



City of Muscatine



CITY COUNCIL
Thursday September 16, 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.

The public is welcome to attend virtually using the information below.

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/860231637>

You can also dial in using your phone.

United States: 1-646-749-3122

Access Code: 860-231-637

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **COMMUNICATIONS – CITIZENS**
 - A. Swearing in of Firefighter – Ben Danielson
 - B. [Citizen Appeal – Vicious Dog – Amy Christopher](#)

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 Approval of City Council Minutes**

- A. [September 2, 2021 Regular Meeting Minutes](#)
- B. [September 9, 2021 Regular Meeting Minutes](#)

*** Item 8A-G Petitions and Communications**

- A. Request for renewal of a Class “C” Liquor License, Class “B” Native Wine Permit, Catering and Sunday Sales for Mamma Mia Italian Restaurant, 101 Mississippi Drive – Mamma Mia Italian Restaurant LLC (pending Inspections and Insurance)
- B. [Request for Use of Property from Student Council for the Muscatine High School 2021 Homecoming Parade on September 22, 2021](#)
- C. [Request for Use of City Property from Student Council for the Muscatine High School 2021 Senior March on September 24, 2021](#)
- D. Cigarette/Tobacco Permit – Muscatine County Sheriff’s Office, 400 Walnut Street – Muscatine County Sheriff’s Office

*** Item 9A-B From the Mayor**

- A. Request to Establish Trick-or-Treat Night for Oct 31, 2021, from 5:30-7:30 p.m.

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

- A. [Muscatine County Board of Supervisors Meeting Minutes 8-30-2021](#)

*** Bills***

- * Approval of attached Bills for Approval totaling \$3,160,231.66, subject to the approval of any related agenda item(s).

6. MINUTES – APPROVAL

7. PUBLIC HEARING

- A. [The City of Muscatine Public Works Department has compiled a list of streets to be full-depth concrete patched during Fiscal Year 2021/2022. Prior to approving the plans](#)

[and specifications and soliciting bids, a public hearing is required.](#)

Now is the time for the public to comment.

B. [This public hearing concerns the proposed Safety Platform Project at the City's Papoose Lift Station. The City has determined through studies that there is a need for safety platforms to be constructed in the dry wells of the pump stations. Prior to any formal action by City Council, a public hearing is required.](#)

Now is the time for the public to comment.

8. PETITIONS AND COMMUNICATIONS

9. FROM THE MAYOR

10. FROM THE PLANNING AND ZONING COMMISSION

11. FROM THE CITY ADMINISTRATOR

A. [Resolution Approving the Bid Documents for the 2021/2022 Full-Depth Patching Project – Pat Lynch, City Engineer](#)

The City of Muscatine Public Works Department has compiled a list of streets to be full-depth concrete patched during Fiscal Year 2021/2022. The Bidding Documents are now complete and ready to be released to solicit bids. The bids are due on October 5, 2021 at 10:00 am. The funds for this project come from Road Use Tax and Local Option Sales Tax. This project is anticipated to cost approximately \$375,000.

Is there a motion to adopt this Resolution as submitted?

B. [Resolution Approving Plans, Specifications, Form of Contract, Estimates and Bid Opening Date for the Safety Platforms Project – Jon Koch WRRF Director](#)

A public hearing has been conducted and now is the time to consider the resolution for the approval of plans, specifications, form of contract, cost estimate and setting a bid opening for Oct 12th, 2021, at 2pm at City Hall Council Chambers for the Safety Platforms Project. The Cost estimate for the contract is \$150,000.00. Engineering costs are estimated to be \$30,000.00 for a total project cost of \$180,000.00.

Is there a motion to approve this resolution as submitted?

- C. [Resolution Awarding the Contract for the 2021/2022 Hot Mix Asphalt Overlay Project to Brandt Construction Company for the Amount of \\$485,305.00 – Pat Lynch, City Engineer](#)

The City of Muscatine Public Works Department has compiled a list of streets and alleys to be overlaid with hot mix asphalt during Fiscal Year 2021/2022. Bids were received on September 7, 2021 at 10:00 am and have been tabulated (bid tab attached). Brandt Construction Company was the apparent low responsive, responsible bidder with a bid of \$485,305.00. The funds for this project come from Road Use Tax and Local Option Sales Tax. This project was anticipated to cost approximately \$500,000.

Is there a motion to adopt this resolution as submitted?

- D. [Resolution Setting a Public Hearing to Declare Certain Real Estate Owned by the City as Surplus and Authorizing the Sale of Said Certain Real Estate – April Limburg, City Planner](#)

The City of Muscatine has accumulated a number of parcels of land for which the continued public ownership of no longer serves any useful purpose. In order to return these parcels to a useful purpose, a public hearing is required before the City Council may act on a request to declare a property as surplus and allow for its disposal. Staff recommends October 7, 2021 for the date of this hearing.

Is there a motion to adopt this Resolution as submitted?

- E. [Resolution to Approve Special Assessments - Jodi Royal-Goodwin](#)

Presented for City Council's consideration is a resolution authorizing the assessment of unpaid nuisance abatement fees to private properties. The nuisance abatement costs total \$4,114.80, the administrative fees are \$375.00, and the assessment fees are \$650.00. The total amount being requested for assessment at this time total \$5,139.80.

Is there a motion to adopt this Resolution as submitted?

- F. [Resolution Approving Second Amended Development Agreement with NPSW Enterprise, LLC- Nancy Lueck](#)

On December 6, 2018, the City Council approved the initial Development Agreement with NPSW Enterprises, LLC to assist this developer with the infrastructure costs associated with the development of the 62-lot Arbor

Commons subdivision. The first amendment to this agreement was approved May 7, 2020 and provided that the developer would certify the first phase of the new housing development as of 10-15-21 (based on 1-1-21 valuations). Due to COVID–related delays, the developer was not able to do a startup of the lift station until this spring delaying lot sales.

The developer is requesting the start date for the rebates be delayed by one year and has requested the Development Agreement be amended for the requested date changes. Under this second Amended Development Agreement, the developer would certify the first phase of the new housing development as of 10-15-22 (based on 1-1-22 valuations). The attached resolution updates the dates in the Development Agreement. All other provisions have remained the same.

Is there a motion to adopt this Resolution as submitted?

G. [Request to Approve the Issuance of a Purchase Order for Three Swing Check Valves for Primary Clarifier Pumps – Jon Koch, WRRF Director](#)

WRRF staff have received three quotes for replacing the check valves on the primary clarifier pumps at the treatment plant. These check valves will replace damaged existing check valves with a more robust system requiring fewer rebuilds. The low quote was from Zimmer & Francescon, Inc. in the amount of \$7,590.00 (\$2,530.00 each). \$8,000.00 was budgeted for this purchase.

Is there a motion to approve this request as submitted?

H. [Request to Approve Change Order #2 for the Grandview Avenue Reconstruction Project Contract with Heuer Construction, Inc. for the Amount of \\$23,336.25 – Pat Lynch, City Engineer](#)

Change Order #2 for the Grandview Avenue Reconstruction Project covers the following minor changes to the contract:

- Additional special business signage to provide the public with better directions to the affected businesses
- Additional traffic control for street closures not shown in the plans
- Due to unforeseen conflicts, additional new water main items were added at new unit prices due to the significant increase to material costs associated with the water main items. Original plan quantities will be paid for at the contract unit prices. Overrun quantities on the water main will be paid for at the new unit prices.

Is there a motion to approve this request as submitted?

- I. [Request to Approve Change Order #3 for the Grandview Avenue Reconstruction Project Contract with Heuer Construction, Inc. for the amount of \\$39,361.50 – Pat Lynch, City Engineer](#)

Change Order #3 covers the following minor changes to the contract; switching the types of rock used as stabilization material and adding pipe materials needed to address unforeseen underground conditions.

Is there a motion to approve this request as submitted?

- J. [Request to Enter into a Professional Services Agreement with Legat Architects for the design and preparation of construction documents of the Wash Bay Improvement Project at the Public Works Facility– Pat Lynch, City Engineer](#)

The City of Muscatine’s Transit Department (MuscaBus) is requesting to enter into a professional services agreement with Legat Architects for the design and preparation of construction documents for the Wash Bay Improvement Project at the Public Works Facility. MuscaBus will be utilizing funding from the Federal Transit Authority (FTA) to cover a portion of the construction cost for the project. The facility will be primarily used by MuscaBus, but Public Works will have access to it as well. 80 percent of the cost for design services will come from FTA funding; the remaining 20 percent will be funded by available Transit Funds. Cost for this Agreement is \$38,500.

Is there a motion to approve this Request as submitted?

- K. [Request to Approve the Issuance of a Purchase Order for Two 2022 Chevy Pursuit Rated 4WD Patrol Tahoe’s – Brett Talkington, Police Chief](#)

The FY 2021/2022 budget included \$100,000 to replace two (2) Police vehicles. The budgeted amount includes cost to equip these vehicles once they are received. The department requests authorization to issue a purchase order to Karl Chevrolet in the amount of \$74,622 for the two (2) Tahoe’s. Karl Chevrolet has the state bid for these vehicles.

The purchase of these 2022 Chevy Tahoe’s will replace two Tahoe’s in our fleet. The Police Department will filter these older Tahoe’s to replace even older squads within the department that need replacement, such as the GTSB (Governors Traffic Safety Bureau), K-9 or SRO (School Resource Officer) vehicles. If not needed for replacement, some of the older Tahoe’s will be available to other departments that need vehicles.

Is there a motion to approve this request as submitted?

- L. [Request to Approve Agreement with the Muscatine Center for Social Action – Jodi Royal-Goodwin, Community Development Director](#)

This Agreement provides \$25,000 to Muscatine Center for Social Action (MCSA) to support the Housing Navigator position in Fiscal Year 2022. The Housing Navigator works with families experiencing housing instability to identify the barriers to stability, increased income, and lease an appropriate unit. Referrals from City staff are made when a family is at-risk of losing their assisted housing or if inspectors must post a unit or identify other families in uninhabitable areas. Funding for this Agreement is included in the City's adopted FY22 budget.

Is there a motion to approve this request as submitted?

- M. [Request to Approve an Agreement with the Community Foundation of Greater Muscatine - Jodi Royal-Goodwin, Community Development Director](#)

Presented for Council consideration is an Agreement to pay \$25,000 to the Community Foundation of Muscatine to support a Community Initiatives Manager for work on housing projects. This work will be in support of a number of activities the City is currently engaged in. The Muscatine Municipal Housing Agency currently has funds available from the Coronavirus Aid, Relief, and Economic Security Act that will fund this Agreement.

Is there a motion to approve this request as submitted?

- N. [Request to Approve and Agreement with the Community Foundation of Greater Muscatine and Muscatine County – Jodi Royal-Goodwin, Community Development Director](#)

This Agreement provides \$25,000 to the Community Foundation of Muscatine to support a grant writer position to pursue funding that supports community identified goals and needs. The Foundation and Muscatine County are also providing funds to support this position. The grant writer will be an employee of the Foundation with a committee representing the three funding entities overseeing the identification and prioritization of funding opportunities to be pursued. Funding for this Agreement is included in the City's adopted FY22 budget.

Is there a motion to approve this request as submitted?

O. [Request to Approve the Issuance of a Purchase Order for SCBA Packs and Related Equipment](#)

Presented for City Council's consideration is a request to spend the remaining funds from the AFG Grant that was used to purchase new Self Contained Breathing Apparatus (SCBA) for the Fire Department. The remaining balance is \$ 19,586.10, which includes the City's 10 percent match. These funds will be used to upgrade and purchase three (3) Rapid Intervention SCBA packs, six (6) SCBA cylinders, and a Radio Frequency Identification (RFID) reader to program new SCBA packs. This request is to approve and issue a purchase order to Feld Fire in the amount of \$ 17,100.61.

Is there a motion to approve this request as submitted?

P. [Request to Accept an Iowa Department of Transportation Grant to Widen a Portion of the Taxi lane and Authorize the Execution of Grant Documents](#)

Presented for Council consideration is a request to accept a grant from the Iowa Department of Transportation to widen the taxiway along the northern side of the hangars. The total estimated project cost is \$151,700, with \$22,755 required as match. The required match is available from the costs savings related to the hangar construction project.

Is there a motion to approve this Request as submitted?

Q. [Request to Approve the Adoption of Strategies Supporting *Igniting Vitality through Workforce Housing*. The City of Muscatine's Housing Plan](#)

April 15, City Council adopted *Igniting Vitality through Workforce Housing* as the City of Muscatine's Housing Plan, which supports the City's 2021 Strategic Plan. The Plan identifies a number of strategies that may be utilized to address housing barriers or deficiencies. The strategies identified on attachments are presented for Council's consideration as the framework for City support of the Plan.

Is there a motion to approve this request as submitted?

R. [Request to Approve Agreements with Responder Health and PAS for Employee Assistance Services](#)

The City has retained Employee Assistance Services (EAP) with Genesis Health system for the past several years. Genesis has recently informed the City they

will no longer be providing EAP services. As a result, it is necessary to enter into a contract with new providers.

This proposal provides a recommendation to enter into two contracts with different agencies to meet the needs of City employees. Presented for Council's consideration is a recommendation to enter into agreements with Responder Health and Personal Assistant Services (PAS) to provide EAP services to City employees and their families.

The City currently spends \$9762 annually. The cost of this proposal is \$8,131 annually, saving \$1631 per year. The funds for this are available in the Wellness 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 \$3,160,231.66, 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

- A. Update on the Possible Joint Law Enforcement Training Facility
- B. Request to enter closed session pursuant to Iowa Code Section 21.5.1.i, to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

16. ADJOURNMENT