



City of Muscatine

CITY COUNCIL MINUTES

Thursday, March 21, 2024

1. **CALL TO ORDER**

Mayor Bark called the City Council meeting for March 21, 2024 to order at 06:00 PM.

2. **INVOCATION**

Captain Jeff Jirak was present to give the invocation

3. **ROLL CALL**

Councilmembers Present: Nadine Brockert, John Jindrich, Jeff Osborne, Peggy Gordon, Angie Lewis, Don Lampe, Matt Conard.

4. **PLEDGE OF ALLEGIANCE**

5. **FROM THE MAYOR**

- A. Swearing in of Firefighters: Griffin Wilder, Dustin Bartels and Samuel Martin
- B. Police Officers Life Saving Award presentations to Officer Kassy Middagh, Officer Matthew Wilkinson and Corporal Mitchell Griffin
- C. Recognition of School Nurse of the Year for the State of Iowa - Wendy Donald

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**

Sandy Grady, Houser Street, was present to share concerns regarding lack of updates on Welch apartments for residents.

Max Kaufman, 1609 Foster Street, was present to share concerns with items the city is purchasing and the use of General Obligation Loans.

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

Andrew Fangman, Assistant Community Development Director, stated the footings

were poured at Welch Apartments this week and within 5-7 days will be inspected for concrete strength. If the building passes inspection, the building will be considered safe and 3rd Street will be reopened.

Councilmembers Gordon and Brockert stated we need to push the building owners to move forward with plans on what they are doing with the building and let the residents know when they can get it and get their belongings back.

City Administrator Webb stated she would personally contact the company to get answers for the residents.

9. CONSENT AGENDA * (ITEMS 10-14)

Councilmember Peggy Gordon, seconded by Councilmember Nadine Brockert, 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. March 7, 2024 City Council Regular Meeting Minutes
- B. March 14, 2024 City Council In-Depth Meeting Minutes
- C. March 13, 2024 Special City Council Meeting Minutes

11. * PETITIONS AND COMMUNICATIONS

- A. Request for renewal of a Class "C" Retail Alcohol License for Boonie's on the Avenue, 214 Iowa Avenue – Boonie's on the Avenue, LLC (pending inspections)
- B. Request for renewal of a Class "E" Retail Alcohol License for Grandview Mart, 714 Grandview Avenue – Malka 13, Inc. (pending inspections)
- C. Request for renewal of a Class "C" Retail Alcohol License for Pete's Tap, 1820 Angle Street – Oscar's LLC (pending inspections and insurance)
- D. Request for renewal of a Special Class "C" Retail Alcohol License for Happy Joe's Pizza and Ice Cream Parlor, 203 Lake Park Blvd. – Max Brewer Corp. (pending inspections and insurance)
- E. Request for Use of City Property from Community Foundation of Greater Muscatine event for a neighborhood block party to kick off the Mulberry Project to be held Sunday, April 21, 2024
- F. Request for Use of City Property from Muscatine Area Farmers Market Inc. event to be held May 1, 2024 through October 31, 2024

12. * COMMUNICATION – RECEIVE AND FILE

- A. March 11, 2024 County Board of Supervisors Meeting Minutes
- B. February 12, 2024 Muscatine County Board of Supervisors Meeting Minutes

13. * PURCHASE ORDERS

- A. Request to Approve the Issuance of a Purchase Order to Dell Technologies of Austin Texas, in the amount of \$14,659.16, for IT products and services.

14. * APPROVAL OF BILLS

- A. March 21, 2024 Bills for Approval

15. PUBLIC HEARING

- A. Public Hearing Regarding a Building Encroachment Easement (John Duncan Park/American Legion)

There were no written or oral comments regarding this public hearing.

Councilmember Angie Lewis, seconded by Councilmember Nadine Brockert, 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. Second Reading of an Ordinance Amending Title 3, Chapter 1, Section 2, Subsection D of City Code – Sidewalk Installation and Repair; Right-of-Way Maintenance, Duty of Owner to Repair and Maintain

Councilmember Angie Lewis, Seconded by Councilmember Peggy Gordon, moved to Approve the Second reading of this ordinance. Councilmember Lampe clarified this was just cleaning up verbiage and not making any changes to the city code and does not impact anything related to the Devitt sidewalk project.

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

- B. Resolution to Approve Contract and Bond for the Grandview Avenue Sidewalk Extension Project

Councilmember Nadine Brockert, seconded by Councilmember John Jindrich moved to Adopt the Resolution.

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

- C. Resolution Setting a Public Hearing on the Muscatine Municipal Housing Agency's FY2025 Annual Plan, Section 8 Administrative Plan and Public Housing Admissions and Occupancy Policy for May 2, at 6:00 pm

Councilmember Angie Lewis, seconded by Councilmember Matt Conard moved to Adopt the Resolution.

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

- D. Resolution Awarding a Contract to Valley Construction in the amount of \$897,000 for the Clark House Elevator Modernization Project
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis, moved to Adopt the Resolution.
Councilmember Conard had questions regarding the number of bids. Community Development Director Jodi Royal-Goodwin stated that there were 3 bids however only 2 of them were considered responsive.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- E. Resolution Setting a Public Hearing for the 2025 Consolidated Funding Application and FY24 Low-No program 5339c Grant Application for Electric Bus Funding at 6:00 PM on April 18, 2024 in the City Hall Council Chambers.
Councilmember Jeff Osborne, seconded by Councilmember John Jindrich moved to Adopt the Resolution.
Dave David, 1501 Devitt Avenue, had questions regarding electric buses taking kids to school that were addressed by City Council stating these are City buses not school buses.
Councilmember Lampe had questions regarding using electric buses in cold weather, housing the buses, possibility of fire due to the size of the batteries required.
City Administrator Webb explained this is jsut setting a hearing regarding allowing the City to submit an application for the grant. More research can be done regarding these questions and the city can choose to not submit the grant or can not accept the grant if that is the consent of the City Council.
Councilmember Osborne stated this is grant money being used to fund 2 buses at the cost that the City would normally spend on 1 bus. The funding also includes housing for the buses, charging stations, and training. This is preliminary and open for discussion.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- F. Resolution Approving an Encroachment Easement (John Duncan Park/American Legion)
Councilmember Matt Conard, seconded by Councilmember John Jindrich moved to Adopt the Resolution. Larry Dricall representing the American Legion was present to thank Council and City Administrator in preparing this resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- G. Resolution Authorizing Special Assessments for Unpaid Abatement Service Fees and Rental Housing Fees to Private Properties
Councilmember John Jindrich, seconded by Councilmember Jeff Osborne moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- H. Resolution Supporting an Application to the Iowa Economic Development Authority by GIP LLC for Workforce Housing Tax Credits for the Palms Drive Development

Councilmember Peggy Gordon, seconded by Councilmember Don Lampe moved to Adopt the Resolution.

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

- I. Request to Approve the Bargaining Agreement Between the City of Muscatine and Chauffeurs, Teamsters, and Helpers Local 238 Covering the Blue/White Bargaining Unit

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

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

- J. Request to approve the bargaining agreement between the City of Muscatine and Chauffeurs, Teamsters, and Helpers Local 238 covering the Police Bargaining Unit

Councilmember Angie Lewis, seconded by Councilmember Matt Conard moved to Approve the Request.

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

- K. Request To Approve the Issuance of a Purchase Order in the Amount of \$234,900.00 to Elliott Equipment of Davenport for the Purchase of a 2024 Rear Load Refuse Truck.

Councilmember Peggy Gordon, seconded by Councilmember Don Lampe moved to Approve the Request.

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

- L. Request for Council Approval For Setting 2024 Dates for Free Tire Drop Off week for July 8th through the 13th and electronics drop off week for July 15th through the 20th at the Transfer Station

Councilmember Matt Conard, seconded by Councilmember Angie Lewis moved to Approve the Request.

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

- M. Request to Approve the Issuance of a Purchase Order to Salsbury Industries in the amount of \$25,871.83 for the purchase of Lockers for the Police Department Locker Room Renovation Project.

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

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

- N. Request to Enter Into an Engineering Services Agreement with Bolton & Menk, Inc for the Design Of Fulliam Avenue Phase 2 and Phase 3 for an Amount Not to Exceed \$192,500.00

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

Councilmember Lampe had questions regarding if there were other bidders for this project.

City Engineer, Kevin Coon, explained that for small projects the city does not use bids.

Depending on the size and the funding source of the project RFP's are sometimes issued to see what options different firms can bring to the project. Councilmember Lampe suggested a policy be written governing when an RFP needs to be issued.

City Administrator Webb agreed that this could be done.

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

18. MAYOR AND COUNCIL REPORTS

A. Request from Councilmember Lampe to discuss next steps on the Devitt Avenue Sidewalk Project

Councilmember Lampe stated he would like to see the City move forward with discussion regarding this project. He suggested setting a meeting with engineers, fire and police departments to discuss a project plan, have a second meeting with the school board regarding school traffic in the area and get their suggestions then discuss all of the options with residents before coming back to City Council with a proposal.

City Administrator Webb stated she had spoken with Mr. Christopher from the school district and discussed a traffic flow study around the school.

Once dates are set they will be relayed to residents.

Councilmember Gordon suggested residents attend the pre-school board meetings to discuss with school board members their concerns regarding school traffic in the area.

Councilmember Jindrich had questions regarding the design process for the sidewalks. City Engineer Kevin Coon stated at this point there is only a preliminary design. Council suggested slowing down on this project and not moving forward with final design until all options were considered.

Councilmember Lewis had questions regarding doing the sidewalks the same time as the sewer separation work that were addressed by Mr. Coon by stating if that was done it would limit all access to Devitt Avenue.

B. Request from Councilmember Osborne to discuss the next steps regarding the Brook Street Parcels

Councilmember Osborne proposed that the City move forward by asking the adjacent residents if they would be interested in purchasing the property in order to continue using it as green space and remove the requirements that there has to be development on the property.

Councilmember Jindrich stated if it is parceled out and one citizen chooses to fence off their area that would create more issues; he suggested making the area part of the Brook Street Park. He stated of 9 properties for sale only 2 sold and no other properties had residents requesting them to be left as green space.

There was discussion among City Councilmembers regarding liability issues with the property.

Councilmember Gordon suggested discussing with the Parks and Recreation Advisory Commission what their thoughts on this parcel are before making any decisions.

Council had questions regarding an unimproved platted alley along the property that were addressed by Assistant Community Development Director Andrew Fangman. He stated the City is in the process of vacating that piece of property. City Administrator Webb suggested moving forward with discussion with the Parks and Recreation Advisory Commission for ideas and then bringing back to City Council for further discussion. Council consented.

19. ADJOURNMENT

Councilmember Gordon moved the meeting be adjourned at 7:22 P.M.