



City of Muscatine

CITY COUNCIL MINUTES

Thursday, June 20, 2024

1. **CALL TO ORDER**

Mayor Bark called the City Council meeting for June 20, 2024 to order at 06:00 PM.

2. **INVOCATION-Lt. Hesseling**

3. **ROLL CALL**

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

4. **PLEDGE OF ALLEGIANCE**

5. **FROM THE MAYOR**

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

Councilmember Angie Lewis, seconded by Councilmember Peggy Gordon moved to approve the agenda as presented. Vote: Ayes -6, Nays - 0, Motion Passed.

7. **COMMUNICATIONS - CITIZENS**

Max Kauffman - 1609 Foster St. - Spoke regarding City properties with overgrown grass and weeds and stated again that he would like to see the 3 minute rule for public speakers to be extended.

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

Councilmember Lewis suggested to Max Kaufman to utilize the cities See, Click, Fix program to report nuisance areas within the City.

9. **CONSENT AGENDA * (ITEMS 10-14)**

Councilmember Peggy Gordon, seconded by Councilmember Matt Conard, moved to approve the Consent Agenda including Items 10-14. Ayes - 6 , Nays - 0, Motion Passed.

10. *** REVIEW AND POTENTIAL VOTE TO APPROVE MINUTES**

- A. June 6, 2024 City Council Regular Meeting Minutes
- B. June 16, 2024 In-depth City Council Meeting Minutes

11. * PETITIONS AND COMMUNICATIONS

- A. Request for Road Closure on 8th Street between Poplar and Spring Streets for Sanitary Sewer Replacement at 813 E. 8th Street
- B. Request for renewal of a Class “C” Retail Alcohol License and Catering for Osaka Sushi and Steak House, 1903 Park Avenue – Kume Sushi and Steak House LLC (pending inspections)
- C. Request for renewal of a Class “B” Retail Alcohol License for KWIK Star #1064, 3605 University Drive – KWIK Trip, Inc. (pending inspections)
- D. Request for renewal of a Class “C” Retail Alcohol License and Outdoor Service for The Pearl, 101 West Mississippi Drive – The Pearl LLC (pending inspections and insurance)
- E. Request for renewal of a Class “C” Retail Alcohol License for Creations by Oz, 110 East 2 nd Street – Melissa Osborne (pending inspections and insurance)
- F. Request for renewal of a Class “C” Retail Alcohol License for BigBear’s, 218 Walnut Street – BigBear’s LLC (pending inspections and insurance)
- G. Request for renewal of a Class “C” Retail Alcohol License, Catering and Outdoor Service for Proof Social, 208 West 2 nd Street – Wine-Nutz, LLC (pending inspections and insurance)
- H. Request for Outdoor Service Permit for Keep Muscatine Beautiful, Harbor Drive to be held on June 25, 2024 through June 29, 2024 (pending inspection and insurance)
- I. Request for Outdoor Service Permit for Keep Muscatine Beautiful, Harbor Drive to be held on July 2, 2024 through July 6, 2024 (pending inspection and insurance)
- J. Request for Outdoor Service Permit for Keep Muscatine Beautiful, Harbor Drive to be held on July 23, 2024 through July 27, 2024 (pending inspection and insurance)
- K. Request for Outdoor Service Permit for Keep Muscatine Beautiful, Harbor Drive to be held on August 20, 2024 through August 24, 2024 (pending inspection and insurance)
- L. Request for Outdoor Service Permit for Keep Muscatine Beautiful, Harbor Drive to be held

on September 24, 2024 through September 28, 2024 (pending inspection and insurance)

- M. Request for Outdoor Service Permit for Keep Muscatine Beautiful, Harbor Drive to be held
on October 10, 2024 through October 14, 2024 (pending inspection and insurance)

12. * COMMUNICATION – RECEIVE AND FILE

- A. June 3, 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 \$24,883.90 to Axon Enterprise for Fifteen (15) Axon Tasers with (18) Battery Packs and (71) Training Cartridges.
- B. Request to Approve the Issuance of a Purchase Order in the Amount of \$12,900.00, to Martin and Whitacre Surveyors & Engineers, Inc. for Construction Staking Professional Services for the Weed Park Lagoon Project.

14. * APPROVAL OF BILLS

- A. June 20, 2024 Bills For Approval

15. PUBLIC HEARING

- A. Public Hearing for the Purpose of Hearing Community Comments Regarding Revisions to Title 7, Chapter 5 of City Code - Automated Traffic Enforcement
Tyler Montez, 506 Spruce Street, was present to share his opposition of the use of Automated Traffic Enforcement. Mr. Montez stated he feels that they are unconstitutional and are used solely for the purpose of revenue.
Councilmember Peggy Gordon, seconded by Councilmember Don Lampe, moved for the public hearing to be closed. Vote: Ayes - 6, Nays - None, Motion Passed.
- B. Public Hearing for the Purpose of Hearing Community Comments Regarding the Muscatine Indoor Sports Complex.
Parks and Recreation Director Rich Klimes gave a presentation on information regarding the proposed sports dome.
Councilmembers had questions regarding the placement of the Dome, options of Volleyball Courts, various other uses possible on the hard surface area and parking issues.
Tyler Montez, 506 Spruce, shared his concerns regarding security at the proposed facility.

Jessie Garcia, 1416 Grand, shared his support for the facility and stated this would eliminate some inequity in the community.

Karen Cooney, 2902 Termini, was present to state her concerns regarding the proper marketing of the facility.

Walton Ponce, 1300 Logan, Pearl City Soccer Club, was present to share his support for the project.

Councilmember Matt Conard, seconded by Councilmember Angie Lewis, moved for the public hearing to be closed. Vote: Ayes - 6, Nays - None, Motion Passed.

16. BOARDS AND COMMISSIONS

17. FROM THE CITY ADMINISTRATOR

- A. Resolution Setting a Public Hearing for July 18, 2024, at 6:00 pm, in City Council Chambers on an Amendment to Title 10, Chapter 3, Section 1 of City Code Establishing a Law Enforcement Training Facility and Range as a Permissive Use In Specific Locations Within the Agricultural Zoning District

Councilmember John Jindrich, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.

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

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

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

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

- C. Resolution Approving the Contract and Bond for the Weed Park Lagoon Project in the Amount of \$442,172.25 to SulzCo, LLC.

Councilmember Angie Lewis, seconded by Councilmember Don Lampe moved to Adopt the Resolution.

Councilmember Jindrich had comments regarding the possibility of adding a second platform at the Weed Park Lagoon. Staff stated this would require a change order to the current project.

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

- D. Resolution to Approve Plans, Specifications, Form of Contract, and Cost Estimate for the Muscatine Indoor Sports Complex Project.

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

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

- E. Resolution Approving a Preliminary/Final Plat for Niemann Acres

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

Donald Reineir 1972 North Isett was present to share his concerns with the proposed subdivision of property to include dust from driveway, and concerns from a neighbor that could not attend, Brad Kopf, 2716 Isett Ave, regarding drainage issues that this construction could create. (letter attached to agenda item).

Attorney Steve Kundel was present on behalf of Angela Niemann to elaborate on the plans for the plat and to discuss the concerns with water runoff.

Angela Niemann was present to share her plans for the property to include landscaping to produce windblock, erosion protection, and water run off control.

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

- F. Motion to Take from the Table a Request to Approve a Secondary Driveway Entrance at 408 Parham Street, that was laid on the table at the June 6, 2024 Regular City Council Meeting.

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

Vote: Ayes - 4, Nays - 2, Motion Passed.

- G. Request to Approve a Secondary Driveway Entrance at 408 Parham Street
Councilmember Peggy Gordon, seconded by Councilmember John Jindrich moved to Approve the Request.

Councilmember Conard had questions regarding the difference in this and a circle drive.

Councilmember Lewis stated she feels approving this would create a precedent for others requesting the same.

Leland Lorentzen, 408 Parham Street, was present to share his reasons for wanting to add a second driveway to his property for the safety of exiting on to Parham Street.

Vote: Ayes - 3, Nays - 3 (Osborne, Lewis, Lampe), Motion Failed.

- H. Request To Approve the Issuance of a Purchase Order to MH Equipment Company in the Amount of \$50,543.80 for the Purchase of a Fork Truck for the Water and Resource Recovery Facility.

Councilmember John Jindrich, seconded by Councilmember Peggy Gordon moved to Approve the Request.

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

- I. Request to Approve the Issuance of a Purchase order to ZWB Construction in the Amount of \$36,630.00, for the Demolition and Removal of the Old Deck and the Installation of a New Observation Deck for the Weed Park Lagoon Project.

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

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

- J. Request to Approve Entering into a Professional Services Agreement with RDG Planning & Design, Inc. in the amount of \$85,000 for the Development of a

Comprehensive Plan

Councilmember Angie Lewis, seconded by Councilmember Jeff Osborne moved to Approve the Request.

Councilmembers had questions regarding the process for creating the Comprehensive Plan that were addressed by Assistant Community Development Director Andrew Fangman.

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

- K. Request to Approve Insurance Renewal for various lines of insurance coverage
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Approve the Request.

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

- L. Request to Approve Contract with RDG Planning & Design Inc. for an Amount not to Exceed \$84,616.00, to Implement the Commercial Facade Activity of the Mulberry Neighborhood Revitalization Grant.

Councilmember Angie Lewis, seconded by Councilmember Jeff Osborne moved to Approve the Request.

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

18. MAYOR AND COUNCIL REPORTS

Councilmember Jindrich gave a shout out to the Parks and Recreation Dept for their summer programs.

Councilmember Gordon shared information on upcoming events.

Councilmember Lewis asked about the Council getting keycard access to City Hall.

19. ADJOURNMENT

Councilmember Lampe motioned to adjourn the meeting at 7:42 p.m.