

CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
Council Chambers – 7:00 p.m. – July 7, 2016

Mayor Broderson called the City Council meeting for Thursday, July 7, 2016, to order at 7:00 p.m. Councilmembers present were Rehwaldt, Fitzgerald, Saucedo, Bynum, Harvey, and Spread.

The meeting began with the Pledge of Allegiance.

#23446. Councilmember Bynum, seconded by Councilmember Harvey, moved the Consent Agenda be approved as follows:

- Regular City Council Minutes – June 16, 2016
- Special City Council Minutes – June 23, 2016
- First reading for a new Special Class “C” Liquor License and Sunday Sales for Dabeets Bistro, 128 East 2<sup>nd</sup> Street – Dabeets Bistro LLC (pending inspections and insurance); first and second reading for a new Class “B” Wine Permit, Class “E” Liquor License and Sunday Sales for Pearl City Tobacco & Liquor Outlet, 200 Green Street – BGA LLC (pending inspections); renewal of a Class “C” Beer Permit for Hyink’s Service, 1206 East 2<sup>nd</sup> Street – Hyink Service Inc. (pending inspections); renewal of a Special Class “C” Liquor License and Sunday Sales for Yacky Shack, 163 Colorado Street – Yacky Shack LLC (pending inspections); renewal of a Class “C” Liquor License and Sunday Sales for Applebee’s Neighborhood Grill & Bar, 306 Cleveland Street – Apple Corps L.P. (pending inspections); and renewal of a Class “C” Liquor License and Sunday Sales for Hy-Vee Market Café, 2400 Second Avenue – Hy-Vee Inc. (pending inspections)
- Request approved for use of City Property for 2016 Kolors 4Kids Fun Run/Walk on July 9, 2016
- Request approved from Muscatine Running Club for use of city property for Watermelon Stampede on July 20, 2016
- Request approved from Keep Muscatine Beautiful for the communitywide open house highlighting Muscatine Trails and Parks on September 24, 2016
- Request approved for use of city property for the 2016 National Hovercraft Show on September 3-4, 2016
- Request approved for use of city property for the Muscatine Boys Cross Country 5K on September 5, 2016
- Request to approve applications for Revitalization Property Tax Abatements for Mary B. Lemkau of 3217 Majestic Drive and John and Carol Lemkau of 3200 Majestic Drive
- Proclamation approved declaring July 15, 2016 as “Sister Cities International Day”
- Resolution Adopted approving sidewalk or street café easement agreement with Guadalajara Restaurant
- Filing of Communications 12A-F
- Bills for Approval totaling \$4,844,029.64

Vote – All ayes; motion carried.

Mayor Broderson read the proclamation for “Sister Cities International Day” and then presented it to John Dabeet who stated he would be taking the proclamation to Washington, D.C., next week for the Sister Cities International Conference. He then presented Mayor Broderson with a Sister Cities pin.

## PUBLIC HEARING

Mayor Broderson stated this public hearing concerns proposed zoning changes for 1409 Wisconsin Street (formerly Garfield School).

Linda Hatfield, 1607 Stewart Road, stated she was opposed to the proposed rezoning of the property, especially the M-1 Light Industrial. She stated she owns property adjacent to the school and she does not feel it will benefit the neighborhood. She also voiced her concerns about increased traffic in that area and the affect the proposed rezoning would have on property values in the entire neighborhood. She asked that City Council deny the proposed M-1 Light Industrial zoning change.

Roger Roth of the Clark House asked that City Council think carefully about this proposed rezoning during their decision making.

Jessie Erwin, 2017 Demorest Avenue, stated he was just seeking clarification of the zoning map that was sent out. He stated he was not expecting an answer at tonight's meeting. He asked if the walking path would remain with the rezoning of the school property.

Tom Meeker, owner of the property, stated the path would stay in place.

City Planner Andrew Fangman stated rezoning of the former school property will not allow uses that have outside impacts on neighborhood properties that cannot be effectively mitigated.

Pat Hatfield, 2117 Demorest Avenue, stated she had the same concerns voiced by Linda Hatfield. She stated that with the proposed rezoning, she is worried what she might wind up with in her backyard.

Tom Meeker, 101 W. Mississippi Drive, owner of the property in question, stated he has no plans at this point in the time for the area being proposed for M-1 Light Industrial. He stated he is more concerned about the three lots being requested for S-2 Institutional Office. He stated he has no problem with removing the M-1 Light Industrial rezoning request.

Councilmember Fitzgerald asked for a description of the S-2 Institutional Office zoning.

Mr. Fangman stated it is the same as the zoning on Mulberry Avenue near Baton Rouge. He stated it is a mix of residential and office use.

Councilmember Fitzgerald asked Mr. Meeker if the M-1 Light Industrial could be eliminated from the proposed rezoning request.

Mr. Meeker stated he has no plans for that part of the property. He stated he is more concerned with Outlot 8 which contains the school building. He stated the other lots could be left alone.

Councilmember Harvey asked if City Council could forego the M-1 rezoning request.

Mr. Meeker answered yes. He stated he understands what residents are saying and that he would not put anything on that part of the property that would be an eyesore.

There were no written petitions for or against the proposed rezoning request.

#23464. Councilmember Fitzgerald moved the public hearing be closed. Seconded by Councilmember Rehwaldt. All ayes; motion carried.

#23465. Councilmember Fitzgerald moved to approve the first reading of an ordinance amending the zoning ordinance for property located at 1409 Wisconsin Street (formerly Garfield School). Seconded by Councilmember Spread.

Councilmember Harvey asked for clarification on which property was being proposed for the M-1 Light Industrial designation.

Councilmember Spread stated the property in question would be Outlots 11, 12 and 13.

#23466. Councilmember Harvey moved to amend the original motion removing the rezoning of Outlots 11, 12, and 13. Seconded by Councilmember Spread. All ayes: Councilmembers Rehwaldt, Fitzgerald, Saucedo, Bynum, Harvey, and Spread. Motion carried.

Vote on original motion as amended – All ayes: Councilmembers Rehwaldt, Fitzgerald, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23467. Councilmember Spread moved the resolution be adopted authorizing the assessment of unpaid abatement costs totaling \$12,715.13 to private properties. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Rehwaldt, Fitzgerald, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23468. Councilmember Bynum moved the resolution be adopted approving the contract and bond from Illowa Investments in the amount of \$630,803.64 for the 2016 Asphalt Overlay Project. Seconded by Councilmember Harvey.

Councilmember Harvey asked if only one bid was received.

Public Works Director Brian Stineman stated that two bids were received with the bid from Illowa Investments being the lowest responsible bid.

Vote – All ayes: Councilmembers Rehwaldt, Fitzgerald, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23469. Councilmember Harvey moved to approve the agreement with the Muscatine Center for Social Action for the receipt and use of city funds for its Homeless Prevention Program. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#23470. Councilmember Bynum moved to approve the bid from Daigger Scientific in the amount of \$8,463.56 for a flaskware washer for the Water Pollution Control Plant. Seconded by Councilmember Spread. All ayes; motion carried.

#23471. Councilmember Spread moved to approve the purchase of an Inductive Coupled Plasma power conditioner from Davenport Electric in the amount of \$7,725. Seconded by Councilmember Rehwaldt.

Councilmember Bynum asked if this was a budgeted item.

Water Pollution Control Plant Director Jon Koch stated that \$9,500 was budgeted for this purchase.

Vote – All ayes; motion carried.

#23472. Councilmember Harvey moved to approve the issuance of a purchase order to Rehrig Pacific Company in the amount of \$117,520 for 2,600 carts for the Refuse Collection Program. Seconded by Councilmember Spread.

Councilmember Rehwaldt asked if this was the same manufacturer as the other carts the city currently has, and City Administrator Gregg Mandsager answered yes.

Councilmember Saucedo asked if everyone was going to be receiving the same cart, and Solid Waste Manager Laura Liegois answered yes.

Vote – All ayes; motion carried.

#23473. Councilmember Fitzgerald moved to approve the bid from Henderson Manufacturing in the amount of \$95,764 for the truck equipment package for the Roadway Maintenance truck chassis. Seconded by Councilmember Spread.

Councilmember Rehwaldt asked what was wrong with the unsuccessful bid.

Roadway Maintenance Supervisor Randy Howell explained why the bid from Tri-State Truck Equipment did not meet the city's specifications.

There was discussion concerning the life expectancy of the new truck chassis and equipment package.

Vote – All ayes; motion carried.

#23474. Councilmember Fitzgerald moved to approve the salt purchase agreement with the City of Davenport for 1,500 tons of salt at a cost of \$58.02 per ton. Seconded by Councilmember Bynum.

Councilmember Spread asked how this cost compares to prior year purchases.

Public Works Director Stineman stated it was the same amount as last year.

Mr. Howell stated staff budgeted for one barge load at approximately \$70.00 per ton so this price is well under that budgeted amount,

Vote – All ayes; motion carried.

#23475. Councilmember Spread moved to approve the Letter of Understanding with Bohnsack & Frommelt LLP for the fiscal year 2015/2016 city audit. Seconded by Councilmember Harvey. All ayes; motion carried.

#23476. Councilmember Fitzgerald moved to approve the renewal of the Employee Assistance Program with Genesis Health Systems. Seconded by Councilmember Harvey.

Councilmember Saucedo asked if this is a budgeted expense.

City Administrator Mandsager stated it is part of the budget for the city's Wellness Program and the cost has been the same for the last six years.

Councilmember Spread stated City Council had discussed the possibility of staying local for this program.

City Administrator Mandsager stated Unity Point does not have an internal EAP program but contracts this service out with a program outside of Muscatine.

Vote – All ayes; motion carried.

Under comments, Councilmember Harvey reminded everyone about the 2<sup>nd</sup> Saturday event taking place this weekend.

Councilmember Fitzgerald stated he had received a complaint concerning empty recycling containers that are being left in the city right-of-way. He reminded residents to remove them from the city right-of-way and store them at the rear or side of the building where they are not visible.

Councilmember Rehwaldt gave a power point presentation on his concerns about the actions of the Mayor to date.

Mayor Broderson invited everyone to Coffee with the Mayor on July 23, 2016 at Happy Joe's Pizza on Lake Park Boulevard beginning at 9:00 a.m.

Mayor Broderson called for a 10 minute recess at 8:20 p.m. and the called the meeting back to order at 8:28 p.m.

#23477. Councilmember Spread moved to go into Closed Session at 8:29 p.m. per Iowa Code 21.5(j) for proposed property acquisition. Seconded by Councilmember Harvey. All ayes: Councilmembers Rehwaldt, Fitzgerald, Saucedo, Bynum, Harvey, and Spread. Motion carried.

Mayor Broderson called the Closed Session to order at 8:30 p.m. Councilmembers present were Rehwaldt, Fitzgerald, Saucedo, Bynum, Harvey, and Spread. Also present were City Administrator Gregg Mandsager and Steve Boka.

#23478. Councilmember Bynum moved to leave Closed Session at 9:06 p.m. Seconded by Councilmember Harvey. All ayes: Councilmembers Rehwaldt, Fitzgerald, Saucedo, Bynum, Harvey, and Spread. Motion carried.

Councilmember Fitzgerald moved the meeting be adjourned at 9:07 p.m.

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Diana Broderson, Mayor

ATTEST:

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Gregg Mandsager, City Administrator