



# City of Muscatine

## CITY COUNCIL MINUTES

### Thursday, November 7, 2024

1. **CALL TO ORDER**

Mayor Bark called the City Council meeting for November 7, 2024 to order at 06:00 PM.

2. **INVOCATION-Aleese Kenitzer**

3. **ROLL CALL**

Councilmembers Present: Brockert, Jindrich, Osborne, Gordon, Lewis, Lampe, Conard.

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 -7, Nays - 0, Motion .

7. **COMMUNICATIONS - CITIZENS**

Megan Francis , 3331 Mulberry Avenue was present representing Crossroads and Senior Resources to share information regarding the 2025 Illuminate at Weed Park this Holiday Season.

Chris Post, 206 Cherry Street, was present to share her concerns with the City tearing down historic buildings such as the button factory on Mississippi Drive, Ms. Post stated tearing down these buildings is tearing down a part of Muscatine history.

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

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

Councilmember Angie Lewis, 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.   October 17, 2024 Regular City Council Meeting Minutes
- B.   October 30, 2024 City Council Goal Setting Minutes
- C.   October 29, 2024 Special City Council Meetings ( 3 Interviews for City Administrator Position)

**11.     \* PETITIONS AND COMMUNICATIONS**

- A.   Request on second reading of a Class “E” Retail Alcohol License for The Crown Liquor & Smoke, 714 Grandview Avenue – Crown Retail 1 LLC (pending inspections)
- B.   Request on first reading of a Class “E” Retail Alcohol License for Market Jalisciense LLC, 1608 Grandview Avenue, Ste. 1 – Market Jalisciense LLC (pending inspections)
- C.   Request on first reading of a Class “C” Retail Alcohol License for BigBear’s Bar and Billiards, 218 Walnut Street – BigBear’s LLC (pending inspections)
- D.   Request for renewal of a Class “B” Retail Alcohol License for Aldi Inc. #5, 3200 Northport Drive – Aldi Inc. (pending inspections)
- E.   Request for renewal of a Class “C” Retail Alcohol License for Headquarters Corp, 2108 Grandview Avenue – Headquarters Corp. (pending inspections)
- F.   Request for renewal of a Class “C” Retail Alcohol License for Contrary Brewing Co., 411 West Mississippi Drive – Contrary Brewing LLC (pending inspections)
- G.   Request for renewal of a Class “C” Retail Alcohol License for Hubble’s Tap, 214 East 2 nd Street – Hubble’s Glenda LLC (pending inspections and insurance)
- H.   Request for renewal of a Class “C” Retail Alcohol License for Missipi Brewing Company, 107 Iowa Avenue – R & D Operations (pending inspections and insurance)
- I.   CIGARETTE/TOBACCO PERMITS  
      JULY 1, 2024 – JUNE 30, 2025  
      COUNCIL APPROVAL – NOVEMBER 7, 2024  
      1. The Crown Liquor & Smoke, 714 Grandview Avenue – Crown Retail 1 LLC

**12.     \* COMMUNICATION – RECEIVE AND FILE**

- A.   October 14, 2024, Muscatine County Board of Supervisors Meeting Minutes
- B.   October 21, 2024, Muscatine County Board of Supervisors Meeting Minutes
- C.   October 28, 2024 Muscatine County Board of Supervisors Meeting Minutes

- D. September 24, 2024 Board of Water, Electric and Communications Trustees Meeting Minutes

**13.    \* PURCHASE ORDERS AND AGREEMENTS**

- A. Request to Approve the Issuance of A Purchase Order to Hanell Construction, in the Amount of \$5,860.00, for Replacing the Stained Glass Coverings at Greenwood Cemetery Chapel.
- B. Request to Approve the Issuance of a Purchase Order to Diamond Floor Finish, in an Amount not to Exceed \$6,628.00, for the Refinishing of the Floor at 501 Cedar Street.
- C. Request to Approve the Issuance of a Purchase Order to Pure Fitness Innovations, for an amount not to exceed \$7,249.00, for the purchase of an MJ5 Multi-Station Crossover Machine.

**14.    \* APPROVAL OF BILLS**

- A. November 7, 2024 Bills for Approval

**15.    PUBLIC HEARING**

- A. Public Hearing in Regard to Potential Environmental Impacts of West Hill Phase 6D Sewer Separation 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 - 7, Nays - None, Motion Passed.

**16.    BOARDS AND COMMISSIONS**

**17.    FROM THE CITY ADMINISTRATOR**

- A. First Reading of an Ordinance Amending Title 7, Chapter 9 of the City Code of Muscatine, Iowa - Parking Meters and Rates.  
Councilmember Angie Lewis, Seconded by Councilmember Peggy Gordon, moved to approve the first reading of Ordinance. Vote: Ayes - 7, Nays - 0, Motion Passed.
- B. Resolution Establishing Rates for Parking Meters and Parking Meter Hoods, Providing an Option for Parking Meter Fees to be Paid Electronically through a Parking App, and Changing Three Metered Spaces in Lot 7 to Leased Parking Spaces.  
Councilmember Jeff Osborne, seconded by Councilmember Matt Conard moved to Adopt the Resolution.

Vote: Ayes - 7, Nays - 0, Motion Passed. Tyler Montez was present to share his concerns with the parking meter app and security issues associated with them. His questions were addressed by Mayor Bark and IT Manager John Kreuzenstein.

C. Resolutions (7) Approving Internal Advances of Funds for Tax Increment Urban Renewal Projects

I Resolution Authorizing Internal Advance of Funds for the 2024-2025 Urban Renewal Administration and Professional Support Program.

Councilmember Jeff Osborne, seconded by Councilmember John Jindrich moved to Adopt the Resolution.

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

II Resolution Authorizing Internal Advance of Funds for the Economic Development Grant for the Greater Muscatine Chamber of Commerce and Industry (GMCCI) Support Program

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

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

III Resolution Authorizing the Internal Advance of Funds for the Small Business Forgivable Loan Program

Councilmember Jeff Osborne, seconded by Councilmember Don Lampe moved to Adopt the Resolution.

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

IV Resolution Authorizing the Internal Advance of Funds for the Downtown Façade Improvements Forgivable Loan Program

Councilmember John Jindrich, seconded by Councilmember Jeff Osborne moved to Adopt the Resolution.

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

V Resolution Authorizing the Internal Advance of Funds for the City Wayfinding Program – Years 2 and 3

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

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

VI Resolution Authorizing the Internal Advance of Funds for the Economic Development Forgivable Loan to Muscatine Downtown Investors, LLC

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

Councilmember Osborne addressed citizen regarding the demolition of a downtown building.

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

VII Resolution Authorizing the Internal Advance of Funds for the Dredge Spoils Site Relocation Project

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

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

D. Resolutions (14) for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations

I Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- Wal-View Development Project.

Councilmember Nadine Brockert, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.

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

II Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- Musco Sports Lighting Project.

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

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

III Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- Harrison Lofts, LLC

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

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

IV Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- Riverview Hotel Development

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

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

V Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- HNI Corporation

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

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

VI Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- White Distribution & Supply LLC

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

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

VII Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- Bush Development LLC/Hershey Development LLC

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

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

- VIII Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- JNB Oak Park, LP  
Councilmember Angie Lewis, seconded by Councilmember Don Lampe moved to Adopt the Resolution.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- IX Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- NPSW Enterprises, LLC  
Councilmember Angie Lewis, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- X Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- Fridley Theatres Outlot #1  
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- XI Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- Colorado Senior Lofts LLC  
Councilmember Angie Lewis, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- XII Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- Grandview Senior Lofts, LLC  
Councilmember Nadine Brockert, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- XIII Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- JNB Family 1 NP (Steamboat Apartments)  
Councilmember John Jindrich, seconded by Councilmember Peggy Gordon moved to Adopt the Resolution.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- XIV Resolution for Annual Appropriation for Tax Increment Financing (TIF) Rebate Obligations- Love's Travel Stops & Country Stores, Inc  
Councilmember Nadine Brockert, seconded by Councilmember Matt Conard moved to Adopt the Resolution.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- E. Resolution Relating to Financing of Certain Proposed Projects to be Undertaken by the City; Establishing Compliance with Reimbursement Bond Regulations under the Internal Revenue Code.  
Councilmember Angie Lewis, seconded by Councilmember Don Lampe moved to Adopt the Resolution.  
Vote: Ayes - 7, Nays - 0, Motion Passed.

- F. Resolution Approving Contract and Bond with Park Associates dba Park Planet for the Pocket Park Playground Development for \$73,180.00 as Part of the Ignite Vitality: Mulberry, a Neighborhood Revitalization Project.  
Councilmember John Jindrich, seconded by Councilmember Nadine Brockert moved to Approve the Request.  
Councilmember Gordon has questions regarding location of the Park that were addressed by Community Development Director Jodi Royal-Goodwin. Vote: Ayes - 7, Nays - 0, Motion Passed.
- G. Resolution Approving a Development Agreement with Muscatine Downtown Investors, LLC  
Councilmember Angie Lewis, seconded by Councilmember Matt Conard moved to Adopt the Resolution.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- H. Resolution Setting a Public Hearing on November 21, 2024, for Review of the Plans and Specifications for the Lake Park Boulevard Bridge Deck Overlay Project.  
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to Adopt the Resolution.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- I. Resolution Setting a Public Hearing on November 21, 2024, Regarding Leasing a Portion of the Muscatine Municipal Airport Property Located North of the Runways for Development of a Solar Generating Facility.  
Councilmember Angie Lewis, seconded by Councilmember Don Lampe moved to Adopt the Resolution.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- J. Resolution Setting a Public Hearing on November 21st, 2024, for the Purpose of Hearing Community Comments Regarding the Houser Lift Station Improvement Project.  
Councilmember John Jindrich, seconded by Councilmember Nadine Brockert moved to Adopt the Resolution.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- K. Resolution Accepting Completed Work Performed by Sulco LLC for the Weed Park Lagoon Project and Authorizing Final Payment of \$91,161.44, Including 5% Retainage to be Released 30 Days from the Date of this Acceptance.  
Councilmember Peggy Gordon, seconded by Councilmember Nadine Brockert moved to Adopt the Resolution.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- L. Request to Enter into a Contract with RecDesk LLC for Recreation Management Software for the Parks and Recreation Department at the Start-up Cost of \$9,500.00.  
Councilmember Nadine Brockert, seconded by Councilmember Angie Lewis

moved to Approve the Request.

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

- M. Request to Approve Annual Urban Renewal Report for Fiscal Year 2023/2024  
Councilmember Angie Lewis, seconded by Councilmember Peggy Gordon  
moved to Approve the Request.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- N. Request to Approve Annual Street Finance Report for Fiscal Year 2023/2024.  
Councilmember Peggy Gordon, seconded by Councilmember John Jindrich  
moved to Approve the Request.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- O. Request to Approve Fiscal Year 2023/2024 Annual Financial Report to the State  
of Iowa.

Councilmember Angie Lewis, seconded by Councilmember Don Lampe moved  
to Approve the Request.

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

- P. Request to Approve the Issuance of A Purchase Order to Winsor Consulting, in  
the Amount of \$40,918.48, for Computer Server and Storage Products.  
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis  
moved to Approve the Request.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- Q. Request to Approve Contract with Bolton & Menk, Inc. Not to Exceed  
\$57,500.00, to Engineer and Manage the Sidewalk Project for the Ignite Vitality:  
Mulberry, a Neighborhood Revitalization Project.  
Councilmember Jeff Osborne, seconded by Councilmember Don Lampe moved  
to Approve the Request.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- R. Request to Approve a Contract with The Nelrod Company for the Physical Needs  
Assessment and Energy Audit for Muscatine Municipal Housing Agency in the  
Amount of \$9,799.00.  
Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis  
moved to Approve the Request.  
Vote: Ayes - 7, Nays - 0, Motion Passed.
- S. Request to Issue a Purchase Order, in the Amount of \$59,585.00, to Heuer  
Construction, Inc. for the Repair and Replacement of a Section of Dick Drake  
Way.  
Councilmember John Jindrich, seconded by Councilmember Nadine Brockert  
moved to Approve the Request.  
Council had questions regarding the timing of this project that were addressed  
by Public Works Director Brian Stineman. Mr. Stineman stated this project is

planned to start and be finished prior to the end of 2024.

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

- T. Request to Issue a Purchase Order in the amount of \$65,332.97 to HRT Mission Adaptive Gear for Body Armor for the MSORT Team.

Councilmember John Jindrich, seconded by Councilmember Angie Lewis moved to Approve the Request.

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

- U. Update on PetData program from Animal Control Officer Courtney Patel

Animal Control Officer Courtney Patel gave an update on the Pet Data Program.

- V. Review Of Three Trees To Be Removed Around Casey's Landing Rock and Planting Additional Trees

Rich Klimes shared with City Council regarding the honey locust trees that are in question to be removed for the purpose of better viewing of the Muscatine watermelon on the Riverfront. Mr. Klimes stated that one of the trees is not healthy, one is questionable and one is healthy. Mr. Klimes presented the cost to remove the three trees and to plan 6 additional trees as a replacement to the trees.

After discussion there were no objections from City Council for the removal of the three trees.

## **18. MAYOR AND COUNCIL REPORTS**

## **19. OTHER BUSINESS**

- A. Request to enter closed session pursuant to Iowa Code Section 21.5.1.i, to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session

Councilmember Peggy Gordon, seconded by Councilmember Angie Lewis moved to enter Closed Session at 7:28 PM. Vote: Ayes - 7, Nays - 0, Motion passed.

Present: Councilmembers: Conard, Lewis, Lampe, Brockert, Osborne, Gordon and Jindrich. Interim City Administrator Tony Kies, Deputy City Clerk Cinda Hilger and Human Resources Manager Stephanie Romagnoli.

Councilmember Lewis, Seconded by Councilmember Lampe moved to exit closed session at 7:42 PM.

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

- B. Request to enter closed session pursuant to Iowa Code Section 21.5.1.i, to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session

Councilmember Lewis, seconded by Councilmember Gordon moved to enter

Closed Session at 7:43 PM. Vote: Ayes - 7, Nays - 0, Motion passed.

Present: Councilmembers: Conard, Lewis, Lampe, Brockert, Osborne, Gordon and Jindrich. Interim City Administrator Tony Kies, Deputy City Clerk Cinda Hilger and Human Resources Manager Stephanie Romagnoli.

Councilmember Brockert, Seconded by Councilmember Gordon moved to exit closed session at 8:05 PM.

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

- C. Request to enter closed session pursuant to Iowa Code Section 21.5.1.i, to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session

Councilmember Gordon, seconded by Councilmember Lewis moved to enter Closed Session at 8:06 PM. Vote: Ayes - 7, Nays - 0, Motion passed.

Present: Councilmembers: Conard, Lewis, Lampe, Brockert, Osborne, Gordon and Jindrich. Interim City Administrator Tony Kies, Deputy City Clerk Cinda Hilger and Human Resources Manager Stephanie Romagnoli.

Councilmember Gordon, Seconded by Councilmember Lewis moved to exit closed session at 8:32 PM.

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

- D. Request to enter closed session pursuant to Iowa Code Section 21.5.1.i, to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session

Councilmember Brockert, seconded by Councilmember Gordon moved to enter Closed Session at 8:38 PM. Vote: Ayes - 7, Nays - 0, Motion passed.

Present: Councilmembers: Conard, Lewis, Lampe, Brockert, Osborne, Gordon and Jindrich. Interim City Administrator Tony Kies, Deputy City Clerk Cinda Hilger and Human Resources Manager Stephanie Romagnoli.

Councilmember Gordon, Seconded by Councilmember Lewis moved to exit closed session at 8:46 PM.

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

- E. Discussion and possible action on appointment of Muscatine City Administrator pursuant to the City of Muscatine, Iowa Code of Ordinances 1-10-2(A).

Councilmember Gordon made a motion to direct staff to make an offer for the appointment of City Administrator to the preferred candidate, seconded by Councilmember Lewis. Vote: Ayes - 7, Nays - 0, Motion passed.

Council asked staff to notice for an exempt session to take place on Tuesday November 12, 2024 for the purpose of discussing compensation for this position.

**20.     ADJOURNMENT**

Councilmember Lewis moved to adjourn the meeting at 8:55 PM.