

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – November 18, 2010

Mayor Dick O'Brien called the City Council meeting for Thursday, November 18, 2010, to order at 7 p.m. Councilmembers present were Fitzgerald, Shihadeh, Bynum, Roby, and Lange.

Councilmember Lange gave the opening prayer which was followed by the Pledge of Allegiance.

Mayor O'Brien welcomed Boy Scout Troop #426 to the meeting.

#20351. Councilmember Shihadeh moved to approve the minutes of the November 4, 2010 City Council meeting. Seconded by Councilmember Bynum. All ayes; motion carried.

#20352. Councilmember Lange moved the Consent Agenda be approved as follows: First reading for a new Class WBN Native Wine Permit for Miller's Florist, 612 Hope Avenue – Kathleen McGlothlen (pending final paperwork); renewal of a Class BC Beer and Sunday Sales Permit for New York Dollar Store, 109 E. 2nd Street – Antonio Sosa; renewal of a Class LC Liquor License with Outdoor Service and Sunday Sales Permit for Bull Pen Sports Bar Inc., 1201 Grandview Avenue – Tracy Horton; renewal of a Class LC Liquor License with Outdoor Service and Sunday Sales Permit for Hubble's, 214 E. 2nd Street – Hubbles Hyink LLC; renewal of a Class LC Liquor License for Elms Supper Club and Lounge, 2108 Grandview Avenue – Elm Tree Dining & Lounge LLC; filing of Communications A-D; and Bills for Approval totaling \$1,837,938.66. Seconded by Councilmember Roby. 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 Weed Park to Wildcat Den Trail Project.

Larry Koehrsen, 510 W. 2nd Street, stated this proposed project will add to the community's current trail system. He stated it represents the cooperative effort for financing between the federal government, local industries, and citizens who provided the balance of the funding. He stated it also represents cooperative efforts in getting the easements needed for the project.

Doug Parker, 2810 170th Street, stated he feels this trail will be a tremendous asset to the community.

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

#20353. Councilmember Bynum moved the public hearing be closed. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#20354. Councilmember Bynum moved to approve the use of city property for the Holiday Stroll on December 3, 2010 from 5 to 9 p.m. Seconded by Councilmember Roby. All ayes; motion carried.

#20355. Councilmember Shihadeh moved the resolution be adopted approving the combined preliminary/final plat for the Contree Manoir Addition in the City of Muscatine. Seconded by Councilmember Bynum. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#20356. Councilmember Shihadeh moved the resolution be adopted approving the plans, specifications, form of contract and cost estimate for the Weed Park to Wildcat Den Trail Project. Seconded by Councilmember Lange.

Councilmember Lange asked about the length of the trail.

City Engineer Jon Lutz stated it is approximately 1.4 miles long. He explained the path the trail will follow.

Councilmember Lange then asked how wide the trail will be.

Mr. Lutz stated it must be 10' wide in order to receive federal funding.

Councilmember Shihadeh asked about the construction date.

Mr. Lutz stated it is scheduled to be completed during the summer 2011 construction season.

Councilmember Roby stated this project is an example of how the community and businesses have worked together for a project that will benefit the community.

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

#20357. Councilmember Fitzgerald moved the resolution be adopted approving the 2011-2015 Fiscal Year Capital Improvement Program for the City of Muscatine. Seconded by Councilmember Roby. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#20358. Councilmember Lange moved the resolution be adopted setting a public hearing for Thursday, December 9, 2010, at 7 p.m. to assess the status of housing rehabilitation activities funded through the 2009 CDBG program in the City of Muscatine. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#20359. Councilmember Roby moved the resolution be adopted releasing a real estate mortgage under the 2003 CDBG Owner-Occupied Residential Rehabilitation Program for 606 Walnut Street. Seconded by Councilmember Bynum. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#20360. Councilmember Shihadeh moved the resolution be adopted releasing a real estate mortgage under the 2003 CDBG Owner-Occupied Residential Rehabilitation Program for 909 E. 6th Street. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#20361. Councilmember Roby moved the resolution be adopted accepting the low bid from Daniels Construction in the amount of \$31,245 for the Muscatine Owner-Occupied Rehabilitation Program for 1720 Hershey Avenue. Seconded by Councilmember Bynum. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#20362. Councilmember Lange moved the resolution be adopted authorizing changes to the Muscatine Municipal Housing Agency Administrative Plan for the Section 8 Tenant-Based Housing Choice Voucher Program. Seconded by Councilmember Roby. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#20363. Councilmember Shihadeh moved the resolution be adopted authorizing changes to the Muscatine Municipal Housing Agency for the Public Housing Admissions and Continued Occupancy Policy. Seconded by Councilmember Bynum. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#20364. Councilmember Roby moved the resolution be adopted authorizing an internal advance to the Tax Increment Revenue Fund in the amount of \$102,517. Seconded by Councilmember Shihadeh.

Councilmember Shihadeh asked if this would provide relief to the General Fund.

City Administrator Gregg Mandsager stated it would and that it should put the city into a better position prior to the budget sessions.

Councilmember Fitzgerald asked if there was a down side.

City Administrator Mandsager stated he did believe there was a down side. He stated staff is proposing to utilize the fund balance in the South End TIF this year. He stated the memo Council received concerning this matter indicated that in 2011 staff will be proposing the urban renewal plans be combined into one plan for the entire community which will allow staff to utilize funds from any of the TIF districts.

Councilmember Roby stated she felt this proposal was a good one.

Councilmember Lange stated he was not a big proponent of the TIF program; however, this action will help the General Fund which does make sense.

Vote – Four ayes: Councilmembers Shihadeh, Bynum, Roby, and Lange. One nay: Councilmember Fitzgerald. Motion carried and resolution duly adopted.

#20365. Councilmember Shihadeh moved the resolution be adopted authorizing an internal advance to the Tax Increment Fund in the amount of \$35,000. Seconded by Councilmember Roby.

Councilmember Fitzgerald stated it was his recollection that during last year's budget sessions, City Council had bumped up the GMCCI's funding by an additional \$10,000.

City Administrator Mandsager stated he was correct. He stated the additional funds went to both the Chamber and CVB to be used at their discretion.

Councilmember Fitzgerald stated it was also his recollection the subsidy was \$30,000 and the additional \$10,000 was on top of that amount.

City Administrator Mandsager stated he was correct.

Councilmember Lange stated that during the budget sessions, there is always discussion on whether or not to fund outside agencies. He asked if this advance puts the city in a position to guarantee funding to the Humane Society and Senior Resources.

City Administrator Mandsager stated these fund advances can only be used for economic development.

Vote – Four ayes: Councilmembers Shihadeh, Bynum, Roby, and Lange. One nay: Councilmember Fitzgerald. Motion carried and resolution duly adopted.

#20366. Councilmember Fitzgerald moved to declare a squad car light bar as surplus. Seconded by Councilmember Lange. All ayes; motion carried.

#20367. Councilmember Fitzgerald moved to approve the purchase of 13 ballistic vests from Diamondback Tactical in the amount of \$19,316.70. Seconded by Councilmember Shihadeh. All ayes; motion carried.

#20368. Councilmember Bynum moved to approve the Iowa Department of Transportation Federal-Aid Agreement for a Surface Transportation Program Project (Hershey Avenue Reconstruction). Seconded by Councilmember Roby. All ayes; motion carried.

#20369. Councilmember Lange moved to approve the issuance of a purchase order to Terracon Consultants in the amount of \$7,250 for soil testing on Cedar Street. Seconded by Councilmember Roby.

Councilmember Shihadeh asked if he could vote on this issue or if there would be a conflict of interest.

City Administrator Mandsager stated there is no pecuniary interest for this project and that he did not have a problem with Councilmember Shihadeh voting.

Councilmember Roby stated it is great to be getting this project off the ground.

Vote – All ayes; motion carried.

#20370. Councilmember Bynum moved to approve the City of Muscatine's Employee Handbook. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#20371. Councilmember Lange moved to approve the submission of an Iowa Department of Transportation grant application for continued maintenance of the Mark Twain Overlook. Seconded by Councilmember Shihadeh. All ayes; motion carried.

Under comments, Councilmember Roby stated she recently attended a budget training session in Hiawatha through the Iowa League of Cities. She stated it was very interesting and worthwhile.

Councilmember Lange wished everyone a Happy Thanksgiving.

City Administrator Mandsager stated a resolution had been received approving and authorizing the execution of the I JOBS II grant award agreement between the City of Muscatine, the I JOBS Board and the Iowa Finance Authority. He stated City Council had already approved this agreement; however, the I JOBS Board is requiring it be done by resolution. He pointed out that the agreement was changed to add the lease provision City Council had approved at its last City Council meeting.

#20372. Councilmember Fitzgerald moved the resolution be adopted. Seconded by Councilmember Roby. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

Mayor O'Brien wished everyone a Happy Thanksgiving and urged everyone to travel safely.

#20373. Councilmember Shihadeh moved the meeting be adjourned at 7:45 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

Richard W. O'Brien, Mayor

ATTEST:

Gregg Mandsager, City Administrator