

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

In-Depth Minutes

May 14, 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 28, 2009

Jeff Lee

STATE OF IOWA MUSCATINE COUNTY

Subscribed and sworn to before me this
29th day of May 2009

Beth Lester, Notary Public



Beth Lester
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CITY CLERK'S OFFICE
MUSCATINE, IOWA

MUSCATINE CITY COUNCIL IN-DEPTH MEETING Council Chambers 7:00 p.m. - May 14, 2009

The City Council In-Depth meeting for May 14, 2009 was called to order by Mayor Dick O'Brien at 7:00 p.m. Councilmembers present were Lange, Roby, Bynum, Shihadeh, Howard, Fitzgerald, and Press. Also present were City Administrator A.J. Johnson, Public Works Director Randy Hill, City Engineer Jon Lutz, Human Resources Manager Stephanie Romagnoli, Solid Waste Manager Laura Lagois, Solid Waste Leadworker Fernando Cardosa and Solid Waste Supervisor Dan Gaszer.

The first item on the agenda for Council's consideration were proclamations declaring May 22-23, 2009 as "Poppy Day" and May 17-23, 2009 as "Emergency Medical Services Week".

Proclamations approved.

The next item on the agenda was a Cedar Street Project review.

Prior to any discussion or overview, Mayor O'Brien recognized Councilmember Shihadeh who had a prepared statement. That statement outlined a conflict of interest as cited in Iowa Code 380.A, and after conferring with the city attorney, he informed the Council, the Mayor, staff, and the audience that he was required under the Code to abstain from any discussion or voting on this issue. The Mayor thanked him for his clarification and invited him to listen to what was going to be said that evening.

City Administrator Johnson then provided an overview

of the project. Public Works Director Hill also provided an update on the walkway options and grant opportunities for those trails. He also stated that staff is looking for a clarification on the direction of the roadway surfacing, configuration, etc. There were numerous questions from Councilmembers concerning the grant application, matching requirements and other questions concerning the sidewalk or trail surfaces. The Mayor then asked each Councilmember if they had a particular preference on how they wished to proceed with this project.

Councilmember Fitzgerald stated he would like to have sidewalks on both sides and due to previous actions by the City Council to assess for sidewalks, he felt that was fair to all the residents who had gone through previous assessments. Other Councilmembers stated there were conflicts with our policies and ordinances but they also wanted to do what was right by the citizens. Councilmember Howard reflected on past experience and challenged the Council to make changes they thought were necessary after this review. Councilmember Lange was an advocate of the trail placement program as well as improvements to the streets. Councilmember Roby stated this would be a difficult issue and not everyone would be happy, but she did an extensive amount of review and felt the trails plus the concrete street would be appropriate.

Following Council comments, citizens were invited to provide their input. Those included Gary Seligman, 1721 Cedar Street; Rich Phillips, 35 Colony Drive; Terry Lyon, Americana Avenue; Anthony Gaeta, 1111 E. 9th Street; Bill Parks, 1749 Arbor Oaks; resident of 2115 West Bay Drive; John Shultz, 2504 Stewart Road; and Denny Beckman, 2201 Imperial Oaks.

All provided their opinions and questions to Council and staff concerning the project. Following additional review and discussions, the Mayor once again provided the question to Council concerning the direction of this project. It was determined the roadway surface would be concrete. It was also determined there would be a trail 10' wide with monies provided through a grant application. It was also determined there would be a three-lane configuration and there would be a service road/maintenance trail placed over the existing sanitary sewer.

Public Works Director Hill commented that options would be left open based upon the trail grants and other funding opportunities.

There were also questions concerning maintenance and the city's commitment for long-term maintenance as well.

Following the discussion, the Mayor thanked Councilmembers, staff, and the audience for their constructive criticism, comments, and support for the project.

The next item on the agenda was a Historic Preservation Commission review. Dan Clark, HPC Chairman, provided an overview of recent HPC activities. The month of May is Historic Preservation Month and Mr. Clark related a number of projects and activities that are being undertaken by the city's local HPC on behalf of this event. Dr. Michael Mahary also presented an overview of awards they wanted to have recognized for the city. Also, an individual award was given to Devin PeBiri for his support of HPC activities throughout the past years. Mayor O'Brien thanked the HPC members and its chairperson for the fine work they do for the community.

The next item on the agenda was a solid waste activities review. Public Works Director Hill provided an overview of activities concerning solid waste for future Council consideration. Following that presentation, the program was turned over to Solid Waste Manager Lagois who provided an overview on curbside cardboard recycling opportunities, expansion of service to the City of Fruitland, and the expansion of recycling trailers beginning July 1, 2009.

The next item on the agenda was the City Administrator selection process. City Administrator Johnson provided an overview of written material provided to Council concerning his recommendations for the selection of a new City Administrator. Several questions were presented to City Administrator Johnson concerning process, use of consultants, etc. Following the discussion, it was the consensus of Council to utilize a consultant to assist the city in the filling of this position. Formal authorization will be placed on next week's City Council agenda for formal action.

There were no Council comments.

Motion approved to go into closed session at 9:12 p.m. to discuss pending litigation.

The closed session was entered into at 9:28 p.m. with the following individuals present: Mayor O'Brien, Councilmembers Press, Fitzgerald, Howard, Shihadeh, Bynum, Roby, and Lange, City Administrator Johnson, and Human Resources Manager Romagnoli.

Motion approved to leave the closed session at 9:48 p.m.

Meeting adjourned at 9:48 p.m.

Respectfully submitted,
A.J. Johnson
City Administrator