

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. –September 19, 2019

Mayor Broderon called the City Council meeting for Thursday, September 19, 2019, to order at 7:00 p.m. Present were: Councilmembers Harvey, Brockert, Saucedo, Brackett, Fitzgerald and Malcolm. Councilmember Spread was not present.

The meeting began with the Pledge of Allegiance.

Communications-Citizens

Mayor Broderon stated this Public Hearing concerns an appeal of a nuisance abatement notice received by Jason and Hope Curry 4200 Hwy 61, Muscatine.

Community Development Director Jodi Royal-Goodwin stated this was a complaint driven notice and shared pictures of the property taken by the inspectors.

Attorney Chris Surls, representing Jason Curry, noted he believes the notice that Mr. Curry received was vague with little explanation of the violations and he did not receive the pictures. He states Mr. Curry is in the trucking business and therefore has trucks and parts he uses for his business stored on his property.

Ms. Royal-Goodwin stated that the form sent to Mr. Curry was the standard form that is sent for all violations of this type which is what is required by law.

There was discussion between Mr. Curry's attorney and City staff and a consensus was reached to start the nuisance abatement process over with an updated more detailed notice and a timelier specific timeline for the items to be corrected.

Guy Dierks 117-119 Mississippi Drive came to discuss the lack of support he feels he and other business owners in the downtown received during the 2019 flood. Mr. Dierks stated that other cities came forward to help the business owners. Councilmember Fitzgerald stated that as long as he has been on Council, the City was responsible for public areas and business owners took care of their property. Mayor Broderon stated that several councilmembers did walk around to see if there was anything they could do to help business owners in the downtown area.

Dave Armstrong, Mississippi Brew, came to state he has a problem with sewage backing up into his business. He states it is like a switch is turned and he has rushing sewage rising five to six feet in his basement. Councilmember Brackett suggested that city staff run a camera through the pipes to determine the cause of this problem.

Jim Meredith, 1986 Bayfield, came to discuss the handicapped parking in the downtown area. Mr. Meredith stated the parking is not in compliance with the ADA. Mayor Broderon stated this issue would be looked into and addressed accordingly.

Consent Agenda

Councilmember Brackett, Seconded by Councilmember Saucedo moved the Consent Agenda be approved as follows:

- Items 6 A-B: Approval of City Council Minutes
- Items 8 A-D: Petitions and Communications

- Items 12 A-C: Receive and File
- Bills for Approval totaling \$2,294,031.09
Vote – Ayes 6, Nays 0, Motion carried

Public Hearing

- A. Mayor Broderson stated this public hearing concerns the vacation of right of way for Brier Street and portions of the adjoining alley.
There were no oral or written comments
Vote: Ayes – 6, Nays – 0, motion carried
- B. Mayor Broderson stated this public hearing concerns the vacation of right of way for property located adjacent to 922 Hancock Street.
There were no oral or written comments
Vote: Ayes - 6, Nays - 0, motion carried
- C. Mayor Broderson stated this public hearing concerns the vacation of utility easements located at lots 4B and 4C of Sunrise Subdivision submitted by University Storage.
Attorney Jamie Boston came to state support for University storage
Vote: Ayes – 6, Nays – 0, motion carried
- D. Mayor Broderson stated this public hearing concerns the vacation of utility easements located at 3702 and 3811 Park Avenue West submitted by White Distribution.
There were no oral or written comments
Vote: Ayes – 6, Nays – 0, motion carried

Item 11A

Councilmember Brackett moved to approve the second reading of Ordinance #2019-0279, amending Title 1 Administrative, Chapter 10 Section 2(E)(1)(b) City Officers and Employees. Seconded by Councilmember Saucedo.

Vote: Ayes - 4, Nays - 2, (Fitzgerald & Harvey) motion carried

Item 11B

Councilmember Saucedo moved to approve the first reading of Ordinance #2019-0306, vacating the right of way for Brier Street and portions of the adjoining alley. Seconded by Councilmember Brackett.

Vote: Ayes - 6, Nays - 0, motion carried

Item 11C

Councilmember Brackett moved to approve the first reading of Ordinance #2019-0307, vacating a right of way on Lake Park Blvd adjacent to 922 Hancock Street. Seconded by Councilmember Saucedo.

There was discussion among City Council and Ken LaRue (owner of property at 922 Hancock) regarding the City receiving the site plan for this property and the timing for getting this approved and adopted.

Vote: Ayes - 4, Nays - 2 (Fitzgerald, Brockert) motion carried.

Item 11D

Councilmember Brackett moved to adopt Resolution #2019-0308, approving the vacation of utility easements located on lots 4B and 4C of Sunrise Subdivision. Seconded by Councilmember Saucedo.

Vote: Ayes - 6, Nays - 0, motion carried

Item 11E

Councilmember Brockert moved to adopt Resolution #2019-0309, approving the vacation of utility easements located at 3702 and 3811 Park Avenue West. Seconded by Councilmember Harvey.

Vote: Ayes - 6, Nays - 0, motion carried

Item 11F

Councilmember Brockert moved to adopt Resolution #2019-0310, approving the contract and bond for the West Side Trail Project. Seconded by Councilmember Saucedo.

Vote: Ayes – 6, Nays – 0, motion carried

Item 11G

Councilmember Fitzgerald moved to adopt Resolution #2019-0311, approving of financing of certain proposed projects to be undertaken by the City and establishing compliance with reimbursement bond regulations under the Internal Revenue Code. Seconded by Councilmember Saucedo.

Vote: Ayes – 6, Nays – 0, motion carried

Item 11H

Councilmember Saucedo moved to adopt Resolution #2019-00312, approving the contract and bond for the Airport Hangar and Apron Expansion Construction Project. Seconded by Councilmember Brockert.

Vote: Ayes – 6, Nays – 0, motion carried

Item 11I

Councilmember Brackett moved to adopt Resolution # 2019-0313, authorizing the assessment of unpaid abatement costs to private properties. Seconded by Councilmember Malcolm.

Vote: Ayes – 6, Nays – 0, motion carried

Item 11J

Councilmember Brackett moved to adopt Resolution #2019-0314, approving the annual City Street Finance Report for fiscal year 2018-2019. Seconded by Councilmember Brockert.

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

Vote: Ayes – 6, Nays – 0, motion carried

Item 11K

Councilmember Brackett moved to adopt Resolution #2019-0315, approving the annual Urban Renewal Report to the State of Iowa for the year ended 2018. Seconded by Councilmember Brockert.

Vote: Ayes – 6, Nays – 0, motion carried

Item 11L

Councilmember Brackett moved to approve Request #2019-0316, for the issuance of a purchase order to Martin & Whitacre in an amount not to exceed \$12,000, to prepare survey plats for the 2nd Street and Mulberry Roundabout Project. Seconded by Councilmember Brockert.

There were questions from City Council that were addressed by City Administrator Mandsager and City Engineer Edmond regarding the timing of the surveys.

Vote: Ayes – 6, Nays – 0, motion carried

Item 11M

Councilmember Fitzgerald moved to approve Request #2019-0317, awarding Midtown Towing and Repair the contract for Impound/Towing for the City of Muscatine. Seconded by Councilmember Malcolm.

Vote: Ayes – 6, Nays – 0, motion carried

Item 11N

Councilmember Brockert moved to approve Request #2019-0318, approving the issuance of a purchase order to Henderson Manufacturing in the amount of \$90,778.00 for the purchase of dump truck body, salt spreader and plows. Seconded by Councilmember Fitzgerald.

There were questions from City Council regarding the time from to get this equipment that was addressed by Public Works Director Brian Stineman. Mr. Stineman stated the turnaround time would be 24-36 weeks.

Vote: Ayes – 6, Nays – 0, motion carried

Item 11O

Councilmember Fitzgerald moved to approve Request #2019-0319 approving the issuance of a purchase order to Ecoturf Surfacing/Taylor-made Co. in the amount of \$113,049.44 for the resurfacing of Fuller Park playground. Seconded by Councilmember Brackett.

Vote: Ayes – 6, Nays – 0, motion carried

Item 11P

Councilmember Saucedo moved to approve Request #2019-0320, approving the issuance of a purchase order to Barker Lemar in the amount of \$15,090.00 for addition monitoring well installation and reporting for landfill as required by law. Seconded by Councilmember Fitzgerald.

There were questions from City Council regarding the amount budgeted for this expense that were answered by Public Works Director Brian Stineman.

Vote: Ayes – 6, Nays – 0, motion carried

Item 11Q

Community Development Director Jodi Royal-Goodwin presented a request to accept a response from Merge Urban Development for the Carver Corner Redevelopment Project as the preferred developer and to authorize staff to negotiate a development agreement and enter into negotiations for the acquisition of property.

Ms. Royal-Goodwin stated Merge Development has shown a great interest in investing a large amount of time and money into this development project. She states the references from other communities have been great and Merge has stated their desire to work with the community for ideas as to what should go in this development.

There were questions and comments from City Council regarding what “preferred

developer” meant and if that would mean the City was locked into using them for the development of Carver Corner.

Ms. Royal-Goodwin stated this would only allow the staff to start working with Merge to discuss options that would benefit the City and interest of the residents. She stated the City Council at any time could vote against any proposals that would be brought before them regarding the development.

City Council questions why only one bid was received.

Ms. Royal-Goodwin stated that the RFP had been sent out to over 70 contractors and was available on our website to anyone signed up to receive the notices.

There was discussion among City Council regarding the benefits of this project and how it is going to financially effect Muscatine regarding the future tax rates.

Mayor Broderson stated she feels the City Council needs more time to review the documentation presented before making a decision and would like to bring it back for vote at the next council meeting.

Mayor Broderson stated she would like this request to be brought back with more clarity as to what exactly the City Council would be agreeing to with this request.

Ms. Goodwin asked for council to discuss with her what exactly they are wanting so that she can go to Merge and discuss if that is something, they are willing to do.

Councilmember Brackett moved to table the discussion until the October 3rd council meeting seconded by Councilmember Malcolm.

Vote: Ayes – 6, Nays – 0, motion carried.

Ann Meeker 101 West Mississippi Drive, came to ask about the process of sending out RFP’s for projects. She states she would like to know what local developers received an RFP because she did not. Ms. Meeker also states the Peace Park responded to the RFP stating the request did not meet their format and provided what they would like to have done.

Ms. Meeker states that with all the development that has been done in Muscatine, she doesn’t understand how the city still struggles so much that we cannot get rid of the traffic camera revenue.

Communication-Council Members

Councilmember Malcolm stated he would like to make a formal apology for not coming to help with the flooding issues to the businesses in his ward.

Councilmember Fitzgerald replied to Ann Meekers comment regarding the City of Muscatine Financially struggling. He states the City has been able to hold the tax levy the same for the last ten years because of the developments done by the Meekers and other developers and does not feel the City is financially in trouble.

Councilmember Saucedo stated he has received many calls regarding the pit bull ban and would like to put a request in for discussion of lifting this ban and having a vicious dog ban.

City Administrator Mandsager stated the City has also worked through many legislative changes and property tax changes by absorbing costs to keep the tax levy the same. Mr. Mandsager states he will be meeting with staff members regarding many of the issues that were brought up tonight to get information to council and the public.

Mayor Broderson stated she received a call from Mr. Schey on Lake Park Blvd regarding mowing the green belt area. Mayor Broderson stated Parks and Recreation Director Rich Klimes will clarifying property lines so there is no confusion as to who is responsible.

Mayor Broderson stated this weekend is Second Saturday and the Over the Edge Event downtown and encouraged citizens to attend. Mayor stated next Thursday is the last Almost Friday Fest, September 24th is the School Board Candidate Forum and the next “Our City” guests will be the Boy Scouts and Muscatine Legal Services.

Councilmember Brackett motioned for meeting to be adjourned at to 9:15 p.m.

Mayor Diana Broderson

Attest:

City Clerk, Gregg Mandsager