



City of Muscatine

CITY COUNCIL MINUTES

Thursday, April 18, 2024

1. **CALL TO ORDER**

Mayor Bark called the City Council meeting for April 18, 2024 to order at 06:00 PM.

2. **INVOCATION**

3. **ROLL CALL**

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

4. **PLEDGE OF ALLEGIANCE**

5. **FROM THE MAYOR**

A. Proclamation on Skip the Plastic

B. Request to Appoint Ken Gilkerson to the Construction Appeal and Advisory Board

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

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

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

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

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

7. **COMMUNICATIONS - CITIZENS**

Max Kauffman - 1609 Foster Street was present to share his concern with citizens only having three minutes to speak under citizen communication at City Council Meetings.

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

City Administrator Carol Webb explained the reason and process behind the three

minute rule.

Councilmember Jindrich stated councilmembers spend many minutes speaking individual with residents regarding their issues.

9. CONSENT AGENDA * (ITEMS 10-14)

Councilmember Peggy Gordon, seconded by Councilmember Don Lampe, 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. April 4, 2024 City Council Special Meeting Minutes
- B. April 4, 2024 City Council Regular Meeting Minutes
- C. April 11, 2024 City Council In-Depth Meeting Minutes

11. * PETITIONS AND COMMUNICATIONS

- A. Request to Approve Application for Revitalization Property Tax Abatement - 515 Aspen Trail
- B. Request on second reading for a new Class "B" Retail Alcohol License for Sal Vitale's Take & Bake, 128 East 2nd Street – Sal Vitale and Sons Pizza Factory LLC (pending inspections)
- C. Request for renewal of a Class "E" Retail Alcohol License for Wal-Mart Supercenter #559, 3003 North Highway 61 – Walmart, Inc. (pending inspections)
- D. Request for renewal of a Class "E" Retail Alcohol License for Casey's General Store #1484, 1111 Oregon Street – Casey's Marketing Company (pending inspections)
- E. Request for renewal of a Class "E" Retail Alcohol License for Casey's General Store #3509, 3509 Steamboat Way – Casey's Marketing Company (pending inspections)
- F. Request for renewal of a Class "E" Retail Alcohol License for Casey's General Store #2944, 3010 University Drive – Casey's Marketing Company (pending inspections)
- G. Request for Outdoor Service Class "C" Retail Alcohol License for The Traveling Nova, LLC, 2210 2nd Avenue – The Traveling Nova LLC (pending inspections)
- H. Request for Use of City Property from Greater Muscatine Chamber of Commerce & Industry for the 4th of July Activities to be held on Thursday, July 4, 2024
- I. Request for Use of City Property from Greater Muscatine Chamber of Commerce & Industry for the 4th of July Parade to be held on Thursday, July 4, 2024

- J. Request for Use of City Property from Megan Francis with Crossroads, Inc. for the Winter Light Display to be held from November 28, 2024 through December 31, 2024 at Weed Park.

12. * COMMUNICATION – RECEIVE AND FILE

- A. April 1, 2024, Muscatine County Board of Supervisors Minutes
- B. April 8, 2024 Muscatine County Board of Supervisors Meeting Minutes

13. * PURCHASE ORDERS AND AGREEMENTS

- A. Request to Approve the Issuance of a Purchase Order in the Amount of \$5,940 to Boxhub for the Delivery of Two Conex Containers for the Fire Department Training Facility

14. * APPROVAL OF BILLS

- A. Bills for Approval April 18, 2024

15. PUBLIC HEARING

- A. Approval of Federal and State Transit Funds (2025 Consolidated Funding Application) and the Application for the FY24 Low-No program 5339c Grant Application for Electric Bus Funding
Sue Johansen 3041 Provence Lane was present to share her support of the City's proposed purchase of electric buses. Councilmember Gordon, seconded by Councilmember Lewis, moved for the public hearing to be closed. Vote: Ayes - 7, Nays - 0, Motion Passed.
- B. Public Hearing Regarding the Plans and Specifications for Phase 2 of the Fulliam Avenue Reconstruction Project.
There were no written or oral comments regarding this public hearing. Councilmember Lampe, seconded by Councilmember Lewis, moved for the public hearing to be closed. Vote: Ayes - 7, Nays - 0, Motion Passed.
- C. Public Hearing Regarding the Plans and Specifications for the Week Park Lagoon Project
There were no written or oral comments regarding this public hearing. Councilmember Angie Lewis, seconded by Councilmember John Jindrich, moved for the public hearing to be closed. Vote: Ayes - 7, Nays - 0, Motion Passed.
- D. Public Hearing Regarding Amendment #1 to the City Budget for Fiscal Year 2023/2024
There were no written or oral comments regarding this public hearing.

Councilmember Gordon, seconded by Councilmember Jindrich, moved for the public hearing to be closed. Vote: Ayes - 7, Nays - 0, Motion Passed.

- E. Public Hearing #2 Regarding the Proposed City Budget for Fiscal Year 2024-2024
There were no written or oral comments regarding this public hearing. Councilmember Lewis, seconded by Councilmember Gordon, moved for the public hearing to be closed. Vote: Ayes - 7, Nays - 0, Motion Passed.

16. BOARDS AND COMMISSIONS

17. FROM THE CITY ADMINISTRATOR

- A. Resolution to Approve Federal and State Transit 2025 Consolidated Funding Application.(Public Hearing A)
Councilmember Gordon, seconded by Councilmember Osborne moved to Adopt the Resolution.
Vote: Ayes - 6, Nays - 0, Motion Passed.
- B. Resolution to Approve the Application for the FY24 Low-No program 5339c Grant for Electric Bus Funding and Garage.(Public Hearing A)
Councilmember Lewis, seconded by Councilmember Osborne moved to Adopt the Resolution.
Vote: Ayes - 6, Nays - 1 (Brockert), Motion Passed.
- C. Resolution Approving Plans and Specifications, Form of Contract, Cost Estimations and Establishing a Bid Opening Date for the Fulliam Avenue Reconstruction Project - Phase 2 (Public Hearing B)
Councilmember Lewis, seconded by Councilmember Gordon moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- D. Resolution Approving Plans, Specifications, Form of Contract, Cost Estimations and Establishing a Bid Opening Date for the Weed Park Lagoon Project. (Public Hearing C)
Councilmember Lewis, seconded by Councilmember Lampe moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion .
- E. Resolution Approving Amendment #1 to the City Budget for Fiscal Year 2023/2024 and Authorizing the Mayor and City Clerk to Sign the Record of Hearing and Adoption of Budget Amendment #1 in the form required by the Iowa Department of Management (Public Hearing D)
Councilmember Gordon, seconded by Councilmember Lewis moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.

- F. Resolution Adopting the City of Muscatine Budget for the Fiscal Year Ending June 30, 2025. (Public Hearing E)
Councilmember Lewis, seconded by Councilmember Gordon moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- G. Resolution to Award Contract for West Hill Sanitary Sewer Separation Project - Phase 6C in the amount of \$6,293,697.60 to Langman Construction.
Councilmember Lewis, seconded by Councilmember Jindrich moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- H. Resolution to Award the Airport Lighting Project Contract to Kimrey Electric of Urbandale, Iowa, in the Amount of \$718,473.00.
Councilmember Lampe, seconded by Councilmember Gordon moved to Adopt the Resolution.
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 Jindrich, seconded by Councilmember Lewis moved to Adopt the Resolution.
Vote: Ayes - 0, Nays - 0, Motion Passed.
- J. Resolution Aproving a Final Plat of Grandview Subdivision
Councilmember Lewis, seconded by Councilmember Gordon moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- K. Resolution Approving the Final Plat of Heuer Subdivision
Councilmember Jindrich, seconded by Councilmember Gordon moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- L. Resolution Setting the Time and Place of a Public Hearing on May 2, 2024, at 6:00 pm in the City Hall Council Chambers on Proposed Zoning Changes at 910 E. 2nd Street
Councilmember Lewis, seconded by Councilmember Gordon moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- M. Resolution Setting a Public Hearing for May 2, 2024, at 6:00 pm, in City Council Chambers on an Amendment to Section 1, Chapter 12, Title 10 of City Code Allowing for a Portion of the Ground Floor to be Used for Residential Purposes in the C-2 Zoning District, Outside the Downtown Core
Councilmember Lampe, seconded by Councilmember Osborne moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.

- N. Resolution Authorizing the Muscatine County Conservation Board to Discharge into the Publicly Owned Treatment Works from Deep Lakes Park
Councilmember Gordon, seconded by Councilmember Jindrich moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- O. Resolution Approving a Contract with S&R Landscaping, Snow Removal and Landscaping, LLC. in the amount of \$5,000.00 for mowing services at the City's lift stations for 2024.
Councilmember Gordon, seconded by Councilmember Lampe moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- P. Resolution Setting a Public Hearing on May 2 at 6:00 pm in City Council Chambers regarding repealing Title 1-10-2.E (1)(b) of the Muscatine City Code regarding Elected Official Communication with City Department Heads and Employees
Councilmember Lewis, seconded by Councilmember Gordon moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- Q. Resolution to Amend Resolution No. 93571-0916 to Add One Additional Member to the Nominating Committee in Order to Create an Odd Number of Members and Avoid Tie Votes
Councilmember Gordon, seconded by Councilmember Brockert moved to Adopt the Resolution.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- R. Request to Accept the 2024 Housing Market Analysis and Direction on Strategies
Councilmember Lewis, seconded by Councilmember Gordon moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- S. Request to Accept Nuisance Property and Abandoned Remediation Fund Loan Agreement and Promissory Note and Authorizing the Mayor to Sign Said Agreement
Councilmember Lewis, seconded by Councilmember Osborne moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- T. Request to Approve a Development Agreement with Muscatine Center for Social Action
Councilmember Gordon, seconded by Councilmember Lampe moved to Approve the Request.
Vote: Ayes - 7, Nays - 0, Motion Passed.
- U. Request Approval of the Letter of Intent from Pine Creek RNG to Enter Into a Six Month Gas Rights, Site Lease and Easement Agreement to Collect and Process

Digester Gas from the Water and Resource Recovery Facility Digesters.
Councilmember Lampe, seconded by Councilmember Gordon moved to Approve the Request.

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

- V. Request for Approval of a Five-Year Concessions Operations Agreement for Muscatine Aquatic Center with JJ Snacks/Carolina Ponce.
Councilmember Lewis, seconded by Councilmember Jindrich moved to Approve the Request.

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

- W. A Request to Approve an Agreement between the City of Muscatine and the Greater Muscatine Chamber of Commerce and Industry (GMCCI) to support the provision of Economic Development Services in the amount of \$43,000 for Fiscal Year 2024/2025

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

Vote: Ayes - , Nays - 0, Motion .

- X. A Request to Approve an Agreement between the City of Muscatine and Senior Resources in the amount of \$30,000 to support the provision of Senior Resident Services in Fiscal Year 2024/2025

Councilmember Jindrich, seconded by Councilmember Osborne moved to Approve the Request.

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

- Y. A Request to Approve an Agreement between the City of Muscatine and the Greater Muscatine Chamber of Commerce (GMCCI) to provide Tourism and Marketing Services in the amount of \$135,000 for Fiscal Year 2024/2025.

Councilmember Osborne, seconded by Councilmember Lampe moved to Approve the Request.

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

- Z. Presentation on Public Improvement Projects

City Engineer Kevin Coon gave an update on all ongoing and upcoming projects and answered questions from Council.

18. MAYOR AND COUNCIL REPORTS

19. ADJOURNMENT

Councilmember Lewis moved to adjourn the meeting at 7:32 pm.