

**CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
7:00 p.m. – May 07, 2020**

This meeting was held electronically due to meeting regulations regarding the spread of COVID-19.

Mayor Broderson called the City Council meeting for Thursday May 7, 2020, to order at 7:00 p.m. Present were: Councilmembers Hopkins, Froelich, Malcolm, Gordon, Brockert, Jindrich and Brackett.

Mayor Broderson opened the meeting up to communications from citizens.

Councilmember Froelich received a question from a citizen asking if city code could be amended to allow eating establishments to utilize outdoor seating to be able to seat more people while social distancing.

Assistant Community Development Director Andrew Fangman stated there is a provision in the City code for this and for anyone with questions to contact him.

### **Consent Agenda**

Councilmember Brockert requested the bills for approval be pulled from the consent agenda.

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

- Items 6 A-C: Approval of City Council Minutes
- Items 8 A-G: Petitions and Communications
- Items 9 A-B From the Mayor
- Items 12 A-D: Receive and File

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

### **Public Hearing**

Mayor Broderson stated this public hearing concerns the plans, specifications, form of contract and cost estimates for the Park Avenue Conversion Project.

Councilmember Jindrich stated he had been contacted by citizens regarding the difficulty in accessing Park Avenue from side streets and their concern that 3 lanes will make it even more difficult.

City Engineer Jim Edgmond stated he didn't feel it would be a problem but that after the project was complete, they could adjust the traffic signals to help with flow of traffic if needed.

Councilmember Brackett moved to close this public hearing, seconded by Councilmember Froelich.

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

## **From the City Administrator**

### **Item 11A:**

Councilmember Jindrich moved to adopt Resolution #2020-0160, approving the plans and specifications for Park Avenue 4 to 3 Lane Conversion Project. Seconded by Councilmember Brackett.

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

### **Item 11B:**

Councilmember Gordon moved to adopt Resolution #2020-0161, approving the amended Development Agreement with NPSW Enterprises. Seconded by Councilmember Brackett.

There were questions from City Council regarding the reason for the delay in the project that were addressed by Assistant Community Development Director Andrew Fangman.

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

### **Item 11C:**

Councilmember Gordon moved to adopt Resolution #2020-0162, approving the internal advance of funds for the Economic Assistance for Muscatine Small Business Program. Seconded by Councilmember Brackett.

There were questions from City Council regarding the effects this would have on funds available for new business start ups that was addressed by Community Development Director Jodi Royal-Goodwin.

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

### **Item 11D:**

Councilmember Froelich moved to adopt Resolution #2020-0163, setting a public hearing on May 21, 2020, on Amendment #2 to the City's Fiscal Year 2019/2020 Budget. Seconded by Councilmember Brackett.

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

### **Item 11E:**

Councilmember Jindrich moved to adopt Resolution #2020-0164, approving a contract through the CARES Act for emergency relief related to operating assistance for the transit system (Muscabus). Seconded by Councilmember Hopkins.

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

### **Item 11F:**

Councilmember Gordon moved to adopt Resolution #2020-0165, approving the non-union pay plan to be effective July 1, 2020. Seconded by Councilmember Brackett.

There were questions and concerns from City Council regarding giving pay raises to employees before knowing what the revenue status is going to be because of COVID-19 and if there was a chart showing a lesser percentage increase.

Human Resources Manager Stephanie Romagnoli stated these are amounts that had been approved in the budget and could be amended if needed to be prior to July 1, 2020. She also stated she would prepare the pay plan with different percentages for the City Council to review.

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

Item 11G:

Councilmember Gordon moved to approve Request #2020-0166, approving the Fire Contract to be in effect from July 1, 2020-June 30, 2023. Seconded by Councilmember Brackett.

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

Item 11H:

Councilmember Brockert moved to approve Request #2020-0167, approving Park Avenue Conversion Project property rights. Seconded by Councilmember Jindrich.

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

Item 11I:

Councilmember Brockert moved to approve Request #2020-0168, approving Change Order #008 for the 2<sup>nd</sup> Street and Mulberry Roundabout Project. Seconded by Councilmember Hopkins.

There were questions from City Council regarding what the changes were made that were addressed by City Engineer Jim Edgmond.

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

Item 11J:

Councilmember Brackett moved to approve Request #2020-0169, for the issuance of a purchase order to MHE Inc. in the amount \$5,422.48, for MORC Pallet Racks. Seconded by Councilmember Brockert.

There were questions from City regarding the budgeting of this item that were addressed by the Water Resource Recovery Facility Director Jon Koch. He stated there was funds budgeted for miscellaneous items for the High Strength Waste Receiving Station and this purchase was included.

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

Item 11K:

Councilmember Malcolm moved to adopt Request #2020-0170, for the issuance of a purchase order to Impact 7G, in the amount of \$19,197.00 for the permitting, removal and monitoring of underground storage tank removal project. Seconded by Councilmember Jindrich.

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

11L:

Councilmember Brackett moved to approve Request #2020-0171, accepting a grant from Economic Development Authority for CDBG to support pandemic response activities. Seconded by Councilmember Froelich.

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

11M:

Councilmember Gordon moved to approve Request #2020-0172, for an agreement with Barker Lemar, in the amount of \$7,725.00, for the installation of additional monitoring wells at the Muscatine County Sanitary Landfill. Seconded by Councilmember Malcolm.

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

11N:

Councilmember Brackett moved to approve Request #2020-0173, for the issuance of a purchase order to Triple B Construction in the amount of \$368,486.00, for Muscatine Boat Harbor Rip Rap Project. Seconded by Councilmember Hopkins.

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

At this time Greg Jenkins, Interim City Administrator, presented to City Council staff's recommendations for reopening the City of Muscatine Services. He stated the City will use a phased approach in reopening, will maintain social distancing guidelines, limit face to face meetings, continue parking relief fees until June 1, 2020 and restrict public access to City buildings until June 1, 2020. Mr. Jenkins stated the Parks and Recreation facilities and activities will vary upon locations and ability to use social distancing recommendations.

The next discussion was regarding backyard chickens. Councilmember Hopkins stated he had received emails from Meagan Koehler requesting changes in the City Code relating to citizens having backyard chickens.

There was discussion among City Council members regarding the size of property stated in the code that would allow for backyard chickens, the number of chickens allowed, the ability for citizens to be able to properly care for the chickens, sanitary requirements, nuisances created including noise and smell, permitting that would be required and enforcement of this code.

Meagan Koehler, 1512 Bidwell Rd, was present to share her request for fast tracking the code change allowing citizens to have backyard chickens. Ms. Koehler stated with the COVID-19 pandemic egg prices have doubled and the meat availability has decreased. She stated FDA inspections have been postponed raising concerns about the safety of the meat being processed.

Angel Nguyen, 3206 Mulberry Avenue, stated that noise and smells of chickens were no different than dogs and that chickens can be emotionally beneficial to children.

Jennifer Defosse, 1564 Washington Street, stated she would support the fast tracking of the code change due to the lack of availability of food at local stores. Ms. Defosse stated that this situation is fluid and the safest place to get food is from your own back yard.

Community Development Assistant Director, Andrew Fangman, stated there are procedures outlined in City Code regarding backyard chickens. Changes to this code would have to go through a process to include a recommendation from the Planning and Zoning Committee before any action could be taken by City Council.

Jeremy Lies, Hyline North America, was present to share information regarding raising chickens. Mr. Lies stated without proper care there are concerns of E.coli and Salmonella poisoning. He stated training for individuals caring for chickens would be crucial in order to gain knowledge of what to watch for in animal disease issues. Mr. Lies explained the processes in place if a chicken was tested positive for certain viruses.

Mayor Broderson requested staff to look into modification of this code, discuss with Planning and Zoning Committee and come back with a plan for City Council as soon as possible.

There was consensus with City Council to approve staff move forward on preparing a possible change to the code change for backyard chickens.

Councilmember Brackett moved to approve the bills totaling \$3,164,596.75. Seconded by Councilmember Gordon.

Councilmember Brockert had questions regarding why service on a vehicle was performed at a location not local that was addressed by Public Works Director Brian Stineman. Mr. Stineman stated he would look into that and get the information back to City Council.

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

Councilmember Brackett moved the meeting be adjourned at 9:37 p.m.

**ALL CITY COUNCIL MEETING RECORDINGS CAN BE WATCHED ON THE CITY OF MUSCATINE YOUTUBE PAGE.**

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Mayor Diana Broderson

Attest:

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Greg Jenkins, Interim City Administrator