

## PROOF OF PUBLICATION

I, Jeff Lee, being duly sworn, on my oath, say that I am an advertising clerk at the *Muscatine Journal*, a newspaper of general circulation, published in the City of Muscatine, Muscatine County, Iowa; and that the following Notice:

Muscatine City Clerk  
Minutes & Bills  
May 7, 2009

Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

May 18, 2009

Jeff Lee

## STATE OF IOWA MUSCATINE COUNTY

Subscribed and sworn to before me this  
18th day of May 2009

Beth Lester, Notary Public



Beth Lester  
Iowa Notarial Seal  
Commission number 745921  
My Commission Expires 03/20/2010

PUBLIC DOCUMENT  
INDEX No.

# 9 0 9 4 7

CITY CLERK'S OFFICE  
MUSCATINE, IOWA

City Administrator A.J. Johnson stated it should be done with the resolution authorizing the sale of the right-of-way to the school district.

Resolution adopted authorizing the sale and transfer of city property to the Muscatine School District in the amount of \$7,654.50.

Motion made to amend the motion to waive the sale amount for the property with the school district responsible for paying the costs for transfer of the property.

Councilmember Shihadeh asked if the sale amount for the other property should be waived as well. He stated his reasoning for the amendment is because the school district is another taxing body.

Motion died for lack of a second.

Resolution adopted approving an executed deed between the City of Muscatine and the Muscatine School District.

Resolution adopted authorizing the sale and transfer of city property to Gary and Linda Newcomb in the amount of \$2,560.95.

Resolution adopted approving an executed deed between the City of Muscatine and Gary and Linda Newcomb.

Resolution adopted authorizing the 2009/2010 Public Housing Annual Agency Plan and attachments as modified.

Resolution adopted setting a public hearing on the 2009/2010 Disadvantaged Business Enterprise goals.

Councilmember Roby asked the City Administrator to refresh her memory on the DBE goals.

City Administrator Johnson stated that anytime the city receives federal funding over a certain amount, it is required to direct its bids toward qualified individuals or firms owned by minorities or women. He stated this is a federal requirement.

Resolution adopted setting a public hearing concerning Amendment #2 for the 2008/2009 city budget for Thursday, May 21, 2009, at 7 p.m.

Resolution adopted setting a public hearing for the Tennis Court Project for Thursday, May 21, 2009, at 7 p.m.

Councilmember Bynum asked what would happen to the two courts located in the center of Weed Park.

Richard Klimes, the city's Parks and Recreation Director, stated that initially the city had looked at all the courts and came to the realization that it would be more cost effective to build new courts and made the decision to leave those two alone until a private entity steps forward or they are demolished.

Councilmember Bynum asked if they could be cemented over.

Mr. Klimes stated it could be done; however, in a couple of years they would probably be in the same condition they are now.

Resolution adopted accepting the completed work and authorizing final payment to HyBrand Industrial Contractors for the Golf Course Maintenance Facility Project.

Councilmember Howard thanked Mr. Klimes, his staff, and everyone involved with this project for doing such a great job. Agreement approved with McGladrey & Pullen for audit services.

Purchase approved of a 2008 GMC Canyon pickup truck from Krieger Motor Company for a replacement vehicle for Building and Zoning.

City Administrator Johnson stated the actual effect on the Equipment Replacement Fund will be \$3,289 rather than \$5,189. He stated that \$1,900 will be taken from Collection and Drainage to help pay for the truck.

Councilmember Howard, speaking in reference to the frame issue with the Toyota, asked if Toyota was contacted along with the other dealerships during the search for a different vehicle.

City Administrator Johnson stated that all dealerships in Muscatine had been contacted.

Construction administration agreement with Shoemaker-Haaland in the amount of \$38,700 for the City Street Inlay Project approved.

Councilmember Roby asked Public Works Director Randy Hill when the project would be started.

Mr. Hill stated that the bid letting is being handled by the state and once that is done, the project will probably begin in July.

There was discussion on the cost of the project which is about \$1.2 million.

Change Order #1 approved with Red Barn Engineering for the Bridge Tribute Plaza/Bike Trail Kiosk.

Councilmember Howard questioned why this change order is being requested.

Steve Boka, the city's Planning, Zoning and Building Safety Director, stated this is a Leadership Muscatine Project but the city submitted the application for the funding. He stated that Red Barn has been the leader on many of the riverfront improvements and that they volunteered for this project at a very reasonable price. He stated that originally this was to be two different projects; however, they have been combined and will be constructed at one location. He stated that additional costs were incurred to accomplish this.

Councilmember Howard stated it was his understanding the city would have no monetary costs from this project.

Mr. Boka stated that approximately \$72,000 in federal monies was received for this project and that Leadership Muscatine is looking for the funding for this change order. He stated that it is hoped they will come up with that funding but approval of this change order is needed in order to move this project forward.

Motion approved to issue purchase order for a physical needs assessment and energy audit for the Clark House and Sunset Park to Nelrod Company in the amount of \$5,799.

Councilmember Roby asked how often this is done.

Housing Administrator Dick Yerington stated it is required every five years; however, in order to receive funds under the

American Recovery and Reinvestment Act, HUD is requiring this assessment be done. Vote - All ayes; motion carried.

Paint striping bid approved from Peterson Parking Lot Striping in the amount of \$46,832.14.

City Administrator Johnson stated he had received a late grant request from the Police Department on behalf of the Muscatine School District. He stated the funding will allow improvements to the high school building that will assist in the communications between the high school and outside the building. He stated the grant amount is \$26,700 with a 50% match to be paid by the school district. He stated there will be no expense to the city.

Grant request approved. Councilmember Howard thanked everyone for coming to the meeting.

Councilmember Roby congratulated the City Administrator and his wife for his opportunity for promotion.

The meeting adjourned at 8:47 p.m.  
Richard W. O'Brien, Mayor

ATTEST:  
A.J. Johnson, City Administrator

### CITY OF MUSCATINE REGULAR CITY COUNCIL MINUTES Council Chambers

7:00 p.m. - May 7, 2009

Mayor Dick O'Brien called the City Council meeting for Thursday, May 7, 2009, to order at 7 p.m. Councilmembers present were Press, Fitzgerald, Howard, Shihadeh, Bynum, and Roby.

Pastor Ron Yohs of Faith Chapel Church gave the invocation which was followed by the Pledge of Allegiance.

Mayor O'Brien welcomed the Muscatine High School students to the meeting.

Tom Thatcher, 211 W. 6th Street, was present to discuss the problem of dogs running loose in his neighborhood.

Mayor O'Brien stated he was well aware of Mr. Thatcher's issue and stated the city will talk with the Animal Control Officer to find out what action can be taken to resolve the issue.

Minutes approved of the April 16, 2009 City Council Meeting.

Consent Agenda approved as follows:  
First reading on a new Class C Liquor License with Sunday Sales Permit for La Guadalupe Restaurant LLC, 203 E. 2nd Street (pending inspections); extended Outdoor Service Permit for Missippi Brewing Co., 107 Iowa Avenue for May 16-17, 2009 for street dance on May 16, 2009 (pending

inspections); renewal of a Class E Liquor License and Sunday Sales Permit for Wal-Mart Supercenter #559, 3003 Highway 61 North - Wal-Mart Stores Inc. (pending inspections); renewal of a Class C Beer and Sunday Sales Permit for Fast Avenue One Stop, 2111 Park Avenue - JBC LLC (pending inspections); filing of Communications A-H; and Bills for Approval totaling \$1,649,978.60.

#### PUBLIC HEARING

Mayor O'Brien stated a public hearing was being held concerning the proposed 2009/2010 Public Housing Administrative Plan.

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

Public hearing closed.

Request approved from the GMDCI for the use of city property for the 4th of July activities.

Proclamations approved declaring May 10-16, 2009 as "Iowa School Board Recognition Week", "National Nursing Home Week" and "National Police Week", May 2009 as "Tennis Month", and May 13, 2009 as "Peace Officers' Memorial Day".

Ordinance adopted on final reading vacating city real estate for the unimproved McClellan Street right-of-way and directed for its publication.

Councilmember Fitzgerald asked if it would be appropriate at this time to waive the fee for the Muscatine School District.

**CITY OF MUSCATINE  
BILLS FOR APPROVAL  
May 7, 2009**

**General Fund**

Beyond Technology Supplies (1) \$63.77;  
Bibliographical Center Services (1) 43.81; Stephanie  
Dexter Reimbursement (2) 64.41; FedEx Shipping Charge  
(1) 36.79; Hy-Vee Food Stores Services (1) 21.10; ID Label  
Inc. Supplies (1) 8.95; Kelly Hennrichsen Refund (1) 750;  
Tina Misch Reimbursement (2) 150.41; Muscatine Power  
& Water Utilities (1) 110.01; Office Machine Consultants  
Services (3) 342.14; Prairie Area Library System Services  
(1) 95.00; Quill Corporation Supplies (1) 12.95; USPS  
Permit Renewal (1) 180.00; A-1 Quality Tire & Car Care  
Services (2) 65.45; Acco Unlimited Corp Supplies (1)  
245.63; Advanced Business System Services (1) 209.71;  
Affiliated Computer Service Services (1) 1244.91; Alois  
Fire Equipment Co. Supplies (1) 230.28; Albion, Barclay,  
Allison Services (1) 7259.74; Alliant Energy Utilities (8)  
5,740.34; Arman LLC Supplies (1) 454.89; Arnold Motor  
Supply Supplies (1) 147.76; Dan Beenen Reimbursement  
(1) 26.83; Beyond Technology Supplies (1) 59.10; BMW  
Builders Services (1) 8,953.00; Bob's Crane Service  
Services (1) 660.00; Marissa Bolden Reimbursement (1)  
20.87; Bosch Pest Control Services (1) 90.00; Boss  
Supplies (3) 167.16; Bushido Tactical Registration (2)  
1,190.00; CR Landscaping Services (1) 23,897.00;  
Cardiovascular Medicine Services (1) 155.00; Carey's  
Safety Equipment Supplies (1) 258.84; Communications  
Engineering Services (3) 1,005.42; Creative Forms &  
Concept Services (1) 1,955.08; Department of Public  
Defense Lodging (1) 300.00; Dex East Services (1) 34.39;  
Dorsey & Whitney LLP Services (1) 125.00; Eastern Iowa  
Light & Power Utilities (4) 341.54; Eide Bailly LLP  
Registration (2) 130.00; Electronic Engineering Supplies  
(1) 56.34; Family Eye & Contact Lens Supplies (1) 125.00;  
Fastenal Company Parts (2) 21.29; FedEx Shipping Charge  
(1) 62.51; Flaghouse Inc. Supplies (1) 48.70; Flags USA  
Supplies (1) 815.00; Freers & Sons Tree Service Services  
(2) 300.00; Genesis Health System Services (1) 815.10;  
GL Sports Supplies (1) 38.07; Great River Electrical  
Services (1) 582.00; Great Western Supply Co. Supplies  
(1) 296.00; Greenwood Cleaning System Supplies (1)  
132.40; Joseph Hagerly Reimbursement (1) 106.50;  
Health Impressions Supplies (1) 126.00; Heiman Fire  
Equipment Supplies (1) 347.70; Theodore Hillard  
Scholarship (1) 50.00; Holiday Inn of Muscatine Lodging  
(1) 705.60; Randy Howell Reimbursement (1) 151.87;  
Hyink's Standard Service Services (1) 90.00; Hy-Vee Food  
Stores Services (1) 211.99; I Wireless Service Cell Phone  
Charge (1) 32.95; Iowa Environmental Health Dues (1)  
20.00; IAPMO Chicago Regional Registration (1) 165.00;  
Insight Public Sector Supplies (2) 234.04; International  
Code Council Dues (1) 100.00; Investment Enterprises  
Rental Fee (1) 300.00; Iowa Law Enforcement Academy  
Registration/Services (3) 655.00; Iowa Prison Industries  
Supplies (1) 1,092.40; Iowa State University Registration  
(3) 180.00; Iowa Telecom Telephone Charges (4) 108.01;  
JS Fire Inc. Supplies/Services (7) 483.47; Kellor & Kellor  
Landscaping Services (4) 14,699.00; Tammy King  
Reimbursement (1) 650.57; Kone Inc. Services (1) 423.98;  
Andy Kral Reimbursement (1) 50.00; Garry Lee  
Reimbursement (1) 55.00; Lewis Industrial Service  
Supplies (1) 30.60; Linda Tietje Refund (1) 100.00; Nancy  
Lueck Reimbursement (1) 163.29; Lupton & Toyne Printers  
Services (8) 442.00; L3 Communications Shipping  
Charge (1) 14.00; Connie Mann Reimbursement (1)  
213.00; Matthews Office Equipment Supplies (2) 53.71;  
Meardon, Suppeel & Downer Services (1) 7690.95;  
Menard's Supplies (30) 804.91; Midwest Door Specialists  
Services (1) 3,260.00; Mobile Team Training Registration  
(1) 150.00; Motion Industries Supplies (1) 90.30;  
Muscatine Community College Services (1) 130.00;  
Muscatine Humane Society Subsidy (1) 3,333.33;  
Muscatine Power & Water Utilities (7) 383.64; National  
Recreation & Park Dues (1) 135.00; Neale Vacuum &  
Sewing Center Supplies (1) 84.88; Neenah Foundry  
Supplies (1) 666.43; New Pig Corporation Supplies (2)  
385.70; Eric Nieland Reimbursement (1) 71.51; Northwest  
Mechanical Services (1) 416.50; Occupational Health  
Center Services (1) 522.15; Orscheln Supplies (12)  
122.40; Paper 101 Supplies (1) 1,638.00; Phelps Uniform  
Specialists Services/Rental Fee (32) 532.05; Phillips  
Brothers Rentals Supplies (3) 65.45; Pitney Bowes Rental  
Fee (1) 350.97; Plumb Supply Company Supplies (3)  
163.67; Prime-Stripe Supplies (1) 575.00; Quill  
Corporation Supplies (3) 278.35; Quest Telephone  
Charges (15) 1,404.09; Radio Shack Supplies (3) 101.86;  
River Rehab Services (3) 220.00; RK Dixon Services (1)  
183.95; S.J. Smith Welding Supplies (2) 30.89; Chad Said  
Reimbursement (1) 19.48; Phil Sargent Reimbursement  
(1) 70.00; Michael Scott Reimbursement (1) 24.96; Sears  
Commercial One Supplies (1) 53.99; Sherry Miller Refund  
(1) 250.00; Sherwin Williams Supplies (1) 53.58; Smith  
Sales & Service Parts (1) 69.80; Spratt Oil Sales Fuel (1)  
1,044.42; St. Luke's Work Well Solution Services (1)  
450.00; Stone River Pharmacy Services (1) 354.24;  
Sycamore Printing Services (1) 120.53; Brett Talkington  
Reimbursement (1) 25.00; Telerite Corporation Long  
Distance/Fax Charges (29) 189.49; Temp Associates  
Temporary Services (4) 1,871.64; Tony's Tropical Pets  
Supplies (1) 56.99; Trugreen Davenport Services (5)  
260.00; Uniforms Den Clothing Purchase (2) 636.22;  
United States Cellular Cell Phone Charges (9) 985.40;  
Unity Healthcare Services (2) 78.00; Unity Physician  
Clinics Services (3) 377.00; White Cap Construction  
Supplies (1) 491.64; Wilson True Value Hardware Supplies

(42) 459.04; World Class Technology Supplies (2)  
4,627.62; Xerox Corporation Lease Payment/Services (14)  
1,230.13; Total \$118,796.88

**Trust & Agency Fund**

Baker & Taylor Entertainment Books (5) \$630.34;  
Sheila Chaudoin Reimbursement (1) 80.31; Shield Design  
Services (1) 2,400.00; The Book Farm Books (1) 56.97;  
The Red Bench Services (1) 150.00; Total \$3,297.62

**Capital Improvement Fund**

Utility Equipment Co. Materials (1) \$9,400.00; Stanley  
Consultants Services (1) 1,480.50; Stanley Consultants  
Services (1) 1,312.50; Weinstra & Kirm Services (2)  
31,139.92; Dennis Kistenmacher Services (1) 1,222.80;  
Sulzberger Excavating Services (2) 114,950.11; Stanley  
Consultants Services (1) 19,740.00; Dennis Kistenmacher  
Services (1) 1,131.60; Stanley Consultants Services (3)  
83,008.11; Hy-Brand Industrial Services (1) 23,183.17;  
Martin & Whitacre Survey Services (1) 2,128.00; Iowa  
Monument Company Services (1) 125.00; Nelson  
Appraisal Services (2) 8,500.00; Albion, Barclay, Allison  
Services (1) 50.00; Total \$297,371.71

**Enterprise & Utility Fund**

Dex East Advertising (1) \$3.92; Ann Harrison  
Reimbursement (1) 25.25; Insight Public Sector Supplies  
(1) 145.75; Iowa Public Transit Association Registration (1)  
125.00; Phelps Uniform Specialists Clothing/Services (3)  
1,310.20; Quest Telephone Charges (1) 103.39; School Bus  
Sales Supplies (1) 28.00; Senior Resources Advertising (1)  
20.00; Telerite Corporation Long Distance Charge (1)  
12.11; Verizon Wireless Cell Phone Charges (1) 61.97;  
Albion, Barclay, Allison Services (1) 156.00; Lupton &  
Toyne Printers Services (1) 80.00; Menard's Supplies (1)  
125.00; Michelle Metzger Reimbursement (1) 62.98; POM  
Inc. Supplies (1) 58.53; Richard Allen Tinsman Refund  
(1) 20.00; Taylor's Market Supplies (1) 102.96; Xerox  
Corporation Services (1) 3.72; A-1 Quality Tire Services (1)  
15.95; Antigua Group Merchandise (3) 691.57; Arnold  
Motor Supply Services (1) 6.39; B&B Technologies  
Supplies (1) 113.73; Ben Meadows Company Supplies (1)  
65.23; Bosch Pest Control Services (1) 35.00; Commercial  
Turf & Tractor Supplies (1) 453.07; D&K Products Supplies  
(2) 1,144.00; Dex East Advertising (1) 5.22; Eastern Iowa  
Light & Power Utilities (2) 622.07; Farm Plan Oil (1) 113.91;  
Farmer-Bocken Company Food/Credits (15) 2,227.99;  
Fleck Sales Company Beverages (3) 438.10; Footjoy  
Merchandise (1) 60.56; GCSAA Dues (1) 320.00; Holmes  
Murphy Insurance/Credit (2) -; Hornung's Pro Golf Sales  
Merchandise (2) 146.54; Hygenic Laboratory Services (1)  
11.00; Hy-Vee Food Stores Food (8) 200.46; Lewis  
Industrial Service Supplies (1) 17.26; Lucas  
Communication Services (1) 250.29; Menard's Supplies  
(7) 177.56; Randy Moeller Reimbursement (1) 50.00;  
Orscheln Supplies (1) 91.03; Phelps Uniform Specialists  
Services (3) 60.57; Phillips Bros. Rentals Supplies (1)  
14.50; Quest Telephone Charges (1) 87.54; Ryan Smith  
Reimbursement (2) 315.24; Sprouse Distributing  
Beverages (3) 706.73; Sun Mountain Sports Merchandise  
406.12; Telerite Corporation Long Distance Charges (1)  
11.42; Taro NSN Services (1) 195.00; Tri State Company  
Parts (3) 600.13; United States Cellular Cell Phone Charge  
(1) 32.02; Vanguard Distributing Beverages (2) 284.50;  
Wilson True Value Hardware Supplies (1) 8.07; Wolfe  
Beverages Company Beverages (2) 192.00; Yamaha Motor  
Corporation Rental Fee (1) 7,014.75; Wilson True Value  
Hardware Supplies (3) 27.99; Menard's Supplies (1) 708;  
Alliant Energy Utilities (1) 252.19; CCP Industries Supplies  
(1) 256.49; Fastenal Company Clothing Purchase (1)  
95.04; Fox Engineering Services (1) 750.00; Keystone  
Laboratories Services (1) 281.04; Muscatine Power &  
Water Services (1) 1,503.00; Phelps Uniform Specialists  
Rental Fee (3) 118.92; Quad City Times/Muscatine Journal

**MORE LEGALS, PAGE 8**

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Continued from page 78

(m/m) Muscatine Journal Advertising (\$) 225.00; Quil  
Corporation Supplies (\$) 61.94; Quest Billboards Charges  
(\$7.12); Wilson Pave Tular Hardware Supplies (\$5.12);  
207.45; Wilson Pave Tular Hardware Supplies (\$5.12);  
United Security Services (\$) 751.95; Advanced  
Business System Services (\$) 96.05; Alliant Energy  
Utilities (\$) 1,020.57; Creative Farms & Concept Services  
(\$) 48.92; Curtis Pest Control Services (\$) 93.33;  
Grantham Real Estate Mortgage Payment (\$) 18,  
187.00; Hauling Services (\$) 626.74; Iowa Inc.  
Services (\$) 149.49; LMI Waste Systems Services (\$) 119.86;  
Merand's Supplies (\$) 199.55; City of Muscatine Housing Miscellaneous (\$51.4); Pumpco Supply & Water Utilities (\$) 1,581.67; Muscatine Power Company Supplies (\$) 165.09; Prairie Plac Inc Parts (\$) 40.00;  
Energy Utilities (\$) 93.61; Creative Farms & Concept Services (\$) 36.62; Curtis Pest Control Services (\$) 93.33; LMI Waste Systems Services (\$) 256.00;  
Merand's Supplies (\$) 226.68; City of Muscatine Housing Miscellaneous (\$5.360.01); Muscatine Power & Water Utilities (\$) 266.83; Dynesen Supplies (\$) 4.65; Plains Supply Company Supplies (\$) 212.90; Hector or Kim Cerklin Bank Payment (\$) 51.22; Creative Farms & Concept Supplies (\$) 253.37; Nyle Elm Road Payment (\$) 132.00; Clark Johnson Bank Payment (\$) 374.53; City of Muscatine Housing Miscellaneous (\$2). 8,691.90;  
Muscatine Power & Water Utilities (\$) 50.00; Newbury Management & Water Utilities (\$) 596.33; Alan Rusker Bank Payment (\$) 134.20; John Timm Bank Payment (\$) 278.00; Inright Public Social Supplies (\$) 255.29; H&H Corporation TE Balala (\$) 28,334.01; Dorsey & Whitney Services (\$) 1,280.00; Munro Sports Lighting TE Rental

(1)	\$2,374.25	Mason Street Improvements (H) Rehabilitation
(2)	\$4,500.50	Dorsey & Whitney Services (I)
(3)	\$90.00	Total
	\$17,540.35	

  

**ADDITIONAL BILLS FOR APPROVAL**

7 May-09

  

<b>General Fund</b>	
Napa Auto Parts Firm \$630.82; Oilfield Automotive	
Fisher/Petrie 3.8k; Subtotal \$634.64;	
<b>Treat &amp; Agency Fund</b>	
Oregon Museum of Science & Technology Participation	
Fee Deposit \$2,000.00	
<b>Inland Service Fund</b>	
Payroll Account Payroll Transfer \$248,000.00; Payroll	
Account Payroll Transfer 79,000.00; Payroll Account	
Payroll Transfer \$1,004.30; O' Reilly Automotive	
Fisher/Petrie 240.90; Payroll Account Payroll Transfer	
\$54,000.00; Payroll Account Payroll Transfer \$2,800.00;	
Payroll Account Payroll Transfer 20,173.32; Internal	
Revenue Services Federal Tax Withholding 78,186.18;	
Treasurer State of Iowa State Tax Withholding 56,774.71;	
Treasurer State of Iowa Sales Tax Payment \$1,196.90;	
Treasurer Staff of Iowa Sales Tax Payment \$1,196.90;	
Wellmark BCBS Health & Dental Ins. Payment	
40,000.00; Subtotal \$44,516.32; Section 8 - Various	
Landlord Correction to May Rent (\$2,564.52); Voids and	
Revenues Subtotal \$2,564.52; Total Bills for	
Approval \$1,648,978.60; Voids \$7,119,329.16; Net	
Disbursements \$1,530,549.44; Journal Entries	
\$3,519,867.62; Total Expenditures \$5,070,512.06	