

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

Mayor DeWayne Hopkins called the City Council meeting for Thursday, December 6, 2012, to order at 7 p.m. Councilmembers present were LeRette, Fitzgerald, Shihadeh, Bynum, Spread, and Phillips.

The meeting began with the Pledge of Allegiance.

#22321. Councilmember Bynum, seconded by Councilmember Phillips, moved the Consent Agenda be approved as follows:

- Minutes of the November 15, 2012 City Council meeting
- Second reading for a new Class “C” Beer Permit and Sunday Sales for Dollar General #7027, 2000 Cedar Plaza Drive – Dolgencorp LLC (pending inspections); second 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); second 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 The Elms Supper Club and Lounge, 2108 Grandview Avenue – Elm Tree Dining & Lounge, LLC (pending inspections); renewal of a Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for West Side Store, 2201 Houser Street – DJMB LLC (pending inspections); renewal of a Class “C” Liquor License and Sunday Sales for Flaming Embers, 131 West 2nd Street – Flaming Ember Inc. (pending inspections and insurance); transfer of a Class “E” Liquor License for Kum & Go #438, 1429 Park Avenue (formerly 1010 Park Avenue) – Kum & Go LC (pending inspections); renewal of a Class “C” Beer Permit and Sunday Sales for New York Dollar Store, 109 E. Second Street – Antonio Sosa (pending inspections); renewal of a Class “C” Liquor License and Sunday Sales for Las Lomas, 1519 Park Avenue – Juan, Inc. (pending inspections and insurance)
- Request for new Cigarette Permit for Kum & Go #438, 1429 Park Avenue, effective December 14, 2012 to June 30, 2013
- Filing of Communication 12A-G
- Approval of Bills for Approval totaling \$1,783,028.45

Vote – All ayes; motion carried.

PUBLIC HEARING

Mayor Hopkins stated a public hearing was being held concerning the proposed rezoning of property located at 2875 Highway 61.

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

#22322. Councilmember Shihadeh moved the public hearing be closed. Seconded by Councilmember Phillips. All ayes; motion carried.

PUBLIC HEARING

Mayor Hopkins stated a public hearing was being held concerning the proposed rezoning of property owned by Ripley’s Development Corporation.

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

#22323. Councilmember Bynum moved the public hearing be closed. Seconded by Councilmember Spread. All ayes; motion carried.

#22324. Councilmember LeRette moved to approve the first reading of an ordinance rezoning property located at 2875 Highway 61 from Muscatine County C-1 to C-1 Neighborhood and General Commercial. Seconded by Councilmember Shihadeh. All ayes: Councilmembers LeRette, Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22325. Councilmember Spread moved to approve the first reading of an ordinance rezoning property owned by Ripley's Development Corporation from Muscatine County M-2, A-1, and R-1 to an R-4 Residential District. Seconded by Councilmember Phillips. All ayes: Councilmembers LeRette, Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22326. Councilmember Spread moved the resolution be adopted accepting public street improvements to Shamrock Drive in Irish Ivy Subdivision in the City of Muscatine. Seconded by Councilmember Bynum. All ayes: Councilmembers LeRette, Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

Councilmember Shihadeh asked what the acceptance of this street entails besides snow removal.

City Administrator Mandsager stated it will allow for maintenance of the street as well.

Councilmember Shihadeh asked if there were other subdivisions falling under this scenario.

Community Development Director Steve Boka stated this particular street was designed according to city standards with the intent of deeding it to the city. He stated that tonight's action will wrap up the annexation process.

#22327. Councilmember Fitzgerald moved to approve the Electric Utility Reimbursement Agreement with Muscatine Power & Water for the Cedar Street Reconstruction Project. Seconded by Councilmember LeRette. All ayes; motion carried.

#22328. Councilmember Spread moved to approve the Communication Utility Reimbursement Agreement with Muscatine Power & Water for the Cedar Street Reconstruction Project. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#22329. Councilmember Phillips moved to approve the Design Services Agreement with Shoemaker-Haaland in the amount of \$20,500 for land acquisition for the Colorado Street Reconstruction Project. Seconded by Councilmember LeRette. All ayes; motion carried.

Under comments, Councilmember LeRette invited everyone downtown to the Holiday Stroll on Friday, December 7, 2012, from 5:30 to 8 p.m.

Councilmember Fitzgerald invited everyone to a craft show to be held on Saturday, December, 8, 2012, from 10 a.m. to 2 p.m. at the Masonic Center.

#22330. Councilmember Shihadeh moved to go into Closed Session at 7:14 p.m. to discuss pending litigation. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

Mayor Hopkins called the Closed Session to order at 7:24 p.m. Councilmembers present were LeRette, Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Also present were City Administrator Gregg Mandsager, Finance Director Nancy Lueck, and Public Works Director Randy Hill.

#22331. Councilmember Bynum moved to leave Closed Session at 8:07 p.m. Seconded by Councilmember Shihadeh. All ayes: Councilmembers LeRette, Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22332. Councilmember Shihadeh moved the meeting be adjourned at 8:08 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

DeWayne Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Administrator