

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – June 21, 2012

Mayor DeWayne Hopkins called the City Council meeting for Thursday, June 21, 2012, to order at 7 p.m. Councilmembers present were LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Spread, and Phillips.

The meeting began with the Pledge of Allegiance.

Prior to the approval of the Consent Agenda, Mayor Hopkins stated that Daniel Mack, who was being appointed to the Historic Preservation Commission was not eligible to serve on that board because he lives in Muscatine County.

#22109. Councilmember Fitzgerald, seconded by Councilmember LeRette, moved the Consent Agenda be approved as follows:

- Minutes of the June 7, 2012 City Council meeting
- Request for renewal of a Class “B” Native Wine Permit, Class “C” Beer Permit and Sunday Sales Permit for Express Mart, 4804 Grandview Avenue - E-Mart Inc. (pending inspections); renewal of a Special Class “C” Liquor License and Sunday Sales for Peking Restaurant, 1700 Park Avenue, Suite C - Peking Chinese Restaurant, Inc. (pending inspections); renewal of a Special Class “C” Liquor License for Tantra Thai Bistro, 101 W. Mississippi Drive - CNY Group Inc. (pending inspections); renewal of a Special Class “C” Liquor License and Sunday Sales for Muscatine Family Restaurant, 1903 Park Avenue, Suite 3 - Filiz Inc. (pending inspections); renewal of a Class “C” Liquor License and Sunday Sales for Jody’s Corner Tap, Inc., 226 Walnut Street - Jody’s Corner Tap, Inc. (pending inspections); renewal of a Class “C” Liquor License, Outdoor Service and Sunday Sales for The Pearl, 101 W. Mississippi Drive - The Pearl, LLC (pending inspections); renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Cigarette Outlet #16, 1504 Park Avenue - The Outlet Inc. (pending inspections); renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Kum & Go #438, 1010 Park Avenue - Kum & Go LC (pending inspections); renewal of a Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Circle K #6600, 802 Cypress Street - Mac’s Convenience Stores LLC (pending inspections); renewal of a Class “A” Liquor License and Sunday Sales for Veterans of Foreign Wars Club, Inc., 1425 Grandview Avenue - Veterans of Foreign Wars Club, Inc. (pending inspections)
- Request for approval of 29 Cigarette Permits effective July 1, 2012 through June 30, 2013
- Request approved from Mami’s Authentic Restaurant for closure of W. 2nd Street between Chestnut and Pine Streets on June 30, 2012 from noon to 5 p.m.
- Filing of Communications 12A
- Approval of Bills for Approval totaling \$1,571,431.81

PUBLIC HEARING

Mayor Hopkins stated a public hearing was being held concerning the proposed renovation of the Bond and Schley pumping Stations.

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

#22110. Councilmember Shihadeh moved the public hearing be closed. Seconded by Councilmember Bynum. All ayes; motion carried.

#22111. Councilmember Spread moved the resolution be adopted approving the final plat of the replat of Lot 1 of Lake View Estates. Seconded by Councilmember Phillips. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22112. Councilmember Bynum moved the resolution be adopted setting a public hearing on a request to vacate certain utility easements at 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.

#22113. Councilmember Spread moved the resolution be adopted approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for the rehabilitation of the Bond and Schley pumping stations. Seconded by Councilmember Phillips. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22114. Councilmember Natvig moved the resolution be adopted approving the contract and bond for the 2012 Cedar Street Utility Project. Seconded by Councilmember Fitzgerald.

Councilmember LeRette asked about the difference between the base bid and the alternate bid.

City Engineer Jon Lutz stated the base bid was for a cast iron water main and the alternate bid provided for the use of HDPE pipe. He stated the alternate bid providing for the use HDPE pipe was approximately \$20,000 less than the base bid.

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

#22115. Councilmember Fitzgerald moved the resolution be adopted awarding the contract for the Art Center Boiler Replacement Project to the J.L. Brady Company in the amount of \$76,084. Seconded by Councilmember Spread.

Councilmember Bynum asked why J.L. Brady was selected for this project.

Public Works Director Randy Hill stated the other companies had submitted higher bids.

Councilmember Bynum asked if this project was part of the budget.

City Administrator Gregg Mandsager stated that a portion of the project was included as part of the budget. He stated that the memorandum from Finance Director Nancy Lueck, which was part of Council's agenda packet, outlined where the additional funding will come from. He also stated that rebates will be received for both of these projects.

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

City Administrator Mandsager, speaking in reference to Item 11D pertaining to the development agreement for Fridley Theatres, stated there were some minor changes made to the original agreement. He stated the tax increment will remain at \$3,000,000 and of that amount, \$1.5 million will be for the theatre and \$1.5 will be for the out lot payments.

#22116. Councilmember Spread moved the resolution be adopted approving the development agreement with R.L. Fridley Theatres Inc. Seconded by Councilmember Natvig.

Councilmember Fitzgerald stated that on Page 3 of the agreement he noticed that the Urban Renewal Area had been changed to Tax Increment Financing District.

City Administrator Mandsager stated the Tax Increment Financing District is where the increment is generated.

Councilmember Natvig asked why there are now three revenue streams.

City Administrator Mandsager stated the development agreement will allow for three revenue streams rather than the one required by the city in the original agreement. He stated this change was more of an administrative issue. He stated the developer will be able to trigger when the stream begins.

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

#22117. Councilmember Phillips moved the resolution be adopted setting a public hearing on the plans, specifications, form of contract, cost estimate and establishing the bid opening date for the project identified as “T-Hangar Apron Drainage Improvements” at the Municipal Airport. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22118. Councilmember Shihadeh moved to approve the grant agreement for the Municipal Airport Improvement Project identified as “Rehabilitate Airfield Pavements”. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22119. Councilmember Natvig moved the resolution be adopted approving the contract and bond for Municipal Airport improvements identified as “Rehabilitate Airfield Pavements”. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22120. Councilmember LeRette moved the resolution be adopted reauthorizing the Muscatine Municipal Housing Agency to provide housing counseling services within its service area. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22121. Councilmember Bynum moved the resolution be adopted writing off debts of certain former housing tenants. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22122. Councilmember Phillips moved the resolution be adopted accepting acquisitions for Phase I of the West Hill Sanitary and Storm Sewer Separation Project. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22123. Councilmember Spread moved the resolution be adopted accepting easements for the Harrison Street Extension Project. Seconded by Councilmember Bynum. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22124. Councilmember Fitzgerald moved to approve the city's insurance renewal effective July 1, 2012. Seconded by Councilmember LeRette.

Councilmember Spread stated he would like to request additional information concerning the city's insurance and possibly have further discussion at an in-depth meeting.

City Administrator Mandsager stated this matter could be discussed further at an in-depth meeting. He pointed out that the health insurance increase was due to only one injury. He stated city's Insurance Committee brought up several proposed options.

HR Manager Stephanie Romagnoli stated one proposal was to ask the insurance carrier to increase the deductible, and the carrier said that was not an option. She stated the other options were more expensive. Ms. Romagnoli stated that the current Workers' Compensation will not provide compensation for Police and Fire. She stated that self-insurance was discussed and would work during a good year but in other cases it would not work.

City Administrator Mandsager stated that an in-depth meeting discussion could take place on what has been done historically concerning the city's health insurance.

There was further discussion concerning this matter.

Vote – All ayes; motion carried.

#22125. Councilmember Natvig moved to approve the low bid provided by CCP Industries for the city's uniform contract. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#22126. Councilmember Phillips moved to approve the request from the Fire Department to submit a Department of Homeland Security Grant Application in the amount of \$70,400 for apparatus mounted diesel exhaust removal systems for Fire Department vehicles. Seconded by Councilmember Shihadeh. All ayes; motion carried.

#22127. Councilmember Fitzgerald moved to approve the request from the Police Department for the issuance of a purchase orders to Ray O'Herron Co. in the amount of \$10,785 for Simunition training equipment and to Keepers Co. in the amount of \$8,653 for G17-T Glock training pistols. Seconded by Councilmember Shihadeh. All ayes; motion carried.

#22128. Councilmember LeRette moved to approve the amendment to the Business Office Operations Agreement with Iowa Memorial Granite Company for Greenwood Cemetery. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#22129. Councilmember Fitzgerald moved to approve the amendment to the Retail Sales and Service Agreement and Lease with Iowa Memorial Granite Company for Greenwood Cemetery. Seconded by Councilmember Phillips.

Councilmember LeRette speaking in reference to the lowering of the percentage of the commission paid to the city asked that the dollar amount would be.

City Administrator Mandsager stated it would depend on the sales.

Parks & Recreation Director Rich Klimes stated that staff is hoping that the reduction of the percentage will be an added incentive for additional sales. He stated he has talked with the vendor who has indicated that granite sales have also increased.

Vote – All ayes; motion carried.

Under comments, Councilmember Bynum asked about the status of the Mississippi Mist.

City Administrator Mandsager stated the contractor is on the site making repairs and it should be up and running on or before the 4th of July.

Parks & Recreation Director Klimes explained what repairs were underway and also stated it should be opened on or before the 4th of July.

Councilmember Bynum then asked for an update on the South End Fire Station.

City Administrator Mandsager stated the final walk through is expected to take place in July. He stated there will be one final change order that addresses the cracks. This issue must be addressed prior to acceptance of the work. He stated City Council should be seeing the change order shortly.

Councilmember Bynum asked when the open house would be held, and City Administrator Mandsager stated it would probably be August at the earliest.

Mayor Hopkins stated it has been his pleasure to attend several functions recently in the City of Muscatine and Des Moines. He stated one event was the open house for Lewis Industries. He stated he was glad to be part of a community where businesses are proud of what they are doing. He stated it does his heart good to see such a vital and healthy community.

#22130. Councilmember Bynum moved the meeting be adjourned at 7:43 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

DeWayne Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk