIL REPORTS

Councilmembers stated they had many great comments regarding the 4th of July events hosted by the City of Muscatine.

Councilmembers reviewed events that are upcoming in Muscatine to include Human Trafficking informational event, MCSA Rise Above Program, and Goat Yoga.

19. **ADJOURNMENT**

Councilmember Froelich moved the meeting be adjourned at 7:22 p.m.