

CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
Council Chambers – 7:00 p.m. –August 15, 2019

Mayor Broderson called the City Council meeting for Thursday, August 15, 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**

Jon Perrin, 911 Hancock Street came to discuss issues with the development of a parking lot across the street from his house. Mr. Perrin states that it will lower his property value and become a nuisance for local residents.

Councilmember Saucedo stated he has been following the status of this and final plans are still being discussed.

Andrew Fangman, Planning and Zoning, stated this project will be brought before City Council in September and states all concerns will be taken into consideration.

**Consent Agenda**

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

- Items 6 A: Approval of City Council Minutes
  - Items 8 A-F: Petitions and Communications
  - Items 9 A-C: From the Mayor
  - Items 12 A-C: Receive and File
  - Bills for Approval totaling \$2,365,251.94
- Vote – Ayes 6, Nays 0, Motion carried

**Public Hearing**

A. Mayor Broderson stated this public hearing concerns a proposed amendment to Title 10, Chapter 27, Section 8 of the City Code, Standards for all parking lots, garages, drive lanes and driveways.

Councilmember Saucedo moved the public hearing to be closed, seconded by Councilmember Brackett.

Vote – Ayes 6, Nays 0, Motion carried

B. Mayor Broderson stated this public hearing concerns the declaration of property located at 405 Van Horne Street as surplus and offering said property to sale to adjoining property owners.

Councilmember Saucedo moved the public hearing to be closed, seconded by Councilmember Brackett.

Vote – Ayes 6, Nays 0, Motion Carried

**Item 11A**

Councilmember Brackett moved to approve the second reading of Ordinance #2019-0236, amending Title 8, Chapter 7 of City Code, Building regulations, Mechanical Code. Seconded by

Councilmember Saucedo.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11B**

Councilmember Harvey moved to approve the second reading of Ordinance #2019-0237, amending Title 10, Chapter 4, Section 11 of City Code Floodplain Regulations. Seconded by Councilmember Brockert.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11C**

Councilmember Brackett moved to approve the first reading of Ordinance #2019-0248, amending Title 10, Chapter 27, Section 8 of City Code, Standards for all Parking Lots, Garages, Drive Lanes, and Driveways. Seconded by Councilmember Saucedo.

Vote – Ayes 4, Nays 2 (Harvey, Fitzgerald), Motion failed due to needing a super majority vote

**Item 11D**

Councilmember Brackett moved to adopt Resolution #2019-0270, declaring City owned property located at 405 Van Horne as surplus and offering said property for sale to Sergio and Gloria Zamora for \$3000. Seconded by Councilmember Harvey.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11E**

Councilmember Fitzgerald moved to adopt Resolution #2019-0250, awarding contract for the 2<sup>nd</sup> Street and Mulberry Avenue roundabout to the sole bidder, Heuer Construction in the amount of \$2,114,738.00 Seconded by Councilmember Brackett.

There were questions from City Council regarding only one bid being received and the impact this project was going to have on downtown businesses.

City Engineer Jim Edgmond and City Administrator Gregg Mandsager stated that the timing of the project affected the number of bids received and that the staff was working together with the business owners to allow as much access as possible to their businesses. Mr. Edgmond stated he would be holding a meeting with the business owners to provide them with up to date information regarding the project.

There were questions from City Council regarding the stages of work on the project that Mr. Edgmond stated would be discussed with the contractor once the contract has been awarded.

Vote – Ayes 6, Nays 0, Motion Carried

**Item 11F**

Councilmember Brackett moved to adopt Resolution #2019-0251, setting public hearing regarding surplus property located on Roby Avenue and offering said real estate for sale. Seconded by Councilmember Harvey.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11G**

Councilmember Brackett moved to adopt Resolution #2019-0252 awarding contract for demolition of property located at 515 E. 2<sup>nd</sup> street to low bidder Valley Construction in the amount of \$26,500.00. Seconded by Councilmember Malcolm.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11H**

Councilmember Fitzgerald moved to adopt Resolution #2019-0253, authorizing the assessment of unpaid nuisance abatement costs to private properties. Seconded by Councilmember Brackett.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11I**

Councilmember Brackett moved to adopt Resolution # 2019-0254, accepting the completed work for the Houser Street Parking and Athletic Field Grading Project and authorizing final payment. Seconded by Councilmember Brockert.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11J**

Councilmember Fitzgerald moved to adopt Resolution #2019-0269, rescinding resolution 2019-0213 and reject all bids for the 2019 Asphalt Alley Program. Seconded by Councilmember Harvey.

There were questions from City Council regarding if and when this project would be rebid that were addressed by City Administrator Mandsager. Mr. Mandsager stated it will be brought back to City Council for a decision on how to proceed.

Nancy McClure, owner of Pro-Paving came forward with questions regarding the process of rejecting bid and who makes that decision that were addressed by Staff, Council and the City Attorney Matt Brick.

Mr. Brick stated that there are numerous reasons bids can be rejected to include being a non-responsive. He states if staff finds a bid nonresponsive, they are not required to accept the bid. Once staff decides on the most responsible bid it is presented for approval of City Council.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11K**

Councilmember Bracket moved to adopt Resolution #2019-0256, awarding contract for the Airport Hangar and Apron Construction Project to the low bidder SG Construction in the amount of \$641,854.22. Seconded by Councilmember Brockert,

Vote – Ayes 6, Nays 0, Motion carried

**Item 11L**

Councilmember Bracket moved to approve Request #2019-0257 for the issuance of a purchase order to Bushman Excavating in the amount of \$74,350 for pavement crushing. Seconded by Councilmember Harvey.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11M**

Councilmember Saucedo moved to approve Request #2019-0258 for a Transit Joint Participation Agreement with the IDOT for operating assistance. Seconded by Councilmember Brackett.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11N**

Councilmember Brackett moved to approve Request #2019-0259, for the issuance of a purchase order to Martin & Whitacre in the amount of \$5,900.00 for a survey and preliminary engineering study for a demountable flood wall along the riverfront. Seconded by Councilmember Harvey.

There were questions from Council regarding what the demountable flood wall would look like that were addressed by City Engineer Jim Edgmond. He stated this is not a temporary wall and that the base of the wall would be stationary.

There was discussion from Council if this would help with water in the basements of the downtown buildings that were addressed by Mr. Edgmond. Mr. Edgmond stated that there would be a pump system in place that would pump ground water back over the wall to help with seepage issues.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11O**

Councilmember Fitzgerald moved to approve Request #2019-0260, for the issuance of a purchase order to Hydro Engineering in the amount of \$10,530.00 for the purchase of two sections of Snaptite polyurethane dragline hoses. Seconded by Councilmember Brackett.

Vote – Ayes 6: Nays 0: Motion carried

**Item 11P**

Councilmember Brackett moved to approve Request #2019-0261, approving Addendum #1 to the Nutrient Reduction Study. Seconded by Councilmember Brockert.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11Q**

Councilmember Harvey moved to approve Request #2019-0262, approving contract with Access 2Care to provide transportation to passengers with a waiver. Seconded by Councilmember Brackett.

There were questions from City Council regarding daily verses monthly riders that were addressed by Public Works Director Brian Stineman.

Vote – Ayes 6, Nays 0: Motion carried

**Item 11R**

Councilmember Fitzgerald moved to approve Request #2019-0273, to enter into an agreement with Winsor Consulting for IT staff augmentation. Seconded by Councilmember Malcolm.

There were questions from City Council regarding what exactly the City would receive for this agreement and the costs that would be involved that were address by IT Director John Kreuzenstein.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11S**

Councilmember Brackett moved to approve Request #2019-0264, for the issuance of a purchase order to Helitech in the amount of \$15,663.00 for the repair of foundations at Sunset Park Housing.

There were questions from City Council regarding the number of buildings damaged and the cause of the damage that were addressed by Community Development and Housing Director Jodi Royal-Goodwin. Ms. Goodwin stated that there are several buildings damaged but one that needed repaired soon. She stated that water had caused the damage and that staff was looking at ways to redo the gutter systems to push the water further away from the foundation.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11T**

Councilmember Brackett moved to approve Request #2019-0265, authorizing the 2019-2020 City Deer Hunt to be held September 14, 2019 through January 10, 2020. Seconded by Councilmember Fitzgerald.

City Council suggested tracking turkey and possibly adding an in-City Turkey hunt in the future as well.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11U**

Councilmember Fitzgerald moved to approve Request #2019-0263, for the issuance of a purchase order to FSS Incorporated in the amount of \$46,111.47, for the upgrade and expansion of camera system at the WRRF and Transfer Station. Seconded by Councilmember Brackett.

There were questions regarding the use of the cameras that were addressed by Jon Koch Director of WRRF.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11V**

Councilmember Brackett moved to approve Request #2019-0267, for the issuance of a purchase order to Elliott Equipment in an amount not to exceed \$16,900.00 for the purchase of solid waste dumpsters and trash carts. Seconded by Councilmember Brockert.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11W**

Councilmember Brackett moved to approve Request #2019-0268, for the issuance of a purchase order to Terry & Sons, in the amount of \$7,300.00 for the Fire Department patio sealing. Seconded by Councilmember Malcolm.

There were questions from City Council regarding what type of surface that patio is and who is doing the work that were address by Public Works Director Brian Stineman.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11X**

Councilmember Brackett moved to approve Request #2019-0266, declaring City owned items as surplus and authorizing the sale of said items via an online auction between Sept 2, 2019, and Sept 16, 2019. Seconded by Councilmember Saucedo.

There were questions from City Council regarding what happens to the unpurchased items after the auction ends that were addressed by Public Works Director Brian Stineman. He stated depending on the item it may be held until a future auction or it will be disposed of.

Vote – Ayes 6, Nays 0, Motion carried

**Item 11Y**

Councilmember Brackett moved to approve Request #2019-0248, to enter into a contract with Seda Consulting for the Evaluation Process of the City Administrator. Seconded by Councilmember Saucedo.

Vote – Ayes 5, Nay 1 (Fitzgerald) Motion carried

**Item 11Z**

Discussion Regarding Changes to Title 1, Chapter 10, Section 1b

There was discussion and questions among City Councilmembers regarding the Change to Title 1, Chapter 10, Section 1b regarding communication between staff and City Councilmembers.

City Attorney Matt Brick presented a change to the code that would allow communication without having any action on the ethics code.

There was a consensus to bring the ordinance change to the September 5<sup>th</sup>, 2019 Council Meeting for first reading.

**Communication-Council Members**

Councilmember Brockert asked for update on when N. Houser Street would be open and what the status of Miller Hill was.

City Engineer Jim Edgmond stated that the contractor was doing everything possible to have N. Houser open by the start of school. Mr. Edgmond stated that Miller hill was still slowly sliding and survey pins were going to be installed to judge the movement.

Councilmember Brockert stated Riverbend Neighbors would be meeting Monday at 7:00 P.M at Fire Station #2.

Councilmember Saucedo gave his condolences to the family of Devin Estabrook and to family of those recently in fire.

Councilmember Brackett stated to City staff that if he slips up and sounds like he is giving a directive that is not his intention.

Mayor Broderson stated there would be no Council until Sept 5<sup>th</sup> and encouraged citizens to attend the almost Friday Fest on August 22<sup>nd</sup>. Mayor Broderson stated the next guests on Our City would be Jenna Wagner and Sue Johannsen and that the next Coffee with the Mayor would be held at Sunnybrook Senior Living Center on Aug 20<sup>th</sup> at 9:00 a.m.

Councilmember Harvey motioned meeting adjourned at 9:02 p.m.

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Mayor Diana Broderson

Attest:

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City Clerk, Gregg Mandsager