

CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
Council Chambers – 7:00 p.m. – January 6, 2011

Mayor Dick O'Brien called the City Council meeting for Thursday, January 6, 2011, to order at 7 p.m. Councilmembers present were LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange.

The meeting began with the Pledge of Allegiance.

Mayor O'Brien welcomed Boy Scout Troop #167.

#21404. Councilmember Bynum moved to approve the minutes of the December 16, 2010 City Council meeting. Seconded by Councilmember LeRette. All ayes; motion carried.

#21405. Councilmember Lange moved the Consent Agenda be approved as follows: Second reading for a new Class C Liquor License and Sunday Sales Permit for Samz Sports Bar, 103 Ford Avenue – Noe Sanchez (pending final paperwork); first reading for a new Class B Beer and Sunday Sales Permit for Hong Kong Buffet, 2406 Park Avenue – Yan Fei Yang (pending final paperwork); renewal of a Class C Liquor License and Sunday Sales Permit for Las Lomas, 1519 Park Avenue – Juan Inc. (pending inspections); filing of Communications A-G; and Bills for Approval totaling \$1,456,172.39. Seconded by Councilmember Shihadeh. All ayes; motion carried.

#21406. Councilmember Fitzgerald moved to approve the closure of 2<sup>nd</sup> Street between Iowa Avenue and Chestnut Street on January 7, 2011 from 5 to 8 p.m. for an ice cream eating competition and live entertainment sponsored by the Mobilizing Muscatine Excellence and Downtown Action Alliance. Seconded by Councilmember Natvig. All ayes; motion carried.

#21407. Councilmember Roby moved to adopt on final reading an ordinance providing for the division of taxes levied on taxable property in the 2010 Addition to the Highway 38 Northeast Urban Renewal Area and directed for its publication as required by law. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and ordinance adopted on final reading.

#21408. Councilmember LeRette moved the resolution be adopted authorizing the submittal of an application for the Iowa Economic Development Department's High Quality Job Creation (HQJC) Program and Grow Iowa Values 130% Wage Component. Seconded by Councilmember Natvig.

Councilmember Roby asked for an update on what is happening with this project.

Greg Jenkins of the GMCCI stated the Chamber is seeking City Council's support of this application. He stated the resolution submitted for Council action is a requirement of the application. He then explained the requirements and qualifications that must be met to qualify for this program which he stated is a very good one.

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

Mr. Jenkins stated the second part of the application process has to do with the public-private partnership. He stated that as part of the application process, the state requires a 20% match which would mean approximately \$140,000 for the city. He stated that as part of GMCCI's efforts, they are asking the city to donate 50% of the matching funds.

City Administrator Gregg Mandsager stated staff has talked to the city's bond counsel and Piper Jaffray concerning the two items. He stated the determination has been made that the city does not have to create a new TIF district. He stated the city is looking at expanding the urban renewal map which would include the entire city including the area of Bridgestone-Bandag. He stated the city has multiple urban renewal plans that would be combined into one plan. He stated this would allow City Council to act on an internal advance similar to the ones City Council took action on a couple of months ago. He stated that expanding the urban renewal area would allow for use of TIF funds outside of TIF districts.

Councilmember Roby asked if that was a requirement of the application process.

City Administrator Mandsager stated Bridgestone-Bandag would have to be included in the new urban renewal plan in order to expend the funds. He stated this action is something that was going to be recommended anyway.

Councilmember Lange asked if this means the Cedar Street project could be partially funded.

City Administrator Mandsager answered yes if City Council made the determination to do so.

Councilmember Roby asked if there was any action required at this time.

City Administrator Mandsager answered no. He stated that City Council will have to approve the urban renewal plan amendment.

Councilmember LeRette asked when this would be happening.

City Administrator Mandsager stated he would be meeting with John Danos next week to discuss this matter. He stated that final action will probably take place in February.

Councilmember Roby stated this is a program that shows the city will do as much as it can to keep the City of Muscatine on the right track.

Councilmember Natvig stated the benefits will outweigh the expenditure.

#21409. Councilmember Roby moved to approve the second reading of an ordinance adopting the Code of Ordinances and Supplement #8. Seconded by Councilmember Lange. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and second reading of ordinance approved.

#21410. Councilmember Bynum moved the resolution be adopted setting a public hearing on Thursday, January 20, 2011, at 7 p.m. on a proposed development agreement with A&E Convenience LLC. Seconded by Councilmember Shihadeh. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21411. Councilmember Shihadeh moved the resolution be adopted setting a public hearing on Thursday, January 20, 2011 at 7 p.m. on a proposed development agreement with Oxbow Development Corporation. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21412. Councilmember LeRette moved the resolution be adopted setting a public hearing for the Hershey Avenue Reconstruction Project for Thursday, January 20, 2011, at 7 p.m. Seconded by Councilmember Roby. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21413. Councilmember Lange moved the resolution be adopted awarding a contract for the Weed Park to Wild Cat Den Trail Project to Sulzberger Excavating in the amount of \$448,578.90. Seconded by Councilmember Fitzgerald.

Councilmember Lange stated he wanted to clarify that this does not complete the trail project only a significant portion of it.

City Administrator Mandsager stated that originally Solomon Road was going to be sealcoated; however, funding was denied for this portion of the trail because it is in the county.

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

#21414. Councilmember Natvig moved the resolution be adopted accepting completed work for the 2010 Curb and Gutter and Street Maintenance Program and authorized final payment to BMW Builders II. Seconded by Councilmember Lange. All ayes: Councilmembers LeRette, Fitzgerald, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21415. Councilmember Roby moved the resolution be adopted accepting completed work for the CDBG Housing Rehabilitation Project at 1828 New Hampshire Street and authorized final payment to Daniels Construction. Seconded by Councilmember Bynum. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21416. Councilmember LeRette moved the resolution be adopted accepting easements for the Hershey Avenue Reconstruction Project. Seconded by Councilmember Roby. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21417. Councilmember Natvig moved to approve the purchase of five police patrol vehicles from Krieger's in the amount of \$115,396.20. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#21418. Councilmember Lange moved that Clay Street be designated as a truck route from Park Avenue to Isett Avenue. Seconded by Councilmember Fitzgerald.

Public Works Director Randy Hill explained to Council how the determination is made to designate a street as a truck route.

Vote – All ayes; motion carried.

#21419. Councilmember Fitzgerald moved to approve the bid from CR Landscaping in the amount of \$7,986.75 for the replacement of fencing for the mausoleum area at Greenwood Cemetery. Seconded by Councilmember LeRette. All ayes; motion carried.

#21420. Councilmember Fitzgerald moved to approve the issuance of a purchase order to Martin & Whitacre in an amount not to exceed \$13,000 for civil engineering services for the Fire Station #2 Project. Seconded by Councilmember Roby.

Councilmember Roby asked if Council would be receiving information as this project moves along.

City Administrator Mandsager stated that Fire Chief Jerry Ewers would be at the January In-Depth meeting to provide additional information on this project.

Vote – All ayes; motion carried.

Under comments, Councilmember Natvig thanked the Police Department for trying to put together another Citizen's Academy. He encouraged citizens interested in learning how the Police Department operates to sign up.

Assistant Chief Sargent stated the course is 10 weeks long and won't be held without a minimum of nine people. He stated that applications are available online. The deadline is Friday, January 7, 2011.

Councilmember Bynum asked for an update on the traffic cameras.

City Administrator Mandsager stated that installation is moving ahead; however, no completion date has been set yet.

Assistant Police Chief Phil Sargent stated that all the bases are in except for one which has been delayed until a determination is made on who the property belongs to. He stated he feels the cameras should be installed before the end of the month. He stated the warning period will start 30 days after the cameras go live.

Assistant Chief Sargent stated that anyone receiving a civil citation will receive a warning in the mail. He also stated there will be public announcements made and fliers sent out.

Councilmember Roby stated she attended a Recreation Advisory Commission meeting on Wednesday evening and found it to be very interesting. She stated that Rich Klimes provided a good budget overview. In addition, she stated she got to see the new simulator, adding that the clubhouse would be a great place for parties.

Councilmember Roby then thanked the Mayor for his years of doing the radio program.

Mayor O'Brien stated the radio program has been enjoyable; however, things change and it is now time to move on.

City Administrator Mandsager stated his last budget meeting was held today and that things are moving ahead on schedule.

City Administrator Mandsager then stated there will be an open house held for the Police Chief applicants at the Art Center on January 21, 2011 from 5:30 to 7:30 p.m. He asked if two Councilmembers could participate in the interview process and asked them to let the Mayor know.

#21421. Councilmember Shihadeh moved the meeting be adjourned at 7:48 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.



*Gregg Mandsager*  
Gregg Mandsager, City Administrator

*Richard W. O'Brien*

Richard W. O'Brien, Mayor