

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – September 21, 2017

Mayor Diana Broderson called the City Council meeting for Thursday, September 21, 2017, to order at 7:00 p.m. Councilmembers present were Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey.

The meeting began with the Pledge of Allegiance.

Rochelle Conway, 920 W. 3rd Street, stated the residents in her neighborhood feel like they are living on a highway because the traffic on 3rd Street is horrific. She stated she feels the increased truck and semi traffic is hard on the roadway and that the speed bumps are not working. She stated that not only is traffic an issue but noise is an issue as well.

Bob Logel, 922 W. 3rd Street, stated he agreed with Ms. Conway. He stated he would appreciate any help the city could provide.

Vince Lawson, 606 W. 3rd Street, stated there is currently a lot of road construction going on and he doesn't know what can be done about the traffic on 3rd Street. He stated he would like to encourage residents to use the designated detours.

Councilmember Rehwaldt stated he had received complaints from the residents at 806 W. 3rd Street, 3rd and Cherry, and 700 W. 3rd Street.

Shelly Servadio, 210 Linn Street, also voiced her concerns about the truck traffic issue in the areas of 2nd and 3rd streets.

Sandra Gaucin, Cherry & 4th Streets,

There were questions and comments from City Council that were addressed by Public Works Director Brian Stineman and City Administrator Gregg Mandsager.

Bill Trent, 1222 Vista Court, thanked City Council for their service to the city and all city staff. He stated the city has wonderful employees. He then recognized Administrative Secretary Fran Donelson who is retiring on December 29, 2017.

Shelly Sevadio, 210 Linn Street, stated that she serves as Chair of the Veterans Caucus of the Iowa Democratic Party. She asked that City Council consider adopting the following resolutions:

- A resolution stating the Iowa Democratic Party supports all DACA recipients and calls on the U.S. Congress to pass the DREAM Act and establish a clear pathway to citizenship;
- A resolution stating the State Central Committee of the Iowa Democratic Party encourages Democrats to reach out to local government bodies and employers to have the difficult conversations on race, ethnicity and national origin, and to ask what their policies are and identify our allies; and
- A resolution stating that Iowa should be recognized as a safe state for DACA recipients.

Vanessa Lopez stated she recently solicited and obtained 1,100 signatures from residents opposed to the pit bull ordinance. She stated she feels the pit bull ordinance should be done away with and explained why.

Kelcey Brackett, 2817 Mulberry Avenue, handed out materials to City Council on behalf of Ms. Lopez and stated that the petition she referenced will be given to City Council once all signatures have been verified.

Councilmember Harvey, speaking in reference to Item 8K on the Consent Agenda, asked that it be pulled and acted upon separately.

#23081. Councilmember Rehwaldt, seconded by Councilmember Saucedo, moved the Consent Agenda be approved as follows:

- Regular City Council Minutes – September 21, 2017
- First reading on a new Class “C” Liquor License and Class “B” Wine Permit for Chicharo’s Mexican Grill, 201 West 2nd Street – Chicharos, LLC (pending inspections and insurance)
- Second reading on a new Class “C” Liquor License for Osaka Sushi Steak House LLC, 1903 Park Avenue, Suite 48 – Osaka Sushi Steak House LLC (pending inspections and insurance)
- Request on an existing license for an additional privilege to add a Class “C” Native Wine Permit for Hong Kong Buffet, 2406 Park Avenue – Hong Kong Buffett Inc., (pending inspections)
- Request for renewal of a Class “B” Wine Permit, Special Class “C” Liquor License, Outdoor Service and Sunday Sales for Salvatore’s, 313 East 2nd Street – Salvatore’s by Papa Reno (pending inspections and insurance)
- Request for renewal of a Class “C” Liquor License, Outdoor Service and Sunday Sales for Missipi Brewing Company, 107 Iowa Avenue – R & D Operations (pending inspections and insurance)
- Request for renewal of a Class “C” Liquor License, Outdoor Service and Sunday Sales for Veteran of Foreign Wars (VFW), 1415 Grandview Avenue – Veterans of Foreign Wars (pending inspections and insurance)
- Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit, and Sunday Sales for Muscatine Fast Break, 2603 Second Avenue – Reif Oil Company (pending inspections and insurance)
- Request from Osmond Malcolm for Use of City Property for Neighborhood Block Party on September 30, 2017
- Request for Use of City Property for Muscatine Crop Walk on October 1, 2017
- Request to Approve Application for Revitalization Property Tax Abatement – Thomas and Stacey Eberhard
- Proclamations Declaring October 1-7, 2017 as “Public Power Week”, October 2, 2017 as “CROP Hunger Walk Day”, and September 26, 2017 as “Fireball Run Day”
- Filing of Communications 12A-B
- Bills for Approval totaling \$2,442,299.90

Vote – All ayes; motion carried.

#23082. Councilmember Harvey moved the original motion to approve the request from Hy-Vee Mainstreet for use of city property as storage for a truckload/tent sale on September 28, 2017 through October 10, 2017 be amended to allow for closure of the south half of Orange Street from the alley to 5th Street. Seconded by Councilmember Saucedo.

There were questions and comments that were addressed by City Administrator Gregg Mandsager and City Planner Andrew Fangman.

Councilmember Fitzgerald called for the question.

Vote on amendment: Four ayes: Councilmembers Harvey, Saucedo, Bynum, and Rehwaldt. Two nays: Councilmembers Natvig and Fitzgerald. Motion carried.

Vote on original motion as amended: Five ayes: Councilmembers Harvey, Saucedo, Natvig, Rehwaldt, and Bynum. One nay: Councilmember Fitzgerald. Motion carried.

PUBLIC HEARING

Mayor Broderson stated this public hearing concerns the proposed HNI Community Center and Musser Public Library Project.

There were no oral or written petitions for or against the proposed project.

#23083. Councilmember Fitzgerald moved the public hearing be closed. Seconded by Councilmember Natvig. All ayes; motion carried.

Mayor Broderson then read the three proclamations that were approved under the Consent Agenda. She presented the proclamation for “CROP Hunger Walk Day” to Debra Hughes who thanked City Council and the residents of the community for making this event a success.

#23084. Councilmember Fitzgerald moved to approve the first reading of an ordinance amending Title 7, Chapter 9, Section 4 to extend the Downtown Parking Zone. Seconded by Councilmember Natvig. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23085. Councilmember Fitzgerald moved the resolution be adopted establishing the types of parking in designated areas of downtown and to change parking time limits on 2nd Street. Seconded by Councilmember Bynum.

There were concerns voiced by City Council concerning the proposal to change parking time limits on 2nd Street that were addressed by Finance Director Nancy Lueck and City Administrator Mandsager.

Vote – Four nays: Councilmembers Saucedo, Fitzgerald, Rehwaldt, and Bynum. Two ayes: Councilmembers Harvey and Natvig. Motion failed.

Finance Director Lueck asked if the other components of the resolution could be voted on. They included that parking spaces along Mississippi Drive be designated as free parking with a 2-hour time limit once construction is completed, that the new parking spaces along the east side of Sycamore Street between 4th Street and 5th streets be designated as leased parking once construction is completed, and that the changes on Mississippi Drive and Sycamore Street be effective after construction is completed in each area and the necessary signage is purchased and installed.

#23086. Councilmember Fitzgerald moved to approve the remaining components of the resolution. Seconded by Councilmember Saucedo. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23087. Councilmember Fitzgerald moved the resolution be adopted approving the plans and specifications, form of contract, cost estimate, and setting the bid opening date for the HNI Community Center and Musser Public Library Project. Seconded by Councilmember Rehwaldt. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23088. Councilmember Fitzgerald moved the resolution be adopted authorizing the assessment of unpaid abatement costs to private properties. Seconded by Councilmember Natvig. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23089. Councilmember Rehwaldt moved the resolution be adopted setting a public hearing on a rezoning request for the proposed Oak Park Development Project in the City of Muscatine. Seconded by Councilmember Fitzgerald.

There were questions and comments from City Council that were addressed by City Engineer Jim Edmond and City Planner Andrew Fangman.

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

#23090. Councilmember Fitzgerald moved the resolution be adopted approving the Annual Street Finance Report for the fiscal year ending June 30, 2017. Seconded by Councilmember Bynum. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23091. Councilmember Saucedo moved the resolution be adopted approving a three-foot utility easement at the Municipal Airport. Seconded by Councilmember Natvig. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23092. Councilmember Fitzgerald moved to declare items as surplus to allow for their disposal by a public surplus auction. Seconded by Councilmember Saucedo. All ayes; motion carried.

#23093. Councilmember Rehwaldt moved to authorize the issuance of a purchase order to All Major Restoration in the amount of \$268,396.63 for storm repairs at Sunset Park. Seconded by Councilmember Harvey. All ayes; motion carried.

#23094. Councilmember Saucedo moved to approve Change Order #2 for the Landfill Cell #5 Construction Project. Seconded by Councilmember Natvig. All ayes; motion carried.

#23095. Councilmember Harvey moved to approve the request from the Fire Department to authorize the issuance of a purchase order to Streicher's in an amount not to exceed \$9,156 for the purchase of safety equipment. Seconded by Councilmember Natvig.

There were questions and comments from City Council that were addressed by Assistant Fire Chief Mark Hartman.

Vote – All ayes; motion carried.

#23096. Councilmember Fitzgerald moved to approve the Supplemental Agreement for vibration monitoring for the Mississippi Drive Corridor Project. Seconded by Councilmember Saucedo. All ayes; motion carried.

#23097. Councilmember Saucedo moved to approve the Supplemental Agreement for archeological monitoring for the Mississippi Drive Corridor Project. Seconded by Councilmember Harvey. All ayes; motion carried.

Under comments, Councilmember Natvig reminded everyone of the Fireball Run that will be taking place on September 26, 2017.

Councilmember Harvey requested that staff review the pit bull ordinance.

Councilmember Fitzgerald stated this had come up before and City Council chose not to do anything. He stated he feels you should have a consensus from City Council before reviewing the ordinance.

Councilmember Harvey stated he initially had supported the banning of pit bulls in the City of Muscatine.

City Administrator Mandsager stated the city does have a dangerous and vicious dog ordinance. He stated the Police Department is recommending some minimal wording changes that will be addressed during discussion of updates to the City Code.

Councilmember Saucedo stated he wanted to hear more from Ms. Lopez before suggesting any changes to the pit bull ordinance.

Councilmember Saucedo stated he would like staff to address the litter on Houser Street.

Councilmember Rehwaldt stated that when staff is thinking about possible solutions to 3rd Street to please think of some way to share the burden.

Mayor Broderson stated that Coffee with the Mayor will be held Saturday at Happy Joe's on Lake Park Boulevard beginning at 9:00 a.m.

Mayor Broderson then thanked everyone who participated in the United Day of Caring on Wednesday.

Mayor Broderson also reminded everyone of the Fireball Run that will be held on September 26, 2017.

Councilmember Harvey moved the meeting be adjourned at 8:50 p.m.

Diana Broderson, Mayor

ATTEST:

Gregg Mandsager, City Administrator