



City of Muscatine



CITY COUNCIL Thursday May 20, 2021

Diana Broderson, Mayor

Dennis Froelich, 1st Ward
Osmond Malcolm, 2nd Ward
Peggy Gordon, 3rd Ward
Nadine Brockert, 4th Ward
John Jindrich, 5th Ward

Kelcey Brackett, At Large
DeWayne Hopkins, At Large
Carol Webb, City Administrator
Cinda Hilger, Admin. Professional
Matt Brick, City Attorney

City Council meetings are held on the 1st and 3rd Thursday of each month, In-depth sessions on the 2nd Thursday of each month. All meetings are available for review on the City of Muscatine youtube page.

Pursuant to Iowa Code section 21.8, an electronic City Council meeting is being held on Thursday May 6, 2021 because a meeting in person is impossible or impractical due to concerns for the health and safety of council members, staff, and the public presented by COVID-19. The public is welcome to attend virtually using the information below.

<https://global.gotomeeting.com/join/850269709>

Phone: 1 (571)317-3122
Access Code 850-269-709

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **COMMUNICATIONS – CITIZENS**
5. **CONSENT AGENDA**

The following items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

- * **Items 6A-B Approval of City Council Minutes**
 - A. [City Council Meeting Minutes – May 6, 2021](#)
 - B. [City Council In-Depth Meeting Minutes – May 13, 2021](#)

- * **Item 8A-D Petitions and Communications**
 - A. **Cigarette permits:**
 1. A & E Convenience LLC, 4701 South Highway 61 – A & E Convenience, LLC
 2. Bullpen Sports Bar, 1201 Grandview Avenue – Bullpen Sports Bar
 3. Casey's General Store #1484, 1111 Oregon Street – Casey's Marketing Company
 4. Casey's General Store #2906, 3509 Steamboat Way – Casey's Marketing Company
 5. Casey's General Store #2944, 3010 University Drive – Casey's Marketing Company
 6. Circle K #6600, 802 Cypress Street – Mac's Convenience Stores LLC
 7. Dollar General Store #7027, 2000 Cedar Plaza Drive – DolgenCorp, LLC
 8. Dollar General Store #21855, 901 Cypress Street – DolgenCorp, LLC
 9. Dollar General Store #19625, 807 A Grandview Avenue – DolgenCorp, LLC
 10. Dollar General Store #18711, 3614 Grandview Avenue – DolgenCorp, LLC
 11. Express Mart, 4804 S. Grandview Avenue – Aviya LLC
 12. Fareway Stores, Inc. #998, 2100 Cedar Plaza Drive – Fareway Stores, Inc.
 13. Fast Avenue One Stop, 2111 Park Avenue – Gurung, LLC
 14. GM Food Mart, 1814 E Avenue, Nanak Express LLC
 15. GM Mini Mart, 2307 Lucas Street – Malka 13, Inc.
 16. Grandview Mart, 714 Grandview Avenue – Malka 13, Inc.
 17. Hubble's Tap, 214 East 2nd Street – Hubble's Glenda LLC
 18. Hy-Vee Food Store, 2400 Second Avenue – Hy-Vee, Inc.
 19. Hy-Vee Gas, 2600 Second Avenue – Hy-Vee, Inc.
 20. Hy-Vee Mainstreet, 510 E. 6th Street – Hy-Vee, Inc.
 21. Hy-Vee Mainstreet Wine & Spirits, 522 Mulberry Avenue, Suite A – Hy-Vee, Inc.
 22. Jayde's Vapor Lounge, 2110-B Park Avenue – Jayde's Vapor Lounge Inc.
 23. Kum & Go #1436, 416 Cedar Street – Kum & Go LC
 24. Kum & Go #438, 1429 Park Avenue – Kum & Go LC
 25. KWIK Star #1064, 3605 University Drive – KWIK Trip, Inc.
 26. Loos' Inc., 711 Park Avenue – Loos Inc.
 27. Missipi Brewing Company, 107 Iowa Avenue – R & D Operations
 28. Muscatine Citgo Fast Break, 2603 Second Avenue – Reif Oil Company
 29. New York Dollar Store, 109 East 2nd Street – Antonio Sosa
 30. No More Butts Vapor Lounge, 108 East 2nd Street – No More Butts

Vapor Lounge LLC
31. Pearl City Tobacco and Liquor Outlet, 200 Green Street – Shaurya, LLC
32. Rasta Lion LLC, 211 East 2nd Street – Rasta Lion, LLC
33. Smokin Joe’s #16, 1504 Park Avenue – The Outlet Inc.
34. Super Saver Liquor of Muscatine – Taranjeet Singh, LLC
35. Wal-Mart Supercenter #559, 3003 N. Highway 61 – Wal-Mart Stores, Inc.
36. Walgreens #5885, 1703 Park Avenue – Walgreen Co.
37. West Side Houser Mart, 2201 Houser Street – West Side Houser Mart,
LLC

- B. Request on first and second reading on a new Special Class “C” Liquor License and Sunday Sales (6 month license) for Keep Muscatine Beautiful, Harbor Drive/Muscatine Riverfront – Keep Muscatine Beautiful (pending inspections and insurance)
- C. Request for renewal of a Class “E” Liquor License, Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for Walgreens #5885, 1703 Park Avenue – Walgreen Co. (pending inspections)
- D. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for Smokin’ Joe’s Tobacco and Liquor Outlet #16, 1504 Park Avenue – The Outlet Inc. (pending inspections)

* **Item 9A From the Mayor**

- A. Asian American Heritage Month Proclamation

* **Items 12A-B Receive and File**

- A. [Muscatine County Board of Supervisors Minutes 5-3-21](#)
- B. [Muscatine County Board of Supervisors Minutes 5-10-21](#)

* **Bills***

- * Approval of attached Bills for Approval totaling \$2,403,711.81, subject to the approval of any related agenda item(s).

6. MINUTES – APPROVAL

7. PUBLIC HEARING

- A. [Public Hearing to consider a request to vacate and deed over, to the adjoining property owner, a 3,339 sq. Ft. Portion of the Mulberry Avenue right of way that adjoins 204 Mulberry.](#)

Now is the time for the public to comment.

- B. [Public Hearing on Amendment #2 to the Fiscal Year 2020/2021 City Budget](#)

[Now is the time for the Public to comment.](#)

C. [Hearing regarding Rasta Lion LLC Tobacco Violation](#)

8. PETITIONS AND COMMUNICATIONS

9. FROM THE MAYOR

A. Presentation of Asian American Heritage Month Proclamation

10. FROM THE PLANNING AND ZONING COMMISSION

11. FROM THE CITY ADMINISTRATOR

A. [First Reading of Ordinance Vacating and Deeding over 3,339 sq. ft. of the Mulberry Avenue Right of Way Adjoining the 204 Mulberry Avenue Property-Public Hearing A \(April Limburg\)](#)

The City of Muscatine has submitted a request to vacate, and deed over to the adjoining property 3,339 sq. ft. of the Mulberry Avenue right of way adjoining 204 Mulberry Ave property.

Is there a motion to approve the 1st reading of this Ordinance as submitted?

B. [Resolution Approving Amendment #2 to the Fiscal Year 2020/2021 City Budget-Public Hearing B \(Nancy Lueck\)](#)

City Council approved the first amendment to the 2020/2021 budget on March 18, 2021. That action amended the budget to the Revised Estimate amounts established at the budget review sessions. This second amendment includes additional proposed amendments since that time. These proposed amendments will increase total budgeted expenditures for the City by \$867,200 and transfers out will increase by \$390,000. Budgeted revenues are proposed to be amended by \$375,200 and transfers in amended by \$390,000.

Is there a motion to adopt this Resolution as submitted?

C. [Resolution on findings related to Rasta Lion Tobacco Violation Public Hearing C \(Carol Webb, City Administrator\)](#)

a) Resolution concerning a Rasta Lion, LLC/Tyler Ralfs' d/b/a Rasta Lion Smoke Shop Tobacco Violation and Imposition of Penalty - \$1500 fine

Is there a motion to adopt this Resolution as submitted?

- b) Resolution concerning a Rasta Lion, LLC/Tyler Ralfs' d/b/a Rasta Lion Smoke Shop Tobacco Violation and Imposition of Penalty – 30 day suspension of permit.

Is there a motion to adopt this resolution as submitted?

D. [Resolution to Write Off Debts of Former Housing Tenants \(Nancy Lueck, Jodi Royal-Goodwin\)](#)

Every effort is made to collect rental payments and other monies owed to the Muscatine Municipal Housing Agency; however, there are times when tenants leave owing a debt. As a matter of good accounting, the City of Muscatine is directed to write off debts that are doubtful for collection.

The attached resolution includes a list of five former Clark House and Sunset Park tenants that owe money to the City. These amount total \$4,956.88, which includes unpaid rents, unpaid utilities, damages, and maintenance charges.

Is there a motion to adopt this Resolution as submitted?

E. [Resolution Approving Assessments to Private Properties](#)

Presented for City Council's consideration is a resolution authorizing the assessment of unpaid nuisance abatement and rental housing fees to private properties. The nuisance abatement costs total \$3,528.25, rental housing fees total \$89.00, the administrative fees are \$1,900.00, and the assessment fees are \$1,250.00. The total amount being requested for assessment at this time total \$6,767.25.

Is there a motion to adopt this Resolution as submitted?

F. [Resolution supporting a grant application to the Community Heart & Soul Seed Grant Program for grant funds to implement the Community Heart & Soul planning model \(Jodi Royal-Goodwin\)](#)

Staff requests Council's support of a grant application to the Community Heart & Soul Seed Grant Program to support the implementation of the Community Heart & Soul planning model. The grant provides up to \$10,000 in startup funding for resident-driven groups in small cities and towns. The grant requires a 1:1 match from the municipality or partnering organization. Matching funds do not need to be secured at the time of application.

Is there a motion to adopt this Resolution as submitted?

G. [Request to Approve Contract with Stanley Consultants for the Engineering](#)

[Design of the Papoose Platform \(Jon Koch\)](#)

The City of Muscatine has received an engineering contract from Stanley Consultants, Inc. for the design of safety platforms to be installed at the Isett and Papoose Lift Station dry wells. The contract cost is \$49,900.00 and will be paid from the approved Isett Platform Project budget.

Is there a motion to approve this request as submitted?

12. COMMUNICATION – RECEIVE AND FILE

13. APPROVAL OF BILLS

It is recommended bills totaling \$2,403,711.81, be approved and that the City Council authorize the Mayor and City Clerk to issue warrants for the same. It should be noted that this listing is subject to the approval of any related agenda item(s).

14. COMMUNICATIONS - COUNCIL MEMBERS

15. OTHER BUSINESS

Changes to COVID-19 protective measures in light of updated CDC guidance re: masks

16. ADJOURNMENT