

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – June 15, 2017

Mayor Pro Tem Bob Bynum called the City Council meeting for Thursday, June 15, 2017, to order at 7:00 p.m. Councilmembers present were Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Spread.

The meeting began with the Pledge of Allegiance.

Kelcey Brackett, 2817 Mulberry Avenue, questioned whether the public had been notified about the open burn that recently took place at the Transfer Station.

City Administrator Gregg Mandsager stated a press release did go out in advance of the burn. He stated that Public Works had worked with the Iowa Department of Natural Resources, and the open burn was their recommended option. The city saved over \$50,000 by choosing to do the open burn.

Mr. Brackett stated he feels there should be better notification for future burns.

Sherry Leonard, 102 Grover Street, feels there could have been a better way to get rid of the debris as opposed to the open burn.

#23885. Councilmember Saucedo, seconded by Councilmember Spread, moved the Consent Agenda be approved as follows:

- Regular City Council Minutes – June 1, 2017
- In-Depth City Council Minutes – June 8, 2017
- Request for an Outdoor Service Permit from July 5 – 7, 2017 for Hy-Vee Mainstreet, 510 East 6th Street – Hy-Vee Inc. (pending inspections); expanded Outdoor Service Permit from July 1 – 5, 2017 for Missipi Brewing Co., 107 Iowa Avenue – R&D Operations (pending inspections); Outdoor Service Permit for June 17, 2017 and July 4, 2017 for Boonie’s on the Avenue, 214 Iowa Avenue – Boonie’s on the Avenue LLC (pending inspections); and renewal of a Class “C” Liquor License and Sunday Sales for Applebee’s Neighborhood Grill & Bar, 306 Cleveland Street – Apple Corps LP (pending inspections)

Cigarette Permits for July 1, 2017 to June 30, 2018

- 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, 802 Cypress Street – Mac’s Convenience Stores LLC
- Dollar General Store #7027, 2000 Cedar Plaza Drive – DolgenCorp, LLC
- Express Mart, 4804 S. Grandview Avenue – Aviya LLC
- Family Dollar Stores of Iowa #1820, 725 East 2nd 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, 1814 E Avenue, Nanak Express LLC
- GM Mini Mart, 2307 Lucas Street – Nanak Express LLC
- Hubble’s Tap, 214 East 2nd Street – Hubble’s Glenda LLC
- Hy-Vee Food Store, 2400 Second Avenue – Hy-Vee, Inc.
- Hy-Vee Gas, 2600 Second Avenue – Hy-Vee, Inc.

- Hy-Vee Mainstreet, 510 E. 6th Street – Hy-Vee, Inc.
- Hy-Vee Wine & Spirits, 522 Mulberry Avenue, Suite A – Hy-Vee, Inc.
- 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 – Loos Inc.
- Missipi Brewing Company, 107 Iowa Avenue – Dave Armstrong
- Muscatine Citgo Fast Break, 2603 Second Avenue – Reif Oil Company
- New York Dollar Store, 109 East 2nd Street – Antonio Sosa
- No More Butts Vapor Lounge, 108 East 2nd Street – Margaret Haller
- Pearl City Tobacco and Liquor Outlet, 200 Green Street, BGA LLC
- Smokin Joe’s #16, 1504 Park Avenue – The Outlet Inc.
- Switch2Vapor, 227 East 2nd Street – Matt McFadden
- Wal-Mart Supercenter #559, 3003 N. Highway 61 – Wal-Mart Stores, Inc.
- Walgreens #5885, 1703 Park Avenue – Walgreen Co.
- West Side Store, 2201 Houser Street – DJMB Enterprises Inc.
- Request Approved from Hy-Vee Mainstreet for Use of City Property for Holiday Sales Event for July 4, 2017
- Receive and File of Communications 12A-B
- Bills for Approval totaling \$1,997,462.46

Vote – All ayes; motion carried.

PUBLIC HEARING

Mayor Pro Tem Bynum stated this public hearing concerns the proposed 2017 Asphalt Overlay Project.

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

#23886. Councilmember Fitzgerald moved the public hearing be closed. Seconded by Councilmember Natvig. All ayes; motion carried.

#23887. Councilmember Spread moved the resolution be adopted approving the plans and specifications, form of contract, cost estimate, and setting the bid opening date for the 2017 Asphalt Overlay Project. Seconded by Councilmember Fitzgerald.

There were questions from City Council that were answered by Public Works Director Brian Stineman.

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

#23888. Councilmember Natvig moved to approve Change Order #4 for the Muscatine Art Center HVAC Replacement and Windows Improvement Project. Seconded by Councilmember Fitzgerald.

There were questions and comments from City Council that were addressed by Art Center Director Melanie Alexander, City Administrator Gregg Mandsager, and Public Works Director Brian Stineman.

Vote - All ayes; motion carried.

#23889. Councilmember Fitzgerald moved the resolution be adopted accepting completed work performed under the Muscatine Art Center HVAC Replacement and Windows Improvement Project and authorizing final payment to the Crawford Company. Seconded by Councilmember Spread.

There were questions and comments from City Council that were addressed by Art Center Director Alexander.

Vote – All ayes; motion carried.

#23890. Councilmember Spread moved the resolution be adopted authorizing the assessment of unpaid abatement costs and unpaid rental inspection fees to private properties. Seconded by Councilmember Spread. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Spread. Motion carried.

#23891. Councilmember Saucedo moved the resolution be adopted approving the final plat for the J&J Subdivision. Seconded by Councilmember Natvig. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Spread. Motion carried.

#23892. Councilmember Natvig moved the resolution be adopted approving the final plat for the River Valley Tank Subdivision. Seconded by Councilmember Saucedo. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Spread. Motion carried.

#23893. Councilmember Spread moved the resolution be adopted authorizing submission of an application to the Department of Transportation for Federal Transit Competitive Funding through the Low or No Emission Grant Program. Seconded by Councilmember Natvig. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Spread. Motion carried.

#23894. Councilmember Fitzgerald moved the resolution be adopted seeking support and authorization to pursue a USDOT Maritime Highway Administration Grant totaling \$200,000. Seconded by Councilmember Rehwaldt. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Spread. Motion carried.

23895. Councilmember Fitzgerald moved to approve the Solid Waste and Leachate Hauling Contract with JJJ Hauling/Brauns Excavating effective July 1, 2017 through June 30, 2022. Seconded by Councilmember Natvig.

There were questions and comments from City Council that were addressed by Transit Supervisor Kristy Korpi.

Vote – All ayes; motion carried.

#23896. Councilmember Natvig moved to approve the request from the Traffic Committee to eliminate parking on the north and south sides of Sunset Drive from the intersection of Sunrise Circle to a point 195' west. Seconded by Councilmember Rehwaldt. Five ayes: Councilmembers Rehwaldt, Natvig, Saucedo, Bynum, and Spread. One nay: Councilmember Fitzgerald. Motion carried.

#23897. Councilmember Fitzgerald moved to authorize the issuance of a purchase order to Weikert Contracting of Ackley, Iowa, in the amount of \$60,623.07 for the 2017 Paint Striping Project. Seconded by Councilmember Spread. All ayes; motion carried.

#23898. Councilmember Spread moved to approve the City of Muscatine's Insurance Renewal for Fiscal Year 2017/2018. Seconded by Councilmember Natvig. All ayes; motion carried.

#23899. Councilmember Saucedo moved to reapprove the Title VI Non-Discrimination Agreement with the Iowa Department of Transportation and the USDOT Non-Discrimination Assurances. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#23900. Councilmember Natvig moved to approve Asbestos Abatement Change Orders #1 and #2 and Amendment to the IDNR Agreement. Seconded by Councilmember Saucedo.

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

Vote – All ayes; motion carried.

#23901. Councilmember Natvig moved to approve a roundabout as the preferred alternative for the 2nd Street and Mulberry Avenue intersection. Seconded by Councilmember Spread.

There were questions and comments from City Council concerning pedestrian safety, cost, access to the Great River Tire store, and miscellaneous issues. The questions and comments were addressed by City Engineer Jim Edgmond and Jim Harbaugh of Bolton & Menk.

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

#23902. Councilmember Fitzgerald moved to approve the request from Canadian Pacific Railroad for the closure of Dick Drake Way beginning June 26, 2017 for railroad crossing maintenance. Seconded by Councilmember Natvig. All ayes; motion carried.

The final item on the agenda was discussion on the Mayoral vacancy and potential action.

City Administrator Mandsager stated that once there is a mayoral vacancy, City Council must decide if the opening will be filled by appointment or by a special election. He stated the deadline for making an appointment is July 10, 2017.

City Administrator Mandsager stated that City Council must either choose to make an appointment or hold a special election. He stated that if the appointment option is chosen, City Council must decide how the application/appointment recommendation will take place (Nominating Committee). He then stated that if City Council chooses the appointment option, he will need to know how to proceed with getting information out to the public.

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

#23903. Councilmember Fitzgerald moved that the City Administrator be directed to move forward with the appointment process for filling the Mayoral vacancy. Seconded by Councilmember Rehwaldt. All ayes; motion carried.

Under comments, Councilmember Saucedo asked if 4th Street would be opened in time for July 4th activities, and Public Works Director Brian Stineman stated it would be.

Councilmember Bynum asked how the hotel was coming along and was told the city does not have that information.

Councilmember Spread moved the meeting be adjourned at 8:23 p.m.

Robert Bynum, Mayor Pro Tem

ATTEST:

Gregg Mandsager, City Administrator