



City of Muscatine

CITY COUNCIL MINUTES

Thursday, July 20, 2023

1. **CALL TO ORDER**

Mayor Bark called the City Council meeting for July 20, 2023 to order at 06:00 PM.

2. **INVOCATION-Alex Kindred**

3. **ROLL CALL**

Councilmembers Present: Nadine Brockert, John Jindrich, Jeff Osborne, Peggy Gordon, Angie Lewis, Dennis Froelich, DeWayne Hopkins. Councilmembers Absent: none . Mayor Dr. Brad Bark, City Administrator Carol Webb and Administrative Secretary Cinda Hilger were also present.

4. **PLEDGE OF ALLEGIANCE**

5. **FROM THE MAYOR**

- A. Proclamation for National Night Out
Ryan Buss (Muscatine Police Department was present to receive the proclamation and to share a few details regarding National Night Out.
- B. Proclamation for Muscabus Driver Appreciation Day
Amy Fortenbacher, Transit Supervisor, was present to accept the proclamation and to thank the Muscabus staff for all the hard work they do in the City.
- C. Recognition of Muscabus Driver of the Year
- D. Recognition of Muscabus Dispatcher of the year

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

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

7. **COMMUNICATIONS - CITIZENS**

- A. Appeal of Demolition of 1200 Iowa Avenue by Brian Costas
Mr. Costas was present to share with the City Council the reasons he feels the

house located at 1200 Iowa Avenue should not be demolished. Mr. Costas stated the foundation and main structure of the house are sound. He agreed the porch was in disrepair. He stated the home is a historic home and should be restored to maintain history, and he asked for more time to be able to let the foreclosure of the home be completed so that he could quickly turn around and sell it to someone willing to fix the house.

There were questions from City Council members regarding how long the house had sat empty, what work had been completed on the inside, the timeline expected for foreclosure and resale of the home, where the money to demolish the house comes from and if the Historic Preservation Committee had been notified.

City staff shared with City Council the timeline of events and notices that have led to this point where they feel the house needs to be demolished. Staff stated the house has become a safety hazard as well as a nuisance to the neighborhood.

Councilmember Froelich made a motion to uphold the staff's request and to move forward with the demolition of 1200 Iowa Avenue, Seconded by Councilmember Peggy Gordon.

Vote: 6 Ayes, 1 Nay (Councilmember Osborne) Motion carried.

8. COUNCILMEMBER FOLLOW UP TO CITIZEN COMMUNICATION

9. CONSENT AGENDA * (ITEMS 10-14)

Councilmember John Jindrich, seconded by Councilmember Angie Lewis, moved to approve the Consent Agenda including Items 10-14. Ayes - 7 , Nays - 0, Motion Passed.

10. * REVIEW AND POTENTIAL VOTE TO APPROVE MINUTES

- A. Muscatine City Council Meeting Minutes - July 6, 2023
- B. Muscatine City Council In-Depth Meeting Minutes July 13, 2023

11. * PETITIONS AND COMMUNICATIONS

- A. Request for Use of City Property from Dell Wagner with the Muscatine Running Club for
the Watermelon Stampade to be held on August 19, 2023
- B. Request for Use of City Property from Tony Loconsole with the Muscatine Community School District to host an event that celebrates hispanic culture and heritage to be held on September 30, 2023
- C. Request for Use of City Property from Megan Francis with Crossroads for the Festival of
Lights display to be held on November 1, 2023 through December 31, 2023

D. Request for Alley Closure at 304 Iowa Avenue

12. * COMMUNICATION – RECEIVE AND FILE

- A. Muscatine County Board of Supervisors Meeting Minutes - July 3, 2023
- B. Muscatine County Board of Supervisors Minutes - July 10, 2023

13. * PURCHASE ORDERS

- A. Request to Approve Agreement with Fifth Asset, Inc. d/b/a DebtBook for Software Services for GASB 87 and GASB 96 accounting services in the amount of \$10,000 annually
- B. Request to Approve the Issuance of a Purchase Order to United Rentals for a 19' Scissor Lift in the amount of \$6,999.99.
- C. Request to Approve the Issuance of a Purchase Order to Sector, in the Amount of \$9,625.94 for the Budgeted Purchase of an Unmanned Aerial Drone.
- D. Request to approve the issuance of a purchase order to Advance Business Systems in the amount of \$9,120.00 for the purchase of a replacement copier.
- E. Request to Approve the issuance of a Purchase Order to Muscatine Lawn and Power in the amount of \$13,908.16 for a Zero Turn mower for Park Maintenance.

14. * APPROVAL OF BILLS

- A. Bills for Approval 7-6-2023

15. PUBLIC HEARING

- A. Public Hearing on Proposed Amendment to the Consolidated Muscatine Urban Renewal Area

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

- B. Public Hearing on an Ordinance Amending Nuisance Regulations Contained within City Code

There were no written or oral comments regarding this public hearing.
Councilmember DeWayne Hopkins, seconded by Councilmember Dennis Froelich, 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 to Approve Urban Renewal Plan Amendment for the Consolidated Muscatine Urban Renewal Area
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion .
- B. Resolution Authorizing and Approving a Loan and Disbursement Agreement, Providing for the Issuance of \$8,000,000 General Obligation Annual Appropriation Sewer Improvement Bonds, Series 2023, and Providing for the Levy of Taxes (Subject to Non-Appropriation) to Pay the Same
Councilmember Nadine Brockert, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- C. Resolution Relating to Financing of Certain Proposed Projects to be Undertaken by the City; Establishing Compliance with Reimbursement Bond Regulations under the Internal Revenue Code
Councilmember Peggy Gordon, seconded by Councilmember John Jindrich moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- D. Resolution Setting Public Hearing on Proposed Development Agreement with Musco Sports Lighting, LLC for Phase 1 of the Project to Expand their Muscatine Facilities
Councilmember Dennis Froelich, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- E. Resolution Awarding the Contract for the Soccer Complex Irrigation Replacement Project to Mid American Sports Construction in the Amount of \$310,136.23.
Councilmember DeWayne Hopkins, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- F. Resolution Setting a Public Hearing on the Amendments to the *Section 8 Housing Choice Voucher Administrative Plan*.
Councilmember Angie Lewis, seconded by Councilmember Nadine Brockert moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- G. Resolution Setting a Public Hearing on the Plans and Specifications for the 2nd Avenue Storm Sewer Project

Councilmember Dennis Froelich, seconded by Councilmember Jeff Osborne moved to Adopt the Resolution.

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

- H. Resolution Approving Submission of Grant Application to Washington County Riverboat Foundation for \$80,000 for Ballistic Body Armor for use by the Muscatine Special Operations Response Team (MSORT)

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

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

- I. Request to Approve the Issuance of a Purchase Order to Jeff Hackett Electric, in the Amount of \$38,835.00, for the Purchase and Installation of Two Electric Generators for the Landfill Operations.

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

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

- J. Request to approve the issuance of a purchase order in the amount of \$29,950.00 to Hometown Mechanical for the installation of a radiant heat system for the Muscatine Organics Recycling Center.

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

There were questions from councilmembers regarding alternative ways to keep the heat from escaping the building that were addressed by Jon Koch.

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

- K. Request to authorize the issuance of a purchase order in the amount of \$ 969,945 to Reliant Fire Apparatus for the purchase of a new Pierce Fire Engine.

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

There was discussion on the price of the firetruck, the 2 1/2 year delivery date and if new technology would be used on the truck as it become available over the next two years. Chief Ewers stated the vendor stays in constant communication with staff as the truck is being built to ensure the best quality and most recent options are available.

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

- L. Request to approve entering into an agreement with the Iowa DOT, accepting State Transit Assistance (STA) for Fiscal Year 2024, in the amount of \$274,473.00.

Councilmember DeWayne Hopkins, seconded by Councilmember Nadine Brockert moved to Approve the Request.

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

- M. Request to Enter into a Supplemental Agreement with the Iowa Department of Transportation for Maintenance of Primary Roads in Municipalities

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

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

- N. Request to Issue a Purchase Order to DJR Group, LLC. for a Kitchen Hood System for the Fire Department in the Amount of \$67,083.57

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

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

- O. Request to Approve Change Order #13 for the Grandview Ave Reconstruction Project in the amount of \$79,943.58

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

Councilmembers had questions regarding if any future change orders could be expected for Grandview Avenue. City Engineer Kevin Coon stated this should be the last one as the only thing left to complete on Grandview are small finishing items and clean up.

The council had questions regarding replacement work being done on Grandview Avenue. Mr.Coon stated this was due to premature cracking of the concrete and is being repaired under the warranty.

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

- P. Request to Approve the Issuance of a Purchase Order to Electric Pump in the Amount of \$36,362.00 for the Purchase of Two Replacement Lift station pumps.

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

Council had questions regarding why some pumps are being replaced with new and other are being rebuilt for a fraction of the cost that were addressed by WPCP Director Jon Koch. Mr. Koch explained it depended on the age of the pump and the extent of the damage. He explained the pumps are on a rotating schedule for replacement and sometimes they can extend the life of one to replace another as needed.

Council requested a comprehensive list of all pumps at stations and conditions and replacement schedule.

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

- Q. Request to Approve Entering into a Professional Services Agreement with Atlas Community Studios for a Housing Market Analysis

Councilmember Jeff Osborne, seconded by Councilmember Nadine Brockert moved to Approve the Request.

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

- R. Request to Add a Regular, Half-time Office Assistant in the Parks and Recreation Department

Councilmember Angie Lewis, seconded by Councilmember Peggy Gordon

moved to Approve the Request.

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

- S. Request to Issue Change Order #2 to the Fulliam Avenue Reconstruction Project Phase I in the Amount of \$32,185.65

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

Council had questions regarding why the items in this change order had not been caught previously by the engineers and included in the project.

Public Works Director Brian stated this was done during a time when both the City of Muscatine and the engineering firm Bolten & Menk were going through staffing changes and there was no check and balance to the process. He states that Bolten & Menk have taken responsibility for the missed items and will be compensating the City with credit on account for the cost of the changes, and will be waiving the engineering cost for the design of the fixes.

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

- T. Request to Approve the Removal of the Historical Picture Above the Dais in Council Chambers

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

There was discussion among staff and City Councilmembers regarding the removal of the photo that sits above the Dais in the Council Chambers. City Administrator Webb stated it is a photo not a painting and cannot be repaired or cleaned up without ruining the picture. She stated digital images could be taken of the photo that then could be touched up and printed in smaller version to be hung in Council Chambers.

Council was not in favor of this move and stated it would stay as it is a historical piece of City Hall.

Councilmembers agreed that digital photos should be taken before it is any worse and then the City would have them ready to go when and if this photo is ever removed.

Vote: Ayes - 2(Gordon, Lewis) , Nays - 5, Motion Failed.

18. MAYOR AND COUNCIL REPORTS

Councilmembers thank the MPD and other responders for their work in capturing the murder suspect in a July 19 Shooting in Muscatine.

Councilmembers shared upcoming events in our community.

19. CLOSED SESSION MEETING

- A. Request to enter closed session closed session per Iowa Code Section 21.5.1.c to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent and where its disclosure would be likely to

prejudice or disadvantage the position of the governmental body in the litigation, and in accordance with Iowa Code Section 622.10 to discuss attorney/client privileged and attorney work product matters with legal counsel.

Councilmember Dennis Froelich, seconded by Councilmember Peggy Gordon moved to enter Closed Session.

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

Councilmember Jeff Osborne, seconded by Councilmember Angie Lewis moved to exit the closed session at 8:32 p.m.

Councilmember Osborne moved to adjourn the meeting at 8:33 pm.

20. ADJOURNMENT