



City of Muscatine



CITY COUNCIL Thursday June 2, 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**
 - INVOCATION- Ray Oehme – Vineyard Christian Fellowship
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **COMMUNICATIONS – CITIZENS**

Swearing in of Firefighter Dan Deckert

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. May 19, 2022 Regular Meeting Minutes

* **From the Mayor A-M**

- A. Request to approve reappointment of Aarzoo Baharani to the Art Center Board of Directors.
- B. Request to approve reappointment of Mark Latta to the Art Center Board of Directors.
- C. Request to approve new appointment of Vince Lawson to the Art Center Board of Directors.
- D. Request to approve new appointment of David Meloy to the Art Center Board of Directors.
- E. Request to approve reappointment of Keith Porter to the Board of Water, Electric and Communication Trustees.
- F. Request to approve reappointment of Brandy Olson to the Civil Service Commission.
- G. Request to approve reappointment of Jodi Hansen to the Planning and Zoning Commission.
- H. Request to approve reappointment of Andrew Anderson to the Planning and Zoning Commission,
- I. Request to approve reappointment of Pete DeGabrielle to the Recreation Advisory Commission.
- J. Request to approve reappointment of Gina Othmer to the Recreation Advisory Commission.
- K. Request to approve reappointment of Jim Elias to the Public Art Advisory Commission.
- L. Request to approve reappointment of Carolyne Levine to the Public Art Advisory Commission.
- M. Request to approve new appointment Jodi Hansen to the Public Art Advisory Commission.

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

- A. Request for renewal of a Class "C" Beer Permit, Class "B" Wine Permit and Sunday Sales for Hy-Vee Mainstreet, 510 East 6th Street – Hy-Vee, Inc. (pending inspections)

- B. Request for renewal of a Class "C" Liquor License, Outdoor Service and Sunday Sales for The Pearl, 101 West Mississippi Drive – The Pearl, LLC (pending inspections and insurance)
- C. Request for renewal of a Class "C" Liquor License and Sunday Sales for Applebee's Neighborhood Grill & Bar, 306 Cleveland Street – The Pearl, LLC (pending inspections and insurance)
- D. Request for Use of City Property from Musser Public Library for a parade on July 30, 2022
- E. [Request for extension to Iowa Avenue closure to complete utility services connections to the former library project. This request would extend the road closure until June 30, 2022](#)
- F. Cigarette/Tobacco Permits
 - 1. Bullpen Sports Bar, 1201 Grandview Avenue – Bullpen Sports Bar
 - 2. Casey's General Store #1484, 1111 Oregon Street – Casey's Marketing Company
 - 3. Casey's General Store #2906, 3509 Steamboat Way – Casey's Marketing Company
 - 4. Casey's General Store #2944, 3010 University Drive – Casey's Marketing Company
 - 5. Casey's General Store #4025, 4701 South Highway 61 – Casey's Marketing Company
 - 6. Circle K #6600, 802 Cypress Street – Mac's Convenience Stores LLC
 - 7. Dollar General Store #7027, 2000 Cedar Plaza Drive – DolgenCorp, LLC
 - 8. Dollar General Store #21855, 901 Cypress Street – DolgenCorp, LLC
 - 9. Dollar General Store #19625, 807 A Grandview Avenue – DolgenCorp, LLC
 - 10. Dollar General Store #18711, 3614 Grandview Avenue – DolgenCorp, LLC
 - 11. Express Mart, 4804 S. Grandview Avenue – Aviya LLC
 - 12. Fareway Stores, Inc. #998, 2100 Cedar Plaza Drive – Fareway Stores, Inc.
 - 13. Fast Avenue One Stop, 2111 Park Avenue – Gurung, LLC
 - 14. GM Food Mart, 1814 E Avenue, TMJ Group LLC
 - 15. GM Mini Mart, 2307 Lucas Street – Malka 13, Inc.
 - 16. Grandview Mart, 714 Grandview Avenue – Malka 13, Inc.
 - 17. Hubble's Tap, 214 East 2nd Street – Hubble's Glenda LLC
 - 18. Hy-Vee Food Store, 2400 Second Avenue – Hy-Vee, Inc.
 - 19. Hy-Vee Gas, 2600 Second Avenue – Hy-Vee, Inc.
 - 20. Hy-Vee Mainstreet, 510 E. 6th Street – Hy-Vee, Inc.
 - 21. Hy-Vee Mainstreet Wine & Spirits, 522 Mulberry Avenue, Suite A – Hy-Vee, Inc.
 - 22. Jayde's Vapor Lounge, 2110-B Park Avenue – Jayde's Vapor Lounge Inc.
 - 23. Kum & Go #1436, 416 Cedar Street – Kum & Go LC
 - 24. Kum & Go #438, 1429 Park Avenue – Kum & Go LC

25. KWIK Star #1064, 3605 University Drive – KWIK Trip, Inc.
26. Loos' Inc., 711 Park Avenue – Loos Inc.
27. Muscatine Citgo Fast Break, 2603 Second Avenue – Reif Oil Company
28. Muscatine County Sheriff's Office, 400 Walnut Street – Muscatine County Sheriff
29. New York Dollar Store, 109 East 2nd Street – Antonio Sosa
30. No More Butts Vapor Lounge, 127 East 2nd Street – No More Butts Vapor Lounge LLC
31. Pearl City Tobacco and Liquor Outlet, 200 Green Street – Shaurya, LLC
32. The Smoke Shack, 211 East 2nd Street – TAR, LLC
33. Smokin Joe's #16, 1504 Park Avenue – The Outlet Inc.
34. Super Saver Liquor of Muscatine, 1510 Isett Avenue, Suite A – Taranjeet Singh, LLC
35. Wal-Mart Supercenter #559, 3003 N. Highway 61 – Wal-Mart Stores, Inc.
36. Walgreens #5885, 1703 Park Avenue – Walgreen Co.
37. West Side Houser Mart, 2201 Houser Street – West Side Houser Mart, LLC

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

- A. [Muscatine County Board of Supervisors Minutes – May 16, 2022](#)

* **Bills***

- * Approval of attached Bills for Approval totaling \$5,515,382.83, subject to the approval of any related agenda item(s).

6. MINUTES – APPROVAL

7. PUBLIC HEARING

A. [Vacation of Utility Easement](#)

This public hearing concerns the vacation of a Utility Easement located at Lots 2 & 3 of Beau Bien Subdivision. The intent is to combine two parcels making these utility easements unnecessary as the resulting parcel will have all the necessary utility easements located along the perimeter.

B. [Vacation of Utility Easement](#)

This public hearing concerns the vacation of a Utility Easement located at 2923 Mulberry Avenue. First Baptist Church has submitted this request to vacate a 10' wide utility easement that runs through the middle of their parcel. This easement is no longer necessary.

8. PETITIONS AND COMMUNICATIONS

9. FROM THE MAYOR

- A. [Presentation of Proclamation for Alzheimer's and Brain Awareness Month](#)

10. FROM THE PLANNING AND ZONING COMMISSION

11. FROM THE CITY ADMINISTRATOR

- A. Second and Final reading of an Ordinance Updating City Code Appendix A of the Code of the City of Muscatine- Schedule of Penalties. Staff recommends waiving the third reading and approving the updated Appendix A to reflect current City Code and Iowa Code related to civil penalties, fines violations. (Carol Webb, City Administrator)

[Attachments](#)

- B. Resolution vacating certain utility easements at Lots 2 & 3 of Beau Bien Subdivision. Shawn & Melissa Schrader have submitted a request to vacate certain utility easements located at Lots 2 and Lot 3 of the Beau Bien Subdivision. The intent is to combine these two parcels, which makes these utility easements unnecessary as the resulting parcel will have all the necessary utility easements located along the perimeter. (Public Hearing A) (Andrew Fangman, Assistant Community Development Director)

[Attachments](#)

- C. Resolution vacating certain utility easements at 2923 Mulberry Avenue. First Baptist Church of Muscatine submitted a request to vacate a 10' wide utility easement that runs through the middle of their parcel. (Public Hearing B) (Andrew Fangman, Assistant Community Development Director)

[Attachments](#)

- D. Resolution setting public hearing on June 16, 2022 for an ordinance establishing community cat regulations in Title 6, Chapter 8 of City Code. (Carol Webb, City Administrator)

[Attachments](#)

- E. Request to approve Change Order #10 in the amount of \$61,779.67, for the Grandview Avenue Reconstruction Project. This change order consists of two 10"

sanitary sewer services required during installation of the sewer main and water main parts purchased by the Contractor but installed by MP&W. (Brian Stineman, Public Works Director/Pat Lynch, City Engineer)

[Attachments](#)

- F. Request to approve Change Order #1 for the West Hill Sewer Separation Project Phase 5. The change for Change Order #1 consists of modifying the schedule due to unforeseen circumstances encountered by the contractor but does not modify the construct cost. (Brian Stineman, Public Works Director/Pat Lynch, City Engineer)

[Attachments](#)

- G. Request to approve entering into an agreement with Acquire Talent Management for the implementation of an applicant tracking system for use in the hiring and onboarding of new employees. (Stephanie Romagnoli, HR Manager)

[Attachments](#)

- H. Request to approve the dates for the 2022 free tire and electronic drop off weeks at the Muscatine Transfer Station. Staff proposes the dates of July 18-23 for tires and the week of July 25-30 for electronics. (Dave Popp, Solid Waste Manager/Brian Stineman, Public Works Director)

[Attachments](#)

- I. Request to approve the issuance of a purchase order to Pioneer Netting in the amount of \$6,700 for the purchase of fence material to contain blowing litter at the landfill. (Dave Popp, Solid Waste Manager/Brian Stineman, Public Works Director).

[Attachments](#)

- J. Request to approve the issuance of a purchase order to Sitler's Supplies in the amount of \$19,538.00, for the purchase and installation of LED lights to replace all of the lights in the Transfer Station truck storage/shop/wash bay building. (Dave Popp, Solid Waste Manager/Brian Stineman, Public Works Director)

[Attachments](#)

- K. Request to approve the issuance of a purchase order to Southwest Sales in the amount of \$8,708.31 for Landfill tarps. Southwestern Sales is the sole vendor for the tarps used at the landfill. (Dave Popp, Solid Waste Manager/Brian Stineman, Public Works Director)

[Attachments](#)

- L. Request to approve the issuance of a purchase order to Midwest Alarm Services in the amount of \$180,138.00, for the installation of hardware and software for City Hall door security. (Stan O'Brien, Building and Grounds Supervisor/Brian Stineman, Public Works Director)

[Attachments](#)

- M. Request to approve agreement between the City of Muscatine and Eastern Iowa Community College/Muscatine Community College to provide video production and cablecast services for Fiscal Year 2022 through 2025. (Carol Webb, City Administrator)

[Attachments](#)

- N. Request to approve two ambulances as surplus and if accepted to donate them to Ukraine to assist in serving the citizens during their war with Russia. (Jerry Ewers, Fire Chief/Gary Ronzheimer, Battalion Chief Ambulance Operations)

[Attachments](#)

- O. Request to ratify submittal of application for Airport State Funding to the Iowa Department of Transportation. The two grants would fund 85% of total project costs for hangar roof repairs and/or the first phase of relocating the fuel farm. (Jodi Royal-Goodwin, Community Development Director)

[Attachments](#)

12. COMMUNICATION – RECEIVE AND FILE

13. APPROVAL OF BILLS

It is recommended bills totaling \$5,515,382.83, 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