

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – October 18, 2012

Mayor DeWayne Hopkins called the City Council meeting for Thursday, October 18, 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.

Jessica Bracket, 1516 Washington Street, stated she was the Executive Director of Clean Air Muscatine (CLAM). She stated she was present tonight to ask that the city consider co-sponsoring an event being planned by CLAM entitled “Exploring Muscatine’s Energy Future” which will take place on November 8, 2012. She stated there will be a number of guests who will be making presentations on solar and wind energy. She stated that co-sponsoring the event would mean the usage of the city’s name as well as media outlets.

Councilmember LeRette stated his understanding is that group is not asking for money but just the ability to use the city’s name, and Ms. Bracket stated he was correct.

Mayor Hopkins suggested that Ms. Bracket contact the City Administrator and keep that line of communication open.

#22261. Councilmember Phillips, seconded by Councilmember Natvig, moved the Consent Agenda be approved as follows:

- Minutes of the October 4, 2012 City Council meeting and the October 11, 2012 In-Depth meeting
- First reading on a new Class B Native Wine Permit for Hottiez Heavenly Hut, 1003 Park Avenue – Theresa Foster/Griffey (pending inspections); first and second reading for a new Special Class C Liquor License and Sunday Sales for Brickhouse Diner Inc., 710 Grandview Avenue – Lirim Abdulski (pending inspections and insurance); and first reading of a new Class C Liquor License, Catering Privilege and Sunday Sales for The Pearl Ballroom, 101 W. Mississippi Drive – Cornerstone Enterprises LLC (pending inspections and insurance)
- Request approved from Wesley United Methodist Church for closure of 4th Street between Iowa Avenue and Chestnut Street on October 21, 2012 from 9 a.m. to 1:30 p.m. for 100th anniversary celebration
- Approval of up to \$600 for travel expenses for Sister Cities China Initiative

#22262. Councilmember Bynum moved to approve the first reading of an ordinance amending Title 2 Boards and Commissions, Chapter 11 Historic Preservation Commission. Seconded by Councilmember Spread.

Councilmember LeRette asked why members are required to live within the city limits.

City Administrator Gregg Mandsager stated the only boards that have county representation are the MP&W Board and the library.

Councilmember LeRette stated it was his understanding it had happened in the past, and City Administrator Mandsager stated it was done inadvertently.

Councilmember Spread asked why it was necessary for members to have such specific requirements.

Devin Pettit, 618 Walnut Street, who is a current member of the Historic Preservation Commission, stated it is not necessarily the need to meet the special requirements as it is for the amount of work done by those serving on the HPC. He stated the group does a lot of the work itself and also must meet continuing education requirements.

Councilmember Fitzgerald stated the knowledge is more for the activities that take place after someone is appointed to the HPC as well as the continuing education. He stated it was his understanding potential members do not necessarily have to be contractors or historians.

Mr. Pettit stated it was not necessary but it is nice to have that mix of people.

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

#22263. Councilmember Spread moved the ordinance be adopted on final reading vacating a public right-of-way within the City of Muscatine and directed for its publication as required by law. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Spread, and Phillips. Motion carried.

#22264. Councilmember Shihadeh moved the resolution be adopted authorizing the sale of city property to the HNI Corporation. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Spread, and Phillips. Motion carried.

#22265. Councilmember LeRette moved the resolution be adopted approving an executed to the HNI Corporation. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22266. Councilmember Fitzgerald moved to approve the purchase and sales agreements for the Pierce property. Seconded by Councilmember Natvig.

Community Development Director Steve Boka stated there is a difference between the current acquisition map and the original purchase agreement with the Pierce family as it pertains to a 15' easement between the Kum & Go property and Pierce property. He stated Kum & Go has provided a quit claim deed to the Pierce family for that easement. He stated the current acquisition map is different from what was in the original agreement. He stated the Pierce family will be asked to initial the change.

Councilmember LeRette stated that for clarification purposes this purchase agreement does not include any transfer of land.

Vote – All ayes; motion carried.

#22267. Councilmember Shihadeh moved the resolution be adopted setting a public hearing on an amendment to the Consolidated Urban Renewal Plan for Thursday, November 15, 2012, at 7 p.m. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22268. Councilmember Phillips moved the resolution be adopted setting a public hearing on the City of Muscatine's 2012-14 Disadvantaged Business Enterprise (DBE) Goals for Thursday, November 1, 2012, at 7 p.m. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22269. Councilmember Bynum moved the resolution be adopted accepting completed work identified as "Rehabilitate Airfield Pavements" at the Municipal Airport and authorized final payment to Hy-Brand Industrial Contractors. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22270. Councilmember LeRette moved the resolution be adopted awarding the contract for the Mad Creek Sewer Extension Project to Cornerstone Excavating in the amount of \$994,415. Seconded by Councilmember Shihadeh.

City Engineer Jon Lutz stated there were nine bids submitted with the low bid of just under \$1 million from Cornerstone Excavating of Washington, Iowa.

Councilmember Natvig asked if references had been checked.

Mr. Lutz answered yes stating the firm was highly recommended.

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

#22271. Councilmember Fitzgerald moved the resolution be adopted accepting completed work for the Harrison Street Extension Project and authorized final payment to Heuer Construction. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22272. Councilmember Bynum moved to approve the request from the Fire Department for the purchase of a new fire engine. Seconded by Councilmember Natvig.

Councilmember LeRette asked if the engine would be purchased this year.

City Administrator Mandsager stated it would be purchased during the current fiscal year in order to take advantage of the prepayment discount which is currently 6.5%.

Councilmember Bynum asked Fire Chief Jerry Ewers when he thought we could take possession of the new engine.

Chief Ewers stated he was told it would take approximately seven months. He stated the specifications have already been completed and are ready to go. He stated the design of the truck has been changed which will reduce the cost.

There was further discussion on the funding of the vehicle purchase.

Vote – All ayes; motion carried.

#22273. Councilmember Shihadeh moved to approve the law enforcement and emergency service agreement between the City of Muscatine and the City of Fruitland effective through June 30, 2015. Seconded by Councilmember Phillips. All ayes; motion carried.

#22274. Councilmember Shihadeh moved to approve the request from the Traffic Committee to continue the use of the pivotal stop signs at the intersection of Bonnie Drive and Mulberry Avenue. Seconded by Councilmember Spread.

Jeff Miller, representing the Muscatine School District, thanked City Council for allowing him to speak. He stated the he and City Engineer Jon Lutz put together a power point presentation to demonstrate the changes at that intersection.

Mr. Miller stated that during the last month he has received many positive comments from staff and parents. He stated the school district is asking that City Council allow the pivotal stops to remain where they are currently positioned.

City Administrator Mandsager stated he recently had a close call at this intersection when a driver failed to notice he was not stopped. He stated he feels some type of warning is needed to let people know the pivotal stop signs are a temporary feature.

Councilmember Fitzgerald expressed his concerns about the traffic that stacks up on Mulberry Avenue due to the stop signs.

Mr. Lutz stated that when Mulberry Avenue is redone from Houser Street to the bypass, that intersection will be addressed.

Vote – All ayes; motion carried.

Under comments, Councilmember LeRette reminded everyone to confirm their leaf pickup dates. He stated the information for the various zones can be found on the city's website.

Councilmember Phillips asked how the Fridley Theatres project is coming along.

City Administrator Mandsager stated that so far they are on track for completion by the end of January 2013.

Mayor Hopkins invited everyone to the Krieger's car lot on Saturday morning for the dedication ceremony for the renaming of the U.S. 61 Bypass from Highway 38 to Dick Drake way to the Douglas King Memorial Expressway. He gave a brief history of who Mr. King was. He stated the public is invited to the dedication ceremony scheduled to begin at 10 a.m.

#22275. Councilmember Shihadeh moved the meeting be adjourned at 7:45 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

DeWayne Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk