City of Muscatine

CITY COUNCIL
Thursday February 3, 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 Approval of City Council Minutes**

A. January 20, 2022 Regular City Council Meeting Minutes

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

A. Request on first and second reading for a new Class "C" Liquor License and Class "C" Beer Permit for Chicharos Mexican Grill, 1903 Park Avenue – Chicharos LLC (pending inspections)
B. Request for Use of City Property from Melon City Bike Club for a bicycle race at Weed Park on May 29, 2022
C. Request to approve increase in Golf Course Fees for play

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

A. Muscatine County Board of Supervisors Minutes – January 17, 2022
B. Muscatine County Board of Supervisors Minutes – January 18, 2022
C. Muscatine Power and Water Operating Statements – December 2021
D. Board of Water Electric and Communications Minutes – December 16, 2021

*** Bills***

* Approval of attached Bills for Approval totaling $1,589,578.89, subject to the approval of any related agenda item(s).

6. MINUTES – APPROVAL

7. PUBLIC HEARING

A. Animal Control Regulations

This public hearing concerns 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.

Now is the time for the public to comment.

B. Taylor Park Improvements

This Public Hearing concerns the plans, specifications, form of contract, cost estimate and setting the bid opening date for March 4, 2022 at 2pm at the City Hall Council Chambers for the Taylor Park Improvement Project.

Now is the time for the public to comment.

C. Taylor Park Splash Pad

This public hearing concerns the Plans, Specifications, Form of Contract, Cost Estimate and Setting the Bid Opening Date for the Taylor Park Splashpad Project

Now is the time for the public to comment.

D. HAWK Crosswalk Project

This public hearing concerns bid documents for the High-Intensity Activated CrossWalK (HAWK) Project at the intersection of Oregon Street and Earl Avenue.

Now is the time for the public to comment.

8. PETITIONS AND COMMUNICATIONS

9. FROM THE MAYOR

10. FROM THE PLANNING AND ZONING COMMISSION

11. FROM THE CITY ADMINISTRATOR

A. First 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 first reading of an ordinance revising portions of Title 6, Chapter 8 of the City Code of Muscatine, regarding animal regulations. 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.

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

B. Resolution Setting the Time and Place for a Public Hearing on an Amendment to Title 1, Chapter 2, Section 14 of the Code of the City of Muscatine – Standard Penalties (Carol Webb – City Administrator)

Presented for City Council's consideration is a resolution setting a public hearing on February 17, 2022 at 7:00 pm regarding 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 resolution as submitted?

C. Resolution Approving Plans, Specifications, Form of Contract, Cost Estimate and Setting the Bid Opening Date for the Taylor Park Improvement Project (Public Hearing B) (Rich Klimes – Director of Parks and Recreation)

Presented for City Councils consideration is a resolution approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for March 4, 2022 at 2pm at the City Hall Council Chambers for the Taylor Park Improvement Project. The cost estimate for this project is $485,280.00. This project will be funded through the Community Foundation of Greater Muscatine South End Improvement Fund.

Is there a motion to adopt this resolution as submitted?

D. Resolution Approving Plans, Specifications, Form of Contract, Cost Estimate and Setting the Bid Opening Date for the Taylor Park Splashpad Project (Public Hearing C) (Rich Klimes – Director of Parks and Recreation)

Presented for City Council's consideration is a resolution approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for March 8, 2022 at 2pm at City Hall Council Chambers for the Taylor Park Splashpad Project. The cost estimate for this project is $425,000.00. This project will be funded through the Community Foundation of Greater Muscatine South End Improvement Fund.

Is there a motion to adopt this resolution as submitted?

E. Resolution Approving the Bid Documents for the HAWK Crossing Project (Public Hearing D) (Brian Stineman – Public Works Director, Pat Lynch – City Engineer)

Presented for City Council's consideration is a resolution to approve the bid documents for the High-Intensity Activated CrossWalK (HAWK) Project at the intersection of Oregon Street and Earl Avenue. The bidding documents are complete and ready to be released to solicit bids. The bids will be due on March 18, 2022 at 2:00 pm.

Is there a motion to adopt this resolution as submitted?

F. Resolution Awarding the Contract for the Southend Playground Development Project in the Amount of $360,000.00 (Rich Klimes – Director of Parks and Recreation)

Presented for City Council's consideration is a resolution awarding a contract for the Southend Playground Development Project in 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 made up 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?

G. Resolution Authorizing the Execution of a Deed for Parcel Number 0835286017, Located at the Corner of 7th and Oak Streets to the Muscatine County Area Habitat for Humanity (April Limburg, Planner)

Presented for Council's consideration is a request to Deed the parcel at the corner of 7th and Oak Street to Muscatine County Area Habitat for Humanity for construction of a single family home. 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, including this one, as surplus and directed City staff to actively pursue their disposal.

Is there a motion to adopt this resolution as submitted?

H. Resolution Authorizing the Execution of a Quit Claim Deed to Parcel Number 08361582002, to the Adjoining Property Owner, Garrels Enterprise, LLLP (April Limburg Planner)

Presented for City Council's consideration is a request to Deed parcel #08361582002 to the adjoining property owner, Garrels Enterprise LLLP. 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, 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 lot.

Is there a motion to adopt this resolution as submitted?

I. Resolution Awarding a Contract for the Demolition of a Structure at 706 Pine Street (April Limburg, Planner)

Presented for City Council's Consideration is a Resolution awarding a contract for the demolition of a structure at 706 Pine Street. The City of Muscatine is currently working on removing abandoned and dilapidated homes that are a hazard to public safety. The City of Muscatine desires to remove the abandoned structure located at 706 Pine Street and return the parcel to a state in which it can be redeveloped. Four bids were received and Heuer Construction was the lowest bidder in the amount of $13,925.00.

Is there a motion to adopt this resolution as submitted?

J. Resolution Establishing a Policy Regarding the Price of Property Owned by the City of Muscatine to be Sold to a Third Party (Jodi Royal Goodwin – Community Development Director)

Presented for City Council's consideration is a resolution establishing a policy to guide staff in the disposal of City owned land. Under the proposed policy land would be sold at assessed value unless it is not a developable lot or the identified project supports established City goals.

Is there a motion to adopt this resolution as submitted?

K. Request to Approve Curbside Recycling Collections Contract Extension (David Popp, Solid Waste Manager, Brian Stineman – Public Works Director)

Presented for City Council's consideration is a request to approve a five year contract extension with Republic Services of Bettendorf. This contract provides bi-weekly residential curbside recycling collection services. Republic Services is the only local recycling contractor that can provide adequate services in a city of our size.

Is there a motion to approve this request as submitted?

L. Request to Approve Contract with JJJ Hauling for Trash and Leachate Hauling (Brian Stineman – Public Works Director, David Popp – Solid Waste Manager)

Presented for City Council's consideration is a request to approve a five year contract with JJJ Hauling of Muscatine for the City of Muscatine solid waste and leachate hauling services. Three bids were received with JJJ Hauling being the lowest responsible bidder. JJJ Hauling is the current contract hauler. The new contract will begin July 1, 2022.

Is there a motion to approve this request as submitted?

M. Request to Approve Entering into an Agreement with the Iowa DOT, Accepting a Grant in the Amount of $422,559.00 to be used for the Transit Wash Bay Project (Brian Stineman – Public Works Director, Amy Fortenbacher – Transit Supervisor)

Presented for the City Council's consideration is a request to accept and sign a contract with the Iowa Department of Transportation for the construction of the transit drive through wash bay. The projected wash bay project cost is $657,900. The capital grant is in the amount of $422,559.00. The City's portion of the project is estimated to be $235,341 and will be covered by available transit funds.

Is there a motion to approve this request as submitted?

12. COMMUNICATION – RECEIVE AND FILE

13. APPROVAL OF BILLS

It is recommended bills totaling $1,589,578.89, 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