

CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
Council Chambers – 7:00 p.m. – January 5, 2017

Mayor Broderson called the City Council meeting for Thursday, January 5, 2017, 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.

Community Development Planning Coordinator Adam Thompson stated that attending tonight's meeting were members of the 2016/2017 Leadership Muscatine group.

Each of the groups or individuals introduced themselves and explained what their projects were going to be.

Mr. Thompson stated that Leadership Muscatine is primarily headed up by the Greater Muscatine Chamber of Commerce and Industry, and he thanked them for their help. He stated this year's group was great.

#23684. Councilmember Harvey, seconded by Councilmember Saucedo, moved the Consent Agenda be approved as follows:

- Regular City Council Minutes – December 15, 2016
- Filing of Communications 12A-C
- Bills for Approval totaling \$2,469,546.68

Vote – All ayes; motion carried.

#23685. Councilmember Fitzgerald moved to approve the final reading of an ordinance correcting scrivener's errors in Ordinance Nos. 93109-0715 and 93568-0816 and directed for its publication as required by law. Seconded by Councilmember Natvig. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23686. Councilmember Spread moved to approve the second reading of an ordinance correcting scrivener's errors, typographical errors, and/or omissions in City Code Sections Title 4, Chapter 4, Title 7, Chapter 5, Title 7, Chapter 9, Title 9, Chapter 4, Title 13, Chapter 5, and Title 15, Chapter 2. Seconded by Councilmember Bynum.

#23687. Councilmember Saucedo moved to wave the Rules of City Council and adopt the ordinance on final reading and directed for its publication as required by law. Seconded by Councilmember Rehwaldt. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

Vote on original motion as amended – All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23688. Councilmember Harvey moved the resolution be adopted setting a public hearing on the Kent Stein Park to Deep Lakes Park Trail Project for Thursday, January 19, 2017, at 7:00 p.m. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23689. Councilmember Spread moved to approve the Cost Share Agreement with Canadian Pacific (CP Rail) for impacts on Mississippi Drive and the riverfront stemming from CP Rail raising their tracks without notification to the city in 2014. Seconded by Councilmember Saucedo. All ayes; motion carried.

#23690. Councilmember Natvig moved to approve the agreement with CP Rail for the trail crossing at Dick Drake Way. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#23691. Councilmember Fitzgerald moved to approve archaeological investigations for the Mississippi Drive Corridor Project. Seconded by Councilmember Spread.

There were questions and comments from City Council that were addressed by City Engineer Jim Edgmond.

Vote – All ayes; motion carried.

#23692. Councilmember Spread moved to approve a Letter of Understanding for animal control services between the Muscatine Police Department and the Muscatine County Sheriff's Office. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#23693. Councilmember Fitzgerald moved to approve the request from the Police Department for the purchase of two Stalker radar units in the amount of \$5,732. Seconded by Councilmember Natvig.

There were questions from City Council that were addressed by Assistant Police Chief Phil Sargent.

Vote – All ayes; motion carried.

#23694. Councilmember Natvig moved to approve the request from the Police Department for the purchase of two light bars from Keltex Inc. in the amount of \$5,381.14. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#23695. Councilmember Harvey moved to approve the reappointment of Councilmember Phil Fitzgerald to the MAGIC Board and the appointment of Amy Scott to the Transit Advisory Commission. Seconded by Councilmember Rehwaldt. All ayes; motion carried.

Under comments, Councilmember Rehwaldt asked if the final design for the Mississippi Drive Corridor Project has been received, and City Engineer Jim Edgmond stated it has been received.

Mayor Broderson offered her congratulations to the ten firefighters that had been recognized at a recent awards ceremony.

Mayor Broderson stated the next Coffee with the Mayor will be on January 21, 2016 at Happy Joe's on Lake Park Boulevard beginning at 9:00 a.m.

#23696. Councilmember Rehwaldt moved to go into Closed Session per Iowa Code Section 21.5.1.c to (a) discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation and per Iowa Code Section 622.10 to (b) discuss attorney/client privileged and attorney work product matters with legal counsel. Seconded by Saucedo. All ayes: Councilmembers Rehwaldt. All ayes: Councilmembers Rehwaldt, Fitzgerald, Navig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23697. Councilmember Rehwaldt moved to exclude the Mayor from the Closed Session pursuant to provisions of the Iowa Code Section 21.5.3A because the City Council finds that her presence at this meeting creates a conflict of interest as she is a potential adverse party to the pending/threatened litigation and her presence could waive the city's attorney/client privilege. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

A brief recess was taken at 7:33 p.m.

City Administrator Gregg Mandsager called the Closed Session to order at 7:43 p.m. Councilmembers present were Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Also present was City Attorney Matt Brick who participated by telephone.

#23698. Councilmember Fitzgerald moved to leave Closed Session at 8:35 p.m. Seconded by Councilmember Spread. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread. Motion carried.

#23699. Councilmember Rehwaldt moved to adjourn the meeting at 8:37 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

---

Diana Broderson, Mayor

ATTEST:

---

Gregg Mandsager, City Administrator