



City of Muscatine



CITY COUNCIL Thursday March 17, 2022

Brad Bark, Mayor

Dennis Froelich, 1st Ward
Jeff Osborne, 2nd Ward
Peggy Gordon, 3rd Ward
Nadine Brockert, 4th Ward
John Jindrich, 5th 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 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://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. [March 3, 2022 Regular Meeting Minutes](#)
- B. [March 10, 2022 In-Depth City Council Meeting Minutes](#)
- C. [March 10, 2022 Special Meeting Minutes](#)

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

- A. Request on first and second reading for a new Class "E" Liquor License, Class "B" Wine Permit, Class "C" Beer Permit and Sunday Sales for GM Food Mart, 1814 E Avenue – TMJ Group LLC (pending inspections)
- B. [Request for Use of City Property from the Muscatine Area Farmers Market from May 1, 2022 Through October 31, 2022.](#)
- C. Cigarette/Tobacco Permit – GM Food Mart, 1814 E Avenue – TMJ Group LLC

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

- A. Muscatine County Board of Supervisors Minutes – [February 21, 2022](#)
- B. Muscatine County Board of Supervisors Minutes – [February 28, 2022](#)
- C. Muscatine County Board of Supervisors Minutes – [March 7, 2022](#)

* **Bills***

- * Approval of attached Bills for Approval totaling \$1,896,294.71, subject to the approval of any related agenda item(s).

6. **MINUTES – APPROVAL**

7. **PUBLIC HEARING**

- A. [Proposed City Budget for Fiscal Year 2022/2023](#)

This Public hearing concerns the proposed City Budget for Fiscal Year 2022/2023. The City Council has held budget meetings for the purpose of reviewing and establishing the proposed City Budget for the Fiscal Year 2022/2023.
(Presentation by Finance Director Nancy Lueck)

Now is the time for the public to comment.

- B. [Proposed Amendment #1 to the City Budget for Fiscal Year 2021/2022](#)

This public hearing concerns amendment #1 to the Fiscal Year 2021-2022.

Now is the time for the public to comment.

8. PETITIONS AND COMMUNICATIONS

9. FROM THE MAYOR

- A. [Presentation of Junior Achievement Proclamation](#)
- B. [Presentation Arbor Day Proclamation](#)

10. FROM THE PLANNING AND ZONING COMMISSION

11. FROM THE CITY ADMINISTRATOR

- A. Third and final reading of an [ordinance revising Title 1, Chapter 2, Section 14 of the Code of the City of Muscatine](#) Regarding Standard Penalties (City Administrator, Carol Webb)

Presented for City Council's consideration is the third and final 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 adopt this ordinance on third and final reading and to direct for its publication as required by law?

- B. Resolution Adopting the City of Muscatine [Budget for Fiscal Year Ending June 30, 2023](#) (Finance Director, Nancy Lueck)

Presented for City Council's consideration is a resolution adopting the annual budget for Fiscal Year ending June 30, 2023. (Public Hearing A)

Is there a motion to adopt this resolution as submitted?

- C. Resolution Approving [Amendment #1 to the Fiscal Year 2021-2022 Budget](#) (Finance Director, Nancy Lueck)

Presented for City Council's consideration is a resolution approving amendment #1 to the Fiscal Year 2021-2022 budget and authorizing the Mayor and City Clerk to sign the record of hearing and adoption of budget amendment #1 forms required by the Iowa Department of Management. (Public Hearing B)

Is there a motion to adopt this resolution as submitted?

D. Resolution Establishing a [Leadership Planning Committee](#) as a Subcommittee of the City Council (City Administrator, Carol Webb)

Presented for City Council's consideration is a resolution to establish a Leadership Planning Committee as a subcommittee of the City Council. The committee will be responsible for the regular review of the upcoming City Council agendas and the City Council long-range planning calendar.

Is there a motion to adopt this resolution as submitted?

E. [Resolution Setting the Time and Place to Conduct a Public Hearing on an Ordinance Striking Title 6, Chapter 9 Regarding the Keeping of Pit Bull Dogs](#) (City Administrator, Carol Webb)

City Council has directed City staff to prepare an ordinance striking Title 6, Chapter 9 of Muscatine City Code related to Keeping of Pit Bull Dogs. Prior to City Council action on the proposed ordinance reflecting the request, a public hearing is required. The attached resolution sets the public hearing for April 7, 2022.

Is there a motion to adopt this resolution as submitted?

F. [Resolution Authorizing the Execution of a Quit Claim Deed for Parcel #08354840111 to the Adjoining Property Owner, First National Bank](#) (City Planner, April Limburg)

Presented for City Council's consideration is a request to Deed parcel #08354840111 to the adjoining property owner, First National Bank of Muscatine Iowa. City Council has declared a number of parcels, including this one, as surplus and directed City staff to actively pursue their disposal. The adjacent property owner has agreed to assume ownership of this undevelopable parcel.

Is there a motion to adopt this resolution as submitted?

G. [Resolution Setting the Time and Place to Conduct a Public Hearing on an Ordinance Establishing Vacant Property and Non-Residential Property Maintenance Regulations](#) (Assistant CD Director, Andrew Fangman)

Presented for City Council's consideration is a resolution setting a public hearing on April 7, 2022, regarding an ordinance establishing vacant and nonresidential property maintenance regulations.

Presented for City Council's consideration is a resolution setting a public hearing

H. [Resolution Setting the Time and Place to Conduct a Public Hearing on an Ordinance Regulating Cargo Containers in Residential Areas](#) (Assistant CD Director, Andrew Fangman)

Presented for City Council's consideration is a resolution setting a public hearing on April 21, 2022, regarding an ordinance regulating cargo containers in residential areas.

Is there a motion to adopt this resolution as submitted?

I. [Resolution Setting the Time and Place to Conduct a Public Hearing on an Ordinance Revising Weed and Vegetation Management Regulations](#) (Assistant CD Director, Andrew Fangman)

Presented for City Council's consideration is a resolution setting a public hearing on April 21, 2022, regarding an ordinance revising weed and vegetation management regulations.

Is there a motion to adopt this resolution as submitted?

J. [Resolution Setting the Time and Place to Conduct a Public Hearing on the 2023 Consolidated Funding Application for MuscaBus](#) (Public Works Director, Brian Stineman/ Transportation Manager, Amy Fortenbacher)

Presented for the City Council's consideration is a resolution setting a Public Hearing on April 21, 2022. The City of Muscatine Transit (MuscaBus) applies annually for State and Federal Transit funds through a Consolidated Funding Application. A Public Hearing is required as part of the application.

Is there a motion to adopt this resolution as submitted?

K. [Resolution Setting a Public Hearing on the Community Needs Assessment and Proposed Use of Community Development Block Grant Funds](#) (CD Director, Jodi Royal-Goodwin)

Presented for City Council's consideration is a resolution setting a public hearing on April 7, 2022 on the Community Needs Assessment and proposed use of Community Development Block Grant Funds. In order to be eligible for funding the City must complete a community needs assessment and conduct a public hearing to review the findings and receive public comment.

Is there a motion to adopt this resolution as submitted?

L. [Resolution Setting a Public Hearing on the plans, specifications and form of contract for Tipping Floor Resurfacing Project](#) (Public Works Director, Brian Stineman/Solid Waste Manager, David Popp)

Presented for City Council's consideration is a resolution setting a public hearing on April 7, 2022, for the plans, specifications and form of contract for the Transfer Station Tipping Floor Resurfacing Project.

Is there a motion to adopt this resolution as submitted?

M. [Resolution Awarding Contract for the Taylor Park Improvement Project](#) (Parks and Recreation Director, Rich Klimes)

Presented for City Council's consideration is a resolution awarding a contract to All American Concrete, in the amount of \$429,584.00, for the Taylor Park Improvement Project. Three bids were received and All-American Concrete was the lowest responsive bidder. The costs associated with this project are being funded from the Community Foundation of Greater Muscatine Southend Improvement Fund.

Is there a motion to adopt this resolution as submitted?

N. [Resolution Awarding Contract for the Taylor Park Splashpad Project](#) (Parks and Recreation Director, Rich Klimes)

Presented for City Council's consideration is a resolution awarding a contract to The Henley Group, LLC, in the amount of \$333,000.00 for the Taylor Park Splashpad Project. Two bids were received with The Henley Group being the

lowest responsive bidder. The costs associated with this project are being funded from the Community Foundation of Greater Muscatine Southend Improvement Fund.

Is there a motion to adopt this resolution as submitted?

- O. [Resolution Setting the Time and Place to Conduct a Public Hearing on an Ordinance Amending City Code Regarding Residency Requirements](#) (Human Resources Manager, Stephanie Romagnoli)

Presented for City Council's consideration is a resolution setting a public hearing on an ordinance change to allow residency outside of Iowa for Civil Service covered employees. The attached resolution sets the public hearing for April 7, 2022.

Is there a motion to adopt this resolution as submitted?

- P. [Request for Approval for a Date Extension of the Current Federal Transit Administration \(FTA\) Contract for Replacement of Bus 246](#) (Transit Supervisor, Amy Fortenbacher)

Presented for the City Council's consideration is a request to approve an amendment offered by the Federal Transit Administration (FTA) to extend the date of our replacement contract for bus 246. The original agreement was effective from April 30, 2020 through April 29, 2022. The amendment extends the end date to October 31, 2022.

Is there a motion to approve this request as submitted?

- Q. [Request to Approve a Development Plan for the Northwest Corner of Park Avenue and Peachtree Street](#) (3100 Park Avenue West) (Assistant CD Director, Andrew Fangman)

Presented for City Council's consideration is a request to approve a development agreement, submitted by Ken LaRue, for a .93-acre parcel located at the northwest corner of Park Avenue West and Peachtree Street.

Is there a motion to approve this request as submitted?

- R. [Request to Approve Change Order #9 for the Grandview Avenue Reconstruction Project](#) (City Engineer, Pat Lynch)

Presented for City Council's consideration is a request to approve change order #9 for the Grandview Avenue Reconstruction Project for the amount of \$25,251.12. This change order consists of modification of the water main now shown in the construction drawings, cold weather protection for the pavement, emergency erosion control and special signage for businesses.

Is there a motion to approve this request as submitted?

- S. [Request to Approve a Professional Services Agreement with Stanley Consultants for the Nutrient Reduction Update Report](#) (WPCP Director, Jon Koch)

Presented for City Council's consideration is a Professional Services Agreement (PSA) with Stanley Consultants for the Nutrient Reduction Update Report. This report is required by the DNR for completion by May 1, 2022, to comply with the City's permit. The fee for the PSA is \$14,225.00. \$15,000.00 was budgeted for this work.

Is there a motion to approve this request as submitted?

- T. [Request to Approve Development Agreement with Muscatine Center for Social Action](#) (CD Director, Jodi Royal-Goodwin)

Presented for Council's consideration is a development agreement with Muscatine Center for Social Action that provides funding for the demolition of the property at 519 East 7th Street. Clearance of the property is necessary due to a sewer issue, and will facilitate construction of a new housing unit. Funding for this Agreement is included in the City's adopted FY22 budget.

Is there a motion to approve this request as submitted?

- U. [Request to Approve the Issuance of a Purchase Order for a Stainless Steel Dump Body for the 40,000 Pound Gross Vehicle Weight Single Axle Dump/Plow Truck Approve in January 2020](#) (Public Works Director, Brian Stineman)

Presented for council's consideration is a request to issue a purchase order to Bonnell Industries in the amount of \$7,172.15 for the purchase of a stainless-steel dump body. This purchase will be absorbed in the 2022 Roadway Maintenance Revised Budget.

Is there a motion to approve this request as submitted?

V. [Request to Approve the Issuance of a Purchase Order for a Circul-Air Roto Jet Hose Washer](#) (Fire Chief, Jerry Ewers/Battalion Chief, Darrell Janssen)

Presented for City Council's consideration is a request to approve the issuance of a purchase order in the amount of \$13,298.00 to The Fire Store for the purchase of a Circul-Air Roto-Jet Hose Washer. We have \$ 14,000 budgeted for this capital outlay purchase.

Is there a motion to approve this request as submitted?

W. [Resolution Setting the Time and Place to Conduct a Public Hearing on the Plans and Specifications to widen a portion of taxi lane](#) (CD Director, Jodi Royal-Goodwin)

Presented for Council consideration is a resolution setting a public hearing for April 7, 2022 on the plans and specifications to widen a portion of the taxi lane.

Is there a motion to adopt this resolution as submitted?

12. COMMUNICATION – RECEIVE AND FILE

13. APPROVAL OF BILLS

It is recommended bills totaling \$1,896,294.71, 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