



City of Muscatine

CITY COUNCIL MINUTES

Thursday, October 5, 2023

1. **CALL TO ORDER**

Mayor Bark called the City Council meeting for October 5, 2023 to order at 06:00 PM.

2. **INVOCATION - Fr. Chris Weber, Saints Mary & Mathias**

3. **ROLL CALL**

Councilmembers Present: Nadine Brockert, John Jindrich, Jeff Osborne, Peggy Gordon, Angie Lewis, Dennis Froelich, DeWayne Hopkins. Councilmembers Absent: . 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. Setting of Date and Time for Trick or Treating in Muscatine for October 31, 2023
6:00 pm - 8:00 pm
- B. Proclamation for Fire Prevention Week
Chief Ewers was present to receive the proclamation.
- C. Recognition of United Nations Day
- D. RAGBRAI Recognition - Greg Harper
Greg Harper was present to receive the recognition.

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

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

7. **COMMUNICATIONS - CITIZENS**

Leonardo Cruz was present to ask questions of Council but due to a language barrier it was decided a meeting with the City Administrator would be scheduled when an interpreter could be present to translate.

- A. Dangerous Animal Appeal Decision Regarding the keeping of certain types of snakes
Councilmember Nadine Brockert, seconded by Councilmember DeWayne Hopkins moved to Approve the Motion to grant the appeal.
Councilmember JIndrich had questions regarding the breeding of various types of snakes, quarantine of new snakes being brought into the facility, length of the snakes that were addressed by Mr. Phillips, 2829 Highland Court.
Vote: Ayes - 7, Nays - 0, Motion Passed.

8. COUNCILMEMBER FOLLOW UP TO CITIZEN COMMUNICATION

9. CONSENT AGENDA * (ITEMS 10-14)

Councilmember Peggy Gordon, 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. September 14, 2023 Regular Meeting Minutes
- B. September 14, 2023 In-Depth Meeting Minutes
- C. September 21, 2023 Special Meeting Minutes

11. * PETITIONS AND COMMUNICATIONS

- A. Request to Install Stop Sign at Northeast Corner of University Drive and E. 24th Street
- B. Request for renewal of a Class “E” Retail Alcohol License for Pearl City Tobacco & Liquor Depot, 200 Green Street – Shaurya, LLC (pending inspections)
- C. Request on first and second reading on a new Class “E” Retail Alcohol License for Muscatine Fast Break, 2603 – 2nd Avenue – Reif Oil Company (pending inspections)
- D. Request for renewal of a Class “C” Retail Alcohol License for Veterans of Foreign Wars, 1415 Grandview Avenue – Veterans of Foreign Wars Club Inc. (pending inspections and insurance)
- E. Request for renewal of a Class “E” Retail Alcohol License for Express Mart, 4804 U.S. 61 – RP Brothers, LLC (pending inspections and insurance)

12. * COMMUNICATION – RECEIVE AND FILE

- A. Muscatine County Board of Supervisors Meeting Minutes - September 11, 2023
- B. Muscatine County Board of Supervisors Meeting Minutes - September 18, 2023
- C. Muscatine County Board of Supervisors Meeting Minutes - September 25, 2023

13. * PURCHASE ORDERS

- A. Request to Approve the Issuance of a Purchase Order to Future Line Equipment for \$14,832.41 for a New Dump Truck Bed for the Parks and Recreation Department
- B. Request to Approve a Purchase Order to Team Services, Inc. in the amount of \$10,690 for Geotechnical Engineered Services for the Muscatine Indoor Sports Complex Project

14. * APPROVAL OF BILLS

- A. Bills for Approval - October 5, 2023

15. PUBLIC HEARING

16. BOARDS AND COMMISSIONS

17. FROM THE CITY ADMINISTRATOR

- A. First Reading of Ordinance Amending Title 6, Chapter 8 of the Code of the City of Muscatine, Regarding Animal Regulations
Councilmember Peggy Gordon, Seconded by Councilmember Angie Lewis, moved to Approve the first reading of ordinance.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- B. Resolution Approving the Contract and Bond for the Vehicle Wash Bay Project for Bill Bruce Builders, Inc. of Eldridge, Iowa in the Amount of \$1,295,000.00.
Councilmember Nadine Brockert, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- C. Resolution Setting a Public Hearing on October 19, 2023, Regarding the Declaration of Certain Real Estate Owned by the City as Surplus, and Authorizing the Sale of Said Property Through a Closed Bid Process.
Councilmember Dennis Froelich, seconded by Councilmember Nadine Brockert moved to Adopt the Resolution.
Councilmember Jindrich stated he would like the City to put traditional for sale signs on properties the City is selling to make the citizens more aware of the property being sold.
City Administrator Webb stated she had discussed this with staff and they were working on the wording for the signs.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- D. Resolution Setting a Public Hearing on October 19, 2023, for an Ordinance Creating a Construction Appeal & Advisory Board.

Councilmember Angie Lewis, seconded by Councilmember Jeff Osborne moved to Adopt the Resolution.

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

- E. Resolution Authorizing Special Assessments for Unpaid Abatement Service Fees and Rental Housing Fees to Private Properties
Councilmember Dennis Froelich, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- F. Resolution Awarding Contract to Heuer Construction in the Amount of \$12,500 for the Demolition of a Structure Located at 419 W 6th Street

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

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

- G. Resolution Awarding a Contract to Heuer Construction in the amount of \$8,500 for the Demolition of a Structure Located at 813 Marquette Street
Councilmember Dennis Froelich, seconded by Councilmember John Jindrich moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- H. A Resolution Authorizing the Execution of a Special Warranty Deed to Said Described Real Estate Located at 891 W 8th St
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- I. Resolution Awarding the Contract to General Contractors for the Replacement UV Disinfection System Project in the Amount of \$545,000.00.
Councilmember Nadine Brockert, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- J. Request to Enter into Contract with Veenstra & Kimm Inc. in the amount of \$238,800 for Design and General Services During Construction for Park Avenue West Bridge Replacement
Councilmember John Jindrich, seconded by Councilmember Nadine Brockert moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- K. Request to Approve the Declaration of Two Backhoes as Surplus and to be Traded in with the Purchase of a New Backhoe
Councilmember DeWayne Hopkins, seconded by Councilmember Nadine Brockert moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.

- L. Request to Issue a Purchase Order to Flood Defense Group in the Amount of \$59,392.78 for Muscle Wall Flood Control Barrier
Councilmember Dennis Froelich, seconded by Councilmember Peggy Gordon moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- M. Request to Issue Purchase Order to Brauns Excavating LLC in the amount of \$50,000 for Snow Removal and Snow Hauling 2023/2024
Councilmember DeWayne Hopkins, seconded by Councilmember Angie Lewis moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- N. Request to Approve the Issuance of a Purchase Order to Martin Equipment, in the amount of \$241,938.00 for the purchase of a John Deere 650P Dozer
Councilmember Nadine Brockert, seconded by Councilmember Angie Lewis moved to Approve the Request.
Councilmember Jindrich had questions regarding training for drivers of the dozer that were addressed by Public Works Director Brian Stineman.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- O. Request to Approve Proposal in the Amount of \$32,750.00 from SCS Engineers for Tier 2 Testing of Gas Emission Rates at the Muscatine County Sanitary landfill
Councilmember John Jindrich, seconded by Councilmember Angie Lewis moved to Approve the Request.
Councilmember Froelich had questions regarding how this relates to the future of selling methane gas that were addressed by Solid Waste Manager David Popp.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- P. Request to Accept an Iowa Department of Transportation Grant in the Amount of \$400,000 for a New Jet A Fuel System at the Muscatine Municipal Airport.
Councilmember Dennis Froelich, seconded by Councilmember DeWayne Hopkins moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- Q. Request to Approve the Issuance of a Purchase Order to Sinclair Tractor for \$65,136.80 for 2 Utility Vehicles
Councilmember Peggy Gordon, seconded by Councilmember John Jindrich moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- R. Request to Issue Change Order Number 4 to West Hill Sewer Separation Phase 5 in the Amount of \$2,320.00.
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- S. Request to Issue Change Order Number 1 to the West Hill Separation Phase 6 in the Amount of \$119,773.84.

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

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

- T. Request to Approve Entering into a Professional Services Agreement with I & S Group, Inc. dba ISG in the Amount of \$37,500 for the Muscatine Indoor Sports Complex Project Accessory Building.

Councilmember Angie Lewis, seconded by Councilmember John Jindrich moved to Approve the Request.

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

- U. Request to Approve the Issuance of a Purchase Order to Ed Morse Muscatine to Purchase a 2024 Chevy Equinox for \$27,900 for the Community Development Building Division.

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

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

18. MAYOR AND COUNCIL REPORTS

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 at 6:45 pm.

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

Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to exit closed session at 7:10 pm.

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

20. ADJOURNMENT

Councilmember Dennis Froelich moved the meeting be adjourned at 07:10 PM.