

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

Mayor DeWayne Hopkins called the City Council meeting for Thursday, November 15, 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.

Mayor Hopkins asked Water Pollution Control Director Roger Kirby and Assistant Director Jon Koch to explain the plaque they recently received from *tpo Magazine*.

Mr. Kirby stated the WPCP's biosolids program was featured in the magazine. He stated he is very proud of the article and plaque and thanked the WPCP employees who worked hard for this recognition.

#22297. Councilmember Bynum, seconded by Councilmember Phillips, moved the Consent Agenda be approved as follows:

- Minutes of the October 25, 2012 Goal Setting Session, November 1, 2012 Special meeting, November 1, 2012 City Council meeting, and November 8, 2012 In-Depth meeting
- First reading for a new Class "C" Beer Permit and Sunday Sales for Dollar General #7027, 2000 Cedar Plaza Drive – Dolgencorp LLC (pending inspections); first reading for a new Class "B" Beer Permit and Sunday Sales for Hong Kong Buffet, 2406 Park Avenue – Hong Kong Buffet Inc. (pending inspections and insurance); first reading for a new a Class "C" Beer Permit Sunday Sales for Sticks N' Stones Bar and Billiards, 218 Walnut Street – Sticks N' Stones Bar and Billiards LLC (pending inspections and insurance); renewal of a Class "C" Liquor License, Outdoor Sales and Sunday Sales for Hubble's, 214 East 2nd Street – Hubble's Hyink LLC (pending inspections); and renewal of a Class "A" Liquor License, Outdoor Service and Sunday Sales for Geneva Golf & Country Club, 3100 Bidwell Road – Geneva Golf & Country Club (pending inspections and insurance)
- Filing of Communication 12A-E
- Approval of Bills for Approval totaling \$1,685,941.90

Vote – All ayes; motion carried.

PUBLIC HEARING

Mayor Hopkins stated a public hearing was being held concerning the proposed Urban Renewal Plan Amendment to the Muscatine Urban Renewal Area.

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

#22298. Councilmember LeRette moved the public hearing be closed. Seconded by Councilmember Natvig. All ayes; motion carried.

#22299. Councilmember Fitzgerald moved the resolution be adopted setting a public hearing on the rezoning of property located at 2875 Highway 61 for Thursday, December 6, 2012, at 7 p.m. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22300. Councilmember Spread moved the resolution be adopted setting a public hearing for the rezoning of property owned by Ripley's Development Corporation for Thursday, December 6, 2012, at 7 p.m. Seconded by Councilmember Phillips. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22301. Councilmember Fitzgerald moved the resolution be adopted approving an Urban Renewal Plan Amendment to the Muscatine Urban Renewal Area. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22302. Councilmember Fitzgerald moved the resolution be adopted authorizing an internal advance of TIF funds for administrative and professional support costs. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22303. Councilmember Spread moved the resolution be adopted authorizing an internal advance of TIF funds for a Chamber Economic Development Grant. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22304. Councilmember Natvig moved the resolution be adopted authorizing an internal advance of TIF funds for a Bi-State Economic Development Loan Program Grant. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22305. Councilmember Phillips moved the resolution be adopted authorizing an internal advance of TIF funds for the Municipal Art Center Boiler Project. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22306. Councilmember LeRette moved the resolution be adopted authorizing an internal advance of TIF funds for the City Hall Boiler Replacement Project. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22307. Councilmember Spread moved the resolution be adopted authorizing an internal advance of TIF funds for the property acquisition for the Colorado Street Improvement Project. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

Councilmember Shihadeh stated he would like comment concerning the resolutions just adopted authorizing internal advances of TIF funds. He stated he wanted to make it clear that he feels the city should not be funding any outside agencies, ongoing expenses, or every day operating expenses with borrowed money. He stated that he just wanted to make certain City Council can reallocate or locate certain funds to pay for the six projects identified tonight.

Finance Director Nancy Lueck stated that each of the resolutions stated "City Council reserves the right to appropriate funds to the repayment of the Advance, or to withhold such appropriation, at its discretion." She stated the County Auditor must know on or before December 1st of each year the purpose of the advances that will be claimed.

Councilmember Shihadeh asked how the city can justify the boiler replacement at City Hall.

Finance Director Lueck pointed out that \$70,000 of the funding for the City Hall boiler replacement came from the June 2010 bond issue. She then stated City Hall falls under economic development. She pointed out the city is not carrying any more TIF than it did one year ago. She stated the city does have sufficient funds in each account, but legally they cannot be used until the City Council takes action to authorize the internal advances.

Councilmember Shihadeh stated it was his understanding there has to be debt in order to use the funds.

Councilmember Natvig stated individual projects must stay within the appropriate TIF district.

Councilmember Fitzgerald pointed out the law states this is something the city must do in order to make sure funds are available if needed. He stated if they are not used, the money just stays in the TIF accounts.

Finance Director Lueck stated that the Urban Renewal Plan now calls for cities to be more specific.

Councilmember Shihadeh asked if this is something that can be discussed during budget sessions, and Finance Director Lueck answered yes.

#22308. Councilmember Fitzgerald moved the resolution be adopted accepting the completed work for the Museum Boiler Replacement Project and authorized final payment to J.L. Brady. Seconded by Councilmember Bynum. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22309. Councilmember Spread moved the resolution be adopted authorizing changes to the Muscatine Municipal Housing Agency Public Housing Admissions and Continued Occupancy Policy. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22310. Councilmember Natvig moved the resolution be adopted authorizing changes to the Muscatine Municipal Housing Agency Administrative Policy for the Section 8 Tenant-Based Housing Choice Voucher Program. Seconded by Councilmember Shihadeh. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22311. Councilmember Shihadeh moved to approve the contract with the Iowa Department of Natural Resources for a Diesel Emission Reduction Program. Seconded by Councilmember Spread.

Councilmember LeRette stated he was concerned that the grant would be accepted, the work done on the identified vehicles, which date back to 1995, and then dispose of them in the next few years.

Acting City Administrator Randy Hill stated the city has been holding on to its vehicles longer because they are expensive to replace and because of better maintenance. He stated that a majority of the time, when a vehicle is replaced, it is picked up by another department and can be used for a few more years.

Community Development Director Steve Boka stated city staff identified the vehicles they felt were eligible and the IDNR agreed with their selections.

Vote – All ayes; motion carried.

#22312. Councilmember Bynum moved to approve the request from the Police Department to purchase a 2009 Chevrolet Trailblazer from Krieger Motors in the amount of \$18,750. Seconded by Councilmember Natvig. All ayes; motion carried.

#22313. Councilmember Fitzgerald moved to approve the 2013 Core Values, Vision and Mission and the 2013 City Council Goals and Management Agenda. Seconded by Councilmember Phillips.

#22314. Councilmember LeRette moved to amend the original motion to include City Administrator Mandsager's suggested change to the last bulleted item under City Council's top priority goals to "develop policies/incentives to encourage in-fill opportunities and address blight within the city limits". Seconded by Councilmember Shihadeh.

There was discussion concerning the inclusion of the term "blight" in the goals for the city.

#22315. Councilmember Shihadeh moved this matter be tabled to the December In-Depth meeting for further discussion. Seconded by Councilmember Bynum. Six ayes: Councilmembers Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. One nay: Councilmember LeRette. Motion carried.

#22316. Councilmember Natvig moved to approve the Annual Urban Renewal Report for 2011/2012 and authorized its submission to the State of Iowa. Seconded by Councilmember Spread. All ayes; motion carried.

#22317. Councilmember Bynum moved to approve Change Order #1 for the Bond/Schley Lift Station Renovations. Seconded by Councilmember LeRette. All ayes; motion carried.

#22318. Councilmember Fitzgerald moved to approve the request from the Traffic Committee to install "No Parking" signs on the east side of Taylor Street between Hershey and Schiller. Seconded by Councilmember Phillips. All ayes; motion carried.

Under comments, Councilmembers took the opportunity to wish everyone a happy Thanksgiving.

Acting City Administrator Hill stated a request has been received for the use of city property for the Holiday Stroll on December 7, 2012. He asked that City Council approve the request subject to staff comments, notification of businesses/residents in the area, and the scheduling of a pre-event meeting.

#22319. Councilmember Natvig moved the request be approved. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

Mr. Hill stated another neighborhood meeting will be held on the Colorado Street Renovation Project on Tuesday, November 20, 2012, from 4:30 to 6:30 p.m. in the Vic McAvoy Center at Muscatine Community College. He encouraged people to attend.

Mr. Hill then announced the ribbon cutting for the Mad Creek Levee Improvement Project will be held at noon on Thursday, December 6, 2012.

Mr. Hill stated the city has received notification it will be receiving \$138,000 from the TSIP (Traffic Safety Improvement Program) for traffic signals at the high school which is part of the Cedar Street Improvement Project. He thanked those involved with the submission of the grant application.

Mr. Hill announced that Melanie Alexender will be starting her position as Art Center Director on Monday, November 19, 2012. He then recognized Barb Christensen for her 33 years of devoted service to the City of Muscatine.

Mayor Hopkins invited people to attend the Salvation Army's Thanksgiving dinner held at their facility at 1000 Oregon Street. He stated they only request a small donation.

Mayor Hopkins stated the Two Weeks of Love program begins Monday, November 26, 2012. He stated "Freezin' for Food" will take place November 26, 2012 through December 1, 2012 at Hy-Vee and "Toy Time" will take place from December 3-8, 2012 at Krieger Motors.

Mayor Hopkins stated he recently returned from a weeklong visit to China. He stated he had the opportunity to meet with several Chinese officials as well as business people. He stated it was an awesome experience. He stated that China is extremely fond of Muscatine, the State of Iowa, and the United States.

Mayor Hopkins ended the meeting by echoing former Mayor O'Brien's comment that "good things are happening in Muscatine".

#22320. Councilmember LeRette moved the meeting be adjourned at 7:50 p.m. Seconded by Councilmember Shihadeh. All ayes; motion carried.

DeWayne Hopkins, Mayor

ATTEST:

Randy Hill, Acting City Administrator