

CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
Council Chambers – 7:00 p.m. –November 15, 2018

Mayor Diana Broderon called the City Council meeting for Thursday, November 15, 2018, to order at 7:00 p.m. Present were: Councilmembers Spread, Harvey, Brockert, Saucedo, Brackett and Fitzgerald

The meeting began with the Pledge of Allegiance.

Councilmember Brackett, Seconded by Councilmember Saucedo moved the Consent Agenda be approved as follows:

- Regular City Council Minutes – November 1, 2018
- Special City Council Minutes – November 1, 2018
- In-Depth Meeting Council Minutes – November 8, 2018
- Petitions and Communications Items 8 A-J
- Receive and File Items 12 A-C
- Bills for Approval totaling \$6,291,857.07

Vote – All ayes; motion carried.

Councilmember Spread moved to waive the requirements to vote at a third meeting prior to moving the ordinance providing for the division of taxes levied on taxable property in the November, 2018 Consolidated Muscatine Urban Renewal Area (Arbor Commons) for passage. Seconded by Councilmember Fitzgerald.

Vote - All ayes, motion carried.

Councilmember Brackett moved to adopt the ordinance providing for the division of taxes levied on taxable property in the November, 2018 Consolidated Muscatine Urban Renewal Area (Arbor Commons). Seconded by Councilmember Brockert.

Vote – All ayes; motion carried.

Councilmember Fitzgerald moved to waive the requirements to vote at a third meeting prior to moving the ordinance providing for the division of taxes levied on taxable property in the November, 2018 Consolidated Muscatine Urban Renewal Area (Amendment to White Distribution Urban Renewal Area) for passage. Seconded by Councilmember Brackett.

Vote - All ayes, motion carried.

Councilmember Spread moved to adopt the ordinance providing for the division of taxes levied on taxable property in the November, 2018 Consolidated Muscatine Urban Renewal Area. (Amendment to White Distribution Urban Renewal Area) Seconded by Councilmember Harvey.

Vote – All ayes; motion carried.

Councilmember Harvey moved to approve the first reading of an ordinance amending Title 7 Vehicle and Traffic, Chapter 5 Automated Traffic Enforcement of the City Code. This change is necessary due to recent Iowa Supreme Court decisions requiring all unpaid fines to be processed as municipal infractions. Seconded by Councilmember Brockert.

Councilmember Brackett reiterated his concerns with the language of the amendment as it may confuse people about whether the fees are increasing and prefers a 45-day time frame before the unpaid fees are turned over to be processed as municipal infractions.

Vote – All ayes; motion carried.

Councilmember Spread moved to adopt Resolution # 94536-1118, approving the obligation of funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment rebate obligations coming due in the next succeeding year for Wal-View Development Project #1. Seconded by Councilmember Saucedo.

Vote – All ayes; motion carried.

Councilmember Brackett moved to adopt Resolution # 94540-1118, approving the obligation of funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment rebate obligations coming due in the next succeeding year for H.J. Heinz Company L.P. Seconded by Councilmember Harvey.

Vote – All ayes; motion carried.

Councilmember Fitzgerald moved to adopt Resolution # 94535-1118, approving the obligation of funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment rebate obligations coming due in the next succeeding year for Wal-View Development Project #2. Seconded by Councilmember Saucedo.

Vote – All ayes; motion carried.

Councilmember Malcolm moved to adopt Resolution # 94537-1118, approving the obligation of funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment rebate obligations coming due in the next succeeding year for Union Tank Car Company. Seconded by Councilmember Brackett.

Vote – All ayes; motion carried.

Councilmember Harvey moved to adopt Resolution # 94541-1118, approving the obligation of funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment rebate obligations coming due in the next succeeding year for Harrison Lofts, LLC. Seconded by Councilmember Brackett.

Vote – All ayes; motion carried.

Councilmember Spread moved to adopt Resolution # 94538-1118, approving the obligation of funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment rebate obligations coming due in the next succeeding year for Riverview Hotel Development. Seconded by Councilmember Saucedo.

Vote – All ayes; motion carried.

Councilmember Fitzgerald moved to adopt Resolution # 94539-1118, approving the obligation of funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment rebate obligations coming due in the next succeeding year for HNI Corporation. Seconded by Councilmember Saucedo.

Vote – All ayes; motion carried.

Councilmember Spread moved to adopt Resolution # 94542-1118, authorizing internal advance of funds for design services for the Downtown Streetscape Project. Seconded by Councilmember Fitzgerald.

Vote – All ayes; motion carried.

Councilmember Brackett moved to adopt Resolution # 94543-1118, authorizing internal advance of funds and economic development grant for the Greater Muscatine Chamber of Commerce and Industry Support Program. Seconded by Councilmember Fitzgerald.

Vote – All ayes; motion carried.

Councilmember Brackett moved to adopt Resolution # 94544-1118, authorizing internal advance of funds for the 2018-2019 Urban Renewal Administration and Profession Support Program. Seconded by Councilmember Spread.

Vote – All ayes; motion carried.

Councilmember Brackett moved to adopt Resolution # 94545-1118, authorizing internal advance of funds for the Small Business Forgivable Loan Program. Seconded by Councilmember Fitzgerald.

Councilmember Saucedo questioned whether the Councilmembers would be able to receive updates pertaining to this program, including successes and failures. City Administrator, Gregg Mandsager, stated he would be able to provide this type of information.

Vote – All ayes; motion carried.

Councilmember Harvey moved to adopt Resolution # 94546-1118, approving the assessment of unpaid abatement costs to private properties. Seconded by Councilmember Brackett.

Vote – All ayes; motion carried.

Councilmember Fitzgerald moved to adopt Resolution # 94547-1118, setting the required public hearing concerning the approval of the development agreement with NPSW Enterprises, LLC and authorization of annual appropriation tax increment payments for December 6, 2018 at 7:00 p.m. in the City Council Chambers. Seconded by Councilmember Harvey.

Vote – All ayes; motion carried.

Councilmember Spread moved to adopt Resolution # 94548-1118, rejecting all bids received for the High Strength Waste Receiving Station project at the Water and Resource Recovery Facility. The bids for this project were opened October 31, 2018 and all four bids exceeded the engineer's estimate and the budget. An alternate facility and location are now being considered for this project. Seconded by Councilmember Brackett.

Vote – All ayes; motion carried.

Councilmember Saucedo moved to adopt Resolution # 94549-1118, approving the Preliminary/Final Plat for Peters Subdivision located at 3120 Allen Street. Seconded by Councilmember Brockert.

Vote – All ayes; motion carried.

Councilmember Malcolm moved to adopt Resolution # 94550-1118, approving the Preliminary/Final Plat for Proffitt Subdivision located at 2801 Houser Street. Seconded by Councilmember Brackett.

Vote – All ayes; motion carried.

Councilmember Spread moved to adopt Resolution # 94551-1118, setting the required public hearing concerning the rezoning of a 22.1 acre portion of a 35.4 acre parcel located on the west side of University Drive, from R-L Large Scale Residential Development to M-1 Light Industrial for December 6, 2018 at 7:00 p.m. in the City Council Chambers. Seconded by Councilmember Saucedo.

Councilmember Harvey asked for the Planning and Zoning Commission minutes from the November 13, 2018 to be provided to the City Council prior to the public hearing. City Planner, Andrew Fangman, stated the minutes would be a draft but he would supply them.

Councilmember Saucedo requested an explanation of the use for the property which Mike Dillie of Alliant Energy addressed. The future use of the property is to be a service shop.

Vote – All ayes; motion carried.

Councilmember Malcolm moved to authorize Request # 94552-1118 for the issuance of two purchase orders in the amount of \$33,720 for the purchase and installation of outdoor lighting for the Muscatine Art Center. The lights will be purchased from Musco Lighting in the amount of \$17,725 and the installation will be completed by Hackett Electric for the amount of \$15,995. Seconded by Councilmember Brackett.

Councilmember Saucedo questioned whether there were plans for the lighting in the budget, which Public Works Director, Brian Stineman, addressed.

Vote – All ayes; motion carried.

Councilmember Saucedo moved to authorize Request # 94553-1118 for the issuance of a purchase order in an amount not to exceed \$25,00 to Bolton & Menk for the topographic survey needed to support the 2<sup>nd</sup> Street Streetscape Improvements project. Seconded by Councilmember Spread.

Councilmember Brackett asked what the survey all entails. City Administrator, Gregg Mandsager, explained that it is simply in preparation for the design.

Vote – All ayes; motion carried.

Councilmember Saucedo moved to authorize Request # 94554-1118 for the issuance of a purchase order to KMA in the amount of \$7,595, for the West Hill Sewer Televising services. Seconded by Councilmember Brackett.

Councilmember Saucedo had questions regarding the results of the video and the age of the sewer materials. Public Works Director Brian Stineman answered the concerns.

Vote – All ayes; motion carried.

Councilmember Brackett moved to authorize Request #94555-1118 for the issuance of a purchase order in the amount of \$19,797 to Nesper Sign Advertising for the purchase and installation of outdoor signage for the Musser Public Library and HNI Community Center. The Roy J. Carver Charitable Trust has generously offered to pay the entire cost for the signs and installation. Seconded by Councilmember Saucedo.

Council thanked Roy J. Carver Charitable Trust for their generosity and asked the city to issue a thank you letter. To which City Administrator Gregg Mandsager stated they would.

Vote – All ayes; motion carried.

Councilmember Fitzgerald moved to approve Request # 94556-1118 for a supplemental agreement #6 proposed by Stanley Consultants for \$29,500 to determine whether the existing Recycling Center would be a feasible alternate location for the High Strength Receiving Project and to complete a new construction cost estimate. Seconded by Councilmember Harvey.

There were questions from City Council that were addressed by Water Pollution Control Plant Director Jon Koch and Jay Brady from Stanley Consultants.

Vote – All ayes; motion carried.

Councilmember Saucedo stated he had requested to have a discussion on changing sections 10-27-5, 10-27-8(C&D) of the City Code. The requested change would exempt M-1, M-2, and C-2 zoned parcels from the present requirement for hard surfacing where the businesses use semi-trailers for storage, maintenance, and or repair of any heavy industrial equipment. The request is

an attempt to stay consistent and have all comparable businesses have the same surfaces in the City. Vehicle parking lots would stay the same with hard surfacing required as it currently stand.

Councilmember Saucedo stated he hopes the change would allow for better storm water drainage and different material for surfacing including lower cost options. He would like the discussion to be put on the Planning and Zoning Commission's agenda for the December 11, 2018 meeting.

Councilmember Brackett stated he is in support of the change as long as no federal laws prohibit it.

City Administrator Gregg Mandsager explained there are certain regulations required pertaining to dust from surfaces that the City is examining. He also discussed that the change must go through the Planning and Zoning Commission before Council can truly consider it.

Councilmember Brockert expressed she is also in favor of changing the code in hopes of consistency.

The Council came to a consensus that before putting the change on an in-depth meeting agenda the Planning and Zoning Commission needs to discuss and provide a recommendation. The change will be placed on the December 11, 2018 Planning and Zoning Commission meeting agenda and depending on the results of the discussion may be placed on the January 8, 2019 meeting as well.

Councilmember Brockert asked for an update on leaf pickup and snow readiness. Public Works Director Brian Stineman explained the city is still picking up leaves and will continue until snow forces them to stop. The salt trucks are prepared for the first snowfall.

Councilmember Saucedo thanked the MPW staff for the downtown decorations.

Councilmember Malcolm expressed his concerns about the handicap parking on Mississippi Dr and the fact that an item from Paul Carroll was not placed on the November 8, 2018 in-depth meeting agenda. He stated he would contact Paul Carroll for a better scope of the subject and would like to put it on the next in-depth meeting agenda.

Councilmember Brackett stated he still has not received documentation pertaining to the SWAP funds. Public Works Director Brian Stineman assured him that an email containing links to the documents on the DOT website would be sent to him.

Councilmember Brackett also asked about the leaf pickup schedule. Public Works Director Brian Stineman explained they are following the planned route but if the pickup was missed to please call Public Works or the Transfer Station will accept bagged leaves for free.

City Administrator, Gregg Mandsager, requested the presentation from Paul Carroll prior to the next in-depth meeting. Mandsager also addressed some concerns about library staffing.

Mayor Broderson thanked everyone for being patience with the ransomware attack.

Mayor Broderson thanked Christa Bailey for sitting in to take minutes for Cinda Hilger.

Mayor Broderson reminded everyone of Coffee with the Mayor featuring the Riverbend Neighbors on Monday, November 19, 2018. Also, of the Holiday Train Sunday, December 2, 2018 and to bring non-perishable donations.

Mayor Broderson also reminded everyone that there not be any meetings the next two Thursdays, November 22 and 29.

Mayor Broderson stated the guests on “Our City” would be Mel Steckel with Breakfast with Santa and Jon Koch with the Pollinator Project.

Mayor Broderson wished everyone a safe and Happy Thanksgiving.

Councilmember Harvey moved to Adjourn council meeting at 7:57 p.m.

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Mayor Diana Broderson

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City Administrator, Gregg Mandsager