

CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
Council Chambers – 7:00 p.m. – June 16, 2016

Mayor Broderson called the City Council meeting for Thursday, June 16, 2016, to order at 7:00 p.m. Councilmembers present were Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread.

The meeting began with the Pledge of Allegiance.

#23446. Councilmember Bynum, seconded by Councilmember Rehwaldt, moved the Consent Agenda be approved as follows:

- Regular City Council Minutes – June 2, 2016
- In-Depth City Council Minutes – June 9, 2016
- First and second reading for a Class “B” Beer Permit, Outdoor Service and Sunday Sales for Great River Days, 101 Harbor Drive – Great River Day’s Inc. (pending inspections and insurance); renewal of a Class “B” Native Wine Permit, Class “C” Beer Permit and Sunday Sales for Casey’s General Store #2906, 3509 Steamboat Way Casey’s Marketing Company (pending inspections); renewal for a Special Class “C” Liquor License, Class “B” Wine Permit, Sunday Sales and Outdoor Service for Wine Nutz, 208 West 2<sup>nd</sup> Street – Wine Nutz LLC (pending inspections); renewal of a Class “C” Liquor License, Sunday Sales and Outdoor Service for The Pearl, 101 West Mississippi Drive – The Pearl LLC (pending inspections and insurance); and renewal of a Class “B” Beer Permit and Sunday Sales for Happy Joes Pizza & Ice Cream Parlor, 927 Grandview Avenue – Max Brewer Corporation (pending inspections and insurance)
- Cigarette Permits for July 1, 2016 through June 30, 2017:
  - A & E Convenience LLC, 4701 South Highway 61 – A & E Convenience, LLC
  - Bullpen Sports Bar, 1201 Grandview Avenue – Tracy Horton
  - Casey’s General Store #1484, 1111 Oregon Street – Casey’s Marketing Company
  - Casey’s General Store #2906, 3509 Steamboat Way – Casey’s Marketing Company
  - Casey’s General Store #2944, 3010 University Drive – Casey’s Marketing Company
  - Circle K #6600, 8<sup>th</sup> and Cypress Streets – Mac’s Convenience Stores LLC
  - Curry’s Express Mart, 4804 Grandview Avenue – Curry’s Express Mart, Inc.
  - Dollar General Store #7027, 2000 Cedar Plaza Drive – Dolgen Corp, LLC
  - Family Dollar Stores of Iowa #1820, 725 East 2<sup>nd</sup> Street – Family Dollar Stores of Iowa, Inc.
  - Fareway Stores, Inc. #998, 2100 Cedar Plaza Drive – Fareway Stores, Inc.
  - Fast Avenue One Stop, 2111 Park Avenue – BGA LLC
  - GM Food Mart, 1127 Ripley Court, Nanak Express LLC
  - GM Mini Mart, 2307 Lucas Street – Nanak Express LLC
  - Hubble’s Cigar Store, 214 East 2<sup>nd</sup> Street – Steve Hyink
  - Hy-Vee Food Store, 2400 Second Avenue – Hy-Vee, Inc.
  - Hy-Vee Gas, 2600 Second Avenue – Hy-Vee, Inc.
  - Hy-Vee Mainstreet, 510 E. 6<sup>th</sup> Street – Hy-Vee, Inc.
  - Hy-Vee Wine & Spirits, 522 Mulberry Avenue, Suite A – Hy-Vee, Inc.
  - Hyink’s Service, 1206 East 2<sup>nd</sup> Street – Royce Hyink
  - Jayde’s Vapor Lounge, 2110-B Park Avenue – Jayde Tran
  - Kum & Go #436, 501 Cedar Street – Kum & Go LC
  - Kum & Go #437, 709 Grandview Avenue – Kum & Go LC
  - Kum & Go #438, 1429 Park Avenue – Kum & Go LC
  - Loos’ Inc., 711 Park Avenue – Norbert L. Loos
  - Missipi Brewing Company, 107 Iowa Avenue – Dave Armstrong

- Muscatine Citgo Fast Break, 2603 Second Avenue – Reif Oil Company
- New York Dollar Store, 109 East 2<sup>nd</sup> Street – Antonio Sosa
- No More Butts Vapor Lounge, 108 East 2<sup>nd</sup> Street – Margaret Haller
- Smokin Joe’s #16, 1504 Park Avenue – The Outlet Inc.
- Switch2Vapor, 227 East 2<sup>nd</sup> Street – Matt McFadden
- Wal-Mart Supercenter #559, 3003 N. Highway 61 – Wal-Mart, Inc.
- Walgreens #5885, 1703 Park Avenue – Walgreen Co.
- West Side Store, 2201 Houser Street – DJMB Enterprises Inc.
- Wholesale Food Outlet #312, 807 Grandview Avenue – Nash Finch Company
- Pearl City Tobacco Land Liquor Outlet, 200 Green Street - Aban Baral
- Proclamation Declaring June 5-11, 2016 as “National Garden Week”
- Filing of Communications 12A-D
- Bills for Approval totaling \$2,749,197.41

Vote – All ayes; motion carried.

Mayor Broderson read the proclamation for “National Garden Week” and then presented it to Shirlee Werner and Janet Kardux from the Muscatine Garden Club.

### **PUBLIC HEARING**

Mayor Broderson stated this public hearing concerns the proposed first amendment to the Option and Lease Agreement with Crown Castle Towers 05 LLC for their cell tower located at Greenwood Cemetery.

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

#23447. Councilmember Fitzgerald moved the public hearing be closed. Seconded by Councilmember Natvig. All ayes; motion carried.

#23448. Councilmember Spread moved the resolution be adopted approving the first amendment to the Option and Lease Agreement with Crown Castle Towers 05 LLC for their cell tower and equipment at Greenwood Cemetery. Seconded by Councilmember Natvig. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23449. Councilmember Rehwaldt moved the resolution be adopted awarding the bid for the 2016 Asphalt Overlay Project to Illowa Investment Inc. in the amount of \$630,803.64. Seconded by Councilmember Natvig.

Councilmember Saucedo asked for an explanation of recycled asphalt.

Roadway Maintenance Supervisor Randy Howell stated that 15% of the materials used for the project will be milled or recycled asphalt which is placed under the new asphalt.

Councilmember Saucedo asked about the second bid amount Illowa had submitted totaling \$479,128.98.

Mr. Howell stated that would the cost of the project if only recycled asphalt was used.

Councilmember Saucedo asked about the number of blocks included in the project and the width of the streets.

Mr. Howell stated the average street width is 24' to 30'.

Acting City Administrator David Gobin stated the streets are located throughout the city.

Mr. Howell stated the project includes over 1 ½ miles of roadway.

Councilmember Natvig asked if the list of streets was presented during the budget process earlier this year.

Mr. Howell answered yes. He stated that a couple of streets were removed from the original list; however, a couple of streets were added in the West Hill area. He stated there is money remaining in the budgeted amount that could be used for additional streets if City Council would like to add streets to the project.

There was discussion concerning recycled asphalt.

Councilmember Natvig asked when staff would like to know if City Council would like to include additional streets as part of the project.

Mr. Howell stated staff would like to see the Cleveland Street Project done before any additional streets are added to the list.

Vote – All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23450. Councilmember Harvey moved the resolution be adopted accepting completed work for the Mad Creek Dredge Line Extension Project and authorizing final payment to Sulzberger Excavating. Seconded by Councilmember Spread.

Councilmember Rehwaldt had questions concerning the rip-rap for the project but was told those questions should be directed to Parks & Recreation Director Rich Klimes.

Water Pollution Control Plant Director Jon Koch gave a brief description of the change orders for the project.

Vote – All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23451. Councilmember Spread moved the resolution be adopted setting a public hearing on Thursday, July 7, 2016, at 7:00 p.m. on the proposed zoning changes for 1409 Wisconsin Street (formerly Garfield School). Seconded by Councilmember Rehwaldt. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23452. Councilmember Natvig moved to approve the low bid from Truck Country of Davenport in the amount of \$89,958 for a dump truck for the Public Works Department. Seconded by Councilmember Fitzgerald.

Councilmember Rehwaldt asked if this action was for the purchase of the chassis or the box.

Mr. Howell stated it was for the chassis. He then explained the bidding process for the additional equipment.

Councilmember Rehwaldt asked if the old box was reusable.

Mr. Howell stated the current box is a 1994 and the vehicle has over 300,000 miles on it.

Councilmember Rehwaldt asked what type of truck it is, and Mr. Howell answered Freightliner.

Vote – All ayes; motion carried.

#23453. Councilmember Fitzgerald moved to accept the bid from Weikert Contracting of Ackley, Iowa, in the amount of \$60,417.45 for the 2016 Street Striping Contract. Seconded by Councilmember Natvig.

Councilmember Natvig asked why there was such a wide difference in the two quotes.

Mr. Howell stated he did not know. He stated the second quote was the first time this company had bid on the striping contract.

Councilmember Saucedo asked if Weikert's had been used before, and Mr. Howell answered yes.

Councilmember Saucedo asked if bids are posted on the website.

Mr. Howell stated they are posted on the website. He went on to explain the process of reaching out to vendors when soliciting quotes.

Vote – All ayes; motion carried.

#23454. Councilmember Fitzgerald moved to approve the ambulance fee schedule effective July 1, 2016. Seconded by Councilmember Bynum. All ayes; motion carried.

#23455. Councilmember Spread moved to approve the Hazardous Materials 28E agreements with Muscatine, Louisa, Keokuk, Henry, and Washington counties. Seconded by Councilmember Natvig.

Mayor Broderson stated the Emergency Management Committee feels comfortable with the \$.25 per capita increase.

Vote – All ayes; motion carried.

#23456. Councilmember Fitzgerald moved to approve the City of Muscatine's Insurance Renewal effective July 1, 2016. Seconded by Councilmember Spread. All ayes; motion carried.

#23457. Councilmember Harvey moved to approve the Professional Services Agreement with Stanley Consultants in the amount of \$74,900 for the Wastewater Treatment Nutrient Study. Seconded by Councilmember Fitzgerald.

Councilmember Harvey asked what will be done under this study and what information will be brought back to the city.

Mr. Koch stated this study is a new requirement by the Iowa Department of Natural Resources. He stated the study will be looking at nitrate and phosphorus levels and will be used to determine how those levels can be lowered if necessary.

Councilmember Harvey asked if the state is requiring the city do something to reduce the discharge.

Mr. Koch stated that state is requiring the city to do something to reduce the amounts being discharged. He stated that luckily it is not a state mandate at this point in time.

Councilmember Harvey asked if Stanley Consultants would be making suggestions for reducing the amount of the discharges, and Mr. Koch answered yes.

Councilmember Rehwaldt asked where the phosphorus was coming from, and Mr. Koch stated it comes naturally from personal hygiene products.

Councilmember Rehwaldt asked if there any large industrial companies contributing to the high nitrate/phosphorus levels, and Mr. Koch stated no particular users have been identified.

There was further discussion concerning the study.

Vote – All ayes; motion carried.

Under comments, Councilmember Bynum stated he was receiving complaints about the issuance of parking tickets in Lot 4.

Finance Director Nancy Lueck stated some staging is being done in that lot for the CDBG Storm Water Project. She stated that currently 17 parking spaces have been blocked off for this project, and once completed, approximately eight of those spaces will be back in service. She stated the majority of the tickets are being issued to those people parking in leased spaces. She stated the project has disrupted what people are used to.

Councilmember Bynum asked what could be done to help the situation.

Ms. Lueck stated it will be difficult to correct but she will see if anything can be done.

Acting City Administrator David Gobin stated it was a temporary situation and should only last four to six weeks.

There was further discussion concerning the parking situation in Lot 4.

Councilmember Bynum stated that a cleanup project for the cemetery steps will take place July 1-4, 2016.

Mr. Gobin stated the new Public Works Director would be starting on June 20, 2016. He thanked Kristy Korpi for stepping up and serving as the Interim Director.

Mayor Broderson reminded everyone of Coffee with the Mayor at Fire Station #2 on June 25, 2016 beginning at 9:00 a.m. She then reminded everyone of the Special City Council meeting to be held on June 23, 2016 beginning at 7:00 p.m.

Councilmember Harvey moved the meeting be adjourned at 7:43 p.m.

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Diana Broderson, Mayor

ATTEST:

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David Gobin, Acting City Administrator