

**CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
7:00 p.m. – June 2, 2022**

Mayor Bark called the City Council meeting for Thursday June 2, 2022, to order at 7:00 p.m. Pastor Ray Oehme, Vineyard Christian Fellowship, gave the Invocation. Present were: Councilmembers Hopkins, Gordon, Jindrich, Osborne, Brockert, Froelich and Lewis.

The meeting began with the Pledge of Allegiance.

Communication from Citizens

Richard Havell was present to share concerns with the upcoming 4th of July and fireworks being shot in town. Mr. Havell asked City Council to put tighter restrictions on use of fireworks in the City.

Ron Henderson, 5820 63rd Ave. W. was present to state that he did not go to councilmembers houses to speak with them and stated that they came to his house. Mr. Henderson stated he wanted to clarify that he only went to Peggy Gordon's house because she had not returned his messages.

Mayor Bark swore in firefighter Dan Deckert.

Consent Agenda

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

- Item 6 A Approval of City Council Minutes
- Items 9 A-L From the Mayor (Item M pulled from agenda)
- Items 8 A-F Petitions and Communications
- Items 12 A Receive and File
- Bills for Approval Totaling \$5,515,382.83.

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

Public Hearing

A public hearing was held regarding the vacation of a utility easement located at Lots 2 & 3 of Beau Bien Subdivision. There were no public comments.

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

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

A public hearing was held regarding the vacation of a utility easement located at 2923 Mulberry Ave. There were no public comments.

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

Mayor Bark presented a proclamation on Alzheimer's and Brain Awareness Month.

Meagan Frances from the Alzheimer's walk planning team was present to accept the award and share information regarding Alzheimer's disease.

From the City Administrator

Councilmember Brockert moved to adopt on second and final reading Ordinance # 2022-0207, updating City Code Appendix A – Schedule of penalties. Seconded by Councilmember Jindrich.

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

Councilmember Hopkins moved to adopt Resolution # 2022-0227 vacating a utility easement at lots 2 & 3 of Beau Bien Subdivision. Seconded by Councilmember Lewis.

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

Councilmember Gordon moved to adopt Resolution #2022-0228, vacating a utility easement located at 2923 Mulberry Avenue. Seconded by Councilmember Lewis.

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

Councilmember Hopkins moved to adopt Resolution #2022-0229, setting a public hearing on an ordinance establishing community cat regulations. Seconded by Councilmember Osborne. Councilmember Jindrich stated he opposed community cats and stated he is not interested in moving forward with this topic.

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

Councilmember Osborne moved to approve Request #2022-0230, for change order #10 for the Grandview Avenue Reconstruction Project. Seconded by Councilmember Gordon.

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

Request to approve Change order 1 for the West Hill Sewer Separation Project Phase 5 failed for a lack of a 2nd.

Councilmember Gordon moved to approve Request #2022-0232 for the issuance of a purchase order for applicant tracking software for the Human Resources Department. Seconded by Councilmember Lewis.

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

Councilmember Lewis moved to approve Request #2022-0233, setting the dates for the free tire and electronics drop off at the Muscatine Transfer Station. Seconded by Councilmember Jindrich. There was discussion regarding getting the dates out for public information.

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

Councilmember Gordon moved to approve Request #2022-0234, for the issuance of a purchase order for fence material to contain blowing litter at the landfill. Seconded by Councilmember Hopkins.

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

Councilmember Gordon moved to approve Request #2022-0235, for the issuance of a purchase order for the installation of LED lights to replace all of the lights in the Transfer Station

truck storage, shop, and wash bay. Seconded by Councilmember Brockert.
Vote: Ayes – 7, Nays – 0, Motion carried.

Councilmember Gordon moved to approve Request #2022-0248, for the issuance of a purchase order for landfill tarps. Seconded by Councilmember Jindrich,
Vote: Ayes – 7, Nays – 0, Motion carried.

Councilmember Gordon moved to approve Request #2022-0236, for the issuance of a purchase order for the software, hardware and installation of City Hall door security. Seconded by Councilmember Lewis.

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

Councilmember Froelich moved to approve Request #2022-0237, for the approval of an agreement with Muscatine Community College/Easter Iowa Community College to provide video production services for fiscal years 2022-2025. Seconded by Councilmember Hopkins.

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

Councilmember Brockert moved to approve Request #2022-0238, to declare two ambulances as surplus and to donate to Ukraine to assist in serving them during the war with Russia. Seconded by Councilmember Lewis.

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

Councilmember Froelich moved to approve Request #2022-0218, ratifying the submittal of an application for Airport State Funding to the Iowa Department of Transportation. Seconded by Councilmember Gordon.

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

City Administrator Webb asked if Public Works Director Brian Stineman would address the West Hill Sewer Separation Project Change Order and answer any questions from City Council.

Mr. Stineman stated this change order would lock the contractor into a specific finish date which we did not have before. He stated without an end date there is no incentive for the contractor. He stated that the date is a lot further away than anticipated.

There was discussion among councilmembers regarding how long this project has been going on and they agreed it needs to be completed in a shorter amount of time than being proposed.

Mr. Stineman stated he would go back and talk to the contractor and come back to City Council with their response.

Councilmember Communication

Councilmembers noted upcoming community events.

Other Business

Councilmember Froelich 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 Iowa Code Section 622.10 to discuss attorney/client privileged and attorney work product matters with legal council. Seconded by

Councilmember Hopkins.

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

Councilmember Froelich moved to leave closed session at 8:20 p.m. seconded by Councilmember Osborne.

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

Councilmember Gordon motioned the meeting be adjourned at 8:21 pm.

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

Dr. Brad Bark, Mayor

Attest:

Carol Webb, City Administrator