



City of Muscatine

CITY COUNCIL MINUTES

Thursday, July 18, 2024

1. **CALL TO ORDER**

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

2. **INVOCATION**

3. **ROLL CALL**

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

4. **PLEDGE OF ALLEGIANCE**

5. **FROM THE MAYOR**

- A. Proclamation of MuscaBus Driver Appreciation Day on July 19, 2024
- B. Recognition of MuscaBus Driver of the Year-Maggie Hernandez
- C. Recognition of Avery Bradley-State of Iowa representative for the USA Miss Teen

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

City Administrator Webb requested item 17M be pulled at this time.

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

7. **COMMUNICATIONS - CITIZENS**

Patrick Pagel 2130 4th Ave, and Chuck Beckman 2135 5th Avenue, were present to ask the City to remove a tree in the Right of Way near their homes due to the tree is aged and hollow, and they fear for the safety of residents in their neighborhood should the tree fall.

Parks and Recreation Director Rich Klimes stated he would have his staff look into the tree.

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

9. CONSENT AGENDA * (ITEMS 10-14)

Councilmember Don Lampe, seconded by Councilmember Peggy Gordon, 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 20, 2024 City Council Meeting Minutes
- B. June 27, 2024 City Council Special Meeting Minutes
- C. July 15, 2024 City Council Special Meeting Minutes

11. * PETITIONS AND COMMUNICATIONS

- A. Request on first reading on a new Special Class "C" Retail Alcohol License for Hampton Inn Muscatine, 3303 Northport Drive – Sajni Lodging Inc. (pending inspections)
- B. Request for renewal of a Special Class "C" Retail Alcohol License for GeoJohnz, LLC, 203 East 2nd Street – GeoJohnz, LLC (pending inspections)
- C. Request for renewal of a Class "C" Retail Alcohol License for Applebee's Neighborhood Grill and Bar, 306 Cleveland Street – Apple Corps L.P. (pending inspections)
- D. Request for renewal of a Class "E" Retail Alcohol License for Casey's General Store #4025, 4701 Hwy 61 – Casey's Marketing Company (pending inspections)
- E. Request for renewal of a Class "B" Retail Alcohol License for Love's Travel Stop #882, 2417 Grandview Avenue – Love's Travel Stop & Country Stores, Inc. (pending inspections)
- F. Request for renewal of a Class "C" Retail Alcohol License for Port City Underground, 208 West 2 nd Street – Lacey Henderson-Mueller (pending inspections and insurance)
- G. Request for renewal of a Special Class "C" Retail Alcohol License for Yacky Shack, 163 Colorado Street – Yacky Shack LLC (pending inspections and insurance)
- H. Request for renewal of a Class "C" Retail Alcohol License for Hy-Vee Market Café, 2400 – 2nd Avenue, Café Area – Hy-Vee, Inc. (pending inspections and insurance)
- I. Request for Use of City Property from Ryan Buss with the Muscatine Police Department for the 2 nd Annual National Night Out to be held on August 6, 2024
- J. Request for Use of City Property from Muscatine Farmer's Market for National Farmer's Market Week to be held on August 10, 2024

- K. Request for Use of City Property from Becky Huot with the Muscatine High School Student Council for the Homecoming Parade to be held on October 3, 2024
- L. Request for Use of City Property from Becky Huot with the Muscatine High School Student Council for the Senior March to be held on October 4, 2024
- M. Request to Approve an Application for Revitalization Property Tax Abatement - 412 Aspen Trail - Lofgren
- N. Request for Outdoor Service Permit for Proof Social for a block party on 2nd Street between Chestnut and Pine streets to be held on August 17, 2024 (pending inspections and insurance)

12. * COMMUNICATION – RECEIVE AND FILE

- A. June 24, 2024 Muscatine County Board of Supervisors Meeting Minutes
- B. July 8, 2024, Muscatine County Board of Supervisors Meeting Minutes
- C. July 1, 2024 Muscatine County Board of Supervisors Meeting Minutes

13. * PURCHASE ORDERS AND AGREEMENTS

- A. Request To Approve the Issuance of a Purchase Order to Sinclair Tractor, in the amount of \$18,771.52, for the Purchase of a Lawn Mower for the Water and Resource Recovery Facility.
- B. Request To Approve the Issuance of a Purchase Order to Motorola Solutions, in the amount of \$12,000.00, for Two (2) In-Car Camera Systems for the Muscatine Police Department.
- C. Request to Approve the Issuance of a Purchase Order to Snap On Tools, in the Amount of \$13,737.55, for the Purchase of a Multi-purpose Scan Tool for the Vehicle Maintenance Shop.

14. * APPROVAL OF BILLS

- A. It is recommended bills totaling \$3,745,181.04, be approved and that the City Council authorize the Mayor and City Clerk to issue warrants for the same. It should be noted that this listing is subject to the approval of any related agenda item(s).

15. PUBLIC HEARING

- A. Public Hearing Regarding 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.
Tyler Montez, 506 Spruce Street, was present to share his concerns with the

training facility taking up agricultural land and stated he would like to see the facility be opened up for public use.

These questions were addressed by Chief of Police Tony Kies.

Councilmember Jeff Osborne, 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. First Reading of an Ordinance Amending 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 Jeff Osborne, Seconded by Councilmember Don Lampe, moved to approve the first reading of the Ordinance. Vote: Ayes - 6, Nays - 0, Motion Passed.
- B. Resolution Setting a Public Hearing for August 1, 2024, Regarding Adopting a Revised Code of Ordinances with Amendments to Certain Ordinances to Correct Typographical, Formatting, Omission, and Technical Errors and Adopting the City's Online Code, "Municode", as the City's Official Copy of the Muscatine City Code.
Councilmember Angie Lewis, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.
Vote: Ayes - 6, Nays - 0, Motion Passed.
- C. A Resolution Accepting the Transfer of County Held Tax Sale Certificate and Authorization to Pursue Process to Obtain Tax Sale Deed
Councilmember Angie Lewis, seconded by Councilmember Don Lampe moved to Adopt the Resolution.
Vote: Ayes - 6, Nays - 0, Motion Passed.
- D. Resolution Approving the Preliminary/Final Plat of Carver Corner Subdivision
Councilmember Nadine Brockert, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.
Vote: Ayes - 0, Nays - 0, Motion Passed.
- E. Resolution Authorizing Special Assessments for Unpaid Abatement Service Fees and Rental Housing Fees to Private Properties
Councilmember Angie Lewis, seconded by Councilmember Nadine Brockert moved to Adopt the Resolution.
Vote: Ayes - 6, Nays - 0, Motion Passed.
- F. Resolution Setting a Public Hearing On Proposed Zoning Changes - (Southeast Corner Of Hershey Avenue And Green Street)

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

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

- G. Resolution Setting a Public Hearing for August 1, 2024, on a Voluntary Annexation and a Severance Request for Niemann Acres Subdivision
Councilmember Angie Lewis, seconded by Councilmember Matt Conard moved to Adopt the Resolution.

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

- H. Request to Approve the Issuance of a Purchase Order to Compass Minerals, in the amount of \$106,344.00, for Road Salt.

There were questions from City Council regarding the amount of salt remaining from last year and the cost comparison between the two years that were addressed by Public Works Director Brian Stineman. Councilmember Angie Lewis, seconded by Councilmember Don Lampe moved to Approve the Request.

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

- I. Request To Approve the Issuance of a Purchase Order For \$42,900 To Boland Recreation For Brook St. Park And Lucas St. Park Playground Platform Replacement

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

There were questions from Council regarding the timeline for the repairs that were addressed by Parks and Recreation Director Rich Klimes.

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

- J. Request to Enter into a Supplemental Agreement with the Iowa Department of Transportation for Maintenance of Primary Roads in Municipalities

Councilmember Nadine Brockert, seconded by Councilmember Jeff Osborne moved to Approve the Request.

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

- K. Request to Authorize 2024/25 City Deer Hunt
Councilmember Angie Lewis, seconded by Councilmember Peggy Gordon moved to Approve the Request.

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

- L. Request to Approve a Contract with Muscatine Center for Social Action to Provide Technical Services Related to the Housing Facade Component of the Mulberry Neighborhood Revitalization Project

Councilmember Jeff Osborne motioned to approve the request and there was no second to the motion. Motion is dead.

- M. Request to Approve Change Order Number 6 to the West Hill Sanitary Phase 5A/B in the amount of \$176,218.39

This item was pulled from Agenda

- N. Request to approve entering into an agreement with the Iowa DOT, accepting State Transit Assistance (STA) for Fiscal Year 2025, in the amount of \$312,646.00 Councilmember Don Lampe, seconded by Councilmember Peggy Gordon moved to Approve the Request.
Vote: Ayes - 6, Nays - 0, Motion Passed.
- O. Request to Approve Change Order #1 for Greenwood Cemetery Chapel Restoration Project for an Amount of \$16,875.00 to Silberhorn Concrete and Masonry, LLC.
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Approve the Request.
Vote: Ayes - 6, Nays - 0, Motion Passed.
- P. Request to Authorize a Supplemental Purchase Order to Valley Commercial Construction in Amount of \$177,697.00, for Additional Work Needed to Complete the Demolition of a Structurally Unsound Hazardous Building Located at 417 Mulberry Avenue
Council had questions and concerns regarding the cost, the construction concerns and funding.
Councilmember Lewis, seconded by Councilmember Osborne moved to table this item until August 1, 2024 pending further discussion and information.
Vote: Ayes - 4, Nays - 2 (Brockert, Conard), Motion passed.

18. MAYOR AND COUNCIL REPORTS

Councilmember Brockert stated she was concerned with multiple railroad and road closures at the same time and the difficulties it will create for motorists.
Councilmember Lampe had questions regarding a resident on Parham Street installing a driveway on their property that were answered by Public Works Director Brian Stineman.

19. ADJOURNMENT

Councilmember Lampe motioned to Adjourn the meeting at 7:06 p.m.