

CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
Council Chambers – 7:00 p.m. – August 15, 2013

Mayor DeWayne Hopkins called the City Council meeting for Thursday, August 15, 2013, to order at 7 p.m. Councilmembers present were LeRette, Fitzgerald, Natvig, Bynum, and Spread.

The meeting began with the Pledge of Allegiance.

Mayor Hopkins swore in Police Officers Anthony Arnaman, Alex Rink, and Brian Yates.

Mayor Hopkins then presented city employee Dan Ganzer with a Certificate of Recognition for going above and beyond the call of duty when he assisted a woman on July 26, 2013 who had been involved in an accident.

#22595. Councilmember Natvig, seconded by Councilmember Fitzgerald, moved the Consent Agenda be approved as follows:

- Approval of August 1, 2013 City Council minutes
- First and second reading for a new Class “B” Native Wine Permit, Special Class “C” Liquor License, Outdoor Service and Sunday Sales for Yacky Shack, 163 Colorado Street – Sony and Clark Johnson (pending inspections); first reading for a new Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for Fast Avenue One Stop, 2111 Park Avenue – BGA, LLC (pending inspections); first reading for a new Special Class “C” Liquor License and Sunday Sales for Fraternal Order of Eagles Muscatine #815, 305 East 2<sup>nd</sup> Street – Fraternal Order of Eagles #815 (pending inspections and insurance); renewal of a Class “C” Liquor License for Port City Underground, 208 West 2<sup>nd</sup> Street – Lacey Henderson-Mueller (pending inspections); renewal of a Class “B” Beer Permit and Sunday Sales for China Garden, 2016 Cedar Plaza Drive #3 – China Garden At Cedar Plaza Inc. (pending inspections and insurance)
- Approval of Cigarette Permit for Fast Avenue One Stop, 2111 Park Avenue – BGA, LLC effective through June 30, 2014
- Filing of Communications A-C
- Approval of Bills for Approval totaling \$1,357,133.47

Vote – All ayes; motion carried.

**PUBLIC HEARING**

Mayor Hopkins stated a public hearing was being held concerning the proposed Colorado Street Improvement Project.

Allen Harvey, 2206 Oak Valley, stated sidewalk installation for this project will be ending approximately 200’ short of University Avenue. He asked that City Council, when acting upon Item 11G approving the plans, specifications, form of contract, cost estimate and setting the bid opening date, provide for the extension of the sidewalk to University Avenue.

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

#22596. Councilmember Natvig moved the public hearing be closed. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#22597. Councilmember Bynum moved to waive the third reading of the ordinance vacating public right-of-way in the City of Muscatine and adopt it on final reading and directed for its publication as required by law. Seconded by Councilmember Spread.

Dennis Schroeder, 301 Burnside Avenue, stated the property in question has never been used by the city and has become part of the four properties of the homeowners involved in this right-of-way vacation at a cost of \$1.05 per square feet of area per city policy. He stated he feels the fairest solution in this vacation request is to forget the city's policy, call it even, and make everyone happy.

Vote – All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22598. Councilmember Natvig moved the resolution be adopted authorizing the sale of city property. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22599. Councilmember Bynum moved the resolution be adopted approving an executed deed between the City of Muscatine and Linda L. Allison. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22600. Councilmember Spread moved the resolution be adopted approving an executed deed between the City of Muscatine and Dennis E. and P. Diane Schroeder. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22601. Councilmember Natvig moved the resolution be adopted approving an executed deed between the City of Muscatine and Junior Castillo. Seconded by Councilmember Bynum. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22602. Councilmember LeRette moved the resolution be adopted approving an executed deed between the City of Muscatine and Daniel B. and Cynthia L. Clark. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22603. Councilmember Natvig moved the resolution be adopted approving the plans, specifications, form of contract, cost estimate, and setting the bid opening date for the Colorado Street Improvement Project. Seconded by Councilmember Fitzgerald.

Councilmember Spread stated he would like to take Allen Harvey's request to extend the sidewalks to University Avenue into consideration.

City Administrator Gregg Mandsager stated the omission of the sidewalk extension to University Avenue was done intentionally and presented to City Council in that fashion because it doesn't make sense at this time to extend the sidewalk to University Avenue.

Public Works Director Randy Hill stated that if changes are made now, the bid letting date would have to be changed. He pointed out the city does not own the property in question. He stated that extension of the sidewalk will cost less than \$20,000.

Councilmember Fitzgerald asked if this should be handled at a later date.

City Administrator Mandsager stated no action is required tonight.

Vote – All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22604. Councilmember LeRette moved the resolution be adopted approving the contract and bond from All American Concrete Inc. in the amount of \$195,607.52. Seconded by Councilmember Fitzgerald.

City Administrator Mandsager, speaking in reference to this project, stated the sidewalk issue will be brought forward for discussion in September.

Vote – All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22605. Councilmember Spread moved the resolution be adopted awarding the contract for the 2013 Asphalt Overlay Program to Brandt Construction in the amount of \$192,204. Seconded by Councilmember Bynum.

Councilmember Bynum asked for clarification on the \$250,000 allocated for this project.

Public Works Director Hill stated the \$250,000 includes the city's share of \$48,000 for the Washington Street Project. He stated the bid is approximately \$11,000 under the allocated amount.

Vote – All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22606. Councilmember LeRette moved the resolution be adopted approving rate adjustments in Title 4, Chapter 5, Sections 4 and 5 (Collection and Drainage and Sewage Rates). Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22607. Councilmember Spread moved the resolution be adopted approving the sanitary sewer connection fee for the North Crescent Sanitary Sewer Project. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22608. Councilmember Fitzgerald moved the resolution be adopted awarding the contract to Quality Construction in the amount of \$483,108 for the Water Pollution Control Plant Lab Annex Project. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22609. Councilmember Fitzgerald moved the resolution be adopted setting a public hearing on the Weed Park Maintenance Building Project for Thursday, September 5, 2013, at 7:00 p.m. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22610. Councilmember Natvig moved the resolution be adopted accepting the Capital Funding Grant and CFP Annual Statements and authorizing the Housing Administrator to execute the Consolidated Annual Contributions Contract on behalf of the Board of Commissioners. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

#22611. Councilmember LeRette moved to approve the purchase of a sod cutter for the Soccer Complex from Turfwerks in the amount of \$6,300. Seconded by Councilmember Spread. All ayes; motion carried.

#22612. Councilmember Bynum moved to approve the purchase of a deep-tine aerifier for the Soccer Complex from Turfwerks in the amount of \$21,600. All ayes; motion carried.

#22613. Councilmember Natvig moved to authorize the issuance of a purchase order to Dreyer Painting in the amount of \$19,600 for painting of the Aquatic Center pool basin. Seconded by Councilmember LeRette.

Councilmember Bynum asked if the concrete was okay or if other work was needed.

Parks and Recreation Director Rich Klimes stated there are small spider cracks that will be repaired as part of the bid during the painting process.

#22614. Councilmember Fitzgerald moved to authorize the city's 2013-2014 City Deer Hunt from September 14, 2013 through January 19, 2014. Seconded by Councilmember Spread. All ayes; motion carried.

#22615. Councilmember Spread moved to approve Supplemental Agreement #1 with Stanley Consultants for the Water Pollution Control Plant Lab Annex Project. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#22616. Councilmember Natvig moved to authorize the purchase of a used vehicle for the Police Department from Krieger Motors in the amount of \$14,169. Seconded by Councilmember Bynum. All ayes; motion carried.

#22617. Councilmember Fitzgerald moved to approve a professional services agreement with CTL Group in the amount of \$71,313 for a petrographic analysis of Runway 6/24 at the Municipal Airport. Seconded by Councilmember Natvig. All ayes; motion carried.

#22618. Councilmember LeRette moved to authorize the purchase of a new ambulance chassis from Krieger Motor Company in the amount of \$28,050. Seconded by Councilmember Spread. All ayes; motion carried.

#22619. Councilmember Bynum moved to approve the request from the Fire Department for the issuance of a purchase order to Keltek Inc. in the amount of \$5,462 for three in-vehicle camera systems. Seconded by Councilmember Natvig.

Councilmember Natvig stated the memo indicated the usage of the cameras can help decrease the maintenance of the vehicles and asked for an explanation.

Assistant Fire Chief Mike Hartman stated the cameras allow for improved operation of the ambulances which in turn shows a decrease in maintenance costs.

Vote – All ayes; motion carried.

#22620. Councilmember LeRette moved the resolution be adopted accepting the 2013 Community Development Block Grant award in the amount of \$500,000 for downtown revitalization. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Spread. Motion carried.

Under comments, Councilmember LeRette stated it was going to be a busy weekend for the downtown area. He invited everyone down to the watermelon festivities as well as the boat show.

Councilmember Fitzgerald stated he was glad to see the local preference used for the purchase of the ambulance chassis.

Administrative Secretary Fran Donelson invited Councilmembers and the Mayor to the Employee Recognition Committee's second annual golf outing on September 28, 2013 at the Municipal Golf Course.

City Administrator Mandsager announced that the RV and waste hauler dump site at the Water Pollution Control Plant will be closed for inspection and maintenance August 20-21, 2013.

Mayor Hopkins also urged citizens to attend the festivities this weekend in the downtown area which also include a bass tournament and gathering by the Vineyard Church on the riverfront.

#22621. Councilmember LeRette moved the meeting be adjourned at 7:43 p.m. Seconded by Councilmember Spread. All ayes; motion carried.

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DeWayne Hopkins, Mayor

ATTEST:

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Gregg Mandsager, City Administrator