

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – June 6, 2013

Mayor DeWayne Hopkins called the City Council meeting for Thursday, June 6, 2013, to order at 7 p.m. Councilmembers present were LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread.

The meeting began with the Pledge of Allegiance.

#22505. Councilmember Fitzgerald, seconded by Councilmember Bynum, moved the Consent Agenda be approved as follows:

- Approval of May 16, 2013 City Council minutes
- First reading for a new Special Class “C” Liquor License and Sunday Sales for Hy-Vee Market Café, 2400 2nd Avenue – Hy-Vee Inc. (pending inspections); renewal of a Class “B” Native Wine Permit, Class “C” Beer Permit and Sunday Sales for Express Mart, 4804 Grandview Avenue – E-Mart Inc. (pending inspections); renewal of a Class “B” Native Wine Permit, Class “C” Beer Permit and Sunday Sales for Casey’s General Store #2906, 3509 Steamboat Way – Casey’s Marketing Company (pending inspections); renewal of a Class “B” Wine Permit, Class, “C” Beer Permit and Sunday Sales for Hy-Vee Mainstreet, 510 East 6th Street – Hy-Vee Inc. (pending inspections); renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Wal-Mart Supercenter #559, 3003 North Highway 61 – Wal-Mart Stores Inc. (pending inspections); renewal of a Class “C” Liquor License and Outdoor Service for Jody’s Corner Tap, Inc., 226 Walnut Street – Jody’s Corner Tap Inc. (pending inspections and insurance); approval of Outdoor Service Area for Plamor Lanes, 1411 Grandview Avenue – Muscatine Properties Inc. for June 15, 2013 (pending inspections and insurance) renewal of a Class “C” Beer Permit and Sunday Sales for Fast Avenue One Stop, 2111 Park Avenue – JBC LLC (pending inspections and insurance)
- Approval of use of city property for benefit yard sale on Wallace Street from first alley to Wisconsin Street on June 22, 2013 from 5:00 a.m. to 2:00 p.m.
- Appointment of Steve Bradford to the Board of Water, Electric, and Communications Utility
- Filing of Communications A-F
- Approval of Bills for Approval totaling \$6,192,939.09 as well as receipt summaries and journal entries for April 2013

Vote – All ayes; motion carried.

#22506. Councilmember Bynum moved to approve the request to move a pole building located at 4815 55th Avenue West to 2399 Mittman Road by Goodwin House Moving of Washington, Iowa, on Friday, June 7, 2013, with a rain date of June 20, 2013. Seconded by Councilmember Phillips. All ayes; motion carried.

#22507. Councilmember Natvig moved the ordinance be adopted on final reading rezoning property at 3205 Cedar Street (Muscatine Power & Water) and directed for its publication as required by law. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22508. Councilmember Spread moved the resolution be adopted setting a public hearing on a proposed development agreement for Thursday, June 20, 2013, at 7:00 p.m. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22509. Councilmember Phillips moved to approve a 28E Agreement with the Department of Health for city and countywide inspection services. Seconded by Councilmember Fitzgerald.

Councilmember Fitzgerald asked if all of Muscatine County was included in the inspection services agreement.

Acting City Administrator Randy Hill stated the agreement was done specifically for the county.

Vote – All ayes; motion carried.

#22510. Councilmember Shihadeh moved to approve a 28E Agreement with the Department of Inspection & Appeals for health inspection services within the City of Muscatine. Seconded by Councilmember LeRette. All ayes; motion carried.

#22511. Councilmember Spread moved to approve the request from the Police Department to purchase a radio repeater and antenna for coverage of the Ripley's Trailer Court area from Communications Engineering in the amount of \$16,843.44. Seconded by Councilmember Shihadeh. All ayes; motion carried.

#22512. Councilmember LeRette moved to approve the purchase of two 17 passenger Glaval transit buses from Hogle Bus Company of Marshalltown, Iowa, in the amount of \$176,000. Seconded by Councilmember Natvig.

Councilmember Shihadeh asked if these buses were included in the budget.

Acting City Administrator Hill stated they were in the next fiscal budget; however, as part of the recently approved Amendment #2, they were moved to the current fiscal budget because money became available.

There was discussion concerning future federal funding.

Vote – All ayes; motion carried.

#22513. Councilmember LeRette moved to authorize the issuance of a purchase order to Bushman Excavating at a cost of \$5.25 per ton for the 2013 Pavement Crushing Program. Seconded by Councilmember Phillips. All ayes; motion carried.

#22514. Councilmember Natvig moved to approve Change Order #5 for the West Hill Sewer Separation Project. Seconded by Councilmember LeRette.

Acting City Administrator Hill stated that as part of this change order, 8th Street will be closed for approximately a month. He stated the work is scheduled to begin next week.

Councilmember Spread stated he was concerned when the bids came in low and now here we are on a fifth change order. He asked if staff had any concerns.

Acting City Administrator Hill stated that overall the project is going very well considering its size and what was budgeted. He stated the contractor is doing what he said he would do.

City Engineer Jon Lutz stated this work involves flooding issues that occur on 8th Street near the Cedar Street intersection. He stated there are a few inlets in the city that have odor control mechanisms in them and they interrupt draining water. He stated the new system will eliminate that problem.

Councilmember Spread stated it is his understanding this is a design change and not an omission.

Mr. Lutz stated that Councilmember Spread was correct.

Councilmember Shihadeh asked if staff was expecting more change orders in the future.

Mr. Lutz stated the most difficult part of the project is over and he stated that issues requiring change orders are less likely.

Acting City Administrator Hill stated he does not see the contractor making up the contract price difference with change orders. He then stated the city has taken their share of calls concerning the water issue at 8th and Cedar streets.

Vote – All ayes; motion carried.

Under comments, Councilmember Bynum stated the second annual Citizens Fire Academy will begin in September. He encouraged City Council to participate in the academy.

Acting City Administrator Hill stated a request had been received from Muscatine Power & Water to close an intersection between 8th and Spring streets for the repair of a small water leak. He stated the closure of the street requires City Council's approval. He stated the street will be closed for two days, and the detour will take vehicles from 7th Street to Poplar Street and then back to 8th Street.

#22515. Councilmember Fitzgerald moved the request from Muscatine Power & Water be approved. Seconded by Councilmember Natvig. All ayes; motion carried.

Acting City Administrator Hill gave a recap of a presentation he attended recently called "Living with Floods". He stated the presentation was sponsored by the Iowa Flood Center. He stated presentations were made by representatives of the Flood Center, Community Development Director Steve Boka, representatives from the Corps of Engineers as well as Mark Warren and Mark Yerington representing MAGIC. He stated a communication was received from the Corps indicating they are excited to work with MAGIC and the community in flood management.

Mr. Hill stated staff would be meeting with the MAGIC staff to get the appropriate data on the city's website. He stated the Fire Department will be scheduling a time to meet with staff to draft changes to the city's Disaster Response Plan.

Mr. Hill stated that Preservation Hall Jazz Band, a blues group from New Orleans, will be performing on the riverfront from 7 to 9 p.m. on June 11, 2013.

Mayor Hopkins recognized local citizens who took part in the effort to raise items for the residents of Oklahoma who lost their homes to the recent storms. He stated the response by residents is another reason to be proud of our community.

#22516. Councilmember Shihadeh moved the meeting be adjourned at 7:26 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

DeWayne Hopkins, Mayor

ATTEST:

Randy Hill, Acting City Administrator