

**CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES**
Council Chambers – 7:00 p.m. –September 5, 2019

Mayor Broderson called the City Council meeting for Thursday, September 5, 2019, to order at 7:00 p.m. Present were: Councilmembers Spread, Harvey, Brockert, Saucedo, Brackett, Fitzgerald and Malcolm. Councilmember Spread was not present.

The meeting began with the Pledge of Allegiance.

Communications-Citizens

Chief Jerry Ewers presented the Civilian Meritorious Award to Isabel Maresca for outstanding performance during a stressful fire situation, protecting life and/or property.

Jim Meredith, 1986 Bayfield Road, came forward to discuss the status of the handicapped parking on Mississippi Drive. Mr. Meredith states that the current parking for handicapped persons is not safe.

Consent Agenda

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

- Items 6 A-B: Approval of City Council Minutes
- Items 8 A-G: Petitions and Communications
- Items 9 A-B: From the Mayor
- Items 12 A-C: Receive and File
- Bills for Approval totaling \$1,852,451.47
Vote – Ayes 7, Nays 0, Motion carried

Public Hearing

A. Mayor Broderson stated this public hearing concerns the declaration of property located on Roby Avenue as surplus and offering said property for sale to adjoining property owners Clint and Dana Church, for the amount of \$8,828.00. Councilmember Saucedo moved the public hearing to be closed, seconded by Councilmember Brockert.

Vote – Ayes 7, Nays 0, Motion carried

B. Mayor Broderson stated this public hearing concerns the 2019 Asphalt Alley Project. Councilmember Saucedo moved the public hearing to be closed, seconded by Councilmember Malcolm.

Vote – Ayes 7, Nays 0, Motion Carried

From the Mayor

Mayor Broderson presented and signed a proclamation declaring the week of September 17-23, 2019 as Constitution Week.

Item 11A

Councilmember Saucedo moved to approve the third and final reading of Ordinance #2019-0236, amending Title 8, Chapter 7 of City Code, building regulations, Mechanical Code and to direct for its publication as required by law. Seconded by Councilmember Spread.

Vote – Ayes 7, Nays 0, Motion carried

Item 11B

Councilmember Brackett moved to approve the third and final reading of Ordinance #2019-0237, amending Title 10, Chapter 4, Section 11 of City Code Floodplain Regulations and to direct for its publication as required by law. Seconded by Councilmember Harvey.

Vote – Ayes 7, Nays 0, Motion carried

Item 11C

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

Vote – Ayes 4, Nays (Spread, Harvey, Fitzgerald) Motion carried.

Item 11D

Councilmember Brockert moved to approve Resolution #2019-0280, Declaring property on Roby Avenue as Surplus and authorizing the sale of property to Clint and Dana Church. Seconded by Councilmember Brackett.

Vote – Ayes 7, Nays 0, Motion carried

Item 11E

Councilmember Brackett moved to adopt Resolution #2019-0281, approving the revised plan, specifications, form of contract, and cost estimate for the 2019 Asphalt Alley Program. Seconded by Councilmember Malcolm.

Vote – Ayes 7, Nays 0, Motion Carried

Item 11F

Councilmember Harvey moved to adopt Resolution #2019-0282, Approving Contract and Performance and Payment Bond for East 2nd Street and Mulberry Roundabout.

There were questions and comments regarding the effects that this construction will have on local businesses over the Holiday Season. Councilmember Spread stated city staff could push the construction back until first quarter of next year. Mr. Spread would like the contract amended to allow City Staff to allow for extra time to complete the work. Public Works Director Brian Stineman stated the goal was to work with everyone involved to make it go as smooth as possible.

Councilmember Spread moved to amend the time frame on the Contract for the 2nd Street and Mulberry Roundabout Project, Seconded by Council Brackett.

Vote on Amendment – Ayes 7, Nays 0, Motion carried

Vote on contract - Ayes 7, Nays 0, Motion carried

Item 11G

Councilmember Saucedo moved to adopt Resolution #2019-0283, approving combined Preliminary/Final Plat for Tulip Subdivision. Seconded by Councilmember Harvey.

There were questions from City Council regarding the division of such properties that was addressed by Assistant Community Development Director Andrew Fangman.

Vote – Ayes 7, Nays 0, Motion carried

Item 11H

Councilmember Brackett moved to adopt Resolution #2019-0284, awarding the Contract for Westside Trail Project to Heuer Construction in the amount of \$1,221,380.29. Seconded by Councilmember Spread.

There were questions from City Council regarding what type of material would be used to pave the West Side Trail that were addressed by City Administrator Gregg Mandsager and City Engineer Jim Edgmond. Mr. Edgmond stated the trail would be mostly concrete due to it running through residential area.

Vote – Ayes 7, Nays 0, Motion carried

Item 11I

Councilmember Brackett moved to adopt Resolution # 2019-0285, setting a public hearing on Sept 19, 2019 for Utility Easement Vacation at 3702 and 3811 Park Avenue West. Seconded by Councilmember Harvey.

Vote – Ayes 7, Nays 0, Motion carried

Item 11J

Councilmember Saucedo moved to adopt Resolution #2019-0286, setting a public hearing on Sept. 19, 2019 for Utility Easement Vacation in Sunrise Subdivision. Seconded by Councilmember Brackett.

Vote – Ayes 7, Nays 0, Motion carried

Item 11K

Councilmember Harvey moved to adopt Resolution #2019-0287, setting a public hearing on September 19, 2019 for the vacation of Right of Ways on Hancock Street and Lake Park Blvd. Seconded by Councilmember Brackett.

There were questions from City Council regarding the adjoining concerned neighbors that were address by Andrew Fangman.

Vote – Ayes 6, Nays 1 (Fitzgerald), Motion Carried.

Item 11L

Councilmember Brockert moved to approve Request #2019-0288, setting a public hearing on September 19, 2019, for the vacation of Right of Way for several properties located long Brier Street and the adjoining alley. Seconded by Councilmember Harvey.

There were questions from City Council regarding the future sale of the right of way that were answered by City Engineer Jim Edgmond and Assistant Community Development Director

Andrew Fangman.

Vote – Ayes 7, Nays 0, Motion carried

Item 11M

Councilmember Harvey moved to adopt Resolution #2019-0289, creating and setting a late fee for Grease Discharge Renewal Applications. Seconded by Councilmember Brackett.

Vote – Ayes 7, Nays 0, Motion carried

Item 11N

Councilmember Saucedo moved to approve Request #2019-0290, approving two addition to the City Employee Handbook regarding Retaliation and contract negotiations, seconded by Councilmember Spread.

There were questions from City Council regarding the addition of these codes that was addressed by City Administrator Gregg Mandsager. He stated these changes were the recommendations from the City Attorney.

Vote – Ayes 7, Nays 0, Motion carried

Item 11O

Councilmember Fitzgerald moved to approve Request #2019-0291 approving changes to the Compost Facility Operations by adding a fee for use by non-residents and commercial services. Seconded by Councilmember Brackett.

There were questions from City Council regarding how the attendant would determine the residency. Dave Popp stated that stickers would be handed out free of charge to all residents that will be using the compost site.

There were also questions regarding if a contractor was bringing compost from a city residence would they have to pay causing the resident to double pay for the services. Mr. Popp stated that is something that could be looked into.

Vote – Ayes 7: Nays 0: Motion carried

Item 11P

Councilmember Brackett moved to approve Request #2019-0292, approving the issuance of a purchase order to Xylem Water Solutions in the amount of \$22,750.00 for the purchase of 5000 9" membrane disc diffusers. Seconded by Councilmember Brockert.

There were questions from City Council as to what damage was done to the prior membranes. WRRF Director Jon Koch stated that no damage has been done they are just old. He stated they should be replaced every 5 years and these have been here for 10 years.

Vote – Ayes 7, Nays 0, Motion carried

Item 11Q

Councilmember Brackett moved to approve Request #2019-0293, approving the issuance of a purchase order to Raynor Door in the amount of \$51,956.00 for the purchase of overhead doors for the Public Works Department Facilities. Seconded by Councilmember Harvey.

Vote – Ayes 7, Nays 0: Motion carried

Item 11R

Councilmember Harvey moved to approve Request #2019-0294, approving the issuance of a purchase order in the amount of \$70,254.00 to Truck Country for the purchase of a 2020 #36,200 G.V.W. Truck Chassis. Seconded by Councilmember Spread.

There were questions from City Council regarding what was being done with the truck being replaced. Public Works Director Brian Stineman stated that it had been sold.

Vote – Ayes 7, Nays 0, Motion carried

Item 11S

Councilmember Brockert moved to approve Request #2019-0295, restricting on-street parking on the South side of Hershey Avenue from Charles Street to the End of the Pavement Taper at 2216 Hershey. Seconded by Councilmember Brackett.

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

Vote – Ayes 7, Nays 0, Motion carried

Item 11T

Councilmember Brackett moved to approve Request #2019-0296, approving the issuance of a purchase order in the amount of \$45,750.00, to Valley Construction for the demolition of 507 East 2nd Street. Seconded by Councilmember Saucedo.

Vote – Ayes 7, Nays 0, Motion carried

Item 11U

Councilmember Saucedo moved to approve Request #2019-0297, approving an airspace analysis and staking proposal from Barker Lemar in the amount of \$4,500.00 and ravine survey in the amount of \$1,650.00. Seconded by Councilmember Brackett.

Vote – Ayes 7, Nays 0, Motion carried

Item 11V

Councilmember Brackett moved to approve Request #2019-0298, approving the issuance of a purchase order in the amount of \$24,540.00, to Watersmith Engineering for Hwy 61 and Grandview Avenue Sewer Study. Seconded by Councilmember Fitzgerald.

There were questions from City Council regarding the Sewer Study that were addressed by Assistant City Engineer Pay Lynch.

Vote – Ayes 7, Nays 0, Motion carried

Item 11W

Councilmember Saucedo moved to approve Request #2019-0299, for the issuance of a purchase order to Physio Control, in the amount of \$23,781.23, for the purchase of LIFEPAK 15 Cardiac Monitor/Defibrillator for the Fire Department. Seconded by Councilmember Brackett.

There were questions regarding this purchase that were addressed by Fire Chief Ewers.

Vote – Ayes 7, Nays 0, Motion carried

Item 11X

Councilmember Brackett moved to approve Request #2019-0300, for the issuance of a purchase order in the amount of \$24,544.00, to Mincer Ford for the purchase of a 2020 ford pickup

truck to be used by the animal control officer. Seconded by Councilmember Harvey.

There were questions regarding the animal box for the truck that were answered by Police Chief Brett Talkington. He stated that bids would be going out soon and it would be brought for City Council for approval at a future council meeting.

Vote – Ayes 7, Nays 0, Motion carried

Item 11Y

Councilmember Brackett moved to approve Request #2019-0301, approving Change Order #1 for the HSW Project for unknown conditions found during the project. Seconded by Councilmember Brockert.

Vote – Ayes 7, Nay 0, Motion carried

Communication-Council Members

Councilmember stated there is a lot of sand bags still on Mississippi Drive and inquired about how much longer they would be there.

City Engineer Jim Edgmond stated the sand bags are on private property and the owner is being encouraged by City Staff to clean up the area.

Councilmember Brockert reminded citizens to be aware of School traffic with school back in session.

Councilmember Saucedo requested clarification of City Code on Sidewalks specifications.

Councilmember Brackett gave information regarding the 2019 Soap Box Derby, stating it would be held October 12th.

City Administrator Gregg Mandsager stated that the City cardboard recycling centers are being abused and the bins will be pulled if the rules continue to be ignored. Mr. Mandsager stated the cardboard is not being broke down and trash is being dumped in and all around the bins.

Mayor Broderson stated Friday evening is the annual Community Center block party, Sunday is the second Sunday event at the library, and that the Iowa Supreme Court is coming to Muscatine High School on September 10th.

City Administrator Gregg Mandsager stated there is an opening on the Zoning Board of Adjustments that needs to be filled and if anyone is interested to please get application in to City Hall.

Councilmember Harvey motioned meeting adjourned at 8:26 p.m.

Mayor Diana Broderson

Attest:

City Clerk, Gregg Mandsager