

CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
Council Chambers – 7:00 p.m. –June 20, 2019

Mayor Broderson called the City Council meeting for Thursday, June 20, 2019, to order at 7:00 p.m. Present were: Councilmembers Spread, Harvey, Brockert, Saucedo, Brackett, Fitzgerald and Malcolm.

The meeting began with the Pledge of Allegiance.

**Consent Agenda**

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

- Items 6 A-C: Approval of City Council Minutes
- Items 8 A-D: Petitions and Communications
- Items 9 A-N: From the Mayor
- Items 12 A-C: Receive and File
- Bills for Approval totaling \$1,751,690.20

Vote – Ayes 7  
Nays 0  
Motion carried

**Public Hearing**

A. Mayor Broderson stated this public hearing concerns the intent to acquire or condemn if Necessary, all or a portion of property or an interest in property, located at 515 E. 2<sup>nd</sup> Street, for Street improvements included in the Mississippi Drive Corridor Project.

There were no comments, oral or written, from citizens regarding this public hearing.

Councilmember Brackett moved the public hearing to be closed, seconded by Councilmember Spread.

Vote – Ayes 5  
Nays 0  
Motion carried

B. Mayor Broderson stated this public hearing concerns the plans, specifications, form of contract and cost estimates for the Airport Box Hangars, Taxi lane and Apron Construction Project.

There were no comments, oral or written, from citizens regarding this public hearing.

Councilmember Harvey moved the public hearing be closed, seconded by Councilmember Brockert.

Vote – Ayes 5  
Nays 0  
Motion Carried

**Item 11A**

Councilmember Brackett moved to approve the second reading of Ordinance #2019-0157, amending the zoning ordinance of the City of Muscatine to rezone 1.5 acres along 5<sup>th</sup> Street between Walnut Street and Mulberry Ave. to C-2 Central Commercial. Seconded by Councilmember Spread.

Vote – Ayes 7  
Nays 0  
Motion carried

**Item 11B**

Councilmember Malcolm moved to approve the second reading of Ordinance #2019-0158, amending Title 7, Vehicles and Traffic, Chapter 5, Automated Traffic Enforcement, to clarify that ATE speed violations are not limited to marked intersections. Seconded by Councilmember Saucedo.

Vote – Ayes 7  
Nays 0  
Motion carried

**Item 11C**

Councilmember Fitzgerald moved to approve the first reading of Ordinance #2019-0159 adding Title 8 Building Regulations, Chapter 11 Private Wells to the Muscatine City Code. Seconded by Councilmember Saucedo.

Mark Latta, 2115 W. Fulliam, a licensed well contractor, stated he is opposed to the passing of this ordinance. Mr. Latta stated that citizens should have the right to access the waters on their property. Mr. Latta stated he understands the safety aspects of contamination of City Water however, if installed properly and maintained there would be no issue.

Brandi Olson, Muscatine Power & Water, stated that by passing this ordinance it would give local officials authority to enforce well rules and regulations. She stated there is a gap in enforcement between the state, county and city levels that needs addressed.

There was questions from City Council regarding changes to the ordinance, the use of wells for watering yards and filling pools, cost comparison of a well and connecting to city water, responsibility for enforcement of ordinance and types of wells that were addressed by Brandi Olson and Mark Latta.

Brandi Olson stated she is willing to work with the City making changes to the ordinance and bringing it back, but that something needs to be done to address the safety of the citizens.

Vote – Ayes 3: Saucedo, Spread, Fitzgerald  
Nays 4: Brockert, Brackett, Malcolm, Harvey  
Motion Failed

**Item 11D**

Councilmember Brackett moved to approve the second reading of Ordinance #2019-0160, amending Title 8 Building regulations, Chapter 1 Building Codes, by adding subsection C Storm Shelters. Seconded by Councilmember Brockert.

Vote – Ayes 7  
Nays 0  
Motion carried

**Item 11E**

Councilmember Spread moved to approve the second reading of Ordinance #2019-0161, Amending Title 9 Health and Sanitary Regulations, Chapter 3 Nuisance, by adding Section 15 Adoption of Iowa Code 657A. Seconded by Councilmember Brackett.

There were questions from City Council that were addressed by City Administrator Mandsager.

Vote – Ayes 7  
Nays 0  
Motion carried

**Item 11F**

Councilmember Fitzgerald moved to adopt Resolution #2019-0183, approving acquisition and potential condemnation of land owned by Gregory A. Johnston. Seconded by Councilmember Harvey.

Vote – Ayes 7  
Nays 0  
Motion carried

**Item 11G**

Councilmember Spread moved to adopt resolution #2019-0182, approving Purchase Sales Agreement between the City of Muscatine and Gregory Johnston for property located at 515 E. 2<sup>nd</sup> Street. Seconded by Councilmember Fitzgerald.

There were questions from City Council that were addresses by City Administrator Mandsager.

Vote – Ayes 7  
Nays 0  
Motion carried

**Item 11H**

Councilmember Brockert moved to adopt resolution #2019-0184, approving plans, specifications, form of contract and cost estimates for the Airport Box Hangar, Taxilane, and Hangar Apron Project. Seconded by Councilmember Brackett.

There were questions from City Council regarding the bidding process that were addressed by a representative from Bolton & Menk.

Vote – Ayes 7  
Nays 0  
Motion carried

**Item 11I**

Councilmember Fitzgerald moved to adopt resolution #2019-0185, setting a public hearing on July 3, 2019, for the final design of the West Side Trail Project. Seconded by Councilmember Brackett.

Vote – Ayes 7  
Nays 0  
Motion carried

**Item 11J**

Councilmember Brackett moved to adopt Resolution #2019-0186 setting a public hearing on July 3, 2019, for the 2020-2024 Capital Improvement Plan. Seconded by Councilmember Brockert.

There were questions and comments from City Council regarding increasing funds for City Street Repairs that were addressed by City Administrator Gregg Mandsager.

Vote – Ayes 7  
Nays 0  
Motion carried

**Item 11K**

Councilmember Brackett moved to adopt Resolution #2019-0187, setting a public hearing on July 3, 2019, for the E. 2<sup>nd</sup> Street and Mulberry Ave Roundabout Project. Seconded by Councilmember Spread.

There were questions from City Council regarding the length of time this project would take, road closures, detours and affected businesses that were addressed by City Administrator Mandsager and City Engineer Jim Edgmond.

Vote – Ayes 7  
Nays 0  
Motion carried

**Item 11L**

Councilmember Brackett moved to approve Request #2019-0188, to sign an Addendum Agreement for the West Side Trail Project. Seconded by Councilmember Spread.

There were questions from City Council regarding the locations and timeline for repairs that were addressed by Public Works Director Brian Stineman.

Vote – Ayes 7  
Nays 0  
Motion carried

**Item 11M**

Councilmember Malcolm moved to approve Request #2019-0189, approving contract with Iowa Department of Transportation for receiving State Transit Operating Assistance Project Funding. Seconded by Councilmember Saucedo.

Vote – Ayes 7  
Nays 0  
Motion Carried

**Item 11N**

Councilmember Harvey moved to approve Request #2019-0190, approving the issuance of a purchase order in for three transit buses. Seconded by Councilmember Brackett.

Vote - Ayes 7  
Nays 0  
Motion Carried

**Item 11O**

Councilmember Fitzgerald moved to approve Request # 2019-0191, approving a supplemental agreement with the Department of Transportation for maintenance of primary roads in municipalities. Seconded by Councilmember Saucedo.

Vote – Ayes 7  
Nays 0  
Motion Carried

**Item 11P**

Councilmember Brackett moved to approve Request #2019-0192, approving the issuance of a purchase order for the purchase of a sewer push camera. Seconded by Councilmember Harvey.

Vote – Ayes 7  
Nays 0  
Motion Carried

**Item 11Q**

Councilmember Brackett moved to approve Request # 2019-0193, approving an agreement for Arbor Commons Sewer Extension Benefit District Establishment. Seconded by Councilmember Spread.

Vote – Ayes 7  
Nays 0  
Motion Carried

**Item 11R**

Councilmember Fitzgerald moved to approve Request #2019-0194, approving the renewal of the City of Muscatine Employee Assistance Program Contract with Genesis Health.

Vote - Ayes 7  
Nays 0  
Motion Carried

**Item 11S**

Councilmember Spread moved to approve Request #2019-0195, approving the renewal of the City of Muscatine's insurance package. Seconded by Councilmember Brackett.

Vote - Ayes 7  
Nays 0  
Motion Carried

**Communication-Council Members**

Mayor Broderson stated there is no meeting next week and the first council meeting in July will be held on July 3<sup>rd</sup> due to the holiday.

Councilmember Spread inquired what would happen next regarding the well ordinance. City Administrator Mandsager stated she would be visiting with Brandi Olson from Muscatine Power and Water and would then advise council. Councilmember Brackett stated that if a committee was created to discuss the well issue, he would like to be part of the committee.

Councilmember Brackett stated he had questions regarding parking regulations at Hershey Manor and would like to see the rules on residents parking there.

Mayor Broderson stated in response to communication she has received from citizens that it is not required that the riverfront open the boat ramps as soon as barge traffic is allowed on river. She stated she talked to Rich Klimes, Parks and Recreation Director, and he stated it is standard procedure to keep one boat launch open if possible and that City crew are working as fast as they can to ensure all ramps will be open as soon as possible.

Mayor Broderson stated this Saturday June 22, is Coffee with the Mayor at Happy Joes, and the next guests on "Our City" will be Daniel Salazar and Austin McLain. She also reminded citizens that the "Almost Friday Fest" will take place on Thursday July 27 at Riverside Park.

Councilmember Brackett motioned meeting adjourned at 8:40 p.m.

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Mayor Diana Broderson

Attest:

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City Clerk, Gregg Mandsager