

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – September 6, 2012

Mayor DeWayne Hopkins called the City Council meeting for Thursday, September 6, 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.

#22194. Councilmember Fitzgerald, seconded by Councilmember Spread, moved the Consent Agenda be approved as follows:

- Minutes of the August 16, 2012 City Council Agenda
- Request approved from Pete's Tap located at 1820 Angle Street for use of city property (parking lot) for hog roast on September 15, 2012 from 3 p.m. to midnight
- Filing of Communications A-C
- Bills for Approval totaling \$1,598,052.32

Vote – All ayes; motion carried.

PUBLIC HEARING

Mayor Hopkins stated a public hearing was being held concerning the proposed Golf Course Irrigation Project.

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

#22195. Councilmember Shihadeh moved the public hearing be closed. Seconded by Councilmember Natvig. All ayes; motion carried.

#22196. Councilmember Phillips moved the resolution be adopted approving the final plat for the Miller-Deahr Farm Subdivision in Muscatine County. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22197. Councilmember Spread moved the resolution be adopted setting a public hearing on Thursday, September 20, 2012, at 7 p.m. on the vacation of a public right-of-way remnant in the City of Muscatine. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Spread, and Phillips. Motion carried.

#22198. Councilmember Fitzgerald moved to approve the first reading of an ordinance revising Title 7 Police Regulations, Chapter 18 Snow Emergency Regulations. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22199. Councilmember Bynum moved the resolution be adopted approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for the Golf Course Irrigation Project. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22200. Councilmember Fitzgerald moved the resolution be adopted accepting easements for the 2012 Mad Creek Sewer Extension Project. Seconded by Councilmember Shihadeh. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22201. Councilmember Fitzgerald moved the resolution be adopted approving the purchase of right-of-way for the 2012 Harrison Street Extension Parking Lane Project. Seconded by Councilmember Phillips. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22202. Councilmember Natvig moved the resolution be adopted setting a public hearing on Thursday, September 20, 2012, at 7 p.m. for the Mad Creek Sewer Extension Project. Seconded by Councilmember Bynum. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22203. Councilmember Fitzgerald moved the resolution be adopted accepting easements for the Cedar Street Reconstruction Project – Phase II. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Spread, and Phillips. Motion carried.

#22204. Councilmember Fitzgerald moved to approve the request from the Police Department to declare old light bar equipment as surplus. Seconded by Councilmember Shihadeh.

Councilmember Fitzgerald asked what the Police Department would be doing with the old light bar.

Police Chief Brett Talkington stated it was being donated to the Shooting Star shooting range. He stated light bars have also been donated to the shooting range by Muscatine County and the State Patrol.

Councilmember Fitzgerald stated he is uncomfortable with light bars being declared surplus because his fear is they will wind up on vehicles.

Chief Talkington stated there is nothing illegal about putting them on vehicles; however, they cannot be turned on.

Mayor Hopkins asked who owns the shooting range.

Councilmember Fitzgerald stated it is owed by the Lewis brothers.

Vote – All ayes; motion carried.

#22205. Councilmember Natvig moved to approve the agreement with Country Stone of Milan, Illinois, for wood mulching at the Compost Site. Seconded by Councilmember Phillips. All ayes; motion carried.

#22206. Councilmember Fitzgerald moved the request be approved to declare city property as surplus. Seconded by Councilmember Spread. All ayes; motion carried.

#22207. Councilmember Bynum moved to approve the installation of a handicap parking stall at 522 Mulberry Avenue. Seconded by Councilmember Natvig. All ayes; motion carried.

#22208. Councilmember LeRette moved to approve the low bid from Deery Bros. in an amount not to exceed \$16,693 for a Silverado 1500 truck for Park Maintenance. Seconded by Councilmember Spread. All ayes; motion carried.

#22209. Councilmember LeRette moved to approve the request from the Police Department to declare wrestling mats as surplus in order to donate them to the Muscatine Boxing Club. Seconded by Councilmember Shihadeh. All ayes; motion carried.

#22210. Councilmember Spread, referencing action that took place at the August 16, 2012 City Council to deny a request from the Traffic Committee for the placement of pivotal stop signs at Bonnie Drive on Mulberry Avenue, made the motion to amend that action to allow for the placement of the stop signs for a 30-day time period. Seconded by Councilmember Natvig.

City Administrator Gregg Mandsager stated that if action is taken at this meeting, a super majority (five) vote is necessary.

Councilmember Fitzgerald stated he spent time last week and earlier today observing the traffic flow at Bonnie Drive and Mulberry Avenue. He stated he does not believe the pivotal stop signs are necessary. He stated he feels the signs are not going to make a difference in the traffic flow.

Councilmember Spread stated the reason for his motion tonight is to allow representatives of the school to speak concerning this matter.

Mayor Hopkins introduced Don Krings and Jeff Miller who were present representing the Muscatine School District.

Mr. Miller stated he is the Maintenance Facility Supervisor for the school district and is also a member of the Traffic Committee. He stated that approximately a month ago, the Traffic Committee received a request from the school district to remove the stop signs at Mulberry School in exchange for the placement of pivotal stop signs at Bonnie Drive.

Mr. Miller provided information on the growth level of the high school and stated this request would not only provide traffic control at Bonnie Drive but would also be a safety improvement. He then provided City Council with a petition signed by residents in the area who are in favor of the pivotal stop signs at Bonnie Drive.

Councilmember Phillips stated it was her understanding the request includes the removal of stop signs at Mulberry School and asked if that was correct.

Mr. Miller stated that Councilmember Phillips was correct. He then explained why the signs at the elementary school are no longer needed.

There was further discussion on this matter.

Don Krings, who is the Transportation Director for the Muscatine School District, stated he is in favor of the request. He stated that bus drivers have been making this request for a number of years. He stated that students are only allowed to be on the busses for one hour. He stated that improving traffic at Bonnie Drive and Mulberry Avenue will alleviate some of the traffic on Cedar Street. He ended by saying that the school district's top priority is safety.

Councilmember Phillips asked if any consideration had been given to making a right turn lane on Bonnie Drive onto Mulberry Avenue, and Mr. Miller answered yes.

Public Works Director Randy Hill stated he feels a right turn lane would be the most permanent solution at that intersection. He stated it is the Traffic Committee's opinion they should be given authorization to move forward with this option in order to come up with a design and cost that can be presented to the school district and City Council for further consideration. He ended by saying that the Traffic Committee does feel the right turn lane would be a permanent solution to traffic control at this intersection.

Councilmember Shihadeh stated he agrees with Councilmember Spread's recommendation for a 30-day trial basis.

Councilmember Spread stated he was in favor of pursuing the right turn lane.

Councilmember Shihadeh agreed with Councilmember Spread but stated the 30-day trial basis is still a good idea.

Public Works Director Hill pointed out that instituting traffic on a temporary basis can create confusion. He stated that if the motion is approved for the 30-day trial, staff could put together a conceptual plan to determine if City Council or the school district would want to move forward on a right turn lane.

Councilmember Fitzgerald stated he would rather not do the 30-day trial but rather look at the installation of a right turn lane. He stated he feels that due to the development taking place on Mulberry Avenue, a right hand turn lane would be better. He also stated that he feels a permanent stop sign is eventually going to be needed at Mulberry and Houser for traffic control.

Councilmember Shihadeh stated he does not have any issues at this time with the motion made by Councilmember Spread.

Mr. Miller stated he would like to see the motion approved for the installation of the pivotal stop signs at Bonnie Drive and Mulberry Avenue on a 30-day trial basis.

Councilmember Phillips asked who would pay for the installation of the right turn lane.

Public Works Director Hill stated that staff can tell you what the cost will be and then City Council would need to look at options on how it could be funded.

Councilmember Shihadeh stated he feels a joint meeting should be held between City Council and the School Board, and Public Works Director Hill agreed.

Councilmember Spread asked for assurances that children will not be crossing the street at Mulberry School.

Mr. Miller stated the principal has promised that it will not happen. If children do need to cross, a staff member will be there to assist them.

There was further discussion concerning children crossing Mulberry Avenue.

Councilmember Fitzgerald stated he felt staff should look at the intersection of Mulberry Avenue and Houser Street.

Public Works Director Hill stated that intersection does need to be reviewed.

Vote – Six ayes: Councilmembers LeRette, Natvig, Shihadeh, Bynum, Phillips, and Spread. One nay: Councilmember Fitzgerald. Motion carried.

Under comments, Councilmember Shihadeh explained the importance of the ISL levy and reminded everyone to cast their vote on the levy on September 11, 2012.

Councilmember Bynum invited the public to the memorial to be held for fallen Firefighter Mike Kruse. He stated it will be held on September 14, 2012 at 10:00 a.m. at the Public Safety Building.

City Administrator Gregg Mandsager reminded City Council of their goal setting session scheduled for October 25, 2012.

Mayor Hopkins stated the Iowa/Iowa State game is this weekend. He also invited folks to the grand opening of Drake Park following the Fruitland Days parade this weekend.

#22211. Councilmember Shihadeh moved to go into Closed Session at 7:55 p.m. to discuss property acquisition. Seconded by Councilmember Bynum. 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 City Administrator Gregg Mandsager, Community Development Director Steve Boka, and Finance Director Nancy Lueck.

#22212. Councilmember Fitzgerald moved to leave the Closed Session at 8:22 p.m. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22213. Councilmember Natvig moved the resolution be adopted setting a public hearing on the sale and transfer of public property for Thursday, September 20, 2012, at 7 p.m. Seconded by Councilmember Bynum. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22214. Councilmember Shihadeh moved the meeting be adjourned at 8:24 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

DeWayne Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk