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City Administrator Report to Mayor & City Council

November 8, 2013, Edition No. 105

REPORT:

1. City Administrator Evaluation: Just a reminder that the City Administrator evaluation is scheduled in **November 14th at 5:30PM**. We will hold a Closed Session at 5:30pm in the Lower Conference Room. The evaluation form and supplemental information were sent out previously. Please return forms by email or hard copy by Monday. This will allow time to collate and copy for the meeting.
2. Cedar Street: The City received confirmation from IDOT that the Cedar street project is to be included on the January 22, 2014, IDOT bid letting.
3. Legislative Session: TIF and ATEs seem to be on the list for discussion this legislative session. However, the League is hearing that this will be a short session to allow for those campaigning next Fall to get an early start. As I understand it, major pension reform is unlikely. Reinstating the state's share may be on the table. Obviously, it is very early and as the session progresses we will track City related legislation.
4. Ash Trees: The City received the attached memo and map on the Emerald Ash Borer infestation. Also attached is a memo outlining the Park Department's current response plan and right-of-way tree planting list. We intend to expand our tree nursery (currently at the golf course) as the need for replacement arises.
5. Mulberry Street: Through Bi-State and the Surface Transportation Program (STP), Mulberry Street has been programmed for FY2016, as follows: To fund the Muscatine-Mulberry Avenue Reconstruction Project at the requested \$1,200,000 STP funds in FFY2016.
6. Fire Engine: The new Fire Engine was involved in a minor accident. The other driver was at fault and issued a ticket. We expect their insurance to cover the damages. We are presently seeking estimates and expect the repairs to be handle locally or in the Quad Cities.
7. IDOT: Please see the attached information from IDOT outlining potential funding concepts in preparation for the legislative session.
8. Mississippi Drive: Staff continues to research and review the potential for a transfer of jurisdiction along Mississippi Drive. This item will be brought forward at a future in-depth session for discussion.
9. School District: Following is the link for the recent School District variance request. Staff is in the process of reviewing the street and parking design and potential vacation request as well as potential alternatives to the present concept. Link: <http://www.muscatineiowa.gov/DocumentCenter/View/9988>
10. Goals: Attached is the adopted Values/Vision/Mission and a corrected copy. The adopted version was missing one word - "ensures". If there is no objection, I will make this ministerial correction.
11. Housing: The Housing Department completed their Section 8 Management

"I remember Muscatine for its sunsets. I have never seen any on either side of the ocean that equaled them" — Mark Twain

Assessment Program certification. This process helps HUD identify public housing authorities' capabilities and deficiencies related to the administration of the Section 8 Program. The Housing Department received a score of 100 for the FY ending June 30, 2013 - an overall performance rating of "High". Congrats to the department for maintaining such a high performing program.

12. Council Meetings: Here is a tentative schedule for upcoming regular, in-depth and special meetings:

1. November 14th In-Depth: CIAT/IISC and Blue Zones update, Roundabout presentation, Complete Streets Policy, Update on Flood Zones (Code Changes), CDBG and Airport Updates, City Administrator Evaluation
2. December 12th In-Depth: Tentative - DRAFT Capital Improvement Plan (CIP)

DOT Transportation Funding Concepts – Major elements:

- Everyone pays 6%
- Ensure equity of user fees
- Align transportation funding to a growth trajectory as Iowa's economy strengthens
- Provide incentives to improve rural bridge and road conditions
- Ensure competitive transportation options for shipping products and moving people

DOT Transportation Funding Concepts:**1. Dedicate aircraft use tax revenue to the State Aviation Fund**

- Purpose: A use tax of six percent is collected on the purchase of aircraft in Iowa. Use tax revenues are generated on aviation activity and would be dedicated to the State Aviation Fund to maintain, enhance, and support safety of the air transportation system in Iowa. This would eliminate the need for dedicated airport vertical infrastructure appropriations from Rebuild Iowa Infrastructure Fund (RIIF). Annual Revenue Currently Generated: \$3 million

2. Allocate General Fund annual appropriations to the Statutory Allocations Fund for the following new programs

- **\$5.5 million** to a **new Freight Transportation Fund** - will replace need for Railroad Revolving Loan and Grant Program appropriation which was funded from RIIF.
- **\$6.0 million** for a **new Transit & Trail Fund** - will replace need for Public Transit Infrastructure Grant and State Recreational Trails program appropriations currently from RIIF.
- Purpose: These new programs will meet emerging needs in freight, transit and trails, aid with economic development opportunities for high tech job creation, and bring essential flexibility to renewed programs allowing DOT and local jurisdictions to deliver innovative solutions.

3. Increase oversize/overweight vehicle permit fees

- Purpose: Increasing these fees is necessary to cover the costs associated with issuing these permits and impacts to transportation system from oversize/overweight vehicles. Additional Annual Revenue Generated: Approximately \$10 million per year.

4. Increase the Fee for New Registration from 5 percent to 6 percent

- Purpose: The Fee for New Registration is similar to a sales tax on the purchase of vehicles. This fee was not increased to six percent at the time the sales tax was increased to six percent. Additional Annual Revenue Generated: Approximately \$60 million.

5. Eliminate the state per gallon fuel tax and replace with a state excise sales tax on fuel

- Replace per gallon fuel tax with a six percent excise sales tax on fuel applied at the wholesale level.
- Purpose: Apply the standard six percent excise sales tax on fuel sales will bring growth in revenue and capture inflation as fuel prices increase in future years. Additional Annual Revenue Generated: Initial projections would show variability in first years but then six percent excise sales tax grows over current revenue levels (Iowa Department of Revenue estimates an additional \$467 million would be generated from 2015-2025).

6. Apply Local Option Sales Tax (LOST) to fuel sales with move to six percent excise sales tax on fuel sales

- Allow Local Option Sales Tax to also apply to fuel sales when all communities in state implement LOST.
- LOST funding generated from fuel sales must be spent on roads and bridges; however, this LOST funding will not be allowed to be utilized for debt service payments for any existing or future financed transportation project.
- Purpose: Apply the standard one percent excise sales tax on fuel sales when all local jurisdictions have implemented LOST. Additional Annual Revenue Generated: \$80 million.

7. Apply state excise sales tax on dyed fuel sales

- Dedicate funding to a new **Modern Agriculture Infrastructure Fund** administered by the DOT and Transportation Commission for local roads and streets.
- DOT administered program would ensure funds are used to maximize improvement and removal of structurally deficient bridges and poor rural road conditions. This would address, in a targeted manner, existing structurally deficient bridges to relieve width and weight issues and improve transportation flexibility for the agricultural industry.
- Purpose: Agricultural equipment utilizes the public roadway system at various times in the production and transport of agricultural goods. This use has an impact on roadway conditions that has been an increasing challenge for local jurisdictions as equipment has become larger and heavier. Agricultural equipment is exempt from all existing state roadway user fees so there has been no way to capture user fees for the costs imposed on the system. Additional Annual Revenue Generated: Approximately \$38 million per year.

8. Focus Federal Funding on the Primary Road System

- Implement a process to permit the swapping of federal funding for state primary road funds on local jurisdiction projects. This will require a Code change to permit the use of Primary Road Fund dollars on local jurisdiction roadways.
- Federal funding will be swapped on a dollar for dollar basis with state funds for jurisdictions that do not utilize Automated Traffic Enforcement (ATE). Federal funding will be swapped 50 cents on the dollar with state funds for jurisdictions that utilize Automated Traffic Enforcement (ATE).
- Purpose: The DOT has the expertise and knowledge to more efficiently utilize federal funding. By swapping with state dollars, local roadway projects will be able to be completed in less time and at lower cost. Annual Revenue Currently Generated: N/A

9. Streamline County Treasurer funding for driver's license and vehicle registration services

- Adjust county treasurer funding to eliminate transaction based funding elements.
- Modify amount of Registration Fees retained by County Treasurers from four percent to six percent.
- For county treasurers who issue driver's licenses, provide additional funding of \$1.50 per resident in county.
- Purpose: The transaction fee structure of funding for county treasurers, at times, has been a limiting factor in joint DOT/County service efficiency opportunities. Aligning the county treasurer funding structure for driver's license and vehicle registration will bring a unifying message allowing broader collaboration and service improvement and expansion between DOT and County Treasurers to meet future customer expectations. Annual Funding Currently Retained by County Treasurers: \$27.9 million. Additional Annual Funding Generated for County Treasurers: \$3.6 million.

Summary of Highway Funding (additional revenues)

Fiscal Year	DOT	Local	Total
2015	\$23 million	\$107 million	\$130 million
2016	\$38 million	\$126 million	\$164 million
2017	\$52 million	\$146 million	\$198 million
2018	\$61 million	\$156 million	\$218 million
2019	\$67 million	\$165 million	\$232 million

Other Fund Appropriations:

- **State Aviation Fund - \$3 million annually**
- **Freight Transportation Fund - \$5.5 million annually***
- **Transit & Trail Fund - \$6 million annually**

*Replaces the \$5.5 million Multimodal Fund proposal from the Governor's FY 2015 budget request.



IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

In the matter regarding:

**The Intrastate Quarantine of
25 Eastern Iowa Counties due
to an Emerald Ash Borer
Infestation**

ORDER NO. ENT-13-1

To all affected persons:

You are hereby notified that the Iowa Department of Agriculture and Land Stewardship (IDALS) is establishing a quarantine, effective on November 1, 2013, on 25 Counties in Iowa, including Winneshiek, Allamakee, Fayette, Clayton, Buchanan, Delaware, Dubuque, Linn, Jones, Jackson, Johnson, Cedar, Clinton, Scott, Muscatine, Keokuk, Washington, Louisa, Wapello, Jefferson, Henry, Des Moines, Davis, Van Buren and Lee Counties to prevent the spread of emerald ash borer, *Agrilus planipennis* (Fairemarie).

The regulated articles included in this order are all of the following:

- (a) The emerald ash borer, *Agrilus planipennis* (Fairmaire), in any living stage of development.
- (b) Entire ash (*Fraxinus* spp.) trees including nursery stock.
- (c) Firewood of any non-coniferous (hardwood) species.
- (d) Any living, dead, cut or fallen material of the ash (*Fraxinus* spp.) including logs, stumps, roots, branches, and composted and uncomposted ash chips.
- (e) Green (non-heat treated) ash lumber with either bark or the outer one-inch of wood, or both, attached.
- (f) Non-coniferous (hardwood) wood chips and non-coniferous (hardwood) bark chips larger than 1 inch in two dimensions.
- (g) Any article, product or means of conveyance when it is determined by the State Entomologist to present the risk of spread of the emerald ash borer.

THEREFORE, IT IS HEREBY ORDERED, under authority of Iowa Code chapter 177A including sections 5, 7, 11, 12, 13, 14, 16, 17, and Iowa Administrative Code chapter 46.15:

1. Regulated articles may not be moved from the regulated area to an unregulated area of the state unless one of the following is met:
 - a. an USDA APHIS PPQ limited permit, or certificate, has been issued and attached to the regulated article in accordance with USDA provisions; or
 - b. an IDALS limited permit, or certificate, has been issued and attached to the regulated article in accordance with IDALS provisions; or
 - c. the regulated articles have been treated as directed in a sanctioned USDA APHIS PPQ / IDALS compliance agreement; or

- d. the State Entomologist has provided a written letter of exemption for scientific and research purposes and the applicant is operating under the requirements of a sanctioned IDALS compliance agreement.
2. The cost of treatment or destruction of an emerald ash borer-infested regulated article in violation of this quarantine shall be borne by the owner or person in charge of the regulated article or place of production, as required in the order of treatment or destruction from IDALS. If the owner or person in charge refuses or neglects to obey the notice, IDALS may do what is required, and the expenses shall be assessed to the owner after giving legal notice and a hearing. If the assessment is not paid, IDALS shall certify it to the treasurer of the proper county who shall enter it on the tax books and collect it as ordinary taxes are collected and remit it to IDALS.
3. Any agent of IDALS or USDA may stop, inspect, destroy, stop sale, seize, treat or order returned to the point of origin, at the owner's expense, any regulated articles believed to be infested with the emerald ash borer, or lacking required treatment.
4. Failure to comply with the terms of this order may result in the imposition of criminal penalties pursuant to Iowa Code section 177A.16.
5. Appeal Rights. Pursuant to Iowa Code section 17A.12 and 21 Iowa Administrative Code 2.4, a written Notice of Appeal may be filed with the Secretary within 30 days of your receipt of this Order. The Notice of Appeal shall be sent to Robin Pruisner, Iowa Department of Agriculture and Land Stewardship, State Entomologist & Entomology and Plant Science Bureau Chief, 2230 South Ankeny Boulevard, Ankeny, Iowa, 50023. A contested case hearing will then be commenced pursuant to Iowa Code chapter 17A and 21 Iowa Administrative Code 2.
6. Regulated articles originating from outside the regulated area may be moved through the regulated area under the following conditions:
 - a. The regulated article, if moved through the regulated area during the period of April 1 through September 30, is moved in an enclosed vehicle or is completely covered to adequately prevent access by the emerald ash borer; and
 - b. The points of origin and destination are indicated on the waybill accompanying the regulated article; and
 - c. The regulated article is moved directly through the regulated area without stopping (except for refueling or for traffic conditions, such as traffic lights or stop signs), or has been stored, packed, or handled at locations approved by an USDA or IDALS inspector as not posing a risk of infestation by the emerald ash borer; and
 - d. The regulated article has not been combined or commingled with other articles as to lose its individual identity.

Contacts in Iowa:

Robin Pruisner (IDALS) – (515) 725-1470

Dustin VandeHoef (IDALS) – (515) 281-3375

City of Muscatine Emerald Ash Borer Plan

With the eminent threat of the Emerald Ash Borer (EAB) in Muscatine, the Muscatine Parks and Recreation Department has been working to develop a plan to handle the problem of removal, handling and replacement selections of our Right of Way (ROW) ash trees.

First note is that it is no longer if the Emerald Ash Borer arrives but when. Several local communities in Iowa are now infested, including Burlington, Fairfield and Mechanicsville as being close examples. Our goal is to develop a team of city personnel and the private sector (i.e. garden centers and nurseries, Muscatine Branching Out, etc.) to help with implementing our goals and objectives to control the rush of questions and complaints that will occur once the EAB has arrived. Members will include city leaders and their staff from Parks and Recreation, Transfer Station, Public Works, MPW and City Administration. Proper training of staff in felling, handling of proper equipment and disposal as required by law will be implemented. We also plan to provide safe and efficient removal of dead ash trees from Muscatine City Property and the funds to replace ash trees that die on city property.

Our Emerald Ash Borer Management Plan is as follows:

Healthy Ash Trees

We will leave healthy trees in our system until the time comes that we must address removal for any reason stated below. Any ash trees that become damaged or hazardous, infested or die will be removed as quickly as possible.

Construction Sites – Healthy Ash Trees

Any healthy ash trees that are in construction areas will be eliminated.

Street Tree Projects

Any project involving street tree removal or ash tree removals will be replaced with trees that come from our street tree inventory listed below.

Replacement Tree Selection - Downtown

Our recommendations for selection of street tree replacement within the downtown business district are that no one tree variety should be over planted, with the intent to prevent any future tree problems such as the Emerald Ash Borer or the previous issue of Dutch Elm Disease devastating the elm tree population.

The true benefits of replacing lost trees in our community can be found at www.treebenefits.com, which helps to calculate the carbon reduction benefits, storm water runoff, as well as electrical savings by entering the tree species, diameter of the tree and its location.

Between the corners, the smaller tree beds should be one of a couple selections, Cleveland Select Pear or a similar variety with a narrow form, The Ivory Silk Lilac, Dakota Pinnacle Birch, Princeton Sentry Ginkgo, Purple Frost Birch, or Prairie Gold Aspen. In addition to having a varied tree selection available, these varieties all are resistant to Japanese Beetles as well.

For corner beds of larger size that would allow for larger trunk space at intersections and that do not interfere with stop signs, we would recommend Skyline Locust, Princeton Sentry Ginkgos (male Species only), or one of other similar columnar shaped trees, Crimson Spire Oak, Prairie Gold Aspen, Crimson Sunset Maple, or Dakota Pinnacle Birch. These varieties are also resistant to Japanese Beetles and are all hardy to at least zone 4, which is one climate zone to our north. The excellent red

fall color from the Cleveland Select Pear trees and the Crimson Spire Oak to a nice gold from the Ginkgo's or Aspen and Birch would make for a beautiful color contrast.

Replacement Tree Selection – Right of Way Trees

A list of trees permitted for Right of Ways with 4 to 6 feet as to not impede traffic or pedestrian travel are as follows:

Japanese tree Lilac	<u>Ornamental Pears such as:</u>
Single Stem Serviceberry	Cleveland Select
Narrow shaped, Vase shaped crab apple	Valiant
Adirondack	Trinity
Marilee	

All of the ornamental pear trees listed have fewer fruit and are narrow upright varieties
Note: these selections are not banned at this time in Iowa, but other states have had issues of the trees hybridizing and becoming invasive.

A list of trees permitted for Right of Ways with more than 6 feet include, the above list as well as the following varieties:

Maple Sugar	Oak Bur
Maple Black	Oak Red
Maple Red	Oak Scarlet
Maple Norway	Linden American
Hackberry	Linden Little leaf
Thornless Honey Locust	Elm, Princeton
Ginkgo, male species only	Tulip Tree
London Plane tree	Iron Wood
Oak Swamp White	Kentucky Coffee Tree
Oak English	Turkish Filbert
Oak White	

Note: All tree selections above are just an initial list. Different species or cultivars of these selections may be selected but must be approved by the Muscatine Parks and Recreation Department. This list is a selection from the ISU Extension and Urban Forestry Coordinator, Emma Hanigan

Tree Nursery

The Muscatine Parks and Recreation Department has already begun to prepare for the EAB by starting a nursery at the Municipal Golf Course. These trees are intended to be a start on what will become a larger scale of development once the full extent of damage caused by the EAB is determined. Funds and recourses should be provided ahead of the infestation to further the selection of trees available in the tree nursery.

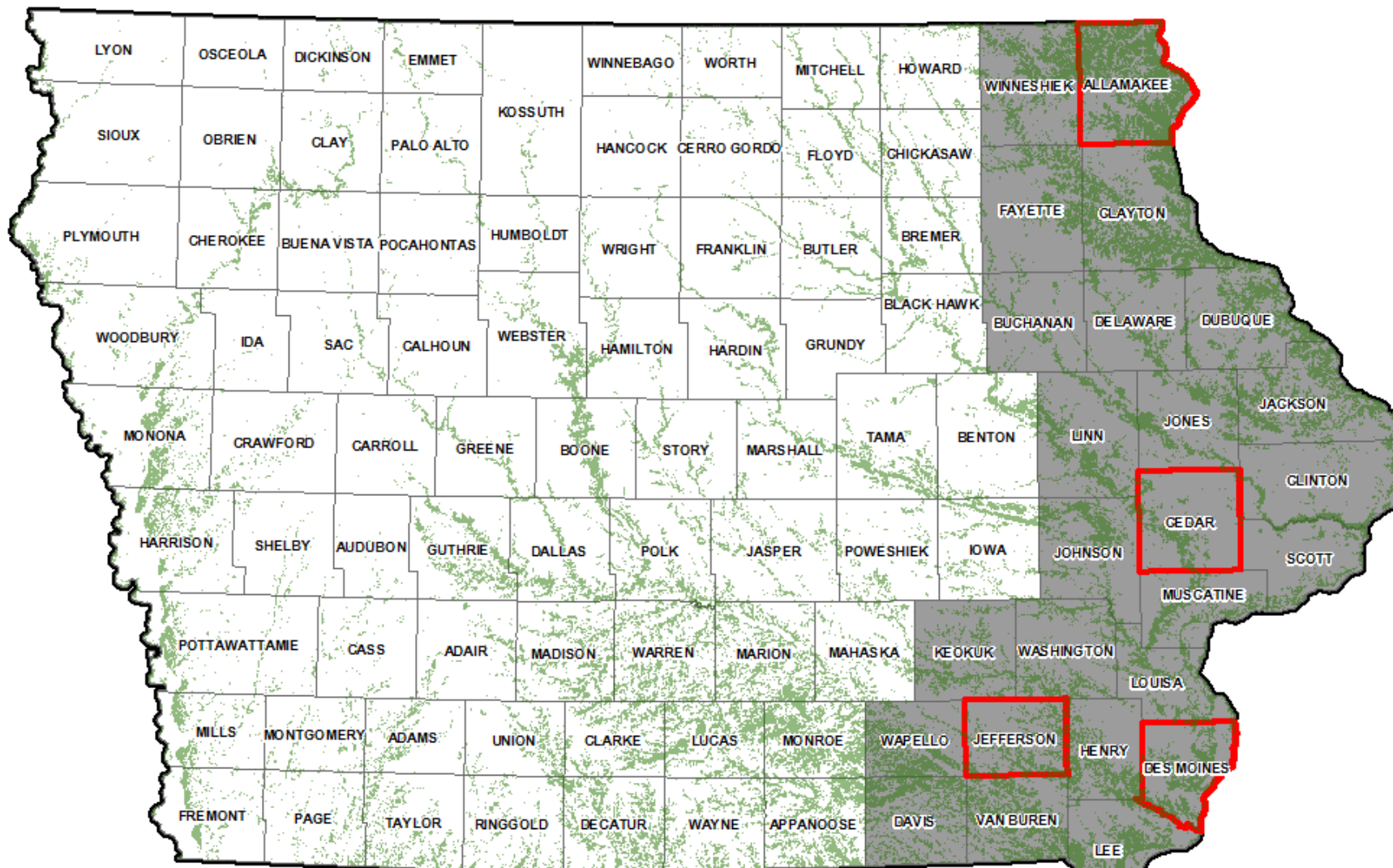
Tree Donations

Muscatine Branching Out has in the past provided a great selection of trees to the public as well as the City of Muscatine every year. The city has also received several donation trees from private citizens that have been planted in parks and other city properties.

Iowa Emerald Ash Borer (EAB) Quarantine Order ENT-13-1



Effective November 1, 2013



Quarantined for emerald ash borer, *Agrilus planipennis* (Fairemarie)

Counties confirmed to be infested with emerald ash borer

City of Muscatine
2013 Core Values, Vision and Mission
Adopted, November 7, 2013

Core Values

- Integrity
- Respect
- Innovation
- Excellence
- Professionalism
- Customer Service
- Fiscal Responsibility

Vision

Muscatine is a vibrant river community where a rich tradition of community pride and entrepreneurial spirit has created an outstanding environment to live and work. Muscatine values its history, has a strong sense of community, is rich in cultural and economic diversity, and has strong global connections. Muscatine residents, businesses and its local government are engaged and achieve goals through valued partnerships.

Mission

Provide effective municipal services, excellent customer service and sound fiscal management that improves quality of life and ensures a sustainable economy.

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