



City of Muscatine

CITY COUNCIL MINUTES

Thursday, September 14, 2023

1. **CALL TO ORDER**

Mayor Bark called the City Council meeting for September 14, 2023 to order at 06:00 PM.

2. **INVOCATION**

Captain Jeff Jirak, Muscatine Police Department was present to give the invocation.

3. **ROLL CALL**

Councilmembers Present: Nadine Brockert, John Jindrich (Virtual), Jeff Osborne, Peggy Gordon, Angie Lewis, Dennis Froelich, DeWayne Hopkins. 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 - Public Power Week 2023

Mayor Bark read a proclamation for Public Power week that was accepted by Ryan Streck, MPW.

B. Proclamation for National Day of Truth and Reconciliation

Mayor Bark read a proclamation for National Day of Truth and Reconciliation Day.

C. Proclamation of Indigenous People

Mayor Bark read a proclamation for Indigenous People that was accepted by Danni Zumwalt.

D. Proclamation for Latino and Hispanic Heritage Month

Mayor Bark read a proclamation for Latino and Hispanic Heritage Month that was accepted by Nick Salazar.

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

City Administrator Webb removed item 17 E from the agenda and moved item to the next regular scheduled meeting.

Councilmember Gordon, seconded by Councilmember Osborne moved to approve the agenda as amended.

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

7. COMMUNICATIONS - CITIZENS

8. COUNCILMEMBER FOLLOW UP TO CITIZEN COMMUNICATION

9. CONSENT AGENDA * (ITEMS 10-14)

Councilmember Peggy Gordon, seconded by Councilmember Jeff Osborne, 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 Council Meeting Minutes - September 7, 2023

11. * PETITIONS AND COMMUNICATIONS

A. Request on second reading on a new Class "C" Retail Alcohol License for Tacos Jaliscience JEGL, 1608 Grandview Avenue - Tacos Jaliscience JEGL, LLC (pending inspections and insurance)

12. * COMMUNICATION – RECEIVE AND FILE

A. County Board of Supervisors Meeting Minutes - 8-21-2023

B. County Board of Supervisors Meeting Minutes - 8-28-23

13. * PURCHASE ORDERS

14. * APPROVAL OF BILLS

15. PUBLIC HEARING

A. Public Hearing on the Plans, Specifications, Cost Estimation and Form of Contract for the Downtown Revitalization Project.

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 - 7, Nays - None, Motion Passed.

16. BOARDS AND COMMISSIONS

17. FROM THE CITY ADMINISTRATOR

- A. Resolution Approving the Plans, Specifications, Form of Contract, and Cost Estimate and Setting the Bid Opening for the Downtown Revitalization Project - Public Hearing A
Councilmember Jeff Osborne, seconded by Councilmember Nadine Brockert moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- B. Third and Final Reading of an Ordinance Amending Title 3, Chapter 2 of City Code - Use of City Right of Way
Councilmember Dennis Froelich, seconded by Councilmember Peggy Gordon, moved to adopt this ordinance on third and final reading and to direct for its publication as required by law.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- C. Third and Final Reading of an Ordinance Amending Title 11, Chapter 4 of City Code - Inspections
Councilmember Nadine Brockert, Seconded by Councilmember Angie Lewis, moved to Adopt the Ordinance on third and final reading and to direct for its publication as required by law.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- D. Third and Final Reading of an Ordinance Amending the Airport District Zoning Ordinance Contained within Title 10, Chapter 19 of the City Code
Councilmember Angie Lewis, Seconded by Councilmember Peggy Gordon, moved to Adopt the Ordinance on third and final reading and to direct for its publication as required by law.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- E. Resolution Approving the Contract and Bond for the Vehicle Wash Bay Project for Bill Bruce Builders, Inc. of Eldridge, Iowa in the Amount of \$1,295,000
Pulled from agenda and will be considered at the October 5th meeting.
- F. Resolution to Amend City Code Appendix B - Sidewalk and Excavation Fees
Councilmember Peggy Gordon, seconded by Councilmember Dennis Froelich moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- G. Resolution Approving the Preliminary/Final Plat of PMP 1st Addition
Councilmember Angie Lewis, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.

- H. Resolution Accepting Completed Work for the 67th Street Sidewalk Project and Authorizing Release of Payment
Councilmember DeWayne Hopkins, seconded by Councilmember Nadine Brockert moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- I. Resolution Approving Second Amended Development Agreement with R.L. Fridley Theatres, Inc. and Fridley Properties, LLC
Councilmember Peggy Gordon, seconded by Councilmember Dennis Froelich moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- J. Request to Issue Change Order Number 3 to the West Hill Sewer Separation Phase 5 Contract
Councilmember Peggy Gordon, seconded by Councilmember DeWayne Hopkins moved to Approve the Request.
John Hagarty - 2015 Mulberry, was present to speak in opposition to this change order stating this will cost the city more money.
John Schafer - 2709 Bidwell, was present to state by accepting this change order council would be costing the city extra money.
Councilmember Osborne stated the council is just trying to do what the citizens have asked by doing something different than what is currently being done,
Vote: Ayes - 7, Nays - 0, Motion Passed.
- K. Request Approval of Updated Title VI Policy, Assurances, and Non-Discrimination Agreement
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 Purchase Agreement between the City of Muscatine and Muscatine County (Buyers) and J&S Deahr Farms, LLC (Seller) in the amount of \$420,000 for the Purchase of Real Estate described in Exhibit A (Parcel ID 0334300007) for the use of a Law Enforcement Shooting Range & Training Facility.
Councilmember Angie Lewis, seconded by Councilmember Peggy Gordon moved to Approve the Request.
The following residents were present to voice their opposition to this project and ask the council/staff questions regarding the funding of the project, safety plan of the facility, eligibility requirements for the facility, distance of homes from the facility. Tim Maxwell - 1444 N. Isett, Devin Maxwell - 2681 150th St, Shannon Lewis - 112 VanHorne St, Kim Schneider - 1678 N. Isett, John & Laura Kramer - 1670 N. Mulberry, Aaron Steffens - 2528 150th St, and David Cooper - 2319 Saulsbury Rd.
Councilmember Osborne and City Administrator Webb addressed several of the concerns of the residents and stated this was just the first steps of the process

and there will be many more meetings and public input prior to the finalization of the project.

Vote: Ayes - 6, Nays - 1(Hopkins), Motion Passed.

18. MAYOR AND COUNCIL REPORTS

19. ADJOURNMENT

Councilmember Froelich moved the meeting be adjourned at 07:05 PM.