



City of Muscatine

CITY COUNCIL MINUTES

Thursday, August 17, 2023

1. **CALL TO ORDER**

Mayor Bark called the City Council meeting for August 17, 2023 to order at 06:00 PM.

2. **INVOCATION - John Hessling**

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. Recognition of the Muscatine High School Girls Softball Team
- B. Request to approve an employment agreement between the City of Muscatine and Carol Webb for the position of City Administrator
Councilmember DeWayne Hopkins, seconded by Councilmember Peggy Gordon moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.

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

Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Approve the Agenda .
Vote: Ayes - 7, Nays - 0, Motion Passed.

7. **COMMUNICATIONS - CITIZENS**

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

9. CONSENT AGENDA * (ITEMS 10-14)

Councilmember Nadine Brockert, seconded by Councilmember John Jindrich, 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. City of Muscatine Regular City Council Meeting - August 3, 2023
- B. City of Muscatine, Special City Council Meeting - August 10, 2023

11. * PETITIONS AND COMMUNICATIONS

- A. Request for renewal of a Class "E" Retail Alcohol License for Fast Avenue One Stop, 2111 Park Avenue – Gurung LLC (pending inspections)
- B. Request for renewal of a Class "E" Retail Alcohol License for Express Mart, 4804 U.S. 61 – RP Brothers 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 (09/12/2023 – 09/16/2023) for Food Truck Fight, Harbor Drive – BRB Live, LLC (pending inspections and insurance)
- D. Request on first and second reading on a new Special Class "C" Retail Alcohol License and 5-day Outdoor Service Permit (08/22/2023 – 08/26/2023) for Keep Muscatine Beautiful, Almost Friday Fest, Harbor Drive – Community Foundation of Greater Muscatine (pending inspections and insurance)
- E. Request for renewal of a Class "C" Retail Alcohol License for Overlook Ballroom, 101 West Mississippi Drive – Bridgeside Pub LLC (pending inspections and insurance)
- F. Request on first and second reading on a new Special Class "C" Retail Alcohol License and 5-day Outdoor Service Permit (09/27/2023 – 10/01/2023) for Keep Muscatine Beautiful (Almost Friday Fest Event), Harbor Drive – Community Foundation of Greater Muscatine (pending inspections and insurance)
- G. Request for Use of City Property from Troy Philpott with Stinky's House of Horrors for the Annual Haunted House/Food Drive to be held on October 28th, 2023

12. * COMMUNICATION – RECEIVE AND FILE

- A. Muscatine County Board of Supervisors Meeting Minutes - July 31, 2023
- B. Muscatine County Board of Supervisors Meeting Minutes, August 7, 2023

13. * PURCHASE ORDERS

- A. Request to Approve the Issuance of a Purchase Order to Beck Electric Actuators in the Amount of \$12,872.00 for the Purchase of Two Beck Actuators for the Water and Resource Recovery Facility.

14. * APPROVAL OF BILLS

- A. Request to approve bills totaling \$2,505,671.53, and authorizing 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 to Discuss Proposed Changes to Title 3, Chapter 2 of City Code, Regarding Right of Way Inspections and Permit Processes.
There were no written or oral comments regarding this public hearing.
Councilmember Peggy Gordon, seconded by Councilmember Dennis Froelich, moved for the public hearing to be closed. Vote: Ayes - 7, Nays - None, Motion Passed.
- B. Public Hearing to Discuss Proposed Changes to Title 11 of City Code Regarding Chapter 4 - Inspections
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 - 0, Nays - None, Motion .
- C. Public Hearing on Proposed Development Agreement with Kent Pet Group, Inc. For the Construction of a New Production Facility
There were no written or oral comments regarding this public hearing.
Councilmember Dennis Froelich, seconded by Councilmember Angie Lewis, moved for the public hearing to be closed. Vote: Ayes - 0, Nays - None, Motion Passed.
- D. Public Hearing on Declaration of 619 Hope Avenue as Surplus and Authorizing the Sale by Sealed Bid Process
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.
- E. Public Hearing on Proposed Revisions to the Airport District Zoning Ordinance

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.

16. BOARDS AND COMMISSIONS

17. FROM THE CITY ADMINISTRATOR

- A. First Reading of an Ordinance Amending Title 3, Chapter 2 of City Code - Use of City Right of Way - Public Hearing A
Councilmember Peggy Gordon, Seconded by Councilmember Jeff Osborne, moved to Approve the first reading of the ordinance.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- B. First Reading of an Ordinance Amending Title 11, Chapter 4 of City Code - Inspections - Public Hearing B
Councilmember John Jindrich, seconded by Councilmember Angie Lewis, moved to approve the first reading of the ordinance.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- C. Resolution Approving Development Agreement with Kent Pet Group, Inc., Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement - Public Hearing C
Councilmember Dennis Froelich, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- D. A Resolution Declaring City Owned Real Estate (619 Hope Ave) as Surplus and Authorizing the Sale of Said Certain Real Estate by Sealed Bid Process - Public Hearing D
Councilmember Angie Lewis, seconded by Councilmember Dennis Froelich moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- E. First Reading of an Ordinance Amending the Airport District Zoning Ordinance Contained within Title 10, Chapter 19 of the City Code - Public Hearing E
Councilmember Peggy Gordon, Seconded by Councilmember Jeff Osborne, moved to Approve approve the first reading of the ordinance.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- F. A Resolution Setting a Public Hearing to Declare Certain Real Estate Owned by the City (891 W 8th Street and adjacent parcel) as Surplus and Authorizing the Sale of Said Certain Real Estate by Sealed Bid Process
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- G. Second Reading of an Ordinance Amending Nuisance Regulations Contained Within City Code Title 9, Chapter 3
Councilmember Angie Lewis, Seconded by Councilmember Peggy Gordon,

moved to Approve the second reading of the Ordinance.

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

- H. Second Reading of an Ordinance Amending Title 10, Chapter 20, Section 4 of City Code - Home Occupations
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis, moved to approve the second reading of the ordinance.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- I. Resolution Authorizing Special Assessments for Unpaid Abatement Service Fees and Rental Housing Fees to Private Properties
Councilmember John Jindrich, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- J. Resolution Setting a Public Hearing to Approve Plans, Specifications, Cost Estimation and Form of Contract for the UV Replacement Project at the Water and Resource Recovery Facility.
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- K. Request to Issue a Purchase Order to Taylor Ridge Paving & Construction, LLC for Asphalt Milling and Paving on 67th Ave West in the Amount of \$44,500.00
Councilmember Nadine Brockert, seconded by Councilmember Angie Lewis moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- L. Request for Authorization to Reissue a Purchase Order to Hoglund Bus Company for the New Low Floor Bus due to an increase in price of \$3,672.00, totaling \$198,278.00 and deleting original Purchase Order.
Councilmember Peggy Gordon, seconded by Councilmember John Jindrich moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- M. Request to Approve Entering into an Agreement with the Iowa DOT, for Acceptance of the Public Transit Infrastructure Grant (PTIG) in the Amount of \$400,000.00
Councilmember Angie Lewis, seconded by Councilmember Jeff Osborne moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- N. Request to Approve the Issuance of a Purchase Order to Trojan Technologies in the Amount of \$415,330.00 for the Purchase of a Replacement UV System for the Water and Resource Recovery Facility
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.

- O. Request to Approve Change Order Number 3 for Fulliam Avenue Reconstruction Phase 1 to Heuer Construction in the Amount of \$17,098.
Councilmember DeWayne Hopkins, seconded by Councilmember Nadine Brockert moved to Approve the Request.
Councilmembers had questions regarding if there would be any more change orders for this project that were addressed by Kevin Coon. Mr. Coon stated this should be the last one as they finish up the project.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- P. Request to Approve a Professional Services Agreement with Impact 7G for \$7,370 to Complete Asbestos Testing Related to Implementation of the Downtown Revitalization Project
Councilmember Peggy Gordon, seconded by Councilmember Nadine Brockert moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.

18. MAYOR AND COUNCIL REPORTS

Councilmember Lewis asked citizens to be aware of school children as school starts back up this week.

Councilmember Brockert gave a shutout to the Muscatine EMT's for helping her neighbor

Councilmember JIndrich shared information regarding the ribbon cutting at TanTara Company

Councilmember Osborn shared a few of the upcoming events for the City of Muscatine.

19. ADJOURNMENT

Councilmember None moved the meeting be adjourned at 06:30 PM.