

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – December 21, 2017

Mayor Diana Broderon called the City Council meeting for Thursday, December 21, 2017, to order at 7:00 p.m. Councilmembers present were Fitzgerald, Natvig, Saucedo, Harvey, and Spread.

The meeting began with the Pledge of Allegiance.

Diana Broderon was sworn in as Mayor by City Clerk Gregg Mandsager. New Councilmembers Kelcey Brackett, Nadine Brockert, and Osmond Malcolm were sworn in by Mayor Broderon.

Mayor Broderon thanked the outgoing Councilmembers and welcomed the new Councilmembers.

Fran Donelson, Administrative Secretary, got up to say her farewells. She will be retiring on December 29, 2017.

John Rhoades, 306 Gilbert Street, came forward to suggest that the sign for the speed camera on Highway 61 and University be removed. He stated that since the camera is not active he feels the sign should not be posted.

Jeff Osborne, 970 Lucas Street, came forward to share information he gathered from speaking to downtown businesses about the 2nd Street parking issue. He also talked about the local small businesses and the cannabis legislation.

Max Kauffman, 1609 Foster Street, came in dressed as Santa and was escorted out by Police Chief Brett Talkington.

Shelly Sevadio, 522 Linn Street #2, came forward to discuss her business and the cannabis legislation laws.

#23191. Councilmember Saucedo, seconded by Councilmember Natvig, moved the Consent Agenda be approved as follows:

- Regular City Council Minutes – December 7, 2017
- In-Depth City Council Minutes – December 14, 2017
- Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Kum & Go #1436, 416 Cedar Street – Kum & Go LC (pending inspection) Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for Hy-Vee Gas, 2600 – 2nd Avenue – Hy-Vee, Inc. (pending inspection) Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for GM Food Mart, 1814 E Avenue – Nanak Express LLC (pending inspection)
- Filing of Communication 12A-F
- Bills for Approval totaling \$5,366,588.18

Vote - All ayes; motion carried.

PUBLIC HEARING

Mayor Broderon stated this public hearing concerns a proposed amendment to the Zoning Ordinance for Home Based Businesses.

There were no written or oral petitions for or against the proposed amendment.

#23192. Councilmember Fitzgerald motioned that the public hearing be closed. Seconded by Councilmember Spread. All ayes; motion carried.

PUBLIC HEARING

Mayor Broderson stated this public hearing concerns a proposed amendment to the Zoning Ordinance for Sign Regulations.

There were no written or oral petitions for or against the proposed amendment.

#23193. Councilmember Natvig motioned that the public hearing be closed. Seconded by Councilmember Harvey. All ayes; motion carried.

#23194. Councilmember Harvey moved to approve the first reading of an ordinance amending Title 10, Chapter 20, and Title 10, Chapter 31, Section 1 of the City Codes Home Occupation Regulations. Seconded by Councilmember Saucedo. All ayes: Councilmembers Fitzgerald, Natvig, Saucedo, Harvey, and Spread. Motion carried.

#23195. Councilmember Saucedo moved to approve the first reading of an ordinance amending Title 10, Chapter 21, and Title 5, Chapter 11 of the City Code for Sign Regulations.

There were questions and concerns from City Council that were addressed by City Planner Andrew Fangman.

Vote – All ayes: Councilmembers Fitzgerald, Natvig, Saucedo, Harvey, and Spread. Motion carried.

#23196. Councilmember Spread moved to approve the second and final reading of an ordinance deleting property from the Tax Increment Financing District for the Consolidated Muscatine Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and directed for its publication as required by law. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Fitzgerald, Natvig, Saucedo, Harvey, and Spread. Motion carried.

#23197. Councilmember Fitzgerald moved to approve the first reading of an ordinance amending Title 8, Chapter 5, Section 2 and Title 8, Chapter 5, Section 4 of the City Code for Rental Facilities and Units. Seconded by Councilmember Natvig. All ayes: Councilmembers Fitzgerald, Natvig, Saucedo, Harvey, and Spread. Motion carried.

#23198. Councilmember Fitzgerald moved the resolution be adopted authorizing the assessment of unpaid abatement costs to private properties. Seconded by Councilmember Spread. All ayes: Councilmembers Fitzgerald, Natvig, Saucedo, Harvey, and Spread. Motion carried.

#23199. Councilmember Harvey moved the resolution be adopted approving the final plat of replat of Lot 3 of Goddard's Rolling Oak Hills Subdivision – Phase Two. Seconded by Councilmember Saucedo. All ayes: Councilmembers Fitzgerald, Natvig, Saucedo, Harvey, and Spread. Motion carried.

#23200. Councilmember Natvig moved to approve the purchase of a Case 621G Wheel Loader and a Henke snow plow from Titan Machinery for the Transfer Station in the amount of \$150,382. Seconded by Councilmember Spread.

There were questions from City Council regarding the longevity with the current wheel loader that were addressed by Solid Waste Manager Kristi Korpi.

Vote: - All ayes; motion carried.

#23201. Councilmember Harvey moved to approve the issuance of a purchase order to Envisionware in the amount of \$21,255.52 for the RFID tagging equipment for the Library. Seconded by Councilmember Natvig.

There were questions from City Council that were address by Library Director Pam Collins.

Vote: - All ayes; motion carried.

#23202. Councilmember Harvey moved to approve a five-year non-alcoholic beverage agreement between City of Muscatine and Coca-Cola for the golf course. Seconded by Councilmember Spread. Four ayes: Councilmembers Natvig, Saucedo, Harvey, and Spread. One nay: Councilmember Fitzgerald. Motion carried.

Under comments, Councilmember Saucedo welcomed the new Councilmembers. He also stated he has had positive feedback since the opening of Mississippi Drive. He wished everyone a Merry Christmas and Happy New Year.

Councilmember Harvey asked Community Development Director Dave Gobin about the new legislation on helping cities get rid of abandoned or dilapidated properties.

Mr. Gobin stated that if passed, the new legislation would help streamline the process of dealing with abandoned properties. The new law would allow his department to enter buildings for evaluation without having to have an inspection warrant, and this would make the process faster than it is at the present.

Councilmember Natvig stated it has been his privilege to serve on the City Council for the past eight years, but he would be enjoying retirement.

City Administrator Gregg Mandsager thanked and congratulated the retiring Councilmembers.

Mayor Broderson called for a five-minute recess at 7:52 p.m.

#23203. Councilmember Fitzgerald moved to go into Closed Session at 8:00 p.m. per Iowa Code 21.5.1.c to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Seconded by Councilmember Saucedo. All ayes: Councilmembers Fitzgerald, Natvig, Saucedo, Harvey, and Spread. Motion carried.

Mayor Broderson called the Closed Session meeting to order at 8:01 p.m. Present were Councilmembers Fitzgerald, Natvig, Saucedo, Harvey, and Spread. Also present were City Administrator Mandsager, Finance Director Nancy Lueck, Human Resource Manager Stephanie Romagnoli, Police Chief Brett Talkington and Allison Steuterman of Brick Gentry Law Firm (by telephone).

#23204. Councilmember Fitzgerald moved to leave the Closed Session at 8:10 p.m. Seconded by Councilmember Spread. All ayes: Councilmembers Fitzgerald, Natvig, Saucedo, Harvey and Spread. Motion carried.

#23205. Councilmember Spread moved to approve a settlement agreement between the City of Muscatine and former police officer Mark Lawrence in the amount of \$62,500. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

Councilmember Harvey moved the meeting be adjourned at 8:10 p.m.

Diana Broderon, Mayor

ATTEST:

Gregg Mandsager, City Administrator