

MUSCATINE CITY COUNCIL

Peggy Gordon 3 rd Ward	Diana Broderson Mayor	Nadine Brockert 4 th Ward	
Osmond Malcolm 2 nd Ward	2021 MEETING SCHEDULE (All meetings start at 7:00 PM Unless voted upon by Council.)	John Jindrich 5 th Ward	
Dennis Froelich 1 st Ward		Kelcey Brackett At Large	
DeWayne Hopkins At Large		Cinda Hilger Administrative Professional	
Matt Brick City Attorney		Carol Webb City Administrator	
January 7 & 21	<u>Regular Meetings</u>	<u>In-depth Meetings</u>	July 8
February 4 & 18	July 1 & 15	January 14	(No Meeting)
March 4 & 18	August 5 & 19	February 11	September 9
April 1 & 15	September 2 & 16	March 11	October 14
May 6 & 20	October 7 & 21	April 8	(No Meeting)
June 3 & 17	November 4 & 18	May 13	December 9
	December 2 & 16	June 10	

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Are being held virtually until further notice
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AGENDA

THURSDAY FEBRUARY 18, 2021

7:00 P.M.

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-H Approval of City Council Minutes**

- A. Regular Council Meeting Minutes– February 4, 2021
- B. In-Depth Council Meeting Minutes – February 11, 2021
- C. General Fund Overview Minutes – January 28, 2021
- D. Budget Review Session Minutes – January 30, 2021
- E. Budget Review Session Minutes – February 2, 2021
- F. Budget Review Session Minutes – February 4, 2021
- G. Budget Review Session Minutes - February 6, 2021
- H. Budget Review Session Minutes – February 9, 2021

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

- A. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for Dollar General Store #21855, 901 Cypress Street – DOLGENCORP, LLC (pending inspections)
- B. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License, Outdoor Service and Sunday Sales for Hy-Vee Food Store, 2400 – 2nd Avenue – Hy-Vee, Inc. (pending inspections)
- C. Request for renewal of a Class “B” Wine Permit, Class “C” Liquor License for Creations by Oz, 110 East 2nd Street – Jeff Osborne (pending inspections and insurance)

- D. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Grandview Mart, 714 Grandview Avenue – Malka 13, Inc. (pending inspections and insurance)
- E. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit Class “C” Liquor License and Sunday Sales for Super Savor Liquor of Muscatine, 1510 A Isett Avenue – Taranjeet Singh, LLC (pending inspections and insurance)
- F. Request for Use of City Property from Jennifer DeFosse for the Muscatine Area Farmers Market from May 1, 2021 through October 31, 2021

*** Item 9A-B From the Mayor**

- A. Alexander Clark Day Proclamation
- B. Request to Approve New Appointment Scott Comstock to the Musser Public Library Board of Trustees

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

- A. Muscatine County Board of Supervisors Minutes Feb 1, 2021
- B. Muscatine County Board of Supervisors Minutes Feb 8, 2021

*** Bills***

- * Approval of attached Bills for Approval totaling \$5,119,991.72, which include receipt summaries and journal entries for November and December 2021, subject to the approval of any related agenda item(s).

6. MINUTES – APPROVAL

7. PUBLIC HEARING

- A. Public Hearing on Proposed Development Agreement with Grandview Senior Lofts LLC.

Now is the time for the Public to comment.

- B. Public Hearing on Proposed Development Agreement with Colorado Senior Lofts, LLC

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.

D. Public Hearing Regarding West Hill Sewer and Storm Separation Project Phase 5

The City of Muscatine Public Works Department with the assistance of Stanley Consultants have completed the Plans and Specifications for Phase 5 of the WHSSSP. Prior to approving the plans and specifications and soliciting bids, a public hearing is required

Now is the time for the public to comment

E. Public Hearing on the Declaration of Certain Real Estate Owned by the City as Surplus

The City of Muscatine has accumulated a number of excess parcels of land for which the continued public ownership no longer serves any useful purpose. In order to dispose of these parcels to facilitate their returns to useful purpose, a public hearing is required before the City Council may act on this request.

Now is the time for the public to comment.

8. **PETITIONS AND COMMUNICATIONS**

9. **FROM THE MAYOR**

Presentation of Alexander Clark 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 (First Reading) Brett Talkington

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 approve the first reading of this Ordinance as submitted?

B. Ordinance Establishing TIF District for the Colorado Lofts Project and the Steamboat Apartment Development. Third Reading – Nancy Lueck

At the February 4, 2021 meeting, City Council approved the 1st reading of the Ordinance establishing TIF districts for the Colorado Senior Lofts project and the Steamboat Apartments project. The Grandview Lofts project is in an existing TIF district. The 2nd reading of this ordinance was approved at the February 11, 2021 In Depth meeting.

For City Council consideration is a request to adopt the ordinance on 3rd and final reading to create the TIF districts for the Colorado Lofts and Steamboat Apartments projects.

Is there a motion to adopt this Ordinance on third and final reading and to direct for its publication as required by law?

- C. Resolution Approving Development Agreement with Grandview Senior Lofts LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. This agreement provides for Tax Increment Financing (TIF) assistance to construct 51 units of senior housing on Grandview Avenue. – Nancy Lueck

Is there a motion to adopt this Resolution as submitted?

- D. Resolution Approving Development Agreement with Colorado Senior Lofts LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. This agreement provides for TIF assistance to construct 51 units of senior housing on Colorado Street. – Nancy Lueck

Is there a motion to adopt this Resolution as submitted?

- E. Resolution Approving Development Agreement with JNP Family 1, LP and Ales Foundation, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. This agreement provides for TIF assistance to construct 42 units of rental housing units on Steamboat Way for low and moderate-income individuals and families. – Nancy Lueck

Is there a motion to adopt this Resolution as submitted?

- F. Resolution Setting a Public Hearing for March 4, 2021, on an Amended Development Agreement with Bush Development, LLC and Hershey Property, LLC for the Hershey Building Project.– Nancy Lueck

At the June 11, 2020 In Depth meeting, City Council reviewed a request to amend the Development Agreement with Hershey Property LLC and Bush Development LLC to increase the amount of the tax increment rebate from a maximum of

\$500,000 to an amount not to exceed \$700,000. At that meeting, City Council gave consensus approval of this request. The increase in the maximum amount in the Development Agreement was included in the Urban Renewal Plan Amendment approved by City Council on February 4, 2021. With this amended amount in the Urban Renewal Plan, the City can proceed with the required public hearing and consideration of approval of the Amended Agreement.

Is there a motion to adopt this Resolution as submitted?

G. Resolution Approving Bid Documents for Phase 5 of the West Hill Sewer and Storm Separation Project

The City of Muscatine Public Works Department with the assistance of Stanley Consultants have completed the Plans and Specifications for Phase 5 of the West Hill Sanitary and Storm Sewer Separation Project. The cost for this project is estimated to be between \$7,800,000 and 8,000,000. The funds are available to complete this project from Local Option Sales Tax and WPCP – West Hill Sewer Separation Long-Term Financing Plan Reserve. MP&W will reimburse a portion of this project for water main work in the area. . The Bidding Documents are now ready to be released to solicit bids. The bids are due on March 9, 2021 at 2:00 pm. (Public Hearing D) - Pat Lynch

Is there a motion to adopt this Resolution as submitted?

H. Resolution Declaring Certain Described Real Estate Owned by the City as Surplus

The City of Muscatine has accumulated numerous excess parcels of land not required for the discharge of public responsibilities and for which continued public ownership no longer serves any useful purpose. In order to return these parcels to a useful purpose, the City needs to declare them as surplus property.

Is there a motion to adopt this Resolution as submitted?

I. Resolution Authorizing the Execution of a Quit Claim Deed for City Owned Surplus Property Located at 905 Oregon Street.

City staff has negotiated a purchase agreement with Grain Processing Corp regarding the sale of the surplus city-owned parcel at 905 Oregon St. The purchase agreement and purchase price of \$14,100 is equal to the assessed land value.

In a previous action City Council declared this property as surplus and it is now necessary for Council to adopt a resolution authorizing the sale of this parcel and executing the deed.

Is there a motion to adopt this Resolution as submitted?

J. Resolution Authorizing the Donation of city Property Declared as Surplus to the Community Foundation of Greater Muscatine

The City Council has previously declared this property as surplus and directed staff to actively pursue its disposal. The Community Foundation of Greater Muscatine has requested the donation of the property between Bond and Franklin Streets for developing a workforce housing unit through the Homes for Iowa Program.

Is there a motion to adopt this Resolution as submitted?

K. Resolution Releasing the Lien on Privately Owned Property at 212 Grover Street

This resolution authorizes the release of a lien placed on the property at 212 Grover Street as the result of a Community Development Block Grant funded rehabilitation project. Participation in the program required a lien on assisted properties for the 5-year compliance period. The property owner has met all the program requirements and has requested the lien be released at this time.

Is there a motion to adopt this Resolution as submitted?

L. Resolution Authorizing Assessments to Private Properties

Presented for City Council's consideration is a resolution authorizing the assessment of unpaid nuisance abatement costs to private properties. The nuisance abatement costs total \$20,199.59, the administrative fees are \$1,500.00, and the assessment fees are \$2,200.00. The total fees being requested for assessment at this time total \$23,899.59. (Jodi Royal-Goodwin)

Is there a motion to adopt this resolution as submitted?

M. Resolution Setting a Public Hearing on the Maximum Tax Levy for the Fiscal Year 2021/2022 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 2021/2022 budget is \$15.67209 per \$1,000 of valuation, which is the same total tax rate as the last nine years. With the 4.86% increase in taxable valuations, total property tax revenue for the City will increase by \$677,005, which is a 4.76% increase in property tax dollars.

Per State requirements, the Notice of Public Hearing for the first 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 \$12,597,193 compared to \$11,991,593 for those levies for the current fiscal year 2020/2021 budget. This is a \$605,600 (5.05%) increase in tax dollars when considering only the levies in the public notice.

Is there a motion to adopt this Resolution as submitted?

- N. Request to Approve an Agreement with Miller Trucking and Excavating to Perform Work on the Papoose Sluice Gate Installation Project

The Water and Resource Recovery Facility staff have received four proposals for the installation of the Papoose Lift Station Sluice Gate. By process of scoring for multiple parameters, Miller Trucking & Excavating received the highest score from a responsible bidder for securing this work in the amount of \$37,000.00. The gate was purchased by the City separately for \$13,200.00 in December of 2019. It did not arrive in time for installation during low flows in 2020. – Jon Koch

Is there a motion to approve this Request as submitted?

- O. Request to Approve Contract with City of Fruitland for the Provision of Police Services For July 1, 2021 Through June 30, 2024.

The City of Fruitland has contracted Police services from the City of Muscatine for several years. The contract will expire June 30, 2021. On Tuesday February 9, 2021, Fruitland City Council voted and approved renewal of contract to continue Police Services with the Muscatine Police Department - Brett Talkington

Is there a motion to approve this request as submitted?

- P. Request to Approve the Issuance of a Purchase Order for Two 2021 Dodge Ram Pickup Trucks

Presented for City Council's consideration is a request to approve the issuance of a Purchase Order in the amount of \$50,420.00 to Stew Hansen Dodge, for the purchase of two 2021 Dodge Ram pickup trucks. One truck will be for the Public Housing Agency and the second one is for Collection and Drainage.

There is \$24,000 budgeted for the Housing truck and additional funding is available in the Sunset Park Operating Budget to cover this purchase. There is \$27,000 budgeted in Collection and drainage for this purchase. Jodi Royal-Goodwin and David Popp

Is there a motion to approve this request as submitted?

Q. Request to Approve a Purchase Order for Refuse Collection Dumpsters

Staff requests the approval of a purchase order in the amount of \$9,600.00 to Elliott Equipment Company of Davenport for the purchase of 6- two yard dumpsters, 3 three-yard dumpsters, and 3 four-yard dumpsters.

Is there a motion to approve this request as submitted?

R. Request to Approve a Purchase order for Refuse Collection Truck

Staff requests the approval of a purchase order in the amount of \$234,750.00 to Elliott Equipment Company of Davenport for the purchase of a 2021 Freightliner cab and chassis with a Newway Sidewinder refuse body. There is \$260,000.00 budgeted for the purchase of this truck chassis and packer body in the Refuse Collections.

Is there a motion to approve this request as submitted?

12. **COMMUNICATION – RECEIVE AND FILE**

13. **APPROVAL OF BILLS**

It is recommended bills totaling \$5,119,991.72, which includes receipt summaries and journal entries for November and December 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 pursuant to Iowa Code Section 21.5.1.i, to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

An exempt session pursuant to Iowa Code Section 20.17 will be held immediately following the Council meeting.

16. **ADJOURNMENT**