



City of Muscatine

CITY COUNCIL MINUTES

Thursday, February 15, 2024

1. **CALL TO ORDER**

Mayor Bark called the City Council meeting for February 15, 2024 to order at 06:00 PM.

2. **INVOCATION - Mayor Brad Bark**

3. **ROLL CALL**

Councilmembers Present: Nadine Brockert, John Jindrich, Jeff Osborne, Peggy Gordon, Angie Lewis, Matt Conard. Councilmembers Absent: Don Lampe. Mayor Dr. Brad Bark, City Administrator Carol Webb and Administrative Secretary Cinda Hilger were also present.

4. **PLEDGE OF ALLEGIANCE**

5. **FROM THE MAYOR**

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

Councilmember Gordon requested pulling items J and K to a future meeting pending more review.

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

Vote: Ayes - 6, Nays - 0, Motion passed.

7. **COMMUNICATIONS - CITIZENS**

David Davis 1501 Devitt Avenue was present to share concerns regarding the Devitt Sidewalk project. Mr. Davis states that if the sidewalks are placed where the markers are, it would take away his driveway. Mr. Davis asked what information he would need on a petition.

Michael Zaehring, 1214 E. 4th Street was present to share his concerns with the City selling properties adjacent to his property. Mr. Zaehring stated he is worried about drainage issues and loss of green space in his neighborhood.

Ralph Burr, 3015 Allen Street was present to share his concerns regarding the lift station at Houser and Dawson street and the sewers backing up when it rains.

Max Kauffman, 1609 Foster Street, was present to share his concerns with City owned property being sold and subdivided. Mr. Kauffman stated the properties are slated for a 3-D home and an RB&B. The neighbors in this area do not want these projects in their neighborhood. Mr. Kauffman also stated his concerns for their not being a Zoning Board of Adjustments meeting for the last two months.

Brandy Lundstrom, 1210 4th Street, was present to share her concerns with the lots being sold on Brooke Street. Ms. Lundstrom stated these lots are green space in their neighborhood that is used by the families in the area. Ms. Lundstrom stated that the neighborhood kids use this lot to play soccer, football etc.

Kim Zaehring 1214 E. 4th Street was present to share that she would like to see the lots on Brooke Street remain green space for the kids to play at.

Tina Sloan, 1212 4th Street, was present to state she would like to keep the lots on Brook street as green space and not developing them.

Brian Neipert, Streets of Muscatine, was present to share his concerns with the Housing Authority.

8. COUNCILMEMBER FOLLOW UP TO CITIZEN COMMUNICATION

Councilmember Conard replied to citizen comments regarding Devitt Street sidewalk project by stating that currently the area is just being surveyed for the sidewalk placement. No definite locations have been decided at this time.

Councilmember Brockert stated a couple of councilmembers will be in the area on Tuesday at 2 pm to look at the area.

Councilmember Jindrich stated he would like the citizens to please email him regarding the lots between 2nd and 4th Streets.

Councilmember Osborne requested citizens to meet with him after the meeting to dicuss the sale of City lots.

Councilmember Gordon addressed the lack of ZBA meetings for the past several months.

Andrew Fangman, Assistant Community Development Department Director, stated they had not had an agenda item to discuss due to waiting on information submitted regarding a variance.

City Planner, April Limburg was available virtually in order to explain in more detail the

variance being requested prior to the sale of the Brook Street Property.

9. CONSENT AGENDA * (ITEMS 10-14)

Councilmember Angie Lewis, seconded by Councilmember Nadine Brockert moved to Approve the Consent Agenda.

Vote: Ayes - 6, Nays - 0, Motion passed.

10. * REVIEW AND POTENTIAL VOTE TO APPROVE MINUTES

- A. February 1, 2024, Regular City Council Meeting Minutes
- B. February 1, 2024, City Council Budget Session Minutes
- C. February 3, 2024 City Council Budget Session Minutes
- D. February 6, 2024 City Council Budget Meeting
- E. February 7, 2024 City Council Budget Session Minutes
- F. February 8, 2024, City Council Budget Session Minutes
- G. February 10, 2024, City Council Budget Session Minutes

11. * PETITIONS AND COMMUNICATIONS

- A. Request for renewal of a Class “B” Retail Alcohol License for Dollar General #21855, 901 Cypress Street – Dolgencorp, LLC (pending inspections)
- B. Request for renewal of a Class “E” Retail Alcohol License for Hy-Vee Food Store, 2400 – 2 nd Avenue – Hy-Vee, Inc. (pending inspections)
- C. Request for Use of City Property from Meagan Koehler with It Takes A Village for a Pet and Family Outdoor event at the Riverfront to be held August 9, 2024 through August 11, 2024.

12. * COMMUNICATION – RECEIVE AND FILE

- A. Muscatine County Board of Supervisors Meeting Minutes - January 29, 2024

13. * PURCHASE ORDERS

14. * APPROVAL OF BILLS

- A. February 15, 2024 Bills for Approval

15. PUBLIC HEARING

- A. Public Hearing on the Plans, Specifications, Form of Contract, and Cost Estimate for upgrades to the Clark House Elevators

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 - 6, Nays - 0, Motion passed.

- B. Public Hearing on the Plans, Specification, Form of Contract, Cost Estimate and Setting the Bid Opening Date for the Grandview Sidewalk Extension Project
There were no written or oral comments regarding this public hearing.
Councilmember Nadine Brockert, seconded by Councilmember Matt Conard, moved for the public hearing to be closed. Vote: Ayes - 6, Nays - 0, Motion Passed.

16. BOARDS AND COMMISSIONS

17. FROM THE CITY ADMINISTRATOR

- A. Second Reading of an Ordinance Amending Title 7, Chapter 2, Section 6 of the City Code Regarding Use of UTVs (Utility Vehicles) on City Streets
Councilmember Peggy Gordon, Seconded by Councilmember John Jindrich, moved to approve the second reading of this ordinance.
Vote: Ayes - 6, Nays - 0, Motion Passed.

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- B. Resolution Approving the Plans, Specifications, Form of Contract, and Cost Estimate and Setting the Bid Opening for Upgrades to the Clark House Elevators
Councilmember Peggy Gordon, seconded by Councilmember Nadine Brockert moved to Adopt the Resolution.
Vote: Ayes - 6, Nays - 0, Motion Passed.
- C. Resolution Approving Plans, Specifications, Form of Contract and Cost Estimate, and Setting Bid Date for Grandview Avenue Sidewalk Extension Project
Councilmember Nadine Brockert, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.
Vote: Ayes - 6, Nays - 0, Motion passed .
- D. Resolution Setting a Public Hearing on March 7, 2024, for the Review of the Plans, Specifications, Form of Contract and Cost Estimate, and Setting a bid Date, for the Airport Lighting Project
Councilmember Angie Lewis, seconded by Councilmember Matt Conard moved to Adopt the Resolution.
Vote: Ayes - 6, Nays - 0, Motion Passed.
- E. Resolution Setting a Public Hearing for March 7, 2024, on the Plans, Specifications, Form of Contract and Cost Estimate and Setting a Bid Date for the

West Hill Sewer Separation Phase 6C Project

Councilmember Peggy Gordon, seconded by Councilmember Jeff Osborne moved to Adopt the Resolution.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- F. Resolution Setting a Public Hearing on March 7, 2024 for an Ordinance Amending Title 2, Chapter 13, Section 3, Subsection C of City Code – Construction Appeal & Advisory Board - Appointment

Councilmember Nadine Brockert, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- G. Resolution Setting the Date for Public Hearings and Additional Action on Proposal to Enter into General Obligation Loan Agreements and to Borrow Money Thereunder

Councilmember John Jindrich, seconded by Councilmember Matt Conard moved to Adopt the Resolution.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- H. Resolution Authorizing Special Assessments for Unpaid Abatement Service Fees and Rental Housing Fees to Private Properties

Councilmember John Jindrich, seconded by Councilmember Matt Conard moved to Adopt the Resolution.

Vote: Ayes - 6, Nays - 0, Motion Passed.

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

Vote: Ayes - 6, Nays - 0, Motion Passed.

- J. Resolution Establishing Council Liaisons to City Boards and Commissions and Defining Liaison Roles and Responsibilities

Pulled from Agenda for a future meeting

- K. Resolution Appointing Council Liaisons to City Boards and Commissions

Pulled from agenda for a future meeting

- L. Resolution Repealing and Replacing Resolution 2022-0103, Creating the Leadership Planning Committee as a Subcommittee of City Council and adding an ad-hoc Councilmember to the Committee

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

Vote: Ayes - 6, Nays - 0, Motion Passed.

- M. Resolution Approving the Amended Seasonal Pay Plan Effective March 1, 2024.

Councilmember Angie Lewis, seconded by Councilmember Peggy Gordon

moved to Adopt the Resolution.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- N. Request to approve entering into agreement with the Iowa DOT, accepting the Transit Joint Participation Agreement to implement a Federal Transit Administration (FTA) Operating Assistance Project in the amount of \$536,151.00 for 2024

Councilmember Angie Lewis, seconded by Councilmember Nadine Brockert moved to Approve the Request.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- O. Request for Approval of the 2023 Certified Local Government Annual Report for Submission to the Iowa Department of Cultural Affairs

Councilmember Angie Lewis, seconded by Councilmember Nadine Brockert moved to Approve the Request.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- P. Request To Approve Change Order #1, in the Amount of \$8,570.66, For The Replacement UV (Ultraviolet) Disinfection System Project to Replace a Support Beam and Relocate a Drain Pipe

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

Vote: Ayes - 6, Nays - 0, Motion Passed.

- Q. Request to Approve the Interagency Agreement with Department of Inspections, Appeals, and Licensing for services to investigate potential cases of fraud by clients in the Public Housing and/or Section 8 Housing Choice Voucher programs

Councilmember John Jindrich, seconded by Councilmember Nadine Brockert moved to Approve the Request.

Vote: Ayes - 6, Nays - 0, Motion Passed.

- R. Request to Enter into a Professional Services Agreement with Waters Edge Aquatic Design for Design Services for the Riverfront Fountain Renovation Project in the Amount of \$12,000.00.

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

Vote: Ayes - 6, Nays - 0, Motion Passed.

- S. Request to Approve First Amendment of the Agreement with Sensys Gatso USA, Inc for an automated red light photo enforcement program.

Councilmember Nadine Brockert, seconded by Councilmember Angie Lewis moved to Approve the Request.

Vote: Ayes - 6, Nays - 0, Motion Passed.

18. MAYOR AND COUNCIL REPORTS

19. ADJOURNMENT

Councilmember Gordon moved the meeting be adjourned at 6:40 PM.

20. OTHER BUSINESS

- A. Exempt Session Pursuant to Iowa code 20.17(3) and Iowa Code 21.9 to Discuss Collective Bargaining Strategy and Employment Conditions.