

CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
7:00 p.m. – November 18, 2021

Mayor Broderon called the City Council meeting for Thursday November 18, 2021, to order at 7:00 p.m. Present were: Councilmembers Hopkins, Froelich, Gordon, Brockert, Jindrich, Malcolm and Brackett.

The Council meeting began with the pledge of allegiance.

**Consent Agenda**

Councilmember Hopkins, seconded by Councilmember Gordon, moved the Consent Agenda be approved as follows:

- Item 6 A Approval of City Council Minutes
- Item 9 A From the Mayor
- Items 12 A-E Receive and File
- Bills for Approval Totaling \$7,101,865.79

Vote: Ayes-7, Nays -0, Motion carried.

**Public Hearing**

Mayor Broderon stated this public hearing concerns and Ordinance Amending Chapter 5, Title 1 of the City Code, Precinct and Ward Boundaries.

Assistant Community Development Director Andrew Fangman was present to share with City Council a presentation on the revision of the precinct and ward boundaries. Mr. Fangman explained the rules regulating the boundaries and the new boundaries that staff suggested.

There were no oral or written comments.

Councilmember Brackett moved to close this public hearing seconded by Councilmember Froelich.

Vote: Ayes -7, Nays-0 , Motion carried.

Mayor Broderon stated this public hearing concerns the plans, specifications, form of contract and bid opening date for the WRRF Safety Platform Project Rebid. Mayor Broderon stated this project was bid prior and all bids had been rejected. The specifications have been changed and staff is asking for approval to move forward with the rebid process.

There were no written or oral comments.

Councilmember Malcolm moved to close this public hearing seconded by Councilmember Brackett.

Vote: Ayes – 7, Nays – 0, Motion carried.

**From the City Administrator**

11A: Councilmember Gordon moved to adopt, on the third and final reading, Ordinance #2021-0373, vacating and deeding the undeveloped Lombard Right of Way to the adjacent property owner, located at 1100 E 7<sup>th</sup> Street, Seconded by Councilmember Froelich.

Vote: Ayes – 7, Nays – 0, Motion carried.

11B. Councilmember Jindrich moved to approve the second reading of Ordinance # 2021-

0400, vacating and deeding alley right of way to adjacent property owners at 1248 E. 5<sup>th</sup> Street and 1300 E. 5<sup>th</sup> Street. Seconded by Councilmember Brackett.

Vote: Ayes – 7, Nays – 0, Motion carried.

11C: Councilmember Malcolm moved to approve the first reading of Ordinance #2021-0427, amending City Code Title 1, Chapter 5, Precinct and Ward Boundaries. Seconded by Councilmember Brackett.

Vote: Ayes – 7, Nays – 0, Motion carried.

11D: Councilmember Gordon moved to adopt Resolution #2021-0428, establishing a sewer easement on the undeveloped Lombard Street right of way. Seconded by Councilmember Jindrich. Vote: Ayes – 7, Nays – 0, Motion carried.

11E: Councilmember Brackett moved to adopt Resolution #2021-0429, deeding the vacated undeveloped Lombard Street right of way to the adjacent property owner at 1100 E. 7<sup>th</sup> Street.

Seconded by Councilmember Jindrich.

Vote: Ayes – 7, Nays – 0, Motion carried.

11F: Councilmember Hopkins moved to adopt Resolution #2021-0430, approving the combined preliminary/final plat for Muscatine Highway 61 South Subdivision. Seconded by Councilmember Froelich.

Vote: Ayes – 7, Nays – 0, Motion carried.

11G: Councilmember Malcolm moved to adopt Resolution #2021-0431, approving the assessment of unpaid nuisance abatement fees to private properties. Seconded by Councilmember Gordon.

Vote: Ayes – 7, Nays – 0, Motion carried.

11H: Councilmember Brackett moved to approve Request #2021-0432, to enter into a professional services agreement with Water's Edge Aquatic Design for the Taylor Park Splash Pad Project. Seconded by Councilmember Hopkins.

Vote: Ayes – 7, Nays – 0, Motion carried.

11I: Councilmember Brackett moved to approve Request #2021-0433, for the installation of a sign overhanging the public right of way for Meg's Vintage Collective LLC at 122 West 2<sup>nd</sup> Street. Seconded by Councilmember Gordon.

There were questions from City Council regarding this sign conforming to the sign regulation code that staff is currently working on.

City Administrator Carol Webb stated she felt there would be no issue regarding this sign.

Vote: Ayes – 7, Nays – 0, Motion carried.

11J: Councilmember Hopkins moved to approve Request #2021-0434, for change orders 4 and 5 for the Park Avenue 4 to 3 Lane Conversion Project. Seconded by Councilmember Malcolm.

There were questions from City Councilmembers regarding insurance covering the costs incurred due to a pedestrian push button pole destroyed in a collision, and repairing a sanitary sewer main that a communications conduit bored through it.

Public Works Director Brian Stineman stated that claims had been turned into insurance.

Vote: Ayes – 7, Nays – 0, Motion carried.

11K: Councilmember Brackett moved to approve Request #2021-0435, for change orders 5 and 6 for the Grandview Avenue Reconstruction Project. Seconded by Councilmember Gordon.

Vote: Ayes – 7, Nays – 0, Motion carried.

11L: Councilmember Brackett moved to approve Request #2021-0436, for a Non-Disclosure Agreement with Scott Equipment Company. Seconded by Councilmember Malcolm.

Vote: Ayes – 7, Nays – 0, Motion carried.

11M: Councilmember Hopkins moved to approve Request #2021-0437, for a Professional Services Contract with Bolten & Menk for design and construction to widen a portion of the Municipal Airport taxiway. Seconded by Councilmember Froelich.

Vote: Ayes – 7, Nays – 0, Motion carried.

11N: Councilmember Brackett moved to approve Request #2021-0438, to eliminate parking on the even side of the street of Fairview Avenue between Canon and Holly Streets. Seconded by Councilmember Malcolm.

Councilmember Malcolm addressed a letter he had received from residents of Fairhaven regarding removing parking on the street, and stated he would like to hear from the residents prior to making any decisions.

There were questions from City Council regarding the number of houses affected by the change, how many complaints had been received, and the nature of the accidents that have occurred.

Caroline Levine, 415 Fairview Avenue, was present to discuss the parking situation on Fairview Avenue. Ms. Levine states that problem at hand is not the parking but the drivers that are using this street as a way of avoiding Park Avenue and the speed at which drivers are using the road.

Brian Brock, 516 Fairview Avenue, was present to share a survey he had conducted with all 17 residents that would be affected by the change. The survey showed that a majority of the homeowners were against removing the parking for a variety of reasons.

Michael Doyle, 509 Fairview, was present to share that he had started the request due to his personal vehicle being damaged on multiple occasions. After discussion with other residents he agreed that removing the parking was not the solution and suggested stop signs or speed bumps in order to slow down the traffic on Fairview.

Public Works Director Brian Stineman shared that the traffic committee recommended the removal of parking on one side of the street due to regulations and the width of the street. Mr. Stineman stated he would look at conducting a traffic study for the placement of stop signs but did not feel that the traffic flow would meet the criteria. Mr. Stineman discussed the use of speed bumps and that they are not intended for streets but rather parking areas.

Police Chief Brett Talkington stated the speed enforcement trailer as well as the mobile patrol could be placed periodically on the street to help with slowing down traffic.

Vote: Ayes – 0, Nays – 7, Motion Failed.

11O: Councilmember Malcolm moved to adopt Resolution #2021-0439, approving the plans, specifications, form of contract, estimates and bid opening date for the Safety Platform Project. Seconded by Councilmember Brackett.

Vote: Ayes – 7, Nays – 0, Motion carried.

In other business there was discussion regarding a possible reduction of the Utility Franchise Fee.

Finance Director Nancy Lueck shared information regarding the process involved in a changing the Franchise Fee, the purpose of the Franchise Fee and options the council can take in reducing the Franchise Fee.

There was Council deliberation and there was a consensus for staff to prepare an ordinance that would decrease the Franchise Fee from the current 5% to 3%. This is proposed to be effective February 1<sup>st</sup>, 2022. The first reading of the Ordinance will be brought before City Council at the December 2, 2021 meeting.

Councilmember Gordon thanked Animal Control Officer Nicole Ashby for her service to the City of Muscatine and wished her well as she takes on a new position in her career.

Councilmembers wished the Muscatine residents a Happy Thanksgiving.

Councilmember Brackett motioned the meeting be adjourned at 8:52 pm.

**ALL CITY COUNCIL MEETING RECORDINGS ARE VIEWABLE ON THE CITY OF MUSCATINE YOUTUBE PAGE.**

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Mayor Diana Broderson

Attest:

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Carol Webb, City Administrator