

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – September 1, 2016

Mayor Broderson called the City Council meeting for Thursday, September 1, 2016, to order at 7:00 p.m. Councilmembers present were Rehwaldt, Fitzgerald, Natvig, Saucedo, Harvey, Bynum, and Spread.

The meeting began with the Pledge of Allegiance.

#23530. Councilmember Bynum, seconded by Councilmember Spread, moved the Consent Agenda be approved as follows:

- Regular City Council Minutes – August 18, 2016
- Special City Council Meeting – August 25, 2016
- Request for renewal of a Class “C” Beer Permit and Sunday Sales for Casey’s General Store #1484, 1111 Oregon Street – Casey’s Marketing Company (pending inspections); renewal of a Class “C” Beer Permit and Sunday Sales for Dollar General #7027, 2000 Cedar Plaza Drive – Dolgencorp LLC (pending inspections and insurance); renewal of a Class “B” Beer Permit and Sunday Sales for China Garden, 2016 Cedar Plaza Drive #3 – China Garden At Cedar (pending inspections and insurance); renewal of a Class “C” Liquor License and Sunday Sales for Diamond Dave’s, 1903 Park Avenue – K & E Restaurants Inc. (pending inspections and insurance); renewal of a Class “C” Liquor License, Outdoor Service and Sunday Sales for Veterans of Foreign Wars, 1415 Grandview Avenue – Veterans of Foreign Wars (pending inspections and insurance); renewal of a Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for Muscatine Fast Break, 2603 Second Avenue – Reif Oil Company (pending inspections and insurance); and renewal of a Class “B” Native Wine Permit for Flowers on the Avenue, 1138 East 9th Street – Flowers On The Avenue (pending inspections and insurance)
- Approval of Proclamation Declaring August 22, 2016 as “Mayor’s Monarch Pledge Day”
- Establishment of Trick-or-Treat Night for October 31, 2016 from 5:30 to 7:30 p.m.
- Filing of Communications 12A-B
- Bills for Approval totaling \$1,654,637.91

Vote – All ayes; motion carried.

PUBLIC HEARING

Mayor Broderson stated this public hearing concerns the proposed vacation of certain utility easements for 3420 Clermont Drive.

David Meloy stated he was the attorney for the property owner and was available to answer questions from Council.

There were no oral or written petitions for against this proposed action.

#23531. Councilmember Fitzgerald moved to close the public hearing. Seconded by Councilmember Natvig.

At this time Mayor Broderson read the “Mayor’s Monarch Pledge Day” proclamation and presented it to Michelle Burns from the Muscatine County Conservation Board, Water Pollution Control Director Jon Koch, and David Cooney, a member of the Muscatine pollinators group.

Mr. Koch stated city staff is working with the local pollinators in the community to encourage the growth of native plants which is critical not only to the Monarch butterfly but to other species as well. He explained what citizens can do to assist in growing native gardens and what the city is doing now and what it will be doing in the future. He stated that residents who have questions can contact him at www.jkoch@muscatineiowa.gov.

Ms. Burns explained what the county has been doing. She stated the Mayor's pledge will benefit all pollinators.

Mayor Broderson thanked the pollinators group.

Mayor Broderson then announced that Trick-or-Treat Night will be October 31, 2016 from 5:30 to 7:30 p.m.

#23532. Councilmember Rehwaldt moved the resolution be adopted vacating utility easements for 3420 Clermont Drive. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23533. Councilmember Harvey moved the resolution be adopted overriding the Mayor's veto, passing again and directing immediate publication of the ordinance amending appointment and removal powers in Title 1, Chapter 11, Title 2, Chapters 1-4 and 6-9, and Title 6, Chapter 1; and adding Chapters 11 and 12 to Title 2 and directed for its publication as required by law. Seconded by Councilmember Rehwaldt.

Mayor Broderson stated her reasons for the veto are as follows:

- The ordinance reduces the balances of powers in Muscatine's government. Without this ordinance there is an appointment by the Mayor with final approval provided by the City Council. This ordinance creates an unbalance by having Council both appoint and then approve their own appointment.
- This ordinance reduces the duties of the Office of Mayor to those substantially less than intended in the Special Charter. As current Mayor, it is my duty to protect the Office for future Mayors and make note of the objection of the Mayor's Office to this ordinance.
- This ordinance creates the possibility of conflict during a natural disaster by failing to maintain the line of authority between the Mayor and the Police and Fire chiefs.
- This ordinance creates the possibility for danger and lack of safety for the citizens of Muscatine during a natural disaster by failing to accommodate an adequate line of authority to address state mandated rules for crisis management.

Councilmember Bynum stated he was in favor of keeping the Special Charter intact.

Vote - Six ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Harvey, and Spread. One nay: Councilmember Bynum. Motion carried.

#23534. Councilmember Fitzgerald moved the resolution be adopted creating a subcommittee to recommend appointments to various boards and commissions including ad-hoc committees as defined by Title 2, Chapter 10, and City Administrative Boards as defined as Title 2, Chapter 11. Seconded by Councilmember Rehwaldt.

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

#23535. Councilmember Harvey moved the resolution be adopted setting a public hearing on the amending of Title 10, Chapters 4 and 5 of the City Code, Floodplain Management Regulations for Thursday, September 15, 2016, at 7:00 p.m. Seconded by Councilmember Spread. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23536. Councilmember Bynum moved to approve the request from the Police Department to purchase three Panasonic ToughPad Tablet computers along with printing hardware from Keltex Inc. in the amount of \$9,691.11. Seconded by Councilmember Natvig. All ayes; motion carried.

#23537. Councilmember Natvig moved to declare city property as surplus and authorized its disposal. Seconded by Councilmember Harvey. All ayes; motion carried.

#23538. Councilmember Spread moved to approve an agreement with HDR Inc. for an Intermodal Port Facility Study. Seconded by Councilmember Harvey.

There were questions and comments from City Council that were addressed by Community Development Director David Gobin.

#23539. Councilmember Harvey moved to approve the issuance of a purchase order to Temple Display Ltd. in the amount of \$16,370.25 for an animated LED holiday tree. Seconded by Councilmember Saucedo.

There was discussion on where the tree will be placed.

Vote – All ayes; motion carried.

The final item on the agenda was a Mississippi Drive Corridor Project update and a review of the Carver Corner and 2nd Street and Mulberry Avenue intersections. Giving the presentation were Jim Harbaugh and Joe Spradling of Bolton & Menk.

Mr. Spradling stated that tonight's presentation is designed to give City Council more information and to get some direction on the selection of preferred design alternatives at "book ends" of the project, back-in angled parking confirmation, and additional design direction.

Mr. Spradling began the presentation with the Carver Corner intersection. He stated the current level of service rating for this intersection is a B and that the installation of a four leg roundabout would increase the level of service to an A. He then reviewed the pros and cons of a four leg roundabout.

Mr. Spradling then reviewed the three leg roundabout alternative and reviewed its pros and cons. He also gave an overview of the sweep alternative.

Mr. Spradling stated the cost range for the alternatives is \$1 million for the four-leg roundabout, \$1.1 million for the three-leg roundabout, \$1.05 million for the sweep (with pedestrian signal), and \$1.7 million for the EA preferred.

There were questions and comments from City Council that were addressed by Mr. Spradling and Mr. Harbaugh.

John Morford, 2906 Allen Street, stated he owns the Guy and a Grill Restaurant located near the Carver Corner intersection. He stated he has been at this location for the last 12 years and that he feels the intersection functions as it is. He stated he feels some type of development is needed to benefit that corner.

Jodi Hansen, representing the Blue Zones Project, stated that Blue Zones supports the Safe Street Policy and explained the need for a roundabout which will aid in the well-being and safety of our residents.

Mr. Harbaugh then gave a presentation on the intersection design at 2nd Street and Mulberry Avenue. He stated the level of service for the existing intersection is a C/D and drops to a D/E when events occur. He stated a roundabout would change the level of service to an A.

Mr. Harbaugh then presented a roundabout comparison for both intersections with the Cedar Street Overlay.

There were questions and comments from City Council that were addressed by Mr. Harbaugh.

Mr. Harbaugh stated he would like to see direction from City Council to allow Bolton & Menk to move forward for a January bid letting.

It was City Council's decision to remove both intersections from the first phase of construction which will allow the design to move forward.

Mr. Harbaugh stated that Bolton & Menk can now move forward with this phase of the design work and come back to City Council in the near future concerning the two intersections.

Mr. Harbaugh then asked for clarification concerning the proposed back-in parking on the north side of Mississippi Drive only.

Councilmembers Spread, Bynum, Harvey, Natvig, and Rehwaldt were in favor of back-in parking while Councilmembers Saucedo and Fitzgerald were opposed.

There were additional comments and questions from City Council that were addressed by Mr. Harbaugh and City Administrator Mandsager.

Under comments, Councilmember Saucedo asked for an update on the Mulberry Avenue Reconstruction Project.

City Administrator Mandsager stated he has some updated information from Randy Hill that will be going out to City Council on Friday.

City Engineer Jim Edmond stated that the recent rains put the contractor two weeks behind schedule. He stated the good news is the contractor is sticking to its original completion date.

Councilmember Rehwaldt asked about work at the airport.

Mr. Edmond stated everything is done but there might be some seeding required in the spring.

Councilmember Natvig stated he recently attended the closing meeting for RAGBRAI and the folks in Des Moines have indicated that Muscatine was one of the best ending sites.

Mayor Broderson offered her condolences to the family of the construction worker who was killed on Highway 61 recently.

Mayor Broderson thanked everyone who helped at the recent Job Fair held at the MCSA.

Mayor Broderson stated a small puzzle drive is being held for the VA Hospital. She stated that anyone with donations can bring them to the Mayor's office at City Hall.

Mayor Broderson thanked everyone for attending her recent Coffee with the Mayor. She stated the next event will take on September 24, 2016 at Elly's beginning at 9:00 a.m.

Mayor Broderson thanked everyone who has supported her and she encouraged residents to keep letting their voices be heard.

#23540. Councilmember Rehwaldt moved to go into Closed Session at 9:28 p.m. per Iowa Code 21.5(j) to discuss proposed property acquisition. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

Mayor Broderson called the Closed Session to order at 9:36 p.m. Councilmembers present were Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Also present were City Administrator Gregg Mandsager, Community Development Director Dave Gobin, and Steve Boka.

#23541. Councilmember Rehwaldt moved to leave Closed Session at 10:22 p.m. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

Councilmember Fitzgerald moved to adjourn the meeting at 10:23 p.m.

Diana Broderson, Mayor

ATTEST:

Gregg Mandsager, City Administrator