

**CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
7:00 p.m. – March 3, 2022**

Mayor Bark called the City Council meeting for Thursday March 3, 2022, to order at 7:00 p.m. Present were: Councilmembers Hopkins, Gordon, Jindrich, Osborne, Froelich and Lewis. Councilmember Brockert was present virtually.

The Council meeting began with the pledge of allegiance.

Ron Henderson, 5820 63<sup>rd</sup> Avenue West, was present to discuss the junk vehicle codes passed by the City Council. Mr. Henderson shared his concerns with the way the City is handling the issue of a nuisance presented by his neighbor.

William Havel, 67<sup>th</sup> Street was present to share his concerns with the proposed ordinance regarding cargo containers on private property.

Richard Havel, 1208 Lincoln Blvd, was present to share his concerns with the proposed ordinance regarding cargo containers on private property.

Kelsey Brackett, 2817 Mulberry Ave, suggested City Council create a code that would regulate the maintenance and appearance of cargo containers rather than ban them.

**Consent Agenda**

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

- Item 6 A-B Approval of City Council Minutes
- Items 8 A-F Petitions and Communications
- Items 12 A-B Receive and File
- Bills for Approval Totaling \$3,336,386.00.

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

**Public Hearing**

A public hearing was held regarding the maximum tax levy for the Fiscal Year 2022/2023 Budget.

There were no oral or written comments from the public. Councilmember Gordon moved to close the public hearing, seconded by Councilmember Froelich.

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

A public hearing was held regarding a proposal to enter into an Essential Purpose Loan Agreement.

There were no oral or written comments from the public. Councilmember Hopkins moved to close the public hearing, seconded by Councilmember Osborne.

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

A public hearing was held regarding a Proposal to enter into an Aquatic Center Loan Agreement. There were no oral or written comments from the public. Councilmember Jindrich moved to close the public hearing, seconded by Councilmember Froelich.

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

A public hearing was held regarding a Proposal to enter into a General-Purpose Loan Agreement.

There were no oral or written comments from the public. Councilmember Hopkins moved to close the public hearing, seconded by Councilmember Gordon.

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

### **From the Mayor**

Mayor Bark read a proclamation for March for Meals.

Megan Frances, Senior Resources was present to accept the proclamation and to encourage citizens to volunteer to help delivering meals on wheels.

### **From the City Administrator**

11A: Councilmember Gordon moved to approve the second reading of Ordinance #2022-0063, revising Title 1, Chapter 2, Section 14 of the Code, relating to standard penalties. Seconded by Councilmember Lewis.

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

11B. Councilmember Gordon moved to approve the third and final reading of Ordinance #2022-0046, revising Title 6, Chapter 8 of the City Code of Muscatine, regarding animal regulations. Seconded by Councilmember Lewis.

City Administrator Webb stated that a change was made due to not being aligned with State Code.

Captain Tony Kies shared the state codes that addressed these issues regarding the identification and tagging of animals.

Councilmember Froelich had comments regarding the penalties, fees and enforcement of this ordinance.

City Administrator Webb stated the City staff is in the process of updating all the codes and fines to be approved with one motion at a future meeting.

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

11C: Councilmember Gordon moved to adopt Resolution #2022-0089, approving the maximum property tax dollars for certain tax levies for the Fiscal Year 2022/2023 Budget. Seconded by Councilmember Froelich.

Councilmember Jindrich stated he would be a no vote for this increase in taxes. Mr. Jindrich stated he feels we should use the general fund balance and ARPA funds rather than raise the taxes. He stated that with inflation increasing that raising taxes is the wrong thing to do.

Vote: Ayes – 6, Nays – 1 (Jindrich) Motion carried.

11D: Councilmember Gordon moved to adopt Resolution #2022-0090, setting a public hearing

number two on the proposed City Budget for Fiscal Year 2022/2023. Seconded by Councilmember Hopkins.

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

11E: Councilmember Froelich moved to adopt Resolution #2022-0091, setting a public hearing on the proposed Amendment #1 to the City Budget for Fiscal Year 2021/2022. Seconded by Councilmember Lewis.

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

11F: Councilmember Gordon moved to adopt Resolution #2022-0092, taking additional action on proposal to enter into loan agreements, combining loan agreements and providing for the levy of taxes to pay General Obligation Corporate Purpose Bonds. Seconded by Councilmember Osborne.

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

11G: Councilmember Hopkins moved to adopt Resolution #2022-0093, approving release and settlement agreements with certain fire department personnel. Seconded by Councilmember Gordon.

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

11H: Councilmember Jindrich moved to approve Request #2022-0094, to enter into an agreement with the Iowa Dept of Transportation to accept a CRSSA grant. Seconded by Councilmember Froelich.

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

11I: Councilmember Gordon moved to approve Request #2022-0095, for an easement for West Hill Sewer Separation Project Phase 5. Seconded by Councilmember Froelich.

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

Councilmember Gordon had comments regarding the animal ordinance and the future steps of repealing the breed ban ordinance. Ms. Gordon asked that staff begin the process of repealing the breed specific ban at this time.

City Administrator Webb stated a public hearing would be set at the March 17<sup>th</sup> meeting.

City Administrator Webb shared clarification regarding the process used to make changes in City Code.

Mayor Bark stated the community survey is open to public and encouraged citizens to take the survey.

Councilmember Hopkins motioned to enter closed session, seconded by Councilmember Froelich per Iowa Code 21.9 allowing for a non-open meeting to discuss strategy in matters relating to employment conditions of employees of the governmental body who are not covered by a collective bargaining agreement under chapter 20. Employment conditions include all the areas allowed under union negotiations—including evaluation procedures.

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

Councilmember Hopkins moved to exit closed session at 8:53 seconded by Councilmember

Osborne.

Councilmember Froelich motioned the meeting be adjourned at 8:54 pm.

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

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Mayor Brad Bark

Attest:

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Carol Webb, City Administrator