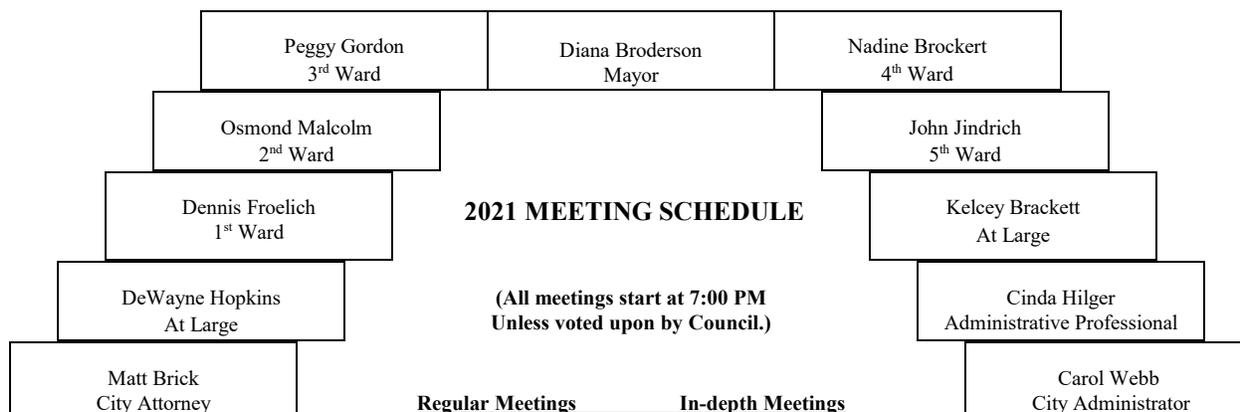


# MUSCATINE CITY COUNCIL



## 2021 MEETING SCHEDULE

(All meetings start at 7:00 PM Unless voted upon by Council.)

	<u>Regular Meetings</u>	<u>In-depth Meetings</u>	
January 7 & 21	July 1 & 15	January 14	July 8
February 4 & 18	August 5 & 19	February 11	(No Meeting)
March 4 & 18	September 2 & 16	March 11	September 9
April 1 & 15	October 7 & 21	April 8	October 14
May 6 & 20	November 4 & 18	May 13	(No Meeting)
June 3 & 17	December 2 & 16	June 10	December 9

**Due to COVID-19 precautions City Council Meetings  
Are being held virtually until further notice  
The Public is welcome to join the meeting using  
The login information below.**

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**AGENDA**  
**THURSDAY MARCH 18, 2021**  
**7:00 P.M.**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **COMMUNICATIONS – CITIZENS**

Swearing in of Firefighter Elaine Sheber  
Swearing in of Firefighter Cole Downing

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. Regular Council Meeting Minutes– March 4, 2021
  - B. In-Depth City Council Meeting Minutes – March 11, 2021
- \* **Item 8A-B Petitions and Communications**
  - A. Request for renewal of a Class “C” Liquor License and Sunday Sales for Happy Joe’s Pizza & Ice Cream Parlor, 203 Lake Park Blvd. – Max Brewer Corp. (pending inspections and insurance)
  - B. Request for Use of City Property from Chuck Hanson with the Hancher Auditorium on May 2, 2021.
- \* **Item 9A-I From the Mayor**
  - A. Request to Approve Reappointment of Kevin Fields to the Board of Water, Electric and Communications. (Effective July 1, 2021)
  - B. Request to Approve New Appointment Sharon Froelich to the Planning and Zoning Board. (Effective July 1, 2021)
  - C. Request to Approve New Appointment Nancy Jensen to the Zoning Board of Adjustments. (Effective Immediately)
  - D. Request to Approve Reappointment of Dana LaRue to the Parks and Recreation Board.(Effective July 1, 2021)
  - E. Request to Approve Reappointment of Rick Bierman to the Parks and Recreation Board (Effective July 1, 2021)
  - F. Request to Approve New Appointment Kelsie Stafford to the Marketing and

- Tourism Committee. (Effective Immediately)
- G. Request to Approve New Appointment Dennis Froelich to the Marketing and Tourism Committee. (Effective Immediately)
- H. Child Abuse Prevention Month Proclamation
- I. Junior Achievement Day Proclamation

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

- A. Muscatine County Board of Supervisors Minutes Feb 22, 2021
- B. Muscatine County Board of Supervisors Minutes March 8, 2021

\* **Bills\***

- \* Approval of attached Bills for Approval totaling \$3,709,146.39, subject to the approval of any related agenda item(s).

**6. MINUTES – APPROVAL**

**7. PUBLIC HEARING**

- A. Public Hearing on proposed City of Muscatine Budget for the Fiscal Year ending June 30, 2022. Presentation by Nancy Lueck.

Now is the time for the public to comment.

- B. Public Hearing on proposed amended City of Muscatine Budget for Fiscal Year ending June 30, 2021. Nancy Lueck.

Now is the time for the public to comment.

- C. Public Hearing on Proposed Development Agreement with JNB Family 1, LP and the Ales Foundation.

Now is the time for the public to comment.

**8. PETITIONS AND COMMUNICATIONS**

**9. FROM THE MAYOR**

- A. Presentation of Child Abuse Prevention Month Proclamation
- B. Presentation of Junior Achievement Day Proclamation

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

**11. FROM THE CITY ADMINISTRATOR**

A. Ordinance Amending Title 6, Chapter 3, Section 13, General Offenses to the City Code (Final Reading) (Brett Talkington, Steve Snider)

Staff proposes adoption of an ordinance amending Title 6, Chapter 3, Section 13 of the Muscatine City Code related to disorderly conduct. The intent of the proposed changes is to align the City Code with the State Code relating to the crime of disorderly conduct. The change will also enhance the City's abilities to address persons violating the disorderly conduct code.

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 the Fiscal Year Ending June 30, 2022 (Nancy Lueck)

The proposed budget for 2021/2022 totals \$67,162,512. This includes \$41,658,812 in governmental funds expenditures and \$25,503,700 in business-type/enterprise funds expenditures. Of the total proposed budget, \$17,919,400 is for capital projects in both governmental and business-type funds. The budget schedules required by the Iowa Department of Management are attached to the Resolution and provide more detailed information on the proposed budget.

Is there a motion to adopt this Resolution as submitted?

C. Resolution Approving Amendment #1 to the City Budget for Fiscal Year 2020/2021 and Authorizing the Mayor and City Clerk to Sign the Record of Hearing and Adoption of Budget Amendment #1 in the form required by the Iowa Department of Management (Nancy Lueck)

The City Council recently completed the budget review process for the fiscal year 2021/2022 budget. As part of that review, revised estimate revenue and expenditure amounts for the current year (2020/2021) were also reviewed by City Council. Each year, these revised estimate amounts become Amendment #1 to the current year budget.

A public hearing is required for each amendment to the City's budget. The public hearing for Amendment #1 was set for and held on March 18. After that hearing, City Council will consider the Resolution Approving Amendment #1 to the fiscal year 2020/2021 budget. This Resolution also includes the provision that the Mayor and City Clerk be authorized to sign the Record of Hearing and Adoption of Budget Amendment #1 in the form required to be submitted to the Iowa Department of Management.

Is there a motion to adopt this Resolution as submitted?

- D. Resolution Approving Development Agreement with JNB Family 1, LP and the Ales Foundation, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement (Nancy Lueck, Jodi Royal-Goodwin, Andrew Fangman)

The proposed Development Agreement with JNP Family 1, LP and Ales Foundation will provide Tax Increment Financing (TIF) assistance to this Developer for construction of 42 units of rental housing on Steamboat Way for low and moderate income individuals and families. This project was included in the Urban Renewal Plan Amendment approved by City Council on February 4, 2021. The ordinance creating the TIF district for this project was adopted on February 18, 2021.

The public hearing on this proposed Development Agreement was re-set for March 18, 2021. After the public hearing, the City Council will consider the Resolution to approve this Development Agreement.

Is there a motion to adopt this Resolution as submitted?

- E. Resolution Approving a Second Amended Development Agreement with Riverview Hotel Development, LLC (Carol Webb, Nancy Lueck)

The purpose of this item is to consider a resolution amending a previously amended development agreement with Riverview Hotel Development, LLC (the “Company”) to temporarily amend the minimum job requirements set forth in the original agreement and to remove the requirement that the Company enter into a certain assessment agreement establishing a minimum taxable assessed valuation for the property. These changes are requested due to the economic impacts of the COVID-19 pandemic on the hotel industry.

Is there a motion to adopt this Resolution as submitted?

- F. Resolution Approving an Amended Development Agreement with R.L. Fridley Theatres, Inc. and Fridley Properties, LLC. (Carol Webb, Nancy Lueck)

The purpose of this item is to consider a resolution amending the development agreement with R.L. Fridley Theatres, Inc. and Fridley Properties, LLC to temporarily amend the minimum job requirements set forth in the original agreement and to extend by one additional year the timeline for tax increment payments for development of the adjacent Out Lots. These changes are requested due to the economic impacts of the COVID-19 pandemic on the theatre industry.

Is there a motion to adopt this Resolution as submitted?

- G. Resolution Authorizing the Execution of a Quit Claim Deed to Real Estate

Located at 104 Clinton St. (April Limburg)

The City of Muscatine has accumulated a number of excess parcels of land no longer required for the discharge of public responsibilities. City Council has declared a number of these parcels as surplus and directed City Staff to actively pursue their disposal. Freedom Malik-Roberts and Charles Justin Roberts have made an offer to purchase the property for \$8,000.

Is there a motion to adopt this Resolution as submitted?

- H. Resolution Approving the Contract and Bond for the 2020/2021 Hot Mix Asphalt Alley Overlay Project with Manatts, Inc. (Brian Stineman)

The City of Muscatine Public Works Department has compiled a list of alleys to be overlaid with hot mix asphalt during Fiscal Year 2020/2021. The bids were received on February 23, 2021 at 10:00 am and have been tabulated. Manatts, Inc. was the apparent low responsive, responsible bidder with a bid of \$168,909.25 and was awarded the Contract at the March 4th Council Meeting. A resolution approving the contract and bond is necessary to allow for the start of the project.

Is there a motion to adopt this Resolution as submitted?

- I. Resolution Approving the Contract and Bond for the 2020/2021 Hot Mix Asphalt Overlay Project with Manatt's (Brian Stineman)

The City of Muscatine Public Works Department has compiled a list of streets to be overlaid with hot mix asphalt during Fiscal Year 2020/2021. Bids were received on February 23, 2021 at 10:00 am and have been tabulated. Manatt's was the apparent low responsive, responsible bidder with a bid of \$528,450.00 and was awarded the Contract at the March 4th Council Meeting. A resolution approving the contract and bond is necessary to allow for the start of the project.

Is there a motion to adopt this Resolution as submitted?

- J. Resolution Approving the Contract and Bond for the 2020/2021 Full-Depth Patching Project with All American Concrete, Inc. (Brian Stineman)

The City of Muscatine Public Works Department has compiled a list of streets to be full-depth concrete patched during Fiscal Year 2020/2021. The bids were received on February 23, 2021 at 10:00 am and have been tabulated. All American Concrete, Inc. was the apparent low responsive, responsible bidder with a bid of \$443,925.00 and was awarded the Contract at the March 4th Council Meeting. A resolution approving the contract and bond is necessary to allow for the start of the project.

Is there a motion to adopt this Resolution as submitted?

- K. Resolution Amending Non-Union Payplan to reflect Position Changes (Stephanie Romagnoli)

The purpose of this resolution is to amend the current non-union pay plan to reflect position changes. The change includes deletion of the CVB Director position, City Planner II, Assistant Director WPCP, Housing Administrator, Solid Waste and Sewer System Manager. Also included is the addition of the Solid Waste Manager back to Pay Grade 8.

Is there a motion to adopt this Resolution as submitted?

- L. Resolution to Approve Special Assessments (Jodi Royal-Goodwin)

Presented for City Council's consideration is a resolution authorizing the assessment of unpaid nuisance abatement and rental housing fees to private properties. The nuisance abatement costs total \$2,282.88, rental housing fees total \$1,749.00, the administrative fees are \$1,000.00, and the assessment fees are \$1,350.00. The total amount being requested for assessment at this time total \$6,381.88.

Is there a motion to adopt this Resolution as submitted?

- M. Request to Approve a 28E/28D Amended Contract with Muscatine County Sheriff, Muscatine Police Department, Iowa Department of Public Safety, Division of Narcotics Enforcement, Cedar County Sheriff, and Louisa County Sheriff (Brett Talkington, Steve Snider)

The Muscatine-Louisa-Cedar County & DNE Task Force shall be deemed to be the legal successor of the Muscatine County Drug Task Force as established by the 28E agreement recorded on February 15, 1999 and as may have been previously amended by subsequent MOU in 2013 that was not otherwise filed. This amendment finalizes the addition of Cedar and Louisa Counties to the Drug Task Force.

Is there a motion to approve this request as submitted?

- N. Approval of the 2020 Certified Local Government Annual Report for Submission to the Iowa Department of Cultural Affairs (Jodi Royal-Goodwin)

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?

- O. Resolution Approving a Release and Settlement Agreement with Hagerty Earthworks, LLC.

The purpose of this item is to consider a resolution approving a release and settlement agreement with Hagerty Earthworks, LLC. The settlement agreement resolves certain disputes between the City and Hagerty Earthworks, LLC and requires certain actions by both parties.

Is there a motion to adopt this Resolution as submitted?

12. **COMMUNICATION – RECEIVE AND FILE**

13. **APPROVAL OF BILLS**

It is recommended bills totaling , 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**