

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – October 4, 2012

Mayor DeWayne Hopkins called the City Council meeting for Thursday, October 4, 2012, to order at 7 p.m. Councilmembers present were LeRette, Fitzgerald, Natvig, Bynum, Spread, and Phillips.

The meeting began with the Pledge of Allegiance.

Nick Nietzel, 1114 Iowa Avenue, stated he was present tonight representing the group “Friends of Iowa Field”. He stated the group is asking that City Council separate Iowa Field from the Colorado Street Improvement Project. He then read a letter from retired City Engineer Ray Childs concerning Iowa Field.

Mr. Nietzel stated that Iowa Field acts like a sponge during heavy rain events and residents would lose that protection if it is developed.

Mr. Nietzel stated he talked with Parks and Recreation Director Rich Klimes who told him that it costs the city approximately \$500 per year to maintain Iowa Field which is mowed approximately 30 times a year and shoveled occasionally. He stated the group would like to see the city continue ownership and maintenance of Iowa Field as a green space or perhaps develop it into a park. He suggested the possibility of having the field put into a conservancy. He stated the group has ideas it could share with city staff.

Mr. Nietzel stated the group is not here to fight City Council but rather fight to save Iowa Field. He stated the group wants to work with the city to find a solution to this problem.

Mr. Nietzel then offered a petition signed by residents in favor of keeping Iowa Field as a green space, the letter he read earlier from retired City Engineer Ray Childs, and the offer of keeping an iconic green space in the middle of town. He stated that most of all, the group is offering its help to determine what is best for Iowa Field and resolve the situation once and for all.

Mr. Nietzel then thanked City Council for allowing him to speak.

Joseph Preston, 1022 Climer Street, stated he was present to submit a petition in favor of keeping Iowa Field as a green space or possibly converting it into a public park.

#22236. Councilmember Bynum, seconded by Councilmember Spread, moved the Consent Agenda be approved as follows:

- Minutes of the September 20, 2012 City Council meeting
- Renewal of a Class B Native Wine Permit, Class C Beer Permit and Sunday Sales for A&E Convenience, 4701 South Highway 61 – A&E Convenience LLC (pending inspections); renewal of a Class B Wine Permit, Special Class C Liquor License and Sunday Sales for Salvatore’s, 313 E. 2nd Street – Salvatore Vitale’s Italian Restaurant LLC (pending inspections and insurance); second reading for a new Class C Liquor License, Catering Privilege and Sunday Sales for The Pearl Ballroom, 101 W. Mississippi Drive – Laura Juszczyk (pending inspections and insurance)
- Request approved from Pete’s Tap, 1820 Angle Street, for use of city property (parking lot) for waterfowl event on October 13, 2012 from noon until midnight
- Proclamations declaring October 7-13, 2012 as “Public Power Week” and October 11, 2012 as “Lion’s World Sight Day”
- Filing of Communications A-F
- Bills for Approval totaling \$1,488,377.60

Vote – All ayes; motion carried.

PUBLIC HEARING

Mayor Hopkins stated a public hearing was being held concerning the proposed vacation of an alley right-of-way remnant in the City of Muscatine (HNI).

There were no oral or written comments for or against the proposed vacation.

#22237. Councilmember Fitzgerald moved the public hearing be closed. Seconded by Councilmember Natvig. All ayes; motion carried.

PUBLIC HEARING

Mayor Hopkins stated a public hearing was being held concerning the proposed vacation of utility easements in the Riverbend Second Addition in the City of Muscatine.

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

#22238. Councilmember Natvig moved the public hearing be closed. Seconded by Councilmember Spread. All ayes; motion carried.

#22239. Councilmember Phillips moved to adopt on final reading an ordinance revising Title 7 Police Regulations, Chapter 18 Snow Emergency Regulations and directed for its publication as required by law. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, Phillips, and Spread. Motion carried.

#22240. Councilmember LeRette moved to adopt the final reading of an ordinance vacating a public right-of-way remnant within the City of Muscatine and directed for its publication as required by law. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, Phillips, and Spread. Motion carried.

#22241. Councilmember Natvig moved the resolution be adopted authorizing the sale of city property to Salvatore and Stephanie LoBianco. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, Phillips, and Spread. Motion carried.

#22242. Councilmember Phillips moved the resolution be adopted approving an executed deed to Salvatore and Stephanie LoBianco. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, Phillips, and Spread. Motion carried.

#22243. Councilmember Bynum moved to approve the first reading of an ordinance vacating a public right-of-way in the City of Muscatine. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, Phillips, and Spread. Motion carried.

#22244. Councilmember Fitzgerald moved the resolution be adopted vacating utility easements in the Riverbend Second Addition in the City of Muscatine. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, Phillips, and Spread. Motion carried.

#22245. Councilmember Natvig moved the resolution be adopted rejecting all bids for municipal airport improvements identified as “T-Hangar Apron Drainage Improvements”. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, Phillips, and Spread. Motion carried.

#22246. Councilmember Spread moved the resolution be adopted accepting grants in the amount of \$9,700 and awarding a contract to Spark Consulting for reconnaissance surveys. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, Phillips, and Spread. Motion carried.

#22247. Councilmember Phillips moved the resolution be adopted awarding the contract for the Golf Course Irrigation Project to Midwest Irrigation in the amount of \$321,200. Seconded by Councilmember Fitzgerald.

Councilmember LeRette asked if there had been an estimate established for this project.

City Administrator Mandsager stated it was approximately \$260,000 to \$280,000. He stated the low bid was higher than expected which may mean an additional year on the internal loan. He stated that revenues have been higher than in previous years which will help.

Councilmember Natvig asked about value engineering.

City Administrator Mandsager stated that staff will look at opportunities for value engineering.

Councilmember Fitzgerald asked if the pipeline would be removed or if the just the heads will be popped off.

Parks & Recreation Director Rich Klimes stated that the heads will just be popped off.

Councilmember LeRette asked what the life expectancy is for the new system.

Golf Course Supervisor Randy Moeller stated the estimated life expectancy is 50 years if it is properly maintained.

Councilmember Bynum asked how long it would take to pay back the internal loan.

Finance Director Nancy Lueck stated approximately six years. She pointed out that revenues were substantially higher which will help. She stated this matter will be discussed during the budget review sessions.

Councilmember Bynum asked when the project would get underway.

Parks and Recreation Director Rich Klimes stated a resolution approving the contract and bond will be submitted at the October In-Depth meeting. He stated the project will begin two weeks after the adoption of the resolution. He stated it is staff's intention to have the system installed this fall.

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

#22248. Councilmember LeRette moved to approve a Water Utility Reimbursement Agreement with Muscatine Power & Water for the Cedar Street Reconstruction Project. Seconded by Councilmember Fitzgerald.

Councilmember Natvig stated the memo from Muscatine Power & Water indicates it could take months to get approval from the Iowa Department of Natural Resources.

City Engineer Jon Lutz stated the memo is an older one and that the permit has been obtained from the IDNR.

City Administrator Mandsager stated there will be a second agreement coming from MP&W related to the cable utility. He stated it is currently being reviewed.

Vote – All ayes; motion carried.

#22249. Councilmember Spread moved to approve an agreement with the Iowa Department of Transportation for a Surface Transportation Program Project: Cedar Street – Parham Street to Houser Street. Seconded by Councilmember Natvig.

City Administrator Mandsager stated this agreement is approximately double what staff thought would be received thanks to Public Works Director Hill's efforts with Bi-State.

Councilmember Natvig asked about the other two grants the city would be receiving.

Public Works Director Randy Hill stated the traffic signal grant had to be submitted in August 2012 but will not be awarded until December 2012. He stated the city requested 100% funding or \$150,000. He stated the three grants for the trail project are not available at this time. He stated he was not confident the city would get any trail grant monies.

Vote – All ayes; motion carried.

#22250. Councilmember Natvig moved to approve Change Orders #2 and #3 for the West Hill Storm and Sanitary Sewer Separation Project. Seconded by Councilmember Spread.

Councilmember Bynum asked why the city was paying for the rerouting of the internal drain lines for the New York Dollar Store.

City Engineer Jon Lutz stated the construction plans state it is the contractor's responsibility for the work in the alleys. He stated a portion of the drain lines are located outside the building and were therefore the contractor's responsibility.

Vote – All ayes; motion carried.

#22251. Councilmember Fitzgerald moved to approve the request to prohibit parking in the alley between Lombard and Brook streets as well as the dead-end alley running perpendicular to the subject alley. Seconded by Councilmember Phillips. All ayes; motion carried.

#22252. Councilmember Bynum moved to approve Change Order #1 for the Airport Obstruction Removal Project. Seconded by Councilmember Spread. All ayes; motion carried.

#22253. Councilmember Natvig moved to approve Change Order #1 for the "Rehabilitate Airfield Pavements" Project at the Municipal Airport. Seconded by Councilmember Spread. All ayes; motion carried,

#22254. Councilmember LeRette moved to authorize the purchase of a used water tender and supplies to provide fire protection services for newly annexed areas without fire hydrants. Seconded by Councilmember Spread.

Councilmember Bynum asked what the Fire Department currently uses when responding to fire calls at Ripley's.

Fire Chief Jerry Ewers stated the department does not respond to fire calls but does respond to ambulance calls.

Councilmember Bynum asked why this truck is needed.

Chief Ewers stated there are no fire hydrants for the newly annexed rural areas.

City Administrator Mandsager stated this water tender came up as an unexpected opportunity and staff is recommending its purchase.

Vote – All ayes; motion carried.

Under comments, Councilmember LeRette took the opportunity to thank those who volunteered for the United Way's "Day of Caring" event.

Councilmember Bynum stated he is currently participating in the Fire Department's Citizens Academy. He stated he is glad to be part of this educational opportunity. He thanked the Fire Chief and his staff stating they do wonderful things and are heroes in his neck of the woods. He stated our firefighters are heroes right here in Muscatine.

Councilmember Spread thanked everyone for coming to the meeting. He stated it was a pleasure to see the Council Chambers full.

Mayor Hopkins stated the Canadian Pacific Railroad will be bringing their Holiday Train to Muscatine on December 5, 2012 at approximately 7:30 p.m. He stated everyone is invited to come and see the train and are asked to bring along non-perishable food for the Salvation Army in Muscatine.

#22255. Councilmember Natvig moved to go into Closed Session at 7:55 p.m. per Iowa Code 21.5 to discuss proposed property acquisition. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, Phillips, and Spread. Motion carried.

Mayor Hopkins called the Closed Session to order. Councilmembers present were LeRette, Fitzgerald, Natvig, Bynum, Phillips, and Spread. Also present were City Administrator Gregg Mandsager, Public Works Director Randy Hill, Community Development Director Steve Boka, and Finance Director Nancy Lueck.

#22256. Councilmember Fitzgerald moved to leave the Closed Session at 8:29 p.m. Seconded by Councilmember Bynum. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, Phillips, and Spread. Motion carried.

#22257. Councilmember LeRette moved to authorize city staff to negotiate the purchase sales agreement with the Pierce brothers for the mattress store exclusive of Iowa Field. Seconded by Councilmember Spread. All ayes; motion carried.

#22258. Councilmember LeRette moved the meeting be adjourned at 8:33 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

DeWayne Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk