



# City of Muscatine



CITY COUNCIL  
Thursday October 21, 2021

Diana Broderson, Mayor

Dennis Froelich, 1<sup>st</sup> Ward  
Osmond Malcolm, 2<sup>nd</sup> Ward  
Peggy Gordon, 3<sup>rd</sup> Ward  
Nadine Brockert, 4<sup>th</sup> Ward  
John Jindrich, 5<sup>th</sup> 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 1<sup>st</sup> and 3<sup>rd</sup> Thursday of each month, In-depth sessions on the 2<sup>nd</sup> Thursday of each month. All meetings are available for review on the City of Muscatine YouTube page.

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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/387546709>

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United States: 1 (646)749-3122

**Access Code: 387-546-709**

## **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. [October 7, 2021 Regular City Council Meeting Minutes](#)
- B. [October 14, 2021 In-Depth City Council Meeting Minutes](#)
- C. [September 29, 2021 Joint Meeting Minutes](#)

\* **Item 8A Petitions and Communications**

- A. [Request to close New Hampshire Street for private plumbing work at 1503 New Hampshire.](#)

\* **Item 9A From the Mayor**

\* **Items 12A Receive and File**

- A. [Muscatine County Board of Supervisors Minutes – October 4, 2021](#)
- B. [MPW Financials - September 2021](#)

\* **Bills\***

- \* Approval of attached Bills for Approval totaling \$8,022,603.80, which includes Journal entries and receipt summaries for June, 2021, subject to the approval of any related agenda item(s).

**6. MINUTES – APPROVAL**

**7. PUBLIC HEARING**

- A. [Public Hearing regarding a request to vacate and deed over undeveloped Lombard Street Right of Way to the adjoining property owner located at 1100 East 7<sup>th</sup> Street.](#)

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. [First Reading of an Ordinance Vacating and Deeding to the Adjoining Property Owner, Located at 1100 E 7<sup>th</sup> Street, the Undeveloped Lombard Street Right of Way – April Limburg, Planner](#)

The City of Muscatine has submitted a request to vacate, and deed to the adjoining property owner, located at 1100 E. 7<sup>th</sup> Street, the undeveloped Lombard Street Right of Way.

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

- B. [Resolution Setting Public Hearing to be Held on November 4, 2021 to Consider a Request to Vacate and Deed Over Alley Right of Way, to the Adjoining Property Owners- April Limburg, Planner](#)

Staff requests approval of a resolution setting a public hearing to be held on November 4, 2021, to consider a request to vacate and deed over the alley right of way to the adjacent property owners located at 1248 E 5th Street and 1300 E. 5<sup>th</sup> Street.

Is there a motion to adopt this Resolution as submitted?

- C. [Resolution Accepting Completed Work for West Hill Sewer Separation Phase 4C - Pat Lynch, City Engineer](#)

The City has completed final inspection of the West Hill Sewer Project Phase 4C. The project closeout cost of Phase 4C is \$2,113,784.32. This is 100.4% of the original contract bid. The additional costs to the contract are due to change orders for unknown underground conditions. Four change orders were approved for this project totaling \$30,570.00. The retainage on this project is \$105,689.22.

Is there a motion to adopt this Resolution as submitted?

- D. [Resolution Amending the City Portion of the Muscatine County Multi-Jurisdictional Hazard Mitigation Plan – Brian Stineman, Public Works Director](#)

The Muscatine Public Works Department has been working with the Iowa Department of Homeland Security on a project to design and construct a demountable floodwall near the riverfront between Broadway and Mad Creek. A required step in this process is to include this project as an action item in the city portion of the Muscatine County Multi-jurisdictional Hazard Mitigation Plan. By adding this language to the mitigation plan, the City will become eligible to

submit an application for state and/or federal funding for design and construction of this project.

Is there a motion to adopt this Resolution as submitted?

- E. [Resolution Awarding the Contract for the 2021/2022 Full-Depth Patching Project to Heuer Construction, Inc. for the amount of \\$440,800.00 - 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. Bids were received on October 5, 2021 at 10:00 am and have been tabulated (bid tab attached). Heuer Construction, Inc. was the apparent low responsive, responsible bidder with a bid of \$440,800.00.

Is there a motion to adopt this Resolution as submitted?

- F. [Resolution Consenting to Assignment of Development Agreement and Tax Increment Payments for Steamboat Apartments - Nancy Lueck, Finance Director](#)

On March 18, 2021, the City Council entered into a Development Agreement with JNB Family 1, LP (the Owner) and the Ales Foundation (the Developer) for the development of Steamboat Apartments. Steamboat Apartments will consist of 42 rental units with at least 37 of the units priced at levels affordable to families of low and moderate income.

The original agreement provided that the tax increment financing (TIF) rebates be paid to the Developer (Ales Foundation). The City recently received a request from the Owner and the Developer requesting the TIF rebate payments be assigned to and paid to the Owner (JNB Family 1, LP). The attached resolution was prepared by Dorsey and Whitney and will be the City's consent to the assignment of the TIF proceeds to the Owner.

Is there a motion to adopt this Resolution as submitted?

- G. [Request to Approve the issuance of a purchase order for the 2021/2022 Central Business District Snow Removal and Hauling – Brian Stineman, Public Works Director/Randy Howell, Roadway Maintenance Supervisor](#)

Public Works requests to issue a purchase order to Bayfield Snow Removal for the 2021/2022 Central Business District (CBD) snow removal and snow hauling. Every year Public Works requests bids from companies for hourly rates to remove and haul away the snow from the Central Business District, including City Parking Lots and the Riverfront. City Staff received one bid from Bayfield Snow

Removal on September 8, 2021. There is \$50,000 available in the Snow and Ice Budget for this purpose.

Is there a motion to approve this request as submitted?

- H. [Request to Enter into Contract with 3E Electrical Engineering & Equipment Company for Generator Maintenance and Testing – Stan O’Brien, Building and Grounds Supervisor/Brian Stineman, Public Works Director](#)

Staff requests to enter into a contract with 3E Electrical Engineering & Equipment Company for generator maintenance and testing at City buildings. Three quotes were received with 3E as the low bid at \$6,010.

Is there a motion to approve this request as submitted?

- I. [Request to Enter into a Contract with Midwest Alarm Services – Stan O’Brien, Building and Grounds Supervisor/ Brian Stineman, Public Works Director](#)

Staff requests to enter into a five-year contract with Midwest Alarm Services for \$7,308 per year to provide alarm monitoring, service and maintenance at multiple city buildings. Staff contacted several different alarm companies and Midwest Alarm Services was the lowest cost and the only vendor that could service all of our buildings.

Is there a motion to approve this request as submitted?

- J. [Request to Approve the Issuance of a Purchase Order for Electronic Gate and Installation for the Municipal Airport – Stan O’Brien, Building & Grounds Supervisor/Brian Stineman, Public Works Director](#)

The Building & Grounds Department of Public Works requests to issue a purchase order to D & N Fence Co. for \$7,610 for the purchase and installation of an electronic gate operator for the airport gate.

Is there a motion to approve this request as submitted?

- K. [Request to Approve the Issuance of a Purchase Order for a Four Way Snow Plow – Brian Stineman, Public Works Director/Randy Howell, Roadway Maintenance Supervisor](#)

Public Works requests to issue a purchase order to Truck Equipment Inc, in the amount of \$8,459.00 for the purchase of a four way snow plow to be mounted on a 2021 One Ton Dump Truck. This plow is one of two pieces of equipment

that will allow us to use this vehicle for snow removal operations. Funding for this snow plow is available in the Snow & Ice Budget.

Is there a motion to approve this request as submitted?

L. [Request to Approve the Issuance of a Purchase Order for 9-foot Stainless Steel Gas Operated Salt Box](#)

Public Works requests to issue a purchase order to Truck Equipment Inc, in the amount of \$9649.00 for the purchase of a 9-foot gas operated stainless steel salt box to be mounted on a 2021 one ton dump truck. This is the second piece of equipment needed to allow the City to use this vehicle for snow removal operations. Funding for this purchase is available in the Snow & Ice Budget.

Is there a motion to approve this request as submitted?

M. [Request to Approve Annual Urban Renewal Report for Fiscal Year 2020/2021 – Nancy Lueck, Finance Director](#)

The State legislature requires local governments to complete and submit an annual report showing all activity in each of their urban renewal areas during the preceding fiscal year. The Iowa Department of Management developed an on-line reporting system to facilitate completion and submission of this information. The report is attached to this agenda item and includes the updated information for fiscal year 2020/2021. For fiscal year 2020/2021 the City paid a total of \$1,395,909 in TIF rebates to eleven (11) businesses, made \$506,434 in debt payments on TIF revenue and general obligation bonds, and repaid \$713,000 on internal advances. These total to \$2,615,343 in TIF expenditures for the year.

Is there a motion to approve this request as submitted.

N. [Request to Approve Annual Street Finance Report for Fiscal Year 2020/2021 – Nancy Lueck, Finance Director](#)

Annually, cities in Iowa are required to complete and submit to the Iowa Department of Transportation (IDOT) the City Street Finance Report showing all street-related funding sources. For the fiscal year ended June 30, 2021, street-related expenditures (including capital projects, debt service payments on prior year street-related bonds, etc.) totaled \$10,561,544. The report attached to the agenda provides more detail of the expenditures and funding sources and includes the forms required by the IDOT.

Is there a motion to approve this request as submitted?

- O. [Request to Approve 2020/2021 Annual Financial Report to State of Iowa – Nancy Lueck, Finance Director](#)

Chapter 384.22 of the Iowa Code requires that cities in Iowa prepare and submit an annual financial report to the State Auditor's Office in the format required by the State. The first page of the report is required to be published prior to the report's submission. This report includes all budgeted funds of the city and was prepared on the City's budget basis. An overview of the City's budget-basis year-end financial statements was presented at the October 14 In Depth meeting.

Is there a motion to approve this request as submitted?

- P. [Request to Approve Leadership Team Development Facilitation Services – Carol Webb, City Administrator](#)

The purpose of this item is to fund facilitation services for the City Staff Leadership Team Development Workshop. The City Administrator is seeking approval of a purchase order in the amount of \$6,200 (\$5,526 for facilitation and an amount not to exceed \$674 for travel expenses) for facilitation services with the Powers Resource Center for the workshop. Funds are available in the City Administrator's Budget to fund this request.

Is there a motion to approve this Request as submitted?

- Q. [Request to Approve the Issuance of a Purchase Order for Parking Lot Concrete Replacement at the Old Kum & Go Property at 5th and Cedar Streets](#)

The Building & Grounds Division of Public works requests to issue a purchase order for concrete replacement at the old Kum & Go property. Three quotes were received and BMW Builders II was the low bidder at \$94,000.

Is there a motion to approve this Request as submitted?

- R. [Request to Approve the Issuance of a Purchase order to BMW Builders for the Exterior Renovation and Garage Door Installation of the Old Kum & Go Building to Convert it into a Garage for the Police and Fire Departments](#)

Staff requests to issue a purchase order for the exterior renovation and garage door installations of the old Kum & Go building. Three quotes were received with BMW Builders as the low bidder at a cost of \$32,500.

Is there a motion to approve this Request as submitted?

S. [Request to Approve a Revised Agreement with the Community Foundation of Greater Muscatine and Muscatine County](#)

At their September 16 meeting, City Council approved an Agreement with the Community Foundation of Greater Muscatine and Muscatine County for a Collaborative Partnership to Establish a Community Grant Writer Position. Subsequently the County requested additional language clarifying the public purpose be added. The revised Agreement includes the requested language, all other conditions remain substantially unchanged.

Is there a motion to approve this Request as submitted?

T. [Request to Enter Into Professional Services Agreement with MSA Professional Services, Inc. for Assistance with the preliminary design and siting of a Joint Law Enforcement Training Facility and Firing Range – Pat Lynch, City Engineer/Captain Anthony Kies, MPD](#)

Due to more frequent flooding at the existing MPD Training Facility and Firing Range, and the health hazards caused by said flooding, a new training facility, at a new location, needs to be constructed. City Staff issued a Request for Qualifications to seek assistance in siting, design and construction management. Five firms submitted Statements of Qualifications. Staff has reviewed the submittals and is requesting to enter into a Professional Services Agreements with MSA Professional Services, Inc. for an amount not to exceed \$70,000.00 for siting and preliminary design services. The cost of the contract will be split between the City and Muscatine County (\$35,000 each). A design and construction services contract will be negotiated once a site has been identified and thoroughly vetted.

Is there a motion to approve this Request as submitted?

12. **COMMUNICATION – RECEIVE AND FILE**

13. **APPROVAL OF BILLS**

It is recommended bills totaling \$8,022,603.80, which includes Journal entries and receipt summaries for June, 2021, 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. Possible Council action to authorize filling two (2) deferred firefighter positions that were previously approved in the FY 2020/2021 budget but deferred due to the economic impacts of COVID-19.
- B. Discussion regarding possible Council direction to staff to evaluate code language allowing Utility Terrain Vehicles (UTVs) on public streets by the general public.

**16. ADJOURNMENT**