

**CITY OF MUSCATINE**  
**REGULAR CITY COUNCIL MINUTES**  
Council Chambers – 7:00 p.m. – May 19, 2016

Mayor Broderson called the City Council meeting for Thursday, May 19, 2016, to order at 7:00 p.m. Councilmembers present were Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey.

The meeting began with the Pledge of Allegiance.

#23415. Councilmember Rehwaldt, seconded by Councilmember Harvey, moved the Consent Agenda be approved as follows:

- Regular City Council Minutes – May 5, 2016
- In-Depth City Council Minutes – May 12, 2016
- Second reading on a Class “B” Beer Permit for La Morelia, 506 Mulberry Avenue – Julio Guzman (pending inspections and insurance); renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Smokin’ Joe’s Tobacco and Liquor Outlet #16, 1504 Park Avenue – The Outlet Inc. (pending inspections); renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Circle K #6600, 802 Cypress Street – Mac’s Convenience Stores LLC (pending inspections); and renewal of a Class “C” Liquor License for Jody’s Corner Tap Inc., 226 Walnut Street – Jody’s Corner Tap Inc. (pending inspections and insurance); renewal of a Special Class “C” Liquor License and Sunday Sales for Peking Restaurant, 1700 Park Avenue – Peking Chinese Restaurant Inc. (pending inspections and insurance)
- Filing of Communications 12A-B
- Approval of Bills for Approval totaling \$2,140,282.79

Vote – All ayes; motion carried.

**PUBLIC HEARING**

Mayor Broderson stated this public hearing concerns the proposed Amendment #2 to the 2015/2016 City Budget.

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

#23416. Councilmember Natvig moved the public hearing be closed. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

**PUBLIC HEARING**

Mayor Broderson stated this public hearing concerns the proposed 2016 Asphalt Overlay Project.

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

#23417. Councilmember Fitzgerald moved the public hearing be closed. Seconded by Councilmember Rehwaldt. All ayes; motion carried.

#23418. Councilmember Fitzgerald moved to approve the second reading of an ordinance amending Title 7, Chapter 5 of the City Code pertaining to automated traffic enforcement. Seconded by Councilmember Rehwaldt. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23419. Councilmember Natvig moved the resolution be adopted approving Amendment #2 to the 2015/2016 City Budget. Seconded by Councilmember Bynum. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23420. Councilmember Harvey moved to approve the reallocation of the Transfer Station full rate tipping fee in the fiscal year 2016/2017 and fiscal year 2017/2018 city budgets. Seconded by Councilmember Natvig. All ayes; motion carried.

#23421. Councilmember Fitzgerald moved the resolution be adopted approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for the 2016 Asphalt Overlay Project. Seconded by Councilmember Harvey. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23422. Councilmember Harvey moved the resolution be adopted writing off debts of former housing tenants. Seconded by Councilmember Natvig. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23423. Councilmember Fitzgerald moved the resolution be adopted awarding the contract for the Mulberry Avenue Improvement Project to Langman Construction in the amount of \$1,888,269.94. Seconded by Councilmember Harvey.

Councilmember Rehwaldt asked how long it would take the Iowa Department of Transportation to approve this bid.

City Engineer Jim Edgmond stated he was hoping to hear something from them soon.

Councilmember Saucedo asked if this company had been used before, and Mr. Edgmond answered yes.

Councilmember Natvig asked Mr. Edgmond if he knew why there was such a wide range in the bids submitted.

Mr. Edgmond stated you just never know how contractors will be bidding on a project. He stated that he talked with Langman Construction and he is confident they can perform the work for the project. He then stated this company had done Phases I and II of the CSO.

Councilmember Fitzgerald asked what the engineer's estimate had been, and Mr. Edgmond stated \$2.37 million.

Vote – All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23424. Councilmember Harvey moved the resolution be adopted accepting the completed work for the Cedar Street Reconstruction Project and authorizing final payment to All American Concrete Inc. Seconded by Councilmember Bynum. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23425. Councilmember Fitzgerald moved the resolution be adopted accepting completed work for the Airport T-Hangar Connector Road Project and authorizing final payment to Muscatine Bridge Company. Seconded by Councilmember Natvig.

There was discussion concerning pavement thickness and the coring process used to check it.

Vote – All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23426. Councilmember Fitzgerald moved the resolution be adopted accepting completed work for the Domestic Water Heater Replacement Project at the Clark House and authorizing final payment to JL Brady Company. Seconded by Councilmember Harvey. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23427. Councilmember Natvig moved the resolution be adopted authorizing the assessment of unpaid abatement costs and unpaid rental inspection fees in the amount of \$9,582.30 to private properties. Seconded by Councilmember Harvey.

Councilmember Rehwaldt, speaking in reference to the rental inspection fees included on the list, asked that staff come back at the next meeting with recommendations on how to keep rental fees from being assessed to private properties.

Councilmember Harvey stated he noticed there were landlords on the list who were repeat offenders.

Vote – All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. Motion carried.

#23428. Councilmember Harvey moved to approve Amendment #1 to the Housing Assistance Payments Contract between Fulton Place Limited Partnership and the Muscatine Municipal Housing Agency. Seconded by Councilmember Natvig. All ayes; motion carried.

#23429. Councilmember Fitzgerald moved to approve the request from the Police Department to declare radio equipment as surplus. Seconded by Councilmember Bynum.

Councilmember Saucedo asked if it was going to a local agency, and City Administrator Gregg Mandsager stated the agency was from Illinois.

Vote – All ayes; motion carried.

#23430. Councilmember Harvey moved to accept the donation of real estate located on Roby Avenue from the Donald Morgan family as a gift. Seconded by Councilmember Fitzgerald.

Jan Noll, who is the daughter of Mr. Morgan, stated she and her siblings would like to donate this property to the city. She stated they are trying to close the estate.

Vote – All ayes; motion carried.

#23431. Councilmember Fitzgerald moved to approve Change Order #1 for the Community Development Block Grant Alley #1 Façade Project Schedule. Seconded by Councilmember Natvig. All ayes; motion carried.

#23432. Councilmember Fitzgerald moved to authorize the issuance of a purchase order to Altorfer Caterpillar in the amount of \$200,941 for a track loader for the Transfer Station. Seconded by Councilmember Harvey.

Councilmember Saucedo stated he was concerned about the \$10,000 trade-in amount and questioned if this piece of equipment could be leased rather than purchased.

Solid Waste Manager Laura Liegois stated bid specifications were sent to a variety of vendors. She stated that for this particular piece of equipment, there are three potential vendors. She stated one of the three companies did not submit a bid because it could not meet the specifications. She stated that Martin Equipment and Altorfer Caterpillar both submitted bids and both companies offered a \$10,000 trade in for the 2001 track loader. She stated she cannot explain how both companies came up with the same trade-in amount.

Finance Director Nancy Lueck stated staff did look at the possibility of leasing this piece of equipment; however, a lease would count against the city's debt. She stated staff is proposing an internal loan from the Water Pollution Control Plant which the city has done before.

Councilmember Saucedo asked about purchasing this piece of equipment as used.

Ms. Lueck stated the city has purchased used vehicles but generally the larger pieces of equipment are purchased new.

Ms. Liegois stated the garbage industry causes a lot of wear and tear on equipment.

Councilmember Natvig stated it was his understanding that a second track loader would be needed soon.

Ms. Liegois stated the new track loader would be used on the tipping floor and the old one at the compost site.

There was discussion concerning the condition of the old track loader, the number of hours put on this piece of equipment in a year's time, and the purpose of a service agreement.

Councilmember Rehwaldt asked why a track loader was required.

Ms. Liegois explained its purpose.

Councilmember Saucedo asked if staff had ever considered purchasing a used track loader.

Ms. Liegois answered no. She stated that purchasing a used track loader could lead to the same problems being experienced now.

Councilmember Rehwaldt asked if staff had considered purchasing a heavier piece of equipment.

Ms. Liegois stated a bigger piece of equipment is not recommended because of the higher risk for accidents.

Councilmember Saucedo stated he does not agree with this expense. He stated he would like to see about looking at a model that is two to three years older.

Councilmember Harvey asked when the track loader will be delivered.

Ms. Liegois stated it will take approximately three months to have it built.

There was discussion about tabling this request.

City Administrator Mandsager stated the rent for this piece of equipment is very expensive.

Ms. Liegois stated the rent is approximately \$10,000 to \$13,000 per month.

Ms. Lueck stated there are no bid specifications to compare when purchasing used equipment.

Councilmember Harvey stated there would be no guarantee on a used piece of equipment.

Councilmember Rehwaldt asked Community Development Director David Gobin for his opinion on purchasing used equipment.

Mr. Gobin stated he would not recommend the purchase of used equipment but rather reconditioned equipment and then explained why.

Councilmember Fitzgerald stated the city is required to solicit and receive sealed bids.

Councilmember Saucedo stated he is not comfortable with the cost of this piece of equipment.

Vote – All ayes; motion carried.

#23433. Councilmember Fitzgerald moved to approve the submission of a grant application to the Federal Aviation Administration for the Airport Layout Plan Update. Seconded by Councilmember Natvig.

There was discussion concerning the need for the ALP update.

Councilmember Rehwaldt asked how the current runway project is progressing.

Community Development Coordinator Adam Thompson stated paving is scheduled to begin on May 31, 2016. He stated that issues have been minor.

Vote – Five ayes: Councilmembers Fitzgerald, Natvig, Saucedo, Bynum, and Harvey. One nay: Councilmember Rehwaldt. Motion carried.

#23434. Councilmember Harvey moved to approve Change Order #1 for the Airport Runway Reconstruction Project. Seconded by Councilmember Fitzgerald.

Councilmember Harvey asked why there was a need for this change order.

Mr. Thompson stated the pavement was thicker than anticipated resulting in more material being removed. He stated that in order to achieve proper runway grade, more material is needed. He stated the P219 will be used to provide a thicker subbase where needed. He stated the milling material removed from the runway will be used to rehabilitate access roads at the airport.

Councilmember Harvey asked if there are any elevation changes, and Mr. Thompson answered no.

Councilmember Rehwaldt asked if this change order was due to miscalculation.

Mr. Thompson stated it was not. He then stated that some areas of concrete areas were thicker than others.

Councilmember Natvig stated the thickness on the entire runway are inconsistent.

Councilmember Saucedo asked if there would be other change orders of this size.

Mr. Thompson stated there will probably be other change orders but not of this size.

Vote – All ayes; motion carried.

#23435. Councilmember Rehwaldt moved to approve Change Order #3 related to the Airport Electrical Upgrade Project. Seconded by Councilmember Harvey.

Councilmember Harvey asked what REIL lighting was.

Mr. Thompson stated they are flashing lights that indicate the end of a runway.

Councilmember Harvey asked if other issues with this lighting is expected.

Mr. Thompson answered no. He stated damage was due to a lightning event.

Councilmember Saucedo asked if the lights are grounded, and Mr. Thompson stated the REIL system is not.

Councilmember Harvey asked if the remaining grant money could be used for this purpose.

Mr. Thompson stated upgrades to the REIL lighting were above the funds available.

Vote – All ayes; motion carried.

#23436. Councilmember Natvig moved to approve the professional services agreement with Anderson-Bogert Engineers & Surveyors Inc. in the amount of \$157,472.76 for the Airport Layout Plan Update. Seconded by Councilmember Harvey. All ayes; motion carried.

Under comments, Councilmember Rehwaldt stated the city has a significant responsibility in making sure Mississippi Drive is finished ahead of the new hotel's needs.

Jim Edgmond stated there has been discussion with the hotel concerning the city's commitment to providing access to the hotel. He stated completion of this section of Mississippi Drive is part of the first phase of the project.

Councilmember Rehwaldt stated the city always has the best of intentions; however, he is “ye of little faith” when it comes to contractors.

Mr. Edgmond stated he envisions receiving hard dates for completion of this portion of Mississippi Drive to allow access to the hotel.

Councilmember Harvey stated the Mississippi Drive Corridor Project is at the mercy of the railroad.

Mr. Edgmond stated that Councilmember Harvey was correct. He stated this project will be no simple puzzle.

There was discussion concerning penalties if the project is not completed in a timely manner.

Mr. Edgmond ended the conversation by saying the city is committed to having access to and from the hotel.

Mayor Broderson reminded everyone of her “Coffee with the Mayor” on Saturday at 9 a.m. at Happy Joe's on Lake Park Boulevard.

Councilmember Harvey moved the meeting be adjourned at 8:20 p.m.

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Diana Broderson, Mayor

ATTEST:

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Gregg Mandsager, City Administrator