

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

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

The Council meeting began with the pledge of allegiance. A special presentation of the colors was performed by Boy Scouts Gabriel Paetz, Spencer Blair, Alex Blair and Owen Booth.

Communications - Citizens

Richard Havell, 1205 Lincoln Blvd, was present to share his concerns with the proposed City Code regarding Cargo Containers. Mr. Havell states that residents have a great deal of money invested in these containers and the cost of moving them as well as the cost to store the contents would be a hardship on residents.

Max Kauffman, 1609 Foster Street, was present to ask for an explanation regarding the disparity in property tax assessments.

From the Mayor

Mayor Bark presented a Certificate of Recognition to Gabriel Paetz for his accomplishment of obtaining Eagle Scout.

Mayor Bark presented a proclamation celebrating National Volunteer Month. Members from the United Way and GMCCI were present to accept the award. Mayor Bark also recognized Diana Tank for receiving the award of Volunteer of the year.

Mayor Bark presented a proclamation celebrating National Public Safety Telecommunications Week. Chris Jasper, 911 Director and Interim Emergency Manager was present to accept the proclamation.

Mayor Bark presented a proclamation celebrating Drinking Water Week. Ryan Streck, Director of Utility Services for Muscatine Power and Water, was present to accept the proclamation.

Consent Agenda

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

- Item 6 A-B Approval of City Council Minutes
- Items 8 A-K Petitions and Communications
- Item 9A-B From the Mayor
- Items 12 A-H Receive and File
- Bills for Approval Totaling \$6,855,804.09

Vote: Ayes-6, Nays -0, Motion carried. (Councilmember Osborne recused himself due to a conflict of interest)

Public Hearing

A public hearing was held regarding the plans and specifications for the Transfer Station Tipping floor project.

There were no written or oral comments from the public.

Councilmember Hopkins moved to close the public hearing, seconded by Councilmember Froelich.

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

A public hearing was held regarding Community Needs Assessment and CDBG Funds. Jodi Royal-Goodwin, Community Development Director, gave a presentation on each of the following items considered for this process.

- **Jodi Insert what you want here I am not sure what all you want or need to have listed.**

There were no written or oral comments from the public.

Councilmember Gordon moved to close the public hearing, seconded by Councilmember Hopkins.

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

A public hearing was held regarding a change to City Code, adding Title 1, Chapter 13, Section 13 eliminating the Iowa residency requirement for Civil Service employees.

There were no written or oral comments from the public.

Councilmember Brockert moved to close the public hearing, seconded by Councilmember Jindrich.

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

A public hearing was held regarding the declaration of property, located at 1030 Hershey Avenue, as surplus and authorizing the disposal of said property.

There were no written or oral comments from the public.

Councilmember Froelich moved to close the public hearing, seconded by Councilmember Hopkins.

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

A public hearing was held regarding the plans and specifications for the widening of the Muscatine Municipal Airport Taxiway.

There were no written or oral comments from the public.

Councilmember Gordon moved to close the public hearing, seconded by Councilmember Osborne.

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

A public hearing was held regarding a proposed ordinance establishing vacant property and nonresidential property maintenance regulations.

Andrew Fangman, Assistant CD Director gave an overview of the new regulations and the history of how these regulations have been developed. Mr. Fangman stated that these regulations are being addressed to implement a city goal for a vibrant community, the health and safety of residents and the preservation of housing before it becomes a blight.

There were questions from Council regarding better communication between the transfer station and community development regarding trash placed in residents' yards for cleanup that were addressed by City Administrator Webb and Mr. Fangman.

There were questions from Council regarding time frame required for repairs to be completed. Mr. Fangman stated that if residents are currently making a good faith attempt at the work, the city would work with them on extensions to complete the work.

There were questions from Council regarding the length of time proposed for deeming a property as vacant.

Josiah Anderson – 419 W. 2nd Street, was present to state that this rule singles him out and disregards neighbors for the same offenses. Mr. Anderson states rather than punishing property owners he suggests offering a helping hand to get the property to where the City wants it to be.

Councilmember Hopkins moved to close the public hearing, seconded by Councilmember Lewis.
Vote: Ayes – 7, Nays – 0, Motion carried.

A public hearing was held regarding the proposed City Code change by striking Title 6, Chapter 9 – Keeping of Pit Bull Dogs.

Vanessa Lopez, 400 Peachtree, stated she was there to stand up for those that cannot stand up for themselves – the pit bulls in this case. She stated she believes in equality for all breeds and that it is unfair to hold all accountable for the actions of a few.

Faye Sanchez 404 Broadway was present to share that she has pushed out the animal registration information to anyone she has been in contact with all over town and hopes that this has helped get more animals registered. Ms. states that many of the people she contacted were unaware that the city required animals to be registered.

Kelsey Brackett, 2817 Mulberry was present to thank the City Council for addressing the pit bull ban and stated he is glad to see striking the ban moving forward.

Chad Brislawn, 179 Sherman Street, was present to discuss the City's definition of a Pit Bull Breed. He questions where do you draw the line and stated that judging something by its physical characteristics is wrong.

Megan Koehler, 1512 Bidwell, was present virtually to thank City Council for moving forward with this change and stated that "It Takes a Village Animal Rescue" would be offering free

socialization classes for Muscatine dog owners.

Councilmember Gordon moved to close the public hearing, seconded by Councilmember Hopkins.

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

From the City Administrator

11A: Councilmember Jindrich moved to approve the 1st reading of Ordinance #2022-0132, amending Title 1, Chapter 13 of City Code by adding Section 13 to eliminate the Iowa residency requirement for Civil Service employees. Seconded by Councilmember Osborne.

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

11B. Councilmember Lewis moved to approve the 1st reading of Ordinance #2022-0133, establishing vacant property and nonresidential property maintenance regulations in Title 16, Chapter 5 of the City Code. Seconded by Councilmember Gordon.

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

11C: Councilmember Gordon moved to approve the 1st reading of Ordinance #2022-0134 regarding striking Title 6, Chapter 9 of the Muscatine City Code pertaining to the keeping of pit bull dogs, seconded by Councilmember Lewis.

Councilmember Gordon thanked all the residents that have submitted comments regarding this item and stated that in order for them to be used in a council meeting they needed to have a name and address attached.

Councilmember Jindrich stated he is against lifting the ban and that his reason is that he will vote for the safety of our community. Mr. Jindrich stated that the Human Society and the Law Enforcement Agency are for keeping the ban. Mr. Jindrich shared a multitude of statistics regarding fatal and near fatal attacks by pit bull dogs.

Councilmember Osborne stated he struggled with this item and that he would vote with the majority of residents have stated they want. Mr. Osborne also shared statistics on the chances of being killed while riding a bike, riding in a car etc. and the chances are for higher than being killed by a pit bull.

Councilmember Brockert stated after listening to residents she has changed her opinion and will be voting in favor of lifting the ban.

Councilmember Lewis stated she has don't a lot of research and has seen pit bull dogs being used to help disabled persons as a service dog. Ms. Lewis shared the results of Muscatine Dog bite records that she had requested from the Police Department showing that pit bulls do not bite more than other dogs and that chihuahua bit more than any other dog.

Councilmember Froelich stated he talked to multiple residents

Vote: Ayes – 5 Nays – 2 (Froelich, Jindrich) Motion carried.

11D: Councilmember Brockert moved to approve the 1st reading of Ordinance #2022-0135, establishing refuse collection monthly fees for class I and class III domestic waste effective July 1, 2022. Seconded by Councilmember Gordon.

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

11E: Councilmember Lewis moved to adopt Resolution #2022-0136, approving plans and specifications for the 2022 Transfer Station Tipping Floor Overlay Project. Seconded by Councilmember Jindrich.

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

11F: Councilmember Gordon moved to adopt Resolution #2022-0138, declaring property located at 1030 Hershey Avenue as surplus and authorizing the disposal of said property. Seconded by Councilmember Brockert.

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

11G: Councilmember Brockert moved to adopt Resolution #2022-0139, authorizing an access easement for the property located at 1115 Musser Street, currently owned by Muscatine Plaza Properties. Seconded by Councilmember Lewis.

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

11H: Councilmember Hopkins moved to adopt Resolution #2020-0140, approving the plans and specifications for widening a portion of the taxilane at the Muscatine Municipal Airport. Seconded by Councilmember Froelich.

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

11I: Councilmember Brockert moved to adopt Resolution #2022-0141, approving the contract and bond for the Taylor Park Splash Pad Project. Seconded by Councilmember Gordon.

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

11J. Councilmember Froelich moved to adopt Resolution #2022-0142, approving the contract and bond for the Taylor Park Improvement Project. Seconded by Councilmember Hopkins.

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

11K. Councilmember Gordon moved to adopt Resolution #2022-0143, setting a public hearing on the Fy2023 Annual Plan and Amendments to the Section 8 Housing Choice Voucher Administrative Plan and the Public Housing Admissions and Continued Occupancy Policy. Seconded by Councilmember Brockert.

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

11L. Councilmember Froelich moved to adopt Resolution #2022-0144, creating an invocation policy for the City of Muscatine council meetings. Seconded by Councilmember Lewis.

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

11M. Councilmember Gordon moved to approve Request #2022-0137, for the issuance of a purchase order to Turfworks for the purchase of a 2022 Jacobsen GP400 Triplex Mower for Golf Maintenance Operations. Seconded by Councilmember Froelich.

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

11N. Councilmember Gordon moved to approve Request #2022-0145, for an agreement between the City of Muscatine and Muscatine Humane Society to support the provision of Animal Control Services by the City of Muscatine for fiscal year 2022/2023. Seconded by Councilmember Lewis.

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

11O. Councilmember Lewis moved to approve Request #2022-0146, to approve an agreement between the City of Muscatine and Senior Resources to support the provision of Senior Resident Services for fiscal year 2022/2023. Seconded by Councilmember Gordon.

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

11P. Councilmember Brockert moved to approve Request #2022-0147, for change order #1 for the Papoose Creek Pump Station Platform Modification Project. Seconded by Councilmember Osborne.

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

11Q. Councilmember Brockert moved to approve Request #2022-0148, for the issuance of a purchase order to Zimmer and Francescon Inc. for a new Papoose #1 pump rotating assembly. Seconded by Councilmember Gordon.

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

11R. Councilmember Hopkins moved to approve Request #2022-0149, for the issuance of a purchase order to Springbrook to migrate the City's financial software to the cloud. Seconded by Councilmember Lewis.

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

11S. Councilmember Osborne moved to approve Request #2022-0150, for the issuance of a purchase order to Civic Plus for the purchase of Civic Clerk Agenda and Meeting Management software. Seconded by Councilmember Gordon.

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

11T. Councilmember Gordon moved to approve Request #2022-0151, for the submission of a Rebuilding American Infrastructure with Sustainability and Equity planning application. Seconded by Councilmember Froelich.

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

11U. Councilmember Brockert moved to approve Request #2022-0152, for the submission of the Neighborhood Revitalization Project Proposal and additional grants. Seconded by Councilmember Lewis.

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

11V. Councilmember Froelich moved to approve Request #2022-0153, for the issuance of a purchase order to Musco Lighting for the installation of power and lighting to Taylor Park as part of the Community Foundation of Greater Muscatine South End Improvement Project. Seconded by Councilmember Lewis

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

11W. Councilmember Gordon moved to approve Request #2022-0153 approving a payment

request to Media Tree, LLC. MOTON FAILED DUE TO LACK OF A SECOND.

Councilmember Lewis reminded citizens that as the weather gets warmer to look out for motorcycles and for children when driving.

Councilmember Hopkins had questions regarding the list of houses Mr. Kauffman was discussing in Comments from Citizens.

Councilmember Brockert stated she was happy to see some clean up going on in the Grandview area.

Councilmember Osborne offered to discuss the assessment issues at a later date with Max Kauffman.

Mayor Bark stated the Mulberry Revitalization Project would need lots of hands on deck and would love for residents to volunteer their help.

Councilmember Hopkins moved to enter closed session per Iowa Code Section 21.5.1.c to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent and where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in the litigation, and in accordance with the Iowa Code Section 622.10 to discuss attorney/client privileged and attorney work product matters with legal counsel. Seconded by Councilmember Froelich.

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

Mayor Bark called the closed session to order at 9:00 p.m.

Councilmembers present were Brockert, Lewis, Jindrich, Froelich, Hopkins, Gordon and Osborne. Others present were City Administrator Carol Webb, Administrative Secretary Cinda Hilger, HR Manager Stephanie Romagnoli and Finance Director Nancy Lueck. Attorney Matt Brick was present via phone.

Councilmember Froelich moved to leave closed session at 10:00 p.m. seconded by Councilmember Hopkins.

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

Councilmember Froelich motioned the meeting be adjourned at 10:01 pm.

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

Mayor Brad Bark

Attest:

Carol Webb, City Administrator