

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – March 15, 2012

Mayor DeWayne Hopkins called the City Council meeting for Thursday, March 15, 2012, to order at 7 p.m. Councilmembers present were LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread.

The meeting began with the Pledge of Allegiance.

#21971. Councilmember Bynum moved to approve the minutes of the March 1, 2012 City Council meeting and the March 8, 2012 In-Depth meeting. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#21972. Councilmember Spread moved the Consent Agenda be approved as follows: Cigarette Permit for Family Dollar Store #1820, 725 E. 2nd Street – Family Dollar Stores, effective June 1, 2012 through June 30, 2012; Cigarette Permit for Family Dollar Store #1820, 725 E. 2nd Street – Family Dollar Stores, effective July 1, 2012 through June 30, 2013; Cigarette Permit for Walmart #550, 3003 N. Highway 61 – Walmart Stores Inc., effective July 1, 2012 through June 30, 2013; filing of Communications A-C; and Bills for Approval totaling \$1,201,267.99 as well as receipt summaries and journal entries for January 2012. Seconded by Councilmember Phillips. All ayes; motion carried.

PUBLIC HEARING

Mayor Hopkins stated a public hearing was being held concerning the proposed application to the Iowa Department of Transportation for state and federal transit funds for fiscal year 2012/2013.

Transit Supervisor Kristy Korpi stated the funding application is a little different this year. She stated that bus service for Wilton will now fall under JARC funding. She stated that in prior years it had fallen under ICAAP. She also stated that ICAAP was funded at an operating level of 100% and that JARC is at 50%.

Councilmember Fitzgerald asked where the additional funds will come from if JARC is only at 50%.

Ms. Korpi stated that rates will probably go up a little bit. She then stated that the Wilton bus service is the best thing going. She stated that last year there were approximately 3,277 riders at a fare of \$1. She stated the riders have been told that there could be a rate increase and that she feels an increase to \$2 is not outside the playing field.

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

#21973. Councilmember LeRette moved the public hearing be closed. Seconded by Councilmember Shihadeh. All ayes; motion carried.

PUBLIC HEARING

Mayor Hopkins stated a public hearing was being held concerning the proposed West Hill Area Sanitary and Storm Sewer Separation Project – Phase I.

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

#21974. Councilmember Shihadeh moved the public hearing be closed. Seconded by Councilmember Natvig.

Acting City Administrator Randy Hill stated that Mike Knott of Stanley Consultants would like to make a presentation at this time.

Mr. Knott gave an overview of the information he had passed out to City Council. He stated that in addition to tonight's public hearing, there will be two separate public information meetings. He stated one will take place with the downtown stores and the other with affected property owners.

Mr. Knott stated the EPA has mandated the elimination or treatment of combined sewer overflows (CSO's) into national waters. He stated the city has signed a Consent Order requiring that all CSO's be completed by 2024. He then referenced the map showing the West Hill boundaries. West Hill is the last remaining section of the city where sewers still require separation.

Mr. Knott, speaking in reference to construction costs, explained the difference between the base bid and the alternate bid. He stated this project was originally projected at four phases; however, it may be broken down into eight to nine phases. He stated tonight's action involves the first phase of the project.

Mr. Hill stated there are a lot of specifics with this project that will need to be addressed. He stated there will be meetings scheduled for folks along Cedar Street and 6th Street. He stated there will be parking issues in the downtown area with approximately 67 spaces displaced. He stated that Finance Director Nancy Lueck is working with Stanley Consultants' staff on this matter. He then stated there has been discussion about beginning the project at the #2 alley after Great River Days.

Councilmember Natvig asked what the advantages were to adding phases to the project.

Mr. Hill stated that primarily it is funding. He stated staff would like to pay as much of this project as possible with monies from the local option sales tax. He stated that working in phases makes it easier to pay for the project.

Councilmember Natvig asked if the 2024 deadline will be met.

Mr. Hill stated that he wouldn't be surprised if an extension will be necessary.

Vote – All ayes; motion carried.

#21975. Councilmember Shihadeh moved to approve the use of city property for the Muscatine Area Farmer's Market. Seconded by Councilmember Bynum. All ayes; motion carried.

#21976. Councilmember Spread moved to approve the first reading of an ordinance providing for the division of taxes levied on taxable property in the 2012 Addition to the Consolidated Urban Renewal Area as it relates to the R.L. Fridley Theatres Development Project. Seconded by Councilmember Phillips. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#21977. Councilmember Shihadeh moved to approve the first reading of an ordinance amending Title 2 Boards and Commissions, Chapter 19 Board of Water, Electric and Communications Trustees, Section 5 Trustee Requirements. Seconded by Councilmember Bynum. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#21978. Councilmember Fitzgerald moved to approve the first reading of an ordinance amending Title 1 Administrative, Chapter 6 Mayor and City Council, Section 7 Qualifications of the Mayor and Council Members. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#21979. Councilmember Natvig moved to approve the second reading of an ordinance on a proposed zoning change within the City of Muscatine as it relates to the R.L. Fridley Theatres Development Project. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#21980. Councilmember Bynum moved the resolution be adopted authorizing the submission of an application to the Iowa Department of Transportation for state and federal transit funds for fiscal year 2012/2013. Seconded by Councilmember Shihadeh. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#21981. Councilmember LeRette moved the resolution be adopted approving the plans, specifications, form of contract, cost estimate and setting the date for receipt of bids for the West Hill Area Sanitary and Storm Sewer Separation Project – Phase I. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#21982. Councilmember Spread moved the resolution be adopted setting a public hearing on the plans, specifications, form of contract, cost estimate and setting date for receipt of bids for the project identified as “Rehabilitate Airfield Pavements” at the Municipal Airport. Seconded by Councilmember Shihadeh. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#21983. Councilmember LeRette moved the resolution be adopted authorizing the submission of a fiscal year 2013 Resource Enhancement & Protection (REAP) Historic Resource Development Project (HRDP) Grant Application. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#21984. Councilmember Phillips moved the resolution be adopted accepting the patent for the former National Guard Armory property at 1421 Park Avenue. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#21985. Councilmember Bynum moved the resolution be adopted authorizing the disposal of the former National Guard Armory property at 1421 Park Avenue. Seconded by Councilmember LeRette.

Councilmember Fitzgerald asked how the process to dispose of this property would be handled.

Community Development Director Steve Boka stated the process will be the same as that used when the Lincolnshire Park was disposed of. He stated a minimum threshold will establish the base bid and if that threshold is met, the bidding process can move forward. He stated that minimum threshold was determined by the appraisal that was done.

Mayor Hopkins asked Mr. Boka if he was aware of any interested parties.

Mr. Boka stated he has received contacts from many interested parties. He stated there is a wide range of potential uses. He stated that if there is more than one interested party bidding and they want to continue bidding it up, the city will accommodate them.

Vote – All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#21986. Councilmember Spread moved the resolution be adopted concerning the proposed sale of the former National Guard Armory property at 1421 Park Avenue. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#21987. Councilmember Shihadeh moved to approve Change Order #4 in the amount of \$5,061 for the South End Fire Station Project. Seconded by Councilmember Fitzgerald.

Councilmember Bynum asked about the status of the walls.

Fire Chief Jerry Ewers stated the four sections on the south side by the railroad tracks were replaced which now allows the project to move forward. He stated contractors for the patching, water sealing, and staining will be on site by the end of this month.

Councilmember Bynum asked if this change order was for the walls.

Chief Ewers answered no. He stated it was additional work required for electrical outlets and building materials. He stated that anywhere something is going to be mounted on the wall requires the placement of plywood behind that wall. He stated the change order is for blocking and outlets.

Councilmember Natvig asked if these were items that were overlooked in the bidding process.

Chief Ewers answered no. He stated that it was determined it would be cheaper to do these things now rather than waiting and trying to add outlets and blocking later. He stated the approximate date for the punch list is April 16, 2012. He stated he anticipates one more change order before the project is finished.

Vote – All ayes; motion carried.

#21988. Councilmember Shihadeh moved to approve the 2012/2013 Road Salt Purchase Agreement between the City of Muscatine and the City of Davenport. Seconded by Councilmember Bynum.

Councilmember Shihadeh asked if one barge load would be purchased rather than two.

Acting City Administrator Hill stated the budget was reduced down to one barge load which will be split equally with Muscatine County. He stated this year the city realized a savings of approximately \$40,000 to \$50,000 since it will only be purchasing a ½ barge load of salt.

Vote – All ayes; motion carried.

#21989. Councilmember Phillips moved to authorize the installation of historic district signs for the West Hill and Downtown Historic districts. Seconded by Councilmember LeRette. All ayes; motion carried.

#21990. Councilmember Shihadeh moved to authorize the issuance of two purchase orders to Danko Emergency Equipment for storm warning siren upgrades with one in the amount of \$35,279.50 for equipment and the other in the amount of \$24,247.50 for installation. Seconded by Councilmember Natvig. All ayes; motion carried.

Under comments, Councilmember Shihadeh asked when the compost site would be opening up.

Acting City Administrator Hill stated it will be open on Monday, March 19, 2012.

#21991. Councilmember Shihadeh moved to go into Closed Session at 7:40 p.m. to discuss proposed property acquisition. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

Mayor Hopkins called the Closed Session to order. Councilmembers present were LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Also present were Acting City Administrator Randy Hill, Community Development Director Steve Boka, Finance Director Nancy Lueck, City Planner Andrew Fangman, and City Engineer Jon Lutz.

#21992. Councilmember Shihadeh moved to leave the Closed Session at 8:36 p.m. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#21993. Councilmember Shihadeh moved the meeting be adjourned at 8:37 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

DeWayne Hopkins, Mayor

ATTEST:

Randy Hill, Acting City Clerk