

**CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
7:00 p.m. – August 5, 2021**

Mayor Broderson called the City Council meeting for Thursday August 5, 2021, to order at 7:00 p.m. Present were: Councilmembers Hopkins, Froelich, Gordon, Brockert, Jindrich, Malcolm and Brackett.

The Council meeting began with the pledge of allegiance.

Warren Dickenson, 3201 Anastasia Place was present to share his concerns regarding the trees being cut down along Diana Queen Drive as part of the Steamboat Housing Project. Mr. Dickenson also asked if someone could get more information to him regarding the tax abatement given to the developer of this property.

Sandy Stanley from Clean Air Muscatine was present to encourage City Council and Citizens to encourage Muscatine Power and Water to move towards using Natural resources for power sources.

Consent Agenda

Councilmember Brackett, seconded by Councilmember Gordon, moved the Consent Agenda be approved as follows:

- Items 6 A Approval of City Council Minutes
- Item 8 A-G Petitions and Communication
- Items 12 A-E Receive and File
- Bills for Approval Totaling \$3,646,631.64

Vote: Ayes-7, Nays -0, Motion carried.

Mayor Broderson stated that this public hearing concerns the vacation and selling of right of way located at 1820 Angle Street.

There were no written or oral comments from the public.

Councilmember Brackett moved to close this public hearing, seconded by Councilmember Froelich.

Vote: Ayes – 7, Nays – 0, Motion carried.

Mayor Broderson stated that this public hearing concerns the vacation of easements at 1613 Duncan Drive.

There were no written or oral comments from the public.

Councilmember Gordon moved to close the public hearing, seconded by Councilmember Brockert.

Vote: Ayes – 7, Nays – 0, Motion carried.

Gregg Johnston requested a public hearing before City Council regarding a nuisance abatement letter he had received regarding his property at 2357 Sampson. Mr. Johnson however did not show up for this hearing.

Andrew Fangman, Assistance Community Development Director, and Carol Webb, City Administrator, shared with City Council the process that has been followed in working with Mr.

Johnson to have this property cleaned up. Mr. Johnson had still not complied with the abatement of the nuisance. Several Councilmembers stated they had driven by the property and agreed that it was not up to City Code. City Council voted to uphold the Nuisance Abatement.

From the City Administrator

11A: Councilmember Brackett moved to approve the second reading of Ordinance #2021-0236, prohibiting parking of semi-trailers on residential parcels. Seconded by Councilmember Froelich. Vote: Ayes – 7, Nays – 0, Motion Carried

11B: Councilmember Gordon moved approve the first reading of ordinance #2021-0262 adding section 15, Chronic Nuisance Property, to Title 9, Health and Safety Regulations, Chapter 3 Nuisance to the City Code. Seconded by Councilmember Jindrich.

Vote: Ayes – 7, Nays – 0, Motion carried.

11C. Councilmember Brockert moved to approve the first reading of ordinance #2021-0263, for the vacation of undeveloped right of way adjacent to 1820 Angle Street. Seconded by Councilmember Brackett.

Vote: Ayes – 7, Nays – 0, Absent, Motion carried.

11D: Councilmember Brackett moved to adopt Resolution #2021-0264, vacating certain utility easements at 1613 Duncan Drive. . Seconded by Councilmember Gordon.

Vote: Ayes – 7, Nays – 0, Motion carried.

11E: Councilmember Malcolm moved to adopt Resolution #2021-0265, to enter into a contract with Martine Garner Architecture for architectural services related to the Downtown Revitalization Program. . Seconded by Councilmember Brockert.

There were questions from City Council regarding how this vendor was chosen that were addressed by Community Development Director Jodi Royal-Goodwin. She stated that and RFP had been sent out with three responses. The responses were scored using a matrix provided by the CDBG.

Vote: Ayes – 7, Nays – 0, Motion carried.

11F: Councilmember Malcom moved to adopt Resolution #2021-0266, accepting completed work for the 2020/2021 Hot Mix Asphalt Alley Overlay Project. Seconded by Councilmember Froelich.

Vote: Ayes – 7, Nays – 0, Motion carried.

11G: Councilmember Gordon moved to adopt Resolution #2021-0267, accepting completed work for the 2020/2021 Hot Mix Asphalt Street Overlay Project. Seconded by Councilmember Brackett.

Vote: Ayes – 7, Nays – 0, Motion carried.

11H: Councilmember Brockert moved to adopt Resolution #2021-0268, accepting completed work for the 2020/2021 Full Depth Concrete Patching Program. Seconded by Councilmember Jindrich.

Vote: Ayes – 7, Nays – 0, Motion carried.

11I. Councilmember Gordon moved to adopt Resolution #2021-0269, setting a public hearing for the 2021/2022 Hot Mix Asphalt Overlay Project. Seconded by Councilmember Jindrich.
Vote: Ayes – 7, Nays – 0, Motion carried.

11J: Councilmember Brackett moved to adopt Resolution #2021-0270, accepting a quitclaim deed from several grantors to the City of Muscatine, Iowa, for 1246 E. 5th Street. Seconded by Councilmember Malcolm.
Vote: Ayes – 7, Nays -0, Motion carried.

11K: Councilmember Froelich moved to adopt Resolution #2021-0271, accepting a quitclaim deed from several grants to the City of Muscatine, Iowa, for 1114 Nebraska Street. Seconded by Councilmember Brockert.
Vote: Ayes – 7, Nays – 0, Motion carried.

11L. Councilmember Gordon moved to adopt Resolution #2021-0272, awarding a contract for the demolition of a structure at 409 E. 6th Street to Maple Valley Tree Service. Seconded by Councilmember Jindrich.

Vote: Ayes – 7, Nays – 0, Motion carried.

11M: Councilmember Brackett moved to adopt Resolution #2021-0273, awarding a contract for the demolition of a structure at 512 Liberty Street to Maple Valley Tree Service. Seconded by Councilmember Gordon.

Vote: Ayes – 7, Nays – 0, Motion carried.

11N: Councilmember Gordon moved to adopt Resolution #2021-0274, awarding a contraqct for the demolition of a structure at 1114 Nebraska Street to Maple Valley Tree Service. Seconded by Councilmember Brockert.

Vote: Ayes – 7, Nays – 0, Motion carried.

11O: Councilmember Brackett moved to approve Request #2021-0275, for the submission of an application for JAG Grant Funding award through the Edwin Byrne Justice Association. Seconded by Councilmember Gordon.

Vote: Ayes – 7, Nays – 0, Motion carried.

11P: Councilmember Brackett moved to approve Request #2021-0276, for the replacement of eleven Rock River Arms AR-15 duty rifles for the Police Department. Seconded by Councilmember Brockert.

There were questions from City Council regarding the plans for the rifles being replaced that were addressed by Police Chief Brett Talkington. He stated the rifles would be traded in towards the purchase of optics for the new rifles.

Vote: Ayes – 7, Nays – 0, Motion carried.

11Q: Councilmember Brackett moved to approve Request #2021-0277, for an agreement with Enviromark Industrial, for Lead Soil Remediation Services at the Former MPW Police Firing Range Site. Seconded by Councilmember Froelich.

There were questions from City Councilmembers regarding if lead remediation would need to be performed at the new shooting range location that were addressed by Capt. Kies.

Vote: Ayes – 7, Nays – 0, Motion carried.

11R: Councilmember Malcolm moved to approve Request #2021-0278, for the issuance of a purchase order to BMW Builders for concrete replacement at the site of the former Kum & Go Property on 5th Street and Cedar Street. Seconded by Councilmember Brackett.

Councilmember Froelich motioned to postpone this item until a decision has been made on the use of the structure located at this site. Seconded by Councilmember Brackett.

Warren Dickinson came forward to state his concerns with the expenditure to repair the parking lot. Mr. Warren had questions regarding the condition of the property when the City took ownership of it that were addressed by Mayor Broderson.

City Administrator Webb stated staff would discuss the plan for the building on this site and would come back to City Council with a proposal at a later date.

Vote: Ayes – 7, Nays – 0, Motion Carried and Item 11R is postponed indefinitely.

11S: Councilmember Gordon moved to approve Request #2021-0279, for the issuance of a purchase order to Krieger's of Muscatine for the purchase of two Chevy Silverado 1500 Pick up Trucks. Seconded by Councilmember Jindrich.

There were questions from City Council regarding the delivery date for the vehicles and the vehicles being replaced that were addressed by Brian Stineman, Public Works Director and Carol Webb, City Administrator.

Warren Dickenson stated his concerns regarding the justification for the purchase of these vehicles.

Vote: Ayes – 7, Nays – 0, Motion carried.

11T: Councilmember Gordon moved to approve Request #2021-0280, for the issuance of a purchased order to Silberhorn Concrete and Masonry LLC for repair work to be completed at the Morgan Building located at 1201 E. 5th Street. Seconded by Councilmember Brockert.

There were questions from City Councilmembers regarding which building at the location was being repaired and the purpose of the building. Brian Stineman, Public Works Director stated there are actually two buildings that share a wall that are being repaired. He stated the building is used for storage.

Vote: Ayes – 7, Nays – 0, Motion carried.

11U: Councilmember Brackett moved to approve Request #2021-0281, for the issuance of a purchase order to ZWB General Construction, LLC. For the replacement of siding, soffit fascia, gutters, downspouts, and windows for the Morgan Building located at 1201 E 5th Street. Seconded by Councilmember Froelich.

Vote: Ayes – 7, Nays – 0, Motion carried.

11V: Councilmember Brackett moved to approve Request #2021-0282, for the issuance of a purchase order to Bushman Excavating for the 2021 Pavement Crushing Contract. Seconded by Councilmember Brockert.

There were questions from City Councilmembers regarding how the crushed pavement is being used and if a coating material is being used to reduce the dust. Brian Stineman, Public Works Director, stated the crushed pavement is used for alleys and staff has looked at several options for reducing the dust; however, these options come with their own set of problems.

There were questions from City Councilmembers regarding how the crushed pavement is cleaned of metal debris. Mr. Stineman stated the crushed pavement is magnetized to pull out any significant pieces of metal.

Vote: Ayes – 7, Nays – 0, Motion carried.

11W: Councilmember Brackett moved to approve Request #2021-0283, for the purchase of salt through the City of Davenport and for supplemental purchase of salt. Seconded by Councilmember Gordon.

There were questions from City Councilmembers regarding the amount of salt used per year and why the supplemental salt was at a higher cost, that were addressed by Public Works Director, Brian Stineman.

Vote: Ayes – 7, Nays – 0, Motion carried.

11X: Councilmember Brackett moved to approve Request #2021-0284, for the issuance of a purchase order Ostrom Painting & Sandblasting, Inc. for the 2021 Paint Striping Contract. Seconded by Councilmember Gordon.

There were questions from City Councilmembers regarding the length the paint is lasting, that were addressed by Public Works Director Brian Stineman.

Vote: Ayes – 7, Nays – 0, Motion carried.

11Y: Councilmember Brockert moved to approve Request #2021-0285, for the issuance of a purchase order to Henderson Manufacturing Inc., for a One Ton Dump Body Purchase. Seconded by Councilmember Jindrich.

Vote: Ayes – 7, Nays – 0, Motion carried.

11Z: Councilmember Froelich moved to approve Request #2021-0286, for the issuance of a purchase order to Krieger's of Muscatine for a 2022 Chevy 1500 Pickup Truck for use at the Transfer Station.. Seconded by Councilmember Jindrich.

Councilmember Malcolm stated his concerns with the number of new City vehicles that are being purchased and had questions regarding the necessity of said vehicles.

Vote: Ayes – 7, Nays – 0, Motion carried.

11AA: Councilmember Brackett moved to approve Request #2021-0287, for the issuance of a purchase order to Feld Fire for the purchase of 45 Radio Direct Interface Voice Amplifiers. Seconded by Councilmember Froelich.

Vote: Ayes – 7, Nays – 0, Motion carried.

11BB: Councilmember Froelich moved to approve Request #2021-0288, for the acceptance of a Federal Aviation Administration Airport Rescue Grant. Seconded by Councilmember Brockert.

Vote: Ayes – 7, Nays – 0, Motion carried.

11CC: Councilmember Gordon moved to approve Request #2021-0289, for the acceptance of the Community Heart and Soul Grant from the Orton Foundation. Seconded by Councilmember Brackett.

Vote: Ayes – 7, Nays – 0, Motion carried.

11DD: Councilmember Gordon moved to approve Request #2021-0290, for the issuance of a purchase order Krieger's of Muscatine for the purchase of a 2022 Chevy Equinox for the Community Development Department. Seconded by Councilmember Brackett.

Vote: Ayes – 7, Nays – 0, Motion carried.

11EE: Councilmember Malcolm moved to approve Request #2021-0291, to approve an order-assessing penalty to Rasta Lion LLC for a third tobacco violation. Seconded by Councilmember Brockert.

Vote: Ayes – 7, Nays – 0, Motion carried.

Councilmember Jindrich stated he would be hosting a 5th Ward Meeting Tuesday at Weed Park Lagoon Shelter.

Councilmember Brockert gave a brief update on the Grandview Ave reconstruction Project

City Administrator Webb gave a shout out to the Parks and Recreation Department for a successful College Search Kick-Off weekend and stated she had received positive feedback on the event.

Mayor Broderson stated that Sunday at Susan B. Clark School there would be a bell ringing to celebrate peace.

City Administrator Carol Webb shared her proposal on how to proceed with input from the Community, Councilmembers and City staff regarding the changing of an Ordinance regarding Pit Bull Dogs.

Ms. Webb stated she would like a staff presentation at the Oct 14, 2021, In-depth meeting followed by a special meeting on October 28, 2021, for public input.

Ms. Webb stated staff would then evaluate all input and put together a proposal to bring to City Council in late November.

Councilmembers stated they would like to include other changes to the code at the same time to address aggressive dogs, pet licensing procedures and tethering of dogs.

At this time, Councilmember Froelich moved to enter closed session per Iowa Code 21.5.1.j to discuss the purchased or sale of particular real estate only where premature disclosure could be reasonable expected to increase the price the governmental body would have to pay or that property or reduce the price the governmental body would receive for that property. Seconded by Councilmember Brackett.

Vote: Ayes – 7, Nays – 0, Motion carried.

Mayor Broderson called the closed session to order at 8:40 pm. Present were Councilmember Brackett, Brockert, Froelich, Gordon, Hopkins, Jindrich and Malcolm. Others present included City Administrator Carol Webb, Administrative Professional Cinda Hilger and Art Center Director Melanie Alexander.

Councilmember Brackett moved to exit closed session at 9:11 P.M. , seconded by Councilmember Froelich.

Vote: Ayes – 7, Nays – 0, Motion carried.

Councilmember Bracket moved to adjourn the meeting at 9:12 P.M.

ALL CITY COUNCIL MEETING RECORDINGS ARE VIEWABLE ON THE CITY OF MUSCATINE YOUTUBE PAGE.

Mayor Diana Broderson

Attest:

Carol Webb, City Administrator