

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – March 18, 2010

Mayor Dick O'Brien called the City Council meeting for Thursday, March 18, 2010, to order at 7 p.m. Councilmembers present were LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, and Lange.

The roll call was followed by the Pledge of Allegiance.

#20971. Councilmember Bynum moved to approve the minutes of the March 4, 2010 City Council meeting, the February 24, 2010 Special City Council meeting, and the March 11, 2010 In-Depth meeting. Seconded by Councilmember Natvig. All ayes; motion carried.

#20972. Councilmember Lange moved the Consent Agenda be approved as follows: Second reading for a new Class B Beer and Sunday Sales Permit for Supreme Fitness LLC, 303 Cleveland Street (pending inspections and receipt of final paperwork); filing of Communications A-C; and Bills for Approval totaling \$1,659,979.62. Seconded by Councilmember LeRette. All ayes; motion carried.

#20973. Councilmember Shihadeh moved to approve the request to move the Henry Jayne House from 1402 Mulberry Avenue to 1200 Iowa Avenue on March 24, 2010. Seconded by Councilmember Fitzgerald.

Brian Costas, 414 E. 4th Street, stated that basically the request is the same. He explained why this change is being requested, which is to allow the taping of the house moving for a show entitled "Heavy Haulers" that will air sometime in May.

Councilmember Natvig stated it sounds like everything is done and the house is ready to be moved.

Mr. Costas stated the house is now up on beams, and he is confident the house can be moved to its new location.

Councilmember Bynum asked when the show would be aired.

Mr. Costas stated the show will be focusing on the mover. He stated it will be on Channel 51; however, he does not know what day in May it will be aired.

Councilmember LeRette thanked Mr. Costas for taking this project on.

Vote – All ayes; motion carried.

#20974. Councilmember Shihadeh moved the proclamations be approved recognizing the Shriners Hospitals and endorsing Trinity Muscatine. Seconded by Councilmember Bynum.

Don Watson, 616 Evans Street, representing the KAABA Shrine, gave a brief history of the Shriners and how the hospitals came into being. He stated the Shriners support 22 hospitals through fund raisers and donations. He stated the Shriners are hoping to bring in a lot of children at the mini clinic scheduled for Saturday, April 3, 2010. He thanked Council for approving this proclamation.

Mayor O'Brien thanked the Shriners present for coming to the meeting.

Councilmember Fitzgerald asked how people would qualify for services.

Mr. Watson stated that once the applications and doctor referrals are received, they will be reviewed by the hospitals and the determination made on which applicants will qualify for services.

Councilmember Fitzgerald asked if there are any financial requirements.

Mr. Watson stated that services are provided at no cost to the patient or parents.

Vote – All ayes; motion carried.

#20975. Councilmember Shihadeh moved the resolution be adopted approving the final plat for the Blain's Farm & Fleet Subdivision in the City of Muscatine. Seconded by Councilmember Lange.

Councilmember Fitzgerald asked if there was information relating to the access for the proposed Casey's store.

Ed Peld of the Ed Peld Engineering Company of Des Moines stated the access is to remain where it is and that is directly across from the Menard's entrance on University Drive.

Councilmember asked if there would be access to Highway 61 and Mr. Peld answered no.

Councilmember Natvig, speaking in reference to the agenda materials, asked about the contingency plan for traffic congestion.

Steve Boka, the city's Planning, Zoning and Building Safety Director, stated a number of items will have to be addressed prior to any development. He stated that discussion will take place concerning the traffic loop connected with the stoplight which will be repositioned if necessary. He stated there is some striping that could occur, and he outlined modifications that will be made to the intersection should the proposed development move forward. He stated the engineer has come up with some good points; however, the only action being requested tonight is approval of the final plat for the Blain's Farm & Fleet Subdivision.

Vote – All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, and Lange. Motion carried and resolution duly adopted.

#20976. Councilmember Lange moved the resolution be adopted approving the combined preliminary/final plat for Haller's Addition in the City of Muscatine. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, and Lange. Motion carried and resolution duly adopted.

#20977. Councilmember LeRette moved the resolution be adopted approving the combined preliminary/final plat for the Paradise Acres Addition in the City of Muscatine. Seconded by Councilmember Shihadeh. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, and Lange. Motion carried and resolution duly adopted.

#20978. Councilmember Fitzgerald moved the resolution be adopted setting a public hearing on the proposed gas franchise ordinance which includes the establishment of a utility franchise fee and a public hearing on the proposed Revenue Purpose Statement related to the utility franchise fee. Seconded by Councilmember Shihadeh.

Councilmember Lange stated it was his understanding that not everyone is covered by the Interstate Power & Light Company and asked if this could be looked into.

City Administrator Gregg Mandsager stated he could look into it and see what options might be available to the city.

Councilmember Lange asked if this ordinance would apply to those not covered by Interstate Power & Light Company.

City Administrator Mandsager answered no. He stated this ordinance applies only to Alliant Energy customers.

Vote – Five ayes: Councilmembers Fitzgerald, Natvig, Shihadeh, Bynum, and Lange. One nay: Councilmember LeRette. Motion carried and resolution duly adopted.

#20979. Councilmember Natvig moved the resolution be adopted authorizing the assessment of unpaid abatement and rental inspection costs to private properties. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, and Lange. Motion carried and resolution duly adopted.

#20980. Councilmember Bynum moved to approve the agreement between the city, Muscatine Community College and the Muscatine School District effective January 1, 2010 through December 31, 2010. Seconded by Councilmember Natvig. All ayes; motion carried.

#20981. Councilmember Fitzgerald moved to approve the purchase of a Multi Chef 3600 oven in the amount of \$6,000 from Multi Chef Motion Technology Inc. Seconded by Councilmember LeRette.

Councilmember Bynum asked if this purchase was part of the budget.

City Administrator Mandsager stated it was part of the revised budget that was discussed during the budget process.

Vote – All ayes; motion carried.

#20982. Councilmember Shihadeh moved to authorize the submission of a grant application to the Muscatine Health Support Foundation for a carbon monoxide detector. Seconded by Councilmember Lange. All ayes; motion carried.

#20983. Councilmember LeRette moved to approve the letter commenting on the proposed reduction of the 2008 National Ambient Air Quality Standard by the Environmental Protection Agency. Seconded by Councilmember Fitzgerald.

Bill Phelan, representing the Greater Muscatine Chamber of Commerce and Industry, stated the reason for submitting this letter to the EPA requesting reconsideration of their action is one of fairness. He stated there are areas that are not monitored, which is not fair to those that are. He stated he was in support of this letter.

Mayor O'Brien stated that this proposed reduction would have a very serious affect on many communities.

Councilmember Lange stated he would be in favor of more stringent air quality protection if everyone was treated equal.

Vote – All ayes; motion carried.

Under comments, Councilmember Lange stated he received his tax assessment in the mail earlier in the day and found it had gone up by a very large amount. He wanted those who are concerned by the increase to know they have a right to appeal the assessment.

City Administrator Mandsager stated he had received his Census form earlier in the week. He encouraged everyone to fill the form out and return it.

#20984. Councilmember Shihadeh moved the meeting be adjourned at 7:38 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.




Richard W. O'Brien, Mayor


Gregg Mandsager, City Administrator