

CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
Council Chambers – 7:00 p.m. – July 15, 2010

Mayor Dick O'Brien called the City Council meeting for Thursday, July 15, 2010, to order at 7 p.m. Councilmembers present were LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange.

A moment of silence was offered by City Attorney Harvey Allbee Jr. which was followed by the Pledge of Allegiance.

#21164. Councilmember Bynum moved to approve the minutes of the June 17, 2010 and July 1, 2010 City Council meetings and the July 8, 2010 In-Depth meeting. Seconded by Councilmember LeRette. All ayes; motion carried.

#21165. Councilmember Lange moved the Consent Agenda be approved as follows: Renewal of a Class B Beer and Sunday Sales Permit for Happy Joe's Pizza & Ice Cream Parlor, 927 Grandview Avenue – Max Brewer Corp.; renewal of a Class C Beer and Sunday Sales Permit for Circle K #6600, 8<sup>th</sup> & Cypress streets – Mac's Convenience Stores LLC; filing of Communications A-D; and Bills for Approval totaling \$2,350,884.61. Seconded by Councilmember Shihadeh. All ayes; motion carried.

**PUBLIC HEARING**

Mayor O'Brien stated a public hearing was being held concerning the proposed plans, specifications, form of contract and cost estimate for the Sunset Park Resident Center.

There were no oral or written petitions filed for or against the proposed project.

#21166. Councilmember Natvig moved the public hearing be closed. Seconded by Councilmember Roby. All ayes; motion carried.

#21167. Councilmember Fitzgerald moved to approve the request from Senior Resources for a "Hats Off to Seniors" fundraiser on July 26-30, 2010 between the hours of 8 a.m. and 5:30 p.m. at Parham and Mulberry, Cedar and Parham and 9<sup>th</sup> and Cypress streets. Seconded by Councilmember Roby. All ayes; motion carried.

#21168. Councilmember Fitzgerald moved to approve the request from the Muscatine Association of Firefighters Local #608 for the 19<sup>th</sup> Annual Muscular Dystrophy's "Fill the Boot" fundraiser on August 18-20, 2010 from 10 a.m. to 1 p.m. and 4 to 7 p.m. at the intersections of 8<sup>th</sup> and Cedar streets and Park Avenue and Lake Park Boulevard. Seconded by Councilmember Shihadeh.

Tom Summitt, representing the Firefighters Local #608, thanked Council for their support of this very successful event.

#21169. Councilmember LeRette moved the proclamation be approved supporting the Sesquicentennial Commemoration of the Civil War which will be held July 4, 2011. Seconded by Councilmember Natvig. All ayes; motion carried.

#21170. Councilmember Lange moved the resolution be adopted setting a public hearing for Thursday, April 5, 2010, at 7 p.m. for the proposed zoning change for Lincolnshire Professional Plaza. Seconded by Councilmember Roby. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21171. Councilmember Shihadeh moved to table the second reading of an ordinance amending Title 5, Business Regulations, Chapter 10, Salvage, Junk Dealers, and Refuse Haulers (flow control ordinance). Seconded by Councilmember Roby. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and ordinance tabled.

#21172. Councilmember Roby moved to approve the first reading of an ordinance amending Title 1, Chapter 2, Section 7 of the City Code of Muscatine pertaining to municipal infractions. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and first reading approved.

#21173. Councilmember Bynum moved the resolution be adopted approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for the Sunset Park Resident Center. Seconded by Councilmember Shihadeh.

Housing Administrator Dick Yerington explained why the estimate had increased to \$174,000. He stated there was \$130,000 budgeted for this project with the outstanding costs to be taken from the Housing Department's available fund balance.

Vote – All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21174. Councilmember Fitzgerald moved the resolution be adopted approving the Muscatine Municipal Housing Agency's Section 3 Policy Manual. Seconded by Councilmember Roby. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21175. Councilmember Natvig moved the resolution be adopted approving the contract and bond from BMW Builders II in the amount of \$106,544.10. Seconded by Councilmember Lange. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21176. Councilmember LeRette moved the resolution be adopted setting a public hearing for the West Hill Sewer Separation Project for Thursday, August 5, 2010, at 7 p.m. Seconded by Councilmember Roby. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21177. Councilmember Fitzgerald moved the resolution be adopted amending and approving the official pay plan for non-union employees of the City of Muscatine effective August 1, 2010 for the Art Center Registrar. Seconded by Councilmember Shihadeh. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21178. Councilmember Bynum moved the resolution be adopted accepting the completed work for a CDBG housing rehabilitation project at 1407 Mill Street and authorizing final payment to North Construction. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21179. Councilmember Lange moved the resolution be adopted accepting a fiscal year 2011 Resource Enhancement & Protection (REAP)-Historic Resource Development Project (HRDP) grant award pertaining to the Alexander Clark House. Seconded by Councilmember LeRette.

Councilmember Lange asked if there would be any cost to the city.

City Administrator Gregg Mandsager stated there was no cost to the city and that the grant will be used to fund two individuals who will apply for the National Historic Landmark designation.

Councilmember LeRette asked if there was a timetable for filing the application, and he was told there was no deadline.

Vote – All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21180. Councilmember Natvig moved to approve the contract between the City of Muscatine and the Louisa County Solid Waste Management Agency for household hazardous waste services. Seconded by Councilmember Shihadeh. All ayes; motion carried.

#21181. Councilmember Roby moved to approve the agreement with Shoemaker-Haaland for construction management of the Clay Street Bridge Improvements at a cost of \$22,988. Seconded by Councilmember Fitzgerald.

Councilmember Lange asked how long the bridge would be closed.

Public Works Director Randy Hill stated the bridge will be closed beginning next week and is to be completed by November 15, 2010.

Vote – All ayes; motion carried.

#21182. Councilmember LeRette moved to approve the bid from ECS of Davenport, Iowa, in the amount of \$17,323.60 for the upgrade of the broadcast equipment located in the City Hall Council Chambers. Seconded by Councilmember Fitzgerald.

There was discussion concerning the upgrades that would be covered with this bid amount which did not include audio revisions.

#21183. Councilmember Fitzgerald moved to amend the original motion to include audio upgrades in an amount not to exceed \$2,000. Seconded by Councilmember Shihadeh. All ayes; motion carried.

Vote on original motion as amended – All ayes; motion carried.

#21184. Councilmember Bynum moved to authorize the purchase of a Land Pride APS 1572 seeder for the Parks Department in the amount of \$5,400 from Elder Implement. Seconded by Councilmember Lange.

Councilmember Lange asked why there was such a large difference between the low bid and the other bids submitted.

Randy Moeller, Golf Course Supervisor, stated the low bid was for a new model which was more economical.

Vote – All ayes; motion carried.

#21185. Councilmember Natvig moved to approve the purchase of a 544317A Ryan Renovair aerifier for the Parks Department from Turfwerks in the amount of \$7,678. Seconded by Councilmember Roby.

Councilmember Roby asked if this is the same type of equipment that is used to plug lawns, and City Administrator Mandsager answered yes.

Councilmember Natvig asked what this equipment accomplishes.

Nick Gow, Athletic Facilities Manager, stated it will improve the quality of turf at the various facilities where it is used.

Vote – All ayes; motion carried.

Under comments, Councilmember Natvig congratulated the Muskie softball team.

Councilmember Shihadeh wished the baseball team luck as well.

City Administrator Mandsager stated he had two resolutions pertaining to the I-JOBS II Disaster Prevention Grant Program.

#21186. Councilmember Bynum moved the resolution be adopted authorizing the submission of an application for funding under the I-JOBS II Disaster Prevention Grant Program. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21187. Councilmember Shihadeh moved the resolution be adopted supporting the I-JOBS II grant. Seconded by Councilmember Lange. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

City Administrator Mandsager stated a special meeting will be scheduled concerning flow control so that finances can be reviewed.

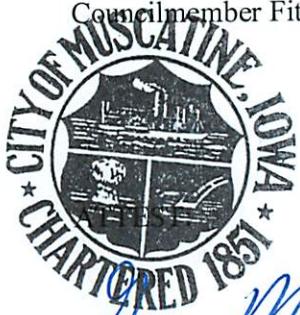
#21188. Councilmember Natvig moved to go into Closed Session at 8:03 p.m. to discuss a pending personnel issue with potential action to follow. Seconded by Councilmember Shihadeh. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried.

The Muscatine City Council went into Closed Session at 8:03 p.m. to discuss a pending personnel issue with potential action to follow. Present were Mayor Richard W. O'Brien and Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Also present was City Administrator Gregg Mandsager.

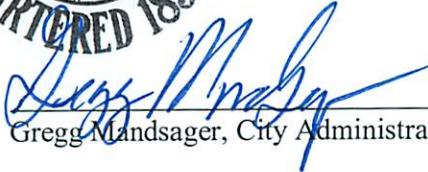
#21189. Councilmember Shihadeh moved to leave Closed Session at 8:05 p.m. Seconded by Councilmember Roby. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried.

#21190. Councilmember Lange moved to change the effective date for City Administrator Mandsager's COLA and life insurance policies from to November 1 to July 1. Seconded by Councilmember Roby. All ayes; motion carried.

#21191. Councilmember Shihadeh moved the meeting be adjourned at 8:07 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.



  
Richard W. O'Brien, Mayor

  
Gregg Mandsager, City Administrator