

CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
Council Chambers – 7:00 p.m. – November 2, 2017

Mayor Diana Broderson called the City Council meeting for Thursday, November 2, 2017, to order at 7:00 p.m. Councilmembers present were Rehwaldt, Fitzgerald, Natvig, Saucedo, and Harvey.

The meeting began with the Pledge of Allegiance.

Max Kaufman, 1609 Foster Street, stated he recently went to the Towers Apartments to handout absentee ballot information and the residents were not comfortable meeting with him. He stated that recently a woman was arrested trying to do the same thing he was doing. He stated he does not know what could have happened that day and felt an explanation was needed.

Councilmember Saucedo learned from Mr. Kaufman that he had talked with the manager and was able to use the Commons Room at the apartments. He then stated that this issue would not be addressed tonight but that once all of the information has been received about the incident, it will be addressed.

#23122. Councilmember Saucedo, seconded by Councilmember Natvig, moved the Consent Agenda be approved as follows:

- Regular City Council Minutes – October 19, 2017
- Request for transfer of a Class “E” Liquor License from 501 Cedar Street to 416 Cedar Street for Kum & Go #436, 416 Cedar Street – Kum & Go LC (pending inspections); renewal of a Class “C” Beer Permit and Sunday Sales for New York Dollar Store, 109 East 2<sup>nd</sup> Street – Antonio Sosa (pending inspections); renewal of a Class “C” Liquor License, Outdoor Service and Sunday Sales for Bullpen Sports Bar, 1201 Grandview Avenue – Bullpen Sports, Inc. (pending inspections and insurance); and renewal of a Class “C” Liquor License and Sunday Sales for Hubble’s Tap, 214 East 2<sup>nd</sup> Street – Hubbles Glenda, LLC (pending inspections and insurance)
- Approval of Request to Close Alley #1 (Chestnut Street)
- Filing of Communications 12A-C
- Bills for Approval totaling \$5,472,652.79

Vote – All ayes; motion carried.

**PUBLIC HEARING**

Mayor Broderson stated this public hearing concerns the proposed vacation of a utility easement on Diana Queen Drive.

There were no oral or written petitions or communications for or against the utility easement vacation.

#23123. Councilmember Natvig moved the public hearing be closed. Seconded by Councilmember Saucedo. All ayes; motion carried.

#23124. Councilmember Natvig moved the ordinance be adopted rezoning real estate in the City of Muscatine from R-3 Residential to R-L Large Scale Residential for the proposed Oak Park Development Project in the City of Muscatine and directed for its publication as required by law. Seconded by Councilmember Harvey. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, and Harvey. Motion carried.

#23125. Councilmember Fitzgerald moved to approve the second reading of an ordinance authorizing changes and/or omissions in City Code Sections Title 6, Chapter 8, Title 13, Chapter 3, and Title 15, Chapter 8. Seconded by Councilmember Saucedo. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, and Harvey. Motion carried.

#23126. Councilmember Harvey moved the resolution be adopted approving the vacation of utility easements at Lots 9 and Lots 10 and 11 of the Riverbend Fifth Addition (Diana Queen Drive). Seconded by Councilmember Natvig. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, and Harvey. Motion carried.

#23127. Councilmember Harvey moved the resolution be adopted approving the obligation of funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment rebate obligations coming due in the next succeeding year for Wal-View Development Project #1. Seconded by Councilmember Saucedo.

City Administrator Gregg Mandsager explained that Wal-View Development is a warehouse facility totaling approximately 500,000 square feet that has a contract with the Kent Corporation.

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

#23128. Councilmember Natvig moved the resolution be adopted approving the obligation of funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment rebate obligations coming due in the next succeeding year for H.J. Heinz Company L.P. Seconded by Councilmember Harvey. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, and Harvey. Motion carried.

#23129. Councilmember Fitzgerald moved the resolution be adopted approving the obligation of funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment rebate obligations coming due in the next succeeding year for Wal-View Development Project #2. Seconded by Councilmember Saucedo. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, and Harvey. Motion carried.

#23130. Councilmember Fitzgerald moved the resolution be adopted approving the obligation of funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment rebate obligations coming due in the next succeeding year for the Union Tank Car Company. Seconded by Councilmember Harvey. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, and Harvey. Motion carried.

#23131. Councilmember Fitzgerald moved the resolution be adopted authorizing an internal advance of funds for 2017-2018 Urban Renewal Administration and Professional Support Program. Seconded by Councilmember Rehwaldt. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, and Harvey. Motion carried.

#23132. Councilmember Natvig moved the resolution be adopted authorizing an internal advance of funds and economic development grant for the Greater Muscatine Chamber of Commerce and Industry Support Program. Seconded by Councilmember Harvey. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, and Harvey. Motion carried.

#23133. Councilmember Fitzgerald moved the resolution be adopted authorizing an internal advance of funds for the Small Business Forgivable Loan Program. Seconded by Councilmember Natvig.

There were questions from City Council concerning the possibility of increasing the amount being made available.

City Administrator Mandsager stated this issue could be discussed during City Council's goal setting session and during the budget sessions as well. He stated City Council would need to amend the Urban Renewal Plan.

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

#23134. Councilmember Fitzgerald moved the resolution be adopted authorizing an internal advance of funds for a Housing Demand Study. Seconded by Councilmember Saucedo. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, and Harvey. Motion carried.

#23135. Councilmember Harvey moved the resolution be adopted awarding the contract for the Musser Public Library and HNI Community Center Project to Sheets General Construction in the amount of \$651,900. Seconded by Councilmember Natvig.

There were questions and comments from City Council that were addressed by City Administrator Mandsager.

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

#23136. Councilmember Natvig moved the resolution be adopted approving the allocation of Project-Based Vouchers. Seconded by Councilmember Fitzgerald.

There were questions and comments from City Council that were addressed by Housing Administrator Jodi Royal-Goodwin.

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

#23137. Councilmember Saucedo moved the resolution be adopted approving the utility easement agreement between the city and MLC Land Company LLC for the hotel project. Seconded by Councilmember Harvey.

There were questions and comments from City Council that were addressed by Community Development Director Dave Gobin.

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

#23138. Councilmember Harvey moved to approve the issuance of a purchase order to Rehrig Pacific Company in the amount of \$5,404 for the purchase of 112 95-gallon refuse carts. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#23139. Councilmember Harvey moved to approve the Project Management Agreement with HNI for storm water improvements. Seconded by Councilmember Rehwaldt.

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

Vote – All ayes; motion carried.

#23140. Councilmember Harvey moved to authorize the conversion of 8<sup>th</sup> and Cypress streets to a permanent four-way stop. Seconded by Councilmember Natvig. All ayes; motion carried.

#23141. Councilmember Fitzgerald moved to approve the bid from Bayfield Snow Removal for the 2017 CBD Snow Removal/Snow Hauling. Seconded by Councilmember Saucedo. All ayes; motion carried.

#23142. Councilmember Harvey moved to approve the Professional Services Agreement with Bolton & Menk in the amount of \$1,058,951 for the Grandview Avenue Corridor Project. Seconded by Councilmember Fitzgerald.

There were questions and comments from City Council that were addressed by City Engineer Jim Edgmond.

Vote – All ayes; motion carried.

#23143. Councilmember Fitzgerald moved to approve the proposal from the Steve Ford-Martin Whitacre team in the amount of \$37,500 for the West Side Trail Route Study. Seconded by Councilmember Natvig. All ayes; motion carried.

#23144. Councilmember Natvig moved to approve the grant agreement in the amount of \$150,000 with the Iowa Department of Transportation's Department of Aviation for t-hangar building construction at the Municipal Airport. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#23145. Councilmember Fitzgerald moved to approve the grant agreement in the amount of \$239,490 with the Iowa Department of Transportation for Phase II of the Hangar Expansion Project at the Municipal Airport. Seconded by Councilmember Saucedo. All ayes; motion carried.

#23146. Councilmember Fitzgerald moved to authorize the issuance of a purchase order to Van Wall Equipment in the amount of \$19,900 for a used 2015 John Deere 2500 B-D Greens Mower for the golf course. Seconded by Councilmember Natvig. All ayes; motion carried.

#23147. Councilmember Natvig moved to approve Change Order #7 totaling \$21,321 for the Landfill Cell #5 Construction Project. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

The final item on the agenda was a presentation by Ed Freer of S.E.H. Inc. concerning the Riverside Park Master Plan. Before beginning his presentation, Mr. Freer stated the plan is just the initial step for the Riverside Park Project and not the design of the project.

Mr. Freer stated that public hearings were held in November 2016 and May 2017 and what was heard from residents, stakeholders and city representatives is the riverfront needs the following amenities:

- Gathering spaces
- Food/beverage
- Music
- Farmers Market
- Programmable barge

- Restrooms – more and open
- Riverfront swings
- Connections with new Mississippi Drive
- Gateway columns
- Maintenance free options
- Aesthetically pleasing lift station
- A WOW factor

Mr. Freer stated his hat is off to the City of Muscatine for all the hard work that is taking place in the community.

Mr. Freer stated riverside park has been divided into three geographic zones as part of the Master Plan. Before moving forward with his presentation, he showed what has been done on the riverfront over the years. He stated that elements being proposed for the western portion of the park include the following:

- New Shade Structures
- Amphitheater Lawn
- New Amphitheater and Plaza
- New Multi-Use Athletic Courts

Mr. Freer then provided a slide showing the amenities of the proposed amphitheater. He then provided a slide showing recently completed amphitheater projects designed by SEH.

Mr. Freer stated the elements being proposed for the eastern portion of the park include the following:

- Proposed Concessions
- Proposed Fish Cleaning Station
- Proposed Boat Washing Station
- Proposed Pedestrian Plaza/Fix It Station
- New Pedestrian Connection to Connections
- Boat Fueling Station

Mr. Freer then provided slides with examples of the abovementioned elements.

Mr. Freers then began an overview of the central portion of the proposed Riverside Park Master Plan. He talked about developing this area of the park to facilitate riverboat cruises and showed what the area could look like. He then talked about the possibility of a Papoose Beer Garden and showed what the area could look like. He stated that beer gardens are becoming quite popular in many communities and have been found to be good revenue generators.

Mr. Freers then talked about site furnishings in the central portion of the park that could include an entryway pillar concept and bike fix-it station. He then talked about the character of Riverside Park and showed how the lift station could be aesthetically upgraded to enhance the park.

Mr. Freers then talked about the use of terraces on the riverfront to allow for gathering places near the water and explained the advantages of terraces during flooding. He then explained the proposed plan for a Farmers Market on the riverfront that would maintain vehicular circulation, would remain close to the downtown area, would allow for approximately 40 vendors, and would allow for expansion in the future.

Mr. Freers stated the development of the proposed Riverside Master Plan would not be a cakewalk. He stated it will take a couple of decades and millions of dollars but there are a lot of funding opportunities out there. He stated City Council needs to champion this project because there is something for everybody.

#23148. Councilmember Saucedo moved to approve the Riverside Park Master Plan. Seconded by Councilmember Natvig. All ayes; motion carried.

Under comments, Councilmember Natvig urged everyone to get out and vote next week.

Councilmember Saucedo stated that Councilmember Spread, 3<sup>rd</sup> Ward Representative, had asked that in his absence, the following statement be read into the record:

“This Tuesday is Election Day. We have the opportunity to restore civility to local politics with this election but that can only be accomplished if the people use their fundamental right of citizenship and vote. Participate in the decision-making process...do your due diligence...educate yourself and cast your ballot next Tuesday. Vote your conscience. It is important to the future of this great city that every eligible voter in the City of Muscatine participate. Your vote is your voice. Vote November 7.

“I do not presume to act as your agent, and I do not give you permission to act as my agent.”

Councilmember Saucedo stated that he would also like to see the city to continue to move forward. He stated it is his hope that everyone gets out to vote on Tuesday.

City Administrator Mandsager addressed Max Kaufman’s concerns by stating there had been no raid at the Towers Apartments. He stated a woman had violated a “No Trespass Order” and was arrested after she refused to leave.

City Administrator Mandsager then passed around the following statement that Councilmember Spread, 3<sup>rd</sup> Ward Representative, also wanted included as part of the official record:

“It is regrettable that one or more members of the Council along with the City Administrator find it necessary to demand a retraction and require an apology from the Mayor for her unproven allegations against them. The threat of further litigation is by no means a positive outcome for the elected officials, city staff, or the public at large, and is one that can and should be avoided, if possible.

“Free speech is protected under most circumstances. However, it is not acceptable speech to overtly damage the reputation, career, and perhaps life of others purely for political gain. For example, false and unsubstantiated claims of gender bias and corruption are harmful if for no other reason than they are allegations of criminal wrongdoing. These things did not happen and it is wrong to suggest otherwise.

“The mayor has an opportunity to make things right, to recant the allegations and insinuations, and save all the affected, including the citizens of Muscatine, from further harm. A retraction and apology from the Mayor would be the beginning of a much needed healing process for this community.

“It is time to find the positive in each other and move forward for the benefit of the City of Muscatine. It is my hope that the Mayor will take the citizens into consideration and extend the olive branch by issuing a retraction and a letter of apology so that we can continue towards our goal of making Muscatine a great place to live, work, and raise a family.

“I do not presume to act as your agent, and I do not give you permission to act as my agent.”

Mayor Broderson complimented the Police Department for their interaction with the children on Halloween night.

Councilmember Harvey moved the meeting be adjourned at 8:25 p.m.

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Diana Broderson, Mayor

ATTEST:

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Gregg Mandsager, City Administrator