



City of Muscatine



CITY COUNCIL
Thursday November 4, 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/376322253>

You can also dial in using your phone.

United States: 1 (224)501-3412

Access Code: 376-322-253

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 21, 2021 Regular City Council Meeting Minutes](#)**
- N. [October 28, 2021 Special Meeting Minutes](#)**

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

- A. Request for renewal of a Class "C" Beer Permit, and Sunday Sales for New York Dollar Store, 109 East Second Street – Antonio Sosa (pending inspections)
- B. Request for renewal of a Class "B" Beer Permit and Sunday Sales for Pizza Hut, 2512 Park Avenue – Summit Pizza, Inc. (pending inspections)
- C. Request for renewal of a Class "C" Liquor License, Outdoor Service and Sunday Sales for Headquarters Corp, 2108 Grandview Avenue – Headquarters Corp (pending inspections and insurance)
- D. Request for renewal of a Class "C" Beer Permit, Class "B" Wine Permit and Sunday Sales for Dollar General #7027, 2000 Cedar Plaza Drive – DolgenCorp LLC (pending inspections and insurance)
- E. Request for renewal of a Class "C" Liquor License and Sunday Sales for Hubble's Tap, 214 East Second Street – Hubble's Glenda LLC (pending inspections and insurance)
- F. Request for renewal of a Class "C" Liquor License, Outdoor Service and Sunday Sales for Bull Pen Sports Bar, 1201 Grandview Avenue – Bullpen Sports Bar, Inc. (pending inspections and insurance)
- G. Request for renewal of a Special Class "C" Liquor License and Sunday Sales for GeoJohnz, 203 East 2nd Street – GeoJohnz, LLC (pending inspections and insurance)
- H. Request for Use of City Property from Pearl City Media for the annual Holiday Stroll that will be held on Friday, December 3, 2021

* **Item 9A From the Mayor**

* **Items 12A Receive and File**

- A. [Muscatine County Board of Supervisors Meeting Minutes - October 25, 2021](#)**

* **Bills***

- * Approval of attached Bills for Approval totaling \$2,801,223.03, 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 Alley Right of Way to the Adjoining Property Owners at 1248 E. 5th Street and 1300 E. 5th 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. [Second Reading of an Ordinance Vacating and Deeding to the Adjoining Property Owner, Located at 1100 E 7th 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. 7th Street, the undeveloped Lombard Street Right of Way.

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

B. [First Reading of an Ordinance Vacating and Deeding alley right of way to the adjoining property owner located at 1248 E 5th and 1300 E 5th.](#)

The City of Muscatine has submitted a request to vacate, and deed to the adjoining property owner located at 1248 E 5th and 1300 E 5th alley right of way. The intent, if the request is approved by the City Council is to deed the vacated right of way to the adjacent property owners. The alley is currently improved and open to traffic. The approval of this vacation would permanently close this alley to traffic.

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

C. [Resolution Approving Contract and Bond for the 2021/2022 Full-Depth Patching Project with Heuer Construction, Inc. for the Amount of \\$440,800.00](#)

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. City Council awarded the contract to Heuer Construction, Inc. at the October 21, 2021 Council Meeting.

Is there a motion to adopt this Resolution as submitted?

D. [Resolution Awarding Contract for the Demolition of a Structure at 619 Hope Ave](#)

The City of Muscatine is currently working on removing abandoned and dilapidated homes that are a hazard to public safety. The City of Muscatine desires to remove the abandoned structure at 619 Hope Avenue and return the parcel to a state in which it can be redeveloped. Heuer Construction has submitted a bid to remove the structures at 619 Hope Ave in the amount of \$13,175.

Is there a motion to adopt this Resolution as submitted?

E. [Resolutions \(5\) Approving Internal Advance of Funds for Tax Increment Urban Renewal Projects](#)

Cities in Iowa are required to certify the amount of TIF funds to be claimed for each TIF district no later than December 1 of the year prior to the fiscal year for which the funds will be collected. The City must have incurred debt in order to claim the TIF funds to be certified. Debt certified can be in the form of general obligation bonds, tax increment revenue bonds, TIF rebate agreements, or internal advances (loans). In recent years, the City has claimed less than the full amount of incremental taxes available in the City's TIF districts.

E1. [Resolution Authorizing Internal Advance of Funds for the 2021-2022 Urban Renewal Administration and Professional Support Program.](#)

Is there a motion to adopt this resolution as submitted?

E2. [Resolution authorizing Internal Advance of Funds for the Economic Development Grant for the Greater Muscatine Chamber of Commerce and Industry \(GMCCI\) Support Program.](#)

Is there a motion to adopt this resolution as submitted?

E3. [Resolution Authorizing the Internal Advance of Funds for the Small Business Forgivable Loan Program.](#)

Is there a motion to adopt this resolution as submitted?

E4. [Resolution Authorizing the Internal Advance of Funds for Small Business Forgivable Loan Program for Code Compliance Improvements.](#)

Is there a motion to adopt this resolution as submitted?

E5. [Resolution Authorizing the Internal Advance of Funds for the Downtown Façade Improvements Forgivable Loan Program.](#)

Is there a motion to adopt this resolution as submitted?

F. [Resolutions \(9\) for Annual Appropriation for Tax Increment Financing \(TIF\) Rebate Obligations for \(1\) Wal-View Development Project #1, \(2\) Wal-View Development Project #2, \(3\) Musco Sports Lighting Project #2, \(4\) Harrison Lofts, LLC, \(5\) Riverview Hotel Development, \(6\) HNI Corporation, \(7\) WHite Distribution & Supply LLC, \(8\) Bush Development LLC/Hershey Development, LLC, and JNB Oak Park, LP.](#)

Cities in Iowa are required to certify the amount of TIF funds claimed for each TIF district no later than December 1 of the year prior to the fiscal year for which the TIF funds will be collected. This includes TIF rebates that are subject to annual appropriation. The City has nine (9) development agreements that include provisions requiring annual appropriation of the TIF rebates.

F1. [Resolution providing for the appropriation of an amount not to exceed \\$318,000 for the Wal-View Development Project #1 TIF rebate for the fiscal year beginning July 1, 2022.](#)

Is there a motion to adopt this resolution as submitted?

F2. [Resolution providing for the appropriation of an amount not to exceed \\$182,000 for the Wal-View Development Project #2 TIF rebate for the fiscal year beginning July 1, 2022.](#)

Is there a motion to adopt this resolution as submitted?

F3. [Resolution providing for the appropriation of an amount not to exceed \\$53,000 for the Musco Sports Lighting Project #2 TIF rebate for the fiscal year beginning July 1, 2022.](#)

Is there a motion to adopt this resolution as submitted?

F4. [Resolution providing for the appropriation of an amount not to exceed \\$36,000 for the Harrison Lofts, LLC TIF rebate for the fiscal year beginning July 1, 2022.](#)

Is there a motion to adopt this resolution as submitted?

F5. [Resolution providing for the appropriation of an amount not to exceed \\$520,000 for the Riverview Hotel Development TIF rebate for the fiscal year beginning July 1, 2022.](#)

Is there a motion to adopt this resolution as submitted?

F6. [Resolution providing for the appropriation of an amount not to exceed \\$80,000 for the HNI Corporation TIF rebate for the fiscal year beginning July 1, 2022.](#)

Is there a motion to adopt this resolution as submitted?

F7. [Resolution providing for the appropriation of an amount not to exceed \\$54,000 for the White Distribution & Supply TIF rebate for the fiscal year beginning July 1, 2022.](#)

Is there a motion to adopt this resolution as submitted?

F8. [Resolution providing for the appropriation of an amount not to exceed \\$76,000 for the Bush Development, LLC/Hershey Development LLC TIF rebate for the fiscal year beginning July 1, 2022.](#)

Is there a motion to adopt this resolution as submitted?

F9. [Resolution providing for the appropriation of an amount not to exceed \\$28,000 for the JNB Oak Park LP Tif rebate for the fiscal year beginning July 1, 2022.](#)

Is there a motion to adopt this resolution as submitted?

G. [Resolution Setting a Public Hearing on an Ordinance Amending Chapter 5, Title 1 of the City Code, Precinct and Ward Boundaries](#)

State law requires that upon release of the new decennial census information that ward and precinct boundaries be adjusted, to ensure that they comply with the standards contained in state law, and that public hearing be held on such changes to ward and precinct boundaries. The attached resolution providing for the appropriation of an amount not to exceed \$36,000 for the Harrison Lofts, LLC TIF rebate for the fiscal year beginning July 1, 2022.

Is there a motion to adopt this resolution as submitted?

H. [Resolution Rejecting all Safety Platform Bids](#)

Staff has prepared a resolution for the rejection of all bids for the Safety Platforms Project. The bids have come in over budget by a significant amount. Staff has determined that a change in the material used for the platforms will reduce the cost enough to better reflect the budgeted amount.

Is there a motion to adopt this Resolution as submitted?

I. [Resolution Setting a Public Hearing for Safety Platform Project Rebid](#)

Presented for City Council's consideration is a resolution setting a public hearing to be held November 18th, 2021 at 7pm to hear objections to the plans, specifications, form of contract and cost estimates for the proposed Safety Platform Project rebid.

Is there a motion to adopt this Resolution as submitted?

J. [Request to Enter into a Professional Services Agreement with Martin & Whitacre Surveyors & Engineers, Inc. for High Intensity Activated Crosswalk](#)

Presented for City Council's consideration is a request to enter into a Professional Services Agreement with Martin & Whitacre Surveyors & Engineers, Inc. in the amount of \$29,996.25 for assistance with the design, preparation of construction documents and soliciting bids for the High Intensity Activated Crosswalk (HAWK) pedestrian crossing at Earl Avenue and Oregon Street, which is part of the South End Community Fund Improvement Projects (SCIP). The improvements were vetted through public meetings, Parks and Recreation Advisory Commission meetings and past project requests received from the Muscatine Community.

Is there a motion to approve this request as submitted?

K. [Request for Approval for a Permanent Improvement on Public Property for a Memorial Gazebo](#)

Presented for City Council's consideration is a request to approve a permanent improvement on public property for the placement of a Memorial Gazebo along the West Side Trail near the South entrance into the Soccer West parking lot. The Harper family is requesting to donate the materials and labor to construct the gazebo in memory of Charles Harper. The donation would also include a bike fix-it station and a water bottle filling station.

Is there a motion to approve this request as submitted?

- L. [Request to Enter into a Professional Services Agreement with Martin & Whitacre Surveyors & Engineers, Inc. – Rich Klimes, Director of Parks and Recreation/Pat Lynch, City Engineer](#)

Presented for City Council's consideration is a request to enter into a Professional Services Agreement with Martin & Whitacre Surveyors & Engineers, Inc. for assistance with the design, preparation of construction documents and soliciting bids for the improvements to Taylor Park as part of the South End Community Fund Improvement Projects. The improvements were vetted through public meetings, park and recreations advisory commission meetings and past project requests received from the Muscatine Community.

Is there a motion to approve this request as submitted?

- M. [Request to Enter into a Professional Services Agreement with Martin & Whitacre Surveyors & Engineers, Inc. – Rich Klimes, Director of Parks and Recreation/Pat Lynch, City Engineer](#)

(Pulled from agenda)

- N. [Request to Approve the Issuance of a Purchase Order for a 4x4 Rubber Tire Backhoe-Loader](#)

Public Works requests to issue a purchase order to Titan Machinery, in the amount of \$77,450 for the purchase of a 2022, Case, 4x4 Rubber-tire Backhoe/Loader. This is a scheduled replacement for the existing 2011 Case Backhoe. Three bids were received for this equipment with the low responsible bid coming from Titan Machinery.

Is there a motion to approve this Request as submitted?

12. COMMUNICATION – RECEIVE AND FILE

13. **APPROVAL OF BILLS**

It is recommended bills totaling \$2,801,223.03, 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**

16. **ADJOURNMENT**