

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – January 3, 2013

Mayor DeWayne Hopkins called the City Council meeting for Thursday, January 3, 2013, to order at 7 p.m. Councilmembers present were Fitzgerald, Shihadeh, Bynum, Phillips, and Spread.

The meeting began with the Pledge of Allegiance.

#22352. Councilmember Bynum, seconded by Councilmember Spread, moved the Consent Agenda be approved as follows:

- Minutes of the December 20, 2012 City Council meeting
- Renewal of a Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for Hy-Vee Gas, 2600 2nd Avenue – Hy-Vee Inc. (pending inspections); new Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for GM Food Mart, 2881 Highway 61 – Nanak Express LLC (pending inspections); new Class “C” Liquor License and Sunday Sales for Palms Theatre of Muscatine, 3611 Palms Drive – RL Fridley Theatres Inc. (pending inspections and receipt of insurance)
- New Cigarette License for GM Food Mart, 2881 Hwy. 61 – Nanak Express LLC
- Filing of Communication 12A-F
- Approval of Bills for Approval totaling \$1,177,815.34

Vote – All ayes; motion carried.

PUBLIC HEARING

Mayor Hopkins stated a public hearing was being held concerning the proposed annexation to and within the City of Muscatine (eastern portion of Ripley’s Mobile Home Park).

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

#22353. Councilmember Fitzgerald moved the public hearing be closed. Seconded by Councilmember Spread. All ayes; motion carried.

PUBLIC HEARING

Mayor Hopkins stated a public hearing was being held concerning the proposed annexation to and within the City of Muscatine (western portion).

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

#22354. Councilmember Spread moved the public hearing be closed. Seconded by Councilmember Bynum. All ayes; motion carried.

PUBLIC HEARING

Mayor Hopkins stated a public hearing was being held concerning the proposed submission of a Community Development Block Grant application for downtown revitalization in the City of Muscatine.

#2355. Councilmember Shihadeh moved the public hearing be closed. Seconded by Councilmember Phillips.

Community Development Director Steve Boka stated the application requires staff to cover specific issues with City Council relating to the city's application and specific activities if the grant is awarded. He stated staff recently met with a representative of the Iowa Economic Development Authority (IEDA) to discuss program guidelines.

Mr. Boka stated this program will focus on the rear of buildings located in the two blocks between Iowa Avenue and Cedar Street that essentially front on Mississippi Drive. He stated meetings have been held with some of the property owners to discuss the project and that a meeting with the balance of the property owners is scheduled for tomorrow. He stated the schedule is very aggressive. He then stated the project will not involve any tax dollars or staff time.

He stated that as part of the project, electrical lines on the two blocks will be put underground which will leave a bare canvas on the backs of the buildings. He stated staff will restore the alley to its original condition which will be the city's only contribution.

He then covered the following items with City Council:

- **How was the need for the activities identified?**

City staff met with a representative of the Iowa Economic Development Authority (IEDA) and also discussed the program guidelines with the IEDA program manager. After establishing the city was eligible for the program through these discussions, the staff identified a target area and contacted property owners within that target area. A consulting architect was also recruited to provide volunteer design development. Through the combination of contacts with the property owners and the architect, a defined project scope of eligible activities was developed.

- **How will the proposed activities be funded and the source of funds?**

A maximum CDBG grant of \$500,000 is anticipated to be matched by contributions from the property owners and other possible private sources.

- **When will the CDBG application be submitted?**

The deadline for submitting the CDBG Downtown Revitalization Grant Program application is 11:59 p.m. on Wednesday, January 30, 2013.

- **What is the requested amount of federal funds?**

The amount of federal funds anticipated to be requested is \$500,000.

- **What is the estimated portion of federal funds that will benefit low- and moderate-income persons?**

It is estimated that 100% of the federal funds being requested will benefit low- and moderate-income persons either directly through assistance provided to eligible property owners; or by improving businesses that provide services to LMI individuals and families.

- **Where will the proposed activities be conducted?**

A target area comprised of the south side of the 100 and 200 blocks of East Second Street and the 100 block of Iowa Avenue, all located within the Muscatine Commercial Downtown Historic District, has been identified as the site for the proposed activities.

- **What are the plans to minimize displacement of persons and businesses resulting of funded activities?**

No persons or businesses will be displaced by any funded activities.

- **What are the plans to assist persons actually displaced?**

No persons will be displaced by any funded activities.

- **What is the nature of the proposed activities?**

The proposed activities will include restoration/repair/replacement of historic rear and front facades and windows, removal of electrical lines attached to the buildings, replacement of deteriorated brick and other repairs.

Community Development Director Boka stated an additional presentation will be made at the January In-Depth and that hopefully renderings of the proposed project will be available. He stated that final action will take place at the January 17 meeting authorizing the submittal of the application.

Councilmember Fitzgerald asked for clarification on the restoration of the alley once the utilities have been placed underground.

Community Development Director Boka stated the alley would be restored with asphalt.

Councilmember Fitzgerald asked if Muscatine Power & Water has been contacted, and Community Development Director Boka answered yes.

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

Vote – All ayes; motion carried.

PUBLIC HEARING

Mayor Hopkins stated a public hearing was being held concerning the proposed West Hill Area Sanitary and Storm Sewer Separation Project – Phase II.

Mike Knott, representing Stanley Consultants, gave a presentation on the proposed project. He stated the design of the project has been completed and bids will be opened on January 31, 2013. He stated there will be a delay in beginning Phase II while the current contractor does finishing work for Phase I.

Mr. Knott stated the estimated cost of the project is \$4.6 million and that a portion of the funding will come from the 1% Local Option Sales Tax. He stated Phase II should be done in the fall of 2014 and that the entire project must be completed by 2028.

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

#22356. Councilmember Shihadeh moved the public hearing be closed. Seconded by Councilmember Bynum. All ayes; motion carried.

#22357. Councilmember Spread moved the resolution be adopted approving the annexation to and within the City of Muscatine (eastern portion of Ripley's Mobile Home Park). Seconded by

Councilmember Phillips. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22358. Councilmember Spread moved the resolution be adopted approving the annexation to and within the City of Muscatine (western portion). Seconded by Councilmember Bynum. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22359. Councilmember Fitzgerald moved to approve the final reading of an ordinance rezoning property located at 2875 Highway 61 – Mills Marine and directed for its publication as required by law. Seconded by Councilmember Phillips. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22360. Councilmember Spread moved to approve the final reading of an ordinance rezoning property owned by Ripley’s Development Corporation and directed for its publication as required by law. Seconded by Councilmember Shihadeh. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22361. Councilmember Bynum moved the resolution be adopted approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for the West Hill Area Sanitary and Storm Sewer Separation Project – Phase II. Seconded by Councilmember Shihadeh. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22362. Councilmember Phillips moved the resolution be adopted accepting completed work for the Cedar Street Culvert Extensions Project and authorizing final payment to Sulzberger Excavating. Seconded by Councilmember Bynum. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22363. Councilmember Fitzgerald moved the resolution be adopted accepting completed work for the Cedar Street Clearing Project and authorizing final payment to Sulzberger Excavating. Seconded by Councilmember Spread. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22364. Councilmember Fitzgerald moved the resolution be adopted accepting completed work for the Mulberry and Palms Drive infrastructure installed as part of the Fridley Theatre Project subject to receipt of the maintenance bond. Seconded by Councilmember Spread. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22365. Councilmember Bynum moved the resolution be adopted approving the Official Pay Plan for Non-Union Employees as it pertains to the Fire Department restructuring. Seconded by Councilmember Shihadeh. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22366. Councilmember Phillips moved the resolution be adopted setting a public hearing on a loan agreement in a principal amount not to exceed \$1,200,000. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Fitzgerald, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22367. Councilmember Spread moved to approve Change Order #9 for the Water Pollution Control Plant Improvements Project, the pay estimate and the reduction in retainage. Seconded by Councilmember Bynum. All ayes; motion carried.

#22368. Councilmember Phillips moved to authorize the issuance of a purchase order to CarpetLand in the amount of \$16,810 for carpet and installation costs for the Stanley Gallery at the Muscatine Art Center. Seconded by Councilmember Shihadeh. All ayes; motion carried.

No motion was made on the request to approve the non-alcohol beverage agreement for the golf course.

City Administrator Gregg Mandsager pointed out this Request for Proposal met all of the city's requirements. He stated staff will need direction on what City Council would like to include in the next RFP.

Councilmember Shihadeh stated the next RFP should include a category for "level of service".

Councilmember Bynum stated the response to this item should include week days and weekends.

Councilmember Fitzgerald asked that copies of the RFP be forwarded to City Council.

Councilmember Shihadeh asked where Coca Cola Refreshments was located, and Parks and Recreation Director Rich Klimes stated they are located in the Quad Cities.

Councilmember Shihadeh then asked if the golf course had ever run out of product during the last five years.

Golf Professional Dan McGinn stated he has had no problems over the last three years.

There was discussion on what products customers preferred.

Councilmember Bynum asked Mr. McGinn if he had received any complaints about the current vendor's services and he answered no.

Councilmember Bynum asked Mr. McGinn how he would rate their services, and Mr. McGinn stated the vendor had met all of the city's needs.

City Administrator Mandsager confirmed with City Council their desire to see "level of service" included as part of the new RFP.

#22369. Councilmember Shihadeh moved to approve the five year lease agreement for the Mark Twain Overlook with the Iowa Department of Transportation. Seconded by Councilmember Bynum. All ayes; motion carried.

#22370. Councilmember Shihadeh moved the meeting be adjourned at 7:42 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

DeWayne Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Administrator