



# City of Muscatine



## CITY COUNCIL Thursday February 17, 2022

Brad Bark, Mayor

Dennis Froelich, 1<sup>st</sup> Ward  
Jeff Osborne, 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

Angie Lewis, 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.

---

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

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

<https://www.gotomeet.me/CityofMuscatine/city-council-meeting>

**You can also dial in using your phone.**

United States: 1-669-224-3412

**Access Code:** 971-499-597

### **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. [February 3, 2022 Regular Meeting Minutes](#)
- B. [February 10, 2022 In-Depth Meeting Minutes](#)

### \* **Item 8A-J Petitions and Communications**

- A. Request for renewal of a Class “C” Beer Permit and Sunday Sales for Loos Inc, 711 Park Avenue – Loos Inc. (pending inspections)
- B. Request for renewal of a Class “E” Liquor License, Class “C” Beer Permit, Class “B” Wine Permit, Outdoor Service and Sunday Sales for Hy-Vee Food Store, 2400 – 2nd Avenue – Hy-Vee, Inc. (pending inspections)
- C. Request for renewal of a Special Class “C” Liquor License, Class “B” Native Wine Permit and Sunday Sales for Muscatine Family Restaurant, 1903 Park Avenue – Muscatine Family Restaurant LLC (pending inspections and insurance)
- D. Request for renewal of a Class “C” Beer Permit, Class “B” Wine Permit and Sunday Sales for Dollar General Store #19625, 807 Grandview Avenue – Dolgencorp, LLC (pending inspections and insurance)
- E. Request for renewal of a Class “C” Liquor, Catering, Outdoor Service and Sunday Sales for The Rendezvous, 3127 Lucas Street – Cindy’s Rendezvous LLC (pending inspections and insurance)
- F. Request for renewal of a Class “C” Liquor, Catering, Outdoor Service and Sunday Sales for Boonie’s on the Avenue, 214 Iowa Avenue – Boonie’s on the Avenue, LLC (pending inspections and insurance)
- G. Request for renewal of a Class “E” Liquor License and Sunday Sales for GM Food Mart, 2881 Highway 61 – Nanak Express LLC (pending inspections and insurance)
- H. Request for renewal of a Class “B” Beer Permit, Outdoor Service and Sunday Sales for Contrary Brewing Co., 411 West Mississippi Drive – Contrary Brewing LLC (pending inspections and insurance)
- I. [Request for Use of City Property from Pearl City Media for the Holiday Stroll on Friday, December 2, 2022](#)
- J. [Request to Approve Application for Revitalization Property Tax Abatement for 518 Aspen Trail – Mark and Barbara Snyder](#)

### \* **Items 12A-C Receive and File**

- A. [Muscatine County Board of Supervisors Minutes – January 24, 2022](#)
- B. [Muscatine County Board of Supervisors Minutes – January 31, 2022](#)
- C. [Muscatine County Board of Supervisors Minutes – February 7, 2022](#)

**\* Bills\***

- \* Approval of attached Bills for Approval totaling \$5,367,406.30, which includes Receipt and Journal Entry Listings for October and November 2021, subject to the approval of any related agenda item(s).

**6. MINUTES – APPROVAL**

**7. PUBLIC HEARING**

A. [Standard Penalties](#)

This public hearing concerns amendments to Title 1, Chapter 2, Section 14 of the Code of the City of Muscatine – Standard Penalties. Staff recommends aligning the City’s standard penalty with the penalties outlined in Iowa Code 364.3(2) and 903.1(1a).

Now is the time for the public to comment.

**8. PETITIONS AND COMMUNICATIONS**

**9. FROM THE MAYOR**

- A. [Reading and presentation of the Alexander Clark Day Proclamation](#)

**10. FROM THE PLANNING AND ZONING COMMISSION**

**11. FROM THE CITY ADMINISTRATOR**

- A. [First Reading of an Ordinance Revising Title 1, Chapter 2, Section 14 of the Code of the City of Muscatine, Relating to Standard Penalties. \(City Administrator, Carol Webb\)](#)

Presented for City Council’s consideration is the first reading of an ordinance revising Title 1, Chapter 2, Section 14 of the Code of the City of Muscatine, relating to standard penalties. Staff recommends aligning the City’s standard penalty with the penalties outlined in Iowa Code 364.3(2) and 903.1(1a).

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

- B. [Second Reading of an Ordinance Revising Portions of Title 6, Chapter 8 of the City Code of Muscatine - Regarding Animal Regulations \(Public Hearing A\) \(Carol Webb-City Administrator, Police Captain Anthony Kies\)](#)

Presented for City Council's consideration is the second reading of an ordinance revising portions of Title 6, Chapter 8 of the Code of the City of Muscatine. City Council directed City staff to prepare changes to portions of Title 6, Chapter 8 of Muscatine City Code related to animal regulations. The proposed ordinance includes revisions to definitions and requirements related to animal care, dangerous and vicious dogs, tethering, irresponsible ownership, right to appeal violations of this Code Section, and other minor modifications and revisions.

The proposed ordinance was revised following the first reading to incorporate feedback from City Councilmembers and community members.

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

- C. [Resolution Accepting a Quit Claim Deed for Property Located at 409 E. 6<sup>th</sup> Street \(April Limburg – City Planner\)](#)

Presented for Council's consideration is a resolution accepting a quit claim deed from Rti Investments LLC to the City of Muscatine for the parcel located at 409 E 6<sup>th</sup> St from Rti Investments LLC. The structure on this site was determined to be unsafe and was demolished in December, but the parcel is not large enough for development. To ensure upkeep of the property, it is staff's intent to have the parcel declared as surplus for conveyance to an adjacent property owner.

Is there a motion to adopt this resolution as submitted?

- D. [Resolution Approving the Contract and Bond for the Southend Playground Development Project with Boland Recreation for the Amount of \\$360,000.00. \(Rich Klimes, Parks and Recreation Director\)](#)

Presented for City Council's consideration is a Resolution Approving the Contract and Bond for the Southend Playground Development Project with Boland Recreation for the Amount of \$360,000.00. The City of Muscatine Parks and Recreation Department and the Playground Selection Committee developed the plans and specifications for the Southend Playground Development Project. The Muscatine City Council held a public hearing and approved the plans and specifications on December 16, 2021. Three proposals were received by the due

date of January 19, 2022, but only two of the proposals arrived by the proposal submittal deadline of 2:05 p.m. The selection committee comprised of City Staff and interested members of the community evaluated the two proposals on playground safety, accessibility, aesthetics, playability and the proposed cost being within the approved project budget. After open interviews and careful evaluation of the proposals, there was a unanimous consensus of the committee that Boland Recreation had the most responsive and responsible proposal submitted.

Is there a motion to adopt this resolution as submitted?

E. [Resolution Setting a Public Hearing on the Maximum Tax Levy for the Fiscal Year 2022/2023 Budget \(Nancy Lueck, Finance Director\)](#)

Presented for City Council's consideration is a resolution setting a public hearing on March 3, 2022 for the maximum tax levy for the fiscal year 2022/2023 budget. All cities in Iowa are required by the State to pass a resolution establishing their maximum property tax dollars for certain levies prior to adoption and certification of the final budget. The City Council recently completed their review of the proposed City budget for the upcoming year. The proposed total property tax levy rate for the 2022/2023 budget is \$15.97054 per \$1,000 of valuation, which is 1.9% higher than the total tax rate for the current year (2021/2022). With the .04% increase in taxable valuations, total property tax revenue for the City will increase by \$275,785, which is a 1.85% increase in property tax dollars.

Per State requirements, the Notice of Public Hearing for the 1<sup>st</sup> public hearing on the budget only includes the General, Transit, Tort Liability/Insurance, Emergency, and Employee Benefits levies. The tax dollars from those levies total \$12,992,776 compared to \$12,597,193 for those levies for the current fiscal year 2021/2022 budget. This is a \$395,583 (3.14%) increase in tax dollars when considering only the levies in the public notice.

Is there a motion to adopt this resolution as submitted?

F. [Resolution Setting the Date for a Public Hearings and Additional Action on Proposal to Enter into General Obligation Loan Agreements and to Borrow Money Thereunder \(Nancy Lueck, Finance Director\)](#)

Presented for City Council's consideration is a resolution setting the date for a public hearing and additional action on a proposal to enter into General Obligation Loan Agreements and to borrow money thereunder. The City's next bond issue is scheduled for May 2022. This bond issue will provide funding for a number of City projects that have recently been completed, are currently underway, or will be

underway in calendar years 2022 and 2023. These projects and the proposed bond issue were reviewed with City Council as part of the recent budget sessions. The projects included in this issue are listed in the Background/Discussion section of the Agenda Item Summary. The bond issue is estimated at \$6,200,000 with \$6,090,000 for project costs and \$110,000 for estimated bond issuance costs.

Dorsey & Whitney, the City's bond counsel prepared the attached resolution setting the date and time for the required public hearings on the proposed issue for March 3, 2022 at 7:00 p.m. in the City Hall Council Chambers.

Is there a motion to adopt this resolution as submitted?

G. [Resolution Approving 2022/2023 Seasonal Pay Plan \(Stephanie Romagnoli, HR Manager\)](#)

Presented for City Council's consideration is a resolution updating the seasonal pay plan. This resolution is being presented following consensus to make these changes during the 2022/2023 budget process. This resolution increases the hourly wage for most positions in the seasonal pay plan. The request is to make the new wage schedule effective Mar 1, 2022, which will aid in the seasonal recruitment efforts that are currently underway.

Is there a motion to adopt this resolution as submitted?

H. [Request to Approve the 2021 Certified Local Government Annual Report for Submission to the Iowa Department of Cultural Affairs \(April Limburg, City Planner\)](#)

Presented for City Council's consideration is a request to approve the 2021 Certified Local Government Annual Report for Submission to the Iowa Department of Cultural Affairs. As a Certified Local Government, the City of Muscatine is responsible for submitting an annual report documenting the Historic Preservation Commission's work during the calendar year. The report is used to document the Commission has met the requirements of the program and is in good standing, which enables the city to pursue certain grants.

Is there a motion to approve this request as submitted?

I. [Request to Approve the Issuance of a Purchase Order for the Purchase of Three Pickup Trucks for the Engineering Department and Parks Maintenance Department \(Brian Stineman, Public Works Director\)](#)

Presented for City Council's consideration is a request to approve a purchase order to Deery Brothers of West Burlington, Iowa in the amount of \$85,405.00

for the purchase of 3 Toyota Tacoma extended cab pickup trucks. Two of these trucks will be used for the Engineering Department and one will be for the Parks Maintenance Department. Funding for these vehicles was budgeted in the FY 2021/2022 budget.

Is there a motion to approve this request as submitted?

- J. [Request to Approve the Issuance of a Purchase Order for Carpet and Tile for Public Works, Housing and Community Development \(Brian Stineman, Public Works Director\)](#)

Presented for City Council's consideration is a request to approve a purchase order for carpet and tile at Public Works and carpet in the Housing and Community Development offices at City Hall. Three quotes were requested and two were received, with Carriage House Carpet One as the low bidder at \$27,912.24.

Is there a motion to approve this request as submitted?

- K. [Request to Approve the Issuance of a Purchase Order for the Installation of Three Shelters as Part of the Community Foundation of Greater Muscatine South End Improvement Fund Projects \(Rich Klimes, Parks and Recreation Director\)](#)

Presented for City Council's consideration is a request to approve a purchase order to Wolfe Contracting Inc. for the installation of three (3) 24' x 24' Cedar Forest Products shelters with a shelter being placed at Musser Park, Taylor Park and Kent Stein Park for a total of \$29,766. There is \$30,000 budgeted in the project fund for the installation of these shelters. Seven bids were received with the lowest bid received from Wolfe Contracting Inc.

Is there a motion to approve this request as submitted?

- L. [Request to Approve the Issuance of a Purchase Order for the Purchase of an Athletic Field Grooming Machine for the Use at Kent Stein Park \(Rich Klimes, Parks and Recreation Director\)](#)

Presented for City Council's consideration is a request to approve a purchase order to Van Wall Equipment for the purchase of an Athletic Field Grooming machine for the total of \$20,900. There is \$23,000 in the revised budget for an Athletic Field Grooming machine. Four bids were received with the lowest bid meeting specifications received from Van Wall Equipment.

Is there a motion to approve this request as submitted?

- M. [Request to Approve Entering into an Agreement with the Iowa DOT, Accepting a CRRSAA \(Coronavirus Response and Relief Supplemental Appropriations Act\) Grant in the Amount of \\$512,150.00. \(Brian Stineman, Public Works Director\)](#)
- N. [Request to Approve the Issuance of a Purchase Order to Midland Scientific for a Labconco Flaskware Washer for the Muscatine Environmental Laboratory \(Jon Koch, WPCP Director\)](#)

Presented for City Council's consideration is a request to approve a purchase order to Midland Scientific for the purchase of a Labconco Flaskware Washer for the Muscatine Environmental Laboratory at the Water and Resource Recovery Facility. Three bids were received with the low bid of \$12,801.63 coming from Midland Scientific. \$16,200 was budgeted for this item.

Is there a motion to approve this request as submitted?

- O. [Request to Approve Payment of Economic Assistance for Certain Small Businesses in the Grandview Corridor \(Jodi Royal-Goodwin, Community Development Director\)](#)

Presented for Council's consideration is a request to approve four (4) forgivable loan payments under the economic assistance program designed to support businesses in the Grandview Corridor that have been affected by both the pandemic and traffic restrictions associated with the reconstruction of Grandview Avenue. Loan payments for this round total \$40,000; \$200,000 in tax increment financing was budgeted for this program.

Is there a motion to approve this request as submitted?

## 12. **COMMUNICATION – RECEIVE AND FILE**

## 13. **APPROVAL OF BILLS**

It is recommended bills totaling \$5,367,406.30, which includes Receipt and Journal Entry Listings for October and November 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**

Request to enter closed session closed session per Iowa Code Section 21.5.1.c to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent and where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in the litigation, and in accordance with Iowa Code Section 622.10 to discuss attorney/client privileged and attorney work product matters with legal counsel.

**16. ADJOURNMENT**